

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

**Tuesday, August 28, 2012
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

- 2012-318 Announcements/Presentations
- a. Community Affairs calendar
 - b. Presentation of Constitution Week proclamation
 - c. Administrative announcements related to personnel

JOINT WORKSHOP

- 2012-319 Conduct joint workshop with Parks Board to review, discuss and prioritize funding for Parks Department Capital projects for FY 2012-13 and future years

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.

- 2012-320 Consider and act upon minutes from City Council meeting of August 14, 2012
- 2012-321 Consider and act upon authorizing the Mayor to execute a certification letter to the Office of the Texas Attorney General stating that the City of Midlothian Impact Fee Program is in compliance with Texas Local Government Code, Chapter 395 (Case No. M10-2011-68)

PUBLIC HEARINGS

- 2012-322 Conduct a public hearing regarding the proposed FY 2012-2013 Annual Operating Budgets for the City of Midlothian

REGULAR AGENDA

- 2012-323 Citizens to be heard
- 2012-324 Receive an update on various City Board and Commission meetings and activities
- 2012-325 Review and discuss issues related to the MidTowne Planned Development (PD) including the function of the Architectural Review Committee and direct staff accordingly
- 2012-326 Consider and act upon a request to allow on-street parallel parking along the southern side of George Hopper Road adjacent to the Terrace at MidTowne Development
- 2012-327 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

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 necessary for roadway and parks improvement projects
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

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

- 2012-328 Action resulting from Executive Session, Item #1: Texas Central Business Lines
- 2012-329 Action resulting from Executive Session, Item #2: Economic Development
- 2012-330 Action resulting from Executive Session, Item #3: Real Estate
- 2012-331 Action resulting from Executive Session, Item #4: Denton
- 2012-332 Action resulting from Executive Session, Item #5: Contemplated litigation
- 2012-333 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 24th day of August, 2012 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.**