

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
TUESDAY, AUGUST 8, 2023**

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. The regular meeting may be viewed online at www.midlothian.tx.us/watchlive.

REGULAR AGENDA 6:00 P.M.

Call to Order, Invocation, and Pledge of Allegiance.

2023-298 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 item being opened for discussion. Speakers are limited to 3 minutes. In accordance with the Texas Open Meetings Act, the City Council cannot act 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. Citizens not attending in person may submit comments on our website at www.midlothian.tx.us/Participate.*

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.

- 2023-299 Consider and act upon minutes from the City Council meetings of July 25, 28 and August 1, 2023.
- 2023-300 Consider and act upon the Midlothian Chamber of Commerce request to expend \$6,000.00 of Municipal Hotel/Motel Tax monies for advertising in the 2024 Chamber Guide.
- 2023-301 Consider and act upon a resolution authorizing Heritage Day, an event hosted by the Midlothian Downtown Business Association, to be held Saturday, September 9, 2023 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. SEP12-2023).
- 2023-302 Consider and act upon a resolution authorizing the Anchor of Hope Race, an event hosted by the JS Carter Foundation and scheduled for Saturday, March 2, 2024, 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. SEP013-2023).
- 2023-303 Consider and act upon a resolution authorizing the Midlothian ISD Athletics Hall of Honor 5K and Fun Run, an event hosted by the Midlothian ISD Athletics Hall of Honor and scheduled for Saturday, September 9, 2023, 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. SEP014-2023).

- 2023-304 Consider and act upon a resolution amending the Bylaws for the Midlothian Community Development Corporation per the recommendation of the MCDC Board of Directors
- 2023-305 Consider and act upon a resolution approving the City of Midlothian, the Midlothian Economic Development (MED), the Midlothian Community Development Corporation (MCDC), and the Midlothian Development Authority (MDA) Investment Policies.

PUBLIC HEARINGS

- 2023-306 Conduct a public hearing and consider and act upon an ordinance amending the zoning of Planned Development No.100 (PD-100) to allow for development of a daycare and community retail type uses. The property is Lot 2 and Lot 3, Block A of FM 663 Addition and contains +/-2.16 acres and is generally located on FM 663, south of Brandi Ridge Drive approximately 967 feet. (Case No. Z17-2023-057).

REGULAR AGENDA

- 2023-307 Consider and act upon a resolution authorizing an expenditure in the amount of \$1,275,000.00 by the Midlothian Community Development Corporation for the purchase of property generally located at 450 Mt. Zion Road.
- 2023-308 Consider and act upon a resolution of the City Council of the City of Midlothian, Texas, approving a request for a waiver from Section 13.03.003 "Utilities" of the Code of Ordinances from having to connect to the sanity sewer system and a Special Exception from Section 6.16 of the Subdivision Ordinance to allow for an alternative paving standard same as that of the standard for the access roads as approved in the Specific Use Permit by Ordinance 2020-21, on land for the O&M building site as shown in Exhibit "B", allowing for the development of a 15.4+ acres site out of Lot 1, Block 1 Gerda 315 + acres (Case No. M11-2023-63).
- 2023-309 Consider and act upon a bid award to Circle H Contractors, L.P. for the Mt. Zion Road Realignment Roadway Improvement Project (S. 14th Street intersection) in a total bid amount of \$2,070,899, plus contingency in the amount of \$50,000, for a total project amount not to exceed \$2,120,899 and authorize the City Manager to execute an agreement.
- 2023-310 Consider, discuss and take a record vote to establish a maximum ad valorem tax rate of \$0.650000 and schedule a public hearing regarding the proposed ad valorem tax rate for September 5, 2023.
- 2023-311 Consider and act upon the creation of and appointment of members to an ad hoc committee for the purpose of reviewing the Midlothian Basketball League.
- 2023-312 Consider and act upon an Interlocal Agreement between the Midlothian Independent School District and the City of Midlothian, Texas for the assignment of one (1) police commander, one (1) police sergeant and up to sixteen (16) police officers to MISD for the 2023-24 school year.

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 located within the City of Midlothian - Mt. Zion Road right-of-way.

REGULAR AGENDA

2023-313 Action resulting from Executive Session, Item #1: Legal

2023-314 Action resulting from Executive Session, Item #2: Real Estate

2023-315 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 5th day of August, 2023 at or before 6:00pm.



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.

**ADDENDUM TO NOTICE OF A REGULAR MEETING
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- 2023-316 Consider and act upon an ordinance of the City of Midlothian, Texas, providing for a seventy thousand dollar (\$70,000) residential homestead exemption for all disabled persons from ad valorem taxes levied in the year 2023 and thereafter; and providing for a limitation on the total amount of taxes that may be imposed by the City for anyone who is disabled; repealing conflicting ordinances and resolutions; including a severability clause and establishing an effective date.

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