



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, JANUARY 16, 2020**

The regular meeting of the Benbrook City Council was held on January 16, 2020 at 7:30 p.m. in the Council Chambers with the following Council members present:

Jerry Dittrich, Mayor
Renee Franklin
Larry Marshall
Dustin Phillips
Jim Wilson
Laura Mackey

Also Present:

Andy Wayman, City Manager
Joanna King, City Secretary
Jim Hinderaker, Assistant City Manager
Bennett Howell, Public Services Director
Amanda Valdez, Management Analyst
Jeff Rodriguez, Marketing Coordinator

Citizens Present:

Mark Roberts
Michael Lara, Scout Master Troop 519
Micah Warfel, Scout Troop 519
Tyler Bender, Scout Troop 519
Raven Warfel, Scout Troop 554
Tommy Denson, Scout Master Troop 519
Vincent Hinojosa, Scout Troop 18
Zachery Lara, Scout Troop 18
Jessie Hinojosa, Scout Troop 18
Gabel Castelle, Scout Troop 18

I. CALL TO ORDER

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

II. INVOCATION/PLEDGE OF ALLEGIANCE

Invocation given by Reverend Fr. Kenneth M. Bolin with St. Thomas Becket Catholic Church

The Pledge of Allegiance was recited.

III. CITIZEN COMMENTS ON ANY AGENDA ITEM

Members of Scout Troops 519, 554 and 18 introduced themselves to City Council.

Scout Tyler Bender presented his Eagle Scout project. The project is building and placing a "Flag Box" at City Hall where citizens can donate their retired flags. The Troop will build and maintain the box. Retirement ceremonies will also be performed by the Troop.

IV. MINUTES

1. Minutes of the regular meeting held January 2, 2020

Motion by Dr. Marshall, seconded by Ms. Franklin to approve the minutes of the regular meeting held January 2, 2020.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

V. PRESENTATION BY MAYOR AND MEMBERS OF CITY COUNCIL

CC-2020-01 Make appointment to Naval Air Station Fort Worth Joint Reserve Base (NAS Fort Worth JRB) Regional Coordination Committee (RCC)

Nomination by Mr. Wilson, seconded by Mr. Phillips to appoint Councilmember Laura Mackey as the voting representative with the Naval Air Station Fort Worth Joint Reserve Base Regional Coordination Committee.

No other nominations were made.

Vote on the Nomination:

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

Noes: None

Nomination carried unanimously.

CC-2020-02 Adopt Administration Regulation CC-05 – Social Media Policy for Councilmembers

Andy Wayman gave the following report: Recently, City Council met in multiple work sessions to discuss a social media policy for the Mayor and City Council. The purpose of the policy is to establish a formal process and standards for the use of social media by Elected Officials in their official capacity. This policy outlines the roles, responsibilities, and best practice recommendations for the use of social media by Elected Officials.

The policy includes sections on:

- Prohibited Content
- Ethics and Elections Rules
- Public Records Retention
- Open Meetings Act
- Administration and Enforcement

If adopted, the policy will be codified as Administrative Regulation CC-5.

The social media policy for City Staff was adopted in 2010.

Motion by Mr. Phillips, seconded by Dr. Marshall to adopt Administrative Regulation CC-5, Elected Officials Social Media Policy.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

VI. REPORTS FROM CITY MANAGER

A. GENERAL

G-2451 Adopt Ordinance Readopting Guidelines and Criteria for Tax Abatement Agreements and Designation of Reinvestment Zones

Amanda Valdez gave the following report: Chapter 312 of the Texas Tax Code enables the City of Benbrook to enter into a tax abatement agreement with an owner of taxable property located in a reinvestment zone if the City has adopted guidelines and criteria. In addition, the City must readopt these guidelines and criteria every two years.

Staff does not recommend any changes to the guidelines previously adopted by the City Council. The proposed ordinance continues to provide the option to negotiate tax abatements for new or expanded manufacturing facilities with more than \$3,000,000 in new investment, or ten or more new employees. The guidelines also allow for tax abatements for new hotels with more than 50 rooms.

Tax abatement agreements are limited to ten years in length and a maximum of 100 percent of the new appraised value. Businesses are still responsible for taxes on the pre-improved value of the property. Tax abatements are not allowed within the TIF District boundaries. Although the City has had guidelines for tax abatement agreements since 1992, the City has never granted a tax abatement. However, having the abatement policy provides an opportunity to attract commercial and industrial developments.

Motion by Ms. Franklin, seconded by Ms. Mackey to adopt Ordinance No. 1454 readopting guidelines and criteria for Tax Abatement Agreements and designation of Reinvestment Zones.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

Ordinance No. 1454 being "AN ORDINANCE READOPTING CHAPTER 3.20 (TAX ABATEMENT AGREEMENTS) OF THE BENBROOK MUNICIPAL CODE (1985), AS AMENDED, READOPTING GUIDELINES AND CRITERIA FOR TAX ABATEMENT AGREEMENTS AND DESIGNATION OF REINVESTMENT ZONES, DEFINING QUALIFYING FACILITIES, ESTABLISHING THE TERM AND LIMITS OF ABATEMENT, REQUIRING AN

APPLICATION, DELEGATING ADMINISTRATIVE AND NEGOTIATION; PROVIDING FOR ENFORCEMENT AND PENALTIES, PROVIDING FOR VARIANCES AND EXPIRATION; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE. “

**SECTION 3
PUBLICATION AND EFFECTIVE DATE**

The City Secretary of the City of Benbrook is hereby authorized to publish this ordinance in book or pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof, as provided in Section 3.10 of the Charter of the City of Benbrook.

The City Secretary of the City of Benbrook is hereby directed to engross and enroll this ordinance by copying the caption, penalty clause, publication clause and effective date clause in the minutes of the City Council and by filing the ordinance records of the City.

The City Secretary of the City of Benbrook is hereby directed to publish the caption, penalty clause, publication clause and effective date clause of this ordinance for two (2) days in the official newspaper of the City of Benbrook, as authorized by Section 52.013 of the Local Government Code.

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

G-2452 Adopt update to Capital Improvements Program

Bennett Howell gave the following report: The Capital Improvements Program (CIP) is a forecast and schedule of public physical improvements for the next five years and beyond. The City Charter requires that the CIP be updated on an annual basis. The CIP is dynamic and may change over time based on community needs, citizen expectations and unanticipated strategic opportunities. The CIP will be added as an appendix in the Comprehensive Plan.

The changes included in this year's plan include:

1. Updated project information
2. Updated cost estimates in 2020 dollars

Summary of projects:

Community Facilities & Equipment

2019-2020	Westpark Fence
2019-2020	Dutch Branch Park Baseball Dugout Replacement
2019-2020	Replace 1997 Pumper Fire Truck (carry-over from previous year)
2019-2020	Replace 1999 Ladder Truck
2020-2021	Replace 1999 Ladder Truck (carry-over from previous year)
2021-2022	No projects
2022-2023	Remodel/Replace City Hall & Police Station
2023-2024	Remodel/Replace City Hall & Police Station (carry over)
2024-2025	Remodel/Replace City Hall & Police Station (carry over)
2024-2025	Pedestrian tunnel under Benbrook Blvd @ Overcrest

Street Improvements

2019-2020	Street Overlay Program
2029-2020	Crosslands Road Streetlight and Sidewalk Installation (45 th CDBG)
2019-2020	Monument and Wayfinding Signs on Benbrook Blvd.
2019-2020	Landscaping on Benbrook Blvd. (carry over)
2019-2020	Clear Fork Emergency Access Bridge (carry over)
2019-2020	Vista Way to Benbrook Blvd. & 2-way conversion
2020-2021	Clear Ford Emergency Access Bridge (carry over)
2020-2021	Street Overlay Program
2020-2021	Crosslands Road Streetlight and Sidewalk Installation (45 th CDBG)
2021-2022	Street Overlay Program
2021-2022	Bellaire Drive Sidewalk Installation (47 th CDBG)
2021-2022	Vista Way to Benbrook Blvd. & 2-way conversion (carry over)
2022-2023	Street Overlay Program
2022-2023	Bellaire Drive Sidewalk Installation (47 th CDBG) (carry over)
2023-2024	Street Overlay Program
2023-2024	49 th CDBG Project to be determined
2024-2025	Street Overlay Program
2024-2025	49 th CDBG Project to be determined (carry over)

Drainage Facilities

2019-2020	No Projects
2020-2021	No Projects
2021-2022	Storm Drain Condition Assessment
2022-2023	Westerly Ditch Drainage
2022-2023	Storm Drain Condition Assessment (carry over)
2023-2024	Southside/Dawn Plantation West Drainage
2023-2024	Dutch Branch Park Low Water Crossing
2024-2025	Storm Drain Condition Assessment (carry over)
2024-2025	Dutch Branch Park Drainage
2024-2025	Storm Drain Condition Assessment (carry over)

Motion by Dr. Marshall, seconded by Mr. Wilson to adopt the revised Capital Improvements Program as presented.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

B. CONTRACT

C-331 Approve construction contract to Diamond Fence and Concrete for dugouts in Dutch Branch Park

Bennett Howell gave the following report: The Dutch Branch Park dugout reconstruction project is included in the FY 2019-20 budget. The project includes reconstruction of all 14 dugouts at the seven baseball fields located at Dutch Branch Park. The overall size of each dugout will increase to seven (7) feet x twenty (20) feet. The project includes new concrete floors, metal posts, rails, galvanized fence fabric and 26-gauge metal roof panels for each dugout. The dugout roof panels will be a different color at each of the seven fields.

The Benbrook Youth Baseball and Softball Association (BYBS) will provide new benches for the dugouts at an approximate cost of \$15,000.

Diamond Fence and Concrete submitted the low bid of \$72,100 for the project. The City understands Diamond Fence has completed other successful construction projects of similar scope and the project references were pleased with their performance. Staff recommends the contract for construction of the dugouts in Dutch Branch Park project be awarded to Diamond Fence and Concrete in the amount of \$72,100.

The Park Land Dedication Fee Fund will finance the project.

The FY 2019-20 budget included \$59,470 to complete this project, but the overall cost has increased by 22% due to increased labor and material costs for this specialized work. Staff recommends that the City increase the overall budget to \$72,100 to build all 14 dugouts.

There are sufficient funds in the Park Land Dedication Fee fund to complete the entire project this year.

Motion by Ms. Franklin, seconded by Mr. Wilson to award the construction contract to Diamond Fence and Concrete for 14 dugouts in Dutch Branch Park at a cost of \$72,100.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

VII. INFORMAL CITIZEN COMMENTS

VIII. COUNCIL MEMBER AND STAFF COMMENTS

IX. ADJOURNMENT

Meeting adjourned at 8:00 p.m. followed by a worksession:

1. Discuss Debt Capacity and Upcoming Capital Projects

ATTEST:


Joanna King, City Secretary

APPROVED:

Jerry B. Dittrich, Mayor