

**AGENDA
BENBROOK CITY COUNCIL
THURSDAY, AUGUST 2, 2007
911 WINSOTT 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 – Pastor Gary Oliver with Tabernacle of Praise
PLEDGE OF ALLEGIANCE**

III. MINUTES

1. Minutes of the regular meeting held July 5, 2007
2. Minutes of the regular meeting held July 19, 2007

IV. PROCLAMATION/RECOGNITION/AWARDS

1. Proclamation – Recognizing the Benbrook Bulls- Winner of the Pony Pinto State Tournament

V. PRESENTATION BY PLANNING AND ZONING COMMISSION

VI. REPORTS OF CITY MANAGER

A. GENERAL

- G-1713 Consider adoption of a resolution directing publication of Notice of Intention to issue combination tax and revenue certificates of obligation
- G-1714 Adopt Ordinance amending Chapter 10.40 of the Benbrook Municipal Code by adding no parking and no stopping restrictions on Rush Street
- G-1715 Accept the 2007 Certified Appraisal Roll, set Anticipated Collection Rate and appoint an Officer to calculate and publish the Effective Tax Rate & Roll Back Tax Rate

VII. OTHER MATTERS OF BUSINESS

VIII. INFORMAL CITIZEN COMMENTS – State Law prohibits any deliberation of or decisions regarding items presented in information citizen comments. City Council may only make a statement of specific factual information given in response to the inquiry; recite an existing policy; or request staff place the item on an agenda for a subsequent meeting.

**IX. EXECUTIVE SESSION – Pursuant to Texas Government Code Section 551.074,
Personnel Matters**

1. City Manager Performance Evaluation Including Salary Determination

**X. RECONVENE INTO OPEN SESSION – Take necessary action from Executive
Session**

XI. ADJOURNMENT

WORKSESSION – Discuss 2007-08 Budget



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, JULY 5, 2007**

The regular meeting of the Benbrook City Council was held on Thursday, July 5, 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
James Schull
Larry Stowe
Dan Tully

Also Present:

Andy Wayman, City Manager
Joanna King, City Secretary
Dave Gattis, Deputy City Manager
Cathy Morris, Administrative Analyst

Others Present:

Dorcas Neuman, Benbrook News
Mark O'Connor, Assistant Fire Chief
Ed Gallagher, City Planner
Members of Benbrook Fire Department
Madonna Tully
Bill Smith
Ron Rainey
Patty Bissey
Tammi Cauthen
Norman Robbins
and 5 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 Dr. Todd Pylant with First Baptist Church
The Pledge of Allegiance was recited.

MOMENT OF SILENCE HONORING LYNETTE TATE AND GEORGE BOLTON

III. MINUTES

1. Minutes of the regular meeting held June 21, 2007

Motion by Mr. Stowe, seconded by Mr. Schull to approve the minutes of the June 21, 2007 regular meeting.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

IV. PRESENTATION BY BENBROOK ECONOMIC DEVELOPMENT CORPORATION

EDC-2007-01 Ratify BEDC Business Entity Formation

Ron Rainey gave the following report: On June 18, 2007, members of the Benbrook Economic Development Corporation's Board of Directors unanimously approved the formation of business entities to be owned and managed by the BEDC. The purpose of the business entity formations is to allow the BEDC to own property that is not exempt from ad valorem taxes. The entity formations will also give the BEDC flexibility in selling or ground leasing property for commercial development.

Dwight Heard, BEDC legal counsel and a member of the law firm Heard & Wright, has prepared the documents. Mr. Heard reports BRP GP, LLC, the General Partner of the N3 limited partnership, was filed on June 21, 2007. Mr. Heard reports that the LLC has to exist before the BEDC can do the Partnership Agreement itself, since the LLC is a "Party" to the agreement.

Benbrook Realty Holdings I. LLC, was also filed on June 21, 2007. This is the entity which has been formed to formalize a ground lease agreement on Benbrook Boulevard. The 30-year ground lease contract is being finalized at this time.

The BEDC requested an opinion from Jeff Moore, the former Chief of Municipal Affairs in the Texas Attorney General's office and working privately as an attorney in the firm of Brown & Hofmeister, L.L.P., in Richardson, on the legality of Economic Development Corporation's being involved or owning Limited Partnerships or Limited Liability Companies. Mr. Moore opined that it is legal in Texas under both the Texas Non-Profit Corporation Act and the Texas Development Corporation Act.

The BEDC is requesting City Council's ratification of its actions.

Motion by Mr. Sauma, seconded by Mr. Bailey to ratify the Benbrook Economic Development Corporation business entity formation.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

**EDC-2007-02 Ratify First Bank Loan to EDC for Purchase of N3
Development Ltd. Property**

Mr. Rainey gave the following report: On June 18, 2007, the Benbrook Economic Development Corporation Board of Directors unanimously approved a Loan Commitment Letter from First Bank in the amount of 550,000.00 for the purchase of approximately 51,000 square feet owned by N3 Development LLC. The property is located at the corner of Benbrook Boulevard and the I20 frontage road. The purchase price is approximately \$495,000.00 to pay off a note currently owned by N3. The loan will include all closing costs associated with the purchase including a loan origination fee.

The EDC purchased the property on July 31, 2002 from the City of Benbrook and the Benbrook Water & Sewer Authority. Additional land was acquired from Margaret Smith and Dan Thomas Homes east of the current site allowing for the extension of Del Rio Street from San Saba to Goliad. The EDC also traded a portion of its property with Waffle House for the relocation and construction of the Waffle House's new facility. A clause discovered in the Waffle House transaction caused the EDC to work with Tarrant County courts to remove a reversion clause from the deed. The clause had been placed on the property in 1946.

Upon the successful removal of the clause, the BEDC sold approximately 70,951 square feet to N3 Development LLC for \$656,296.75. N3 has subsequently performed a "build to suit" location for Starbucks Coffee Shot and has sold the lease to an investment company.

The current situation has the BEDC contracting to repurchase approximately 51,000 square feet from N3 Development for the outstanding balance of a loan acquired by N3 to finance the site. The EDC recently acquired three lots owned by Gene Buckner which are directly east of the hooked end of Goliad. These three lots will be platted to include the hooked portion of Goliad when it is abandoned, as previously approved by City Council. Applications are moving through the Texas Department of Transportation which will permit the BEDC to acquire surplus right of way and also add a drive approach at the eastern edge of the former Buckner lots.

The reconfigured property will be either sold or ground leased to a national restaurant chain. A letter of intent has been received for the sale to a well known company. The LOI is contingent on the successful acquisition of TxDOT and City of Benbrook right of way, the closure of Goliad, access from the I20 frontage road and a sign on the frontage road.

The terms and conditions presented by First Bank were approved by the BEDC. The Commitment Letter was presented to the EDC by Tammi Cauthen, First Bank Benbrook Branch president. The agreement is subject to City Council ratification. Loan transfer and closing will be transacted as soon as possible following action by the City Council.

Motion by Mr. Schull, seconded by Mr. Stowe to ratify the First Bank Loan to the EDC for purchase of N3 Development Ltd., property.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

V. PRESENTATION BY PLANNING AND ZONING COMMISSION

VI. REPORTS OF CITY MANAGER

A. GENERAL

G-1707 Charter Communications Franchise Fee Settlement

Cathy Morris gave the following report: In 2004, the City of Benbrook, working with a consortium of other cities, began franchise renewal process with Charter Communications. As part of the renewal process, the consortium cities contracted with C2 Consulting Services to conduct a Charter franchise fee audit for July 2001-June 2004.

In 2005, C2 reported that Charter owed the City of Benbrook \$12,950 in underpayments based on revenue categories that were not included in Charter's franchise fee computations. Charter disagreed with most of the audit report, but conceded that Charter did owe the City of Benbrook \$1,280 in unpaid franchise fees for the reporting period.

In 2005, SB5 took affect allowing for a statewide cable franchise system. SB5 negated the need to continue local negotiations with Charter Communications. The consortium cities ceased to meet and the audit results were not pursued. The City of Benbrook had paid \$1,587.50 for the C2 audit.

Charter Communications is attempting to resolve the franchise fee audit issue through a settlement proposal. Charter is again offering the City of Benbrook \$1,280 for franchise fee underpayments. Other consortium cities have agreed to the proposed settlement. Charter disputes most of the C2 audit findings based on their interpretation of the Federal Cable Act, which designates franchise fees to be paid on gross revenue derived form the operations of the cable system to provide

cable services. It is unknown whether the City would prevail in litigation to collect the disputed amount.

Motion by Mr. Bailey, seconded by Mr. Tully to accept the Charter Communications settlement proposal as submitted in the amount of \$1,280.

Vote on the motion:

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

Noes: Mr. Stowe

Motion carries 6-1.

G-1708 Ordinance amending Chapter 10.40 of the Benbrook Municipal Code by revising no parking restrictions on Cozby North Street

Mr. Wayman gave the following report: The principal of Benbrook Elementary has requested a “No Parking” zone on the south side of Cozby North during student drop-off and pick-up times. The request is made due to student safety concerns.

The hours of no parking would be 7:30 – 8:30 a.m. and 2:30 – 3:30 p.m. on school days. The no parking zone will enhance safety and facilitate quicker student drop-off and pick-up.

City staff has contacted the homeowners with side yards abutting Cozby North to inform them of the proposed amendment. If approved by City Council, the City will post no parking signs during the appropriate hours and paint the curb.

Motion by Mr. Stowe, seconded by Mr. Sauma to adopt Ordinance No. 1237 creating a no parking zone on the south side of Cozby North Street during school loading and unloading times.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

Ordinance No. 1237 being **“AN ORDINANCE AMENDING CHAPTER 10.40 OF THE BENBROOK MUNICIPAL CODE (1985), AS AMENDED, BY REVISING NO PARKING RESTRICTIONS ON COZBY NORTH STREET; PROVIDING FOR VIOLATIONS, PENALTIES AND INJUNCTION; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR ENGROSSMENT AND**

ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.”

SECTION III
PENALTY CLAUSE

Any person, firm or corporation, who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Five Hundred Dollars (\$500.00).

SECTION X
EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

G-1709 Ordinance amending Chapter 1.12 of the Benbrook Municipal Code by revising the fee schedule for ambulance service fees and Tarrant County filing and recording fees

Mr. Wayman gave the following report: Ambulance fees have not been adjusted in over seven years. The current fees are \$375 for Benbrook residents and \$475 for nonresidents. As a result, Benbrook is about 50% below the Metroplex average for ambulance fees.

The proposed ambulance fee adjustments reflect the increased cost of service and the local municipal average. The adjusted fees are:

- Base ambulance charge - \$775 for a resident and \$875 for a nonresident, plus
- Actual cost to fire department for medical supplies and/or equipment, plus
- Five dollars per mile for patient transport from the point of pick-up to the point of delivery, or
- One hundred twenty-five dollars for treatment on scene with no transport

The proposed ambulance fee adjustments better reflects the cost of service and brings Benbrook back to market average.

The other proposed fee change is for filing and recording documents with the Tarrant County Clerk. The revision states that the City fee is equal to the actual charge by the Tarrant County Clerk. This fee applies to plats, deeds, easement, etc. As a result, Benbrook’s fee would automatically adjust as Tarrant County changes its fee.

After discussion on history of ambulance fee rates, motion by Mr. Stowe to adopt Ordinance No. 1238 amending Chapter 1.12 of the Municipal Code to update fees and the base rate of \$775.00 be charged to both residents and nonresidents alike. Motion dies for lack of second.

Motion by Mr. Sauma, seconded by Mr. Schull to adopt Ordinance No. 1238 amending Chapter 1.12 of the Municipal Code updating ambulance billing fees and county filing fees.

Vote on the Motion:

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

Noes: Mr. Stowe

Motion carries 6-1

Ordinance No. 1238 being **“AN ORDINANCE AMENDING CHAPTER 1.12 OF THE BENBROOK MUNICIPAL CODE (1985), AS AMENDED, BY REVISING THE FEE SCHEDULE FOR THE CITY OF BENBROOK, BY REVISING AMBULANCE SERVICE FEES AND TARRANT COUNTY FILING AND RECORDING FEES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.”**

SECTION 5

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety or public health and sanitation, including dumping of refuse, and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 9

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law, and it is so ordained.

B. CONTRACT

C-228 Authorize contract with Raymond Turco and Associates for Survey on School Issues

Mr. Gattis gave the following report: City Council directed staff to proceed with a survey of citizen opinions about relationships between the City and the Fort Worth ISD. Staff contacted Raymond Turco and Associates regarding costs for a telephone survey. Turco performed surveyed citizens in 1997 regarding Parks and Recreation needs. More recently, Turco did the survey for the Benbrook library District.

Mr. Turco estimates that a one to two page survey by telephone will yield a result with 95 percent confidence limits at a cost of about \$8,500. Staff will work with Turco to develop the survey questions and Turco is available to start immediately.

Motion by Mr. Bailey to table this item in order to meet with Dr. Johnson and her responses to questions. Motion dies for lack of second.

Motion by Mr. Schull, seconded by Mr. Stowe to proceed with staff recommendation to execute a contract with Raymond Turco and Associates in the amount up to \$9,000 to be paid from Account 01-1501-5211.

Vote on the Motion:

Ayes: Mr. Schull, Mr. Stowe, Mr. Sauma

Noes: Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Tully

Motion fails 3-4.

VII. OTHER MATTERS OF BUSINESS

VIII. INFORMAL CITIZEN COMMENTS

Samantha Spence and Tammi Cauthen spoke in disappointment to the failed motion to conduct citizen survey regarding Fort Worth ISD.

IX. ADJOURNMENT

Meeting adjourned at 8:35 p.m.

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary



**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



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 08/02/07	REFERENCE NUMBER: G-1713	SUBJECT: Consider adoption of a resolution directing publication of Notice of Intention to issue combination tax and revenue certificates of obligation	PAGE: 1 of 1
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The Plantation East Creek drainage project is the last project in the 2004 bond program that has not begun construction. The last drainage easement was acquired in April of this year. On June 7th, the City Council authorized the staff to proceed with the issuance of \$1 million in certificates of obligation to fund the Plantation East Creek drainage project. The actual issuance will be for approximately \$1,035,000 to cover issuance costs and annual debt service will be approximately \$80,000 per year (assuming 5% for 20 years.) The intent is that funding for the repayment of these certificates will come from the storm water utility fund when it is created in October.

Recently, State law has been amended by the Legislature to extend the time required for public notice. The proposed schedule is as follows:

- | | |
|--------------|--|
| August 2 | Council approves publication of Notice of Intent |
| August 9 | First newspaper notice |
| August 16 | Second newspaper notice |
| August 29 | Bids opened |
| September 20 | Council approves issuance of Certificates |
| October 23 | Funding received |

RECOMMENDATION

Staff recommends that City Council adopt the attached Resolution authorizing the publication of the Notice of Intent to issue Certificates of Obligation.

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:
08/02/07

REFERENCE
NUMBER:
G-1714

SUBJECT:
Adopt Ordinance amending Chapter 10.40 of
the Benbrook Municipal Code by adding no
parking and no stopping restrictions on Rush
Street

PAGE:
1 of 1

BACKGROUND

Rush Street is a residential street located north of Western Hills High School between Westerly Road and Boston Avenue in North Benbrook. Recently, staff has received a complaint that nonresident vehicles are parking on both sides of Rush Street and are blocking access for residents. Many of these vehicles appear to be Western Hills High School (WHHS) students. While there is sufficient parking for Western Hills High School students in designated student parking lots, it appears that some students are not using those lots because of parking permit requirements and fees and/or concerns about security in some of the lots.

PROPOSED PROJECT

The proposed City ordinance adds no parking, no stopping, and no standing restrictions from 7:30 A.M. to 3:30 P.M. on school days on the north and south side of Rush Street. If approved by City Council, City crews will install no parking signs, paint the curbs and begin enforcement. The materials cost will be paid from the Public Works budget.

RECOMMENDATION

Staff recommends that City Council approve the proposed ordinance designating a no parking, no stopping, no standing zone from 7:30 A.M. to 3:30 P.M. on school days on the north and south side of Rush Street.

SUBMITTED BY:

DISPOSITION BY COUNCIL:

APPROVED OTHER (DESCRIBE)

PROCESSED BY:

CITY SECRETARY

CITY MANAGER

DATE:



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 08/02/07	REFERENCE NUMBER: G-1715	SUBJECT: Accept the 2007 Certified Appraisal Roll, set Anticipated Collection Rate and appoint an Officer to calculate and publish the Effective Tax Rate & Roll Back Tax Rate	PAGE: 1 of 1
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Staff received the 2007 certified Appraisal Roll from the Tarrant Appraisal District (TAD) on Wednesday, July 25. The reports "Information on 2007 Appraisal Roll" and "Information on 2006 & 2007 Tax Roll" contain certain state-mandated information on appraised value, adjustments, exemptions, and taxable value of property in the City as of January 1, 2007.

STATE STATUES

To comply with "Truth-in-Taxation" (TNT) requirements, the City Council must accept the certified Appraisal Roll as presented by TAD, set an anticipate collection rate for next year and appoint an officer to calculate and publish the Effective Tax Rate (ETR) and the Roll Back Tax Rate (RTR).

RECOMMENDATIONS

Staff recommends that City Council:

- 1) Accept the 2007 certified Appraisal Roll as presented,
- 2) Set 100% as the anticipated property tax collection rate for 2007-08, and
- 3) Appoint the Finance Director to calculate and publish the ETR and RTR.

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