



AMENDED AGENDA

CITY OF ANNA AGENDA NOTICE – CITY COUNCIL – SPECIAL SESSION

August 16, 2016

6:30 p.m. – Anna City Hall

The City Council of the City of Anna will meet in Special Session at 6:30 p.m., on August 16, 2016, at the Anna City Hall, located at 111 North Powell Parkway (Hwy 5), to consider the following items.

1. Call to Order, Roll Call and Establishment of Quorum
2. Consider/Discuss/Act on an Ordinance of the City Council of the City of Anna, Texas calling a special election to be held within the City on November 8, 2016, to submit a proposition to abolish the local sales and use tax imposed by the City for the benefit of the Anna Economic Development Corporation, to increase the municipal sales and use tax from one percent to one and one-quarter percent, and to increase the local sales and use tax imposed by the City for the benefit of the Anna Community Development Corporation from one-half of one percent to three-quarter of one percent; making provision for the conduct of the special election; providing for other matters related thereto; and providing an effective date (Philip Sanders)
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**); discussion regarding building permits in the extraterritorial jurisdiction.

This is to certify that I, Philip Sanders, City Manager, 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 6:30 p.m. August 13, 2016.

Philip Sanders, City Manager

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.



AGENDA

City Council Special Meeting

Tuesday, August 16, 2016 @ 7:30 PM

Anna City Hall, Council Chambers
111 N. Powell Parkway, Anna, Texas 75409

1. Call to Order, Roll Call and Establishment of Quorum
2. Invocation and Pledge of Allegiance
3. Consider/Discuss/Act on an Ordinance of the City Council of the City of Anna, Texas calling a special election to be held within the City on November 8, 2016, to submit a proposition to abolish the local sales and use tax imposed by the City for the benefit of the Anna Economic Development Corporation, to increase the municipal sales and use tax from one percent to one and one-quarter percent, and to increase the local sales and use tax imposed by the City for the benefit of the Anna Community Development Corporation from one-half of one percent to three-quarters of one percent; making provision for the conduct of the special election; providing for other matters related thereto; and providing an effective date (Philip Sanders)
4. 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 bulletin board. Posted on this 12th day of August, 2016 at _____ p.m..

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.



Item No. 3.

City Council Agenda
Staff Report

Meeting Date: 8/16/2016

AGENDA ITEM:

Consider/Discuss/Act on an Ordinance of the City Council of the City of Anna, Texas calling a special election to be held within the City on November 8, 2016, to submit a proposition to abolish the local sales and use tax imposed by the City for the benefit of the Anna Economic Development Corporation, to increase the municipal sales and use tax from one percent to one and one-quarter percent, and to increase the local sales and use tax imposed by the City for the benefit of the Anna Community Development Corporation from one-half of one percent to three-quarters of one percent; making provision for the conduct of the special election; providing for other matters related thereto; and providing an effective date (Philip Sanders)

SUMMARY:

One of the goals identified in the City's strategic plan is to "focus on improvements to major transportation corridors emphasizing functionality, aesthetics, efficiency, and impact on adjacent development." During the budget workshop earlier this spring, the City Council reviewed various road projects and discussed the need to find additional sources of funding for transportation and road projects.

During the May 24 Council meeting Staff presented a concept for consideration that would reallocate a portion of the local option sales tax in order to increase funds available in the General Fund for transportation and road projects.

House Bill 157 passed in the 2015 legislative session enables cities to re-allocate the 2% local option sales tax provided the local option does not exceed 2%. The current allocation provides 1% to the General Fund while the Community and Economic Development Corporations each receive 0.5%.

Staff is recommending that the City Council seek voter approval during the November 2016 general election to reallocate the local option sales tax providing 1.25% to the General Fund and 0.75% to the Anna Community Development Corporation as illustrated in the table below. The operations of the Economic Development Corporation would be merged with the Community Development Corporation. The Community Development Corporation has the ability to perform all functions and activities of an Economic Development Corporation so the functions of the Economic Development Corporation would continue.

Local Option Sales Tax (2%)				
	Current Allocation		Proposed Allocation	
	<i>% Sales Tax</i>	<i>Estimated Revenue*</i>	<i>% Sales Tax</i>	<i>Estimated Revenue*</i>
General Fund	1.00%	\$750,000	1.25%	\$937,500
CDC	0.50%	\$375,000	0.75%	\$562,500
EDC	0.50%	\$375,000	-	-
TOTAL	2.00%	\$1,500,000	2.00%	\$1,500,000

**based in FY 2017 budget estimates*

If the sales tax reallocation is approved, sales tax revenue in the General Fund that would be available for transportation and road projects would increase by an estimated \$187,500*.

The additional sales tax revenue in the General Fund would continue to grow as sales tax revenue increases. From 2008 through 2015, the City experienced average annual sale tax growth of about 11%. Should the election pass, staff will prepare a budget amendment for Council approval recognizing the additional sales tax revenue in the General Fund.

STAFF RECOMMENDATION:

Staff recommends approval of the attached Ordinance calling for an election to reallocate the local option sales tax.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance Calling Election	8/11/2016	Ordinance
Election Day Polling Places Centers	8/11/2016	Exhibit
Early Voting Polling Places, Dates and Times	8/11/2016	Exhibit

ORDINANCE NO. _____-2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS CALLING A SPECIAL ELECTION TO BE HELD WITHIN THE CITY ON NOVEMBER 8, 2016, TO SUBMIT A PROPOSITION TO ABOLISH THE LOCAL SALES AND USE TAX IMPOSED BY THE CITY FOR THE BENEFIT OF THE ANNA ECONOMIC DEVELOPMENT CORPORATION, TO INCREASE THE MUNICIPAL SALES AND USE TAX FROM ONE PERCENT TO ONE AND ONE-QUARTER PERCENT, AND TO INCREASE THE LOCAL SALES AND USE TAX IMPOSED BY THE CITY FOR THE BENEFIT OF THE ANNA COMMUNITY DEVELOPMENT CORPORATION FROM ONE-HALF OF ONE PERCENT TO THREE-QUARTERS OF ONE PERCENT; MAKING PROVISION FOR THE CONDUCT OF THE SPECIAL ELECTION; PROVIDING FOR OTHER MATTERS RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Anna, Texas (the "City"), has previously adopted a local sales and use tax at the rate of one percent (the "Municipal Sales Tax Rate") pursuant to Chapter 321, Texas Tax Code, specifically Section 321.101(a) thereof;

WHEREAS, the City has previously adopted a local sales and use tax at the rate of one-half of one percent (the "4A Sales Tax Rate") pursuant to Chapter 504, Texas Local Government Code, specifically Section 504.251 thereof;

WHEREAS, the City, has previously adopted a local sales and use tax at the rate of one-half of one percent (the "4B Sales Tax Rate") pursuant to Chapter 505, Texas Local Government Code, specifically Section 505.251 thereof;

WHEREAS, the combined rate of all sales and use taxes imposed by the City and other political subdivisions of the State of Texas having territory in the City may not exceed two percent within the City, and the combined rate of all sales and use taxes imposed by the City and other political subdivisions of the State of Texas having territory in the City is currently two percent;

WHEREAS, the City Council (the "Council") of the City hereby finds that it is appropriate, advisable and in the best interest of the citizens of the City that a special election be held for the purpose of submitting a proposition to abolish the 4A Sales Tax Rate, to increase the Municipal Sales Tax Rate from one percent to one and one-quarter percent, and to increase the 4B Sales Tax Rate from one-half of one percent to three-quarters of one percent; and

WHEREAS, it is hereby officially found and determined that holding the hereinafter called special election on the date set forth below is in the public interest; and that the meeting at which this ordinance is adopted was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Government Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS:

Section 1. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section. A special election shall be held in the City on November 8, 2016, at which the following PROPOSITION shall be submitted in accordance with law:

PROPOSITION

The abolition of the sales and use tax within the City of Anna for the promotion and development of new and expanded business enterprises pursuant to Section 504.251, Texas Local Government Code, as amended, currently at the rate of one-half percent; the adoption of a sales and use tax within the City of Anna at the rate of one and one-quarter percent to be used for any purpose other than payment of bonds or other indebtedness, which would be an increase of one-quarter percent; and the adoption of a local sales and use tax in the City of Anna at the rate of three-quarters of one percent, which would be an increase of one-quarter percent, pursuant to Section 505.251, Texas Local Government Code, as amended, including but not limited to projects for the promotion and development of new or expanded business enterprises, including projects to provide public safety facilities, streets and roads, drainage and related improvements, demolition of existing structures, general municipally owned improvements, as well as any improvements or facilities that are related to any of those projects and any other project that promotes or develops new or expanded business enterprises, as well as projects required or suitable for use for professional and amateur sports, athletic, entertainment, tourist, convention, and public park purposes and events, including stadiums, ball parks, auditoriums, amphitheatres, concert halls, learning centers, parks and park facilities, open space improvements, municipal buildings, museums, exhibition facilities, and related store, restaurant, concession, and automobile parking facilities, related area transportation facilities, and related roads, streets, and water and sewer facilities, other related items that enhance any of those items, any other projects authorized under applicable law for a Type B corporation created under Section 505.003, Texas Local Government Code, as amended, and the maintenance and operation expenses for any of the above described projects.

Section 2. The official ballots for the special election shall be prepared in accordance with the Texas Election Code (the "Code") so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid PROPOSITION with the ballots to contain such provisions, markings and language as required by law, and with such PROPOSITION to be expressed substantially as follows:

PROPOSITION

- FOR The abolition of the sales and use tax within the City of Anna for the promotion and development of new and expanded business enterprises pursuant to Section 504.251, Texas Local Government Code, as amended, currently at the rate of one-half percent; the adoption of a sales and use tax within the City of Anna at the rate of one and one-quarter percent to be used for any purpose other than payment of bonds or other indebtedness, which would be an increase of one-quarter percent; and the adoption of a local sales and use tax in the City of Anna at the rate of three-quarters of one percent to be used for the promotion and development of new and expanded business enterprises and other public purposes pursuant to Section 505.251, Texas Local Government Code, as amended, which would be an increase of one-quarter percent; all of which would result in no net increase in the sales and use tax collected by the City of Anna.
- AGAINST

Section 3. The special election shall be held between the hours of 7:00 A.M. and 7:00 P.M. on November 8, 2016, at the respective polling places designated by Collin County in the Election Contract as set forth in Exhibit A below, which exhibit shall be modified to include additional or different Election Day polling places required to conform to the Election Contract and the Code.

Section 4. Early voting shall be conducted by personal appearance at the locations set forth in Exhibit B below and during the period early voting is required or permitted by law, being October 24, 2016, through November 4, 2016, which exhibit shall be modified to include additional or different early voting polling places, dates and times required to conform to the Election Contract and the Code.

Any voter who is entitled to vote an early ballot by personal appearance may do so at any Early Voting Polling Place listed in Exhibit B below. Applications for early voting by mail shall be sent to Bruce Sherbet, Elections Administrator, 2010 Redbud Blvd., Suite 102, McKinney, Texas 75069. The Early Voting Clerk for the special election shall be Bruce Sherbet, Elections Administrator.

Section 5. The election shall be administered by the Collin County Elections Administration pursuant to the Contract for Joint Election Services between the City and Collin County Elections Administration (the "Election Contract"). The City Manager is hereby authorized and directed to enter into such Election Contract with Collin County Elections Administration and to execute such Election Agreement on behalf of the City. The persons to serve as officers to conduct said election and an early ballot board to process early voting results shall be appointed pursuant to the Contract.

Section 6. All resident, qualified electors of the City shall be entitled to vote at said special election.

Section 7. Notice of said special election shall be given by posting a substantial copy of this ordinance on the bulletin board used for posting notices of the meetings of the Council, not less than 21 days prior to the date set for said special election; and an election notice also shall be published in a newspaper of general circulation that is published in the City or, if no newspaper of general circulation is published in the City, a newspaper of general circulation in the City, the date of the publication to be not earlier than the 30th day or later than the 10th day prior to the date set for said special election.

Section 8. In all respects said special election shall be conducted in accordance with the Code.

Section 9. This Ordinance shall be effective immediately upon its adoption by the Council.

PASSED, APPROVED AND EFFECTIVE this 16th day of August, 2016.

ATTESTED:

City Secretary Carrie L. Smith
City of Anna, Texas

Mayor Mike Crist
City of Anna, Texas

[CITY SEAL]

EXHIBIT A
ELECTION DAY POLLING PLACES

Election Day Vote Centers
November 8, 2016 General Election

Exhibit A:

Polling Place	Address	City
Aldridge Elementary School	720 Pleasant Valley	Richardson
Allen Municipal Courts Facility	301 Century Parkway	Allen
Armstrong Middle School	3805 Timberline	Plano
Benton Staley Middle School	6927 Stadium Drive	Frisco
Blue Ridge ISD Administration Building	318 West School Street	Blue Ridge
Bowman Middle School	2501 Jupiter Road	Plano
Brinker Elementary School	3800 Clark Parkway	Plano
Carpenter Middle School	3905 Rainier Road	Plano
Carpenter Park Recreation Center	6701 Coit Road	Plano
Celina ISD Administration Building	205 S. Colorado	Celina
Christ the Servant Lutheran Church	821 S. Greenville Ave.	Allen
Christ United Methodist Church	3101 Coit Road	Plano
Clark High School - Plano	523 Spring Creek	Plano
Clark Middle School	4600 Colby Drive	Frisco
Collin College Central Park Campus	2200 University	McKinney
Collin College - Higher Education Center	3452 Spur 399	McKinney
Collin College Preston Ridge Campus	9700 Wade Blvd.	Frisco
Collin College Spring Creek Campus	2800 Spring Creek Parkway	Plano
Collin County Elections Office	2010 Redbud Blvd, Ste. 102	McKinney
Community ISD Technology and Conference Center	615 FM 1138	Nevada
Curtis Middle School	1530 Rivercrest Blvd.	Allen
Davis Library	7501 Independence Parkway	Plano
Dowell Middle School	301 Ridge Road	McKinney
Dr. Pepper Star Center - Champions Café	6993 Stars Ave.	McKinney
Eldorado Country Club	2604 Country Club Drive	McKinney
Fairview Town Hall	372 Town Place	Fairview
First Baptist Church - Branch	7011 FM 546	Princeton
First Baptist Church Farmersville, Youth Building	201 Farmersville Pkwy.	Farmersville
First Baptist Church - Josephine	300 S. Main Street	Josephine
Ford Middle School	630 Park Place Drive	Allen
Fowler Middle School	3801 McDermott Road	Plano
Frisco Senior Center	6670 Moore Street	Frisco

Election Day Vote Centers
November 8, 2016 General Election

Gay Library	6861 W. Eldorado Parkway	McKinney
George Bush Elementary School	2000 Eagle Aerie Lane	Wylie
Haggar Elementary School	17820 Campbell Road	Dallas
Harrington Library	1501 18th Street	Plano
Heritage High School	14040 Eldorado Pkwy.	Frisco
Hunt Middle School	4900 Legendary Drive	Frisco
Islamic Association of Collin County	6401 Independence Pkwy.	Plano
John Q. Hammons Center-Courtyard Marriott	210 East Stacy Road	Allen
Lavon City Hall	120 School Road	Lavon
Liberty High School	15250 Rolater Road	Frisco
Lovejoy ISD Administration Bldg.	259 Country Club	Allen
Lowry Crossing City Hall	1405 S. Bridgefarmer Road	Lowry Crossing
Lucas Community Center	665 Country Club Road	Lucas
McKinney Fire Station #7	861 Independence Pkwy.	McKinney
McKinney Senior Recreation Center	1400 S. College	McKinney
Melissa City Hall	3411 Barker Ave.	Melissa
Methodist Richardson Medical Center	2831 E. 190	Richardson
Miller Elementary School	5651 Coventry Dr.	Richardson
Mitchell Elementary School	4223 Briargrove	Dallas
Murphy Community Center	205 N. Murphy Road	Murphy
Old Settlers Recreation Center	1201 E. Louisiana	McKinney
Parker City Hall	5700 E. Parker Road	Parker
Parr Library	6200 Windhaven Pkwy.	Plano
Plano ISD Administration Center	2700 W. 15th Street	Plano
Plano Senior Center	401 W. 16th Street	Plano
Princeton High School	1000 E. Princeton Drive	Princeton
Prosper ISD Administration Bldg.	605 E. Seventh Street	Prosper
Renner-Frankford Library	6400 Frankford Road	Dallas
Royse City ISD Mike McKinney Maintenance Facility	1420 FM 1777	Royse City
Seis Lagos Community Services Assoc.	222 Seis Lago Trail	Wylie
Shepton High School	5505 Plano Pkwy.	Plano
Shiloh Missionary Baptist Church	1310 Avenue "I"	Plano
Smith Library	300 Country Club	Wylie
Stonebridge United Methodist Church	1800 S. Stonebridge Drive	McKinney

Election Day Vote Centers
November 8, 2016 General Election

Suncreek United Methodist Church	1517 W. McDermott Drive	Allen
Texas Star Bank	402 W. White Street	Anna
Toyota Stadium	9200 World Cup Way	Frisco
Weston Community Center	117 Main Street	Weston
Whitt Elementary School	7520 Woodcreek Way	Sachse
Woodcreek Church	3400 E. Renner Road	Richardson

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EXHIBIT B

EARLY VOTING POLLING PLACES, DATES AND TIMES

