

MINUTES
BENBROOK ECONOMIC DEVELOPMENT CORPORATION
Board of Directors
Regular Meeting
Benbrook City Hall
Monday, May 15, 2006

I. CALL TO ORDER

The Regular meeting of the Board of Directors of the Benbrook Economic Development Corporation was called to order at 7:00 p.m., Monday, May 15, 2006, in the Central Conference Room, City Hall at 911 Winscott Road. The presiding officer was Vice President Dan Tully. A quorum was present, including the following:

Dan Tully, Vice President
Steven White, Treasurer
Jim Amick, Secretary
James Schull
John Vander Pan

Absent: Charles Anderson, President
Rickie Allison

Staff Present: Ron Rainey, Executive Director
Patty C. Bissey, Director of Marketing & Research

Also Present: Dwight Heard, EDC Attorney
Brad Bowen, Richpenn Resources
Tom Eudaly, Richpenn Resources

II. CONSENT AGENDA (Items listed under the Consent Agenda are considered routine and are enacted in one motion. The exception to this rule is that a Board Member, Citizen, or Executive Director may request one or more items to be removed from the Consent Agenda for separate discussion and action.)

- a. Minutes of BEDC Regular Meeting of April 17, 2006**
- b. Minutes of BEDC Special Meeting of May 8, 2006**
- c. Financial Report For Period Ending April 30, 2006**

Mr. John Vander Pan made a motion to accept the consent agenda. Mr. James Schull seconded the motion. Vice President Dan Tully called the vote. All voted aye and the motion carried.

III. DIRECTORS REPORT

- a. **Report on Planning & Zoning Commission May 11, 2006 Meeting** – Director Ron Rainey reported that members of the City of Benbrook Planning & Zoning Commission on April 13, 2006, considered a Comprehensive Land Use Plan Amendment and zoning change requested by the Benbrook EDC. Mr. Rainey added that the P&Z approved the Land Use Plan Amendment, but continued the Public Hearing on the zoning change request to its May 11, 2006, meeting date. Mr. Rainey also added that the P&Z continued the hearing in anticipation the BEDC, owner of the approximately 25.2 acres of land north of IH-20, east of Winscott Road and west of Winding Way, and Ridglea Country Club Estates Home Owners Association might reach an agreement to the zoning issue. The BEDC was seeking to change all tracts to G-Commerce from its current Low Density Single Family zoning status that was agreed to in a sales contract to a Benbrook developer. RCCEHOA and BEDC have conducted numerous meeting, telephone calls and electronic communication exchanges in an effort to reach a mutually acceptable agreement. Director Rainey provided a full report on the P & Z Commission’s decision and reviewed the various options that City Council could take. Mr. Rainey added that the P & Z’s recommendations are expected to be heard by Benbrook City Council at that body’s regular meeting in Benbrook City Hall on June 15, 2006. Some discussion followed, no action was taken.

- b. **Chevron Real Estate Closing Transfers Site To BEDC** – Director Rainey reported that all documents required for the successful ownership transfer of the former Chevron service station site on Benbrook Blvd., between McDonald’s and Jack in the Box, from BBT Crossing Ltd to the Benbrook Economic Development Corporation were executed and delivered earlier this month to LandAmerica Commonwealth Title of Fort Worth and the transaction was filed in Tarrant County courthouse on Tuesday, May 9, and all documents have been copied and mailed to the BEDC office.

- c. **Staff and Board to Attend Sales Tax Training Class** – Mr. Rainey informed EDC Board of Directors that registrations had been submitted for BEDC Vice President Dan Tully, BEDC Treasurer Steve White and BEDC Marketing and Research Director Patty Bissey to attend the 4A/4B Sales Tax Training class on June 9, 2006, in Fort Worth at the Radisson Hotel on I-35 and Alta Mere.

IV. UNFINISHED BUSINESS

- a. **Consider Contract Change To Sale of Approximately 25.2 Acres north of I-20, east of Winscott Road and west of Winding Way** – Director Rainey reported that the Benbrook Economic Development Corporation contracted to sell approximately 25.2 acres of land located north of IH-20, east of Winscott Road and west of Winding Way to Steve Hawkins. The contract stated the BEDC would rezone the Low Density Single Family zoned land to G-Commerce. The BEDC is seeking to change the zoning of the approximately 18 acre tract to G-Commerce, but has agreed to reduce permitted uses on the approximately 7 acre tract and to seek E-Commerce

with restricted uses. Mr. Rainey stated that Steve Hawkins is in agreement with the zoning request changes, but believes an amendment is required to the Purchase Contract noting the agreement of the BEDC and Hawkins to the contract change.

After some discussion Mr. James Amick made a motion to authorize Director Rainey to sign the amendment to the contract between BEDC and Steve Hawkins from G-Commerce to E-Commerce on the 7 acre tract. Mr. James Schull seconded the motion. Vice President Dan Tully called the vote. All voted aye and the motion carried.

V. NEW BUSINESS

- a. Consider Authorizing Staff To Proceed With TxDOT/City of Benbrook ROW Acquisition at Goliad and Del Rio** – Director Ron Rainey stated that the Benbrook Economic Development Corporation in April directed BEDC Staff to inquire into the process required for the abandonment of Goliad at Del Rio and for the acquisition of property and rights of way owned by the City of Benbrook and Texas Department of Transportation. Mr. Rainey added that Staff has contacted both the City and TxDOT to determine the process required and that the following are TxDOT's requirements: costs will be involved with requirements for a Traffic Impact Analysis, appraisals, surveys and other engineering documents needed to accompany the applications. Mr. Rainey requested EDC Board of Directors authorization to move forward with requests to abandon the current street and acquire the rights of way, adding that the property will be required to accommodate additional parking for a national restaurant chain at the corner of Benbrook Blvd. and the I-20 frontage road.

Mr. James Schull made a motion to authorize staff to proceed with the TxDOT/City of Benbrook right-of-way acquisition at Goliad and Del Rio. Mr. James Amick seconded the motion. Vice President Dan Tully called the vote. All voted aye and the motion carried.

- b. Consider Designation of No Parking/Tow Away Zone on Property Owned by BEDC** – Mr. Rainey reported that the Benbrook Economic Development Corporation, in a partnership with Richpenn Resources International, Inc., has been working to develop Benbrook Towne Crossing and enhance the appearance of Benbrook Blvd. (US377). He added that the several tracts of property including approximately 80 acres fronting on Benbrook Blvd., the demolished Chevron service station, soon to be demolished Texaco service station, and a tract between Jack in the Box and CVS have begun attracting non-permitted parking of semi-trailer trucks and other vehicles. Mr. Rainey stated that Staff has visited with City of Benbrook management and Police Department officials who have suggested the land is privately owned and should be controlled by the property owner by posting no parking and tow-away- zone signs. Director Rainey is seeking guidance and approval from the BEDC Board of Directors authorizing the posting of no parking signs and developing an agreement with a towing service to tow away violators. Mr. Rainey stated that fencing of the sites may also be required to eliminate the trespassing.

Mr. John Vander Pan made a motion to take aggressive action and take measures necessary for immediate solution to this problem and to include all property owned by BEDC along Benbrook Blvd. Mr. James Schull seconded the motions and made an amendment to include any and all property owned by BEDC. Vice President Dan Tully called the vote. All voted aye and the motion carried.

- c. Consider Board of Director Memberships in Texas Economic Development Council** – Mr. Rainey informed Benbrook Economic Development Corporation’s Board of Directors that the Texas Economic Development Council is attempting to broaden its membership base while expanding knowledge of the economic development process by offering memberships to community volunteers at the cost of \$100 per year per volunteer member. Annual cost of membership for professionals is \$350. BEDC Executive Director Ron Rainey is a member of the TEDC Membership Committee. Director Rainey added that TEDC provides informational, educational and legislative services to its members in order to foster the retention and expansion of existing industry, the recruitment of new firms (both national and international), and the creation of strategies that promote a pro-business climate in Texas. Mr. Rainey extended an invitation to BEDC Board of Directors to become members of the Texas Economic Development Council.

Mr. James Schull made a motion to sign any member of the BEDC Board of Directors who was interested in joining. Mr. John Vander Pan seconded the motion. Vice President Dan Tully called the vote. All voted aye and the motion carried.

VI. OTHER MATTERS OF BUSINESS

VII. INFORMAL CITIZEN COMMENTS

- VIII. EXECUTIVE SESSION PURSUANT TO SECTION 551.072, DELIBERATION REGARDING REAL PROPERTY.** Vice President Dan Tully called the Executive Session to order at 7:33 p.m.

- a. Discuss Benbrook Towne Crossing Project With BEDC Real Estate Broker/Developer** – Vice President Dan Tully reconvened the Board at 10:01 p.m.

- IX. CONSIDER ANY ACTION FROM EXECUTIVE SESSION.** No action was taken.

X. ADJOURNMENT

There being no further business, the meeting adjourned at approximately 10:02 p.m.

Secretary

Presiding Officer