

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

**Tuesday, January 8, 2013
6:00 p.m.**

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

Call to Order, Invocation and Pledge of Allegiance

- 2013-01 Announcements/Presentations
- a. Community Affairs calendar
 - b. Administrative announcements related to personnel

PUBLIC HEARINGS

- 2013-02 Conduct a public hearing to consider and act upon an ordinance to rezone ± 0.3844 acres from Multi-family (MF) District to a Commercial (C) District at 402 E. Main Street. Property is located on the south side of E. Main Street and ± 478 feet southeast of 11th Street, in the City of Midlothian, Texas (Case No. Z02-2012-16)
- 2013-03 Conduct a public hearing to consider and act upon an ordinance to rezone ± 18.373 acres from the current Agricultural (A) District to a Single Family Four (SF-4). Property is in the W.M. Rawls Survey, Abstract No. 915 and located west of FM 663 and ± 670 feet south of Harvest Hill, in the City of Midlothian, Texas (Case No. Z03-2012-25) **NOTE: This zoning case has been withdrawn by the applicant via written request**
- 2013-04 Conduct a public hearing to consider and act upon an ordinance amending Ordinance No. 2007-14, as amended, the MidTowne Planned Development Ordinance (PD-42), to allow a skilled nursing facility, memory care, and assisted care living facility on approximately ± 6.08 acres Property is located at the southeast intersection of George Hopper Road and FM 663 (Case No. Z01-2012-08)

REGULAR AGENDA

- 2013-05 Citizens to be heard
- 2013-06 Receive an update on various City Board and Commission meetings and activities
- 2013-07 Consider and act upon minutes from City Council meetings of December 10 and 11, 2012
- 2013-08 Consider and act upon a bid award to Circle H Contractors, L.P. for the FM 1387 – High School No. 2 Water Line Relocation and Sanitary Sewer Project in a total alternate bid amount of \$750,997.50 and Change Order Number One in a deductive amount of \$31,457.50, for a revised total contract amount not to exceed \$719,540.00
- 2013-09 Consider and act upon a resolution directing City staff and consultants to proceed with preparation of documents for the issuance of General Obligation Bonds, Series 2013, and Tax Notes, Series 2013
- 2013-10 Consider and provide staff direction on fence materials to be used on the proposed Ridgeview Park improvement project

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).

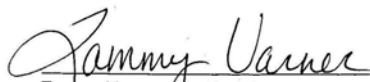
1. Section 551.071 Legal: Consultation with attorney regarding Cause No. 3-07-CV-1351-N, Texas Central Business Lines Corporation v. City of Midlothian
2. Section 551.087 Deliberation regarding economic development negotiations
3. Section 551.072 Real Estate: Deliberate and consider the acquisition of real property and easements
4. 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.
5. Section 551.071 Legal: Consultation with attorney based on an ethical duty to advise regarding potential litigation
6. Section 551.074 Personnel: Personnel Matters: (a)(1) City Secretary annual evaluation

This meeting will be conducted pursuant to the Open Meetings Act, Texas Government Code Chapter 551. At any time during the meeting the Council reserves the right to adjourn into Executive Session on any of the above posted agenda items in accordance with §551.071 (litigation and certain consultation with attorney), §551.072 (value, transfer or acquisition of interest in real property), §551.073 (gift or donation to city), §551.074 (certain personnel deliberations), §551.076 (deployment/implementation of security personnel or devices), §551.087 (economic development negotiations) or §418.183(f) (certain information regarding emergencies and disasters).

REGULAR AGENDA

- 2013-11 Action resulting from Executive Session, Item #1: Texas Central Business Lines
- 2013-12 Action resulting from Executive Session, Item #2: Economic Development
- 2013-13 Action resulting from Executive Session, Item #3: Real Estate
- 2013-14 Action resulting from Executive Session, Item #4: Denton
- 2013-15 Action resulting from Executive Session, Item #5: Contemplated litigation
- 2013-16 Action resulting from Executive Session, Item #6: Personnel – City Secretary
- 2013-17 Adjourn

I, Tammy Varner, 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 January, 2013 at or before 6:00 p.m.


Tammy Varner, 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.**