



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, JANUARY 19, 2023**

The regular meeting of the Benbrook City Council was held on January 19, 2023 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
Laura Mackey
Keith Tiner

Also Present:

Andy Wayman, City Manager
Jim Hinderaker, Assistant City Manager
Joanna King, City Secretary
Beth Fischer, Deputy City Secretary
Rick Overgaard, Finance Director
Tommy Davis, Fire Chief
Bennett Howell, Public Services Director

Others:

Pastor Lynn Bullock
Bill Smith
Josh Harville
Members of Boy Scout Troop 95
Claire Boyette
Lily Ordonez
Paul Boyette
Phillip McFadden

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 Lynn Bullock with The Church of Benbrook

The Pledge of Allegiance was recited.

Boy Scout Troop 95 members, Claire Boyette, Lily Ordonez, Paul Boyette and Phillip McFadden introduced themselves.

III. CITIZEN COMMENTS ON ANY AGENDA ITEM

IV. MINUTES

1. Approve minutes of the regular meeting held January 5, 2023

Motion by Dr. Marshall, seconded by Mr. Addison to approve the minutes of the regular meeting held January 5, 2023.

Vote on the Motion

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

Noes: None

Motion carries unanimously.

V. REPORTS FROM CITY MANAGER

A. GENERAL

G-2596 Consider 49th Year Community Development Block Grant Project (Public Hearing) – Rescheduled from January 5, 2023

Jim Hinderaker gave the following report: The City's 49th Year Community Development Block Grant (CDBG) application to Tarrant County is due January 31, 2023. The City Council is required to hold a public hearing to receive public comment prior to that time and a public hearing has been advertised for the January 19th City Council meeting.

The CDBG is a Federal grant program managed by the U.S. Department of Housing and Urban Development (HUD). The program provides formula-based funding to benefit low to moderate income persons.

Locally, Tarrant County administers the program and has divided cities into two groups to provide for greater funding for all cities in alternating years. For 2023, Group A cities, which includes Benbrook, will be eligible for funding.

HUD has adopted stringent regulations regarding eligibility. Projects must benefit low-to-moderate income persons, either by being in a qualifying service area or benefiting a target population, such as the elderly or handicapped. Projects may include:

1. **Public Facilities and Improvements** - Acquisition, construction, reconstruction, rehabilitation or installation of public facilities and improvements that benefit low-to-moderate income populations. This may include senior citizen centers/community centers, or reconstruction of streets, water and sewer lines, sidewalks, parks or playgrounds in low-to-moderate income areas.
2. **Removal of Architectural Barriers** - Removal of barriers that restrict mobility and accessibility for elderly or disabled persons to publicly owned buildings, facilities, and sidewalks.
3. **Rehabilitation and Preservation Activities** - Rehabilitation of privately-owned low-to-moderate income residential buildings or houses. Activities related to rehabilitation may include code enforcement, historic preservation, and renovation of closed buildings.

For any public works project, Benbrook must demonstrate that the service area's population is predominately low-to-moderate income persons. Per the U.S. Census, Census Block Group 1054.05 is the only service area in Benbrook that qualifies and is roughly bounded to the north by Bellaire Drive, Southwest Boulevard to the west and south and Crosslands Road to the east. (see Figure 2) Also, the City may only use funds to benefit residential areas, as Tarrant County has rejected proposals that benefit non-residential properties.

The City has completed four CDBG-funded projects in this service area:

- **41st Year** – installation of a sidewalk along the south side of the 5600 and 5700 blocks of Bellaire Drive
- **43rd Year** – installation of streetlights between the 5600 and 5700 blocks of Bellaire Drive
- **45th Year** – installation of streetlights along Crosslands and a sidewalk along Crosslands Road between Creekwood Drive and Bellaire Drive
- **47th Year** – installation of a sidewalk along the balance of Crosslands Road and a sidewalk on the north side of Bellaire Drive between the trailhead and Crosslands Road

For the 49th Year, staff recommends installation of approximately 300 feet of sidewalk along the southside of Bellaire Drive between Crosslands Road and Benbrook's city limit line. (see Figure 3) This project is especially important as it is the last section along Bellaire Drive without a sidewalk that directly abuts existing multi-family apartments. The proposed sidewalk would be approximately five feet wide and of concrete construction. The estimated construction cost (less any utility relocation and easement acquisition costs) is \$30,000

Staff has not identified any additional public works projects in this service area.

In the absence of any additional viable public works projects, Tarrant County is allowing up to \$100,000 of the City's CDBG funds to be used for its Single-Family

Owner-Occupied Rehabilitation program. Tarrant County manages the program and works directly with individual homeowners. Only low-to-moderate income persons are eligible to participate. There are currently five (5) Benbrook properties on the waiting list. A maximum of \$30,000 may be spent on each qualifying home.

There is no required City match for the Single-Family Owner-Occupied Rehabilitation program.

Mayor Ward opened the public hearing at 7:37 p.m.

No one spoke to the item.

Mayor Ward closed the public hearing at 7:38 p.m.

Motion by Dr. Marshall, seconded by Ms. Franklin to approve the Bellaire Drive Sidewalk Installation Project and the Rehabilitation and Preservation Activity as its 49th Year CDBG project application.

Vote on the Motion

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

Noes: None

Motion carries unanimously.

G-2597 Approve Finance Report for period ending December 31, 2022

Rick Overgaard gave the following report: General Fund revenues for the month of December were \$7,154,796. Major revenues collected for the month include Property taxes of \$6,303,820, Franchise taxes of \$9,378, Permits of \$21,440, Fines and Forfeitures of \$25,064, and Charges for Services of \$424,601. Sales tax collected and recognized as revenue in December was \$346,056. Fiscal year to date sales tax is \$1,073,196, an increase of 17.86% over last year at this time. General Fund revenues collected through the end of December were \$9,573,177 and 40.1% of the budget.

General Fund expenditures for the month of December were \$1,254,508. Fiscal year to date expenditures were \$4,021,902 and 16.8% of the adopted budget.

Total General Fund revenues of \$9,573,177 were more than total General Fund expenditures of \$4,021,902 by \$5,551,275.

Debt Service revenues for the month of December totaled \$103,665 and were all from property tax. There were no expenditures in December. The next debt service payments are due February 1, 2023.

EDC revenues through December were \$580,621. EDC expenditures through the end of December were \$188,110. Total revenues exceeded total expenditures by \$392,511.

Total revenues received through December were \$216,437 from stormwater utility fees and interest earnings. Total expenditures for the Capital Projects Fund were \$210,303 through the end of December. December expenditures included the Vista Way Two-Way Conversion and Storm Drain Assessment. Total revenues exceeded total expenditures by \$6,134. 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 December 31, 2022, the City had \$49,813,970 invested at varying interest rates; the EDC had \$6,518,208 available.

Motion by Ms. Mackey, seconded by Mr. Tiner to accept the finance report for the period ending December 31, 2022.

Vote on the Motion

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

Noes: None

Motion carries unanimously.

G-2598 Accept Investment Report for period ending December 31, 2022

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 January 10, 2023, to review the report and ensure compliance with the City's investment policy.

- The total portfolio for the City and EDC on December 31, 2022 is \$56,332,178, with 88.4% or \$49,813,970 belonging to the City, and 11.6% or \$6,518,208 to the EDC.
- 40.2% of the combined portfolio is in bank accounts, with 49.0% in local government investment pools, 9.6% in certificates of deposit, 0.9% in agency notes, and 0.4% in treasury notes.
- The weighted average maturity on the combined portfolio is 44 days with a 2.57% average yield to maturity. In comparison, the 90-day T-Bill benchmark rate is 4.18% due to rising interest rates.

The City's average yield will continue to slowly rise as interest rates increase but will lag the market. Interest rates are forecast to increase through 2023 and the City is positioned to take advantage of these rising rates.

Motion by Mr. Addison, seconded by Mr. Tiner to accept the Investment Report for the quarter ending December 31, 2022.

Vote on the Motion

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

Noes: None

Motion carries unanimously.

G-2599 Approve Amendment #2 with Tarrant County Emergency Services District#1 for Phases 4 and 5 of the American Rescue Plan Act toward ambulance replacement, associated equipment and Firefighting PPE and SCBA

Tommy Davis gave the following report: On August 24, 2021, the Tarrant County Commissioner's Court approved an Interlocal Agreement between the Tarrant County Emergency Services District and Tarrant County allocating initial program funding to the ESD through the American Rescue Plan Act ("ARPA"). Funds allotted to the ESD are designated to aid and support municipal and volunteer emergency services providers that serve Tarrant County's unincorporated areas by meeting equipment replacement needs, personal protective equipment, and related expenses.

On December 16, 2021, the City Council approved an Agreement with Tarrant County for the purchase of one ambulance (replacing the City's 2014 ambulance) and associated equipment. The Agreement was the first of four multi-year agreements programed with the ESD for the replacement of four ambulances in the Benbrook Fire Department's fleet.

On June 2, 2022, the City Council approved Amendment #1 to the Agreement that allowed the City to move forward with Phases 2 and 3 of the multi-year program for the purchase of two additional new ambulances.

Tarrant County has initiated a second amendment to the Agreement that will enable the City to complete the final two phases (Phases 4 and 5) of the program. This amendment includes the purchase of one new ambulance. It also includes the purchase of a cardiac monitor, Lucas compression device, patient stretcher, and all necessary supplies and equipment fitted in every ambulance. This amendment also includes the purchase of firefighting Personal Protective Equipment (PPE) and Self-Contained Breathing Apparatus (SCBA) bottles.

- Phase 4 is for the PPE and SCBA bottles not to exceed \$150,000.
- Phase 5 is for a new ambulance not to exceed \$580,000.

All decommissioned ambulances are transferred from the Fire Department to the Parks and Public Works Departments for continued use. The ambulance box is removed and the chassis retrofitted to accommodate a hydraulically operated flatbed. This process allows the City to save considerable money by eliminated the purchase of new vehicles for the Parks and Public Works Departments.

Motion by Ms. Franklin, seconded by Mr. Tiner to approve Amendment 2 with Tarrant County Emergency Services District #1 for reimbursement of up to \$730,000 toward the replacement of an ambulance, all associated equipment, and firefighting PPE and SCBA's.

Vote on the Motion

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

Noes: None

Motion carries unanimously.

B. CONTRACT

C-359 Award Contract for Dawn Drive and Westerly Ditch Drainage Projects

Bennett Howell gave the following report: The Westerly Ditch Channel Improvement Project will reshape the ditch and install a turf reinforcing mat and gabion mattresses in the channel to improve flow characteristics. The project will start just south of the culvert at Chapin Road and transition into the channel at Palomino Estates.

The Dawn Drive Channel Improvement Project will install modular block walls necessary to improve stormwater flow within the channel and reduce sediment deposition in the culverts. The project will start at the culvert crossing on Dawn Drive and end approximately 150 feet downstream of the culvert. The project will modify the downstream channel to improve the water flow through the bridge to reduce sedimentation and flooding potential.

To keep costs low, both projects were bid together and will be constructed as one project. The projects are included in the Capital Improvements Program approved by the City Council.

Bids were opened on December 15, 2022. Humphrey & Morton submitted the low bid of \$567,585. Humphrey & Morton is a reputable contractor with the necessary experience and references.

The Westerly Ditch Channel Improvement Project includes a \$31,556 fee to lower a Benbrook Water Authority (BWA) water line that crosses the channel. The BWA Board approved this reimbursement cost to the City during its January 3, 2023 meeting.

The Stormwater Utility will fund the project.

Motion by Dr. Marshall, seconded by Ms. Mackey to award the Dawn Drive and Westerly Ditch Drainage Projects contract to Humphrey & Morton for \$567,585.

Vote on the Motion

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

Noes: None

Motion carries unanimously.

VI. INFORMAL CITIZEN COMMENTS

VII. COUNCIL MEMBER AND STAFF COMMENTS

VIII. ADJOURNMENT

Meeting adjourned at 7:51 p.m.

APPROVED:

Jason Ward, Mayor

ATTEST:

Beth Fischer, Deputy City Secretary