

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, February 14, 2012**

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 and Administrative Conference Room of City Hall, 104 West Avenue E, Midlothian, Texas

REGULAR AGENDA – 6:00 P.M.

Call to Order, Invocation and Pledge of Allegiance

- 2012-39 Announcements/Presentations
- a. Cancel February 11, 2012 City Council Election
 - b. Administer Oaths of Office to Mayor and Councilmember Place 2
 - c. Proclamation honoring former mayor Boyce Whatley
 - d. Community Affairs calendar
 - e. Receive presentation from Middle School Problem Solvers
 - f. Receive annual curfew report from Police Department
 - g. Receive quarterly financial report from Linda Patterson and Associates
 - h. 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.

- 2012-40 Consider and act upon minutes from City Council meeting of January 24, 2012
- 2012-41 Consider and act upon a resolution providing for an election to be held to elect two councilmembers in the City of Midlothian; defining the term of office; designating the polling location; designating the election judge and providing for clerical personnel; designating the time and place; providing for a run-off election; and providing for the filing of applications for the official ballots for said election
- 2012-42 Consider and act upon a Joint Election Agreement with the Midlothian Independent School District

REGULAR AGENDA

- 2012-43 Citizens to be heard
- 2012-44 Consider and act upon the appointment of Mike Weiss as Information Technology Director for the City of Midlothian
- 2012-45 Consider and act upon a resolution of the City of Midlothian suspending the March 6, 2012, effective date of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex”) requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with Atmos Cities Steering Committee (“ACSC”) and other cities in the Atmos Mid-Tex service area to hire legal and consulting services and to negotiate with the company and direct any necessary litigation and appeals; requiring reimbursement of cities’ rate case expenses; 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 ACSC’s legal counsel
- 2012-46 Receive information from staff regarding Employee Appreciation Program initiatives and make recommendations as appropriate

WORKSHOP

To be conducted in the Administrative Conference Room

2012-47 Review and discuss City Council procedures, personnel roles and governance process

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 551.087 Deliberation regarding economic development negotiations
4. 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
5. Section 551.072 Real Estate: Deliberate and consider the acquisition of real property necessary for roadway and parks improvement projects
6. 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

- 2012-47 Action resulting from Executive Session, Item #1: Randall Denton, et al
2012-48 Action resulting from Executive Session, Item #2: Texas Central Business Lines
2012-49 Action resulting from Executive Session, Item #3: Economic Development
2012-50 Action resulting from Executive Session, Item #4: Personnel – Economic Development Executive Director
2012-51 Action resulting from Executive Session, Item #5: Real Estate
2012-52 Action resulting from Executive Session, Item #6: Real Estate
2012-53 Action resulting from Executive Session related to Section 551.071(2)
2012-54 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 10th day of February, 2012 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.**