



CITY OF ANNA AGENDA NOTICE – CITY COUNCIL

February 23, 2016

6:30 p.m. – Anna City Hall

The City Council of the City of Anna will meet in Work Session at 6:30 p.m., on February 23, 2016 at Anna City Hall, located at 111 N. Powell Parkway (Hwy 5), regarding the following items:

1. Call to Order.
2. Roll Call and Establishment of Quorum.
3. Briefing and Discussion regarding City Hall debt. (Clayton Fulton)
4. Briefing and Discussion regarding Police department grant application. (Chief Jenks)
5. 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**); acquisition of right-of-way, easements, and land for municipal facilities.

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

6. Consider/Discuss/Action on any items listed on the posted agenda or any closed session occurring during this meeting, as necessary.

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.

7. Adjourn.

This is to certify that I, Carrie L. Smith, 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. February 19, 2016.

Carrie L. Smith, City Secretary

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

Date: February 23, 2016
Staff Contact: City Manager
Exhibits: None

AGENDA SUBJECT:

Roll call and establishment of quorum.

SUMMARY:

Mayor establishes a quorum

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Meeting Date: February 23, 2016

Staff Contact: Clayton Fulton

Exhibits: No

AGENDA SUBJECT: Briefing/Discussion regarding City Hall Debt

SUMMARY:

As staff have been working with our architects to determine preliminary design and site locations for a future City Hall, we have also been consulting with our financial advisors to evaluate potential debt scenarios as it relates to a new City Hall.

With the recent action to authorize the purchase of the land for the new City Hall, staff have invited our financial advisors to discuss the impact of financing the \$600,000 land purchase under a short term note to be repaid from future bond proceeds issued to construct the City Hall.

STAFF RECOMMENDATION:

None



City Council Agenda Staff Report

Meeting Date: February 23, 2016

Staff Contact: Chief Jenks

Exhibits:

AGENDA SUBJECT: Briefing regarding Police Department Grant Applications

SUMMARY: Each Fiscal Year, we scan the various grant funding mechanisms to determine if we can compete for grants that are being offered through the NCTCOG, via the Governor's office, originating from the Federal Justice Assistance program. As you may recall, we applied for two grants last FY, one adding a School Resource Officer to the staff and one that would fund the salary and benefits for an officer to be assigned as a Child Abuse/Family Violence Detective. That Detective would replace the position we lost when we added patrol supervisors in November of 2014. We won the SRO grant, but not the additional Detective funding.

For FY 2017 we identified two Grants that I recommend that we compete for.

1. Radio Upgrade: You may recall that we are being mandated by the Federal Government to upgrade from P25 Phase I radios to P25 Phase II radios. The cost to upgrade our current number of radios is estimated to be about \$122k and without any grant funding, that amount would greatly impact the General Fund. We intend to apply for a grant that will give us approx \$79k to assist us with this mandate. This grant would fund 13 portable radios with 1 extra battery each, 4 mobile radios, and 1 6-bank radio charger. If we get this grant, the General Fund will be impacted in the amount of approx \$43k to fund the rest of the radio requirements.
2. Child Abuse/Family Violence Investigator: This JAG grant would, for 3-years, fund the salary and benefits of a Police Officer to work criminal cases involving those where the victims were children. Further, the Detective would specialize in the investigation of those offenses classified as family violence. If we were awarded this grant, the City will be responsible for funding the uniforms and equipment necessary for a new police officer position (approx \$9,500) out of the General Fund and for the

next two years, the cost would be minimal for items such as replacement uniforms, vehicle fuel, training tuition, etc.

At the end of the three-year period, the budget submitted by the Police Department would include the full funding for this full-time, sworn, position.

STAFF RECOMMENDATION:

These Grants would help the City provide advanced law enforcement services to our citizens without bearing the full costs. Further, it allows us to recover state and federal tax dollars paid by our citizens and provide them with services that directly benefit them. If these projects are something the Council would like to see come to fruition, the staff will pursue these funding opportunities enthusiastically.



City Council Agenda Staff Report

Date: February 23, 2016
Staff Contact: City Manager
Exhibits: N/A

AGENDA SUBJECT:

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:

SUMMARY:

- 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); acquisition of right-of-way, easements, and land for municipal facilities.

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STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: February 23, 2016
Staff Contact: City Manager
Exhibits: N/A

AGENDA SUBJECT:

Consider/Discuss/Action on any items listed on posted agenda work session or any closed session occurring during this meeting, as necessary.

SUMMARY:

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: February 23, 2016
Staff Contact: City Manager
Exhibits: None

AGENDA SUBJECT:

Adjourn

SUMMARY:

Item to adjourn the meeting.

STAFF RECOMMENDATION:

Staff recommends a motion to adjourn.



CITY OF ANNA AGENDA NOTICE – CITY COUNCIL MEETING

February 23, 2016

7:30 p.m. – Anna City Hall

The City Council of the City of Anna will meet in Regular Session at 7:30 p.m., on February 23, 2016, at the Anna City Hall, 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/Roll Call.
2. Invocation and Pledge of Allegiance.
3. Citizen comments. *Citizens are allowed three minutes to speak to Council. 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 salutary 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.*

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. 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 the City Council Minutes for February 9, 2016. (Carrie Smith)
6. Consider/Discuss/Action approving an ordinance regarding the annexation of a 21.4 acre tract of land located in the Hiram Brinlee Survey, Abstract No. 30 (St. Charles Apts. Inc., owner); a 47.6 acre tract of land located in the John Chambers Survey, Abstract No. 223 and the Samuel Craft Survey, Abstract No. 165 (Bhagat Holdings Ltd., owner); a 15 acre tract of land located in the Jonathan Douthit Survey, Abstract No. 251 (McGuffey Living Trust, owner); an 18.53 acre tract of land located in the William Kitchings Survey, Abstract No. A0505; and a 15.4 acre tract of land located in the W E Throckmorton Survey, Abstract No.A0899 (William & Nora Steward, owners). (Maurice Schwanke)
7. a. Public Hearing: For City Council to hear public comments regarding a request by Donald and Roxanne Terrell, and John and Ashley Vassilakos owners of the property, to re-plat lots 25, 26, and 27, Block A of the Pecan Hollow Subdivision.
 - b. Consider/Discuss/Action approving a resolution regarding the re-plat of lots 25, 26, and 27, Block A of the Pecan Hollow Subdivision. (Maurice Schwanke)
8. Consider/Discuss/Action regarding adoption of an Ordinance establishing regulations for the construction and/or drilling of water wells. (Joseph Johnson)
9. Consider/Discuss/Take Action regarding a Resolution authorizing approval of a contact with Texas Coalition for Affordable Power (TCAP) (Clayton Fulton)
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

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.

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**); acquisition of right-of-way, easements, and land for municipal facilities.

The Council further reserves the right to enter into closed 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 the posted agenda or any closed session occurring during this meeting, as necessary.

- 12. Adjourn.

This is to certify that I, Carrie L. Smith, 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. February 19, 2016.

Carrie L. Smith, City Secretary

- 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.



City Council Agenda Staff Report

Date: February 23, 2016
Staff Contact: City Manager
Exhibits: None

AGENDA SUBJECT:

Roll call and establishment of quorum.

SUMMARY:

Mayor establishes a quorum

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: February 23, 2016
Staff Contact: City Manager
Exhibits: N/A

AGENDA SUBJECT:

Invocation and Pledge of Allegiance.

SUMMARY:

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: February 23, 2016
Staff Contact: City Manager
Exhibits: N/A

AGENDA SUBJECT:

Citizen comments.

SUMMARY:

Citizens are allowed three 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.

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: February 23, 2016
Staff Contact: City Manager
Exhibits: N/A

AGENDA SUBJECT:

Receive reports from Staff or the City Council about items of community interest.

SUMMARY:

Items of community interest include expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary 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.

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: February 23, 2016
Staff Contact: City Manager
Exhibits: Attached

AGENDA SUBJECT:

These items consists of non-controversial or “housekeeping” items required by law. Items may be considered individually by any Council Member making such request prior to motion and vote on the Consent Items.

SUMMARY:

- a. Approve the City Council Minutes for February 9, 2016. (Carrie Smith)

STAFF RECOMMENDATION:

Staff recommends approval of the consent items.



City Council Agenda Staff Report

Date: February 23, 2016
Staff Contact: Maurice Schwanke
Exhibits: Yes.

AGENDA SUBJECT:

Consider/Discuss/Action approving an ordinance regarding the annexation of a 21.4 acre tract of land located in the Hiram Brinlee Survey, Abstract No. 30 (St. Charles Apts. Inc., owner); a 47.6 acre tract of land located in the John Chambers Survey, Abstract No. 223 and the Samuel Craft Survey, Abstract No. 165 (Bhagat Holdings Ltd., owner); a 15 acre tract of land located in the Jonathan Douthit Survey, Abstract No. 251 (McGuffey Living Trust, owner); an 18.53 acre tract of land located in the William Kitchings Survey, Abstract No. A0505; and a 15.4 acre tract of land located in the W E Throckmorton Survey, Abstract No.A0899 (William & Nora Steward, owners).

SUMMARY:

In November of 2010 the City Council accepted and approved non-annexation development agreements with Charles Apts. Inc. on 21.4 acres of Land, the Bhagat Holdings Ltd on 47.6 acres of land, the McGuffey Living Trust on 15 acres of land, and the Stewart William D & Nora Yvonne on 15.4 acres of land.

Per the terms of the agreements, the respective owner are deemed to have properly filed with the City a petition consenting to voluntary annexation of the respective properties to be completed upon or after the end of the term. The property owners were notified of the proceedings. The mandatory two public hearings have been held by the City Council regarding the 99.4 of total acres described above located east of Sam Rayburn Memorial Hwy and east of FM 2862 (Bhagat tract), located northwest corner of the intersection of FM 2862 and FM 545 (McGuffey tract), located east of Sam Rayburn memorial Hwy at Collin County Outer Loop (St. Charles Apartment Inc. tract) and located northeast corner of the intersection of US 75 and Collin County Outer Loop (Stewart tract). A single family house exists on the Stewart tract and the remaining properties are vacant.

STAFF RECOMMENDATION:

Approval of Ordinance



City Council Agenda Staff Report

Date: February 23, 2016
Staff Contact: Maurice Schwanke
Exhibits: Yes.

AGENDA SUBJECT:

- a. Public Hearing: For City Council to hear public comments regarding a request by Donald and Roxanne Terrell, and John and Ashley Vassilakos owners of the property, to re-plat lots 25, 26, and 27, Block A of the Pecan Hollow Subdivision.

- b. Consider/Discuss/Action approving a resolution regarding the re-plat of lots 25, 26, and 27, Block A of the Pecan Hollow Subdivision.

SUMMARY:

A re-plat has been received on approximately 4.003 acres of land that is located in the Pecan Hollow Subdivision. The purpose of the re-plat is to take three (3) existing lots and turn it into two (2) lots. Under the Local Government Code if lots are being re-platted and they were zoned or had deed restrictions for not more than two residential units per lot a public hearing and notices are required to be sent out prior to approval. The subdivision is located in Anna's ETJ west of FM 455 and the lots are located in the southwest corner of the subdivision. The subdivision does have deed restrictions. Notices were mailed out to property owners, within the 200 ft. We received one property owner response back with no opposition regarding the proposed re-plat.

STAFF RECOMMENDATION:

Approval of Resolution



City Council Agenda Staff Report

Meeting Date: February 23, 2016

Staff Contact: Joseph Johnson

Exhibits: Attached.

AGENDA SUBJECT:

Consider/Discuss/Action regarding adoption of an Ordinance establishing regulations for the construction and/or drilling of water wells.

SUMMARY:

It is prudent to take steps through regulation, permitting, and inspection, to ensure that private wells are properly constructed and that there is a complete physical separation between a private non-potable water source and the City's potable water system when private wells are constructed, maintained, or reconstructed. The proposed regulations would reduce or eliminate potential contamination of the public water system due to improper construction or incorrect location of a private well. The inspections and permitting required would ensure compliance with the Texas Department of Licensing and Regulation (TDLR), Texas Well Drillers Act regulations, the City's adopted electrical and plumbing codes, as well as proper setbacks from property lines, buildings, or potential contaminating sources.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed ordinance.



City Council Agenda Staff Report

Meeting Date: February 23, 2016

Staff Contact: Clayton Fulton

Exhibits: Yes

AGENDA SUBJECT: Consider/Discuss/Take Action regarding a Resolution authorizing approval of a contact with Texas Coalition for Affordable Power (TCAP)

SUMMARY:

The City of Anna currently purchases power not supplied by the Grayson Collin Co-op through a cooperative agreement with the Texas Coalition for Affordable Power (TCAP). TCAP is a non-profit, political subdivision corporation, owned and controlled by its 171 political subdivision members, the vast majority of whom are cities. TCAP is governed by a 15 member board of directors, all of whom must be city employees or elected city officials. As a political subdivision corporation, TCAP is able to bypass retail electric providers and purchase electricity on the wholesale market and directly negotiate rates. Our current TCAP electricity contract expires at the end of 2017.

Beginning Feb. 25 TCAP will establish the size of the load and direct their supplier to look for a rate of 4.1 cents per kWh and lock in pricing for a five-year term. The suppliers and TCAP will monitor the energy market and have until June 30, 2016 to lock in the rate. Once the rate is locked in, the City has 24 hours to execute the contract. According to TCAP, the actual price is likely to be less than the benchmark price. The prices will become effective January 1, 2018. Given that these prices are to be locked in 2016 and will not expire until December 31, 2022, they are reflective of the lowest prices for electricity experienced since the retail market was deregulated January 1, 2002. Generally speaking, there ought to be an expectation that the price of energy will climb marginally for each year of the contract term beyond two years. The possibility of locking-in energy prices at or below 4 cents per kWh for a period that terminates in seven years is truly remarkable based upon the history of deregulation.

The City has three contract options with TCAP.

Option 1:

This option results in fixed price for all usage regardless of the time of day. This option presents the greatest amount of predictability for electric rates and uses the fixed price as outlined above.

Option 2:

This option will provide the same fixed price as option 1 but limit that pricing for all on-peak usage with spot market pricing for off-peak usage. Spot pricing is variable and can change every 15 minutes. Therefore it is impossible to establish a specific price for spot pricing and savings cannot be guaranteed. This option subjects the city to the risk of increasing rates for off-peak usage, with market prices at historic recent term lows, both spot prices and fixed prices have fallen and their price differential has shrunk to the point that future savings from the spot market may not be as great as the risk of future price increases.

Option 3:

This option provides for the purchase of block power to cover the base use of all members selecting option three. Block power represents a firm commitment 24 hours a day and results in the cheapest form of energy on the wholesale market. Daytime peak consumption will be partly covered by a fixed price for solar with all other consumption supplied by the spot market.

TCAP has indicated that with current prices about a half cent less than the price that existed when Option 2 was conceptualized last spring, it will be difficult for Option 2 to generate savings sufficient to justify its selection. Option 3 with its majority reliance on the cheapest form of energy has a greater probability than Option 2 of producing savings over Option 1. But again, with such low Option 1 fixed priced products now available to TCAP members and since there are no guarantees that Options 2 or 3 will produce significant savings, staff believes Option 1 provides the best choice.

STAFF RECOMMENDATION:

The attached Resolution authorizes the execution of a contract to purchase electricity through TCAP under Option 1. With the historic low rates and opportunity lock in the rate for 5 years this represents the safest commitment and insulates all usage from the risk of increased rates.

In addition, the resolution would name the City Manager, Deputy City Manager, Finance Director, Mayor, Mayor Pro-Tem, and Deputy Mayor Pro-Tem as potential signers as the contract must be execute within 24 hours of the locking in the rate.



City Council Agenda Staff Report

Date: February 23, 2016
Staff Contact: City Manager
Exhibits: N/A

AGENDA SUBJECT:

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:

SUMMARY:

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STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: February 23, 2016
Staff Contact: City Manager
Exhibits: N/A

AGENDA SUBJECT:

Consider/Discuss/Action on any items listed on the posted agenda or any closed session occurring during this meeting, as necessary.

SUMMARY:

STAFF RECOMMENDATION:

Item No. 12

City Secretary's use only



City Council Agenda Staff Report

Date: February 23, 2016

Staff Contact: City Manager

Exhibits: None

AGENDA SUBJECT:

Adjourn

SUMMARY:

Item to adjourn the meeting.

STAFF RECOMMENDATION:

Staff recommends a motion to adjourn.