

**AGENDA  
BENBROOK CITY COUNCIL  
THURSDAY, MAY 7, 2009  
911 WINSOTT 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 with Trinity Hills Baptist Church  
PLEDGE OF ALLEGIANCE**

**III. MINUTES**

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

**IV. PROCLAMATION/AWARD/RECOGNITION**

1. Proclamation – Motorcycle Safety and Awareness Month

**V. REPORTS OF CITY MANAGER**

**A. GENERAL**

G-1839 Authorize Interlocal Agreement for Tarrant County Transportation Services

G-1840 Resolution adopting Identity Theft Program/Policy

**B. CONTRACT**

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

**VI. 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.

**VII. ADJOURNMENT**

**ADDENDUM**

**AGENDA**

**BENBROOK CITY COUNCIL  
COUNCIL CHAMBERS, CITY HALL, BENBROOK, TEXAS  
THURSDAY, MAY 7, 2009  
7:30 P.M.  
ALL AGENDA ITEMS ARE SUBJECT TO FINAL ACTION**

**IV. PROCLAMATION/AWARD/RECOGNITION**

2. Proclamation – National Day of Prayer



**MINUTES  
OF THE MEETING OF THE  
BENBROOK CITY COUNCIL  
THURSDAY,  
APRIL 16, 2009**

The regular meeting of the Benbrook City Council was held on Thursday, April 16, 2009 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Jerry Dittrich  
Keith Bailey  
Rickie Allison  
Mark Washburn  
Ron Sauma  
Dan Tully

Also Present:

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

Others Present:

Ed Gallagher, City Planner  
Wayne Carlisle, Chief Building Inspector  
Leslie Harris, Community Development Tech  
Ron Rainey  
Emily Gould  
Bill and Janis Gould, III  
Bill and Nell Gould, Jr  
Bob and Mary Ann Jones  
John and Charlotte Vander Pan  
Glenda Patterson  
Karen Witchley  
Betty Heedley  
Gina Hughes  
Bill Smith  
Charlie Anderson  
Pamela Brandenburg  
Vernon Gatlin  
Valerie Cook  
Karen Barber  
Debbie Watson  
and five other citizens

**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 Judy Jones with Tabernacle of Praise  
The Pledge of Allegiance was recited.

**III. MINUTES**

**1. Minutes of the regular meeting held April 2, 2009**

Motion by Mr. Sauma, seconded by Mr. Washburn to approve the minutes of the regular meeting held April 2, 2009.

Vote on the Motion:

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

Noes: None

Abstain: Mr. Bailey

Motion carries 5-0-1.

**IV. PROCLAMATION/AWARD/RECOGNITION**

**1. Proclamation – Recognizing Girl South Emily Gould**

Mayor Dittrich presented Ms. Emily Gould with a Proclamation recognizing her many accomplishments as a member of Girl Scout Troop 2529. Among her achievements, The Girl Scouts of USA has recognized and honored Ms. Gould by bestowing her with the Gold Award. The Gold Award is the highest award for girls ages fourteen to eighteen.

**2. Proclamation – Poppy Month**

Mayor Dittrich presented a Proclamation designating May as Poppy Month to Glenda Patterson with the American Legion Auxiliary. The annual Poppy Campaign is the oldest and most widely known of the American Legion Auxiliary programs. The Poppies are made by disabled and hospitalized veterans with proceeds used exclusively for veterans and their families. Mayor Dittrich encouraged citizens to wear a Poppy, showing gratitude to the servicemen and servicewomen who have risked their lives to defend the freedoms and ideals we have as citizens of the United States of America.

**3. Recognize members of the first Community Emergency Response Team (CERT)**

Mayor Dittrich that this item has been rescheduled for a future meeting.

**4. Recognize Leslie Harris for North Texas Chapter of the International Code Council Employee of the Month Award**

City Council recognized Leslie Harris, Community Development Tech, has having received the designation of Employee of the Month by the North Texas Chapter of the International Code Council. Ms. Harris was recognized by the Code Council at their March meeting for the professional manner she demonstrates in assisting citizens, developers and City staff in many areas of the Building Inspection Department.

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

**CC-2009-10 Nominate Local Elected Official to serve on North Central Texas Council of Governments Executive Board**

No action taken on this item.

**CC-2009-11 Receive notice of vacancy on Tarrant Appraisal District Board of Directors and determine desire to submit nomination to fill vacancy**

No action taken on this item.

**VI. PRESENTATION BY BENBROOK ECONOMIC DEVELOPMENT**

**EDC-2009-02 Financial report for quarter ending March 31, 2009**

Mr. Ron Rainey gave the following report:

Income for January 1 – March 31, 2009 was \$3,916,220.66. Most of this amount came from Land Sales (\$2,787,099.36) with the sale to Wal-Mart.

Expenses for January 1 – March 31, 2009 were \$3,840,190.60. The Personnel category was actually for a five month period. The \$3,481,626.82 for Other Professional Services represents a repayment of a bank loan made in anticipation of the Wal-Mart sale.

The net income for the period ending March 31, 2009 was \$76,030.06.

Motion by Mr. Allison, seconded by Mr. Tully to accept the financial report for the quarter ending March 31, 2009.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

**VII. REPORTS OF CITY MANAGER**

**A. GENERAL**

**G-1838 Accept Finance Report for month ending March 31, 2009**

Mr. Wayman gave the following report: General Fund Revenues for the month of March were \$1,199,951. General Fund Expenditures totaled \$906,206. Through March, revenues exceeded expenditures by \$4,907,549.

Debt Service Fund collections at March 31 were \$928,596 while expenditures were \$791,591.

Capital Projects revenue was \$607,596 with \$541,800 coming from Storm Water fees and \$65,796 from a gas lease. Expenditures through March 31 were \$283,313 with most of this amount applied to debt payments.

Investments were \$17,474,355 at March 31, 2009.

Motion by Mr. Washburn, seconded by Mr. Sauma to accept the finance report for the month ending March 31, 2009.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

**VII. INFORMAL CITIZEN COMMENTS**

**VIII. ADJOURNMENT**

Meeting adjourned at 7:55 P.M. followed by a worksession to discuss Code Compliance.

**WORKSESSION**

**1. Discuss Code Compliance**

Cathy Morris gave the following report: The Code Compliance Department was contacted by over a dozen people representing Church groups, Scouts, and individuals interested in volunteering to help residents clean up their property through the Compassion Based Code Compliance.

A Compassion Team of seven volunteers working 2 ½ hours on a Saturday filled one full 30-yard roll-off dumpster in this effort.

Some Code Compliance Department challenges are those properties with persistent violations of junk & rubbish, high grass and weeds and junk vehicles.

The tools available to the Code Compliance Department are:

1. Letter to violator – 10 days to correct
2. Offer of Compassion Team assistance
3. Citation(s)
4. Warrant/Arrest
5. Abate property (remove and dispose of property)

The Abatement process is the last report for persistent violators. Junked vehicle owners may request a hearing before the City.

Junk and rubbish violators may be served an Administrative Search Warrant allowing staff to inventory and document health & safety hazards prior to removal of items. An Enforcement Order signed by the Municipal Court Judge is required for an abatement of property.

The Code Compliance Department allows plenty of notice and opportunity for property owners to correct violations prior to removal.

Code Compliance intends to utilize more aggressive measures to resolve persistent, on-going junk and rubbish and junked vehicle violators.

**APPROVED:**

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**Jerry B. Dittrich, Mayor**

**ATTEST:**

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**Joanna King, City Secretary**



# City of Benbrook

## CITY COUNCIL COMMUNICATION

DATE: 05/07/09	REFERENCE NUMBER: G-1839	SUBJECT: Authorize Interlocal Agreement for Tarrant County Transportation Services	PAGE: 1 of 1
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### BACKGROUND

In March 2005, City Council authorized initial participation in the Fort Worth Transportation Authority's (The "T") Tarrant County Transportation Services (TCTS) 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.

### CURRENT PROGRAM

The TCTS program provides transit service 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.

Qualifying residents may utilize the transit service for a variety of purposes including medical appointments, shopping, recreation, school or work, excluding weekends and holidays. Benbrook residents are guaranteed rides on Tuesdays and Thursdays.

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

### RECOMMENDATION

Staff recommends that City Council approve continued participation in the Tarrant County Transportation Services program for elderly and disabled residents at a cost of \$7,529.

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: 05/07/09	REFERENCE NUMBER: G-1840	SUBJECT: Resolution adopting a Identity Theft Program/Policy	PAGE: 1 of 1
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The Federal Trade Commission (FTC), Federal bank regulatory agencies, and the National Credit Union Administration (NCUA) have issued regulations (know as the Red Flags Rule) requiring financial institutions and creditors to develop and implement written identity theft prevention programs as part of the Fair and Accurate Credit Transactions (FACT) Act of 2003. The programs must provide for the identification, detection, and response to patterns, practices, or specific activities, known as “red flags”, that could indicate identity theft.

The Red Flags Rule applies to financial institutions and creditors with “covered accounts”. A covered account is an account used mostly for personal, family or household purposes, and that involves multiple payments or transactions. The City of Benbrook ambulance billing function services these types of accounts and falls within this federal mandate.

Staff is not aware of any instance of identity theft related to City of Benbrook EMS activities. In addition, the security measures identified in the proposed Identity Theft Program/Policy have already been implemented (for years).

### RECOMMENDATION

Staff recommends that the City Council approve the Resolution adopting the Identity Theft Program/Policy for the City of Benbrook.

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



# City of Benbrook

## CITY COUNCIL COMMUNICATION

DATE: 05/07/09	REFERENCE NUMBER: C-245	SUBJECT: Consider bids and award contract for Plantation East Drainage Improvements	PAGE: 1 of 1
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### BACKGROUND

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 culverts 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.

### BIDS

Sealed bids were received and publicly opened at 2:00 P.M. on April 22, 2009 with the following results:

Linder Construction Company, Inc.	\$1,090,537.50
Humphrey & Morton Construction Company, Inc.	\$1,303,546.50
DCI Contracting Inc.	\$1,496,863.00
Ark Contracting Services Inc.	\$1,630,141.00

The engineers estimate for this project was \$1,600,000.

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.

### FINANCING

This project will be financed with Capital Improvements Funds.

### RECOMMENDATION

Staff recommends that the City Council award the project to the low bidder, Linder Construction, in the amount of \$1,090,537.50.

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