

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, January 14, 2014
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

2014-01 Announcements/Presentations

- a. Community Affairs calendar
- b. Proclamation recognizing January as National Mentoring Month
- c. Presentation on Storm Water Management Program by Consultants Teague, Nall & Perkins
- d. Administrative announcements related to personnel

2014-02 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.

2014-03 Consider and act upon minutes from City Council meeting of December 10, 2013

2014-04 Consider and act upon a lease agreement with Midlothian Civic Center, Inc. for the use of a tract of land located in the William Hawkins Survey, Abstract No. 465, containing 3.74 acres, for civic, philanthropic and recreational uses only, for an annual sum not to exceed \$8,400.00

2014-05 Consider and act upon approving and signing a Cooperative Purchasing Agreement with the City of Farmers Branch, Texas

PUBLIC HEARINGS

2014-06 Conduct a public hearing and act upon an ordinance request to rezone \pm 175 acres from the current Agricultural (A) District to a Planned Development District (PD) for residential uses (*single-family with building lots ranging from 9,000 sf to 20,000 + sf*) and open spaces. Property is generally located south of McAlpin and \pm 2,500 feet east of FM 663, in the City of Midlothian, Texas (Case No. Z05-2013-22)

2014-07 Conduct a public hearing of Case No. AX01-2013-18, the first of two public hearings for a proposed annexation and service plan for the provision of public services of approximately \pm 137.85 acres of land described as Oak Hollow Estates out of the J. L. Blanton Survey, Abstract No. 1284 and located at the southeast corner of FM 1387 and Walnut Grove Road, lying within the extraterritorial jurisdiction (ETJ) of the City of Midlothian and adjoining the present city limit boundary lines. The proposed annexation and service plan being fully described in Attachments 1, 2 and 5 attached hereto and made a part hereof for all purposes of the annexation procedures, in accordance with Chapter 43 of the Texas Local Government Code

- 2014-08 Conduct a public hearing of Case No. AX02-2013-23, the first of two public hearings for a proposed annexation and service plan for the provision of public services of approximately ± 610 acres of land out of the J.P. Peak Survey, Abstract No. 881, the J. Poindexter Survey, Abstract No. 882, the S. Smith Survey, Abstract No. 973, the J.B. Orr Survey, Abstract No. 818, the E. Sullivan Survey, Abstract No. 1012, the A.J. Cornelius Survey, Abstract No. 1285, the N.N.J.J. & B.L. Edwards Survey, Abstract No. 339, the E.A. Braly Survey, Abstract No. 184, and the M.H. Davis Survey, Abstract No. 278 and located between McAlpin Road and north of FM 875, lying within the extraterritorial jurisdiction (ETJ) of the City of Midlothian and adjoining the present city limit boundary lines. The proposed annexation and service plan being fully described in Attachments 1 & 3 attached hereto and made a part hereof for all purposes of the annexation procedures, in accordance with Chapter 43 of the Texas Local Government Code
- 2014-09 Conduct a public hearing of Case No. AX03-2013-24, the first of two public hearings for a proposed annexation and service plan for the provision of public services of approximately ± 824 acres of land out of the R. Berry Survey, Abstract No. 42, the M.E.P. & P.R.R. Co Survey, Abstract No. 760, the B. Canfield Survey, Abstract No. 196, and the A.J. Rugely Survey, Abstract No. 924 and being generally located in the area southwest of VV Jones Road and Forbes Road, lying within the extraterritorial jurisdiction (ETJ) of the City of Midlothian and adjoining the present city limit boundary lines. The proposed annexation and service plan being fully described in Attachments 1 & 3 attached hereto and made a part hereof for all purposes of the annexation procedures, in accordance with Chapter 43 of the Texas Local Government Code

REGULAR AGENDA

- 2014-10 Consider and act upon approval of a resolution authorizing the Adopt-A-Park Program. The program will be operated by Keep Midlothian Beautiful and the Midlothian Chamber of Commerce (Case No. MO3-2013-19)

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
5. Section 551.074 Personnel Matters: (a)(1) City Secretary annual performance evaluation

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

- 2014-11 Action resulting from Executive Session, Item #1: Economic Development
- 2014-12 Action resulting from Executive Session, Item #2: Real Estate
- 2014-13 Action resulting from Executive Session, Item #3: ECOM
- 2014-14 Action resulting from Executive Session, Item #4: Contemplated litigation
- 2014-15 Action resulting from Executive Session, Item #5: City Secretary evaluation
- 2014-16 Adjourn

I, Tammy Varner, 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 10th day of January, 2014 at or before 5:00 p.m.


Tammy Varner, 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.**