

**NOTICE OF A REGULAR MEETING  
OF THE GOVERNING BODY  
OF THE CITY OF MIDLOTHIAN, TEXAS  
Tuesday, August 27, 2013  
6:00pm**

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

2013-332 Announcements/Presentations

- a. Community Affairs calendar
- b. Presentation of Constitution Week proclamation
- c. Administrative announcements related to personnel

2013-333 Citizens to be heard

2013-334 Receive an update on various City Board and Commission meetings and activities

**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.*

2013-335 Consider and act upon minutes from City Council meetings of August 6 and August 13, 2013

2013-336 Consider and act upon a resolution of the City Council of the City of Midlothian, Texas to request the continued support efforts of the Texas Municipal League to amend or reform the Biggert-Waters Flood Insurance Reform Act (BW12) passed by the U.S. Congress in 2012

2013-337 Consider and act upon approval of the Midlothian Chamber of Commerce's request to expend \$2,750.65 of Municipal Hotel/Motel Tax monies for advertisement and other related expenditures for the 2013 Fall Festival

**PUBLIC HEARINGS**

2013-338 Conduct a public hearing regarding the proposed FY 2013-2014 Annual Operating Budgets for the City of Midlothian

2013-339 Conduct a public hearing regarding the proposed FY 2013-2014 tax rate increase, and schedule and announce the date, time and place of the meeting to adopt the tax rate

2013-340 Continue a public hearing to consider and act upon an ordinance to rezone ± 68.371 acres from the current Agricultural (A) District to a Planned Development (PD) with minimum lot sizes of 8,400 and 20,000 square feet. Property is in the W.W. Rawls Survey, Abstract No. 915 and located west of FM 663 and ± 670 feet south of Harvest Hill, in the City of Midlothian, Texas (Case No. Z03-2012-25)

- 2013-341 Conduct a public hearing of Case No. AX02-2012-88, the second of two public hearings for a proposed annexation and proposed service plan for the provision of public services. The four (4) proposed annexation tracts contain a total of ± 43.019 acres of land lying within the extraterritorial jurisdiction (ETJ) of the City of Midlothian and adjoining the present city limit boundary lines. The proposed annexation and service plan being fully described in Attachments 1, 2 & 4 attached hereto and made a part hereof for all purposes of the annexation procedures, in accordance with Chapter 43 of the Texas Local Government Code

#### **REGULAR AGENDA**

- 2013-342 Consider and act upon approval of Blue Cross Blue Shield of Texas to provide employee medical and dental insurance benefits to City employees
- 2013-343 Consider and act upon a request to allow right-of-way encroachment for 10 parking spaces at Jimmy's Restaurant located at 300 N. 8<sup>th</sup> Street. Property is generally located at the northeast corner of North 8<sup>th</sup> Street and West Avenue E in the City of Midlothian, Texas (Case No. M09-2012-87)

#### **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).*

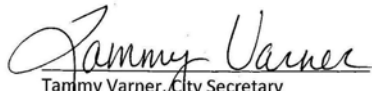
1. Section 551.087 Deliberation regarding economic development negotiations
2. Section 551.072 Real Estate: Deliberate and consider the acquisition of real property and easements
3. Section 551.071 Legal: Consultation with attorney regarding Supreme Court of Texas Cause No. 10-0150, ECOM Real Estate 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

*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**

- 2013-344 Action resulting from Executive Session, Item #1: Economic Development
- 2013-345 Action resulting from Executive Session, Item #2: Real Estate
- 2013-346 Action resulting from Executive Session, Item #3: ECOM
- 2013-347 Action resulting from Executive Session, Item #4: Contemplated Litigation
- 2013-348 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 23<sup>rd</sup> day of August, 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.**