

**Regular City Council Meeting
Meeting Minutes**



Tuesday, April 23, 2024 @ 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 4/23/2024 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 6:04 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 Elden Baker

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.

Terrell Culbertson, Stephen Smith, Shawn Smith, Gero Temesvary, Latricia Smith, LeDawn Webb, and Betty Sharp all spoke in opposition to item 7.f.

Kirstin Temesvary, Tom Longmire, Paul Anderson, Joseph Thekkanattu, Kylee Kelley, Steve Naber, Erinne Naber, Mike Archer, Shirley Palacios,

Ted Hoyt, Kim Hoyt, Lee Hendrix, Jennifer Richardson, Stuart Brown, and Tara Reyes all submitted a form in opposition to item 7.f. (Attached)

4. Reports.

- a. Baylor Scott & White McKinney Presenting Life Saving Award (Fire Chief Ray Isom)

Baylor Scott and White recognized members of Anna Fire Rescue in their part of a CPR Save.

5. Work Session.

- a. Zoning Discussion - Sherley Farms - Tellus Group (Planning Manager Lauren Mecke)
- b. Zoning Discussion - Powell Corners - Continental Properties (Planning Manager Lauren Mecke)

6. Consent Items.

MOTION: Council Member Toten moved to approve item 6 a.-d. Council Member Cain seconded. Motion carried 7-0.

- a. Approve City Council Meeting Minutes for April 9, 2024. (City Secretary Carrie Land)
- b. Review Minutes of the March 7, 2024, Joint Community Development Corporation and Economic Development Corporation Board Meetings. (Interim Director of Economic Development Bernie Parker)
- c. Review Monthly Financial Report for the Month Ending March 31, 2024. (Budget Manager Terri Doby)
- d. Approve a Resolution for the Purchase of Radio and Communication Equipment related to Fire Station #2 Operations (Fire Chief Ray Isom)

Radio communication equipment is outside the construction scope of Fire Station #2 and is separate from the building. It is considered part of the furnishings and equipment package for the facility.

This resolution authorized the City Manager to purchase handheld portable radios and associated equipment as required furniture, fixtures and equipment for Fire Station #2. The radio and communication equipment is specialized for daily operations and is outside the scope for completion of Fire Station #2 and was therefore not included in the station project. This radio equipment is a stand-alone resource that requires specific approval and fund allocation. The equipment allows personnel assigned to Station #2 to respond and communicate properly upon dispatch to all emergency calls for service.

Funding for the Fire Station #2 project was appropriated in the FY2022-2024 Community Investment Program budget in the amount of \$11.0 million from the Capital Projects Bond Funds and Public Improvement District Fund. This item is part of the furniture, fixtures and equipment needed for this project and will be paid for by the Infrastructure Investment Fund from excess General Fund reserves. The estimated cost of this item is \$137,000.

A RESOLUTION OF THE CITY OF ANNA, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE PURCHASE OF RADIO AND COMMUNICATION EQUIPMENT RELATED TO FIRE STATION #2 OPERATIONS, AS SHOWN IN EXHIBIT "A" ATTACHED HERETO, IN THE AMOUNT NOT TO EXCEED ONE HUNDRED THIRTY-SEVEN THOUSAND DOLLARS (\$137,000); AND PROVIDING FOR AN EFFECTIVE DATE.

7. Items for Individual Consideration.

- a. Consider/Discuss/Action on a Resolution approving an Agreement Regarding Services for 10.131± acres located on the north side of Collin County Outer Loop, 680± feet east of W. Foster Crossing Road. (Planning Manager Lauren Mecke)

The Agreement for Services is required by state law prior to approval of annexation.

Foster Crossing LTD has submitted a petition to annex 10.131± acres of land.

This item has no direct financial impact. However, annexation of the property will make it subject to City of Anna property taxes. Properties located in the Extraterritorial Jurisdiction (ETJ) are not taxed by the City.

MOTION: Mayor Pike moved to approve. Council Member Cain seconded. Motion carried 4-3. Council Member Carver, Mayor Pro Tem Miller, and Deputy Mayor Pro Tem Atchley opposed.

A RESOLUTION ADOPTING A CONDITIONAL AGREEMENT REGARDING SERVICES RELATED TO ANNEXATION OF A 10.131± ACRE TRACT OF LAND

- b. Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance to annex 10.131± acres located on the north of Collin County Outer Loop, 680± feet east of W. Foster Crossing Road. (Planning Manager Lauren Mecke)

Foster Crossing LTD. submitted a petition to annex 10.131± acres of land

This item has no direct financial impact. However, annexation of the property will make it subject to City of Anna property taxes. Properties located in the Extraterritorial Jurisdiction (ETJ) are not taxed by the City.

The annexation is recommended for approval. The Planning & Zoning Commission made a recommendation for approval on the accompanying zoning request.

Mayor Pike opened the public hearing at 7:19 PM.

No comments given.

Mayor Pike closed the public hearing at 7:19 PM.

MOTION: Council Member Carver moved to approve. Council Member Cain seconded. Motion carried 5-2. Mayor Pro Tem Miller, and Deputy Mayor Pro Tem Atchley opposed.

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF ANNA, COLLIN COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID MUNICIPALITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID MUNICIPAL CORPORATE LIMITS AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY AS SET FORTH HEREIN; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

- c. Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance to zone 10.1± acres located on the north of Collin County Outer Loop, 680± feet east of W. Foster Crossing Road to Multi-Family (MF) District. (Planning Manager Lauren Mecke)

The applicant requested to zone the property to Multi-Family Residential (MF) district for future development.

The Multi-Family Residential (MF) district provides for high-density residential development, targeting well-designed multi-family uses serving as a transition between medium-density residential development and commercial nodes. This district encourages multi-family uses with site development characteristics that accommodate open space and access to light and air.

Surrounding Land Uses and Zoning

North Vacant land zoned Planned Development (Ord. No. 2002-27A; south of Pecan Grove)

East Agriculture (Pecan Farm) located in the ETJ

South Across Collin County Outer Loop, vacant land in Melissa's ETJ

West Vacant land owned by Collin County & located in the ETJ

Conformance with the Anna 2050 Comprehensive Plan

The Anna 2050 Future Land Use Plan identifies this area as Parks and Open Space place type.

The Preferred Scenario Diagram identifies this property as Mixed Use. Below is the page from the Comprehensive Plan for the Mixed Use place type.

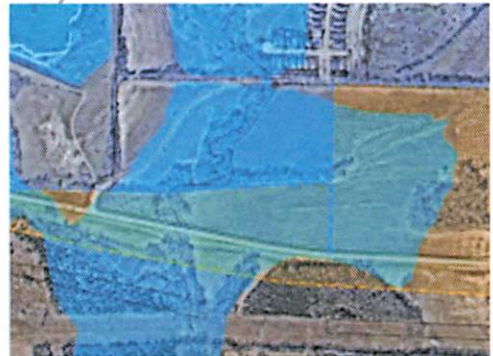


The proposed zoning district does conform to the Mixed Use place type.

ISSUES:

Floodplain

The primary issue for this site is due to the entire tract being within the flood zone. The flood zone as currently shown has been in effect since June 2009. It is possible that several acres can be reclaimed and developed in the future but will need further analysis.



The request for multi-family zoning is not in conformance with the Future Land Use Plan but is in conformance with the Preferred Scenario Diagram within the Anna 2050 Comprehensive Plan.

The Planning & Zoning Commission unanimously recommended approval.

Mayor Pike opened the public hearing at 7:23 PM.

No comments given.

MOTION: Council Member Carver moved to table continuing the public hearing until May 28th, 2024 at 6:00 PM at the Anna Municipal Complex, Council Chambers, 120 W 7th St, Anna, Tx 75409. Council Member Baker seconded. Motion carried 6-1. Mayor Pro Tem Miller opposed.

- d. Consider/Discuss/Action on a Resolution approving a Pre-Annexation Development Agreement of 470 single family, attached & detached lots with multiple common area lots located on 60± acres generally located on both sides of Ferguson Parkway on the north side of County Road 731 and on the south side of future Mantua Parkway. (Planning Manager Lauren Mecke)

The applicant made an informal presentation to the Planning & Zoning Commission at the March 4, 2024 meeting. The Planning & Zoning Commission provided comments regarding the development. The Commission was opposed to reducing the building repetition requirements and commented that it is a very dense development and suggested a reduction in density.

The city received a request for a Pre-Annexation Agreement of 470 single family dwellings, attached & detached with multiple common area lots located on 60± acres generally located on both sides of Ferguson Parkway on the north side of County Road 731 and on the south side of future Mantua Parkway.

The request for MD zoning is in conformance with the Cluster Residential place type within the Anna 2050 Future Land Use Plan. The Townhome Units land use, as defined in the Zoning Ordinance, are not in conformance with the Cluster Residential place type.

The applicant requested to enter into a Pre-annexation agreement with the city in order to adopt development regulations and development standards for 60± acres generally located on both sides of Ferguson Parkway on the north side of County Road 731 and on the south side of future Mantua Parkway.

The request is most similar to the Mixed-Density Residential (MD) District. The MD District provides medium-density residential development with diversified housing choices. This district encourages a mix of single-family and two-family residential uses and incentivizes community amenities to form compact, accessible, and walkable neighborhoods.

The 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 Planned Development (PD) district may be used to permit new and innovative concepts in land utilization. While great flexibility is given to provide special restrictions that will allow development not otherwise permitted, procedures are established to prevent misuse of the increased flexibility.

Surrounding Land Uses and Zoning

North Vacant land located in the ETJ

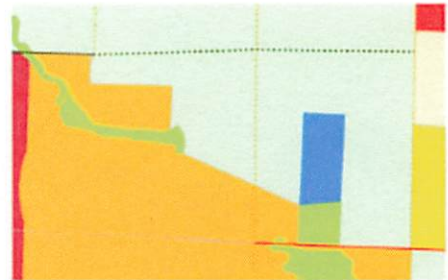
East Bryant Elementary School and vacant land located in the ETJ

South Across CR 371, vacant land zoned PD (Anacapri, Phase 3; Ord. No. 887-2020)

West Across CR 371, vacant land zoned AG

Conformance with the Anna 2050 Comprehensive Plan

The Anna 2050 Future Land Use Plan identifies this area as Ranching & Agricultural, Cluster Residential, and Parks & Open Space place types. The Ranching & Agricultural place type states that Cluster Residential may be appropriate when preservation of open space is included. The proposed land uses of Single-family dwellings, attached and detached are in conformance with the Cluster Residential place type. Townhome units are not in conformance with the Cluster Residential place type.



ISSUES:

Interpretation of Sec. 9.04.042 and Sec. 9.04.029.

Staff recommended that language be added to clarify that Single-Family Dwellings, Attached are required to follow the Site Design Requirements for Townhome Units as amended and require a specified acreage of open space rather than requiring open space only for Townhome Units. This recommendation stems from the Zoning Ordinance's definitions that define Single-Family Dwellings, Attached and Townhome Units as two distinct uses.

Single-Family Dwelling, Attached

A dwelling that is part of a structure containing three or more dwellings, each designed and constructed for occupancy by one family, with each dwelling

unit attached by a common wall to another, in which each dwelling is located on a separate platted lot.

Townhome Unit

A dwelling that is part of a structure containing three or more dwellings, each designed and constructed for occupancy by one family, with each dwelling unit attached by a common wall to another, in which each dwelling is located on a parcel of land or lot under one ownership.

SF-A Cottages Fire Lane

The applicant proposed SF-A Cottages in which the driveways are accessed by a "Fire Lane" rather than a public street. Article 9.02 (Subdivision Regulations) requires every lot to front a public street. If the SF-A cottages are Townhome Units on one lot, then it would meet the frontage requirement. Townhome Units are permitted by right in the Multi-Family (MF) District and by Specific Use Permit in the Mixed Use District but are not permitted in the MD District.

Lot Area

The applicant proposed lot areas less than would be permitted in the MD District.

Proposed Lot Area (square feet):

SFD-Bungalow	SFA-Cottage	TH A	TH B
4,000	2,100	2,000	2,200

MD District Requirements (square feet):

Single-family detached	Single-family attached/Two-family
4,500	2,400/dwelling unit

PROPOSED ENHANCEMENTS:

Minimum building size

The applicant proposed minimum building sizes that exceed previous zoning regulations.

Hike & Bike Trail to Elementary School

The applicant proposed an enhanced hike & bike trail to connect the development to Bryant Elementary School.

Dedicated off-street parking

The applicant proposed 40 off-street parking spaces in proximity to the SFA Cottages.

MOTION: Council Member Carver moved to approve subject to legal form. Council Member Toten seconded. Motion carried 7-0.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING THE WOODLAND ESTATES DEVELOPMENT AGREEMENT WITH RELATING TO DEVELOPMENT OF PROPERTY FOR A SINGLE-FAMILY PLANNED DEVELOPMENT

- e. Consider/Discuss/Action on a Resolution approving a Pre-Annexation Development Agreement of 432 single family dwellings, attached, park, and civic center on 204± acres located at the intersection of County Road 285 and County Road 827. (Planning Manager Lauren Mecke)

The applicant made an informal presentation to the Planning & Zoning Commission on April 1, 2024. The Planning & Zoning Commission provided comments regarding the development. The Commission was opposed to reducing the building repetition requirements.

Pre-Annexation Agreement of 432 single-family dwellings detached, 275 single-single family dwellings, attached, park land, and civic center lots on 204± acres located at the intersection of County Road 285 and County Road 827. Located within the Extraterritorial Jurisdiction (ETJ).

The request for MD zoning is in conformance with the Cluster Residential place type within the Anna 2050 Future Land Use Plan if an equivalent amount of land is preserved for open space. The Townhome Units land use, as defined in the Zoning Ordinance, are not in conformance with the Cluster Residential place type.

The applicant requested to enter into a Pre-annexation agreement with the city in order to adopt development regulations and development standards for 204± acres located at the intersection of County Road 285 and County Road 827.

The request is utilizing the Mixed-Density Residential (MD) District. The MD District provides medium-density residential development with diversified housing choices. This district encourages a mix of single-family and two-family residential uses and incentivizes community amenities to form compact, accessible, and walkable neighborhoods.

The 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 Planned Development (PD) district may be used to permit new and innovative concepts in land utilization. While great flexibility is given to provide special restrictions that will allow development not otherwise permitted, procedures are established to prevent misuse of the increased flexibility.

Surrounding Land Uses and Zoning

North Single-family dwellings and vacant land located in the ETJ

East Vacant land located in the ETJ

South Across East Fork Trinity River and Hurricane Creek, single-family dwellings and vacant land located in the ETJ

West Vacant land located in the ETJ

Conformance with the Anna 2050 Comprehensive Plan

The Anna 2050 Future Land Use Plan identifies this area as Ranching & Agricultural and Parks & Open Space place types. The Ranching & Agricultural place type states that Cluster Residential may be appropriate when preservation of open space is included.



The proposed land uses of Single-family dwellings, attached and detached are in conformance with the Cluster Residential place type. Townhome units are not in conformance with the Cluster Residential place type.

ISSUES:

Interpretation of Sec. 9.04.042 and Sec. 9.04.029.

Staff recommended that language be added to clarify that Single-Family Dwellings, Attached are required to follow the Site Design Requirements for Townhome Units as amended and require a specified acreage of open space rather than requiring open space only for Townhome Units. This recommendation stems from the Zoning Ordinance's definitions that define Single-Family Dwellings, Attached and Townhome Units as two distinct uses.

Single-Family Dwelling, Attached

A dwelling that is part of a structure containing three or more dwellings, each designed and constructed for occupancy by one family, with each dwelling unit attached by a common wall to another, in which each dwelling is located on a separate platted lot.

Townhome Unit

A dwelling that is part of a structure containing three or more dwellings, each designed and constructed for occupancy by one family, with each dwelling unit attached by a common wall to another, in which each dwelling is located on a parcel of land or lot under one ownership.

SF-A Cottages Fire Lane

The applicant proposed SF-A Cottages in which the driveways are accessed by a "Fire Lane" rather than a public street. Article 9.02 (Subdivision Regulations) requires every lot to front a public street. If the SF-A cottages are Townhome Units on one lot, then it would meet the frontage requirement. Townhome Units are permitted by right in the Multi-Family (MF) District and by Specific Use Permit in the Mixed Use District but are not permitted in the MD District. Lot Area The applicant is proposing lot areas less than would be permitted in the MD District.

Proposed Lot Area (square feet):

SFD-Bungalow	SFA-Cottage	TH
4,000	2,100	2,000

MD District Requirements (square feet):

Single-family detached	Single-family attached/Two-family
4,500	2,400/dwelling unit

Adequacy of streets and access

In accordance with the Subdivision Regulations, the proposed plan would require 14 entrances. The layout currently has four.

Sec. 9.02.081. Streets

(c) Adequacy Of Streets and Thoroughfares

(4) Approach Streets and Access

.... All residential subdivisions, with the exception of multifamily dwellings and single-unit or duplex unit park developments, shall provide no less than one entrance for each 50 lots including stubs

for future development and in no case shall have more than 150 lots for each connection to an existing street.

PROPOSED ENHANCEMENTS:

Minimum building size & lot width

The applicant proposed minimum building sizes that exceed previous zoning regulations and increased lot widths from the current MD District.

Park land dedication and Civic Center (fire station)

The applicant proposed to preserve land for park land dedication with park improvements and a civic center.

Dedicated off-street parking

The applicant proposed off-street parking spaces in proximity to the SFA-Cottages.

MOTION: Council Member Toten moved to approve subject to legal form. Council Member Baker seconded. Motion carried 7-0.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING THE WOODLAND ESTATES DEVELOPMENT AGREEMENT WITH ANNA 204 PARTNERS LP RELATING TO DEVELOPMENT OF PROPERTY FOR A SINGLE-FAMILY PLANNED DEVELOPMENT

- f. Consider/Discuss/Action on a Resolution approving a Pre-Annexation Development Agreement of a proposed commercial and multi-family dwelling planned development on 40± acres located at the northeast corner of future Rosamond Parkway and County Road 288. (Planning Manager Lauren Mecke)

The applicant withdrew a proposed annexation and zoning amendment request which was recommended for denial by the Planning & Zoning Commission on April 1, 2024 due to the proposed zoning not being in conformance with the Future Land Use Plan of the Anna 2050 Comprehensive Plan.

The proposed Pre-Annexation Development Agreement is another method for properties in the Extraterritorial Jurisdiction to be developed and annexed into the City. The agreement implements development standards instead of zoning/land use requirements. This alternative method allows for the property owner to establish land use entitlements and restrictions with an agreement to annex in the future.

The applicant requested to enter into a Pre-annexation Development Agreement with the city in order to adopt development regulations and

development standards for 40± acres located at the northeast corner of future Rosamond Parkway and County Road 288.

The property shall be developed as generally depicted on the Concept Plan, and includes a commercial and multi-family development referred to as Logan Crossing.

City staff worked with the development team on the proposed land use entitlements and Concept Plan which are listed within the Development Regulations.

MOTION: Council Member Toten moved to deny. Council Member Baker seconded. Motion carried 7-0.

- g. Consider/Discuss/Action on a Resolution authorizing the City Manager to execute a contract with ANA Site Construction, LLC for the construction of two additional traffic lanes on East Finley Boulevard between State Highway 5 and Sharp Street. (CIP Manager Justin Clay)

The City Council approved a budget amendment allocating funds for the design of roadway improvements to Finley Boulevard on April 25, 2023 in order to address traffic congestion and traffic safety concerns. Construction funding was allocated from Roadway Impact Fees for the project in the FY2024 Capital Improvement Plan budget, which was adopted on September 12, 2023.

This item awarded the construction contract for construction of 2 new lanes on Finley Boulevard between State Highway 5 and Sharp Street. The project scope includes: roadway paving, drainage, sidewalks, pedestrian ramps, signage, and pavement markings. Finley Blvd is on the City of Anna Master Thoroughfare Plan as a 4-lane road.

The City publicly bid the project and received 5 bids. The best value bid was determined to be from ANA Site Construction, LLC based on a scoring matrix of bid price, experience, references, and safety records. Staff recommended approval of the resolution.

Funding for the Finley Boulevard project was appropriated in the FY2024 Community Investment Program budget in the amount of \$990,000 with \$900,000 allocated for construction from the Roadway Impact Fees Fund. The estimated cost of this construction contract is \$798,911, plus a 10 percent contingency, for a total cost of \$872,802.

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

A RESOLUTION OF THE CITY OF ANNA, TEXAS, AWARDED THE FINLEY BOULEVARD LANES 3 & 4 PROJECT TO ANA SITE

CONSTRUCTION, LLC, IN THE AMOUNT NOT TO EXCEED EIGHT-HUNDRED AND SEVENTY-EIGHT THOUSAND EIGHT HUNDRED TWO DOLLARS AND TEN CENTS. (\$878,802.10), INCLUDING A 10% CONTINGENCY, WITH AN EFFECTIVE DATE

Council Member Baker stepped out.

- h. Consider/Discuss/Action on a Resolution authorizing the City Manager to execute a purchase order in the amount not to exceed \$482,000 for the purchase of a Hydro Excavation Truck for the City of Anna Public Works Department. (Director of Public Works Steven Smith)

The Public Works Department currently operates one hydro excavation truck. The current hydro excavation truck handles utility excavations, sanitary sewer cleaning, storm sewer cleaning, lift station cleaning, and other emergency repairs. All hydro excavation trucks are maintenance intensive, and our truck is entering its fourth year of service. In addition, the continued fast-paced growth of the City has placed additional demands for hydro-excavating underground utilities for new connections, performing sewer system cleanings and debris removal, and coordinating pump and haul services for certain development projects. An additional truck is needed to meet the demand for these specialized services and to ensure continuous operation and availability to meet the health, safety, and welfare needs of our public utility system.

Funding for an additional Hydro Excavation Truck is available from excess fund balance in the Utility Fund in the amount of \$481,040.

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

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER IN THE AMOUNT NOT TO EXCEED FOUR HUNDRED EIGHTY-TWO THOUSAND DOLLARS (\$482,000.00) FOR THE PURCHASE OF A HYDRO EXCAVATION TRUCK FOR THE CITY OF ANNA PUBLIC WORKS DEPARTMENT FROM VERMEER TEXAS-LOUISIANA.

Council Member Baker returned.

Mayor Pike recused himself at 8:41 PM.

- i. Consider/Discuss/Action on a resolution approving a Development Agreement with Anacapri Laguna Azure LLC. (Interim Director of Economic Development Bernie Parker)

Over the past few months, staff worked with Megatel and our financial consultants and legal counsel to develop a Development Agreement. A majority of the land owned by Megatel is within the ETJ. Below are some highlights:

- Creation of a Public Improvement District(s) and Tax Increment Reinvestment Zone(s);
- City will collect PID fees as per the City's PID policy at the amount of \$2.7 million;
- City will dedicate 50% of the TIRZ tax increment reinvestment zone for this development;
- Agreement confirms limitation of lot sales to institutional investors; and
- Offers a pathway for the annexation of properties within Anna's Extraterritorial Jurisdiction (ETJ) that are part of this development upon meeting all requirements stipulated in this agreement.

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

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING THE ANACAPRI NORTH DEVELOPMENT AGREEMENT WITH ANACAPRI LAGUNA AZURE LLC RELATING TO DEVELOPMENT OF PROPERTY FOR RESIDENTIAL DEVELOPMENT.

8. Closed Session (Exceptions).

Under Tex. Gov't Code Chapter 551, the City Council may enter into Closed Session to discuss any items listed or referenced on this Agenda under the following exceptions:

- a. Consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code (Tex. Gov't Code §551.071).
- b. Discuss or deliberate the purchase, exchange, lease, or value of real property (Tex. Gov't Code §551.072).
- c. Discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the City has

received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the City is conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). (Tex. Gov't Code §551.087).

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

No closed session.

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 8:57 PM.



Approved on the 14th day of May 2024

Mayor Nate Pike

ATTEST:

~~City Secretary Carrie L. Land~~

Deputy City Secretary

Jeovanna Rubio