

**AGENDA  
BENBROOK CITY COUNCIL  
THURSDAY, NOVEMBER 2, 2006  
911 WINSOTT ROAD, BENBROOK, TEXAS  
PRE-COUNCIL WORKSESSION 7:00 P.M.  
CENTRAL CONFERENCE ROOM**



1. Review and discuss agenda items for regular meeting.
2. Receive other information from staff and Boards & Commissions.

**REGULAR MEETING 7:30 P.M.  
COUNCIL CHAMBERS  
ALL AGENDA ITEMS ARE SUBJECT TO FINAL ACTION**

**I. CALL TO ORDER**

**II. INVOCATION – Pastor Todd Pylant with First Baptist Church  
PLEDGE OF ALLEGIANCE**

**III. CONSENT AGENDA** (Items listed under the Consent Agenda are considered routine and are enacted in one motion. The exception to this rule is that a Councilmember, citizen, or City Manager may request one or more items be removed from the Consent Agenda for separate discussion and action.)

1. Minutes of the regular meeting held October 19, 2006
2. Confirm Appointment to Civil Service Commission
3. Interlocal Agreement with City of Fort Worth for Rabies Control

**IV. CITIZEN PRESENTATION**

1. Tammy Kendall – Plantation West Drainage Easement

**V. PRESENTATION BY MAYOR AND MEMBERS OF CITY COUNCIL**

1. Appointment of City Manager

**VI. PRESENTATION BY PLANNING AND ZONING COMMISSION**

**VII. REPORTS OF CITY MANAGER**

**A. GENERAL**

- G-1663 Adopt Ordinance Amending Chapter 8.48 Regulations of Smoking of the Benbrook Municipal Code by Adding Section 8.48.025 – Exceptions
- G-1664 Ordinance Amending Chapter 1.12 of the Benbrook Municipal Code to Revise the Fee for Park Land Dedication
- G-1665 Annexation Proceedings to Enlarge and Extend the Boundary Limits of the City of Benbrook, Texas:  
Tract 1: A tract of land which is a variable width right-of-way of Chapin Road extending approximately 4, 135 feet in a westerly direction from the southerly extension of the west line of Lot 1, Block 1, Western Hills High School Addition, as recorded in Cabinet A, Slide 6960, Plat Records, Tarrant County, Texas

**BENBROOK CITY COUNCIL  
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G-1665           Continued from Page 1

Tract 2: A tract of land which is a variable width right-of-way of Chapin Road extending approximately 2,000 feet in an easterly direction from the east right-of-way line of Interstate Loop 820 (First Public Hearing)

G-1666           First Public Hearing to Receive Citizen Input on Continuation of Teen Curfew

**VIII. OTHER MATTERS OF BUSINESS**

1.               Resolution – Tarrant Regional Transportation Coalition – Exemption of Sales Tax Cap

**IX. INFORMAL CITIZEN COMMENTS**

**X. ADJOURNMENT**



**MINUTES  
OF THE  
MEETING OF THE  
BENBROOK CITY COUNCIL  
THURSDAY, OCTOBER 19, 2006**

The regular meeting of the Benbrook City Council was held on Thursday, October 5, 2006 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Jerry Dittrich  
James Schull  
Keith Bailey  
Rickie Allison  
John Vander  
Larry Stowe  
Ron Sauma

Also Present:

Cary Conklin, City Manager  
Joanna King, City Secretary  
Andy Wayman, Assistant City Manager  
Tommy Davis, Fire Chief

Others Present:

Dorcas Neuman, Benbrook News  
Charlotte Vander Pan  
Valerie Stowe  
Felix Hebert  
Jerry Dunn  
Danny & Marilyn Perkins  
Bill Smith  
Daniel Tully  
Charlie & Pamela Brandenburg  
Luke Brandenburg  
Valerie Cook  
Cheryl Owens  
DeDe Owens  
Kelcie Hibb  
Peter Kau  
Pat Dunkin  
Joan Chew  
Jerry Biggs  
Glen Martin  
Ron Slate  
and 7 other citizens

**I. CALL TO ORDER**

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

**II. INVOCATION  
PLEDGE OF ALLEGIANCE**

Invocation given by Brother Jack Cook with Wyatt Drive Baptist Church  
The Pledge of Allegiance was recited.

**III. MINUTES**

**1. Minutes of the regular meeting held October 5, 2006**

Motion by Mr. Stowe, seconded by Mr. Allison to approve the minutes of the regular meeting held October 5, 2006 with correction to contract ending date for Allied Waste contract.

Vote on the Motion:

Ayes: Mr. Schull, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Vander Pan, Mr. Stowe, Mr. Sauma

Noes: None

Motion carries unanimously.

**IV. CITIZEN PRESENTATION**

**1. Benbrook Sister Cities, Inc. – Bled, Slovenia Youth Presentation**

Members of the Benbrook Sister Cities Youth Ambassadors gave presentation on recent trip to Bled, Slovenia.

**2. Benbrook Sister Cities, Inc. – Response to Termination of Sister City and Friendship City Agreements**

The following members of Benbrook Sister Cities, Inc. responded to City Council's termination of the Sister City Agreement with Bled, Slovenia and the Friendship Agreement with Ballymoney, Northern Ireland:

President Danny Perkins, Luke Brandenburg, Valerie Cook, Cheryl Owens, Pamela Brandenburg, Jerry Dunn, Kelcie Hibb.

Requests were made for City Council to reconsider the terminations.

**3. Peter Kau – VFW Post 10429 – Support amendments to Smoking Ordinance and Request Temporary Waiver**

Mr. Peter Kau speaking on behalf of VFW Post 10429 supported the proposed amendments to the City's smoking ordinance and requested a 120-day waiver in order to conform to the proposed amendment requirements.

**V. PRESENTATION BY PLANNING AND ZONING COMMISSION**

**VI. REPORTS OF CITY MANAGER**

**A. GENERAL**

**G-1660 Adopt Ordinance Amending Chapter 8.48 Regulations of Smoking of the Benbrook Municipal Code by Adding Section 8.48.025 - Exemptions**

Motion by Mr. Vander Pan, seconded by Mr. Allison to table this item.

Vote on the Motion:

Ayes: Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Vander Pan, Mr. Stowe, Mr. Sauma, Mr. Schull

Noes: None

Motion carries unanimously.

**G-1661 Reclassification of City Engineer Position**

Mr. Conklin gave the following report: City Council approved the creation of a City Engineer position in the 2006-2007 budget. For budget purposes, staff classified the position as a Grade 24 with an annual salary range of \$57,277 to \$76,757.

The competition for civil engineers is very strong and many consulting firms are currently reporting difficulties in attracting good talent. When staff began preparing to advertise the position, it was determined that the budgeted salary range is no longer competitive with other municipal city engineering positions.

The existing salaries range from a low \$57,720 to a high of \$127,236. The mean salary is \$90,233 and the median salary is \$86,178. Benbrook's maximum of \$76,757 at Grade 24 would be less than 78% of the other existing salaries. Staff believes that to obtain a qualified candidate, City Council should consider revising the salary range to a Grade 26, with a range of \$65,170 to \$87,334.

Motion by Mr. Allison, seconded by Mr. Sauma to reclassify the City Engineer position to a Grade 26 and make the appropriate budget adjustment.

Vote on the Motion:

Ayes: Mr. Allison, Mayor Dittrich, Mr. Vander Pan, Mr. Stowe, Mr. Sauma, Mr. Schull, Mr. Bailey

Noes: None

Motion carries unanimously.

**G-1662 Appointment to Tax Increment Financing Board of Directors**

Mayor Dittrich advised that due to a possible conflict of interest, Mr. Fred Evans has declined reappointment to the Tax Increment Financing Board of Directors. Mayor Dittrich stated that Ms. Teri Robinett has agreed to serve in Place 2.

Motion by Mr. Stowe, seconded by Mr. Schull to appoint Teresa Robinett on the Tax Increment Financing Board of Directors for a two-year term.

Vote on the Motion:

Ayes: Mayor Dittrich, Mr. Vander Pan, Mr. Stowe, Mr. Sauma, Mr. Schull, Mr. Bailey, Mr. Allison

Noes: None

Motion carries unanimously.

**B. CONTRACT**

**C-223 Approve Tarrant County Fire District #1 Contract**

Mr. Davis gave the following report: For a number of years, Tarrant County has contracted with the Benbrook Fire Department to provide fire and medical first responder services to portions of unincorporated Tarrant County. The contract excludes emergency ambulance calls and patient transport. The City last renewed the annual fire services agreement with Tarrant County in December, 2005.

Contract continuation is beneficial to Benbrook for the following reasons:

- The 2006/2007 rate of compensation adequately compensates the City for services rendered.
- Provision of the County provided super tanker precludes the purchase of this apparatus by Benbrook citizens.
- Tarrant County supplies two thermal imaging cameras for Benbrook's use.
- The 2006/2007 contract includes necessary equipment.

As usual, Tarrant County did not provide the 2006/2007 contract to Benbrook until after the new fiscal year had begun October 1, 2006. The term of the contract is for one year, from October 1, 2006 to September 30, 2007.

Motion by Mr. Schull, seconded by Mr. Allison to approve the contract for fire services for the assigned area of Tarrant County Fire District #1 for fiscal year 2006/2007.

Vote on the Motion:

Ayes: Mr. Vander Pan, Mr. Stowe, Mr. Sauma, Mr. Schull, Mr. Bailey, Mr. Allison, Mayor Dittrich

Noes: None

Motion carries unanimously.

### **C. PURCHASE**

#### **P-251 Purchase Chassis for Brush Truck**

Mr. Davis gave the following report: For the 2006/2007 fiscal year, City Council approved \$36,250 for the purchase of a heavy-duty wildland brush firefighting truck. The truck replaces a 1985 Chevrolet truck currently in use. The budgeted amount is for the truck cab only. The fleet services department will transfer the existing fire suppression unit to the new truck.

As with other major purchases, staff utilized the Buyboard Purchasing Program through TML. The City continues to find that cooperative purchasing programs leverage the lowest possible bids through purchasing volume and a statewide presence. The programs also curtail the City's administrative costs associated with the bidding process.

Two bids were obtained for a 2007 Ford F-550 four-wheel drive heavy-duty truck with dual rear wheels and a 6.0-Liter Diesels engine. The Buyboard bid of \$33,351 represents the best price and is \$2,719 below budget.

Motion by Mr. Allison, seconded by Mr. Vander Pan to approve the purchase of a Ford F-550 truck through Buyboard Purchasing Program at a low bid cost of \$33,531.

Vote on the Motion:

Ayes: Mr. Stowe, Mr. Sauma, Mr. Schull, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Vander Pan

Noes: None

Motion carries unanimously.

### **VII. OTHER MATTERS OF BUSINESS**

**VIII. INFORMAL CITIZEN COMMENTS**

Mr. Ron Slate spoke against exemptions to the City’s smoking ordinance.

Mr. Felix T. Hebert spoke in favor the City’s smoking ordinance stating the City Council should do what is best for the community. Mr. Hebert requested City Council reconsider the termination of the Sister City agreements.

Mr. Cary Conklin announced his retirement date of December 31, 2006.

**X. EXECUTIVE SESSION – Pursuant to Texas Government Code**

**Section 551.072 – Deliberation Regarding Real Property**

- 1. Consider Counter Offer for Drainage Easement at 4016 Dawn Drive**
- 2. Discuss Appointment of City Manager and Set Salary and Benefits**

Mayor Dittrich recessed the regular meeting at 9:27 p.m. to conduct Executive Session.

**XI. RECONVENE FROM EXECUTIVE SESSION**

**Necessary Action from Executive Session**

Mayor Dittrich called the regular meeting back to order at 10:22 p.m. Mayor Dittrich stated there would be no action from the executive session.

**XII. ADJOURNMENT**

Meeting adjourned at 10:23 p.m.

**APPROVED:**

\_\_\_\_\_  
**Jerry B. Dittrich, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Joanna King, City Secretary**



# City of Benbrook

## CITY COUNCIL COMMUNICATION

DATE: 11/02/06	REFERENCE NUMBER: CA-2	SUBJECT: Confirm Appointment to Civil Service Commission	PAGE: 1 of 1
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State law requires that the City Manager appoint three members to the City's Civil Service Commission with the appointments confirmed by City Council. The Commission consists of three members serving three year staggered terms. Mr. Duane Slater has served on the commission since 1997. Unfortunately, Mr. Slater is unable to continue his service.

Staff contacted Mr. Gary Hankins, and he has agreed to serve on the Commission. Mr. Hankins is a long-time Benbrook resident. He is the Past-President of the Benbrook Area Chamber of Commerce, past and current President of the Mont Del Homeowners Association and a Benbrook business owner.

### **RECOMMENDATION**

Staff recommends that City Council confirm the appointment of Mr. Gary Hankins to the Civil Service Commission for the term expiring October 31, 2009.

SUBMITTED BY:	DISPOSITION BY COUNCIL: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE)	PROCESSED BY: CITY SECRETARY
CITY MANAGER		DATE:



# City of Benbrook

## CITY COUNCIL COMMUNICATION

DATE: 11/02/06	REFERENCE NUMBER: CA-3	SUBJECT: Interlocal Agreement with City of Fort Worth for Rabies Control	PAGE: 1 of 1
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**BACKGROUND**

For a number of years, the City of Benbrook has contracted through an interlocal agreement with the Fort Worth Animal Control Department for the processing of potentially rabid animals. Texas Rabies Control Act and regulations promulgated by the Texas Board of Health mandate such an agreement. Through the interlocal agreement, Fort Worth processes animals with trained and certified technicians and equipment at a cost of \$80 per animal. The City uses the service an average of two to four times per year.

**INTERLOCAL AGREEMENT**

The current interlocal agreement with the City of Fort Worth has expired (there has been no lapse in service) and a new interlocal agreement is submitted for City Council's consideration. The term of the agreement is one year, from October 1, 2006 to September 30, 2007.

Please note that City staff requested the 2006/2007 interlocal agreement from the City of Fort Worth several months prior to the expiration of the contract.

**RECOMMENDATION**

Staff recommends that City Council enter into the interlocal agreement with the City of Fort Worth for the processing of potentially rabid animals.

SUBMITTED BY:	DISPOSITION BY COUNCIL: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE)	PROCESSED BY:  CITY SECRETARY
CITY MANAGER		DATE:



# City of Benbrook

## CITY COUNCIL COMMUNICATION

DATE: 10/19/06 11/02/06	REFERENCE NUMBER: G-1660 G-1663	SUBJECT: Adopt Ordinance Amending Chapter 8.48 Regulations of Smoking of the Benbrook Municipal Code by Adding Section 8.48.025 - Exceptions	PAGE: 1 of 2
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**BACKGROUND**

On August 17, 2006, City Council amended Section 8.48 of the Benbrook Municipal Code, banning smoking in all public buildings. At a subsequent work session on September 28, a majority of City Council instructed Staff to draft an amendment exempting (with conditions) bingo facilities and fraternal veteran’s organizations from the smoking ban.

**PROPOSED AMENDMENT**

The proposed amendment is based on City Councils direction, has been reviewed and amended by the City Attorney (City Attorney’s black line version attached) and is noted below:

**“8.48.025 Exemptions**

- A. This Chapter applies to all existing and future facilities, including temporarily constructed enclosures and tents, but with the exemptions contained in Paragraphs B and C of the Section.
  
- B. This Chapter shall not apply to permanent bingo facilities operated under the Bingo Enabling Act, Chapter 2001 of the Occupations Code, in existence on the date of the enactment of this Section, if such bingo facilities provide the following accommodations within one-hundred twenty days of enactment of this Section:
  - 1. An enclosed smoking and non-smoking area;
  - 2. A separate outside entrance/exit for smoking and non-smoking areas;
  - 3. A sign located at the entrance to the non-smoking area which states “Designated No-Smoking Area – By City Ordinance.”
  - 4. Bingo paraphernalia must be sold in the non-smoking area;
  - 5. The smoking area is mechanically ventilated to prevent smoke from entering a non-smoking area;
  - 6. No one under the age of 18 years is admitted to the smoking area.

SUBMITTED BY:	DISPOSITION BY COUNCIL: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE)	PROCESSED BY:  CITY SECRETARY
CITY MANAGER		DATE:

DATE: 10/19/06 11/02/06	REFERENCE NUMBER: G-1660 G-1663	SUBJECT: Adopt Ordinance Amending Chapter 8.48 Regulations of Smoking of the Benbrook Municipal Code by Adding Section 8.48.025 - Exceptions	PAGE: 2 of 2
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C. This Chapter shall not apply to permanent facilities of a federally chartered or non-profit/not-for-profit fraternal veterans organization, controlled exclusively by such organization and in existence on the date of enactment of this Section, if such veterans organization provides the following accommodations within one-hundred twenty days of enactment of this Section:

1. An enclosed smoking and non-smoking area;
2. A separate outside entrance/exit for smoking and non-smoking areas;
3. A sign located at the entrance to the non-smoking area which states "Designated No-Smoking Area – By City Ordinance."
4. The smoking area is mechanically ventilated to prevent smoke from entering a non-smoking area;
5. No one under the age of 18 years is admitted to the smoking area.

D. If a facility which is exempt under Paragraph B or C of this Section ceases operation for a continuous period of twenty-four (24) months or there is a sale or transfer of any interest in the property where the facility is located, then such facility shall no longer be exempt and shall be subject to the provisions of this Chapter."

The Ordinance does not provide an exemption for future bingo facilities or veteran's organizations. Exempt organizations are provided 120 days to comply.

**CITY ATTORNEY REVIEW**

The City Attorney continues to express concern that "the exemptions would weaken the ordinance and make it subject to an attack on the basis that the ordinance is unconstitutional." Please click here to access the City Attorney's full opinion.

**RECOMMENDATION**

City Staff recommends that City Council consider the proposed amendment to the Benbrook Municipal Code, Section 8.48.



# City of Benbrook

## CITY COUNCIL COMMUNICATION

DATE: 11/02/06	REFERENCE NUMBER: G-1664	SUBJECT: Ordinance Amending Chapter 1.12 of the Benbrook Municipal Code to Revise the Fee for Park Land Dedication	PAGE: 1 of 1
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In 1998, the City moved all of the fee requirements to Chapter 1.12 of the Benbrook Municipal Code. Annually thereafter, the City reviews all fees to determine whether they need to be revised. The fee ordinance was last amended in December 2005 to revise fees for vital statistics records.

This year, the staff is proposing the revision of fees in only one area. The Subdivision Ordinance requires that developers of residential property dedicate one acre of park land for every 100 residential lots or units that they create. In cases where a development does not dedicate parkland of sufficient size, or where the City does not want to accept the land being dedicated, there is an option for the developer to pay a fee-in-lieu of the land dedication.

Currently, the fee is \$400 per lot or unit, which is based on the cost of a developed piece of land costing \$40,000 per acre. The staff performed a "random" sample of residential land prices throughout Benbrook and found them to range from a low of \$10,000 per acre to a high of \$202,652 per acre. The average of all properties in the sample was \$68,046. Throwing out the high figure resulted in an average of \$56,828.

In either event, it appears that our current park land dedication fee is too low. The staff recommends that it be set at \$600 per lot or dwelling unit, based on an average residential land value of \$60,000 per acre.

### **RECOMMENDATION**

Staff recommends that the City Council adopt the Ordinance amending the Fee Schedule to revise the fee for park land dedication.

SUBMITTED BY:	DISPOSITION BY COUNCIL: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE)	PROCESSED BY: CITY SECRETARY
CITY MANAGER		DATE:



# City of Benbrook

## CITY COUNCIL COMMUNICATION

DATE: 11/02/06	REFERENCE NUMBER: G-1665	SUBJECT: Annexation Proceedings to Enlarge and Extend the Boundary Limits of the City of Benbrook, Texas – Two Tracts Chapin Road	PAGE: 1 of 1
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As part of our negotiations with the City of Fort Worth, the boundary between Fort Worth and Benbrook along Chapin Road requires revision. The City Council authorized the staff to proceed on the annexation of two segments of right-of-way along Chapin Road at the August 3<sup>rd</sup> City Council meeting. Fort Worth also has agreed to participate next year in an asphalt overlay of Chapin Road.

### **Annexation**

In 1968, Benbrook and Fort Worth adopted a Joint Resolution that established the future common boundary line between Fort Worth and Benbrook. Each City was then entitled to annex up to that line. The line along Chapin Road was established as the north right-of-way line between the Loop 820 Frontage Road and Western Hills High School and along the south right-of-way line east of Williams Road.

The City of Benbrook never annexed the north half of Chapin Road between Van Deman Drive and Carman Drive, and never annexed the entire right-of-way between Burkett Drive and Western Hills High School, even though we have been maintaining this roadway for many years. We also have never annexed the full width of right-of-way between Van Deman Drive and the Loop 820 frontage road. The two tracts are entirely street right-of-way and no private property is involved.

State Law (LGC Sec. 43.063) requires the City to hold two public hearings prior to adoption of the Ordinance annexing the two tracts. State law also requires that we publish notice in the newspaper (October 19<sup>th</sup> edition of Benbrook News), place the notice on the City's Internet page, notify the school district and notify the railroad. State law also requires that we prepare an Annexation Service Plan describing how we will provide city services to the newly annexed tract within specified time limits.

A second public hearing is required on November 16, 2006. The attached Ordinance and Service Plan are proposed for final adoption on December 7, 2006 to annex the unincorporated sections of Chapin Road in accordance with the 1968 Joint Resolution. Just a reminder that we will be disannexing two tracts on December 7<sup>th</sup> as well, but a public hearing is not required on that action.

### **RECOMMENDATION**

Staff recommends that City Council hold the first public hearing on the proposed annexation of two tracts of public right-of-way along Chapin Road. No further action is required at this time.

SUBMITTED BY:	DISPOSITION BY COUNCIL: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE)	PROCESSED BY:
		CITY SECRETARY
CITY MANAGER		DATE:



# City of Benbrook

## CITY COUNCIL COMMUNICATION

DATE: 11/02/06	REFERENCE NUMBER: G-1666	SUBJECT: Conduct First Public Hearing and Review on Continuance of Minor Curfew	PAGE: 1 of 2
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**HISTORY**

In July 1994, the City of Benbrook first enacted a curfew ordinance to restrict the hours an individual under the age of seventeen can be in a public place. State law requires a review of municipal curfew ordinances every three years to determine if the ordinance should be abolished, continued, or modified. State Law further requires a review of the ordinance's effects on the community and on problems the ordinance is intended to remedy. The Local Government Code stipulates that the City Council conduct public hearings on the need to continue the ordinance. Since 1994, the Benbrook City Council has reauthorized the curfew ordinance.

The restricted hours are from 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until 6:00 a.m. of the following day and 12:01 a.m. until 6:00 a.m. on any Saturday or Sunday.

Consideration of the curfew ordinance is two phased and includes (1) the November 2, 2006 public hearing and (2) an additional public hearing followed by formal City Council consideration (at the November 16, 2006, City Council meeting). City Council last reviewed the ordinance in December 2003.

**COMMUNITY EFFECTS**

The Benbrook Police Department believes that the curfew ordinance has assisted the department in late night crime prevention.

Benbrook police officers have issued the following citations for curfew violations in the past three years:

2004 59  
2005 45  
2006 50

During the same period, minors have been arrested for committing the following number of crimes during the hours of curfew:

2004 17  
2005 18  
2006 21

SUBMITTED BY:	DISPOSITION BY COUNCIL: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE)	PROCESSED BY: CITY SECRETARY
CITY MANAGER		DATE:

DATE: 11/02/06	REFERENCE NUMBER: G-1666	SUBJECT: Conduct First Public Hearing and Review on Continuance of Minor Curfew	PAGE: 2 of 2
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Bedford, Burleson, Crowley, Euless, Everman, Forest Hill, Fort Worth, Hurst, North Richland Hills, Saginaw, Watauga, and White Settlement have enacted curfew ordinances. Arlington, Grapevine, Keller, Kennedale, Mansfield, and Southlake have not enacted a curfew ordinance.

**RECOMMENDATION**

Staff recommends that City Council conduct a public hearing to receive public input on the curfew ordinance.

**TARRANT  
REGIONAL  
TRANSPORTATION  
COALITION**

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1509B South University Drive, Suite 246 • Fort Worth, Texas 76107 • 817-850-7940 • 817-850-7944 fax

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October 5, 2006

City of Benbrook  
Honorable Jerry Dittrich  
P O Box 26569  
Benbrook TX 76126

Dear Mayor Dittrich:

Because of our ever-growing population and roadway congestion, we are going to make a major push in the upcoming legislative session to seek some relaxation of the current cap on local sales tax to provide funding to construct and operate the regional rail component of the metropolitan transportation plan. As you can see from the enclosed resolutions, the Tarrant County Mayors' Council and the Tarrant Regional Transportation Coalition both passed resolutions urging the 80<sup>th</sup> Texas Legislature to exempt from the two-cent cap on local sales tax an amount equal to the locally authorized transit sales tax and to authorize local governments to conduct a local option election to enact a sales tax for transit or other lawful purposes. We respectfully urge you to do the same.

Whether you pass the form of the resolution used by the Mayors' Council or the one used by TRTC is unimportant; you can write your own if you prefer. The point is simply to show strong support for the Legislature providing relief from the local sales tax cap and for authorizing local option elections to fund rail service. The wording "or other lawful purposes" is included to enable those cities who have already enacted a local sales tax for transit to enact a 4A or 4B sales tax if they so choose.

Please feel free to contact TRTC Executive Director Vic Suhm if you have any questions or need additional information [vic@ntc-dfw.org, 972-621-0400 ext 120 office, 214-641-3341 cell or 817-488-7374 home]. Please send us a copy of your adopted resolution. Thanks very much for your cooperation and assistance.

Sincerely,



Oscar Trevino  
Chairman

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Arlington Chamber of Commerce, City of Arlington, City of Azle, City of Bedford, City of Benbrook, City of Blue Mound, Blue Star Investments (Dallas Cowboys), City of Burleson, BNSF, Cantey & Hanger, Carter & Burgess, City of Colleyville, City of Crowley, Dannenbaum Engineering Corporation, Denton County, Denton County Transportation Authority, City of Euless, Town of Flower Mound, City of Forest Hill, Fort Worth Chamber of Commerce, Fort Worth Hispanic Chamber of Commerce, Fort Worth Metropolitan Black Chamber of Commerce, City of Fort Worth, Freese & Nichols, City of Grand Prairie, City of Grapevine, Greater Fort Worth Association of Realtors, Half Associates, City of Haltom City, City of Haslet, Hicks Holdings (Texas Rangers), Hillwood Properties, City of Hudson Oaks, HEB Chamber of Commerce, City of Hurst, Johnson County, City of Keller, City of Kennedale, Kimley Horn, City of Lake Worth, LopezGarcia Group, City of Mansfield, Northeast Tarrant Chamber of Commerce, City of North Richland Hills, Town of Pantego, City of Richland Hills, S & B Infrastructure, Ltd., City of Saginaw, City of Southlake, Tarrant County, Tarrant County College, Teague Nall and Perkins, The T, Turner Collie & Braden, City of Watauga, City of Weatherford, Town of Westlake, City of Westover Hills, City of Westworth Village, City of White Settlement, Wise County