



**CITY OF ANNA AGENDA NOTICE – CITY COUNCIL- WORK SESSION**

**June 28, 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 June 28, 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. (Clayton Fulton)
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**).

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.

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. June 24, 2016.

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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

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Meeting Date: June 28, 2016  
Staff Contact: Finance Director  
Exhibits: No

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**AGENDA SUBJECT:** Discussion regarding FY 17 budget

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**SUMMARY:** Staff will review the following departments and discuss each department's base budget and supplemental budget requests:

- Planning
- Parks
- Streets
- Park Trust

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**STAFF RECOMMENDATION:** None



## City Council Agenda Staff Report

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Date: June 28, 2016  
Staff Contact: City Manager  
Exhibits: N/A

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### AGENDA SUBJECT:

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

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### SUMMARY:

- a. consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code (**Tex. Gov't Code §551.071**).

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.

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### STAFF RECOMMENDATION:



## City Council Agenda Staff Report

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Date: June 28, 2016  
Staff Contact: City Manager  
Exhibits: N/A

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### AGENDA SUBJECT:

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

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### SUMMARY:

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### STAFF RECOMMENDATION:



## City Council Agenda Staff Report

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Date: June 28, 2016  
Staff Contact: City Manager  
Exhibits: None

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**AGENDA SUBJECT:**

Adjourn

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**SUMMARY:**

Item to adjourn the meeting.

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**STAFF RECOMMENDATION:**

Staff recommends a motion to adjourn.



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

**June 28, 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 June 28, 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.

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 June 14, 2016. (Carrie Smith)
  - b. Approve a Resolution approving a special event permit and authorizing an agreement between the City of Anna and the Greater Anna Chamber Of Commerce for 4<sup>th</sup> of July Firework Display. (Maurice Schwanke)
  - c. Approve a Resolution approving an amendment to a contract with Collin County for EMS service. (Chief Gothard)
6. (a) Conduct a public hearing on a request by Alan Hashem to amend PD 127-2004 by changing the zoning standards for Sweetwater Crossing Phase II from SF-72 (7,200 square foot lots) to SF-60 (6,000 square foot lots). The property is located near the northeast corner of SH 5 (Powell Pkwy.) and Rosamond Pkwy.  
  
(b) Consider/Discuss/Action on an ordinance amending PD 127-2004 by changing the zoning standards for Sweetwater Crossing Phase II from SF-72 (7,200 square foot lots) to SF-60 (6,000 square foot lots). The property is located near the northeast corner of SH 5 (Powell Pkwy.) and Rosamond Pkwy. (Maurice Schwanke)
7. Conduct a public hearing (1st) on the Annexation of a 32.295 acre tract of land located in the Henry Smith Survey, Abstract No. 0823. (Maurice Schwanke)
8. Consider/Discuss/Action regarding a Resolution authorizing participation in the Collin County Park and Open Space Grant Program for improvements to Natural Springs Park. (Maurice Schwanke)
9. Consider/Discuss/Action regarding appointments/reappointments to Anna Economic Development Corporation. (City Council)
10. Consider/Discuss/Action regarding appointments/reappointments to Anna Community Development Corporation. (City Council)
11. Consider/Discuss/Action regarding appointments/reappointments to the Planning and Zoning Commission. (City Council)
12. Consider/Discuss/Action regarding appointments/reappointments to the Park Advisory Board. (City Council)

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.

13. Consider/Discuss/Action regarding appointments/reappointments to the Board of Adjustment. (City Council)
14. Future Agenda Consideration: Ordinance amending building permit requirements in the extraterritorial jurisdiction. (Mayor Crist)
15. 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).

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.

16. Consider/Discuss/Action on any items listed on the posted agenda or any closed session occurring during this meeting, as necessary.
17. 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. June 24, 2016.

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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.
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## City Council Agenda Staff Report

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Date: June 28, 2016  
Staff Contact: Maurice Schwanke  
Exhibits: Yes.

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**AGENDA SUBJECT:** Approve a Resolution approving a special event permit and authorizing an agreement between the City of Anna and the Greater Anna Chamber Of Commerce for 4th of July Firework Display

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**SUMMARY:** The City has received a special event permit application for a 4<sup>th</sup> of July fireworks display to be held at the Anna High School facility located at 1107 Rosamond Pkwy. GACC is working with the Anna Fire Department and Anna Police Department in regards to public safety and the directing of traffic and pedestrians in and around the Anna High School facility. The fireworks display will be performed by the same company as last year. Insurances from GACC and the firework company have been provided to the City.

The Park Board recommended approval of the event at their meeting June 20, 2016.

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**STAFF RECOMMENDATION:** Approval subject to the attached agreement.



## City Council Agenda Staff Report

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Meeting Date: June 28, 2016

Staff Contact: Chief Gothard

Exhibits: Yes

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**AGENDA SUBJECT:** Approve a Resolution approving an amendment to a contract with Collin County for EMS service

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**SUMMARY:** The City of Anna contracts with Collin County to provide emergency medical service (EMS) within the incorporated areas of the City of Anna. Collin County contracts directly with American Medical Response (AMR) to provide these services. The attached resolution authorizes an amendment to the Collin County – City of Anna EMS contract to extend the term of the contract for another year beginning on November 1, 2016 to October 31, 2017. The total annual amount of the contract for the next year is \$143,172.70 which is about a 5% increase over the current year. Payments by the City to the County are due quarterly and will need to be allocated in the fiscal year 2017 budget that will be approved by the City Council in September.

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**STAFF RECOMMENDATION:** Staff recommends approved of the attached resolution and contract amendment.



## City Council Agenda Staff Report

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Date: June 28, 2016  
Staff Contact: Maurice Schwanke  
Exhibits: Yes.

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**AGENDA SUBJECT:** (a) Conduct a public hearing and Consider/Discuss/Action on an ordinance amending PD 127-2004 by changing the zoning standards for Sweetwater Crossing Phase II from SF-72 (7,200 square feet lots) to SF-60 (6,000 square feet lots). The property is located near the northeast corner of SH 5 (Powell Pkwy.) and Rosamond Pkwy. (Maurice Schwanke)

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**SUMMARY:** Mr. Alan Hashem, has requested a zoning change to amend PD 127-2004 by changing the development standards for Sweetwater Crossing Phase II from SF-72 (7,200 square feet lots) to SF-60 (6,000 square feet lots). The property is located near the northeast corner of SH 5 (Powell Pkwy) and Rosamond Pkwy.

Planned Development Ordinance number 127-2004 covers the entire Sweetwater Crossing subdivision development. The development standards set forth in the existing Ordinance require that the property be developed consistent with the SF-72 zoning district which requires a minimum lot size of 7,200 square feet. The property owner is requesting that the development standards be amended to allow Phase II of the development to comply with the SF-60 zoning district which would allow 6,000 square foot lots. The table below compares existing and proposed development standards.

	Existing Zoning	Proposed Zoning
Lot Size	7,200 sq. ft.	6,000 sq.
Lot Coverage	40%	50%
Lot width	60 ft.	50 ft. (45' on curve)
Lot Depth	120 ft.	120 ft. (95' min.)
Front Yard	25 ft.	20 ft. with additional 5' for garages and porte-cocheres
Side Yard	10 ft.	5 ft.
Corner Side Yard	15 ft.	15 ft.
Rear Yard	25 ft.	20 ft.
Masonry	90% first Floor 80% second Floor Front. Cumulative 80%	60%

During a special meeting on June 22<sup>nd</sup>, the Planning and Zoning Commission voted 3 to 2 to recommend that this rezoning request be denied. A vote of three-fourths of the Council Members present, or four votes, whichever is greater, is required to overrule a recommendation of the Commission that a proposed zoning amendment be denied.

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**STAFF RECOMMENDATION:** The City's current Comprehensive Plan recommends that the City move beyond the historical development pattern of largely homogenous small lot neighborhoods, and offer a mix of housing options including and specifically mid-level and higher end single family options (*Chapter 3, p. 11*). The Plan also suggests a citywide average density for single-family development of three units per gross acre (*Chapter 5, p. 17*).

In order to facilitate these goals, zoning cases for new single developments since the adoption of the Comprehensive Plan in 2010 have generally established the minimum residential lot size at 7,200 square feet with a median average of 8,400 square feet (*the new Camden Parc development located just to the north of Sweetwater is an example*). Where possible, staff has worked with the owners of existing entitled small-lot developments to increase the overall average lot size within those developments. Examples include Lakeview Estates, Villages of Hurricane Creek, Avery Pointe, Pecan Grove, and Anna Crossing.

It is Staff's view that this rezoning request is not consistent with the goals outlined in the Comprehensive Plan, and therefore Staff does not recommend approval of this request.



## City Council Agenda Staff Report

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Date: June 28, 2016  
Staff Contact: Maurice Schwanke  
Exhibits: Yes.

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

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**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 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 years after which, the property owner would consent to voluntary annexation.

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**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

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Date: June 28, 2016  
Staff Contact: Maurice Schwanke  
Exhibits: Yes.

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**AGENDA SUBJECT:** Consider/Discuss/Action regarding a Resolution authorizing participation in the Collin County Park and Open Space Grant Program.

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**SUMMARY:** Staff is recommending the submission of an application for grant funds through the Collin County Parks and Open Space Project Funding Assistance Program. The grant application will request matching park funds for improvements in Natural Springs Park. The improvements will include the following:

- Construction of a new entrance from F.M. 455 at a future median opening (lines up with Buffalo Bill) and a paved parking lot;
- Dredging and reshaping of both ponds in the Park;
- Drilling a well to maintain the water levels and the installation of fountains/lighting in the ponds;
- Septic system improvements;
- Trail connections.

The dredging of the north and south ponds will allow for the ponds to be deepened in order to allow for a suitable habitat for fish. The project will also make the water features more attractive and provide for increased diversity of activities available to our citizens.

The application deadline for the Collin County Park Program is July 11th. This grant is a 50/50 matching grant. We are anticipating that the City share of the funding will be through the Park Trust Funds and the value of land already obtained by the Anna Community Development Corporation. The preliminary budget for this project is \$329,000.

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**STAFF RECOMMENDATION:** Approval of Resolution



## City Council Agenda Staff Report

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Meeting Date: June 28, 2016

Staff Contact: City Secretary

Exhibits: Yes

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**AGENDA SUBJECT:** Consider/Discuss/Action regarding reappointments/appointments to the Economic Development Corporation. (City Council)

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**SUMMARY:** Place 7 on the Economic Development Corporation (EDC) is currently vacant. In addition, the terms for Place 2 Doug Hermann, Place 4 Connie Stump, and Place 6 Brent Thomas expire at the end of June. All of the current members have expressed a desire to be reappointed to the Board.

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**STAFF RECOMMENDATION:** Make reappointments/appointments to the Economic Development Corporation.



## City Council Agenda Staff Report

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Meeting Date: June 28, 2016

Staff Contact: City Secretary

Exhibits: Yes

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**AGENDA SUBJECT:** Consider/Discuss/Action regarding reappointments/appointments to the Community Development Corporation. (City Council)

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**SUMMARY:** Place 7 on the Community Development Corporation (CDC) is currently vacant. In addition, the terms for Place 2 Doug Hermann, Place 4 Connie Stump, and Place 6 Brent Thomas expire at the end of June. All of the current members have expressed a desire to be reappointed to the Board.

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**STAFF RECOMMENDATION:** Make reappointments/appointments to the Community Development Corporation.



## City Council Agenda Staff Report

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Meeting Date: June 28, 2016

Staff Contact: City Secretary

Exhibits: Yes

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**AGENDA SUBJECT:** Consider/Discuss/Action regarding reappointments/appointments to the Planning & Zoning Commission. (City Council)

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**SUMMARY:** Places 3, 6 and 7 on the Planning & Zoning Commission (P&Z) are currently vacant. In addition, the term for Place 2 Don Callahan expires at the end of June. Mr. Callahan has expressed his desire to be reappointed.

Commissioner Colombo has agreed to continue to serve until his replacement is appointed.

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**STAFF RECOMMENDATION:** Make reappointments/appointments to the Planning and Zoning Commission



## City Council Agenda Staff Report

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Meeting Date: June 28, 2016

Staff Contact: City Secretary

Exhibits: Yes

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**AGENDA SUBJECT:** Consider/Discuss/Action regarding appointments/reappointments to the Park Advisory Board. (City Council)

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**SUMMARY:** Place 3 is currently vacant. In addition, the term for Place 2 Stan Carver II and Place 4 Ginny Finan expire at the end of June. Both current members have expressed their desire to be reappointed.

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**STAFF RECOMMENDATION:** Make reappointments/appointments to the Planning and Zoning Commission



## City Council Agenda Staff Report

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Meeting Date: June 28, 2016

Staff Contact: City Secretary

Exhibits: Yes

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**AGENDA SUBJECT:** Consider/Discuss/Action regarding reappointments/appointments to the Board of Adjustments. (City Council)

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**SUMMARY:** The term for Places 2 Robert Simonsen and 4 Brent Thomas will expire the end of June. Both current members have expressed their desire to be reappointed.

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**STAFF RECOMMENDATION:** Make reappointments/appointments to the Planning and Zoning Commission



## City Council Agenda Staff Report

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Meeting Date: June 28, 2016

Staff Contact: City Manager

Exhibits: Yes

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

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**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, and Section 214.904 of the Local Government Code also address the authority of cities to adopt a building codes and issue building permits 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). The Council previously discussed this issue during their May 10<sup>th</sup> meeting. Staff surveyed the surrounding communities in Collin County to determine what other cities require building permits in their respective ETJ's. The following are the results of that survey

Require Building Permits in the ETJ		
	<b>Yes</b>	<b>No</b>
Celina	X	
Frisco		X
McKinney	X	
Melissa		X
Prosper		X
Princeton		X
Anna	X	

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

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Date: June 28, 2016  
Staff Contact: City Manager  
Exhibits: N/A

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### **AGENDA SUBJECT:**

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

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### **SUMMARY:**

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)

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.

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### **STAFF RECOMMENDATION:**



**Item No. 16**

City Secretary's use only

## City Council Agenda Staff Report

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Date: June 28, 2016

Staff Contact: City Manager

Exhibits: N/A

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### **AGENDA SUBJECT:**

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

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### **SUMMARY:**

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### **STAFF RECOMMENDATION:**

**Item No. 17**

City Secretary's use only



## City Council Agenda Staff Report

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Date: June 28, 2016

Staff Contact: City Manager

Exhibits: None

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**AGENDA SUBJECT:**

Adjourn

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**SUMMARY:**

Item to adjourn the meeting.

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**STAFF RECOMMENDATION:**

Staff recommends a motion to adjourn.