

**MINUTES**  
**BENBROOK ECONOMIC DEVELOPMENT CORPORATION**  
**Board of Directors**  
**Regular Meeting**  
**Benbrook City Hall**  
**April 21, 2008**

**I. CALL TO ORDER**

The regular meeting of the Benbrook Economic Development Corporation Board of Directors was called to order at 7:02 p.m., Monday, April 21, 2008, in the Council Chambers in City Hall at 911 Winscott Road. The presiding officer was President Charlie Anderson. A quorum was present, including the following:

Charlie Anderson, President  
Carrol Crombie, Secretary  
Rick Whitehurst, Treasurer  
Dan Tully  
James Schull  
Will Higgins

Absent: Steve White, Vice President

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

Also Present: Dwight Heard, BEDC 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 March 17, 2008**
- b. Minutes of BEDC Special Meeting of April 10, 2008**
- c. Financial Report for Period Ending March 31, 2008**

*Mr. Carrol Crombie made a motion to accept the Consent Agenda. Mr. Dan Tully seconded the motion. President Charlie Anderson called the vote. All voted aye and the motion carried.*

**III. DIRECTOR'S REPORT**

- a. Update Benbrook SCR Luncheon** - Mr. Rainey updated the BEDC Board regarding preparations for the luncheon to be sponsored for the Greater Fort Worth Association of Realtors® Society of Commercial Realtors® on May 6, 2008 at the newly expanded Benbrook Library. Attendance expected to be approximately 100 and presentations planned for the event will include improvements to Benbrook Boulevard and Benbrook Field.

- b. Update Benbrook Town Center** – Director Ron Rainey advised the BEDC Board that the City of Benbrook officials were notified April 7, 2008, that Opus West terminated its contract with Cassco Development Company, Inc. for this project due to current economic conditions and a lack of commitments from other developers.
- c. Update Restaurant Site/TxDOT Commission Hearing Date** - Mr. Ron Rainey informed the BEDC Board that Commissioners acting on behalf of the Texas Department of Transportation have issued a Minute Order allowing the change in the area of denied access. The Commission is scheduled to consider the sale of surplus right-of-way at its meeting on April 24, 2008.
- d. Update Wal-Mart Executive Real Estate Committee Schedule** - Executive Director Ron Rainey informed the Board that Wal-Mart will not be able to present the Benbrook package until the June 16, 2008, meeting, with closing to take place on June 30, 2008. In accordance with a telephone conversation with Tom Hudson of April 21, 2008, Mr. Hudson feels confident Mr. Mark Stephens is intent on going forward to complete this transaction.

#### **IV. UNFINISHED BUSINESS**

#### **IV. NEW BUSINESS**

- a. Consider Skibell, L.L.C. Contract Amendment** – Director Rainey presented the First Amendment to Contract of Purchase and Sale requesting the 180 day review period be amended to read 270 days.

*Mr. Rick Whitehurst made a motion to authorize Mr. Charlie Anderson, President, to execute the First Amendment upon receipt of the executed copy by Skibell Properties, L.C. Mr. James Schull seconded the motion. President Charlie Anderson called the vote. All voted aye and the motion carried.*

- b. Consider TxDOT Surplus Right of Way Purchase Offer** - Mr. Rainey presented an executed offer to TxDOT reflecting a correction in calculations which changed the size of the right of way from .0074 of an acre to .0841 of an acre. TxDOT also will not consider discounting the tract that was appraised for \$15.00 per square foot. The offer to purchase has changed to \$54,950 and will be paid by Benbrook Realty Partners, LP, with any profits from the sale of the sit down restaurant site to first reimburse BEDC for all expenses and then given to N3 Development, Ltd.

*Mr. Rick Whitehurst made a motion to authorize President Charlie Anderson to execute the documents required by the Texas Department of Transportation upon receipt. Mr. James Schull seconded the motion. President Charlie Anderson called the vote. All voted aye and the motion carried.*

#### **V. OTHER MATTERS OF BUSINESS**

#### **VI. INFORMAL CITIZEN COMMENTS**

**VII. EXECUTIVE SESSION:** President Charles Anderson convened the Board into Executive Session on April 21, 2008, at 7:31 pm.

***SECTION 551.072 – Deliberation Regarding Real Property***

- a. Consider Jemsite Development, LLC Contract Offer – Benbrook Field Development
- b. Consider Home Depot Contract – Benbrook Field Development

**IX. RECONVENE IN OPEN SESSION:** President Charles Anderson reconvened the Board into the Regular Meeting on April 21, 2008, at 8:00 pm. No action required from Executive Session.

**X. ADJOURNMENT**

There being no further business, the meeting adjourned at approximately 8:01 p.m.

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Secretary

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Presiding Officer