

**AGENDA
BENBROOK CITY COUNCIL
THURSDAY, NOVEMBER 19, 2009
911 WINSKOTT 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 – Pastor Jack Cook with Wyatt Drive Baptist Church
PLEDGE OF ALLEGIANCE**

III. MINUTES

1. Minutes of the regular meeting held November 5, 2009

IV. PROCLAMATION/AWARDS/RECOGNITION

1. Certificate of Appreciation from U.S. Army

V. PRESENTATION/ACTION BY MAYOR AND COUNCILMEMBERS

CC-2009-16 Select Chair for Tax Increment Financing Board of Directors

VI. REPORTS OF CITY MANAGER

A. GENERAL

- G- 1881 Finance report for month ending October 31, 2009
- G-1882 Award Hotel/Motel Tax for Fiscal Year 2009-2010
- G-1883 Authorize funding for pedestrian bridges at Twilight Park and Timbercreek Park
- G-1884 Adopt Resolution supporting participation in the Energy Efficiency and Conservation Block Grant Program
- G-1885 Adopt Ordinance amending the Benbrook Municipal Code Chapter 8.48- Regulations of Smoking – to regulate smoking in public parks

B. CONTRACT

- C-255 Award Contract with Emergency Communications Network for CodeRed Weather Warning Notification System
- C-256 Approve Tarrant County Fire and EMS Contract for 2010

VII. 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.

VIII. ADJOURNMENT



**MINUTES
OF THE MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY,
NOVEMBER 5, 2009**

The regular meeting of the Benbrook City Council was held on Thursday, November 5, 2009 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
Mark Washburn
Ron Sauma

Also Present:

Andy Wayman, City Manager
Joanna King, City Secretary
Dawn Konieczny, Police Administrative Manager

Others Present:

Ed Gallagher, City Planner
John VanNess, Police Sergeant
Karen Barber, Benbrook News
Bill Smith
Dan Tully
Jess Jordan
Janet Collard
Diana Overstreet
Sanjiv Shah
Robert Pesce
Jacquie Messer
Renee Kimbrell
Anthony Rutigliano
John Castro
Tammi Cauthen
Carroll Crombie
Larry Stowe
Members of Cub Scout Pack 95, Den 8
Woody Donaldson
Alex Oglesby
David Bull

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 Elder Shannon Butler with Tabernacle of Praise
Flag Ceremony was presented by Cub Scout Pact 95, Den 8
The Pledge of Allegiance was led by Cub Scout Pack 95 member David Bull

III. MINUTES

1. Minutes of the regular meeting held October 15, 2009

Motion by Mr. Sauma, seconded by Mr. Anderson to accept the minutes of the regular meeting held October 15, 2009.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

IV. OATH OF OFFICE TO NEWLY APPOINTED MEMBERS OF BOARDS AND COMMISSIONS

Joanna King administered the Oath of Office to the following members of Boards and Commissions:

Sanjiv Shah, Place 5, Planning and Zoning Commission
Robert Pesce, Place 7, Planning and Zoning Commission
Jess Jordan, Place 9, Planning and Zoning Commission
Renee Kimbrell, Place 1, Zoning Board of Adjustment/Board of Appeals
Jacquie Messer, Place 5, Zoning Board of Adjustment/Board of Appeals
Diana Overstreet, Alternate B, Zoning Board of Adjustment/Board of Appeals
Janet Collard, Alternate C, Zoning Board of Adjustment/Board of Appeals
Anthony Rutigliano, Alternate D, Zoning Board of Adjustment/Board of Appeals
John Castro, Place 3, Benbrook Economic Development Corporation
Rickie Allison, Place 6, Benbrook Economic Development Corporation
Charlie Anderson, Place 1, Tax Increment Financing Board

V. CITIZEN PRESENTATION

1. David Augustus – Edge Hill Road drainage issue

This item was rescheduled by Mr. Augustus

2. Dan Tully – Overview of service as City Council Member, TIF Director and EDC Director

Dan Tully address audience of his service as a City Council Member, Tax Increment Finance Board Director and Economic Development Corporation Director.

VI. REPORTS OF CITY MANAGER

A. PURCHASE

P-258 Purchase Police Vehicles

Dawn Konieczny gave the following report: City Council approved \$140,550 in the 2009/20010 budget for the purchase of five (5) 2010 police package patrol vehicles.

Through cooperative purchasing programs, the City received bids from the Tarrant County Cooperative Joint Venture, Buyboard, and Houston-Galveston Council of Governments. The bids include the cost of a 3-year/75,000 mile premium care extended warranty and all purchasing fees.

Tarrant County Cooperative Joint Venture provided the lowest bid at \$129,883. This bid is \$10,667 less than the approved budget appropriation.

Motion by Mr. Allison, seconded by Mr. Anderson to approve the purchase of five (5) 2010 police package vehicles from the low bidder, Tarrant County Cooperative Joint Venture, in the amount of \$129,883.00.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

VII. INFORMAL CITIZEN COMMENTS

VIII. ADJOURNMENT

Meeting adjourned at 8:07 P.M. followed by a worksession to discuss ordinance prohibiting smoking in park areas.

APPROVED

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 11/19/09	REFERENCE NUMBER: G-1881	SUBJECT: Finance report for month ending October 31, 2009	PAGE: 1 of 1
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Attached for City Council's information and consideration is the monthly financial report for October, 2009.

GENERAL FUND REVENUES

Revenues for the month of October totaled \$642,003. The major source of revenue came from Property Taxes (\$253,687), Sales and Other Taxes (\$130,586), Franchise Taxes (\$91,005), and Ambulance Fees (\$69,739).

GENERAL FUND EXPENDITURES

October expenditures totaled \$1,362,555. This number is higher than last year due to October being a three pay period month. Expenditures exceeded revenues by \$720,552.

INVESTMENTS

Investments were \$13,371,378 at October 31, 2009. This entire amount is available immediately if needed.

RECOMMENDATION

Staff recommends that City Council accept the monthly financial report for the month of October, 2009.

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: 11/19/09	REFERENCE NUMBER: G-1882	SUBJECT: Award Hotel/Motel Tax for Fiscal Year 2009-2010	PAGE: 1 of 1
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Each year, the City solicits applications for the use of Hotel Motel Occupancy Tax (HMOT) funds. This year, staff sent out request for proposals to seven organizations and received six proposals: Motel 6, Best Western/Comfort Inn, Very Special Artist (VSA), Benbrook Visitor Center, Benbrook Chamber, and Heritage Festival.

FUNDING REQUEST

Motel 6 and Best Western/Comfort Inn requested money to enhance their advertising budgets. The Benbrook Chamber of Commerce requested funds for reimbursement of expenses related to visitor information packets. VSA requested support for art workshops. Finally, the City requested the continuation of funding for the Visitor Center and funds to cover advertising expenses for the Heritage Festival.

CITY COUNCIL DETERMINATION

City Council met for a HMOT distribution work session and reached an unbinding consensus for the following funding:

<u>Organization</u>	<u>Funding</u>	<u>Purpose</u>
Motel 6	\$ 5,382	Advertising
Best Western	\$ 9,219	Advertising
VSA	\$ 5,070	Art Workshops
Benbrook Visitor Center	\$ 89,809	Visitor Center/Tourism Director
Benbrook Chamber	\$ 5,292	Visitor Information Packets
Heritage Festival	\$ 2,000	Festival Advertising

RECOMMENDATION

Staff recommends that City Council authorize distribution of HMOT funding for the 2009-10 fiscal year.

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: 11/19/09	REFERENCE NUMBER: G-1883	SUBJECT: Authorize funding for pedestrian bridges at Twilight Park and Timbercreek Park	PAGE: 1 of 1
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Earlier this year, City Council requested that Staff evaluate a pedestrian bridge across Plantation West Creek in Twilight Park. The recently completed drainage project makes it impossible to cross the creek from one side of Twilight Park to the other.

As a reminder, a similar condition also exists at Timbercreek Park. A 20-foot pedestrian access easement was platted in 1988 to provide access to Timbercreek Park from Dogwood Drive to the north, but is impassible across Timber Creek.

Staff investigated a number of options for inexpensive bridges, such as used bridges. Staff could not identify a viable option that provided a financial advantage or met safety standards. As a result, Staff recommends installation of new prefabricated bridges on professionally-designed and constructed abutments. The City Engineer estimates that each bridge can be designed and constructed for approximately \$80,000 for a total estimated cost of \$160,000. Engineering costs are approximately \$20,000 and construction costs are approximately \$140,000.

Staff recently contacted Chesapeake Energy to inquire about the proposed water pipeline and related contribution to the bridge project. Chesapeake has dropped the project and will not be making a related contribution to the bridges.

FINANCING

No funds are included in this year's budget for the project; however, \$23,600 in Park Dedication Funds is available that could be used for the Twilight Park Bridge and \$30,800 is available for use on the Timbercreek Park Bridge. The Park Dedication Funds are separated and earmarked based on the Planning Area the funds are dedicated. For the Twilight Park Bridge, approximately \$56,400 would remain unfunded and for the Timbercreek Bridge, approximately \$49,200 would remain unfunded, for a total of \$105,600. The funds could come from general fund reserves. Building both bridges at the same time may provide a small cost savings.

RECOMMENDATION

Staff recommends that City Council authorize the design and construction of both the Timbercreek and Twilight pedestrian bridges at a total approximate cost of \$160,000 and authorize use of Park Dedication Funds (\$54,400) with the remainder from general fund reserves (\$105,600),

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City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 11/19/09	REFERENCE NUMBER: G-1884	SUBJECT: Adopt Resolution supporting participation in the Energy Efficiency and Conservation Block Grant Program	PAGE: 1 of 1
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The American Recovery and Reinvestment Act (ARRA) of 2009, signed into law on February 17th, provides funding intended to stimulate the economy and create jobs. ARRA includes \$3.2 billion for the Energy Efficiency and Conservation Block Grant (EECBG) Program. Through EECBG, the City of Benbrook may be eligible for up to \$75,000 in grant funding for municipal energy conservation activities. As part of the application process to receive funding, the City is required to pass a resolution supporting participation in the EECBG Program.

DISCUSSION

EECBG funds can be used for any number of energy conservation activities including:

- Developing and implementing building codes and inspection services to promote energy efficiency in buildings.
- Conducting municipal building energy audits.
- Improving municipal building energy consumption.
- Applying and implementing energy-distribution technologies that significantly increase energy efficiency, including distributed resources and district heating and cooling systems.
- Development of non-highway transportation infrastructure, such as bike lanes and pathways, and pedestrian walkways.
- Replacing traffic signals and street lighting with energy-efficient lighting technologies, including light emitting diodes and any other technology of equal or greater energy efficiency.
- Synchronization of traffic signals.

RECOMMENDATION

Staff recommends that City Council adopt the resolution authorizing participation in the Energy Efficiency and Conservation Block Grant Program.

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City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 11/19/09	REFERENCE NUMBER: G-1885	SUBJECT: Adopt Ordinance amending the Benbrook Municipal Code Chapter 8.48 – Regulations of Smoking – to regulate smoking in public parks	PAGE: 1 of 1
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At the Parks and Recreation Board Meeting held June 11, 2008, the Parks Board voted unanimously to recommend that City Council consider a smoking ban in certain areas of public parks. At the City Council meeting held July 3, 2008, City Council directed Staff to draft an ordinance and place the item on a future agenda. At the City Council meeting held August 7, 2008, City Council pulled the item from consideration.

As a result of the recent City Council work session held November 5, Staff drafted an ordinance prohibiting smoking in public parks other than on and within parking lots.

The City currently prohibits smoking in public buildings and within 25 feet of an entrance to a public building (codified in Chapter 8.48 of the Benbrook Municipal Code).

Should City Council approve the proposed ordinance, Staff will place “no smoking” signs in appropriate locations and inform the public through the local newspaper, website, newsletter, etc.

RECOMMENDATION

Staff recommends that City Council approve the ordinance prohibiting smoking in certain areas of public parks.

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City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 11/15/09	REFERENCE NUMBER: C-255	SUBJECT: Award Contract with Emergency Communications Network for CodeRed Weather Warning Notification System	PAGE: 1 of 2
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BACKGROUND

In October of 2005, the City of Benbrook began contracting with Emergency Communications Network Inc. (ECN) for the CodeRED emergency notification system. ECN has now developed a system called the CodeRED Weather Warning (CRWW) notification system.

The CRWW product was designed to automatically deliver targeted severe weather, flash flood and tornado warning alerts moments after being issued by the National Weather Service (NWS). The calls are delivered so quickly, they often arrive prior to any other public notifications (usually before television or weather radio broadcasts), providing citizens with extra time to prepare.

How it works. When the National Weather Service issues a bulletin identifying a storm, CRWW instantly picks it up and interprets it to determine the severity and the exact areas impacted. A calling database of all subscribers within the projected path is generated and telephone messages are sent immediately.

To deliver the alerts, CRWW utilizes a sophisticated dialing infrastructure capable of transmitting millions of messages an hour. But the real benefit comes from the automation. Since alerts are initiated without human intervention, there is no delay in sending the calls.

Features of CodeRED Weather Warning

Automatically initiated messages. Warnings are generated automatically through proprietary computer algorithms. No impact is placed on internal resources as no staff action is required to initiate the calls.

Geographically targeted warnings. Using heading and speed to determine the most vulnerable areas, CRWW calls those most at risk first.

Polygon methodology. Based on the National Weather Service's polygon methodology, only citizens in the path of projected weather are contacted, thereby increasing relevance and reducing false alarms.

Opt-in model. Only citizens who sign up will receive the notifications. They may elect to receive alerts for any combination of severe weather warnings.

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DATE: 11/19/09	REFERENCE NUMBER: C-255	SUBJECT: Award Contract with Emergency Communications Network for CodeRed Weather Warning Notification System	PAGE: 2 of 2
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Other benefits provided by ECN are:

- CodeRED® Weather Warning system setup = Included
- Unlimited system time annually = Included
- 24/7 Technical Support = Included
- Custom designed link for community sign up = No Charge

FINANCING

The start-up cost of the CodeRED Weather Warning system is \$5,720 for the remainder of the fiscal year and the contract would commence on December 1, 2009. Thereafter, the contract would be \$6,250 annually.

RECOMMENDATION

Staff recommends that the City Council approve the contract with Emergency Communications Network for the CodeRED Weather Warning System at a cost of \$5,720 for fiscal year 2009-10 to be charged to account 01-15-01-5219.



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 11/19/09	REFERENCE NUMBER: C-256	SUBJECT: Approve Tarrant County Emergency Services District #1 Fire and EMS Contract for 2010	PAGE: 1 of 1
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BACKGROUND

For a number of years, Tarrant County has engaged (via contract) the Benbrook Fire Department to provide fire and EMS services to portions of unincorporated Tarrant County (exhibit).

The City last renewed the annual fire and EMS services agreement with Tarrant County in January of 2009.

Contract continuation is beneficial to Benbrook for the following reasons:

- The 2009/10 base rate for fire compensation (\$101,200) adequately compensates the City for services rendered.
- Provisions of the County provided super tanker precludes the purchase of this apparatus by Benbrook citizens.
- Provisions of a County provided brush truck also precludes the purchase of this apparatus by Benbrook citizens.
- Tarrant County also supplies two thermal imaging cameras.
- The 2009/10 contract includes a grant from the district of \$19,852 for the purchase and replacement of fire and rescue equipment.
- The 2009/10 rate of compensation for EMS (from points) is estimated to be \$99,000.
- The total cash reimbursement from Tarrant County to Benbrook is approximately \$200,200.
- The City also bills Tarrant County residents for EMS services at non-resident rates.

As usual, Tarrant County did not provide the new contract to Benbrook until after the new fiscal year had begun. The term of the contract is for one year, from October 1, 2009 to September 30, 2010.

Recommendation

Staff recommends that City Council approve the proposed contract for fire and EMS services for the assigned area of Tarrant County Emergency Services District #1 for fiscal year 2009-2010.

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