

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, September 27, 2016**

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 6:00 p.m.

Call to Order, Invocation and Pledge of Allegiance

2016-282 Citizens to be heard

2016-283 Receive a quarterly update on various City Board and Commission meetings and activities

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.

2016-284 Consider and act upon minutes from the City Council meetings of September 6 and 13, 2016

2016-285 Consider and act upon an ordinance amending the Code of Ordinances by amending Chapter 1 titled "General Provisions" by amending Article 1.05 titled "Records Management" by providing new regulations for the city's records management; providing a repealing clause; providing a severability clause; providing a savings clause; and providing for an effective date.

2016-286 Consider and act upon authorizing the City Manager, acting on behalf of the City of Midlothian, to execute a Settlement and Release Agreement with Oncor Electric Delivery Company, LLC (Oncor) for billing of unmetered street lights for which the City is the end-use customer.

2016-287 Consider and act upon a resolution authorizing the use of a temporary concrete batch plant for Mockingbird Springs, Phase One, situated in the J.T. Powers Survey, Abstract 877, James Coldiron Survey, Abstract 224, and E.C. Newton Survey, Abstract 791, for the purpose of completion of a paving public Right of Way 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. M33-2015-133).

2016-288 Consider and act upon a resolution authorizing the annual Midlothian Downtown Trick or Treat, an event hosted by the Midlothian Downtown Business Association and the City of Midlothian and scheduled for Monday, October 31, 2016, 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. SEP26-2015)

PUBLIC HEARINGS

2016-289 Conduct the first of two (2) public hearings for a proposed annexation and service plan for the provision of public services of approximately ± 20 acres of land described as out of the A. R. Newton Survey, Abstract No. 793 and Lot 1 of the H. E. Redden Estates located within the extraterritorial jurisdiction (ETJ) of the City of Midlothian and adjoining the present city limit boundary lines; said Annexation Area being near the corner of Bryson Road and Lone Star Way. (Case No. AX01-2015-111).

2016-290 Conduct the first of two (2) public hearings for a proposed annexation and service plan for the provision of public services of approximately ± 51 acres of land described as out of the K. L. Lowenstein Survey, Abstract No. 663, located within the extraterritorial jurisdiction (ETJ) of the City of Midlothian and adjoining the present city limit boundary lines; said Annexation Area being along the east side of Onward Road north of Mockingbird Lane (Case No. AX02-2015-112).

- 2016-291 Conduct the first of two (2) public hearings for a proposed annexation and service plan for the provision of public services of approximately \pm 440 acres of land described as out of the A. Forbes Survey, Abstract No. 369; E. W. Bynum Survey, Abstract No. 186; the W. M. Belt Survey, Abstract No. 1256; the W. L. Kizziar Survey, Abstract No. 1222; the A. Newton Survey, Abstract No. 803; the J. H. Singleton Survey, Abstract No. 960; E.S. Culbertson Survey, Abstract No. 269; Springbrook Estates, Blocks 1-3; and Pleasant Ridge Estates Lots 1-12, located within the extraterritorial jurisdiction (ETJ) of the City of Midlothian and adjoining the present city limit boundary lines; said Annexation Area being along Springbrook Road and Waterworks Road (Case No. AX03-2015-113).
- 2016-292 Conduct the first of two (2) public hearings for a proposed annexation and service plan for the provision of public services of approximately \pm 210 acres of land described as out of the E. Bryson Survey, Abstract No. 117; the J. V. Emerson Survey, Abstract No. 1208; and the J. Crane Survey, Abstract No. 246, located within the extraterritorial jurisdiction (ETJ) of the City of Midlothian and adjoining the present city limit boundary lines; said Annexation Area being along Tar Road and Onward Road (Case No. AX04-2015-114).
- 2016-293 Conduct a public hearing regarding the proposed FY 2016-2017 Annual Operating Budget/Service and Assessment Plan for the City of Midlothian Public Improvement District Number One (MidTowne PID), as established by Ordinance 2008-28, as authorized by Chapter 372 of the Texas Local Government Code (Case No. M13-2010-63)

REGULAR AGENDA

- 2016-294 Consider and act upon an ordinance adopting the FY 2016-2017 Annual Operating Budget/Service and Assessment Plan for the City of Midlothian Public Improvement District Number One (MidTowne PID), as established by Ordinance 2008-28, as authorized by Chapter 372 of the Texas Local Government Code; including a severability clause and establishing an effective date. (Case No. M13-2010-63)
- 2016-295 Consider and act upon a resolution to authorize the setting of a public hearing by the City Council for Tuesday, November 8, 2016 at 6:00 pm (with a backup date of December 13, 2016) in accordance with the requirements of Chapter 395 of the Texas Local Government Code related to the update of the City's impact fee ordinance. (Case No. M03-2015-12)
- 2016-296 Consider and act upon a Professional Services Agreement with North Texas SHARE Program, Utilizing Fugro Roadware, Inc. for the development of a Pavement Management System and associated City asset collection in an amount not to exceed \$90,000.
- 2016-297 Consider and act upon a contract with Circle H Contractors, L.P. for Water and Sanitary Sewer Line Replacement Projects on 7th Street & Business 287 and Avenue D & 4th Street, in an amount not to exceed \$380,822.50.
- 2016-298 Consider and act upon a resolution approving a grant in the amount of \$250,000 to be awarded by the Midlothian Community Development Corporation (MCDC or 4B) to the City of Midlothian to assist in the funding of the expansion project for the Midlothian Senior Citizens Center, located at 4 Community Circle Drive, Midlothian, TX.
- 2016-299 Consider and act upon an agreement between the Midlothian Community Development Corporation ("MCDC") and Novus Realty Advisors, LLC for the sale of 6.47 acres of land located on Mt. Zion Road

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.

2. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property
 - a. 14th Street Right-of-Way
 - b. Ledgestone Lane Right-of-Way
3. Section 551.087 Economic Development: Deliberation regarding economic development negotiations – Project General.

REGULAR AGENDA

- 2016-300 Action resulting from Executive Session, Item #1: Legal
- 2016-301 Action resulting from Executive Session, Item #2: Real Estate (a.) 14th Street Right-of-Way
- 2016-302 Action resulting from Executive Session, Item #2: Real Estate (b.) Ledgestone Lane Right-of-Way
- 2016-303 Action resulting from Executive Session, Item #3: Economic Development
- 2016-304 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 23rd day of September, 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 (972) 775-3481 for further information.