

AGENDA

City Council Meeting



Tuesday, July 25, 2023 at 6:00 PM

**Anna Municipal Complex - Council Chambers
120 W. 7th Street, Anna, Texas 75409**

The City Council of the City of Anna will meet on July 25, 2023 at 6:00 PM in the Anna Municipal Complex-Council Chambers, located at 120 W. 7th Street, to consider the following items.

Welcome to the City Council meeting. 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. Neighbor Comments.**

At this time, any person may address the City Council regarding an item on this meeting Agenda that is not scheduled for public hearing. Also, at this time, any person may address the City Council regarding an item that is not on this meeting Agenda. Each person will be allowed up to three (3) minutes to speak. No discussion or action may be taken at this meeting on items not listed on this Agenda, other than to make statements of specific information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.

4. Reports.

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.

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 Meeting Minutes for July 11, 2023. (City Secretary Carrie Land)
- b. Approve the Quarterly Investment report for the Period Ending June 30, 2023. (Finance Director Alan Guard)
- c. Review Monthly Financial Report for the Month Ending June 30, 2023. (Budget Manager Terri Doby)
- d. Review Minutes of the June 5, 2023 Planning & Zoning Commission Meeting. (Director of Development Services Ross Altobelli)
- e. Approve a Resolution regarding the 455/75 Business Addition, Block A, Lot 4R, Site Plan. (Director of Development Services Ross Altobelli)
- f. Approve a Resolution regarding the Gateway at Buddy Hayes, Block A, Lot 2R, Replat. (Director of Development Ross Altobelli)
- g. Approve a Resolution regarding the Gateway at Buddy Hayes, Block A, Lot 2R, Site Pan. (Director of Development Services Ross Altobelli)
- h. Approve a Resolution regarding the Gateway at Buddy Hayes, Block C, Lot 1R, Replat. (Director of Development Services Ross Altobelli)
- i. Approve a Resolution regarding the Gateway at Buddy Hayes, Block C, Lot 1R, Site Plan. (Director of Development Services Ross Altobelli)
- j. Approve a Resolution regarding the Lorenzo Dow Hendricks Elementary Addition, Block A, Lot 1, Final Plat. (Director of Development Services Ross Altobelli)
- k. Approve a Resolution regarding the One Anna Two Addition, Block A, Lots 4R & 5, Preliminary Replat. (Director of Development Services Ross Altobelli)
- l. Approve a Resolution regarding the S.E. Jenkins Estates, Block A, Lot 1, Final Plat. (Director of Development Services Ross Altobelli)
- m. Approve a Resolution regarding the Skyway Towers Addition, Block A, Lot 1, Development Plat. (Director of Development Services Ross Altobelli)
- n. Approve a Resolution regarding the Zee Addition, Block A, Lot 1, Final Plat. (Director of Development Services Ross Altobelli)

- o. Approve a Resolution regarding the Arden Park Phase 2, Final Plat. (Director of Development Services Ross Altobelli)
- p. Approve a Resolution regarding the Arden Park Phase 2, Site Plan. (Director of Development Services Ross Altobelli)
- q. Approve a Resolution regarding an amendment to the Woods at Lindsey Place Development Agreement. (Director of Development Services Ross Altobelli)
- r. Approve a Resolution adopting a Chapter 380 Agreement with Megatel AnaCapri, LLC. (Director of Economic Development Joey Grisham)
- s. Approve an Ordinance adopting the 2023 Annual Service Plan Update to the Service and Assessment Plan and Assessment Roll, including the collection for the 2023-2024 annual installments for the Hurricane Creek Public Improvement District (PID). (Director of Economic Development Joey Grisham)
- t. Approve a Resolution authorizing the City Manager to sign a proposal from Precision Fence to install 421 linear feet of 6ft wrought iron fence and two gates for the Police Department. (CIP Manager Justin Clay)

6. Items For Individual Consideration.

- a. Consider/Discuss/Action on a Resolution entering into a Development Agreement with Anna 31 Retail, LP, to establish development timelines and design regulations for a self-storage, mini-warehouse development on 2.0± acres located 370± feet east of U.S. Highway 75, 510± feet south of W. White Street. (Director of Development Services Ross Altobelli)
- b. Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance to rezone 2.0± acres located 370± feet east of U.S. Highway 75, 510± feet south of W. White Street from C-2 General Commercial to Planned Development-C-2 General Commercial to allow for the use of Self-Storage, mini-warehouse with modified development standards. (Director of Development Services Ross Altobelli)
- c. Consider/Discuss/Action on a Resolution regarding the Anna Retail Addition, Block A, Lot 9, Concept Plan. (Director of Development Services Ross Altobelli)
- d. Conduct a Public Hearing/Consider/Discuss/Action on a request to rezone one lot on 3.0± acres located at the southeast corner of future Rosamond Parkway and N. Shadybrook Trail to allow for a Communications Tower. (Planning Manager Lauren Mecke)

- e. Consider/Discuss/Action on the Villages of Hurricane Creek - North, Block K, Lot 7X, Site Plan. (Planning Manager Lauren Mecke)
- f. Conduct a Public Hearing/Consider/Discuss/Act on Amendments to Article 9.07 Tree Preservation of The City of Anna Code of Ordinances, Text Amendment. (Director of Development Services Ross Altobelli)
- g. Conduct a Public Hearing/Consider/Discuss/Action on an Ordinance to amend zoning on one lot on 8.2± acres located at the northeast corner of W. 7th Street and S. Powell Parkway to allow for a proposed library and existing civic center uses with modified development standards. (Director of Development Services Ross Altobelli)
- h. Consider/Discuss/Action on a Resolution for Anna Municipal Complex Addition, Block A, Lot 1, Revised Site Plan. (Director of Development Services Ross Altobelli)
- i. Conduct a Public Hearing/Consider/Discuss/Action on a request to rezone one lot on 0.4± acre located on the north side of Hackberry Drive, 320± feet east of N. Powell Parkway from SF-1 Single-Family Residential to C-1 Restricted Commercial to allow for a proposed general office use. (Planner II Salena Tittle)
- j. Consider/Discuss/Action on the J.A. Greer Addition, Block A, Lot 1, Site Plan. (Planner II Salena Tittle)
- k. Consider/Discuss/Action on a Resolution of the City Council of the City of Anna, Texas, finding that a public necessity exists for acquisition of a permanent water line easement providing limited rights on and under 0.017 acres of real property, more or less, and a temporary construction easement providing temporary limited rights on and under 0.001 acres of real property, more or less, as further described in Exhibit A of said resolution with said easements being part of tract of land recorded in Document No. 20110729000793490 of the Official Public Records of Collin County, Texas granted to Sueko Nakama Hoff; 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. (Interim Assistant City Manager Greg Peters, P.E.)
- l. Consider/Discuss/Action on a Resolution of the City Council of the City of Anna, Texas, finding that a public necessity exists for acquisition of a permanent water line easement providing limited rights on and under 0.066 acres of real property, more or less, as further described in Exhibit A of said resolution with said easement being part of a tract of land located at the address of 2012 S. Powell Pkwy, Anna, Texas, 75409 in Collin County,

Texas; 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. (Interim Assistant City Manager Greg Peters, P.E.)

- m. Consider/Discuss/Action on a Resolution of the City Council of the City of Anna, Texas, finding that a public necessity exists for acquisition of a permanent water line easement providing limited rights on and under 0.100 acres of real property, more or less, as further described in Exhibit A of said resolution with said easement being part of tract of land recorded in Document No. 20181221001551200 of the Official Public Records of Collin County, Texas granted to Steve Malampy and Susan Malampy; 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. (Interim Assistant City Manager Greg Peters, P.E.)
- n. Consider/Discuss/Action on a Resolution of the City Council of the City of Anna, Texas, finding that a public necessity exists for acquisition of a permanent water line easement providing limited rights on and under 0.430 acres of real property, more or less, said easement being part of tract of land recorded in Document No. 20180427000512810 of the Official Public Records of Collin County, Texas granted to Destination Friendship, LLC, a Louisiana limited liability company; 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. (Interim Assistant City Manager Greg Peters, P.E.)
- o. Consider/Discuss/Action on a Resolution of the City Council of the City of Anna, Texas, finding that a public necessity exists for acquisition of a permanent water line easement providing limited rights on and under 0.168 acres of real property, more or less, said easement being part of tract of land recorded in Document No. 20190313000263910 of the Official Public Records of Collin County, Texas granted to J. Clayton Kennedy, Trustee of the Kennedy 2012 Investment Trust; 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. (Interim Assistant City Manager Greg Peters, P.E.)
- p. Consider/Discuss/Action on a Resolution authorizing the City Manager to execute a contract with Garney Companies, Incorporated, for Construction

Manager At Risk Services for the Hurricane Creek Regional Wastewater Treatment Plant Facility. (Interim Assistant City Manager Greg Peters, P.E.)

7. 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). Zoning and Related Ordinances. City Regulations.
- 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).

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.

8. 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.

9. Adjourn.

This is to certify that I, Carrie L. Land, City Secretary, posted this Agenda on the City's website (www.annatexas.gov) and at the Anna Municipal Complex bulletin board at or before 5:00 p.m. on 07/20/2023.

Carrie L. Land, City Secretary

1. The Council may vote and/or act upon each of the items listed in this agenda. Notwithstanding the foregoing or any other statement in this Agenda, the Council shall not take action on any item until after providing opportunity for public testimony under the "Neighbor Comments" item or after any public hearing held under applicable law.
2. The Council reserves the right to retire into closed 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.