NOTICE AND AGENDA OF REGULAR CALLED MEETING
HEATH CITY COUNCIL
200 LAURENCE DRIVE - HEATH, TX 75032
TUESDAY, NOVEMBER 8, 2022 at 6:30 PM

1. Call to Order – Regular Meeting, Invocation and Pledge of Allegiance

2. Public Comment

This is an opportunity for the public to address the Council on any matter, except public hearings included on the agenda. Comments related to public hearings will be heard when the specific hearing begins. Public comments are limited to three (3) minutes per speaker, unless the speaker requires the assistance of a translator, in which case the speaker is limited to six (6) minutes, in accordance with applicable law. To address the Council, please sign in prior to the start of the Council Meeting. Each speaker shall approach the podium and state his/her name and street address before speaking. Speakers shall address the governing body with civility that is conducive to appropriate public discussion. Speakers can address only the governing body and not individual city officials or employees. The public cannot speak from the gallery but only from the podium. The Council is not permitted to take action on or discuss any item not listed on the agenda. The Council may: (1) make a statement of fact regarding the item; (2) make a statement concerning the policy regarding the item; or (3) propose the item be placed on a future agenda. (Tex. Govt Code §551.042).

3. Consent Agenda

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.

3.a Action Regarding the Minutes of the October 25, 2022 Regular Meeting.

4. Items for Individual Consideration

4.a Discussion and Action Regarding Proposed Site Additions to the Adopt-a-Park/Trail Program. *(S. Brooke)*

4.b Case No. FP-2022-11: Consider and take action on the Final Plat of Ridge Lakes Phase Two consisting of 41.321 acres of land located in the City of Heath, Rockwall County, Texas, situated in the Antonio Rodriguez Survey Abstract 231, containing 43 residential lots. (Rockwall CAD ID No. 12980) *(A. Adel)*

4.c Case No. CUP-2021-04: Conduct a Public Hearing and act on an application from Timothy Wolf of Rockwall Emergency Medical Services requesting the extension of a Conditional Use Permit granted by Ordinance 211109A for an ambulance service contracted with Rockwall County on property located at 6834 FM 549, being 1.025 acres situated in the E. Teal Survey, Abstract No. 207, Tract 11, City of Heath, Rockwall County, Texas and zoned (SF-43) Single Family Residential District. *(A.Adel)*

4.d Discuss the 2023 Submittal Calendars for Plats, Plans and Zoning Applications. *(A. Adel)*

5. Council/City Manager Comments

Regarding Items of Community Interest – Pursuant To Texas Government Code Section 551.0415 The Mayor, Council And City Manager May Report On The Following Items: (1) Expression Of Thanks, Congratulations Or Condolences; (2) Information Regarding Holiday Schedules; (3) Recognition Of Individuals; (4) Reminders About Upcoming City Council Events; (5) Information Regarding Community Events; (6) Announcements Involving Imminent Threat To Public Health And Safety.

6. Executive Session

In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council will recess in Executive Session (closed meeting) to discuss the following:

6.a Section 551.071: Consultation with Attorney on a matter 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 this chapter, regarding: (i) zoning and platting standards, Local Government Code shot clock, and Trilogy final plat; (ii) Trilogy development in McLendon-Chisholm city limits and extraterritorial jurisdiction.

6.b Section 551.071: Consultation with Attorney regarding pending or contemplated litigation or settlement offer re: (i) City of Heath vs McLendon-Chisholm, Cause No. 1-22-1204, regarding the Trilogy development in McLendon-Chisholm city limits and extraterritorial jurisdiction; (ii) MC Trilogy Texas, LLC v. City of Heath, et al., Cause No. 3:22-cv-02154-D, regarding the Trilogy development in Heath city limits.

7. Reconvene into Open Session

In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

8. Adjourn

NOTE: The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (discussing purchase, exchange, lease or value of real property); §551.074 (discussing personnel or to hear complaints against personnel); and §551.087 (discussing economic development negotiations).

Agenda posted this November 3, 2022 at 5:00 p.m.

Norma Duncan

Norma Duncan, City Secretary