

**MINUTES  
OF THE  
MEETING OF THE  
BENBROOK CITY COUNCIL  
THURSDAY, MAY 18, 2006**

The regular meeting of the Benbrook City Council was held on Thursday, May 18, 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  
Donna Savage, Assistant to City Secretary  
Andy Wayman, Assistant City Manager  
David Ragsdale, Comptroller  
Tommy Davis, Fire Chief

Others Present:

Dorcas Neuman, Benbrook News  
Ed Gallagher  
Daniel Tully  
Bill Smith  
Sam Balkum  
Julie Haines  
and 8 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 Ryan Justice with Trinity Hills Baptist Church.  
The Pledge of Allegiance was recited.

**III. OATH OF OFFICE**

**1. Oath of Office to Elected Members of City Council**

Mayor Dittrich administered the Oath of Office to Mr. James Schull, Place 2, Mr. Rickie Allison, Place 4, and Mr. Larry Stowe, Place 6.

**IV. SELECTION OF MAYOR PRO-TEM**

Nomination by Mr. Stowe, seconded by Mr. Bailey to appoint Mr. Rickie Allison as Mayor Pro-Tem.

Vote on the Nomination:

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

Noes: None

Nomination carries unanimously

**V. SELECTION OF NORTH CENTRAL TEXAS COG VOTING REPRESENTATIVE**

Motion by Mr. Allison, seconded by Mr. Stowe to approve the selection of Mr. Sauma as the representative for North Central Texas COG.

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

**VI. 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 removed from the Consent Agenda for separate discussion and action)

1. Minutes of the regular meeting held May 4,2006
2. Authorize Interlocal Agreement for Tarrant County Transportation

Motion by Mr. Schull, seconded by Mr. Sauma to approve the consent agenda as presented.

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.

## **VII. CITIZEN PRESENTATION**

### **1. Danny Perkins, President, Benbrook Sister Cities, Inc.- Progress Report**

Mr. Perkins stated that the general purpose of Benbrook Sister Cities, Inc. is to promote the City of Benbrook and coordinate the Sister Cities and Arts Programs through its volunteers. During the 2006 fiscal year, several art workshops were organized at Western Hills High School, Leonard Middle School and Benbrook YMCA. From June 7 through July 12, 2006, eight students from Western Hills High School and one teacher will travel to Bled, Slovenia as Ambassadors for Benbrook. During the period of June 28 through July 10, 2006, seven students and teachers from Northern Ireland will visit Benbrook students and families. A Mayor's reception will be held on Thursday, June 29th, at Benbrook United Methodist Church to welcome the visitors. All citizens and City Council members with their families are cordially invited.

### **2. James A. Wilson – Lockheed Martin Recreational Association Bicycle Club – Request Bicycle Route in Benbrook.**

Mr. Wilson, representative of Lockheed Martin Recreational Association Bicycle Club, requested that the City designate a bicycle route along Winscott Road. The current "unofficial" bicycle route runs along Winscott Road to Interstate 20 beginning from the Benbrook Community Center/YMCA. The request is to place bicycle route signs, spaced a quarter of a mile apart, along both sides of Winscott Road. The placement of the signs would make motorists aware of the bike route and thus making the route safer for cyclist.

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

## **IX. REPORTS OF CITY MANAGER**

### **A. GENERAL**

#### **G-1627 Financial Report for Month Ending April 30, 2006**

Mr. Conklin gave the following report: General Fund Revenues for the month of April totaled \$195,208. General Fund Revenues through the end of April were \$9,029,018.

Economic Development Corporation revenues were \$52,486 while expenditures were \$55,097. For the year, expenditures exceed revenues by \$450,897.

The City investments were \$12,942,143 at April 30, 2006. This entire amount is available immediately if needed.

Motion by Mr. Sauma, seconded by Mr. Stowe to accept the financial report for the month ending April 30, 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.

**G-1628      Quarterly Hotel/Motel Tax Report**

Mr. Ragsdale gave the following report: Revenues collected for the period ending March 31, 2006 amounted to \$29,395.54. Bed tax made up \$27,790.38 of this amount and interest provided the other \$1,605.16.

During this period, the following expenditures were submitted: Motel 6 submitted \$5,183.29 in expenses for billboard, media, and TxDOT advertising. Only \$4,700 of this amount is eligible for reimbursement.

VSA submitted a total of \$1,222.36 for reimbursement for art workshops at Western Hills High School, Leonard Middle School and the Benbrook YMCA.

The Benbrook Area Chamber of Commerce submitted receipts totaling \$5,694.16 in expenses. These expenses included visitor center salary of \$4,694.16 and overhead charges (1,000).

Staff recommends that City Council approve the quarterly Hotel/Motel Tax report and authorize the Comptroller to make the requested reimbursements of \$4,700 to Motel 6, \$1,222.36 to VSA and \$5,694.16 to the Benbrook Chamber.

Motion by Mr. Schull, seconded by Mr. Bailey to approve the quarterly Hotel/Motel Bed Tax for the period ending March 31, 2006.

Vote on the Motion:

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

Noes: Mr. Sauma

Motion carries 6-1

**G-1629      RESOLUTION AUTHORIZING CITIES AGGERATION  
POWER PROJECT (CAPP) TO NEGOTIATE AND EXECUTE  
AN ELECTRIC SUPPLY AGREEMENT**

Mr. Ragsdale gave the following report. In April of 2001, Benbrook joined Cities Aggregation Power Project, Inc, (CAPP), a political subdivision corporation formed pursuant to the Texas Electric Choice Act to aggregate the electric loads of cities and other political subdivisions and to contract for

the purchase of electricity in the deregulated electric market. Aggregation enables cities and other entities to purchase electricity at a lower cost. Since its inception, CAPP has negotiated favorable contract terms and a reasonable commodity price for delivered electricity, and its members have saved, on average, more than \$70 million off the regulated price to beat (PTB).

CAPP usually executes contracts in the fall: however, after Hurricane Katrina, it is now necessary to contact for 2007 before summer hurricane Season begins to get best possible price.

To lessen impact of natural gas prices on retail contracts, CAPP board is investigating contracting with a wholesale power provider. Preliminary information provided to the CAPP Board indicates that entering into a wholesale contract, as opposed to a retail contract, may provide the greatest potential savings over PTB. Power providers prefer to execute a contract with one entity rather than individual contracts for each CAPP member.

The CAPP Board believes that the pricing opportunity window for favorable 2007 electric deliveries under either a wholesale or a retail agreement will be short-lived. CAPP will likely be required to commit contractually to prices within a 24-hour period in order to lock-in favorable prices regardless of whether CAPP enters a retail or wholesale agreement. From past contracting experience, CAPP has found that power providers demand immediate response to an offer and may penalize delay with higher prices. Therefore, CAPP legal counsel advised that members authorize the char of CAPP to execute the contract approved and recommend by the CAPP Board within 24 hours of said approval.

Motion by Mr. Allsion, seconded by Mr. Stowe to approve Resolution No. 2006-08 authorizing CAPP to negotiate and execute supply agreement.

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

**Resolution 2006-08 being "A RESOLUTION OF THE CITY OF BENBROOK, TEXAS, AUTHORIZING THE CITIES AGGREGATION POWER PROJECT, INC. TO NEGOTIATE AN ELECTRIC SUPPLY AGREEMENT FOR DELIVERIES OF ELECTRICITY EFFECTIVE JANUARY 1, 2007; AUTHORIZING CAPP TO ACT AS AN AGENT ON BEHALF OF THE CITY TO ENTER INTO A CONTRACT FOR ELECTRICITY; AUTHORIZING THE CHAIRMAN OF CAPP TO EXECUTE AN ELECTRIC SUPPLY AGREEMENT FOR DELIVERIES OF ELECTRICITY EFFECTIVE JANUARY 1, 2007; AND COMMITTING TO BUDGET FOR ENERGY PURCHASE IN 2007 AND 2008 AND TO HONOR THE CITY OF**

**BENBROOK'S COMMITMENTS TO PURCHASE POWER FOR ITS ELECTRICAL NEEDS IN 2007 AND 2008 THROUGH CAPP."**

**B. PURCHASE**

**P-248 PURCHASE HAZMAT/RESCUE UNIT**

In 2005, the City received a combined grant of \$385,000 from the State Homeland Security Program (\$275,000) and from Urban Area Security Initiative (\$110,000) to purchase a special operation Hazmat/Rescue Unit.

It was determined that Pierce Manufacturing represented the best price for quality of apparatus. This was based on Pierce Manufacturing build quality, field capability and cost/benefit of previous fire apparatus purchases.

In accordance with State law, a bid from the Houston-Galveston Area Council Government Purchasing Cooperative which included an administrative fee.

Utilizing their bid of \$335,343 allows Fire Department to select a specific truck, prevents a costly and protracted bid process and allows Fire Department to outfit the truck with the remainder of grant funding (\$49,657)

Motion by Mr. Schull, seconded by Mr. Allison, to approve the purchase of the Hazmat/rescue unit.

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

**X. ADJOURNMENT**

Meeting adjourned at 8:35 p.m.

**APPROVED:**

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Jerry B. Dittrich, Mayor

**ATTEST:**

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Joanna King, City Secretary