

**AGENDA
BENBROOK CITY COUNCIL
THURSDAY, OCTOBER 19, 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 – Brother Jack Cook with Wyatt Drive Baptist Church
PLEDGE OF ALLEGIANCE**

III. MINUTES

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

IV. CITIZEN PRESENTATION

1. Benbrook Sister Cities, Inc. – Bled, Slovenia Youth Presentation
2. Benbrook Sister Cities, Inc. – Response to Termination of Sister City and Friendship City Agreements
3. Peter Kau – VFW Post 10429 – Support Amendments to Smoking Ordinance and Request Temporary Waiver

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 - Exceptions
- G-1661 Reclassification of City Engineer Position
- G-1662 Appointment to Tax Increment Financing Board of Directors

B. CONTRACT

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

C. PURCHASE

- P-251 Purchase Chassis for Brush Truck

VII. OTHER MATTERS OF BUSINESS

VIII. INFORMAL CITIZEN COMMENTS

IX. EXECUTIVE SESSION – Pursuant to Texas Government Code

Section 551.072 – Deliberation Regarding Real Property

1. Consider Counter Offer for Drainage Easement at 4016 Tara Drive

IX. EXECUTIVE SESSION

Section 551.074 – Personnel Matters

1. Discuss Appointment of City Manager and Set Salary and Benefits

X. RECONVENE FROM EXECUTIVE SESSION

Necessary Action from Executive Session

XI. ADJOURNMENT



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, OCTOBER 5, 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
Rickey Allison
John Vander
Larry Stowe
Ron Sauma

Also Present:

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

Others Present:

Dorcas Neuman, Benbrook News
Ed Gallagher
Cathy Morris
Charlotte Vander Pan
Valerie Stowe
Mr. and Mrs. Robert Calloway
Ron Rainey
Marilyn Perkins
Diana Crosthwaite
Bill Smith
Daniel Tully
Ed Wilsberg
Pat Dunkin
Joan Chew
Audie McQuaid
Kelly Rod
Michael Minor
Kevin Cook

Thomas Johnson
Jerry Biggs
Glen Martin
and 3 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 Elder Greg Burk with Tabernacle of Praise.
The Pledge of Allegiance was recited.

III. MINUTES

1. Minutes of the regular meeting held September 21, 2006

Motion by Mr. Allison, seconded by Mr. Schull to approve the minutes of the regular meeting held September 21, 2006 as presented.

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 – Bled, Slovenia Youth Presentation

Mayor Dittrich announced that this item has been postponed until October 19, 2006 at Benbrook Sister Cities request.

2. Robert Calloway – Energy Conservation

Mr. Robert Calloway requested City Council conduct a feasibility study on wind-generated power for use by the City and its residents. He advised with the increased cost of electricity, reports are showing that windmills could pay for themselves in just a few years.

Mr. Conklin stated City staff has received reports on this issue and will continue to monitor the feasibility of a wind-generated system.

V. PRESENTATION BY MAYOR AND MEMBERS OF COUNCIL

1. Councilmember Larry Stowe – Discuss Future Relationship with Sister Cities

Councilmember Larry Stowe spoke on the past and current City Council discussions regarding the Sister City relationship with Bled, Slovenia and the Friendship relationship with Ballymoney, Northern Ireland. He stated the City has not funded Benbrook Sister Cities, Inc. for the past two years, but continues to fund VSA. Mr. Stowe stated staff is unsure of City Council's position regarding Sister Cities and places them in a very acquired position.

Motion by Mr. Stowe, seconded by Mr. Vander Pan for City Council to send letters to appropriate entities in Bled, Slovenia and Ballymoney, Northern Ireland to terminate our agreements.

Following discussion motion amended by Mr. Stowe, agreed by Mr. Vander Pan for an effective date of December 31, 2006.

Following discussion, motion by Mr. Allison to extend effective date to June 2007. Motion dies for lack of second.

Vote on Motion:

Ayes: Mr. Bailey, Mr. Vander Pan, Mr. Stowe, Mr. Sauma

Noes: Mr. Allison, Mayor Dittrich, Mr. Schull

Motion carries 4-3

VI. PRESENTATION BY PLANNING AND ZONING COMMISSION

PZ-2006-04 Adopt Ordinance Rezoning Lot 7, Block 2, Benbrook Estates from "B" One Family District to "CR" Multiple Family Restricted District (213 San Angelo Avenue)

Mr. Gattis gave the following report: The Land Use Plan indicates Medium Density Family Residential for the subject property. The proposed "CR" Multiple Family Restricted District is compatible with the Land Use Plan. Lot 7 is currently occupied with two outbuildings that are anticipated to be removed with new duplex construction.

The adjacent lot north of Lot 7 is zoned "B" One Family District and the adjacent lot to the south is zoned "CR" Multiple Family Restricted District. The lot on the west side of San Angelo Avenue is zoned "B" One Family District and the vacant tract east of Lot 7 is zoned "E" Commercial District.

The proposed rezoning conforms to the Land Use Element of the Comprehensive Plan, which shows the subject property as Medium Density Multiple Family

Residential. The Medium Family Residential use is compatible with existing and anticipated uses in the area.

The Planning and Zoning Commission recommended approval at their September meeting.

Mayor Dittrich opened the public hearing at 8:12 p.m. No one spoke for or against this item. Mayor Dittrich closed the hearing at 8:13 p.m.

Motion by Mr. Vander Pan, seconded by Mr. Sauma to adopt ordinance 1218 rezoning Lot 7, Block 2, Benbrook Estates from "B" One Family District to "CR" Multiple Family Restricted District.

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.

Ordinance No. 1218 being **"AN ORDINANCE AMENDING ORDINANCE NO. 808, AS AMENDED, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF BENBROOK, BY CHANGING THE ZONING CLASSIFICATION OF LOT 7, BLOCK 2, BENBROOK ESTATES, IN THE CITY OF BENBROOK, TARRANT COUNTY, TEXAS, FROM "B" ONE FAMILY DISTRICT TO "CR" MULTIPLE FAMILY RESTRICTED DISTRICT AND BY AMENDING THE OFFICIAL ZONING MAP TO REFLECT THE CHANGE; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE."**

SECTION 1

Ordinance No.808, as amended, is hereby amended to change the zoning classification of Lot 7, Block 2, Benbrook Estates from "B" One Family District to "CR" Multiple Family Restricted District.

SECTION 8

This Ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PZ-2006-05 Resolution of Intent to Vacate and Abandon the Portion of Goliad Street Northwest of the Intersection of Goliad Street and Del Rio Avenue

Mr. Gattis gave the following report: The Benbrook Economic Development Corporation proposed the closure of the segment of Goliad Street that extends

northwest from the intersection of Goliad Street and Del Rio Avenue, and the easterly connection of Goliad Street to the eastbound frontage road of Interstate 20, including the vacation of the public right-of-way.

The purpose of the request is to facilitate parking for a restaurant site. Existing traffic is less than 200 vehicles per day and alternate routes are available.

The vacation of the street right-of-way by the City does not accomplish the objectives of the EDC without concurring vacation of TxDOT right-of-way by the State. Likewise, the vacation of TxDOT right-of-way without vacation of the street right-of-way does not reach the objective. Neither right-of-way should be vacated without the other. The vacation of the TxDOT right-of-way is a lengthy process. TxDOT will not start the process without favorable consideration by the City regarding the vacation of the street right-of-way.

The vacation of right-of-way by the City requires compensation by the grantee for the value of the land involved as well as the value of any City improvements in the right-of-way. The consideration of the compensation is part of the overall process with the actual values determined by the City Council.

Right-of-way is vacated from the centerline in favor of the adjoining property owners. A consideration of the right-of-way vacation should be that the vacated areas be incorporated into a replat, creating a single lot of record for the proposed restaurant site.

Utility facilities located in a right-of-way do not require easements. A condition of vacation should be that adequate easements meeting utility requirements be dedicated on a future replat for all utility facilities located in a vacated right-of-way area.

The Planning and Zoning Commission recommends that the City Council approve a resolution of intent to vacate the segment of Goliad Street northwest of the intersection of Del Rio with the future vacation being subject to:

1. corresponding right-of-way vacation by TxDOT,
2. standard compensation to the City, and
3. replatting of the vacated area into a single lot, including adequate utility easements.

Mayor Dittrich opened the public hearing at 8:18 p.m.

Mr. Michael Minor, 109 Goliad (Turfgrass America) spoke in opposition of the vacation. He stated the area being considered for closure is the street used by Turfgrass to enter onto the frontage road of I-20. He stated with vehicles parked on Goliad Street, it would be very difficult to turn north on San Angelo Street to enter the I-20 frontage road. He stated the closure would pose a dangerous situation with the heavy equipment attempting to enter the interstate.

Mr. Kevan Cook, 106 Goliad also spoke in opposition to the vacation. He stated it would cause a dangerous situation with the loading and unloading of the 18-wheeler pipe trucks.

With not other speakers, Mayor Dittrich closed the public hearing at 8:32 p.m.

Motion by Mr. Allison, seconded by Mr. Vander Pan to adopt Resolution 2006-12 a resolution on intent to vacate and abandon the portion of Goliad Street northwest of the intersection of Goliad Street and Del Rio Avenue.

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 No. 2006-12 being **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENBROOK, TEXAS, DECLARING ITS INTENT TO VACATE AND ABANDON THE PART OF GOLIAD STREET THAT EXTENDS NORTHWEST OF THE INTERSECTION OF GOLIAD STREET AND DEL RIO AVENUE, AND THE EASTERLY CONNECTION OF GOLIAD STREET TO THE EASTBOUND FRONTAGE ROAD OF INTERSTATE 20, IF THE TEXAS DEPARTMENT OF TRANSPORTATION DECLARES CERTAIN ADJACENT STATE RIGHT-OF-WAY TO BE SURPLUS AND MAKES SUCH SURPLUS RIGHT-OF-WAY AVAILABLE FOR DEVELOPMENT OF A RESTAURANT SITE; AND PROVIDING AN EFFECTIVE DATE.”**

VII. REPORTS OF CITY MANAGER

A. GENERAL

G-1658 Adopt Ordinance Changing the Street Name of Bluestem Drive to Veterans Parkway (from Southwest Loop 820 to Cook Ranch Road)

Mr. Gattis gave the following report: At the August 17, 2006 meeting, City Council considered the renaming of a street in Benbrook to Veterans Parkway to recognize the service of military veterans to our nation. City Council approved a motion to direct staff to draft an ordinance renaming the entirety of Bluestem Drive to Veterans Parkway, schedule a public hearing, and notify affected property owners and other affected parties of the proposed change. Bluestem Drive currently has no residences or business using the name as part of an address making it the least disruptive street to designate Veterans Parkway.

On September 1, 2006, staff mailed approximately 30 letters explaining the proposed name change and noting a public hearing date of October 5, 2006. Letters were mailed to adjacent property owners, utility suppliers, postal officials,

Tarrant County 911 and emergency responders, and other affected parties. Staff published the notice of the name change consideration and public hearing on September 14. The staff has received no negative response to the letters or publication.

Although scheduled for approval on October 5, 2006, the effective date of the ordinance and official name change is January 1, 2007 to allow for notifications and a transition period.

Mayor Dittrich opened the public hearing at 8:40 p.m.

Mr. Bill Smith suggested street signs to have a red, white and blue logo or a flag. Mr. Robert Calloway street signs recognize Carswell Air Force Base.

With no other speakers, Mayor Dittrich closed the public hearing at 8:44 p.m.

Motion by Mr. Bailey, seconded by Mr. Vander Pan to adopt Ordinance No. 1219 changing the street name of Bluestem Drive to Veterans Parkway.

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. 1219 being **“AN ORDINANCE CHANGING THE NAME OF BLUESTEM DRIVE TO VETERANS PARKWAY AND PROVIDING AN EFFECTIVE DATE.”**

G-1659 Appointment to Boards and Commissions

Motion by Mr. Stowe, seconded by Mr. Sauma to make the following appointments to the Benbrook Boards and Commissions:

Planning & Zoning Commission

Place 2 Bret Early
Place 4 John Dawson
Place 6 Joseph Hughes
Place 8 Larry Marshall

ZBA/Board of Appeals

Place 2 Clark Penas
Place 4 William Collins
Alternate B Connie Gotcher
Alternate C Marvin Rhodes

Park & Recreation Board

Place 2 Mike Leach
Place 4 Karen Henderson
Place 6 Joe Sherwin

Economic Development Corp.

Place 2 James Schull
Place 4 Charles Anderson
Place 6 Carrol Crombie

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.

B. CONTRACT

C-222 Allied Waste Service Refuse Contract Extension

Mr. Conklin gave the following report: Allied Waste Services (and its preceding companies) has served as Benbrook's refuse and recycling hauler under the current contract since 1990. Over this 16 year period, Benbrook citizens have consistently praised Allied's service and the City's contract provisions. Un particular, residential customers enjoy Benbrook's premium, combination of weekly bulk and brush collection, optional second pick-up and uniform collection day. The City's contract agreement with Allied expires on December 31, 2006. Allied is requesting a five year extension to begin on January 1, 2007.

Allied has not received a rate adjustment since March 1998. As a result, Benbrook's rates are well below market. After extensive negotiations with City staff Allied proposed to:

- Keep current services intact
- Increase residential rates by 9.8% (less than \$1 a month)
- Increase commercial rates by 15%, with 6% annual increases thereafter
- Increase industrial rates by 10%, with 6% annual increases thereafter
- No proposed increase for the yellow bag program

Allied's proposed rate increase are market competitive. The contract extension retains favorable service and citizens continue to enjoy good customer and collection services.

Motion by Mr. Schull, seconded by Mr. Sauma to approve the contract extension with Allied Waste for a period beginning January 1, 2007 and ending December 31, 2012.

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.

C. PURCHASE

P-250 Radio Interoperability System (Funded by State Homeland Security)

Mr. Davis gave the following report: In 2005, the City received a \$59,000 Urban Area Security Initiative grant through the Texas Department of Homeland Security for regional radio dispatch interoperability. The grant is for the purchase of a combination VHF and 700/800MHz dispatch control station and 700/800MHz radio channel.

Numerous cities including Benbrook do not have dispatch equipment that operates on 700/800MHz radio frequency. The Urban Area Security Initiative grant program enables regional public safety entities to communicate during emergencies utilizing the "regional standard" 700/800MHz radio frequency.

The new "touch screen" console will continue to dispatch local VHF communications and communicate with surrounding cities at 700/800MHz.

For a number of years, the City purchased radio equipment from DFW Communications. Staff is pleased with DFW Communications service, field capability and preventative maintenance program. The City purchased the current Zetron console from DFW Communications.

Recently, DFW Communications submitted the low bid for a combination VHF and 700/800MHz dispatch control station to the State-wide cooperative purchasing program managed by the Texas Building and Procurement Commission. The low bid price is \$46,895.

A portion of the console is made by Motorola and must be purchased directly from Motorola, utilizing the Houston-Galveston Area Council of Government Purchasing Cooperative at a low bid of \$11,702.

DFW Communications will install the equipment.

The total cost for the equipment is \$58,597 which is 100% funded by the grant. There is no cost to the City of Benbrook.

Staff recommends that City Council participate in the Regional Radio interoperability Project and approve:

1. The purchase of a new combination VHF and 700/800MHz Zetron dispatch control station from the Texas Building and Procurement Commission at a low cost of \$46,895 to be paid by the Texas Department of Homeland Security.
2. The purchase of Motorola console equipment from the Houston-Galveston Area Council of Government Purchasing Cooperative at a low bid of \$11,702 to be paid by the Texas Department of Homeland Security.

Motion by Mr. Stowe, seconded by Mr. Sauma to participate in the Regional Radio Interoperability Project and approve the purchase of combined VHF and 700/800MHz control station and console equipment.

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.

VIII. OTHER MATTERS OF BUSINESS

IX. INFORMAL CITIZEN COMMENTS

Mrs. Marilyn Perkins expressed her disappointment with City Council for dissolving the relationship with Benbrook Sister Cities.

Ms. Diana Crosthwaite expressed her disappointment with City Council for dissolving the relationship with Benbrook Sister Cities.

Mr. Jerry Biggs expressed his appreciation with City Council for dissolving the relation with Benbrook Sister Cities.

X. EXECUTIVE SESSION – Pursuant to Texas Government Code

Section 551.072 – Deliberation Regarding Real Property

- 1. Consider Counter Offer for Drainage Easement at 4009 Dawn Drive**
- 2. Consider Counter Offer for Drainage Easement at 4100 Mary's Creek Drive**
- 3. Consider Counter Offer for Drainage Easement at 4020 Tara Drive**
- 4. Consider Counter Offer for Drainage Easement at 8520 La Jolla Court**

Mayor Dittrich recessed the regular meeting at 9:21 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 9:45

- 1. Consider Counter Offer for Drainage Easement at 4009 Dawn Drive**

Motion by Mr. Stowe, seconded by Mr. Sauma to accept the counter offer for drainage easement at 4009 Dawn Drive.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

2. Consider Counter Offer for Drainage Easement at 4100 Mary's Creek Drive

Motion by Mr. Schull, seconded by Mr. Bailey to decline the counter offer for drainage easement at 4100 Mary's Creek Drive and make counter offer of \$18,000.00.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

3. Consider Counter Offer for Drainage Easement at 4020 Tara Drive

Motion by Mr. Sauma, seconded by Mr. Stowe to completely reject the counter offer for drainage easement at 4020 Tara Drive.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

4. Consider Counter Offer for Drainage Easement at 8520 La Jolla Court

Motion by Mr. Schull, seconded by Mr. Stowe to reject the counter offer for drainage easement at 8520 La Jolla Court in its entirety.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

XII. ADJOURNMENT

Meeting adjourned at 9:50 p.m.

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 10/19/06	REFERENCE NUMBER: G-1660	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 and is noted below:

“8.48.025 Exceptions

A. This chapter applies to all existing and future facilities, including temporarily constructed enclosures and tents. However, permanent bingo facilities operated under the Bingo Enabling Act, Chapter 2001 of the Occupations Code, in existence on the date of enactment of this Ordinance, may provide the following accommodations within one hundred and twenty days of enactment of this Ordinance:

1. An enclosed smoking and non-smoking area;
2. A separate outside entrance/exit for smoking and non-smoking areas;
3. Bingo paraphernalia must be sold in the non-smoking area;
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.

B. This chapter applies to all existing and future facilities, including temporarily constructed enclosures and tents. However, permanent facilities of a Federally Chartered or non-profit/not-for-profit Fraternal Veterans Organization, provided the premises is controlled exclusively by the organization, in existence on the date of enactment of this Ordinance, may provide the following accommodations within one hundred and twenty days of enactment of this Ordinance:

1. An enclosed smoking and non-smoking area;
2. A separate outside entrance/exit for smoking and non-smoking areas;
3. The smoking area is mechanically ventilated to prevent smoke from entering a non-smoking area;
4. 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	REFERENCE NUMBER: G-1660	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. If a facility operating under this section ceases operation for any reason or changes ownership arrangements, this section no longer applies to that facility.”

The Ordinance does not provide an exemption for future bingo facilities or veteran’s organizations. In addition, a change in facility ownership or a facility that ceases to operate will no longer be exempt. Finally, exempt organizations are provided 120 days to comply.

CITY ATTORNEY REVIEW

The Ordinance will likely not be included in your packet. It is currently receiving City Attorney review. Staff will forward this document next week.

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: 10/19/06	REFERENCE NUMBER: G-1661	SUBJECT: Reclassification of City Engineer Position	PAGE: 1 of 2
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The 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 the staff began preparing to advertise the position, we determined that the budgeted salary range is no longer competitive with other municipal city engineering positions. A survey of annual city engineer salaries for cities in north and central Texas under 50,000 population is as follows:

City	Population	Annual Salary
Bedford	49,902	\$89,508
Burleson	28,350	101,856
Cedar Hill	41,700	83,803
Coppell	38,540	118,272
Copperas Cove	29,997	71,004
Decatur	5,963	76,473
Desoto	45,574	76,896
Duncanville	36,120	57,720
Eules	49,950	93,900
Fairview	6,000	93,720
Farmers Branch	27,508	126,036
Haltom City	35,250	83,484
Highland Park	8,842	127,236
Hurst	36,000	74,856
Keller	33,112	86,520
Lancaster	31,521	83,796
Midlothian	12,400	97,392
Sherman	36,000	69,996
Southlake	23,500	80,364
Terrell	13,600	85,836
The Colony	35,000	104,508
University Park	24,250	103,752
Wylie	21,350	88,440

The existing salaries range from a low of \$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.

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

DATE: 10/19/06	REFERENCE NUMBER: G-1660	SUBJECT: Reclassification of City Engineer Position	PAGE: 2 of 2
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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.

RECOMMENDATION

Staff recommends that the City Council reclassify the City Engineer position to a Grade 26 and make the appropriate budget adjustment.



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 10/19/06	REFERENCE NUMBER: G-1662	SUBJECT: Appointment to Tax Increment Financing Board of Directors	PAGE: 1 of 2
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The City recently advertised a formal notice to accept applications for Boards and Commission appointments in the official newspaper (Benbrook News) as well as the Fort Worth Star Telegram. Staff also placed notice on the City Channel of Charter Communications, City Home Page, and in the quarterly Community Newsletter. The deadline for receiving applications was August 21, 2006.

City Council reviewed the applications for Boards and Commission at their September 7, 2006 regular City Council meeting and scheduled an interview session with each of the candidates.

City Council completed the interview on September 25, 2006 and made appointments to the Planning & Zoning Commission, Zoning Board of Adjustment/Board of Appeals, Park & Recreation Board and the Benbrook Economic Development Corporation Board of Directors on October 5, 2006.

City Council delayed the appointments to the Tax Increment Financing Zone Board of Directors. The current TIF Board members with terms expiring October 31, 2006 are:

Place 2 Dave Gattis
Place 4 Fred Evans

Mr. Gattis has expressed a willingness to continue to service. However, due to possible conflict of interest, Mr. Fred Evans has declined reappointment.

The applicants who were not appointed to the various Boards and Commissions are noted below.

<u>Citizen</u>	<u>Board or Commission Preference</u>	<u>Current Office</u>
George Bolton	Planning & Zoning	Planning & Zoning
Matthew Hudman	EDC Park & Recreation Planning & Zoning	
Teresa Robinett	EDC	
Jack Adler	EDC Planning & Zoning Tax Increment Financing Board ZBA/Appeals Board	

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

DATE: 10/19/06	REFERENCE NUMBER: G-1662	SUBJECT: Appointment to Tax Increment Financing Board of Directors	PAGE: 2 of 2
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Due to length of residency, Mr. Adler is not eligible to serve at this time.

ALTERNATIVES FOR APPOINTMENT

City Council may:

- 1) Make appointments to the TIF Board from the current list of un-appointed applicants;
- 2) Seek additional applications for the TIF position; or
- 3) Determine another means of appointment.

RECOMMENDATION

Staff recommends that City Council determine the process to make the necessary appointment to the Tax Increment Financing Zone Board of Directors for a term to expire October 31, 2008.



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 10/19/06	REFERENCE NUMBER: C-223	SUBJECT: Approve Tarrant County Fire District #1 Contract	PAGE: 1 of 1
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BACKGROUND

For a number of years, Tarrant County has contracted the Benbrook Fire Department to provide fire and medical first responder services to portions of unincorporated Tarrant County (exhibit). 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

Contract continuation is beneficial to Benbrook for the following reasons:

- The 2006/2007 rate of compensation (\$75,000) 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 a grant of \$17,170 for the purchase and replacement of SCBA bottles, rope rescue equipment, swift water rescue equipment, fire hose rack, Motorola pagers, and wildland firefighting bunker gear.

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.

Recommendation

Staff recommends that City Council approve the proposed contract for fire services for the assigned area of Tarrant County Fire District #1 for fiscal year 2006/2007.

SUBMITTED BY: Cary Conklin	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	REFERENCE NUMBER: P-251	SUBJECT: Purchase Chassis for Brush Truck	PAGE: 1 of 1
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BACKGROUND

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.

BID ANALYSIS

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.

Bids for a 2007 Ford F-550 four-wheel drive heavy duty truck with dual rear wheels and a 6.0 Liter Diesel engine are noted below:

Buyboard	\$33,531
Houston Galveston Area Council	\$33,731

The Buyboard bid represents the best price and is \$2,719 below budget.

RECOMMENDATION

Staff recommends that City Council approve the purchase of a Ford F-550 truck through the Buyboard Purchasing Program at a low bid cost of \$33,531.

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