

**AGENDA
BENBROOK CITY COUNCIL
THURSDAY, AUGUST 17, 2006
911 WINSCOTT 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 Gary Oliver with Tabernacle of Praise
PLEDGE OF ALLEGIANCE**

III. MINUTES

1. Minutes of the regular meeting held August 3, 2006

IV. PROCLAMATION/AWARDS/RECOGNITION

1. Proclamation – National Alcohol and Drug Addiction Recovery Month

V. MAYOR AND CITY COUNCIL MEMBER PRESENTATION

1. Councilmember Keith Bailey – Authorize Staff to Begin Process for Street Name Change – Vista Way

VI. PRESENTATION BY PLANNING AND ZONING COMMISSION

VII. REPORTS OF CITY MANAGER

A. GENERAL

- G-1649 Financial Report for Month Ending July 31, 2006
- G-1650 Adopt Ordinance Prohibiting Smoking in Public Places
- G-1651 Benbrook Community Center/YMCA Expansion Study

B. CONTRACT

- C-219 Approve Contract with Wellspring Insurance Agency, Inc. - Implementation of Tax Exemption with City's Insurance Providers

VIII. OTHER MATTERS OF BUSINESS

Public Hearing on 2006 Property Tax Rate

IX. INFORMAL CITIZEN COMMENTS

X. ADJOURNMENT

**JOINT WORK SESSION
CITY COUNCIL/PLANNING/ ZONING COMMISSION/BENBROOK ECONOMIC
DEVELOPMENT CORPORATION BOARD**

1. Presentation on Benbrook Boulevard Master Plan



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, AUGUST 3, 2006**

The regular meeting of the Benbrook City Council was held on Thursday, August 3, 2006 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

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

Also Present:

Cary Conklin, City Manager
Joanna King, City Secretary
Dave Gattis, Assistant City Manager
Andy Wayman, Assistant City Manager
David Ragsdale, Comptroller

Others Present:

Dorcas Neuman, Benbrook News
Ed Gallagher
Valerie Stowe
Daniel Tully
Bill Smith
Sam Balkum
Tammi Cauthen
Pam Moore
Mr. and Mrs. Phil Moreau
Rebecca Moreau
Beatriz Mince
Steve Adams
Johnny Johnson
Eric Friend
Linda Brand
Joe Fuqua
and approximately 15 other citizens

I. CALL TO ORDER

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

**II. INVOCATION
PLEDGE OF ALLEGIANCE**

Invocation was given by Dr. Larry Sanders with Trinity Hills Baptist Church

III. MINUTES

1. Minutes of the regular meeting held July 20, 2006

Motion by Mr. Allison, seconded by Mr. Schull to approve the minutes of the regular meeting held July 20, 2006 as presented.

Vote on the Motion:

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

Noes: None

Abstain: Mr. Stowe

Motion carries 6-0-1.

IV. CITIZEN PRESENTATION

1. Beatriz Mince – Fort Worth ISD – Invitation to FWISD First Day of School Celebration

Rebecca Moreau - student at Western Hills High School, Colton Baskett - student at Leonard Middle School and Louis Marino - student at Benbrook Elementary made presentation to City Council. The students provided information on the accomplishments of FWISD students and future goals. The City Council and audience was invited to attend the first day of school.

2. Johnny Johnson – Skyline Ranch Development

Mr. Johnny Johnson, 10109 Stoneleigh addressed City Council on his concerns with the Skyline Ranch Development. Mr. Johnson advised that he is not familiar with the developer of Skyline Ranch but so far, the developer has not been a responsible neighbor. He advised that during the winter 2005 the developer burnt debris on the property for several days. He stated the fires were finally extinguished by Fort Worth Fire Department after several calls were made. Mr. Johnson questioned if the developer was fined and if so how much.

Mr. Johnson stated he wished the City had asked for more input from the neighborhood before approval was made on the bridges. He expressed concern of additional traffic congestion to the neighborhood and safety issues.

Mr. Conklin advised Mr. Johnson that the construction debris was chipped trees piled in a high manner. He stated that it is unknown rather the developer started the fire or it was caused by spontaneous combustion. However, no matter the cause, the fire did burn internally for several weeks. Mr. Conklin advised that the City did bill the developer \$8,500 for fire services performed by the Benbrook Fire Department during this time. He stated the developer did pay for the services as well as \$1,100 to the Benbrook Water Authority for water used on the fires. Mr. Conklin stated he was not aware of the amount the City of Fort Worth may have charged the developer.

Others speaking on the subject were Linda Brand, Joe Fuqua, Bill Smith and Phil Moreau.

Mr. Dave Gattis gave the following staff report: The connection to Woodglen has been planned since January 1978 and the connection to Rolling Hills Drive since September 1983. Both connections are part of the plats of Westpark and Rolling Hills Estates. A recent Interlocal Agreement with the City of Fort Worth was on ownership and maintenance of the bridges. Traffic impacts are all within the capacity of the existing roadways.

Skyline Ranch is to be built in three phases. Phase 1 is 151 lots with a 60/40 split between RM2871 and US 377. Phase 2 is 157 lots and all will likely use RM2871. Phase 3 is 57 lots. The ultimate development is 60% north of RM2871, 25% north of US 377 and 15% south of US 377. Then entire development is within the City of Fort Worth. The home values are planned to sell between \$150,000 and \$250,000.

The Interlocal Agreement with the City of Fort Worth on the Skyline Ranch bridges was considered and approved by Benbrook City Council on June 15. Notice of the meeting was posted 147 hours in advance, exceeding the 72 hours required by the Open Meetings Act.

No action taken.

V. PRESENTATION BY PLANNING AND ZONING COMMISSION

VI. REPORTS OF CITY MANAGER

A. GENERAL

G-1644 Accept 2006 Certified Appraisal Roll and Set Anticipated Property Tax Collection Percentages

Mr. Ragsdale gave the following report: Staff received the 2006 certified Appraisal Roll from the Tarrant Appraisal District (TAD) on July 25, 2006. The report contains certain state mandated information on appraised value, adjustments, and taxable value of property in the City as of January 1, 2006.

The 2006 certified appraised value is \$1,350,195,944, a 5.94% increase from 2005 values. The total exemptions and adjustments for 2006 values are

\$237,001,466 or an increase of 4.29%. The total taxable value for 2006 is \$1,163,688,659 for an increase of 6.84%.

To comply with "Truth-in-Taxation" (TNT) requirements, the City Council must accept the certified Appraisal Roll as presented by TAD. City Council must also set an anticipated collection rate and appoint an officer to calculate and publish the Effective Tax Rate (ETR) and the Roll Back Tax Rate (RTR).

Motion by Mr. Vander Pan, seconded by Mr. Sauma to accept the 2006 certified Appraisal Roll as presented, set 100% as the anticipated property tax collection rate, and appoint the Comptroller to calculate and publish the ETR and RTR.

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-1645 Quarterly Hotel/Motel Tax Report

Mr. Ragsdale gave the following report: Total collections of Hotel/Motel Tax for the period ending June 30, 2006 amounted to \$30,317.04. Bed tax made up \$28,530.84 of this amount and interest provided \$1,786.20.

A total of \$344.71 has been submitted for reimbursement by BSCI for VSA related expenses. The largest portion of the expense went toward cash awards for artist.

The Benbrook Chamber of Commerce submitted \$12,369.58 in expenses. These expenses included visitor center salary of \$10,369.58 and overhead charges of \$2,000.

On June 1, 2006, City Council approved Benbrook's participation in the Wounded Warriors/Fallen Heroes event at Dutch Branch Park on July 2. At that meeting, staff provided an initial in-house cost estimate of \$13,500. After consideration of the estimate, City Council authorized additional funds as needed to make the event safe and successful.

Actual in-house expenditures were \$21,640. Additional costs were largely due to needed increases in police presence at the event in anticipation of a larger crowd than originally predicted.

In addition, the event coordinator for WWFH requested payment of advertising/promotional expenses of \$5,060.

Staff recommends that City Council approve:

1. The quarterly HMT report with budget adjustment of \$20,100; and
2. Authorize the Comptroller to make the requested reimbursement of \$344.71 to BSCI; and
3. Authorize the Comptroller to make the requested reimbursement of \$12,369.58 to the Benbrook Chamber; and
4. Approve the transfer of \$21,640 from the hotel occupancy tax revenues to the General Fund for in-house expenses; and
5. Prove payment of advertising/promotional expenses of \$5,060 as requested by the WWFH event coordinator.

Motion by Mr. Schull, seconded by Mr. Stowe to approve the quarterly Hotel/Motel Tax report recommendations as presented and approve a budget adjustment of \$20,100.

Vote on the Motion:

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

Noes: Mr. Sauma

Motion carries unanimously.

G-1646 Consider Request to Join Consortium Opposing Coal Fuel Generated Power Plants

Mr. Conklin gave the following report: City of Dallas Mayor Laura Miller recently contacted the City of Benbrook regarding opposition to 17 new coal-burning plants to be located in Texas. Mayor Miller has proposed to intervene in the permitting process. Mayor Miller has asked area cities to join a consortium both for the additional political clout and to decrease the cost of intervention to the City of Dallas.

At the same time, the City of Benbrook belongs to a group of cities (CAPP) that are in the process of negotiating with TXU to purchase power from one or more of their plants to help stabilize our electrical costs over the next several years. Some of the plants from which we might purchase would be coal-fueled power plants. TXU has offered to sign a legally binding document that the company will decrease system wide emissions by 20% with the addition of their new plants.

The cities in CAPP asked our attorney and consultant to give us their opinion on these issues. That opinion is summarized as follows:

1. Gasification is an emerging technology that shows promise for reducing mercury emissions.
2. The TXU plants will meet or exceed federal and state mercury emission standards.

3. Carbon dioxide is not at this time a regulated pollutant.
4. "NOx" emissions are about the same from both coal burning and gasification plants.
5. Studies show relatively insignificant contributions from these plants to urban problems.

The coalition recognizes the need for additional power and wants the plants switched from coal burning to gasification. The Texas Commission on Environmental Controls and the EPA have already ruled that gasification is a different technology, and the agency therefore, cannot order a change under the "Best Available Technology Rules". The coalition recognizes that there are not rules for a blanket challenge to the permitting of these plants, but rather each must be challenged on an individual basis with site, technology and construction specific information.

The proposed funding mechanism is woefully inadequate to challenge 17 permits as cost ranges from \$300,00 to \$500,000 per permit challenge. In addition, Mayor Miller is proposing a flat rate of \$10,000 per participating city rather than rate the expense per population. Benbrook would be paying the same fee as Dallas and Houston. The construction of the new plants will replace older less efficient plants and thus bring the cost of electric and emission levels down.

Staff recommends that the City should support the concept of raising funds on a per capita basis to study and encourage the development of new cleaner technologies such as gasification. The City should support and encourage the adoption of carbon dioxide standards at the state and federal level. However, the City should not invest money to oppose the construction of the proposed plants at this time.

For lack of motion, no action taken on this item.

G-1647 Adopt Resolution Authorizing Staff to Initiate Annexation Process – Chapin Road

Mr. Gattis gave the following report: As part of our negotiations with the City of Fort Worth, the staff initiated a clean up of the boundary between Fort Worth and Benbrook along Chapin Road. Fort Worth also has agreed to participate next year in an asphalt overlay of Chapin Road.

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 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. However, we

have been maintaining the 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 proposed resolution authorizes the staff to initiate annexation proceedings for the unincorporated sections of Chapin Road in accordance with the 1968 Joint Resolution. The resolution authorizes the staff to prepare a Service Plan, adopts a timetable that complies with State Law, and sets public hearings for November 2 and November 16, 2006. The annexations will be completed on December 7, 2006.

The City also annexed two parcels that were previously annexed by Fort Worth and do not comply with the 1968 Joint Resolution. One is a triangular-shaped piece of Fort Worth ISD property north of the right-of-way line adjacent to Leonard Middle School and the second is a 1000-foot section of Chapin Road east of Williams Road. Although these ordinances were invalid when they were adopted, it would be better to disannex these sections to avoid future confusion. The staff plans to bring these disannexations to City Council at the December 7 meeting as well.

Motion by Mr. Allison, seconded by Mr. Bailey to adopt Resolution 2006-11 authorizing staff to initiate annexation proceedings for two tracts along Chapin Road and to prepare a service plan; adopt a schedule for annexation proceedings; and schedule public hearings for November 2 and November 16, 2006.

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.

Resolution 2006-11 being **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENBROOK APPROVING A TIMETABLE FOR PROCEEDINGS TO ANNEX TWO TRACTS OF LAND WHICH ARE PORTIONS OF THE VARIABLE WIDTH RIGHT-OF-WAY OF CHAPIN ROAD; DIRECTING CITY STAFF TO PREPARE A SERVICE PLAN FOR THE TERRITORY TO BE ANNEXED AND TO DELIVER AND PUBLISH NOTICE OF THE TWO ANNEXATION PUBLIC HEARINGS AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.”**

G-1648 Adopt Joint Ordinance and Boundary Agreement with Fort Worth Disannexing Two Tracts Related to Skyline Ranch Bridges

Mr. Gattis gave the following report: On June 15, the Benbrook City Council authorized staff to execute an Interlocal Agreement with the City of Fort Worth

regarding the construction and maintenance of two bridges crossing Walnut Creek serving the Skyline Ranch development in Fort Worth. Fort Worth City Council authorized approval of the Agreement on June 13 and the Agreement has been executed.

A portion of the Agreement calls for Benbrook to disannex approximately 13,765 square feet of right-of-way on Woodglen Drive and 15,922 square feet of right-of-way on Rolling Hills Drive and for Fort Worth to annex them. The purpose of this boundary adjustment is so that all construction and future maintenance of the two bridges is the responsibility of the City of Fort Worth.

Fort Worth City Council adopted the Joint Ordinance and Boundary Agreement on June 13. Failure to adopt the ordinance by Benbrook would result in the City's financial responsibility for future maintenance of the bridges, which does not directly benefit any Benbrook citizen.

Motion by Mr. Stowe, seconded by Mr. Sauma to adopt Benbrook Ordinance No. 1213 Joint Ordinance and Boundary Agreement regarding two tracts related to bridges to Skyline Ranch.

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.

Ordinance No. 1213 being "**CITY OF BENBROOK ORDINANCE NO. 1213 CITY OF FORT WORTH ORDINANCE NO. 16991-06-2006 JOINT ORDINANCE AND BOUNDARY AGREEMENT**".

VII. EXECUTIVE SESSION – Pursuant to Texas Government Code

- 1. Section 551.072 – Deliberation Regarding Real Property – Consider Counter Offer for Temporary Construction Easement – 4409 Mary's Creek Drive**
- 2. Section 551.072 – Deliberation Regarding Real Property – Consider Counter Offer for Drainage Easement – 4013 Dawn Drive**
- 3. Section 551.072 – Deliberation Regarding Real Property – Consider Counter Offer for Drainage Easement – 8024 Llano Avenue**

Mayor Dittrich recessed the regular meeting at 8:29 p.m. to conduct Execution Session pursuant to Texas Government Code Section 551.072-Deliberation Regarding Real Property.

VIII. RECONVENE INTO REGULAR SESSION - Take any action necessary from Executive Session

Mayor Dittrich called the regular meeting back to order at 8:49 p.m.

1. Section 551.072 – Deliberation Regarding Real Property – Consider Counter Offer for Temporary Construction Easement – 4409 Mary’s Creek Drive

Motion by Mr. Allison, seconded by Mr. Schull to accept the counter offer from Mr. Matthews for temporary construction easement at 4409 Mary’s Creek Drive at a cost up to \$3,300.00.

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.

2. Section 551.072 – Deliberation Regarding Real Property – Consider Counter Offer for Drainage Easement – 4013 Dawn Drive

Motion by Mr. Stowe, seconded by Mr. Allison to accept the counter offer from Mr. Martinez for drainage easement at 4013 Dawn Drive for a cost not to exceed \$8,230.00.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

3. Section 551.072 – Deliberation Regarding Real Property – Consider Counter Offer for Drainage Easement – 8024 Llano Avenue

Motion by Mr. Allison, seconded by Mr. Schull to reject the counter offer from Mr. and Mrs. Griffin for a drainage easement at 8024 Llano Avenue and to modify construction plans to eliminate the culverts at Llano Avenue.

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.

IX. REPORTS OF CITY MANGER - Continued

G-1649 Consider Options for Willow Bend Creek Drainage Project

Mr. Gattis gave the following report: One of the last drainage projects included in the 2004 bond program was improvements to the culverts on Willow Bend Creek at Llano Avenue and Herndon Drive. This enlargement will remove approximately 12 homes from the floodplain.

To build the project, the City needs to obtain drainage easements from three property owners. One easement has been donated, one refused and one owner has made a counter-offer.

There are three basic options available to the City Council regarding the project:

- Authorize condemnation and pursue construction as originally planned,
- Cancel the project completely and use the funds allocated for other drainage projects, or
- Modify the project to eliminate the culverts and construct a channel lining only.

Motion by Mr. Stowe, seconded by Mr. Sauma to modify the Willow Bend Creek Drainage project by modifying the project to eliminate the culverts and construct channel lining only.

Vote on the Motion: Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Vander Pan, Mr. Stowe, Mr. Sauma, Mr. Schull

Noes: None

Motion carries unanimously.

Ayes: Mr. Bailey

X. OTHER MATTERS OF BUSINESS

XI. INFORMAL CITIZEN PRESENTATION

XII. ADJOURNMENT

Meeting adjourned at 8:55 p.m.

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 08/17/06	REFERENCE NUMBER: G-1649	SUBJECT: Financial Report for Month Ending July 31, 2006	PAGE: 1 of 1
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Attached for City Council's information and consideration is the monthly financial report for July 2006.

GENERAL FUND REVENUES

Revenues for the month of July totaled \$396,313. The major source of revenue came from Taxes (\$255,129), Permits (\$42,851) and Citizen Services (\$35,501). Through July, total collections were \$10,378,441 or 94.75% of the amount budgeted.

GENERAL FUND EXPENDITURES

July expenditures totaled \$867,809. Through July, total expenditures were \$9,061,325 or 81.63% of the original budget. At July 31, 2006 revenues exceeded expenditures by \$1,317,116.

EDC REPORT

July revenues were \$56,361 with most of this amount coming from Sales Tax. Expenditures were \$55,626. Through the end of July, expenditures exceed revenues by \$446,847.

INVESTMENTS

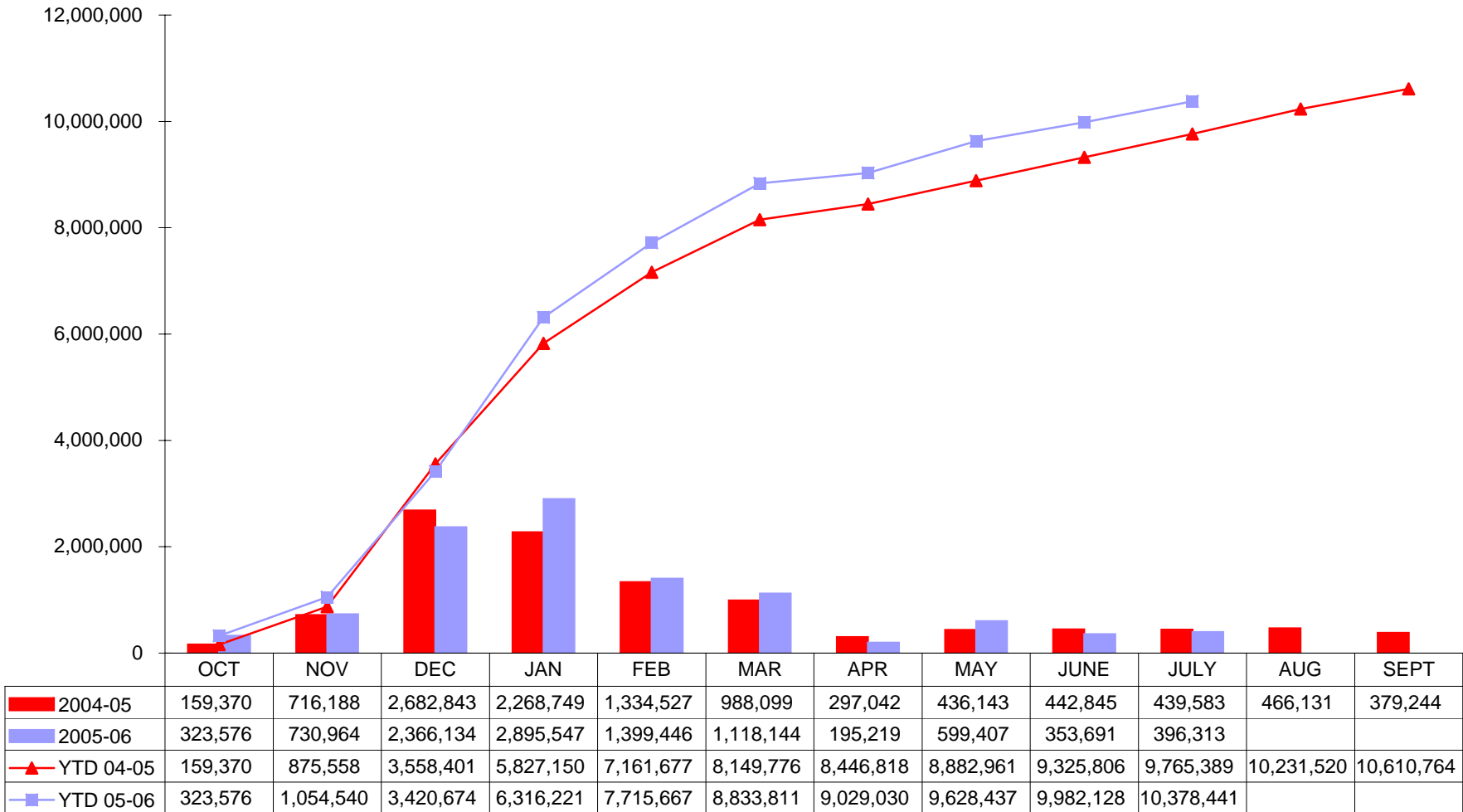
Investments were \$10,679,404 at July 31, 2006.

RECOMMENDATION

Staff recommends that City Council accept the monthly financial report for the month of July 2006.

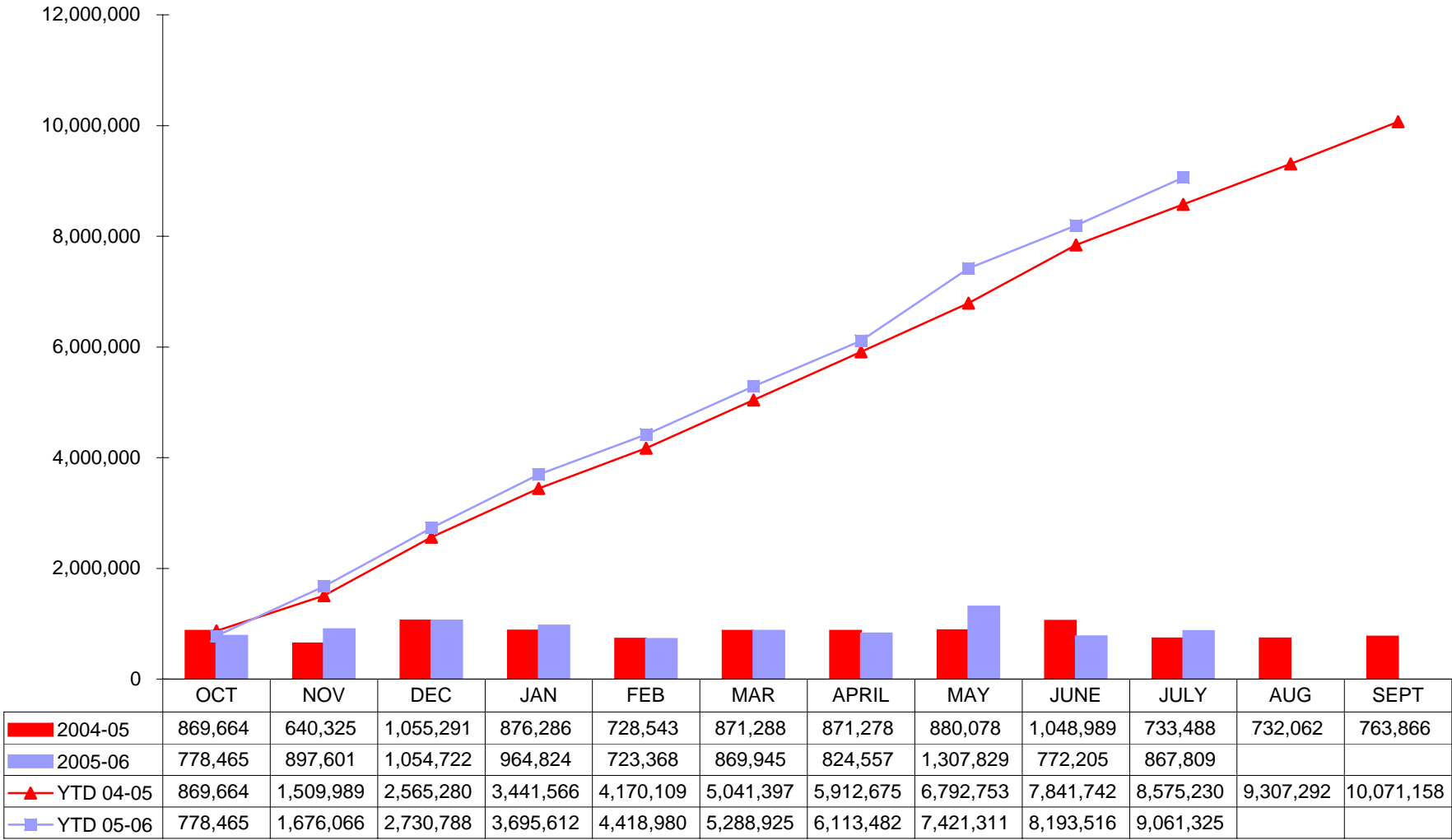
SUBMITTED BY:	DISPOSITION BY COUNCIL: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE)	PROCESSED BY: CITY SECRETARY
CITY MANAGER		DATE:

Revenue Trend Comparison



2004-05 2005-06 YTD 04-05 YTD 05-06

Expenditure Trend Comparison



■ 2004-05
 ■ 2005-06
 ▲ YTD 04-05
 ▲ YTD 05-06

CITY OF BENBROOK, TEXAS
 FINANCIAL REPORT - GENERAL FUND
 July, 2006

	CURRENT YEAR ANNUAL BUDGET				PRIOR YEAR COMPARISON		
	ANNUAL BUDGET	CURRENT MONTH REV/EXP	YEAR-TO-DATE REV/EXP	VARIANCE PLUS (MINUS)	PERCENT COLLECTED	YEAR-TO-DATE REV/EXP	VARIANCE PLUS (MINUS)
REVENUE ACCOUNTS							
Ad Valorem Taxes	6,714,392	116,536	6,742,974	28,582	100.43%	6,312,323	430,651
Franchise Taxes	1,220,500	38,444	1,180,698	(39,802)	96.74%	1,113,228	67,470
Sales & Other Taxes	1,404,215	100,149	1,058,353	(345,862)	75.37%	973,083	85,270
TOTAL TAXES	9,339,107	255,129	8,982,025	(357,082)	96.18%	8,398,634	583,391
Licenses	37,300	4,226	44,630	7,330	119.65%	41,151	3,479
Permits & Filing Fees	361,950	42,851	350,879	(11,071)	96.94%	351,536	(657)
LICENSES PERMITS & FEES	399,250	47,077	395,509	(3,741)	99.06%	392,687	2,822
FINES & FORFEITURES	292,000	21,987	243,845	(48,155)	83.51%	220,345	23,500
USE OF MONEY & PROPERTY	154,000	10,801	188,699	34,699	122.53%	168,538	20,161
REV FROM OTHER AGENCIES	283,000	18,000	126,383	(156,617)	44.66%	153,282	(26,899)
Citizen Services	343,200	35,501	341,961	(1,239)	99.64%	281,855	60,106
Recreation Services	41,100	4,482	28,229	(12,871)	68.68%	40,165	(11,936)
Sale of Goods	38,350	595	24,521	(13,829)	63.94%	40,176	(15,655)
SERVICE CHARGES	422,650	40,578	394,711	(27,939)	93.39%	362,196	32,515
OTHER REVENUES	63,300	2,741	47,269	(16,031)	74.67%	69,708	(22,439)
TOTAL REVENUES	10,953,307	396,313	10,378,441	(574,866)	94.75%	9,765,390	613,051
EXPENDITURE ACCOUNTS							
City Council	24,358	545	16,561	7,797	67.99%	10,535	6,026
City Manager	266,377	21,613	226,786	39,591	85.14%	212,766	14,020
City Secretary	226,079	14,621	192,111	33,968	84.98%	160,729	31,382
Non-Departmental	507,850	51,746	346,128	161,722	68.16%	352,669	(6,541)
GENERAL GOVERNMENT	1,024,664	88,525	781,586	243,078	76.28%	736,699	44,887
Finance	347,962	20,173	287,988	59,974	82.76%	281,793	6,195
Information Services	127,875	9,425	108,477	19,398	84.83%	62,131	46,346
Personal Services	18,700	1,613	18,157	543	97.10%	13,586	4,571
Budget & Research	120,678	8,936	97,760	22,918	81.01%	94,869	2,891
STAFF SERVICES	615,215	40,147	512,382	102,833	83.29%	452,379	60,003
Police	4,387,758	313,788	3,529,023	858,735	80.43%	3,499,480	29,543
Fire & Ambulance	1,779,261	135,325	1,426,448	352,813	80.17%	1,404,287	22,161
Municipal Court	162,196	12,731	128,814	33,382	79.42%	124,635	4,179
PUBLIC SAFETY	6,329,215	461,844	5,084,285	1,244,930	80.33%	5,028,402	55,883
Community Services	259,271	11,606	161,317	97,954	62.22%	126,501	(34,816)
Streets	1,155,389	110,702	1,074,362	81,027	92.99%	921,647	(152,715)
Parks & Recreation	576,674	48,715	471,261	105,413	81.72%	419,311	(51,950)
Support Services	381,211	32,747	321,735	59,476	84.40%	298,780	(22,955)
COMMUNITY SERVICES	2,372,545	203,770	2,028,675	343,870	85.51%	1,766,239	(262,436)
Community Development	283,603	36,651	242,591	41,012	85.54%	198,264	(44,327)
Planning & Zoning	176,194	12,787	144,118	32,076	81.80%	138,797	(5,321)
City Inspection	298,754	22,869	248,378	50,376	83.14%	238,328	(10,050)
COMMUNITY DEVELOPMENT	758,551	72,307	635,087	123,464	83.72%	575,389	(59,698)
TOTAL GENERAL FUND	11,100,190	866,593	9,042,015	2,582,683	81.46%	8,559,108	(161,361)
EDC	0	(119)	14,271	(14,271)	0.00%	13,359	(912)
Library	0	1,335	5,039	(5,039)	0.00%	2,763	(2,276)
TOTAL EXPENDITURES	11,100,190	867,809	9,061,325	2,563,373	81.63%	8,575,230	(164,549)
ENDING BALANCE	(146,883)	(471,496)	1,317,116	(1,463,999)		1,190,160	777,600



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 08/17/06	REFERENCE NUMBER: G-1650	SUBJECT: Adopt Ordinance Prohibiting Smoking in Public Places	PAGE: 1 of 2
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In April 1991, City Council approved Ordinance No. 896, which regulates smoking in the public places. The Ordinance allows the owner or person in control of an establishment to designate those facilities as non-smoking in their entirety. However, the Ordinance does allow the designation of specific areas within public buildings for smoking.

Ordinance No. 896 further requires food establishments to designate separate enclosed dining areas for non-smoking when the establishments seat 25 or more patrons. Separate ventilation systems and appropriate signage are also included in this law. The law allows workplaces to establish any or all of a building as non-smoking.

DISCUSSION POINTS

In the past months, City Council met on a number of occasions in work sessions to discuss a more aggressive smoking ordinance for the City of Benbrook. City Council discussed the steps of several Texas cities to eliminate all smoking in public buildings with *public buildings* defined as any building other than a private residence. From a Surgeon General released report on June 28, City Council weighed the following findings versus the rights of private citizens to smoke:

- “The health effects of secondhand smoke exposure are more pervasive than we previously thought”. “Secondhand smoke is a serious health hazard that can lead to disease and premature death in children and nonsmoking adults.” The report said that exposure to secondhand smoke raises the risk of heart disease by 25-30 percent and the risk of lung cancer by 20-30 percent among nonsmokers. “Restrictions on smoking can control exposures effectively, but technical approaches involving air cleaning or a greater exchange of indoor with outdoor air cannot. Consequently, nonsmokers need protection through the restriction of smoking in public places and workplaces.”

PROPOSED ORDINANCE

Identical to the recently approved ordinance in Victoria, Texas, the proposed Ordinance states the following:

- A. It is unlawful for any person to perform the following acts in any public building (*public buildings* are defined as any building other than a private residence) in the City of Benbrook or within 12 feet from any entrance or exit to any such public building:
 - (1) Smoke;
 - (2) carry a lighted cigarette, cigar, or tobacco-containing pipe; or

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

DATE: 08/17/06	REFERENCE NUMBER: G-1650	SUBJECT: Adopt Ordinance Prohibiting Smoking in Public Places	PAGE: 2 of 2
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(3) light a cigarette, cigar, or tobacco-containing pipe.

B. It shall be unlawful for any owner or operator of any public building in the City of Benbrook to place or allow to be placed any of the following items in any public building or within 12 feet from an entrance or exit to any building:

(1) ashtrays;

(2) smoking paraphernalia; or

(3) signs that indicate that smoking is permitted.

C. It is unlawful for any owner of any food establishment that serves food for on-premise consumption in the City of Benbrook to allow the operation of that food establishment unless one or more of the following signs have been posted at a location clearly visible to a person entering the food establishment:

(1) a "No Smoking" sign; or

(2) the international "No Smoking" symbol (depiction of a burning cigarette enclosed in a red circle with a red bar across it.)

Violators will be subject to a daily fine not to exceed \$500.

ALTERNATIVES FOR CITY COUNCIL

City Council may elect any option noted below or combinations thereof:

- 1) Determine if a vote on the proposed ordinance will occur now without public discussion.
- 2) Discuss the proposed ordinance and/or entertain comments and determine if a vote will occur.
- 3) Discuss the proposed ordinance and/or entertain comments and determine a later date for vote on the proposed ordinance.

RECOMMENDATION

Staff recommends that City Council determine the appropriate action for the proposed ordinance.



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 08/17/06	REFERENCE NUMBER: G-1651	SUBJECT: Benbrook Community Center/YMCA Expansion Study	PAGE: 1 of 2
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BACKGROUND

In September 1997, the citizens of Benbrook approved bond funding (by a 2 to 1 margin) for construction of the Benbrook Community Center/YMCA (BCC/YMCA). Construction of the Hahnfeld Associates designed facility was a collaboration of the City of Benbrook, the U. S. Army Corps of Engineers, the Texas Parks and Wildlife Department, and the YMCA of Metropolitan Fort Worth.

The 32,000 square-foot BCC/YMCA opened in May, 2000.

FACILITY EXPANSION STUDY

As with similar success stories, the overwhelmingly positive response to the BCC/YMCA has created a problem – overcrowding. As a result, the City initiated a conceptual expansion study.

The study, prepared by Hahnfeld, Hoffer, and Stanford, Inc., includes input from City staff, BCC/YMCA staff, the U. S. Army Corps of Engineers, the BCC/YMCA Board of Directors, the Benbrook Parks and Recreation Board and facility users. Key recommended facility enhancements, all intended to meet current and future facility needs, are noted below:

1. Expand the fitness (equipment) area.
2. Expand the child care area.
3. Add office space.
4. Add an outdoor water park.
5. Add a teen center.
6. Add a locker room.
7. Add an aerobics room.
8. Add an outdoor skate park.

The proposed building expansion is approximately 13,500 square feet and would increase the total “under roof” facility size to approximately 45,500 square feet.

Both the BCC/YMCA Board of Directors and the Benbrook Parks and Recreation Board have reviewed and approved the facility expansion study, subject to final action by the Benbrook City Council.

The architects estimated expansion cost is \$4.2 million.

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

DATE: 08/17/06	REFERENCE NUMBER: G-1651	SUBJECT: Benbrook Community Center/YMCA Expansion Study	PAGE: 2 of 2
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RECOMMENDATION

Staff recommends that the Benbrook City Council approve the conceptual expansion study for the Benbrook Community Center/YMCA.



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 08/17/06	REFERENCE NUMBER: C-219	SUBJECT: Approve Contract with Wellspring Insurance Agency, Inc. – Implementation of Tax Exemption with City’s Insurance Providers	PAGE: 1 of 2
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BACKGROUND

In August 2005, the City of Benbrook joined the North Texas Government Benefit Alliance (NTGBA) to explore the feasibility of collectively purchasing comprehensive medical benefits. Benbrook participates in this alliance with seventeen other local governmental entities in the North Texas area. The Wellspring Insurance Agency, Inc. (Wellspring) serves as the advisor for this consortium of municipalities.

Wellspring determined that Texas insurance laws impose the obligation to pay a premium tax to the State of Texas. This premium tax pertains to insurance companies that do business in the state. The premium tax is computed into the rates that municipalities, including the City of Benbrook, pay for group health, dental, and life insurance. The laws that impose this tax also provide for specified exemptions for qualified employers under certain conditions. Wellspring ascertained that certain members of the NTGBA, including the City of Benbrook, are eligible for exemption from this premium tax.

The current premium tax rate is by formula, and it is benefit specific. For other than life insurance and HMO products, the tax rate is equal to 1.75 percent of the insurance company’s taxable gross premiums received during a calendar year. The City’s PPO Plan with Aetna and the City’s dental plan with MetLife fit within this category. HMO and life insurance products have tax rates of 0.875 percent of the first \$450,000 of gross premium and 1.76 percent of premiums in excess of \$450,000. The City’s HMO Plan with Aetna and the City’s life insurance plan with Standard fit within this category.

PROPOSED CONTRACT

The current estimated annual premium for the City’s PPO Plan with Aetna is approximately \$600,000; the estimated premium tax is \$10,500 per year. The current estimated annual premium for the City’s HMO Plan with Aetna is \$51,750; the estimated premium tax is \$453. The current estimated annual premium for the City’s dental insurance with MetLife is \$57,425; the estimated premium tax is \$1,005. The current estimated annual premium for the City’s life insurance with Standard is approximately \$24,075; the estimated premium tax is \$211. These premium costs include both the City and employee portions for employees, dependents, and retirees. The estimated annual savings is \$12,169.

Wellspring will provide the City with the documentation necessary to implement the tax exemption and will work with the City’s insurance providers to execute the exemptions. Wellspring will

SUBMITTED BY:	DISPOSITION BY COUNCIL: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE)	PROCESSED BY: CITY SECRETARY
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DATE: 08/17/06	REFERENCE NUMBER: C-219	SUBJECT: Approve Contract with Wellspring Insurance Agency, Inc. – Implementation of Tax Exemption with City's Insurance Providers	PAGE: 2 of 2
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request and verify that the insurance carriers provide confirmation of the removal of applicable premium taxes.

Wellspring's fee for providing these services is \$2,500.

FINANCING

Funds are available in Non-Departmental account number 01-15-5219.

RECOMMENDATION

Staff recommends that the City Council authorize the Wellspring Insurance Agency, Inc. to perform the scope of services described in their proposal for a cost of \$2,500.