

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
TUESDAY, MAY 26, 2020**

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

Although our City Council meetings are open to the public, space is limited and citizens are encouraged to watch the meetings online rather than in person due to concerns related to the spread of COVID-19. Citizens attending in person are asked to maintain a distance of at least six (6) feet from other members of the public, City Council and City staff. Citizens not attending in person, but wishing to address the City Council, may submit comments on any topic or agenda item electronically by utilizing the Citizen Participation Form on our website at www.midlothian.tx.us/Participate. All forms must be received by 5:00 p.m. on the date of the meeting and will be provided for the record.

REGULAR AGENDA 6:00 p.m.

Call to Order, Invocation and Pledge of Allegiance

2020-162 Citizens to be heard - *The City Council invites citizens to address the Council on any topic not already scheduled for a Public Hearing. Citizens wishing to speak should complete a "Citizen Participation Form" and present it to the City Secretary prior to the meeting. Speakers are limited to 3 minutes. In accordance with the Texas Open Meetings Act, the City Council cannot take action on items not listed on the agenda. However, your concerns may be addressed by City Staff, placed on a future agenda, or responded to by some other course.*

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.

- 2020-163 Consider and act upon minutes from the City Council meetings of May 12 and 19, 2020.
- 2020-164 Consider and act upon a resolution authorizing participation in the TexPool Investment Pools (TexPool Prime) as an additional investment pool and designating authorized representatives.
- 2020-165 Consider and act upon a resolution authorizing the Midlothian and Heritage High Schools Senior Parade, scheduled for Thursday, May 28, 2020, 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. SEP13-2020).

REGULAR AGENDA

- 2020-166 Consider and act upon a request for a special exception to Section 3.5501 of the Midlothian Zoning Ordinance to allow for the construction of a building with a roof pitch less than the minimum requirement of 8:12. The property consists of 19.63± acres of land, situated within the Martin J. Pogue Survey, Abstract No. 852. The property is located approximately +/- 925 feet east of where there is a "Y" intersection on Stout Road heading south (Property ID No. 231212). The property is between 4651 Stout Road and 4431 Stout Road (Case No. M05-2020-050) (May 19, 2020 PZ Agenda Item No. 005).

- 2020-167 Consider and act upon the purchase of Metasys Building Automation System from Johnson Controls, an A/C control system for City Hall, with an initial cost of \$49,665.36, a change order cost of \$7,721.00 and a contingency of 10% for a total not to exceed of \$63,125.00.
- 2020-168 Consider and act upon authorizing the City Manager to execute a Retail Water Supply Contract with Sharka LLC, a Delaware limited liability company, for furnishing potable water to the data center at the RailPort Industrial Park.
- 2020-169 Consider and act upon an agreement with Pittard Construction Company for the 2019-2020 Utility Projects Phase I Water and Sanitary Sewer Line Improvements Project in a base bid \$771,110.00 plus 5% contingency, for a total not to exceed amount of \$809,665.50.
- 2020-170 Consider and act upon a recommendation from the Midlothian Economic Development Board of Directors to approve an Economic Development Performance Agreement with Ellis Solar, LLC and Chaparral Steel Midlothian LP to provide a possible incentive of up to \$1,500,000 for a project related to the creation or retention of primary jobs.
- 2020-171 Review and discuss the City of Midlothian Downtown Plan, including a Downtown Vision, Vision Statement, Goals and Objectives, Land Use and Character Plan, and an Action Plan; and providing for an effective date (Case No. M07-2020-061) (May 19, 2020 PZ Agenda Item No. 011).
- 2020-172 Consider and act upon a Guaranteed Maximum Price Contract with Dean Electric, Inc. (dba Dean Construction) out of Cedar Hill, Texas, Construction Manager at Risk (the CMAR), by accepting the first bid package for site work, utilities and amenity improvements for Phase II of the Community Park, in an amount not to exceed \$12,952,119.26 which includes a contingency amount of \$561,473.10.

EXECUTIVE SESSION

The City Council will convene into executive session pursuant to the following sections of the Texas Government Code. Executive Session items are discussed in closed session but any and all action is taken in regular open session.

1. Section 551.071(2) Legal: Consultation with city attorney on any agenda item listed herein.

REGULAR AGENDA

2020-173 Action resulting from Executive Session, Item #1: Legal

2020-174 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 22nd day of May, 2020 at or before 6pm.



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.