

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

**Tuesday, January 25, 2011**

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 Council Chambers of City Hall, 104 West Avenue E, Midlothian, Texas

**REGULAR AGENDA – 6:00 P.M.**

Call to Order, Invocation and Pledge of Allegiance

2011-18 Announcements/Presentations

- a. Community Affairs calendar
- b. Recognition by CareFlite of Midlothian Fire Department for its assistance during June 4, 2010 fatality helicopter crash
- c. Presentation of proclamation to local author and historian Karen Esberger
- d. Receive report from Police Department regarding recent implementation of curfew ordinance
- e. Police Department personnel recognition
- f. Administrative Announcements related to personnel

**WORKSHOP**

2011-19 Conduct Workshop regarding the proposed North 8<sup>th</sup> Street (N8) Zoning District

**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.*

2011-20 Consider and act upon minutes from City Council meeting of January 11, 2011

2011-21 Consider and act upon a resolution of the City of Midlothian suspending the February 14, 2011, effective date of Oncor Electric Delivery Company's requested rate change to permit the city time to study the request and to establish reasonable rates; approving cooperation with the Steering Committee of Cities Served by Oncor to hire legal and consulting services and to negotiate with the company and direct any necessary litigation and appeals; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel for the steering committee

2011-22 Consider and act upon a Joint Election Agreement with the Midlothian Independent School District

**REGULAR AGENDA**

2011-23 Citizens to be heard

2011-24 Consider and act upon a lease agreement with Midlothian Civic Center, Inc., for the use of a tract of land located in the William Hawkins Survey, Abstract No. 465, containing 3.74 acres, for civic, philanthropic and recreational uses only, for an annual sum not to exceed \$8,400.00

- 2011-25 Receive a presentation regarding economic development incentives authorized by Chapter 380 of the Texas Local Development Code (TLGC), discuss applicability to Midlothian and direct staff accordingly
- 2011-26 Consider and act upon recommendations of the City Council Nomination Subcommittee for appointments to various City boards and commissions

### **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: Deliberate and consider the acquisition of real property necessary for roadway and parks improvement projects
2. Section 551.071 Legal: Consultation with attorney regarding City of Midlothian v. Randall Denton, MidTexas International Center, Inc., Texas Properties Trust and Trade Zone Operations, Inc.
3. Section 551.071 Legal: Consultation with attorney regarding Cause No. 3-07-CV-1351-N, Texas Central Business Lines Corporation v. City of Midlothian
4. Section 551.071 Legal: Consultation with attorney regarding Cause No. 3:10-cv-01521-K, Paul Nichols v. City of Midlothian
5. Section 551.087 Deliberation regarding economic development negotiations
6. Section 551.071 Legal: Consultation with attorney regarding Supreme Court of Texas Cause No. 10-0150, ECOM Real Estate Management, Inc. v. City of Midlothian, Texas.
7. Section 551.071 Legal: Consultation with attorney based on an ethical duty to advise regarding Cause No. 66,519; Holnam Texas Limited Partnership vs. Ellis Central Appraisal District, et al
8. Section 551.072 Real Estate: Deliberation regarding real property; to deliberate the purchase, exchange, lease or value of real property – Rick Miskimon
9. Section 551.071 Legal: Consultation with attorney regarding Cause No. 03-11-00007-CV, Wax Mid, Inc. v. TCEQ, et al

### **REGULAR AGENDA**

- 2011-27 Action resulting from Executive Session, Item #1: Real Estate/Roadway and Parks
- 2011-28 Action resulting from Executive Session, Item #2: Randall Denton, et al
- 2011-29 Action resulting from Executive Session, Item #3: Texas Central Business Lines
- 2011-30 Action resulting from Executive Session, Item #4: Paul Nichols
- 2011-31 Action resulting from Executive Session, Item #5: Economic Development
- 2011-32 Action resulting from Executive Session, Item #6: ECOM
- 2011-33 Action resulting from Executive Session, Item #7: Holnam Texas
- 2011-34 Action resulting from Executive Session, Item #8: Miskimon
- 2011-35 Action resulting from Executive Session, Item #9: Wax Mid, Inc.
- 2011-36 Adjourn

I, Tammy Varner, 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 21<sup>st</sup> day of January, 2011 at or before 5:00 p.m.

  
Tammy Varner, 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.**