

**Regular City Council Meeting
Meeting Minutes**



Tuesday, June 28, 2022 @ 6:30 PM

**Anna ISD Board Room
201 E. 7th Street
Anna, Texas 75409**

The City Council of the City of Anna met at 6:30 PM on June 28, 2022, at the Anna ISD Board Room located at 201 E. 7th Street, Anna, Texas, 75409, to consider the following items.

1. Call to Order, Roll Call, and Establishment of Quorum.

Mayor Pike called the meeting to order at 6:30 PM.

All City Council members were present.

2. Invocation and Pledge of Allegiance.

Mayor Pike led the Invocation and Pledge of Allegiance.

3. Neighbor Comments.

No comments received.

4. Reports.

- a. Recognition of April, May, and June We Notice! Property of the Month Designees. (Neighborhood Services Coordinator Olivia Demings)

April - Fatoumatta Touray - This West Crossing home makes use of native Texas plants to complete a stylish flower bed. The whole family is involved in maintaining the manicured front lawn and we are pleased to recognize them as the April We Notice! Property of the Month.

May - Torres Family - This property stylishly arranges planted flowers to create a lovely garden-style front yard. This property owner definitely has a green thumb and we congratulate them on a job well done.

June - Cayetano Govea - June's We Notice! Property of the Month is located on 6th Street in the downtown area. This yard includes lovely landscaping, beautiful potted floral arrangements, and a fantastic back patio for entertaining.

Mrs. Demings also noted the City of Anna has joined the affiliate program of Keep Texas Beautiful (KTB), a statewide community improvement, litter prevention and beautification organization. Keep Texas Beautiful is a network of dedicated Texans working together to make the state the best place to live, work, and play. They equip local partners and affiliates with the tools they need to build vibrant,

engaged communities. Founded in 1967, Keep Texas Beautiful has over 50 years of experience deploying resources for local clean-up, recycling, and youth engagement efforts.

Keep Texas Beautiful is also a certified state affiliate of Keep America Beautiful and sponsors and coordinates education and cleanup programs such as the *Great American Cleanup*, the *Governor's Community Achievement Award*, and the *Don't Mess with Texas® Trash-Off* in cooperation with the Texas Department of Transportation. Affiliate requirements include establishing and maintaining a local citizen based organization, participating in one litter prevention, beautification, community improvement, or waste reduction program annually, attending an annual training session and submitting an Annual Report.

- b. Recognition of Texas Association of Municipal Information Officers (TAMIO) Awards. (Communications Manager Frances LaRue)

City Manager Jim Proce recognized Communications Manager Frances LaRue for receiving the 2nd place award for "Best Small Shop" in Texas (Award of Excellence) and the 3rd place award for "Award of Honor" in Most Creative Campaign with Least Amount of Dollars (for Sherley Heritage Park Water Tower rehabilitation campaign).

- c. Recognition of Texas City Management Association Assistant of the Year Award in Memory of Valerie Bradley. (City Manager Jim Proce)

City Manager Jim Proce recognized Taylor Lough for receiving the Assistant of the Year Award in Memory of Valerie Bradley from the Texas City Management Association.

- d. EMS Provider License and Ambulance Operations Update (Fire Chief Ray Isom)

Fire Chief Isom stated the Fire Department has received its license from the State of Texas to operate ambulance services. The ambulance was dispatched for its first call on Monday, June 27th.

5. **Work Session.**

- a. Zoning Discussion - Hagar Ranch (Director of Development Services Ross Altobelli)

Vamsi Gali, Lady Bird TX Homes, Inc., and her development team came before the City Council to discuss zoning and development options for tracts of land that were recently denied zoning for a multi-family and commercial development.

- b. Discussion - Future expansion of Anacapri and status of current development (Director of Development Services Ross Altobelli)

Mayor Pike recused himself at 7:10 PM.

Megatel Homes provided the City Council with a construction update on the current Anacapri development and discussed expanding the existing Anacapri zoning further north.

Mayor Pike returned to the meeting at 7:24 PM.

6. **Consent Items.**

MOTION: Council Member Miller moved to approve consent items a. - f. Council Member Toten seconded. Motion carried 7-0.

- a. Approve City Council Meeting Minutes for June 4, 2022, and June 14, 2022. (City Secretary Carrie Land)
- b. Review Minutes of the May 5, 2022, Joint Community Development Corporation Board and Economic Development Corporation Board Meetings. (Director of Economic Development Joey Grisham).
- c. Approve a Resolution to authorize the City Manager to execute a construction agreement with Bill's Fence Company, Inc. in the amount of \$113,857 for the installation of a black vinyl-coated chain link fence around the perimeter of Bryant Park. (Park Planning and Development Manager Dalan Walker)

The Construction Agreement with Bill's Fence Company, Inc., will provide a perimeter fence around Bryant Park. The fence will be a 6' tall, black vinyl-coated chain link fence with two pedestrian gates and two maintenance gates. The total cost of installation is \$113,857.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A CONSTRUCTION AGREEMENT WITH BILL'S FENCE COMPANY, INC., TO INSTALL A VINYL-COATED CHAIN LINK FENCE AROUND THE PERIMETER OF BRYANT PARK.

- d. Approve a Resolution authorizing the City Manager to execute a Construction Agreement with Musco Sports Lighting, LLC, under Buy Board Contract 592-19, for the installation of athletic field lights for two baseball fields at Johnson Park. (Park Planning and Development Manager Dalan Walker)

The Construction Agreement with Musco Sports Lighting, LLC, under Buy Board Contract 592-19 is for work associated with the installation of athletic field lights for both baseball fields at Johnson Park. Bonds will be issued once the contractor receives a Purchase Order. Design, manufacturing and delivery is expected to take approximately eight weeks. Once the equipment arrives on site, Musco will need four weeks for installation.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A CONSTRUCTION AGREEMENT WITH MUSCO SPORTS LIGHTING, LLC TO INSTALL ATHLETIC FIELD LIGHTING FOR TWO BASEBALL FIELDS AT JOHNSON PARK.

- e. Approve an Ordinance amending the FY2021 - 2022 Budget to appropriate funding for Medic 3 ambulance, adding fencing to Bryant Park, and adding athletic field lights to Johnson Park. (City Manager Jim Proce)

The proposed budget amendment includes funding for the following purposes:

The Fund Balance and Working Capital Reserve Policy that is included in the City's Financial Policies states that it is the goal of the City is to achieve and maintain an unassigned fund balance in the General Fund equal to 40% of total appropriations. A balance of more than 40% is considered excessive. The unassigned fund balance of the General Fund at the end of FY2021 was \$6,360,081 or 48.6%, resulting in excess fund balance of \$1,563,176. The attached budget amendment amends the existing budget and allows the City Manager to transfer out the excess funds to the Non-Bond Capital Projects Fund.

☐ Fire Machinery & Equipment (\$500,000) Acquire a third transport ambulance to begin fire-based EMS operations at Fire Station #2. Included in the costs is a Life Pak 15 Heart Monitor, Lucas CPR Device, Stair Chair, Stryker EMS Cot and Loading System, 2 computers, Cradle Point, DSHS Licensing, and Mobile Radio with Dual Heads.

Park Development is funded by park development fees as stipulated in either developer agreements or the subdivision ordinance. These funds are used to fund the City's parks master plan through development, improvement, or maintenance of the City's parks. Revenues in FY2022 are exceeding expectations.

☐ Bryant Park Fencing (\$114,000) Bryant Park is being activated to serve as practice space for youth sports and to provide fields for a youth soccer program that is being started by the Neighborhood Services Department. The allocated funding will be for the construction of a 6' black vinyl-coated chainlink fence around the perimeter.

☐ Johnson Park Lighting (\$320,000) The allocated funding will be for the installation of athletic field lights for two baseball fields at Johnson Park.

AN ORDINANCE AMENDING ORDINANCE NO. 936-2021 ADOPTING THE BUDGET FOR THE 2021-2022 FISCAL YEAR; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

- f. Monthly Financial Report for the Month Ending May 31, 2022. (City Manager Jim Proce)

The City of Anna's financial policies require the publication of a financial report monthly. This report covers the financial performance for Fiscal Year 2022 through May 31, 2022. Enclosed in the report is an executive dashboard that provides a high level look at major funds along with detailed reporting of sales tax collections.

The financial condition of the City remains strong and the reported funds adhere to fund balance requirements.

7. Items For Individual Consideration.

- a. Consider/Discuss/Action on a Resolution regarding Anna Town Square Addition, Block A, Lot 2 Development Agreement. (Director of Development Services Ross Altobelli)

The intent of the development agreement is to ensure the use of high quality, durable materials for nonresidential and residential development within the city to create well designed and attractive architecture.

Approving the development agreement in no way puts an obligation on the City Council to approve the rezoning request. It only puts in place development and design regulations should the decision be made to approve the rezoning request.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A DEVELOPMENT AGREEMENT WITH GRAND AT ANNA II OWNER, LLC RELATING TO DEVELOPMENT AND DESIGN REGULATIONS FOR MULTIPLE-FAMILY RESIDENCE DEVELOPMENT LOCATED ON THE WEST SIDE OF FINLEY BOULEVARD, 510± FEET SOUTH OF FLORENCE WAY.

MOTION: Council Member Miller moved to approve. Council Member Atchley seconded. Motion carried 7-0.

- b. Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance to amend standards for multiple-family residence development within portions of Subdistrict I & H of the existing Planned Development on one lot on 11.1± acres located on the west side of Finley Boulevard, 510± feet south of Florence Way. Zoned: Planned Development (Ord. No. 129-2004 & Ord. No. 627-2013). (Director of Development Services Ross Altobelli)

The subject property is located within portions of District I (Southern Town Center Adjacency Zone) and District H (Southern Town Center Zone) of the Anna Crossing zoning. Both districts allow three stories or 50 fifty-foot tall, multiple-family residence by-right. Similar to the property and zoning to the north, staff is recommending the property be rezoned rather than amended in order to clean-up the zoning district boundary associated with the current request. Additionally, the applicant is requesting the same MF-2 Multiple-Family Residential – High Density (MF-2) development standards pertaining to parking, fencing, and refuse facilities that were previously granted for the property to the north (Ord. No. 943-2021) on September 28, 2021.

A concept plan, Anna Town Square Addition, Block A, Lot 2, accompanies this request.

Surrounding Land Uses and Zoning: North Proposed multiple-family residences (The Grand at Anna Town Square), East Across Finley Boulevard, proposed multiple-family residences (Serenity at the Square) and Common Area lot (Anna Crossing, Phase 1A),. South Single-family residence, detached zoned Single-Family Residence – Large Lot, and. West D.A.R.T. R.O.W. and Common Area

Lot (Anna Town Square Detention Pond)

Proposed Planned Development Stipulations

Design Standards – The language in the proposed stipulations re-establishes the allowed use with the same maximum height of 3 stories or 50 feet.

Parking – Sec. 9.04.037 (Parking space regulations) of the Zoning Ordinance require a minimum of 2 parking spaces per dwelling unit for multiple-family dwellings, plus 0.25 spaces per dwelling unit for visitor parking. Additionally, 75% of the required parking is required to be covered.

☐ The applicant is proposing to reduce only the required parking for one-bedroom and studio units to 1.5 space and reduce the amount of covered parking to 40%.

☐ The zoning will maintain the required two (2) spaces per two or more-bedroom units and additional 0.25 visitor parking requirements.

Screening fence – The MF-2 zoning requires border fencing of masonry construction not less than eight feet in height be installed along the property line on any perimeter not abutting a public street right-of-way.

☐ The applicant is requesting to install a six-foot-high ornamental metal fence with masonry columns. Additionally, along any perimeter not abutting a public right-of-way the site will include a 20-foot-wide landscape buffer with vegetative screening.

Refuse Facilities – Rather than have multiple dumpsters, the application is proposing one compactor on-site and utilize a valet waste service to collect residents' trash directly on scheduled days.

Parking: The applicant is requesting to reduce the amount of parking allocated for 1- bedroom and studio units to 1.5 per unit while maintaining requirements for larger units and guest parking. Additionally, the applicant is requesting to reduce the amount of covered parking from 75% to 40%.

Screening Fence: To soften the visual appearance between the multiple-family residence development and surrounding residential developments (both multiple-family) the applicant is requesting to install wrought iron fencing with masonry columns rather than a solid masonry wall. Additionally, along property boundaries not abutting street R.O.W., the applicant is proposing a 20-foot-wide landscape buffer comprised of trees planted staggered at 25-foot centers.

Refuse Facility: Rather than having multiple dumpster locations that could be in close proximity to neighboring developments, the applicant is requesting to install one trash compactor and utilize a valet waste service to collect residents' trash directly on scheduled days.

CONCLUSION:

Request to rezone 11.1± acres located at the southwest corner of Finley Boulevard and Florence Way from Planned Development-General Commercial/Multiple-Family – High Density (PD-C-2/MF-2) (Ord. No. 129-2004) to Planned Development-Multiple-Family High Density (PD-MF-2) with modified development standards for multiple-family residences on one lot.

The proposed zoning and concept plan are in conformance with elements of the City of Anna Strategic Plan. The multiple-family residence land use is currently allowed byright on the property. The proposed development stipulations/restrictions allow for a superior development than what would be allowed under existing zoning allowances.

The Planning & Zoning Commission recommended approval (4-2) as follows:

Restrictions:

1. The location of the planned development zoning district shall be in substantial conformance with the Concept Plan (Exhibit A).

2. Standards and Area Regulations: Development must comply with the development standards for use, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signs, and lighting, set forth in the MF-2 Multiple-Family Residential - High Density (MF-2) zoning district and the Planning and Development Regulations except as otherwise specified herein.

A. Maximum height (feet): 50 feet (3-story)

B. Maximum number of units: 222

C. Parking: A minimum of 1.5 off-street parking spaces shall be provided per one-bedroom and studio units, two (2) spaces per two or more-bedroom units, plus 0.25 per dwelling unit for visitor parking.

D. Covered Parking: 40% of the required unit parking must be covered to include garages.

E. Perimeter Fence: Border screening and fencing on any perimeter not abutting a public right-of-way shall consist of the following:

i. Ornamental metal fence, such as wrought iron or tubular steel no less than six feet in height along with masonry columns at no more than 50-foot intervals

ii. 20-foot-wide landscape buffer consisting of a vegetative screen comprised of minimum 3" caliber trees planted staggered at 25-foot centers.

F. Refuse facilities: Development shall have a minimum of one compactor onsite. Each compactor facility shall be screened from view on three sides from persons standing at ground level on the site or immediately adjoining property, by a wall of masonry not less than seven feet nor more than eight feet in height or by an enclosure within a building. Refuse containers shall be provided and maintained in a manner to satisfy city public health and sanitary regulations. Development will utilize a valet waste service to collect residents' trash directly on scheduled days.

3. Plats and/or site plans submitted for the development of the PD shall conform to the data presented and approved on the Concept Plan. Non-substantial

changes of detail on the final development plan(s) that differ from the Concept Plan may be authorized by the City Council with the approval of the final development plan(s) and without public hearing.

4. The Concept Plan will expire after two (2) years of approval.

Mayor Pike opened the Public Hearing at 7:27 PM.

There were no comments from the public.

Mayor Pike closed the Public Hearing at 7:27 PM.

AN ORDINANCE OF THE CITY OF ANNA, TEXAS AMENDING THE CITY'S COMPREHENSIVE PLAN, ZONING MAP, AND ZONING ORDINANCE AND CHANGING THE ZONING OF CERTAIN PROPERTY AS DESCRIBED HEREIN; PROVIDING FOR SAVINGS, REPEALING AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A PENALTY CLAUSE NOT TO EXCEED \$2,000 OR THE HIGHEST PENALTY AMOUNT ALLOWED BY LAW, WHICHEVER IS LESS; AND, PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

MOTION: Council Member Miller moved to approve. Council Member Atchley seconded. Motion carried 7-0.

- c. Consider/Discuss/Action on a Resolution regarding Anna Town Square Addition, Block A, Lot 2 Concept Plan (Director of Development Services Ross Altobelli)

Multiple-Family Residences and commercial on 11.1± acres located on the west side of Finley Boulevard, 510± feet south of Florence Way.

This concept plan is associated with the zoning case and is contingent upon approval of the zoning case. The purpose for the concept plan is to show the conceptual layout and related site improvements associated with the future multiple-family development. The concept plan complies with the zoning districts area regulations as requested by the zoning case.

The Planning & Zoning Commission recommended for approval (4-2) subject to City Council approval of the zoning request.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A CONCEPT PLAN FOR THE GRAND AT ANNA TOWN SQUARE, BLOCK A, LOT 2.

MOTION: Mayor Pike moved to approve. Council Member Miller seconded. Motion carried 7-0.

- d. Consider/Discuss/Action on adding an Optional Homestead Property Tax Exemption. (City Manager Jim Proce)

There are almost 3,700 homesteads in the City of Anna for Tax Year 2022 / Fiscal Year 2023. If a 1% / minimum \$5,000 exemption is granted, the benefit to those neighbors would average \$29 per homestead. The loss in revenue to the

City would be approximately \$100,000.

Any taxing unit, including a city, county, school district or special district, has the option of deciding locally to offer a residence homestead exemption of up to 20 percent of a property's appraised value. Such an exemption must be adopted by ordinance or resolution prior to July 1 if it is to apply to a given tax year. Once adopted, the exemption need not be re-adopted every year. The minimum application of the exemption to any property is \$5,000.

In order for a property owner to qualify for the general residence homestead exemption, the owner must have an ownership interest in the property and occupy the property as the owner's principal residence.

AN ORDINANCE OF THE CITY OF ANNA, TEXAS, AMENDING ARTICLE 2.03 OF THE ANNA CITY CODE OF ORDINANCES TO ADOPT A PARTIAL EXEMPTION FROM AD VALOREM TAXES FOR RESIDENTIAL HOMESTEADS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

MOTION: Council Member Toten moved to approve a 1% Exemption. Council Member Atchley seconded. Motion carried 5-2. Mayor Pike and Council Member Miller opposed.

- e. Consider/Discuss/Action on a Plan of Finance for the issuance of General Obligation Bonds, Series 2022, and Certificates of Obligation, Series 2022. (Finance Director Alan Guard)

The City's Financial Advisors provided a presentation with a plan of finance for General Obligation (GO) bonds and Certificate Of Obligation (CO) for Council consideration. GO bonds are being considered for the continuation of the 2021 voter-approved bond program, COs are being considered for the expansion and construction of the wastewater treatment plant. The presentation included proposed projects and a schedule for the sale.

MOTION: Council Member Miller moved to approve. Council Member Carver seconded. Motion carried 7-0.

- f. Consider/Discuss/Action adopting a Resolution directing publication of Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation to provide funds for sewer projects; and resolving other matters relating to the subject. (Finance Director Alan Guard)

Staff has been working with its engineering firm on the design of the expansion and construction of the wastewater treatment plant. The cost estimate for the project is approximately \$81 million. The City has current sources of funding of approximately \$16 million from sewer impact fees and PID fees. Staff recommends that \$65 million in Certificates of Obligation be sold to complete construction of the facility. Adoption of the Resolution of Intent is the first step in this process. These would be sold at the same time as the General Obligation Bonds Series 2022 are sold for the voter-approved projects.

Future impact to sewer fees will be provided during the budget process. Some of the rate impact will be mitigated by the use of sewer impact fees to make debt payments on the COs.

RESOLUTION DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION TO PROVIDE FUNDS FOR SEWER PROJECTS; AND RESOLVING OTHER MATTERS RELATING TO THE SUBJECT

MOTION: Mayor Pike moved to approve. Council Member Miller seconded. Motion carried 7-0.

- g. Approve a Resolution in support of the installation of an outdoor Fitness Court at Slayter Creek Park and authorize the City Manager to apply for a \$50,000 grant sponsored by National Fitness Campaign.

The City of Anna has an opportunity to apply for a \$50,000 grant to install an outdoor fitness court. The total turnkey cost is \$231,350, or \$181,350 if the City is awarded a grant. The project was presented to the Parks Advisory Board and they unanimously recommended pursuing the opportunity.

A RESOLUTION OF THE CITY OF ANNA, TEXAS, HEREINAFTER REFERRED TO AS "APPLICANT" DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR ACTING FOR AND ON BEHALF OF THE "APPLICANT" IN DEALING WITH NATIONAL FITNESS CAMPAIGN, HEREINAFTER REFERRED TO AS "GRANTOR", FOR THE PURPOSE OF PARTICIPATING IN THE 2022 BLUE CROSS AND BLUE SHIELD OF TEXAS STATEWIDE CAMPAIGN, HEREINAFTER REFERRED TO AS THE "PROGRAM"; CERTIFYING THAT THE "APPLICANT" IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; AND CERTIFYING THAT THE "APPLICANT" HAS ADDITIONAL PROJECT FUNDING READILY AVAILABLE.

MOTION: Council Member Carver moved to approve. Council Member Totten seconded. Motion carried 7-0.

8. **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).
- c. Discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the City is

conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). (Tex. Gov't Code §551.087).Development incentives

- d. Discuss or deliberate personnel matters (Tex. Gov't Code §551.074). City Council.

MOTION: Council Member Miller moved to enter Closed Session. Council Member Toten seconded. Motion carried 7-0

Mayor Pike recessed the meeting at 8:07 PM.

Mayor Pike reconvened the meeting at 8:43 PM.

9. Consider/Discuss/Action on any items listed on any agenda - work session, regular meeting, or closed session - that is duly posted by the City of Anna for any City Council meeting occurring on the same date as the meeting noticed in this agenda.

No action was taken.

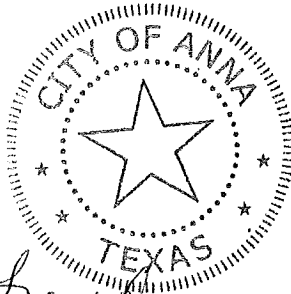
10. **Adjourn.**

Mayor Pike adjourned the meeting at 8:43 PM.

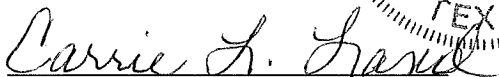
Approved on July 12, 2022.



Mayor Nate Pike



ATTEST:



City Secretary Carrie L. Land