

**Regular City Council Meeting
Meeting Minutes**



Tuesday, September 26, 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 September 26, 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 6:15 PM.

Members Present:

Mayor Nate Pike

Mayor Pro Tem Lee Miller

Council Member Kevin Toten

Council Member Stan Carver

Council Member Elden Baker

Council Member Pete Cain

Members Absent:

Deputy Mayor Pro Tem Randy Atchley

Chairperson Mackenzie Jenks called the Parks Advisory Board to order.

Members Present:

Chairperson Mackenzie Jenks

Vice Chairperson Justin Inesta

Board Member Susan Jones

Board Member Jeff Reece

Board Member Eirik Hansen

Board Member Chad Fisher

Board Member Andrew Michrina

Members Absent:

None

2. Invocation and Pledge of Allegiance.

Mayor Pike led the Invocation and Pledge of Allegiance.

3. Neighbor Comments.

Jeff Reece announced that the Anna Art Association is now up and running.

4. Reports.

5. Work Session.

- a. Joint Workshop - City Council and Parks Advisory Board to discuss the Community Recreation Center. (City Manager Ryan Henderson)

Earlier this year, the City Council selected the Park Board to function as the task force to conduct an assessment and develop a project scope for the proposed Community Recreation Center. Now that the majority of this work is complete, a discussion was held on developing a project charter, which will be the guiding document as the project moves into design.

- b. **Adjourn** - Parks Advisory Board (Chairperson)

Chairperson Jenks Adjourned the Parks Advisory Board Meeting at 7:16 PM.

Mayor Pike recessed the meeting at 7:16 PM.

Mayor Pike reconvened the meeting at 7:23 PM.

6. Consent Items.

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

- a. Approve City Council Meeting Minutes for September 12, 2023. (City Secretary Carrie Land)
- b. Review Minutes of the August 7, 2023 Planning & Zoning Commission Meeting. (Director of Development Services Ross Altobelli)

- c. Review Minutes of the August 3, 2023, Joint Community Development Corporation and Economic Development Corporation Board Meetings. (Director of Economic Development Joey Grisham)
- d. Review Monthly Financial Report for the Month Ending August 31, 2023. (Budget Manager Terri Doby)
- e. Approve a Resolution regarding the 455/75 Business Addition, Block A, Lot 4R, Replat. (Director of Development Services Ross Altobelli)

The Replat is in conformance 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.

Restaurant w/drive-through on one lot on 1.0± acre located on the west side of U.S. Highway 75, 455± feet south of W. White Street. Zoned: C-2 General Commercial.

The purpose for the Replat is to dedicate easements necessary for the construction of a restaurant w/drive-through development.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING 455/75 BUSINESS ADDITION, BLOCK A, LOT 4R, REPLAT.

- f. Approve a Resolution regarding the Crystal Park Phase 1, Final Plat. (Director of Development Services Ross Altobelli)

The Final 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.

171 Single-family dwelling, detached lots and 10 common area lots on 52.0± acres located on the west side of S. Standridge Boulevard, 2,645± feet south of W. White Street (FM 455). Zoned: Planned Development (Ord. No. 969-2022).

The purpose of the Final Plat is to dedicate rights-of-way, lot and block boundaries, and easements necessary for the construction of the single-family residential development.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING CRYSTAL PARK, PHASE 1, FINAL PLAT

- g. Approve a Resolution regarding the F.D. Hall Addition, Block A, Lot 1, Final Plat. (Director of Development Services Ross Altobelli)

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

The Planning & Zoning Commission recommended approval subject to additions and/or alterations to the engineering plans as required by the Public Works Department and the on-site sewage facility review by Collin County Development Services.

One lot on 2.5± acre located on the east side of Lazy Lane, 680± feet north of Farm-to-Market 2862. Located in the Extraterritorial Jurisdiction (ETJ).

The purpose for the Final Plat is to dedicate lot and block boundaries, and easements necessary for future development.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING F.D. HALL ADDITION, LOT 1, BLOCK A, FINAL PLAT.

- h. Approve a Resolution regarding the Lorenzo Dow Hendricks Elementary Addition, Block A, Lot 1R, Replat. (Director of Development Services Ross Altobelli)

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.

Public school on one lot on 14.4± acres located at the northwest corner of Hackberry Drive and N. Ferguson Parkway. Zoned: Planned Development (Ord. No. 839-2019 & Ord. No. 887-2020).

The purpose for the Replat is to dedicate easements necessary for the elementary school development.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING LORENZO DOW HENDRICKS ELEMENTARY ADDITION, BLOCK A, LOT 1R, REPLAT

- i. Approve a Resolution regarding the Lorenzo Dow Hendricks Elementary Addition, Block A, Lot 1R, Site Plan. (Director of Development Services Ross Altobelli)

The Site Plan 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.

Public school on one lot on 14.4± acres located at the northwest corner of Hackberry Drive and N. Ferguson Parkway. Zoned: Planned Development (Ord. No. 839-2019 & Ord. No. 887-2020).

The purpose for the Site Plan is to show the proposed elementary school development site improvements.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING LORENZO DOW HENDRICKS ELEMENTARY ADDITION, BLOCK A, LOT 1R, SITE PLAN.

- j. Approve a Resolution regarding the Anna ISD Addition, Lot 1R & 3, Replat. (Director of Development Services Ross Altobelli)

The Replat is in conformance 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.

Public school and single-family dwelling, detached on two lots on 8.7± acres located at the northeast corner of E. White Street and S. Sherley Avenue. Zoned Planned Development (Ord. No. 621-2023) and Single-Family Residential (SF-1).

The purpose of the Replat is to adjust the shared boundary line between a previously platted school property and an unplatted residential lot.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING ANNA ISD ADDITION, LOTS 1R & 3, REPLAT

- k. Approve a Resolution awarding a five-year agreement with DEX Imaging of Tampa, FL for copier/print services using DIR Contract DIR-CPO-4428, and authorize the City Manager to execute the agreement. (Assistant City Manager Taylor Lough)

The City's contract for copier/printing services recently expired. Staff evaluated several contracts on the state DIR list and determined that DEX Imaging provided the best value that meets the needs of the City.

Staff recommended approving the Resolution awarding a five-year contract with DEX Imaging and authorizing the City Manager to execute the agreement.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AWARDDING THE CONTRACT FOR COPIER AND PRINTING SERVICES TO DEX IMAGING AND AUTHORIZING THE CITY MANAGER TO ACT ON THE CITY'S BEHALF IN EXECUTING THE AGREEMENT

- I. Approve Resolution for approving an extension of the Agreement with Collin County for Animal Sheltering Services. (Code Compliance Officer Mike Wherland)**

The City of Anna continues to contract with Collin County for facility construction and use of an animal shelter. The contract allows animals captured within the City of Anna to be housed at the Collin County animal shelter.

Staff recommended extending the Animal Shelter interlocal agreement with Collin County for a one (1) year period, from October 1, 2023, continuing through and including September 30, 2024, with the option for either party to terminate the contract with ninety (90) days written notice.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING EXTENSION OF THE AGREEMENTS WITH COLLIN COUNTY FOR ANIMAL SHELTERING SERVICES.

- m. Approve Resolution for approving an extension of the Agreement with Collin County for Animal Control Services. (Code Compliance Officer Mike Wherland)**

The City of Anna continues to contract with Collin County Animal Services to provide animal control services. Services include responding to neighbor complaints regarding animal control issues.

Staff recommended extending the Animal Control Services interlocal agreement with Collin County Animal Control Services for a one (1) year period, from October 1, 2023, continuing through and including September 30, 2024, with the option for either party to terminate the contract with ninety (90) days written notice.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING EXTENSION OF THE AGREEMENTS WITH COLLIN COUNTY FOR ANIMAL CONTROL SERVICES.

- n. Approve a Resolution amending the City of Anna Personnel Policy Manual. (Director of Human Resources Stephanie Beitelschies)**

This addition to the benefits package reflects the City of Anna's commitment to creating a supportive, inclusive, and employee-centric work environment. By prioritizing work-life balance, the organization demonstrates an understanding of the workforce's needs, fostering a culture of well-being

and job satisfaction. This initiative aligns with the goals of promoting a positive work culture, enhancing employee retention, and attracting top talent. The personal day serves as a testament to the city's dedication to its workforce, positioning it as an employer of choice.

Staff seeks to enhance employee work-life balance and foster a positive, supportive work environment by introducing a personal day as part of a comprehensive benefits package. The introduction of a personal day as part of the benefits package is a progressive step towards nurturing an engaged workforce. By valuing the well-being of its employees, the City of Anna solidifies its reputation as an organization that invests in the success and happiness of its team members.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA,
COLLIN COUNTY, TEXAS, APPROVING AMENDMENTS TO THE CITY
OF ANNA PERSONNEL POLICY MANUAL

- o. Approve a Resolution authorizing the City Manager to execute an amended and restated subdivision improvement agreement by and between the City of Anna and Anna Crossing Partners, LP; with an effective date. (Interim Assistant City Manager Greg Peters, P.E.)

The City and Anna Crossing Partners, LP, previously entered into the original Subdivision Improvement Agreement on or about November 8, 2022, which was approved with Resolution 2022-11-1306.

This item is an amendment to an existing subdivision improvement agreement for the Waterview Apartments Subdivision development. The amendment is required in order to include some additional infrastructure work the city has requested the developer to do. The additional work includes:

- 27 additional feet of 12-inch water main
- 193 additional feet of 12-inch sewer main
- 498 linear feet of slip-lining on an existing cast iron sewer main to increase peak flow capacity.
- Installation of new services and water meters for adjacent properties
- Removal and replacement of 1 additional sanitary sewer manhole to increase system capacity.

The additional impact fee reimbursement for this additional work is \$127,042.59, and will be paid for in water and sanitary sewer impact fee reimbursements.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE
CITY MANAGER TO EXECUTE AN AMNDED AND RESTATED
SUBDIVISION IMPROVEMENT AGREEMENT WITH ANNA CROSSING

PARTNERS, LP, AND PROVIDENT REALTY ADVISORS, INC., FOR THE DESIGN AND CONSTRUCTION OF PUBLIC WATER AND SANITARY SEWER IMPROVEMENTS, IN A FORM APPROVED BY THE CITY ATTORNEY; AND PROVIDING FOR AN EFFECTIVE DATE.

- p. Approve a Resolution authorizing the City Manager to renew the lease agreement with CARDS Dallas, Incorporated for a 1-year term, in a form approved by the City Attorney, with an effective date. (Interim Assistant City Manager Greg Peters, P.E.)

The City of Anna is party to an existing lease agreement with CARDS Dallas, Incorporated which must be renewed annually.

This item is to authorize the City Manager to execute an agreement for the renewal of the existing lease by and between the City of Anna, Texas and CARDS Dallas, Incorporated, for the use of office space and outside storage on the City property located at 3223 N. Powell Parkway in the City of Anna, Texas. Per the terms of the agreement, CARDS is providing a \$0.50/month reduction on the residential solid waste rate for all Anna neighbors while the lease is in effect.

Staff recommended approval, as the lease results in a lower cost for Anna neighbors, and is for a 1-year term.

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

- q. Approve a Resolution authorizing the City Manager to execute easement release documents for the release of a variable width drainage easement on a called 6.986 acre tract of land located in the Thomas Rattan Survey, Abstract Number 782, and providing for an effective date. (Interim Assistant City Manager Greg Peters, P.E.)

The drainage easement was granted during the design of Standridge Parkway in 2020.

This item is to allow for the release of a drainage easement which was granted to the City in 2020 based on the preliminary engineering for Standridge Parkway. When the road construction was completed, the drainage improvements were built in a different location, removing the need for this easement. The property owner has requested the release of the easement.

Staff recommended approval as the drainage easement does not serve the intended purpose and is no longer required. No public drainage facilities are located within the easement.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE EASEMENT RELEASE DOCUMENTS FOR THE RELEASE OF A DRAINAGE EASEMENT ON AND ACROSS A CALLED 6.986 ACRE TRACT OF LAND AS SHOWN IN EXHIBIT "A" ATTACHED HERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

- r. Approve a Resolution authorizing the City Manager to execute Right-of-Way Dedication documents for the donation and dedication of 3.345 acres of real property located in the Thomas Rattan Survey, Abstract 782, said property donation being for public use as a right-of-way, and providing for an effective date. (Interim Assistant City Manager Greg Peters, P.E.)

The final design and construction of Standridge Boulevard included several changes which were not accounted for in the easement and right-of-way dedications completed prior to construction. This item will help to properly identify the public right-of-way to be managed and maintained by the City of Anna.

This item is a companion item to the release of drainage easement also included in this agenda.

The property owner is seeking to donate a 3.345 acre portion of property to the City and dedicate it as public right-of-way on and along Standridge Boulevard in the City of Anna. The proposed donation includes portions of existing Standridge Boulevard and public improvements constructed along the road.

Staff recommended approval, as the property owner is seeking to donate the property at no cost, and this action will better clarify the public right-of-way for the Standridge Boulevard corridor.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS FOR THE DONATION AND DEDICATION OF REAL PROPERTY FOR USE AS PUBLIC RIGHT-OF-WAY BY ANNA 7, LLC TO THE CITY OF ANNA, TEXAS, AS SHOWN IN EXHIBIT "A" ATTACHED HERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

- s. Approve a Resolution to authorize the City Manager to approve a BuyBoard contract with USA Shade for the installation of a shade structure over the fitness court at Slayter Creek Park. (Park Planning and Development Manager Dalan Walker)

This project is included in the FY22-23 Parks Capital Improvement Program.

The work included in this turnkey contract with USA Shade is for the manufacture and installation of a shade structure for the fitness court at Slayter Creek Park opened in July of this year. The shade structure comes with a 5-year warranty.

The shade structure was identified as a component in the fitness court project. In order to open the fitness court as soon as possible, the decision was made to move the shade structure construction to the fall of this year. Funding for the project is available in the adopted FY23-24 budget.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR THE MANUFACTURE AND INSTALLATION OF A SHADE STRUCTURE OVER THE FITNESS COURT AT SLAYTER CREEK PARK IN AN AMOUNT NOT TO EXCEED \$74,692.50; AND PROVIDING FOR AN EFFECTIVE DATE.

- t. Approve a Resolution authorizing the City Manager to execute a Professional Services Work Order, amending Master Professional Services Agreement #2021-2026, with Jacobs Engineering Group for design work associated with a pedestrian bridge crossing between Pecan Grove Park and the Park Place subdivision to connect the proposed Pecan Grove Trail to the existing Park Place Trail. (Park Planning and Development Manager Dalan Walker)

This project is included in the FY2023-2027 Capital Improvement Program budget.

This scope is the next step in the design of the Pecan Grove Trail capital improvement plan project. The trail plans are at 50% design. The consultant is ready to begin work on the design of a pedestrian bridge across the existing creek, which will allow for a pedestrian connection between the two trails. The funding for the bridge design is included in the adopted FY23-24 budget.

The work in this contract includes the design of a bridge crossing and associated 10' wide concrete trail between Pecan Grove Park and the Park Place subdivision. It also includes construction observation for the entire project.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES PROJECT ORDER FOR THE DESIGN OF A BRIDGE CONNECTING THE PECAN GROVE SUBDIVISION TO THE PARK PLACE SUBDIVISION

AND CONSTRUCTION OBSERVATION SERVICES IN AN AMOUNT NOT TO EXCEED \$99,500; AND PROVIDING FOR AN EFFECTIVE DATE.

- u. Approve a Resolution to authorize the City Manager to execute a contract with Musco Sports Lights for the installation of lights surrounding the skatepark in Slayter Creek Park. (Park Planning and Development Manager Dalan Walker)

This project is included in the FY2023-2027 Capital Improvement Program budget.

The project includes the manufacture and installation of lights surrounding the skatepark at Slayter Creek Park. The lighting and surrounding landscaping around the skate park is budgeted in the Capital Improvement Plan for Slayter Creek Park improvements, but is a park improvement project separate from the skate park construction. Funding is included in the FY23-24 budget.

The contract is on the BuyBoard purchasing cooperative and thus did not require a separate bid process. Purchasing cooperatives provide the city better cost controls and predictability, allowing us to meet budgets more easily.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A CONSTRUCTION AGREEMENT WITH MUSCO SPORTS LIGHTING, LLC TO INSTALL LIGHTS FOR THE SKATEPARK AT SLAYTER CREEK PARK.

7. Items For Individual Consideration.

- a. Conduct a Public Hearing and Consider/Discuss/Action on an Ordinance approving amendments to Article 9.02 Subdivision Regulations of the City of Anna Code of Ordinances. (Director of Development Services Ross Altobelli)

At the Wednesday, September 6, 2023 Planning and Zoning Commission meeting, the commission recommended approval of the proposed amendments as presented.

In March of 2022, the City Council approved a professional services agreement with Freese and Nichols, Inc. (F&N) to review and update the City of Anna Planning and Development Regulations. City staff has been working with F&N to implement the City's comprehensive planning objectives and needs as identified by staff, Commissioners, Council members, developers, and citizens. At the August 22, 2023, City Council meeting, the Council approved amendments to Article 9.04 Zoning Ordinance.

The Planning and Development Regulations being considered this evening pertain to the subdivision and signage regulations. Below are some key bullet points of the changes being considered.

Article 9.02 Subdivision Regulations

- All residential subdivisions will require a concept plan prior to platting procedures (The concept plan can be run concurrently depending on complexity of project).
- Rewrite of the entire procedures section
 - Approval authority is now the P&Z unless there's a waiver request from the Subdivision Ordinance. If a waiver is requested the City Council has final approval authority with a P&Z recommendation.
 - With the P&Z being the approval authority, the P&Z chairperson will be responsible for signing Final Plats once all public infrastructure has been installed/accepted by Engineering.
 - Construction activity will be based off the Preliminary Plat approval. The Final Plat will be submitted after all public infrastructure has been installed/accepted.
 - Added "Conveyance Plat" as a type of plat procedure. This will allow for subdividing a property where no improvements are being made to allow for the sale of the property or to develop a portion of a property and not leave a remainder unplatted.
- Subdivision Design Standards
 - Requiring a min. cul-de-sac length of 400 feet. Previously there was no min. length, just maximum length (600 feet which is unchanged).
 - Removed curvilinear design requirement for roadways.
 - Added Park Access design requirements.
- Tables and diagrams
 - Modified/Cleaned-up Neighborhood point system and associated graphics.
 - Created new cross section for subdivision divided entries based on Fire Department requirements.

Article 9.05 Signs

- Rewrite/reorganization of the entire signage article.
- Added tables and graphics associated with each sign type. Information will assist both staff and the development community in understanding dimensional requirements and allowances.
- Added special signs (digital billboards & murals).
 - Included 1,500-foot spacing requirements for digital billboards and maintained the same maximum height as a pole sign (35 feet).

REMARKS:

Similar to the zoning ordinance amendments, the Anna 2050 Comprehensive Plan action items will be addressed as part of the subdivision regulation and sign ordinance rewrite.

Future Lane Use

Action 3.5. Code Overhaul. Rewrite the City's development-related ordinances to align them with the vision expressed in this comprehensive plan and to accommodate the Future Land Use Plan.

Economic Development

Action 4.9. Standards and Regulations for Downtown. Adopt standards and regulations to ensure high-quality Downtown development.

Housing

Action 5.3. Development Flexibility. Revise the zoning ordinance and other related regulations to accommodate innovative and flexible land development techniques that permit a variety of lot sizes and housing types and promote context sensitive development.

Parks, Trails and Open Space

Action 8.3. Open Space Standards. Incorporate standards, where appropriate, to evaluate new private development proposals on their efforts to provide outdoor open space with amenities and community gathering places.

The Subdivision Ordinance and Sign regulations rewrite specifically addressed one of the highest priority Anna 2050 action items "Code Overhaul". The proposed amendments will improve staff efficiency, clarify the City's development regulations, and simplify the development approval process.

Freese & Nicoles will be making a presentation highlighting the significant amendments being proposed to both articles.

Mayor Pike opened the public hearing at 7:25 PM.

Mayor Pike closed the public hearing at 7:36 PM.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANNA,
TEXAS AMENDING CHAPTER 9 OF THE ANNA CITY CODE OF
ORDINANCES BY REPEALING AND REPLACING ARTICLE 9.02
SUBDIVISION REGULATIONS

- b. Consider/Discuss/Action on an Ordinance approving amendments to Article 9.05 Signs of the City of Anna Code of Ordinances. (Director of Development Services Ross Altobelli)

At the Wednesday, September 6, 2023 Planning and Zoning Commission meeting, the commission recommended approval of the proposed amendments as presented.

In March of 2022, the City Council approved a professional services agreement with Freese and Nichols, Inc. (F&N) to review and update the City of Anna Planning and Development Regulations. City staff has been working with F&N to implement the City's comprehensive planning objectives and needs as identified by staff, Commissioners, Council members, developers, and citizens.

Article 9.05 Signs

- Rewrite/reorganization of the entire signage article.
- Added tables and graphics associated with each sign type.
 - Information will assist both staff and the development community in understanding dimensional requirements and allowances.
- Added special signs (digital billboards & murals).
 - Included 1,500-foot spacing requirements for digital billboards and maintained the same maximum height as a pole sign (35 feet).

Freese & Nicoles will be making a presentation highlighting the significant amendments being proposed to both articles.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANNA,
TEXAS AMENDING CHAPTER 9 OF THE ANNA CITY CODE OF
ORDINANCES BY REPEALING AND REPLACING ARTICLE 9.05 SIGNS

- c. Conduct a Public Hearing and Consider/Discuss/Action on approving a Resolution regarding the creation of the Meadow Vista Public Improvement District and ordering public improvements to be made for the benefit of such district. (Director of Economic Development Joey Grisham)

The City Council approved a Development Agreement with Bloomfield Homes on June 27, 2023, which stated that the city would use reasonable efforts to create a Public Improvement District (PID). Meadow Vista is a 763

SF lot development on 223 acres located along the future Hackberry Drive extension. On August 22nd, the City Council accepted the PID petition and set a public hearing for September 26.

The final step in the creation process is a public hearing and approval of the PID creation resolution. The estimated total costs of the Authorized Improvements is \$60,000,000, which costs shall be paid by assessment of the property owners within the proposed District.

Mayor Pike opened the public hearing at 7:37 PM.

Mayor Pike closed the public hearing at 7:39 PM.

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

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING AND CREATING THE MEADOW VISTA PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE; RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.

- d. Conduct a Public Hearing and Consider/Discuss/Action on an Ordinance approving an amendment to the Anna 2050 Comprehensive Plan for updates to the Master Thoroughfare Plan for the City of Anna, Texas. (Interim Assistant City Manager Greg Peters, P.E.)

The City of Anna regularly updates the Master Thoroughfare Plan to address the changing needs of the community due to growth.

The Anna 2050 Comprehensive Plan includes the Master Thoroughfare Plan for the city, which defines the location and hierarchy of major roadway corridors throughout the city and extraterritorial jurisdiction. Staff reviews the Master Thoroughfare Plan on an annual basis to determine if and when changes are made. Due to the high growth Anna is experiencing, the plan needs to be regularly reviewed and updated to ensure that it remains current and consistent with the needs of the community.

Staff proposed several changes to the plan, including the following:

- Remove the commercial collector road shown on the industrial tract located at the northeast corner of the Collin County Outer Loop and State Highway 5.

- Modify the alignment of Mantua Parkway/County Road 371 to remove the large s-curve, and adjust intersecting arterials/collectors to ensure adequate capacity.
- Adjust alignment and connections to FM 455 east of Wildwood to create perpendicular intersections.
- Adjust the connection between FM 455 and SH121 to match TxDOT construction.

The draft plan was presented to the Planning and Zoning Commission, where a recommendation for approval passed on a vote of 7-0. As development continues throughout the region, staff will continue to bring proposed updates to the plan to the Planning & Zoning commission and the City Council for consideration.

This item requires a public hearing. Staff recommended approval of the plan.

Mayor Pike opened the public hearing at 7:40 PM.

Mayor Pike closed the public hearing at 7:45 PM.

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

AN ORDINANCE AMENDING ORDINANCE 979-2022 AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF ANNA, TEXAS; ADOPTING REVISIONS TO THE CITY OF ANNA THOROUGHFARE PLAN; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION THEREOF.

- e. Conduct a Public Hearing/Consider/Discuss/Action approving an Ordinance adopting water and sanitary sewer utility rates for FY2024. (Interim Assistant City Manager Greg Peters, P.E.)

During the FY2021 budget process, the City of Anna completed a utility rate study with the assistance of a consultant. This process included a review of all utility costs incurred by the City, all personnel, maintenance, and operations costs, along with the anticipated rising costs of purchasing wholesale water from the Greater Texoma Utility Authority (GTUA) and the North Texas Municipal Water District (NTMWD). In addition, the sewer treatment costs were also evaluated. The FY2024 budget has a rate increase commensurate with these philosophies and strategies of keeping

the utility solvent and sustainable as we continue to expand with residential and commercial growth.

This item is for consideration of an ordinance to adopt a new rate schedule for water and wastewater rates in the City of Anna for FY2024.

The City of Anna charges for water consumption, wastewater consumption, and other fees related to providing consumers with utility services. As an enterprise fund, the revenues charged should, at a minimum, cover the fund's operating expenses and debt service, as well as any other policy goals defined by the City Council, including funding for capital projects, capital equipment replacement, and conservation efforts.

Staff has reviewed the financial condition of the Utility Fund with the assistance of our rate consultant and is proposing rate increases. The revised recommendation includes a rate increase on the base charge and volumetric charges for water and wastewater. These increases are required to ensure that the Utility Fund maintains viability. The increases ensure that the City is able to cover the rising costs of purchased water and sewer treatment from North Texas Municipal Water District and the associated costs of delivery of purchased water and transmission of sewer to treatment facilities.

The proposed rate increases represent the minimum recommended increases needed to balance the revenues and expenses of the Utility Fund while meeting the needs of the growing population we serve. The City is not adding additional staffing or making any major equipment purchases this year. The proposed increases are solely proposed to cover cost increases the City is facing and the funding of capital improvements.

Mayor Pike opened the public hearing at 7:45 PM.

Mayor Pike closed the public hearing at 7:49 PM.

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

AN ORDINANCE OF THE CITY OF ANNA, TEXAS, ADOPTING A RATE PLAN FOR WATER AND SANITARY SEWER SERVICE RATES AS SHOWN IN EXHIBIT A ATTACHED HERETO AND AMENDING THE ANNA CITY CODE OF ORDINANCES APPENDIX A, ARTICLE A6.000 UTILITY FEES, SECTION A6.009 WATER AND SANITARY SEWER SERVICE RATES; PROVIDING FOR A PENALTY FOR ANY VIOLATION OF THIS ORDINANCE NOT TO EXCEED \$2,000; PROVIDING FOR

SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION THEREOF.

- f. Conduct a Public Hearing/Consider/Discuss/Action on a Resolution approving annual rate adjustments for solid waste and recycling services for FY2024. (Interim Assistant City Manager Greg Peters, P.E.)

The City of Anna entered into a contract for exclusive solid waste services with CARDS Dallas, Incorporated in 2020. CARDS has demonstrated high quality service for Anna neighbors, including a cart pickup success rate of well over 99%. In addition, CARDS staff have been active in our community assisting the City and neighbors during the winter storm in February 2021 and actively participating in City functions.

This item is to set the rates the City of Anna pays CARDS for solid waste and recycling services. The City of Anna is entering the fourth year of our 7-year contract with CARDS Dallas, Inc. for solid waste and recycling services in the City. In accordance with the contract, the rates paid to CARDS by the City are subject to annual adjustments up to the Consumer Price Index annual change. CARDS is requesting a 7% rate increase, which is in line with the contract language. The increase also includes a hazardous waste fee to cover the cost of the hazardous waste events which are held twice per year. The City HOA's will be given a rate matching residential prices excluding the hazardous waste fee, since HOAs are not allowed to dump at hazardous waste events.

Staff found the proposed rates to be a good compromise between the City and CARDS, and demonstrate a strong partnership between the two to ensure a high quality service for the community.

Mayor Pike opened the public hearing at 7:49 PM.

Mayor Pike closed the public hearing at 7:51 PM.

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

AN ORDINANCE OF THE CITY OF ANNA, TEXAS, AMENDING THE ANNA CITY CODE OF ORDINANCES APPENDIX A, ARTICLE AG.001 GARBAGE COLLECTION CHARGES; PROVIDING FOR A PENALTY FOR ANY VIOLATION OF THIS ORDINANCE NOT TO EXCEED \$2,000; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING

CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION THEREOF.

- g. Conduct a public hearing and Consider/Discuss/Action on an Ordinance approving amendments to the Water and Wastewater Master Plans. (Interim Assistant City Manager Greg Peters, P.E.)

The Water and Wastewater Master Plans are updated on an annual basis based on review of staff regarding community needs.

The City of Anna utilizes Water and Wastewater Master Plans to identify and define Capital Improvement Plan projects for major water and sewer infrastructure throughout the City. The plans are a component of the City's 10-year Capital Improvement Plan, which is used to calculate impact fees for growth.

The Water and Wastewater Master Plans are living documents which require regular updates due to changing development patterns and the high rate of growth Anna is experiencing. Staff reviews the plans on an annual basis, or when a major development is approved which has an impact on the respective plans.

The master plans have been reviewed and modified to reflect the changing infrastructure needs of the community. Staff working with a consulting engineering firm, Kimley Horn & Associates, to model the system based on new and upcoming developments, and make subsequent changes to the plans.

No major changes are being proposed to either plan. However, in the Wastewater Master Plan, a new connection to Melissa's downstream system is proposed in order to provide additional sewer capacity east of State Highway 5. In addition, the plan shows the Sweetwater Lift Station to be abandoned, and replaced with the Coyote Meadows regional Lift Station.

Staff recommended approval of this item.

Mayor Pike opened the public hearing at 7:52 PM.

Mayor Pike closed the public hearing at 7:56 PM.

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

AN ORDINANCE AMENDING ORDINANCE 999-2022 ADOPTING REVISIONS TO THE CITY OF ANNA WATER AND WASTEWATER

MASTER PLANS; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION THEREOF.

- h. Acting as the Anna Public Facility Corporation Board of Directors, Consider/Discuss/Act on approving Resolutions authorizing the formation of limited liability agreements and partnerships and a Memorandum of Understanding with NRP Lone Star Development LLC for a multifamily development. (Director of Economic Development Joey Grisham)

Staff was approached by NRP earlier this year about developing the Meryl Street project at the SEC of US Highway 75 and FM 455. NRP is one of the top multifamily developers in the U.S. and has developed numerous projects across the country. 10% of the units are restricted for individuals and families earning less than 60% of the area median income and 40% of the units are restricted for individuals and families earning less than 80% of the area median income. The remaining 50% of the units will be at market rate.

Meryl Street is a proposed 337-unit multifamily development at the SEC of US Highway 75 and FM 455. This development will boost density in the area and help attract additional retail and restaurants along US Highway 75. The site is currently zoned for multifamily.

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

RESOLUTION AUTHORIZING THE FORMATION OF APFC ANNA APARTMENTS SLP, LLC (THE "SPECIAL MEMBER") AS SPECIAL MEMBER OF THE LIMITED PARTNERSHIP THAT WILL SERVE AS BORROWER (THE "BORROWER") IN CONNECTION WITH THE FINANCING, ACQUISITION, CONSTRUCTION AND EQUIPPING OF A PUBLIC FACILITY; AUTHORIZING THE DESIGNATION OF THE ANNA PUBLIC FACILITY CORPORATION (THE "CORPORATION") AS THE SOLE MEMBER OF THE SPECIAL MEMBER; APPROVING THE FORM AND SUBSTANCE OF A LIMITED LIABILITY COMPANY AGREEMENT AND THE EXECUTION THEREOF; RATIFYING CERTAIN ACTIONS HERETOFORE TAKEN IN CONNECTION WITH THE SPECIAL MEMBER; AUTHORIZING THE EXECUTION OF DOCUMENTS AND INSTRUMENTS NECESSARY OR CONVENIENT TO CARRY OUT THE PURPOSES OF THIS RESOLUTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO

RESOLUTION AUTHORIZING THE FORMATION OF APFC ANNA APARTMENTS CONTRACTOR, LLC (THE "GENERAL CONTRACTOR") IN CONNECTION WITH THE FINANCING, ACQUISITION,

CONSTRUCTION AND EQUIPPING OF A PUBLIC FACILITY; AUTHORIZING THE DESIGNATION OF THE ANNA PUBLIC FACILITY CORPORATION (THE "CORPORATION") AS THE SOLE MEMBER OF THE GENERAL CONTRACTOR; APPROVING THE FORM AND SUBSTANCE OF A LIMITED LIABILITY COMPANY AGREEMENT AND THE EXECUTION THEREOF; RATIFYING CERTAIN ACTIONS HERETOFORE TAKEN IN CONNECTION WITH THE GENERAL CONTRACTOR; AUTHORIZING THE EXECUTION OF DOCUMENTS AND INSTRUMENTS NECESSARY OR CONVENIENT TO CARRY OUT THE PURPOSES OF THIS RESOLUTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO

RESOLUTION AUTHORIZING THE FORMATION OF APFC ANNA APARTMENTS DEVELOPMENT, LLC (THE "CO-DEVELOPER") IN CONNECTION WITH THE FINANCING, ACQUISITION, CONSTRUCTION AND EQUIPPING OF A PUBLIC FACILITY; AUTHORIZING THE DESIGNATION OF THE ANNA PUBLIC FACILITY CORPORATION AS THE SOLE MEMBER OF THE CO-DEVELOPER; APPROVING THE FORM AND SUBSTANCE OF A LIMITED LIABILITY COMPANY AGREEMENT AND THE EXECUTION THEREOF; RATIFYING CERTAIN ACTIONS HERETOFORE TAKEN IN CONNECTION WITH THE CO-DEVELOPER; AUTHORIZING THE EXECUTION OF DOCUMENTS AND INSTRUMENTS NECESSARY OR CONVENIENT TO CARRY OUT THE PURPOSES OF THIS RESOLUTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO

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). City ordinances and regulations.
- 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).
Annual review of legal services. City Manager.

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

Mayor Pike recessed the meeting at 8:04 PM.

Mayor Pike reconvened the meeting at 8:37 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 Pike adjourned the meeting at 8:37 PM.

Approved on the 10th day of October 2023

ATTEST:

City Secretary Carrie L Land

