

**AGENDA
BENBROOK CITY COUNCIL
THURSDAY, FEBRUARY 1, 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 – Ryan Justice with Trinity Hills Baptist Church
PLEDGE OF ALLEGIANCE**

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 January 18, 2007
2. Interlocal Agreement for Cooperative Purchasing with City of Joshua

IV. OATH OF OFFICE TO NEWLY APPOINTED POLICE CHIEF

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
2. John Vander Pan – Presentation on Veteran’s Parkway

VI. PRESENTATION BY PLANNING AND ZONING COMMISSION

- PZ-2007-01 Adopt Update of Section 8-Community Facilities of the Comprehensive Plan
- PZ-2007-02 Adopt Update of Section 17-Capital Improvements of the Comprehensive Plan

VII. 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

B. PURCHASE

- P-253 Flooring for City Hall

VIII. OTHER MATTERS OF BUSINESS

IX. INFORMAL CITIZEN COMMENTS

X. ADJOURNMENT



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, JANUARY 18, 2007**

The regular meeting of the Benbrook City Council was held on Thursday, January 18, 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

Also Present:

Andy Wayman, City Manager
Joanna King, City Secretary
Dave Gattis, Deputy City Manager
David Ragsdale, Comptroller
Sam Horan, Police Chief

Others Present:

Dorcas Neuman, Benbrook News
Ed Gallagher
Charles Staples
Carroll Larson
John Midgley
David O'Connell
Rick Mounce
Doug Moore
Bill Smith
Daniel Tully
and 3 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. Bill Smith.
The Pledge of Allegiance was recited.

III. MINUTES

1. Minutes of the regular meeting held December 21, 2006

Motion by Mr. Allison, seconded by Mr. Sauma to approve the minutes of the regular meeting held December 21, 2006 as presented.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

2. Minutes of the regular meeting held January 4, 2007

Motion by Mr. Stowe, seconded by Mr. Schull to approve the minutes of the regular meeting held January 4, 2007.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

IV. PROCLAMATION, AWARDS, RECOGNITION

1. Proclamation – Nurse Anesthetist Week

Mayor Dittrich read a proclamation establishing January 21-27, 2007 as Nurse Anesthetist Week.

V. CITIZEN PRESENTATION

1. Charles Staples – Request for New Storm Drainage System inside the Corps of Engineers Property on the North Side of Winscott Road

Mr. Charles Staples, 1100 Mildred Lane spoke on behalf of residents living along Mildred Lane. Mr. Staples showed City Council a slide presentation of recent flooding to several homes along Mildred Lane. He stated the residents are requesting the City Council meet with the Corps of Engineers, the Tarrant Regional Water District to develop a storm drainage system on the Corps of Engineers property located on the North Side of Winscott Road to control the water runoff.

Mr. Gattis recommended that City Council allow City staff to evaluate the drainage situation in the area and bring back options for City Council review.

Discussion followed with consensus that City staff work with the Corps of Engineers and Tarrant Regional Water District to find a solution to the flooding.

V. PRESENTATION BY MAYOR AND MEMBERS OF CITY COUNCIL

1. Adopt Resolution Calling May 12, 2007 General Election

Joanna King gave the following report: The resolution before City Council is required by State law and the Benbrook Home Rule Charter to conduct an election for the positions of Mayor, Place 1; Member of the Council, Place 3; Member of the Council, Place 5; and Member of the Council, Place 7. The election is scheduled for May 12, 2007 and the resolution sets forth the election precinct polling places, provides for Election Judges and set the requirements for early voting both in person and by mail.

It should be noted that staff has become aware that Tarrant County may also be holding an election on May 12, 2007. Staff believes that this is a contracted election for the Fort Worth Independent School District. If that is the case, staff will be in contact with Tarrant County Elections Administrator for information in joining the election. Joint elections are a way to provide cost savings to citizens as well as limiting the number of polling places a voter may need to visit on Election day. Staff will keep City Council informed of any information received.

Motion by Mr. Vander Pan, seconded by Mr. Schull to adopt Resolution No. 2007-01 calling the May 12, 2007 General Election.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

Resolution 2007-01 being

2. Confirmation of Appointment to Police Chief

Mr. Wayman advised City Council that Police Chief Sam Horan has made the decision to retire from the City of Benbrook. When this announcement, it became necessary to make a new appointment to the position. He stated he has appointed James Mills, Assistant Police Chief with the Benbrook Police Department to fill this vacancy and asked that City Council confirm the appointment.

Motion by Mr. Allison, seconded by Mr. Stowe to confirm the appointment of Mr. James Mills as the Police Chief.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

VII. PRESENTATION BY PLANNING AND ZONING COMMISSION

VIII. REPORTS OF CITY MANAGER

A. GENERAL

G-1677 Financial Report for Quarter Ending December 31, 2006

David Ragsdale and Joanna King gave the following report: General Fund revenues through the end of the first quarter totaled \$2,768,669 or 23% of budget. Property tax produced almost 72% of total revenues.

Revenues collected through the end of the first quarter were \$652,005 less than the amount received during the same period in the prior year. All this decrease is due to the timing of property tax receipts.

General Fund expenditures through the end of the quarter totaled \$2,867,323 or 24% of budget. No departments are over expended at this time. Expenditures exceed revenues by \$98,654.

Debt Service Fund revenues received through the end of the quarter totaled \$346,031. There were no expenditures during the quarter.

Benbrook Economic Development Corporation revenues were \$172,418, with most of this amount coming from sales tax. EDC expenditures were \$174,483 with the largest expenditures going toward salaries and interest on outstanding loans.

Capital Projects had no revenues. Capital Projects expenditures were \$150,788.

There were no Special Assessments revenues and expenditures were \$38,720. This entire amount was for refunds of escrow deposits held by the City.

At December 31, 2006, the City had \$10,350,783 invested at varying interest rates.

Motion by Mr. Stowe, seconded by Mr. Vander Pan to accept the quarterly financial report for the quarter ended December 31, 2006.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

G-1678 Quarterly Hotel/Motel Tax Report

Joanna King gave the following report: Revenue collections for the period ending December 31, 2006 amounted to \$34,962. Bed tax made up \$33,137 of this amount and interest provided \$1,825.

The Benbrook Chamber submitted \$11,555 in expenses. Expenses included the visitor center salary of \$8,328, overhead charges of \$1,254 and event advertising of \$1,973.

VSA submitted a report without any documentation to support their expenses. Staff informed VSA of the problem and reimbursement will only be made after all supporting documentation is submitted.

Motion by Mr. Vander Pan, seconded by Mr. Sauma to approve the quarterly Hotel/Motel Tax report as presented.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

G-1679 Amendments to City Council Rules and Procedures

Joanna King gave the following report: On January 10, 2007, City Council met in worksession to discuss amendments to City Council Rules and Procedures. After receiving comments from City Council, staff made the requested changes as proposed in Administrative Regulation CC-1.

The proposed changes can be found in:

Section 4.2.1 Information Required for Citizen Presentation. Information has been added allowing the City Manager to either grant or deny the request based on information provided by the requestor. In the event a request is denied, the City Manager shall provide written notice to the requestor stating the reason for the denial.

Section 6. Citizen Presentation. The amendment limited the presentation to not more than ten minutes. However, additional time may be extended by a majority of Councilmembers.

Section 7. Enforcement of Decorum. Prior to information regarding warnings and removal, verbiage has been added to the procedures outlining what is expected of persons in attendance at City Council meetings. Those procedures state:

Persons in attendance of City Council meetings shall:

1. Respect that the City Council represents all Benbrook citizens.
2. Observe written rules of order.
3. Wait until recognized by the Presiding Officer to speak.
4. Listen with an open mind when others are speaking.
5. Address the merits of the issue.
6. Avoid personal attacks on members of City Council, City staff and others in the audience.

Motion by Mr. Sauma, seconded by Mr. Vander Pan to approve the revised City Council Rules and Procedures Administrative Regulation CC-1.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

**G-1680 Public Hearing and Determination on 33rd Year
Community Development Block Grant Application**

Dave Gattis gave the following report: Benbrook has received over \$2,900,000 in Community Development Block Grant funds since 1975. The funds must be used to benefit low or moderate income residents, senior citizens or the handicapped.

The 31st year funds were used to construct sidewalks on Del Rio and San Saba. The 32nd year funds will be used to construct a larger culvert on Timber Creek at Childers. Funding is approximately \$95,000 and must result in a usable project at the end of the year.

Potential projects for the 33rd year project include:

1. Enlarge channel between Childers Avenue and Wade Hampton
2. Enlarge culvert at Wade Hampton Street
3. Enlarge culvert at Usher Street
4. Use to pay for elderly and handicapped transit services
5. Construct additional sidewalks in target area
6. Pave alley between Mercedes and Cozby North Street

City Council tentatively designated Childers channel as the 33rd Year project. However, Tarrant County now says that flood protection is not a valid objective of the CDBG program.

Staff is recommending that City Council designate construction of additional sidewalks in the target area as the 33rd Year project.

Mayor Dittrich declared the public hearing open at 8:23 p.m. No one spoke to the item. Mayor Dittrich closed the hearing at 8:24 p.m.

Motion by Mr. Stowe, seconded by Mr. Vander Pan to designate construction of additional sidewalks in the target area, pending results of staff survey, as the 33rd Year project and authorize staff to prepare application.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

G-1681 Approve Settlement with Don Musgrove for Drainage Easement for Plantation West Creek Project

Mr. Gattis gave the following report: The Plantation West Creek project required 17 additional easements from property owners to be able to construct the drainage improvements. As of December, the City had obtained all but one of the required easements.

Condemnation proceedings were initiated against Don Musgrove, 4304 Twilight Drive South, to obtain the final easement. Mr. Musgrove had rejected our best and final offer of \$10,400, based on a property appraisal. The hearing was originally scheduled for December 7, 2006, but was postponed until January 8, 2007 at the request of Mr. Musgrove's attorney. In the week prior, Musgrove's attorney and the City Attorney began discussing a possible settlement to avoid proceeding to condemnation.

The agreement reached includes a financial offer of \$15,000 in return for the signed drainage easement and a right-of-entry agreement to allow work to continue until all the paper work is completed. Agreeing to the settlement will provide some savings to the City in court costs, attorney fees and expert witness expenses.

Staff plans to open bids on the project on January 31, 2007 with construction to start in March.

Motion by Mr. Schull, seconded by Mr. Allison to ratify the settlement agreement with Don Musgrove for the drainage easement.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

IX. OTHER MATTERS OF BUSINESS

X. INFORMAL CITIZEN COMMENTS

The following citizens spoke regarding the drainage system request on Mildred Lane urging City Council to proceed with the project:

John Midgley, 1208 Mildred Lane
David O'Connell, 1204 Mildred Lane
Rick Mounce, 1206 Mildred Lane
Doug Moore, 1207 Mildred Lane

XI. ADJOURNMENT

Meeting adjourned at 8:49 p.m.

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 02/01/07	REFERENCE NUMBER: CA-2	SUBJECT: Interlocal Agreement for Cooperative Purchasing with City of Joshua	PAGE: 1 of 1
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BACKGROUND

The Texas Local Government Code allows cities to enter into interlocal agreements for the purpose of jointly performing governmental functions. Benbrook participates in multiple interlocal agreements including mutual aid (Tarrant County), garbage billing (BWSA), and cooperative purchasing (Buyboard and HGAC).

INTERLOCAL AGREEMENT WITH COLLEYVILLE

Recently, the City of Joshua asked Benbrook to enter into an interlocal agreement for cooperative purchasing. Specifically, Joshua intends to utilize Benbrook's outstanding low bid on the warning siren system. In the future, Benbrook may utilize a bid received by Joshua for a similar purchase if it represents a significant cost savings.

The Interlocal agreement represents no cost or liability to Benbrook. In addition, the City's purchasing policy still applies to all purchases. Therefore, City Council will continue to have final approval authority for all major purchases.

RECOMMENDATION

Staff recommends that City Council approve the interlocal agreement for cooperative purchasing with the City of Joshua.

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: 02/01/07	REFERENCE NUMBER: PZ-2007-01	SUBJECT: Adopt Update of Section 8-Communities Facilities of the Comprehensive Plan	PAGE: 1 of 2
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**G – 07 – 01 STAFF REPORT
TO PLANNING AND ZONING COMMISSION
JANUARY 11, 2007**

BACKGROUND

This past summer, Jim Wilson and Kyle Carr of the Lockheed Martin Bicycle Club requested the establishment of an on-road bicycle route/lane network in Benbrook, starting with Winscott Road. The Winscott Road bike route was approved by City Council and signs were erected.

BIKE ROUTE AND LANE PLAN

Currently, an *off-road bike path plan* is included in the Benbrook Comprehensive Plan. This off-road plan primarily involves the construction of dedicated bike paths networked throughout Benbrook. In the last bond election, the voters did not approve the initial phase of the bike path along Winscott Road between Memorial Oaks Park and the Benbrook Community Center/YMCA.

Currently, the Benbrook Comprehensive Plan does not include an *on-road bike route/lane plan*. The proposed plan utilizes the City's existing street network to facilitate recreation and transportation by bicycle. The plan includes bike routes and bike lanes. Bike routes are delineated by green "bike route" signs at ¼ mile intervals plus signage on major streets feeding into the bike route. Bike lanes are dedicated specifically for bicyclists and are delineated by a solid white line adjacent to the curb with pavement markings and signage. Obviously, bike lanes are only possible on roadways with sufficient width.

The proposed bike route/lane plan was developed in conjunction with Benbrook residents Jim Wilson and Kyle Carr of the Lockheed Martin Bicycle Club. It is important to note that the roadways are already utilized by bicyclists. The plan recognizes the existing use, establishes a blueprint for adding signage and pavement markings, and provides an additional marketing opportunity for the City of Benbrook. The net effect of the route/lane system is improved safety for bicyclists. In addition, the plan encourages and facilitates alternate (and emission free) transportation.

Roadways included in the bike route/lane plan include Winscott Road, Sproles Drive, Vista Way, Westpark Drive, RM 2871, Jerry Dunn Parkway, Rolling Hills Drive, Benbrook Boulevard, Timbercreek Drive, Timberline Drive, San Saba Avenue, Mercedes Street, I-20 Frontage Road, Benbrook Parkway, Williams Road, Chapin Road, Team Ranch Road, Veterans Parkway, Cook Ranch Road and Bellaire Drive.

RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend that the City Council adopt the revised Section – 8 Community Facilities as part of the Comprehensive Plan.

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

DATE: 02/01/07	REFERENCE NUMBER: PZ-2007-01	SUBJECT: Adopt Update of Section 8-Communities Facilities of the Comprehensive Plan	PAGE: 2 of 2
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**UNAPPROVED MINUTES
PLANNING AND ZONING COMMISSION
JANUARY 11, 2007**

G – 07 – 01 Consider Update of Section 8 – Community Facilities
of the Comprehensive Plan

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

Ed Gallagher said the update to Section 8 – Community Facilities of the Comprehensive Plan is presented by Staff as the applicant. The update regarding bike routes was actually generated Jim Wilson and Kyle Carr of the Lockheed Martin Bicycle Club.

Jim Wilson, 7205 Royal Oak Drive, Benbrook, Kyle Carr, 7500 Whitestone Ranch Road, Benbrook, each spoke on the benefits of the proposed bike route update to Section 8 of the Comprehensive Plan. The update would include an on-road bike route/lane plan and utilize the City's existing street network to facilitate recreation and transportation by bicycle.

The net effect of the route/lane system is improved safety for bicyclists. In addition, the plan encourages and facilitates alternate (and emission free) transportation. Roadways included in the bike route/lane plan include Winscott Road, Sproles Drive, Vista Way, Westpark Drive, RM 2871, Jerry Dunn Parkway, Rolling Hills Drive, Benbrook Boulevard, Timbercreek Drive, Timberline Drive, San Saba Avenue, Mercedes Street, I-20 Frontage Road, Benbrook Parkway, Williams Road, Chapin Road, Team Ranch Road, Veterans Parkway, Cook Ranch Road and Bellaire Drive.

The Chair asked for any comments or questions from the Commission. There being none, the Chair opened the public hearing at 9:22 p.m. and asked if anyone wished to speak for or against the item. John Richie, 1103 Sproles Drive, Benbrook, and Ted Avila, 1429 Timberline Drive, Benbrook, each spoke in support of the update.

The Chair closed the public hearing at 9:25 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 update of Section 8 – Community Facilities of the Comprehensive Plan. Second by Dr. Marshall. The Chair called the question.

Vote on the Motion:

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

Noes: None

Motion carried 8 – 0



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 02/01/07	REFERENCE NUMBER: PZ-2007-02	SUBJECT: Adopt Update of Section 17-Capital Improvements of the Comprehensive Plan	PAGE: 1 of 3
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**G – 07 – 02 STAFF REPORT
TO PLANNING AND ZONING COMMISSION
JANUARY 11, 2007**

The Capital Improvements Plan is a forecast and scheduling of public physical improvements for the next five years and beyond. The City Charter requires that the Capital Improvements Plan be updated every year. The CIP was last updated in February 2006.

The changes included in this year’s plan include:

- Updated status of ongoing CIP projects (Table 17.2)
- Updated bonding capacity analysis (Table 17.3)
- Updated evaluation of street condition and revised street priorities (Table 17.10)
- 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.

Because the City has gradually converted monies that previously went to debt service to general Fund activities and to tax reductions, the proportion of total revenues that has been allocated to debt service has declined since 1995. Therefore, the staff has projected future bonding capacity using nine percent of total revenues, rather than 20 percent. The Commission will note that as we complete the current bond projects and pay off previous indebtedness, we will have no capacity to sell additional bonds over the next five years without exceeding the nine percent target.

RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend that the City Council adopt the revised Section 17-Capital Improvements as part of the Comprehensive Plan.

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**UNAPPROVED MINUTES
PLANNING AND ZONING COMMISSION
JANUARY 11, 2007**

G – 07 – 02 Consider Update of Section 17 – Capital Improvements of the Comprehensive Plan

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

DATE: 02/01/07	REFERENCE NUMBER: PZ-2007-02	SUBJECT: Adopt Update of Section 17-Capital Improvements of the Comprehensive Plan	PAGE: 2 of 3
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The Chair introduced the item and asked for a presentation from Staff.

Ed Gallagher said the Capital Improvements Plan (CIP) is a forecast and scheduling of public physical improvements for the next five years and beyond. The City Charter requires that the Capital Improvements Plan be updated every year and it was last updated and approved by City Council in February 2006.

Mr. Gallagher said this year's plan includes the status of ongoing CIP projects and bonding capacity analysis. Also included are the updated evaluations of street conditions, revised street priorities, and updated project costs

The projects included in the CIP are the two remaining drainage projects, Plantation West Creek and Plantation East Creek, from the 2004 bond election. Mr. Gallagher said the Plantation West Creek project is expected to be bid toward the end of this month. Easements are being acquired for the Plantation East Creek project.

Mr. Gallagher said, because the City has gradually converted monies that previously went to debt service to general fund activities and to tax reductions, the proportion of total revenues that has been allocated to debt service has declined since 1995. Therefore, the staff has projected future bonding capacity using nine percent of total revenues, rather than 20 percent. The Commission will note that as we complete the current bond projects and pay off previous indebtedness, the City will have no capacity to sell additional bonds over the next five years without exceeding the nine percent target.

Staff recommends that the Planning and Zoning Commission recommend that the City Council adopt the revised Section 17-Capital Improvements as part of the Comprehensive Plan.

The Chair asked for any comments or questions from the Commission.

Dr. Marshall asked Staff why the percentage dropped on the amount of funds dedicated to fund indebtedness.

Dave Gattis, Deputy City Manager, said that in the past, the City's debt service constituted about 20 percent of total revenues. As the City has paid off bonds, the debt service went down. Over the past 10 years or more, the general fund portion gradually ate up that amount of tax rate, or Council has lowered the tax rate. Mr. Gattis said that is why the City is down to only nine percent of revenues going to debt service and the rest going to the general fund.

Mr. Gattis said if the City wanted to sell additional bonds now, taxes would have to be raised. The ideal is, as previous bonds are paid off, there is a little bit of increment to sell bonds without having to raise taxes, but the City instead has decided to use that money for something else.

There being no further comments or questions from the Commission, the Chair opened the public hearing at 9:32 p.m. and asked if anyone wished to speak for or against the item. There being none, the Chair closed the public hearing at 9:33 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 update of Section 17 – Capital Improvements of the Comprehensive Plan. Second by Dr. Marshall. The Chair called the question.

Vote on the Motion:

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

DATE:

02/01/07

REFERENCE
NUMBER:

PZ-2007-02

SUBJECT:

Adopt Update of Section 17-Capital Improvements
of the Comprehensive Plan

PAGE:

2 of 3

Noes: None

Motion carried 8 – 0



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 02/01/07	REFERENCE NUMBER: G-1682	SUBJECT: Adopt Ordinance Amending Section 8.48 of the Benbrook Municipal Code to Allow Certain Exceptions to the Smoking Ordinance for a One Year Period	PAGE: 1 of 2
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BACKGROUND

On August 17, 2006, City Council amended Section 8.48 of the Benbrook Municipal Code, banning smoking in all public buildings. Exceptions to the smoking ban were discussed at several subsequent work sessions and City Council Meetings

PROPOSED AMENDMENT

The proposed amendment is based on City Councils direction and is noted below:

8.48.025 Exceptions

A. For a period of one year from enactment of this Ordinance, this Chapter shall not apply to an existing bar, nightclub, billiard hall, bowling center, bingo facility operated under the Bingo Enabling Act, Chapter 2001 of the Occupations Code, and a facility operated by a private fraternal veterans organization with a bar, provided the premises is controlled exclusively by the organization; if:

- (1) An enclosed non-smoking area is provided;
- (2) The smoking area is mechanically ventilated to prevent smoke from entering a non-smoking area;
- (3) A separate outside entrance/exit is provided for smoking and non-smoking areas;
- (4) No one under the age of 18 is admitted to the smoking area; and
- (5) A sign is located at the entrance to the non-smoking area which states: "Designated No-Smoking Area by City Ordinance."

CITY ATTORNEY REVIEW

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

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

DATE: 02/01/07	REFERENCE NUMBER: G-1682	SUBJECT: Adopt Ordinance Amending Section 8.48 of the Benbrook Municipal Code to Allow Certain Exceptions to the Smoking Ordinance for a One Year Period	PAGE: 2 of 2
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RECOMMENDATION

City Staff recommends that City Council consider the proposed amendment to the Benbrook Municipal Code, Section 8.48.



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 02/01/07	REFERENCE NUMBER: P-253	SUBJECT: Flooring for City Hall	PAGE: 1 of 1
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BACKGROUND

The carpeting in the high traffic areas of City Hall is faded, stained and matted. City staff has unsuccessfully attempted (on numerous occasions) to clean and rehab the carpet.

NEW FLOORING

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 areas of the building would greatly enhance the “spruce up” 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 similar to the recent Benbrook Water Authority renovation. In addition to an improved appearance, the tile would require less maintenance. The cost of flooring replacement is \$16,896 or approximately \$4.20 per square foot.

Carpeting in offices and conference rooms is in serviceable condition but will need to be replaced in a couple of years.

FUNDING OPTIONS

The City can (1) fund the replacement with reserves and make a requisite budget adjustment or (2) budget for the replacement for FY 2007/2008 and replace the flooring after October 1, 2007.

RECOMMENDATION

City Staff recommends that City Council approve the replacement of carpet in the public areas of City Hall with reserve funds and make the requisite budget adjustment

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