

RESOLUTION NO. 2024-021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANDERA, TEXAS, APPROVING RIVERFEST IN THE CITY PARK EVENT AND FACILITY USE AGREEMENT BETWEEN THE CITY, AND THE BANDERA BUSINESS ASSOCIATION AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE SAME; DECLARING A PUBLIC PURPOSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City owns and maintains the Bandera City Park and facilities along the Medina River and makes said facilities available for rent for events; and,

WHEREAS, the City Park has traditionally been the site for an event at the river and the City has accepted a proposal from the Bandera Business Association for the festival in the City Park; and,

WHEREAS, the Mayor has negotiated terms and conditions that have been incorporated into the attached Facility Use Agreement between the City and the Bandera Business Association; and,

WHEREAS, the Bandera Business Association has requested the City's participation in the event through, permit and fee waivers, and use of the park; and,

WHEREAS, the City Council must find a public purpose is served by the City's participation in order to authorize the expenditure of public funds, and the City Council does hereby find that said participation is in the best interest of the City and its citizens, and serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BANDERA, TEXAS THAT:

Section 1. The Facility Use Agreement between the City of Bandera and the Bandera Business Association, attached as Exhibit A, is hereby approved and the City Administrator is hereby authorized to execute same on behalf of the City.

Section 2. The City Council has determined that the event benefits the City and citizens of Bandera and therefore serves a public purpose and authorizes the provision of the following in-kind services for the event: 3 park employees and 2 security officers.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Bandera City Council.

Section 4. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Bandera Business Association hereby declares that this Resolution would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 8. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 28th day of February 2024.

Mayor Rebeca Gibson

ATTEST:

Jill Shelton, City Secretary