Benbrook

MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, SEPTEMBER 3, 2020

The regular meeting of the Benbrook City Council was held on September 3, 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

Also Present:

Andy Wayman, City Manager
Jim Hinderaker, Assistant City Manager
Beth Fischer, Deputy City Secretary
Cathy Morris, EDC Director
Rick Overgaard, Finance Director
Wes Cooper, Systems Administrator
Steve, Pam, Reese and Nash Carlson

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 August 20, 2020

Motion by Dr. Marshall, seconded by Mr. Phillips to approve the minutes of the regular meeting held August 20, 2020.

Vote on the Motion by Roll Call:

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

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

Noes: None

Motion carried unanimously.

IV. PRESENTATION BY BENBROOK ECONOMIC DEVELOPMENT BOARD OF DIRECTORS

EDC-2020-03 Ratify the Benbrook Economic Development Corporation Budget for FY 2020-2021

Cathy Morris gave the following report: The proposed Economic Development Corporation (EDC) FY2021 budget totals $1,553,486.00. City departments submit budgets for City Manager and Finance department review.

While administrative costs are approved through the normal city review process, the EDC board of directors is asked to consider, approve, and recommend EDC project funding, as generally described in account(s) 5700.

A summary of the Benbrook Economic Development Corporation FY2021 proposed budget, with corresponding accounts, is as follows:

Administrative Budget Accounts 5000-5300	$528,486
BEDC Projects - 5700	
5705 Storefront Improvement Grant (ongoing)	$200,000
5706 NW Winscott (enviro, maintenance, incidentals)	$100,000
5707 Westpark Corner (demo, maintenance, incidentals)	$75,000
5718 Timber Creek Center (reimburse façade improvements)	$150,000
5722 Benbrook Boulevard (infrastructure/beautification)	$500,000
TOTAL PROJECTS	$1,025,000
TOTAL BEDC FY2021 BUDGET	$1,553,486

End-of-Year Available Funds

On October 1, 2020, Staff projects a fund balance of approximately $4,606,840. Projected FY2021 total revenue is approximately $1,500,000. Netting out the proposed FY2021 budget leaves projected end-of-fiscal-year funds available of $4,553,354; notwithstanding unanticipated budget adjustments for new project expenditures and possible revenue from the sale of EDC-owned properties.

At their August 17, 2020 regular meeting, the BEDC board conducted a public hearing and unanimously approved the budget. There were no citizen comments.

Motion by Ms. Mackey, seconded by Ms. Franklin to approve the proposed EDC budget for FY 2020-2021

Vote on the Motion by Roll Call:

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

Noes: None

Motion carried unanimously.

IV. PRESENTATION BY BENBROOK ECONOMIC DEVELOPMENT BOARD OF DIRECTORS

EDC-2020-04 Approve Economic Development and Performance Agreement between the City of Benbrook, the Benbrook Economic Development Corporation (BEDC) and Kenneth Russell, and a Temporary Commercial Lease Agreement between the BEDC and Kenneth Russell (Public Hearing)

Cathy Morris gave the following report: Russell Feed & Supply, located at 8704 Benbrook Boulevard, has been in operation since 1997, when Kenneth Russell purchased three feed stores in the area. For over 20 years, Mr. Russell has provided farmers, ranchers, and homeowners with needed supplies, from horse and cattle feed, to pet care items, vaccination clinics, and lawn and garden products.

Located at the corner of Benbrook Boulevard and Mercedes Street, the 9,650sf feed store is a small but growing business, and Mr. Russell is seeking to purchase adjacent city-owned tracts to expand his business.

City staff has been working with the Russell team to reach agreement on a new development that meets Russell's operation needs, encourages construction of a new building with enhanced material and architectural elements, and accommodates public art features that help elevate the City's brand on this prominent commercial corridor.

ECONOMIC DEVELOPMENT AND PERFORMANCE AGREEMENT

Staff worked with Russell and the City Attorney to draft the attached Economic Development and Performance Agreement. The agreement outlines a process whereby Kenneth Russell can acquire the city-owned properties to construct a new Russell Feed & Supply, as depicted in the agreement Exhibits.

The Agreement outlines obligations of each party, along with timelines. Some items are listed below:

City Obligations

- Prepare bid documents in accordance with attached agreement exhibits.
- Retain ownership and provide maintenance, repair, and upkeep of approximately 4,000sf on the Mercedes corner to showcase public art and branding elements.

Russell Obligations

- Submit appropriate bid to purchase the city property.
- File appropriate applications for any required replat, rezone, and conditional use permitting.
- Perform all necessary site improvements required to construct the new facility.
- Obtain all necessary permits and insurances.
- Design and construct the facility and obtain required certificate of occupancy.

BEDC Obligations

- Reimburse Russell for costs associated with site improvements, not to exceed $186,000.
- Authorize, fund, and maintain all city branding features of the project to include a community mural along the north wall of the new building, and public art or other elements on the Mercedes corner.
- Temporarily lease to Russell the existing EDC-owned Marc's Automotive property, located at 9331 and 9351 Westpark Drive.

TEMPORARY COMMERCIAL LEASE AGREEMENT

To avoid interruption in Benbrook Russell Feed & Supply operations while construction of the new facility is ongoing, the attached lease agreement (Exhibit "C" of the developer agreement) allows Kenneth Russell to temporarily lease the EDC-owned property, at no cost, for a period of up to 12-months, with a possible extension, if needed.

Mayor Dittrich opened the public hearing at 7:44 p.m. and announced that the telephone lines were open to accept citizen input on the proposed agreements. After three minutes there were no calls received.

Mayor Dittrich closed the public hearing at 7:47 p.m.

Motion by Ms. Mackey, seconded by Dr. Marshall to approve the Economic Development and Performance Agreement between the City of Benbrook, the Benbrook Economic Development Corporation (BEDC), and Kenneth Russell, and approve a Temporary Commercial Lease Agreement between the BEDC and Kenneth Russell.

Vote on the Motion by Roll Call:

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

Noes: None

Motion carried unanimously.

V. REPORTS FROM CITY MANAGER

A. GENERAL

G-2480 Adopt Resolution authorizing the City Manager to execute and Interlocal Agreement for Mutual Aid for Information Technology Services

Wes Cooper gave the following report: Cities across the country have experienced technology emergencies that have severely impacted municipal operations. These disasters come in many forms including cybersecurity attacks, major system failures, tornados or other weather events, and illness affecting a significant number of IT staff.

Municipal IT leaders in North Texas have developed an Interlocal Agreement (ILA) to provide mutual aid services to participating governmental entities. The ILA provides a framework to both request assistance and respond to a disaster. Similar to mutual aid agreements for public safety services, the ILA establishes terms and conditions in advance to speed response and clarify roles and responsibilities.

Adopting a mutual aid ILA for technology is a "best practice" approach to preparing for cybersecurity attacks and other incidents.

Motion by Mr. Wilson, seconded by Ms. Franklin to adopt resolution authorizing the City Manager to execute an Interlocal Agreement for Mutual Aid for IT services.

Vote on the Motion by Roll Call:

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

Noes: None

Motion carried unanimously

VI. OTHER MATTERS OF BUSINESS

1. Second Public Hearing on proposed budget for FY 2020/2021

Rick Overgaard gave the following summary of the 2020-2021 Proposed Budget:

- 2019/2020 tax rate $0.62777
- Adopted 2020/2021 tax rate $0.62250

Revenues and Transfers In

- General Fund $21,268,900
- Debt Service Fund $ 1,719,267
- Operating Funds $22,988,167

Expenditures and Transfers Out

- General Fund $21,264,353
- Debt Service Fund $ 1,610,241
- Operating Funds $22,874,594

Transfers Out – General Fund

- Capital Asset Replacement $500,000

Transfers to Operating Funds

- Road Damage Fund $ 22,439
- Storm Water Utility Fund $733,366
- TIF Fund $501,203

Projected Ending Fund Balances

- General Fund $8,500,767
- Debt Service Fund $ 453,430
- Operating Funds $8,954,197

Budget Highlights (Base Budget)

- Continuation of current services, programs and staffing levels
- No Decision Packages
- No Cost of Living Adjustment for Full-Time Employees
- Flat Sales Tax growth
- Purchase Fire Truck per Capital Improvements Program
- Increase Asphalt Overlay Program per Capital Improvements Program

Debt Service Fund

- Principal and interest payments for three General Obligation Bond issues
- Transfers from Storm Water Utility Fund and TIF Fund for related debt - $1,234,569
- Debt Service Property Tax Rate at $0.0210

This is the second public hearing on the proposed Fiscal Year 2020-2021 budget. City Council will adopt the FY 2020-2021 budget and ratify property tax revenue increase at the September 17, 2020 meeting.

Mayor Dittrich opened the public hearing at 7:58 p.m. and announced that the telephone lines were open to accept citizen input on the proposed budget.

Leah Rodriguez called speaking in favor of the budget.

Mayor Dittrich closed the public hearing at 8:01 p.m.

VII. INFORMAL CITIZEN COMMENTS

Mayor Dittrich requested informal citizen comments via telephone conference. After three minutes there were no calls received.

VIII. COUNCIL MEMBER AND STAFF COMMENTS

Renee Franklin reminded citizens of the upcoming Trash Bash on September 19, 2020.

Jim Hinderaker gave report on COVID-19.

Laura Mackey wished Benbrook and surrounding students a good first day of school on Tuesday, September 8, 2020.

IX. ADJOURNMENT

Meeting adjourned at 8:08 p.m. followed by a Worksession:

1. Discuss Municipal Complex
2. Discuss City Council/Citizen Email and Correspondence

APPROVED:

Jerry B. Dittrich, Mayor

Jerry B. Dittrich, Mayor

ATTEST:

Beth Fischer

Beth Fischer, Deputy City Secretary