

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, November 9, 2010**

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

2010-411 Announcements/Presentations

- a. Community Affairs calendar
- b. Receive quarterly financial report from Linda Patterson & Associates
- c. Administrative Announcements related to personnel

WORKSHOP

2010-412 Conduct workshop regarding renewal of City's waste management contract

CONSENT AGENDA

2010-413 Consider and act upon minutes from City Council meetings of October 26, 2010

PUBLIC HEARINGS

2010-414 Conduct a public hearing to consider and act upon an ordinance requesting a Specific Use Permit (SUP) to allow a warehouse on property zoned Light Industrial (LI) District. Property contains \pm 2.25 acres, and is out of the Proffitt Industrial Park, Block A, Part of Lot 2, and is generally located east of Burk Hawkins Street and \pm 442 feet north of East Main Street, in the City of Midlothian. (Case No. SUP06-2009-62)

REGULAR AGENDA

2010-415 Citizens to be heard

2010-416 Consider and act upon approval of a resolution congratulating the Midlothian High School Varsity Football Team on a successful season to-date, and wishing them continued success in the future

2010-417 Consider and act upon approval of a bid award to John McMichael, of McMichael Contractors, Texas for construction of the Hawkins Spring Park Concession/Restroom/Picnic Pavilion in an amount not to exceed \$177,970 including contingency

2010-418 Consider and act upon a resolution approving the resolution authorizing the issuance of Refunding Bonds by the Midlothian Community Development Corporation

2010-419 Consider and act upon writing-off aged accounts receivable EMS ambulance billings older than nine months in accordance with established policy

2010-420 Consider and act upon a recommendation of the City Council Nomination Subcommittee for an appointment to the Planning & Zoning Commission

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. 08-C-3999, Ken Chambers v. Boyce Whatley, Steve Massey, Joe Frizzell and the City of Midlothian, pursuant to attorney's ethical duty to advise City regarding such matters
5. Section 551.071 Legal: Consultation with attorney regarding Cause No. 3:10-cv-01521-K, Paul Nichols v. City of Midlothian
6. Section 551.087 Deliberation regarding economic development negotiations
7. 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.

REGULAR AGENDA

- 2010-421 Action resulting from Executive Session, Item #1: Real Estate/Roadway and Parks
- 2010-422 Action resulting from Executive Session, Item #2: Randall Denton, et al
- 2010-423 Action resulting from Executive Session, Item #3: Texas Central Business Lines
- 2010-424 Action resulting from Executive Session, Item #4: Ken Chambers, et al
- 2010-425 Action resulting from Executive Session, Item #5: Paul Nichols
- 2010-426 Action resulting from Executive Session, Item #6: Economic Development
- 2010-427 Action resulting from Executive Session, Item #7: ECOM
- 2010-428 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 5th day of November, 2010 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.**