

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
Tuesday, February 11, 2014  
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 City Council Chambers at Midlothian City Hall, 104 West Avenue E, Midlothian, Texas

**REGULAR AGENDA**

Call to Order, Invocation and Pledge of Allegiance

2014-42 Announcements/Presentations

- a. Community Affairs calendar
- b. Presentation of City's financial audit for FY 2012-13 from representatives of Weaver & Tidwell, LLP
- c. Administrative announcements related to personnel

2014-43 Citizens to be heard

**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.*

2014-44 Consider and act upon minutes from City Council meeting of January 28, 2014

2014-45 Consider and act upon authorizing the City Manager, acting on behalf of the City of Midlothian, to execute a Special Warranty Deed regarding the conveyance of the unused portion of North 8<sup>th</sup> Street right-of-way to La Nelle Gay, Trustee; said conveyance is in accordance with the "Agreement to Reconvey" between the City and La Nelle Gay, Trustee

2014-46 Consider and act upon awarding a contract to Brenntag Southwest, Inc for the purchase of chemicals for Water Treatment Plant #1 and #2

2014-47 Consider and act upon an Interlocal Cooperation Contract between the County of Ellis and City of Midlothian

**PUBLIC HEARINGS**

2014-48 Continue a public hearing and act upon an ordinance amending the Zoning Ordinance of the City of Midlothian, Texas, Ordinance No. 2013-24, as amended, rezoning ± 175 acres from the current Agricultural (A) District to a Planned Development District (PD) for residential uses (single family lots ranging from 9,000 SF to 20,000 SF +) and open spaces. Property is in the A. Howell Survey, Abstract No. 525, the G. Garcia Survey, Abstract No. 419, and the J.D. Enlow Survey, Abstract No. 346 and generally located south of McAlpin Road and ± 2,500 feet east of FM 663, in the City of Midlothian, Texas (Case No. Z05-2013-22)

**REGULAR AGENDA**

2014-49 Consider and act upon the expenditure of funds for pavement reclamation and resurfacing services along Walnut Grove Road, from just south of Oak Hollow Drive to just north of US Highway 287, with Reynolds Asphalt & Construction Co., in an amount not to exceed \$390,000 and authorizing the City Manager to execute a Roadway Agreement with Ellis County in connection with this roadway project

- 2014-50 Consider and act upon a contract with Dunkin Sims Stoffels Inc. for the Community Park Phase 1, scope of services; said contract being divided into two phases: Phase I- basic design services and construction documents pertaining to Phase I; and Phase II- address additional services related to the project for the Community Park; in a combined total amount not to exceed \$584,750

### 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).*

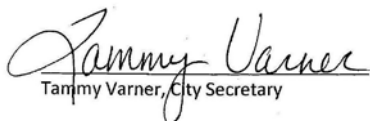
1. Section 551.087 Deliberation regarding economic development negotiations
2. Section 551.072 Real Estate: Deliberation regarding real property - to deliberate the purchase, exchange, lease or value of real property
3. Section 551.071 Legal: Consultation with attorney regarding Supreme Court of Texas Cause No. 10-0150, ECOM Real Estate Management, Inc. v. City of Midlothian, Texas.
4. Section 551.071 Legal: Consultation with attorney based on an ethical duty to advise regarding potential litigation
5. Section 551.074 Personnel Matters: (a)(1) City Secretary annual performance evaluation

*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), 551.076 (deployment/implementation of security personnel or devices) or 551.087 (economic development negotiations).*

### REGULAR AGENDA

- 2014-51 Action resulting from Executive Session, Item #1: Economic Development  
2014-52 Action resulting from Executive Session, Item #2: Real Estate  
2014-53 Action resulting from Executive Session, Item #3: ECOM  
2014-54 Action resulting from Executive Session, Item #4: Contemplated litigation  
2014-55 Action resulting from Executive Session, Item #5: City Secretary evaluation  
2014-56 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 7<sup>th</sup> day of February, 2014 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.**