

**Regular City Council Meeting
Meeting Minutes**



**Tuesday, March 22, 2022 @ 6:30 PM
Anna ISD Board Room
201 E. 7th Street
Anna, Texas, 75409**

The City Council of the City of Anna met at 6:30 PM, on March 22, 2022, 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 City Council Members were present.

2. Invocation and Pledge of Allegiance.

Council Member Carver led the Invocation and Mayor Pike led the Pledge of Allegiance.

3. Neighbor Comments.

There were no public comments.

4. Reports.

- a. Recognize Anna Middle School Gifted and Talented Program for providing Little Libraries in City Parks. (Neighborhood Services Coordinator Olivia Demings)

Students from Anna Middle School Gifted and Talented program have installed four "little free libraries" at Slayter Creek Park, Johnson Park, Natural Springs Park, and Sherley Heritage Park. The Little Coyote Libraries provide access to books for the entire community. The program is based on book donation and invites citizens to take a book and leave a book. Anna Middle School will monitor and maintain this program. The project will pass on to the next class as students move up.

- b. We Notice! Campaign recognition of the January, February, and March designees. (Neighborhood Services Coordinator Olivia Demings)

We Notice! Campaign recognition of the January, February, and March recipients by Neighborhood Services Coordinator Olivia Demings. The "We Notice!" initiative serves to recognize a property in the City of Anna that has gone the extra mile to show pride of ownership. Each month, Neighborhood Services will select a property to recognize for their effort and role in Keeping Anna Beautiful.

Creekside homeowners were selected for the January "We Notice!" Property. Code Enforcement officers have observed the family on many occasions caring for their yard. Their hard work has resulted in a beautifully landscaped home that is a great addition to the Anna Community.

February's property of the month was Bronco-MFG, located on FM455. We have observed that the property is maintained to a high standard, that litter is always removed, and that they have added their own unique flair by styling their hedges in the name of the company. The Bronco-MFG, Inc., is a Veteran Owned Business that has been a part of the Anna Community for many years.

A downtown property was selected for the March property of the month. The residents of 113 East 3rd Street have maintained many enhancements to the property, including a wooden perimeter fence and concrete driveway.

- c. Announcement of 2021 Tree City USA Designation. (Neighborhood Services Coordinator Olivia Demings).

The Tree City USA program provides communities with a four-step framework to maintain and grow their tree cover. It also gives them an avenue to celebrate their work, showing residents, visitors, and the entire country that they are committed to the mission of environmental change.

- d. Recognize City Secretary for achieving her Texas Registered Municipal Clerks Recertification. (City Manager Jim Proce)

City Secretary Carrie Land completed her required professional education for recertification as a Texas Registered Municipal Clerk.

As an officer of the City, Carrie makes every professional and personal effort to keep up-to-date in legal and administrative duties. Achieving recertification confirms her commitment to Anna.

5. **Work Session.**

- a. Biweekly Update on the Municipal Complex by Lee Lewis Construction. (Director of Public Works Greg Peters, P.E.)

A representative from Lee Lewis Construction was not present. Director of Public Works Greg Peters gave a brief project update. Council requested another update with the representative present at the April 12, 2022, City Council Meeting.

6. **Consent Items.**

Consent Agenda Items 6.c. and 6. i. were removed.

MOTION: Council Member Toten moved to approve Consent Items a, b, d, e, f, g, h, j. Council Member Vollmer seconded. Motion carried 7-0.

- a. Approve the City Council Meeting Minutes for February 28, 2022, and March 8, 2022. (City Secretary Carrie Land)
- b. Review Minutes of the January 6, 2022, and February 10, 2022 (Special Called) Joint Community Development Corporation and Economic Development Corporation Board Meetings. (Director of Economic Development Joey Grisham)
- c. Approve a Resolution entering into a Development Agreement with PC5 Properties, LLC, for the Anna Business Park. (Director of Economic Development Joey Grisham)

MOTION: Council Member Miller moved to take no action. Council Member Toten seconded. Motion carried 7-0.

- d. Monthly Financial Report for the month ending February 28, 2022. (City Manager Jim Proce)

The City of Anna's financial policies require the publication of a financial report monthly. This report covers the financial performance for Fiscal Year 2022 through February 28, 2022. Enclosed in the report is an executive dashboard that provides a high level look at major funds along with detailed reporting of sales tax collections and single family residential building permits.

The financial condition of the City remains strong and the reported funds adhere to fund balance requirements.

- e. Approve a Resolution approving a one-year extension of the primary depository bank services contract with Independent Bank. (Director of Finance Alan Guard)

The contract was for an initial period of two years. The contract allows for three one-year renewal extensions. Staff is satisfied with the services provided by Independent Bank and recommends the City exercise the third and final extension. A new RFP will be distributed in 2023.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A ONE-YEAR EXTENSION OF THE PRIMARY DEPOSITORY BANK SERVICES CONTRACT TO INDEPENDENT BANK .

- f. Approve a Resolution approving a three-year contract with Grayson County

Electric Cooperative (GCEC) for fiber and telephone services and authorizing the City Manager to execute the contract. (IT Director Kevin Johnson)

The City of Anna agreed to a 10-year contract with GCEC in December of 2020 for fiber and telephone services. As part of the agreement, GCEC agreed to construct fiber lines to the new City Hall and incorporated those costs into the 10-year term of the contract. In June 2021, the City engaged a consultant to assist the City with a review of telephone costs and develop a Request for Proposal for a new telephone system for the new City Hall. The consultant's review of the GCEC contract revealed a number of items that were not advantageous to the City. The consultant recommended that the City renegotiate the contract with GCEC from a 10-year term to a 3-year term. GCEC has agreed to renegotiate the contract.

The shorter term will allow the City to take advantage of specific advancements that will save the City considerable money over time. These items include: 1) competition from new providers that are starting to build infrastructure in Anna due to our growth; 2) changes in technology that will make some of our current technology obsolete, such as the current PRI lines, and the deployment of 5G technology, which will become a standard; and 3) the City will not be locked into using a GCEC telephone system and will be able to take advantage of other available telephone systems and technology.

Based on the change from a 10-year term to a 3-year term, the consultant estimates the City will save \$7,850.

FINANCIAL IMPACT: \$84,735 per year for three years. Pays for the construction costs of the fiber and three years of service for all City facilities. Funding is budgeted in the IT operating budget.

A RESOLUTION APPROVING A THREE-YEAR CONTRACT WITH GRAYSON COUNTY ELECTRIC COOPERATIVE (GCEC) FOR FIBER AND TELEPHONE SERVICES AND AUTHORIZING THE CITY MANAGER TO SIGN THE CONTRACT.

- g. Approve a Resolution setting a public hearing under Section 372.009 of the Texas Local Government Code on the advisability of the creation of a public improvement district and improvements within the City of Anna, Texas, for the Crystal Park Development and authorizing the issuance of notice by the City Secretary of Anna, Texas, regarding the public hearing. (Director of Economic Development Joey Grisham)

In accordance with the Crystal Park Development Agreement, the developer has submitted a petition to the City to create the Crystal Park (PID). The petition is attached to the Resolution as Exhibit A. Before the City Council can create the PID, it must hold a public hearing after 15 days' publication notice. The form of the notice is attached to the resolution as Exhibit B. This Resolution does not create the PID; it only accepts the developer's petition and provides for scheduling of the public hearing and publishing of the notice. The Resolution sets the public hearing for April 12, 2022. After the hearing, the City Council will consider a separate resolution creating the PID.

A RESOLUTION SETTING A PUBLIC HEARING UNDER SECTION 372.009 OF THE TEXAS LOCAL GOVERNMENT CODE ON THE ADVISABILITY OF THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT AND IMPROVEMENTS WITHIN THE CITY OF ANNA, TEXAS, FOR THE CRYSTAL PARK DEVELOPMENT AND AUTHORIZING THE ISSUANCE OF NOTICE BY THE CITY SECRETARY OF ANNA, TEXAS, REGARDING THE PUBLIC HEARING.

- h. Development Agreement – Anna Retail Multifamily (Director of Development Services Ross Altobelli)

Approve a Resolution entering into a Development Agreement with Anna 31 Retail, LP, to establish development and design regulations for residential development on 15.4± acres located on the east and west sides of Throckmorton Boulevard, 370± feet south of W. White Street (FM 455).

The intent of the Development Agreement is to ensure the use of high quality, durable materials for nonresidential and residential development within the City to create well-designed and attractive architecture.

Approving the Development Agreement in no way puts an obligation on the City Council to approve the rezoning request. It only puts in place development and design regulations should the decision be made to approve the rezoning request.

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A DEVELOPMENT AGREEMENT WITH ANNA 31 RETAIL, LP, RELATING TO DEVELOPMENT AND DESIGN REGULATIONS FOR MULTIPLE-FAMILY RESIDENCE DEVELOPMENT GENERALLY LOCATED ON THE EAST AND WEST SIDE OF THROCKMORTON BOULEVARD, 370± FEET SOUTH OF W. WHITE STREET (FM 455).

- i. Approve a Resolution of the City Council of the City of Anna, Texas, finding that a public necessity exists for acquisition of a permanent sanitary sewer line easement providing limited rights on and under 0.667 acres of real property, more or less, and a temporary construction easement providing temporary limited rights on and under 0.85 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. (Director of Public Works Greg Peters, P.E.)

The City of Anna entered into a Development Agreement with D.R. Horton in 2021 for the construction of the public roadway, water, and sanitary sewer systems associated with the Woods at Lindsey Place development located near Rosamond Parkway and US 75.

There is a tract of land owned by Two-J Partners on County Road 370, just east of Throckmorton, which is essential to the extension of the Throckmorton Creek Sanitary Sewer Extension. A sanitary sewer easement along the south and southeast edge of the Two-J property is needed for the extension of the trunk sewer.

This trunk sewer will provide sewer service for three large residential developments, including the Woods at Lindsey Place, AnaCapri, and Meadow Vista subdivisions. In addition, the sewer extension will provide sewer service for the Two-J property as well. The project is key to the development of the north central portion of the City.

D.R. Horton's contractor is moving forward with the utility construction, requiring the City to acquire the remaining right-of-way needed for the project.

Initially, the City had great difficulty making contact with Two-J Partners, whose owners appear to reside out of state. In February, the City was notified that the owner of Two-J Partners had passed away, and that the property was being passed on to the children of the owner. At this time, the City was able to locate the family's attorney and begin coordination.

City staff provided the attorney with the engineering plans, the City of Anna Wastewater Master Plans, information on future land use, and copies of the proposed easement. At the request of the attorney, staff also provided a will-serve letter demonstrating that the City will provide utility access for the property.

Over the past month the City has been in touch with the attorney. Negotiations to date have been cordial and positive, but the new owners are not familiar with land development, and thus may not understand the urgency of the matter. At the suggestion of their attorney, the City is prepared to move forward with condemnation proceedings if necessary to keep the project moving forward. All purchase of real property requires approval by the City Council.

Staff will continue to work to reach a reasonable negotiated settlement with the new owners and acquire the easement. However, we want to make sure that the City Council has granted staff all options available, including condemnation. If approved, this item will authorize the City to negotiate with the trust for the purchase of the necessary sewer easement based on the appraised value of the property and in accordance with State law.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, FINDING THAT A PUBLIC NECESSITY EXISTS FOR ACQUISITION OF A PERMANENT SANITARY SEWER LINE EASEMENT PROVIDING LIMITED RIGHTS ON AND UNDER 0.667 ACRES OF REAL PROPERTY, MORE OR LESS, AND A TEMPORARY CONSTRUCTION EASEMENT PROVIDING TEMPORARY LIMITED RIGHTS ON AND UNDER 0.85 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.

MOTION: Council Member Miller moved to approve the Resolution of the City Council of the City of Anna, Texas, finding that a public necessity exists for acquisition of a permanent sanitary sewer line easement providing limited rights on and under 0.667 acres of real property, more or less, and a temporary construction easement providing temporary limited rights on and under 0.85 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; the real property as described in "Exhibit A" to the Resolution. Mayor Pike seconded. Motion carried 7-0.

- j. Approve a Resolution resizing the Diversity and Inclusion Advisory Commission from 11 to seven (7) members (Assistant City Manager Ryan Henderson).

At the February 8, 2022, City Council Meeting, City staff presented a workshop item with a recommendation to resize the Diversity and Inclusion Advisory Commission from its current 11 members to seven members. The recommendation was made to align this advisory board with the City's other governmental boards, which all have seven members.

As the Board was created by Resolution (Resolution No. 2020-07-757), a Resolution must be approved to amend the Board's size.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AMENDING RESOLUTION NO. 2020-07- 757 CREATING THE ANNA DIVERSITY AND INCLUSION ADVISORY COMMISSION; ESTABLISHING PROCEDURES FOR APPOINTMENT AND REMOVAL OF MEMBERS; AND ESTABLISHING DUTIES AND RESPONSIBILITIES OF THE COMMISSION.

7. **Items For Individual Consideration.**

- a. Zoning - Affi Addition, Block A, Lot 2R (Director of Development Services Ross Altobelli)

Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance to rezone 2.0± acres located at the southeast corner of W. White Street and Standridge Boulevard (CR 286) from C-2 General Commercial (C-2) to I-1 Light Industrial (I-1) to allow the use of Automotive repair, major.

Consider/Discuss/Action on a Resolution regarding the Affi Addition, Block A, Lot 2R, Concept Plan.

The applicant is requesting to rezone the property in order to allow for the use of Automotive repair, major.

Automobile repair, major: General repair or reconditioning of engines and air conditioning systems for motor vehicles; wrecker service; collision services including body, frame or fender straightening or repair; customizing; overall painting or paint shop; vehicle steam cleaning; those uses listed under "Automobile repair, minor"; and other similar uses.

Per the zoning ordinance, the Light Industrial (I-1) district is intended to accommodate those uses that are of a non-nuisance type located in relative proximity to residential areas.

A concept plan, Affi Addition, Block A, Lot 2R, accompanies this request.

Mayor Pike opened the public hearing at 6:57 PM.

There were no public comments.

Mayor Pike closed the public hearing at 6:58 PM.

(Property rezoned under this ordinance is generally located at the southeast corner of W. White Street and Standridge Boulevard) 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.

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

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A CONCEPT PLAN FOR AFFI ADDITION, BLOCK A, LOT 2R.

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

b. Annexation Crystal Park. (Director of Development Services Ross Altobelli)

Consider/Discuss/Act on a Resolution approving an Agreement regarding services including a plan for municipal services regarding 290.7± acres of land generally located on the west side of County Road 286, 1035± feet south of W. White Street (FM 455).

Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance regarding annexation of 290.7± acres of land into the City's corporate boundaries generally located on the west side of County Road 286, 1035± feet south of W. White Street (FM 455).

Bloomfield Homes, LP, has submitted a petition to annex 290.7± acres of land located on the west side of County Road 286, 1035± feet south of W. White Street (FM 455).

It is recommended that the City Council approve a resolution for an agreement regarding services and an ordinance regarding the request to annex the 290.7± acres of land located on the west side of County Road 286, 1035± feet south of W. White Street (FM 455).

A RESOLUTION ADOPTING A CONDITIONAL AGREEMENT REGARDING SERVICES RELATED TO ANNEXATION OF A 150.2± ACRE TRACT OF LAND.

MOTION: Council Member Carver moved to approve. Council Member Atchley seconded. Motion carried 7-0.

Mayor Pike opened the public hearing at 7:01 PM.

Developer J.R. Douglas, Douglas Properties, Inc., addressed the City Council and responded to Council Members' questions regarding status of the project.

Mayor Pike closed the public hearing at 7:03 PM.

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 Toten moved to approve. Council Member Carver seconded. Motion carried 7-0.

c. Zoning Crystal Park. (Director of Development Services Ross Altobelli)

Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance to establish zoning and rezone 391± acres located on the west side of U. S. Highway 75, 2,645± feet south of W. White Street (FM 455) in accordance with Resolution No. 2021-12-1077.

Consider/Discuss/Action on a Resolution regarding the Crystal Park, Concept Plan.

The proposed zoning will contain single-family homes of various sizes, townhomes, commercial, mixed-use, and professional campus development over multiples phases The permitted uses and standards for development of the Property shall be in accordance with the, SF-TH Townhome District (SF-TH), SF-Z Single Family Residence District – Zero Lot Line Homes (SF-Z), SF-60 Single-Family Residence District (SF-60), SF-72 Single-Family Residence District (SF-72), SF-84 Single-Family Residence District (SF-84), SF-10.5 Single-Family Residence District (SF 10.5), MF-2 Multiple-Family Residential - High Density (MF-2), and C-2 General Commercial District (C-2) of the Zoning Ordinance and applicable City Regulations, except as amended and modified in the Crystal Park Development Agreement (Resolution No. 2021-12-1007).

Mayor Pike opened the public hearing at 7:04 PM.

There were no public comments.

Mayor Pike closed the public hearing at 7:05 PM.

(Property zoned under this Planned Development ordinance is generally located on the west side of U. S. Highway 75, 2,645± feet south of W. White Street (FM 455) 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.

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

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING CRYSTAL PARK, CONCEPT PLAN.

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

- d. Zoning - Anna Retail Addition, Block A, Lot 6 (Director of Development Services Ross Altobelli)

Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance to rezone 15.4± acres located on the east and west sides of Throckmorton Boulevard, 370± feet south of W White Street (FM 455) from C-2 General Commercial to Planned Development-MF-2 Multiple-Family Residential – High Density.

Consider/Discuss/Action on a Resolution regarding the Anna Retail Addition, Block A, Lots 3R, 6, 7, 8, 9 and Block B, Lot 1, Concept Plan.

The applicant is proposing multiple-family zoning and design standards that would allow for a development layout that would support three- and four-story buildings with, one-, two-, and three-bedroom units.

A 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 PD district may be used to permit new and innovative concepts in land utilization. While great flexibility is given to provide special restrictions which will allow development not otherwise permitted, procedures are established herein to insure against misuse of the increased flexibility.

A concept plan, Anna Retail, Block A, Lots 6R, 7, 8, 9 and Block B, Lot 1, accompanies this request.

Surrounding Land Uses and Zoning

North - Retail and restaurant lot and vacant land zoned C-2 General Commercial

East - Common area lot zoned C-2 General Commercial

South - Vacant land zoned Planned Development-C-1 Restricted Commercial

West - Restaurant and vacant land zoned C-2 General Commercial

Proposed Planned Development Stipulations

The requested zoning is PD-MF-2. This Planned Development is to allow for a high-density, multiple-family residence.

Maximum height - The MF-2 base zoning only allows for two-story apartments with a maximum height of 45 feet.

☐ The applicant is proposing both 3 and 4-story building designs that will have a maximum height of 60 feet.

Parking - Sec. 9.04.037 (Parking space regulations) of the Zoning Ordinance require a minimum of 2 parking spaces per dwelling unit for multiple-family dwellings, plus 0.25 spaces per dwelling unit for visitor parking. Additionally, 75% of the required parking is required to be covered.

☐ The applicant is proposing to reduce the required parking for studio and one-bedroom units from two (2) spaces per unit to one and a half (1.5) spaces per unit.

☐ The applicant is requesting to reduce the required covered parking 75% to 50%.

Screening fence - The MF-2 zoning requires border fencing of masonry construction no less than eight feet in height be installed along the property line on any perimeter not abutting a public street-right-of-way.

☐ The applicant is requesting to install a six-foot-high ornamental metal fence with masonry columns and landscaping. ☐ The applicant is proposing to allow the required screening within the front yard setback along Throckmorton Boulevard and to set back the screening and fencing from the northern property line to create a walkable environment along the access easement.

Open Space – The applicant is requesting to count regional detention towards overall open space provided. The regional detention lot (Anna Retail, Block B, Lot 1) is identified as a location for a Hike/Bike trail on the Parks Master Plan.

Refuse Facilities - The applicant is proposing to utilize a trash compactor and trash chute for buildings exceeding 24 units. The buildings with 24 or less units will be serviced by refuse facilities per the Zoning Ordinance.

The Future Land Use Plan designates this property as Community Commercial (CC). Community Commercial development is typically characterized by small, freestanding buildings containing one or more businesses. Unlike larger shopping centers that may attract regional customers, Community Commercial developments primarily provide services for residents of surrounding neighborhoods. Business types may include restaurants, local retail, medical offices, banks and other retail and services.

The Planning and Zoning Commission recommended approval of the zoning request.

Mayor Pike opened the public hearing at 7:06 PM.

Project Representative Tyler Adams, AIA, Greenlight Development, presented a PowerPoint presentation and, along with Developer Eli Nunley, Notus Group, LLC, addressed the City Council with regard to the project timeline.

City Council discussion ensued.

MOTION: Council Member Miller moved to hold the Public Hearing open to the April 12, 2022, City Council Meeting to be held at the Anna ISD Board Room, 201 E. 7th Street at 6:30 PM. Council Member Carver seconded. Motion carried 7-0.

MOTION: Mayor Pike moved to take no action on the Concept Plan. Council Member Miller seconded. Motion carried 7-0.

- e. Consider/Discuss/Action regarding approval of a Resolution authorizing a professional services agreement for professional services with Freese and Nichols, Inc., for the updating of the City of Anna Planning and Development Regulations. (Director of Development Services Ross Altobelli).

Within the newly adopted Anna 2050 Comprehensive Plan, one of the recommended steps to achieve the land use vision desired by Anna neighbors was to rewrite the City's development-related ordinances to align them with the vision expressed within the Comprehensive Plan and to accommodate the Future Land Use Plan. Additionally, the Plan called to establish policies to guide the appropriate mix, intensity, and design of mixed-use projects to help City staff evaluate the implications of these types of development proposals, as well as to create standards and regulations for Downtown to ensure high-quality development.

This effort will align codes with the goals and recommendations of newly adopted Comprehensive Plans, modernize and simplify regulations, provide greater clarity, address possible deficiencies, improve staff efficiency, and be more user-friendly.

On September 1, 2021, the City of Anna issued a Request for Proposal to be submitted by September 30, 2021. Staff received a total of 2 responses. The City's Review Committee was made up by the City Manager, Assistant City Manager, Director of Development Services, Planning staff, Director of Economic Development, Director of Neighborhood Services, and the City Engineer.

Upon completing the interviews, the Review Committee unanimously recommended moving forward with Freese and Nichols based on their response and body of work.

General Timeline of project – Freese and Nichols has developed an eleven-month schedule with the adoption process of the Anna Development Regulations update which is expected to begin in early April of 2022. For a detailed timeline, please review Exhibit A within the proposed Professional Services Agreement.

The cost estimate of each plan is: \$239,500.

- Zoning, Landscape, Signage & Subdivision regulations - \$189,500
- Downtown and Mixed-Use Zoning Districts and standards - \$50,000

A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS, INC., AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME

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

- f. Consider/Discuss/Action approving a Resolution appointing a Greater Texoma Utility Authority (GTUA) Board Member to Place 8. (City Secretary Carrie Land)

MOTION: Council Member Miller moved to table. Council Member Toten seconded. Motion carried. 6-0. Mayor Pike left the meeting.

- g. Consider/Discuss/Action on revising the appointments to the 2022 Boards and Commissions Interview Committee. (City Secretary Carrie Land)

At the January 25, 2022, City Council meeting, the City Council appointed Mayor Pike, Council Member Toten, and Council Member Carver to serve as the 2022 Boards and Commissions Interview Committee.

MOTION: Council Member Vollmer moved to appoint Council Members Toten, Miller, and Atchley. Council Member Ussery seconded. Motion carried 7-0.

- h. Consider/Discuss/Action on approval of a Resolution authorizing the City Manager to execute a contract with Blue Star Utilities, LLC, for the construction of the Hurricane Creek Line "B" Sanitary Sewer project. (Director of Public Works Greg Peters, P.E.)

In 2018, the City of Anna began work on plans for providing sanitary sewer service on the west side of US 75. A sanitary sewer collection system west of US 75 is required for the development and growth of the community on this large area, where multiple master planned developments are planned to be constructed.

This project, known as the Hurricane Creek Line "B" trunk sewer, will provide gravity sewer from FM 455 all the way to the proposed wastewater treatment plant located at the southwest edge of Anna's ETJ. The project is critical to providing gravity sewer to the Hurricane Creek master planned development, along with multiple large tracts of land which are already planned for development.

The design engineer, Birkhoff, Hendricks, and Carter, LLC, completed the engineering design and bid the project earlier this year. Bids were opened at 2:00pm on Thursday, March 10th. Seven bids were received. The lowest qualified bid was received from Blue Star Utilities, LLC.

Staff is recommending approval of the Resolution authorizing the City Manager to execute contracts with Blue Star Utilities, LLC, to construct the project. Once contracts are executed, staff will work with the contractor to prepare a detailed

project schedule which will be made available on the City of Anna website.

The total estimated cost is \$5,286,622.00. The low bid was received from Blue Star Utilities in the amount of \$4,806,020.00. A 10% contingency is being recommended by City staff and the design engineer, which totals \$480,602.00. The funds for the project will come from Wastewater Impact Fees.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AWARDED THE HURRICANE CREEK LINE B SANITARY SEWER PROJECT TO BLUE STAR UTILITIES, A TEXAS LIMITED LIABILITY CORPORATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

- i. Consider approval of a Resolution authorizing the City Manager to execute a Purchase Order to Wopac Construction, Incorporated, for the rehabilitation of North James Street in the City of Anna, Texas. (Director of Public Works Greg Peters, P.E.)

North James Street from 5th Street to Hackberry Lane is identified as a capital roadway maintenance project in the City of Anna, Texas. The existing street is comprised of an asphalt pavement in poor condition, and thus requires full depth rehabilitation.

North James Street will be re-constructed using Street Maintenance Tax Funds. Since this street was originally constructed as an asphalt road, staff is recommending that the rehabilitation be done with full depth asphalt replacement, including improvements to the road base to address failures in the subgrade.

The City is seeking to utilize the unit price agreement in the contract Collin County currently has with Wopac Construction, Incorporated, as it represents the best value for the City. If approved, the project will be completed in late spring/early summer of this year.

The total budget is estimated at \$150,000, which includes the base quote of \$133,347.54 and \$16,652.46 in contingency funds. Funding for the project will come from Street Maintenance Tax Funds.

A RESOLUTION OF THE CITY OF ANNA, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE REHABILITATION OF NORTH JAMES STREET TO WOPAC CONSTRUCTION, INCORPORATED IN THE AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00); AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Mayor Pike moved to approve. Council Member Miller seconded. Motion carried 6-1. Council Member Toten opposed.

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 exception.

- 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). Proposed development; municipal facilities; utility contracts.
- 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 Toten seconded. Motion carried 7-0.

Mayor Pike recessed the meeting at 7:58 PM. Mayor Pike left Closed Session at 9:00 PM.

Mayor Pro Tem Miller reconvened the meeting at 9:44 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.

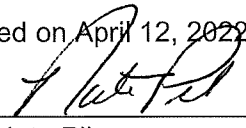
No action was taken.

10. **Adjourn.**

Mayor Pro Tem Miller adjourned the meeting at 9:45 PM.

ATTEST:


City Secretary Carrie L. Land

Approved on April 12, 2022.


Mayor Nate Pike

