

**Regular City Council Meeting
Meeting Minutes**



Tuesday, January 24, 2023 @ 6:00 PM

**Anna Municipal Complex - Council Chambers
120 W. 7th Street, Anna, Texas 75409**

The City Council of the City of Anna met on 01/24/2023 at 6:00 PM in the Anna Municipal Complex-Council Chambers, located at 120 W. 7th Street, to consider the following items.

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

Mayor Pike called the meeting to order at 6:00 PM.

Members Present:

Mayor Nate Pike
Mayor Pro Tem Lee Miller
Deputy Mayor Pro Tem Randy Atchley
Council Member Kevin Toten
Council Member Stan Carver
Council Member Danny Ussery
Council Member Pete Cain

Members Absent:

None

2. Invocation and Pledge of Allegiance.

Council Member Carver led the Invocation and Mayor Pike led the Pledge of Allegiance.

3. Neighbor Comments.

There were no neighbor comments.

4. Reports.

Receive reports from Staff or the City Council about items of community interest.

a. Recognition of the Anna ISD Achievements in 2022 (Mayor Nate Pike)

Mayor Pike recognized the Anna ISD students for their achievements in 2022 in the areas of Tennis, Cross Country, Football and Band. Proclamations from the Mayor will be presented at the next Anna ISD Board Meeting.

b. Update from Lee Lewis Construction on the remaining punch list items for the Municipal Complex. (Director of Public Works Greg Peters, P.E.)

Lee Lewis Construction gave an update on the remaining punch list items for the Municipal Complex.

5. Work Session.

- a. Zoning & Impact Reimbursement Discussion - NexMetro CR 423 (Director of Public Works Greg Peters, P.E.)

The applicant received City Council feedback on the proposed impact reimbursement for County Road 423.

Mayor Pike recused himself at 6:19 PM.

- b. Presentation from Megatel on the AnaCapri Development and discussion on proposed expansion and zoning (AnaCapri North). (Director of Economic Development Joey Grisham)

Megatel provided a presentation regarding updates on the AnaCapri project and proposed expansion.

Mayor Pike returned to the meeting at 6:40 PM.

6. Consent Items.

MOTION: Mayor Pro Tem Miller moved to approve items 6. a.-d. & 6. f.-i. Council Member Toten seconded. Motion carried 7-0.

- a. Approve the City Council Meeting Minutes for January 10, 2023. (City Secretary Carrie Land)
- b. Review the Minutes from the November 21, 2022 Parks Advisory Board Meeting (Assistant Director of Neighborhood Services Jeff Freeth).
- c. Review Monthly Financial Report for the Month Ending December 31, 2022. (Budget Manager Terri Doby)

The City of Anna's financial policies require the publication of a financial report monthly. The report covers the financial performance for Fiscal Year 2023 through December 31, 2022.

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

- d. Approve a waiver letter and authorize the Mayor to enter into an Interlocal Agreement with the City of Bells for transfer of recreational materials (Neighborhood Services Director, Marc Marchand)

The old equipment at the skatepark at Slayter Creek Park is no longer needed and must be removed before construction of the new skatepark begins. The City Manager has been in conversations with the City Administrator from the City of Bells who are interested in procuring the old material for their own skatepark

project. The City of Bells will be responsible for the removal of all the equipment with no charge to the City of Anna.

- e. Approve a Resolution approving the extension of a lease agreement between the City of Anna and CARDS Dallas, Incorporated, for the use of a portion of the Public Works Facility in exchange for the approved reduction of fifty cents per Single Family Residential Home on their Solid Waste and Recycling Fees. (Director of Public Works Greg Peters, P.E.)

In March of 2021, the City entered into a lease agreement with CARDS Dallas, Incorporated, for the use of a portion of the City of Anna Public Works Facility. In exchange, CARDS provides the City with a \$0.50 reduction in fee per house for all single family residential solid waste services.

This \$0.50 is already included in the rates approved by the City Council in September. Since the lease agreement was entered into in March, it is renewed annually each spring. This is a ministerial item, as CARDS is already providing the discount, and the City Council agreed to continue the lease as a part of the setting of solid waste rates and subsequent approval last year. However, in order to ensure that all paperwork is formally completed for the March annual renewal, this item was presented for approval as a consent item.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT FOR THE TEMPORARY USE OF CITY FACILITIES BY AND BETWEEN THE CITY OF ANNA TEXAS AND CARDS DALLAS, INCORPORATED; AND PROVIDING FOR AN EFFECTIVE DATE.

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

- f. Approve a Resolution for the purchase of servers and additional software and equipment from CDW Government of Chicago, IL through the TxDOT and Texas DIR agreements in the amount of \$250,000, and authorizing the City Manager to sign the agreement. (Director of Information Technology Kevin Johnson)

The City's current server technology is past the end of its useful life. In order to maintain a reliable network and computer system to serve Anna neighbors, it is time to replace the servers. Staff has been working with CDW Government on a quote based on current DIR contracts with the state of Texas. In accordance with the adopted FY 2023 budget, this purchase will be financed over five years

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, APPROVING THE PURCHASE OF SERVERS AND ADDITIONAL SOFTWARE AND EQUIPMENT FROM CDW GOVERNMENT OF CHICAGO, IL THROUGH TXDOT AND TEXAS DIR AGREEMENTS AS LISTED IN THE QUOTE IN THE AMOUNT OF \$250,000, AND AUTHORIZE THE CITY MANAGER TO SIGN THE AGREEMENT.

- g. Approve a Resolution for a lease purchase agreement for the purpose of financing servers and related equipment with Government Capital Corporation in the amount of \$250,000 for a period of five (5) years at an interest rate of 4.90%, and authorizing the City Manager to sign the agreement. (Finance Director Alan Guard)

The City Council approved the purchase of new servers for the City's Information Technology Department in the FY 2023 budget. As part of the budget process, Council was informed this purchase would be financed over five years. The Finance Department has sought quotes from various financial institutions. The City received the low quote for the best interest rate from Government Capital Corporation for a period of five (5) years at 4.90%.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA REGARDING A LEASE PURCHASE AGREEMENT FOR THE PURPOSE OF FINANCING "SERVERS" WITH GOVERNMENT CAPITAL CORPORATION IN THE AMOUNT OF \$250,000 FOR A PERIOD OF FIVE (5) YEARS AT AN INTEREST RATE OF 4.90% AND AUTHORIZE THE CITY MANAGER TO SIGN THE AGREEMENT.

- h. Approve an Ordinance Amending the FY2023 Community Investment Program (CIP) Budget to appropriate funding for US 75 Utility Relocation Project. (Budget Manager Terri Doby)

The proposed budget amendment includes funding for the following purposes:

- US 75 Utility Relocations (\$776,000) The Texas Department of Transportation is preparing to complete the widening of US 75 from north of FM 455 to the Collin County line in the near future. As a part of that project, the City is required to relocate our existing water mains out of the proposed widening project area. The original budget was set based on an opinion of probable cost provided by the design engineer in 2020 at the completion of the conceptual design based on a new 8-inch main. The project scope was increased to a 12-inch main with a connection underneath US 75 in 2022 based upon the adopted Water Master Plan. Per the Master Plan and water modeling, an 8-inch main would be undersized for future commercial development in the US 75 corridor and would be inadequate for providing the pressure and volume required for a large water user.

Since the funding source is Water Impact Fees, no taxpayer dollars will be needed to fund the increased budget required. Staff proposes that Water Impact Fees be used to fund the entire project cost, which is in-line with the City Council goal of having growth pay for growth. While the project will be significantly more expensive than estimated in 2020, we believe that it is the right decision to build the main as a 12-inch line to ensure that the City is able to provide the water pressure and volume needed for commercial and mixed-use developments along US 75.

AN ORDINANCE AMENDING ORDINANCE NO. 1002-2022 ADOPTING THE BUDGET FOR THE 2022-2023 FISCAL YEAR; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

- i. Approve a Resolution awarding the construction of the US 75 Utility Relocation project to ANA Site Construction, LLC. (Director of Public Works Greg Peters, P.E.)

TxDOT is preparing to widen US 75 north of FM 455 to a 6-lane freeway with improved frontage roads all the way to the Collin County northern limit. The City of Anna has existing 6-inch water mains located along the existing freeway which must be relocated. The relocation includes increasing the size of the water mains from 6-inch to 12-inch diameter to provide adequate water supply for the future development of the US 75 corridor.

The City publicly advertised the project and opened bids on December 15, 2022. Five bids were received, with the lowest qualified bid from ANA Site Construction, LLC, in the amount of \$1,625,063.75. Staff is recommending a total project budget of \$1,700,000 for the project to provide \$74,936.25 in contingencies. The proposed funding source is Water Impact Fees.

A portion of the project will be reimbursable by TxDOT. The total TxDOT reimbursement anticipated is \$187,350.00. When reimbursement is received from TxDOT upon completion of the project, it will go back into the Water Impact Fee Fund. The final City cost is expected to be \$1,512,650 after reimbursement is received, which is below the amended budget of \$1,626,000.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AWARDING THE US 75 UTILITY RELOCATION PROJECT TO ANA SITE CONSTRUCTION, LLC, IN THE AMOUNT NOT TO EXCEED ONE MILLION SEVEN HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$1,700,000.00); AND PROVIDING FOR AN EFFECTIVE DATE.

- j. Approve a Resolution authorizing the City Manager to execute documents for the purchase of a 0.132 acre parcel for public right-of-way and limited rights on a 0.061 acre parcel for a permanent grading easement on and across a 7.7869 acre tract of land for the construction of Hackberry Drive. (Director of Public Works Greg Peters, P.E.)

The City of Anna is seeking to construct roadway improvements to Hackberry Drive as a capital improvement project for the City. The City has been acquiring the necessary right-of-way for the project, and has been working with the landowner of the subject property in regards to all impacts the project will have on the subject tract. Staff worked with the landowner to identify the estimated costs of replacing the fencing and trees which must be removed as a part of construction. In addition, staff coordinated with the landowner regarding the reconfiguration of the existing barn and moving the access doors to another side of the barn, away from the road improvements. The total cost of the property and

easement acquisition and the cost of fencing replacement, tree replacement, and barn door relocation totals a value of \$85,000. Staff concurs with the property owner that \$85,000 represents fair and just compensation for the impacts identified.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF AGREEMENT AND ASSOCIATED DOCUMENTS, IN A FORM APPROVED BY THE CITY ATTORNEY, FOR THE PURCHASE OF A PORTION OF REAL PROPERTY LOCATED AT 510 HACKBERRY DRIVE, ANNA, TEXAS 75409; AND PROVIDING FOR AN EFFECTIVE DATE.

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

7. Items For Individual Consideration.

Mayor Pike recused himself at 6:46 PM for items a, b, c, and d.

- a. Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance to rezone 82.0± acres located on the south side of E. Foster Crossing Boulevard, 195± feet east of S. Powell Parkway from Planned Development (Ord. No. 743-2017) to Planned Development-LI-1 Light Industrial with modified development standards. (Director of Development Services Ross Altobelli)

The subject is formerly known as the Anna Business Park. The property's current zoning was established in 2017. The request for a new Planned Development is to modify standards established as part of the 2017 zoning and current development standards to accommodate the development of the Holt CAT dealership and Texas First Rentals rental facility.

A Planned Development (PD) district is intended to provide for combining and mixing of uses allowed in various districts with appropriate regulations and to permit flexibility in the use and design of land and buildings in situations where modification of specific provisions of this article is not contrary to its intent and purpose or significantly inconsistent with the planning on which it is based and will not be harmful to the community. A PD district may be used to permit new and innovative concepts in land utilization. While great flexibility is given to provide special restrictions which will allow development not otherwise permitted, procedures are established herein to insure against misuse of the increased flexibility.

Mayor Pro Tem Miller opened the public hearing at 6:54 PM.

No comments.

Mayor Pro Tem Miller closed the public hearing at 6:54 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 Carver moved to approve. Council Member Totten seconded. Motion carried 6-0.

- b. Consider/Discuss/Action on a Resolution regarding Holt Subdivision, Block A, Lots 1-4, Concept Plan. (Director of Development Services Ross Altobelli)

Office – showroom/warehouse with equipment service and repair / leasing and retail sales on Lots 1 & 2, drainage & detention on Lot 3, and vacant lot on 82.0± acres located on the south side of E. Foster Crossing Boulevard, 195± feet east of S. Powell Parkway.

This concept plan is associated with the zoning case and is contingent upon approval of the zoning case. The purpose of the concept plan is to show the conceptual layout and related site improvements associated with the future industrial development. The concept plan complies with the Planning and Development regulations as requested by the zoning case.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A CONCEPT PLAN FOR HOLT SUBDIVISION, BLOCK A, LOTS 1-4.

MOTION: Council Member Cain moved to approve. Council Member Totten seconded. Motion carried 6-0.

- c. Consider/Discuss/Action on a Resolution regarding Holt Subdivision, Block A, Lots 1-4, Preliminary Plat. (Director of Development Services Ross Altobelli)

Office – showroom/warehouse with equipment service and repair / leasing and retail sales on Lots 1 & 2, drainage & detention on Lot 3, and vacant lot on 82.0± acres located on the south side of E. Foster Crossing Boulevard, 195± feet east of S. Powell Parkway.

The purpose of the Preliminary Plat is to propose lot and block boundaries, and easements necessary for the future construction of the Office – showroom/warehouse with equipment service and repair / leasing and retail sales development.

Preliminary Plat is in conformance with the adopted Planned Development standards and with the city's Subdivision Regulations and Zoning Ordinance.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING HOLT SUBDIVISION, BLOCK A, LOTS 1-4, PRELIMINARY PLAT

MOTION: Council Member Carver moved to approve. Council Member Ussery seconded. Motion carried 6-0.

- d. Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance for a Specific Use Permit for a communications tower on one lot on 3.6± acres located on the east side of the Dallas Area Rapid Transit right-of-way, 380± feet north of E. Outer Loop Road. Zoned: Planned Development-Anna Business Park (Ord. No. 743-2017). (Director of Development Services Ross Altobelli)

The applicant requested a Specific Use Permit to allow for a communications tower on one lot on 3.6± acres located on the east side of the Dallas Area Rapid Transit right-of-way, 380± feet north of E. Outer Loop Road. Zoned: Planned Development-Anna Business Park (Ord. No. 743-2017).

Mayor Pro Tem Miller opened the public hearing at 6:57 PM.

No comments.

Mayor Pro Tem Miller closed the public hearing at 6:57 PM.

AN ORDINANCE OF THE CITY OF ANNA, TEXAS AMENDING THE CITY'S COMPREHENSIVE PLAN, ZONING MAP, AND ZONING ORDINANCE AND APPROVING A SPECIFIC USE PERMIT ON 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 moved to approve Toten. Council Member Ussery seconded. Motion carried 6-0.

Mayor Pike returned to the meeting at 7:00 PM.

- e. Consider/Discuss/Action on a Resolution regarding City of Anna Water Storage Tank Addition, Block A, Lot 2, Site Plan. (Director of Development Services Ross Altobelli)

Communications tower on one lot on 3.6± acres located on the east side of Dallas Area Rapid Transit right-of-way, 380± feet north of E. Outer Loop Road. Zoned: Planned Development-Anna Business Park (Ord. No. 323-2007 & Ord. No. 743-2017).

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A SITE PLAN OF THE CITY OF ANNA WATER TANK STORAGE ADDITION, BLOCK A, LOT 2.

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

- f. Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance regarding a Specific Use Permit for a gas metering station on one lot on 27.4± acres located on the north side of Rosamond Parkway, 830± feet west of West Crossing Boulevard. Zoned: Planned Development (Ord. No. 285-2006). (Director of Development Services Ross Altobelli)

The applicant requested a Specific Use Permit (SUP) to allow for a gas metering station on one lot on 27.4± acres located on the north side of Rosamond Parkway, 830± feet west of West Crossing Boulevard. Zoned: Planned Development (Ord. No. 285- 2006).

Mayor Pike opened the public hearing at 7:01 PM.

No comments.

Mayor Pike closed the public hearing at 7:01 PM.

AN ORDINANCE OF THE CITY OF ANNA, TEXAS AMENDING THE CITY'S COMPREHENSIVE PLAN, ZONING MAP, AND ZONING ORDINANCE AND APPROVING A SPECIFIC USE PERMIT ON 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: Mayor Pro Tem Miller moved to approve. Council Member Totten seconded. Motion carried 7-0.

- g. Consider/Discuss/Action on a Resolution regarding Shadowbend Atmos Energy Tap, Site Plan. (Director of Development Services Ross Altobelli)

Gas metering station on one lot on 27.4± acres located on the north side of Rosamond Parkway, 830± feet west of West Crossing Boulevard. Zoned: Planned Development (Ord. No. 285-2006).

The purpose of the Site Plan is to show the proposed gas metering station improvements. The Site Plan is in conformance with the city's Subdivision Regulations and Zoning Ordinances.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A SITE PLAN OF THE SHADOWBEND ATMOS ENERGY TAP.

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

- h. Discuss/Consider/Act on a Resolution of the City Council of the City of Anna, Texas, finding that a public necessity exists for acquisition of a permanent right of

way and temporary construction easement on and across real property located at 404 Hackberry Drive for the construction of Hackberry Drive, in a form approved by the City Attorney. (Director of Public Works Greg Peters, P.E.)

The City of Anna is seeking to construct roadway improvements to Hackberry Drive as a capital improvement project for the City. The City has been acquiring the necessary right-of-way for the project, and this is the last remaining parcel required for the project. The City has utilized an acquisition consultant to handle the coordination with the adjacent landowners, and has followed the requirements for property acquisition in accordance with State Law. The landowner has been provided with the Texas Landowner's Bill of Rights and all documents and information in accordance with State Law. Staff is prepared to proceed with the next step in the acquisition process if approved by the City Council.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, FINDING THAT A PUBLIC NECESSITY EXISTS FOR ACQUISITION OF A PERMANENT RIGHT OF WAY ON AND UNDER 0.272 ACRES OF REAL PROPERTY AND A TEMPORARY CONSTRUCTION EASEMENT PROVIDING LIMITED RIGHTS ON AND UNDER 0.017 ACRES OF REAL PROPERTY, MORE OR LESS; AUTHORIZING THE CITY MANAGER, STAFF, CONTRACTORS, AND THE CITY'S ATTORNEYS TO ACQUIRE SAID EASEMENTS BY ANY LAWFUL MEANS, INCLUDING BUT NOT LIMITED TO NEGOTIATIONS, AND, IF NECESSARY, PROCEEDINGS IN EMINENT DOMAIN; PROVIDING AN EFFECTIVE DATE.

MOTION: Mayor Pike, moved that the City Council of the City of Anna, Texas authorize the use of the power of eminent domain to acquire permanent right of way and a temporary construction easement on a 2.916 acre tract of land in the Henry Brantley Survey Abstract No 071, City of Anna, Collin County, Texas. Property ID 2520275, located at 404 Hackberry Drive, with the permanent right of way being a 0.272 acre portion of said tract with the remainder of said tract being the temporary construction easement. Council Member Toten Seconded. Motion carried 7-0.

- i. Discuss/Consider/Act on a Resolution authorizing the City Manager to execute an agreement for the purchase of real property for the Hurricane Creek Regional Wastewater Treatment Plant in a form approved by the City Attorney. (Director of Public Works Greg Peters, P.E.)

The City of Anna has a capital improvement project to construct a regional wastewater treatment facility in the southwest portion of the City's extraterritorial jurisdiction. This proposed facility will provide wastewater treatment to all of Anna west of US 75, and portions of the City of Weston and the City of Van Alstyne, and their respective jurisdictional areas. The City expects to receive approval from TCEQ for the discharge permit in the next 30-45 days, and has reached a final agreement in principle with the landowner for the purchase of the required land.

The City obtained an appraisal for the property which was used in the negotiations with the landowner. The staff feels that a reasonable agreement has been made and recommended approval of the documents required for the purchase. The contract is in draft form and will be finalized with input from the City Attorney prior to execution.

The purchase price is \$2,600,000, and the funding source is Wastewater Impact Fees.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AND ASSOCIATED DOCUMENTS, IN A FORM APPROVED BY THE CITY ATTORNEY, FOR THE PURCHASE OF A 28.096 ACRE TRACT OF LAND OUT OF AN EXISTING 56 ACRE TRACT OF LAND LOCATED NORTH OF COUNTY ROAD 286 IN ANNA, TEXAS 75409; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Council Member Toten moved to approve subject to Attorney approval. Council Member Ussery seconded. Motion carried 7-0.

- j. Consider/Discuss/Action on a Resolution approving the First Amendment to the Development Agreement and the Woods at Lindsey Place Subdivision Improvement Agreement with D.R. Horton-Texas, Ltd. (Director of Economic Development Joey Grisham)

As previously discussed with the City Council, DR Horton approached the City about the creation of a Public Improvement District (PID) for The Woods at Lindsey Place Development located off Rosamond Pkwy. Some of the benefits of doing a PID include the developer expediting the construction of their portion of Buddy Hayes Blvd. and adding several park features and amenities as attached. The City will also receive PID fees estimated at over \$3.2 million. The updated agreement has been thoroughly reviewed by the City's legal counsel, PID consultant, staff, bond counsel, and financial advisors.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A FIRST AMENDMENT TO DEVELOPMENT AGREEMENT AND TO THE WOODS AT LINDSEY PLACE SUBDIVISION IMPROVEMENT AGREEMENT

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

- k. Consider/Discuss/Action on a Resolution setting a Public Hearing under Section 372.009 of the Texas Local Government Code on the advisability of the creation of a Public Improvement District and improvements within the City of Anna, Texas, for the Woods at Lindsey Place Development and authorizing the issuance of notice by the City Secretary of Anna, Texas, regarding the public hearing. (Director of Economic Development Joey Grisham)

As previously discussed with the City Council, DR Horton has submitted its Public Improvement District (PID) petition for The Woods at Lindsey Place Development located off Rosamond Pkwy. Chapter 372 of the Texas Local

Government Code requires a public hearing to create a PID that will take place on February 14, 2023 should the Resolution be approved.

A RESOLUTION SETTING A PUBLIC HEARING UNDER SECTION 372.009 OF THE TEXAS LOCAL GOVERNMENT CODE ON THE ADVISABILITY OF THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT AND IMPROVEMENTS WITHIN THE CITY OF ANNA, TEXAS, FOR THE WOODS AT LINDSEY PLACE DEVELOPMENT AND AUTHORIZING THE ISSUANCE OF NOTICE BY THE CITY SECRETARY OF ANNA, TEXAS, REGARDING THE PUBLIC HEARING

MOTION: Mayor Pike moved to approve. Mayor Pro Tem Miller seconded. Motion carried 7-0.

- I. Consider/Discuss/Action on a Resolution awarding a grant administrator to complete an application and project implementation for the City of Anna's 2023 Downtown Revitalization Program administered through the Texas Department of Agriculture. (Economic Development Coordinator Kimberly Garduno)

The Revitalization of Downtown Anna is considered a top priority as outlined by City Council. City staff received notification of two (2) grants that provide infrastructure funding from the Texas Department of Agriculture (TDA). After a preliminary review, the City of Anna has potential to rank high in the selection process and therefore has a solid chance to receive funding for the Downtown Revitalization Program grant.

- Due Date: May 3, 2023
- Award Amount: \$250,000 - \$500,000
- Requirements to gain maximum application score:
 - Obligate at least 50% of funds to sidewalks and ADA compliance
 - Commit 15% cash match to project (\$75,000 on a \$500,000 grant)
 - Hold a public hearing about application at least 90 days before application due date (also must do this for the 2023-24 CDBG Fund and the MOD so it would be ideal to hold them all at once to cut newspaper advertisement costs)
- Pass Blight Resolution: The City must adopt resolution declaring project area as blighted
- Eligible Activities:
 - Sidewalks and lighting
 - Activities required to eliminate architectural barriers for the disabled
 - Water and/or sewer lines
 - Road construction/rehabilitation to include curb and gutter and related drainage
 - Natural gas lines and related items
 - Electric power lines and transformers
 - Utilities including natural gas and electric
 - High-speed internet infrastructure with prior approval from TDA
 - Demolition and clearance activity of non-residential structures

Federal Grants require an extensive amount of paperwork throughout the process. To meet all the documentation requirements on federal grants, cities

find it beneficial to hire firms that have experience and knowledge to assist City staff secure funding. Therefore, staff is recommending City Council approve a proposal to seek grant administration assistance for the Downtown Revitalization Program grant process.

Request for Proposal process

- Requests for Proposals sent out December 22, 2022, with a deadline of January 6, 2023.
- Newspaper Ad was not required.
- Public Hearing was December 19, 2022.
- We received two (2) proposals:
 - Grant Works
 - Public Management, Inc.
- The Evaluation Committee selected Public Management, Inc.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING PROFESSIONAL SERVICE PROVIDER SELECTION FOR A 2023 DOWNTOWN REVITALIZATION GRANT PROGRAM THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE

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

- m. Consider/Discuss/Action on a Resolution awarding a grant administrator to complete an application and project implementation for the City of Anna's 2023/2024 Texas Community Development Block Grant Community Development Fund administered through the Texas Department of Agriculture. (Economic Development Coordinator Kimberly Garduno)

The Revitalization of Downtown Anna is considered a top priority as outlined by City Council. City staff received notification of two (2) grants that provide infrastructure funding from the Texas Department of Agriculture (TDA). After a preliminary review, the City of Anna has potential to rank high in the selection process and therefore has a solid chance to receive funding for TDA's 2023/2024 Texas Community Development Block Grant (TxCDBG) Community Development Fund (CD).

- Due Date: April 3, 2023
- Award Amount: \$250,000 - \$500,000
- Requirements to gain maximum application score:
 - Match is 2%-15%, dependent upon population
 - Anna Population based 2020 census – 16,896 = 15% match = \$75,000
- Eligible Activities: water/wastewater infrastructure, street and drainage improvements.
- Project must benefit 51% low to moderate-income (LMI) persons
 - Per HUD, Anna City Low-to-Moderate Income (LMI) is 35.7%, therefore an Income survey will be required in the project area to determine if the beneficiaries are 51% LMI.

- Audit is no longer required. A Financial Capacity Risk assessment will be conducted by TDA prior to award.
- Next steps:
 1. Procure professional services for engineering
 2. Determine and designate a qualifying area
 3. Perform Income Surveys (for CDBG application)
 4. Design a qualifying project.
 5. Perform Fair Housing Activities
 6. Adopt Signatory Resolution at future Council Meeting
 7. Adopt Application Resolution at future Council Meeting (authorizing what grant for how much, etc)
 8. Post/publish final notice
 9. Submit the application(s)

Federal Grants require an extensive amount of paperwork throughout the process. To meet all the documentation requirements on federal grants, cities find it beneficial to hire firms that have experience and knowledge to assist City staff with securing funding. Therefore, staff is recommending City Council approve a proposal to seek grant administration assistance for the Downtown Revitalization Grant Program process.

Request for Proposal process

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A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING PROFESSIONAL SERVICE PROVIDER SELECTION FOR A 2023/2024 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM—COMMUNITY DEVELOPMENT FUND GRANT THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE

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

- n. Consider/Discuss/Action on a Resolution adopting City of Anna Success Statements. (Assistant City Manager Taylor Lough)

On December 9 and 10, 2022 members of the City Council met in a workshop setting to draft seven Strategic Outcome Areas that help define Anna's future identity. The following Success Statements are proposed for City Council consideration:

- Neighborly
 - Anna's community of neighbors has a sense of hometown pride and is:

- Caring and giving
 - Engaged in the community
 - Active in civic life
- Unique
 - Anna is designed to be unique as it transforms from a bedroom community to a thriving city, with:
 - Deliberate planning for the future
 - A vision for innovative development and positive growth
 - A variety of housing, jobs, and educational opportunities
- Vibrant
 - Anna has a quality workforce that contributes to a prosperous economy that includes:
 - Diverse businesses with outstanding employment opportunities
 - Easy access to a variety of events and entertainment venues
 - A one-of-a-kind downtown
- Safe
 - Anna is a community where neighbors feel safe due to the City's commitment to:
 - Staffing public safety operations to meet the needs of a growing community
 - Preparing for emergencies and ensuring excellent response times
- Resilient
 - Anna's mobility and utility infrastructure consistently meets community needs by:
 - Focusing on resiliency and the City's ability to recover from upsets
 - Having a robust multi-modal transportation network
 - Dependably delivering utility services to the City's neighbors and businesses
- Active
 - The City of Anna promotes an active community through:
 - A variety of social opportunities for neighbors and visitors
 - Diverse recreational venues
 - Well-maintained trails and natural areas
 - Opportunities for lifelong learning
- Excellent
 - Anna is a high-performing City that implements best practices and pursues accreditation, demonstrating its commitment to:
 - Ethical and collaborative decision-making
 - Continuous improvement and achieving measurable outcomes
 - Ensuring a positive work environment for Council, staff, and neighbors

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS
ADOPTING SUCCESS STATEMENTS

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

- o. Consider/Discuss/Action to fill Board of Adjustment vacancies. (City Secretary Carrie Land)

Places 2 and 1A are currently vacant. The terms are partial terms, expiring May 2023.

MOTION: Council Member Toten moved to postpone appointment to Place 1A until May 2023. Mayor Pro Tem Miller seconded. Motion carried 7-0.

- p. Consider/Discuss/Action on appointments to Boards and Commissions Interview Committee. (City Secretary Carrie Land)

Three Council Members are to be appointed to the 2023 Interview Committee. The Interview Committee will review boards and commissions applications, as they are received, and conduct applicant interviews on Saturday, April 15 and Sunday, April 16. After interviews are complete, the Committee will make nominations to the boards and commissions for City Council's consideration.

Throughout the year, the Committee may be asked to make nominations for vacancies that become available.

Appointments are to be made on Thursday, May 18 at a Special City Council meeting.

Boards and Commissions training/orientation will be held by staff on Saturday June 3.

MOTION: Council Member Carver moved to appoint Council Member Toten, Council Member Cain, and Mayor Pro Tem Miller to be on the committee. Council Member Toten 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).
Public facilities and infrastructure
- 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).

- d. Discuss or deliberate personnel matters (Tex. Gov't Code §551.074). Boards and Commissions

MOTION: Mayor Pike moved to enter closed session. Mayor Pro Tem Miller seconded. Motion carried 7-0.

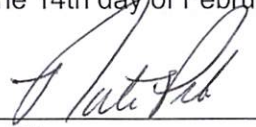
Mayor Pike recessed the meeting at 7:24 PM.
Mayor Pike reconvened the meeting at 7:51 PM.

Returned to item 7.h.

- 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.
- 10. **Adjourn.**

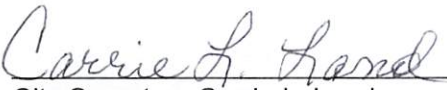
Mayor Pike adjourned the meeting at 7:52 PM.

Approved the 14th day of February, 2023.



Mayor Nate Pike

Attested:



City Secretary Carrie L. Land

