

AGENDA
MAY 28, 2013
HEATH CITY COUNCIL
200 LAURENCE DRIVE - HEATH, TEXAS
PUBLIC HEARINGS - WORK SESSION - REGULAR MEETING – EXECUTIVE SESSION
6:30 P.M.

1. CALL TO ORDER and INVOCATION.
2. PROCLAMATIONS
 - Rockwall Summer Musicals Presentation - **1776**
3. DEPARTMENT and COMMITTEE REPORTS - See Addendum. *(Items posted on the addendum are for informational purposes. The addendum is a comprehensive list of issues and reports that are of interest to the City Council and may or may not be discussed as determined by Staff and Council.)*
4. Discussion and Action Regarding the Minutes of May 14, 2013.
5. Presentation, Discussion and Action Regarding Plan of Finance and Proceeding with Series 2013 Refunding – First Southwest.
6. Discussion and Action Regarding a Resolution Directing Publication of Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation; and Resolving Other Matters Relating to the Subject. *(L.Mays)*
7. **PUBLIC HEARING** – Receive input regarding a request to amend Ordinance 060518B that approved the Cobblestone Farms Phase 2 Planned Development (PD) to add “research and development facility” as a permitted use and to modify minimum site depth, minimum depth of front parking setback, earthen berm and fence material requirements specifically for Lot 2-R (0.714 ac.) and Lot 3-R (0.716 ac.) in Block E of the Cobblestone Farms Phase 2 Addition situated at the intersection of Hope Dr. and Jeff Boyd Rd. – Requested by James Collier.
8. Discussion and Action Regarding a Request to Amend Ordinance 060518B that approved the Cobblestone Farms Phase 2 Planned Development (PD) to add “research and development facility” as a permitted use and to modify minimum site depth, minimum depth of parking front setback, earthen berm and fence material requirements specifically for Lot 2-R (0.714 ac.) and Lot 3-R (0.716 ac.) in Block E of the Cobblestone Farms Phase 2 Addition.
9. **PUBLIC HEARING** – Receive input regarding the application for a Special Use Permit to construct a 120’ Monopole Communications Tower with a 50’ by 50’ fenced lease area on Tract 26-11 (10.668 acres), E. Teal Survey A-207 (504 Smirl Drive) – Requested by ERS Telecom Properties on behalf of Kevin Lamberth. *[applicant has requested that the public hearing be continued to June 11, 2013]*
10. Discussion and Action Regarding the Application for a Special Use Permit to construct a 120’ Monopole Communications Tower with a 50’ by 50’ fenced lease area on Tract 26-11 (10.668 acres), E. Teal Survey A-207 (504 Smirl Drive). *[applicant has requested that action be deferred to June 11, 2013]*
11. **PUBLIC HEARING** – Receive Input Regarding a proposed amendment to Ch 159, Zoning of the Code of Ordinances in §159.49 Nonconforming Uses to add: “(K) Nonconformance resulting from right-of-way acquisition. Nothing in this chapter shall be construed to prohibit the continued permitted or conditional use of a lot that meets the requirements of this ordinance prior to the acquisition of right-of-way by a governmental agency for a public purpose that subsequent to the right-of-way acquisition does not meet the requirements of this ordinance. Specifically, a lot, tract or parcel that complies with the requirements of this ordinance shall not be rendered nonconforming as a result of the acquisition of right-of-way by a governmental entity. This provision does not apply to a lot, tract or parcel made nonconforming by right-of-way dedicated by plat.”
12. Discussion and Action Regarding a proposed amendment to Ch 159, Zoning of the Code of Ordinances in §159.49 Nonconforming Uses to add: “(K) Nonconformance resulting from right-of-way acquisition. Nothing in this chapter shall be construed to prohibit the continued permitted or conditional use of a lot that meets the requirements of this ordinance prior to the acquisition of right-of-way by a governmental agency for a public purpose that subsequent to the right-of-way acquisition does not meet the requirements of this ordinance. Specifically, a lot, tract or parcel that

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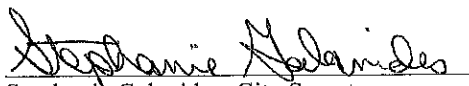
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complies with the requirements of this ordinance shall not be rendered nonconforming as a result of the acquisition of right-of-way by a governmental entity. This provision does not apply to a lot, tract or parcel made nonconforming by right-of-way dedicated by plat.”

13. **PUBLIC HEARING** - Receive Input Regarding a proposed amendment to Ch 158, Subdivisions of the Code of Ordinances in §158.17(A), Sidewalk Construction to amend D(1)(b) Exceptions to Read as follows:
“(1) Unless otherwise specified herein or by maintenance or development agreement, the requirements for maintenance shall not apply to trails and/or pathways wider than five (5) feet constructed in accordance with and/or designated on the City’s trail plan.
(2) Any damage done to a sidewalk by the city or a contractor of the city, if timely reported, shall be repaired by the city or the contractor. Any damage done to a sidewalk by a franchised utility, if timely reported, shall be repaired by the franchised utility.”
14. Discussion and Action Regarding a proposed amendment to Ch 158, Subdivisions of the Code of Ordinances in §158.17(A), Sidewalk Construction to amend D(1)(b) Exceptions to Read as follows:
“(1) Unless otherwise specified herein or by maintenance or development agreement, the requirements for maintenance shall not apply to trails and/or pathways wider than five (5) feet constructed in accordance with and/or designated on the City’s trail plan.
(2) Any damage done to a sidewalk by the city or a contractor of the city, if timely reported, shall be repaired by the city or the contractor. Any damage done to a sidewalk by a franchised utility, if timely reported, shall be repaired by the franchised utility.”
15. Discussion and Action Regarding a Resolution Amending the Investment Policy for Public Funds as Adopted by Resolution 010322; providing an effective date. (*L.Mays*)
16. Discussion and Action Regarding a Resolution Appointing a Representative to the Board of Directors of the County of the Rockwall Emergency Services Corporation. (*E.Thatcher*)
17. Discussion and Action Regarding a Resolution Appointing a Representative to the Rockwall County Transportation Planning Consortium. (*E.Thatcher*)
18. Election of Mayor Pro Tem.
19. Discussion and Action Regarding a Resolution Appointing Directors of the Club Municipal Management District No.1 Board of Directors.
20. **WORK SESSION** – Capital Projects and Funding.
21. Discussion and Action Regarding Capital Projects and Funding
22. **EXECUTIVE SESSION.**
Recess Special Meeting to go Executive Session (Closed Meeting) in accordance with Government Code:
 - a. Section 551.087: Deliberation Regarding Economic Development Negotiations.
 - b. Section 551.074: Personnel Matters Involving the Evaluation of the City Manager and the Appointment/Reappointment of Directors for Club Municipal Management District No.1 Board of Directors.
23. Reconvene Regular Meeting.
24. Discussion and Action Regarding Executive Session Items.

NOTE: Pursuant to the Texas Open Meetings Act, Texas Government Code, Section 551, one or more of the above items may be considered in Executive Session closed to the public. Any decision held on such matter will be taken or conducted in Open Session following the conclusion of the Executive Session.

Agenda posted this the 24th day of May 2013 at 4:00 pm.


Stephanie Galanides, City Secretary

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**ADDENDUM TO CITY COUNCIL AGENDA
DEPARTMENT AND COMMITTEE REPORTS/BRIEFINGS**

The items listed below include subjects that are of interest to the City Council. The Council may or may not receive a briefing dependent upon activity or change in status regarding the matter. This listing is provided to give notice to the public that a briefing to the Council on any or all subjects may occur.

- A. Planning and Zoning (P & Z) Commission
 - 1. Development plats and zoning requests considered by the Commission at their most recent meeting
 - 2. Conditional Use permits considered by the Commission at their most recent meeting
 - 3. Record votes taken at the most recent meeting of the Commission
 - 4. Status of any action or proposed action regarding amendments or revisions to the Zoning Code or the Subdivision Ordinance
 - 5. Any actions taken on revisions to the Capital Improvements Plan or Land Use Assumptions
- B. Board of Adjustment
- C. Economic Development Corporation
- D. Park Board
 - 1. Issues before the Park Board at their most recent meeting
 - 2. Record votes taken by the Park Board
 - 3. Special Events or Activities
- E. Special Events Board
 - 1. Issues before the Special Events Board at their most recent meetings
 - 2. Special Events or Activities
- F. Take Area Appeals Panel
- G. Department of Public Safety
 - 1. Number of calls for service
 - 2. Special events or activities
 - 3. Staffing, training and/or personnel matters
 - 4. Major equipment purchases and repairs
 - 5. Police Activity Report:
 - a. Citations Issued
 - b. Adult Arrests
 - c. Youth Arrests
 - d. Accidents Reported
 - e. Calls for Service
 - f. Other Incidents
 - 6. Commendations
 - 7. Complaints
 - 8. Animal Control:
 - a. Number of animals impounded
 - b. Number of warning and citations issued
 - 9. Annual Racial Profile Report
- H. Building Inspections/Public Works
 - 1. Number of building permits issued previous month, year to date and year to date one year ago
 - 2. Valuation of building permits issued previous month, to date and year to date one year ago
 - 3. Current water projects
 - 4. Current sewer projects
 - 5. Major disruptions of water or sewer service
 - 6. Street repairs and/or street reconstruction
 - 7. Major equipment acquisitions or repairs
 - 8. Fix-It Requests
- I. Municipal Court
 - 1. New cases docketed
 - 2. Revenue collected
 - 3. Final Dispositions
 - 4. Number of Bench Trials
 - 5. Warrants issued
- J. Staff Report
 - 1. Website
 - 2. Status of Interlocal Agreements and Leases
 - 3. Personnel changes
 - 4. Special Projects or Activities
- K. Budget and Finance Report