



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, FEBRUARY 4, 2016**

The regular meeting of the Benbrook City Council was held on Thursday February 4, 2016 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Jerry Dittrich
Renee Franklin
Larry Marshall
Rickie Allison
Jim Wilson
Mark Washburn
Ron Sauma

Also Present:

Andy Wayman, City Manager
Dave Gattis, Deputy City Manager
Joanna King, City Secretary
Sherri Newhouse, Finance Director
Bennett Howell, Public Services Director

Others Present:

Ed Gallagher, Planning Director
Denise Huneycutt, Benbrook News
Bill Smith
Lynette Spence
Kent Williams
and two other citizens

I. CALL TO ORDER

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

II. INVOCATION/PLEDGE OF ALLEGIANCE

Invocation given by Mac Johnson, Minister with Tabernacle of Praise.
The Pledge of Allegiance was recited.

III. MINUTES

1. Minutes of the Regular Meeting held January 21, 2016

Motion by Dr. Marshall, seconded by Mr. Washburn to approve the minutes of the regular meeting held January 21, 2016.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

IV. PRESENTATION BY MAYOR AND MEMBERS OF CITY COUNCIL

CC-2016-01 Receive resignation form Marci Mercado, ZBA/Appeals Board and determine method to fill vacancy

Joanna King gave the following report: The City has received a letter of resignation from Marci Mercado, Alternate D on the Zoning Board of Adjustments/Board of Appeals.

The ZBA/Board of Appeals consists of five (5) members and four (4) alternates. Alternate D is not up for appointment until December 2016. Staff believes City Council should delay the appointment to the position until the next normal application process.

Motion by Mr. Sauma, seconded by Ms. Franklin to accept the resignation from Marci Mercado, Alternate D, Zoning Board of Adjustment/Board of Appeals.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

V. PRESENTATION BY PLANNING AND ZONING COMMISSION

PZ-2016-02 Adopt update of Section 17, Capital Improvement Program of the Comprehensive Plan

Bennett Howell gave the following report: The Charter requires that the Capital Improvements Plan (CIP) be updated every year. The last update was January

2015. The update/changes in this year's plan include financial information, project cost in 2015 dollars and the Appendix Tables that include street inventory.

The following projects have been scheduled:

Drainage Projects

Fiscal Year: 2015-2016

Sundown Drive

Plantation West Creek Erosion

Fiscal Year: 2016-2017

Chapin Road cross culvert and channel

Van Deman Drive

Fiscal Year: 2017-2018

Timberline erosion

The drainage facilities for Plantation East Creek at Springbranch were completed in Fiscal Year 2015-2016.

Street and Thoroughfares

The extension of Benbrook Parkway and Winbrook Drive on the north side of Interstate 20 have been completed so that the area is ready for development. Another project completed was the extension of the alley system between Usher Street and Benbrook Boulevard.

The Benbrook Boulevard/US Highway 377 project is ongoing. Phase I should be finalized in the next few weeks. Phases II and III should be starting in mid-February.

The Planning and Zoning Commission approved the revisions at their January 14, 2016 meeting and recommend that City Council also adopt the revisions.

Mayor Dittrich opened the public hearing at 7:41p.m.

No one spoke to the item.

Mayor Dittrich closed the public hearing at 7:41 p.m.

Motion by Mr. Allison, seconded by Dr. Marshall to adopt Section 17-Capital Improvements as part of the Comprehensive Plan.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

VI. PRESENTATION BY TAX INCREMENT FINANCE BOARD

TIF-2016-01 Ratify first amendment to Developer Participation Agreement for Benbrook Towne Crossing Project and approve Resolution authorizing City Manager to sign the agreement

Mr. Gattis gave the following report: The TIF Board was briefed in May about the ongoing negotiations of a Supplemental Developer Agreement for the Benbrook Towne Crossing Project (now called Benbrook Field). Although the final language of the Agreement has not been settled, the major points of the Agreement appear to be settled.

Under the terms of the Agreement, the TIF and/or City would

1. Retain an engineering firm to design the extension of Vista Way from Mercedes Street to the I-20 frontage road,
2. The TIF would share the cost of a flood study along Walnut Creek with BBT (the Developer),
3. The TIF would construct Vista Way and any necessary associated utilities and appurtenances
4. The City would facilitate and support a revised preliminary plat,
5. The TIF will retain an engineering firm to design Benbrook Field Drive and an access drive behind McDonalds,
6. The City will support a modification to the PD restriction on the property adjacent to Benbrook Field Drive to accommodate development on the remaining narrow lot,
7. The TIF will construct Benbrook Field Drive and the access drive behind McDonalds, along with any necessary utilities and appurtenances,
8. The TIF will construct a 24-foot wide access drive from Mercedes Street to the Wal-Mart parking lot behind Russell Feed,
9. The TIF will add reimbursement of a traffic signal at Benbrook Field Drive and Benbrook Boulevard as an eligible expense, and
10. Other than the traffic signal and the Mercedes property reimbursement, TIF expenses on this supplemental Agreement will not be charged to the Benbrook Towne Crossing SubAccount.

Also under the Agreement, BBT would:

1. Dedicate the right-of-way for the extension of Vista Way, but retain the mineral rights. A deed reverter would return the right-of-way if the TIF did not complete the street work within a specified time period.
2. BBT will surrender their \$30,000 in escrow to go toward the design of Vista Way,
3. BBT will donate approximately 2.1 acres to the City, though BBT will retain the mineral rights,
4. BBT will dedicate the right-of-way and easements for Benbrook Field Drive and a drive connection to Albertson behind McDonalds,
5. BBT will dedicate a 10-foot-wide utility easement behind the businesses along Benbrook Boulevard to facilitate the relocation of the overhead electric lines,
6. BBT will donate approximately 0.68 acres at the intersection of Mercedes Street and Benbrook Boulevard to the City. The donation will be eligible for reimbursement from the TIF of up to \$500,000, and
7. BBT will donate a 24-foot-wide access easement from Mercedes Street to the Wal-Mart parking lot behind Russell Feed.

The estimated cost of the proposed Agreement to the TIF is approximately \$3.5 million, less approximately \$70,000 that will be derived from BBT (\$30,000 escrow and \$40,000 share of the flood study.) The TIF currently has approximately \$2.9 million in reserves and the TIF should receive an additional \$1.25 million in TIF revenues during the coming year.

Motion by Mr. Washburn, seconded by Mr. Wilson to approve the First Amendment to the Developers Agreement and authorize the City Manager to execute the agreement.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

Resolution 2016-01 being "A RESOLUTION APPROVING THE FIRST AMENDMENT TO DEVELOPER PARTICIPATION AGREEMENT FOR BENBROOK TOWNE CROSSING PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT."

VII. REPORTS FROM CITY MANAGER

A. GENERAL

G-2229 Accept Hotel/Motel Tax Report for quarter ending December 31, 2015

Sherri Newhouse gave the following report: Revenues for the City's hotel/motel occupancy tax fund totaled \$35,514 for the quarter beginning October 1, 2015 and ending December 31, 2015. Revenue from the hotel/motel occupancy tax totaled \$34,469. The remainder of the revenue was realized from the sale of DVDs and apparel, donations, and interest income.

Expenses for this quarter totaled \$40,314. The City Visitor Center expenditures were \$29,602. The Benbrook Area Chamber of Commerce requested reimbursement of \$1,000 for visitor support and \$2,500 for the Chamber Cook-Out. Expenses for Heritage Fest were \$27. Winter Wonderland expenses were \$7,185.

For the first quarter of the 2015-16 fiscal year, the fund balance for the hotel/motel occupancy tax fund decreased by \$4,800 from \$312,939 to \$308,139.

For the 2015-16 fiscal year, total revenues of \$35,514 were exceeded by year-to-date expenditures of \$40,314 by \$4,800.

Motion by Mr. Allison, seconded by Dr. Marshall to accept the Hotel Motel Tax Report for the period ending December 31, 2015.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

G-2230 Adopt Resolution authorizing Texas Coalition for Affordable Power (TCAP) to procure electricity for 2018-2022

Sherri Newhouse gave the following report: The City is a member of the 171-member coalition known as Texas Coalition for Affordable Power (TCAP). TCAP negotiates the purchase of wholesale electricity on behalf of its member's political subdivisions.

The City's current five-year contract negotiated through TCAP expires on December 31, 2017. The current contract is a fixed price for all electricity consumption regardless of the time of day.

TCAP has identified an opportunity to lock-in contract pricing for the period from the beginning of 2017 through the end of 2022. Contract pricing for this period is as low as pricing has been since the beginning of electric deregulation in Texas in 2002.

TCAP believes that rates in the range of 4 cents per kWh, and possibly below, are attainable by going to market on behalf of coalition members within the next 30 to 60 days. The estimated savings to the City of Benbrook is approximately \$100,000 per year for each of the five years of the proposed contract span.

If the City is interested in contracting for a five-year term, the authorizing resolution must be passed by the City Council by February 25, 2016. TCAP members must immediately execute a contract once TCAP's supplier is able to lock-in pricing at or below the benchmark prices for a five-year period commencing January 1, 2018.

TCAP requests that the City designate three specific individuals with whom TCAP can correspond and provide a contract for signing when appropriate. Only one of the three designees is required to sign the contract which must be signed within twenty-four hours. TCAP recommends including Jay Doegey, TCAP's Executive Director as one of the three designees.

There are three separate supply options to consider for the five-year contract. TCAP's Option 1 is a fixed price for all consumption regardless of the time of day and is most similar to the City's current contract. The other two options have variable components related to the energy spot market.

Motion by Mr. Sauma, seconded by Mr. Allison to adopt Resolution 2016-02 selecting Option 1 as the City of Benbrook's supply option and to designate Andy Wayman, David R. Gattis and Jay Doegey as the three officials authorized to sign the supply contract on behalf of the City of Benbrook.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

Resolution No. 2016-02 being "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BENBROOK, TEXAS, AUTHORIZING THE TEXAS COALITION FOR AFFORDABLE POWER, INC. (TCAP) TO NEGOTIATE AN ELECTRIC SUPPLY AGREEMENT FOR FIVE YEARS FOR DELIVERIES OF ELECTRICITY EFFECTIVE JANUARY 1, 2018; AUTHORIZING TCAP TO ACT AS AN AGENT ON BEHALF OF THE CITY TO ENTER INTO A CONTRACT FOR ELECTRICITY; AUTHORIZING ANDY WAYMAN OR DAVID R. GATTIS OR JAY DOEGEY TO EXECUTE AN ELECTRIC SUPPLY AGREEMENT FOR

DELIVERIES OF ELECTRICITY EFFECTIVE JANUARY 1, 2018 AND COMMITTING TO BUDGET FOR ENERGY PURCHASES IN 2018 THROUGH 2022 AND TO HONOR THE CITY'S COMMITMENTS TO PURCHASE POWER FOR ITS ELECTRICAL NEEDS IN 2018 THROUGH 2022 THROUGH TCAP."

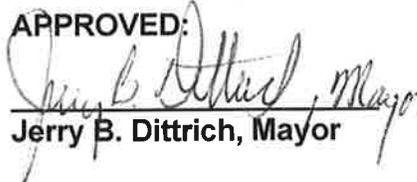
VIII. INFORMAL CITIZEN COMMENTS

IX. COUNCIL MEMBER AND STAFF COMMENTS

X. ADJOURNMENT

Meeting adjourned at 8:05 p.m. followed by worksession:

1. Recap of 2015 and discuss 2016 City Council goals.
2. Discuss Fort Worth Independent School District Athletic Facilities

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:


Joanna King, City Secretary