

**Regular City Council Meeting
Meeting Minutes**



Tuesday, June 11, 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 June 11, 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 Cain called the meeting to order at 6:02 PM.

Members Present:

Mayor Pete Cain

Mayor Pro Tem Stan Carver II

Council Member Kevin Toten

Council Member Jody Bills

Council Member Randy Atchley

Council Member Lee Miller

Members Absent:

Deputy Mayor Pro Tem Elden Baker

2. Invocation and Pledge of Allegiance.

Council Member Bills led the Invocation and Pledge of Allegiance.

3. Neighbor Comments.

Dr. Elvira White-Lewis, Rhonda Lavella, and Chelsea Karlin spoke about the Anna Ranch Development, Brightland Homes, the state of construction, trash, the quality of the homes, and lack of amenities.

Susan Kembol spoke about the Anna Ranch builders disconnecting the water due to a busted pipe. They were not notified, and had no way of getting a hold of them.

4. Reports.

- a. Spring 2024 Neighbor Academy Recognition. (Assistant to the City Manager Kimberly Winarski)

Anna's Neighbor Academy is a program designed for neighbors to learn more about the City of Anna and ways to become more involved in local government. Each cohort includes neighbors who are either new to civic engagement or have been actively volunteering in their neighborhood or with the city. This ten-session academy takes neighbors "behind the scenes" of city operations, programs, and initiatives. Participants are empowered to take action by planning and completing a community service project at the end of the program. The vision is for Neighbor Academy to be a cornerstone of citizen engagement and a springboard for many of our future leaders.

Recognized the completion of the fifth cohort of Neighbor Academy. Classes began on March 21 and concluded May 23.

City Manager Ryan Henderson introduced the new Development Services Director, Stephanie Scott-Sims.

Mayor Pro Tem Carver announced that this Friday, June 14th, we will have a Job Fair, in conjunction with Texas Workforce, from 9:00 AM to 2:00 PM here at the Municipal Complex. Saturday, June 15th, is the last day to vote. The website for Parks and Recreation is updated, featuring the upcoming summer activities for all ages.

5. Consent Items.

- a. Approve City Council Meeting Minutes for May 28, 2024. (City Secretary Carrie Land)
- b. Review minutes for the March 28, 2024, Parks Advisory Board Meetings. (Director of Neighborhood Services Marc Marchand)
- c. Approve a Resolution waiving the requirements of Article 9.07 Tree Preservation for development and construction of John Flavel Greer Park. (Planning Manager Lauren Mecke)

Upon receiving a request for a waiver, Article 9.07 (Tree Preservation) requires the Tree Board to provide a recommendation and City Council to make a determination regarding the waiver.

John Flavel Greer Park, is land to be dedicated as a public, city park as part of the Woods at Lindsey Place subdivision. Parks Planning Manager Dalan Walker has been working with consultants for the planning of the park. There is significant areas of tree canopy being preserved within the park

and removal of trees would be for trails, parking lots, as well as drainage and utility easements.

Parks are not exempt from Tree Preservation Plan requirements. The Tree Preservation Plan primarily consists of a tree survey that allows staff to review a site to determine if tree mitigation is required. The following areas are exempt from tree mitigation requirements within nonresidential development:

- (A) Install and maintain any utility lines;
- (B) Dedicate public right-of-way;
- (C) Construct any public or private streets and associated sidewalk at the minimum required width only;
- (D) Provide any required easement up to the minimum width needed to accommodate the required service;
- (E) Construct any fire lanes at the minimum required width only;
- (F) Construct any sidewalks at the minimum required width only;
- (G) Construct swimming pools;
- (H) Construct any hike/bike/equestrian trails;
- (I) Construct any portions of a golf course, park playing field, equestrian center, or school playing field but not including buildings, additional parking, club houses, or ancillary buildings; or
- (J) Construct of required drainage structures, including detention and retention basins, and including transitional slopes at the maximum slope allowed by standard city engineering practices and policies.

The regulations allow for a tree survey to exclude the requirement to survey any tree within preservation areas (unless receiving tree credits) and exemption areas, but would only exempt the fire lane and not the whole parking lot. A majority of the site is being preserved and could earn tree credits that would offset the removal of trees within the parking lot.

At the May 6, 2024 meeting, the Tree Board recommended approval to waive the requirements of Article 9.07 Tree Preservation for John Flavel Greer Park.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A WAIVER FROM THE REQUIREMENTS OF ARTICLE 9.07 (TREE PRESERVATION) FOR DEVELOPMENT & CONSTRUCTION OF JOHN FLAVEL GREER PARK.

- d. Approve a Resolution regarding the Family Time Away Place, Final Plat (Planning Manager Lauren Mecke)

Four lots on 5.5± acres located on the north side of Winding Oaks Trail, 2,120± feet east of County Road 376. Located in the Extraterritorial Jurisdiction (ETJ). The purpose of this plat is to create four lots from one tract of land.

ISSUE:

The property as it exists today does not conform to the City's Subdivision Regulations pertaining to street frontage of a lot.

§9.02.087 Lots

(b) Minimum frontage on a public street. Each lot on a subdivision plat shall front onto a dedicated, improved public street, unless platted as an approved private street subdivision in accordance with these subdivision regulations. All lots shall have a minimum of 40 feet of frontage along the property line of a dedicated, improved street unless other provisions have been authorized under article 9.04 or an approved planned development district.

The existing property and 10 surrounding properties have an existing, shared road, utility, fire lane, and drainage easement. The existing easement meets the intent of a dedicated private road.

At the June 3, 2024 meeting, the Planning & Zoning Commission recommended approval to waive the minimum frontage on a public street requirement of Article 9.02 Subdivision Regulations and approve the Family Time Away Place, Final Plat subject to additions and/or alterations to the engineering plans as required by the City Engineer and the on-site sewage facility review by Collin County Development Services.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A FINAL PLAT OF FAMILY TIME AWAY PLACE, BLOCK A, LOTS 1-4, FINAL PLAT

6. Items For Individual Consideration.

- a. Consider/Discuss/Action on a Resolution authorizing the City Manager to execute documents for the acquisition of Hackberry Drive right-of-way and easements, finding that a public necessity exists of 1.707 acres of real property for a permanent Right-of-Way, and 0.268 of real property for a permanent drainage easement, and 0.115 acres of real property for a drainage easement, and 0.111 acres of real property for a permanent access easement all providing limited rights in a form approved by the City Attorney. (City Engineer Wes Lawson, P.E.)

This item is related to the construction of Hackberry Drive east of Buddy Hayes Blvd. The right-of-way, access easement, and drainage easements are required in order to provide for the construction, installation, and long-term maintenance of the road. This is a critical infrastructure project which will provide an east-west minor arterial roadway corridor east of US 75.

Hackberry Drive is shown as a minor arterial roadway in the Master Thoroughfare Plan and the 10-year Capital Improvement Plan for the City of Anna, and is required in order to provide a major transportation corridor east of US 75.

In accordance with the development agreement for Meadow Vista, the City is contractually obligated to acquire right-of-way and easements for off-site infrastructure if the developer is not able to reach an agreement with adjacent landowners. The attached resolution is a necessary step in the process to provide staff direction and authority to complete negotiations with the landowner for the acquisition. There is specific language which must be read into the motion should the City Council choose to approve this item. The language has been printed and provided to the City Council for their consideration.

MOTION: Council Member Toten moved to approve a Resolution authorizing the City Manager to execute documents for the acquisition of Hackberry Drive right-of-way and easements, finding that a public necessity exists of 1.707 acres of real property for a permanent Right-of-Way, and 0.268 of real property for a permanent drainage easement, and 0.115 acres of real property for a drainage easement, and 0.111 acres of real property for a permanent access easement all providing limited rights in a form approved by the City Attorney. Council Member Bills seconded. Motion carried 6-0.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, FINDING THAT A PUBLIC NECESSITY EXISTS FOR ACQUISITION OF A PERMANENT RIGHT OF WAY ON AND UNDER 1.707 ACRES OF REAL PROPERTY, A PERMANENT DRAINAGE EASEMENT PROVIDING LIMITED RIGHTS ON AND UNDER 0.268 ACRES OF REAL PROPERTY, A PERMANENT DRAINAGE EASEMENT PROVIDING LIMITED RIGHTS ON AND UNDER 0.115 ACRES OF REAL PROPERTY, AND A PERMANENT ACCESS EASEMENT PROVIDING LIMITED RIGHTS ON AND UNDER 0.111 ACRES OF REAL PROPERTY MORE OR LESS; AUTHORIZING THE CITY MANAGER, STAFF, CONTRACTORS, AND THE CITY'S ATTORNEYS TO ACQUIRE SAID EASEMENTS BY ANY LAWFUL MEANS, INCLUDING BUT NOT LIMITED TO NEGOTIATIONS, AND, IF NECESSARY, PROCEEDINGS IN EMINENT DOMAIN; PROVIDING AN EFFECTIVE DATE.

- b. Consider/Discuss/Action of a Resolution Adopting and Directing Publication of a Notice of Intention to Issue up to \$25,000,000 in Combination Tax and Revenue Certificates of Obligation, Series 2024 to Provide Funds for Public Safety, Public Works, and Utility System Projects; and Resolving other Matters Relating to the Subject. (City Manager Ryan Henderson).

Anna continues to see our needs for City facilities expand as we continue to grow. One means of financing large capital projects is through the use of municipal debt. Bonds are the most common type of municipal debt. In the City of Anna, debt is used to fund roads, facilities, parks, equipment and water and sewer infrastructure.

The City's Financial Advisors provided a presentation with a plan of finance for Combination Tax and Revenue Certificates of Obligation (CO) bonds for Council consideration. The presentation included proposed projects and a schedule for the sale.

The issuance of tax-supported debt has an impact on the property tax rate as a city must set the Interest and Sinking (I&S) portion to meet the City's annual bonded debt payments. Additionally, expanding City facilities will have an impact on future operating budgets.

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

RESOLUTION DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE UP TO \$25,000,000 IN COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION TO PROVIDE FUNDS FOR PUBLIC SAFETY, PUBLIC WORKS, AND UTILITY SYSTEM PROJECTS; AND RESOLVING OTHER MATTERS RELATING TO THE SUBJECT

- c. Consider/Discuss/Action on a Resolution of The City Of Anna, Texas determining the costs of Certain Authorized Improvements to be financed by The Meadow Vista Public Improvement District for Improvement Area #1 thereof; approving a Preliminary Service Plan and Assessment Plan, including Proposed Assessment Rolls for Improvement Area #1; Calling a Regular Meeting and Noticing a Public Hearing for July 9, 2024 to consider an Ordinance Levying Assessments on Property Located within Improvement Area #1 of Said 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. (Director of Economic Development Bernie Parker).

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.

On September 26, 2023, the City Council passed and approved Resolution No. 2023- 09-1558 authorizing the establishment of the District in accordance with the PID Act, which authorization was effective upon the date the resolution was adopted in accordance with the provisions as required by the PID Act. The purpose of the District is to finance the Actual Costs of Authorized Improvements that confer a special benefit on approximately 223.154 acres located within the corporate limits of the City of Anna.

The City will receive approximately \$595,000 in PID fees, with the remaining amount being used as a credit to the developer for constructing the off-site Hackberry Drive extension.

Staff recommended the City Council approve a Resolution determining the costs of certain authorized improvements to be financed by The Meadow Vista Public Improvement District; approving a Preliminary Service and Assessment Plan, and calling a regular meeting and Public Hearing on July 9, 2024 to Consider an Ordinance levying assessments on property located in The Meadow Vista Public Improvement District. Now that The Meadow Vista Public Improvement District has been created, the next step is a Resolution approving the costs of authorized improvements, approving a Preliminary Service and Assessment Plan, and calling a Public Hearing to levy assessments.

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

A RESOLUTION OF THE CITY OF ANNA, TEXAS DETERMINING THE COSTS OF CERTAIN AUTHORIZED IMPROVEMENTS TO BE FINANCED BY THE MEADOW VISTA PUBLIC IMPROVEMENT DISTRICT FOR IMPROVEMENT AREA #1 THEREOF; APPROVING A PRELIMINARY SERVICE PLAN AND ASSESSMENT PLAN, INCLUDING THE PROPOSED ASSESSMENT ROLL FOR IMPROVEMENT AREA #1; CALLING A REGULAR MEETING AND NOTICING A PUBLIC HEARING FOR JULY 9, 2024 TO CONSIDER AN ORDINANCE LEVYING ASSESSMENTS ON PROPERTY LOCATED WITHIN IMPROVEMENT AREA #1 OF SAID 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

7. 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).
- e. Section 551.076 and 551.089 - Deliberation Regarding Security Devices or Security Audits - (1) the deployment, or specific occasions for implementation, of security personnel or devices; or (2) a security audit; (3) security assessments or deployments relating to information resources technology; (4) network security information as described by Section 2059.055(b) of the Texas Government Code; or (5) the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices.

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

Mayor Cain recessed the meeting at 7:30 PM.

Mayor Cain reconvened the meeting at 7:54 PM.

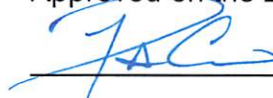
8. Consider/Discuss/Action on any items listed on any agenda - work session, regular meeting, or closed session - that is duly posted by the City of Anna for any City Council meeting occurring on the same date as the meeting noticed in this agenda.

No action taken.

9. **Adjourn.**

Mayor Cain adjourned the meeting at 7:54 PM.

Approved on the 25th day of June 2024



Mayor Pete Cain

ATTEST:



City Secretary Carrie L. Land

