



**MINUTES
OF THE MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY,
MAY 7, 2009**

The regular meeting of the Benbrook City Council was held on Thursday, May 7, 2009 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Jerry Dittrich
Keith Bailey
Mark Washburn
Ron Sauma
Dan Tully

Also Present:

Andy Wayman, City Manager
Joanna King, City Secretary
Cathy Morris, Public Involvement Director
Bob Rowley, City Engineer
Marie Hart, Intern

Others Present:

Ed Gallagher, City Planner
Bill Smith
Jim Wilson
Pamela Brandenburg
Vernon Gatlin
Larry Stowe
Mr. and Mrs. Bob Clark
Jess Jordan
Wayne Spence
and approximately 27 members of the American
Legion Riders – Paul Mansir Post #297

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 Reverend Eloy Gonzales with Trinity Hills Baptist Church
The Pledge of Allegiance was recited.

III. MINUTES

1. Minutes of the regular meeting held April 16, 2009

Motion by Mr. Tully, seconded by Mr. Sauma to approve the minutes of the regular meeting held April 16, 2009.

Vote on the Motion:

Ayes: Mr. Bailey, Mayor Dittrich, Mr. Tully, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

IV. PROCLAMATION/AWARD/RECOGNITION

1. Proclamation – Motorcycle Safety and Awareness Month

Mayor Dittrich presented Mr. Wayne Spence and members of American Legion Paul Mansir Post #297 Legion Riders with a Proclamation designating May 2009 as Motorcycle Safety and Awareness Month. Proclamation urging citizens to become aware of the inherent danger involved in operating a motorcycle and to give the operator the respect on the road that they deserve.

Mr. Spence presented the Benbrook City Council with a Certificate of Appreciation in recognition and appreciation of outstanding service and assistance to the American Legion Riders.

2. Proclamation – National Day of Prayer

Mayor Dittrich read a Proclamation recognizing May 7, 2009 as National Day of Prayer and urged Benbrook citizens to observe this day as intended by our Country's forefathers.

V. REPORTS OF CITY MANAGER

A. GENERAL

G-1839 Authorize Interlocal Agreement for Tarrant County Transportation Services

Marie Hart gave the following report: In March 2005, City Council authorized initial participation in the Fort Worth Transportation Authority's Tarrant County Transportation Services program.

Benbrook's current annual agreement with the "T" expires on May 31, 2009 and must be renewed to participate in the program for another year.

The TCTS program provides transit services to residents age 55 or older, or who have a disability at a subsidized fare of \$2.50 for one-way trips (on a first-come, first-serve basis). The City's cost for program participation is \$7,529 and funds are budgeted annually for this expense.

Ridership averages 56 one-way trips per month, reflecting an increase of approximately 15 trips per month from the previous year of participation.

Motion by Mr. Tully, seconded by Mr. Sauma to approve participation in the Tarrant County Transportation Services program for elderly and disabled residents at a cost of \$7,529.

Vote on the Motion:

Ayes: Mayor Dittrich, Mr. Tully, Mr. Washburn, Mr. Sauma, Mr. Bailey

Noes: None

Motion carries unanimously.

G-1840 Resolution adopting Identity Theft Program/Policy

Joanna King gave the following report: The Federal Trade Commission, Federal Bank Regulatory Agencies, and the National Credit Union Administration have issued regulations requiring financial institutes and creditors to develop and implement written identity theft prevention programs.

This program is part of the Fair and Accurate Credit Transactions (FACT) Act of 2003. The Red Flag Rule applies to financial institutes and creditors with "covered accounts". A "covered account" is an account used mostly for personal, family, or household purpose and that involve multiple payments or transactions.

The City of Benbrook Ambulance Billing function services these types of accounts and falls within this Federal mandate.

Staff has created Administrative Regulation F-6, Identity Theft Program/Policy to meet the guidelines of the mandate. This policy applies to all City employees and service providers that have access to the EMS customer's personal information.

Motion by Mr. Washburn, seconded by Mr. Bailey to adopt the Resolution adopting Administrative Regulation F-6 Identity Theft Program.

Vote on the Motion:

Ayes: Mr. Tully, Mr. Washburn, Mr. Sauma, Mr. Bailey, Mayor Dittrich

Noes: None

Motion carries unanimously.

Resolution No. 200-06 being **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENBROOK, TEXAS, ADOPTING A WRITTEN IDENTITY THEFT PROGRAM POLICY AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGES IN THE POLICY”**

B. CONTRACT

C-245 Consider Bids and Award Contract for Plantation East Creek Drainage Improvements

Bob Rowley gave the following report: The Plantation East Creek drainage project consists of channel improvements from the upstream side of Plantation Drive to a point near the south end of Tara Drive where diversion box culvers connect to Plantation East Creek. The objective of the project is to increase the drainage capacity of the creek, mitigate erosion and remove homes from the floodplain. A projected 15 to 20 residences will be removed from the floodplain.

Sealed bids were received and publicly opened on April 22, 2009. Bids ranged in price from \$1,090,537.50 to \$1,630,141.00.

Linder Construction Company, Inc. was the low bidder. The design engineer recommends the City award the contract to the low bidder. This contractor recently completed the Plantation West drainage project. Staff was pleased with Linder's work.

Motion by Mr. Sauma, seconded by Mr. Washburn to award the project to the low bidder, Linder Construction, in the amount of \$1,090,537.50.

Vote on the Motion:

Ayes: Mr. Washburn, Mr. Sauma, Mr. Bailey, Mayor Dittrich, Mr. Tully

Noes: None

Motion carries unanimously.

VI. INFORMAL CITIZEN COMMENTS

VII. ADJOURNMENT

Meeting adjourned at 7:58 P.M.

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary