

**RESOLUTION NO. 2024-024**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANDERA, TEXAS, APPROVING A FACILITY USE AGREEMENT BETWEEN THE CITY, AND THE BANDERA METHODIST CHURCH AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE SAME; APPROVING A PUBLIC NEED FOR PARKING IN THE CITY LIMITS IN THE AMOUNT OF \$500.00 PER MONTH; DECLARING A PUBLIC PURPOSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Church owns and maintains the Parking Lot and as listed below; and,

**WHEREAS**, the City Administrator has negotiated terms and conditions that have been incorporated into the attached Facility Use Agreement between the City and the Bandera Methodist Church ; and,

**WHEREAS**, the Bandera Methodist Church has requested the City's participation in the shared parking agreement 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 Methodist Church, attached as Exhibit A, is hereby approved and Stan Farmer is hereby authorized to execute same on behalf of the City.

Section 2. The City Council has determined that the Bandera Methodist Church licenses to the Public, by and through the City, the right to use the BMC Facility identified below for the following purpose and no other:

<b>Facility Requested:</b>	<b>Lots 40 and 41, Block 6, Range X, City of Bandera as described in the plat attached as Exhibit A</b>
<b>License Granted:</b>	<b>Public Parking on the Facility on Monday through Saturday</b>
<b>Fees:</b>	<b>\$500.00 per month during the term of the Agreement</b>

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.

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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resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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 13<sup>th</sup> day of August , 2024.**

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Mayor Rebeca Gibson

ATTEST:

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Jill Shelton, City Secretary