



**MINUTES  
OF THE  
MEETING OF THE  
BENBROOK CITY COUNCIL  
THURSDAY,  
DECEMBER 4, 2008**

The regular meeting of the Benbrook City Council was held on Thursday, December 4, 2008 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Jerry Dittrich  
Dan Tully  
Ron Sauma  
Keith Bailey  
Rickie Allison

Also Present:

Andy Wayman, City Manager  
Joanna King, City Secretary  
Dave Gattis, Deputy City Manager

Others Present:

Ed Gallagher, City Planner  
Lynn Dalton, Benbrook News  
Bill Smith  
Larry Stowe  
Jim Wilson  
and 2 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 Mayor Pro Tem Rickie Allison.  
The Pledge of Allegiance was recited.

**III. MINUTES**

**1. Minutes of the regular meeting held November 20, 2008**

Motion by Mr. Tully, seconded by Mr. Bailey to accept the minutes of the regular meeting held November 20, 2008.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

#### **IV. PRESENTATION BY MAYOR AND COUNCILMEMBERS**

##### **1. Receive and accept resignation from James Wood, Place 2 Tax Increment Finance Board of Directors**

Motion by Mr. Allison, seconded by Mr. Sauma to accept the resignation from James Wood, Place 2 Tax Increment Finance Board of Directors.

Mr. Allison announced that the reason for the resignation is that Mr. Wood is relocation out of State. Mr. Allison expressed City Council's appreciation to Mr. Wood for his service.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

#### **V. REPORTS OF CITY MANAGER**

##### **A. GENERAL**

##### **G-1822 Authorize Agreement with La Bandera Phase 1 & 2 Home Owners Association for detention pond maintenance**

Dave Gattis gave the following report: When the La Bandera Phase 1 & 2 subdivisions were built in 2003; a detention pond was required to reduce the amount of peak flow leaving the site downstream. The Home Owners Association is responsible for collecting funds and maintaining the detention pond.

The City is proposing to assume responsibility for maintenance of the detention pond and relieve the Home Owners Association of financial responsibility.

In February 2008, the City Council authorized a revision to Administrative Regulation CD-4 to allow the City to assume maintenance responsibilities for certain detention ponds. This was done to reflect the fact that the City was now requiring many of these detention ponds, that the City was in a better position to perform the maintenance activities, and to resolve the perception of double-billing (once by the Storm Water Utility and once by the HOA for pond maintenance and operation).

The proposed agreement provides that the City will maintain and mow the pond and make any necessary structural repairs. The HOA will be responsible for any

additional landscape and ornamental maintenance above and beyond the City's obligation.

Motion by Mr. Allison, seconded by Mr. Tully to authorize the Mayor to execute the Agreement with La Bandera Phase 1 & 2 Home Owners Association for detention pond maintenance.

Vote on the Motion:

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

Noes: None

**G-1823 Authorize Agreement with La Bandera Phase 3 Home Owners Association for detention pond maintenance**

Dave Gattis gave the following report: The developer installed two detention ponds in La Bandera Phase 3 in 2005. The HOA is responsible for collecting funds and maintaining the detention ponds.

The City is proposing to assume responsibility for maintenance of the detention ponds and relieve the HOA of financial responsibility. This agreement is similar to the agreement with La Bandera Phase 1 & 2 approved by City Council.

Motion by Tully, seconded by Mr. Sauma to accept staff recommendation to authorize the Mayor to execute the Agreement with La Bandera Phase 3 Home Owners Association for detention pond maintenance.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

**IV. INFORMAL CITIZEN COMMENTS**

**VII. ADJOURNMENT**

Meeting adjourned at 7:39 p.m.

**APPROVED:**

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**Jerry B. Dittrich, Mayor**

**ATTEST:**

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**Joanna King, City Secretary**