



CITY OF ANNA AGENDA NOTICE – CITY COUNCIL- WORK SESSION

May 24, 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 May 24, 2016 at Anna City Hall, located at 111 N. Powell Parkway (Hwy 5), regarding the following items:

1. Call to Order, Roll Call and Establishment of Quorum
2. Recognition of outgoing Council Members.
3. Administer the Oath of Office and present Certificate of Election to newly elected officials.
4. 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. May 20, 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

Meeting Date: May 24, 2016
Staff Contact: City Administrator
Exhibits: No

AGENDA SUBJECT:

Call to Order, Roll Call and Establishment of Quorum.

SUMMARY:

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: May 24, 2016
Staff Contact: City Secretary
Exhibits: N/A

AGENDA SUBJECT:

Recognition of outgoing Council Members.

SUMMARY:

The City of Anna would like to show their sincere appreciation to the outgoing Council Members for their years of dedication and service.

- Lauren Lovato has served the City Council from December 2012 to May 2016
 - Chad Barnes has served the City Council from May 2013 to May 2016
 - Dick Dowd has served the City Council from August 2013 to May 2016
-

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: May 24, 2016
Staff Contact: City Secretary
Exhibits: Yes

AGENDA SUBJECT:

Administer the Oath of Office and present Certificate of Election to newly elected officials.

SUMMARY:

According to the City Charter each newly-elected person to the City Council is entitled to be inducted into office at the first regular City Council meeting following the election that the newly-elected member attends. Also according to the City Charter all elected and appointed officers of the City must take and sign an oath of office based on those prescribed for state elective and appointed offices, respectively, in the Constitution of the State of Texas.

STAFF RECOMMENDATION:

Judge Paul Liston will be present to administer the Oath of Office to new council members.

A short meet and greet will be held.



City Council Agenda Staff Report

Date: May 10, 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 – REGULAR SESSION

May 24, 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 May 24, 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 and Establishment of Quorum.
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.*

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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. Consider/Discuss/Action regarding electing the Mayor Pro Tem as directed in the City Charter. (City Council)
6. Consider/Discuss/Action regarding electing the Deputy Mayor Pro Tem as directed in the City Charter. (City Council)
7. 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 May 10, 2016. (Carrie Smith)
 - b. Authorize the sale of a Fire Department vehicle. (Chief Gothard)
8. Consider/Discuss/Action regarding a Resolution awarding the bid and approving a contract with Excel Mulching and Trenching for the Throckmorton Creek Trunk Sewer Project (Joseph Johnson)
9. Consider/Discuss/Action on a Resolution instituting Annexation proceedings and setting the dates, times and places for public hearings for the annexation of a 32.295 acre tract of land located in the Henry Smith Survey, Abstract No. 0823. (Maurice Schwanke)
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 State Bar of Texas clearly conflicts with Chapter 551 of the Government Code (**Tex. Gov't Code §551.071**); annexation development agreements, local sales tax allocation; code of ethics
 - 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.
 - 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

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

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deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). **(Tex. Gov't Code §551.087)**; potential retail business prospect.

- d. discuss or deliberate personnel matters **(Tex. Gov't Code §551.074)**; City Attorney annual review.

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. May 20, 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.
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City Council Agenda Staff Report

Date: May 24, 2016
Staff Contact: City Manager
Exhibits: None

AGENDA SUBJECT:

Call to Order, Roll Call and Establishment of Quorum.

SUMMARY:

Mayor establishes a quorum

STAFF RECOMMENDATION:

Item No. 2

City Secretary's use only



City Council Agenda Staff Report

Date: May 24, 2016

Staff Contact: City Manager

Exhibits: N/A

AGENDA SUBJECT:

Invocation and Pledge of Allegiance.

SUMMARY:

STAFF RECOMMENDATION:



City Council Agenda Staff Report

Date: May 24, 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: May 24, 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: May 24, 2016
Staff Contact: City Secretary
Exhibits: N/A

AGENDA SUBJECT:

Consider/Discuss/Action regarding electing the Mayor Pro Tem as directed in the City Charter. (City Council)

SUMMARY:

According to the City Charter the Mayor Pro-Tem is a Council Member elected by the City Council at the first regular meeting after each election of Council Members and/or Mayor. The Mayor Pro Tem must act as the Mayor during the disability or absence of the Mayor, and in this capacity has the rights conferred upon the Mayor.

STAFF RECOMMENDATION:

Staff recommends electing the Mayor Pro Tem.



City Council Agenda Staff Report

Date: May 24, 2016
Staff Contact: City Secretary
Exhibits: N/A

AGENDA SUBJECT:

Consider/Discuss/Action regarding electing the Deputy Mayor Pro Tem as directed in the City Charter. (City Council)

SUMMARY:

According to the City Charter the Deputy Mayor Pro Tem is a Council Member elected by the City Council at the first regular meeting after each election of Council Members and/or Mayor. The Deputy Mayor Pro Tem must act as Mayor during the disability or absence of the Mayor and Mayor Pro Tem, and in this capacity has the rights conferred upon the Mayor.

STAFF RECOMMENDATION:

Staff recommends electing the Deputy Mayor Pro Tem.



City Council Agenda Staff Report

Date: May 24, 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 May 10, 2016. (Carrie Smith)
- b. Authorize the sale of a Fire Department vehicle. (Chief Gothard)

STAFF RECOMMENDATION:

Staff recommends approval of the consent items.



City Council Agenda Staff Report

Meeting Date: May 24, 2016
Staff Contact: Chief Gothard
Exhibits: Attached.

AGENDA SUBJECT: Resolution authorizing the sale of surplus fire rehab vehicle.

SUMMARY: The Fire Dept. currently has a 2003 Chevy Suburban that was donated to the Department in 2010. The unit has been used as a Command vehicle and then as a rehab service unit. The unit has been out of service over the last several months due to mechanical issues, and is to be replaced with the remount project of Brush 901 in the next month.

This unit will be placed up for auction and sold to the highest bidder.

STAFF RECOMMENDATION: Staff recommends the auction and sale of the surplus 2003 Chevy Suburban Rehab vehicle.



City Council Agenda Staff Report

Meeting Date: May 24, 2016
Staff Contact: Joseph Johnson
Exhibits: Attached.

AGENDA SUBJECT: Resolution awarding the bid and approving a contract with Excel Mulching and Trenching for the Throckmorton Creek Trunk Sewer Project.

SUMMARY: The Throckmorton Creek Trunk Sewer Project consists of 6,243 linear feet of 21" sanitary sewer along Throckmorton Creek generally between Taylor Boulevard and Foster Crossing Road. The project is consistent with the 2014 Wastewater Capital Improvement Plan and is necessary to support continued growth in the Throckmorton Creek Basin

On May 12, 2016 at 2:00 PM sealed bids were opened for this project.. Excel Mulching & Trenching submitted the low base bid with a bid of \$1,138,193.00. Excel Mulching & Trenching also submitted a bid of \$71,760.00 for Additive No. 1 to apply a protective coating to the manhole interiors and \$5,000 for Additive No. 2 to abandon the existing lift station. We also accepted alternate bids for other pipe materials but the savings were negligible and not our preferred pipe material.

The City's consulting engineer has reviewed the bids and bidder qualifications and recommends that the City of Anna award the contract to Excel Mulching & Trenching to include the base bid and Additives 1 & 2 for a total contract amount of \$1,214,953.00.

There are funds available for this project in the Throckmorton Creek Interceptor Fund using collected wastewater capital improvement and impact fees.

STAFF RECOMMENDATION: Staff recommends approval of this item.



City Council Agenda Staff Report

Meeting Date: May 24, 2016
Staff Contact: Maurice Schwanke
Exhibits: Yes

AGENDA SUBJECT: Consider/Discuss/Action on a Resolution instituting Annexation proceedings and setting the dates, times and places for public hearings for the annexation of a 32.295 acre tract of land located in the Henry Smith Survey, Abstract No. 0823.

SUMMARY: On March 22nd, the City Council approved a Resolution setting dates and times for public hearings to be held in connection with the annexation of a 32.295 acre tract of land located at the NW corner of Taylor and Ferguson Parkway. The first public hearing was held on May 10th. Due to an oversight, the public notice for the 2nd public hearing was not published. As a result we will need to start the annexation proceeding over with a Resolution setting new dates for the required public hearings. New letters will be sent to all the affected property owners.

This proposed annexation involves approximately 32.295 acres of land. The area contains 5 parcels of property with 5 single family homes and is bounded on three sides by neighborhoods that are inside the city limits. All five properties currently have City water service.

The Resolution (if approved) would initiate or begin annexation proceedings of the area shown on the attached Exhibit. If the Resolution is adopted, the City will schedule two public hearings that will be held during the regular City Council Meetings on June 28th and July 12th. During the first public hearing, Staff will present a plan that will explain how the city will fulfill its obligation to extend full municipal services to the properties being annexed. A final vote on the annexation would be scheduled on August 9th.

Prior to annexing properties that are appraised for property tax purposes as land for agricultural, wildlife management use, or as timber land (as defined in Subchapter C, D, or E Chapter 23, Tax Code) the City is required to offer to make a development agreement with the landowner. Such a development agreement would:

- 1) guarantee the continuation of the extraterritorial (outside the city limits) status of the property for a period of time; and
- 2) authorize the enforcement of all regulations and planning authority of the city that do not interfere with the use of the property for agriculture, wildlife management, or timber.

The City could elect to proceed with annexation of property with a qualifying tax exemption if the owner declines a development agreement offer extended by the City. The Council may elect to extend the same development agreement offer to the owners of properties that do not have a qualifying tax exemption.

The attached Resolution directs the City Manager offer the Development Agreement referenced in the Resolution as Exhibit B to all the property owners within the area proposed for annexation regardless of whether their property has a qualifying tax exemption. The proposed Development Agreement (if executed by the property owner & approved by the Council) would guarantee that the property would remain outside the city limits for three (3) years. At the conclusion of the three-year period, the property owner would consent to voluntary annexation in 2019.

STAFF RECOMMENDATION: The City's Comprehensive Plan includes a chapter on Growth Management (Chapter 4) that outlines policies and strategies for managing the growth of the City. The Comprehensive Plan suggests that the City proactively annex land within its ETJ that becomes attractive for development due to availability of municipal utilities, and other locations that are in close proximity to areas being subdivided and developed. Proper management of development in the urbanizing areas depends upon annexation and the application of zoning regulations that support the City's Future Land Use Plan. Staff recommends approval of the attached Resolution.



City Council Agenda Staff Report

Date: May 24, 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**); annexation development agreements, local sales tax allocation; code of ethics
- 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.
- 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**); potential retail business prospect.
- d. discuss or deliberate personnel matters (**Tex. Gov't Code §551.074**); City Attorney annual review.

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.

STAFF RECOMMENDATION:

Item No. 11

City Secretary's use only



City Council Agenda Staff Report

Date: May 24, 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:



City Council Agenda Staff Report

Date: May 24, 2016
Staff Contact: City Manager
Exhibits: None

AGENDA SUBJECT:
Adjourn

SUMMARY:
Item to adjourn the meeting.

STAFF RECOMMENDATION:
Staff recommends a motion to adjourn.