



# City of Benbrook

## CITY COUNCIL COMMUNICATION

DATE: 05/21/20	REFERENCE NUMBER: TIF-2020-01	SUBJECT: Approve 380 Economic Development Agreement between the City of Benbrook and BBT Crossing, LTD.	PAGE: 1 of 2
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On February 5, 2016, the City of Benbrook entered into the First Amendment to the Developer Participation Agreement for Benbrook Towne Crossing Project (Underlying Agreement) with BBT Crossing, LTD., BBT Crossing GP Corporation and Bo Peek Limited, which are all companies wherein Brad H. Bowen is either the manager or president having authorization to sign the Underlying Agreement. The Underlying Agreement outlines a number of Tax Increment Finance District (TIF) construction projects already completed including (1) design and construction of a portion of Vista Way located between Mercedes Street and the I-20 frontage road, (2) Benbrook Field Drive (abutting the south side of McDonalds), (3) an access drive between Benbrook Field Drive and the Albertson's (now CubeSmart's) parking lot, and (4) a traffic signal at Benbrook Field Drive and Benbrook Boulevard. The same agreement also requires a yet to be completed access drive between Mercedes Street and the Walmart parking lot.

Due to changing development plans, the city no longer desires to construct the 24-foot wide access drive between Mercedes Street and the Walmart parking lot as required under Section V (C and D) of the Underlying Agreement. In fact, the required access drive is now an impediment to the currently planned redevelopment. BBT Crossing, LTD has agreed to waive this requirement in exchange for the city covering the design and construction costs (see Exhibit A – The "Project" attached to the 380 Economic Development Agreement) associated with the previous oversizing of an off-site drainage system that benefited Mr. Bowen's future drainage needs to develop a portion of a vacant tract of land located south of CubeSmart, north of Mercedes Street and west of Benbrook Boulevard.

To summarize the proposed 380 agreement, Bowen will waive the requirement for the access drive in exchange for the city waiving the amount owed by Bowen for the oversizing of the off-site drainage system installed during the construction of Vista Way.

The cost to design and construct the access drive between Mercedes Street and the Walmart parking lot is estimated to be approximately \$70,000. The design and construction cost of the oversizing of the off-site storm drainage system was \$42,210. The EDC will likely reimburse the TIF for this already incurred cost.

Chapter 380 of the Texas Local Government Code authorizes the grant of public funds to promote economic development to stimulate business and commercial activity in the city.

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

**RECOMMENDATION**

Staff recommends that the City Council approve the 380 Economic Development Agreement between the City of Benbrook and BBT Crossing, LTD and further authorize Andy Wayman, City Manager, to execute said agreement on behalf of the City.