



**MINUTES  
OF THE  
MEETING OF THE  
BENBROOK CITY COUNCIL  
THURSDAY, AUGUST 4, 2022**

The regular meeting of the Benbrook City Council was held on August 4, 2022 at 7:30 p.m. in the Council Chambers with the following Council members present:

Jason Ward, Mayor  
Renee Franklin  
Larry Marshall  
Dustin Phillips  
Gary Addison  
Keith Tiner

Also Present:

Andy Wayman, City Manager  
Joanna King, City Secretary  
Beth Fischer, Deputy City Secretary  
Jessica James, EDC Director  
Rick Overgaard, Finance Director  
Michael Mullinax, Police Commander

Others:

Rosie Gonzales, Police Administrative Manager  
Phyllis Harkins  
Tammi Cathern  
Anne Mattern  
And 1 other citizen

**I. CALL TO ORDER**

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

**II. INVOCATION/PLEDGE OF ALEGIANCE**

Invocation was given by Pastor Ben Hoffman with the Church at Benbrook  
The Pledge of Allegiance was recited.

**III. CITIZEN COMMENTS ON ANY AGENDA ITEM**

#### IV. MINUTES

##### 1. Approve minutes of the regular meeting held July 21, 2022

Motion by Dr. Marshall, seconded by Mr. Phillips to approve the minutes of the regular meeting held July 21, 2022.

Vote on the Motion

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Ward, Mr. Addison

Noes: None

Abstain: Mr. Tiner

Motion carried 5-0-1.

#### V. PRESENTATION BY BENBROOK ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS

##### **EDC-2022-03 Approve an Economic Development and Performance Agreement between the Benbrook Economic Development Corporation (BEDC) and Kimberly Niles**

Jessica James gave the following report: The shopping center located at 3500 Williams Road was built in 1976. The center has become a distressed property due to deferred exterior and interior maintenance.

In May of 2022, Kimberly Niles, owner of HomeMasters, LLC, purchased 14 of the 16 units. She has also made an offer to purchase the two remaining units. Ms. Niles purchased the property with the desire to refurbish the exterior and interior of the center to improve the sustainability of the property and improve the area. Ms. Niles believes these improvements are critical to retain and recruit quality tenants, which could add businesses and jobs to the Benbrook community.

Ms. Niles' proposal to the BEDC Board included the following façade enhancements to the entire center, including:

- Milling, repairing, overlaying, and restriping the existing parking lot.
- Replacing all windows and exterior doors.
- Replacing the signage on the front of the individual suites to create a cohesive look.
- Painting the brick and siding on entire the building.
- Updating the landscaping.
- Replacing metal on all canopies.

Based on bids received by Ms. Niles, the total estimated project cost for the work is \$277,972. This cost does not include any work on the interior of the building, or the required sidewalk construction needed to meet ADA compliance.

This project meets the mission and objectives of the Benbrook Economic Development Corporation to “Build A Better Benbrook” through investing in projects that support business enterprise and help improve the quality of life in Benbrook. This project is consistent with the Storefront Improvement Grant Program and other similar projects the BEDC has previously supported.

Ms. Niles requested assistance from the Benbrook Economic Development Corporation during their June 27, 2022, meeting. The Board held the required public hearing during their board meeting prior to considering the request. The Board approved a reimbursement grant up to 70% of the actual costs of the project not to exceed \$195,000 during the meeting and authorized the Board President to sign an economic development performance agreement.

The BEDC will pay Kimberly Niles in an amount not to exceed \$195,000 reimbursement of a portion of the capital expenditure within thirty (30) days after:

- the improvements are substantially complete; and
- the BEDC receives documentation satisfactory to the BEDC, in the form of paid receipts/invoices, showing the cost to construct the improvements, so long as Texas HomeMasters, LLC, and Restoration Center still own the Center and is current on all property taxes and no material violations of subdivision regulations, building codes, or other ordinances have been issued, and Kimberly Niles is compliant with the terms of the agreement.

Motion by Mr. Addison, seconded by Mr. Tiner to approve the Economic Development Performance Agreement between the BEDC and Kimberly Niles.

Vote on the Motion

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Ward, Mr. Addison, Mr. Tiner

Noes: None

Motion carried unanimously.

## **VI. REPORTS FROM CITY MANAGER**

### **A. GENERAL**

**G-2569      Accept 2022 Certified Appraisal Roll, set Anticipated Collection Rate, appoint an officer to calculate the No-New-Revenue Tax Rate, Voter-Approval Tax Rate, and enter tax rate in [www.tarranttaxinfo.com](http://www.tarranttaxinfo.com) portal**

Rick Overgaard gave the following report: Staff has received the 2022 Certified Appraisal Roll from the Tarrant Appraisal District (TAD). The report “Information on

the 2022 Appraisal Roll” contains the State-mandated information on appraised value, adjustments, exemptions, and the taxable value of property.

To comply with “Truth-in-Taxation” (TNT) requirements of Texas law, the City Council must accept the Certified Appraisal Roll as presented by TAD, set the anticipated collection rate for FY 2022-23, and appoint an officer to (1) calculate/publish the No-New-Revenue and Voter-Approval Tax Rates, and (2) enter the City’s tax data in the [www.tarranttaxinfo.com](http://www.tarranttaxinfo.com) portal.

The no-new-revenue tax rate is used to evaluate the relationship between taxes for the prior year and for the current year, based on a tax rate that would produce the same amount of taxes if applied to the same properties taxed in both years.

This year the City’s No-New-Revenue Tax Rate is \$0.552088.

The voter-approval tax rate is a calculated maximum tax rate allowed by law without voter approval. The voter-approval tax rate allows cities to capture up to 3.5% in valuation growth from existing property for maintenance and operations.

This year, the Voter-Approval Tax Rate is \$0.59842. The City Budget is preliminarily proposing a tax rate of \$0.5950, compared to the current property tax rate of \$0.6175. This is a 2 1/4 cent decrease from the current rate.

For this year, the Benbrook City Council will be required to take a roll call vote to increase property tax revenue. As a reminder, Texas law requires municipalities to conduct a vote “to raise taxes” even if the City Council lowers the tax rate or if revenue on existing property increases by any amount.

Texas law focuses only on property taxes and does not take into consideration any other revenue sources. In addition, State law does not recognize the intricacies of the property tax roll. For this year, 2022 Appraisal Roll Information Valuation Summary includes \$89,316,250 for properties under protest. Section 25.01 (c) of the State Property Tax Code directs the Chief Appraiser to prepare a list of all properties under protest with the Appraisal Review Board and pending disposition at the time of value roll certification. The estimated minimum taxable value for these properties is \$60,942,286.

Staff recommends that the City Council set the initial property tax rate at the voter-approval tax rate of \$0.59842. The final adopted property tax rate may be lower, but not higher, than the preliminary property tax rate approved on August 4, 2022. The proposed budget is predicated on a proposed tax rate of \$0.5950, which is lower than the voter-approval tax rate. The public vote, as well as the additional advertisements and notices, does not mean that the City of Benbrook will increase the property tax rate. As mandated by the City Charter, the final property tax rate will be approved by the City Council during the budget process and adopted by an ordinance.

Motion by Ms. Franklin, seconded by Mr. Tiner to:

1. Accept the 2022 Certified Appraisal Roll as presented;

2. Set 100.00 percent as the anticipated property tax collection rate for FY 2022-23;
3. Appoint Tarrant County Tax Assessor-Collector to calculate the No-New-Revenue Tax Rate and the Voter-Approval Tax Rate;
4. Appoint the Finance Director to publish and enter the tax data in the [www.tarranttaxinfo.com](http://www.tarranttaxinfo.com) portal;
5. Set the maximum property tax rate for FY 2022-23 at the voter-approval rate of \$0.59842 (may be lowered when final budget is adopted); and,
6. Take a roll call vote to increase property tax revenue.

Vote on the Motion

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Ward, Mr. Addison, Mr. Tiner

Noes: None

Motion carried unanimously.

**G-2570      Authorize Interlocal Agreement with Fort Worth Independent School District to provide three police officers to participate in the Annual School Security Initiative**

Michael Mullinax gave the following report: The Benbrook Police Department provides three full-time School Resource Officers (SRO) for 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.

Motion by Mr. Philips, seconded by Ms. Franklin to 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. Phillips, Mayor Ward, Mr. Addison, Mr. Tiner

Noes: None

Motion carried unanimously.

**VII.    INFORMAL CITIZEN COMMENTS**

**VIII.    COUNCIL MEMBER AND STAFF COMMENTS**

Councilmember Franklin reminded citizens of the Artesian Market to be held Saturday August 6, 2022 at Dutch Branch Park from 10:00 a.m. to 3:00 p.m.

**IX. ADJOURNMENT**

Meeting adjourned at 7:44 p.m. followed by a Worksession to:

1. Discuss dedication ceremony honoring Ron Sauma plaque at Benbrook Animal Shelter (Councilmember Franklin)
2. Discuss removal of the 8-hour allowable parking time for semi-truck parking on residential streets (Mayor Ward)
3. Discuss 2022-2023 Budget

**APPROVED:**



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**Jason Ward, Mayor**

**ATTEST:**



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**Joanna King, City Secretary**