

MINUTES
BENBROOK ECONOMIC DEVELOPMENT CORPORATION
Board of Directors
Regular Monthly Meeting
Benbrook City Hall
September 19, 2005

I. CALL TO ORDER

The regular monthly meeting of the Board of Directors of the Benbrook Economic Development Corporation was called to order at 7:00 p.m., Monday, September 19, 2005, in the Council Chamber at 911 Winscott Road. The presiding officer was President Charles Anderson. A quorum was present, including the following:

Charles Anderson, President
James Amick, Secretary
Dan Tully
John Vander Pan
Rickie Allison

Absent were Mr. Steve Chilton and Mr. James Schull

Also Present:

Ron Rainey, Director
Patty Bissey, Director of Marketing & Research
Dwight Heard, EDC Attorney

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 August 15, 2005
- b. Financial Report For Period Ending August 31, 2005

Mr. Tully moved to accept the consent agenda. Mr. Vander Pan seconded the motion. President Anderson called for the vote. All voted aye and the motion carried (Mr. Steve Chilton and Mr. James Schull were absent).

III. DIRECTORS REPORT

- a. **BEDC Receives TEDC CEDA Recognition** – Director Rainey reported that the Benbrook Economic Development Corporation had received notice from the Texas Economic Development Council that it is one of 11 communities nominated and would be recognized at the organization's October 5-7th Annual Conference in San Antonio with a Community Economic Development Award plaque. Mr. Rainey

added that staff will accept the plaque on behalf of the Benbrook EDC and will make a formal presentation to Benbrook City Council at a future date.

- b. **City of Benbrook Board & Commission Interviews** – Mr. Rainey informed the EDC Board of Directors that the Benbrook City Council will be interviewing candidates for the city-appointed Boards & Commissions on September 21st and 22nd. Those whose terms are expiring October 31st on the Benbrook Economic Development Corporation include: Place 1 James Amick, Place 3 Daniel Tully, Place 5 John Vander Pan and Place 7 Steve Chilton. Director Rainey added that City Secretary Joanna King will be coordinating the times for the individual interview sessions to be conducted in the Pre-Council Conference Room of Benbrook City Hall.

II. UNFINISHED BUSINESS

III. NEW BUSINESS

- a. **Consider ECR/Deed Restrictions Committee Appointment** – Director Rainey reported that Benbrook Economic Development Corporation Attorney Dwight Heard has prepared a draft of Deed Restrictions/Covenants for Benbrook Towne Crossing. Officials with Richpenn Resources International, Inc., the BEDC development management team, have strongly objected to deed restrictions and have suggested the use of an ECR Agreement. Mr. Rainey stated that it has been suggested by Richpenn that a BEDC Committee be appointed to work with Richpenn in developing a document that would be satisfactory to both parties. Staff recommendation was that the Board of Directors should consider if a committee should be appointed to review the Covenants and Restrictions to develop a recommendation for the full Board. Some discussion followed. Mr. Rainey was directed to prepare a letter to Richpenn noting the BEDC Board's reluctance to using ECRs for the 80-acre Benbrook Towne Crossing.
- b. **Consider Benbrook Towne Crossing Oil & Gas Mineral Lease** – Mr. Rainey reported that BEDC Oil & Gas Attorney Terry McClure has prepared an Addendum to the ADEXCO Oil & Gas Mineral Lease and submitted it to ADEXCO Attorney Don Curry. BEDC Staff has advised ADEXCO and Richpenn Resources that no unexecuted lease will be considered by the BEDC Board of Directors. Some discussion followed.
- c. **Consider BEDC Involvement In Restaurant Parking Lot Proposal** - Mr. Rainey reported to EDC Board that staff has continued conversations with N3 Development and Venture Commercial Realty in the potential development of additional parking for the site sold by BEDC to N3. It has been recommended the BEDC Board of Directors discuss the EDC's potential involvement in the development of additional parking for a potential casual dining restaurant.

IV. OTHER MATTERS OF BUSINESS

V. INFORMAL CITIZEN COMMENTS

VI. EXECUTIVE SESSION PURSUANT TO SECTION 551.072, DELIBERATION REGARDING REAL PROPERTY; SECTION 551.072, CONSULTATION with ATTORNEY, and SECTION 551.074, PERSONNEL MATTERS. President Anderson called the Executive Session at 7:41pm.

- a. **Consider 8700 Benbrook Boulevard Property Purchase Agreement**
- b. **Consider Action Regarding Benbrook Towne Crossing Finance Options**
- c. **Consider BEDC Director's Contract Renewal/Extension**

President Anderson reconvened the Board at 8:22 pm.

VII. CONSIDER ANY ACTION FROM EXECUTIVE SESSION –

Mr. Amick made a motion to approve the one-year contract between the Benbrook Economic Development Corporation and its Director, Ron Rainey, and direct President Charlie Anderson to execute the contract on behalf of the BEDC. Mr. Vander Pan seconded the motion. President Anderson called the vote. All voted aye and the motion carried (Mr. Steve Chilton and Mr. James Schull were absent).

VIII. ADJOURNMENT

There being no further business, the meeting adjourned at approximately 8:25 p.m.

Secretary

Presiding Officer