

**AGENDA
BENBROOK CITY COUNCIL
THURSDAY, FEBRUARY 15, 2007
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 and 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 February 1, 2007

IV. INTRODUCTION OF NEW CITY EMPLOYEES

1. Walter Shumac – Director of Public Services
2. Robert Rowley – City Engineer

V. CITIZEN PRESENTATION

1. Bobby J. Payne, Lt. Col. USAF (Ret) – Request Permit for Marksmanship Range to be Located at Western Hills High School

VI. PRESENTATION BY PLANNING AND ZONING COMMISSION

VII. REPORTS OF CITY MANAGER

A. GENERAL

- G-1683 Introduction of Multi-Use Vehicle – RESCUE 53
G-1684 Financial Report for Month Ending January 31, 2007

B. CONTRACT

- C-226 Consider Bids and Award Contract for Plantation West Creek Drainage Improvements

VIII. OTHER MATTERS OF BUSINESS

IX. INFORMAL CITIZEN COMMENTS

X. ADJOURNMENT



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, FEBRUARY 1, 2007**

The regular meeting of the Benbrook City Council was held on Thursday, February 1, 2007 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

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

Also Present:

Andy Wayman, City Manager
Joanna King, City Secretary
Dave Gattis, Deputy City Manager
Tommy Davis, Fire Chief
James Mills, Police Chief

Others Present:

Dorcas Neuman, Benbrook News
Ed Gallagher, City Planner
Cathy Morris, Administrative Analyst
Charlotte Vander Pan
June Bailey
Dustie and Shelby Mills
Jimmy and Wands Mills
Teresa Mills
Melissa, Bo, Ashley and Casey Owings
James Pickard
Alane Blake
Nadeen and Kenneth Murphree
Jerry Kelley
Frankie Smith
Members of Benbrook Police Department
Bill Smith
Mr. & Mrs. Harold Evetts
Rich Lyons
Jim Wilson
Kyle Carr

and 10 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 Mr. Dave Gattis
The Pledge of Allegiance was recited.

III. CONSENT AGENDA

1. **Minutes of the regular meeting held January 18, 2007**
2. **Interlocal Agreement for Cooperative Purchasing with City of Joshua**

Motion by Mr. Schull, seconded by Mr. Allison to approve the Consent Agenda 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. OATH OF OFFICE TO NEWLY APPOINTED POLICE CHIEF

Joanna King administered the Oath of Office to Police Chief James Mills.

V. PRESENTATION BY MAYOR AND MEMBERS OF CITY COUNCIL

1. **Amendment to Resolution 2007-01 – Calling General Election and Approve Contract for Joint Election with Tarrant County.**

This item was removed from the Agenda.

2. **John Vander Pan – Presentation on Veteran's Parkway**

Councilmember John Vander Pan presented Councilmember Keith Bailey with a street sign for Veteran's Parkway. Mr. Vander Pan informed the audience of the many endeavors Mr. Bailey has been involved with honoring the members of our Armed Forces.

VII. PRESENTATION BY PLANNING AND ZONING COMMISSION

PZ-2007-01 Adopt Update of Section 8-Community Facilities of the Comprehensive Plan

Mr. Gattis gave the following report: The proposed changes to Section 8 of the Comprehensive Plan was initiated by Lockheed Martin Bicycle Club. The proposed designation of on-street bike routes is to supplement and/or replace proposed off-street routes.

The plan will have two figures, one for off-street trails and one for on-street routes and lanes. Adoption of the plan does not commit or obligate any future expenditure. City Council will always have the right to review any specific implementation project.

There are other revisions necessary in Section 8 which will be coming forward soon. Planning and Zoning Commission recommended adoption in January.

Mayor Dittrich opened the public hearing at 7:47 p.m.

Mr. Jim Wilson and Mr. Kyle Carr both spoke in favor of the amendment to the Comprehensive Plan.

Mayor Dittrich closed the public hearing at 8:05 p.m.

Motion by Mr. Sauma, seconded by Mr. Schull to adopt the revisions related to bike routes to Section 8-Community Facilities as part of the Comprehensive Plan.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

PZ-2007-02 Adopt Update of Section 17-Capital Improvements of the Comprehensive Plan

Mr. Gattis gave the following report: The Homerule Charter requires an update to the Capital Improvement Plan annually. The changes included in this year's plan include:

- Updated status on ongoing CIP projects
- Updated bonding capacity analysis
- Updated evaluation of street condition and revised street priorities
- Updated project costs

The projects included in the CIP include the two remaining drainage projects (Plantation West Creek and Plantation East Creek) from the 2004 bond election.

The tax rate available for debt service has been reduced through tax cuts and conversion to General Fund Use. Debt service as percent of total revenues has dropped from 15% in 2001 to 9% in 2007. Keeping debt service at 9% of total revenues delays ability to sell additional bonds until 2012.

The Planning and Zoning Commission recommends adoption as part of the Comprehensive Plan.

Mayor Dittrich opened the public hearing at 8:30 p.m.

Mr. Rich Lyons spoke regarding the flooding on Bryant Street. Mayor Dittrich advised Mr. Lyons that was not part of tonight's hearing, but Mr. Dave Gattis would be available to discuss the project currently underway to the area flooding.

Mayor Dittrich closed the public hearing at 8:34 p.m.

Motion by Mr. Allison, seconded by Mr. Stowe to adopt the updated version of Section 17-Capital Improvements as part of the Comprehensive Plan.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

VIII. REPORTS OF CITY MANAGER

A. GENERAL

G-1682 Adopt Ordinance Amending Section 8.48 of the Benbrook Municipal Code to Allow Certain Exceptions to the Smoking Ordinance for a One-Year Period

Mr. Wayman gave the following report: Section 8.48 of the Benbrook Municipal Code bans smoking in all public buildings. Several subsequent discussions by City Council have led to the proposed amendment.

The proposed amendment adds conditional exceptions to the current ordinance. The exceptions apply to an existing class of organizations:

- Bars
- Nightclubs
- Billiard halls
- Bowling centers

- Bingo facilities
- Private fraternal veterans organizations with a bar

The proposed exception is valid for one (1) year only. The one-year exception is based on the following conditions:

- An enclosed non-smoking area
- Smoking area is mechanically ventilated
- Separate outside entrances for smoking/non-smoking areas
- Denial of admittance to the smoking area for people under 18 years of age
- A sign located at the entrance to the non-smoking area which states “Designated No-Smoking Area by City Ordinance”

The City Attorney has reviewed and approved the proposed ordinance because it pertains to a class of similar organizations.

Following discussion, motion by Mr. Sauma, seconded by Mr. Stowe to Adopt Ordinance No. 1228 allowing certain exceptions to the smoking ordinance for a one-year period.

Vote on the Motion:

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

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

Motion carries 4-3

Ordinance No. 1228 being **“AN ORDINANCE OF THE CITY OF BENBROOK AMENDING CHAPTER 8.48, REGULATIONS OF SMOKING, PROVIDING FOR EXCEPTIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; PROVIDING A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.”**

SECTION 5

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any provisions of this ordinance shall be fined not more than Five Hundred Dollars (\$500.00) for all violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8

This ordinance shall be in full force and effect from and after passage and publication as provided by law, and it is so ordained.

B. PURCHASE

P-253 Flooring for City Hall

Mr. Wayman gave the following report: Carpet in high traffic areas of City Hall is faded, stained and matted. There have been numerous unsuccessful attempts to clean and rehabilitate the carpeting.

Recently, City staff began a "spruce up" of City Hall to make it more attractive and professional for our customers. Replacing the carpet in the public area of the building would greatly enhance the process. Unfortunately, staff did not budget funds for flooring replacement.

The City solicited bids from four (4) flooring companies to replace the carpet with commercial grade tile flooring. In addition to an improved appearance, the tile would require less maintenance. The cost of flooring replacement is \$16,896. Carpeting in offices and conference rooms is in serviceable condition but will need to be replaced in a couple of years.

Following discussion, motion by Mr. Schull, seconded by Mr. Bailey to approve the replacement of carpet in the public areas of City Hall with reserve funds and make the requisite budget adjustment.

Vote on the Motion:

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

Noes: Mr. Sauma, Mr. Stowe

Motion carries 5-2

VIII. OTHER MATTERS OF BUSINESS

IX. INFORMAL CITIZEN COMMENTS

X. ADJOURNMENT

Meeting adjourned at 8:50 p.m.

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 02/15/07	REFERENCE NUMBER: G-1683	SUBJECT: Introduction of Multi-Use Vehicle - RESCUE 53	PAGE: 1 of 1
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In 2005, Benbrook was awarded two grants, (1) the State Homeland Security Program for \$275,000 and (2) the Urban Area Security Initiative for \$110,000. The grants were combined to facilitate the purchase of a Special Operations Hazmat/Rescue Unit for hazardous material response and equipment for the apparatus. In March of 2006, the State released the grant funding.

The Special Operations Hazmat/Rescue unit is a specially designed multi-use vehicle. It carries a variety of equipment for determination and initial clean up of hazardous chemical spills and will carry a large variety of rescue equipment. It also serves as a mobile command unit and has a light tower for nighttime observation.

Last week, Staff traveled to the Pierce Fire Apparatus Manufacturing Plant in Appleton, Wisconsin. Staff spent three days inspecting the new truck prior to delivery. The new apparatus is named "RESCUE 53" as Staff believes the community will feel more comfortable with the word RESCUE versus HAZMAT.

For a number of years, the City has purchased fire apparatus from Pierce Manufacturing. Staff is very pleased with both build quality and field capability. In addition, staff is very familiar with the ongoing maintenance and upkeep of Pierce Manufacturing equipment.

Rescue 53 is comprised of 13 large compartments. The compartments store a variety of equipment ranging from a Hazkit for detecting specific chemicals, gas detectors, hydrocarbon spill containment, decontamination equipment, air packs, advanced rope rescue equipment and swift water rescue equipment.

The command cab has maps to that cover all areas of the City, a satellite telephone, a computer database for tracking all types of hazardous materials and a radio system that can communicate with local, state and federal agencies. It also has tactical command capabilities for fires, mass casualty and law enforcement situations.

Rescue 53 has involved numerous fire personnel and over a year of planning. As a result, the City of Benbrook Fire Department is a leader in Hazardous Material response for Tarrant County at no cost to the City of Benbrook.

SUBMITTED BY:	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: 02/15/07	REFERENCE NUMBER: G-1684	SUBJECT: Financial Report for Month Ending January 31, 2007	PAGE: 1 of 1
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Attached for City Council's information and consideration is the monthly financial report for January 2007.

GENERAL FUND REVENUES (Chart)

Year-to-date revenues amounted to \$6,401,855. Revenues for the month of January totaled \$3,633,286. Almost all of this amount came from taxes (\$3,501,407), with the largest portion (93%) coming from Property Taxes. Property tax collections, as well as total collections, now exceed the prior year's totals.

GENERAL FUND EXPENDITURES (Chart)

Year-to-date expenditures amounted to \$3,869,574. January expenditures totaled \$999,049. Through January, revenues exceed expenditures by \$2,532,281.

EDC REPORT

EDC revenues were \$63,376 while expenditures were \$61,463. For the year, expenditures exceed revenues by \$152.

INVESTMENTS

Investments were \$12,527,781 at January 31, 2007.

RECOMMENDATION

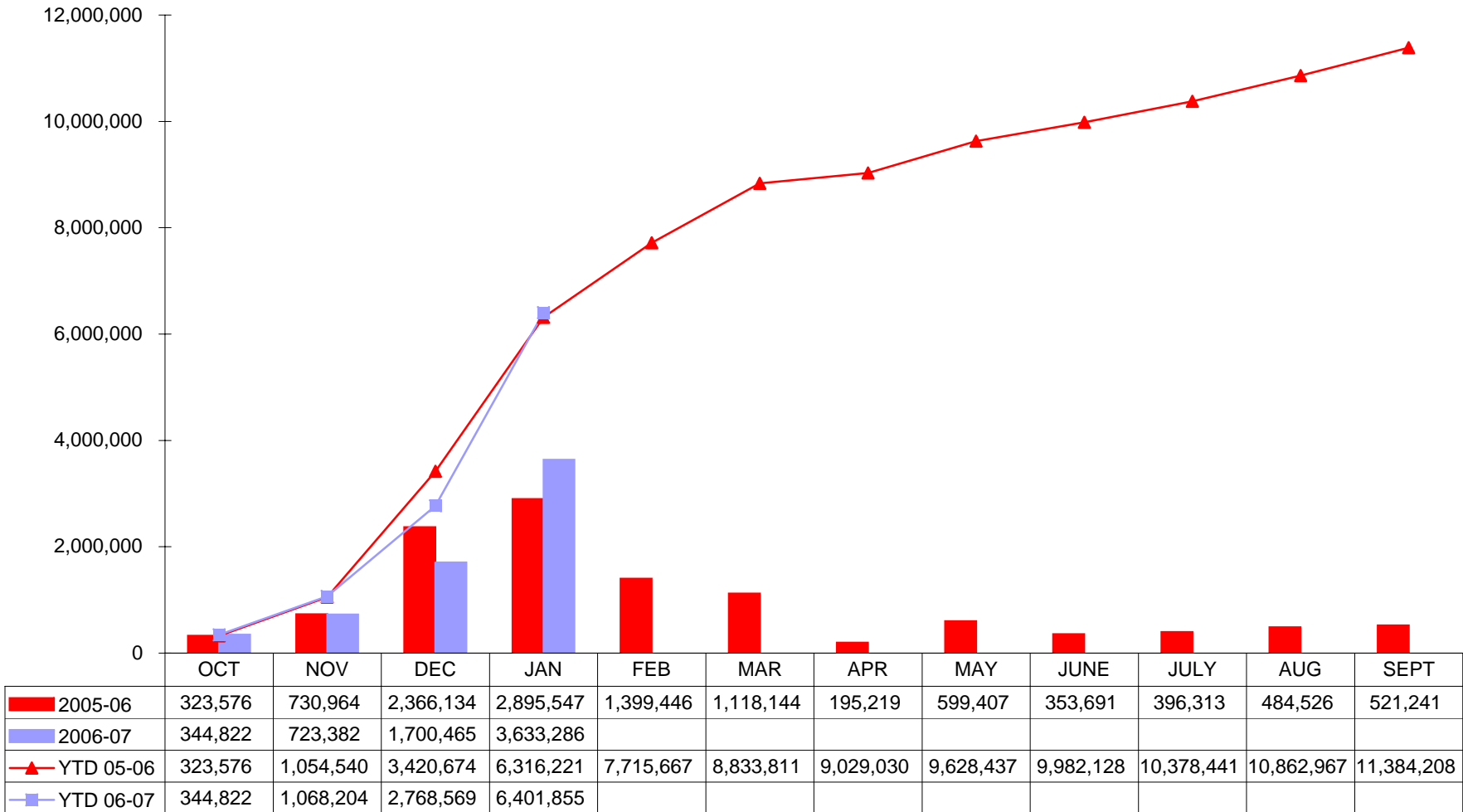
It is recommended that City Council accept the monthly financial report for the month of January, 2007.

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

CITY OF BENBROOK, TEXAS
 FINANCIAL REPORT - GENERAL FUND
 January, 2007

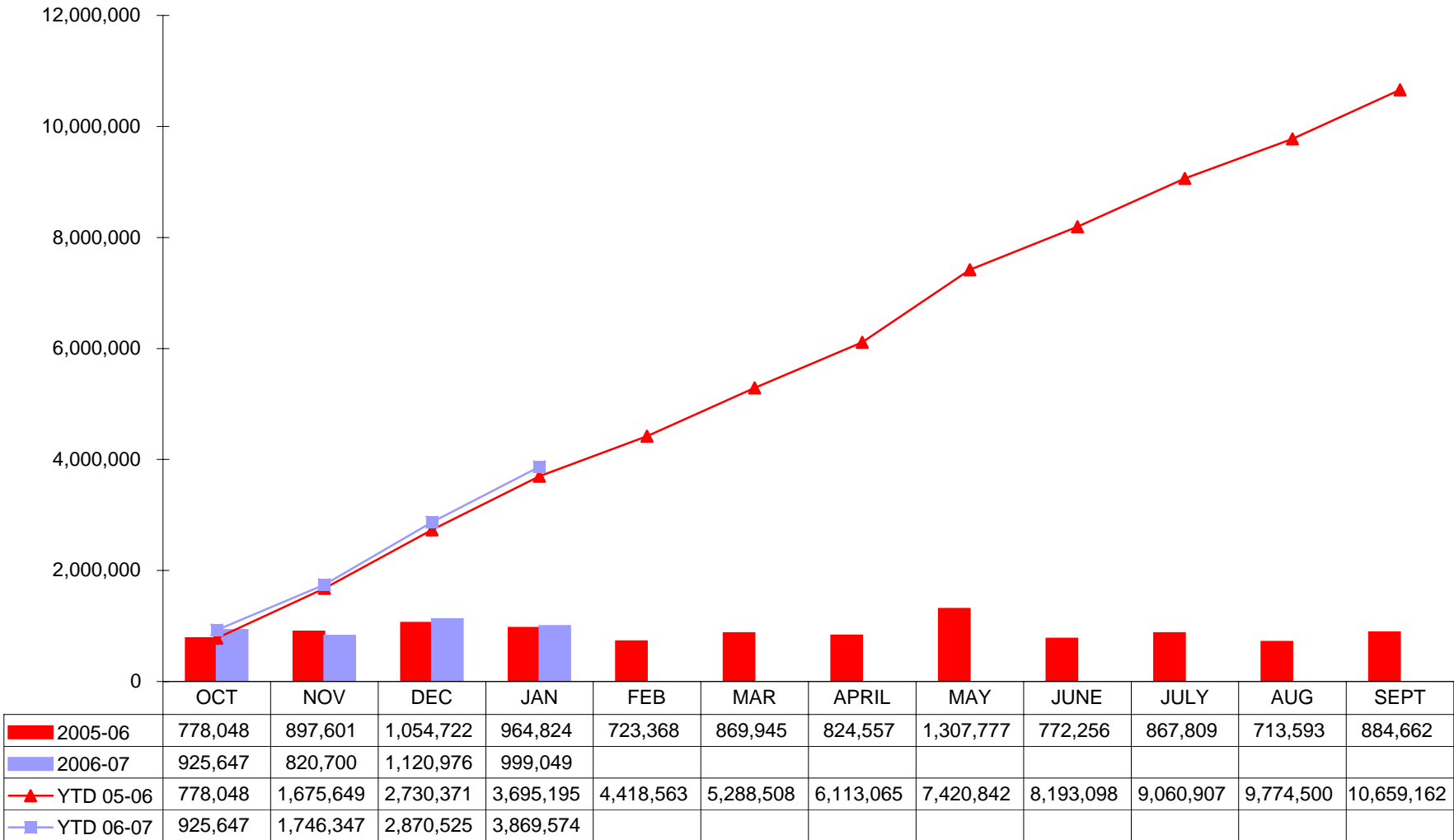
	CURRENT YEAR ANNUAL BUDGET					PRIOR YEAR COMPARISON	
	ANNUAL	CURRENT	YEAR-TO-DATE	VARIANCE	PERCENT	YEAR-TO-DATE	VARIANCE
<u>REVENUE ACCOUNTS</u>	<u>BUDGET</u>	<u>MONTH</u>	<u>REV/EXP</u>	<u>PLUS</u>	<u>COLLECTED</u>	<u>REV/EXP</u>	<u>PLUS</u>
		<u>REV/EXP</u>	<u>REV/EXP</u>	<u>(MINUS)</u>		<u>REV/EXP</u>	<u>(MINUS)</u>
Ad Valorem Taxes	7,217,578	3,378,975	5,366,771	(1,850,807)	74.36%	5,334,692	32,079
Franchise Taxes	1,310,000	14,552	167,345	(1,142,655)	12.77%	138,530	28,815
Sales & Other Taxes	1,551,715	107,880	404,869	(1,146,846)	26.09%	355,631	49,238
TOTAL TAXES	10,079,293	3,501,407	5,938,985	(4,140,308)	58.92%	5,828,853	110,132
Licenses	56,800	5,835	15,580	(41,220)	27.43%	13,836	1,744
Permits & Filing Fees	483,900	30,660	86,891	(397,009)	17.96%	89,137	(2,246)
LICENSES PERMITS & FEES	540,700	36,495	102,471	(438,229)	18.95%	102,973	(502)
FINES & FORFEITURES	350,000	23,290	88,510	(261,490)	25.29%	86,786	1,724
USE OF MONEY & PROPERTY	299,000	11,030	25,585	(273,415)	8.56%	58,738	(33,153)
REV FROM OTHER AGENCIES	205,782	18,750	85,554	(120,228)	41.58%	53,919	31,635
Citizen Services	414,500	33,348	126,050	(288,450)	30.41%	133,604	(7,554)
Recreation Services	45,775	3,556	11,925	(33,850)	26.05%	12,651	(726)
Sale of Goods	34,200	1,006	4,621	(29,579)	13.51%	10,524	(5,903)
SERVICE CHARGES	494,475	37,910	142,596	(351,879)	28.84%	156,779	(14,183)
OTHER REVENUES	58,800	4,404	18,154	(40,646)	30.87%	28,173	(10,019)
TOTAL REVENUES	12,028,050	3,633,286	6,401,855	(5,626,195)	53.22%	6,316,221	85,634
<u>EXPENDITURE ACCOUNTS</u>							
City Council	22,400	1,643	6,866	15,534	30.65%	6,348	518
City Manager	305,925	66,907	136,240	169,685	44.53%	95,493	40,747
City Secretary	250,268	21,363	92,847	157,421	37.10%	72,461	20,386
Non-Departmental	735,570	54,651	177,052	558,518	24.07%	170,816	6,236
GENERAL GOVERNMENT	1,314,163	144,564	413,005	901,158	31.43%	345,118	67,887
Finance	364,833	21,844	123,778	241,055	33.93%	118,861	4,917
Information Services	117,671	6,671	30,473	87,198	25.90%	60,156	(29,683)
Personal Services	18,950	989	8,130	10,820	42.90%	4,279	3,851
Budget & Research	128,196	9,176	44,995	83,201	35.10%	41,033	3,962
STAFF SERVICES	629,650	38,680	207,376	422,274	32.94%	224,329	(16,953)
Police	4,578,047	439,367	1,533,907	3,044,140	33.51%	1,536,822	(2,915)
Fire & Ambulance	1,759,175	151,609	636,897	1,122,278	36.20%	602,988	33,909
Municipal Court	163,265	10,796	54,405	108,860	33.32%	56,273	(1,868)
PUBLIC SAFETY	6,500,487	601,772	2,225,209	4,275,278	34.23%	2,196,083	29,126
Community Services	168,366	9,862	53,161	115,205	31.57%	55,250	2,089
Streets	1,255,885	56,969	299,976	955,909	23.89%	278,602	(21,374)
Parks & Recreation	642,824	49,082	191,021	451,803	29.72%	184,271	(6,750)
Support Services	402,754	25,568	136,259	266,495	33.83%	131,600	(4,659)
COMMUNITY SERVICES	2,469,829	141,481	680,417	1,789,412	27.55%	649,723	(30,694)
Community Development	525,022	23,469	125,201	399,821	23.85%	80,877	(44,324)
Planning & Zoning	191,784	12,489	63,804	127,980	33.27%	61,579	(2,225)
City Inspection	314,354	23,018	104,446	209,908	33.23%	101,475	
Engineering Services	82,761	1,677	1,677	81,084	2.03%	0	(1,677)
COMMUNITY DEVELOPMENT	1,113,921	60,653	295,128	818,793	26.49%	243,931	(48,226)
TOTAL GENERAL FUND	12,028,050	987,150	3,821,135	8,206,915	31.77%	3,659,184	1,140
EDC	0	13,203	48,349	(48,349)	0.00%	34,649	(13,700)
Library	0	(1,304)	90	(90)	0.00%	1,362	1,272
TOTAL EXPENDITURES	12,028,050	999,049	3,869,574	8,158,476	32.17%	3,695,195	(11,288)
ENDING BALANCE	0	2,634,237	2,532,281	(2,532,281)		2,621,026	96,922

Revenue Trend Comparison



2005-06 2006-07 YTD 05-06 YTD 06-07

Expenditure Trend Comparison



■ 2005-06
 ■ 2006-07
 ▲ YTD 05-06
 ■ YTD 06-07



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 02/15/07	REFERENCE NUMBER: C-226	SUBJECT: Consider Bids and Award Contract for Plantation West Creek Drainage Improvements	PAGE: 1 of 2
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The Capital Improvements Program includes drainage improvements to Plantation West Creek beginning at a point approximately 250 linear feet from its confluence with Mary's Creek northward to a point north of its intersection with Mary's Creek Drive for a total distance of approximately 2,150 linear feet. The project utilizes both rock gabions and concrete walls. The project also includes channel improvements to Willow Bend Creek from Llano Avenue southward approximately 200 feet.

Both projects greatly improve the efficiency of drainage runoff. The Plantation West Creek project protects numerous houses from flooding.

City Staff opened bids on Wednesday, January 31, with the following results:

<u>Contractor</u>	<u>Total Bid</u>
Linder Construction	\$1,999,065
Laughley Bridge and Construction	\$2,197,756
Ark Contracting Services	\$2,391,756
Humphrey and Morton Construction	\$2,501,428
Earth Builders	\$3,036,646
Jeske Construction	\$3,127,497

Linder Construction has performed work for the City in the past (box culvert improvements on Old Benbrook Road) with satisfactory results. The City Engineer has reviewed the firm's references and statement of qualifications and finds nothing to warrant disqualification of their bid (see attached letter).

FINANCING

The CIP allocated \$1,849,325 for construction of this project. There is currently \$1,791,067 available in the Drainage Fund and \$80,754 available in the Street Fund that can be allocated to street repairs associated with the Plantation West Creek project, for a total of \$1,871,821. An additional \$76,702 is available from street assessments. Because of the importance of the project, Staff recommends that the remaining \$50,542 be funded from unallocated reserves.

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

DATE: 02/15/07	REFERENCE NUMBER: C-226	SUBJECT: Consider Bids and Award Contract for Plantation West Creek Drainage Improvements	PAGE: 2 of 2
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RECOMMENDATION

It is recommended that the City Council award the contract for the construction of Plantation West Creek and Willow Bend Channel Improvements to Linder Construction, Inc. in the amount of \$1,999,065, to be paid from Account 04-3012-5219, and that sufficient funds be transferred from unallocated reserves.