



CITY OF ANNA AGENDA NOTICE – CITY COUNCIL

WORKSHOP

October 13, 2015

6:30 p.m. – Anna City Hall

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

1. Call to Order.
2. Roll Call and Establishment of Quorum.
3. 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**); conflict of interest disclosure.
 - 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.
 - c. discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the City is conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). (**Tex. Gov't Code §551.087**); discuss proposed residential and mixed-use development.

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.

- d. discuss or deliberate personnel matters (**Tex. Gov't Code §551.074**); members of City boards and commissions.

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.

4. Consider/Discuss/Action on any items listed on posted agenda for the City Council Work Session or any Closed Session occurring during this Workshop, as necessary.
5. 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. October 9, 2015.

Carrie L. Smith, 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

Date: October 13, 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: October 13, 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); conflict of interest disclosure.
- 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.
- c. discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the City is conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). (Tex. Gov't Code §551.087); discuss proposed residential and mixed-use development.
- d. discuss or deliberate personnel matters (Tex. Gov't Code §551.074); members of City boards and commissions.

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:

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City Council Agenda Staff Report

Date: October 13, 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:

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STAFF RECOMMENDATION:

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City Council Agenda Staff Report

Date: October 13, 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

October 13, 2015

7:30 p.m. – Anna City Hall

The City Council of the City of Anna will meet in Regular Session at 7:30 p.m., on the above date, at the Anna City Hall, 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. Proclamation regarding Municipal Court Week (Clayton Fulton)
6. 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 September 22, 2015. (Carrie Smith)
 - b. Approve the Planning and Zoning Commission Minutes for September 14, 2015. (Maurice Schwanke)
 - c. Approve a Resolution on Anna Crossing, Phase 3A final plat. (Maurice Schwanke)
 - d. Approve a Resolution setting date and time for a public hearing on the creation of the Villages of Hurricane Creek TIRZ. (Clayton Fulton)
 - e. Approve a Resolution on Munger development plat (Maurice Schwanke)
 - f. Approve a Resolution on Richardson development plat (Maurice Schwanke)
 - g. Approve a Resolution on Robertson Addition development plat (Maurice Schwanke)
7. Consider/Discuss/Action regarding a Resolution approving a Subdivision Improvement Agreement for Anna Crossing Phase 3A. (Maurice Schwanke)
8. Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by Hector Bernal and Janice Bernal. (Joseph Johnson)
9. Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by Gerald Ray Davidson. (Joseph Johnson)
10. Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by Jon Michael Petersen and Laura Jean Petersen. (Joseph Johnson)

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11. Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement (Tract 1) on private property owned by Chris Plumlee and Lisa Plumlee. (Joseph Johnson)
12. Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement (Tract 2) on private property owned by Chris Plumlee and Lisa Plumlee. (Joseph Johnson)
13. Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by Shane Spencer and Crystal Spencer. (Joseph Johnson)
14. Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by Kerry B. Tubbs and Gwendolyn M. Iselt-Tubbs. (Joseph Johnson)
15. Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by Gary K. Verner and Ronna Walker Verner. (Joseph Johnson)
16. Consider/Discuss/Action regarding a Resolution awarding a bid and approving a contract for the Hackberry Waterline Project. (Joseph Johnson)
17. Consider/Discuss/Action regarding a Resolution awarding a bid and approving a contract for the 2014 TxCDBG Sewer Line Project. (Joseph Johnson)
18. Consider/Discuss/Action regarding a Resolution authorizing the City Manager to negotiate non-annexation agreements with the owners of certain properties located in the city's extra-territorial jurisdiction. (Philip Sanders)
19. CLOSED SESSION (EXCEPTIONS): Under Tex. Gov't Code Chapter 551, the City Council may enter into closed session to discuss any

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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**); conflict of interest disclosure.
- 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.
- c. discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the City is conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). (**Tex. Gov't Code §551.087**); discuss proposed residential and mixed-use development.
- d. discuss or deliberate personnel matters (**Tex. Gov't Code §551.074**); members of City boards and commissions.

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.

20. Consider/Discuss/Action on any items listed on the posted agenda or any closed session occurring during this meeting, as necessary.

21. 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. October 09, 2015.

Carrie L. Smith, City Secretary

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City Council Agenda Staff Report

Date: October 13, 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: October 13, 2015
Staff Contact: City Manager
Exhibits: N/A

AGENDA SUBJECT:
Invocation and Pledge of Allegiance.

SUMMARY:

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: October 13, 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: October 13, 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: 10/13/2015
Staff Contact: Clayton Fulton
Exhibits: No

AGENDA SUBJECT:

Proclamation regarding Municipal Court Week

SUMMARY:

The Texas Municipal Courts Education Center prepares materials each year to support a municipal courts week. They have asked municipal courts, city councils, and communities throughout Texas to join in showing appreciation for the dedicated municipal judges, court clerks, court administrators, prosecutors, bailiffs, and warrant officers who comprise the Texas municipal courts from November 2 to November 6, 2015. Municipal Courts Week is a great time to not only recognize how much municipal courts do, but to share with the public the important role that local courts and their personnel play in the criminal justice system and the larger community.

STAFF RECOMMENDATION:

Approve the proclamation.

ANNA CITY COUNCIL

MINUTES
WORKSHOP SESSION

SEPTEMBER 22, 2015

The City Council of the City of Anna met in Workshop Session on the above date at Anna City Hall, located at 111 N. Powell Parkway (Hwy 5), regarding the following items:

1. Call to Order.

Mayor Crist called the meeting to order at 6:30 pm.

2. Roll Call and Establishment of Quorum.

Mayor Mike Crist and Council Members Justin Burr, Lauren Lovato, John Beazley, Chad Barnes, Nathan Bryan and Dick Dowd were present.

3. 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**)
- 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

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MOTION: Council Member Bryan moved to adjourn to closed session at 6:32 p.m. Council Member Dowd seconded. Motion carried 7-0.

4. Briefing/Discussion regarding annexation planning. (Maurice Schwanke)

There was a brief discussion on future annexations and non-annexation agreements.

5. Consider/Discuss/Action on any items listed on posted agenda City of Anna City Council Regular Meeting or any Closed Session occurring during this Workshop, as necessary.

6. Adjourn.

Council Member Bryan moved to adjourn at 7:31 pm. Council Member Barnes seconded. Motion carried 7-0.

Approved on the ____ day of _____, 2015.

ATTEST:

City Secretary Carrie L. Smith

Mayor Mike Crist

ANNA CITY COUNCIL

MINUTES
REGULAR SESSION

SEPTEMBER 22, 2015

The City Council of the City of Anna met in Regular Session on the above date at Anna City Hall, located at 111 North Powell Parkway (Hwy 5), to consider the following items.

1. Call to Order.

Mayor Crist called the meeting to order at 7:32 pm.

2. Invocation and Pledge of Allegiance.

Mayor Crist led the Invocation and Pledge of Allegiance.

3. Citizen comments. *Citizens are allowed 3 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.*

No public comments.

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.*

- 10/06 is National Night Out from 6 to 8 pm at Slayter Creek Park
- 10/24 is Annual Glow Fest Event

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 September 8, 2015. (Carrie Smith)
- b. Approve the Economic Development Corporation Minutes for July 1, 2015 and August 6, 2015. (Jessica Perkins)
- c. Approve the Community Development Corporation Minutes for July 1, 2015 and August 6, 2015. (Jessica Perkins)
- d. Approve the Planning and Zoning Commission Minutes for August 3, 2015 (Maurice Schwanke)
- e. Approve the "Bichler" development plat. (Maurice Schwanke)
- f. Approve the "W-J Ranch South" development plat. (Maurice Schwanke)
- g. Approve the "Westminster Substation" development plat. (Maurice Schwanke)
- h. Approve the "Victoria Falls Center Addition" preliminary plat. (Maurice Schwanke)
- i. Approve the "Victoria Falls Center Addition" site plan and landscape plan. (Maurice Schwanke)
- j. Approve the "JaRyCo" site plan and landscape plan. (Maurice Schwanke)
- k. Approve the "Avery Point Phase 1" final plat. (Maurice Schwanke)
- l. Approve the "Ferguson Parkway & Lot 1 Block A" final plat. (Maurice Schwanke)
- m. Approve the "West Crossing Phase 6" preliminary plat. (Maurice Schwanke)
- n. Approve the "Anna Town Square Amenity Center" final plat. (Maurice Schwanke)
- o. Approve an Ordinance amending Part IV, Article 7, Section 8, of the Anna City Code regarding sanitary sewer service rates. (Philip Sanders)
- p. Approve a Resolution approving and designating the City Manager as the SRO grant official for the School Resource Officer Project to the Office of the Governor, Criminal Justice Division. (Chief Jenks)

MOTION: Council Member Barnes moved to approve items a, b, c, d, e, f, g, j, m, n, o, and p by consent. Mayor Crist seconded. Motion carried 7-0.

Council Member Barnes recused himself from the meeting.

MOTION: Council Member Bryan moved to approve items h and i. Council Member Burr seconded. Motion carried 6-0.

Council Member Barnes returned to the meeting.

MOTION: Council Member Burr moved to approve item k. Council Member Barnes seconded. Motion carried 7-0.

MOTION: Council Member Burr moved to approve item l. Council Mayor Crist seconded. Motion carried 7-0.

6. Consider/Discuss/Action regarding a Resolution approving a Special Event Permit and Agreement with the Anna ISD Education Foundation for a Disc Golf Tournament at Slayter Creek Park. (Maurice Schwanke)

Event was canceled by Anna ISD and item withdrawn.

7. Consider/Discuss/Action regarding a Resolution approving a Special Event Permit and Agreement with the Anna Athletic Booster Club for a 5K Run at Natural Springs Park. (Maurice Schwanke)

MOTION: Councilmember Burr moved to approve. Mayor Crist seconded. Motion carried 7-0.

8. Consider/Discuss/Action regarding a Resolution authorizing the dedication easement to Grayson Collin Communications. (Joseph Johnson)

MOTION: Council Member Bryan moved to approve. Council Member Dowd seconded. Motion carried 7-0.

9. Consider/Discuss/Action on a Resolution amending the Personnel Policy Manual (Philip Sanders)

MOTION: Council Member Barnes moved to approve. Council Member Bryan seconded. Motion carried 7-0.

10. Consider/Discuss/Action regarding a Resolution nominating Board of Directors for Collin Central Appraisal District. (Philip Sanders)

MOTION: Mayor Crist moved to take no action. Council Member Dowd seconded. Motion carried 7-0.

11. Briefing/Discussion regarding US 75 Utility Relocation Project. (Joseph Johnson)

Public Works Director Johnson gave a brief project update.

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:

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- 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;

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MOTION: Council Member Bryan moved to enter into closed session at 8:06 p.m. Council Member Bryan seconded. Motion carried 7-0.

Mayor Crist reconvened the regular meeting at 9:48 p.m.

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

No action taken.

- 14. Adjourn.

MOTION: Council Member Barnes moved to adjourn at 9:50 p.m. Council Member Lovato seconded. Motion carried 7-0.

Approved on the _____ day of _____, 2015.

ATTEST:

City Secretary Carrie L. Smith

Mayor Mike Crist

**MINUTES
PLANNING AND ZONING COMMISSION
REGULAR MEETING
September 14, 2015**

The Planning and Zoning Commission of the City of Anna held its regular meeting on September 14th, 2015, at 7:00 p.m., at the Community Room of the Anna City Hall Administration Building located at 111 North Powell Parkway (Hwy 5), to consider the following items.

1. Call to order and establishment of quorum.

The meeting was called to order at 7:02 p.m. Members present were Sandy Setliff, Don Callaham, Lorenzo Gonzalez, Donald Henke, John Johnson, Darrin Colombo and Tom Plunkett. Staff present was Maurice Schwanke and Tana Ross.

2. Invocation and Pledge of Allegiance.

Mr. Schwanke gave the invocation and led the Pledge of Allegiance.

3. Consider/Discuss/Act on recommendation regarding "Bichler" development plat.

Mr. Schwanke gave a presentation regarding development plat. The development plat is located within the southwest part of the extraterritorial jurisdiction of the City. The tract is located in the T. Bruce Survey and contains approximately 6.626 acres of land. The property is generally located at 6364 County Road 281. The owner is proposing to build a house, carport and several other structures on the tract. The submittal meets the City of Anna development plat requirement. Mr. Schwanke noted that the Staff recommends approval of the development plat.

A motion was made by Commissioner Henke, seconded by Commissioner Setliff to recommend approval of the development plat. The vote was unanimous.

4. Consider/Discuss/Act on recommendation regarding "W-J Ranch South" development plat.

Mr. Schwanke gave a presentation regarding development plat. The development plat is located within the western edge of the extraterritorial jurisdiction of the City. The tract is in the John Patton Survey and consists of approximately 11.041 acres. The owner is proposing to build a 55,000 square foot metal building on the tract. The property is located at 7620 County Road 209. The submittal meets the City of Anna development plat requirement. Mr. Schwanke noted that the Staff recommends approval of the development plat.

A motion was made by Commissioner Setliff, seconded by Commissioner Plunkett to recommend approval of the development plat. The vote was unanimous.

5. Consider/Discuss/Act on recommendation regarding “Westminster Substation” development plat.

Mr. Schwanke gave a presentation. The development is located within Anna’s extraterritorial jurisdiction of the City. The tract is in the Samuel Craft Survey, Abstract No. 165 and contains 5 acres of land. Texas New Mexico Power Company is proposing a substation. The property is located generally north of the Sam Rayburn Memorial Highway and west of F.M. Highway 2862. The submittal meets the City of Anna development plat requirements. Mr. Schwanke note that the Staff recommends approval of the development plat

A motion was made by Commissioner Henkee, seconded by Commissioner Gonzalez to recommend approval of the development plat. The vote was unanimous.

6. Consider/Discuss/Act on recommendation regarding “Victoria Falls Center Addition” site plan and landscape plan. The property is located on the east side of Victoria Falls Drive north of West White Street.

Mr. Schwanke gave a presentation. This project contains 7.477 acres of commercially zoned property. Additionally, this tract is within the Thoroughfare overlay district which requires all buildings to be 100 percent masonry (Brick, Stone, and or split face CMU. It tract contains 5 lots with Lot 1 lot being site planned at this time. The proposal contains a building with 45,690 square feet of retail space with required parking and landscaping. Part of building may end up leasing for food service type activity that may require additional parking for the center. If this occurs additional parking could be added after appropriate approvals east of the detention pond. This tract is also associated with agenda item 8 which is a preliminary plat that includes preliminary storm drainage, water, sanitary sewer plans. In July of 2009 several trees on this tract were cut down without a tree removal permit. The trees have been accounted for on this plan by adding additional trees above requirements and by increasing the caliper of trees to be planted. 287 additional caliper inches have been accounted for in the landscape plan. The City Staff has reviewed this application for compliance.

A motion was made by Commissioner Plunkett, seconded by Commissioner Callalham to recommend approval of the site plan and landscape plan. The vote was unanimous.

7. Consider/Discuss/Act on recommendation regarding “Victoria Falls Center Addition” preliminary plat.

Mr. Schwanke gave a presentation. The tract is being proposed to be broken down into five lots. As such a preliminary plat is required. This plat has been reviewed by city staff and consulting engineer. Mr. Schwanke noted that the staff is recommending approval of this plat.

A motion was made by Commissioner Callaham, seconded by Commissioner Colombo to recommend approval the preliminary plat. The vote was unanimous.

8. Consider/Discuss/Act on recommendation regarding “JaRyCo” site plan and landscape plan. The property is located on the west side of Victoria Falls Drive north of West White Street.

Mr. Schwanke gave a presentation and answered questions from the Commission. This project contains part of PD 119-2003 commercially zoned property. The intended use of the property is medical and general offices and retail. Additionally, this tract is within the Thoroughfare overlay district which requires all buildings to be 100 percent masonry (Brick, Stone, and or split face CMU. This site plan is on an existing platted lot. The proposal contains a building with 10,787 square feet of space with required parking and landscaping. A landscape plan will be required. Mr. Schwanke noted that the City Staff has reviewed this application for compliance. Bruce Keller, representative, regarding the project gave a presentation and answered questions from the Commission.

A motion was made by Commissioner Plunkett, seconded by Commissioner Setliff to recommend approval of the site plan. The vote was unanimous.

9. Consider/Discuss/Act on recommendation regarding “Avery Point PH I” final plat.

Mr. Schwanke gave a presentation. The Avery Point final plat contains approximately 30.09 acres located in the Francis T. Duffau Survey, Abstract No. 288. Within this project 89 residential lots and 4 common areas are proposed. With the development of this area the adjacent thoroughfares will be constructed which includes Hackberry Lane and Ferguson Parkway. The plat layout is in conformance with the existing zoning. Engineering plans have been submitted and approved for this Addition. Therefore, the staff is recommending approval of this plat. Jeff Klement, representative from JBI Partners, gave a presentation and answered questions from the Commission.

A motion was made by Commissioner Gonzalez, seconded by Commissioner Callaham to recommend approval of the final plat. The vote was unanimous.

10. Consider/Discuss/Act on recommendation regarding “Ferguson Parkway & Lot 1 Block A” final plat.

Mr. Schwanke gave a presentation. The Ferguson Parkway final plat contains approximately 9.117 acres located in the Francis T. Duffau Survey, Abstract No. 288. Within this project 1 commercial lot and the right-of-way for Ferguson Parkway is proposed. Four lanes of Ferguson Parkway starting at West White Street will be constructed with this. The plat layout is in conformance with the existing zoning. Engineering plans have been submitted and approved for this Addition. Therefore, the staff is recommending approval of this plat.

A motion was made by Commissioner Setliff, seconded by Commissioner Callaham to recommend approval of the final plat. The vote was unanimous.

11. Consider/Discuss/Act on recommendation regarding "West Crossing PH 6" preliminary plat.

Mr. Schwanke gave a presentation. The West Crossing preliminary plat contains 21.335 acres located in the Henry Brantley Survey, Abstract No. 71. Within this project 108 residential lots are proposed. The plat layout is in conformance with the existing zoning. The staff is recommending that the approval of this preliminary plat be subject to final construction plans approval addressing all engineering concerns.

A motion was made by Commissioner Callaham, seconded by Commissioner Setliff to recommend approval of the preliminary plat. The vote was unanimous.

12. (a) Public Hearing: To consider public comments regarding a request by John Arnold, representative for Foster Crossing LTD (Skorburg Co.) owner(s) of the property, to revise the existing PD (2002-27A) zoning. The property is currently zoned as (PD) Planned Development for residential and commercial uses. The owner(s) of the property are requesting to change the commercial portion and the portion of the remainder to single family residential and to adjust densities throughout the request. The property is generally located west of Powell Parkway and north of Foster Crossing Road.

Mr. Schwanke gave a presentation. The property identified on the attached Exhibit A (proposed ordinance attached) is intended to accommodate residential development in the City of Anna. The existing zoning on the property consists of 6,000, 7,200, 8,400 square foot lots and a commercial tract. The developer is proposing to adjust the density by making the overall lot size scheme with a 7,200 minimum lot size with a minimum average 8,400 square feet lot size. Since the existing zoning has an area with 6,000 square feet lot size entitlement the developer is asking for 15 units with a minimum lot size of 6,600 square feet. The overall minimum average 8,400 square feet lot size will be maintained. The commercial element of the existing zoning that was based on a previous alignment of proposed Ferguson Road will be eliminated. The staff is in support of this zoning request and is recommending approval.

(b) Consider/Discuss/Act on recommendation regarding a request to amend existing PD (2002-27A) zoning changing the commercial portion and residential portions of the tract to single family residential and to adjust densities throughout the request.

The Public Hearing Opened at 7:59 p.m. John Arnold, representative for Skorburg Company gave a presentation and answered questions from the Commission. Several residents were present and express their views regarding the agenda item. The Public Hearing Closed at 8:24 p.m. Following discussion, a motion was made by Commission Plunkett to table the agenda item. Commissioner Setliff seconded the motion. The vote was (4) ayes (Plunkett, Setliff, Gonzalez, Colombo) and (3) nays (Johnson, Henke, Callaham). Motion carried to table this item.

13. (a) Public Hearing: To consider public comments regarding a request by Ryan Combs, representative for Palladium USA and John Arnold, representative for Skorburg Company. The property is currently zoned as (PD) Planned Development for multi-family and commercial uses. The owner(s) of the property are requesting a change in

the PD to increase the standards in regard to multi-family development element if multi-family takes place on a certain 10 acres within the existing Planned Development that was approved by ordinance number 129-2004. The remainder of the ordinance is still applicable. The property is generally located east of the railroad track and north of Finley Drive.

Mr. Schwanke gave a presentation. The request for zoning change contains 9.482 acres in the area commonly referred to as Anna Town Square. The property backs up to the Dart Rail to the west that creates some access difficulties since two points of improved access is required for all developments. Item 15 of this agenda provides an alternative to this situation that has been provided by the developer. This zoning request changes the existing entitlements for multi-family development to more enhanced standards than currently exist for this specific part of Anna Town Square. The staff has worked with the applicant to improve the requirements that are found in the attached ordinance.

(b) Consider/Discuss/Act on recommendation regarding a request to amend existing PD (129-2004) to increase the standards in regard to multi-family development element if multi-family takes place on a certain 10 acres within the existing PD 129-2004.

The Public Hearing opened at 8:32 p.m. Ryan Combs representative, gave a presentation and answered questions from the Commissioner. The Public Hearing closed at 8:35 p.m.

After a brief discussion, a motion was made by Commissioner Henke to approve the agenda item. Commissioner Gonzalez seconded the motion. The vote was unanimous.

- 14. Consider/Discuss/Act on recommendation regarding a formal request by John Arnold, as the representative for Palladium USA to waive its requirement that each subdivision have two fully paved access points connecting to the City's approved roadway system. This request pertains to the Palladium Anna site.**

Mr. Schwanke gave a presentation. He noted the applicant has submitted a request for waiver of the two fully paved access points connecting to the City's approved roadway system. The request is being proposed as a hardship because of the existence of the Dart railroad limiting the access to the property. He also noted the applicant is willing to provide an alternate temporary access method for providing emergency access only. This access would be via an extension of Finley Blvd. to a future extension of Leonard Blvd.

The applicant requested that this item be Tabled. A motion was made by Chairman Johnson to Table the agenda item. Commissioner Callahan seconded the motion. The vote was unanimous.

- 15. Consider/Discuss/Act on recommendation regarding "Anna Town Square Amenity Center" final plat.**

Mr. Schwanke gave a presentation. The Anna Crossing Amenity Center final plat will contain the amenity center that will serve all of the Anna Town Square residential

development. The plat engineering has been reviewed by the staff and City Engineer. The staff is recommending approval of this plat. A motion was made by Commissioner Setliff, seconded by Commissioner Callaham to recommend approval of the final plat. The vote was unanimous.

16. Consider action to approve Minutes of the August 3rd, 2015 Planning and Zoning Commission Meeting.

A motion was made by Commissioner Setliff, seconded by Commissioner Henke to approve the Minutes of the August 3rd, 2015 meeting.

17. Adjourn.

There being no further business, a motion was made by Commissioner Setliff, seconded by Commissioner Plunkett to adjourn meeting. The meeting adjourned at 9:03 p.m.

Maurice Schwanke
Director of Planning and Development



City Council Agenda Staff Report

Date: 10//13/15

Staff Contact: Maurice Schwanke

Exhibits: Yes

AGENDA SUBJECT: Approve "Anna Crossing PH 3A" final plat.

SUMMARY: A final plat has been received on approximately 20.693 acres of land that is located east of Leonard Avenue and north of Sharp Street. The Civil plans are approved and infrastructure has been installed. The required lift station and force main servicing this phase has been approved and is under construction. This phase contains 36 residential lots on the tract. The Planning and Zoning Commission recommended approval of the final plat at their meeting, October 5th, 2015. The vote was unanimous.

STAFF RECOMMENDATION: Approval of Resolution



City Council Agenda Staff Report

Date: 10/13/2015
Staff Contact: Clayton Fulton
Exhibits: Yes

AGENDA SUBJECT:

Approve a Resolution setting date and time for a public hearing on the creation of the Villages of Hurricane Creek TIRZ

SUMMARY:

In order to create the Tax Increment Reinvestment Zone (TIRZ) associated with the Hurricane Creek Development, the City needs to call for a public hearing before the zone can be created. The attached resolution authorizes the public hearing but does not create the TIRZ.

The TIRZ can be created at a meeting after the public hearing.

STAFF RECOMMENDATION:

Approve the resolution authorizing the public hearing on the TIRZ.



City Council Agenda Staff Report

Date: 10//13/15

Staff Contact: Maurice Schwanke

Exhibits: Yes

AGENDA SUBJECT: Approve the “Munger” development plat.

SUMMARY: The development plat is located within Anna’s extraterritorial jurisdiction. The tract is in the Joseph Britton Survey, Abstract No. 72 and contains approximate 1.252 acres of land. The owner is proposing to build a house and other structures on the tract. The property is located at 10236 County Road 289. The submittal meets the City of Anna development plat requirement. The Planning and Zoning Commission recommended approval of the development plat at their meeting, October 5th, 2015. The vote was unanimous.

STAFF RECOMMENDATION: Approval of Resolution



City Council Agenda Staff Report

Date: 10//13/15

Staff Contact: Maurice Schwanke

Exhibits: Yes

AGENDA SUBJECT: Approve the "Richardson" development plat.

SUMMARY: The development plat is located within Anna's extraterritorial jurisdiction. The tract is in the Richard Phalen Survey, Abstract no. 694 and contains approximate 4 acres of land. The owner is proposing to build a house, carport and several other structures on the tract. The property is located at 9183 County Road 285. The submittal meets the City of Anna development plat requirement. The Staff recommends approval of the development plat. The Planning and Zoning Commission recommended approval of the development plat at their meeting, October 5th, 2015. The vote was unanimous.

STAFF RECOMMENDATION: Approval of Resolution



City Council Agenda Staff Report

Date: 10/13/15

Staff Contact: Maurice Schwanke

Exhibits: Yes

AGENDA SUBJECT: Approve the "Robertson Addition" development plat.

SUMMARY: The development plat is located within Anna's extraterritorial jurisdiction. The tract is in the J. C. Neil Survey, Abstract No. 659 and contains approximate 5 acres of land. The owner is proposing to build a house and a metal workshop on the tract. The property is located at 12144 County Road 509. The submittal meets the City of Anna development requirement. The Staff recommends approval of the development plat. The Planning and Zoning Commission recommended approval of the development plat at their meeting, October 5th, 2015. The vote was unanimous.

STAFF RECOMMENDATION: Approval of Resolution



City Council Agenda Staff Report

Date: October 13, 2015
Staff Contact: Maurice Schwanke
Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding a resolution approving a Subdivision Improvement Agreement for Anna Crossing, Phase 3A.

SUMMARY:

Anna Crossing, Phase 3A is located at the northeast corner of Sharp Road and Leonard Avenue in the Anna Town Square development east of State Highway 5 (Powell Parkway) and includes 36 single family lots. The attached Subdivision Improvement Agreement will authorize the release of building permit for not more than 10% of the lots within Phase 3A prior to formal acceptance by the City of all the required public improvements. Release of the building permits is conditioned on completion of all public improvements required to serve the property with the exception of the off-site sewer. A certificate of occupancy for the new homes will not be issued until the all public improvements are formally accepted, and the final plat has been recorded with Collin County. Authorization for this type of agreement is outlined in the City's Subdivision Ordinance.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Resolution and Agreement.



City Council Agenda Staff Report

Date: October 13, 2015
Staff Contact: Joseph Johnson
Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by Hector Bernal and Janice Bernal.

SUMMARY:

The City is working on the design and construction of a new sanitary sewer interceptor line that is necessary to accommodate the current and future growth of our city. In order to construct these improvements, the City will need to acquire an easement across property owned by Hector and Janice Bernal. The attached resolution authorizes Staff to negotiate, and, if necessary, initiate the use of eminent domain to acquire the needed sewer easement.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Resolution. A motion to approve the resolution should be made precisely as follows as prescribed by law:

“I move that the City of Anna, Texas authorize the use of the power of eminent domain to acquire 0.127 acres of land, more or less, for a permanent sanitary sewer easement, and 0.243 acres of land, more or less, for a temporary construction easement, said tracts located in the Robert A. Johnson Survey, Abstract No. 479, Collin County, Texas, and described in a deed to Hector Bernal and Janice Bernal, recorded in Instrument Number 20060703000907110 of the Deed Records of Collin County, Texas (D.R.C.C.T.), said 0.127 acres and 0.243 acres being more particularly described by the metes and bounds description set forth in Exhibit “A” to this resolution, which I incorporate in full into my motion.”



City Council Agenda Staff Report

Date: October 13, 2015
Staff Contact: Joseph Johnson
Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by Gerald Ray Davidson.

SUMMARY:

The City is working on the design and construction of a new sanitary sewer interceptor line that is necessary to accommodate the current and future growth of our city. In order to construct these improvements, the City will need to acquire an easement across property owned by Gerald Ray Davidson. The attached resolution authorizes Staff to negotiate, and, if necessary, initiate the use of eminent domain to acquire the needed temporary construction easement.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Resolution. A motion to approve the resolution should be made precisely as follows as prescribed by law:

“I move that the City of Anna, Texas authorize the use of the power of eminent domain to acquire 0.147 acres of land, more or less, for a temporary construction easement, said tract located in the Robert A. Johnson Survey, Abstract No. 479, and the Ezra Shelby Survey, Abstract No. 839, Collin County, Texas, and described in a deed to Gerald Ray Davidson, recorded in Instrument Number 20020405000502240 of the Deed Records of Collin County, Texas (D.R.C.C.T.), said 0.147 acres being more particularly described by the metes and bounds description set forth in Exhibit “A” to this resolution, which I incorporate in full into my motion.”



City Council Agenda Staff Report

Date: October 13, 2015

Staff Contact: Joseph Johnson

Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by Jon Michael Petersen and Laura Jean Petersen.

SUMMARY:

The City is working on the design and construction of a new sanitary sewer interceptor line that is necessary to accommodate the current and future growth of our city. In order to construct these improvements, the City will need to acquire an easement across property owned by Jon and Laura Petersen. The attached resolution authorizes Staff to negotiate, and, if necessary, initiate the use of eminent domain to acquire the needed sewer easement.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Resolution. A motion to approve the resolution should be made precisely as follows as prescribed by law:

“I move that the City of Anna, Texas authorize the use of the power of eminent domain to acquire 0.150 acres of land, more or less, for a permanent sanitary sewer easement, and 0.241 acres of land, more or less, for a temporary construction easement, said tracts located in the Robert A. Johnson Survey, Abstract No. 479, and the Ezra Shelby Survey, Abstract No. 839, Collin County, Texas, and described in a deed to Jon Michael Petersen and wife Laura Jean Petersen, recorded in Instrument Number 199990730000955880 of the Deed Records of Collin County, Texas (D.R.C.C.T.), said 0.150 acres and 0.241 acres being more particularly described by the metes and bounds description set forth in Exhibit “A” to this resolution, which I incorporate in full into my motion.”



City Council Agenda Staff Report

Date: October 13, 2015

Staff Contact: Joseph Johnson

Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement (Tract 1) on private property owned by Chris Plumlee and Lisa Plumlee.

SUMMARY:

The City is working on the design and construction of a new sanitary sewer interceptor line that is necessary to accommodate the current and future growth of our city. In order to construct these improvements, the City will need to acquire an easement across property owned by Chris and Lisa Plumlee. The attached resolution authorizes Staff to negotiate, and, if necessary, initiate the use of eminent domain to acquire the needed sewer easement.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Resolution. A motion to approve the resolution should be made precisely as follows as prescribed by law:

“I move that the City of Anna, Texas authorize the use of the power of eminent domain to acquire 0.155 acres of land, more or less, for a permanent sanitary sewer easement, and 0.226 acres of land, more or less, for a temporary construction easement, said tracts located in the Robert A. Johnson Survey, Abstract No. 479, Collin County, Texas, and described in a deed to Chris Plumlee and Lisa Plumlee, recorded in Instrument Number 20100624000646560 of the Deed Records of Collin County, Texas (D.R.C.C.T.), said 0.155 acres and 0.226 acres being more particularly described by the metes and bounds description as Tract 1 set forth in Exhibit “A” to this resolution, which I incorporate in full into my motion.”



City Council Agenda Staff Report

Date: October 13, 2015

Staff Contact: Joseph Johnson

Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement (Tract 2) on private property owned by Chris Plumlee and Lisa Plumlee.

SUMMARY:

The City is working on the design and construction of a new sanitary sewer interceptor line that is necessary to accommodate the current and future growth of our city. In order to construct these improvements, the City will need to acquire an easement across property owned by Chris and Lisa Plumlee. The attached resolution authorizes Staff to negotiate, and, if necessary, initiate the use of eminent domain to acquire the needed sewer easement.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Resolution. A motion to approve the resolution should be made precisely as follows as prescribed by law:

“I move that the City of Anna, Texas authorize the use of the power of eminent domain to acquire 0.024 acres of land, more or less, for a permanent sanitary sewer easement, and 0.014 acres of land, more or less, for a temporary construction easement, said tracts located in the Robert A. Johnson Survey, Abstract No. 479, Collin County, Texas, and described in a deed to Chris Plumlee and Lisa Plumlee, recorded in Instrument Number 20100624000646560 of the Deed Records of Collin County, Texas (D.R.C.C.T.), said 0.024 acres and 0.014 acres being more particularly described by the metes and bounds description as Tract 2 set forth in Exhibit “A” to this resolution, which I incorporate in full into my motion.”



City Council Agenda Staff Report

Date: October 13, 2015

Staff Contact: Joseph Johnson

Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by Shane Spencer and Crystal Spencer.

SUMMARY:

The City is working on the design and construction of a new sanitary sewer interceptor line that is necessary to accommodate the current and future growth of our city. In order to construct these improvements, the City will need to acquire an easement across property owned by Shane and Crystal Spencer. The attached resolution authorizes Staff to negotiate, and, if necessary, initiate the use of eminent domain to acquire the needed sewer easement.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Resolution. A motion to approve the resolution should be made precisely as follows as prescribed by law:

“I move that the City of Anna, Texas authorize the use of the power of eminent domain to acquire 0.151 acres of land, more or less, for a permanent sanitary sewer easement, and 0.213 acres of land, more or less, for a temporary construction easement, said tracts located in the Robert A. Johnson Survey, Abstract No. 479, and the Ezra Shelby Survey, Abstract No. 839, Collin County, Texas, and described in a deed to Shane Spencer and Crystal Spencer, recorded in Instrument Number 20120727000917890 of the Deed Records of Collin County, Texas (D.R.C.C.T.), said 0.151 acres and 0.213 acres being more particularly described by the metes and bounds description set forth in Exhibit “A” to this resolution, which I incorporate in full into my motion.”



City Council Agenda Staff Report

Date: October 13, 2015
Staff Contact: Joseph Johnson
Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by Kerry B. Tubbs and Gwendolyn M. Iselt-Tubbs.

SUMMARY:

The City is working on the design and construction of a new sanitary sewer interceptor line that is necessary to accommodate the current and future growth of our city. In order to construct these improvements, the City will need to acquire an easement across property owned by Kerry Tubbs and Gwendolyn Iselt-Tubbs. The attached resolution authorizes Staff to negotiate, and, if necessary, initiate the use of eminent domain to acquire the needed sewer easement.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Resolution. A motion to approve the resolution should be made precisely as follows as prescribed by law:

“I move that the City of Anna, Texas authorize the use of the power of eminent domain to acquire 0.064 acres of land, more or less, for a permanent sanitary sewer easement, and 0.166 acres of land, more or less, for a temporary construction easement, said tracts located in the Robert A. Johnson Survey, Abstract No. 479, Collin County, Texas, and described in a deed to Kerry B. Tubbs and wife Gwendolyn M. Iselt-Tubbs, recorded in Instrument Number 20050620000814000 (also recorded in Vol. 5943, Page 1524) of the Deed Records of Collin County, Texas (D.R.C.C.T.), said 0.064 acres and 0.166 acres being more particularly described by the metes and bounds description set forth in Exhibit “A” to this resolution, which I incorporate in full into my motion.”



City Council Agenda Staff Report

Date: October 13, 2015

Staff Contact: Joseph Johnson

Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the City Staff to use lawful means, including negotiations and if necessary proceedings in eminent domain, to acquire an easement on private property owned by Gary K. Verner and Ronna Walker Verner.

SUMMARY:

The City is working on the design and construction of a new sanitary sewer interceptor line that is necessary to accommodate the current and future growth of our city. In order to construct these improvements, the City will need to acquire an easement across property owned by Gary and Ronna Verner. The attached resolution authorizes Staff to negotiate, and, if necessary, initiate the use of eminent domain to acquire the needed sewer easement.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Resolution. A motion to approve the resolution should be made precisely as follows as prescribed by law:

“I move that the City of Anna, Texas authorize the use of the power of eminent domain to acquire 0.157 acres of land, more or less, for a permanent sanitary sewer easement, and 0.225 acres of land, more or less, for a temporary construction easement, said tracts located in the Robert A. Johnson Survey, Abstract No. 479, Collin County, Texas, and described in a deed to Gary K. Verner and wife, Ronna Walker Verner, recorded in Instrument Number 19971124001000720 of the Deed Records of Collin County, Texas (D.R.C.C.T.), said 0.157 acres and 0.225 acres being more particularly described by the metes and bounds description set forth in Exhibit “A” to this resolution, which I incorporate in full into my motion.”



City Council Agenda Staff Report

Date: October 13, 2015
Staff Contact: Joseph Johnson
Exhibits: Attached.

AGENDA SUBJECT:

Authorize the City Manager to execute a contract with W. Brown Enterprises, Inc. for the Hackberry Elevated Storage Tank Offsite Water Line Project.

SUMMARY:

On September 17, 2015 at 2:00 PM sealed bids were opened for this project. W. Brown Enterprises, Inc. was the apparent low bidder with a base bid of \$737,284.50. The City's consulting engineer has reviewed the bids and bidder qualifications and recommends that the City of Anna award the contract to W. Brown Enterprises, Inc.

There are funds available for this project in the 2012 and 2014 Certificate of Obligation.

STAFF RECOMMENDATION:

Staff recommends approval of this item.



City Council Agenda Staff Report

Date: October 13, 2015
Staff Contact: Joseph Johnson
Exhibits: Attached

AGENDA SUBJECT:

Authorize the City Manager to execute a contract with A&M Construction & Utilities, Inc. for the 2014 Texas Community Development Block Grant (TxCDBG) Sewer Replacements Project.

SUMMARY:

On September 25, 2015 at 2:00 PM sealed bids were opened for this project. A&M Construction & Utilities, Inc. was the apparent low bidder with a base bid of \$276,556.15 and an additive alternate bid of \$12,285.00 for a total of \$288,841.15. The City's consulting engineer has reviewed the bids and bidder qualifications and recommends that the City of Anna award the contract to A&M Construction and Utilities, Inc.

There are funds available for this project from a Texas Community Development Block Grant (TxCDBG) awarded to the City of Anna by the Texas Department of Agriculture (TDA). Additional funds are available for the Project in the Utility Fund unrestricted fund balance in the amount of \$13,841.15.

STAFF RECOMMENDATION:

Staff recommends approval of this item.



City Council Agenda Staff Report

Date: October 13, 2015
Staff Contact: Philip Sanders
Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding a Resolution authorizing the City Manager to negotiate non-annexation agreements with the owners of certain properties located in the city's extraterritorial jurisdiction.

SUMMARY:

Section 212.171 of the Texas Local Government Code authorizes a city to make a written contract with an owner of land located in the extraterritorial jurisdiction (ETJ) that would guarantee the property immunity from annexation by the city for a finite period of time. Such contracts typically include additional guarantees by the property owner relative to the future development of the property. Section 43.035 of the Local Government Code requires a city to offer a Section 212 development agreement prior to annexing any land that is appraised for ad valorem tax purposes as land for agricultural or wildlife management use.

The City of Anna has a vested interest in preventing development in the ETJ that could negatively impact property located within the city limits or that would otherwise be inconsistent with the city's future land use plan. Toward that end, staff is recommending that the City Council authorize the City Manager to offer and negotiate Chapter 212 non-annexation agreements with the owners of certain properties located in the ETJ in close proximity to our current city limits. The standard agreement would guarantee a subject property immunity from annexation for at least five (5) years, and would likewise limit development of the property during the term of the agreement. Existing legal uses of a subject property would be unaffected and could continue.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Resolution.



City Council Agenda Staff Report

Date: October 13, 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); conflict of interest disclosure.
- 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.
- c. discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the City is conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). (Tex. Gov't Code §551.087); discuss proposed residential and mixed-use development.
- d. discuss or deliberate personnel matters (Tex. Gov't Code §551.074); members of City boards and commissions.

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: October 13, 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: October 13, 2015
Staff Contact: City Manager
Exhibits: None

AGENDA SUBJECT:

Adjourn

SUMMARY:

Item to adjourn the meeting.

STAFF RECOMMENDATION:

Staff recommends a motion to adjourn.