

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
TUESDAY, JUNE 23, 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](http://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

2020-193 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.*

2020-194 Consider and act upon minutes from the City Council meeting of June 9, 2020.

2020-195 Consider and act upon a resolution authorizing the use of a temporary concrete batch plant for the Grove Phase 3 and 4 for the purpose of completing the paving of public roads 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. M09-2020-73).

2020-196 Consider and act upon a resolution authorizing the use of a temporary concrete batch plant for the Hawkins Meadows Phase 2 for the purpose of completing the paving of public roads 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. M10-2020-74).

2020-197 Consider and act upon a resolution authorizing the abandonment and vacation of a 0.066-acre portion of a Soils Conservation easement located on Lot 10, Block 1, La Paz Ranch, Phase 1, an addition to the City of Midlothian. The property is located at 1211 Bosque Lane (Case No. M11-2020-080).

- 2020-198 Consider and act upon a resolution authorizing the abandonment and vacation of a 0.106-acre portion of a Soils Conservation easement located on Lot 13, Block 2, La Paz Ranch, Phase 1, an addition to the City of Midlothian. The property is located at 1051 Poppie Lane (Case No. M14-2020-092).
- 2020-199 Consider and act upon a recommendation from Midlothian Economic Development granting a Permanent Sanitary Sewer Easement with Temporary Construction Easement within the Midlothian Business Park to Trinity River Authority of Texas.

**PUBLIC HEARINGS**

- 2020-200 Conduct a Public Hearing and consider and act upon an ordinance amending the City of Midlothian's Comprehensive Plan by approving the adoption of the 2020 Downtown Plan, as an addendum to the 2018 Comprehensive Plan for the City of Midlothian to provide for a comprehensive planning program, vision and official policy for the future of the downtown area (Case No. M07-2020-061).

**REGULAR AGENDA**

- 2020-201 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 \$18,399,251.64 which includes a contingency amount of \$797,258.70.
- 2020-202 Consider and act upon a recommendation from Midlothian Economic Development to approve a Purchase and Sale Agreement with TCGNA Inc. for an approximate 8.8 acres of land located within the Midlothian Business Park.
- 2020-203 Consider and act upon a recommendation from Midlothian Economic Development to approve an Economic Development Performance Agreement with Vision Engineering and Metal Stamping Inc. to provide a possible incentive of up to \$200,000 for a project related to the creation or retention of primary jobs.
- 2020-204 Consider and act upon a five (5) year contract with UBEO Business Services for the rental, upgrade, maintenance and supplies of 31 Ricoh copiers and one Canon Wide Format Printer.
- 2020-205 Consider and act upon a Retail Water Service Area Agreement between the City of Midlothian and Mountain Peak Special Utility District.
- 2020-206 Consider and act upon a Development Agreement between Mockingbird Springs, LTD and the City of Midlothian, Texas for participation in the construction of infrastructure and site improvements for an approximate ±107.225-acre single family development referred to as Mockingbird Springs.
- 2020-207 Consider and act upon authorizing the City Manager to execute a Grade Crossing Construction and Maintenance Agreement with BNSF Railway Company (BNSF) for the at-grade crossing at VV Jones Road, to include payment to BNSF for the installation of associated improvements at this crossing in the estimated amount of \$277,846.
- 2020-208 Consider and act upon an ordinance amending the FY 2019-2020 General Fund budget appropriations in the amount of \$277,846 from the General Fund unreserved fund balance for expenditures related to a grade crossing construction and maintenance agreement with BNSF, with the City to be reimbursed by Midlothian Development Authority; in accordance with Chapter 102, Local Government Code; appropriating various amounts thereof; repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date.
- 2020-209 Consider and act upon an Interlocal Agreement between the Midlothian Independent School District and the City of Midlothian, Texas for the assignment of a police commander, a police sergeant and seven police officers to MISD for the 2020-21 school year.

2020-210 Consider and act upon rejecting the bids received for Employee Benefits (medical and dental insurance benefits and flexible spending account administration for City employees).

#### 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.*

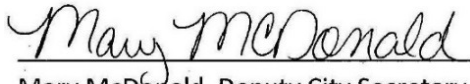
1. Section 551.071(2) Legal: Consultation with city attorney on any agenda item listed herein.

#### REGULAR AGENDA

2020-211 Action resulting from Executive Session, Item #1: Legal

2020-212 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 19<sup>th</sup> day of June, 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.**

**ADDENDUM TO NOTICE OF A REGULAR MEETING  
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**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.*

2. 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. Project 2004
3. 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 2004 and 2005

**REGULAR AGENDA**

- 2020-213 Action resulting from Executive Session, Item #2: Real Estate  
2020-214 Action resulting from Executive Session, Item #3: Economic Development

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