



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, AUGUST 6, 2020**

The regular meeting of the Benbrook City Council was held on August 6, 2020 at 7:30 p.m. in the Council Chambers with the following Council members present:

Jerry Dittrich, Mayor
Renee Franklin-via Telephone Conference
Larry Marshall- via Telephone Conference
Dustin Phillips-via Telephone Conference
Jim Wilson-via Telephone Conference
Laura Mackey-via Telephone Conference
Jason Ward-via Telephone Conference

Also Present:

Andy Wayman, City Manager
Jim Hinderaker, Assistant City Manager
Joanna King, City Secretary
Rick Overgaard, Finance Director
Wes Cooper, Systems Administrator

I. CALL TO ORDER

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

II. CITIZEN COMMENTS ON ANY AGENDA ITEM

Mayor Dittrich paused the meeting for any citizen comments on any agenda item via telephone conference. There were no calls.

III. MINUTES

1. Minutes of the regular meeting held July 16, 2020

Motion by Dr. Marshall, seconded by Ms. Mackey to approve the minutes of the regular meeting held July 16, 2020.

Vote on the Motion by Roll Call:

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

Noes: None

Motion carried unanimously.

At this time Mayor Dittrich announced the passing of Former Councilmember Ron Sauma. Mr. Sauma served on the City Council in Place 7 for 18 years and always kept the interest of the citizens of Benbrook as his main priority. Mayor Dittrich expressed condolences to Mr. Sauma's family and friends during this time of grief. Ron Sauma will be greatly missed by all that knew him.

IV. PRESENTATION BY MAYOR AND MEMBERS OF CITY COUNCIL

CC-2020-07 Accept resignation from Robert Wood, Place 4, ZBA/Appeals Commission and determine method to fill vacancy

Motion by Mr. Wilson, seconded by Mr. Phillips to accept the resignation from Robert Wood, Place 4, Zoning Board of Adjustments/Appeals Commission and to postpone a replacement to the position until the next regular process for Board and Commission appointments.

Vote on the Motion by Roll Call:

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

Noes: None

Motion carried unanimously.

V. PRESENTATION BY PLANING AND ZONING COMMISSION

PZ-2020-03 Adopt Ordinance abandoning the existing Whitestone Golf Course Golf Cart Path Easement located on property within Whitestone Heights Phase 2 and accept the dedication of the new cart path tracts

Jim Hinderaker gave the following report: On July 9, 2020, the Planning and Zoning Commission approved the 58-residential lot Whitestone Heights Phase 2 subdivision plat and plans. The approved subdivision configuration necessitates the rerouting and abandonment of a portion of the existing Whitestone Golf Course cart path easement and the dedication/acceptance of land (four narrow, cart path sized outlots totaling 0.49 acres) by the city, via the recordation of warranty deeds along with the plat, needed for the proposed new golf cart path.

City staff, in cooperation with the Elite Golf management team, the current operator of the Whitestone Golf Course, has reviewed and is supportive of the new golf cart path alignment and construction plan. Per this plan, the developer, SJ Dominion Development, LP, will first provide and maintain a temporary 10-foot wide all-weather surface golf cart path that ensures uninterrupted play during construction of the new golf cart path and subdivision. The developer will then construct a permanent 10-foot wide concrete golf cart path, bordered on each side by a hydro-

mulched buffer ranging in width from 2.5 feet to five feet, within the newly dedicated outlots.

Following acceptance by the city, the new golf cart path and buffer will be maintained by Elite Golf or future lease operator.

Motion by Dr. Marshall, seconded by Mr. Wilson to adopt Ordinance No. 1457 abandoning the existing cart path easement, located within the Whitestone Heights Phase 2 Addition, and accept the dedication of the new golf cart path tracts.

Vote on the Motion by Roll Call:

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

Noes: None

Motion carried unanimously.

Ordinance Number 1457 being **“AN ORDINANCE VACATING AND ABONDONING THE CITY OF BENBROOK’S INTEREST IN A PORTION OF A TWENTY-FIVE FOOT WIDE CART PATH EASEMENT LOCATED IN THE T. & N. O. RAILROAD COMPANY SURVEY, ABSTRACT NUMBER 1565; DECLARING THAT THE PROPERTY 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.”**

VI. REPORTS FROM CITY MANAGER

A. GENERAL

G-2474 Accept Finance Report for period ending June 30, 2020

Rick Overgaard gave the following report: General Fund revenues for the month of June were \$744,243. Major revenues collected for the month include Property taxes of \$224,261, Franchise taxes of \$39,093, Fines and Forfeitures of \$23,430, Charges for Services of \$19,781, Permits of \$160,556 and Interest of \$6,228. Sales tax collected and recognized as revenue in June was \$264,380. Fiscal year to date sales tax is 20.25% greater than last year at this time. General Fund revenues collected through the end of June were \$18,755,517 and 89.0% of the budget.

General Fund expenditures for the month of June were \$1,332,081. Fiscal year to date expenditures were \$15,200,432 and 72.3% of the adopted budget.

Total General Fund revenues of \$18,755,517 were greater than General Fund expenditures of \$15,200,432 by \$3,555,085.

Debt Service revenues for the month of June totaled \$7,876 and were all from property tax. Fiscal year to date revenues total \$1,546,030. There were no expenditures in June. Total revenues of \$1,546,030 exceeded total expenditures of \$1,497,770 by \$48,260.

EDC revenues through June 30, 2020, were \$1,338,667. EDC expenditures through the end of June were \$1,302,900. Total revenues exceeded total expenditures by \$35,767.

Total revenues received through June 30, 2020 were \$3,427,440 from stormwater utility fees, mineral lease revenue, TIF payment, and interest earnings. Total expenditures for the Capital Projects Fund were \$3,388,701 through the end of June. June expenditures included the following projects: Two-Way Conversion and Clearfork Emergency Access Bridge. Total revenues exceeded total expenditures by \$38,739. 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, 2020, the City had \$20,968,485 invested at varying interest rates; the EDC had \$5,070,249 available.

Motion by Ms. Franklin, seconded by Ms. Mackey to accept the finance report for the period ending June 30, 2020.

Vote on the Motion by Roll Call:

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

Noes: None

Motion carried unanimously.

G-2475 Approve Investment Report for the quarter ending June 30, 2020

Rick Overgaard gave the following report: The Public Funds Investment Act (PFIA), Texas Government Code and the City's Investment Policy require that an Investment Report be presented to City Council.

The Investment Committee met on July 15, 2020, to review the report and ensure compliance with the City's investment policy. .

- The total portfolio for the City and EDC at June 30, 2020 is \$26,038,734, with 81% or \$20,968,485 belonging to the City, and 19% or \$5,070,249 to the EDC.
- 31% of the combined portfolio is in bank accounts, with 47% in local government investment pools, and 22% in certificates of deposit.
- The weighted average maturity on the combined portfolio is 65 days with a 0.44% average yield to maturity.

The average yield to maturity decreased this quarter because of continued low market interest rates, which has now decreased the yield in our local government investment pools.

Motion by Ms. Franklin, seconded by Mr. Ward to accept the Investment Report for the quarter ending June 30, 2020.

Vote on the Motion by Roll Call:

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

Noes: None

Motion carried unanimously.

G-2476 Accept 2020 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 data in www.tarranttaxinfo.com portal

Rick Overgaard gave the following report: Staff has received the 2020 Certified Appraisal Roll from the Tarrant Appraisal District (TAD). The report "Information on the 2020 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 2020-21, 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 portal.

The "Information on the 2020 Certified Appraisal Roll" indicates that the City of Benbrook will realize an overall increase in the maintenance and operations (M&O) property tax revenues of 2.8 percent or approximately \$388,899.

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 \$0.601195.

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 \$0.623936. The City Budget is preliminarily proposing a tax rate of \$0.6225, compared to the current property tax rate of \$0.62777. This is a little over a 1/2 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, 2020 Appraisal Roll Information Valuation Summary includes \$107,534,365 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 \$73,139,760.

Staff recommends that the City Council set the initial property tax rate at the voter-approval tax rate of \$0.623936. The final adopted property tax rate may be lower, but not higher, than the preliminary property tax rate approved on August 6, 2020. The proposed budget is predicated on a proposed tax rate of \$0.6225, which is slightly 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 Mr. Phillips, seconded by Mr. Wilson to:

1. Accept the 2020 Certified Appraisal Roll as presented;
2. Set 100.00 percent as the anticipated property tax collection rate for FY 2020-21;
3. Appoint the Finance Director to calculate and to publish the No-New-Revenue Tax Rate and the Voter-Approval Tax Rate, and enter the tax data in the www.tarranttaxinfo.com portal;
4. Set the maximum property tax rate for FY 2020-21 at the voter-approval rate of \$0.623936 (may be lowered when final budget is adopted); and,
5. Take a roll call vote to increase property tax revenue.

Vote on the Motion by Roll Call:

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

Noes: None

Motion carried unanimously.

VII. INFORMAL CITIZEN COMMENTS

Mayor Dittrich paused the meeting for any informal citizen comments via telephone conference. There were no calls.

VIII. COUNCIL MEMBER AND STAFF COMMENTS

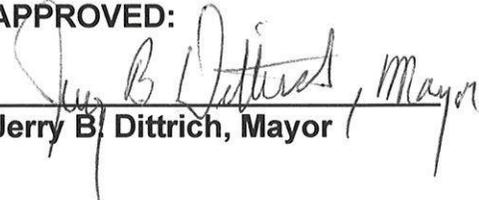
Councilmembers Marshall and Wilson expressed condolences to family and friends of Ron Sauma and spoke of his service to the citizens and fellow Councilmembers.

Jim Hinderaker gave report on COVID-19.

IX. ADJOURNMENT

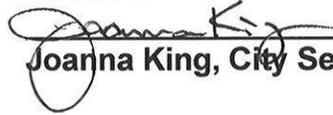
Meeting adjourned at 8:08 p.m.

APPROVED:



Jerry B. Dittrich, Mayor

ATTEST:



Joanna King, City Secretary