



**MINUTES  
OF THE  
MEETING OF THE  
BENBROOK CITY COUNCIL  
THURSDAY, MAY 6, 2021**

The regular meeting of the Benbrook City Council was held on May 6, 2021 at 7:30 p.m. in the Council Chambers with the following Council members present:

Jerry Dittrich, Mayor  
Renee Franklin  
Larry Marshall  
Dustin Phillips-via Telephone Conference  
Alfredo Valverde-via Telephone Conference  
Laura Mackey-via Telephone Conference  
Jason Ward

Also Present: Andy Wayman, City Manager  
Joanna King, City Secretary  
Beth Fischer, Deputy City Secretary  
Jeff Morrison, Assistant IT Director

Others: Monica Dela Garza

**I. CALL TO ORDER**

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

**II. CITIZEN COMMENTS ON ANY AGENDA ITEM**

Mayor Dittrich paused the meeting for citizen comments on any agenda item via telephone call. There were no callers.

**III. MINUTES**

**1. Minutes of the regular meeting held April 15, 2021**

Motion by Dr. Marshall, seconded by Mr. Valverde to approve the minutes of the regular meeting held April 15, 2021.

Vote on the Motion by Roll Call:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Valverde, Ms. Mackey, Mr. Ward

Noes: None

Motion carried unanimously.

#### **IV. REPORTS FROM CITY MANAGER**

##### **A. GENERAL**

##### **G-2509 Accept finance report for period ending March 31, 2021**

Rick Overgaard gave the following report: General Fund revenues for the month of March were \$1,457,965. Major revenues collected for the month include Property taxes of \$241,015, Franchise taxes of \$786,566, Permits of \$27,657, Fines and Forfeitures of \$76,755, and Charges for Services of \$106,671. Sales tax collected and recognized as revenue in March was \$210,428. March sales tax revenue is for February sales and is significantly lower than last year. The decrease is due to the winter storm. Fiscal year to date sales tax is \$1,611,994, a decrease of 3.7% over last year at this time. General Fund revenues collected through the end of March were \$17,037,959 and 80.1% of the budget.

General Fund expenditures for the month of March were \$1,726,805. Fiscal year to date expenditures were \$9,101,006 and 42.8% of the adopted budget.

Total General Fund revenues of \$17,037,959 were more than General Fund expenditures of \$9,101,006 by \$7,936,953.

Debt Service revenues for the month of March totaled \$8,414 and were all from property tax. There were no expenditures in March. The next debt service payments are due August 1, 2021.

EDC revenues through March 31, 2021, were \$834,939. EDC expenditures through the end of March were \$596,281. Total revenues exceeded total expenditures by \$238,658.

Total revenues received through March 31, 2021 were \$551,130 from stormwater utility fees, mineral lease revenue, and interest earnings. Total expenditures for the Capital Projects Fund were \$2,351,516 through the end of March. March expenditures included the Clearfork Emergency Access Bridge. Total expenditures exceeded total revenues by \$1,800,386. Sufficient funds are available in the current fund balances of the Capital Projects Fund and are earmarked for the City's capital projects. This fund operates on a project basis rather than a specific fiscal year.

On March 31, 2021, the City had \$24,106,339 invested at varying interest rates; the EDC had \$5,042,169 available.

Motion by Ms. Franklin, seconded by Mr. Valverde to accept the finance report for the period ending March 31, 2021.

Vote on the Motion by Roll Call:

Ayes: Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Valverde, Ms. Mackey, Mr. Ward, Ms. Franklin

Noes: None

Motion carried unanimously.

**G-2510      Approve Investment Report for period ending March 31, 2021**

Rick Overgaard gave the following report: The Public Funds Investment Act (PFIA), Texas Government Code and the City's Investment Policy require that an Investment Report be presented to City Council.

The Investment Committee met on April 19, 2021, to review the report and ensure compliance with the City's investment policy. A copy of the Investment Report is attached and highlights are presented below.

- The total portfolio for the City and EDC on March 31, 2021 is \$29,148,508, with 83% or \$24,106,339 belonging to the City, and 17% or \$5,042,169 to the EDC.
- 48% of the combined portfolio is in bank accounts, with 33% in local government investment pools, and 19% in certificates of deposit.
- The weighted average maturity on the combined portfolio is 10 days with a .23% average yield to maturity.

The average yield to maturity still remains low because of continued low market interest rates, decreased yield in our local government investment pools, and previously owned higher yielding CD's that have matured.

Motion by Ms. Mackey, seconded by Mr. Valverde to accept the Investment Report for the quarter ending March 31, 2021.

Vote on the Motion by Roll Call:

Ayes: Mr. Phillips, Mayor Dittrich, Mr. Valverde, Ms. Mackey, Mr. Ward, Ms. Franklin, Dr. Marshall

Noes: None

Motion carried unanimously.

**G-2511      Adopt Resolution denying Oncor Distribution Cost Recovery Factor Filing**

Rick Overgaard gave the following report: The City of Benbrook is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"). The Oncor Cities Steering Committee ("OCSC") is a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review

and respond to electric issues affecting rates charged in Oncor's service area in matters before the Public Utility Commission ( "PUC" or "Commission") and the courts.

On April 8, 2021, Oncor Electric Delivery Company LLC ("Oncor" or "Company") filed an Application for Approval to Amend its Distribution Cost Recovery Factor ("DCRF") to Increase Distribution Rates with each of the cities in their service area. In the filing, the Company asserts that it is seeking an increase in total distribution revenue requirement by approximately \$97,826,277.

The proposed resolution authorizes the City to join with the Steering Committee of Cities Served by Oncor ("OCSC") to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

Motion by Dr. Marshall, seconded by Mr. Ward to adopt Resolution No. 2101-05 denying the DCRF application proposed by Oncor.

Vote on the Motion by Roll Call:

Ayes: Mayor Dittrich, Mr. Valverde, Ms. Mackey, Mr. Ward, Ms. Franklin, Dr. Marshall, Mr. Phillips

Noes: None

Motion carried unanimously.

Resolution No. 2101-05 being **"A RESOLUTION OF THE CITY OF BENBROOK, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH OCSC; AUTHORIZING THE HIRING OF LEGAL COUNSEL AND CONSULTING SERVICES; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL"**

#### **V. INFORMAL CITIZEN COMMENTS**

Mayor Dittrich paused the meeting for any informal citizen comments via telephone conference. There were no callers.

#### **VI. COUNCIL MEMBER AND STAFF COMMENTS**

Councilmember Franklin expressed appreciation to Economic Development Staff, Benbrook citizens and vendors for the success of the Benbrook Artisans and Farmers Market held on Sunday, May 2, 2021.

Ms. Franklin recognized Teacher Appreciation week (May 2, 2021 to May 7, 2021). She thanked all teachers serving the Benbrook Schools and the local businesses for also showing their appreciation to our teachers.

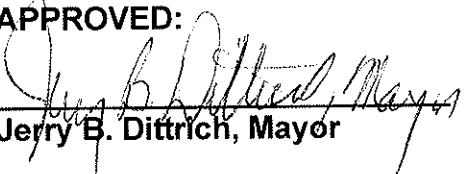
Ms. Franklin announced that the Benbrook Senior Citizens Center reopened on May 3, 2021.

Ms. Franklin announced that May 9 through May 15, 2021 is National Police Week in honor of all that served and remember all those that have given all. She thanked the Benbrook Police Officers for serving our community.

**VII. ADJOURNMENT**

Meeting adjourned at 7:50 p.m.

**APPROVED:**

  
Jerry B. Dittrich, Mayor

**ATTEST:**

  
Joanna King, City Secretary