



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, JULY 19, 2018**

The regular meeting of the Benbrook City Council was held on Thursday July 19, 2018 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

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

Also Present:

Andy Wayman, City Manager
Jim Hinderaker, Assistant City Manager
Joanna King, City Secretary
Cathy Morris, EDC Director
Rick Overgaard, Finance Director
Dawn Green, Police Administrative Manager
Patty Bissey, Marketing Coordinator
Hillary Cromer, EDC Management Analyst

Others Present:

Bill Smith
Kent Williams
Lynette Spence
Tammy Cauthen
David Hafner
Thomas Torlincasi
Sabastian Hewitt, Boy Scout Troop 95
Tyler Bender, Boy Scout Troop 519
and 8 other citizens

I. CALL TO ORDER

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

II. INVOCATION/PLEDGE OF ALLEGIANCE

Invocation given by Councilmember Dr. Larry Marshall.
The Pledge of Allegiance was recited.

III. MINUTES

1. Minutes of the regular meeting held July 5, 2018

Motion by Mr. Allison, seconded by Dr. Marshall to approve the minutes of the regular meeting held July 5, 2018.

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. PRESENTATION BY MAYOR AND MEMBERS OF CITY COUNCIL

CC-2018-06 Adopt Resolution calling General Election for November 6, 2018 and authorize Joint Election Agreement with Tarrant County Election Division

Joanna King gave the following report: The resolution before City Council is required by State law and the Benbrook Home Rule Charter to call an election for Tuesday, November 6, 2018 for the positions of Member of the Council in Places 2, 4 and 6.

Due to the limited availability of election equipment, the City will contract with Tarrant County Election Division in a Joint Election Agreement.

The advantages of joining Tarrant County in the November 6 election include:

- Additional early voting polling places within the County. Benbrook voters will be able to vote early at any of the Tarrant County sites and not be restricted to voting only in the Benbrook location.
- Tarrant County will provide all necessary voting equipment, obtain all polling places, obtain and train all election officials and obtain necessary Justice Department Submissions.

The 2018 joint election agreement and contract between Tarrant County and the City will be forthcoming. The costs assessed to Benbrook will be in accordance to the total number of political subdivisions contracting with Tarrant County.

Motion by Mr. Wilson, seconded by Mr. Sauma to adopt Resolution No. 2018-06 calling the General Election for November 6, 2018 and authorize the City Manager or his designee to execute a joint election agreement with Tarrant County Election Division.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

Resolution No. 2018-06 being A RESOLUTION AND ELECTION ORDER BY THE CITY COUNCIL OF THE CITY OF BENBROOK, TEXAS CALLING FOR A GENERAL ELECTION TO BE HELD ON NOVEMBER 6, 2018; AUTHORIZING A JOINT ELECTION AGREEMENT BETWEEN TARRANT COUNTY AND THE CITY OF BENBROOK, TEXAS; PROVIDING PROCEDURES FOR THE CONDUCT OF THE ELECTION; AND PROVIDING AN EFFECTIVE DATE.

V. PRESENTATION BY BENBROOK ECONOMIC DEVELOPMENT CORPORATION

EDC-2018-03 Approve Contract for Sale with Retail Buildings, Inc. to purchase and develop BEDC-owned property at 8909 Benbrook Boulevard

Cathy Morris gave the following report: As part of the adopted Benbrook Economic Development (BEDC) strategic plan, the BEDC is committed to evaluating commercial properties within Benbrook to determine their highest and best use, to seek ways to improve infrastructure to promote new and expanded business enterprises, and to encourage commercial redevelopment where appropriate. The BEDC board reviews, analyzes, and considers purchase and sale of select properties in an effort to expedite quality development that creates jobs and economic investment in Benbrook.

In March 2018, City Council approved the BEDC purchase of property located at 8909 Benbrook Boulevard (Block 46, Lot 6A of Benbrook Lakeside Addition), operating since the 1970's as a commercial self-storage facility. The sale was finalized at a June 13, 2018 real estate closing at a price to the BEDC of \$1,200,000. A budget adjustment of \$1,250,000 was approved to pay for the

property, closing costs, and incidentals associated with preparing the site for new development. The BEDC has performed an asbestos survey and the two metal buildings, fencing, and slab on the property are being demolished.

The Benbrook Economic Development Corporation board has considered several possibilities to incentivize desirable development of this prime 1.02-acre commercial frontage property. The BEDC board instructed staff to negotiate the sale of the property to specific, targeted types of users, with the understanding that an incentive for the right use could be offered.

Upon board directive, BEDC staff has negotiated the attached draft Contract for Sale with Retail Buildings, Inc. to purchase the EDC-owned property at 8909 Benbrook Boulevard. Retail Buildings, Inc. is an Oklahoma-based corporation offering to purchase the property to construct and operate a Braums Ice Cream and Dairy Store with a 'Fresh Market' component at the location. The contract has been reviewed and approved by BEDC's real estate attorney. Per contract terms, the seller agrees to:

- A purchase price of \$900,000.
- BEDC incurs the cost of water/sewer connections to the building, and associated impact fees (estimated total of approximately \$50,000; a final amount to be budgeted in FY 2019 budget).
- City of Benbrook waives building permit and site plan review fees (estimated total of approximately \$5,000).

Purchaser agrees to:

- Begin construction of a Braums Ice Cream and Dairy Store with a Fresh Market at the location on or before July 1, 2019.
- Begin operations of the store on or before December 2019.
- A deed restriction will be included in the General Warranty Deed restricting the use of the property by purchaser for a Braums Ice Cream and Dairy Store with Fresh Market for a period of five (5) years from closing.

As a landlocked community, the BEDC board is authorized to approve this project if it determines the project to be required for the promotion of new or expanded business enterprise in the community.

The approved budget for the 8909 Benbrook Boulevard project is \$1,250,000. (sale price plus incidentals). BEDC's total investment to purchase and prepare the property for development is approximately \$1,216,000; \$34,000 below budget. If the attached contract for sale is approved, and a real estate closing occurs, the total BEDC incentive for a Braums development on this property, including utilities/fees, is approximately \$366,000.

Motion by Dr. Marshall, seconded by Ms. Franklin to approve the Contract for Sale with Retail Buildings, Inc. at a sale price of \$900,000, and with that approve BEDC incurring the cost of water/sewer connections to the building, along with associated fees, and approve the City of Benbrook community development department waiving all building permit and site plan review fees associated with this development, notwithstanding any fees associated with possible variances.

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-2358 Accept finance report for period ending June 30, 2018

Rick Overgaard gave the following report: General Fund revenues for the month of June were \$295,722, which is artificially low because of the timing of some accounting transfers and journal entries. The offset to the June entries will occur in July, bringing the revenue amount back up to normal. Property tax collections were \$212,284. Sales tax collected in May 2018 but received by the City and recognized as revenue in June 2018 was \$197,667 for the month. Total Licenses, Permits and Fees for June was \$60,848, and revenue from Fines and Forfeitures was \$60,313. General Fund revenues collected through the end of June were \$16,083,579 or 85 percent of the budget.

General Fund expenditures for the month of June were \$1,117,409. General Fund expenditures to date do not include \$2,000,000 in scheduled transfers; these transfers, approved by the City Council in the adoption of the annual budget for 2017-18, will be made prior to September 30, 2018. The year-to-date expenditures for the 2016-17 fiscal year include transfers of \$1,360,000. Expenditures through the end of June were \$12,237,177 or 62 percent of the adopted budget.

For the 2017-18 fiscal year-to-date, total General Fund revenues of \$16,083,579 exceeded General Fund expenditures of \$12,237,177 by \$3,846,402.

Debt Service revenues collected for the month of June 2018 totaled \$9,531; all revenue was from property taxes. There were no Debt Service expenditures for June. Total revenues for 2017-18 in the amount of \$501,982 were exceeded by total expenditures of \$1,437,015 by \$935,033.

EDC revenues as of June 30, 2018 were \$829,919. Revenue was from the EDC's portion of sales tax and interest on investments. EDC expenditures through the end June were \$1,557,934, with \$1,161,729 from a land acquisition. EDC revenues for the year were exceeded by EDC expenditures by \$728,015.

Total revenues received through June 30, 2018 for the Capital Projects Fund were \$1,103,992 from Stormwater Utility fees, TIF income, Mineral Lease revenue, and interest earnings. Total expenditures for the Capital Projects Fund were \$3,723,033 through the end of June 2018. June expenditures, in the amount of \$1,031,899, were for the following projects: Plantation West Drainage, Benbrook Field Drive, Highway 377, Animal Shelter, and the Clear Fork Emergency Access Bridge. Total expenditures exceeded total revenues by \$2,619,041. Sufficient funds are available in the current fund balances of the Capital Projects Fund. This fund operates on a project basis rather than a specific fiscal year.

On June 30, 2018, the City had \$22,263,524 invested at varying interest rates; the EDC had \$5,486,776 available.

Motion by Mr. Allison, seconded by Mr. Washburn to to accept the finance report for the period ending June 30, 2018.

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-2359 Approve Hotel/Motel Tax Report for quarter ending March 31, 2018

Rick Overgaard gave the following report: Revenues for the City's hotel/motel occupancy tax fund totaled \$29,162 for the quarter beginning January 1, 2018 and ending March 31, 2018. Revenue from the hotel/motel occupancy tax totaled \$29,145 and included payments from three of the four establishments in Benbrook. The remainder of the revenue was realized from interest income.

Expenses for this quarter totaled \$30,350. The City Visitor Center expenditures were \$25,850. A payment of \$1,500 was made to the Benbrook Area Chamber of Commerce. A payment of \$3,000 was also made to the Benbrook Area Chamber for the annual BBQ cook-out.

For the second quarter of the 2017-18 fiscal year, the fund balance for the hotel/motel occupancy tax fund decreased by \$1,188 from \$296,174 to \$294,986.

For the 2017-18 fiscal year, total revenues of \$81,968 were exceeded by year-to-date expenditures of \$104,401 by \$22,433.

Motion by Mr. Sauma, seconded by Dr. Marshall to accept the Hotel Motel Tax Report for the period ending March 31, 2018.

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-2360 Authorize Interlocal Agreement with Fort Worth Independent School District to provide three Police Officers to participate in Annual School Security Initiative

Dawn Green gave the following report: The Benbrook Police Department provides three full-time School Resource Officers (SRO) for Fort Worth Independent School District (FWISD) campuses located in Benbrook. The three officers serve as a liaison between the police department and Benbrook schools. All reports and incidents occurring on school property are handled primarily by the SRO's. During holidays and summer break, the officers perform regular patrol duties. The Fort Worth Independent School District subsidizes fifty percent (50%) of the salary, benefits, overtime, and training for all three officers.

Staff recommends that City Council approve the interlocal agreement between the City of Benbrook and the Fort Worth Independent School District for three (3) full-time School Resource Officers.

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-2361 Approve Interlocal Agreement with Fort Worth Transportation Authority to provide transportation for elderly and disabled residents

Patty Bissey gave the following report: The City's contract with the Fort Worth Transportation Authority (the "T") to provide transit service to Benbrook residents expired May 31, 2018. The contract was delivered late this year but there was no interruption in service.

The program provides transit service to residents age 65 or older, or for disabled residents, at a subsidized fare of \$2.50 per one-way trips (on a first-come, first-served basis). An increase to \$3.25 per one-way trip will be implemented by the 'T' on October 1, 2018. The City's cost to participate in the program is \$7,529, and funds are budgeted annually for this expense.

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

The terms and conditions of service and the annual administrative fee of \$7,529 are identical to the current year's contract.

Motion by Mr. Wilson, seconded by Mr. Allison to approve continued participation in the Tarrant County Transportation Services Program for Elderly and Disabled residents, at a cost of \$7,529.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

VII. INFORMAL CITIZEN COMMENTS

VIII. COUNCIL MEMBER AND STAFF COMMENTS

IX. ADJOURNMENT

Meeting adjourned at 8:02 p.m.

APPROVED:



Jerry B. Dittrich, Mayor

ATTEST:



Joanna King, City Secretary