



## **CITY OF ANNA AGENDA NOTICE – CITY COUNCIL WORKSHOP**

**May 26, 2015**

**6:30 p.m. – Anna City Hall Administration Building**

The City Council of the City of Anna will meet in Workshop Session at 6:30 p.m., May 26, 2015 at the Anna City Hall Administration Building, located at 111 N. Powell Parkway (Hwy 5), regarding the following items:

1. Call to Order.
2. Roll Call and Establishment of Quorum.
3. Administer the Statement of Elected Officer and the Oath of Office and present Certificate of Election to the newly elected officials. (Mayor)
4. Briefing / Discussion regarding FY 2016 Budget. (Clayton Fulton)
5. CLOSED SESSION (EXCEPTIONS): Under Tex. Gov't Code Chapter 551, the City Council may enter into closed session to discuss any items listed or referenced on this agenda under the following exceptions:
  - a. consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code **(Tex. Gov't Code §551.071)**; discussion regarding changes in state law regarding land use.
  - b. discuss or deliberate the purchase, exchange, lease, or value of real property **(Tex. Gov't Code §551.072)**; acquisition of right-of-way, easements, and land for municipal facilities;

The Council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

1. The Council may vote and/or act upon each of the items listed in this agenda.
2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, whenever it is considered necessary and legally justified under the Open Meeting Act.
3. Persons with a disability who want to attend this meeting who may need assistance should contact the City Secretary at 972 924-3325 two working days prior to the meeting so that appropriate arrangements can be made.

6. Consider/Discuss/Action on any items listed on posted agenda for May 26, 2015 City of Anna City Council Regular Meeting or any Closed Session occurring during this Workshop, as necessary.
7. Adjourn.

This is to certify that I, Mirenda McQuagge-Walden, Acting City Secretary, posted this agenda at a place readily accessible to the public at the Anna City Hall and on the City Hall bulletin board at or before 5:00 p.m., May 22, 2015.

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Mirenda McQuagge-Walden, Acting City Secretary

1. The Council may vote and/or act upon each of the items listed in this agenda.
2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, whenever it is considered necessary and legally justified under the Open Meeting Act.
3. Persons with a disability who want to attend this meeting who may need assistance should contact the City Secretary at 972 924-3325 two working days prior to the meeting so that appropriate arrangements can be made.



## City Council Agenda Staff Report

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Date: May 26, 2015  
Staff Contact: City Manager  
Exhibits: None

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**AGENDA SUBJECT:** Call to order.

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**SUMMARY:**

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**STAFF RECOMMENDATION:**



## City Council Agenda Staff Report

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Date: May 26, 2015  
Staff Contact: City Manager  
Exhibits: None

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**AGENDA SUBJECT:**

Roll call and establishment of quorum.

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**SUMMARY:**

Mayor establishes a quorum

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**STAFF RECOMMENDATION:**



## City Council Agenda Staff Report

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Date: May 26, 2015

Staff Contact: Mirinda Walden

Exhibits: Attached

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### **AGENDA SUBJECT:**

Administer the Statement of Elected Officer and the Oath of Office and present Certificate of Election to the newly elected officials.

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### **SUMMARY:**

According to the City Charter each newly-elected person to the City Council is entitled to be inducted into office at the first regular City Council meeting following the election that the newly-elected member attends. Also according to the City Charter all elected and appointed officers of the City must take and sign an oath of office based on those prescribed for state elective and appointed offices, respectively, in the Constitution of the State of Texas. The Statement of Elected Officer and the Oath of Office will be given to the newly elected officials.

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### **STAFF RECOMMENDATION:**

Staff recommends that the Statement of Elected Officer and Oath of Office be administered to newly elected officials.



## City Council Agenda Staff Report

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Date: May 26, 2015  
Staff Contact: Clayton Fulton  
Exhibits: Yes

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### **AGENDA SUBJECT:**

Briefing/Discussion regarding the FY 2016 Budget

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### **SUMMARY:**

Staff will review the following draft budgets with the City Council:

- Police
- Animal Control
- Fire
- Ambulance
- Municipal Court

These departments are being reviewed together as each department relates to public safety. The combined budget public safety is typically around 50% of the General Fund Budget.

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### **STAFF RECOMMENDATION:**



## City Council Agenda Staff Report

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Date: May 26, 2015

Staff Contact: City Manager

Exhibits:

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### **AGENDA SUBJECT:**

Closed Session (Exceptions): Under Tex. Gov't Code Chapter 551, the City Council may enter into closed session to discuss any items listed or referenced on this agenda under the following exceptions:

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### **SUMMARY:**

- a. consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code (Tex. Gov't Code §551.071); discussion regarding changes in state law regarding land use.
- b. discuss or deliberate the purchase, exchange, lease, or value of real property (Tex. Gov't Code §551.072); acquisition of right-of-way, easements, and land for municipal facilities;

The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

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### **STAFF RECOMMENDATION:**



## City Council Agenda Staff Report

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Date: May 26, 2015  
Staff Contact: City Manager  
Exhibits: None

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### **AGENDA SUBJECT:**

Consider/Discuss/Action on any items listed on posted agenda for May 26, 2015 Workshop Session or any closed session occurring during this Regular Meeting, as necessary.

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### **SUMMARY:**

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### **STAFF RECOMMENDATION:**



## City Council Agenda Staff Report

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Date: May 26, 2015  
Staff Contact: City Manager  
Exhibits: None

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**AGENDA SUBJECT:**

Adjourn

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**SUMMARY:**

Item to adjourn the meeting.

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**STAFF RECOMMENDATION:**

Staff recommends a motion to adjourn.



**CITY OF ANNA AGENDA NOTICE – CITY COUNCIL REGULAR MEETING**

**May 26, 2015**

**7:30 p.m. – Anna City Hall Administration Building**

The City Council of the City of Anna will meet in Regular Session at 7:30 p.m., May 26, 2015, at the Anna City Hall Administration Building, located at 111 North Powell Parkway (Hwy 5), to consider the following items.

*Welcome to the City Council Meeting. Please sign the Sign-In-Sheet as a record of attendance. If you wish to speak on an open-session agenda item please fill out the Opinion/Speaker Registration Form and turn it in to the City Secretary before the meeting starts.*

1. Call to Order.
2. Invocation and Pledge of Allegiance.
3. Citizen comments. *Citizens are allowed three minutes to speak. The Council is unable to respond to or discuss any issues that are brought up during this section that are not on the agenda, other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.*
4. Receive reports from Staff or the City Council about items of community interest. *Items of community interest include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen (but not including a change in status of a person's public office or public employment); a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.*

1. The Council may vote and/or act upon each of the items listed in this agenda.
2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, whenever it is considered necessary and legally justified under the Open Meeting Act.
3. Persons with a disability who want to attend this meeting who may need assistance should contact the City Secretary at 972 924-3325 two working days prior to the meeting so that appropriate arrangements can be made.

5. Consider/Discuss/Action regarding electing the Mayor Pro Tem as directed in the City Charter. (City Council)
6. Consider/Discuss/Action regarding electing the Deputy Mayor Pro Tem as directed in the City Charter. (City Council)
7. Consent Items. *These items consist of non-controversial or "housekeeping" items required by law. Items may be considered individually by any Council member making such request prior to a motion and vote on the Consent Items.*
  - a. Approve City Council Regular Meeting Minutes for March 24, 2015.
  - b. Approve City Council Regular Meeting Minutes for April 14, 2015.
  - c. Approve City Council Regular Meeting Minutes for April 28, 2015.
  - d. Approve City Council Regular Meeting Minutes for May 12, 2015.
  - e. Approve City Council Special Meeting Minutes for May 19, 2015
  - f. Approve a resolution approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp. Mid-Tex Division regarding the company's 2014 and 2015 rate review mechanism filings. (Jessica Perkins)
  - g. Approve a resolution regarding the approval of a special event permit and authority to execute an agreement between the City of Anna and Daddy Rex Twisted BBQ for a special event permit to sponsor a Summer Night Concert Series. (Maurice Shwanke)
  - h. Approve a resolution adopting a Contractor Locality Local Opportunity Plan. (Joseph Johnson)
  - i. Approve a resolution establishing rules regarding the use of excessive force during nonviolent civil rights demonstrations. (Joseph Johnson)
  - j. Approve a resolution to adopting a Section 504 Grievance Procedure. (Joseph Johnson)
  - k. Approve a resolution designating the month of August as Fair Housing Month and supporting fair housing activities within the city. (Joseph Johnson)
  - l. Approve a resolution authorizing the sale of a Fire Department rescue vehicle. (Chief Gothard)
8. Public Hearing: For City Council to hear public comment regarding TxCDBG Civil Rights and Equal Opportunity: Policy of Nondiscrimination on the basis of handicapped status. (Joseph Johnson)
9. Public Hearing: For City Council to hear public comment regarding the proposed rezoning of The Villages of Hurricane Creek from "PD" – single family residential to "PD" – single family residential.

1. The Council may vote and/or act upon each of the items listed in this agenda.

2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, whenever it is considered necessary and legally justified under the Open Meeting Act.

3. Persons with a disability who want to attend this meeting who may need assistance should contact the City Secretary at 972 924-3325 two working days prior to the meeting so that appropriate arrangements can be made.

- b. Consider/Discuss/Action regarding an ordinance approving the rezoning of The Villages of Hurricane Creek from “PD” – single family residential to “PD” – single family residential. (Maurice Shwanke)
10. Public Hearing: For City Council to consider public comments on a request by Mixon Realty Co, owner(s) of property, requesting a zoning change from (SFE) Single Family Estate to (C1) Restricted Commercial zoning on approximate 32.991 acres of land. The subject property is generally located east of County Road 286 and west of U.S. Hwy 75.
- b. Consider/Discuss/Action regarding adopting an ordinance approving the requested zoning change to (C1) Restricted Commercial zoning on approximate 32.991 acres of land. (Maurice Shwanke)
11. Briefing / Discussion regarding storm water management practices. (Joseph Johnson)
12. CLOSED SESSION (EXCEPTIONS): Under Tex. Gov’t Code Chapter 551, the City Council may enter into closed session to discuss any items listed or referenced on this agenda under the following exceptions:
- a. consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code **(Tex. Gov’t Code §551.071)**; discussion regarding changes in state law regarding land use.
  - b. discuss or deliberate the purchase, exchange, lease, or value of real property **(Tex. Gov’t Code §551.072)**; acquisition of right-of-way, easements, and land for municipal facilities;
- The Council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.
13. Consider/Discuss/Action on any items listed on posted agenda for May 26, 2015 Workshop Session or any closed session occurring during this Regular Meeting, as necessary.
14. Adjourn.

1. The Council may vote and/or act upon each of the items listed in this agenda.
2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, whenever it is considered necessary and legally justified under the Open Meeting Act.
3. Persons with a disability who want to attend this meeting who may need assistance should contact the City Secretary at 972 924-3325 two working days prior to the meeting so that appropriate arrangements can be made.

This is to certify that I, Mirinda McQuagge-Walden, Acting City Secretary, posted this agenda at a place readily accessible to the public at the Anna City Hall and on the City Hall bulletin board at or before 5:00 p.m. May 22, 2015.

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Mirinda McQuagge-Walden, Acting City Secretary

1. The Council may vote and/or act upon each of the items listed in this agenda.
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## City Council Agenda Staff Report

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Date: May 26, 2015  
Staff Contact: City Manager  
Exhibits: N/A

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**AGENDA SUBJECT:** Call to order.

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**SUMMARY:**

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**STAFF RECOMMENDATION:**



## City Council Agenda Staff Report

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Date: May 26 , 2015  
Staff Contact: City Manager  
Exhibits: N/A

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**AGENDA SUBJECT:** Invocation and Pledge of Allegiance.

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**SUMMARY:**

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**STAFF RECOMMENDATION:**



## City Council Agenda Staff Report

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Date: May 26, 2015  
Staff Contact: City Manager  
Exhibits: N/A

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**AGENDA SUBJECT:** Citizen comments.

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**SUMMARY:**

Citizens are allowed three minutes to speak. The Council is unable to respond to or discuss any issues that are brought up during this section that are not on the agenda, other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.

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**STAFF RECOMMENDATION:**



## City Council Agenda Staff Report

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Date: May 26, 2015

Staff Contact: City Manager

Exhibits: N/A

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**AGENDA SUBJECT:** Receive reports from Staff or the City Council about items of community interest.

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**SUMMARY:**

Items of community interest include expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen (but not including a change in status of a person's public office or public employment); a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

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**STAFF RECOMMENDATION:**



## City Council Agenda Staff Report

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Date: May 26, 2015  
Staff Contact: City Manager  
Exhibits: N/A

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### **AGENDA SUBJECT:**

Consider/Discuss/Action regarding electing the Mayor Pro Tem as directed in the City Charter. (City Council)

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### **SUMMARY:**

According to the City Charter the Mayor Pro-Tem is a Council Member elected by the City Council at the first regular meeting after each election of Council Members and/or Mayor. The Mayor Pro Tem must act as the Mayor during the disability or absence of the Mayor, and in this capacity has the rights conferred upon the Mayor.

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### **STAFF RECOMMENDATION:**

Staff recommends electing the Mayor Pro Tem.



## City Council Agenda Staff Report

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Date: May 26, 2015  
Staff Contact: City Manager  
Exhibits: N/A

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### **AGENDA SUBJECT:**

Consider/Discuss/Action regarding electing the Deputy Mayor Pro Tem as directed in the City Charter. (City Council)

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### **SUMMARY:**

According to the City Charter the Deputy Mayor Pro Tem is a Council Member elected by the City Council at the first regular meeting after each election of Council Members and/or Mayor. The Deputy Mayor Pro Tem must act as Mayor during the disability or absence of the Mayor and Mayor Pro Tem, and in this capacity has the rights conferred upon the Mayor.

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### **STAFF RECOMMENDATION:**

Staff recommends electing the Deputy Mayor Pro Tem.



## City Council Agenda Staff Report

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Date: May 26, 2015  
Staff Contact: City Manager  
Exhibits: Attached

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### AGENDA SUBJECT:

These items consists of non-controversial or “housekeeping” items required by law. Items may be considered individually by any Council Member making such request prior to motion and vote on the Consent Items.

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### SUMMARY:

- a. Approve City Council Regular Meeting Minutes for March 24, 2015.
  - b. Approve City Council Regular Meeting Minutes for April 14, 2015.
  - c. Approve City Council Regular Meeting Minutes for April 28, 2015.
  - d. Approve City Council Regular Meeting Minutes for May 12, 2015.
  - e. Approve City Council Special Meeting Minutes s for May 19, 2015
  - f. Approve a resolution approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp. Mid-Tex Division regarding the company's 2014 and 2015 rate review mechanism filings. (Jessica Perkins)
  - g. Approve a resolution regarding the approval of a special event permit and authority to execute an agreement between the City of Anna and Daddy Rex Twisted BBQ for a special event permit to sponsor a Summer Night Concert Series. (Maurice Shwanke)
  - h. Approve a resolution adopting a Contractor Locality Local Opportunity Plan. (Joseph Johnson)
  - i. Approve a resolution establishing rules regarding the use of excessive force during nonviolent civil rights demonstrations. (Joseph Johnson)
  - j. Approve a resolution to adopting a Section 504 Grievance Procedure. (Joseph Johnson)
  - k. Approve a resolution designating the month of August as Fair Housing Month and supporting fair housing activities within the city. (Joseph Johnson)
  - l. Approve a resolution authorizing the sale of a Fire Department rescue vehicle. (Chief Gothard)
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**STAFF RECOMMENDATION:**

Staff recommends approval of the consent items.



## City Council Agenda Staff Report

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Date: May 26, 2015  
Staff Contact: Jessica Perkins  
Exhibits: Attached

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### **AGENDA SUBJECT:**

Approve a resolution approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp. Mid-Tex Division regarding the company's 2014 and 2015 rate review mechanism filings. (Jessica Perkins)

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### **SUMMARY:**

The City, along with other similarly situated cities served by Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company"), is a member of the Atmos Cities Steering Committee ("ACSC"). The RRM Tariff was adopted by the City as an alternative to the Gas Reliability Infrastructure Program ("GRIP"), the statutory provision that allows Atmos to bypass the City's rate regulatory authority to increase its rates annually to recover capital investments. In February 2014, Atmos Mid-Tex filed its second annual filing under the Rate Review Mechanism ("RRM") Tariff, seeking an increase of \$45.7 million. Although ACSC attempted to reach a settlement with the Company as it had in past years, the wide differences between the Company and ACSC's consultants' recommendations made a compromise impossible. On the recommendation of the ACSC Executive Committee and ACSC's legal counsel, the City in 2014 adopted a Resolution denying the requested rate increase.

The Company appealed the City's denial to the Railroad Commission of Texas ("Commission"), and revised its requested increase to \$43.8 million. A hearing was held on the Company's appeal on September 3, 2014. On April 28, 2015, the Commission's Hearings Examiner issued his Proposal for Decision ("PFD") in the Company's appeal of the City's denial of the 2014 RRM rate increase. This PFD was not favorable to ACSC, but did recommend a reduction of approximately \$860,000 to the Company's adjusted 2014 filing.

While the parties were waiting for the PFD from the Hearings Examiner in the appeal of the 2014 RRM filing, on February 27, 2015, Atmos Mid-Tex filed with the City another rate increase request under the RRM Tariff, seeking additional revenues in the amount of

\$28.762 million (total system) or \$24.0 million (affected cities). The City worked with ACSC to analyze the schedules and evidence offered by Atmos Mid-Tex to support its 2015 request to increase rates. The Resolution and attached Settlement Agreement and tariffs are the result of negotiation between the Mid-Tex Executive Committee and the Company to resolve issues raised by ACSC during the review and evaluation of Atmos Mid-Tex's filing. The recommended Settlement Agreement also requires Atmos to abate its appeal of the City's rejection of the 2014 RRM rate increase pending approval by all ACSC cities of the Settlement Agreement. The Agreement requires Atmos to give the City the benefit of the adjustments to the 2014 rate increase recommended by the PFD.

The Resolution and Settlement tariffs approve rates that will increase the Company's revenues by \$65.7 million for the Mid-Tex Rate Division, effective for bills rendered on or after June 1, 2015. The monthly residential customer charge will be \$18.60. The consumption charge will change from \$0.08819 per Ccf to \$0.09931 per Ccf. The monthly bill impact for the typical residential customer consuming 60 Ccf will be an increase of \$1.14 (about a 1.59% increase in the base bill). The typical commercial customer will see an increase of \$2.69 or 0.96%.

The ACSC Executive Committee and its designated legal counsel and consultants recommend that all Cities adopt the Resolution approving the negotiated Settlement Agreement resolving both the 2014 and the 2015 RRM filings, and implementing the rate change.

#### **Why Approve the Settlement Agreement:**

While it is annoying and disconcerting to annually consider rate adjustments from Atmos Mid-Tex, the Texas legislature has granted gas utilities the right, through the GRIP process, to an annual increase based on increases in invested capital. GRIP is piecemeal ratemaking and ignores increases in revenues and declines in O&M expenses that may be associated with plant additions. ACSC found it preferable to negotiate with Atmos to substitute an expedited comprehensive review process that includes consideration of revenues and expenses as well as invested capital for the GRIP process.

Compelling reasons for approving the Settlement include:

1. While the 2015 RRM system-wide filing exceeded \$28 million, a comparable GRIP filing would have been in excess of \$38 million. ACSC has negotiated a reduction to the 2015 filing of approximately \$6 million. Therefore, the 2015 RRM result is approximately \$16 million better for ratepayers within municipal limits than ratepayers within Environs.
2. ACSC counsel is convinced that the Proposal for Decision ("PFD") by Railroad Commission Examiners in the 2014 RRM appeal will not improve if we file Exceptions and Replies to Exceptions. Counsel recommends action to avoid the PFD becoming a final order that would serve as precedent in future rate proceedings.

3. The token benefit to ratepayers authorized in the PFD to the 2014 appeal has been incorporated into the Settlement Agreement.
4. Atmos will file its formal withdrawal of its 2014 appeal only after all ACSC members approve the Settlement Agreement.
5. The alternative to approval of the Settlement Agreement would be another contested case hearing on appeal of the 2015 filing, implementation of interim rates on June 1, 2015 at the full value of the Company's request (or \$6 million higher than proposed by the Settlement) and continuation of the 2014 appeal with resulting rate case expenses borne by ratepayers.

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**STAFF RECOMMENDATION:**

Staff recommends you approve the resolution.



## City Council Agenda Staff Report

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Date: May 26, 2015

Staff Contact: Maurice Schwanke

Exhibits: Attached

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### **AGENDA SUBJECT:**

Resolution granting a special event application submitted by Karen Ahrens, owner of Daddy Rex's Twisted Barbeque, concerning the request to have "Summer Nights Concert Series" on Thursday's from 5:00 p.m. to 9:00 p.m. starting June 4 – July 30, 2015 located on Interurban Street (4<sup>th</sup> Street to alley between 4<sup>th</sup> and 5<sup>th</sup> Street).

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### **SUMMARY:**

The City has received a special event permit application for the request to have a "Summer Night Concert Series" on Thursday's from 5:00 p.m. to 9:00 p.m. starting June 4<sup>th</sup> – July 30<sup>th</sup>, 2015. The location for this event will be on Interurban Street (4<sup>th</sup> Street to alley between 4<sup>th</sup> and 5<sup>th</sup> Street). All property owners in the general area that could be contacted have indicated that they are in support of the events. A total of nine events could occur during the June 4<sup>th</sup> to July 30<sup>th</sup>, time frame. Interurban Street at this location will be closed down for the events. A "block Street" application has been submitted for this event requesting to close off Interurban Street (4<sup>th</sup> Street to alley between 4<sup>th</sup> and 5<sup>th</sup> Street) that will go to the Anna Police Department/Planning and Development Department for approval.

The Park Board recommended approval of the special event request at their May 18, 2015 meeting. The vote was unanimous.

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### **STAFF RECOMMENDATION:**

Approval of resolution.



## City Council Agenda Staff Report

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Date: May 26, 2015  
Staff Contact: Joseph Johnson  
Exhibits: Attached

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### AGENDA SUBJECT:

TxCDBG Civil Rights and Equal Opportunity Resolutions:

- **Section 3 Contractor Locality Local Opportunity Resolution and Plan**
- Excessive Force Resolution and Plan
- Section 504 Grievance Procedure Resolution and Plan
- Fair Housing Resolution

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### SUMMARY:

All grantees of Texas Community Development Block Grant funds are required to demonstrate compliance with the Civil Rights requirements of Title I of the Housing and Community Development Act and the Fair Housing Law. These requirements include:

- Taking steps to ensure that equal opportunities are afforded to all persons and that no person shall be excluded or denied program benefits on the basis of race, color, religion, sex, national origin, age.
- Taking steps to provide opportunities, to the greatest extent feasible, to Section 3 residents and business concerns in employment, training, and contracting.
- Taking affirmative steps to assure minority and female-owned businesses are informed of grant funded contracts.
- Prohibiting the use of Excessive Force against individuals engaged in non-violent Civil Rights demonstrations.
- Prohibiting discrimination on the basis of disability.
- Taking steps to Affirmatively Further Fair Housing (AFFH).
- Taking steps to assure meaningful access for persons with "Limited English Proficiency," (LEP).

The resolutions and related plans attached as exhibits address all of these requirements to ensure that the City remains in compliance with the 2014 TxCDBG program grant.

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### STAFF RECOMMENDATION:

Staff requests that the Council approve all resolutions related to this subject.



## City Council Agenda Staff Report

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Date: 5/26/15

Staff Contact: Joseph Johnson

Exhibits: None

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### **AGENDA SUBJECT:**

Public Hearing: For City Council to hear public comment regarding TxCDBG Civil Rights and Equal Opportunity: Policy of Nondiscrimination on the basis of handicapped status.

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### **SUMMARY:**

All grantees of Texas Community Development Block Grant funds are required to demonstrate compliance with the Civil Rights requirements of Title I of the Housing and Community Development Act and the Fair Housing Law. These requirements include holding a public hearing to elicit input from the residents of Anna regarding the City's policy of nondiscrimination on the basis of handicapped status. The City of Anna does not discriminate on the basis of color, national origin, sex, religion, age and handicapped status in employment or the provision of services.

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### **STAFF RECOMMENDATION:**

Staff requests that the Council hold this public hearing to allow for citizen input.



## City Council Agenda Staff Report

Date: 05/26/15

Staff Contact: Maurice Schwanke

Exhibits: Yes

### AGENDA SUBJECT:

Public Hearing: For City Council to hear public comment regarding the proposed rezoning of The Villages of Hurricane Creek from "PD" – single family residential to "PD" – single family residential.

### SUMMARY:

This zoning submittal consists of approximately 368.2 total acres of land within the City of Anna. The uses proposed for this Property follow the intent of the City of Anna Comprehensive Plan. The proposal creates a master planned community featuring a mixture of lot sizes that should encourage sustainable neighborhoods. The following table summarizes the proposed lot sizes and densities:

LAND USE SUMMARY				
USE	ACREAGE +/-	SF LOTS	SF DENSITY (UNITS/ACRE)	PERCENTAGE
<b>SINGLE FAMILY RESIDENTIAL - 50% MAXIMUM LOT COVERAGE</b>				
70' x 120' LOTS	84.07	365	4.34	51.4%
80' x 120' LOTS	45.32	185	4.08	27.7%
90' x 120' LOTS	14.61	55	3.76	8.9%
100' x 150' LOTS	19.70	49	2.49	12.0%
<b>TOTAL</b>	<b>163.7</b>	<b>654</b>	<b>4.00</b>	<b>44.5%</b>
<b>OPEN SPACE</b>	<b>148.7</b>			<b>40.4%</b>
<b>FIRE STATION</b>	<b>2.5</b>			<b>0.7%</b>
<b>AMENITY CENTER</b>	<b>2.0</b>			<b>0.5%</b>
<b>ROW DEDICATION</b>	<b>51.3</b>			<b>13.9%</b>
<b>TOTAL</b>	<b>368.2</b>	<b>654</b>	<b>1.76 GROSS</b>	<b>100.0%</b>

This PD will replace the existing small lot entitlements with the smallest lot being 8,400 square feet. Also proposed in this PD are integrated parks and open spaces which will help to preserve areas designated within the 100-year floodplain. A fire station location is being planned for incorporation into the development as well as an amenity center.

The Planning and Zoning recommended approval of the zoning request at their September 8, 2014. The vote was unanimous.

A public hearing was opened and continued at the City Council.

The property is scheduled to close on May 26. Therefore, action can occur on May 26.

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**STAFF RECOMMENDATION:** Approval of the requested zoning change.



## City Council Agenda Staff Report

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Date: 05/26/15

Staff Contact: Maurice Schwanke

Exhibits: Attached

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**AGENDA SUBJECT:** a) Public Hearing: To consider public comments on a request by Mixon Realty Co, owner(s) of property, requesting a zoning change from (SFE) Single Family Estate to (C1) Restricted Commercial zoning on approximate 32.991 acres of land. The subject property is generally located east of County Road 286 and west of U.S. Hwy 75.

(b) Consider/Discuss/Action regarding adopting an ordinance approving the requested zoning change to (C1) Restricted Commercial zoning on approximate 32.991 acres of land.

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**SUMMARY:** This requested rezoning of property is generally located east of County Road 286 and west of U. S. 75 and south of West White Street. Property owners within 200 ft. of the area were notified of the zoning request. This property was recently annexed into the City of Anna. When property is annexed into the City the property is automatically zoned as SF-E which is considered as a temporary zoning until such time as permanent zoning is established. The requested zoning is in keeping with the "Comprehensive Plan" as the Plan shows the property to be split between commercial and employment center. The owner(s) of the property are requesting the change from Single Family Estate to Restricted Commercial (C1) zoning.

The Planning and Zoning Commission recommended approval of the zoning request at their May 4, 2015 meeting. The vote was unanimous.

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**STAFF RECOMMENDATION:** Approval of zoning ordinance



## City Council Agenda Staff Report

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Date: May 26, 2015  
Staff Contact: Joseph Johnson  
Exhibits: None.

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### **AGENDA SUBJECT:**

Briefing/Discussion regarding to storm water management practices.

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### **SUMMARY:**

In light of the recent heavy rains, staff has met with our engineering consultant and our building inspection consultant to assess current standards and processes utilized for plan review and approval. Additionally we have reviewed causes and potential solutions for several drainage issues that have recently become apparent. Our engineering consultant is present to update Council and staff on standard design review practices and standards. Our building inspection consultant is also present to review practices and procedures for grading inspection during home construction prior to a final certificate of occupancy being issued.

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### **STAFF RECOMMENDATION:**

This item is a briefing/discussion item only. No action for this item.



## City Council Agenda Staff Report

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Date: May 26, 2015

Staff Contact: City Manager

Exhibits:

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### **AGENDA SUBJECT:**

Closed Session (Exceptions): Under Tex. Gov't Code Chapter 551, the City Council may enter into closed session to discuss any items listed or referenced on this agenda under the following exceptions:

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### **SUMMARY:**

- a. consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code (Tex. Gov't Code §551.071); discussion regarding changes in state law regarding land use.
- b. discuss or deliberate the purchase, exchange, lease, or value of real property (Tex. Gov't Code §551.072); acquisition of right-of-way, easements, and land for municipal facilities;

The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

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### **STAFF RECOMMENDATION:**



## City Council Agenda Staff Report

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Date: May 26, 2015  
Staff Contact: City Manager  
Exhibits: N/A

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### **AGENDA SUBJECT:**

Consider/Discuss/Action on any items listed on posted agenda for May 26, 2015 Workshop Session or any closed session occurring during this Regular Meeting, as necessary.

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### **SUMMARY:**

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### **STAFF RECOMMENDATION:**



## City Council Agenda Staff Report

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Date: May 26, 2015  
Staff Contact: City Manager  
Exhibits: N/A

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**AGENDA SUBJECT:**  
Adjourn

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**SUMMARY:**

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**STAFF RECOMMENDATION:**  
Staff recommends a motion to adjourn.