



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, JULY 19, 2007**

The regular meeting of the Benbrook City Council was held on Thursday, July 19, 2007 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Jerry Dittrich
Keith Bailey
Ron Sauma
Rickie Allison
Dan Tully

Also Present:

Andy Wayman, City Manager
Joanna King, City Secretary
Dave Gattis, Deputy City Manager
David Ragsdale, Comptroller

Others Present:

Dorcas Neuman, Benbrook News
Ed Gallagher, City Planner
Cathy Morris, Administrative Analyst
James Mills, Police Chief
Walter Shumac, Public Service Director
Ray Parker, Animal Control Officer
Bill Smith
George Sauma
Anthony Sauma
Brian Hayden
Beth Ann Gregory
Pat Dunkin
John and Charlotte Vander Pan
Joan Chew
David and Lisa Holmes
Sanjiv Shah
Members of Boy Scout Troop No. 50
Members of 4PAWS

I. CALL TO ORDER

Meeting called to order at 7:30 p. m. by Mayor Dittrich.

**II. INVOCATION
PLEDGE OF ALLEGIANCE**

Invocation given by Dr. Larry Sanders with Trinity Hills Baptist Church
The Pledge of Allegiance was recited.

III. PROCLAMATION/AWARDS/RECOGNITION

1. Proclamation Recognizing 4PAWS 1000th Adoption

Mayor Dittrich presented Pat Dunkin, founding member of 4PAWS with a proclamation recognizing their recent adoption of its 1,000th animal and for their continued dedication and support to the City of Benbrook.

V. PRESENTATION BY PLANNING AND ZONING COMMISSION

PZ-2007-06 Adopt Land Use Plan amendments of the Comprehensive Plan for Planning Area "D", deleting Mixed Use Village and increasing Commercial and High density Multi Family land uses (west side of U.S. Highway 377/Benbrook Boulevard, north and south of Mercedes Street, and south of 120/Loop 820)

PZ-2007-07 Consider rezoning of 137.172 acres of land in the C.A. Kuykendall Survey Abstract Number 890, the J.M. Evans Survey Abstract Number 466, the H. Covington Survey Abstract Number 257, and the J. Stephens Survey Abstract Number 1494 (northwest of U.S. Highway 377/Benbrook Boulevard, southwest of I20/Loop 820, north of Westpark Section Two, Summit on the Ridge Apartments and Summit Ridge Apartments)

Mayor Dittrich announced that both items were being continued until later meeting at request of applicant.

VI. REPORTS OF CITY MANAGER

A. GENERAL

G-1710 Financial Report for quarter ending June 30, 2007

David Ragsdale gave the following report: General Fund revenues through the end of the quarter totaled \$10,601,042. Total collections were 88% of the original amount budgeted. Revenue collected through the end of the second quarter were \$618,914.

General Fund expenditures through the end of the quarter totaled \$8,510,571 or 70.76% of budgeted expenditures. No departments are over expended at this time. Revenues exceed expenditures by \$2,090,471.

Revenues received through the end of the quarter for the Debt Service Fund totaled \$1,220,978.

The Benbrook Economic Development Corporation revenues at June 30 were \$699,636, with most of this amount coming from the sales tax receipts. EDC expenditures were \$1,286,852, with the largest expenditures going toward land acquisition and interest on outstanding loans.

Capital Projects revenue amounted to \$359,647. Capital Projects expenditures were \$596,182.

Special Assessments revenues were \$49,726, while expenditures amounted to \$38,720.

At June 30, 2007, the City had \$12,579,213 invested at varying interest rates.

Motion by Mr. Allison, seconded by Mr. Bailey to accept the financial report for the quarter ending June 30, 2007 as presented.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

G-1711 Quarterly Hotel/Motel Tax report

David Ragsdale gave the following report: Revenues collected for the period ending June 30, 2007 amounted to \$33,448. Bed tax made up \$31,343 of this amount and interest provided \$2,104.

The Benbrook Chamber of Commerce submitted \$11,580 in expenses. These expenses included the visitor center salary, overhead charges, travel expenses and event advertising.

Motion by Mr. Tully, seconded by Mr. Sauma to approve the quarterly Hotel/Motel Tax report presented by staff.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

G-1712 Resolution suspending interim Atmos GRIP adjustment

David Ragsdale gave the following report: Atmos Energy filed its fourth GRIP (Gas Reliability Infrastructure Program) surcharge request on Thursday, May 31. The

Atmos Cities Standing Committee (ACSC) met and recommended that all members pass a resolution suspending the effective date of the GRIP surcharge.

The proposed resolution:

1. Suspends the effective date of the GRIP rate increase for the maximum period allowed by law;
2. Authorizes the City to participate with the ACSC to hire and direct legal counsel and consultants;
3. Authorizes intervention in administration proceedings or litigation associated with the proposed GRIP rate increase; and
4. Provides for the reimbursement of reasonable costs associated with these proceedings.

Motion by Mr. Allison, seconded by Mr. Sauma to adopt Resolution No. 2007-09 suspending the implementation of the interim GRIP rate adjustment proposed by Atmos Energy.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

Resolution No. 2007-09 being **“A RESOLUTION BY THE CITY OF BENBROOK, TEXAS SUSPENDING THE JULY 30 2007 EFFECTIVE DATE OF THE PROPOSAL BY ATMOS ENERGY CORP., MID-TEX DIVISION TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2006; AUTHORIZING PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) IN A REVIEW AND INQUIRY INTO SUFFICIENCY OF THE FILING AND THE BASIS OF THE PROPOSED RATE ADJUSTMENTS; AUTHORIZING INTERVENTION IN ADMINISTRATIVE AND COURT PROCEEDINGS INVOLVING THE PROPOSED GRIP RATE ADJUSTMENTS; REQUIRING REIMBURSEMENT OF REASONABLE LEGAL AND CONSULTANT RATEMAKING COSTS; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.”**

- VI. OTHER MATTERS OF BUSINESS
- VII. INFORMAL CITIZEN COMMENTS
- VIII. ADJOURNMENT

Meeting adjourned at 7:53 p.m.

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary