

MINUTES
BENBROOK ECONOMIC DEVELOPMENT CORPORATION
Board of Directors
Regular Meeting
Benbrook City Hall
December 21, 2009

I. CALL TO ORDER

The regular meeting of the Benbrook Economic Development Corporation Board of Directors was called to order at 6:30 p.m. Monday, December 21, 2009, in the Council Chambers in City Hall at 911 Winscott Road. The presiding officer was Secretary William Higgins. A quorum was present, including the following:

John Castro
Sandy Davis, Treasurer
William Higgins, Secretary
Ron Sauma
Jim Wilson
Dennis Wood

Absent: Rickie Allison

Staff Present: Ron Rainey, Executive Director
Patricia L. Taber, Administrative Assistant

Also Present: Keith Bailey, City Councilman
Tammi Cauthen, President, Pinnacle Bank
Carrol Crombie, Citizen
Dan Tully, Citizen

II. MINUTES

a. Minutes of Regular Meeting October 19, 2009 –

Mr. Sandy Davis made a motion to approve the Minutes of the Regular Meeting of October 19, 2009, as reported. Mr. Ron Sauma seconded the motion. Secretary William Higgins called the vote. Mr. Jim Wilson abstained and the remainder of the Board voted aye and the motion carried.

b. Minutes of Regular Meeting November 16, 2009 –

Mr. John Castro made a motion to approve the Minutes of the Regular Meeting of November 16, 2009, as reported. Mr. Jim Wilson seconded the motion. Secretary William Higgins called the vote. Mr. Dennis Wood abstained and the remainder of the Board voted aye and the motion carried.

III. FINANCIALS

a. Financial Report for Period Ending November 30, 2009 –

Mr. Ron Sauma made a motion to approve the Financial Report for the period ending November 30, 2009, as reported. Mr. John Castro seconded the motion. Secretary William Higgins called the vote. All voted aye and the motion carried.

b. Consider Moving Funds to Pinnacle Bank Certificate of Deposit – Executive Director Ron Rainey proposed the idea of depositing approximately \$3,000,000.00 of the funds in the checking account into Certificates of Deposit to draw interest. After discussion among the Board members, which included suggestions of approaching other institutions in order to get rates for comparison of such investing, and to determine available options and possibly arrange a meeting with a financial advisor to consider the best opportunities for these funds, with a concentration of keeping the funds within the City of Benbrook. The Board agreed to table this issue until after the election of the officers to be made after the Director's Report. (The Board resumed the discussion of investing of funds and a committee was formed to include Mr. John Castro, Treasurer of the EDC Board of Directors, Mr. Dennis Wood and Mr. Sandy Davis).

IV. DIRECTOR'S REPORT

a. January 14, 2010 Schedule for SCR Officer Installation and Awards Banquet

– Society of Commercial Realtors (SCR) is a committee structure within the Greater Fort Worth Association of Realtors. It is a requirement to be a licensed realtor in order to participate on the Board of Governors for this organization and having served as various chairs or officers over the past three years, Mr. Ron Rainey (a licensed realtor) reported that he will be installed as the Chairman of the SCR on January 14, 2010. Mr. Rainey also reported that one of the main goals of the SCR is to provide scholarships to deserving students throughout the Fort Worth area and this year an award will be presented at this event to Ms. Bianca Bissey, daughter of Mr. and Mrs. Ralph Bissey (Patty Bissey, Marketing Director of the City of Benbrook). Ms. Bissey will receive a \$1,200.00 scholarship to be payable to the school she will be attending. The Bissey family has been invited to attend for this presentation and invitations are extended to any Board members who may wish to attend as well. (A question was raised as to why Mr. Rainey's license is listed under Sperry Van Ness as a real estate agent and not the BEDC. Mr. Rainey explained that a broker sponsor of a real estate organization was necessary in order to participate and the BEDC is not a real estate organization.) Mr. Jim Wilson expressed concern that the membership for this organization was paid through the BEDC using taxpayers money, but the BEDC was not being acknowledged for such and with Sperry Van Ness receiving

recognition, presents an awkward conception on behalf of the citizens. Mr. Rainey explained that previously his sponsor was his wife, Mrs. Sandi Rainey, until she retired a year ago and Sperry Van Ness agreed to sponsor Mr. Rainey and let him display his license in their office in order to keep his license current. Mr. Rainey also explained he has not been active as a realtor in accordance with his contract with the BEDC. Mr. John Castro inquired as to the liability involved, and Mr. Rainey responded he has never been involved in any contracts and, therefore, no liability or responsibility is present. Any contracts entered into regarding the EDC are handled by attorneys. The benefit of Mr. Rainey having a license is of benefit to both buyers and sellers interested in the City of Benbrook in order to communicate with both without the need of working with real estate agents and, therefore, eliminating the split of commissions or contracts. Executive Director Ron Rainey commented that he has been a member of SCR since 1998 and this is the first time it has been questioned by the Board as to the participation and payment by the EDC for the membership. Mr. Ron Sauma requested, for enlightenment for the new members on the Board, an explanation of the benefits of Mr. Rainey's involvement in this organization. Mr. Rainey responded there were several networking opportunities, including at least ten monthly breakfast meetings at Colonial Country Club, with all commercial real estate agents, brokers, and various bankers in the Metroplex. President William Higgins congratulated Mr. Rainey on his appointment and the recognition to be received due to his involvement. No action necessary.

- b. Walmart Construction Update** - Mr. Ron Rainey gave an update on the progress and status of ground work being performed and reported the anticipated and projected opening date is October, 2010. The Benbrook Community Development Department is now working with the contractor for Walmart obtaining the various inspections (i.e. building, site, permits, etc.). Inquiries and/or suggestions have been raised as to posting a sign on the Walmart site "Taxpayers' money at work - Walmart is coming" and when the building permit has been issued, Mr. Rainey will contact Walmart's Director of Community Affairs in order to post a sign, as Walmart now owns the property, not Benbrook, to obtain permission to post such sign. No action necessary.

V. UNFISHED BUSINESS

- a. Election of FY2009 – 2010 BEDC Officers and BRP GP, LLC Board of Managers**
 - i.** President – Mr. Dennis Wood nominated Mr. William Higgins as President. Mr. Sandy Davis seconded the nomination. Mr. William Higgins was nominated and elected as President by acclamation.
 - ii.** Vice President – Mr. Ron Sauma nominated Mr. Sandy Davis as Vice President. Mr. Jim Wilson seconded the nomination. Mr. Sandy Davis was nominated and elected as Vice President by acclamation.

- iii. Secretary – Mr. Jim Wilson nominated Mr. Dennis Wood as Secretary. Mr. Sandy Davis seconded the nomination. Mr. Dennis Wood was nominated and elected as Secretary by acclamation.
- iv. Treasurer – Mr. Dennis Wood nominated Mr. John Castro as Treasurer. Mr. Sandy Davis seconded the nomination. Mr. John Castro was nominated and elected as Treasurer by acclamation.

President William Higgins re-addressed the issue of investing funds (i.e. Certificates of Deposit, etc. in Section III b). The Board appointed a committee to further explore opportunities, said committee consisting of Mr. John Castro, Chairperson, Mr. Dennis Wood and Mr. Sandy Davis, with Director Ron Rainey to be in attendance at such committee meetings as well. The committee was requested to meet, if possible, prior to the next meeting and to advise Executive Director Ron Rainey to place this item on the Agenda. No action necessary.

VI. NEW BUSINESS

- a. **Consider BEDC Planning Date Approval** – Mr. Ron Rainey asked for approval for the date of January 9, 2010, 8:30 a.m., as the meeting facility, facilitator and majority of the Board's availability for attendance at that time. Said meeting time was approved.
- b. **Consider CPA Engagement Letter** – Mr. Ron Rainey presented an engagement letter from The Walton Group (CPA Firm) currently preparing the end of the month financial reports for the BEDC. The Board requested Mr. Rainey obtain a revised engagement letter stating a specific term of twelve (12) months for services by The Walton Group.
- c. **Consider Auditor Engagement Letter** – Mr. Rainey referenced the engagement letter from Weaver (The auditor) in the packet proposing to perform the audit as was conducted by them for the FY 2008-2009. Weaver has prepared audit reports for the City and the BEDC engaged this firm to perform its audit as well. The audits are presently being conducted and the BEDC did not request proposals from other companies.

President William Higgins recommended keeping the arrangements with both The Walton Group and Weaver for the FY 2009-2010 and request proposals for the FY 2010-2011. President William Higgins stated, as a Board member, his comment reflects he is not in support of the motion, but is in support of getting proposals for the next fiscal year period due to the current year being already in progress.

Mr. Jim Wilson made a motion to instruct Mr. Rainey to request proposals from other auditing firms and bookkeeping accounting firms to be presented to the BEDC Board for their consideration. Mr. John Castro seconded the motion. President William Higgins called the vote. President

William Higgins voted nay and the remainder of the Board voted aye and the motion carried.

- d. Consider BEDC Staff Appointment as Recording Secretary/Treasurer –** Executive Director Ron Rainey referenced the duties and responsibilities of the Board Secretary and Treasurer and performance of said duties. Previous Boards had appointed staff as recording secretary and current staff has assumed the responsibilities of the treasurer as well and Director Rainey asked the Board to consider appointing current staff as recording secretary/treasurer. This matter was tabled until the Board has had an opportunity to review the Bylaws of the BEDC. No action necessary.
- e. Consider Soliciting RFP's for Web Page Design –** Mr. Ron Rainey suggested no action be taken at this time until he has had an opportunity to acquire proposals from prospective companies. The Board agreed.
- f. Consider Soliciting RFP's for BEDC Marketing Campaign -** Mr. Ron Rainey suggested no action be taken at this time until he has had an opportunity to acquire proposals from prospective companies. The Board agreed.

VII. INFORMAL CITIZEN COMMENTS – None

VIII. EXECUTIVE SESSION - PURSUANT TO OPEN MEETINGS LAW, TEXAS GOVERNMENT CODE SECTION 551.072, Deliberation Regarding Real Property. President William Higgins convened the Board into Executive Session on December 21, 2009, at 8:14 pm.

- a. Discussion Regarding Possible Benbrook Blvd. or I-20 Frontage Road Land Sale -** No discussion held.
- b. Discussion Regarding Possible I-20 Property Acquisition -** No action necessary.

IX. RECONVENE IN OPEN SESSION: President William Higgins reconvened the Board into Open Session on December 21, 2009, at 8:48 pm. No action required from the Executive Session.

X. ADJOURNMENT

There being no further business, the meeting adjourned at approximately 8:48 p.m.

Attesting Officer

Presiding Officer