



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, JULY 15, 2021**

The regular meeting of the Benbrook City Council was held on July 15, 2021 at 7:30 p.m. in the Council Chambers with the following Council members present:

Jerry Dittrich, Mayor
Renee Franklin
Larry Marshall
Dustin Phillips
Alfredo Valverde
Laura Mackey
Jason Ward

Also Present:

Andy Wayman, City Manager
Jim Hinderaker, Assistant City Manager
Joanna King, City Secretary
Beth Fischer, Deputy City Secretary
Bennett Howell, Public Service Director

Others:

Lynette Spence
Josh Harville
Michael Barber

I. CALL TO ORDER

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

II. INVOCATION/PLEDGE OF ALEGIANCE

Invocation was given by Pastor Bullock with The Church at Benbrook

The Pledge of Allegiance was recited.

III. CITIZEN COMMENTS ON ANY AGENDA ITEM

None

IV. MINUTES

1. Approve minutes of the regular meeting held July 1, 2021

Motion by Dr. Marshall, seconded by Ms. Mackey to approve the minutes of the regular meeting held July 1, 2021.

Vote on the Motion

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Valverde, Ms. Mackey

Noes: None

Abstain: Mr. Ward

Motion 6-0-1.

V. PRESENTATION BY MAYOR AND MEMBERS OF CITY COUNCIL

CC-2021-07 Adopt Resolution and Election Order calling for a General Election to be held on November 2, 2021; authorizing a Joint Election Agreement between Tarrant County and the City of Benbrook, Texas; and providing procedures for the conduct of the election

Beth Fischer gave the following report: The general election for Mayor and members of City Council in Places 3, 5 and 7 is scheduled for Tuesday, November 2, 2021.

The filing period for candidates begins at 8:00 a.m. Monday, July 19, 2021 and ends at 5:00 p.m. on Monday, August 16, 2021.

The City Secretary is requesting that the City enter into a Joint Election Agreement with Tarrant County for election services.

The advantages of joining Tarrant County for the November 2nd election include:

- Tarrant County is a "Vote Center" as designated by the Secretary of State. As a Vote Center, Tarrant County voters are allowed to cast their ballots in any polling place in the county during Early Voting and on Election Day.
- Tarrant County provides all necessary voting equipment, obtains all polling places, obtains and trains all election officials and obtains any necessary Justice Department submissions. In providing the equipment, the necessity of leasing the equipment from another vendor or making an outright purchase is eliminated, resulting in significant savings.

Exhibit "A" of the Resolution lists both Early Voting and Election Day polling places. This exhibit will be modified as Tarrant County notifies participating entities of those locations.

The costs assessed to Benbrook will be in accordance with the total number of political subdivisions contracting for the election.

Motion by Dr. Marshall, seconded by Mr. Phillips to adopt Resolution NO. 2021-07 calling for a General Election to be held November 2, 2021; authorizing a Joint Election Contract between Tarrant County and the City of Benbrook and providing procedures for the conduct of the election.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Valverde, Ms. Mackey, Mr. Ward

Noes: None

Motion carries unanimously.

Resolution No. 2021-07 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 2, 2021; 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. “**

CC-2021-07 Adoptar resolución y orden electoral que pide que se celebren elecciones generales el 2 de noviembre de 2021; autorizando un acuerdo de elección conjunta entre el condado de Tarrant y la ciudad de Benbrook, Texas; y proporcionando procedimientos para la realización de la elección

Beth Fischer dio el siguiente informe: La elección general para alcalde y miembros del Concejo Municipal en los lugares 3, 5 y 7 está programada para el martes 2 de noviembre de 2021.

El plazo de presentación de candidaturas comienza a las 8:00 a.m. del lunes 19 de julio de 2021 y finaliza a las 17:00 horas.m. del lunes 16 de agosto de 2021.

El Secretario de la Ciudad está solicitando que la Ciudad celebre un Acuerdo de Elección Conjunta con el Condado de Tarrant para los servicios electorales.

Las ventajas de unirse al Condado de Tarrant para las elecciones del² de noviembre incluyen:

El Condado de Tarrant es un "Centro de Votación" designado por el Secretario de Estado. Como centro de votación, a los votantes del Condado de Tarrant se les permite emitir sus votos en cualquier lugar de votación en el condado durante la votación anticipada y el día de las elecciones.

El Condado de Tarrant proporciona todo el equipo de votación necesario, obtiene todos los lugares de votación, obtiene y capacita a todos los funcionarios electorales y obtiene cualquier presentación necesaria del Departamento de Justicia. Al proporcionar el equipo, se elimina la necesidad de arrendar el equipo de otro proveedor o hacer una compra directa, lo que resulta en ahorros significativos.

El Anexo "A" de la Resolución enumera los lugares de votación anticipada y el día de las elecciones. Esta exhibición se modificará a medida que el Condado de Tarrant notifique a las entidades participantes de esos lugares.

Los costos evaluados a Benbrook estarán de acuerdo con el número total de subdivisiones políticas que se contratan para la elección.

Moción del Dr. Marshall, secundada por el Sr. Phillips para adoptar la Resolución NO. 2021-07 que llama a una Elección General que se llevará a cabo el 2 de noviembre de 2021; autorizando un Contrato de Elección Conjunta entre el Condado de Tarrant y la Ciudad de Benbrook y proporcionando procedimientos para la realización de la elección.

Votación sobre la moción:

Ayes: Sra. Franklin, Dr. Marshall, Sr. Phillips, Alcalde Dittrich, Sr. Valverde, Sra. Mackey, Sr. Ward

Noes: Ninguno

La moción se lleva a cabo por unanimidad.

Resolución No. 2021-07 siendo **"Una Resolución y Orden electoral del Concejo Municipal de la Ciudad de Benbrook, Texas que llama a una Elección General que se llevará a cabo el 2 de noviembre de 2021; autorizar un Acuerdo de Elección Conjunta entre el Condado de Tarrant y la Ciudad de Benbrook, Texas; establecer procedimientos para la celebración de las elecciones; y proporcionar una fecha de entrada en vigor. "**

CC-2021-07 Thông qua Nghị quyết và Lệnh Bầu Cử kêu gọi một cuộc Tổng Tuyển Cử sẽ được tổ chức vào ngày 2 Tháng Mười Một, 2021; cho phép thỏa thuận bầu cử chung giữa Quận Tarrant và Thành phố Benbrook, Texas; và cung cấp các thủ tục để tiến hành bầu cử

Beth Fischer đã đưa ra báo cáo sau: Cuộc tổng tuyển cử thị trường và các thành viên của Hội đồng thành phố ở Địa điểm 3, 5 và 7 dự kiến vào Thứ Ba, ngày 2 tháng 11 năm 2021.

Thời gian nộp đơn cho các ứng cử viên bắt đầu lúc 8:00 sáng.m. Thứ Hai ngày 19 tháng 7 năm 2021 và kết thúc lúc 5:00 chiều.m. vào Thứ Hai, ngày 16 tháng 8 năm 2021.

Thư ký Thành phố đang yêu cầu Thành phố ký thỏa thuận bầu cử chung với Quận Tarrant cho các dịch vụ bầu cử.

Những lợi thế của việc gia nhập Quận Tarrant cho cuộc bầu cử ngày 2 tháng 11 bao gồm:

Quận Tarrant là một "Trung Tâm Bầu Cử" theo chỉ định của Bộ trưởng Ngoại giao. Là một Trung Tâm Bầu Cử, cử tri Quận Tarrant được phép bỏ phiếu tại bất kỳ địa điểm bỏ phiếu nào trong quận trong Thời Gian Bầu Cử Sớm và vào Ngày Bầu Cử.

Quận Tarrant cung cấp tất cả các thiết bị bỏ phiếu cần thiết, có được tất cả các địa điểm bỏ phiếu, có được và đào tạo tất cả các quan chức bầu cử và có được bất kỳ đệ trình cần thiết nào của Bộ Tư pháp. Trong việc cung cấp thiết bị, sự cần thiết của việc cho thuê thiết bị từ một nhà cung cấp khác hoặc mua hoàn toàn được loại bỏ, dẫn đến tiết kiệm đáng kể.

Triển lãm "A" của Nghị Quyết liệt kê cả địa điểm bỏ phiếu sớm và ngày bầu cử. Triển lãm này sẽ được sửa đổi khi Quận Tarrant thông báo cho các thực thể tham gia của các địa điểm đó.

Các chi phí được đánh giá cho Benbrook sẽ phù hợp với tổng số phân khu chính trị ký hợp đồng cho cuộc bầu cử.

Đề nghị của Tiến sĩ Marshall, được ông Phillips chấp nhận Thông qua Nghị quyết số 2021-07 kêu gọi tổng tuyển cử sẽ được tổ chức vào ngày 2 tháng 11 năm 2021; cho phép Hợp đồng Bầu cử Chung giữa Quận Tarrant và Thành phố Benbrook và cung cấp các thủ tục để tiến hành cuộc bầu cử.

Bỏ phiếu cho chuyển động:

Ayes: Bà Franklin, Tiến sĩ Marshall, Ông Phillips, Thị trưởng Dittrich, Ông Valverde, Bà Mackey, Ông Ward

Noes: Không có

Chuyển động mang theo nhất trí.

Nghị quyết số 2021-07 là "Một Nghị quyết và Lệnh bầu cử của Hội đồng Thành phố Thành phố Benbrook, Texas kêu gọi một cuộc Tổng Tuyển Cử sẽ được tổ chức vào ngày 2 tháng 11 năm 2021; cho phép thỏa thuận bầu cử chung giữa Quận Tarrant và Thành phố Benbrook, Texas; quy định thủ tục tiến hành bầu cử; và cung cấp một ngày có hiệu lực. "

VI. REPORTS FROM CITY MANAGER

A. GENERAL

G-2520 Adopt Ordinance vacating and abandoning a variable width drainage easement located in the F. M. Wales Survey, Abstract No. 1638, City of Benbrook, Tarrant County, Texas and further accept dedication of a new drainage easement

Jim Hinderaker gave the following report: VS Homes, LLC is seeking to vacate and abandon the City's interest in a portion of a variable width drainage easement crossing Lot 7, Block 8 in La Cantera at Team Ranch subdivision.

The drainage easement does not align with the natural drainage channel. VS Homes, LLC also seeks to dedicate a new easement to the City that follows the correct alignment of the drainage channel.

The drainage easement is necessary to legally convey stormwater across multiple tracts of land. The La Cantera HOA is responsible for all maintenance of the easement and natural drainage channel.

Motion by Mr. Phillips, seconded by Ms. Franklin to adopt Ordinance No. 1468 vacating and abandoning the City's interest in a variable width drainage easement located in the F.M. Wales Survey, Abstract No. 1637, City of Benbrook, Tarrant County, Texas and further accept the dedication of the new drainage easement.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Valverde, Ms. Mackey, Mr. Ward

Noes: None

Motion carries unanimously.

Ordinance No. 1468 being **“AN ORDINANCE VACATING AND ABONDONING THE CITY OF BENBROOK’S INTEREST IN A PORTION OF A VARIABLE WIDTH DRAINAGE EASEMENT LOCATED IN THE F.M. WALES SURVEY, ABSTRACT NUMBER 1637, 4900 CORRIENTE LANE, IN THE CITY OF BENBROOK, TARRANT COUNTY, TEXAS; DECLARING THAT THE EASEMENT IS UNNECESSARY FOR USE BY THE PUBLIC; AUTHORIZING THE MAYOR OF THE CITY TO EXECUTE A QUITCLAIM DEED RELEASING THE PUBLIC OWNERSHIP INTEREST AND CONTROL IN THE PROPERTY; AND PROVIDING AN EFFECTIVE DATE.”**

G-2521 Adopt Ordinance amending Title 15, Chapter 15.60, Property Maintenance Code of the Benbrook Municipal Code, by adopting portions of the 2018 Edition of the International Property Maintenance Code

Jim Hinderaker gave the following report: The proposed ordinance expands the applicable area currently covered by the regulatory standards of Chapter 15.60-Property Maintenance Code of the Benbrook Municipal Code from the Benbrook Boulevard Corridor District to include the entire municipal limits of the City, excluding agricultural, single-family and two-family zoning districts.

The proposed property maintenance regulations will apply only to the “exterior” portion of all structures and outdoor elements. The amendment does not impose any interior maintenance standards.

The City currently operates under the International Code Council (ICC) 2015 Property Maintenance Code. The amendment proposes adoption of the 2018 Property Maintenance Code.

Existing City regulations do not provide the tools necessary for the City to bring enforcement action against property owners that have allowed their properties to go into disrepair. The proposed ordinance will enable staff to cite property owners for:

- building façade and structural problems (i.e. peeling paint, severely cracked or missing masonry, rotten or missing siding or fascia boards, failing foundation or support walls, etc.);
- crumbling parking lots and drive-aisles, missing or fading parking lot striping;
- unsafe site conditions such as broken or uneven private sidewalks, missing or loose handrails, or improperly anchored building elements.
- Enhanced enforcement tools related to rodent harborage abatement.
- Requirement for screens on windows and doors.

Motion by Ms. Franklin, seconded by Mr. Ward to adopt Ordinance No. 2469 amending Chapter 15.60 of the Benbrook Municipal Code.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Valverde, Ms. Mackey, Mr. Ward

Noes: None

Motion carries unanimously.

Ordinance No. 1469 being **“AN ORDINANCE OF THE CITY OF BENBROOK, TEXAS, AMENDING TITLE 15 – BUILDINGS AND CONSTRUCTION OF THE BENBROOK MUNICIPAL CODE, AS AMENDED, BY AMENDING CHAPTER 15.60 – PROPERTY MAINTENANCE CODE BY ADOPTING PORTIONS OF 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE WITH**

LOCAL EDITS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

**SECTION 4
PENALTY CLAUSE**

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety, or public health and sanitation, including dumping of refuse, and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 9
EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage and publication as required by law.

G-2522 Authorize Interlocal Cooperation Agreement with Ellis County for purchase of goods and service

Bennett Howell gave the following report: Staff is proposing an Interlocal Cooperative Agreement with Ellis County for the purchase of goods and service. Interlocal Cooperative Agreements are authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271 of the Texas Local Government Code. The Code authorizes a local government to participate in a Cooperative Purchasing Program of another local government.

The City has a similar agreement with Tarrant County. By utilizing an agreement it will satisfy the requirement of the competitive bid requirements and save the City time and money.

Motion by Mr. Ward, seconded by Mr. Valverde to approve the Interlocal Cooperative Agreement with Ellis County.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Valverde, Ms. Mackey, Mr. Ward

Noes: None

Motion carries unanimously.

B. CONTRACT

C-340 Award paving contract to complete City's annual street overlay program

Bennett Howell gave the following report: In previous years, the asphalt overlay program was performed by Tarrant County Road and Bridge crews. Tarrant County will not be entering into Interlocal Agreements for asphalt paving this year. COVI reduced Tarrant County staff numbers on multiple occasions causing delays in completing last year's projects. To keep the Overlay Program moving forward, the City has elected to contract the work.

For fiscal year, 2020/2021, \$800,000 was budgeted for the program. This year's program will mill and overlay approximately 2.72 miles of streets. The program is tentatively scheduled to begin in early August 2021.

Overlay Streets

Street	From Cross Street	To Cross Street	Length (ft)	Width (ft)
Wandering Way	Stoneleigh Dr	Ravensway Dr	4,200	30
Meadowhill Dr	Locksley Dr	Haywood Dr	3,300	30
Overcrest Dr	Westpark Dr	Benbrook Blvd	1,400	40
Haywood Dr	Westpark Dr	Kenshire Dr	1,350	30
Kenshire Dr	Wandering Way	Benbrook Blvd	3,000	30
Amory Dr	Covington Dr	Benbrook Blvd	1,100	30

Via the pending Interlocal Cooperative Agreement with Ellis County, the City has secured Texas Bit for the pavement portion of the program. The City has worked successfully with Texas Bit on previous projects.

Motion by Dr. Marshall, seconded by Mr. Phillips to approve the contract with Texas Bit for \$677,459.84, contingent upon Ellis County executing the Interlocal Cooperative Agreement.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Valverde, Ms. Mackey, Mr. Ward

Noes: None

Motion carries unanimously.

C-341 Award milling contract to complete City's annual street overlay program

Bennett Howell gave the following report: Milling (removing) the deteriorated asphalt is the first step in overlaying an asphalt street. The top two (2) inches of old asphalt will be removed. The milled asphalt will be transported to the asphalt plant to be recycled into new asphalt.

The City will be able to use the Tarrant County Interlocal Agreement to award this contract. Tarrant County Commissioner's Court approved the contract with TexOp in 2020 and it will expire in 2022.

Motion by Ms. Franklin, seconded by Mr. Valverde to approve the contract with TexOp Construction, LP for \$82,185.74.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Valverde, Ms. Mackey, Mr. Ward

Noes: None

Motion carries unanimously.

VII. INFORMAL CITIZEN COMMENTS

VIII. COUNCIL MEMBER AND STAFF COMMENTS

Jim Hinderaker gave update on COVID-19.

IX. ADJOURNMENT

Meeting adjourned at 7:59 p.m. followed by a Worksession:

1. Development and Projects Update

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary