

**MINUTES  
OF THE  
MEETING OF THE  
BENBROOK CITY COUNCIL  
THURSDAY, NOVEMBER 17, 2005**

The regular meeting of the Benbrook City Council was held on Thursday, November 17, 2005 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:

Dave Gattis, Assistant City Manager  
Joanna King, City Secretary  
Andy Wayman, Assistant City Manager  
Phyllis Wolfe, IT Coordinator  
Dawn Konieczny, Police Adm. Manager

Others Present:

Dorcas Neuman, Benbrook News  
Commander James Mills  
Bill Smith  
Daniel Tully  
Brian Childers  
Sam Balkum  
Gary Hankins  
Julie Haines  
Two Government Students from TCC

**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 a member of University Park Church.  
The Pledge of Allegiance was recited.

### III. MINUTES

#### 1. Minutes of the regular meeting held November 3, 2005

Motion by Mr. Stowe, seconded by Mr. Allison, to approve the minutes of the November 3, 2005 regular meeting 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. PRESENTATION BY PLANNING AND ZONING COMMISSION

#### **PZ-2005-04 Approval of Land Use Plan Amendment for Planning Area "A" (Team Ranch Development area, west of U.S. Highway 377/Benbrook Blvd., north of Union Pacific Railroad, east of IH20/Loop 820, and south of Mary's Creek) – Action Delayed from October 20, 2005**

Mr. Gattis gave the following report: This item was postponed from the October 20, 2005 council meeting following a public hearing. The applicant is requesting a change in the Land Use Plane from "High Density Multifamily" to "Community Facilities". Community Facilities includes public and quasi-public activities such as government buildings, schools, and churches. The proposed change is necessary for a church to be built on a 14-acre site at the corner of Bluestem Drive and the Loop 820 frontage road.

The proposed use does not create undue conflict with adjacent uses. The proposal will alter the timing and volume of traffic, but adjacent roads are sufficient.

After holding a public hearing, the Planning and Zoning Commission unanimously recommends approval of the amendment to the Land Use Plan as part of the Comprehensive Plan.

Motion by Mr. Allison, seconded by Mr. Bailey to approve the amendment to the Land Use Plan as part of the Comprehensive Plan.

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.

**PZ-2005-05 Ordinance Rezoning Block 1, Team Ranch Phase 1A from “D” Multiple Family District to “CF” Community Facilities District (Northeast of the intersection of Bluestem Drive and Loop 820) Action Delayed from October 20, 2005**

Mr. Gattis gave the following report: This item was postponed from the October 20, 2005 City Council meeting following public hearing. The rezoning application submitted is in conjunction with the Land Use Plan amendment adopted by City Council.

The Religious Land Use and Institutionalized Persons Act of 2002 states that no government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly or institution is:

- (a) in furtherance of a compelling governmental interest; and
- (b) is the least restrictive means of furthering that compelling governmental interest.

After holding a public hearing, the Planning and Zoning Commission unanimously recommends that City Council adopt the ordinance rezoning 13.95 acres from “D” Multiple Family District to “CF” Community Facilities District.

Motion by Mr. Allison, seconded by Mr. Schull to adopt Ordinance No. 1198 rezoning 13.95 acres from “D” Multiple Family District to “CF” Community Facilities District.

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.

**Ordinance No. 1198 being: "AN ORDINANCE AMENDING ORDINANCE NO. 808, AS AMENDED, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF BENBROOK, BY CHANGING THE ZONING CLASSIFICATION OF BLOCK 1, TEAM RANCH PHASE 1A, IN THE CITY OF BENBROOK, TARRANT COUNTY, TEXAS, FROM “D” MULTIPLE FAMILY DISTRICT TO “CF” COMMUNITY FACILITIES DISTRICT AND BY AMENDING THE OFFICIAL ZONING MAP TO**

**REFLECT THE CHANGE; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.”**

Section 1.

Ordinance No. 808, as amended, is hereby amended to change the zoning classification of Block 1, Team Ranch Phase 1A from “D” Multiple Family District to “CF” Community Facilities District.

Section 8

This Ordinance shall be in full force and effect from and after its passage, and it is so ordained.

**VII. REPORTS OF CITY MANAGER**

**A. GENERAL**

**C-217 Contract for Wireless Communications Consultant**

Phyllis Wolfe gave the following report: On September 15, 2005, City Council approved a contract for a wireless communications consultant through Comport Network Services and Solutions. The contract was to determine the needs and objectives for wireless communications in conjunction with the Benbrook Water Authority.

Having identified the objectives and needs for both entities, the next step is to issue a Request for Proposal to vendors. This approach will ensure vendor neutrality and will allow the BWA and City to proceed on definitive written proposals.

The RFP will determine those service providers who offer:

- Single vs. Multi-bank networks
- An expense neutral position
- Revenue sharing, and
- Determine level of customer support

The proposal compensates CNS2 for services pertinent to the development and issue of an RFP for Wireless Services, as well as vendor review/recommendation. CNS2 estimates this project will take 40-60 hours with the City and BWA splitting the cost. BWA approved the project cost at their November 15, 2005 Board meeting.

The approximate timeline for the project is:

- Prepare RFP’s and email to the working committee by November 23, 2005

- Working committee will meet to finalize the RFP on November 29, 2005
- Publicize notice/issue RFP by December 7, 2005
- Open bids on December 21, 2005
- Review proposals and make recommendations to BWA and City Council in January 2006

Staff recommends City Council authorize the City Manager to execute the contract with CNS2 for the wireless project at a cost not to exceed \$4,000.

Motion by Mr. Vander Pan, seconded by Mr. Schull to authorize the City Manager to execute the contract with CNS2 for the wireless project at a cost not to exceed \$4,000 to be charged to account 01-1501-5219.

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.

**B. PURCHASE**

**P-247 Purchase Police Vehicles**

Dawn Konieczny gave the following report: For the 2005-2006 budget, City Council approved \$102,500 for the purchase of four (4) 2006 police package patrol vehicles. Only Ford Motor Company produces a police package vehicle that meets the bid specifications set forth by the City.

Through cooperative purchasing programs, the City received bids from Buyboard, Tarrant County Cooperative Joint Venture, and Houston-Galveston Council of Governments. The bids include:

- The cost of a 3-year/75,000 mile premium care extended warranty (normally purchased for the new police vehicles)
- All purchasing fees.

The following bids were received for four 2006 Police Package Vehicles

<u>Make/Model</u>	<u>Cost/Unit</u>	<u>Total</u>
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Buyboard	Ford Crown Victoria	\$23,604	\$94,416
Houston/Galveston Council of Governments	Ford Crown Victoria	\$24,047	\$96,188
Tarrant County Cooperative Joint Venture	Ford Crown Victoria	\$24,577	\$98,308

Buyboard provided the lowest bid for the vehicles.

Staff recommends that the City Council approve the purchase of four (4) 2006 police package vehicles from the low bidder, Buyboard, in the total amount of \$94,416.

Motion by Mr. Vander Pan, seconded by Mr. Sauma to approve the purchase of four (4) 2006 police package vehicles from the low bidder, Buyboard, in the total amount of \$94,416, to be charged to account number 01-3103-5433.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

**VI. OTHER MATTERS OF BUSINESS**

**VII. INFORMAL CITIZEN PRESENTATION**

**VIII. EXECUTIVE SESSION**

**Pursuant to Texas Government Code Section 551.072 – Deliberation regarding Real Property**

**1. Acquisition of 913 Timberline Drive**

Mayor Dittrich recessed the regular meeting at 7:50 p.m. to conduct the executive session.

**IX. RECONVENE INTO REGULAR SESSION**

**Necessary Action from Executive Session**

Mayor Dittrich reconvened the regular session at 8:05 p.m.

Motion by Mr. Stowe, seconded by Mr. Schull to approve the purchase of 913 Timberline Drive at a cost of \$121,000 from excessive drainage funds and to split the closing cost 50/50.

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.

**X. ADJOURNMENT**

Meeting adjourned at 8:08 p.m.

**APPROVED:**

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**Jerry B. Dittrich, Mayor**

**ATTEST:**

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**Joanna King, City Secretary**