

**Regular City Council Meeting
Meeting Minutes**



Tuesday, February 14, 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 02/14/2023 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 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

Members Absent:

Council Member Pete Cain

2. Invocation and Pledge of Allegiance.

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

3. Neighbor Comments.

Mark Mahar
Creekside neighborhood - cracks in sidewalks and curbs, solicitors, and newspapers.

Residents requested the City Council reconsider their action taken, on November 8th, allowing the Atmos Metering Station:

Tom Longmire
Mike Archer
Laura Longmire
Kim Hoyt
Ted Hoyt

Lee Hendrix
Kelly Teichman
Ryan Teichman
Jennifer Richardson

4. Reports.

- a. Recognize 2022 Volunteers. (Community Enhancement Coordinator Olivia Demings)

Recognition of all City of Anna Volunteers who participated during the year 2022. The Volunteer of the Year, the volunteer with the most service hours, was also recognized.

Elijah Nelms
Bill Wehunt
Richard Quinonez
Chase Brooke
Mackenzie Martin
Ava Link
Matthew Robinson
Holden Wilson
Allison Inesta
Justin Inesta
Kay Stocking
Tinahse Chapuredima
David Colegrove
Hannah Crittendon
American Heritage Girls
Troop TX1419
West Crossing Neighbors
Ronalea Freeth
Luke Gorski
Dalton Hensley
Vinay Joshi
Hannah Kudadze
Tanner Larson
David McDonald
Trisha Reneau

Glen Spellman
Darrell McCauley
Tonia Burr
Crystal Carle
Johnny Carrillo
Yvonne Freeth
Hurricane Creek Rotary Club
New Life Church Anna
Anna-Melissa Democrats
Michael Allison
Byron Jackson
Jeff Morrison
Matt Braun
Jasmin Gonzalez
Alastair Hunte
Lisa Long
Patricia Pringle
Katharine Chamberlain
Alfredo Fernandez
Robin Miller
Lauren Goff
Jennifer Leeder
Lori Zettler
Andrew Carlson
Experian Anna

- b. Recognize December and January We Notice! Designees. (Community Enhancement Coordinator Olivia Demings)

December winner: Mike Nelin, 2318 Luscombe Lane

January winner: Gregory O'Neal, 606 S Smith Drive

5. Work Session.

- a. Review City of Anna 2023-2024 Strategic Work Plan. (Assistant City Manager Taylor Lough)

On January 24, 2023, the City Council approved a Resolution adopting City of Anna Success Statements. This action followed a workshop held on December 9 and 10, 2022, in which members of the City Council drafted seven Strategic Outcome Areas that help define Anna's future identity.

6. Consent Items.

MOTION: Council Member Toten moved to approve Items a. - o. Council Member Ussery seconded. Motion carried 6-0.

- a. Approve the City Council Meeting Minutes for January 14, 2023 and January 24, 2023. (City Secretary Carrie Land)
- b. Approve an Ordinance Ordering a General Election to be held on May 6, 2023 for the Purpose of Electing Two (2) Council Members; Designating Polling Places; Ordering Notices of Election to be Given; Adopting a Voting System, and Authorizing Execution of Joint Election Contracts. (City Secretary Carrie Land)

This Ordinance orders a General Election to be held on May 6, 2023, from 7am - 7pm, for the purpose of electing two (2) Council Members; designating polling places; ordering notices of election to be given; adopting a voting system, and authorizing execution of Joint Election Contracts.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 6, 2023 FOR THE PURPOSE OF ELECTING TWO (2) CITY COUNCIL MEMBERS; DESIGNATING POLLING PLACES; ORDERING NOTICES OF ELECTION TO BE GIVEN; ADOPTING A VOTING SYSTEM; AUTHORIZING EXECUTION OF JOINT ELECTION CONTRACTS; PROVIDING SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

- c. Approve a Resolution regarding a Hotel Incentive Agreement with North Texas Hoco, LLC. (Director of Economic Development Joey Grisham)

The City of Anna and North Texas Hoco, LLC entered into a Hotel Incentive Agreement for the development of a Wyndham Garden Hotel to be located adjacent to the Anna Surgery Center on US Highway 75. The agreement requires North Texas Hoco, LLC to build a hotel with a minimum of 85 hotel rooms and investment of at least \$15 million. Construction must commence by October 31, 2023, with a Certificate of Occupancy being required by January 31, 2025. The City will rebate 70% of hotel occupancy taxes up to \$375,000 over 3 years and waive water/wastewater/irrigation impact fees up to \$127,050.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS APPROVING A HOTEL INCENTIVE AGREEMENT WITH NORTH TEXAS HOCO, LLC

- d. Approve a Resolution authorizing City representatives in matters pertaining to the City's participation in the Texas Community Development Block Grant Program. (Economic Development Coordinator Kimberly Garduno)

The Texas Community Development Block Grant Program (TxCDBG) assists small cities and rural communities with funding opportunities for community projects such as utility infrastructure, disaster response, and unique local economic development projects. To allow for local changes in personnel, Texas Department of Agriculture recommends identifying the signatories by position.

This resolution identifies those positions who will have the ability to access the grant database, TDA-GO, sign grant documents and authorize payment requests for grant funds. Once the Signatory Resolution is adopted and submitted to TDA-GO, the community may continue to rely on the same resolution for subsequent TxCDBG applications. The City may provide an updated resolution at any time as local needs change. Only those positions named in the resolution will be permitted to take action in TDA-GO on behalf of the community.

Staff recommended that the City Council approve the Resolution authorizing the Mayor, Mayor Pro-Tem, Interim City Manager, Interim Assistant City Manager, or Assistant City Manager to serve as the City's representative in matters related to the Texas Community Development Block Grant Program.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS
AUTHORIZING CITY REPRESENTATIVES IN MATTERS PERTAINING TO
THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM.**

- e. Review Minutes of the January 3, 2023 Planning & Zoning Commission Meeting. (Director of Development Services Ross Altobelli)
- f. Approve a Resolution regarding the Miranda Estates, Block A, Lot 1, Development Plat. (Director of Development Services Ross Altobelli)

One lot on 1.5± acres located on the west side of Old Valdasta Road, 1,740± feet south of La Paloma Drive. Located in the Extraterritorial Jurisdiction (ETJ).

The Development Plat is in conformance with the city's Subdivision Regulations.

The Planning & Zoning Commission recommended approval at their February 6, 2023 meeting

**A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING MIRANDA
ESTATES, BLOCK A, LOT 1, DEVELOPMENT PLAT**

- g. Approve a Resolution regarding the Anna Town Center, Block A, Lot 5R, Replat. (Director of Development Services Ross Altobelli)

Multiple-family residences on one lot on 14.9± acres located on the east side of Throckmorton Boulevard, 38± feet south of Hackberry Drive. Zoned Planned Development (Ord. No. 648-2014 & Ord. No. 974-2022).

The purpose for the Replat is to dedicate easements necessary for the proposed multiple-family residence development.

The Replat is in conformance with the adopted Planned Development standards and with the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ANNA TOWN CENTER, BLOCK A, LOT 5R, REPLAT.

- h. Approve a Resolution regarding the Anna Town Center, Block A, Lot 5R, Site Plan. (Director of Development Services Ross Altobelli)

Multiple-family residences on one lot on 14.9± acres located on the east side of Throckmorton Boulevard, 38± feet south of Hackberry Drive. Zoned Planned Development (Ord. No. 648-2014 & Ord. No. 974-2022).

The purpose of the Site Plan is to show the proposed multiple-family residence development.

The Site Plan is in conformance with the adopted Planned Development standards and the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ANNA TOWN CENTER, BLOCK A, LOT 5R, SITE PLAN.

- i. Approve a Resolution regarding the Serenity at the Square, Block A, Lot 1, Preliminary Plat. (Director of Development Services Ross Altobelli)

Multiple-family residences on one lot on 11.0± acres located at the northeast corner of E. Finley Boulevard and Sharp Street. Zoned: Planned Development (Ord. No. 129- 2004, Ord. No. 691-2015, & Ord. No. 980-2022).

The purpose of the Preliminary Plat is to propose lot and block boundaries and easements necessary for the future construction of the multiple-family residential development.

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

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING SERENITY AT THE SQUARE, BLOCK A, LOT 1, PRELIMINARY PLAT

- j. Approve a Resolution regarding the Villages of Hurricane Creek North, Phase 1A, Block W, Lot 26X, Site Plan. (Director of Development Services Ross Altobelli)

Amenity center on one lot on 2.2± acres located on the west side of Stockport Drive, 260± feet north of Chasebrook Drive. Zoned: Planned Development (Ord. No. 932- 2021).

The purpose of the Site Plan is to show the proposed amenity center site improvements.

The Site Plan is in conformance with the adopted Planned Development standards and the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING VILLAGES OF HURRICANE CREEK NORTH, PHASE 1A, BLOCK W, LOT 26X, SITE PLAN.

- k. Approve a Resolution regarding the Villages of Hurricane Creek, Phase 1B, Block R, Lot 1X, Site Plan. (Director of Development Services Ross Altobelli)

Amenity center on one lot on 4.3± acres located at the southwest corner of Forest Hill Lane and Brookside Lane. Zoned Planned Development (Ord. No. 886-2020).

The purpose of the Site Plan is to show the proposed amenity center development.

The Site Plan is in conformance with the adopted Planned Development standards and the city's Subdivision Regulations and Zoning Ordinances.

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING VILLAGES OF HURRICANE CREEK, PHASE 1B, BLOCK R, LOT 1X, SITE PLAN.

- l. Approve Police Department Report on 2022 racial profiling data that was submitted to the Texas Commission on Law Enforcement (TCOLE). (Police Chief Dean Habel)

Texas Occupations Code 1701.164 specifies that all law enforcement agencies are to collect racial profiling data and submit the report to TCOLE, as well as the city's governing body. This applies to all agencies designated as "Full Reporting." Anna PD is designated as a full reporting agency due to the fact that we routinely make traffic stops.

- m. Approve an Ordinance Adopting Financial Policies. (Finance Director Alan Guard)

The only update to the financial policies at this time regards the use of funds received from Public Improvement Development agreements. These funds may be used for any legal purpose. It is recommended these funds be used for pay-as-you-go contributions for capital projects. Staff would like to formalize the use

of these funds within the City's financial policies. Any appropriation of these funds would require formal Council action.

AN ORDINANCE OF THE CITY OF ANNA, TEXAS ADOPTING FINANCIAL POLICIES

- n. Approve a Resolution amending the authorized signatories to execute checks currently on file at Independent Financial. (Finance Director Alan Guard)

Staff recommended that the Council approves the Resolution amending the authorized signatories to execute checks currently on file at Independent Financial bank.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, AMENDING THE AUTHORIZED SIGNATORIES TO EXECUTE CHECKS CURRENTLY ON FILE AT INDEPENDENT FINANCIAL BY REMOVING JAMES PROCE FROM THE LIST OF AUTHORIZED SIGNATORIES; REMAINING WILL BE ALAN GUARD, CARRIE LAND, NATE PIKE, LEE MILLER, AND ADDING RYAN HENDERSON TO THE NAMED AUTHORIZED SIGNATURES; AND PROVIDING AN EFFECTIVE DATE.

- o. Approve a Resolution of the City of Anna, Texas declaring certain property of surplus and authorizing the City Manager to execute the sale or disposal of said property. (Interim Public Works Director Steven Smith)

The City owns a late model Chevy Tahoe which has been retired and is no longer in service. The City is seeking to have the vehicle declared surplus property, so that it may be sold or disposed of. The decision to declare this vehicle as surplus property was reviewed and approved by the City Attorney and the Finance Director.

A RESOLUTION OF THE CITY OF ANNA, TEXAS DECLARING CERTAIN PROPERTY AS SURPLUS AND AUTHORIZING THE CITY MANAGER TO EXECUTE SALE OR DISPOSAL OF SAID PROPERTY.

7. Items For Individual Consideration.

- a. Consider/Discuss/Action on an Ordinance Amending the FY2023 Community Investment Program (CIP) Budget to increase funding for Fire Station 2 Project and increase station size to six bays. (Interim City Manager Ryan Henderson)

The proposed budget amendment includes funding for the following purposes:

- Fire Station 2 (\$4,660,000) As the City of Anna has moved forward with the 2021 Capital Improvement Bond Program, it has become increasingly evident that the costs for land acquisition, design, and construction of these significant projects have been impacted by rising costs associated with inflation. After being presented with the option of increasing Fire Station 2 to a six-bay fire station and realizing the costs will continue to increase, City Council deliberated and decided that now was the opportune time to increase the scope of the project. This amendment will fund the cost of the increased scope.

The funding source for this budgeted increase is Public Improvement District (PID) Fees. There are no restrictions on this special revenue, as the funds can be used for any legal purpose. According to the newly adopted PID fee policy, these developer contributed fees are to be used towards capital projects that expand services to our community. Using PID fees will eliminate the necessity of allocating additional property taxes and maintains the principal of growth paying for growth without an impact to our neighbors. The use of these funds for capital projects will also allow the City to offset the impact of the current inflationary period, and if desired, also expand the service of capital projects.

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.

MOTION: Council Member Atchley moved to approve. Council Member Toten seconded. Motion carried 6-0.

- b. Consider/Discuss/Action on a Resolution approving Change Order 1 and Change Order 2 for Fire Station 2 to build the facility as a 6-bay fire station. (Interim Assistant City Manager Greg Peters, P.E.)

Funding for the Fire Station 2 project was appropriated in the FY2023 Community Investment Program budget in the amount of \$6,340,000 million from the 2021 Bond Funds. The estimated cost of Fire Station 2 with 6-bays is \$11,000,000. The additional \$4,660,000 is proposed to be paid from the PID Fee fund.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AND AUTHORIZING THE CITY MANAGER TO ACT ON THE CITY'S BEHALF IN EXECUTING AND APPROVING CHANGE ORDER NO. 1 AND CHANGE ORDER NO. 2 TO THE CONTRACT FOR DESIGN-BUILD SERVICES WITH CROSSLAND CONSTRUCTION, INCORPORATED FOR THE DESIGN AND CONSTRUCTION OF FIRE STATION 2 AS A SIX BAY STATION IN THE AMOUNT NOT TO EXCEED FOUR MILLION SIX HUNDRED THOUSAND DOLLARS (\$4,600,000); AND PROVIDING FOR AN EFFECTIVE DATE.

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

- c. Consider/Discuss/Action on an Ordinance Amending the FY2023 Community Investment Program (CIP) Budget to increase funding for Fire Station 2 Project. (Budget Manager Terri Doby)

MOTION: Mayor Pike moved to take no action on Items 7c. and 7d. Council Member Toten seconded. Motion carried 6-0.

- d. Consider/Discuss/Action on a Resolution approving Change Order 1 for the construction of Fire Station 2 as a three bay fire station. (Interim Assistant City Manager Greg Peters, P.E.)

See Item 7c.

- e. Conduct a Public Hearing/Consider/Discuss/Action on a Resolution regarding the Avery Pointe, Phase 1, Block U, Lots CA-67R & 68, Residential Replat. (Director of Development Services Ross Altobelli)

Two vacant lots on 6.4± acres located on the north side of W. White Street, 143± feet west of Buffalo Bill Drive. Zoned: Planned Development (Ord. No. 673-2014).

The purpose of the Replat is to dedicate lot and block boundaries and easements necessary to subdivide the property.

The Replat is in conformance with the City's Subdivision Regulations and Zoning Ordinances and is subject to additions and/or alterations to the engineering plans as required by the Public Works Department.

The Planning & Zoning Commission recommended approval.

Mayor Pike opened the public hearing at 7:00 PM.

There were no public comments.

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

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AVERY POINTE, PHASE 1, BLOCK U, LOTS CA-67R & 68, REPLAT.

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

- f. Conduct a Public Hearing and Consider/Discuss/Action on a Resolution regarding the creation of The Woods at Lindsey Place Public Improvement District and ordering public improvements to be made for the benefit of such district. (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.

The City will receive approximately \$3.23 million in PID fees.

Mayor Pike opened the public hearing at 7:02 PM.

There were no public comments.

Mayor Pike closed the public hearing at 7:04 PM.

A RESOLUTION REGARDING THE CREATION OF THE WOODS AT LINDSEY PLACE PUBLIC IMPROVEMENT DISTRICT AND ORDERING PUBLIC IMPROVEMENTS TO BE MADE FOR THE BENEFIT OF SUCH DISTRICT;

PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND CONTAINING OTHER MATTERS RELATING TO THE SUBJECT.

MOTION: Mayor Pike moved to approve. Council Member Toten seconded. Motion carried 6-0.

- g. Consider/Discuss/Action on a Resolution of the City of Anna, Texas determining the costs of certain authorized improvements to be financed by The Woods at Lindsey Place Public Improvement District; approving a Preliminary Service Plan and Assessment Plan, including a proposed Assessment Roll; calling a regular meeting and noticing a public hearing for March 14, 2023 to Consider an Ordinance levying assessments on property located within The Woods at Lindsey Place Public Improvement District; directing the filing of the proposed Assessment Roll with the City Secretary to make available for public inspection; directing City Staff to publish and mail notice of said public hearing; and resolving other matters incident and related thereto. (Director of Economic Development Joey Grisham)

DR Horton approached the City months ago 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 creating a PID include the developer expediting the construction of their portion of Buddy Hayes Blvd. and adding several park features and amenities. The City Council approved the Amended Development Agreement with DR Horton on January 24, 2023.

A RESOLUTION OF THE CITY OF ANNA, TEXAS DETERMINING THE COSTS OF CERTAIN AUTHORIZED IMPROVEMENTS TO BE FINANCED BY THE WOODS AT LINDSEY PLACE PUBLIC IMPROVEMENT DISTRICT; APPROVING A PRELIMINARY SERVICE PLAN AND ASSESSMENT PLAN, INCLUDING PROPOSED ASSESSMENT ROLLS; CALLING A REGULAR MEETING AND NOTICING A PUBLIC HEARING FOR MARCH 14, 2023 TO CONSIDER AN ORDINANCE LEVYING ASSESSMENTS ON PROPERTY LOCATED WITHIN THE WOODS AT LINDSEY PLACE PUBLIC IMPROVEMENT DISTRICT; DIRECTING THE FILING OF THE PROPOSED ASSESSMENT ROLLS WITH THE CITY SECRETARY TO MAKE AVAILABLE FOR PUBLIC INSPECTION; DIRECTING CITY STAFF TO PUBLISH AND MAIL NOTICE OF SAID PUBLIC HEARING; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO.

MOTION: Mayor Pike moved to approve. Council Member Toten seconded. Motion carried 6-0.

- h. Consider/Discuss/Action on a Resolution approving an Impact Fee Reimbursement Agreement between the City of Anna, Texas and Qualico Developments U.S., Incorporated for the Leonard Trails development. (Interim Assistant City Manager Greg Peters, P.E.)

Qualico Developments U.S., Incorporated is seeking to construct a planned development project south of FM 455 and east of the DART rail line. As a part of the project, there is roadway, water, and sanitary sewer infrastructure which is required to be built. This infrastructure is also shown in the City of Anna Master Thoroughfare Plan, Master Water Plan, and Wastewater Master Plan. As such,

the proposed improvements are eligible for impact fee reimbursement in accordance with state law.

The proposed improvements included in this agreement are:

- Roadway Project - construction of Leonard Avenue from fm 455 to the southern edge of the property, tying into the existing endpoint of Leonard Avenue in the Ana Crossing development.
- Water Project - construction of a 12-inch water main (impact fees to fund the upsize cost from an 8-inch main to a 12-inch main) in accordance with the City Water Master Plan
- Sewer Project - construction of an off-site sewer main to extend sewer availability to the area north of the Anna Crossing development.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN IMPACT FEE REIMBURSEMENT AGREEMENT WITH QUALICO DEVELOPMENTS U.S., INCORPORATED FOR THE CONSTRUCTION OF PUBLIC ROADWAY, WATER, AND SANITARY SEWER IMPROVEMENTS, IN A FORM APPROVED BY THE CITY ATTORNEY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

- i. Consider/Discuss/Action on a Resolution Approving Interim City Manager Employment Agreement (Interim City Manager Ryan Henderson)

On January 14, the City Council appointed Assistant City Manager Ryan Henderson as the Interim City Manager. The agreement before the City Council is retroactive to that date of action and stipulates the terms and duties of the interim appointment.

MOTION: Mayor Pike moved to approve. Council Member Toten seconded. Motion carried 6-0.

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). Utilities Facilities
- 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).

MOTION: Mayor Pike moved to enter closed session. Council Member Ussery seconded. Motion carried 6-0.

Mayor Pike recessed the meeting at 7:17 PM.

Mayor Pike reconvened the meeting at 8:01 PM.

Mayor Pike returned to Item 7i.

Mayor Pike left the meeting at 8:02 PM.

MOTION: Council Member Miller moved to enter closed session to discuss Item 8c.. Council Member Toten seconded. Motion carried 6-0.

Mayor Pro Tem Miller recessed the meeting at 8:02 PM.

Mayor Pro Tem Miller reconvened the meeting at 8:20 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 Pro Tem Miller adjourned the meeting at 8:20 PM.



Approved the 28th day of February, 2023

Mayor Nate Pike

Attested:

Carrie L. Land
City Secretary Carrie L. Land