

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
TUESDAY, MARCH 24, 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

REGULAR AGENDA 6:00 p.m.

Call to Order, Invocation and Pledge of Allegiance

2020-90 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.

2020-91 Consider and act upon minutes from the City Council meetings of March 3, 10, and 17, 2020 and the Citizens Planning Group meeting minutes of March 5, 2020.

2020-92 Consider and act upon a resolution authorizing the Downtown Midlothian Market, an event hosted by the Midlothian Downtown Business Association, to be held every Saturday from May 2, 2020 until December 19, 2020 excluding Saturdays, June 13, July 4, November 7 and December 5, 2020 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. SEP10-2020).

REGULAR AGENDA

2020-93 Review, discuss and provide direction to staff as appropriate on the FM 1387 and Hayes Road intersection improvement project.

2020-94 Consider and act upon awarding a contract to Rightway Lawn & Tree Maintenance, LLC for City-Wide Brush Cut Mowing Services.

2020-95 Consider and act upon an Agreement for Professional Services with Kimley-Horn and Associates, Inc. in an amount not to exceed \$50,000 to assist in the preparation of an Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan Phase 1.

2020-96 Consider and act upon an agreement with SWAGIT Productions, LLC to add closed captioning functionality to the recordings of public meetings for a one-time set up fee of \$12,350.00 and an annual cost of \$15,000.00 for a total initial fee of \$27,350.00.

2020-97 Consider and act upon declaring a local state of disaster due to a public health emergency relating to the COVID-19 pandemic.

- 2020-98 Discuss and receive direction regarding actions taken because of the imminent threat to public health and safety arising from the COVID-19 pandemic and further measures necessary including but not limited to closing of facilities, postponement of events and other directives as may be necessary to protect the public health and welfare of the City and its residents.
- 2020-99 Consider and act upon a resolution authorizing the General Election and Special Election in the City of Midlothian originally set for May 2, 2020 to be postponed to November 3, 2020 pursuant to a proclamation of the Governor of the State of Texas, Greg Abbott issued on March 18, 2020, suspending in part, Section 41.0052(a) and (b) of the Texas Election Code, and due to the health and safety of voters, election workers, and local election officials.
- 2020-100 Consider and act upon a recommendation from the Midlothian Economic Development (“MED”) Board of Directors to approve a Purchase and Sale Agreement, Loan Agreement and Promissory Note with Earth Root Holdings LLC for an approximate 85 acres of land located within the Midlothian Business Park.

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 551.074 Personnel Matters: (a)(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee – Fire Department Emergency Medical Services Chief
- 3. Section 551.072 Real Estate: Deliberation regarding real property – to deliberate the purchase, exchange, lease or value of real property by MED in Midlothian Business Park where deliberation in open session will have a detrimental effect on the position of negotiations with third parties.
- 4. Section 551.087 Economic Development: (1) Deliberation regarding commercial or financial information received from a business prospect and/or (2) To deliberate the offer of a financial or other incentive to a business prospect: Project 1906
- 5. Section 551.072 Real Estate: Deliberation regarding real property – to deliberate the purchase, exchange, lease or value of real property generally located within the City of Midlothian.

REGULAR AGENDA

- 2020-101 Action resulting from Executive Session, Item #1: Legal
- 2020-102 Action resulting from Executive Session, Item #2: Personnel Matters
- 2020-103 Action resulting from Executive Session, Item #3: Real Estate
- 2020-104 Action resulting from Executive Session, Item #4: Economic Development
- 2020-105 Action resulting from Executive Session, Item #5: Real Estate
- 2020-106 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 20th day of March, 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.