



CITY OF ANNA AGENDA NOTICE – CITY COUNCIL

January 26, 2016

6:30 p.m. – Anna City Hall

The City Council of the City of Anna will meet in Work Session at 6:30 p.m., on January 26, 2016 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**).
 - 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 personnel matters (**Tex. Gov't Code**); City Manager annual review.

The Council further reserves the right to enter into closed 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 the posted agenda or any closed session occurring during this meeting, as necessary.
5. Adjourn.

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

This is to certify that I, 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. January 22, 2016.

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: January 26, 2016
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: January 26, 2016
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.
- c. discuss or deliberate personnel matters (**Tex. Gov't Code §551.074**); City Manager annual review.

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STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: January 26, 2016
Staff Contact: City Manager
Exhibits: N/A

AGENDA SUBJECT:

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

SUMMARY:

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: January 26, 2016
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

January 26, 2016

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 January 26, 2016, 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/Roll Call.
2. Invocation and Pledge of Allegiance.
3. Citizen comments. *Citizens are allowed three minutes to speak to Council. 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 for January 12, 2016. (Carrie Smith)
 - b. Review EDC minutes from December 3, 2015. (Jessica Perkins)
 - c. Review CDC minutes from December 3, 2015. (Jessica Perkins)
 - d. Review Park Board minutes from November 23, 2015 and December 21, 2015.
 - e. Review 2015 Annual Racial Profiling Report. (Chief Jenks)
 - f. Review 2015 Annual Police Seizure Account Report. (Chief Jenks)
 - g. Approve a Resolution approving a Facilities Use Agreement with the Anna Sports Group for 2016. (Maurice Schwanke)
6. Conduct a Public Hearing (2 of 2) on the voluntary annexation of a 21.4 acre tract of land located in the Hiram Brinlee Survey, Abstract No. 30 (St. Charles Apts. Inc., owner); a 47.6 acre tract of land located in the John Chambers Survey, Abstract No. 223 and the Samuel Craft Survey, Abstract No. 165 (Bhagat Holdings Ltd., owner); a 15 acre tract located in the Jonathan Douthit Survey, Abstract No. 251 (McGuffey Living Trust, owner); an 18.53 acre tract of land located in the William Kitchings Survey, Abstract No. A0505 and the W E Throckmorton Survey, Abstract No. A0899 (Anna Outer Loop Ltd, owner formerly the Seminole 20 Ltd.); and a 15.4 acre tract of land located in the W E Throckmorton Survey, Abstract No. A0899 (William & Nora Steward, owners). (Maurice Schwanke)
7. Consider/Discuss/Action regarding a resolution amending the City of Anna Personnel Policy Manual. (Clayton Fulton)
8. Briefing/Discussion regarding West Crossing Blvd. traffic transition. (Joseph Johnson)
9. 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:

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.

- 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.
- c. discuss or deliberate personnel matters **(Tex. Gov't Code §551.074)**; City Manager annual review.

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

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

11. 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. January 22, 2016.

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: January 26, 2015
Staff Contact: City Manager
Exhibits: None

AGENDA SUBJECT:

Roll call and establishment of quorum.

SUMMARY:

Mayor establishes a quorum

STAFF RECOMMENDATION:

Item No. 2

City Secretary's use only



City Council Agenda Staff Report

Date: January 26, 2016

Staff Contact: City Manager

Exhibits: N/A

AGENDA SUBJECT:

Invocation and Pledge of Allegiance.

SUMMARY:

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: January 26, 2016
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: January 26, 2016
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: January 26, 2016
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 for January 12, 2016. (Carrie Smith)
- b. Review EDC minutes from December 3, 2015. (Jessica Perkins)
- c. Review CDC minutes from December 3, 2015. (Jessica Perkins)
- d. Review Park Board minutes from November 23, 2015 and December 21, 2015.
- e. Review 2015 Annual Racial Profiling Report. (Chief Jenks)
- f. Review 2015 Annual Police Seizure Account Report. (Chief Jenks)
- g. Approve a Resolution approving a Facilities Use Agreement with the Anna Sports Group for 2016. (Maurice Schwanke)

STAFF RECOMMENDATION:

Staff recommends approval of the consent items.



City Council Agenda Staff Report

Date: 1/26/2016
Staff Contact: Chief Jenks
Exhibits: 2015 Racial Profiling
Report

AGENDA SUBJECT:

Review 2015 Annual Racial Profiling Report

SUMMARY:

Statutorily each year, the Police Department must submit a Racial Profiling Report to the State of Texas and present that report to the Governing Body of the City.

Attached is a copy of the Racial Profile Tier 1 Report generated by the Anna Police Department. This is the same report that was submitted to the State online: http://my.tcole.texas.gov/racial_profile_pdfs/085204_2015Report.pdf

STAFF RECOMMENDATION:

No action required



City Council Agenda Staff Report

Date: 1/26/2016
Staff Contact: Chief Jenks
Exhibits: 2015 State Seizure
Account Report

AGENDA SUBJECT:

Review 2015 Annual Police Seizure Account Report

SUMMARY:

Statutorily each year, the Police Department must submit an Asset Forfeiture Report to the State of Texas and present that report to the Governing Body of the City.

Attached is a copy of the Chapter 59 Asset Forfeiture Report by Law Enforcement Agency. This is the same report that was submitted to the State online.

STAFF RECOMMENDATION:

No action required



City Council Agenda Staff Report

Date: January 26, 2016
Staff Contact: Maurice Schwanke
Exhibits: Yes.

AGENDA SUBJECT:

Approve a Resolution Approving a Facilities Use Agreement with the Anna Sports Group for 2016 and Authorizing the City Manager to Execute Same.

SUMMARY:

Attached is a Resolution authorizing the renewal of the Facilities Use Agreement with the Anna Youth Sports Association for 2016. The Anna Sports Group is set up to provide fundamental sports for children ages 5 to 18 years. The 2016 Agreement is identical to the 2015 Agreement.

STAFF RECOMMENDATION:

Approval of Resolution and Agreement



City Council Agenda Staff Report

Date: January 26, 2016
Staff Contact: Maurice Schwanke
Exhibits: Yes

AGENDA SUBJECT:

Conduct a (2nd) Public Hearing on the voluntary annexation of a 21.4 acre tract of land located in the Hiram Brinlee Survey, Abstract No. 30 (St. Charles Apts. Inc., owner); a 47.6 acre tract of land located in the John Chambers Survey, Abstract No. 223 and the Samuel Craft Survey, Abstract No. 165 (Bhagat Holdings Ltd., owner); a 15 acre tract of land located in the Jonathan Douthit Survey, Abstract No. 251 (McGuffey Living Trust, owner); an 18.53 acre tract of land located in the William Kitchings Survey, Abstract No. A0505 and the W E Throckmorton Survey, Abstract A0899 (Anna Outer Loop Ltd, owner formerly the Seminole 20 Ltd.); and a 15.4 acre tract of land located in the W E Throckmorton Survey, Abstract No.A0899 (William & Nora Steward, owners).

SUMMARY:

In November of 2010 the City Council accepted and approved non-annexation development agreements with Charles Apts. Inc. on 21.4 acres of Land, the Bhagat Holdings Ltd on 47.6 acres of land, the McGuffey Living Trust on 15 acres of land, the Anna Outer Loop Ltd on 56.1 acres of Land and the Stewart William D & Nora Yvonne on 15.4 acres of land. The properties owned by the Stewarts and the Anna Outer Loop Ltd. are located at the northeast corner of Central express and the Collin County Outer Loop (Seminole 20 Ltd.). The properties owned by Charles Apts. Inc. and Bhagat Holdings Ltd. are located on the south side of SH 121, and the property owned by McGuffey Living Trust is located at the northwest corner of FM 545 and FM 2862

The agreements with Charles Apts. Inc., Bhagat Holdings Ltd. and the Stewart William D & Nora Yvonne expired in 2011 and the agreements with Anna Outer Loop Ltd (Seminole 20 Ltd.) and McGuffey Living Trust expired in December of 2015.

Per the terms of the agreements, the respective owner are deemed to have properly filed with the City a petition consenting to voluntary annexation of the respective properties to be completed upon or after the end of the term.

STAFF RECOMMENDATION:

This is the second of 2 public hearings required when annexing land. It is the recommendation of the Staff that the City Council act on these agreements to ensure protection of land uses adjacent to Hwy 75, north of Collin County Outer Loop, and the Sam Rayburn Memorial Highway.



City Council Agenda Staff Report

Date: Jan. 26, 2016
Staff Contact: Clayton Fulton
Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding a Resolution amending the Personnel Policy Manual

SUMMARY:

The City of Anna Personnel Policy Manual adopted in March of 2014 includes provisions regarding the use of accrued paid leave concurrently while on unpaid leave approved under the Family Medical Leave Act (FMLA).

Generally, FMLA leave is unpaid leave. However, the employer may require the employee requesting FMLA leave to substitute accrued paid leave for FMLA leave. An employee's ability to substitute accrued paid leave is determined by the terms and conditions of the employer's normal leave policy. When substitution of accrued paid leave is used, the employer must inform the employee that any procedural requirements of the paid leave policy must be satisfied.

The proposed amendments clarify that paid sick leave used concurrently with FMLA must satisfy the normal requirements for use of sick leave under section 106.03 of the City's Personnel Policy Manual. The policy has been clarified for operational purposes and ensures application of the City's sick leave policy when used concurrently with leave authorized under the FMLA.

STAFF RECOMMENDATION:

Approve the resolution amending the Personnel Policy Manual.



City Council Agenda Staff Report

Date: January 26, 2016
Staff Contact: Joseph Johnson
Exhibits: Yes

AGENDA SUBJECT:

Briefing/Discussion item regarding the newly constructed southbound lanes of West Crossing near Hackberry and the associated transition.

SUMMARY:

As part of Phase 5 of the West Crossing development the developer was required to construct the two southbound lanes of West Crossing Blvd. that are adjacent to the phase. The lanes and a temporary transition have been constructed but the location of the transition along a curve causes a sight distance issue and a reverse curve within the transition area. Staff has met with the developer and developer's engineer to explore possible solutions and determined that it would be appropriate for the transition to occur along a straight section of West Crossing approximately 500-700' further north adjacent to future Phase 7. Normally, the developer would not be required to construct the section of West Crossing along Phase 7 until the phase is constructed, however, the developer has agreed to start construction on the section before the end of this year with completion no later than August 2017. If we agree, this will mean that traffic will continue to transition to four lanes at the intersection of West Crossing and Hackberry until the new section of West Crossing along Phase 7 is completed.

STAFF RECOMMENDATION:

Staff recommends opening the new section of West Crossing Blvd. adjacent to Phase 5 after the Phase 7 section is constructed. This will allow for a safe transition location that is not along a curve.



City Council Agenda Staff Report

Date: January 26, 2016
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:

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STAFF RECOMMENDATION:



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Date: January 26, 2016
Staff Contact: City Manager
Exhibits: N/A

AGENDA SUBJECT:

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

SUMMARY:

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: January 26, 2016
Staff Contact: City Manager
Exhibits: None

AGENDA SUBJECT:

Adjourn

SUMMARY:

Item to adjourn the meeting.

STAFF RECOMMENDATION:

Staff recommends a motion to adjourn.