

**AGENDA
BENBROOK CITY COUNCIL
THURSDAY, MARCH 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 Jeff Klingenberg with Benbrook Christian Fellowship
PLEDGE OF ALLEGIANCE**

III. CONSENT AGENDA (Items listed under the Consent Agenda are considered routing 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 to be removed from the Consent Agenda for separate discussion and action.)

1. Minutes of the regular meeting held March 1, 2007

IV. PROCLAMATION/AWARDS/RECOGNITION

1. Proclamation – American Red Cross Month
2. Proclamation – Meals on Wheels

V. PRESENTATION BY PLANNING AND ZONING COMMISSION

PZ-2007-03 Adopt ordinance amending Section 4-Definitions, Section 5-Districts and District Boundaries, Section 6-CF Community Facilities, Section 7-SD Suburban District, Section 8-RE Residential Estate District, Section 9-A One Family District, Section 10-B One Family District, Section 11-BR One Family Reduced District, Section 12-CR Multiple Family Restricted District, Section 13-C Multiple Family District, Section 14-D Multiple Family District, Section 15-E Commercial District, Section 16-F Commercial District, Section 17-HC Highway Corridor District, Section 18-G Commerce District, Section 19-H Industrial District, Section 20-MH Manufactured Home District, Section 20A-MU Mixed Use District, Section 21-PD Planned Development District, Section 22-Conditional Uses, Section 23-Supplementary District Regulations, Section 24-Parking and Vehicular Circulation, Section 25-Sign Regulations, Section 26-Fence Regulations, Section 27-Lanscaping and Buffer Regulations, Section 28-Non-Conforming Uses, and Section 29-Board of Adjustment of the Zoning Ordinance of the City of Benbrook, Ordinance Number 808, as amended (public hearing)

PZ-2007-04 Adopt Ordinance amending the Subdivision Ordinance of the City of Benbrook, Ordinance Number 1122, as amended (public hearing)

V. REPORTS OF CITY MANAGER

A. GENERAL

- G-1688 Financial Report for Month Ending February 28, 2007
- G-1689 Comprehensive Annual Financial Report for Fiscal Year 2005-2006
- G-1690 Resolution Renewing TXU Standing Committee and Resolution Renewing Atmos Gas Standing Committee

VI. OTHER MATTERS OF BUSINESS

Invitation to Citizens Police Academy

VII. INFORMAL CITIZEN COMMENTS

VIII. ADJOURNMENT



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

The regular meeting of the Benbrook City Council was held on Thursday, March 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
Phyllis Wolfe, IT Coordinator

Others Present:

Ed Gallagher, City Planner
Cathy Morris, Administrative Analyst
Walter Shumac, Director of Public Services
Ron Rainey
Bill Smith
Daniel Tully
Bob & Joan Chew
Mr. & Mrs. Harold Evetts
Members of Boy Scout Troup 43
and 6 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 Walter Shumac
The Pledge of Allegiance was recited.

III. 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 to be removed from the Consent Agenda for separate discussion and action.

- 1. Minutes of the regular meeting held February 15, 2007**
- 2. Adopt Ordinance Vacating a 50-foot Wide Drainage and Utility Easement Area on Lot 1R, Block 1, Benbrook Industrial Park**

Motion by Mr. Schull, seconded by Mr. Sauma 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.

Ordinance No. 1229 being **“AN ORDINANCE VACATING AND ABANDONING A FIFTY-FOOT WIDE UTILITY EASEMENT IN THE B. J. FOSTER SURVEY, ABSTRACT NO. 520, AND BEING A PORTION OF LOT 1R, BLOCK 1, BENBROOK INDUSTRIAL PARK; DECLARING THAT THE PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR OF THE CITY TO EXECUTE A QUITCLAIM DEED RELEASING THE PUBLIC OWNERSHIP INTEREST AND CONTROL IN THE PROPERTY; AND PROVIDING AN EFFECTIVE DATE.”**

IV. PRESENTATION BY MAYOR AND MEMBERS OF CITY COUNCIL

- 1. Resolution Authorizing City of Benbrook to Enter into Joint Election Contract with Tarrant County for May 12, 2007 General Election**

Joanna King gave the following report: The regular election for Mayor, Place 1 and members of the Council in places 3, 5, and 7 is scheduled for May 12, 2007.

HB 1 passed during the 79th Legislative Session, 3rd called session, requires independent school districts to jointly hold trustee elections either with a municipality located within the district’s boundaries or with the County if on the November general election for state and county offices in even-numbered years. However, local municipalities are under no obligation to agree to hold joint elections with school districts. The City of Benbrook is located solely within the FWISD boundaries. While FWISD has contracted with Tarrant County to conduct their trustee elections for a number of years, those elections have not been held jointly with local municipalities within the district.

In order to guarantee the availability of election equipment to all entities holding elections on May 12, the Elections Administrator for Tarrant County has invited all municipalities to join into an election agreement. Tarrant County would then conduct school trustee elections for school districts located in Tarrant County as well as municipalities and other local subdivisions. Again, municipalities and local subdivisions are under no obligation to join into the agreement. Subsequent to the invitation, it has been determined that Counties within the State of Texas will be conducting a constitutional amendment election on May 12th thus making Tarrant County a party to the joint election agreement. This will also result in a shortage of election equipment.

The advantages of conducting a Joint Election include:

- Expanded early voting polling places. Tarrant County tentatively has 40 early voting polling places within the County. Benbrook residents would be able to vote early at any of these locations and not be restricted to voting only at the City of Benbrook early voting site. This means a Benbrook resident working in Arlington could vote at a site near his/her workplace without having to return to the Benbrook site.
- Voting equipment, election officials and polling places. Beginning January 1, 2006, one of the requirements of the Help America Vote Act is that at least one Direct Recording Electronic (DRE) machine be present at each polling place. This equipment is intended for use by the handicapped. Without the ability to lease the equipment from Tarrant County, the City would be required to either purchase four DRE machines and a significant number of regular voting machines or lease the equipment from another vendor. Any purchase would not include the programming necessary to read the ballots, thus increasing the cost to the City.
- Tarrant County will provide all necessary voting equipment, obtain all polling places and train all election personnel. In providing the equipment, the necessity of leasing the equipment from another vendor or making an outright purchase would be eliminated resulting in significant savings. The election day polling places will remain the same as past elections.

Motion by Mr. Allison, seconded by Mr. Bailey to adopt Resolution No. 2007-02 establishing a joint election in Benbrook, Texas and authorizing the City Secretary to enter into an agreement with Tarrant County.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

Resolution No. 2007-02 being **"A RESOLUTION ESTABLISHING PROCEDURES FOR A JOINT ELECTION IN BENBROOK, TEXAS BETWEEN THE CITY OF BENBROOK AND TARRANT COUNTY."**

V. PRESENTATION BY PLANNING AND ZONING COMMISSION

VI. REPORTS OF CITY MANAGER

A. GENERAL

G-1685 Approve Settlement Agreement with Jack Bostick for Drainage Easement for Plantation East Creek Drainage Project

Dave Gattis gave the following report: Drainage improvements to Plantation East Creek were included in the 2004 bond program. The City has attempted to obtain drainage easements from 22 property owners in North Benbrook to construct the Plantation East Creek drainage project since November 2005. The City has obtained easements from 19 properties through negotiation and one through imminent domain.

Jack Bostick is the owner of property at 4020 Tara Drive and the City needs approximately 4,835 square feet of permanent easement plus an additional 10-foot temporary construction easement. The easement area includes several improvements including a bridge, a workshop and a greenhouse.

The City and Mr. Bostick have made several offers and counter-offers over the past year. The City and Mr. Bostick agreed to \$20,000 in August 2006, but Mr. Bostick later rejected the agreement.

City staff and Mr. Bostick agreed to a revised amount of \$24,834.50. The City has agreed to postpone condemnation if Bostick would agree to execute documents upon payment.

Motion by Mr. Stowe, seconded by Mr. Sauma to approve the settlement with Mr. Bostick to acquire a drainage easement at 4020 Tara Drive in the amount of \$24,834.50 to be paid from Account 04-3012-5286.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

G-1686 Approve Benbrook Boulevard Master Plan

Dave Gattis gave the following report: Benbrook Boulevard (US 377) is a four-lane rural highway design with a continuous left-turn lane. Current traffic exceeds 41,000 ADT and approaches LOS E and F during peak periods. Traffic is projected to increase to over 72,500 ADT in 2035.

The City and TxDOT plan project in 2010 is to build a \$13 million 6-lane divided urban arterial. The City and Benbrook Economic Development Corporation retained HNTB, Inc. to prepare a master plan to make the new roadway an attractive boulevard rather than a typical highway project.

A 19-member Steering Committee was appointed to guide the consultant through the process. The Steering Committee was comprised of representatives of business owners, land developers, utility companies and government agencies that had an interest in the highway corridor. The Committee met in January, May and July of 2006. In addition, the consultants held a workshop with the City Council, EDC Board and Planning and Zoning in August 2006, and held a public workshop in October 2006. The consultants also assisted the Staff in preparing a segment about the project for Benbrook Spotlight which was aired on the City's cable TV channel and on the City's web page.

The key recommendations of the Plan to accompany the widening of the road to six lanes include:

- Construction of a landscaped median and controlled left turn lanes
- Provision of sidewalks on both sides of the roadway
- Improvements to intersections including architectural enhancements and pedestrian amenities
- Landscaping on both sides of the roadway
- The incorporation of several architectural themes and gateway elements to develop a unique identity for the corridor
- The reduction of the number of driveways entering the road by using shared driveways and off-roadway cross-access
- Suggestions for improvements to the City's design requirements for adjacent developments, including building orientation, signage, architectural standards and parking lot locations

What the Plan does:

- Serves as a guide for future design and planning
- Identifies additional costs associated with urban design
- Identifies techniques to make Benbrook Boulevard a centerpiece of the community while improving efficiency

What the Plan does not do:

- Does not commit to any specific improvements
- Does not commit to any specific driveway closures or relocations

- Does not provide dedicated bike lanes
- Does not commit funding for enhancements

The Plan will be used as a guide during the process of preliminary and detailed design over the coming years.

Motion by Mr. Vander Pan, seconded by Mr. Schull to approve the Benbrook Boulevard Master Plan with inclusion of a statement that future compatible and approved traffic control devices are to be considered as part of the plan.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

G-1687 Approve Gas Lease Under Public Works Complex

Andy Wayman gave the following report: The City owns the mineral rights for the 3.83 acre public works complex. Vargas Energy controls the vast majority of the mineral rights adjoining the public works complex.

Vargas recently contacted the City to acquire an oil and gas lease for the public works complex. After negotiations, Vargas has agreed to:

- Two year lease term
- 25% royalty payment
- \$3000/acre signing bonus (\$11,490 total)
- No surface rights

Staff believes the offer is fair and market competitive.

Motion by Mr. Allison, seconded by Mr. Stowe to approve the mineral lease with Vargas Energy and allocate the lease bonus and future royalties to the Oil and Gas Fund.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

B. PURCHASE

P-254 Voting Board for City Council Chambers

Phyllis Wolfe gave the following report: Since October 2001, City Council meetings have been videotaped and rebroadcast over the Government Access Channel and later the website.

For broadcast purposes, the microphone system in the Council Chambers works well in most instances. However, it is often difficult to hear the individual votes of City Councilmembers on action items. An inexpensive resolution to this problem is the installation of a voting board system. A voting board system allows City Councilmembers to vote by pressing a button. The vote is recorded and all votes are displayed simultaneously on the video screen. This provides a visual indicator of the vote to the audience and is directly shown on the broadcast. The system uses a wireless keypad to transmit the vote to a base station. The base station is plugged into the staff computer for display. The cost of the system is \$1,281.00.

Motion by Mr. Vander Pan, seconded by Mr. Allison to approve the voting board at a cost of \$1,281.00 to be paid from the PEG account.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

VIII. OTHER MATTERS OF BUSINESS

IX. INFORMAL CITIZEN COMMENTS

X. ADJOURNMENT

Meeting adjourned at 8:30 p.m.

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 03/15/07	REFERENCE NUMBER: PZ-2007-03	SUBJECT: Adopt Ordinance amending the Zoning Ordinance of the City of Benbrook, Ordinance No. 808, as amended	PAGE: 1 of 3
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**Z – 07 – 01
STAFF REPORT
TO PLANNING AND ZONING COMMISSION
FEBRUARY 8, 2007**

Every year or so, the staff reviews the text of the Zoning Ordinance for any necessary revisions or updates. The Zoning Ordinance was last revised in August 2005.

This year's proposed revisions include:

1. A new definition of Building Official,
2. Clarification of side yard requirements in the CR, C, and D Districts,
3. Revisions to the PD District (Section 21) to clarify intent and allow the use of supplemental regulations in lieu of a detailed site plan,
4. Clarification of the Height-Setback Envelope (Section 23.H) to recognize the effect of a change of elevation,
5. Clarification of the Architectural Standards (Section 23.P.2 and3),
6. Reduction of the off-street parking requirements in Section 24 for retail stores and the addition of a separate requirement for home improvement stores, and
7. Miscellaneous editorial revisions throughout the documents

RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend that the City Council adopt the revisions to the Zoning Ordinance.

**UNAPPROVED MINUTES
PLANNING AND ZONING COMMISSION
FEBRUARY 8, 2007**

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

DATE: 03/15/07	REFERENCE NUMBER: PZ-2007-03	SUBJECT: Adopt Ordinance amending the Zoning Ordinance of the City of Benbrook, Ordinance No. 808, as amended	PAGE: 2 of 3
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Z – 07 – 01

Consider amendments to Section 4 – Definitions, Section 5 – Districts and District Boundaries, Section 6 – CF Community Facilities District, Section 7 – SD Suburban District, Section 8 – RE Residential Estate District, Section 9 – A One Family District, Section 10 – B One Family District, Section 11 – BR One Family Reduced District, Section 12 – CR Multiple Family Restricted District, Section 13 – C Multiple Family District, Section 14 – D Multiple Family District, Section 15 – E Commercial District, Section 16 – F Commercial District, Section 17 – HC Highway Corridor District, Section 18 – G Commerce District, Section 19 – H Industrial District, Section 20 – MH Manufactured Home District, Section 20A – MU Mixed Use District, Section 21 – PD Planned Development District, Section 22 – Conditional Uses, Section 23 – Supplementary District Regulations, Section 24 – Parking and Vehicular Circulation, Section 25 – Sign Regulations, Section 26 – Fence Regulations, Section 27 – Landscaping and Buffer Regulations, Section 28 – Non-Conforming Uses, and Section 29 – Board of Adjustment of the Zoning Ordinance of the City of Benbrook, Ordinance Number 808, as amended

Chairman Early introduced the item and asked for a presentation from Staff.

Dave Gattis, Deputy City Manager, said that every year or so, Staff reviews the text of the Zoning Ordinance to see if anything needs to be changed or revised, new issues, or problems that Staff has run across as the ordinance is being administered. This year the proposed changes are:

8. A new definition of Building Official and Animated Sign,
9. Clarification of side yard requirements in the CR, C, and D Districts,
10. Revisions to the PD District (Section 21) to clarify intent and allow the use of supplemental regulations in lieu of a detailed site plan,
11. Clarification of the Height-Setback Envelope (Section 23.H) to recognize the effect of a change of elevation,
12. Clarification of the Architectural Standards (Section 23.P.2 and3),
13. Reduction of the off-street parking requirements in Section 24 for retail stores and the addition of a separate requirement for home improvement stores, and
14. Miscellaneous editorial revisions throughout the documents

Mr. Gattis said Staff recommends that the Planning and Zoning Commission hold a public hearing in accordance with State law to receive public comment and recommend that the City Council adopt the amendments to the Zoning Ordinance text.

DATE: 03/15/07	REFERENCE NUMBER: PZ-2007-03	SUBJECT: Adopt Ordinance amending the Zoning Ordinance of the City of Benbrook, Ordinance No. 808, as amended	PAGE: 3 of 3
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The Chair opened the public hearing at 7:40 p.m. and asked if anyone wished to speak for or against the item. There being none, the Chair closed the public hearing at 7:41 p.m. and asked the Commission for any comments, questions, or a motion.

Motion by Mr. Valverde that the Commission recommends the City Council adopt the amendments to the text of the Zoning Ordinance as presented by Staff. Second by Dr. Marshall. The Chair called the question.

Vote on the Motion:

Ayes: Mr. Ramsey, Mr. Valverde, Mr. Morrill, Mr. Early, Ms. Price, Mr. Dawson, Dr. Marshall, and Mr. Hughes

Noes: None

Motion carried 8 – 0



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 03/15/07	REFERENCE NUMBER: PZ-2007-04	SUBJECT: Adopt Ordinance amending the Subdivision Ordinance of the City of Benbrook, Ordinance No. 1122, as amended	PAGE: 1 of 2
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**Z – 07 – 01
STAFF REPORT
TO PLANNING AND ZONING COMMISSION
FEBRUARY 8, 2007**

Every year or so, the staff reviews the text of the Subdivision Ordinance for any necessary revisions or updates. The Subdivision Ordinance was last revised in February 2006.

This year’s proposed revisions are primarily miscellaneous editorial revisions throughout the document.

RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend that the City Council adopt the revisions to the Subdivision Ordinance.

**UNAPPROVED MINUTES
PLANNING AND ZONING COMMISSION
FEBRUARY 8, 2007**

G – 07 – 03 Consider amendments to the Subdivision Ordinance of the City of Benbrook, Ordinance Number 1122, as amended (Title 16 – Subdivisions of the Benbrook Municipal Code)

Chairman Early introduced the item and asked for a report from Staff.

Dave Gattis said most of the changes to the Subdivision Ordinance proposed by Staff are primarily editorial or for clarification purposes.

Mr. Gattis said Staff recommends that the Planning and Zoning Commission hold a public hearing in accordance with State law to receive public comment and recommend that the City Council adopt the amendments to the Subdivision Ordinance.

The Chair asked for any comments or questions from the Commission. Dian Price asked about the issue of developers taking down trees and not providing enough green space in subdivisions and how they can be addressed.

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

DATE: 03/15/07	REFERENCE NUMBER: PZ-2007-04	SUBJECT: Adopt Ordinance amending the Subdivision Ordinance of the City of Benbrook, Ordinance No. 1122, as amended	PAGE: 2 of 2
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Mr. Gattis said Staff has compiled ordinances from various other cities and is currently trying to organize the information into some form that would be meaningful for the Commission to be able to make decisions. Benbrook currently has some tree preservation requirements in the Subdivision Ordinance but they are weak. Mr. Gattis said Staff is planning to compile the information and hold a work session with the Commission.

The Chair opened the public hearing at 7:45 p.m. and asked if anyone wished to speak for or against the item. There being none, the Chair closed the public hearing at 7:46 p.m. and asked for any comments, questions, or a motion from the Commission.

Motion by Mr. Valverde that the Commission recommend the City Council adopt the amendments to the Subdivision Ordinance. Second by Dr. Marshall. The Chair called the question.

Vote on the Motion:

Ayes: Mr. Valverde, Mr. Morrill, Mr. Early, Ms. Price, Mr. Dawson, Dr. Marshall, Mr. Hughes, and Mr. Ramsey

Noes: None

Motion carried 8 – 0



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 03/15/07	REFERENCE NUMBER: G-1688	SUBJECT: Financial Report for Month Ending February 28, 2007	PAGE: 1 of 1
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Attached for City Council's information and consideration is the monthly financial report for February 2007.

GENERAL FUND REVENUES

Year-to-date revenues amounted to \$7,977,681. Almost 83% of this amount came from Property Taxes (\$6,596,906). Other significant revenues are from Sales Taxes (\$569,451) and Franchise Taxes (\$217,387). Revenues for the month of February totaled \$1,575,929. To date, total collections exceed the prior year.

GENERAL FUND EXPENDITURES

Year-to-date expenditures amounted to \$4,694,999. February expenditures totaled \$778,049. At February 28, revenues exceeded expenditures by \$3,282,682.

EDC REPORT

EDC revenues were \$91,757 while expenditures were \$289,665, with most of this going for the purchase of land and excavation work.

INVESTMENTS

Investments were \$13,421,159 at February 28, 2007. This entire amount is available immediately if needed.

RECOMMENDATION

It is recommended that City Council accept the monthly financial report for the month of February, 2006.

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: 3/15/07	REFERENCE NUMBER: G-1689	SUBJECT: Comprehensive Annual Financial Report for Fiscal Year 2005-2006	PAGE: 1 of 2
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Attached for City Council's information and consideration is the City's Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2006. The Finance Department prepared the report which has been reviewed and approved by Weaver and Tidwell, L.L.P., the City's independent auditor. The Auditor's Opinion is included on pages 1 – 2 of the CAFR.

As presented in previous years, the Finance Director has prepared the CAFR, which includes the audit as well as other related and more detailed information. Staff anticipates the current CAFR will meet all requirements for the City to receive a Certificate of Achievement for Excellence in Financial Reporting for the twenty-third consecutive year.

FINANCIAL HIGHLIGHTS

- The General Fund had a positive year end balance of \$708,054, increasing total unrestricted General Fund reserves to \$5,268,507 or 49.32% of total general fund expenditures. The City's Department Heads contributed to the increased ending balance by returning \$417,072 (3.76%) of their budgets.
- The assets of the City exceeded its liabilities at the close of the most recent fiscal year by \$46,580,027 (net assets).
- The leasing of City property produced a \$1,207,260 gas lease bonus payment.
- The City's total capital assets increased by \$2,796,253 to \$53,201,994. About half of this total was due to drainage bond projects with the other half due to the Walnut Creek sewer line in the TIF district.
- As of the close of the current fiscal year, the City's governmental funds reported combined ending balances of \$11,205,958. Almost 58.84% of this total or \$6,573,379 is unrestricted and available for use with the City's designation and policies.
- Long-term debt decreased even though a new long-term note of \$540,000 was issued by the EDC.

REPORT CONTENT

This is the City's third report that conforms to Government Accounting Standards Board (GASB) 34 reporting requirements. It is also the third time the report has been prepared for electronic distribution. The Introductory Section of the report will look the same as previous years.

Financial Section

The financial section contains the Auditor's Opinion on pages 1 – 2, the Management Discussion and Analysis (MD&A) on pages 3 – 7, the Basic Financial Statements on pages 8 – 25, the

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

DATE:	REFERENCE NUMBER:	SUBJECT:	PAGE: 2 of 2
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Required Supplementary Information on pages 26 – 28, and the Combining and Individual Fund Statements on pages 29 – 37. A summary of the entire report can be found in the MD&A.

Statement of Net Assets

GASB 34 was enacted to provide a more comprehensive evaluation of a municipality's long term financial position. In prior years, cities only looked at Deposits & Investments. The new reporting format requires the City to list Capital Assets (buildings, roads, bridges, parks, etc) and then depreciate them. Capital Assets on page 8 total \$95.7 million, but more than \$42.5 million of those assets have been fully depreciated. In theory, the greater the depreciation number the more critical it is for the government to invest in the replacement of these Capital Assets. Investment in Capital Assets (\$34.3 million) presents the total Capital Assets less depreciation less any debt still outstanding on those assets. In other words, these assets are ours.

Statement of Activities

This statement presents the cost for each operational area less any revenue produced by that area. As you may note, no area of the City's operations pays for itself. City operations require "General Revenues" as presented on page 9.

NEW REQUIREMENTS

Statistical Section

Staff prepared the Statistical Section (pages 38 – 55), which contains some new information. Beginning with this Audit, the tables and the information included are required by GASB. New data includes financial trends, revenue capacity, debt capacity, demographic and economic indicators, operating information and additional information.

RECOMMENDATIONS

Staff recommends that City Council accept the CAFR for the fiscal year ended September 30, 2006 and authorize the staff to make payment of \$22,500 to Weaver and Tidwell, L.L.P. from account 01-21-01-5216.



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 03/15/07	REFERENCE NUMBER: G-1690	SUBJECT: Resolution Renewing TXU Standing Committee and Resolution Renewing Atmos Gas Standing Committee	PAGE: 1 of 1
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TXU STEERING COMMITTEE

In 2004, 20 cities exercised original ratemaking jurisdiction over TXU Electric Delivery Company (the transmission and distribution portion of TXU) and passed resolutions compelling the Company to file cost of service data to show why rates should not be reduced. The efforts of the 20 cities were coordinated through an Electric Consortium Steering Committee (ECSC). After several months of discussion, an agreement was reached to (1) delay the rate increase, (2) obligate TXU to work with the cities on other items of concern, and (3) compel TXU to make an annual cash payment of \$8,000,000 to the ECSC to disperse to member cities.

Last year, TXU and ECSC agreed to extend the benefits negotiated in 2004. TXU will make additional payments of 18,000,000 over two years for disbursement to the member cities. To date, Benbrook has received about \$171,000, with another check for \$36,000 due this spring.

ATMOS GAS STEERING COMMITTEE

Several years ago, 30 cities formed the Gas Cities Steering Committee (GCSC) in response to a gas rate filing by Lone Star Gas. Over the past seven years, Atmos Gas (and its predecessors) has filed annual rate increases. The GCSC has the authority to act for member cities. Each member retains the ability to "opt out" of any proposed GCSC rate case. Since its creation, the GCSC has prevented or reduced several gas rate increases, saving the citizens of GCSC member cities more than \$175 million.

MEMBERSHIP ASSESSMENT

The work of these committees is financed through contributions from the member cities. These contributions pay for attorney fees and consultant costs required to fight rate increase requests. To date, the City has received over \$171,000 from the various TXU settlements and has had gas rate increases blocked or reduced. Membership is based on ten cents per capita and Benbrook's cost is \$2,164.60 for each Committee. Collectively, these Committees have saved the citizens of Benbrook significant utility cost increases. In addition, the pooling of municipal resources for a common cause (rate cases) has created economies of scale.

RECOMMENDATION

City Staff recommends adoption of the proposed resolutions (Gas and Electric) and payment of \$2,164.60 to TXU ECSC and \$2,164.60 to GCSC.

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