



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 09/03/2020	REFERENCE NUMBER: EDC-2020-04	SUBJECT: Approve Economic Development and Performance Agreement between the City of Benbrook, the Benbrook Economic Development Corporation (BEDC), and Kenneth Russell, and a Temporary Commercial Lease Agreement between the BEDC and Kenneth Russell (Public Hearing)	PAGE: 1 of 2
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Russell Feed & Supply, located at 8704 Benbrook Boulevard, has been in operation since 1997, when Kenneth Russell purchased three feed stores in the area. For over 20 years, Mr. Russell has provided farmers, ranchers, and homeowners with needed supplies, from horse and cattle feed, to pet care items, vaccination clinics, and lawn and garden products.

Located at the corner of Benbrook Boulevard and Mercedes Street, the 9,650sf feed store is small but growing business, and Mr. Russell is seeking to purchase adjacent city-owned tracts to expand his business.

City staff has been working with the Russell team to reach agreement on a new development that meets Russell's operation needs, encourages construction of a new building with enhanced material and architectural elements, and accommodates public art features that help elevate the City's brand on this prominent commercial corridor.

ECONOMIC DEVELOPMENT AND PERFORMANCE AGREEMENT

Staff worked with Russell and the City Attorney to draft the attached Economic Development and Performance Agreement. The agreement outlines a process whereby Kenneth Russell can acquire the city-owned properties to construct a new Russell Feed & Supply, as depicted in the agreement Exhibits.

The Agreement outlines obligations of each party, along with timelines. Some items are listed below:

City Obligations

- Prepare bid documents in accordance with attached agreement Exhibits.
- Retain ownership and provide maintenance, repair, and upkeep of approximately 4,000sf on the Mercedes corner to showcase public art and branding elements.

Russell Obligations

- Submit appropriate bid to purchase the city property.
- File appropriate applications for any required replat, rezone, and conditional use permitting.

SUBMITTED BY:	DISPOSITION BY COUNCIL: Y APPROVED Y OTHER (DESCRIBE)	PROCESSED BY: CITY SECRETARY
CITY MANAGER		DATE:

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- Perform all necessary site improvements required to construct the new facility.
- Obtain all necessary permits and insurances.
- Design and construct the facility and obtain required certificate of occupancy.

BEDC Obligations

- Reimburse Russell for costs associated with site improvements, not to exceed \$186,000.
- Authorize, fund, and maintain all city branding features of the project to include a community mural along the north wall of the new building, and public art or other elements on the Mercedes corner.
- Temporarily lease to Russell the existing EDC-owned Marc’s Automotive property, located at 9331 and 9351 Westpark Drive.

TEMPORARY COMMERCIAL LEASE AGREEMENT

To avoid interruption in Benbrook Russell Feed & Supply operations while construction of the new facility is ongoing, the attached lease agreement (Exhibit “C” of the developer agreement) allows Kenneth Russell to temporarily lease the EDC-owned property, at no cost, for a period of up to 12-months, with a possible extension, if needed.

RECOMMENDATION

Following a public hearing, the Benbrook Economic Development Corporation (BEDC) board of directors recommends that City Council approve the Economic Development and Performance Agreement between the City of Benbrook, the Benbrook Economic Development Corporation (BEDC), and Kenneth Russell, and approve a Temporary Commercial Lease Agreement between the BEDC and Kenneth Russell.