

**NOTICE OF A REGULAR MEETING AND WORKSHOP
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, January 26, 2016
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

2016-19 Receive Quarterly Investment Report from Patterson & Associates

2016-20 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.

2016-21 Consider and act upon minutes from the City Council meeting of January 12, 2016.

2016-22 Consider and act upon a Joint Election Agreement with the Midlothian Independent School District

2016-23 Consider and act upon awarding a contract to Chameleon Industries, Inc. for furnishing NSF Approved Coagulant for Drinking Water for use at both water treatment plants, based on an initial unit price bid of \$193.20 per dry ton.

2016-24 Consider and act upon awarding a contract to Legacy Contracting, LP, dba Control Specialist Services, LP, for providing services related to the Maintenance of Equipment Associated with Potable Water Production and Pumping Services at the City's Water Treatment Plants on an as needed basis.

WORKSHOP

2016-25 Conduct a workshop and receive presentations from JES Holdings, LLC, and from Casa Linda Development Corporation, regarding the submittal of their respective applications for a proposed multifamily project, financed with 9% Housing Tax Credits with the Texas Department of Housing and Community Affairs (TDHCA), on property situated at the northeast corner of George Hopper Road and S. 14th Street, and provide direction to staff as necessary.

2016-26 Conduct a workshop and provide direction to staff regarding proposed amendments to the Land Use Table found in Section 2.04 of the Zoning Ordinance. The primary purpose of said amendments is designed to add, modify and/or delete land use categories in certain zoning districts (Case No. OZ01-2015-24).

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 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property
2. Section 551.071(2) Legal: Consultation with city attorney on any agenda item listed herein.

REGULAR AGENDA

- 2016-27 Action resulting from Executive Session, Item #1: Real Estate
- 2016-28 Action resulting from Executive Session, Item #2: Legal
- 2016-29 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 January, 2016 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.**



AGENDA ITEM 2016-20

AGENDA CAPTION:

Citizens to be Heard

ITEM SUMMARY/BACKGROUND:

Citizens who have registered with the City Secretary may address Council with comments and/or concerns.

SPECIAL CONSIDERATION:

N/A

FINANCIAL IMPACT/FUNDING SOURCE:

N/A

ATTACHMENTS:

N/A

ALTERNATIVES:

N/A

RECOMMENDATION:

N/A



AGENDA ITEM 2016-21

AGENDA CAPTION:

Consider and act upon minutes from the City Council meeting of January 12, 2016.

ITEM SUMMARY/BACKGROUND:

Minutes from the January 12, 2016 City Council meeting are submitted for approval or correction.

SPECIAL CONSIDERATION:

N/A

FINANCIAL IMPACT/FUNDING SOURCE:

N/A

ATTACHMENTS:

1. Minutes from the Regular City Council meeting of January 12, 2016

ALTERNATIVES:

Approve or correct

RECOMMENDATION:

Approve as submitted

SUBMITTED AND TO BE PRESENTED BY:

Tammy Varner, TRMC, City Secretary, for the Tuesday, January 26, 2016 City Council Meeting

A handwritten signature in black ink that reads 'Tammy Varner'.

Tammy Varner, City Secretary

APPROVED BY:

A handwritten signature in black ink that reads 'Chris Dick'.

Chris Dick, City Manager

**MINUTES
REGULAR COUNCIL MEETING
JANUARY 12, 2016**

The City Council of the City of Midlothian convened in a Regular Meeting in the Council Chambers of City Hall, 104 West Avenue E, with the meeting open to the public and notice of said meeting posted as prescribed by V.T.C.A., Government Code, Chapter 551, with the following members present to-wit:

Bill Houston	§	Mayor
Wayne Sibley	§	Councilmember Place 1
Mike Rodgers	§	Councilmember Place 2
Jimmie L. McClure	§	Councilmember Place 3
Joe Frizzell	§	Mayor Pro Tem Place 4
T. J. Henley	§	Councilmember Place 5
Ted Miller	§	Councilmember Place 6

Absent: Mayor pro tem Frizzell left early at 7:50 p.m.

REGULAR AGENDA

Mayor Houston called the meeting to order at 6:00 p.m. with notice of the meeting duly posted and a quorum present. Councilmember Sibley gave the invocation and led in the pledges

2016-01 CITIZENS TO BE HEARD

Terry Weaver, 815 West Main Street, addressed Council regarding development in Midlothian. Donna Bossert, 4299 Shiloh Road, addressed Council regarding her concerns about the water flow and drainage from the Four Trees development.

CONSENT AGENDA

- 2016-02 CONSIDER AND ACT UPON MINUTES FROM THE CITY COUNCIL MEETING OF DECEMBER 8, 2015.**
- 2016-03 CONSIDER AND ACT UPON A RESOLUTION AUTHORIZING THE MAYOR'S WINTER WALK. THE EVENT WILL BE HOSTED BY THE MIDLOTHIAN PARKS & RECREATION DEPARTMENT ON SATURDAY, FEBRUARY 27, 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. SEP09-2015)**
- 2016-04 CONSIDER AND ACT UPON A RESOLUTION PROVIDING FOR AN ELECTION TO BE HELD TO ELECT TWO COUNCILMEMBERS IN THE CITY OF MIDLOTHIAN; DEFINING THE TERM OF OFFICE; DESIGNATING THE POLLING LOCATION; DESIGNATING THE ELECTION JUDGE AND PROVIDING FOR CLERICAL PERSONNEL; DESIGNATING THE TIME AND PLACE; PROVIDING FOR A RUN-OFF ELECTION; AND PROVIDING FOR THE FILING OF APPLICATIONS FOR THE OFFICIAL BALLOTS FOR SAID ELECTION**

Councilmember Sibley moved to approve the Consent Agenda as presented. Motion was seconded by Councilmember Miller and carried unanimously (7-0).

Mayor Houston and Councilmember Henley left the dais citing a conflict of interest. Mayor pro tem Frizzell assumed control of the meeting.

Council moved to Executive Session at 6:12 p.m. pursuant to Section 551.071 of the Texas Government Code to consult with the City Attorney and receive legal advice regarding Agenda Item 2016-05 with the following present: Mayor pro tem Frizzell, Councilmembers Sibley, Rodgers, McClure, Miller; City Manager, Planning Director and City Attorney

Council reconvened in Regular Session at 6:40 p.m. with no action taken in Executive Session

PUBLIC HEARINGS

2016-05 CONDUCT A PUBLIC HEARING AND ACT UPON AN ORDINANCE TO REZONE ± 188.175 ACRES FROM THE CURRENT AGRICULTURAL (A) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT NO. 82 (PD 82) FOR HAYES CROSSING CONTAINING RESIDENTIAL USES, OPEN SPACES, AND CORPORATE USES. PROPERTY IS IN THE J. POWERS SURVEY, ABSTRACT NO. 838, THE C.R. WERLEY SURVEY, ABSTRACT NO. 1187, THE J. GRIMES SURVEY, ABSTRACT NO. 1327, AND THE L.W. STEWART SURVEY, ABSTRACT NO. 997, LOCATED ± 2,100 FEET SOUTH OF THE INTERSECTION OF FM 1387 AND HAYES ROAD (CASE NO. Z02-2015-04).

Mayor pro tem Frizzell opened the Public Hearing and Kevin Lasher presented Item 2016-05 denied by the Planning and Zoning Commission at their December 15, 2015 meeting. The various alternatives were presented with staff asking for additional time for technical analysis. Mark Shelton, representing the developer, addressed Council regarding his willingness to accept any of the alternatives presented.

The following citizens spoke in opposition:

Donald Miller	Steve Miller	Audra Dahl
5820 Hayes Rd., Midlothian	120 Crestbrook Ct., Midlothian	5641 Mulberry Ln., Midlothian
Larry Williams	David Michael	Jackie McDonald
5220 Redwood Ln., Midlothian	5230 Redwood Ln., Midlothian	6410 Mt. Peak Ct., Midlothian
Sunday McClendon	Greg Houchin	Cristina Michael
5410 Mulberry Ln., Midlothian	5631 Brookside Ct., Midlothian	5230 Redwood Ln., Midlothian

Liz McCarter, 5250 Redwood Ln., Midlothian registered in opposition but did not speak.

Councilmember Sibley moved to close the Public Hearing. Motion was seconded by Councilmember McClure and carried unanimously (5-0-2). Council discussed their concerns with the safety of Hayes Road especially the intersection with F.M. 1387. Councilmember McClure moved to deny Item 2016-05 without prejudice due to safety concerns. Motion was seconded by Councilmember Rodgers and carried unanimously (5-0-2).

Mayor pro tem Frizzell announced a ten minute break at 7:50 p.m. and left the meeting due to illness. Council reconvened at 8:00 p.m. with Mayor Houston and Councilmember Henley returning to the dais.

2016-06 CONDUCT A PUBLIC HEARING AND ACT UPON AN ORDINANCE TO REZONE ± 131.61 ACRES FROM THE CURRENT AGRICULTURAL (A) AND SINGLE-FAMILY ONE (SF-1) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT NO. 81 (PD-81) FOR HERITAGE CROSSING CONTAINING RESIDENTIAL, COMMUNITY RETAIL, PROFESSIONAL OFFICE, AND OPEN SPACE USES. PROPERTY IS IN THE J. SMITH SURVEY, ABSTRACT NO. 972, THE R.W. TUCKER SURVEY, ABSTRACT NO. 1311, AND THE J. POWERS SURVEY, ABSTRACT NO. 838, BEING GENERALLY LOCATED AT THE NORTHEAST CORNER OF FM 1387 AND NORTH WALNUT GROVE ROAD (CASE NO. Z01-2015-03).

Item 2016-06 was tabled at the request of the applicant.

2016-07 CONDUCT A PUBLIC HEARING AND ACT UPON AN ORDINANCE TO REZONE ± 0.316 ACRES FROM ITS CURRENT RESIDENTIAL THREE (R3) TO AN URBAN VILLAGE PLANNED DEVELOPMENT DISTRICT NO. 85 (PD 85) FOR A YOGA STUDIO AND RELATED USES. PROPERTY IS IN BLOCK 27 OF THE ORIGINAL TOWN OF MIDLOTHIAN, LOCATED AT THE NORTHWEST CORNER OF WEST AVENUE F AND NORTH 6TH STREET (CASE NO. Z05-2015-17).

Item 2016-07 was tabled at the request of the applicant.

2016-08 CONDUCT A PUBLIC HEARING AND ACT UPON AMENDMENTS TO THE USE TABLE FOUND IN SECTION 2.04 OF THE ZONING ORDINANCE. THE PRIMARY PURPOSE OF SAID AMENDMENTS ARE DESIGNED TO ADD, MODIFY AND/OR DELETE LAND USE CATEGORIES IN CERTAIN ZONING DISTRICTS (CASE NO. OZ01-2015-24).

Mayor Houston opened the Public Hearing and Kevin Lasher presented the amendments which were unanimously approved with recommendations by the Planning and Zoning Commission on December 15, 2015. With no public input received, Councilmember Sibley moved to close the Public Hearing. Motion was seconded by Councilmember Rodgers and carried unanimously (6-0). Councilmember Miller moved to table Item 2016-08 for workshop. Motion was seconded by Councilmember Sibley and carried unanimously (6-0).

REGULAR AGENDA

2016-09 CONSIDER AND ACT UPON A FENCING PLAN FOR FOUR TREES ADDITION CONTAINING ± 195.585 ACRES. SAID ACREAGE BEING SITUATED IN THE S. FREDRICK SURVEY, ABSTRACT NO. 357, E. BRYSON SURVEY, ABSTRACT 117, AND THE JOHN CRANE SURVEY, ABSTRACT 246, BEING LOCATED AT THE NORTHEAST CORNER OF FUTURE NORTH WALNUT GROVE ROAD AND WEST SHILOH ROAD, IN THE CITY OF MIDLOTHIAN, TEXAS. (CASE NO. PP09-2014-71)

Kevin Lasher presented the item with recommendations unanimously approved by the Planning and Zoning Commission at their December 15, 2015 meeting. Joshua Trees, developer, responded to Council comments and questions. Councilmember Sibley moved to approve Item 2016-09 with the landscaping berm to extend to the northern boundary of the property and the addition of a Public Improvement District designation be brought back to Council. Motion was seconded by Councilmember Henley and carried by a vote of 5-0-1 with Councilmember Rodgers absent from the dais.

2016-10 CONSIDER AND ACT UPON A RESOLUTION APPROVING THE ISSUANCE OF TAXABLE BOND FINANCING BY MIDLOTHIAN ECONOMIC DEVELOPMENT, PROVIDING FUNDS TO COMPLETE CONSTRUCTION OF THE NEW MIDLOTHIAN BUSINESS PARK.

Larry Barnett, President/CEO, Midlothian Economic Development, presented the item approved by the MED Board of Directors on December 17, 2015. Council questioned the decision not to request a fixed interest rate. Councilmember Sibley moved to approve Item 2016-10 as presented. Motion was seconded by Councilmember McClure and carried by a vote of 5-1 with Councilmember Miller voting in opposition.

2016-11 REVIEW AND DISCUSS THE PROPOSED DECORATIVE LIGHTING FOR THE FM 663 BRIDGE PROJECT AND PROVIDE DIRECTION TO STAFF.

Mike Adams presented Item 2016-11 noting that the intention of the lighting is to illuminate the walkway and not the traffic lanes. Council approved the design choice and directed Mike to proceed.

2016-12 CONSIDER AND ACT UPON AN AGREEMENT FOR PROFESSIONAL SERVICES WITH BANNISTER ENGINEERING, LLC FOR DESIGN AND OTHER RELATED SERVICES FOR THE FM 663 SANITARY SEWER CORRIDOR IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$49,950.

Mike Adams presented the item explaining that the long-term plan is for the addition of one new lift station to eliminate four existing lift stations. Councilmember Sibley moved to approve Item 2016-12 as presented. Motion was seconded by Councilmember Rodgers and carried unanimously (6-0).

2016-13 CONSIDER AND ACT UPON AN ORDINANCE OF THE CITY OF MIDLOTHIAN, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 13, UTILITIES BY ADDING ARTICLE 13.09 ENTITLED “STORMWATER MANAGEMENT” ATTACHED HERETO AS EXHIBIT “A”; TO ESTABLISH RULES AND REGULATIONS FOR ILLICIT DISCHARGES OF NON-STORMWATER INTO THE CITY’S SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4), STORMWATER RUNOFF FROM CONSTRUCTION SITES, AND POST-CONSTRUCTION STORMWATER RUNOFF FROM NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY THAT ANY VIOLATION OF THE TERMS OF THIS ORDINANCE IS DECLARED TO BE A MISDEMEANOR, AND ANY PERSON FOUND TO BE GUILTY THEREOF SHALL BE PUNISHABLE BY A FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); EACH DAY THAT SUCH VIOLATION CONTINUES SHALL CONSTITUTE A SEPARATE OFFENSE AND SHALL BE PUNISHABLE ACCORDINGLY; AND ESTABLISHING AN EFFECTIVE DATE.

Scott Morrow presented the item noting that the Stormwater Management Plan requires the passage of three ordinances for illicit discharge, construction erosion and sediment control, and post-construction runoff which have all been combined into the proposed ordinance. Councilmember Sibley moved to approve Item 2016-13 as presented. Motion was seconded by Councilmember Rodgers and carried unanimously (6-0).

2016-14 CONSIDER AND ACT UPON AN ORDINANCE REPEALING ORDINANCE NO.’S 320, 322, 327 AND 2001-42 IN THEIR ENTIRETY AND ADOPTING AN ORDINANCE, “UTILITY USER FEE POLICY AND PROVISIONS” FOR THE CITY OF MIDLOTHIAN, TEXAS ATTACHED HERETO AS EXHIBIT “A”; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY CLAUSE THAT ANY VIOLATION OF THE TERMS OF THIS ORDINANCE IS DECLARED TO BE A MISDEMEANOR, AND ANY PERSON FOUND TO BE GUILTY THEREOF SHALL BE PUNISHABLE BY A FINE NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00), EACH DAY THAT SUCH VIOLATION CONTINUES SHALL CONSTITUTE A SEPARATE OFFENSE AND SHALL BE PUNISHABLE ACCORDINGLY; AND SETTING AN EFFECTIVE DATE.

Mike Adams presented the item which was recommended for approval by the Utility Advisory Board. Many of our fees are not covering the costs and need to be brought up to date including, meter fees which have not been changed in fourteen years. Councilmember Sibley moved to approve Item 2016-14 as presented. Motion was seconded by Councilmember Rodgers and carried unanimously (6-0).

Council convened in Executive Session prior to Agenda Item 2016-05.

EXECUTIVE SESSION

- 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**

REGULAR AGENDA

2016-15 ACTION RESULTING FROM EXECUTIVE SESSION, ITEM #1: ECONOMIC DEVELOPMENT

Item not discussed

2016-16 ACTION RESULTING FROM EXECUTIVE SESSION, ITEM #2: REAL ESTATE

Item not discussed

2016-17 ACTION RESULTING FROM EXECUTIVE SESSION, ITEM #3: CONTEMPLATED LITIGATION

Item not discussed

2016-18 ADJOURN

With there being no further business to discuss, Mayor Houston adjourned the meeting at 9:15 p.m.

Bill Houston, Mayor

ATTEST:

Tammy Varner, City Secretary



AGENDA ITEM 2016-22

AGENDA CAPTION:

Consider and act upon a Joint Election Agreement with the Midlothian Independent School District

ITEM SUMMARY/BACKGROUND:

In 2006 HB 1 was passed requiring school districts that have joint elections with municipalities to have formal agreements with the entity. MISD and the City have conducted joint elections for the convenience of voters for many years; the contract simply formalizes the process and has been successfully utilized since 2007.

Both the City and MISD will have their own areas at the Conference Center for their respective election. All aspects of the election are separate except for the joint use of the Automark machine for electronic voting.

SPECIAL CONSIDERATION:

N/A

FINANCIAL IMPACT/FUNDING SOURCE:

The average cost to use MISD's Automark equipment is \$300. As always, each entity is responsible for all elements of their own election. Council election costs were budgeted in line item 105-611-337.

ATTACHMENTS:

Proposed agreement

ALTERNATIVES:

Approve, deny, amend or table

RECOMMENDATION:

Approve Joint Election Agreement as submitted.

SUBMITTED AND TO BE PRESENTED BY: Tammy Varner, City Secretary

For the January 26, 2016 City Council Meeting

A handwritten signature in black ink that reads "Tammy Varner".

Tammy Varner, City Secretary

APPROVED BY:

A handwritten signature in black ink that appears to read "Chris Dick".

Chris Dick, City Manager

**JOINT ELECTION AGREEMENT BETWEEN THE MIDLOTHIAN
INDEPENDENT SCHOOL DISTRICT AND THE CITY OF
MIDLOTHIAN, TEXAS**

This joint election agreement is made this 11th day of January, 2016, by and between the Midlothian Independent School District ("Midlothian ISD") and the City of Midlothian, Texas ("the City").

WHEREAS, Midlothian ISD plans to hold a Board of Trustees Election on May 7, 2016, for the purpose of electing Place 4 and Place 5.

WHEREAS, the City plans to hold a City Council Election on May 7, 2016, for the purpose of electing Council Member Place 3 and Place 4.

WHEREAS, Texas Election Code section 271.002 authorizes the governing bodies of political subdivisions to enter into an agreement to hold joint elections in election precincts that can be served by common polling places;

WHEREAS, Midlothian ISD and the City will hold elections on the same day;
and

WHEREAS, it would be to the benefit of the City, Midlothian ISD, and the citizens and voters thereof to hold the elections jointly.


NOW, THEREFORE, IT IS AGREED that a joint election will be held by Midlothian ISD and the City under the following terms and conditions:


1. Ballots. The entities will be using separate ballots, and each entity will be solely responsible for printing and securing its own ballots, and for getting the necessary software and/or programming from ES&S for use on the ES&S Automark equipment.
2. Use of voting equipment. The entities will be sharing the ES&S Automark equipment for Early Voting and on Election Day, and will share the cost of operating this equipment jointly.
3. Election forms and records. Each entity will be responsible for the production, safekeeping and detention of its own election forms and records.
4. Tabulation of precinct results and canvassing. Each entity will be responsible for the tabulation and canvassing of its own elections results.
5. Notice of election and order of election. Each entity will be responsible for ordering its own election. Notice of the election will be published separately, and each entity is responsible for fulfilling its own notice and publication requirements.

6. Appointment of Chief Election Official, Early Voting Clerk. Each entity will be responsible for appointing its own chief election official and early voting clerk.
7. Early voting. Early voting will be conducted jointly at the Midlothian Conference Center. Each entity shall provide a minimum of one person for purposes of conducting early voting for that entity. Each entity will have its own list of voters. The City shall not charge Midlothian ISD a fee for use of its Conference Center for early voting.
8. Polling places. The entities will share the City's polling location on Election Day, which is the Midlothian Conference Center, located at 1 Community Circle Drive.
9. Management of election. Except as set forth herein, each entity will be responsible for preparing for and running its own election, including but not limited to the following duties and responsibilities:
 - o Securing qualified individuals to serve as election judges for the polling place.
 - o Securing the facility where the election is to be conducted.
 - o Securing election materials and supplies, including programming and preparation of an accessible voting system to be used in the election.
 - o Management of early voting by personal appearance and by mail.
10. Costs. Each entity will be responsible for all of its own costs, except that the entities will share the costs of operation and use of the ES&S Automark.
11. US. Department of Justice preclearance submission. Each entity will submit a letter to the Department of Justice on its own behalf, if necessary.
12. Contract withdrawal – cancellation of election. If either entity cancels its election, the other entity will be entitled to use the Midlothian Conference Center to conduct its election as scheduled.

The undersigned are the duly authorized representatives of the parties' governing bodies, and their signatures represent adoption and acceptance of the terms and conditions of this agreement.

APPROVED, this 11th day of January, 2016, by the Board of Trustees of the Midlothian Independent School District.


Board President


Board Secretary

APPROVED, this 26th day of January, 2016, by the City Council of the City of Midlothian, Texas.

City of Midlothian Mayor

ATTEST:

City Secretary