

**Regular City Council Meeting
Meeting Minutes**



Tuesday, July 11, 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 July 11, 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 Pro Tem Miller called the meeting to order at 6:00 PM.

Members Present:

Mayor Pro Tem Lee Miller

Deputy Mayor Pro Tem Randy Atchley

Council Member Kevin Toten

Council Member Stan Carver

Council Member Elden Baker

Council Member Pete Cain

Members Absent:

Mayor Nate Pike

2. Invocation and Pledge of Allegiance.

Pastor Matt Wood led the Invocation and Brody Lawson Pledge of Allegiance.

3. Neighbor Comments.

No comments were given.

4. Reports.

- a. Capital Improvement Plan update for FY23-24. (Interim Assistant City Manager Greg Peters, P.E.)

Staff presented the annual update to the Capital Improvement Plan, which will be adopted as a part of the FY23-24 budget. The CIP includes capital projects for facilities, parks, roads, and utilities.

5. Work Session.

- a. Zoning Discussion - Northwest corner of E. Foster Crossing Road and Vail Lane (Director of Development Services Ross Altobelli)

The subject property was rezoned on September 11, 2018 to facilitate the development of a mixed use Planned Development that includes both a Residential (SF-72 Single Family District) and Commercial element (C-2 General Commercial).

On September 29, 2021, as part of a Planned Development zoning amendment, 8.3 acres of the C-2 zoning district, located at the northeast corner of E. Foster Crossing Road and Vail Lane, was rezoned to facilitate the development of high-quality Multiple Family Residential - High Density (Ord. No. 941-2021),

The Anna2050 Future Lane Use Plan identifies this general area as a Professional Campus. Additionally, the land area is located within the Anna Business Center/Corridor which is identified as one of the four Key Centers in Anna.

- b. Master Thoroughfare Plan Discussion - Persimmon Drive (Interim Assistant City Manager Greg Peters, P.E.)

Waters Creek is an active development project in the City of Anna located on the south side of FM 455, on the west side of the existing Oak Hollow Subdivision.

The developer of the Waters Creek project provided the City Council with a presentation regarding an update on the project and the scope of construction for Persimmon Drive, a roadway which travels through the development from FM 455 to the Oak Hollow Subdivision.

6. Consent Items.

These items consist of non-controversial or "housekeeping" items required by law. Items may be considered individually by any Council Member making such request prior to a motion and vote on the Consent Items.

MOTION: Council Member Toten moved to approve consent items a. through g. Council Member Baker seconded. Motion carried 6-0.

- a. Approve City Council Meeting Minutes for June 27, 2023. (City Secretary Carrie Land)
- b. Review Diversity and Inclusion Advisory Commission Meeting Minutes from November 1, 2022, January 23, 2023, February 27, 2023, and May 8, 2023. (Kimberly Winarski)
- c. Approve Resolution Appointing an Assistant Emergency Management Coordinator (Fire Chief Ray Isom)

In May of 2019, in accordance with Ordinance No. 581-2012, the City recommended Fire Chief Ray Isom to be appointed by the City Council to serve as the City's Emergency Management Coordinator. This was passed on May 28, 2019 by Resolution 2019-05-575. At that time, Assistant Fire Chief Dan Wood, was listed as the Assistant Emergency Management Coordinator.

Fire Chief Ray Isom, in consultation with the Interim City Manager, Ryan Henderson, appoint Assistant Fire Chief Thomas Brown as the Assistant Emergency Management Coordinator.

The Texas Department of Emergency Management (TDEM) requires TDEM-147 form to be updated each year.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPOINTING AN ASSISTANT EMERGENCY MANAGEMENT COORDINATOR.

- d. Approve a Resolution Authorizing the City Manager to Execute an Updated Interlocal Agreement for Emergency Dispatch Services between Collin County and the Anna Fire Department (Fire Chief Ray Isom)

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING THE RENEWAL OF THE INTERLOCAL DISPATCH SERVICES AGREEMENT WITH COLLIN COUNTY, TEXAS

- e. Approve a Resolution Amending the Participation from Texas Health Benefits Pool to Blue Cross Blue Shield for City Employees Health Benefits. (Director of Human Resources Stephanie Beitelschies)

The City of Anna received a substantial renewal rate increase of 35% from Texas Health Benefits Pool for the upcoming fiscal year. Recognizing that such a significant increase is not sustainable for our organization, we have engaged the services of our benefits consultants, Brinson Benefits, to explore alternative options and ensure the best possible health benefits for our employees. Brinson Benefits has assisted city staff in bidding the health benefit market, determining the best options available for benefits coverage for our employees and ensuring coverage is cost effective and providing the same or better service.

By seeking alternative options through a bidding process, we were able to secure a more cost-effective health benefits solution with Blue Cross Blue Shield that aligns with our financial capabilities. Blue Cross Blue Shield is currently the health coverage provider for Texas Health Benefits Pool. The transition to Blue Cross Blue Shield will have minimal to no impact on our employees currently covered on the Texas Health Benefit Pool health plan. Voluntary short-term and long-term disability, and basic and voluntary (additional) life coverage will now be with Guardian. Dental and vision coverage will remain with Guardian.

Staff recommends City Council approve the resolution amending the participation for City Employees Health Benefits from Texas Health Benefits Pool to Blue Cross Blue Shield.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, COLLIN COUNTY, TEXAS, AUTHORIZING PARTICIPATION BY THE CITY OF ANNA IN A BLUE CROSS AND BLUE SHIELD AND GUARDIAN AS A PART OF THE CITY'S HEALTH INSURANCE BENEFIT PACKAGE AND PROVIDING FOR AN EFFECTIVE DATE.

- f. Approve an Ordinance adopting the 2023 Annual Service Plan Update to the Service and Assessment Plan and Assessment Roll, including the collection for the 2023-2024 annual installments for the AnaCapri Public Improvement District (PID). (Director of Economic Development Joey Grisham)

The District was created pursuant to the PID Act by Resolution No. 2022-04-1140 on April 12, 2022, by the City Council to finance certain Authorized Improvements for the benefit of the property in the District. On September 13, 2022, the City Council approved Ordinance No. 1001-2022 which approved the SAP for the District and levied Assessments to finance the Authorized Improvements to be constructed for the benefit of the Assessed Property within the District.

The Service and Assessment Plan (SAP) sets forth the costs of the Authorized Improvements, and the manner of assessing the property in the District for the costs of such Authorized Improvements based on the benefit provided to the Assessed Property. Pursuant to the PID Act, the SAP must be reviewed and updated annually. This document is the Annual Service Plan Update for 2023. The City Council also adopted an Assessment Roll identifying the Assessments on each Lot within the District, based on the method of assessment identified in the SAP. This 2023 Annual Service Plan Update also updates the Assessment Roll for 2023.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS APPROVING THE 2023 ANNUAL SERVICE PLAN UPDATE TO THE SERVICE AND ASSESSMENT PLAN, INCLUDING THE ASSESSMENT ROLL, FOR THE ANACAPRI PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; AND PROVIDING AN EFFECTIVE DATE.

- g. Approve an Ordinance adopting the 2023 Annual Service Plan Update to the Service and Assessment Plan and Assessment Roll, including the collection for the 2023-2024 annual installments for the Sherley Tract Public Improvement District (PID). (Director of Economic Development Joey Grisham)

The District was created pursuant to the PID Act by Resolution No. 2020-12-839 on December 8, 2020, by the City Council to finance certain Authorized Improvements for the benefit of the property in the District. On July 27, 2021, the City Council approved Ordinance No. 925-2021 which approved the SAP for the District and levied Assessments to finance the Authorized Improvements to be constructed for the benefit of the Assessed Property within the District.

The SAP sets forth the costs of the Authorized Improvements, the indebtedness to be incurred for such Authorized Improvements, and the manner of assessing the property in the District for the costs of such Authorized Improvements based on the benefit provided to the Assessed Property. On July 26, 2022, the City Council approved the 2022 Annual Service Plan Update for the District by Ordinance No. 986-2022, which updated the Assessment Roll for 2022. Pursuant to the PID Act, the SAP must be reviewed and updated annually. This document is the 2023 Annual Service Plan Update. This 2023 Annual Service Plan Update also updates the Assessment Rolls for 2023.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS APPROVING THE 2023 ANNUAL SERVICE PLAN UPDATE TO THE SERVICE AND ASSESSMENT PLAN, INCLUDING THE ASSESSMENT ROLL, FOR THE SHERLEY TRACT PUBLIC IMPROVEMENT DISTRICT NO. 2 IN ACCORDANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; AND PROVIDING AN EFFECTIVE DATE.

7. Items For Individual Consideration.

- a. Consider/Discuss/Action on a request to amend building material standards for multiple-family residence buildings per Resolution 2020-11-813A. (Director of Development Services Ross Altobelli)

DHI Communities, a D.R. Horton Company, is requesting to amend the multiple-family residence building material requirements that were established within a Development Agreement (Res. 2020-11-813A) as part of the zoning for The Woods at Lindsey Place.

The adopted building material requirements for multiple-family residence buildings were for typical mid-rise multiple-family residence buildings. The applicant is proposing to construct a one and two-story "casita" product that will consist of individual units with one, two, and three bedrooms.

MOTION: Council Member Atchley moved to approve. Council Member Baker seconded. Motion carried 5-1. Council Member Toten opposed.

- b. Consider/Discuss/Action on a Resolution regarding One Anna Two Addition, Block A, Lot 4R, Building Elevations (Director of Development Services Ross Altobelli)

Hotel on one lot on 3.0± acres located on the east side of Standridge Boulevard, 1,040± feet north of Suzie Lane.

On December 13, 2022 as part of a zoning request to allow for a Specific Use Permit to allow for a motor hotel the applicant entered into a Development Agreement that included development standards associated with proposed building materials and construction timelines.

The applicant is requesting that the building materials proposed for the three-story hotel be those that are typically recognized with the hotel brand and maintain the specific type, image, and building materials associated with the Wyndam Garden brand.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ONE ANNA TWO ADDITION, BLOCK A, LOTS 4R, BUILDING MATERIALS.

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

- c. Consider/Discuss/Action on a Resolution authorizing the City Manager to execute a contract for landscape services with Zodega Landscape Services, LLC. (Interim Assistant City Manager Greg Peters, P.E.)

The City of Anna is responsible for mowing and maintaining many areas of public right-of-way and public works facility grounds in the community. It is important to maintain a professional appearance for the public right-of-way and city properties. Contract mowing is the most cost-effective way to properly perform this work, as it requires less city staff and city owned/maintained equipment.

The City of Anna is at the end of the active contract for mowing and landscaping services. In order to properly meet the growing responsibilities of mowing and maintaining public right-of-way and facility grounds, the City publicly advertised a bid for these services. The City held a non-mandatory pre-bid meeting on May 24, 2023. The City opened bids on June 8, 2023. Two bids were received. The lowest qualified bid was received from Zodega Landscape Services, LLC, dba Texas Seasons. Staff has reviewed the bids and the references and qualifications of Zodega and is recommending the City to enter into a contract for mowing and landscaping services.

The bid is on a per-acre basis for all of the areas identified by staff for the contract. The bid includes the following scope or services:

Base Bid: \$52,211.75. Mowing medians and right-of-way of the major City Roads and FM 455. Bed maintenance for flower/landscape beds in the median. (26x/yr) Alternate Bid 1: \$36,504.00. Mowing of US 75 frontage roads and SH 5 (6x/yr) Alternate Bid 2: \$14,465.63. Mowing of County Road Right-of-way which is within City responsibility (4-6x/yr) Alternate Bid 3: \$16,043.04 Mowing of Public Works Facilities (Water/Sewer Sites, 24x/yr)

Staff is proposing to fund the Base Bid and Bid Alternates 2 and 3. Staff is not proposing to fund Bid Alternate 1, as TxDOT has changed contractors and their maintenance of US 75 appears to be improving. However, if the Council wants to fund the TxDOT mowing portion, an additional \$37,000 of funding is recommended to be added to the proposed budget.

The proposed budget is \$84,000 for the next 12 months, which will begin on August 1, 2023, and run until July 31, 2024.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AWARDING A CONTRACT FOR LANDSCAPE MAINTENANCE SERVICES TO ZODEGA LANDSCAPE SERVICES, LLC, IN THE AMOUNT NOT TO EXCEED EIGHTY-FOUR THOUSAND DOLLARS AND ZERO CENTS (\$84,000.00), IN A FORM APPROVED BY THE CITY ATTORNEY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

8. Closed Session (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). Zoning and related ordinances.

- 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: Council Member Carver moved to enter closed session. Council Member Toten seconded. Motion carried 6-0.

Mayor Pro Tem Miller recessed the meeting at 8:21 PM.

Mayor Pro Tem Miller reconvened the meeting at 9:09 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 taken.

10. Adjourn.

Mayor Pro Tem Miller adjourned the meeting at 9:09 PM.

Approved on the 25th day of July 2023

Mayor Pro Tem Lee Miller

ATTEST:

Carrie L. Land

City Secretary Carrie L. Land

