



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, JUNE 3, 2021**

The regular meeting of the Benbrook City Council was held on June 3, 2021 at 7:30 p.m. in the Council Chambers with the following Council members present:

Jerry Dittrich, Mayor
Renee Franklin
Larry Marshall
Dustin Phillips
Alfredo Valverde
Laura Mackey
Jason Ward

Also Present:

Andy Wayman, City Manager
Jim Hinderaker, Assistant City Manager
Joanna King, City Secretary
Beth Fischer, Deputy City Secretary
Wes Cooper, IT Director
Bennett Howell, Public Service Director
Tommy Davis, Fire Chief
Rick Overgaard, Finance Director

Others:

Monica Dela Garza
Gaby Dela Garza
Lynette Spence
Phyllis Harkins
Michael Barber

I. CALL TO ORDER

Meeting called to order at 7:30 p. m. by Mayor Dittrich.

II. CITIZEN COMMENTS ON ANY AGENDA ITEM

Mayor Dittrich paused the meeting for citizen comments on any agenda item via telephone call. There were no callers.

III. MINUTES

1. Approve minutes of the regular meeting held May 20, 2021

Motion by Dr. Marshall, seconded by Ms. Mackey to approve the minutes of the regular meeting held May 20, 2021.

Vote on the Motion by Roll Call:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Valverde, Ms. Mackey, Mr. Ward

Noes: None

Motion carried unanimously.

IV. STAFF REPORT

1. Flood Insurance Assessment and Substantial Damage Management Plan

Bennett Howell gave the following report: The City of Benbrook participates in the Federal Emergency Management Agency's (FEMA) Community Rating System (CRS) program, which provides flood insurance premium relief to property owners who purchase flood insurance. As part of the once every five-year CRS review process, FEMA requires verification that City Council has had an opportunity to review certain informational documents.

The two informational documents include:

Flood Insurance Assessment - A Flood Insurance Assessment (FIA) is an analysis of the City's level of flood insurance coverage that identifies where increased coverage would be beneficial. FEMA provides the data and the City determines the effectiveness of the flood insurance outreach projects. The most recent data was provided on January 2, 2021. Reassessments are every 5 years.

There are 617 properties within the floodplain. Of that number, 302 or 49% of the properties have flood insurance. The City will continue to provide flood insurance outreach projects through mailings, website and social media.

Substantial Damage Management Plan - A Substantial Damage Management Plan is a detailed mitigation plan that describes the City's process for evaluating damage to buildings prior to repairs. The City, as a National Flood Insurance Program (NFIP) participant, must first determine whether any proposed building reconstruction qualifies as a substantial improvement or repair of substantial damage that may mandate the structure conform to NFIP requirements.

V. REPORTS FROM CITY MANAGER

A. GENERAL

G-2514 Adopt Ordinance amending Chapter 1.12-Fees for City Services, Title 1-General Provisions of the Benbrook Municipal Code, as amended, by amending Section 1.12.030(1) Ambulance Service Fee, amending Section 1.12.080 Building and Construction Fees, and further amending Section 1.12.020.A(5) repealing Credit Card Service Fees

Jim Hinderaker gave the following report: Periodically, staff conducts a review of City service fees. Staff surveyed nine cities in Tarrant County (White Settlement, Lake Worth, Crowley, Westworth Village, Burleson, Fort Worth, N. Richland Hills, Keller, and Mansfield) and found Benbrook on average is charging less for building and construction fees. In comparing ambulance service fees, staff surveyed nine neighboring cities (Azle, Bedford, Cleburne, Hurst, Keller, Kennedale, Crowley, N. Richland Hills, and Roanoke) and Medstar, the private ambulance service provider contracted by the City of Fort Worth, and similarly found that Benbrook on average is charging less.

Staff recommends the following changes:

Plan Review Fee

Unlike seven of the comparison cities, Benbrook does not currently charge a plan review fee. As a result, Benbrook collects on average approximately \$1,597 less in total building permit fees for a new commercial building valued at \$500,000. Staff recommends a one-time plan review fee (regardless of the number of revision submittals) of 25% of the total building permit fee. The plan review fee is payable at plan submittal and is not dependent on whether or not the applicant follows through to building permit issuance.

Contractor Registration

Benbrook currently charges \$100 for an initial contractor registration fee and thereafter an annual renewal fee of \$40. The average annual contractor registration fee for the nine comparison cities is just under \$69. Staff recommends the city increase the annual renewal fee to \$50.

Miscellaneous Fees

The majority of Benbrook's miscellaneous building and construction fees are calculated based on a number of different factors including square feet of living space, garage size, number of electrical fixtures, electrical amperage, etc., which makes calculating the permit fee both time consuming and subject to error. Staff recommends the City establish a flat fee of \$50 for the majority of the City's miscellaneous fees.

Credit Card Service Fee

The City accepts credit card payment for all fees, but customers who choose this form of payment are assessed an upfront two percent (2%) service fee to cover the backend service charge assessed to the City by banks and credit card companies. The actual service fee cost to the City is based on the amount of the transaction but is typically two percent (2%). Over the years, especially as the use of credit cards has supplanted the use of cash and check payments, residents and contractors have voiced frustration over the City's credit card service fee. Today, very few entities assess credit card service fees and have instead rolled this cost into their standard product pricing and fee structure. Staff recommends the credit card service fee be eliminated.

Ambulance Service Fee

Benbrook's base Ambulance Service Fee is currently \$1,025 for a resident and \$1,125 for a non-resident, and the actual cost of any medical supplies and equipment rendered during the call. The city charges seven dollars per mile for patient transport from the point of pick-up to the point of delivery. In cases without transport, the city assesses a \$125 on-scene treatment fee. Staff recommends elimination of the \$100 non-resident surcharge, due to the amount of staff billing time needed to verify residency, and adoption of tiered based Ambulance Service Fee dependent on the level of life support provided during transport as follows:

Ambulance Service Fee	
Basic Life Support Emergency	\$1,100
Advanced Life Support 1 (ALS 1) Emergency	\$1,200
Advanced Life Support 2 (ALS 2) Emergency	\$1,400

In addition, staff recommends increasing the per mile patient transport charge to \$15 per mile, the on-scene treatment fee without transport to \$175 and assessment of the actual cost, plus a 100% surcharge or allowable Medicare Rate, for all medical supplies and equipment used during the call. Except for the City of Hurst, which charges \$10, all comparison cities currently assess a \$15 - \$25 per mile patient transport charge and the majority of the comparison cities have implemented a cost plus 100% medical supply and equipment surcharge. Staff finds that the proposed increases bring the City's Ambulance Service Fee in line with the average fees assessed by the comparison cities.

Motion by Dr. Marshall, seconded by Mr. Phillips Council to adopt Ordinance No. 1467 amending Chapter 1.12 of the Benbrook Municipal Code revising fees for City services.

Vote on the Motion by Roll Call:

Ayes: Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Valverde, Ms. Mackey, Mr. Ward, Ms. Franklin

Noes: None

Motion carried unanimously.

Ordinance No. 1467 being **“AN ORDINANCE OF THE CITY OF BENBROOK, TEXAS, AMENDING CHAPTER 1.12 – FEES FOR CITY SERVICES, TITLE 1 – GENERAL PROVISIONS OF THE BENBROOK MUNICIPAL CODE, AS AMENDED, BY AMENDING SECTION 1.12.030(1) AMBULANCE SERVICE FEE, AMENDING SECTION 1.12.080 BUILDING AND CONSTRUCTION, AND FURTHER AMENDING SECTION 1.12.020.A(5) REPEALING CREDIT CARD SERVICE FEE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**SECTION 7
PENALTY CLAUSE**

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000) for all violations involving zoning, fire safety or public health and sanitation, including dumping of refuse, and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 12
EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law, and it is so ordained.

VI. INFORMAL CITIZEN COMMENTS

Mayor Dittrich paused the meeting for any informal citizen comments via telephone conference. There were no callers.

VII. COUNCIL MEMBER AND STAFF COMMENTS

Councilmember Franklin expressed appreciation to the organizers and citizens for the Memorial Day ceremony honoring Veterans that served our Nation.

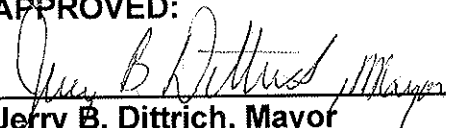
Councilmember Franklin announced the Artisan Farmers Market will be held on June 6, 2021 from 10:00 AM until 3:00 PM in Dutch Branch Park near the YMCA.

VIII. ADJOURNMENT

Meeting adjourned at 7:55 p.m. followed by a Worksession:

1. Discuss future City Council and Board agenda format
2. Discuss Municipal Complex and bond issuance
3. Cyber Security Training

APPROVED:



Jerry B. Dittrich, Mayor

ATTEST:



Joanna King, City Secretary