

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

September 23, 2008

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

2008-351 Citizens to be Heard

2008-352 Announcements/Presentations

1. City Council announcements
2. City Manager announcements

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.

2008-353 Consider and act upon a Resolution amending the City of Midlothian's Zoning Board of Adjustment Rules of Procedure (Case No. M14-2007-91)

PUBLIC HEARINGS

2008-354 Conduct a public hearing regarding the Proposed FY 2008-2009 Annual Operating Budget/Service and Assessment Plan for the City of Midlothian Public Improvement District Number One (MidTowne PID), as established by Ordinance 2008-28, as authorized by Chapter 372 of the Texas Local Government Code, and act upon an Ordinance adopting the FY 2008-2009 Annual Operating Budget/Service and Assessment Plan for the City of Midlothian Public Improvement District Number One (MidTowne PID) (Case No. M16-2007-97)

2008-355 Conduct a public hearing and act upon a Specific Use Permit (SUP) request for the recycling of electronic and electric distribution components on property zoned Light Industrial (LI) District. Property contains ± 0.87 acres and is located between North 7th Street and North 6th Street, south of West Ave A, in the City of Midlothian, Texas (Case No. SUP16-2007-98)

REGULAR AGENDA

2008-356 Consider and act upon a proposal from Control Specialist Services, LP, for the purchase and installation of new bowl assemblies for the repair of pump #4 at the raw water pump station located on Joe Pool Lake in an amount not to exceed \$60,000.00

2008-357 Consider and act upon amending Ordinance No. 2007-23, Special Design and Construction Standards for the Eagle Ford (Soils) Group by amending sections 1.3.C. "Engineering" and 1.4 "Remedial Earthwork"; all other provisions of said ordinance to remain in full force and effect; providing a severability clause; and providing for an effective date

2008-358 Consider and act upon an ordinance of the City of Midlothian, Texas, amending the Code of Ordinances by amending Chapter 12 "Traffic and Vehicles" by amending Article 12.02 "Traffic-Control Devices" by adding a new Section 12.02.005 "Authority and Duty in the Regulation of Traffic"; providing a savings clause; providing a repealing clause; providing a severability clause; providing for a penalty of fine not to exceed the sum of two hundred dollars (\$200.00); and providing 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 right-of-way acquisitions
2. Section 551.071 Legal: Consultation with attorney regarding Cause No. 74,681; City of Midlothian v. Corgan Associates, et al
3. 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
4. Section 551.071 Legal: Consultation with attorney regarding Cause No. 3-07-CV-1351-N, Texas Central Business Lines Corporation v. City of Midlothian
5. 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

REGULAR AGENDA

- 2008-359 Action resulting from Executive Session, Item #1: Right-of-Way Acquisitions
2008-360 Action resulting from Executive Session, Item #2: Corgan & Associates
2008-361 Action resulting from Executive Session, Item #3: Randall Denton
2008-362 Action resulting from Executive Session, Item #4: TCBL, Cause No. 3-07-CV-1351-N
2008-363 Action resulting from Executive Session, Item #5: TCBL, Cause No. 67202
2008-364 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 19th day of September, 2008, 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.**