

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

Tuesday, January 11, 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

- 2011-01 Announcements/Presentations
- a. Community Affairs calendar
 - b. Police Department personnel recognition
 - c. 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.

2011-02 Consider and act upon minutes from City Council meeting of December 14, 2010

2011-03 Consider and take action to approve a one-year contract with Ellis County Emergency Services District No. 2 (ESD) to provide fire and EMS response

REGULAR AGENDA

2011-04 Citizens to be heard

2011-05 Receive a report from staff regarding the status on the design and construction of Water Treatment Plant #2

2011-06 Consider and act upon authorizing Amendment No. One to the agreement for Construction Manager at Risk Services for Water Treatment Plant No. 2 with Garney Companies, Inc. to procure shop drawings for a membrane system in an amount not to exceed \$162,000

2011-07 Consider and act upon an ordinance amending Schedule 2 of Ordinance 2006-49 (“The City of Midlothian Impact Fee Program”), established by Ordinance 99-12 as amended by Ordinance Nos. 2000-23, 2001-63, 2003-20, 2003-24, 2003-58, 2006-49 and 2010-12; providing for the extension of a temporary reduction in impact fee rates otherwise collectible for the construction of single family residences on lots platted as of the effective date of this Ordinance; providing for conflicts; providing for severability; and, providing for an effective date

2011-08 Consider and act upon an ordinance amending Schedule 2 of Ordinance 2006-49 (“The City of Midlothian Impact Fee Program”), established by Ordinance 99-12 as amended by Ordinance Nos. 2000-23, 2001-63, 2003-20, 2003-24, 2003-58, 2006-49 and 2010-12; providing for a 12-month long suspension of roadway impact fees for new development classified as “Commercial” or “Office”; providing for conflicts; providing for severability; and, providing for an effective date

EXECUTIVE SESSION

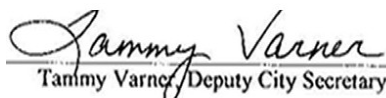
Executive Session items are discussed in closed session but any and all action is taken in regular open session. Executive Session is not open to the public because there is a compelling need of confidentiality (e.g., certain real estate, litigation, or personnel matters).

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 based on an ethical duty to advise regarding Cause No. 66,519; Holnam Texas Limited Partnership vs. Ellis Central Appraisal District, et al
8. Section 551.074 Personnel Matters: (a)(1) to deliberate the 2011 goals and contractual changes for City Manager

REGULAR AGENDA

- 2011-09 Action resulting from Executive Session, Item #1: Real Estate/Roadway and Parks
- 2011-10 Action resulting from Executive Session, Item #2: Randall Denton, et al
- 2011-11 Action resulting from Executive Session, Item #3: Texas Central Business Lines
- 2011-12 Action resulting from Executive Session, Item #4: Paul Nichols
- 2011-13 Action resulting from Executive Session, Item #5: Economic Development
- 2011-14 Action resulting from Executive Session, Item #6: ECOM
- 2011-15 Action resulting from Executive Session, Item #7: Holnam Texas
- 2011-16 Action resulting from Executive Session, Item #8: Personnel
- 2011-17 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 7th day of January, 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.**