

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
Tuesday, May 26, 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

2015-179 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.*

2015-180 Consider and act upon minutes from the City Council meeting of May 12, 2015.

2015-181 Consider and act upon a resolution authorizing the Park Place East Block Party, located and hosted by property owners in a section of Park Place East, scheduled for Sunday, June 7, 2015, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 2013-24 as amended, Section 2.04 (Use Table) (Case No. SEP23-2014)

2015-182 Consider and act upon a resolution authorizing the Relay For Life event hosted by the American Cancer Society scheduled for Friday, June 12, 2015 from 6:00 p.m. to 12:00 a.m. at Civic Center Park, in accordance with zoning requirements for Special Events as established by the City of Midlothian Zoning Ordinance 2013-24 as amended, Section 2.04 (Use Table) (Case No. SEP05-2014)

2015-183 Consider and act upon a resolution of the City Council of the City of Midlothian, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2014 and 2015 rate review mechanism filings; approving a settlement agreement with attached rate tariffs and proof of revenues; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the settlement tariffs to be just and reasonable and in the public interest; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC's legal counsel.

**PUBLIC HEARINGS**

2015-184 Continue a public hearing and act upon an amendment to Section 5.101 of the City of Midlothian Zoning Ordinance (Ordinance 2013-24, as amended). The primary purpose of these amendments is to revise the amenities required for residential planned developments; incorporating changes to various articles, sections, and subsections; providing for a severability clause, and providing for an effective date. (Case No. OZ03-2014-50)

**REGULAR AGENDA**

2015-185 Consider and act upon a request authorizing the City Manager or his designee to enter into a professional services contract with la terra studios, inc. for the preparation of basic services for the Comprehensive Plan update in an amount not to exceed one hundred sixty-nine thousand five hundred dollars (\$169,500). (Case No. M13-2014-55)

### 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

- 2015-186 Action resulting from Executive Session, Item #1: Economic Development  
2015-187 Action resulting from Executive Session, Item #2: Real Estate  
2015-188 Action resulting from Executive Session, Item #3: ECOM  
2015-189 Action resulting from Executive Session, Item #4: Contemplated litigation  
2015-190 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 22<sup>nd</sup> day of May, 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.**