

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, February 10, 2015
6:00 p.m.**

Pursuant to the provisions of Chapter 551 VTCA Government Code, notice is hereby given of a Regular Meeting of the Midlothian City Council, to be held in the City Council Chambers at Midlothian City Hall, 104 West Avenue E, Midlothian, Texas

REGULAR AGENDA

Call to Order, Invocation and Pledge of Allegiance

- 2015-54 Announcements/Presentations
- a. Community Affairs calendar
 - c. Administrative announcements related to personnel
- 2015-55 Citizens to be heard

CONSENT AGENDA

All matters listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion without separate discussion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- 2015-56 Consider and act upon minutes from the City Council meetings of January 21 and January 27, 2015.
- 2015-57 Consider and act upon a requested budget amendment of the Midway Regional Airport for the T-hangar construction project.
- 2015-58 Consider and act upon a resolution authorizing the use of a temporary concrete batch plant in the Parkside Estates subdivision (containing ± 23.395 acres) for the purpose of developing a new subdivision of single-family homes, including streets, within a residential district and providing for procedures established by the Texas Local Government Code and City ordinance; providing for conditions and exemptions; and setting an effective date and termination date (Case No. RES02-2014-32)
- 2015-59 Consider and act upon a Joint Election Contract for Election Services with the Ellis County Elections Administrator
- 2015-60 Consider and act upon the expenditure of funds to Ellis County Precinct 4 for pavement rehabilitation and resurfacing services for Shiloh Road in an amount not to exceed \$85,360, which includes a 10% contingency for any unforeseen items.

PUBLIC HEARINGS

- 2015-61 Continue a public hearing to consider and act upon an ordinance to amend the City of Midlothian Zoning Ordinance 2013-24, as amended, Section 3.5400 (Residential Landscaping, Streetscaping, and Amenity Standards) and Section 3.5600 (Residential Parking and Garages), incorporating changes to various articles, sections and subsections; providing a conflicts clause; providing a severability clause, and providing for an effective date (Case No. OZ03-2013-79).

- 2015-62 Continue a public hearing to consider and act upon an ordinance to amend the City of Midlothian Zoning Ordinance 2013-24, as amended, by the addition of Section 11, Tree Preservation, including the incorporation of modifications to various articles, sections and subsections of the Zoning Ordinance pertaining to landscaping; establishing a Midlothian Tree Mitigation Fund; providing a conflicts clause; providing a severability clause, providing for the enforcement of said amendments, establishing a penalty for violations, and providing for an effective date. (Case No. OZ01-2014-01)
- 2015-63 Conduct a public hearing to consider and act upon an ordinance to amend Ordinance 2011-23, as amended, to expand all Service Areas in the City’s Roadway Impact Fee-Capital Improvement Project (IF-CIP) map to match the existing City Limits; providing for a conflicts clause; providing for a severability clause, and providing an effective date. (Case No. M08-2014-30)

REGULAR AGENDA

- 2015-64 Consider and act upon a Development Agreement between Alluvium Development, Inc. (“Alluvium”) and the City of Midlothian, Texas for participation in the construction of infrastructure and site improvements for an approximate ±135.9 acre single family development referred to as Hawkins Meadow Development (PD 68)
- 2015-65 Consider and act upon Phase 1 of the civil site work construction package for the Community Park, Phase 1 project with Dean Electric, Inc. (dba Dean Construction) of Cedar Hill, Texas, and authorize site work construction to begin for erosion control, demolition, earthwork, utilities, paving, overflow/weir structure, and irrigation/electrical sleeving in an amount not to exceed \$4,110,187.02.
- 2015-66 Consider and act upon a request to rezone ± 1,170 acres (Diamond “J” Ranch) from the current Agricultural (A) District to a Planned Development District (PD) for residential uses (± 913 acres of single family detached lots ranging from 5,250 to 10,400 square feet), non-residential uses (commercial and light industrial uses including reservations) and open spaces. Property encompasses two (2) tracts: the north tract contains ± 969 acres being generally located north of US Hwy. 287 and east of Walnut Grove Road; and the south tract contains ± 201 acres generally located south of the Southern Pacific Railroad and east and southeast of Plainview Road in the City of Midlothian, Texas. (Case No. Z01-2014-05)
- 2015-67 Review and approve draft agenda for the March 3rd City Council Workshop and direct staff as necessary

EXECUTIVE SESSION

Executive Session items are discussed in closed session but any and all action is taken in regular open session. Executive Session is not open to the public because there is a compelling need of confidentiality (e.g., certain real estate, litigation, or personnel matters).

1. Section 551.087 Deliberation regarding economic development negotiations
2. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property
3. Section 551.071 Legal: Consultation with attorney regarding Supreme Court of Texas Cause No. 10-0150, ECOM Real Estate Management, Inc. v. City of Midlothian, Texas.
4. Section 551.071 Legal: Consultation with attorney based on an ethical duty to advise regarding potential litigation

This meeting will be conducted pursuant to the Texas Government Code Section 551.001 et seq. At any time during the meeting the Council reserves the right to adjourn into Executive Session on any of the above posted agenda items in accordance with the Sections 551.071 (litigation and certain consultation with attorney), 551.072 (acquisition of interest in real property), 551.073 (contract for gift to city), 551.074 (certain personnel deliberations), 551.076 (deployment/implementation of security personnel or devices) or 551.087 (economic development negotiations).

REGULAR AGENDA

- 2015-68 Action resulting from Executive Session, Item #1: Economic Development
- 2015-69 Action resulting from Executive Session, Item #2: Real Estate
- 2015-70 Action resulting from Executive Session, Item #3: ECOM
- 2015-71 Action resulting from Executive Session, Item #4: Contemplated litigation
- 2015-72 Adjourn

I, Mary McDonald, Deputy City Secretary of the City of Midlothian, Texas, do hereby certify that this Notice of Meeting was posted on the front window of City Hall, 104 West Avenue E, Midlothian, Texas, at a place readily accessible to the general public at all times, no later than the 6th day of February, 2015 at or before 6:00 p.m.



Mary McDonald, Deputy City Secretary

**This facility is wheelchair accessible and accessible parking spaces are available.
Requests for reasonable accommodations must be made 48 hours prior to this meeting.
Please contact the City Secretary at 775-3481 for further information.**