



**MINUTES  
OF THE  
MEETING OF THE  
BENBROOK CITY COUNCIL  
THURSDAY, DECEMBER 6, 2007**

The regular meeting of the Benbrook City Council was held on Thursday, December 6, 2007 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  
Ron Sauma  
James Schull  
Dan Tully  
Larry Stowe

Also Present:

Andy Wayman, City Manager  
Donna Savage, Assistant to City Secretary  
Dave Gattis, Deputy City Manager  
Cathy Morris, Administrative Analyst  
Wade Adkins, City Attorney

Others Present:

Dorcas Neuman, Benbrook News  
Ron Rainey, EDC Director  
Patty Bissey, EDC  
Terry Scruggs, Inspector  
Ed Gallagher, City Planner  
Sue Clark, Development Coordinator  
Fran Burns, Haltom City  
Dawn Stafford, Boy Scout Leader Pack 95  
Robert Moore  
Bill Smith  
Tami Cauthen,  
And 13 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 Councilman Rickie Allison  
The Pledge of Allegiance was recited.

### III. MINUTES

#### 1. Minutes of the regular meeting held November 15, 2007

Motion by Mr. Tully, seconded by Mr. Allison to approve the minutes of the regular meeting held November 15, 2007 as presented.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

### IV. PROCLAMATION/AWARDS/RECOGNITION

#### 1. Trinity River Environmental Education Society (TREES) - Receive award for Division 1 Trinity Trash Bash Challenge.

Ms. Fran Burns representative of Trinity River Environmental Education Society (TREES) presented the City with an award for Division 1 Trinity Trash Bash Challenge for 2007.

### V. CITIZEN PRESENTATION

#### **Robert Moore – Request Pipeline and Service Equipment Route Controls.**

Mr. Robert Moore stated the service equipment and route controls on the Barnett Shale Gas exploration development within the City of Benbrook have left many questions to be answered about what the administration is doing to stay on top of the situation.

1. How can we control eminent domain across private property?
2. May the city regulate where pipelines cross city streets.
3. Does the City have systems in place to insure existing and future pipelines are charted and recorded?
4. What will become of the City's streets if opened to gas well/transmission service trucks?
5. What will become with mineral rights royalties paid to the city?

Mr. Andy Wayman assured him that our city staff is working with other cities that having the same issues and are in the process of revising the writing our Gas Drilling Ordinance.

No action taken on the item.

## VI. PRESENTATION BY PLANNING AND ZONING COMMISSION

## VII. REPORTS OF CITY MANAGER

### A. GENERAL

#### **G-1748 Consider adoption of a resolution accepting the Joint Land Use Study report for the Naval Air Station Reserve Base (NAS JRB) and Supporting Related Community Initiatives**

Dave Gattis gave the following report: The City of Benbrook has participated in the Joint Land Use Study (JLUS) for the Naval Air Station Fort Worth Joint Reserve Base since July 2006. The purpose of the JLUS is to promote growth that is compatible with base operations so the future viability of the base is not jeopardized. The project is a joint effort of the Cities of Benbrook, Fort Worth, Lake Worth, River Oaks, Westworth Village, and White Settlement along with Tarrant County. The Naval Air Station and Lockheed Martin have also participated and the project was coordinated by the North Central Texas Council of Governments. Councilman Keith Bailey served as Secretary of the Policy Committee. Councilman Ron Sauma also served as a member of the Committee.

The Committee retained a consultant (DFW Advisors, Ltd.) in January 2007 to prepare a report of recommendations to each City and to the Navy. A copy of the 264-page draft report can be found at <http://www.nctcog.org/trans/aviation/jlus/JLUSDraft10262007.pdf>. The report identifies a number of regional recommendations, as well as specific recommendations for each City. For Benbrook, the report recommends revising the City's comprehensive plan, zoning ordinance and building codes to address noise abatement, among others.

The JLUS Policy Committee held public meetings and adopted the attached regional Resolution on September 24<sup>th</sup>, 2007. The Policy Committee is now requesting that each participating City adopt a similar Resolution. Proposed Resolution 2007-16 has been modified to reflect acceptance of the draft JLUS Report and includes only those regional initiatives that apply to Benbrook.

In the future, it is expected that the Policy Committee will be transformed into a NAS JRB Regional Coordinating Committee to continue to implement the recommendations of the JLUS study. Staff will bring those initiatives to City Council for consideration at the appropriate time.

Motion by Mr. Bailey, seconded by Mr. Sauma to adopt Resolution 2007-16

Vote on the Motion:

Ayes: Mr. Scull, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Tully, Mr. Stowe, Mr. Sauma

Noes: None

Motion carries unanimously.

Resolution No. 2007-16 being **“A Resolution Accepting the Joint Land Use Study report for the Naval Air Station Reserve Base (NAS JRB) and Supporting Related Community Initiatives**

**G-1749        Recommend Contractor for 32<sup>nd</sup> Year Community Development Block Grant (CDBG) Project**

Mr. Gattis gave the following report: The City's 32<sup>nd</sup> year Community Development Block Grant includes the construction of a larger culvert on Timber Creek under Childers Avenue in Benbrook Lakeside Addition within the City's CDBG target area. The grant application was for \$189,560, and the City was awarded \$92,042 in federal funds, of which \$14,999 was for engineering, leaving \$77,043 available for construction. We also have \$130,420 in carryover funds from previous project years, for total construction funds available of \$207,463. In addition, the City paid an additional \$11,100 to Teague Nall and Perkins for surveying services.

The County opened bids on November 7, 2007, and the following bids were received:

<u>Contractor</u>	<u>Bid Amount</u>
Humphrey & Morton Construction	\$120,348.60
Klutz Construction	124,895.00
Laughley Bridge & Construction	149,733.00
Linder Construction	203,882.00

The low bid is within the funds available. Although the City has never utilized Humphrey & Morton, the City Inspector is familiar with their work (in Arlington) and has no concerns about using this firm. In addition, the City Engineer has checked references and recommends that the contract be awarded to Humphrey & Morton.

The City's CDBG grant funds available for construction are \$207,463, plus a commitment to pay \$10,000 in local funds. The low bid for the culvert improvement construction is \$120,348.60.

City Council should recommend to Tarrant County that Humphrey & Morton Construction Company, Inc. be designated the 32<sup>nd</sup> Year Community Development Block Grant Project contractor in the amount of \$120,348.60.

Motion by Mr. Stowe, seconded by Mr. Schull to recommend Humphrey & Morton Construction Company, Inc. in the amount of \$120,348.60 as the contractor for 32<sup>nd</sup> Year Community Development Block Grant (CDBG) Project

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

**VIII. OTHER MATTERS OF BUSINESS**

**IX. INFORMAL CITIZEN COMMENTS**

Alfredo Valverde – Trinity Estates Phase III Home Owners Associations stated the Association will be requesting an agenda item in the future to discuss issues with the gas drilling activities.

**X. RECESS FOR JOINT WORKSESSION WITH BENBROOK ECONOMIC DEVELOPMENT CORPORATION**

**1. Discuss Infrastructure for Benbrook Field Project**

Mayor Dittrich recessed the regular meeting for worksession at 8:03 P.M.

**XI. RECONVENE INTO OPEN SESSION- Take necessary action from Executive Session.**

Mayor Dittrich reconvened the regular meeting at 9:47 P.M.

No action taken at this time.

**XII. ADJOURNMENT**

**APPROVED:**

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**Jerry B. Dittrich, Mayor**

**ATTEST:**

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**Joanna King, City Secretary**