



**MINUTES  
OF THE  
MEETING OF THE  
BENBROOK CITY COUNCIL  
THURSDAY MARCH 18, 2010**

The regular meeting of the Benbrook City Council was held on Thursday March 18, 2010 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Jerry Dittrich  
Charlie Anderson  
Keith Bailey  
Jim Wilson  
Mark Washburn  
Ron Sauma

Also Present:

Andy Wayman, City Manager  
Joanna King, City Secretary  
Dave Gattis, Deputy City Manager  
Sherri Newhouse, Budget Director  
David Ragsdale, Comptroller  
Cathy Morris, Involvement Director

Others Present:

Ed Gallagher, Planner  
Ron Rainey, EDC Executive Director  
Karen Barber, Benbrook News  
Laurie Little, Benbrook News  
Larry Tubb, Cooks Children's Hospital  
Bill Smith  
Joel Peal  
John Collins  
Mike Sprkory  
and 4 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 Associate Pastor Steve Reed with Restoration Family Church  
The Pledge of Allegiance was recited.

### **III. MINUTES**

#### **1. Minutes of the regular meeting held March 4, 2010**

Motion by Mr. Wilson, seconded by Mr. Anderson to accept the minutes of the March 4, 2010 regular City Council meeting with a correction to the City's allocation of funds for the 35<sup>th</sup> Year Community Development Block Grant Project for a total amount of \$120,314.78. This amount is \$80,751.00 for the 35<sup>th</sup> year, plus \$39,563.78 in prior unexpended funds.

Vote on the Motion:

Ayes: Mr. Anderson, Mayor Dittrich, Mr. Sauma, Mr. Washburn, Mr. Wilson, Mr. Bailey

Noes: None

Motion carries unanimously.

### **IV. CITIZEN PRESENTATION**

#### **1. Larry Tubb, Cook Children's Hospital and CCHAPS presentation on "The Decade of the Child: Healthy Children 2020"**

Mr. Larry Tubb gave City Council an overview of the program "The Decade of the Child: Healthy Children 2020. Information on this program is available on their website [www.cchaps.org](http://www.cchaps.org).

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

#### **PZ-2010-01 Adopt amendment of Section 7 – Transportation of the Comprehensive Plan amending 7.3.4 Master Thoroughfare Plan to delete the extension of Vista Way from Mercedes Street to the I-20 frontage road (Public Hearing)**

Mayor Dittrich announced that the applicant for the item has withdrawn the request.

### **VI. REPORTS OF CITY MANAGER**

#### **A. GENERAL**

#### **G-1900 Accept financial report for month of February 2010**

David Ragsdale gave the following report: General Fund Revenues for the month of February totaled \$2,201,061. Most of this amount came from taxes (\$2,004,670), with the largest portion (85.71%) coming from property taxes. Current collections exceed prior year totals by \$490,819.

Sales tax collections have continued their poor showing throughout the current budget year. Total collections through February were down

approximately 11.27% from the 2008/2009 budgeted amount. The budgeted revenue amount for this year is lower than actual total sales tax collections at the end of the last fiscal year, easing the impact of the decline. If this trend continues, the City's actual sales tax collections for 2009/2010 may be below the projected amount by \$135,000 to \$150,000. However, General Fund revenues are expected to meet or even exceed the budgeted amount due to higher-than expected collections in building permits and other fees. Staff is also continuing its traditional spending controls.

General Fund Expenditures totaled \$1,007,048. Year-to-date expenditures amounted to \$5,462,721. Total revenues exceed total expenditures by \$4,849,499 at February 28, 2010.

Investments were \$18,626,126 at February 28, 2010.

Motion by Mr. Anderson, seconded by Mr. Bailey to accept the monthly financial report for the month of February 2010.

Vote on the Motion:

Ayes: Mr. Anderson, Mr. Bailey, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

**G-1901      Adopt resolution endorsing legislative changes relating to the Sunset Review of the Texas Public Utility Commission and the Special Purpose Review of the Electric Reliability Council of Texas**

David Ragsdale gave the following report: The City of Benbrook is a member of Cities Aggregation Power Project, Inc. (CAPP). The CAPP Board of Directors has voted to authorize certain legislative efforts pertaining to the Sunset Commission's review of the Public Utility Commission (PUC) and the Electric Reliability Council of Texas (ERCOT). The Sunset agency's recommendations pertaining to both organizations are expected to form the basis of bills during the 82<sup>nd</sup> Legislative Session in 2011. As such, CAPP will recommend legislative action related to the Sunset Commission's examination of both the PUC and ERCOT. In addition, CAPP will offer all resolutions of its members during Sunset hearings to apprise lawmakers of CAPP Cities' perspective on how to make the electric market more competitive and beneficial to consumers.

In 1999, Texas lawmakers adopted Senate Bill 7, the State's electric deregulation law. The legislation expanded competition in the wholesale electricity market and opened the door to competition among electric retailers. Proponents of the legislation promised lower electric prices.

Unfortunately, the reality has been otherwise. Although Texans paid electric prices well below the national average during the decade before Senate Bill 7 was passed, customers in deregulated parts of the State now pay prices above the national average. In fact, even the lowest residential electric rates in deregulated areas of Texas typically exceed rates paid by **all residents** of neighboring states, such as those in Oklahoma and Louisiana.

CAPP believes that for deregulation to fulfill its promise, the market must become more competitive. Problems include the ability of some generators to exercise monopoly-like control in large swaths of the State, and the inability of many consumers to make informed choices because of confusion in the retail electricity market. Efforts to address market design issues by ERCOT also have been mismanaged, gone over budget and fallen behind schedule.

As an active market participant, CAPP is in the unique position to identify problems that have developed in the deregulated marketplace and to provide a consumer's perspective to legislators interested in fixing those problems.

Based upon this point of view, CAPP has formulated recommendations for the Sunset Advisory Commission as it conducts its PUC and ERCOT reviews. CAPP's recommendations are intended to improve competition in the electric market place by making the PUC and ERCOT more accountable to consumers, by limiting market power, and by creating competitive options for all customers. CAPP's recommendations reflect the organization's desire for a truly healthy electric market where consumers can save and competition can flourish. Such a market — one where power remains affordable and reliable — will mean more economic development for Texas cities and a better standard of living for our citizens.

Legislative change is necessary to better protect cities' budgets, enhance cities' ability to protect their citizens, and increase competition among retail providers.

Motion by Mr. Washburn, seconded by Mr. Sauma to adopt Resolution 2010-06 endorsing legislative changes relating to the Sunset Review of the Texas Public Utilities Commission and the Special Purpose Review of the Electric Reliability Council of Texas as presented.

Vote on the Motion:

Ayes: Mr. Anderson, Mr. Bailey, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

Resolution 2010-06 being “**A RESOLUTION OF THE CITY OF BENBROOK, TEXAS, ENDORSING CERTAIN LEGISLATIVE CHANGES RELATING TO THE SUNSET REVIEW OF THE TEXAS PUBLIC UTILITY COMMISSION AND THE SPECIAL PURPOSE REVIEW OF THE ELECTRIC RELIABILITY COUNCIL OF TEXAS.**”

## **B. CONTRACT**

### **C-257 Award Contract for Agent of Record Services (Employee Health, Dental and Life Insurance)**

Sherri Newhouse gave the following report: Since May 1, 2004, the City of Benbrook has contracted with Aon Consulting (Aon) to serve as the City's agent of record for health, dental, and life insurance. The agent of record assists City staff with requesting proposals for insurance, negotiating rates and contracts, resolving claim issues, and providing updates on insurance related legislation and issues.

The City of Benbrook's contract with Aon is commission-based with Aon receiving a commission equal to five percent of health insurance premiums, ten percent of dental insurance premiums, and ten percent of life insurance. Estimated commissions paid in 2009 were \$52,000.

The City last requested proposals for agent of record services in 2004. During the contract award process for health and dental insurance in October 2009, the City Council was informed by City staff that requests for proposal for an agent of record would be performed in the 2009-10 fiscal year.

In January 2010, requests for proposal (RFP) packets were distributed to seventeen insurance agents and brokers in the North Texas area; packets were mailed to the City's current agent of record, the City's previous agent, and fifteen other brokers including eleven companies listed in the Benbrook Area Chamber of Commerce Directory. The City advertised the RFP in the January 28 and February 4, 2010 editions of the *Benbrook News*. The City also advertised on the City's website at [www.cityofbenbrook.com](http://www.cityofbenbrook.com). The RFP and bid documents were available at City Hall and available on the City's website.

Three proposals were received from: Aon Consulting; Wellspring Insurance Agency, Inc. (Wellspring); and Higginbotham & Associates (Higginbotham). The proposals were opened at 2:00 P. M. on Wednesday, February 10, 2010 in the City Council Chambers at Benbrook City Hall.

A committee of City employees was established to review the proposals and to interview the three companies. The committee consisted of representatives from the Police Department, the Fire Department, Public Services, and the Benbrook Economic Development Corporation. The City's Budget Director served as facilitator for the committee; she was not eligible to vote on the committee's recommendation unless required to break a tie.

The committee viewed presentations by each company and conducted interviews with the three companies from February 16 through February 18, 2010. After the third interview, the committee discussed the presentations and drafted a recommendation.

The four members of the committee agreed that any of the three candidates would be an excellent choice as the City's agent of record. However, Higginbotham & Associates was the unanimous recommendation of the committee. The committee's recommendation is based on:

- Fee structure proposed by Higginbotham & Associates on a per subscriber cost per month or approximately \$30,360 per year;
- Focus on "shrinking the health care cost balloon" by providing tools and support for healthcare consumers:
  - Price Transparency
  - Quality Comparisons
  - Consumer Advocate Support
- Medical Director on staff available in Fort Worth area for advice and for claims resolution; and,
- Commitment of dedicated staff and availability of support through a variety of options (telephone, internet, person-to-person, and email).

The term of the agreement is for one year, with the option to extend annually by mutual consent of both parties.

Funds are available in the 2009-10 City budget. By contracting with Higginbotham & Associates the savings is approximately \$10,818.00 in 2009-10. Projected savings for 2010-11 is \$21,636.00

Motion by Mr. Sauma, seconded by Mr. Wilson to award the contract for agent of record services to Higginbotham & Associates, based upon their proposal, effective April 1, 2010.

Vote on the Motion:

Ayes: Mr. Anderson, Mr. Bailey, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

## **VII. INFORMAL CITIZEN COMMENTS**

**VIII. ADJOURNMENT**

Meeting adjourned at 8:25 P.M. followed by a worksession to discuss Community Marketing.

**APPROVED:**

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**Jerry B. Dittrich, Mayor**

**ATTEST:**

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**Joanna King, City Secretary**