

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

**Tuesday, February 12, 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

- 2013-41 Announcements/Presentations
- a. Community Affairs calendar
 - b. 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.

- 2013-42 Consider and act upon minutes from City Council meeting of January 22, 2013
- 2013-43 Consider and act upon a resolution designating the election judge and providing for clerical personnel in the May 11, 2013 City Council election
- 2013-44 Consider and act upon awarding a contract to various vendors for the purchase of chemicals for Water Treatment Plant Number Two

PUBLIC HEARINGS

- 2013-45 Continue 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

- 2013-46 Citizens to be heard
- 2013-47 Receive an update on various City Board and Commission meetings and activities
- 2013-48 Consider and act upon the City of Midlothian's current certification pay plan schedule.
- 2013-49 Consider and act upon a Professional Services Agreement with Dunkin, Sims, Stoffels, Inc. for the Community Park Project Phase 1, Scope of Services. The scope of services will consist of geotechnical services in the amount of \$21,100; topographical survey in the amount of \$141,380; the total amount for this service shall not exceed \$162,480
- 2013-50 Consider and act upon recommendations of the City Council Nomination Subcommittee for appointments to various City boards and commissions
- 2013-51 Consider and act upon a resolution authorizing Don Hastings, City Manager, acting on behalf of the City of Midlothian, to make a formal offer to Linda Pauline Todd Gentry in the amount of \$1,457 for the acquisition of a water line and sanitary sewer easement described as 0.072 acres/3,146 square feet and two temporary construction easements described in total as 0.192 acres/8,388 square feet, located in the J.L. Blanton Survey, Abstract No. 1284, Midlothian, Ellis County, Texas, as described in Exhibit "A" and shown in Exhibit "B" attached hereto and made a part hereof for all purposes, said easements are fully described in the proposed resolution

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).

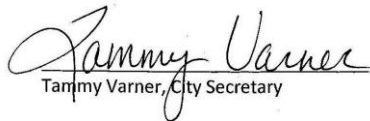
1. Section 551.071 Legal: Consultation with attorney regarding Cause No. 3-07-CV-1351-N, Texas Central Business Lines Corporation v. City of Midlothian
2. Section 551.087 Deliberation regarding economic development negotiations
3. Section 551.072 Real Estate: Deliberate and consider the acquisition of 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) Deliberate the duties of the City Manager

This meeting will be conducted pursuant to the Texas Government Code Section 551.001 et seq. 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 the Sections 551.071 (litigation and certain consultation with attorney), 551.072 (acquisition of interest in real property), 551.073 (contract for gift to city), 551.074 (certain personnel deliberations) or 551.076 (deployment/implementation of security personnel or devices).

REGULAR AGENDA

- 2013-52 Action resulting from Executive Session, Item #1: Texas Central Business Lines
- 2013-53 Action resulting from Executive Session, Item #2: Economic Development
- 2013-54 Action resulting from Executive Session, Item #3: Real Estate
- 2013-55 Action resulting from Executive Session, Item #4: Denton
- 2013-56 Action resulting from Executive Session, Item #5: Contemplated litigation
- 2013-57 Action resulting from Executive Session, Item #6: City Manager duties
- 2013-58 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 8th day of February, 2013 at or before 5:00 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.**