



CITY OF ANNA AGENDA NOTICE – CITY COUNCIL- WORK SESSION

May 10, 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 May 10, 2016 at Anna City Hall, located at 111 N. Powell Parkway (Hwy 5), regarding the following items:

1. Call to Order, Roll Call and Establishment of Quorum
2. Discussion regarding FY 17 budget – Revenue Projections (Clayton Fulton)
3. Briefing regarding wastewater treatment plant operations (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**).
 - 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 Attorney 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.

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 the posted agenda or any closed session occurring during this meeting, 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. May 6, 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

Meeting Date: May 10, 2016
Staff Contact: City Administrator
Exhibits: No

AGENDA SUBJECT:

Call to Order, Roll Call and Establishment of Quorum.

SUMMARY:

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Meeting Date: May 10, 2016
Staff Contact: Finance Director
Exhibits: Yes

AGENDA SUBJECT: Briefing/Discussion regarding FY 17 revenue projections

SUMMARY: Staff will review the General Fund projected revenue for the FY 17 budget. The revenue projections are preliminary and will change as the budget process moves forward. The Collin CAD appraisal process and the local/regional/national economy all have an effect upon the primary revenue sources for the City. Projections will be revised as we progress through the budget season and obtain more data on appraisals and local economic activity.

Staff will present preliminary information on property taxes, sales tax, franchise fees, and development revenue. Historically, these revenue sources have comprised 90% all General Fund Revenue.

Additionally, staff will present possible funding scenarios for roadways.

STAFF RECOMMENDATION: None



City Council Agenda Staff Report

Meeting Date: May 10, 2016
Staff Contact: Public Works Director
Exhibits:

AGENDA SUBJECT:

Briefing regarding wastewater treatment plant operations (Joseph Johnson)

SUMMARY:

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: May 10, 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 Attorney annual review.

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STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: May 10, 2016
Staff Contact: City Manager
Exhibits: N/A

AGENDA SUBJECT:

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

SUMMARY:

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: May 10, 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 – REGULAR SESSION

May 10, 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 May 10, 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 and Establishment of Quorum.
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.

- a. Proclamations
 - i. National Public Works Week
 - ii. National Police Week
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 April 26, 2016. (Carrie Smith)
 - b. Approve the City Council minutes for May 3, 2016. (Carrie Smith)
 - c. Review EDC minutes for February 4, 2016 and March 3, 2016. (Jessica Perkins)
 - d. Review CDC minutes for February 4, 2016 and March 3, 2016. (Jessica Perkins)
 - e. Review Quarterly Investment Report. (Clayton Fulton)
 - f. Approve a resolution authorizing an RFP for Audit Services. (Clayton Fulton)
 - g. Approve a Resolution approving a Final Plat of Anna Crossing Phase 1B. (Maurice Schwanke)
 - h. Approve a Resolution approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2016 Rate Review Mechanism filings. (City Manager)
6. Conduct a Public Hearing (1st) on the annexation of a 32.295 acre tract of land located in the Henry Smith Survey, Abstract 0823. (Maurice Schwanke)
7. Consider/Discuss/Action regarding an Ordinance approving the annexation of a 75.97 acre tract of land in the Joseph Slater Schluter Survey, Abstract 856 located south of FM 455 and east of Natural Springs Park. (Maurice Schwanke)
8. Consider/Discuss/Action regarding a Resolution approving the Fifth Agreement Amending the Subdivision Improvement Agreement for Anna Town Square. (City Manager)
9. Consider/Discuss/Action regarding a Resolution approving the First Agreement Amending Subdivision Improvement Agreement for Anna Crossing, Phase 3A. (City Manager)
10. Future Agenda Consideration: Ordinance amending building permit requirements in the extraterritorial jurisdiction. (Mayor Crist)

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.

11. Briefing/Discussion regarding 2016 ICSC Annual Conference. (Jessica Perkins)
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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 - c. discuss or deliberate personnel matters (**Tex. Gov't Code §551.074**); City Attorney 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.

13. Consider/Discuss/Action on any items listed on the posted agenda or any closed session occurring during this meeting, as necessary.
14. 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. May 6, 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: May 10, 2016
Staff Contact: City Manager
Exhibits: None

AGENDA SUBJECT:

Call to Order, 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: May 10, 2016

Staff Contact: City Manager

Exhibits: N/A

AGENDA SUBJECT:

Invocation and Pledge of Allegiance.

SUMMARY:

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: May 10, 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: May 10, 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

Meeting Date: May 10, 2016
Staff Contact: Joseph Johnson
Exhibits: Attached.

AGENDA SUBJECT:

Proclamation for National Public Works Week 2016 sponsored by the American Public Works Association.

SUMMARY:

Public Works employees provide the foundational infrastructure that it takes to allow a city to thrive. Their efforts are important and should be recognized. As a part of our initiative to highlight the positive benefits that Public Works provides to our community we plan to celebrate National Public Works Week each year. This year we are planning an event for May 19, 2016 between 6:00 PM and 8:00 PM at Slayter Creek Park. We will have some of our new equipment there and will be cooking hot dogs for attendees. Our goal is to foster open communication with our citizens and highlight Public Works service.

This year's theme for Public Works week is "Always There". This theme highlights that continuous Public Works services are essential and foundational to a great quality of life.

STAFF RECOMMENDATION:

Staff recommends designating May 15-21 2016 as "National Public Works Week".

City of Anna, Texas

Proclamation



- WHEREAS,** public works infrastructure, facilities and services are of vital importance to sustainable communities and to the health, safety and well-being of the people of the City of Anna, Texas; and
- WHEREAS,** such facilities and services could not be provided without the efforts of public works professionals, engineers, managers, directors, and employees at all levels of government and the private sector, who are responsible for planning, building, operation, and maintenance of transportation infrastructure, water supply, water treatment, solid waste systems and other services which are essential to serve our citizens; and
- WHEREAS,** it is in the public interest for the citizens, civic leaders and children in the United States of America to gain knowledge of and to maintain an interest and understanding of the importance of public works and public works programs in their respective communities; and
- WHEREAS,** this year's theme "**Always There**" speaks to the essential nature of continuous Public Works services in support of everyday quality of life; and
- WHEREAS,** the year 2016 marks the 56th annual National Public Works Week sponsored by the American Public Works Association, be it now
- THEREFORE,** I, Mike Crist, Mayor of the City of Anna, Texas, do hereby designate the week of May 15-21, 2016, as

"PUBLIC WORKS WEEK"

in the City of Anna and I urge our citizens and civic leaders to gain knowledge of Public Works and to recognize the contributions that our Public Works professionals make to our national health, safety, welfare and quality of life.

*In witness whereof I have hereunto set my hand this
10th day of May, 2016 and called this seal to be affixed.*

Mike Crist, Mayor



City Council Agenda Staff Report

Meeting Date: May 10, 2016

Staff Contact: Chief Jenks

Exhibits: Yes

AGENDA SUBJECT: A proclamation recognizing National Police Week.

SUMMARY: National Police Week begins each year on May 15, Police Memorial Day in the United States, and ends a week later, and was established by President John F Kennedy. This year, National Police Week occupies May 15-21 on the calendar.

This proclamation recognizes National Police Week 2016 and honors the service and sacrifice of those law enforcement officers killed in the line of duty across this great nation while protecting our communities and safeguarding our democracy.

City of Anna, Texas

Proclamation



To recognize National Police Week 2016 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty across this great nation while protecting our communities and safeguarding our democracy, we make this proclamation:

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Anna Police Department; and

WHEREAS, more than 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 18,000 injuries; and

WHEREAS, Texas had the highest number of fatalities, losing 12 officers in 2015; and

WHEREAS, since the first recorded Law Enforcement death in 1791, more than 20,000 law enforcement officers in the United States have made the ultimate sacrifice in the line of duty. On average, one law enforcement officer is killed in the line of duty somewhere in the United States every 61 hours and over the last decade alone, an average of 146 officers a year have lost their lives; and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.;

WHEREAS, 124 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial from 2015;

WHEREAS, May 15 is designated as **Peace Officers Memorial Day**;

WHEREAS, May 15-21 is designated as **National Police Week for 2016**; and

THEREFORE, The Anna City Council formally designates May 15-21, 2016 as Police Week in the City of Anna, Texas, and publicly salutes the service of law enforcement officers in our community and in communities across the State of Texas and the United States of America.

*In witness whereof I have hereunto set my hand this
10th day of May, 2016 and called this seal to be affixed.*

Mike Crist, Mayor



City Council Agenda Staff Report

Date: May 10, 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 April 26, 2016. (Carrie Smith)
- b. Approve the City Council minutes for May 3, 2016. (Carrie Smith)
- c. Review EDC minutes for February 4, 2016 and March 3, 2016. (Jessica Perkins)
- d. Review CDC minutes for February 4, 2016 and March 3, 2016. (Jessica Perkins)
- e. Review Quarterly Investment Report. (Clayton Fulton)
- f. Approve a resolution authorizing an RFP for Audit Services. (Clayton Fulton)
- g. Approve a Resolution approving a Final Plat of Anna Crossing Phase 1B. (Maurice Schwanke)
- h. Approve a Resolution approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2016 Rate Review Mechanism filings. (City Manager)

STAFF RECOMMENDATION:

Staff recommends approval of the consent items.



City Council Agenda Staff Report

Meeting Date: May 10, 2016
Staff Contact: Finance Director
Exhibits: Yes

AGENDA SUBJECT: Consider/Discuss/Take Action regarding a resolution authorizing a request for proposals (RFP) for audit services.

SUMMARY: Section 7.18 of the City Charter states that no more than five consecutive annual audits may be completed by the same firm. The most recent audit completed by LaFollet & Abbot represents the fifth consecutive audit completed by that firm.

The attached RFP will solicit competitive proposals from audit firms with experience in municipal audits.

Staff anticipates making a recommendation on the proposals sometime in July in order to negotiate a contract in such time as to allow for adequate preparation for the audit by the firm and the city.

STAFF RECOMMENDATION: Approve the resolution authorizing the issuance of an RFP for audit services.



City Council Agenda Staff Report

Meeting Date: May 10, 2016
Staff Contact: Finance Director
Exhibits: Yes

AGENDA SUBJECT:

Presentation of the Quarterly Investment Report

SUMMARY:

In accordance with the Public Funds Investment Act, the City of Anna is required to submit a quarterly report on the investment of all Public Funds held by the City.

The attached report has been developed with our investment advisors, Valley View Consulting, LLC. The report includes the following:

- Review of economic conditions
- Review of the City's holdings
- Comparison of book vs. market value
- Allocation information
- Other information related to the PFIA.

STAFF RECOMMENDATION:

None, no action is required.



City Council Agenda Staff Report

Date: May 10, 2016
Staff Contact: Maurice Schwanke
Exhibits: Yes.

AGENDA SUBJECT:

Approve a Resolution on a Final Plat for Anna Crossing PH 1B.

SUMMARY:

The City has received a final plat of Phase 1B of Anna Crossing and it is in compliance with the preliminary plat. This phase contains 62 lots. Engineering plans have been approved.

On March 20, 2014, City entered into a Subdivision Improvement Agreement ("SIA") for the development of a 634 acre tract of land commonly referred to as Anna Town Square. Section 5(a)(4) of the Anna Town Square SIA requires owners of Anna Town Square to construct a certain water line (referred to in the SIA as the "Water Loop") when the total number of residential lots constructed within the Anna Town Square development exceeds 250. The development of Anna Crossing Phase 1B will cause the total number of residential lots within Anna Town Square to exceed 250. The attached Resolution makes a finding that construction of the of the "Water Loop" is one of the required public improvements that must be constructed concurrently with all other public improvements required in connection with the development of Anna Crossing Phase 1B.

The Planning and Zoning Commission recommended approval of the final plat at their meeting May 2, 2016 meeting. The vote was unanimous.

STAFF RECOMMENDATION:

Staff recommends approval of the attached of the attached Resolution.



City Council Agenda Staff Report

Meeting Date: May 10, 2016

Staff Contact: City Manager

Exhibits: Yes

AGENDA SUBJECT:

Consider/Discuss/Action regarding a Resolution approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2016 Rate Review Mechanism filings.

SUMMARY:

The City, along with other similarly situated cities served by Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company"), is a member of the Atmos Cities Steering Committee ("ACSC"). The RRM Tariff was originally adopted by ACSC member cities in 2007 as an alternative to the Gas Reliability Infrastructure Program ("GRIP"), the statutory provision that allows Atmos to bypass the City's rate regulatory authority to increase its rates annually to recover capital investments. The RRM Tariff has been modified several times, most recently in 2013.

The 2016 RRM filing is the fourth RRM filing under the renewed RRM Tariff. On March 1, 2016, Atmos made a filing requesting \$35.4 million additional revenues on a system-wide basis. Because the City of Dallas has a separate rate review process, exclusion of Dallas results in the Company requesting \$28.6 million from other municipalities.

Environs customers (ratepayers outside municipal limits) remain under the Railroad Commission's exclusive original jurisdiction and have their rates set through the GRIP process. If the Company had used the GRIP process rather than the RRM process it would have received a \$41 million increase, or about \$11 million more than will be approved by the attached Resolution. ACSC and the Company have reached an agreement, reflected in the Resolution, to reduce the Company's request by \$5.5 million, such that the Resolution approving new rates reflects an increase of \$29.9 million on a system-wide basis, or \$21.9 million for Mid-Tex Cities, exclusive of the City of Dallas.

The tariffs attached to the Resolution approve rates that will increase the Company's revenues by \$29.9 million for the Mid-Tex Rate Division, effective for bills rendered on or after June 1, 2016. The monthly residential customer charge will be \$19.10. The consumption charge will be \$0.11378 per CCF. The monthly bill impact for the typical residential customer consuming 46.8 CCF will be an increase of \$1.26, or about 2.43%. The typical commercial customer will see an increase of \$3.81, or 1.43%. Attached to this Staff Report is a summary of the impact of new rates on the average bills of all customer classes.

The ACSC Executive Committee and its designated legal counsel and consultants recommend that all Cities adopt the Resolution with its attachments approving the negotiated rate settlement resolving the 2016 RRM filing, and implementing the rate change.

Explanation of "Be It Ordained" Sections:

1. This section approves all findings in the Resolution.
2. This section finds the settled amount of \$29.9 million to be a comprehensive settlement of gas utility rate issues arising from Atmos Mid-Tex's 2016 RRM filing, and that such settlement is in the public interest and is consistent with the City's statutory authority.
3. This section finds the existing Atmos Mid-Tex rates to be unreasonable, and approves the new tariffed rates providing for additional revenues over currently-billed rates of \$29.9 million and adopts the attached new rate tariffs (Attachment A).
4. This section establishes the baseline for pensions and other post-employment benefits for future rate cases (Attachment C).
5. This section requires the Company to reimburse Cities for reasonable ratemaking costs associated with reviewing and processing the RRM filing.
6. This section repeals any Ordinance or Resolution that is inconsistent with this Resolution.
7. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.
8. This section is a savings clause, which provides that if any section(s) is later found to be unconstitutional or invalid, that finding shall not affect, impair or invalidate the remaining provisions of this Resolution. This section further directs that the remaining provisions of the Resolution are to be interpreted as if the offending section or clause never existed.
9. This section provides for an effective date upon passage which, according to the Cities' Resolution that adopted the RRM process, is June 1, 2016.

10. This paragraph directs that a copy of the signed Resolution be sent to a representative of the Company and legal counsel for the Steering Committee.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Resolution.



City Council Agenda Staff Report

Date: May 10, 2016
Staff Contact: Maurice Schwanke
Exhibits: Yes

AGENDA SUBJECT: Conduct a Public Hearing (1st) on the annexation of a 32.295 acre tract of land located in the Henry Smith Survey, Abstract 0823.

SUMMARY: The City Council has instituted proceedings for the annexation of a 32.295 acre tract of land located in the Henry Smith Survey, Abstract 0823. This property is located north of Taylor Blvd and west of Ferguson Pkwy and adjacent to the City Limits. The area contains 5 parcels of property with 5 single family homes and is bounded on three sides by neighborhoods that are inside the city limits.

The City's Comprehensive Plan includes a chapter on Growth Management (Chapter 4) that outlines policies and strategies for managing the growth of the City. The Comprehensive Plan suggests that the City proactively annex land within its ETJ that becomes attractive for development due to availability of municipal utilities, and other locations that are in close proximity to areas being subdivided and developed. Proper management of development in the urbanizing areas depends upon annexation and the application of zoning regulations that support the City's Future Land Use Plan. Consistent with this concept, Staff has recommended a deliberate but measured approach to the annexation of developed properties located adjacent to or within close proximity to the City limits.

The City has offered a Development Agreement to all the property owners within the area proposed for annexation that would guarantee that the property would remain outside the city limits for three (3) years. At the conclusion of the three-year period, the property owner would consent to voluntary annexation in 2019.

STAFF RECOMMENDATION: This is the first of 2 public hearings required when annexing land. No Council action is required at this time.



City Council Agenda Staff Report

Date: May 10, 2016
Staff Contact: Maurice Schwanke
Exhibits: Yes

AGENDA SUBJECT: Consider/Discuss/Action approving an ordinance regarding the annexation of a 75.97 acre tract of land in the Joseph Slater Schluter Survey, Abstract 856 located south of FM 455 and east of Natural Springs Park.

SUMMARY: In December of 2012 the City Council accepted and approved non-annexation development agreements with a term of three years with the property owners in the neighborhood commonly known as the Slayter Creek Addition which included ten properties. The non-annexation agreements expired in December of last year. Per the terms of the agreements, the respective owners 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.

The City Council previously held two (2) public hearings regarding the annexation of these properties.

STAFF RECOMMENDATION: Staff recommends approval of the attached Ordinance approving the annexation of the subject properties.



City Council Agenda Staff Report

Meeting Date: May 10, 2016

Staff Contact: City Manager

Exhibits: Yes

AGENDA SUBJECT: Consider/Discuss/Action regarding a Resolution approving the Fifth Agreement Amending the Subdivision Improvement Agreement for Anna Town Square.

SUMMARY: In 2005, the City entered into an agreement with the cities of McKinney and Melissa, and the North Collin Water Supply Corporation (WSC) to settle a legal dispute regarding the CCN boundaries that define the locations where each entity had the right to provide retail water service to new customers. CCN stands for Certificate of Convenience and Necessity and is the legal authorization from the State of Texas to provide retail water service. North Collin WSC is now the North Collin Special Utility District (SUD).

The Settlement Agreement; defines the locations where each entity may provide water service; describes the types of customers each entity may serve where the CCN boundaries overlap; and includes a buyout clause that requires the various cities to pay North Collin SUD a per acre fee for the right to serve new customers in certain areas where the CCN boundaries overlap.

The City of Anna CCN overlaps the North Collin CCN in a defined area located primarily east of Powell Parkway (SH 5). Per the terms of the Settlement Agreement the City owes North Collin SUD \$200 per acre when property in the overlapping CCN area is developed and included in a final plat.

A portion of the Anna Town Square development is located with an area where the City of Anna CCN overlaps the North Collin CCN. As part of the consideration for Skorburg Company's request for early release of building permits in Anna Crossing, Phase 3A, the City is requesting that Skorburg Company (represented as Anna Crossing AMC, Ltd.) agree to pay the "buyout" fees owed to North Collin SUD under the CCN Settlement Agreement. The fees owed to North Collin SUD to date for the portions of Anna Crossing Phases 1A and 3A located in the overlapping CCN area are approximately \$5,430.

STAFF RECOMMENDATION: Staff recommends approval of this this Amended Agreement.



City Council Agenda Staff Report

Meeting Date: May 10, 2016
Staff Contact: Maurice Schwanke
Exhibits: Yes

AGENDA SUBJECT: Consider/Discuss/Action regarding a Resolution approving the First Agreement Amending 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 City previously authorized the release of three (3) building permits for single family homes pending completion of the off-site sewer improvements.

The attached Amended Subdivision Improvement Agreement will authorize the release of building permit for not more than 24 of the lots within Phase 3A prior to formal acceptance by the City of all the required public improvements. The required off-site sewer improvements are nearing completion. A certificate of occupancy for the new homes will not be issued until the all public improvements are formally accepted.

STAFF RECOMMENDATION: Prior to approval of this Amended Agreement, Staff has requested that the Skorburg Co.; 1) address some minor outstanding issues related to the Anna Town Square project; and 2) dedicate certain easements necessary for the Foster Crossing Water line project. If all outstanding issues are resolved, and the City receives the executed easements as requested prior to the City Council meeting, Staff will recommend approval of the attached Agreement. The Resolution includes a provision requiring the Skorburg Company execute an agreement concerning the payment of certain CCN fees owed by the City to the North Collin SUD (see prior agenda item).



City Council Agenda Staff Report

Meeting Date: May 10, 2016

Staff Contact: City Manager

Exhibits: Yes

AGENDA SUBJECT: Future Agenda Consideration: Ordinance amending building permit requirements in the extraterritorial jurisdiction.

SUMMARY: Regulations regarding the issuance of building permits in the City's extra-territorial jurisdiction (ETJ) are outlined in Part III-A, Article 1, Section 16 of the Anna City Code (see below). These regulations were adopted under the authority of the laws of the State of Texas, including Chapter 212 of the Texas Local Government Code. Chapter 233 Subchapter F of the Local Government Code also address the authority of cities to adopt a building code in the ETJ.

Section 16. Building Permits Required in the City's Extraterritorial Jurisdiction

16.01 Before construction of any structure proposed to be located in a Subdivision within the City's Extraterritorial Jurisdiction may begin, plans for construction shall be submitted for review by the City or its designated plan reviewer. The plans shall meet the same requirements and are subject to the same standards of review as plans for structures located within the City's corporate limits.

16.02 Fees shall be collected for building permit review and inspections at the same rate charged for structures located within the City's corporate limits.

16.03 Before the issuance of a building permit, the property upon which the proposed structure is planned to be located shall have been Platted in accordance with these Subdivision Regulations as applicable to development in the City's Extraterritorial Jurisdiction.

Mayor Crist has requested that the Council review these regulations and consider any appropriate amendment(s). According to the rules previously adopted by the City Council, an item listed for discussion under Future Agenda Consideration will be placed on a future Council agenda if at least three (3) Council members vote in favor of a motion to place the item on a future agenda (*Resolution 2008-01-04*).



City Council Agenda Staff Report

Date: May 10, 2016
Staff Contact: Jessica Perkins
Exhibits:

AGENDA SUBJECT:

Briefing and discussion regarding the 2016 ICSC annual conference.

SUMMARY:

ICSC is the International Council of Shopping Centers and is the premiere resource for retail real estate professionals.

RECon, held annually the 3rd week of May, is the global convention for the shopping center industry and provides networking, deal making and educational opportunities for retail real estate professionals. With over 36,000 attendees and 1,000 exhibitors you can do a year's worth of business in just three days.

RECon is the opportunity to meet retailers, view the latest industry products and services, attend educational sessions or find the next retail deal.

For the last several years, the EDC has sent representation to the RECon convention and has successfully built relationships with retailers we would like to see locate in Anna. Both CVS and McDonalds are ICSC successes.

Currently, over 1,000 public officials or staff are registered to attend the 2016 RECon convention. Anna EDC staff has reached out to 25 retailers that will be in attendance at the convention to discuss Anna as a location to open a store.

STAFF RECOMMENDATION:

n/a



City Council Agenda Staff Report

Date: May 10, 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**); ETJ Boundary, Building Permit Requirements.
- 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 Attorney 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.

STAFF RECOMMENDATION:

Item No. 13
City Secretary's use only



City Council Agenda Staff Report

Date: May 10, 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: May 10, 2016
Staff Contact: City Manager
Exhibits: None

AGENDA SUBJECT:
Adjourn

SUMMARY:
Item to adjourn the meeting.

STAFF RECOMMENDATION:
Staff recommends a motion to adjourn.