

**NOTICE OF A REGULAR MEETING
OF THE GOVERNING BODY
OF THE CITY OF MIDLOTHIAN, TEXAS
Tuesday, January 26, 2010**

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 PM

Call to Order, Invocation and Pledge of Allegiance

- 2010-21 Announcements/Presentations
- a. Community Affairs calendar
 - b. Midlothian High School Problem Solvers presentation
 - c. Quarterly financial report by Linda Patterson of Patterson & Associates
 - d. 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.

- 2010-22 Consider and act upon minutes from the City Council meeting of January 12, 2010
- 2010-23 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
- 2010-24 Consider and act upon a Joint Election Agreement with the Midlothian Independent School District
- 2010-25 Consider and act upon an ordinance to amend the City of Midlothian Code of Ordinances, Section 1.08.032 members to increase membership from seven (7) to nine (9) members, Section 1.08.033 terms of office to increase terms from two (2) years to three (3) years and providing for the staggering of existing terms to accomplish such terms lengths and Section 1.08.035 meetings and quorums to increase quorum requirements from four (4) to five (5), providing for the amendment of such code; and providing a conflicts clause; providing a severability clause; and providing for an effective date

REGULAR AGENDA

- 2010-26 Citizens to be Heard
- 2010-27 Consider and act upon a Supplemental Agreement to Contribute Funds for right-of-way acquisition and utility relocation costs with the Texas Department of Transportation for the additional payment obligation associated with the U.S. Highway 287 Bypass project
- 2010-28 Consider and act upon an Ordinance to abandon the current equipment encroachment and maintenance easement (+/- 500 square feet) approved under Ordinance 2009-49 and replace it with a revised equipment encroachment and maintenance easement (+/- 450 square feet) on Midlothian Addition #2 Block 1, Lot 4. Property is generally located east of 14th Street and south of US Hwy 287 in the City of Midlothian, Ellis County, Texas (Case No. M04-2009-14)

2010-29 Consider and act upon recommendations of the City Council Nomination Subcommittee for appointments to various City boards and commissions

WORKSHOP

2010-30 Consider and discuss the adopted *Policy on Governance Process* and *Code of Ethics* and potential amendments thereto, and direct staff accordingly

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. 75885, City of Midlothian v. Randall Denton and Musket Corporation, pursuant to attorney's ethical duty to advise City regarding such matters
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 551.071 Legal: Consultation with attorney regarding Cause No. 67202, Midlothian v. Texas Central Business Lines Corporation, et al, pursuant to attorney's ethical duty to advise City regarding such matters
4. Section 551.072 Real Estate: Deliberate and consider the acquisition of real property necessary for roadway and parks improvement projects

REGULAR AGENDA

- 2010-31 Action resulting from Executive Session, Item #1: Randall Denton, Cause No. 75885
- 2010-32 Action resulting from Executive Session, Item #2: TCBL, Cause No. 3-07-CV-1351-N
- 2010-33 Action resulting from Executive Session, Item #3: TCBL, Cause No. 67202
- 2010-34 Action resulting from Executive Session, Item #4: Acquisition of real property
- 2010-35 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 22nd day of January, 2010 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.**