

**AGENDA  
BENBROOK CITY COUNCIL  
THURSDAY, SEPTEMBER 15, 2016  
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/PLEDGE OF ALLEGIANCE

Invocation To Be Given By Reverend Mike Redd Of Benbrook United Methodist Church

III. MINUTES

1. Approve Minutes Of The Regular Meeting Held September 1, 2016

Documents:

[CC MINUTES-09-01-16.PDF](#)

IV. PRESENTATION BY MAYOR AND MEMBERS OF COUNCIL

CC-2016-06 Accept Certification Of Unopposed Candidates And Adopt Ordinance Canceling November 8, 2016 General Election

Documents:

[CC-2016-06 MEMO CERTIFYING UNOPPOSED CANDIDATES.PDF](#)

[CC-2016-06 CERTIFICATION OF UNOPPOSED.PDF](#)

[CC-2016-06 ORDINANCE CANCEL ELECTION-2016.PDF](#)

V. PRESENTATION BY ECONOMIC DEVELOPMENT CORPORATION

EDC-2016-01 Ratify Benbrook Economic Development Corporation Budget For Fiscal Year 2016-2017

Documents:

[EDC-2016-01 RATIFY EDC BUDGET FOR FISCAL YEAR 2016.PDF](#)

VI. REPORTS FROM CITY MANAGER

A. GENERAL

G-2262 Accept Finance Report For Period Ending August 31, 2016

Documents:

[G-2262 FINANCE REPORT AUGUST 2016.PDF](#)

[G-2262 REVENUE CHART.PDF](#)

[G-2262 EXPENDITURE CHART.PDF](#)  
[G-2262 SALES TAX COMPARISON.PDF](#)

G-2263 Adopt Ordinance Approving Budget Figures For Fiscal Year 2016-2017

Documents:

[G-2263 ORDINANCE - BUDGET 2016-2017.PDF](#)

G-2264 Adopt Ordinance Fixing And Levying Ad Valorem Tax For 2016

Documents:

[G-2264 ORDINANCE - AD VALOREM TAX 2016.PDF](#)

G-2265 Ratify Property Tax Revenue Reflected In The 2016-2017 Budget

Documents:

[G-2265 RATIFY TAX REVENUE 2016-2017.PDF](#)

#### 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. The Exception To Informal Comments Is That Once An Election Date Has Been Set By City Council Comments Relative To Elections Will Not Be Broadcast On The City's Cable Channel. However, A Copy Of The Tape Containing Citizens' Comments Will Be Available At City Hall For Review Or Purchase By Interested Citizens.

#### VIII. COUNCIL MEMBER AND STAFF COMMENTS

Announcements From City Councilmembers And City Staff May Be Made For Items To Include: Expression Of Thanks; Congratulations; Condolence; Recognition Of Public Officials, Employees Or Citizens; Information Regarding Holiday Schedules; Reminders Of Community Events Or Announcements Involving An Imminent Threat To The Public Health And Safety Of The Municipality That Has Arisen After The Posing Of The Agenda. No Discussion Or Formal Action May Be Taken On These Items At This Meeting.

#### IX. ADJOURNMENT



**MINUTES  
OF THE  
MEETING OF THE  
BENBROOK CITY COUNCIL  
THURSDAY, SEPTEMBER 1, 2016**

The regular meeting of the Benbrook City Council was held on Thursday September 1, 2016 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Jerry Dittrich  
Renee Franklin  
Larry Marshall  
Rickie Allison  
Jim Wilson  
Mark Washburn  
Ron Sauma

Also Present:

Andy Wayman, City Manager  
Dave Gattis, Deputy City Manager  
Joanna King, City Secretary  
Sherri Newhouse, Finance Director  
Bennett Howell, Public Services Director  
Alex Busken, Management Analysis

Others Present:

Ed Gallagher, Planning Director  
Bill Smith  
Denise Huneycutt, Benbrook News

**I. CALL TO ORDER**

Meeting called to order at 7:30 p. m. by Mayor Dittrich.

**II. INVOCATION/PLEDGE OF ALLEGIANCE**

Invocation given by Councilmember Mark Washburn.  
The Pledge of Allegiance was recited.

**III. MINUTES**

**1. Approve Minutes of the Regular Meeting held August 18, 2016**

Motion by Dr. Marshall, seconded by Ms. Franklin to approve the minutes of the regular meeting held August 18, 2016.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

#### **IV. REPORTS FROM CITY MANAGER**

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

##### **G-2260 Authorize Interlocal Agreement with City of Fort Worth for Household Hazardous Waste Program**

Alex Busken gave the following report: Benbrook is enjoying its 16<sup>th</sup> year in partnership with the Fort Worth Environmental Collection Center (ECC) to recycle hazardous chemicals. The Hazardous Waste program provides Benbrook residents the opportunity to properly dispose of chemicals such as paint, solvents, lawn and garden chemicals and automotive products.

The twice-yearly collection events in Benbrook continue to attract large numbers of participants, averaging approximately 156 households per event. Residents taking items directly to the Fort Worth Environmental Collection Center average approximately 182 annually.

Since beginning this partnership with Fort Worth, Benbrook residents have properly disposed of over 115,000 pounds of chemical waste, safely keeping these hazards out of the storm water system and landfills.

Benbrook's current agreement with Fort Worth expires at the end of September 2016. The proposed agreement is unchanged, with a rate of \$47 per household. The new contract term begins October 1, 2016 and expires September 30, 2017.

Motion by Mr. Allison, seconded by Mr. Sauma to approve the Interlocal Agreement with the City of Fort Worth Environmental Collection Center for FY 2016/2017 to continue participating in the Household Hazardous Waste Program.

Vote on the Motion

Ayes: Ms. Franklin, Dr. Marshall, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

**G-2261      Adopt Ordinance approving sale of 913 Timberline Drive**

Bennett Howell gave the following report: In November 2005, the City Council authorized the purchase of 913 Timberline Drive at a cost of \$121,000. The residential property was classified as a repetitive loss property by the National Flood Insurance Program, meaning that it had sustained two or more flood insurance claims of \$1,000 or more. The property also had a retaining wall that encroached illegally into the Dry Branch Creek bed. In addition, the City's drainage plan identified the need to enlarge the inlet at the front of the property to adequately drain water from the street. Finally, this was one of only two houses that would not be removed from the 100-year floodplain by the Timber Creek Channel project.

The house was demolished in March 2006 and improvements were made to the creek and the storm drain inlet, and the building pad was elevated above the new 100-year flood level. The Letter of Map Revision Based on Fill (LOMR-F) officially removing the building site from the 100-year floodplain on June 19, 2007.

The City has attempted to sell the property through a sealed bid process in 2007, 2008, 2009 and 2016. No bids were received. On August 18, 2016, the City received an unsolicited offer (attached) for \$10,000 from Rick and Donn Teague of 917 Timberline Drive. The Teague's propose to replat the two lots into one lot and construct a detached garage of similar material as their home. The Teague's have met with Staff and understand that the garage has to be constructed to current building codes and floodplain regulations.

Motion by Ms. Franklin, seconded by Mr. Wilson to adopt Ordinance No. 1399 approving the sale of 913 Timberline Drive (Lot 22, Block 16, Timber Creek Addition) to Rick and Donn Teague for \$10,000 and that the City retain the mineral rights.

Vote on the Motion

Ayes: Ms. Franklin, Dr. Marshall, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously

Ordinance No. 1399 being **“AN ORDINANCE AUTHORIZING THE MAYOR OR CITY MANAGER OF THE CITY OF BENBROOK, TEXAS, TO EXECUTE A SPECIAL WARRANTY DEED SELLING THE PUBLIC INTEREST IN 913 TIMBERLINE DRIVE (LOT 22, BLOCK 16, TIMBER CREEK ADDITION); PROVIDING FOR ENGROSSMENT AND ENROLLMENT AND PROVIDING AN EFFECTIVE DATE**

## **B. CONTRACT**

### **C-300 Authorize Contract for collection of outstanding ambulance billing accounts**

Joanna King gave the following report: For a number of years, the City of Benbrook contracted with the Municipal Services Bureau (MSB) for the collection of outstanding ambulance accounts and Municipal Court Class "C" Misdemeanor warrants. Recently, MSB changed its service provision and fee structure and the City terminated the warrant collection services contact and entered into a contract with another company. That company does not provide collection services for outstanding ambulance accounts.

Although the contract for ambulance billing was not terminated at that time, MSB has failed to provide responsive collection services. As a result, the City stopped sending information to MSB and has now terminated their service contract.

Following EMS transport, a patient is billed for ambulance charges. If insurance provider information is available, a claim is submitted to that provider. Payment on accounts are due 90-days from the initial billing.

Currently, without a method to collect outstanding accounts, the past due accounts stay dormant. By utilizing the services of an outside agency, the City receives an increase in revenue collection and clears outstanding accounts.

EMS billing personnel requested quotes and information from other collection agencies. Receivable Recovery Services provided the only quote. Services include:

- Collection fee of 25%, per account collected.
- Client Web Access to track case status immediately.
- Provides mailing of notification including: printing, materials, postage, and skip-tracing services.
- 30-day termination by either party.
- Employees bi-lingual staff.
- HIPPA compliant.

Acadian Ambulance Service (Texas), Amed Ambulance Service (Louisiana), and Hansford County Hospital District (Texas) currently contract with Receivable Recovery Services. Staff contacted these agencies and received a good recommendation for services provided.

Motion by Mr. Washburn, seconded by Mr. Allison to approve a contract with Receivable Recovery Services for the collection of outstanding ambulance billing accounts.

Vote on the Motion

Ayes: Ms. Franklin, Dr. Marshall, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously

## **V. OTHER MATTERS OF BUSINESS**

### **1. Conduct 2<sup>nd</sup> Public Hearing on 2016 Property Tax Rate**

Sherri Newhouse provided the following information on the 2016 Property Tax Rate:

The Certified Appraisal Roll was received by Tarrant Appraisal District on July 25, 2016. Staff prepared the "Information on the 2016 Appraisal Roll" to obtain the appraised values; adjustments; exemptions and taxable value of property.

#### **Required Calculations**

- Current Property Tax Rate is \$0.657500
- Proposed Property Tax Rate is \$0.650000
- Effective Tax Rate (ETR) is \$0.658006
- Roll Back Tax (RTR) is \$0.754396
- Estimated Net Taxable Value is \$1,736,357,102
- Increase from 2015 is approximately 7.48%
- Net increase from 2015 is approximately 2.73%
- New construction added \$41,267,855
- Each cent represents \$173,636

#### **Impact of Over-65 Tax Ceiling**

- Benbrook Residential Accounts equal \$8,487
- Citizens with over-65 tax ceiling equals \$2,408
- Percent over-65 property accounts equals 29.37%

#### **Impact of Over-65 Ceiling – Taxable Value**

- Benbrook residential accounts \$1,234,339,324
- Citizens with over-65 tax ceiling \$302,336,256
- Percent over-65 property values 24.49%

Average appraised value of home equals \$167,332

Average taxable value of home equals \$151,936

Average city property taxes equals \$987.52

## Projected Re-Allocation of Property Tax Rate

- Current General Fund Rate is \$0.6325 and Debt Service Rate is \$0.0250; total is \$0.6575
- Proposed General Fund Rate is \$.6225 and Debt Service Rate is \$0.0275; total \$0.6500
- Property Tax Rate decreases by \$0.75 from current rate of \$0.6575 to \$0.6500 for 2016.

Mayor Dittrich opened the public hearing on the 2016 property tax rate at 7:46 p.m. No one spoke to the item. Mayor Dittrich closed the public hearing at 7:46 p.m.

## 2. Conduct 2<sup>nd</sup> Public Hearing on 2016-2017 Proposed Budget

Sherri Newhouse presented the following information:

### Revenues

General Fund	\$17,502,365
Debt Service Fund	\$ 481,898
Operating Fund	\$17,984.263

### Expenditures

General Fund	\$17,487,650
Debt Service Fund	\$ 954,816
Operating Fund	\$18,442.466

### Transfers and Special Projects

General Fund to Capital Asset Replacement	\$200,000
General Fund to CPF Clear Fork Bridge Project	\$530,000
General Fund to Animal Shelter Fund	\$500,000
General Fund to CPF Vista Way Sidewalks	\$ 80,000
Storm Water Utility Fund to Debt Service Fund	\$458,203

### Variance Between Expenditures and Revenues

General Fund	\$ 14,715
Debt Service Fund	\$(14,715)
Operating Funds	\$ -0-

### Projected Ending Fund Balances

General Fund	\$9,103,128
Debt Service Fund	\$ 65,526
Operating Fund	\$9,168,654

### **Current Ad Valorem Tax Rates (Per \$100 valuation)**

General Fund	\$0.6325
Debt Service Fund	\$0.0250
Operating Fund	\$0.6575

### **Proposed Ad Valorem Tax Rates (Per \$100 valuation)**

General	\$0.6225
Debt Service Fund	\$0.0275
Operating Funds	\$0.6500

### **Effective and Rollback Tax Rates (Per \$100 valuation)**

Proposed Tax Rate	\$0.650000
Effective Tax Rate	\$0.658006
Rollback Tax Rate	\$0.754396

### **Impact of Over-65 Tax Ceiling**

Benbrook Residential Property Accounts	8,487
Over-65 Ceiling Property Accounts	2,408
Percentage Over-65 Ceiling Property Accounts	28.37

### **Impact of Over-65 Tax Ceiling – Taxable Value**

Benbrook Residential Property Accounts	\$1,234,339,324
Over-65 Ceiling Property Accounts	\$ 302,336,256
Percentage Over-65 Ceiling Property Accounts	24.49

### **Changes in Assessed Valuations**

Certified Appraisal Value Increase	7.48%
Total Taxable Value Increase	2.73%
New Construction	\$41,267,855
Property Tax Revenue generated by one cent	\$173,636

### **Budget Highlights ( Base Budget)**

- Continuation of current services, programs and staffing levels
- Three percent cost-of-living adjustment for full-time employees
- Up to 10% increase in employee insurance costs
- Decrease in TMRS Rate effective January 1, 2017
- Replacement of five police patrol vehicles
- Replacement of computers, peripherals and software as scheduled
- Addition of one school crossing guard

## **Budget Highlights (Decision Packages)**

- One full-time police officer position
- Reclassification of Communications Specialist
- Three full-time Firefighter/Paramedic positions
- Elimination of three part-time ACFSU positions
- Part-time clerical support for Fire Department
- Part-time clerical support for Municipal Court
- Year-Round part-time workers for Park Department
- Replacement signal light control box for Public Works
- New AED's for Patrol Vehicles
- Scheduling Software for Fire Department
- Fire Inspections Software for Fire Department
- Enhanced and upgraded systems for City computers
- Utility Vehicle for Park Department
- Roof resealing of Police Department facility
- Stand-alone air conditioning system for Server/Computer Room
- Replacement of department-issued hand guns for Police Officers through the Narcotics Account
- Purchase of Gas Masks for Police Patrol and SWAT through Grants
- Replacement of Backhoe and Skid Steer Loader through Capital Asset Replacement Fund (transfer of old equipment to Park Department)

## **Debt Service Fund**

- Transfer from Stormwater Utility for Drainage Bonds \$458,203
- Payment to TIF Certificates of Obligation from TIF
- Use of Debt Service \$14,715 in Reserves for 2016-2017 payments
- Increase Debt Service Property Tax Rate to \$0.027 from \$0.0250 (offset by rate decrease in General Fund Property Tax Rate)

The Finance Director presented the certified appraisal roll from the Tarrant Appraisal District to City Council on August 4, 2016. City Council accepted the Certified Appraisal Roll; set the Anticipated Property Tax Collection Rate at 100%' and appointed the Finance Director to calculate and to publish the Effective Tax Rate (ETR) and the Rollback Tax Rate (RTR).

The next public hearing on the 2016 Property Tax Rate and the Proposed 2016-2017 Budget is scheduled for September 1, 2016.

Mayor Dittrich opened the public hearing on the 2016-2017 proposed budget at 8:00 p.m. No one spoke to the item. Mayor Dittrich closed the public hearing at 8:01 p.m.

## **VI. INFORMAL CITIZEN COMMENTS**

**VII. COUNCIL MEMBER AND STAFF COMMENTS**

**VII. ADJOURNMENT**

Meeting adjourned at 8:02 p.m.

**APPROVED:**

\_\_\_\_\_  
**Jerry B. Dittrich, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Joanna King, City Secretary**



MEMO TO: Mayor Dittrich and Members of the Benbrook City Council  
FROM: Joanna King, City Secretary  
SUBJECT: Certification of Unopposed Candidates for the November 8, 2016  
General Election  
DATE: September 15, 2016

In accordance with law, a general election has been ordered for November 8, 2016 to elect members to serve on the Benbrook City Council in Places 2, 4 and 6. There are no propositions to appear on the ballot in this election.

The filing deadline for placement on the ballot and declaration of write-in candidacy has passed. In these circumstances, Title 1, Chapter C, Subsection C, Section 2.053 of the Texas Election Code authorizes a governing body of a political subdivision, by order, to declare each unopposed candidate elected to office and cancel the election.

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office in the election scheduled for November 8, 2016.

Member of the City Council, Place 2	Renee Franklin
Member of the City Council, Place 4	Rickie Allison
Member of the City Council, Place 6	Mark Washburn

The newly elected members will take their Oath of Office and their seat at the November 17, 2016 regular City Council meeting.

Staff recommends that City Council:

1. Accept the Certification of Unopposed Candidates, and
2. Adopt the Ordinance canceling the general election for November 8, 2016 declaring each unopposed candidate elected to office.

**CERTIFICATE OF UNOPPOSED CANDIDATES  
CERTIFICACION DE CANDIDATOS UNICOS**

To: Presiding Officer of Governing Body  
Al: Presidente de la entidad gobernante

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on November 8, 2016.

Como autoridad a cargo de la preparación de la boleta de violación, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevara a cabo el 8 de noviembre de 2016.

List offices and names of candidates:  
Lista de cargo y nombres de los candidatos:

Member of City Council Place 2  
El miembro del Lugar de ayuntamiento 2

Renee Franklin  
Renee Franklin

Member of City Council Place 4  
El miembro del Lugar de ayuntamiento 4

Rickie Allison  
Rickie Allison

Member of City Council Place 6  
El miembro del Lugar de ayuntamiento 6

Mark Washburn  
Mark Washburn

  
Signature (Firma)

Joanna King  
Printed name (Nombre en letra de molde)

City Secretary  
Title (Puesto)

September 7, 2016  
Date of signing (Fecha de firma)



**ORDER OF CANCELLATION  
ORDEN DE CANCELACION**

The Benbrook City Council hereby cancels the election scheduled to be held on November 8, 2016 in accordance with Section 2.053(a) of the Texas Election Code. The following candidates have been certified as unopposed and are hereby elected as follows:

Los miembros del ayuntamiento de la ciudad de Benbrook por la presente cancela la elección que, de lo contrario, se hubiera celebrado el 8 de noviembre de 2016, con la Sección 2.053 (a) del Código de Elecciones de Texas. Los siguientes candidatos han sido certificados como candidatos únicos y por la presente quedan elegidos como se halla indicado a continuación:

Candidate (Candidato)	Office Sought (Cargo al que presenta candidatura)
Renee Franklin	Member of City Council, Place 2 El miembro del lugar de ayuntamiento 2
Rickie Allison	Member of City Council, Place 4 El miembro del lugar de ayuntamiento 4
Mark Washburn	Member of City Council, Place 6 El miembro del lugar de ayuntamiento 6

A copy of this order will be posted on Election Day at each polling place that would have been used in the election.

El Día de las Elecciones se exhibirá una copia de esta orden en todas las mesas electorales que se hubieran utilizado en la elección.

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Jerry B. Dittrich, Mayor

Attest:

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Joanna King, City Secretary

September 15, 2016

Date of adoption (Fecha de adopción)

**ORDINANCE NO. 1400**

**AN ORDINANCE CANCELING THE NOVEMBER 8, 2016 REGULAR ELECTION AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND, PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Benbrook, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, in accordance with law a general election has been order for November 8, 2016 for the purpose of electing City Council members to serve on the City Council in the City of Benbrook; and

**WHEREAS**, no propositions are to appear on the ballot in that election; and

**WHEREAS**, the City Secretary has certified in writing that each candidate on the ballot is unopposed for election to office; and

**WHEREAS**, the filing deadlines for placement on the ballot and declaration of write-in candidacy has passed; and

**WHEREAS**, in these circumstances Title 1, Chapter C, Subchapter C, Section 2.053, 2 of the Texas Election Code authorizes a governing body of a political subdivision, by order or ordinance, to declare each unopposed candidate elected to office and cancel the election.

**NOW, THEREFORE, BE IT ORDINANCE BY THE CITY COUNCIL OF THE CITY OF BENBROOK, TEXAS, THAT:**

**SECTION 1**

The following candidates, who are unopposed in the November 8, 2016 general election, are hereby declared elected to office, to each serve a full two-year term and shall be issued a certificate of election:

Member of the Council, Place 2	Renee Franklin
Member of the Council, Place 4	Rickie Allison
Member of the Council, Place 6	Mark Washburn

## **SECTION 2**

The November 8, 2016 General Election is hereby canceled.

## **SECTION 3**

Pursuant to Title 1, Chapter 2, Section 2.053, of the Texas Election Code each candidate elected so named in Section 1 of this Ordinance shall be issued a certificate of election after the November 8, 2016 election date.

## **SECTION 4**

Each candidate so elected shall execute the Statement of Elected Official prior to being administered the oath of office as prescribed by the Benbrook Home Rule Charter.

## **SECTION 5**

The City Secretary is hereby directed to post a copy of the Order of Cancellation at each designated polling place on November 8, 2016.

## **SECTION 6**

This ordinance shall be cumulative of all provisions of ordinances of the City of Benbrook, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

## **SECTION 7**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not effect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

## **SECTION 8**

The City Secretary is hereby directed to engross and enroll this Ordinance by copying the caption, Section 1, and the effective date in the minutes of the City Council of the City of Benbrook and by filing this Ordinance in the Ordinance records of the City of Benbrook.

**SECTION 9**

The City Secretary is hereby directed to publish in the official newspaper of the City of Benbrook, the caption, Section 1 and effective date of this Ordinance for two (2) days.

**SECTION 10**

This Ordinance shall be in full force and effect after its passage, and it is so ordained.

**PASSED AND APPROVED on this 15<sup>th</sup> day of September 2016**

\_\_\_\_\_  
Jerry B. Dittrich, Mayor

ATTEST:

\_\_\_\_\_  
Joanna King, City Secretary



DATE: 09/15/16	REFERENCE NUMBER: EDC-2016-01	SUBJECT: Ratify the Benbrook Economic Development Budget for FY 2016-2017	PAGE: 2 of 2
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**RECOMMENDATION**

The Benbrook Economic Development Corporation Board of Directors recommends that City Council ratify the FY 2016-2017 EDC Budget.



# City of Benbrook

## CITY COUNCIL COMMUNICATION

DATE: 09/15/16	REFERENCE NUMBER: G-2262	SUBJECT: Accept finance report for period ending August 31, 2016	PAGE: 1 of 2
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### GENERAL FUND

General Fund revenues for the month of August were \$761,676. Property tax collections were \$33,486. Sales tax collected in July but received by the City and recognized as revenue in August was \$210,000 for the month. A separate summary of sales tax revenue collections is provided for informational purposes. General Fund revenues collected through the end of August were \$16,381,550 or 98.31 percent of the budget.

General Fund expenditures for the month of August were \$1,877,506. Expenditures through the end of August were \$15,092,862 or 86.28 percent of the adopted budget. Salary and fringe benefits for three pay periods are included in the August expenditures.

For the 2015-16 fiscal year-to-date, total General Fund revenues of \$16,381,550 exceeded General Fund expenditures of \$15,092,862 by \$1,288,688.

### DEBT SERVICE

Debt Service revenues collected for the month of August totaled \$1,324; all revenue was from property taxes. There were no Debt Service expenditures for August.

Total revenues for 2015-16 in the amount of \$408,129 were exceeded by total expenditures of \$1,495,107 by \$1,086,978.

This deficit will be reduced significantly when debt service payments for TIF certificates of obligation and for Storm Water Fund general obligation bonds are re-allocated to the appropriate fund before the end of the 2015-16 fiscal year.

### EDC

EDC revenues as of August 31, 2016 were \$840,237. Sales tax revenue received by the EDC for the fiscal year was \$814,365. EDC expenditures for August were \$37,025. Revenues for the year in the amount of \$840,237 exceeded total expenditures of \$485,138 by \$355,099.

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

DATE: 09/15/16	REFERENCE NUMBER: G-2262	SUBJECT: Accept finance report for period ending August 31, 2016	PAGE: 2 of 2
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### **CAPITAL PROJECTS**

Total revenues received through August 31, 2016 for the Capital Projects Fund were \$2,053,327. Total expenditures for the Capital Projects Fund in August 2016 were \$98,026; all August expenses were engineering services. Expenses for the Van Deman Road Project totaled \$18,149. Expenses for the Plantation West Project were \$2,145. Expenses for the Timberline Creek Drainage Project totaled \$31,400. Expenses for the Vista Way Project were \$46,332. For the 2015-16 fiscal year, total revenues of \$2,053,327 exceeded total expenditures of \$928,054 by \$1,125,273.

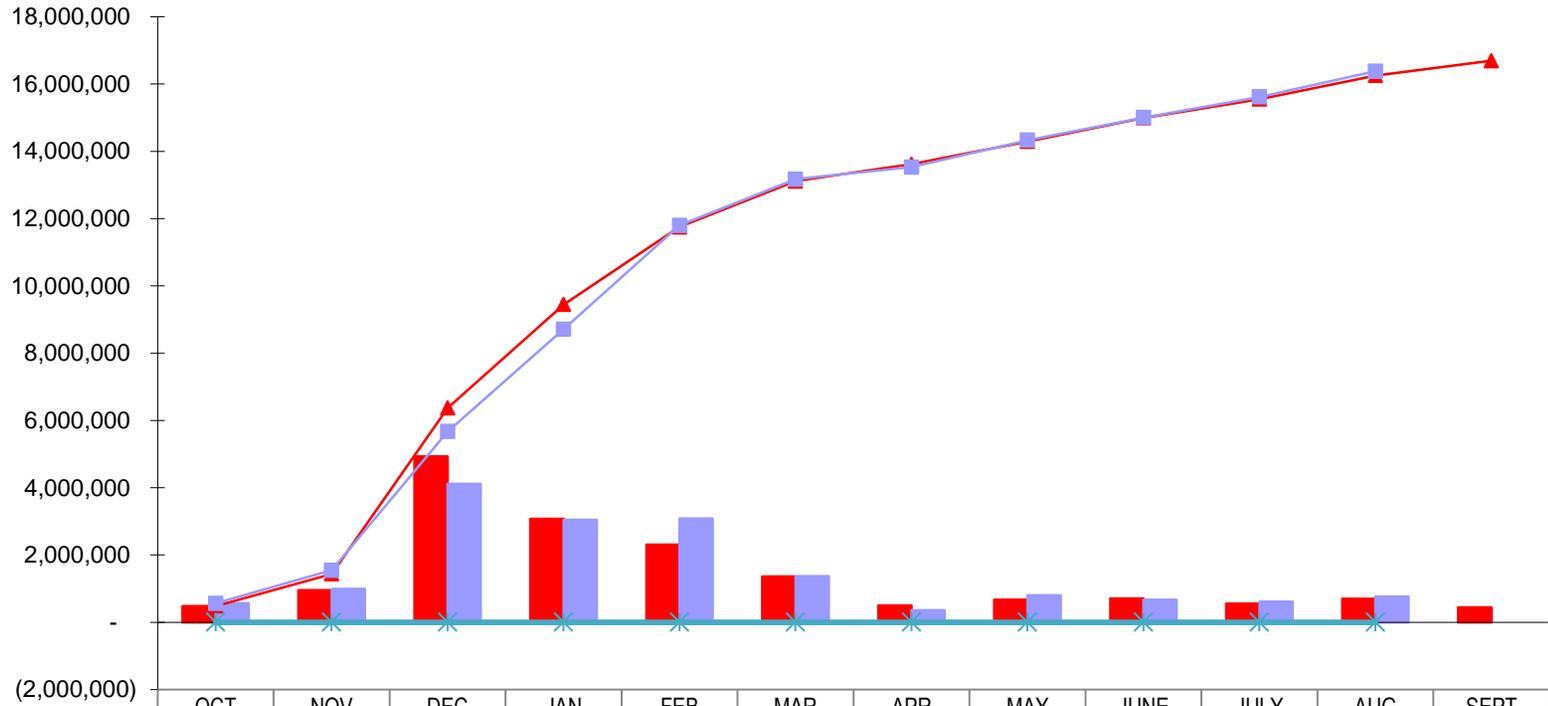
### **CASH & INVESTMENTS**

On August 31, 2016, the City had \$22,625,811 invested at varying interest rates; the EDC had \$6,127,575 available.

### **RECOMMENDATION**

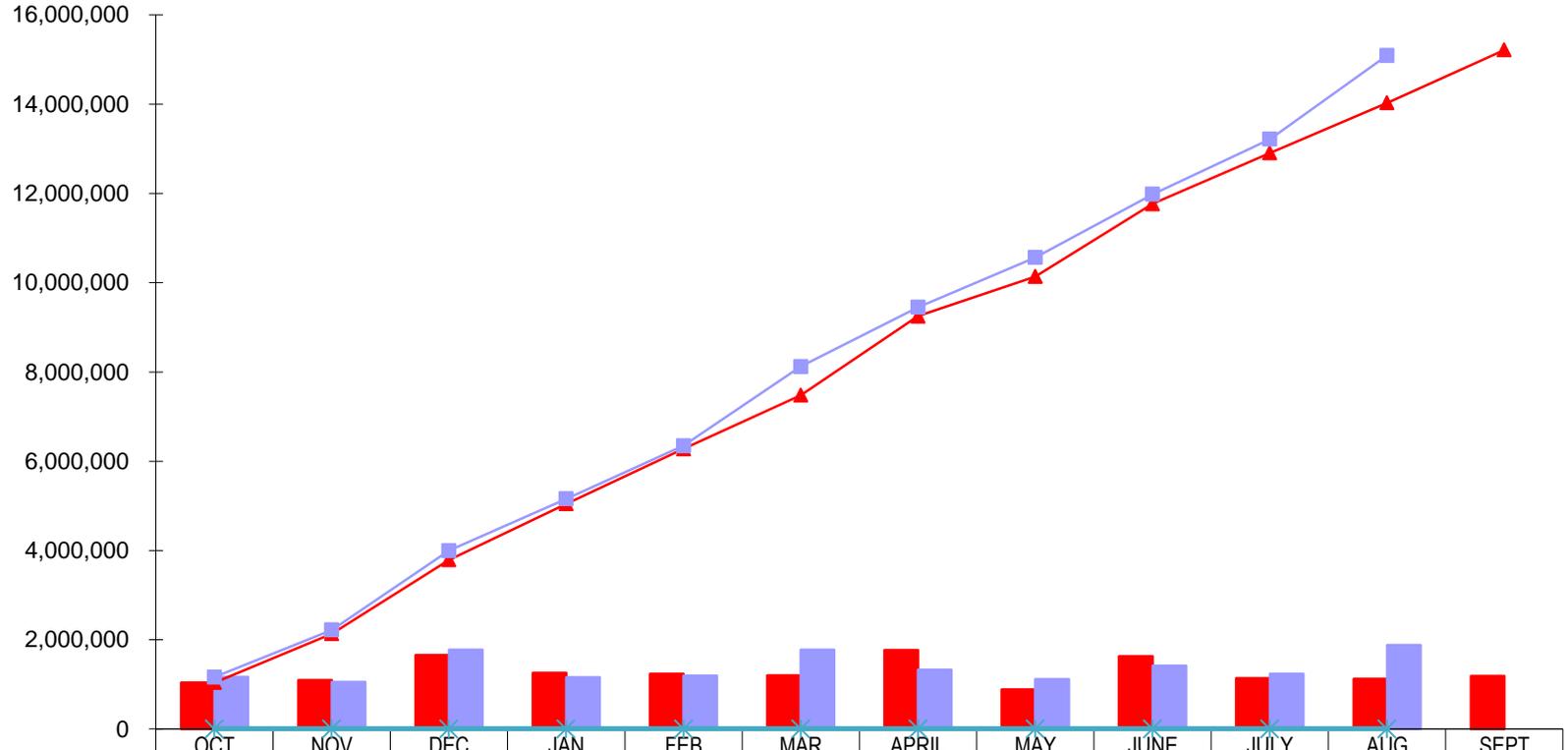
Staff recommends that City Council accept the finance report for the period ending August 31, 2016.

### Revenue Trend Comparison



	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT
■ 2014-15	484,634	955,402	4,929,898	3,078,804	2,304,726	1,362,198	502,176	673,698	703,244	558,506	699,887	438,979
■ 2015-16	562,313	987,115	4,118,735	3,044,455	3,086,948	1,374,372	359,149	797,973	672,802	616,011	761,676	
▲ YTD 14-15	484,634	1,440,036	6,369,934	9,448,738	11,753,464	13,115,662	13,617,838	14,291,536	14,994,780	15,553,286	16,253,173	16,692,152
■ YTD 15-16	562,313	1,549,428	5,668,163	8,712,618	11,799,566	13,173,939	13,533,088	14,331,061	15,003,863	15,619,874	16,381,550	
* % Increase 14-15 to 15-16	16.03%	7.60%	-11.02%	-7.79%	0.39%	0.44%	-0.62%	0.28%	0.06%	0.43%	0.79%	

### Expenditure Trend Comparison



	OCT	NOV	DEC	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT
2014-15	1,041,570	1,091,832	1,656,040	1,254,598	1,233,716	1,202,501	1,771,545	885,387	1,631,225	1,140,779	1,121,353	1,185,105
2015-16	1,165,220	1,053,458	1,776,743	1,161,320	1,190,850	1,772,755	1,329,110	1,117,092	1,416,299	1,232,509	1,877,506	
YTD 14-15	1,041,570	2,133,402	3,789,442	5,044,039	6,277,755	7,480,256	9,251,801	10,137,188	11,768,413	12,909,192	14,030,545	15,215,650
YTD 15-16	1,165,220	2,218,678	3,995,421	5,156,741	6,347,591	8,120,346	9,449,456	10,566,548	11,982,847	13,215,356	15,092,861	
% Change 2014-15 to 2015-16	11.87%	4.00%	5.44%	2.23%	1.11%	8.56%	2.14%	4.24%	1.82%	2.37%	7.57%	



**ORDINANCE NO. 1401  
APPROPRIATION ORDINANCE**

**AN ORDINANCE OF THE CITY OF BENBROOK, TEXAS, APPROVING BUDGET FIGURES FOR THE FISCAL YEAR 2016 THROUGH 2017; APPROVING AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017, AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT, PROJECT AND ACCOUNT; ACCEPTING AND APPROVING THE EMPLOYEE CIVIL SERVICE CLASSIFICATIONS; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE AND SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, the City Manager of the City of Benbrook, Texas, (hereinafter referred to as the "City"), submitted a budget proposal to the City Council prior to the beginning of the fiscal year, and in said budget proposal set forth the estimated revenues and expenditures; and

WHEREAS, the City Manager of the City has filed with the City Secretary a budget outlining all proposed expenditures of the government of the City for the fiscal year beginning October 1, 2016 and ending September 30, 2017 (hereinafter referred to as the "Budget"); and

WHEREAS, the attached Budget, specifically sets forth each of the various projects which appropriations are delineated in the Budget, and the estimated amount of money carried in the Budget for each of such projects; and

WHEREAS, the Budget has been filed with the City Secretary for, at least, thirty (30) days before the date the City Council makes its tax levy for the fiscal year and such Budget has been available for inspection by any taxpayer; and

WHEREAS, the public notices of public hearings on the proposed annual Budget, stating the date, time, place and subject matter of such public hearing, were given as required by the laws of the State of Texas; and

WHEREAS, such public hearings were held by the City Council of the City on said Budget on August 18, 2016 and on September 1, 2016, at which time said Budget was fully considered, and interested taxpayers were heard by said City Council; and

WHEREAS, the City Council has studied the Budget and listened to the comments of the taxpayers at the public hearings held therefore and has determined that the Budget attached hereto is in the best interest of the City and that same should be approved and adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BENBROOK, TEXAS, THAT:

#### SECTION I

All of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

#### SECTION II

The attached Budget consisting of revenues and expenses of the City for conducting the affairs thereof for the ensuing fiscal year beginning October 1, 2016 and ending September 30, 2017, as modified by the City Council, be, and the same is, in all things, adopted and approved as the Annual Budget of the City for the fiscal year, beginning the 1st day of October, 2016 and ending the 30th day of September, 2017; and there is hereby appropriated the funds indicated herein for such projects, operations, activities, purchases and other expenditures proposed in the Budget.

#### SECTION III

Pursuant to the laws of the State of Texas and Article 6, Section 6.03 of the City Charter, there be, and is hereby incorporated for the operating expenditures, the following sums of money for the following purposes for the fiscal year beginning October 1, 2016 and ending September 30, 2017.

<u>DIVISION</u>	<u>AMOUNT</u>
General Government	\$ 2,000,628
Staff Services	1,009,429
Public Safety	10,250,238
Public Services	3,384,552
Community Development	842,803
Debt Service Fund	<u>954,816</u>
 TOTAL OPERATING EXPENDITURES	 \$18,442,466
 TRANSFERS - OUT	 1,310,000
 TOTAL EXPENDITURES AND TRANSFERS OUT	 \$19,752,466

Any necessary transfers between accounts and departments are hereby authorized, approved and appropriated.

#### SECTION IV

The City Manager shall file or cause to be filed a true and correct copy of this Ordinance, along with the approved Budget attached hereto, with the City Secretary and in the office of the County Clerk of Tarrant County, Texas, as required by State Law.

#### SECTION V

Pursuant to the laws of the State of Texas, and specifically Section 143.004, the City held an election to adopt Chapter 143 - Municipal Civil Service of the Local Government Code, wherein it was approved to provide civil service status and protection therefrom to all police officers employed by the City. In compliance with Section 143.021 of the Local Government Code which provides that a municipality's governing body shall establish, by ordinance, the classification of all civil service employees, including the number of positions in each classification, the City hereby establishes its classification of civil service employees for the fiscal year beginning October 1, 2016 and ending September 30, 2017, as stated below and as more fully described in the Cost Center Summary contained in the Annual Budget.

<u>Classification</u>	<u>Number of Authorized Positions</u>
Chief	1.0
Commander	1.0
Police Lieutenant	3.0
Police Sergeant	4.0
Police Detective/Corporal	8.0
Police Patrol Officer	<u>25.0</u>
 TOTAL CIVIL SERVICE POSITIONS	 42.0

#### SECTION VI

Any and all ordinances and resolutions, rules, regulations, policies or provisions in conflict with the provisions of this Ordinance are hereby repealed and rescinded to the extent of conflict therewith.

#### SECTION VII

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

#### SECTION VIII

The necessity of adopting and approving a proposed Budget for the next fiscal year as required by the laws of the State of Texas requires that this Ordinance shall take effect immediately from and after its passage, and it is accordingly so ordained.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Benbrook, Tarrant County, Texas, on this 15th day of September, 2016, at a meeting open to the public after notice thereof being given as required by law.

APPROVED:

\_\_\_\_\_  
Jerry B. Dittrich, Mayor

ATTEST:

\_\_\_\_\_  
Joanna King, City Secretary

Adopted: \_\_\_\_\_

Effective: \_\_\_\_\_

**ORDINANCE NO. 1402**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BENBROOK, TEXAS, FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017, AND FOR EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED, AT THE RATE OF \$0.6500 PER ONE HUNDRED DOLLARS (\$100.00) ASSESSED VALUE ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF BENBROOK, TEXAS, AS OF JANUARY 1, 2016, TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND TO PROVIDE AN INTEREST IN DEBT SERVICE FUNDS ON ALL OUTSTANDING DEBTS OF THE CITY; DIRECTING THE ASSESSMENT THEREOF; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST THEREON; PROVIDING FOR PLACE OF PAYMENT; PROVIDING FOR APPROVAL OF THE TAX ROLLS PRESENTED TO THE CITY COUNCIL; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Benbrook, Texas (hereinafter referred to as the "City") hereby finds that the tax for the fiscal year beginning October 1, 2016, and ending September 30, 2017, hereinafter levied for current expenses of the City and the general improvements of the City and its property must be levied to provide the revenue requirements of the budget for the ensuing year; and

**WHEREAS**, the City Council has approved by a separate ordinance adopted on the 15th day of September, 2016, the budget for the fiscal year beginning October 1, 2016, and ending September 30, 2017; and

**WHEREAS**, all statutory and constitutional requirements concerning the levying and assessing of ad valorem taxes have been complied with.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BENBROOK, TEXAS, THAT:**

**SECTION I**

All of the above premises are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

**SECTION II**

The ad valorem tax appraisal roll and effective tax rate information as presented by the assessor to the City Council for the tax year 2016, be and is hereby, in all things, approved and adopted.

### **SECTION III**

There is hereby levied and ordered to be assessed and collected for the fiscal year beginning October 1, 2016, and ending September 30, 2017, and for each fiscal year thereafter until it be otherwise provided by and ordained on all taxable property, real, personal and mixed, situated within the corporate limits of the City, and not exempt from taxation by the Constitution of the State and valid State laws, an ad valorem tax rate of \$0.6500 for the general operations of the City on each One Hundred Dollars (\$100.00) assessed value of taxable property, and shall be apportioned and distributed as follows:

- (a) For the purpose of defraying the current expenses of the municipal government of the City (a General Fund), a tax of \$0.6225 of each One Hundred Dollars (\$100.00) assessed value of all taxable property within the City.
- (b) For the purpose of creating a Debt Service Fund to pay the interest and principal on all outstanding debts of the City, not otherwise provided for, a tax of \$0.0275 on each One Hundred Dollars (\$100.00) assessed value of all taxable property within the City.

### **SECTION IV**

All monies collected and hereby apportioned are set apart for the specific purposes indicated herein and the funds shall be accounted for in such a manner as to readily show balances at any time.

### **SECTION V**

All ad valorem taxes shall become due and payable on October 1, 2016, and all ad valorem taxes for the year shall become delinquent after January 31, 2017. There shall be no discount for payment of taxes prior to said January 31, 2017. A delinquent tax shall incur all penalty and interest authorized by Chapter 33 of the State Property Tax Code.

### **SECTION VI**

Taxes are payable at the Office of the Tarrant County Tax Assessor/Collector by submitting payment to Ron Wright, County Tax-Assessor-Collector. The County shall have available all rights and remedies provided by law for the enforcement of the collection of taxes levied under this Ordinance.

### **SECTION VII**

The tax rolls, as presented to the City Council, together with any supplement thereto, be, and the same are hereby approved.

**SECTION VIII**

There is hereby affixed on each and every item of property a lien for the said purpose of securing the certain payment of the taxes assessed against said item or property and said lien shall continue to exist against any item of property upon which a tax is assessed hereunder and to such tax, together with all interest and all penalty, shall be paid.

**SECTION IX**

There is hereby levied and ordered collected an annual occupation tax of twenty-five (25) percent on the State occupational tax on each and every occupation subject to an occupational tax under the laws of the State of Texas.

**SECTION X**

Any and all ordinances and resolutions, rules, regulations, policies or provisions in conflict with the provisions of this Ordinance are hereby repealed and rescinded to the extent of conflict therewith.

**SECTION XI**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION XII**

The necessity of affixing and levying municipal ad valorem taxes of the City for the next fiscal year as required by the laws of the State of Texas requires that this Ordinance shall take effect immediately from and after its passage, and it is accordingly so ordained.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Benbrook, Tarrant County, Texas, on this 15th day of September, 2016, at a meeting open to the public after notice thereof being given as required by law.

**APPROVED:**

\_\_\_\_\_  
Jerry B. Dittrich, Mayor

ATTEST:

\_\_\_\_\_  
Joanna King, City Secretary



# City of Benbrook

## CITY COUNCIL COMMUNICATION

DATE: 09/15/16	REFERENCE NUMBER: G-2265	SUBJECT: Ratification of property tax revenue reflected in the 2016-2017 budget	PAGE: 1 of 1
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H.B. 3195, approved in the 2007 legislative session, affects the 2016-17 Budget adoption process. H.B. 3195 requires that any budget enacted after September 1, 2007 must meet the following requirement regarding property tax revenue: "Adoption of a budget that raises more property revenue than was generated the previous year requires two votes by the City Council: (a) one vote to adopt the budget and (b) a separate vote to ratify the property tax revenue increase reflected in the budget."

This budget will raise more total property taxes than last year's budget by \$376,321 and 3.45 percent, and of that amount \$268,241 is tax revenue to be raised from new property added to the roll this year.

**RECOMMENDATION**

Staff recommends that the City Council ratify the property tax revenue increase reflected in the 2016-17 Budget.

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