

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

Tuesday, November 8, 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

2011-444 Announcements/Presentations

a. Community Affairs calendar

d. Administrative announcements related to personnel

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.

2011-445 Consider and act upon minutes from City Council meetings of October 17, 18 and 25, 2011

2011-446 Consider and act upon a resolution authorizing the Annual Christmas Parade hosted by the Midlothian Downtown Business Association, Midlothian Area Historical Society, Midlothian Rotary Club and the City of Midlothian on Monday, December 5, 2011 (if inclement weather cancels the event, the event will be rescheduled to the following Monday, December 12, 2011), in accordance with zoning requirements for Special Events as established by the City of Midlothian Zoning Ordinance 89-13, as amended, Section 4.4 (Use Table) (Case No. RES02-2011-03)

REGULAR AGENDA

2011-447 Citizens to be heard

2011-448 Consider and take action to approve the remounting and refurbishing of the City's oldest Frazer, Inc. Type I ambulance through H-GAC for \$84,275.00

2011-449 Consider and act upon a contract with USA Shade through the utilization of State BuyBoard Contract No. 346-10, for installation of playground covers at the Mountain Peak Community Park in an amount not to exceed \$40,475.50

2011-450 Consider and act upon a request to add additional mowing sites to the VMC Landscaping fine cut mowing contract in the amount of 11,310.00 for FY 2011-12

2011-451 Consider and act upon a resolution to cast votes to elect directors for the Ellis County Appraisal District for the years 2012-2013

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 551.071 Legal: Consultation with attorney regarding City of Midlothian v. Randall Denton, MidTexas International Center, Inc., Texas Properties Trust and Trade Zone Operations, Inc.
2. Section 551.071 Legal: Consultation with attorney regarding Cause No. 3-07-CV-1351-N, Texas Central Business Lines Corporation v. City of Midlothian
3. 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
4. Section 551.087 Deliberation regarding economic development negotiations
5. 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.
6. Section 551.071 Legal: Consultation with attorney regarding Cause No. 74,681; City of Midlothian v. Corgan Associates, et al
7. Section 551.074 Personnel Matters: (a)(1) to deliberate the appointment, employment or duties of an Economic Development Executive Director for the City of Midlothian
8. Section 551.072 Real Estate: Deliberate and consider the acquisition of real property necessary for roadway and parks improvement projects
9. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

REGULAR AGENDA

- 2011-452 Action resulting from Executive Session, Item #1: Randall Denton, et al
- 2011-453 Action resulting from Executive Session, Item #2: Texas Central Business Lines
- 2011-454 Action resulting from Executive Session, Item #3: Holnam
- 2011-455 Action resulting from Executive Session, Item #4: Economic Development
- 2011-456 Action resulting from Executive Session, Item #5: ECOM
- 2011-457 Action resulting from Executive Session, Item #6: Corgan
- 2011-458 Action resulting from Executive Session, Item #7: Personnel – Economic Development Executive Director
- 2011-459 Action resulting from Executive Session, Item #8: Real Estate
- 2011-460 Action resulting from Executive Session, Item #9: Real Estate
- 2011-461 Action resulting from Executive Session related to Section 551.071(2)
- 2011-462 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 4th day of November, 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.**