

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, August 25, 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

2015-287 Blood Cancer Awareness Month Proclamation

2015-288 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.

2015-289 Consider and act upon minutes from the City Council meetings of August 7 and 11, 2015.

2015-290 Consider and act upon renewal of the Interlocal Agreement between North Central Texas Council of Governments and City of Midlothian for 911 service, equipment, addressing and data base maintenance.

2015-291 Consider and act upon a resolution authorizing the Rowdy Run 5K Run hosted by the Midlothian Independent School District Education Foundation and the Rowdy Runners Running Club scheduled for Saturday, April 23, 2016, 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. SEP28-2014)

2015-292 Consider and act upon a resolution authorizing the Kimmel Park Centennial Celebration, an event hosted by the City of Midlothian, the Historical Advisory Board and the Park Advisory Board for Saturday, September 12, 2015, in accordance with a Special Event Permit as established by the City of Midlothian Zoning Ordinance 2013-24 as amended, Section 2.04 (Case No. SEP30-2014)

2015-293 Consider and act upon an Interlocal Cooperative Purchasing Agreement with the City of Rockwall, Texas.

2015-294 Consider and act upon a resolution authorizing the use of a temporary concrete batch plant for the Midlothian Business Park, (containing ± 212.199 acres located south of Miller Road and north and west of US Highway 67) for the purpose of developing a new business and industrial park for accommodating small to mid-sized industrial uses, including streets, within a planned development district (PD-69) 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. RES07-2014-85)

PUBLIC HEARINGS

- 2015-295 Conduct a public hearing regarding the proposed FY 2015-2016 Annual Operating Budgets for the City of Midlothian.
- 2015-296 Conduct a public hearing regarding the proposed FY 2015-2016 tax rate, and schedule and announce the date, time and place of the meeting to adopt the tax rate.

REGULAR AGENDA

- 2015-297 Consider and act upon a contract with Circle H Contractors, L.P. for a Water Line Replacement Project along Main Street (Business 287) from N. 9th Street (FM 663) to South 14th Street in a bid amount of \$104,504.35 plus a 10% contingency for a total not to exceed amount of \$115,000.
- 2015-298 Consider and act upon amendment 5 to the City's Scope of Services Contract with Dunkin Sims Stoffels Inc. in the amount of \$13,958.00 for the purpose of redesigning the Community Park drainage and 14th Street drainage system to mitigate downstream properties from future, high intensity outfall events.
- 2015-299 Consider and act upon a one-year contract with Ellis County Emergency Services District No. 2 (ESD) to provide fire and EMS response for the ESD.
- 2015-300 Consider and act upon a ten year Chapter 380 Agreement by and between the City of Midlothian, Texas and First Texas Homes.
- 2015-301 Consider and act upon a resolution authorizing Chris Dick, City Manager, acting on behalf of the City of Midlothian to complete the purchase and acquisition of real property from Wijdan Haddad, Seller, said property located at 203 N. 8th Street, City of Midlothian.
- 2015-302 Consider and act upon an ordinance amending the City of Midlothian's Fiscal Year 2014-15 General Fund Budget Appropriations in an amount not to exceed \$400,000.00 from the Unreserved Fund Balance for the purchase and remediation of the property located at 203 N. 8th Street, Midlothian (Dee Tee's Restaurant) in accordance with Chapter 102, Local Government Code; appropriating various amounts thereof; repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date.
- 2015-303 Consider and act upon a recommendation from the Midlothian Community Development Corporation Board of Directors and Midlothian Economic Development Board of Directors to approve a new art exhibit for the Conference Center and the new Courtyard by Marriott in an amount not to exceed \$275,100.
- 2015-304 Consider a draft Development Agreement and Finance Plan with City of Midlothian Municipal Management District No. 2 and ECOM Real Estate Management, Inc. relating to the development and financing of public improvements within the Diamond "J" Ranch, Planned Development District No. 75 (PD-75) and direct staff accordingly.
- 2015-305 Consider and act upon a resolution appointing the initial directors of the Midlothian Municipal Management District No. 2, and direct staff accordingly.

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 based on an ethical duty to advise regarding potential litigation
4. Section 551.071 Legal: Consultation with attorney regarding ECOM Real Estate Management, Inc. v. City of Midlothian, Cause No. 68,846 in the 40th Judicial District Court, Ellis County, Texas

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

- 2015-306 Action resulting from Executive Session, Item #1: Economic Development
- 2015-307 Action resulting from Executive Session, Item #2: Real Estate
- 2015-308 Action resulting from Executive Session, Item #3: Contemplated litigation
- 2015-309 Action resulting from Executive Session, Item #4: ECOM
- 2015-310 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 21st day of August, 2015 at or before 5:00 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.**