

**Regular City Council Meeting
Meeting Minutes**



Tuesday, July 27, 2021 @ 6:30 PM

**Anna ISD Boardroom
201 E. 7th Street, Anna, Texas 75409**

The City Council of the City of Anna met at 6:30 PM, on July 27, 2021, at the Anna ISD Board Room, located at 201 E. 7th Street, Anna, Texas 75409, to consider the following items.

1. Call to Order, Roll Call and Establishment of Quorum.

Mayor Pike called the meeting to order at 6:30 PM.

All Council Members were present.

2. Invocation and Pledge of Allegiance.

Mayor Pike led the Invocation and Pledge of Allegiance.

4. Reports.

Neighborhood Services Coordinator Elisa Bowers noted National Night Out will be held in October.

Council Member Carver announced the Greater Anna Chamber of Commerce has hired an executive director, Angie Rollins Toles.

5. Work Session.

- a. FY2022 Budget Update (City Manager, Jim Proce, ICMA-CM)
- b. Draft FY2022 Community Investment Program - Roads/Water/Sanitary Sewer (Director of Public Works Greg Peters, P.E.)

The City of Anna has a five-year Community Investment Program (CIP) which is updated on an annual basis. The CIP identifies the projects and funding for capital street, water, sanitary sewer, and drainage maintenance and expansion projects. Staff will present the draft plan for FY2022 and seek feedback from the City Council on project selection. The final plan will be adopted with the FY2022

Operating Budget prior to October 1st.

- c. Draft Stormwater Utility Report and Presentation (Director of Public Works Greg Peters, P.E.)

Staff presented the City Council with the draft findings and options regarding the Stormwater Utility study for the City of Anna. Staff is seeking feedback from the City Council and will return to Council at a future meeting with the finalized report and any formal recommendations needed.

- d. Discussion of Article 5.06 (Itinerant Vendors) of the City of Anna Code of Ordinances. (Director of Neighborhood Services Marc Marchand)

Staff is considering making revisions to the Article 5.06 (Itinerant Vendors) of the City of Anna Code of Ordinances. Some key items of discussion as part of the revised ordinance are:

- ☐ Create definition for "Mobile Food Unit" and specifically state that a mobile food unit is a form/type of itinerant vendor.
- ☐ Allow for Sunday operations.
- ☐ Identify Neighborhood Services as the permit authority.
- ☐ Prohibit itinerant vendors at City Parks, Recreation Centers, or on school property, except in conjunction with City of Anna or ISD approved event, in which case a special event permit application is required.
- ☐ Itinerant vendor can only be an accessory use to a primary use located on same lot.
- ☐ Staging requirements:
 - o Location allowed
 - o Time allowed
- ☐ Sales Tax requirement

6. **Consent Items.**

Consent item g. was removed from the Consent Agenda.

MOTION: Council Member Toten moved to approve consent items a-f and h-m .
Council Member Ussery seconded. Motion carried 7-0.

- a. Approve City Council Meeting Minutes from July 13, 2021. (City Secretary Carrie Land)
- b. Review minutes of the May 6, 2021, Joint Community Development Corporation Board and Economic Development Corporation Board Meeting. (Director of Economic Development Joey Grisham)
- c. Review minutes of the June 3, 2021, Joint Community Development Corporation Board and Economic Development Corporation Board Meeting. (Director of Economic Development Joey Grisham)

- d. Review minutes of the June 21, 2021, Parks Advisory Board Meeting. (Neighborhood Services Director Marc Marchand)
- e. Review minutes of the June 1, 2021, Diversity and Inclusion Advisory Commission Meeting. (Assistant City Manager Ryan Henderson)
- f. Approve a Resolution authorizing the City Manager to execute a Tower Site License Agreement by and between Skybeam, LLC, and the City of Anna, Texas for the placement of telecommunications equipment on the existing water tower located at 1111 County Road 370. (Director of Public Works Greg Peters, P.E.)

Skybeam, LLC, currently operates broadband equipment on the existing West Crossing water tower in Anna Texas. The terms of the existing lease agreement expired and both City staff and Skybeam have been working to negotiate a new contract with appropriate lease terms. The City Attorney prepared the lease agreement which staff then coordinated on with Skybeam to ensure both parties agree to the terms and conditions. The agreement is for a period of ten years with a monthly payment of \$2,000 in the first year and a 2% annual escalator applied each future year.

The previous payment for the last contract was \$1,000/month.

Staff conducted research regarding comparable rates for similar leases in our area. While many unique situations exist which affect lease terms, staff found the proposed \$2,000/month to be in line with industry standards for the size and type of proposed equipment and the size and location of our existing water tower.

The agreement allows for both parties to end the terms of the lease based on certain conditions and provides both the City and Skybeam with the necessary flexibility to address changing site conditions, technologies, and needs of both parties.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A TOWER SITE LICENSE AGREEMENT BY AND BETWEEN THE CITY OF ANNA AND SKYBEAM, LLC IN A FORM APPROVED BY THE CITY ATTORNEY; AND PROVIDING FOR AN EFFECTIVE DATE.

- g. Approve a Resolution amending the Economic Development Incentive Policy. (Director of Economic Development Joey Grisham)

The Economic Development Staff is recommending a few edits to the Economic

Development Policy. One of the minor edits includes updating the Comprehensive Plan language to reflect the latest and most current plan.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS
AMENDING THE ECONOMIC DEVELOPMENT INCENTIVE POLICY TO
PROMOTE ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND
COMMERCIAL ACTIVITY IN THE CITY OF ANNA

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

- h. Approve the Quarterly Investment Report for the Period Ending June 30, 2021. (Director of Finance Alan Guard)
- i. Approve a Resolution authorizing the City Manager to execute an agreement with MyGov for set up and annual subscription fees for the MyGov software solution. (Director of Finance Alan Guard)

During a recent review of software for several department, the IT Steering Committee participated in several demonstrations of different software solutions to address specific technology needs. These included asset management, code enforcement, building permits, alcohol licenses, and work orders. The committee agreed that the MyGov product provided a comprehensive solution for all of those needs. The product was user-friendly, provided asset management and work orders for Parks, Public Works, and IT, and has a mobile app for neighbors to make requests for service. The product also integrates directly with Incode, the new financial software, providing downloads directly into the system ensuring accurate journal entries of all fees and financial information. This product will replace EnerGov asset management software, Inspect-to-Go code enforcement software, and Dude Solutions permitting software. The annual savings after implementation will be \$15,440.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA,
APPROVING THE PURCHASE OF A SOFTWARE AS A SERVICE (SASS)
AGREEMENT FOR ENTERPRISE ASSET MANAGEMENT, PERMIT, CODE
ENFORCEMENT, BUSINESS LICENSE, WORK ORDER, CREDENTIAL
MANAGER, ELECTRONIC PLAN REVIEW, GIS MAPPING, AND LIEN
COLLECTION SOFTWARE FROM MYGOV, INC OF DALLAS, TEXAS IN THE
AMOUNT OF \$51,980, AND AUTHORIZE THE CITY MANAGER TO SIGN THE
AGREEMENT.

- j. Approve an Ordinance amending Sec. A2.000 (Building Related Fees) within Appendix A (Fee Schedule) of the City of Anna Code of Ordinances. (Director of Neighborhood Services Marc Marchand)

The Neighborhood Services Division is requesting to increase the Annual Rental Registration fee from \$75 to \$100, beginning January 1, 2022. The proposed changes are represented by fees that are revenue neutral and fairly compensate the City for costs incurred for the services provided and are relative to the fees

for residential rental registrations in similar municipalities.

AN ORDINANCE OF THE CITY OF ANNA, TEXAS AMENDING THE ANNA CITY CODE OF ORDINANCES BY AMENDING APPENDIX A (FEE SCHEDULE) PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A PENALTY CLAUSE NOT TO EXCEED \$2,000 OR THE HIGHEST PENALTY AMOUNT ALLOWED BY LAW, WHICHEVER IS LESS; AND, PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

- k. Approve an Ordinance amending Sec. A2.002 (Residential construction permit fees) within Appendix A (Fee Schedule) of the City of Anna Code of Ordinances. (Director of Development Services Ross Altobelli)

Staff recently completed a simple market assessment to ensure Anna's fees remain competitive with neighboring cities while at the same time they are high enough to cover costs associated with growth and development.

Currently the City of Anna charges an application plan review fee of \$150 for new single-family residential permits. This fee amount is considerably less than this same fee charged by other cities that face similar development pressures.

- ☐ Celina - \$300
- ☐ Princeton - \$400
- ☐ Prosper - \$246
- ☐ Little Elm - \$295

Additionally, the City currently charges a flat building permit fee of \$2,200 per unit (Single Family, Duplex, Townhouse, Condominium) whereas the communities referenced above charge a fee based on the building square footage. Below are three examples comparing each of these communities building permit fee for three different size houses.

2,500 Square Foot		
City	Rate	Building permit fee
Anna	Flat	\$2,200
Celina	.95 x sq. ft.	\$2,375
Princeton	Flat fee less than 4000 sq. ft.	\$1,500
Prosper	\$1,040.30 for the first 1,000 sq. ft.; plus \$0.713 for each additional sq. ft.	\$2,109.80
Little Elm	.85 x sq. ft.	\$2,125
2,846 Square Foot *CURRENT AVERAGE SINCE JANUARY 2021		
City	Rate	Building permit fee
Anna	Flat	\$2,200
Celina	.95 x sq. ft.	\$2,703.70
Princeton	Flat fee less than 4000 sq. ft.	\$1,500
Prosper	\$1,040.30 for the first 1,000 sq. ft.; plus \$0.713 for each additional sq. ft.	\$2,358.64
Little Elm	.85 x sq. ft.	\$2,419.10
3,000 Square Foot		
City	Rate	Building permit fee
Anna	Flat	\$2,200
Celina	.95 x sq. ft.	\$2,850
Princeton	Flat fee less than 4000 sq. ft.	\$1,500
Prosper	\$1,040.30 for the first 1,000 sq. ft.; plus \$0.713 for each additional sq. ft.	\$2,466.30
Little Elm	.85 x sq. ft.	\$2,550.00

Based on these assessments staff is recommending that both the plan review fee and building permit fee be increased to ensure the City is keeping up with the actual cost of review and processing and to ensure taxpayers are not subsidizing the cost of private development within the City of Anna. Below are the proposed fees with the increases shown in parenthesis.

- ☐ \$300 applicant plan review (\$150)
- ☐ \$2,400 building permit fee (\$200)

Staff is recommending that these updated fees go into effect on October 1, 2021. This will allow ample time to notify the development community and time for the development community to plan for the fee increase.

AN ORDINANCE OF THE CITY OF ANNA, TEXAS AMENDING THE ANNA CITY CODE OF ORDINANCES BY AMENDING APPENDIX A (FEE SCHEDULE) PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A PENALTY CLAUSE NOT TO EXCEED \$2,000 OR THE HIGHEST PENALTY AMOUNT ALLOWED BY LAW, WHICHEVER IS LESS; AND, PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

- I.
 - 1) Approve a Resolution authorizing the City Manager to execute a Service Agreement by and between Emergicon, LLC, and the City of Anna, Texas for the Billing Purposes Related to Fire Cost Recovery Services (Fire Chief Ray Isom)
 - 2) Approve an Ordinance amending Appendix A (Fee Schedule) Adding a new Article A9.000 (Fire Services Fees).

Currently, the Anna Fire Department (AFD) utilizes cost recovery services through Fire Recovery USA, LLC. The costs are for responses by AFD associated with commercial motor vehicle accidents, hazardous materials spills, and other emergency incidents that do not involve residents of Anna. Fire Recovery collects a fee for services equal to 20% of the revenue generated by each incident. For each successful claim, a check for the recovered funds is mailed to AFD for deposit by the Finance Department.

The proposed contract amendment cancels the agreement with Fire Recovery USA, LLC, and replaces these services with our current EMS billing group, Emergicon, LLC. Emergicon collects a smaller percentage (15%) of the recovered funds giving the city an additional 5% return.

Additionally, Emergicon provides a monthly collection statement and deposits the funds directly into the city's vendor account. This streamlines the process since paper checks will no longer be mailed to the fire department. AFD staff has coordinated with the Finance Department to ensure a smooth transition.

The agreement updates the current service fee schedule.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING AND AUTHORIZING AN ADDENDUM TO THE SERVICE AGREEMENT FOR SPECIALIZED PROFESSIONAL AMBULANCE BILLING SERVICES BETWEEN EMERGICON, LLC AND CITY OF ANNA, TEXAS FOR BILLING PURPOSES RELATED TO FIRE COST RECOVERY SERVICES.

AN ORDINANCE OF THE CITY OF ANNA, TEXAS AMENDING THE ANNA CITY CODE OF ORDINANCES BY AMENDING APPENDIX A (FEE SCHEDULE) ADDING A NEW ARTICLE A9.000 (FIRE SERVICES FEES); PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A PENALTY CLAUSE NOT TO EXCEED \$2,000 OR THE HIGHEST PENALTY AMOUNT ALLOWED BY LAW, WHICHEVER IS LESS; AND, PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

- m. Approve a Resolution amending the participation in the TML Health Benefits for City Employees. (Director of Human Resources Stephanie Beitelschies)

The City's health benefits are currently covered under Texas Municipal League Health Benefits. Texas Municipal League Health Benefits is switching network providers from UnitedHealthcare to Blue Cross Blue Shield effective with the City's insurance renewal date which is October 1, 2021. Additionally the current plan structures provided by TML have been eliminated in lieu of new options that will be employed effective October 1, 2021, requiring the City having to restructure the insurance plan. The City partnered with a consultant Brinson Benefits to assist with FY2021-2022 benefits elections.

Brinson Benefits has assisted City's staff in determining the best options available for benefits coverage for our employees to ensure coverages were cost effective, provided the same or better service, and were possible resulted in cost savings to the City and the employees. The outcome of these efforts resulted in the medical coverage, short-term and long-term disability,

Employee Assistance Program and basic and voluntary (additional) life coverage, remaining with TML Health Benefits. Dental coverage will now be under Guardian - Choice Plan J1 with implants. Vision coverage will change to Guardian Full Feature – Choice C.

Overall, the changes result in costs savings to the City, as well as employees, and is dependent upon the coverages they choose for similar benefits.

The City will net approximately \$77,000 in annual savings.

- MEDICAL: Consumer HSA-5K E and Copay-500 2KER
 - Employer contribution is 100% EE / 50% dependent
- HRA: Benefit Bucks administration. Back-end deductible benefit.
 - \$2,200 individual / \$4,400 family
- HSA: TML administration
 - City to contribute \$30/month
- DENTAL: Change to Guardian (Guardian Choice Plan J1 w/ implants)
 - Employer contribution is 100% EE / 50% dependent
- VISION: Change to Guardian (Full Feature – Choice C)
 - Employer contribution is 100% EE / 50% dependent
- GROUP LIFE: No change.
- VOLUNTARY LIFE: No change.
- LTD: No change.
- Voluntary STD: No change.
- EAP: No change.
- BRINSON SERVICES / TO BE INVOICED:
 - COBRA: Begin service with Cobra Charmers - \$2,424 annually.
 - Employee Navigator: Implementation after open enrollment, no charge for first year.
 - BRINSON CONSULTING FEE: No change, current fee of \$29,000 per year under contract 10/1/2021 – 9/30/2023.

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

7. Items For Individual Consideration.

- a. Consider/Discuss/Action on an Ordinance Amending the FY2020 - 2021 Budget to add 1.0 FTE Planner II, 1.0 FTE Code Compliance Officer, and other service, equipment and technology needs.

The proposed budget amendment includes funding for the following purposes: Revenue building permits is exceeding FY2021 budget projections as a result of the explosive growth in our community. This explosive growth is also resulting in the need for additional staff, equipment and services in order to maintain the quality of services for our neighbors. This budget amendment will add additional staffing as noted:

- Add a Planner II (1.0 FTE) responsible for long-range planning issues and other related duties, including tracking progress on Anna2050 plan implementation, monitoring and managing necessary updates to codes and ordinances, reviewing zoning and development proposals for consistency with the plan, managing amendments to the plan to reflect new priorities and opportunities and preparing an annual report on the status of implementation.
- Add Code Enforcement Officer (1.0 FTE) The additional position is needed to accommodate the City's growth, increasing demands for service, improve response times, and assist neighbors in avoiding citations. Department revenue from programs such as the rental property registration are anticipated to help cover the cost for this position.

Other additional expenditures include:

- Information Technology Office Supplies (\$7,800) Additional storage was required to protect Information Technology equipment during business hours with the opening of the Annex Building.
- Information Technology IT Supplies (\$9,000) Technology equipment purchased for additional Police patrol vehicles.
- Information Technology IT Supplies (\$4,700) Winter Storm knocked out batteries in the Police server room. Replacements will serve as a battery backup for our servers in case of power failure.
- Development Services Contract Services (\$75,000) One of the highest priority action items identified in the Anna 2050 Comprehensive Plan is to revise development-related ordinances to align them with the vision and accommodate the future land use plan. Creating a newly composed zoning code would be in alignment with the new vision identified in Anna 2050. This request was made as a part of FY2022 budget process; funding the project now will allow staff to begin.
- Streets Machinery and Equipment (\$47,500) Purchase concrete mini-mixer (\$26,400) and walk behind concrete saw (\$21,100). Additional equipment will increase the level of service and allow the Streets Division to perform maintenance activities at the volume and performance level desired by the City Council, City Manager, and our Neighbors.

AN ORDINANCE AMENDING ORDINANCE NO. 875-2020 ADOPTING THE BUDGET FOR THE 2020-2021 FISCAL YEAR; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

MOTION: Council Member Ussery moved to approve. Council Member Miller seconded. Motion carried 7-0.

- b. Conduct a public hearing on levying of assessments in the Sherley Tract Public Improvement District No. 2. (Director of Economic Development Joey Grisham)

Mayor Pike opened the public hearing at 8:39 PM.

No comments.

Mayor Pike closed the public hearing at 8:39 PM.

- c. Consider/Discuss/Action on an Ordinance of the City Council of the City of Anna, Texas accepting and approving a Service and Assessment Plan and Assessment Rolls for the Sherley Tract Public Improvement District No. 2; making a finding of special benefit to the Property in the District; levying Special Assessments against Property within the District and establishing a lien on such Property; providing for the method of assessment and the payment of the Assessments in accordance with Chapter 372, Texas Local Government Code, as amended, providing penalties and interest on delinquent assessments, providing for severability, and providing an effective date. (Economic Development Director Joey Grisham)

On December 8, 2020, the Anna City Council held a public hearing and approved Resolution No. 20-12-839 creating the Sherley Tract Public Improvement District No. 2, and on May 25, 2021, adopted a resolution determining total costs of certain authorized improvements and a Preliminary Service and Assessment Plan (SAP). A SAP addresses the costs of improvements and establishes annual assessments to pay current debt service and collection costs.

The Anna City Council opened the assessment hearing on June 22, 2021, and continued said hearing until July 27, 2021. This ordinance includes accepting and approving the Service and Assessment Plan and Assessment rolls, levying special assessments against property, providing for the method and payments of assessments in accordance with Chapter 372 of the Texas Local Government Code as amended, and providing penalties and interest on delinquent assessments.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS ACCEPTING AND APPROVING A SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLLS FOR THE SHERLEY TRACT PUBLIC IMPROVEMENT DISTRICT NO. 2; MAKING A FINDING OF SPECIAL BENEFIT TO THE PROPERTY IN THE DISTRICT; LEVYING SPECIAL ASSESSMENTS AGAINST PROPERTY WITHIN THE DISTRICT AND ESTABLISHING A LIEN ON SUCH PROPERTY; PROVIDING FOR THE METHOD OF ASSESSMENT AND THE PAYMENT OF THE ASSESSMENTS IN ACCORDANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED, PROVIDING PENALTIES AND INTEREST ON DELINQUENT ASSESSMENTS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

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

- d. Consider/Discuss/Action on an Ordinance authorizing the issuance of the "City of Anna, Texas, Special Assessment Revenue Bonds, Series 2021 (Sherley Tract Public Improvement District No. 2 Improvement Area #1 Project)"; approving and authorizing an Indenture of Trust, a Bond Purchase Agreement, a Limited Offering Memorandum, a Continuing Disclosure Agreement and other agreements and documents in connection therewith; making findings with respect to the issuance of such Bonds; and providing an effective date. (Economic Development Director Joey Grisham)

This ordinance includes the authorization of City of Anna Special Assessment Revenue Bonds Series 2021 Bonds related to the Sherley Tract Public Improvement District No. 2 Improvement Area #1, approval of indenture of trust, bond purchase agreement, a limited offering memorandum, and a continuing disclosure agreement. The document was drafted by bond counsel and reviewed by all parties. These bonds are not secured by the full faith and credit of the City of Anna and will not reduce the City's bond rating.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE "CITY OF ANNA, TEXAS, SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2021 (SHERLEY TRACT PUBLIC IMPROVEMENT DISTRICT NO. 2 IMPROVEMENT AREA #1 PROJECT)"; APPROVING AND AUTHORIZING AN INDENTURE OF TRUST, A BOND PURCHASE AGREEMENT, A LIMITED OFFERING MEMORANDUM, A CONTINUING DISCLOSURE AGREEMENT AND OTHER AGREEMENTS AND DOCUMENTS IN CONNECTION THEREWITH; MAKING FINDINGS WITH RESPECT TO THE ISSUANCE OF SUCH BONDS; AND PROVIDING AN EFFECTIVE DATE

- e. Consider/Discuss/Action on an Ordinance authorizing the issuance of the "City of Anna, Texas, Special Assessment Revenue Bonds, Series 2021 (Sherley Tract Public Improvement District No. 2 Major Improvement Area Project)"; approving and authorizing an Indenture of Trust, a Bond Purchase Agreement, a Limited Offering Memorandum, a Continuing Disclosure Agreement and other agreements and documents in connection therewith; making findings with respect to the issuance of such Bonds; and providing an effective date. (Economic Development Director Joey Grisham)

This ordinance authorizes the issuance of City of Anna Special Assessment Bonds Series 2021 Sherley Tract Public Improvement District No. 2 Major Improvement Area Project, approves an indenture of trust, a Bond Purchase Agreement, a limited offering memorandum, and a Continuing Disclosure Agreement. The ordinance was drafted by bond counsel and reviewed by all parties. These bonds are not secured by the full faith and credit of the City of Anna and will not reduce the City's bond rating.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE "CITY OF ANNA, TEXAS, SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2021 (SHERLEY TRACT PUBLIC IMPROVEMENT DISTRICT NO. 2 MAJOR IMPROVEMENT AREA PROJECT)"; APPROVING AND AUTHORIZING AN INDENTURE OF TRUST, A BOND PURCHASE AGREEMENT, A LIMITED OFFERING MEMORANDUM, A CONTINUING DISCLOSURE AGREEMENT AND OTHER AGREEMENTS AND DOCUMENTS IN CONNECTION THEREWITH; MAKING FINDINGS WITH RESPECT TO THE ISSUANCE OF SUCH BONDS; AND PROVIDING AN EFFECTIVE DATE

- f. Consider/Discuss/Action an Ordinance of the City Council of the City of Anna, Texas, approving a Final Project and Financing Plan for Tax Increment Reinvestment Zone Number Three, City of Anna, Texas; approving a TIRZ No. 3 Agreement; making various findings related to such Plan; providing a severability clause; and providing an effective date.. (Economic Development Director Joey Grisham)

This ordinance approves a Final Project and Financing Plan for the City of Anna Tax Increment Reinvestment Zone #3, City of Anna, and related to the Sherley Tract. The Project and Financing Plan is a requirement under Chapter 311 of the Texas Tax Code and was drafted by P3 Works. The project and financing plan includes what improvements will be made and how they will be paid for. The ordinance also includes approval of a TIRZ Agreement by and between the City of Anna, City of Anna TIRZ #3 Board of Directors, and MM Anna 325, LLC.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, APPROVING A FINAL PROJECT AND FINANCING PLAN FOR TAX INCREMENT REINVESTMENT ZONE NUMBER THREE, CITY OF ANNA, TEXAS; APPROVING A TIRZ NO. 3 AGREEMENT; MAKING VARIOUS FINDINGS RELATED TO SUCH PLAN; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Council Member Miller moved to approve. Council Member Vollmer seconded. Motion carried 7-0.

- g. Consider/Discuss/Action an Ordinance adopting the 2021 Annual Service Plan Update to the Service and Assessment Plan and Assessment Roll, including the collection for the 2021-2022 annual installments for the Hurricane Creek Public Improvement District (PID). (Director of Economic Development Joey Grisham)

On July 14, 2020, the City Council approved the 2020 Annual Service Plan Update by adopting Resolution No. 2020-07-763, which updated the Assessment Rolls for 2020. Pursuant to the PID Act, the SAP must be reviewed and updated annually. This document is the 2021 Annual Service Plan that also updates the Assessment Rolls for 2021. It was prepared by the PID administrator P3 Works.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS APPROVING THE 2021 ANNUAL SERVICE PLAN UPDATE TO THE SERVICE AND ASSESSMENT PLAN, INCLUDING THE ASSESSMENT ROLL, FOR THE HURRICANE CREEK PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; AND PROVIDING AN EFFECTIVE DATE.

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

- h.
 - 1) Consider/Discuss/Act on a Resolution approving an Agreement Regarding Services including a plan for municipal services regarding 39.7± acres located at the southwest intersection of CR 427 and CR 425 (Future Leonard Ave). (Director of Development Services Ross Altobelli)
 - 2) Conduct a public hearing to consider public comments regarding annexation of a 39.7± acres of land into the City's corporate boundaries generally located at the southwest intersection of CR 427 and CR 425 (Future Leonard Ave).

3) Consider/Discuss/Action on an Ordinance annexing 39.7± acres generally located at the southwest intersection of CR 427 and CR 425 (Future Leonard Ave).

Tex Properties Group, LLC, has submitted a petition to annex 39.7± acres located at the southwest intersection of CR 427 and CR 425 (Future Leonard Ave).

It is recommended that the City Council approve a Resolution for an agreement regarding services and an Ordinance regarding the request to annex 39.7± acres located at the southwest intersection of CR 427 and CR 425 (Future Leonard Ave).

Mayor Pike opened the public hearing at 8:46 PM.

No comments.

Mayor Pike closed the public hearing at 8:46 PM.

A RESOLUTION ADOPTING A CONDITIONAL AGREEMENT REGARDING SERVICES RELATED TO ANNEXATION OF A 39.7± ACRE TRACT OF LAND

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.

MOTION: Council Member Miller moved to approve. Council Member Totten seconded. Motion carried 7-0.

- i. 1) Conduct a Public Hearing to consider public comments regarding the request to zone 39.7± acres to Single-Family Residential (SF-72). Located at the southwest intersection of CR 427 and CR 425 (Future Leonard Ave). (Director of Development Services Ross Altobelli)
- 2) Consider/Discuss/Action on an Ordinance to zone 39.7± acres to Single-Family Residential (SF-72). Located at the southwest intersection of CR 427 and CR 425 (Future Leonard Ave).

Mayor Pike opened the public hearing at 8:48 PM.

No comments.

Mayor Pike closed the public hearing at 8:48 PM.

Tex Properties Group, LLC, has submitted an application to zone 39.7± acres located at the southwest intersection of CR 427 and CR 425 (Future Leonard Ave) to Single-Family Residential (SF-72).

The purpose of this request is to establish zoning for a new tract of land associated with an annexation petition. For additional information, please refer to the attached staff report.

The Planning & Zoning Commission recommended approval.

(Property rezoned under this ordinance is generally located at the southwest intersection of CR 427 and CR 425 (Future Leonard Ave) AN ORDINANCE OF THE CITY OF ANNA, TEXAS AMENDING THE CITY'S COMPREHENSIVE PLAN, ZONING MAP, AND ZONING ORDINANCE AND CHANGING THE ZONING OF CERTAIN PROPERTY AS DESCRIBED HEREIN; PROVIDING FOR SAVINGS, REPEALING AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A PENALTY CLAUSE NOT TO EXCEED \$2,000 OR THE HIGHEST PENALTY AMOUNT ALLOWED BY LAW, WHICHEVER IS LESS; AND, PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

- j. Approve a Resolution authorizing the City Manager to execute Master Agreements for Engineering, Land Surveying, Materials Testing, and Geotechnical Professional Services in a form approved by the City Attorney. (Director of Public Works Greg Peters, P.E.)

The City recently completed a comprehensive Request for Qualifications process for professional services in order to ensure that the City contracts with high performing, professional firms to complete the important capital project needs of the community. Staff has completed the review of all submittals and has identified the highest scoring firms to enter into Master Agreements with the City of Anna. This item is to authorize the City Manager to execute the master agreements with the highest scoring firms for each category in the RFQ process for engineering, land surveying, materials testing, property acquisition, and appraisal services.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE MASTER AGREEMENTS FOR PROFESSIONAL SERVICES INCLUDING ENGINEERING, LAND SURVEYING, MATERIALS TESTING, ACQUISITION & APPRAISAL SERVICES IN A FORM APPROVED BY THE CITY ATTORNEY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

- k. Consider approval of a Resolution allocating funding for street maintenance projects on Foster Crossing Road and Taylor Boulevard and authorizing the City Manager to execute purchase orders to Wopac Construction, Incorporated; and providing for an effective date. (Director of Public Works Greg Peters, P.E.)

At the April 27, 2021, City Council Meeting, the City Council approved funding for the rehabilitation of portions of Taylor Boulevard with Collin County Participation. The approved resolution is included in the new resolution as Exhibit "A". Since that time the City has been in coordination with Collin County regarding the need to also rehabilitate West Foster Crossing from the Collin County Outer Loop to Pecan Grove Phase 2. In addition, the City still has additional funding for Taylor Boulevard road improvements through a development agreement related to the Park Place Subdivision, as shown in the new resolution as Exhibit "B."

City staff have worked with Collin County staff to reach an agreement to re-allocate the funds identified for Taylor Boulevard to West Foster Crossing. In exchange, the City will utilize the Development Agreement funding from Park Place to fund rehabilitation of Taylor Boulevard.

This resolution authorizes the City Manager to execute purchase orders to Wopac Construction, Incorporated, for the rehabilitation of both Taylor Boulevard and West Foster Crossing, utilizing Street Maintenance Tax funds and Collin County Road & Bridge funds for West Foster Crossing, and Development Agreement funds for Taylor Boulevard, as shown in the quotes in the new resolution as Exhibit "C".

Approval of this resolution will facilitate the rehabilitation of Taylor Boulevard from US 75 to Ferguson Parkway, and of West Foster Crossing from the Collin County Outer Loop to Pecan Grove Phase 2, where a new concrete street section is being constructed.

Based on ambient temperature effects on Chip Seal construction and project scheduling, it is anticipated that both projects will be completed in late September to early October.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE REHABILITATION OF TAYLOR BOULEVARD FROM FERGUSON PARKWAY TO US 75 AND WEST FOSTER CROSSING ROAD FROM THE COLLIN COUNTY OUTER LOOP TO PECAN GROVE PHASE 2 TO WOPAC CONSTRUCTION, INCORPORATED IN THE AMOUNT NOT TO EXCEED TWO HUNDRED EIGHTY THOUSAND TWO HUNDRED FORTY-EIGHT DOLLARS AND TEN CENTS (\$280,248.10); AND PROVIDING FOR AN EFFECTIVE DATE.

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

8. Closed Session (Exceptions).

Under Tex. Gov't Code Chapter 551, The City Council May Enter Into Closed Session To Discuss Any Items Listed Or Referenced On This Agenda Under The Following Exceptions:

- a. Consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code (Tex. Gov't Code §551.071). City ordinance provisions

- b. Discuss or deliberate the purchase, exchange, lease, or value of real property (Tex. Gov't Code §551.072).
- c. Discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the City is conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). (Tex. Gov't Code §551.087).
- d. Discuss or deliberate personnel matters (Tex. Gov't Code §551.074).

MOTION: Council Member Miller moved to enter Closed Session.
Council Member Atchley seconded. Motion carried 7-0.

Mayor Pike recessed the meeting at 8:59 PM.

Mayor Pike reconvened the meeting at 9:28 PM.

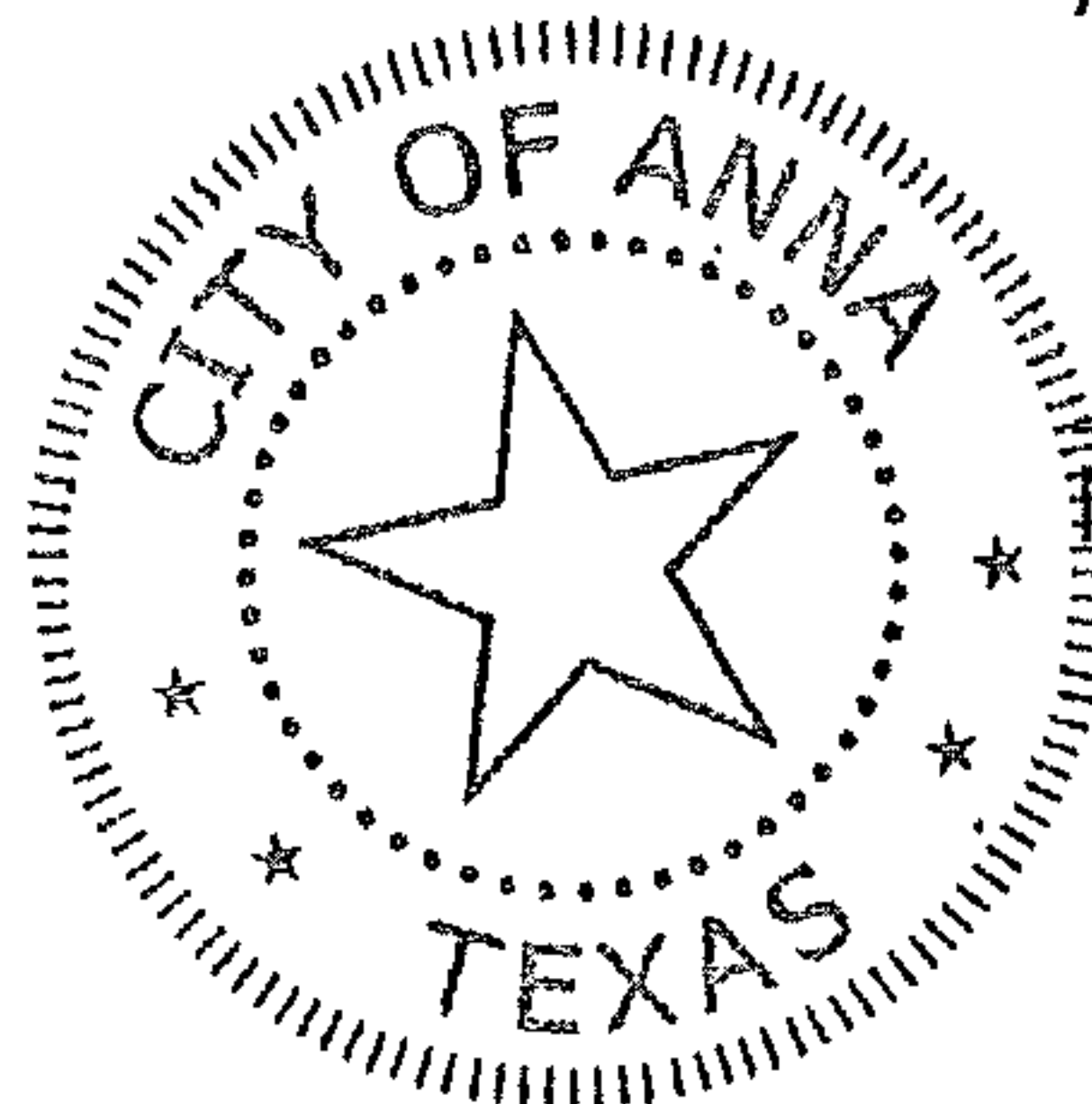
- 9. Consider/Discuss/Action on any items listed on any agenda - work session, regular meeting, or closed session - that is duly posted by the City of Anna for any City Council meeting occurring on the same date as the meeting noticed in this agenda.

No action was taken.

10. **Adjourn.**

Mayor Pike adjourned the meeting at 9:28 PM.

Approved on August 10, 2021.



Mayor Nate Pike

ATTEST:

Carrie L. Land
City Secretary Carrie L. Land