

**AGENDA  
BENBROOK CITY COUNCIL  
THURSDAY, MAY 6, 2010  
911 WINS COTT ROAD, BENBROOK, TEXAS  
PRE-COUNCIL WORKSESSION 7:00 P.M.  
CENTRAL CONFERENCE ROOM**



1. Review and discuss agenda items for regular meeting.

**REGULAR MEETING 7:30 P.M.  
COUNCIL CHAMBERS  
ALL AGENDA ITEMS ARE SUBJECT TO FINAL ACTION**

**I. CALL TO ORDER**

**II. INVOCATION – Dr. Larry Sanders from Trinity Hills Baptist Church  
PLEDGE OF ALLEGIANCE**

**III. MINUTES**

1. Minutes of the regular meeting held April 15, 2010

**IV. PROCLAMATION/AWARD/RECOGNITION**

1. Proclamation – Motorcycle Safety and Awareness Month

**V. CITIZEN REQUEST**

1. Rita Brown – Potential location of City of Fort Worth Mary's Creek Sewer Plant (Spokesperson Kenneth Brown)

**VI. PRESENTATION BY BENBROOK ECONOMIC DEVELOPMENT CORPORATION**

- EDC-2010-04          Ratify Benbrook Economic Development Corporation quarterly finance report (return from April 15, 2010 meeting)

**VII. REPORTS OF CITY MANAGER**

**A. GENERAL**

- G-1907          Approve Road Damage Remediation Agreement with Devon Energy Production Company, L.P.

**VIII. INFORMAL CITIZEN COMMENTS** – State Law prohibits any deliberation of or decisions regarding items presented in informal 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. ADJOURNMENT**

**WORKSESSION**

1. Financing Options for Capital Improvements Program
2. Community Marketing/Branding



**MINUTES  
OF THE  
MEETING OF THE  
BENBROOK CITY COUNCIL  
THURSDAY APRIL 15, 2010**

The regular meeting of the Benbrook City Council was held on Thursday April 15, 2010 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Jerry Dittrich  
Charlie Anderson  
Keith Bailey  
Rickie Allison  
Jim Wilson  
Mark Washburn  
Ron Sauma

Also Present:

Andy Wayman, City Manager  
Joanna King, City Secretary  
Walter Shumac, Public Services Director  
David Ragsdale, Comptroller

Others Present:

Ed Gallagher, Planner  
Laurie Little, Benbrook News  
Ron Rainey  
Robert Loritz  
Bill Smith  
Zach Tarrant  
Erica Johnson  
Kayla Turner  
Bridget Glass  
Marie Hamlett-Williams  
Victoria Green  
Tekleab Beyene  
Kenan Kimbrough  
Norman Robbins  
and 9 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 Elder Cherle Roberts with Tabernacle of Praise  
The Pledge of Allegiance was recited.

**III. MINUTES**

**1. Minutes of the regular meeting held April 1, 2010**

Motion by Mr. Anderson, seconded by Mr. Allison to accept the minutes of the April 1, 2010 regular City Council meeting.

Vote on the Motion:

Ayes: Mr. Anderson, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

**IV. PROCLAMATION/AWARD/RECOGNITION**

**1. Recognition of students from Leonard Middle School – D/FW Regional History Day**

Mayor Dittrich stated the 2010 National History Day Theme was Innovation: Impact and Change in History. Erica Johnson, Kyla Turner and Bridget Glass, students representing Leonard Middle School chose to explore the impact of GPS devices on society. The title of the project is GPS: Where are we now?

On Saturday, March 6, 2010, these students won first prize in the Junior Division group exhibit category at the D/FW Regional History Day at the University of Texas Arlington.

Their project investigates life before GPS technology and illustrates, through brilliant research, the impact that GPS is having on the world. These three young ladies will take their project to the Texas State History Day on May 8, 2010.

The City of Benbrook congratulates these students and recognizes their prize winning achievement.

**2. Recognition Ms. Hamlett-Williams and students from Leonard 6<sup>th</sup> Grade – Fund Raising Project for orphanage in Ghana**

Mayor Dittrich stated that during the week of March 8, 2010, Ms. Victoria Green from Santa Fe Adolescent Services presented the “change wars” challenge to Leonard 6<sup>th</sup> Grade students in their health class. Students were encouraged to

donate money, during their homeroom classes, to the Mercy Project, in relief and development organization based in Dallas, Texas. The students raised \$1,228 to help build an orphanage for former child slaves in the African country of Ghana. Matching donations from the community have been secured; bring the total donation to more than \$3,000.

Mr. Chris Fields, fonder of the Mercy Project, spoke to the students and told them he would take Leonard 6<sup>th</sup> Grade T-shirts to the African Village, take pictures with the children and send the photos back to the Leonard campus.

Some students donated their allowance or lunch money to the project, and many students learned the lesson of compassion and giving. All the proceeds went directly to the children of Ghana.

The City of Benbrook is proud to recognize the achievements of the students from Leonard 6<sup>th</sup> Grade to this worthy cause.

## **V. PRESENTATION BY MAYOR AND MEMBERS OF CITY COUNCIL**

### **CC-2010-09 Nomination of Officers and Directors to 2010-2011 North Central Texas Council of Governments Executive Board**

Mayor Dittrich state the North Central Texas Council of Governments will be electing Officers and Directors for 2010-2011 at its General Assembly in June. Local officials from member governments are invited to submit recommendations for the Board positions.

Nomination by Mr. Sauma, seconded by Mr. Bailey to submit Councilmember Mark Washburn's name as a recommendation.

There were not other nominations.

Vote on the Nomination:

Ayes: Mr. Anderson, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Sauma

Noes: None

Abstain: Mr. Washburn

Motion carries 6-0-1.

**VI. PRESENTATION BY BENBROOK ECONOMIC DEVELOPMENT CORPORATION**

**EDC-2010-04 Ratify Benbrook Economic Development Corporation quarterly finance report**

Ron Rainey gave the following presentation on the quarterly financial report for the quarter ending March 31, 2010:

**INCOME**

Sales Tax Collections	\$ 261,338.06
Interest Earned	\$ 1,820.25
CD Interest Earned	\$ 875.71
Sign Rental Fees	\$ 150.00
Land Sales	\$ 0.00
Lease/Note Payments	\$ <u>54,183.99</u>
Total Income	\$ 318,369.01

**EXPENSES:**

Personnel	\$ 49,359.80
Supplies & Materials	\$ 665.70
Contractual Services	\$ 13,973.68
Repairs & Maintenance	\$ 638.54
Capital Outlay	\$ 57,588.52
Marketing Tools	\$ <u>6,156.78</u>
Total Expenses	\$ 128,383.02

**Net Income – January 1 – March 31, 2010**

Income:	\$ 318,369.01
Expenses:	\$ 128,383.02
Net income:	\$ 189,985.99

He advised that because of the early meeting dates for City Council, the Benbrook Economic Development Corporation has not received the report. However, it is requested that City Council ratify the report.

Motion by Mr. Wilson, seconded by Mr. Sauma to readdress the quarterly Benbrook Economic Development at the next regularly scheduled City Council meeting.

Vote on the Motion:

Ayes: Mr. Anderson, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

## **VII. REPORTS OF CITY MANAGER**

### **A. GENERAL**

#### **G-1903 Accept financial report for quarter ending March 31, 2010**

David Ragsdale gave the following report: General Fund Revenues for the month of March totaled \$1,176,437. Year-to-Date collections were \$11,488,657 at March 31, and are ahead of the last years collections

General Fund Expenditures totaled \$984,474. Year-to-Date expenses were \$6,477,195.

Debt Service Revenues totaled \$982,456 through the end of March. Total debt payments through March 31 were \$803,259.

Capital Projects Revenues were \$588,540. Expenses through March 31 were \$1,534,613.

Investments were \$18,350,448 at March 31, 2010. This entire amount is available immediately if needed.

Motion by Mr. Sauma, seconded by Mr. Allison to accept the monthly financial report for the month ending March 31, 2010.

Vote on the Motion:

Ayes: Mr. Anderson, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

#### **G-1904 Accept Annual Comprehensive Financial Report**

David Ragsdale gave the following report on the Annual Comprehensive Financial Report:

#### **Financial Highlights**

- Although the 2008-09 Budget projected a surplus of only \$159,913, the City ended the year with a surplus of \$1,277,196. This pushed total General Fund reserves to \$8,617,100 or 67.48% of total General Fund Expenditures.
- General Fund Revenues exceeded the original budget by \$616,837. Although building fees were under budget by almost

\$59,000, Property Tax (\$86,101), Sales Tax (\$116,888), Use of Money & Property (\$102,656), Fire Service Grants (\$213,385) and Ambulance Fees (\$71,193) more than made up the difference.

- The balance of the increase was due to department heads returning \$638,463 or 4.76% from their budgets.
- The assets of the City exceed its liabilities by \$52,909,388 at the close of business on September 30, 2009.
- The City's total capital assets decreased by \$4,720,121 to \$48,826,084. Almost all of this decrease was due to the EDC land sale.
- As of September 30, 2009, the City reported a combined end balance of \$17,932,983.
- Long-term debt decreased by \$5,209,191, due to normal debt service payment decreases and the EDC paying off the balance of loans on the property sold.

This is the City's sixth report that conforms to GASB34 reporting requirements. It is also the sixth time the report has been prepared for electronic distribution. The Introductory Section of the report will look the same as previous years.

### **Statement of Net Assets**

GASB34 was enacted to provide a more comprehensive evaluation of a municipality's long-term financial position. Prior to GASB34, cities looked at deposits and investments. After GASB34, cities evaluate capital assets (buildings, roads, bridges, drainage improvements, etc.) and depreciate these assets. The City's total capital assets are \$95,799,292, with \$48,826,084 fully depreciated. In theory, the greater the depreciation number, the more critical it is for the government to invest replacement of these capital assets.

### **Statement of Activities**

This statement presents the cost for each operational area less any revenue produced by that area. No area of the City's operation pays for itself.

### **New Requirements**

This was the City's first year to implement GASB45, which covers Other Post Employment Benefits. While this new regulation requires a special study and money to be set aside for possible future benefits, Staff does not believe the City will ever incur any liability in this area. The City does not provide retiree insurance benefits and TMRS is an account balance versus prescribed benefit retirement system.

Motion by Mr. Anderson, seconded by Mr. Sauma to accept the Comprehensive Annual Finance Report for the fiscal year ended September 30, 2009.

Vote on the Motion:

Ayes: Mr. Anderson, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

**G-1905      Approve quarterly Hotel/Motel Tax Fund report**

David Ragsdale gave the following report: Revenues collected through March were \$55,053, with \$47,803 coming from bed tax. This amount is a decrease of over 38% or almost \$30,000 through March 31 of the previous year.

Total expenses for the quarter were \$30,908. Year-to-date expenses were \$71,216 at March 31. The Marketing and Visitor's Center had charges of \$20,816. Motel 6 submitted advertising related expenses of \$7,217, however only \$5,382 of that amount is budgeted for reimbursement. The Chamber mailed out 255 visitor packets and is requesting reimbursement of \$893. VSA has requested reimbursement of \$3,817 for ten art classes at Leonard Middle School and two parent-student classes held at the Benbrook Library.

The Hotel/Motel Fund ended the period with a balance of \$443,221. Should Hotel/Motel Tax revenue continue to decline over the remainder of the fiscal year, the City may need to reduce or reallocate expenditures in the 2010/2011 fiscal year.

Motion by Mr. Washburn, seconded by Mr. Wilson to approve the Hotel/Motel Tax report for the period ending March 31, 2010.

Vote on the Motion:

Ayes: Mr. Anderson, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

**G-1906      Adopt Ordinance amending Chapter 10.24 of the Benbrook Municipal Code by revising the speed limits on the Southwest Boulevard (SH183) north and south frontage roads located in the City limits of Benbrook**

Walter Shumac gave the following report: The current posted speed limit on Southwest Boulevard (SH 183) frontage roads is 30 miles per hour (MPH) from the Clear Fork Trinity River Bridge to Bryant Irvin Road. In January, Staff received citizen inquiries regarding the possibility of adjusting the speed limit. The citizens conveyed that the speed limits were artificially low and too slow for the roadway. Staff requested that the Texas Department of Transportation (TxDOT) conduct a speed study to evaluate the speed limit for this area.

According to State Law, speed limits are based on an engineering and traffic study. The general criterion for establishing speed limits is the 85<sup>th</sup> percentile speed, which is the speed at which 85 percent of the drivers drive at or below. Vehicle speed is most directly correlated with the speed a driver is comfortable driving for a given roadway.

TxDOT completed the speed study in March. Based on the 85<sup>th</sup> percentile speed, TxDOT recommends increasing the speed limit from 30 MPH to 40 MPH. For traffic enforcement purposes, the change must be accompanied by a City ordinance raising the speed limit. The speed limit for the Southwest Boulevard frontage roads is contained in Section 10.24.020 of the Benbrook Municipal Code. Staff is recommending the amendment to the Code by removing the frontage roads from this section and including them in Section 10.24.040-Forty miles per hour.

Motion by Mr. Anderson, seconded by Mr. Allison to adopt Ordinance No. 1302 amending the speed limit on the Southwest Boulevard (SH183) Frontage roads within the Benbrook City limits.

Vote on the Motion:

Ayes: Mr. Anderson, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

Ordinance No. 1302 being **“AN ORDINANCE AMENDING CHAPTER 10.24 OF THE BENBROOK MUNICIPAL CODE (1985), AS AMENDED, BY REVISING THE SPEED LIMITS ON THE SOUTHWEST BOULEVARD (STATE HIGHWAY 183) NORTH FRONTAGE ROAD FROM STATION 121+41 (BELLAIRE DRIVE) SOUTHEASTERLY 0.809 MILES TO STATION 164+66 (EAST CITY LIMITS OF BENBROOK) AND THE SOUTHWEST BOULEVARD (STATE HIGHWAY 183) SOUTH FRONTAGE ROAD FROM STATION 121+41 (BELLAIRE DRIVE) SOUTHEASTERLY 0.808 MILES TO STATION 163+70 (EAST CITY LIMITS OF BENBROOK); PROVIDING FOR A PENALTY FOR VIOLATIONS; 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.”**

## **VIII. INFORMAL CITIZEN COMMENTS**

**IX. ADJOURNMENT**

Meeting adjourned at 8:15 P.M.

**APPROVED:**

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**Jerry B. Dittrich, Mayor**

**ATTEST:**

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**Joanna King, City Secretary**



# Proclamation

**WHEREAS**, motorcycle riding is a popular form of recreation and transportation for thousands of people across the state and the nation; and

**WHEREAS**, the safe operation of a motorcycle requires the use of special skills developed through a combination of training and experience, the use of good judgment, and a thorough knowledge of traffic laws and licensing requirements; and

**WHEREAS**, the safety consideration of motorcycling should be of great concern to motorcycle riders, as well as other motor vehicle operations; and

**WHEREAS**, it is especially important that the citizens of our state be aware of motorcycles on the streets and highways and recognize the importance of motorcycle safety; and

**WHEREAS**, May is traditionally observed as a time to remind and encourage other motor vehicle operators to be cautious and observe motorcycles, especially during their seasonal return to our streets and highways.

**NOW, THEREFORE**, I, Jerry B. Dittrich, Mayor of the City of Benbrook, Texas, along with members of the Benbrook City Council do hereby proclaim May 2010 at **Motorcycle Safety and Awareness Month**.

Signed this 6<sup>th</sup> day of May 2010



  
Jerry B. Dittrich, Mayor

## Joanna King

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**From:** Rita [RBrownavon@sbcglobal.net]  
**Sent:** Wednesday, April 28, 2010 12:12 PM  
**To:** Joanna King  
**Subject:** Schedule a presentation to Benbrook City Council

Secretary King,

My name is Rita Brown and I would like to schedule a 10 minute presentation for the city council on May 6, 2010.

Nature of the item: Potential Mary's Creek Sewer Plant - I would like to bring additional information to the council's attention about the problems with the selection of the location and the potential harm it could bring to Benbrook.

Action by the Council: I would like to know how we as Citizens can work with the City Council to move the proposed locations further west to reduce the harm to Benbrook.

I would like to know if there is media capability to present a power point presentation and what the rules are for presentations besides the 10 minute time limit.

I would like to appoint my son, Kenneth Brown as the spokesperson for me.

Thank you for your time and consideration.

Kind Regards,

Rita Brown  
3809 Bendale Road  
Benbrook, Texas 76116  
817-706-2349 or 817-560-7294

**Benbrook Economic Devt. Corp.**  
**Profit & Loss Detail**  
 January through March 2010

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
<b>Ordinary Income/Expense</b>								
<b>Income</b>								
<b>4101 - EDC Sales Tax</b>								
Sales Receipt	1/6/2010	385	State Comptroller	Sales Tax ...		1499 · Unde...	53,413.24	53,413.24
Sales Receipt	1/19/2010	387	State Comptroller	Sales Tax ...		1499 · Unde...	58,024.87	111,438.11
Sales Receipt	2/17/2010	389	State Comptroller	Sales Tax ...		1499 · Unde...	86,890.20	198,328.31
Sales Receipt	3/23/2010	391	State Comptroller	Sales Tax ...		1499 · Unde...	63,009.75	261,338.06
Total 4101 · EDC Sales Tax							261,338.06	261,338.06
<b>4121 - Interest Earned</b>								
Deposit	1/31/2010			Interest		Pinnacle Ba...	700.96	700.96
Deposit	2/28/2010			Interest		Pinnacle Ba...	667.25	1,368.21
Deposit	3/31/2010			Interest		Pinnacle Ba...	452.04	1,820.25
Total 4121 · Interest Earned							1,820.25	1,820.25
<b>4122 - Pinnacle CD interest earned</b>								
Deposit	3/31/2010			Interest		Pinnacle Ba...	876.71	876.71
Total 4122 · Pinnacle CD interest earned							876.71	876.71
<b>4131 - Sign Rental Fees</b>								
Invoice	2/12/2010	63	Rensco	Leased Sp...		1004 · Acco...	150.00	150.00
Invoice	2/12/2010	66	Silva Business Pr...	Leased Sp...	X	1004 · Acco...	0.00	150.00
Total 4131 · Sign Rental Fees							150.00	150.00
<b>4191 - Lease/Note Payments</b>								
Sales Receipt	1/12/2010	386	Railroad Controls...	Monthly No...		1499 · Unde...	18,061.33	18,061.33
Sales Receipt	2/11/2010	388	Railroad Controls...	Monthly No...		1499 · Unde...	18,061.33	36,122.66
Sales Receipt	3/11/2010	390	Railroad Controls...	Monthly No...		1499 · Unde...	18,061.33	54,183.99
Total 4191 · Lease/Note Payments							54,183.99	54,183.99
Total Income							318,369.01	318,369.01
<b>Expense</b>								
<b>5000 - Personnel Expenses</b>								
<b>5001 - Salaries</b>								
Check	1/14/2010	1751	City of Benbrook	Salaries - D...	X	Pinnacle Ba...	0.00	0.00
Check	1/14/2010	1752	City of Benbrook	Salaries - D...		Pinnacle Ba...	12,683.18	12,683.18
Check	2/3/2010	1761	City of Benbrook	Salaries - J...		Pinnacle Ba...	12,683.18	25,366.36
Check	3/2/2010	1778	City of Benbrook	Salaries - F...		Pinnacle Ba...	12,683.18	38,049.54
Total 5001 · Salaries							38,049.54	38,049.54
<b>5006 - FICA/Medicare</b>								
Check	1/14/2010	1749	City of Benbrook	Salaries - D...	X	Pinnacle Ba...	0.00	0.00
Check	1/14/2010	1749	City of Benbrook	FICA/Medic...	X	Pinnacle Ba...	0.00	0.00
Check	1/14/2010	1752	City of Benbrook	FICA/Medic...		Pinnacle Ba...	872.38	872.38
Check	2/3/2010	1761	City of Benbrook	FICA/Medic...		Pinnacle Ba...	913.58	1,785.96
Check	3/2/2010	1778	City of Benbrook	FICA/Medic...		Pinnacle Ba...	913.58	2,699.54
Total 5006 · FICA/Medicare							2,699.54	2,699.54

**Benbrook Economic Devt. Corp.**  
**Profit & Loss Detail**  
 January through March 2010

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
<b>5007 - Insurance</b>								
Check	1/14/2010	1749	City of Benbrook	Insurance - ...	X	Pinnacle Ba...	0.00	0.00
Check	1/14/2010	1751	City of Benbrook	FICA/Medic...	X	Pinnacle Ba...	0.00	0.00
Check	1/14/2010	1751	City of Benbrook	Insurance - ...	X	Pinnacle Ba...	0.00	0.00
Check	1/14/2010	1752	City of Benbrook	Insurance - ...		Pinnacle Ba...	993.44	993.44
Check	2/3/2010	1761	City of Benbrook	Insurance - ...		Pinnacle Ba...	993.44	1,986.88
Check	3/2/2010	1778	City of Benbrook	Insurance - ...		Pinnacle Ba...	846.74	2,833.62
Total 5007 - Insurance							2,833.62	2,833.62
<b>5008 - Retirement</b>								
Check	1/14/2010	1749	City of Benbrook	Retirement ...	X	Pinnacle Ba...	0.00	0.00
Check	1/14/2010	1751	City of Benbrook	Retirement ...	X	Pinnacle Ba...	0.00	0.00
Check	1/14/2010	1752	City of Benbrook	Retirement ...		Pinnacle Ba...	1,923.61	1,923.61
Check	2/3/2010	1761	City of Benbrook	Retirement ...		Pinnacle Ba...	1,924.06	3,847.67
Check	3/2/2010	1778	City of Benbrook	Retirement ...		Pinnacle Ba...	1,923.61	5,771.28
Total 5008 - Retirement							5,771.28	5,771.28
<b>5009 - Workmen's Compensation</b>								
Check	2/3/2010	1761	City of Benbrook	Workmen's ...		Pinnacle Ba...	5.82	5.82
Total 5009 - Workmen's Compensation							5.82	5.82
Total 5000 - Personnel Expenses							49,359.80	49,359.80
<b>5100 - Supplies &amp; Materials</b>								
<b>5111 - Office Supplies</b>								
Check	1/12/2010	1747	Citibusiness Card	Staples		Pinnacle Ba...	130.25	130.25
Check	1/12/2010	1747	Citibusiness Card	Refund for ...		Pinnacle Ba...	-10.00	120.25
General Journal	2/4/2010	BED...				5300 - Repai...	349.02	469.27
Check	2/8/2010	1764	Citibusiness Card	Staples		Pinnacle Ba...	51.55	520.82
Check	2/8/2010	1764	Citibusiness Card	Office Depot		Pinnacle Ba...	8.99	529.81
Check	2/8/2010	1764	Citibusiness Card	Staples		Pinnacle Ba...	14.99	544.80
Check	2/8/2010	1764	Citibusiness Card	Staples		Pinnacle Ba...	101.44	646.24
Check	2/8/2010	1764	Citibusiness Card	Staples ref...		Pinnacle Ba...	-1.99	644.25
Check	3/8/2010	1787	Citibusiness Card	Staples		Pinnacle Ba...	10.08	654.33
Check	3/8/2010	1787	Citibusiness Card	Staples - co...		Pinnacle Ba...	-28.01	626.32
Check	3/8/2010	1787	Citibusiness Card	Staples ref...		Pinnacle Ba...	-1.99	624.33
Check	3/15/2010	1788	Thomas Rubber ...	Board Mem...		Pinnacle Ba...	21.40	645.73
Total 5111 - Office Supplies							645.73	645.73
<b>5112 - Postage</b>								
Check	3/3/2010	1783	American Express	Fed-ex disc...		Pinnacle Ba...	-1.05	-1.05
Check	3/3/2010	1783	American Express	Fed-ex - W...		Pinnacle Ba...	21.02	19.97
Total 5112 - Postage							19.97	19.97
Total 5100 - Supplies & Materials							665.70	665.70

**Benbrook Economic Devt. Corp.**  
**Profit & Loss Detail**  
 January through March 2010

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
<b>5200 - Contractual Services</b>								
<b>5211 - Professional Services</b>								
Check	1/19/2010	1754	The Walton Grou...	December ...		Pinnacle Ba...	540.00	540.00
Check	2/11/2010	1766	The Walton Grou...	January Fin...		Pinnacle Ba...	338.00	878.00
General Journal	2/11/2010	BED...	The Walton Grou...	Accounting ...		5216 - Acco...	-2,431.00	-1,553.00
Check	3/23/2010	1795	Gene Morrison L...	Mow Valvol...		Pinnacle Ba...	70.00	-1,483.00
Total 5211 - Professional Services							-1,483.00	-1,483.00
<b>5213 - Legal Services</b>								
Check	1/4/2010	1741	Heard & Wright	Professiona...		Pinnacle Ba...	1,750.00	1,750.00
Check	1/4/2010	1741	Heard & Wright	BEDC Indu...		Pinnacle Ba...	1,062.50	2,812.50
Check	3/3/2010	1781	Heard & Wright	Benbrook T...		Pinnacle Ba...	250.00	3,062.50
Check	3/3/2010	1781	Heard & Wright	Edwards Inf...		Pinnacle Ba...	937.50	4,000.00
Check	3/23/2010	1793	Heard & Wright	Inv. 14656 ...		Pinnacle Ba...	812.50	4,812.50
Check	3/23/2010	1793	Heard & Wright	Inv. 14657 ...		Pinnacle Ba...	1,812.50	6,625.00
Check	3/23/2010	1793	Heard & Wright	Inv. 14658 ...		Pinnacle Ba...	812.50	7,437.50
Total 5213 - Legal Services							7,437.50	7,437.50
<b>5216 - Accounting Services (Accounting Services)</b>								
General Journal	2/11/2010	BED...	The Walton Grou...	Accounting ...		5211 - Profe...	2,431.00	2,431.00
Check	3/15/2010	1789	The Walton Grou...	February Fi...		Pinnacle Ba...	338.00	2,769.00
Total 5216 - Accounting Services (Accounting Services)							2,769.00	2,769.00
<b>5217 - Planning Services</b>								
Check	1/25/2010	1757	CivilSolutions Inc.	Survey Ske...		Pinnacle Ba...	1,000.00	1,000.00
Check	2/2/2010	1759	J P Solutions	Strategic Pl...		Pinnacle Ba...	1,500.00	2,500.00
Check	2/8/2010	1764	Citibusiness Card	Chicken Ex...		Pinnacle Ba...	7.99	2,507.99
Check	2/8/2010	1764	Citibusiness Card	Albertson's ...		Pinnacle Ba...	28.42	2,536.41
Check	2/8/2010	1764	Citibusiness Card	Jason's Del...		Pinnacle Ba...	110.80	2,647.21
Check	2/8/2010	1764	Citibusiness Card	Five AM Do...		Pinnacle Ba...	30.00	2,677.21
Check	3/8/2010	1787	Citibusiness Card	Five AM Do...		Pinnacle Ba...	30.00	2,707.21
Total 5217 - Planning Services							2,707.21	2,707.21
<b>5222 - Auto/Travel/Entertainment</b>								
<b>5222B - Travel</b>								
Check	3/3/2010	1783	American Express	Tomtom.co...		Pinnacle Ba...	75.72	75.72
Total 5222B - Travel							75.72	75.72
<b>5222C - Meals</b>								
Check	1/6/2010	1745	American Express	Lunch - Ro...		Pinnacle Ba...	54.70	54.70
Check	1/12/2010	1747	Citibusiness Card	Chicken Ex...		Pinnacle Ba...	3.99	58.69
Check	1/12/2010	1747	Citibusiness Card	Domino's		Pinnacle Ba...	22.20	80.89
Check	3/3/2010	1783	American Express	Cracker Ba...		Pinnacle Ba...	37.84	118.73
Check	3/8/2010	1787	Citibusiness Card	BACC lunc...		Pinnacle Ba...	40.00	158.73
Total 5222C - Meals							158.73	158.73

**Benbrook Economic Devt. Corp.**  
**Profit & Loss Detail**  
**January through March 2010**

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
<b>5222 · Auto/Travel/Entertainment - Other</b>								
Check	1/15/2010	1753	Ron Rainey	FW Real E...		Pinnacle Ba...	10.00	10.00
Total 5222 · Auto/Travel/Entertainment - Other							10.00	10.00
Total 5222 · Auto/Travel/Entertainment							244.45	244.45
<b>5254 · Telephone</b>								
Check	1/4/2010	1738	AT&T	Fax (817/2...		Pinnacle Ba...	28.94	28.94
Check	1/5/2010	1744	Verizon Wireless	(817) 269-7...		Pinnacle Ba...	200.19	229.13
Check	1/14/2010	1750	AT&T Mobility	Acct. 32825...		Pinnacle Ba...	49.49	278.62
Check	2/2/2010	1758	AT&T	Fax (817/2...		Pinnacle Ba...	29.13	307.75
Check	2/4/2010	1762	Verizon Wireless	(817) 269-7...		Pinnacle Ba...	211.75	519.50
Check	2/12/2010	1769	AT&T Mobility	Acct. 32825...		Pinnacle Ba...	46.39	565.89
Check	3/2/2010	1776	AT&T	Fax (817/2...		Pinnacle Ba...	29.44	595.33
Check	3/8/2010	1785	Verizon Wireless	(817) 269-7...		Pinnacle Ba...	235.80	831.13
Check	3/15/2010	1790	AT&T Mobility	Acct. 32825...		Pinnacle Ba...	46.39	877.52
Total 5254 · Telephone							877.52	877.52
<b>5281 · Dues &amp; Memberships</b>								
Check	1/4/2010	1739	Texas Real Estat...	Renewal of ...		Pinnacle Ba...	146.00	146.00
Check	2/11/2010	1765	Benbrook Area C...	BACC 2010...		Pinnacle Ba...	550.00	696.00
Check	3/3/2010	1783	American Express	Texas Econ...		Pinnacle Ba...	425.00	1,121.00
Total 5281 · Dues & Memberships							1,121.00	1,121.00
<b>5283 · Training</b>								
Check	3/8/2010	1787	Citibusiness Card	TEDC - ED...		Pinnacle Ba...	300.00	300.00
Total 5283 · Training							300.00	300.00
Total 5200 · Contractual Services							13,973.68	13,973.68
<b>5300 · Repair &amp; Maintenance</b>								
<b>5311 · Auto Maintenance (2004 Expedition)</b>								
Check	1/12/2010	1748	Valero Marketing...	Fuel - Expe...		Pinnacle Ba...	153.90	153.90
Check	2/8/2010	1764	Citibusiness Card	Quik Trip		Pinnacle Ba...	35.45	189.35
Check	2/12/2010	1768	Valero Marketing...	Fuel - Expe...		Pinnacle Ba...	186.56	375.91
Check	3/3/2010	1783	American Express	Kwik-Kar - ...		Pinnacle Ba...	36.84	412.75
Check	3/8/2010	1787	Citibusiness Card	Quik-Trip		Pinnacle Ba...	34.19	446.94
Check	3/17/2010	1791	Valero Marketing...	Fuel - Expe...		Pinnacle Ba...	191.60	638.54
Total 5311 · Auto Maintenance (2004 Expedition)							638.54	638.54

**Benbrook Economic Devt. Corp.**  
**Profit & Loss Detail**  
 January through March 2010

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
<b>5300 - Repair &amp; Maintenance - Other</b>								
Check	1/4/2010	1740	Scott Throneberry	Repair - Ex...		Pinnacle Ba...	169.30	169.30
Check	1/6/2010	1745	American Express	Software U...		Pinnacle Ba...	39.94	209.24
Check	2/3/2010	1760	American Express	Winzip Co...		Pinnacle Ba...	34.90	244.14
Check	2/3/2010	1760	American Express	Software U...		Pinnacle Ba...	39.94	284.08
Check	2/3/2010	1760	American Express	McAfee		Pinnacle Ba...	64.94	349.02
General Journal	2/4/2010	BED...				5111 - Office...	-349.02	0.00
Total 5300 - Repair & Maintenance - Other							0.00	0.00
Total 5300 - Repair & Maintenance							638.54	638.54
<b>5400 - Capital Outlay</b>								
<b>5410 - Land Acquisition</b>								
Check	1/11/2010	1746	Compass Bank	Railroad Co...		Pinnacle Ba...	18,061.33	18,061.33
Check	2/4/2010	1763	Compass Bank	Railroad Co...		Pinnacle Ba...	18,061.33	36,122.66
Check	3/4/2010	1784	Compass Bank	Railroad Co...		Pinnacle Ba...	18,061.33	54,183.99
Total 5410 - Land Acquisition							54,183.99	54,183.99
<b>5434 - CO - Office Supplies</b>								
Check	2/3/2010	1760	American Express	TigerDirect ...		Pinnacle Ba...	199.99	199.99
Check	2/8/2010	1764	Citibusiness Card	Best Buy - ...		Pinnacle Ba...	179.94	379.93
Check	2/8/2010	1764	Citibusiness Card	Sam's Club...		Pinnacle Ba...	1,974.00	2,353.93
Check	3/3/2010	1783	American Express	Cellular Sal...		Pinnacle Ba...	270.63	2,624.56
Check	3/3/2010	1783	American Express	TigerDirect ...		Pinnacle Ba...	179.99	2,804.55
Check	3/8/2010	1787	Citibusiness Card	Staples - sc...		Pinnacle Ba...	599.98	3,404.53
Total 5434 - CO - Office Supplies							3,404.53	3,404.53
Total 5400 - Capital Outlay							57,588.52	57,588.52
<b>5700 - Other Professional Services</b>								
<b>5705 - Industrial Park Sign</b>								
Check	3/2/2010	1777	Shaun Carrouth	Maintenanc...	X	Pinnacle Ba...	0.00	0.00
Total 5705 - Industrial Park Sign							0.00	0.00
<b>5709 - Marketing Tools</b>								
Check	1/6/2010	1745	American Express	US Search ...		Pinnacle Ba...	39.95	39.95
Check	1/25/2010	1755	TXU Energy	Industrial P...		Pinnacle Ba...	33.64	73.59
Check	1/25/2010	1756	TXU Energy	Dutch Bran...		Pinnacle Ba...	116.38	189.97
Check	2/23/2010	1772	TXU Electric	Acct No. 90...		Pinnacle Ba...	33.00	222.97
Check	2/23/2010	1773	TXU Energy	Dutch Bran...		Pinnacle Ba...	99.06	322.03
Check	3/2/2010	1779	Shaun Carrouth	Maintenanc...		Pinnacle Ba...	179.40	501.43
Check	3/2/2010	1780	Benbrook Area C...	BACC 2010...		Pinnacle Ba...	285.00	786.43
General Journal	3/2/2010	BED...		Moved to M...		5714 - Mark...	3,348.75	4,135.18
Check	3/3/2010	1783	American Express	Sponsorshi...		Pinnacle Ba...	1,000.00	5,135.18
Check	3/3/2010	1783	American Express	Sponsorshi...		Pinnacle Ba...	300.00	5,435.18
Check	3/8/2010	1786	ralphcreative.com	BEDC Print...		Pinnacle Ba...	130.00	5,565.18
Check	3/8/2010	1787	Citibusiness Card	Benbrook F...		Pinnacle Ba...	48.71	5,613.89
Check	3/23/2010	1792	Softtext Plus	Invoice No. ...	X	Pinnacle Ba...	0.00	5,613.89
Check	3/23/2010	1792	Softtext Plus	Invoice No. ...	X	Pinnacle Ba...	0.00	5,613.89

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04/12/10

Accrual Basis

**Benbrook Economic Devt. Corp.**  
**Profit & Loss Detail**  
**January through March 2010**

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
Check	3/23/2010	1794	TXU Energy	Acct No. 90...		Pinnacle Ba...	86.00	5,699.89
Check	3/23/2010	1797	Softext Plus	Invoice No. ...		Pinnacle Ba...	200.00	5,899.89
Check	3/23/2010	1797	Softext Plus	Invoice NO...		Pinnacle Ba...	164.00	6,063.89
Check	3/24/2010	1798	TXU Energy	Acct No. 90...		Pinnacle Ba...	92.89	6,156.78
Total 5709 · Marketing Tools							6,156.78	6,156.78
<b>5714 · Marketing Venues</b>								
Check	1/4/2010	1742	Texas Monthly C...	Contract N...	X	Pinnacle Ba...	0.00	0.00
Check	1/4/2010	1743	Texas Monthly C...	Contract N...		Pinnacle Ba...	3,348.75	3,348.75
Check	3/2/2010	1775	Benbrook Area C...	BACC 2010...	X	Pinnacle Ba...	0.00	3,348.75
General Journal	3/2/2010	BED...		Moved to M...		5709 · Mark...	-3,348.75	0.00
Total 5714 · Marketing Venues							0.00	0.00
Total 5700 · Other Professional Services							6,156.78	6,156.78
Total Expense							128,383.02	128,383.02
Net Ordinary Income							189,985.99	189,985.99
<b>Net Income</b>							<b>189,985.99</b>	<b>189,985.99</b>



# City of Benbrook

## CITY COUNCIL COMMUNICATION

DATE: 05/06/10	REFERENCE NUMBER: G-1907	SUBJECT: Approve Road Damage Remediation Agreement with Devon Energy Production Company, L.P.	PAGE: 1 of 1
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### BACKGROUND

Devon Energy has requested permission from Benbrook to use Stevens Road to provide access to a gas well pad site located at the south end of Stevens Road. The site is not located in the City of Benbrook, but rather in an unincorporated area of Tarrant County immediately adjacent to the U.S. Army Corps of Engineers' park land.

Stevens Road appears to be the only logical and available access to the site. The route through Benbrook would begin at Benbrook Boulevard (U.S. 377) and continue 0.943 miles southeastward to the city limits. The remainder of Stevens Road is in Tarrant County.

Chapter 8.36 "Gas Drilling and Production" of the Benbrook Municipal Code requires that a Road Damage Remediation Agreement be executed and approved by the City for use of City streets for gas well drilling. The road damage remediation fee is calculated according to the "Road Damage Assessment Study" as prepared by C. & P. Engineering, Ltd. and is shown on Exhibit D as:

The fee for the initial well will be \$13,183.

The fee for the second and any additional wells will be \$7,576 per well.

Total for the first two wells is \$20,759. These funds will be used to repair any damage caused by normal wear and tear on the road by the heavy trucks travelling to the well site.

### RECOMMENDATION

Staff recommends that the City Council approve the Road Damage Remediation Agreement with Devon Energy Production Company for use of the portion of Stevens Road within the city limits of Benbrook.

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