

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

Tuesday, July 26, 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

2011-278 Announcements/Presentations

- a. Community Affairs calendar
- b. Presentation of CLIDE Award by NCTCOG representatives
- c. Presentation of proposed FY 2011-2012 Operating Budgets for the City of Midlothian General Fund and Utility Fund
- 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.

2011-279 Consider and act upon minutes from City Council meetings of July 12 and 18, 2011

2011-280 Consider and act upon approval of the Corporation for the Economic Development of Midlothian (4A) Investment Policy as approved by the CEDM (4A) board

REGULAR AGENDA

2011-281 Citizens to be Heard

2011-282 Consider and act upon a bid award to the Rightway Company to execute fine cut mowing of specific medians, rights-of-way and parks (Southside Contract) for the City of Midlothian in an amount not to exceed \$53,733

2011-283 Consider and act upon a bid award to VMC Landscaping to execute fine cut mowing of specific medians, rights-of-way and parks (Northside Contract) for the City of Midlothian in an amount not to exceed \$45,628

2011-284 Consider and act upon authorizing Amendment No. Two to the agreement for Construction Manager at Risk Services for Water Treatment Plant No. 2 with Garney Companies, Inc. to procure equipment from Siemens Water Technologies Corporation for a membrane system in a total amount not to exceed \$2,337,120

2011-285 Consider and act upon awarding employee insurance contracts for medical, dental, accidental death and dismemberment, group life, and long term disability insurance coverage for Fiscal Year 2011-2012

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 regarding Cause No. 74,681; City of Midlothian v. Corgan Associates, et al

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

- 2011-286 Action resulting from Executive Session, Item #1: Real Estate/Roadway and Parks
- 2011-287 Action resulting from Executive Session, Item #2: Randall Denton, et al
- 2011-288 Action resulting from Executive Session, Item #3: Texas Central Business Lines
- 2011-289 Action resulting from Executive Session, Item #4: Paul Nichols
- 2011-290 Action resulting from Executive Session, Item #5: Economic Development
- 2011-291 Action resulting from Executive Session, Item #6: ECOM
- 2011-292 Action resulting from Executive Session, Item #7: Corgan
- 2011-293 Action resulting from Executive Session related to Section 551.071(2)
- 2011-294 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 22nd day of July, 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.**