



CITY OF ANNA AGENDA NOTICE – CITY COUNCIL WORKSHOP

September 8, 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., September 8, 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. Briefing/Discussion regarding Northpointe Crossing drainage ditch. (Joseph Johnson)
4. 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**); Empowered Training Centre economic development agreement
 - 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.

5. Consider/Discuss/Action on any items listed on posted agenda for September 8, 2015 City of Anna City Council Work Session or any Closed Session occurring during this Workshop, as necessary.
6. Adjourn.

This is to certify that I, Carrie L. Smith, 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., September 4, 2015.

Carrie L. Smith, 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

Date: September 8, 2015

Staff Contact: City Manager

Exhibits: None

AGENDA SUBJECT:

Call to order.

SUMMARY:

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: City Manager
Exhibits: None

AGENDA SUBJECT:

Roll call and establishment of quorum.

SUMMARY:

Mayor establishes a quorum

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: Joseph Johnson
Exhibits: Yes

AGENDA SUBJECT:

Briefing/Discussion item related to Northpointe Crossing drainage.

SUMMARY:

Earlier this year we received complaints from several Northpointe Crossing residents about stagnant water and flooding concerns related to a major drainage channel that runs through Northpointe Crossing. The maintenance responsibility for the drainage channel rests with the Homeowner's Association (HOA). Our Code Enforcement staff has been working with the property management representative to correct issues related to vegetation removal and the mitigation of standing water. To date the property management company has completed some vegetation removal.

We recently met with the property management company to review the channel condition. Per our General Ordinances the channel is required to be maintained in a manner that prevents soil erosion, stagnant water, and does not create a public nuisance. Per our Subdivision Regulations drainage easements are required to be kept clear of obstructions including vegetation or anything that may interfere with the proper operation of the drainage system. The current condition of the channel does not meet that criteria.

The property management company has solicited a bid for the repair and maintenance of the channel. Due to the expected cost, we are working with the property management company to see if we can assist them by allowing a phased approach to the repair and maintenance of the channel. Essentially, the standing water issue would be corrected now and a schedule would be submitted for the remaining issues.

STAFF RECOMMENDATION:

This item is for briefing/discussion purposes only.



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: City Manager
Exhibits: None

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:

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)**
- 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.



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: City Manager
Exhibits: None

AGENDA SUBJECT:

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

SUMMARY:

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: City Manager
Exhibits: None

AGENDA SUBJECT:

Adjourn

SUMMARY:

Item to adjourn the meeting.

STAFF RECOMMENDATION:

Staff recommends a motion to adjourn.



CITY OF ANNA AGENDA NOTICE – CITY COUNCIL MEETING

September 8, 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., September 8, 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. 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 the City Council Minutes Work and Regular Session for August 25, 2015. (Carrie Smith)
 - b. Approve the City Council Minutes Special Session for September 1, 2015. (Carrie Smith)
 - c. Authorize the City Manager to solicit bids for the Texas Community Development Block Grant (TxCDBG) Sewer Line Project. (Joseph Johnson)
 - d. Approve a Resolution renewing a tower license agreement with Tier One Converged Networks (Clayton Fulton)
 - e. Approve a Resolution authorizing the purchase of Police department vehicles. (Clayton Fulton)
6. Consider/Discuss/Action regarding an ordinance adopting the FY 2015-2016 Budget. (Clayton Fulton)
7. Consider/Discuss/Action regarding an ordinance adopting the 2015 Tax Rate. (Clayton Fulton)
8. Consider/Discuss/Action regarding a Resolution to ratify the property tax revenue increase reflected in the City of Anna FY 2015-2016 Budget. (Clayton Fulton)
9. a. Public Hearing for the City Council to hear public comment regarding an ordinance amending Part IV, Article 7, Section 8, of the Anna City Code regarding water and sanitary sewer service rates. (Clayton Fulton)

b. Consider/Discuss/Action regarding an ordinance amending Part IV, Article 7, Section 8, of the Anna City Code regarding water and sanitary sewer service rates. (Clayton Fulton)
10. Consider/Discuss/Action regarding a Resolution approving a Development Agreement with Texas New Mexico Power Company. (Maurice Schwanke)
11. a. Public Hearing for the City Council to hear public comment regarding an ordinance amending Part III-A (Subdivision Regulations), Article 2, Section 1.05 of the Anna City Code regarding plat submission timing and materials. (Maurice Schwanke)

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 amending Part III-A (Subdivision Regulations), Article 2, Section 1.05 of the Anna City Code regarding plat submission timing and materials. (Maurice Schwanke)
12. Consider/Discuss/Action regarding a resolution authorizing the dedication easement to Grayson Collin Communications. (Joseph Johnson)
13. Consider/Discuss/Action regarding a resolution authorizing an Agreement with American Municipal Services Corporation for utility and court collections. (Clayton Fulton)
14. 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)**; Empowered Training Centre economic development agreement.
 - 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.
15. Consider/Discuss/Action on any items listed on posted agenda for September 8, 2015 or any closed session occurring during this meeting, as necessary.
16. Adjourn.

This is to certify that I, Carrie L. Smith, 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. September 4, 2015.

Carrie L. Smith, 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

Date: September 8, 2015
Staff Contact: City Manager
Exhibits: None

AGENDA SUBJECT:

Roll call and establishment of quorum.

SUMMARY:

Mayor establishes a quorum

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: City Manager
Exhibits: N/A

AGENDA SUBJECT:

Invocation and Pledge of Allegiance.

SUMMARY:

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: City Manager
Exhibits: N/A

AGENDA SUBJECT: Citizen comments.

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.

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: City Manager
Exhibits: N/A

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

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.

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: City Manager
Exhibits: Attached

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.

SUMMARY:

- a. Approve the City Council Minutes Work and Regular Session for August 25, 2015. (Carrie Smith)
- b. Approve the City Council Minutes Special Session for September 1, 2015. (Carrie Smith)
- c. Authorize the City Manager to solicit bids for the Texas Community Development Block Grant (TxCDBG) Sewer Line Project. (Joseph Johnson)
- d. Approve a Resolution renewing a tower license agreement with Tier One Converged Networks (Clayton Fulton)
- e. Approve a Resolution authorizing the purchase of Police department vehicles. (Clayton Fulton)

STAFF RECOMMENDATION:

Staff recommends approval of the consent items.



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: Joseph Johnson
Exhibits: Yes

AGENDA SUBJECT:

Authorize the City Manager to solicit bids for the Texas Community Development Block Grant (TxCDBG) Sewer Line Project.

SUMMARY:

Staff is requesting Council authorization to solicit competitive bids for the 2014 TxCDBG Sewer Replacement Project. The improvements are consistent with the City's goal of replacing aging infrastructure and reducing inflow and infiltration in the wastewater collection system. The project includes the installation of 2,920 linear feet of 6" sewer line along with manholes, services and appurtenances in and around Riggins Street, Interurban Street, Edward Street, Genoveva Lane, and Cunningham Boulevard.

Council has previously authorized design of the project by Birkhoff, Hendricks & Carter, approved an administration services agreement, and approved various grant related documents. This project is funded by grant funds administered by the Texas Department of Agriculture in the amount of \$275,000 and matching funds to be allocated from the Utility Fund fund balance in the amount of \$149,220.

STAFF RECOMMENDATION:

Staff recommends approval of this item.



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: Clayton Fulton
Exhibits: Yes

AGENDA SUBJECT:

Approve a Resolution renewing a tower license agreement with TierOne Converged Networks

SUMMARY:

The City currently has a tower license agreement with TierOne Converged Networks (TierOne) allowing them to mount telecommunications equipment on our water tower located at 1111 CR 370 E (near the AISD high school).

The current contract expires in October of 2015, the attached resolution would authorize the City Manager to renew an agreement with TierOne for a 4 year period with updated rates.

In exchange for mounting their equipment, TierOne will pay \$800 a month for the first two years and \$1,000 a month for the final two years. They currently pay \$782.70 per month.

Staff is waiting on TierOne for final pictures of the equipment currently installed on our water tower. We have included the exhibit from their original contract showing a proposed installation and a schematic of what is currently on the tower. Staff will work with TierOne to get the final pictures and include those with the schematic in exhibit b prior to executing the contract.

STAFF RECOMMENDATION:

Approve the resolution.



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: Clayton Fulton
Exhibits: No

AGENDA SUBJECT:

Approve a Resolution authorizing the purchase of Police Department vehicles

SUMMARY:

As part of the budget amendment approved at the August 25th council meeting, funds were budgeted for the purchase of two replacement police cruisers. The total cost for the two vehicles exceeds \$50,000 and requires council authorization.

The vehicles are being purchased under a cooperative purchasing agreement with the Texas Association of School Board Buy Board Purchasing Cooperative (Buy Board). Buy Board conducts competitive bids to satisfy government purchasing requirements and then locks the prices into a contract. The City of Anna has entered into an ILA with Buy Board and is eligible to purchase under their contracts.

The cruisers will be purchased from Caldwell Country Chevrolet under Buy Board contract #430-13.

STAFF RECOMMENDATION:

Approve the resolution.



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: Clayton Fulton
Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding adopting an Ordinance adopting the FY 2015 – 2016 Budget.

SUMMARY:

The Annual Budget and Plan of Municipal Services is the most important document that is adopted by the City Council each year. In developing this document, as always, a significant amount of time is devoted by City Council Members and City Staff. An Annual Budget is developed through an extensive process of reviewing requests received from various City departments then prioritizing those requests in a manner that utilizes resources effectively, within fiscal constraints, while working to achieve goals set forth by the City Council.

Beginning in 2009 the taxable value of existing properties in Anna declined an average of 3% per year through 2012. During this span nearly \$60 million in new value was added to the tax rolls; however, losses in value to existing properties exceeded the value of new construction. Property value eventually stabilized in 2013 and eclipsed the peak from 2008. Based upon the 2015 certified values from the Collin Central Appraisal District, existing properties have not only retained their value since 2013, they have also seen some market appreciation. We remain guardedly optimistic this recent trend toward market appreciation will hold steady in the coming years.

The growth in taxable value corresponds to a significant increase in population over the past 12 months. According to the most recent population estimates published by the North Central Texas Council of Governments, the City of Anna population as of January 1, 2015 was 10,980. In 2014, the City's population increased 7.1%, placing Anna in the top 12 cities in the DFW region for percent increase in population. In 2014, the City issued 295 single family building permits which equates to just under 1,000 new city residents. A similar growth pattern has occurred during 2015. With the growth in population comes a proportional increase in demand for municipal services that are primarily funded by property taxes.

As Anna continues to grow, the city remains committed to the Hometown ideal outlined in its Strategic Vision. Additionally, the Council's strategic goals and objectives have helped to guide the development of the FY 16 budget through a series of workshops with the Council to review proposed budgets and supplemental requests from each department.

The FY 16 budget can be funded by adopting a tax rate of \$0.639 cents per \$100 valuation, which is lower than the tax rate adopted last year.

The budget included in the packet tonight includes minor funding changes discussed in the previous council meeting. Additionally, staff was notified of a \$28,572 FEMA grant award to the Fire Department for an exhaust removal system. The project calls for a 5% match from the city, or \$1,428. Matching funds are available in the Fire Trust. The grant revenue and project cost of \$30,000 are reflected in the Fire Trust budget. Finally, the document presented tonight also includes all the introductory and supplemental material we typically include in the budget.

STAFF RECOMMENDATION:

Approval of the attached Ordinance adopting the FY 16 budget.



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: Clayton Fulton
Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding adopting an ordinance adopting the 2015 Tax Rate.

SUMMARY:

The FY 16 budget can be funded by adopting a tax rate of \$0.639 cents per \$100 valuation, which is lower than the tax rate adopted last year. Of the total tax rate, \$0.532341 cents are dedicated to the general fund maintenance and operations (M&O) and \$0.106659 cents are dedicated for the payment of general fund debt obligations, or interest and sinking (I&S).

State regulations call for specific language to be included in the ordinance and motion adopting the tax rate. The language in the motion is meant to reflect the change in the total tax rate while the language in the section 5 of the ordinance only reflects the change in the M&O portion of the rate. The M&O rate exceeds the effective rate by 8%; however, the proposed rate for 2015 is lower than the adopted rate for 2014 resulting in a \$13.49 decrease on a \$100,000 home.

As the proposed rate exceeds the effective rate of \$0.586703 the motion must be made in the following form:

“I move that the property tax rate be increased by the adoption of a tax rate of \$0.639000, which is effectively an 8.91% percent increase in the tax rate.”

In addition to statutory requirements for the language of the motion to adopt the tax rate, Senate Bill 1760 was recently passed during the latest legislative session which requires 60% of the council to vote in favor of a tax rate that exceeds the effective rate. This means that 5 members of the council must vote in favor of the motion to pass the \$0.639 rate.

STAFF RECOMMENDATION:

Approval of the attached Ordinance adopting a tax rate of \$0.639 cents per \$100 in valuation for the 2015 tax year.



City Council Agenda Staff Report

Date: 9/2/2015
Staff Contact: Clayton Fulton
Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding a Resolution to ratify the property tax revenue increase reflected in the City of Anna FY 2015-2016 Budget

SUMMARY:

A separate vote of the City Council is required to ratify the adoption of the FY 2014 Budget if the Budget will raise more revenue from property taxes than the previous year. By adopting the proposed rate of \$0.639, which is lower than the tax rate adopted last year, the total amount of revenue generated from property taxes will increase by \$561,973, or 16.89%, over last year. Of that amount, \$279,418 is tax revenue to be raised from new property added to the tax roll this year.

STAFF RECOMMENDATION:

Approve the attached resolution.



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: Clayton Fulton
Exhibits: No

AGENDA SUBJECT:

For the City Council to hear public comment regarding an ordinance amending Part IV, Article 7, Section 8, of the Anna City Code regarding water and sanitary sewer service rates

SUMMARY:

[Click here to enter text.](#)

STAFF RECOMMENDATION:

[Click here to enter text.](#)



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: Clayton Fulton
Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding an ordinance amending Part IV, Article 7, Section 8, of the Anna City Code regarding water and sanitary sewer service rates

SUMMARY:

As discussed during the July 28, 2015 Council Workshop Session, Bob McLain from McLain Decision Support Systems presented his findings from a utility rate study. Among other things, the report found that current water rates could not sustain the cost of providing water service to our water customers.

The report presented a scenario with a 9% across the board increase to our utility rates. This will result in a \$6.94 increase to the average utility bill.

The primary factors contributing to this rate increase include: 1) water conservation programs leading to a 23.2% decline over the past few years in the average amount of water sold on a per customer basis; 2) a significant increase in the amount budgeted for NTMWD wastewater transport and treatment charges; and 3) an increase in the amount budgeted to purchase treated surface water from NTMWD through a contract with the Greater Texoma Utility Authority (GTUA).

STAFF RECOMMENDATION:

Approve the attached ordinance.



City Council Agenda Staff Report

Date: 9/8/2015

Staff Contact: Maurice Schwanke

Exhibits: Yes

AGENDA SUBJECT: Consider/Discuss/Action regarding a Resolution approving a Development Agreement with Texas New Mexico Power Company.

SUMMARY: Texas New Mexico Power Company is purchasing a 0.2726 acre tract out of a 48.43 acre tract of land in the Hiram Brinlee Survey Abstract number 30 located north of the Sam Rayburn Memorial Highway and east of an TXU electrical transmission line. The purchase is for the installation of a tap substation to facilitate connection to an existing overhead power lines located on or immediately adjacent to the property. According to the Anna's Subdivision ordinance a subdivision plat would be required for the property which would entail the provision of adequate sized water lines with appropriate fire protection. This area is in the rural portion of Anna's ETJ where significant water lines do not exist however, the connection to the power facility is necessary to serve the general community. This Development Agreement agrees to exempt this tract regarding the division of the Property from its parent tract from the Subdivision Regulations as outlined in Part III-A of the Anna City Code of Ordinances with various stipulations regarding future development.

STAFF RECOMMENDATION: Approval of Resolution Agreement



City Council Agenda Staff Report

Date: 09/8/15

Staff Contact: Maurice Schwanke

Exhibits: Yes

AGENDA SUBJECT: Consider/Discuss/Action regarding an ordinance amending Part III-A (Subdivision Regulations), Article 2, Section 105 of the Anna City Code regarding plat submission timing and materials.

SUMMARY: Under the Local Government Code strict guidelines for plat approval are in place regarding the length of time a City may hold a plat after it has been submitted. The length of time before a City needs to act on a plat is 30 day or the application is automatically approved. To ensure that the City does not get into a bind we are proposing an amendment to the subdivision ordinance to establish a clear submittal window and procedure which will allow for adequate review and comment time.

STAFF RECOMMENDATION: Approval of the ordinance.



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: Joseph Johnson
Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding a resolution authorizing the dedication of an easement to Grayson Collin Communications.

SUMMARY:

Grayson Collin Communications is currently expanding their network to provide telecommunication fiber service to the new phases of the West Crossing subdivision. They are requesting two easements from the City of Anna to lay underground telecommunications fiber across the southern border of Slayter Creek Park and Slayter Creek Trail to the West Crossing Subdivision. The proposed easements do not interfere with existing utilities or park facilities.

Grayson Collin Communications is a privately held company that provides telecommunication services to many residential and business customers in Anna. They are owned and operated by the Grayson Collin Electric Cooperative.

STAFF RECOMMENDATION:

Approval of the requested easements is consistent with the City's strategic goal of facilitating opportunities to extend fiber service to new residential developments. Staff recommends approval of the attached resolution and easements.



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: Clayton Fulton
Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding a resolution authorizing an Agreement with American Municipal Services Corporation for utility and court collections.

SUMMARY:

The City currently has collections contract with Perdue, Brandon, Fiedler, Collins, & Mott, L.L.P. Attorneys at Law (Perdue Brandon) for collections of delinquent tax and utility accounts and court fines and fees.

Currently, Perdue Brandon has not performed well under the contracts for delinquent utility accounts and collection of court fines and fees (delinquent accounts). City staff met with Perdue Brandon approximately two years ago to discuss their performance and establish expectations moving forward. During that meeting staff expressed concerns over regular reporting and overall performance. Perdue Brandon expressed their intent to provide monthly reports and improve performance. Since that time, staff has not experienced the level of service as discussed. Performance has not improved and monthly reporting only lasted 2 months.

Additionally, Perdue Brandon does perform actual collections. They send letters instructing delinquent account holders to pay the City of Anna for amounts past due. This is problematic as the city cannot know for certain if payments received are the result of Perdue Brandon's efforts.

Finally, Perdue Brandon has not invoiced the City on a regular basis. In the last month, staff has received 5 invoices for work dating as far back as 2008 and as current as May of 2015. Their invoices cover anywhere from 2-4 years.

Staff sent a cancellation letter to Perdue Brandon late last week with an email copy of the letter. The contract for collection of delinquent tax accounts will continue;

however, staff will schedule a meeting with Perdue Brandon to discuss their efforts on delinquent tax accounts and expectations for those accounts.

The attached resolution would authorize the City Manager to execute contracts with American Municipal Services (AMS) for collections of delinquent utility accounts and for court fines and fees. Staff has checked several references (including the cities of Melissa and Prosper). All references have come back with positive reviews. Perdue Brandon is a legal firm that engages in collections efforts while AMS is a collections company. Staff believes this will result in higher resolution rates, higher levels of service, and better results.

AMS has assured staff that no amount is too small and no account is too old (also stated on their website). In the process of reviewing other potential companies, staff found that some companies would not collect on accounts older than two years or would charge a higher fee for those accounts. One company in particular would not quote us a rate until we provided them a profile of all our delinquent accounts. AMS has a flat fee of 30% of the collected amount. Additionally, AMS will collect the money for the City and remit the City's amounts monthly. Perdue Brandon was charging 20% on utility accounts and 30% on court fines & fees.

AMS will contact delinquent account holders by mail and by phone. Additionally AMS employs bilingual staff that can take payments over the phone. AMS has an average resolution rate of 75% and we expect to see similar results with amounts turned over to them for collections.

STAFF RECOMMENDATION:

Approve the resolution.



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: Clayton Fulton
Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding a resolution authorizing an Agreement with American Municipal Services Corporation for utility and court collections.

SUMMARY:

The City currently has collections contract with Perdue, Brandon, Fiedler, Collins, & Mott, L.L.P. Attorneys at Law (Perdue Brandon) for collections of delinquent tax and utility accounts and court fines and fees.

Currently, Perdue Brandon has not performed well under the contracts for delinquent utility accounts and collection of court fines and fees (delinquent accounts). City staff met with Perdue Brandon approximately two years ago to discuss their performance and establish expectations moving forward. During that meeting staff expressed concerns over regular reporting and overall performance. Perdue Brandon expressed their intent to provide monthly reports and improve performance. Since that time, staff has not experienced the level of service as discussed. Performance has not improved and monthly reporting only lasted 2 months.

Additionally, Perdue Brandon does perform actual collections. They send letters instructing delinquent account holders to pay the City of Anna for amounts past due. This is problematic as the city cannot know for certain if payments received are the result of Perdue Brandon's efforts.

Finally, Perdue Brandon has not invoiced the City on a regular basis. In the last month, staff has received 5 invoices for work dating as far back as 2008 and as current as May of 2015. Their invoices cover anywhere from 2-4 years.

Staff sent a cancellation letter to Perdue Brandon late last week with an email copy of the letter. The contract for collection of delinquent tax accounts will continue;

however, staff will schedule a meeting with Perdue Brandon to discuss their efforts on delinquent tax accounts and expectations for those accounts.

The attached resolution would authorize the City Manager to execute contracts with American Municipal Services (AMS) for collections of delinquent utility accounts and for court fines and fees. Staff has checked several references (including the cities of Melissa and Prosper). All references have come back with positive reviews. Perdue Brandon is a legal firm that engages in collections efforts while AMS is a collections company. Staff believes this will result in higher resolution rates, higher levels of service, and better results.

AMS has assured staff that no amount is too small and no account is too old (also stated on their website). In the process of reviewing other potential companies, staff found that some companies would not collect on accounts older than two years or would charge a higher fee for those accounts. One company in particular would not quote us a rate until we provided them a profile of all our delinquent accounts. AMS has a flat fee of 30% of the collected amount. Additionally, AMS will collect the money for the City and remit the City's amounts monthly. Perdue Brandon was charging 20% on utility accounts and 30% on court fines & fees.

AMS will contact delinquent account holders by mail and by phone. Additionally AMS employs bilingual staff that can take payments over the phone. AMS has an average resolution rate of 75% and we expect to see similar results with amounts turned over to them for collections.

STAFF RECOMMENDATION:

Approve the resolution.



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: City Manager
Exhibits: N/A

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:

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)**
- 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.

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: City Manager
Exhibits: N/A

AGENDA SUBJECT:

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

SUMMARY:

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: September 8, 2015
Staff Contact: City Manager
Exhibits: None

AGENDA SUBJECT:

Adjourn

SUMMARY:

Item to adjourn the meeting.

STAFF RECOMMENDATION:

Staff recommends a motion to adjourn.