



## **CITY OF ANNA AGENDA NOTICE – CITY COUNCIL WORKSHOP**

**November 8, 2011**

**6:30 p.m. – Anna City Hall Administration Building**

The City Council of the City of Anna will meet in Workshop Session at 6:30 p.m., November 8, 2011, at the Anna City Hall Administration Building, located at 111 North Powell Parkway (Hwy 5), regarding the following items.

1. Call to Order
2. Roll Call and Establishment of Quorum.
3. Discussion regarding designation of official newspaper. (Natha Wilkison)
4. **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. Personnel Matters: City Manager annual review. (Tex. Gov't Code §551.074).
  - c. Personnel Matters: Discussion regarding Fire Chief. (Tex. Gov't Code §551.074).

The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

1. The Council may vote and/or act upon each of the items listed in this agenda.
2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, whenever it is considered necessary and legally justified under the Open Meeting Act.
3. Persons with a disability who want to attend this meeting who may need assistance should contact the City Secretary at 972 924-3325 two working days prior to the meeting so that appropriate arrangements can be made.

5. Discussion regarding any item on the City Council's November 8, 2011 Regular Meeting Agenda Notice, which was posted at the same date, time and place of this Workshop Agenda Notice.
6. Adjourn.

This is to certify that I, Natha Wilkison, City Secretary, posted this agenda at a place readily accessible to the public at the Anna City Hall and on the City Hall bulletin board at or before 5:00 p.m., November 4, 2011.

*Natha Wilkison*  
Natha Wilkison, City Secretary

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## **CITY OF ANNA AGENDA NOTICE – CITY COUNCIL REGULAR MEETING**

**November 8, 2011**

**7:30 p.m. – Anna City Hall Administration Building**

The City Council of the City of Anna will meet in Regular Session at 7:30 p.m., November 8, 2011, at the Anna City Hall Administration Building, located at 111 North Powell Parkway (Hwy 5), to consider the following items.

*Welcome to the City Council Meeting. Please sign the Sign-In-Sheet as a record of attendance. If you wish to speak on an open-session agenda item please fill out the Opinion/Speaker Registration Form and turn it in to the City Secretary before the meeting starts.*

1. Call to Order.
2. Invocation and Pledge of Allegiance.
3. Citizen comments. *Citizens are allowed 3 minutes to speak. The Council is unable to respond to or discuss any issues that are brought up during this section that are not on the agenda, other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.*
4. Receive reports from Staff or the City Council about items of community interest. *Items of community interest include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutory recognition of a public official, public employee, or other citizen (but not including a change in status of a person's public office or public employment); a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.*

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5. Consent Items. *These items consist of non-controversial or “housekeeping” items required by law. Items may be considered individually by any Council member making such request prior to a motion and vote on the Consent Items.*
  - a. Approve City Council Minutes for October 25, 2011 Regular Meeting.
  - b. Approve a Resolution authorizing the City Manager to execute a bill of sale reflecting the purchase of a 2005 Ford Crown Victoria by the City of Bells. (Chief Jenks)
  - c. Approve an Ordinance regarding Vacating and Abandoning portions of the Rights of Way in the Gwynn Morrison Survey, Abstract No. 559 in the City of Anna, Collin County, Texas and being parts of land occupied by the Anna Independent School District. (Maurice Schwanke)
  - d. Approve a final plat of the “Anna ISD Addition” (administration buildings) located on both sides of Seventh Street. (Maurice Schwanke)
  
6. Recognition of the 2011 Anna Citizen Academy participants.
  
7. Consider/Discuss/Action approving a Resolution regarding the Collin County 50/3 Economic Development Program. (Jessica Perkins)
  
8. Consider/Discuss/Action approving a Resolution approving (i) a resolution of the board of director of Anna Economic Development Corporation (“EDC”) approving the entering into of a loan agreement; (ii) a sales tax remittance agreement between the city and the EDC; (iii) resolving other matters incident and related to the loan; and (iv) the authority of the Mayor to execute, on behalf of the city, a general certificate of the city and the sales tax remittance agreement. (Jessica Perkins)
  
9. Consider/Discuss/Action approving a Resolution regarding the 2012 Street Rehabilitation Project. (James Parkman)
  
10. 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

1. The Council may vote and/or act upon each of the items listed in this agenda.

2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, whenever it is considered necessary and legally justified under the Open Meeting Act.

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State Bar of Texas clearly conflicts with Chapter 551 of the Government Code (Tex. Gov't Code §551.071).

b. Personnel Matters: City Manager annual review. (Tex. Gov't Code §551.074).

c. Personnel Matters: Discussion regarding Fire Chief. (Tex. Gov't Code §551.074).

The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

11. Consider/Discuss/Action on any items listed on posted agenda for November 8, 2011 City of Anna Workshop Session or any closed session occurring during this Regular Meeting, as necessary.

12. Adjourn.

This is to certify that I, Natha Wilkison, City Secretary, posted this agenda at a place readily accessible to the public at the Anna City Hall and on the City Hall bulletin board at or before 5:00 p.m., November 4, 2011.

*Natha Wilkison*

Natha Wilkison, City Secretary

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**City of Anna  
City Council Agenda  
Staff Report**

Council Meeting: November 8, 2011

Staff Contact: Natha Wilkison

Account Code #: N/A

Date Prepared: 11-3-11

Budgeted Amount: N/A

Exhibits:  Yes  No

**AGENDA SUBJECT:** Discussion regarding designation of official newspaper.  
(Natha Wilkison)

**SUMMARY:** Staff has been approached by a Advertising Sales Representative with the Anna-Melissa Tribune with a request to become the Official Newspaper for the City of Anna.

According to the Charter: Article 11 – General Provisions; Section 11.02 Official Newspaper

The City Council must declare an official newspaper of general circulation in the City. All ordinances, notices and other matters required by this Charter, City ordinances, or state or federal law to be published in the official newspaper.

One of the main reasons is that the Anna Tribune is only published once a week. This would cause considerable problems with our notices needing to be published. Putting items on agendas in a timely matter, especially P & Z since they meet only once a month, would be a problem. Our notices for TCEQ need to be published in a County distributed newspaper.

**RECOMMENDATION:** Staff recommends staying with the McKinney Courier Gazette as the Official Newspaper for the City at this time.



**City of Anna  
City Council Agenda  
Staff Report**

Council Meeting: November 8, 2011

Staff Contact: Chief Jenks

Account Code #: \_\_\_\_\_

Budgeted Amount: \_\_\_\_\_

Exhibits:  Yes       No

**AGENDA SUBJECT:** Approve a Resolution authorizing the City Manager to execute a bill of sale reflecting the purchase of a 2005 Ford Crown Victoria by the City of Bells.

**SUMMARY:** The City of Bells, in dire need of a vehicle for use by their police department, contacted the City of Anna regarding purchasing one of our out-of-service police vehicles scheduled to be sold at auction.

The 2005 Ford Crown Victoria police-packaged vehicle, VIN 2FAFP71W35X142214, is recommended for sale to the City of Bells. After research, this vehicle is found to have an NADA trade-in value of approximately \$1,600 based on its condition. Auctioned vehicles usually top-out at or near the trade-in value.

**STAFF RECOMMENDATION:** Approval of the resolution to sell the vehicle to the City of Bells, Texas at the fair market price of \$1,600.00



## City of Anna City Council Agenda Staff Report

Council Meeting: November 8, 2011

Staff Contact: Maurice Schwanke

Account Code #: N/A

Date Prepared: 11/03/11

Budgeted Amount: N/A

Exhibits:  Yes  No

**AGENDA SUBJECT:** Consider/Discuss/Action adopting an Ordinance regarding Vacating and Abandoning portions of the Rights of Way in the Gwynn Morrison Survey, Abstract No. 559 and the Henry Brantley Survey, Abstract No. 71, in the City of Anna, Collin County, Texas and being parts of land occupied by the Anna Independent School District.

**SUMMARY:** The Anna ISD Administration Office exist on land that has not been platted or partially platted in the past and is in a configuration based on a residential nature. The physical location is east of Sherley Street, north of East White Street and on both sides of 7<sup>th</sup> Street.

Some of the existing school facilities are located on top of existing rights-of-ways that were never abandoned. Abandonment documentation, quit claim deeds, and legal descriptions of such have been prepared. After approval of the abandonments the "Anna ISD Addition" plat that is the next item for Council Approval can proceed subject to the abandonment information being placed on the plat.

**RECOMMENDED ACTION:** Approval of the Abandonments.





## City of Anna City Council Agenda Staff Report

Council Meeting: November 8, 2011

Staff Contact: Maurice Schwanke

Account Code #: N/A

Date Prepared: 11/03/11

Budgeted Amount: N/A

Exhibits:  Yes  No

**AGENDA SUBJECT:** Approve a final plat of the “Anna ISD Addition” (administration buildings) located on both sides of Seventh Street.

**SUMMARY:** The “Anna ISD Addition” which is the location of the Anna ISD administration offices exist on land that has not been totally platted in the past. The physical location is east of Sherley Street, north of East White Street and on both sides of 7<sup>th</sup> Street. This plat will consolidate the property into 2 lots. One lot is north of Seventh Street and the other is south of Seventh Street.

As shown on the plat several areas will have right-of-way dedications and several areas are planned as being abandoned.

**PLANNING AND ZONING ACTION:** The Planning and Zoning Commission recommended approval of the final plat at their meeting on October 4, 2010. The vote was unanimous. After approval at the Planning and Zoning meeting the plat was held up by all parties pending the handling of the abandonments.

**RECOMMENDED ACTION:** Approval of the Plat.



## City of Anna City Council Agenda Staff Report

Council Meeting: November 8, 2011

Staff Contact: Jessica Perkins

Account Code #: n/a

Budgeted Amount: n/a

Exhibits:  Yes  No

**AGENDA SUBJECT:** Consider/Discuss/Action approving a Resolution regarding the Collin County 50/3 Economic Development Program and a broadly applicable tax abatement program. (Jessica Perkins)

**SUMMARY:** The Collin County Commissioners Court voted on October 10<sup>th</sup> to enact a tax incentive program (50/3) to encourage the creation and relocation of new businesses to Collin County. The 50/3 program will be adopted pursuant to Chapter 381 of the Local Government Code and will provide a 50% “refund” for each of the first 3 years that an eligible business is in operation. To be eligible, a business must employ the equivalent of 5 full time employees, have a taxable value of (improvements and business personal property) of not less than \$100,000, and have timely paid their annual property taxes. The 50/3 program is effective for new businesses not located within the boundaries of a TIF or TIRZ and must open for business on or after January 1, 2012.

The Commissioners Court expects to adopt a final 50/3 program policy which includes addendums to meet the needs of each city. As an example, some cities asked that the 50/3 program not be granted to new retailers or specific types of businesses (game rooms, liquor stores, sexually oriented business, etc.) or limited only to businesses in underutilized areas of their community.

The Commissions Court requested that a proposed list of any specific **50/3 program limitations** for each city be submitted no later than **November 21<sup>st</sup>**. The list can be in the form of a signed letter or council resolution. Each cities’ response will be provided to the Commissioners Court for their review and adoption at their December 5<sup>th</sup> meeting.

**STAFF RECOMMENDATION:** Staff recommends you adopt a resolution in support of the program with the following 50/3 grant limitations:

- Adult Entertainment: including Adult Arcade, Adult Video and/or Bookstore, Adult Novelty Store, Adult Cabaret, Adult Motion Picture, Adult Theater.
- Nude Modeling Studio
- Massage Parlor
- Short Term Loan Agencies
- Fat Rendering Plants
- Garbage Offal or Dead Animal Reduction
- Tattoo Parlor
- Body Piercing Shop



## City of Anna City Council Agenda Staff Report

Council Meeting: November 8, 2011

Staff Contact: Jessica Perkins

Account Code #: n/a

Budgeted Amount: n/a

Exhibits:  Yes  No

**AGENDA SUBJECT:** Consider/Discuss/Action regarding adopting a resolution approving (i) a resolution of the board of directors of Anna Economic Development Corporation (“EDC”) approving the entering into of a loan agreement; (ii) a sales tax remittance agreement between the city and the EDC (iii) resolving other matters incident and related to the loan; and (iv) the authority of the Mayor to execute, on behalf of the city, a general certificate of the city and the sales tax remittance agreement.

**SUMMARY:** The Anna EDC is moving forward with the financing needed to secure and close on the property located at 312 North Powell Parkway (aka Old Post Office). There is a list of documents request from the lending bank. These documents include financing terms and a sales tax. The city is being asked to pass a resolution in support of the loan and commit to remit sales tax.

**STAFF RECOMMENDATION:** Staff recommends you adopt the resolution in support of the purchase of property at 312 North Powell Parkway.



**City of Anna  
City Council Agenda  
Staff Report**

Council Meeting: November 8, 2011

Staff Contact: James Parkman

Account Code #: N/A

Date Prepared: 11-3-11

Budgeted Amount: N/A

Exhibits:  Yes  No

**AGENDA SUBJECT:** Consider/Discuss/Action approving a Resolution regarding the 2012 Street Rehabilitation Project. (James Parkman)

**SUMMARY:** (1) Hackberry St. – East of Hwy 5 to Riggins St.

(2) Interurban St. – From Hackberry St. to First St.

**RECOMMENDATION:** Approve street renovation.