



JOINT MEETING - BUILDING & STANDARDS COMMISSION AND THE EVERMAN CITY COUNCIL

Tuesday, July 09, 2024 at 6:00 PM
213 North Race Street Everman, TX 76140

AGENDA

1. CITY COUNCIL MEETING CALLED TO ORDER
2. BUILDING & STANDARDS COMMISSION MEETING CALLED TO ORDER
3. INVOCATION
4. PLEDGE OF ALLEGIANCE
5. PRESENTATIONS
 - A. Administration of the Oath of Office - City Council
6. CITIZEN'S COMMENTS
7. CITY COUNCIL MEETING RECESSED
8. DELIBERATION AND DETERMINATION ON CASES
 - A. Case # 1394, Continuation/Deferred Decision

Continued hearing to receive sworn testimony concerning whether the following structures complies with the standards set for in the City of Everman Code of Ordinances, Chapter 4, Article IV and the 2018 International Property Maintenance Code as adopted in Article XVIII of the Code; the Building Code, Chapter 4, Article III; Electrical Code, Chapter 4 Article V; Residential Code, Chapter 4 Article VI; Mechanical Code, Chapter 4, Article VII; and the Plumbing Code, Chapter 4 Article VIII .

(1) The Paradise Apartments, 929 Coury Road Everman, Texas 76140, with the legal description being Tract A, Block 21, Everman Park, Sixth Filing, An Addition to the City of Everman, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-38, Page 30, Map Records, Tarrant County, Texas

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After hearing testimony, the Building Standards Commission will discuss and consider action on whether the building(s) the subject of the public hearing comply with the standards set for in the City of Everman Code of Ordinances, Chapter 4, Article IV and the 2018 International Property Maintenance Code as adopted in Article XVIII of the Code; the Building Code, Chapter 4, Article III; Electrical Code, Chapter 4 Article V; Residential Code, Chapter 4 Article VI; Mechanical Code, Chapter 4, Article VII; and the Plumbing Code, Chapter 4 Article VIII, (the "Code").

Should the building(s) be found in violation of the standards set forth in the Code, the Building Standards Commission will take any action, which may include an order that the building(s) be demolished by the owner, mortgagee, lien holder, or other person with an interest in the property within thirty (30) days from the date of the order. The owner of record is Paradise Apartments, LLC, CEO Hermann Vorhand, 14 Bourbon Court Lakewood, NJ 08701-3784.

9. ADJOURNMENT OF THE BUILDING AND STANDARDS COMMISSION MEETING

10. THE EVERMAN CITY COUNCIL MEETING IS RECONVENED

11. CONSENT AGENDA

A. Minutes

April 2, 2024 - Joint meeting- Building and Standards Commission and The Everman City Council

April 16, 2024 - Joint meeting- Building and Standards Commission and The Everman City Council

May 7, 2024 - Joint meeting of the Everman Economic Development Corporation and The Everman City Council

May 21, 2024 - Joint meeting- Building and Standards Commission and The Everman City Council

B. Financials

April 2024

May 2024

12. DISCUSSION ITEMS

A. Charter Review Committee - 2025

- B. Celebrate America Festival and plans for 2025

13. CONSIDERATION AND POSSIBLE ACTION

- A. RESOLUTION # 2024-07-01 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, APPROVING AN UPDATED CIVIC CENTER USAGE APPLICATION AND AGREEMENT; AND PROVIDING AN EFFECTIVE

14. EXECUTIVE SESSION

15. CITY MANAGERS REPORT

- A. City management professional services engagement with ZacTax for the purposes of Sales Tax and Property Tax analysis tools and audits
- B. "Coffee With Your Congressman" Event - July 18th

16. MAYOR'S REPORT

17. ADJOURN

I hereby certify that this agenda was posted on the City of Everman bulletin board at or before 5:00 p.m. on Friday July 5, 2024.

/s/ Mindi Parks
City Secretary

Citizens may watch city council meetings live on YouTube. A link to the City of Everman YouTube channel is provided on the city website at: www.evermantx.us/government/citycouncil/

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- A. Section 551.071 - Pending or Contemplated Litigation or to Seek Advice of the City Attorney.
- B. Section 551.072 - Purchase, Sale, Exchange, Lease, or Value of Real Property.
- C. Section 551.073 - Deliberation Regarding Prospective Gift.
- D. Section 551.074 - Personnel Matters.
- E. Section 551.087- Deliberation Regarding Economic Development Negotiations.
- F. Section 551.089 - Deliberations Regarding Security Devices or Security Audits.

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JOINT MEETING - BUILDING & STANDARDS COMMISSION AND THE EVERMAN CITY COUNCIL

Tuesday, April 02, 2024 at 6:00 PM

213 North Race Street Everman, TX 76140

MINUTES

1. CITY COUNCIL MEETING IS CALLED TO ORDER

Mayor called meeting to order at 6:00pm.

PRESENT

- Place 1 Linda Sanders
- Place 2 Carolyn Renfro
- Place 3 Johnnie Allen
- Place 4; Mayor Pro-Tem Susan Mackey
- Place 5 Judy Sellers
- Place 6 Miriam Davila
- Mayor Ray Richardson

2. BUILDING & STANDARDS COMMISSION MEETING IS CALLED TO ORDER

Ray Richardson called meeting to order at 6:00pm.

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. PRESENTATIONS

A. Proclamation - Declaring April 2024 as Child Abuse Prevention Month

Mayor Ray Richardson read the Proclamation declaring April 2024 as Child Abuse Prevention Month and Craig presented this Proclamation to the Alliance for Children, CID, and assistant Chief.

6. CITY COUNCIL MEETING IS RECESSED

Mayor recessed Council Meeting at 6:04pm.

7. PUBLIC HEARING, DELIBERATION, AND DETERMINATION ON CASES

Ray Richardson opened up Public Hearing at 6:04pm.

A. Case # 1394, Public Hearing

Public hearing to receive sworn testimony and citizen's comments concerning whether the following structures complies with the standards set for in the City of Everman Code of Ordinances, Chapter 4, Article IV and the 2018 International Property Maintenance Code as adopted in Article XVIII of the Code; the Building Code, Chapter 4, Article III; Electrical Code, Chapter 4 Article V; Residential Code, Chapter 4 Article VI; Mechanical Code, Chapter 4, Article VII; and the Plumbing Code, Chapter 4 Article VIII .

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After hearing testimony, the Building Standards Commission will discuss and consider action on whether the building(s) the subject of the public hearing comply with the standards set for in the City of Everman Code of Ordinances, Chapter 4, Article IV and the 2018 International Property Maintenance Code as adopted in Article XVIII of the Code; the Building Code, Chapter 4, Article III; Electrical Code, Chapter 4 Article V; Residential Code, Chapter 4 Article VI; Mechanical Code, Chapter 4, Article VII; and the Plumbing Code, Chapter 4 Article VIII, (the "Code").

Should the building(s) be found in violation of the standards set forth in the Code, the Building Standards Commission will take any action, which may include an order that the building(s) be demolished by the owner, mortgagee, lien holder, or other person with an interest in the property within thirty (30) days from the date of the order. The owner of record is Paradise Apartments, LLC, CEO Hermann Vorhand, 14 Bourbon Court Lakewood, NJ 08701-3784.

Kartik Singapura, attorney for Saul Moskowiec owner of Paradise Apartments are present at this Public Hearing to request another two week reset for this case. Mr. Singapura expressed

to the Board that they need this time to come up with a complete comprehensive scope and identify what conditions exist at the property that will need repair and or upgrades.

Motion made by Board Member Mackey to approve a two week reset for April 16th for Case No. 1394, Seconded by Board Member Sellers.

Voting Yea: Board Member Sanders, Board Member Renfro, Board Member Allen, Board Member Mackey, Board Member Sellers, Board Member Davila, Board Member Richardson

Motion Carried.

Public Hearing was closed at 6:13pm.

8. ADJOURNMENT OF THE BUILDING AND STANDARDS COMMISSION

Ray Richardson adjourned at 6:13pm.

9. THE EVERMAN CITY COUNCIL MEETING IS RECONVENED

Mayor Richardson reconvened the Regular Council Meeting at 6:13pm.

10. CONSENT AGENDA

11. CITIZENS COMMENTS

Donna Sullivan spoke to council on the ongoing problems and issues she has at the Paradise Apartments at her unit that she lives in currently.

12. DISCUSSION ITEMS

- A. Discussion related to appointments for the Animal Control Advisory Board

Craig wanted this on council radar so they can get this done. They are responsible for these appointments. Next meeting we will ask for these nominations.

- B. Presentation and discussion by the City Attorney's office related to potential implementation of a Stormwater Impact and/or Utility Fee.

The City Attorney had explanation and discussion related to potential implementation of a Stormwater Impact and/or Utility Fee and how it could impact our community and city, also answering questions for the council. After the discussion council would like to have Craig move forward with the City Attorneys Office and City Engineer to try to get a Cost Proposal put together to bring back to council and they can decide to approve it urgently or just put it in Fiscal Year 2025 Budget. This will take about three months to gather and Craig did want to keep in mind the projected revenue from this a year from the engineer is about \$180,000 and it takes some time to build that money up to do any kind of Projects that is allowed with the funds collected for these Fees.

- C. Discussion related to the Everman Animal Shelter and the USDA Community Facilities Direct Loan and Grant Program

Craig stated a year ago, at the time the Animal Control Advisory Board tasked us with looking into the concept of building a new Animal Control Shelter. With new agreements and growth at the Shelter and other things that have come up, it has now become a more prominent issue so

we have been researching that more. Craig explained that as part of the agreement for master City Planning with Grossman Design Build, that EDC paid for, was a concept design for an Animal Shelter. City staff has also been working with them to design what will be needed for an Animal Shelter to get cost estimates back to us. Craig explained that the cost estimates have come back to us at estimating between \$1.5 to \$1.8 million dollars for a brand new Animal Shelter. The next question is Craig stated, is where do we come up with that. This has been researched and trying to come up with a solution to that and what the different options would be. City staff did apply for the USDA Grant Program for critical infrastructures. This is an Agriculture Grant and Loan Program very similar to the Texas Water Development Board. The City has done those before and it is very similar Craig stated. We did get pre-approval back that our Project does qualify and in a qualified area to have this Project funded and now we are in the application phase right now. This is 82 pages and staff is working on that. In the event that we get chose they would grant 55 percent of the cost. This means the city could just pay off the other 45 percent or do a Long Term Low Interest Note through the USDA for the 45 percent. This would make our cost estimated at \$700 to \$900 thousand dollars. The time line is a ways out because the grant process is long. Craig just needs a general consensus to move forward with this application process. Council is all in consensus to moving forward with this.

D. Forest Hill Drive Project and Public Meeting - April 8th

April 8th, at 6pm at the Forest Hill Civic Center there will be a Public Hearing for the Forest Hill Drive Project. Craig is encouraging everyone to attend this meeting.

13. CONSIDERATION AND POSSIBLE ACTION

14. EXECUTIVE SESSION

15. CITY MANAGERS REPORT

Craig had nothing to report.

16. MAYOR'S REPORT

Mayor had nothing to report.

17. ADJOURN

Mayor adjourned the meeting at 6:58pm.

I hereby certify that this agenda was posted on the City of Everman bulletin board at or before 5:00 p.m. on Friday March 29, 2024.

/s/ Mindi Parks
City Secretary

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JOINT MEETING - BUILDING & STANDARDS COMMISSION AND THE EVERMAN CITY COUNCIL

Tuesday, April 16, 2024 at 6:00 PM
213 North Race Street Everman, TX 76140

MINUTES

1. CITY COUNCIL MEETING CALLED TO ORDER

Mayor called meeting to order at 6:17pm.

PRESENT

- Place 1 Linda Sanders
- Place 2 Carolyn Renfro
- Place 4; Mayor Pro-Tem Susan Mackey
- Place 5 Judy Sellers
- Mayor Ray Richardson

ABSENT

- Place 6 Miriam Davila

2. BUILDING & STANDARDS COMMISSION MEETING CALLED TO ORDER

Ray Richardson called meeting to order at 6:18pm.

Board Members Present:

- Ray Richardson
- Linda Sanders
- Carolyn Renfro
- Johnnie Allen
- Susan Mackey
- Judy Sellers

Board Members Absent:

- Miriam Davila

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. CITY COUNCIL MEETING RECESSED

Mayor recessed council meeting at 6:25pm.

6. PRESENTATIONS

A. Proclamation - National Telecommunicators Week

Mayor Ray Richardson read the Proclamation for National Telecommunicators Week.

B. Proclamation - Administrative Professional's Day

Mayor Ray Richardson read the Administrative Professional's Day.

7. PUBLIC HEARING, DELIBERATION, AND DETERMINATION ON CASES

A. Case # 1394, Public Hearing

Public hearing to receive sworn testimony and citizen's comments concerning whether the following structures complies with the standards set for in the City of Everman Code of Ordinances, Chapter 4, Article IV and the 2018 International Property Maintenance Code as adopted in Article XVIII of the Code; the Building Code, Chapter 4, Article III; Electrical Code, Chapter 4 Article V; Residential Code, Chapter 4 Article VI; Mechanical Code, Chapter 4, Article VII; and the Plumbing Code, Chapter 4 Article VIII .

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Mayor opened up Public Hearing for Case #1394 at 6:28pm.

At this time Scott Dabbs, Code Enforcement Officer and Landon Whatley, Fire Chief presented his presentation to the Board on Paradise Apartments.

7:51pm break

Back from break at 8:01pm.

Tony Childress on the phone, Engineer hired by Paradise Apartment, Attorneys and owner of Paradise Apartments all presenting to the Board as well.

Ray Richardson called another five minute recess at 9:55pm.

Ray reconvened from recess at 10:05pm.

At this time Ray Richardson took any public comments from the audience.

Citizens that had comments for the Board:

Donna Sullivan

Maudi Jones

Alexis Franklin

Eva Solis

Ray Richardson convened into Executive Session at 10:17pm.

Ray Richardson closed Executive Session at 10:37pm and reconvened the Board meeting at 10:37pm.

At this time the Board members and staff made comments as well to the owner to Paradise Apartments.

Motion made by Place 4; Mayor Pro-Tem Mackey that good cause exists to make defer a determination in this case for thirty (30) days to allow the owner to complete an Elevation

Summary and Electrical Study and prepare a Comprehensive Plan with bench marks and timeline with an estimated budget, Seconded by Place 5 Sellers.
Voting Yea: Board Member Sanders, Board Member Renfro, Board Member Allen, Board Member Mackey, Board Member Sellers, and Board Member Richardson

Motion Carried.

8. ADJOURNMENT OF THE BUILDING AND STANDARDS COMMISSION MEETING

Building and Standards Commission meeting adjourned at 10:47pm.

9. THE EVERMAN CITY COUNCIL MEETING IS RECONVENED

Mayor reconvened the council meeting at 10:47pm.

10. CONSENT AGENDA

A. Minutes

March 5, 2024 Regular Meeting Minutes

March 19, 2024 Joint Meeting with Building & Standards Commission and The Everman City Council

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 1 Sanders.
Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Mayor Richardson

Motion Carried.

B. Financials

March 2024

Johnnie Allen wanted this moved to Discussion.

Johnnie asked departmental expenses \$32,000. Winter storm fees.

Park expenses for Pittman Park- the percentage is based on the year to date total. The overage for the month is a timing issue.

Motion made by Place 5 Sellers, Seconded by Place 4; Mayor Pro-Tem Mackey.
Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Mayor Richardson

Motion Carried.

11. CITIZEN'S COMMENTS

We had no comments at this time.

12. DISCUSSION ITEMS

- A. Discussion related to the potential proposal for amending operational hours of certain city departments within the city and how such amendments may affect city services and operations.

Talking with Directors it has come up about some cities having a 4 day work week to help recruit new hires. This is more appealing to employees. This would be for Public Works, Administration and Permits. Craig wanted to hear from council if there was any negative feedback from them so he can come back with some solutions. Craig stated some different solutions, and schedules and would like to bring this back to them at the next meeting. Council stated some of their thoughts and concerns and a main concern is the heat for Public Works. Craig stated that he did inquire with a Survey and it came back that they would rather work a 10 hour day rather than the current schedule in place now. Craig did recommend to the council that it be changed to 7am-6pm, giving the citizens an extra hour in morning and evening to come in before work or after work. Craig will bring this back to the council at a later date.

13. CONSIDERATION AND POSSIBLE ACTION

- A. Consideration of nominations and appointments to the Animal Shelter Advisory Committee

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 5 Sellers to table this item until the next meeting.

- B. RESOLUTION # 2024-04-01 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, APPROVING AND AUTHORIZING EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT ESTABLISHING EVERMAN CODE ENFORCEMENT JURISDICTION FOR ANIMAL CONTROL AND WELFARE LAWS IN THE CITY OF FOREST HILL; AND PROVIDING AN EFFECTIVE

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 5 Sellers.
 Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Mayor Richardson

Motion Carried.

- C. RESOLUTION # 2024-04-02 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, APPROVING AN AMENDMENT TO THE CITY'S PERSONNEL MANUAL AT SECTION 9.01(e) REGARDING APPEAL PROCEDURE FOR EMPLOYEES APPOINTED BY THE CITY MANAGER; AND PROVIDING AN EFFECTIVE

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 1 Sanders to table this item until the next meeting.

14. EXECUTIVE SESSION

Ray Richardson convened into Executive Session at 10:17pm.

Ray Richardson closed Executive Session at 10:37pm.

15. CITY MANAGERS REPORT

City Manager had nothing to report.

16. MAYOR'S REPORT

Mayor had nothing to report.

17. ADJOURN

Mayor adjourned meeting at 11:10pm.

I hereby certify that this agenda was posted on the City of Everman bulletin board at or before 5:00 p.m. on Friday April 12, 2024.

/s/ Mindi Parks
City Secretary

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JOINT MEETING - BUILDING & STANDARDS COMMISSION AND EVERMAN CITY COUNCIL

Tuesday, May 21, 2024 at 6:00 PM

213 North Race Street Everman, TX 76140

MINUTES

1. CITY COUNCIL MEETING CALLED TO ORDER

Mayor called meeting to order at 6:04pm.

PRESENT

- Place 1 Linda Sanders
- Place 2 Carolyn Renfro
- Place 3 Johnnie Allen
- Place 4; Mayor Pro-Tem Susan Mackey
- Place 5 Judy Sellers
- Place 6 Miriam Davila

Mayor, Ray Richardson

2. BUILDING & STANDARDS COMMISSION MEETING CALLED TO ORDER

Ray Richardson called meeting at 6:04pm.

Present:

- Board Member, Ray Richardson
- Board Member, Linda Sanders
- Board Member, Carolyn Renfro
- Board Member, Johnnie Allen
- Board Member, Susan Mackey
- Board Member, Judy Sellers
- Board Member, Miriam Davila

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. PRESENTATIONS

A. Proclamation Declaring May 16 - 22, 2024 as Search and Rescue Week

Mayor read and presented the Proclamation declaring May 16-22, 2024 as Search and Rescue Week.

6. CITY COUNCIL MEETING RECESSED

Mayor recessed council meeting at 6:09pm.

Mayor reconvened the council meeting at 8:57pm.

7. DELIBERATION AND DETERMINATION ON CASES

A. Case # 1394, Continuation/Deferred Decision

Continued hearing to receive sworn testimony concerning whether the following structures complies with the standards set for in the City of Everman Code of Ordinances, Chapter 4, Article IV and the 2018 International Property Maintenance Code as adopted in Article XVIII of the Code; the Building Code, Chapter 4, Article III; Electrical Code, Chapter 4 Article V; Residential Code, Chapter 4 Article VI; Mechanical Code, Chapter 4, Article VII; and the Plumbing Code, Chapter 4 Article VIII .

(1) The Paradise Apartments, 929 Coury Road Everman, Texas 76140, with the legal description being Tract A, Block 21, Everman Park, Sixth Filing, An Addition to the City of Everman, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-38, Page 30, Map Records, Tarrant County, Texas

(2) The Paradise Apartments, 928 Coury Road Everman, Texas 76140, with the legal description being Tract A, Block 21, Everman Park, Sixth Filing, An Addition to the City of Everman, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-38, Page 30, Map Records, Tarrant County, Texas

(3) The Paradise Apartments, 917 Coury Road Everman, Texas 76140, with the legal description being Tract A, Block 21, Everman Park, Sixth Filing, An Addition to the City of Everman, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-38, Page 30, Map Records, Tarrant County, Texas

(4) The Paradise Apartments, 901 Coury Road Everman, Texas 76140, with the legal description being Tract A, Block 21, Everman Park, Sixth Filing, An Addition to the City of Everman, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-38, Page 30, Map Records, Tarrant County, Texas

(5) The Paradise Apartments, 900 Coury Road Everman, Texas 76140, with the legal description being Tract A, Block 21, Everman Park, Sixth Filing, An Addition to the City of Everman, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-38, Page 30, Map Records, Tarrant County, Texas

After hearing testimony, the Building Standards Commission will discuss and consider action on whether the building(s) the subject of the public hearing comply with the standards set for in the City of Everman Code of Ordinances, Chapter 4, Article IV and the 2018 International Property Maintenance Code as adopted in Article XVIII of the Code; the Building Code, Chapter 4, Article III; Electrical Code, Chapter 4 Article V; Residential Code, Chapter 4 Article

VI; Mechanical Code, Chapter 4, Article VII; and the Plumbing Code, Chapter 4 Article VIII, (the "Code").

Should the building(s) be found in violation of the standards set forth in the Code, the Building Standards Commission will take any action, which may include an order that the building(s) be demolished by the owner, mortgagee, lien holder, or other person with an interest in the property within thirty (30) days from the date of the order. The owner of record is Paradise Apartments, LLC, CEO Hermann Vorhand, 14 Bourbon Court Lakewood, NJ 08701-3784.

6:11pm opened Public Hearing

Mr. Childress, with Childress Engineering Services at this time had handouts that were giving to the Board to review. This is an update to the Board regarding the initial site assessment and what has been done and found up to date.

Convened into executive session at 7:53pm.

Board meeting was called back to order at 8:32pm. No Action Taken

At this time Ray Richardson announced anyone with public comments could speak at this time, and there were no citizens that wanted to speak.

Ray Richardson closed Public Hearing at 8:33pm.

Ray Richardson recessed Board meeting at 8:57pm to allow the attorney to call the engineer to see if the time limit and stipulations would be obtainable.

Council reconvened at 8:57pm to finish meeting for Council.

Board reconvened at 9:23pm.

Motion made by Place 4; Mayor Pro-Tem Mackey to defer a decision on Case # 1394 and place this matter for consideration on the Building and Standards Commission Agenda for July 9th, 2024, at which time the owner shall provide reports, surveys or studies for all buildings at the Paradise Apartments Complex including but not limited to structure issues, roof concerns, electrical hazards, mechanical hazards, plumbing concerns and any and all other code violations that constitute substandard and dangerous conditions, and the owner shall also provide a detailed scope of work, time schedule for the work to bring all buildings into compliance and provide detailed financial information, including a budget, and source of financing for required repairs, which will be delivered to the city staff by Friday, July 5, 2024, Seconded by Place 5 Sellers.

Voting Yea: Board Member Sanders, Board Member Renfro, Board Member Allen, Board Member Mackey, Board Member Sellers, Board Member Davila and Board Member Ray Richardson.

Motion Carried.

8. ADJOURNMENT OF THE BUILDING AND STANDARDS COMMISSION MEETING

Ray Richardson adjourned meeting at 9:38pm.

9. THE EVERMAN CITY COUNCIL MEETING IS RECONVENED

10. CONSENT AGENDA

11. CITIZEN'S COMMENTS

No citizens had comments at this time.

12. DISCUSSION ITEMS

13. CONSIDERATION AND POSSIBLE ACTION

- A. RESOLUTION # 2024-05-06 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, APPROVING AMENDMENTS TO THE CITY'S PERSONNEL MANUAL TO MAKE NECESSARY ADJUSTMENTS TO ACCOMMODATE A FOUR DAY WORK PERIOD FOR CERTAIN MUNICIPAL DEPARTMENTS; AND PROVIDING AN EFFECTIVE DATE.

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 1 Sanders.
Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila and Mayor Ray Richardson.

Motion Carried

Amended Motion made by Place 4; Mayor Pro-Tem Mackey for Resolution #2024-05-06 to begin Monday, June 10th, Seconded by Place 1 Sanders.
Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila and Mayor Ray Richardson

Amended Motion Carried.

- B. ORDINANCE # 815 - AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS AMENDING THE CODE OF ORDINANCES BY REVISING THE WATER RATES, AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; PUBLICATION; EFFECTIVE DATE; PROPER NOTICE AND HEARING.

Motion made by Place 5 Sellers, Seconded by Place 1 Sanders.
Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila and Mayor Ray Richardson.
Voting Nay: Place 3 Allen

Motion Carried.

- C. ORDINANCE # 816 - AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EVERMAN, TEXAS, CHAPTER 4 "BUILDINGS AND BUILDING REGULATIONS" BY ADDING A NEW ARTICLE XXI "MURALS"; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE .

Motion made by Place 4; Mayor Pro-Tem Mackey with the change to 30 percent of the mural definition, Seconded by Place 5 Sellers.

Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila and Mayor Ray Richardson.

Motion Carried.

14. CITY MANAGERS REPORT

Craig will send out Budget schedule in email very quickly to council to get this ready to go.

15. MAYOR’S REPORT

Mayor went and visited the Binions and they were so thankful for the recognition. Mayor also stated that Craig's evaluation is coming up along with the meetings for council going to the second and fourth Tuesday of each month starting next month.

16. ADJOURN

Mayor adjourned the meeting at 9:23pm.

I hereby certify that this agenda was posted on the City of Everman bulletin board at or before 5:00 p.m. on Friday May 17, 2024.

/s/ Mindi Parks
City Secretary

Citizens may watch city council meetings live on YouTube. A link to the City of Everman YouTube channel is provided on the city website at: www.evermantx.us/government/citycouncil/

Pursuant to Texas Government Code Sec. 551.127, on a regular, non-emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members, including the presiding officer, will be physically present at the location noted above on this Agenda.

Pursuant to Section 551.071, Chapter 551 of the Texas Government Code, Council reserves the right to convene into Executive Session(s) from time to time as deemed necessary during this meeting, to receive advice from its attorney on any posted agenda item, as permitted by Law. Additionally, Council may convene into Executive Session to discuss the following:

- A. Section 551.071 - Pending or Contemplated Litigation or to Seek Advice of the City Attorney.
- B. Section 551.072 - Purchase, Sale, Exchange, Lease, or Value of Real Property.
- C. Section 551.073 - Deliberation Regarding Prospective Gift.
- D. Section 551.074 - Personnel Matters.
- E. Section 551.087- Deliberation Regarding Economic Development Negotiations.
- F. Section 551.089 - Deliberations Regarding Security Devices or Security Audits.

Citizens wishing to submit written comments should e-mail the City Secretary at mparks@evermantx.net. Comments that are received at least one-hour prior to the start of the meeting will be provided to all council members.

According to the City of Everman Policy on Governance Process, individual citizen comments will be restricted to three (3) minutes unless otherwise determined by a majority vote of the Council. The mayor is responsible to enforce the time limit. Citizens may address City Council either during the Citizen Comments portion of the meeting or during deliberation of a listed agenda item. City Council is only permitted by Law to discuss items that are listed on the agenda. Citizens wishing to make comments should notify the City Secretary as soon as possible.

City Hall is wheelchair accessible. Parking spaces for disabled citizens are available. Requests for sign interpretative services must be made 48 hours prior to the meeting. To make arrangements, call 817.293.0525 or TDD 1.800.RELAY TX, 1.800.735.2989.



JOINT MEETING OF THE EVERMAN ECONOMIC DEVELOPMENT CORPORATION AND THE EVERMAN CITY COUNCIL

Tuesday, May 07, 2024 at 6:00 PM
213 North Race Street Everman, TX 76140

MINUTES

1. THE EVERMAN CITY COUNCIL MEETING IS CALLED TO ORDER

Mayor called meeting at 6pm.

PRESENT

- Place 1 Linda Sanders
- Place 2 Carolyn Renfro
- Place 3 Johnnie Allen
- Place 4; Mayor Pro-Tem Susan Mackey
- Place 5 Judy Sellers
- Place 6 Miriam Davila

Mayor, Ray Richardson

2. THE ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS MEETING IS CALLED TO ORDER

President Richardson called meeting to order at 6pm.

Present:

- Ray Richardson
- Rick Isarraraz
- Daniella Soria
- Johnnie Allen
- Miriam Davila
- Jim Bauer
- Burl Hollingsworth

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. PRESENTATIONS

A. Honoring the Binions for their 70th Wedding Anniversary

Mayor read and presented the Proclamation honoring the Binions for their 70th Wedding Anniversary. At this time the City Council will take a break to present a cake to the Binions and another plaque and flowers. Mayor called break at 6:06pm and the Council returned at 6:19pm.

B. Proclamation - National Police Week

Mayor read and presented the Proclamation for National Police Week.

C. Proclamation - National Public Works Week

Mayor read and presented the Proclamation for National Public Works Week.

D. Presentation of the Fiscal Year 2023 Financial Audit Report - Patillo, Brown & Hill, LLP

6. CITY COUNCIL MEETING RECESSED

Mayor recessed meeting at 6:40pm.

Mayor reconvened the meeting at 6:48pm.

7. CONSIDERATION AND POSSIBLE ACTION BY THE ECONOMIC DEVELOPMENT CORPORATION

A. RESOLUTION # EDC 2024-05-01 - A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EVERMAN ECONOMIC DEVELOPMENT CORPORATION APPROVING A FIRST AMENDMENT TO ECONOMIC DEVELOPMENT PERFORMANCE AND 380 AGREEMENT BETWEEN THE CITY OF EVERMAN, THE EVERMAN ECONOMIC DEVELOPMENT CORPORATION, AND MUNAY DEVELOPMENT PARTNERS, LLC AND AUTHORIZING THE EXECUTIVE DIRECTOR TO SIGN THE SAME; PROVIDING FOR A REPEALING CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Burl Hollingsworth made the motion to approve Resolution #EDC 2024-05-01 as read and Jim Bauer seconded. Board Members Hollingsworth, Bauer, Allen, Davila, Soria, Isarraraz, and Richardson all voted AYE.

Motion Carried.

8. ECONOMIC DEVELOPMENT CORPORATION IS ADJOURNED

Richardson adjourned the EDC meeting at 6:48pm.

9. EVERMAN CITY COUNCIL MEETING IS RECONVENED

Mayor reconvened the Council Meeting at 6:48pm.

10. PUBLIC HEARINGS

- A. PUBLIC HEARING - To receive citizen input, comments, and feedback related to a proposed application for the 50th Year Tarrant County Community Development Block Grant (CDBG) project for a watermain replacement along the 800 Block of Marlene Dr.

Mayor Richardson opened up Public Hearing at 6:48pm to hear citizen input, comments, and feedback related to a proposed application for the 50th Year Tarrant County Community Development Block Grant (CDBG) project for a waterline replacement along the 800 Block of Marlene Drive. There were no comments made at this time. Mayor closed Public Hearing at 6:51pm.

11. CITIZEN’S COMMENTS

Richard Garcia Isarraraz came to speak before council to present the Mural that he has designed. He had handouts that he handed out that displayed the mural for council to see.

12. DISCUSSION ITEMS

- A. Discussion related to the potential proposal for amending operational hours of certain city departments within the city and how such amendments may affect city services and operations.

City Manager displayed to council some cities and the modifications that they have done to come to a four day work week. There was a couple of different schedules for council to consider. He also had the pros, and cons for these modifications. Council and the city staff deliberated on these options and they are wanting Craig to have policies wrote up for both option 1, and 2 and bring back to council again to discuss.

- B. Discussion related to the proposed renaming of the Public Library Building
- C. Discussion related utility rates for FY2024-FY2025

5 percent increase on the water.

13. CONSIDERATION AND POSSIBLE ACTION

- A. Consider Acceptance of the Fiscal Year 2023 Financial Audit Report as presented by Pattillo, Brown & Hill, LLP

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 5 Sellers.
 Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila, and Mayor Ray Richardson

Motion Carried.

- B. Consideration of nominations and appointments to the Animal Shelter Advisory Committee

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 1 Sanders.
 Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila, and Mayor Richardson

Motion Carried.

- C. RESOLUTION # 2024-04-02 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, APPROVING AN AMENDMENT TO THE CITY’S PERSONNEL

MANUAL AT SECTION 9.01(e) REGARDING APPEAL PROCEDURE FOR EMPLOYEES APPOINTED BY THE CITY MANAGER; AND PROVIDING AN EFFECTIVE

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 1 Sanders.
Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila, and Mayor Ray Richardson

Motion Carried.

- D. RESOLUTION # 2024-05-01 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, AUTHORIZING THE SUBMISSION OF A PROJECT APPLICATION TO TARRANT COUNTY FOR THE 2024 FISCAL YEAR 50TH YEAR COMMUNITY DECELOPMENT BLOCK GRANT (CDBG) PROJECT FOR WATERMAIN REPLACEMENT ALONG 800 BLOCK OF MARLENE DRIVE; AND PROVIDING AN EFFECTIVE

Motion made by Place 5 Sellers, Seconded by Place 1 Sanders.
Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila, and Mayor Ray Richardson

Motion Carried.

- E. RESOLUTION # 2024-05-02 - A RESOLUTION OF THE CITY OF EVERMAN, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF EVERMAN AND TARRANT COUNTY FOR FOOD ESTABLISHMENT INSPECTION SERVICES; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT; AUTHORIZING THE AMENDMENT OF THE CITY'S MASTER FEE SCHEDULE TO REFLECT THE APPROVED FEES RELATED THERETO; PROVIDING FOR THE REPEAL OF ANY AND ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 1 Sanders.
Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila, and Mayor Ray Richardson

Motion Carried.

- F. RESOLUTION # 2024-05-03 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN APPROVING A FIRST AMENDMENT TO ECONOMIC DEVELOPMENT PERFORMANCE AND 380 AGREEMENT BETWEEN THE CITY OF EVERMAN, THE EVERMAN ECONOMIC DEVELOPMENT CORPORATION, AND MUNAY DEVELOPMENT PARTNERS, LLC; APPROVING A FIRST AMENDED AND RESTATED RESTRICTION AGREEMENT BETWEEN THE CITY OF EVERMAN AND MUNAY DEVELOPMENT PARTNERS, LLC; AUTHORIZING THE CITY MANAGER TO SIGN THE SAME ON BEHALF OF THE CITY; PROVIDING FOR A REPEALING CLAUSE; AND DECLARING AN EFFECTIVE DATE.

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 1 Sanders.
Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila, and Mayor Ray Richardson

Motion Carried.

- G. RESOLUTION # 2024-05-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, AUTHORIZING THE PURCHASE OF AN UNMANNED AIRCRAFT (DRONE) FOR COMPENSATION IN AN AMOUNT NOT TO EXCEED \$3,000.00 TO BE FUNDED BY ASSET FORFEITURE FUNDS IN ACCORDANCE WITH THE CHAPTER 59 OF

THE TEXAS CODE OF CRIMINAL PROCEDURE; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.

Motion made by Place 5 Sellers, Seconded by Place 6 Davila.
Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila, and Mayor Ray Richardson

Motion Carried.

- H. RESOLUTION # 2024-05-05 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, APPROVING AN AMENDMENT TO THE CITY’S PERSONNEL MANUAL AT SECTION 3.13(c) REGARDING MINIMUM TRAINING REQUIREMENTS; AND PROVIDING AN EFFECTIVE

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 6 Davila.
Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila and Mayor Ray Richardson

Motion Carried.

- I. ORDINANCE #814 - AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EVERMAN, TEXAS, CHAPTER 2 “ADMINISTRATION”, ARTICLE II “COUNCIL”, BY AMENDING SECTION 2-21 “MEETINGS”, SUBSECTION (a); PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 1 Sanders.
Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila, and Mayor Richardson

Motion Carried.

14. CITY MANAGERS REPORT

City manager Craig Spencer updated council with the flood that happened and 14 homes were flooded. The flood study has been submitted and we can apply for mitigation funds.

15. MAYOR’S REPORT

Mayor wanted to inform council that they will be doing more Proclamations like we did for the Binions tonight. This is great and council would love to recognize them.

16. ADJOURN

Mayor adjourned the meeting at 8:28pm.

I hereby certify that this agenda was posted on the City of Everman bulletin board at or before 5:00 p.m. on Friday May 3, 2024.

/s/ Mindi Parks
City Secretary

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- A. Section 551.071 - Pending or Contemplated Litigation or to Seek Advice of the City Attorney.
- B. Section 551.072 - Purchase, Sale, Exchange, Lease, or Value of Real Property.
- C. Section 551.073 - Deliberation Regarding Prospective Gift.
- D. Section 551.074 - Personnel Matters.
- E. Section 551.087- Deliberation Regarding Economic Development Negotiations.
- F. Section 551.089 - Deliberations Regarding Security Devices or Security Audits.

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**CITY OF EVERMAN, TEXAS
RESOLUTION NO. 2024-07-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS,
APPROVING AN UPDATED CIVIC CENTER USAGE APPLICATION AND
AGREEMENT; AND PROVIDING AN EFFECTIVE**

WHEREAS, the City frequently rents space(s) in the Everman Civic Center as an event venue;
and

WHEREAS, the Civic Center Usage Application and Agreement must, from time to time, be
updated to, for instance, provide measures to protect City property, including audio/video
equipment located at the Civic Center; and

WHEREAS, City staff has revised and updated the Civic Center Usage Application and
Agreement to address such issues and provide additional security to the City; and

WHEREAS, the City Council of the City of Everman finds it to be in the best interest of the City
and of service to the general welfare to approve the updated Civic Center Usage Application
and Agreement;

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

SECTION 1. The City Council of the City of Everman hereby approves the updated Civic Center
Usage Application and Agreement, in substantially the form attached hereto and incorporated
herein by this reference as Exhibit "A."

SECTION 2. This resolution shall become effective immediately upon its approval.

PASSED AND APPROVED this the _____ day of July, 2024.

City of Everman, Texas

Ray Richardson, Mayor

Attest:

Mindi Parks, City Secretary

Approved as to Form:

Victoria W. Thomas, City Attorney

EXHIBIT A
Everman Civic Center Usage Application and Agreement
[To be Attached]

4878-5734-4460, v. 1



213 N. Race Street
Everman, TX 76140

CIVIC CENTER USAGE APPLICATION AND AGREEMENT

ORGANIZATION (if applicable): _____

TYPE OF EVENT: (convention/conference/meeting/wedding/birthday/etc.)

DATE(S) & TIMES OF EVENT/INCLUDING SET-UP & TEAR-DOWN:

Choose from: Monday-Friday, 7:00am – 10:00pm/Saturday, 7:00am-12:00am/Sunday, 7:00am-10:00pm

DAY: _____ DATE: _____ TIME: _____

DAY: _____ DATE: _____ TIME: _____

DAY: _____ DATE: _____ TIME: _____

DAY: _____ DATE: _____ TIME: _____

NOTE: If an event continues after scheduled end time, the Client shall be subject to appropriate overtime charges of the per hour negotiated rate.

THE EVENT WILL BE: (check one) Private Open to the public Admission will be charged

THE MAXIMUM NUMBER OF PEOPLE THAT WILL BE PRESENT AT ANY ONE TIME IN THE FACILITY:
(check one) Less than 50 Between 50-100 Over 100 If over 100, # of people _____

NAME OF PERSON FILING APPLICATION: _____

ADDRESS: _____

PHONE: _____ **EMAIL:** _____

ALTERNATE CONTACT: _____ **PHONE:** _____



FACILITY RENTAL SPACE DATES & FEES:

| FACILITY SPACE | DATES (Start/End dates) | | TIME (Start/End times; includes set-up & tear-down) | | DAYS (list day of the week here: Monday, Tuesday, etc.) | # of Days | FEE AMOUNT | Total Fee |
|--|----------------------------|--|---|--|---|-----------|-------------------|-----------|
| | | | | | | | | |
| Ballroom | | | | | | | | \$ |
| Conference Rm 100 | | | | | | | | \$ |
| Conference Rm 101 | | | | | | | | \$ |
| Kitchen | | | | | | | | \$ |
| Tablecloths | | | | | | | \$4/each | \$ |
| Ballroom Deposit | | | | | | | \$500.00 | \$ |
| Alcohol Deposit | | | | | | | \$250.00 | \$ |
| Security Fee <small>(to be paid cash to officers)</small> | | | | | | | \$45/hour/officer | \$ |
| Staff Fee <small>(to be paid cash to staff)</small> | | | | | | | \$25/hour | \$ |
| TOTAL: | | | | | | | | \$ |

Total number of round tables required: _____ Tablecloth color _____ ***each must be covered when rented

Total number of 8' rectangular tables required: _____ Tablecloth color _____ ***each must be covered when rented

Total number of Chairs required: _____

Is Audio/Visual equipment required? Yes _____ No _____

_____ **FORM OF CONTACT: Iliza Barrios (817) 456-4009**
For opening and closing times of your event

_____ **Alternative Contact: Police Dispatch (817) 293-2923 ext. 401**



CATERING / FOOD AND BEVERAGE

No bottles or glass containers of any kind. Punch bowls are allowed. Glass bowls and containers for food are allowed in the kitchen area only. No cooking pots, pans, griddles, toasters, or other items used for cooking foods are allowed. The kitchen has a microwave oven and a food warming unit available for use if the kitchen is acquired. Outside electrical warmers (i.e. crockpot) are permitted for warming purposes only. Please review the contract for full details.

Name of Catering Company: _____

Contact Person: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Fax: _____ Email: _____

All deliveries (Catering, Flowers, Bakery products, etc.) will be made through the door located on the South side of the facility, near the Kitchen area. This includes food, cakes, flowers, decorations, and giveaways. Audio, video, DJ equipment, or any items from an outside rental company shall be delivered through the South side door near the kitchen.

*****ALL ITEMS BROUGHT BY CATERERS, DJ'S, BANDS OR CLIENTS MUST BE REMOVED AT THE SCHEDULED END OF THE EVENT. DUE TO NEXT DAY RENTALS, NOTHING CAN BE LEFT IN THE BUILDING OVERNIGHT. ANY ITEM LEFT IN THE BUILDING AT THE SCHEDULED END OF THE EVENT WILL BECOME THE PROPERTY OF THE CITY OF EVERMAN.**

LABEL ALL FOOD & DRINK CONTAINERS WITH CLIENT NAME TO AVOID CONFUSION WITH OTHERS USING THE KITCHEN.



FACILITY USE TERMS AND CONDITIONS

THE SERVING OF ANY ALCOHOLIC BEVERAGE IS ALLOWED WITH THE COMPLETION OF THE "ALCOHOLIC BEVERAGE POLICY & AGREEMENT," THE PURCHASE OF APPROPRIATE LIABILITY INSURANCE AND THE HIRING OF SECURITY AT THE DISCRETION OF THE CITY OF EVERMAN POLICE DEPARTMENT.

THE SALE OF ALCOHOL IS NOT ALLOWED AT ANY EVENT.

ILLEGAL GAMBLING IS STRICTLY PROHIBITED. THIS IS A NON-SMOKING FACILITY.

ASSIGNMENT: This agreement may not be assigned without prior written consent of the City, which consent may be withheld by City in its sole and absolute discretion.

AUDIO/VISUAL EQUIPMENT: Audio and Video equipment located within the civic center is available for *very limited uses*. All requested uses of this equipment are subject to the approval of the event coordinator. Some requested uses may require a trained, off-duty city staff member to be on-site to operate the audio and visual equipment and/or oversee its use, which is subject to availability of trained, off-duty city staff and payment of the appropriate off-duty staff fees listed herein. If additional audio/visual equipment, DJ, band, or other personally owned or rented equipment is to be used for the event, the City must receive a detailed list of all equipment prior to the event and details as to where it will be placed. It must be delivered within your rental time.

AUTHORITY: The client certifies that to the best of his/her knowledge, the City property for use of which application is hereby made will not be used for the commission of any crime or any act which is prohibited by law. This agreement must be signed by persons authorized to sign on behalf of the client and bind the client to the terms of this agreement.

CANCELLATIONS: All cancellations must be submitted in writing. All cancellations will forfeit their reservation deposit if not cancelled 120 days prior to a scheduled event.

LOCAL BUSINESS, SENIOR CITIZEN GROUPS, AND RETIRED TEACHERS USE: Everman local businesses, Everman Senior Citizen organizations, and the Everman Retired Teachers organization may utilize Civic Center rooms for meetings/events if the center is available for usage. Rental and/or Deposit fees are waived for these groups. Rentals will have precedence over these groups unless determined otherwise by City personnel. The clean-up and all other requirements must still be agreed to and followed.

CHOICE OF LAW AND VENUE: This agreement is to be governed by and interpreted in accordance with the laws of the City of Everman and the State of Texas. If any action is brought arising out of this agreement or any activities related to the rental that is the subject of this agreement, said action will be brought to the appropriate state court in Tarrant County, Texas.

DECORATIONS: All decorations must be free-standing or tabletop. Decorations *cannot* be stapled, taped, nailed, or glued to any walls, windows, doors, ceiling fans or blades, pillars and/or staging. Decorations *cannot* be suspended or hung from any ceiling, staircase or doorway. Painting of any kind is prohibited. All decorating must occur within your rental time. Balloons must be securely anchored and removed at the end of the event by the client. They are not to be given out at any event. The client is responsible for removing decorations, food or other materials brought into the facilities. Glitter and Confetti products are not allowed.

DEFAULT: Failure to comply with any term of this agreement or comply with any rules or regulations of the City will be grounds to cancel event and deny permission for use or future use of City facilities by the client, be it individual or organization, or any member thereof, in addition to any remedies available by law. Client agrees that should the event be changed or canceled by client, or due to client's failure to meet the requirements of this agreement, a full or partial refund of fees, if any, will be made only at the sole discretion of the City. The City may cancel event or terminate this agreement, without cause, for its convenience or if facilities are needed for city purposes.

DEPOSITS:

Payments may be made by credit/debit card, money order, cashier's check or cash. When using a credit/debit card, certain fees apply.

Deposits required:

1. Reservation Deposit: Rental reservation deposits are due when contract signed. All reservation balances are due 30 days prior to event. The Ballroom deposit is \$500; all other rooms are \$250 each. Reservations made less than 30 days of an event must be paid in full (required deposits and all rental fees) at the time of booking with a credit/debit card, money order, cashier's check or cash.
2. Damage/Cleaning Deposit: \$500 for the Ballroom and/or \$250 each for other rooms are due at the time the application is accepted by the city and the reservation is made.

City staff will perform a walkthrough after the event to ensure that no damage has occurred and the facility is clean. Deposit will be returned to client within 30 days after event if no damages were incurred or cleaning is required. Should there be any findings the client will be notified promptly. In the event that City property has been damaged or cleaning is necessary, the client will accept the City's estimate of the amount incurred. The cost of any repairs and/or cleaning deemed necessary will be charged to the client's damage deposit. Should the cost of repairs or cleaning exceed the amount of the damage deposit, the client will receive an invoice for said charges, which will be due within 15 days of the date of the invoice. Effective 30 days after invoice date, any unpaid balance will bear a FINANCE CHARGE of 18% per month and future applications will be accepted on a pre-payment basis only. ***Client's initials*** _____

EMERGENCY PROCEDURE: Call 9-1-1 in the event of an emergency. For non-emergency police matters, call Police Dispatch at 817-293-2945 and provide the operator with your location in the facility.

COOKING DEVICES: The City of Everman provides a catering tray warmer within the service kitchen. The preparation or cooking of food within this facility is strictly prohibited. Food must be prepared off-site and may only be served within the center. In accordance with the International Fire Code Section 904.2.2, the following devices are permitted under these specific conditions:

- A. Residential counter top-type preparation equipment.
- B. The equipment is used only for warming of foods.
- C. The equipment is located in a small kitchens or employee lunch rooms.
- D. No grease-laden vapors or smoke are produced by the warming of foods.
- E. A signed letter is filed by the renter, with the Everman Fire Marshal's Office or their designee (i.e., city staff processing rental application, stating that the cooking appliance shall be used for warming purposes only, and that no frying or cooking that produces grease laden vapors or smoke will be permitted or conducted)
- F. A legible and conspicuously placed sign or plaque that is 8x10 inches or larger is affixed above the appliances stating, "WARMING EQUIPMENT ONLY – NO DEEP FRYING OR GREASE LADEN VAPORS PERMITTED – BY ORDER OF THE EVERMAN FIRE MARSHAL."
- G. The waiver may be cancelled by the Fire Code Official. The waiver is not transferable between locations or owners

PROFESSIONAL FOOD SERVICE: If the Client elects to utilize a professional food service or caterer, the City reserves the right to assign exclusive catering services at its facility (if desired). Client should make arrangements with the City at least two weeks in advance of the event. All professional caterers must provide a Tarrant County Health Department Permit to City two weeks in advance of the event.

INDEMNIFICATION: The Client and its members shall be held responsible for any and all neglect, injury, or damage to person, life, or property (including but not limited to damage or City property), and claims which may be the result of, or may be caused by, the Client's occupancy or use of the facilities or facility. Client has been given an opportunity to inspect Facility prior to the event and accepts, discharges, and releases, and shall protect, indemnify, defend, and hold harmless, the City and each of its employees, agents, employees, volunteers and representatives, from any and all liability, claims, judgments, or demands including reasonable attorney's fees and costs, which may arise from any claims, including but not limited to claims for injuries, deaths, and/or damage to property arising directly or indirectly out of the condition or use of the rented facility space and the immediate surroundings, including parking lots, driveways, and common areas, or any action related to the subject of this agreement, including, but not limited to client's occupancy or use of the facility, except if due to City's active gross negligence or willful misconduct. *Client's initials* _____

INSURANCE: If the City of Everman staff determines a possible need for insurance due to the number of participant or the activity or event, the client shall secure and maintain comprehensive general liability insurance in the amount of one million dollars per occurrence with coverage for incidental contracts. Client agrees to endorse such policy to name the City of Everman as additional insured. Further, the Certificate of Insurance shall provide 30 days prior written notice of cancellation. Client shall also secure and maintain worker's compensation covering all certificates(s) of insurance, along with the additional insured endorsement, at least 2 weeks in advance of the event; otherwise, this agreement may be canceled by City. *Client's initials* _____

NOTICE: Notices shall be delivered to the person and address specified as the signatory hereto.

PAYMENT TERMS: Deposits are due and payable as per listed above in the "Deposit" section. Rental fees are due 30 days prior to the event. Checks shall be payable to the City of Everman. No personal checks will be accepted. Payment shall be made by: cash, cashier's check, money order or credit card.

PROHIBITED USES: The City strictly prohibits the use of flammable liquids, compressed gases, fog or smoke machines, candles or any type of open flame; the throwing of rice, paper or metallic confetti, birdseed or other materials in the facility or on the grounds; "parking lot parties"; pools, fountains, ponds or landscapes inside or outside the facility, outside tents and stages, inflatable jumping rooms, inflatable water slides, animals of any kind in a City facility, with the exception of service animals; smoking in a City building within 25 feet of a door, window or ventilation; nudity; or drugs. Explosives are not allowed near or inside the facility. Vehicles of any kind are not allowed in the facility.

PARKING OF VEHICLES: Vehicles are NOT allowed to be parked inside, along or near any Fire Lane, in the front or along the sides of the Facility or under the covered entry to the building. Any/all vehicles must be parked in designated parking places only. Parking on grassy areas of the adjoining Park is prohibited. Any vehicle parked in these areas or illegally parked in the Handicap parking areas are subject to removal by the Everman Police Department or towing company assigned by the City. All towing and storage costs are at the expense of the individual vehicle owner(s). The client is prohibited from charging Parking Fees.

ALCOHOL EVENTS: Alcohol is allowed via BYOB or Open Bar. The sale(s) of alcohol is prohibited. BYOB shall be monitored by the host of the event. Open Bar will require TABC licensed bartenders. The alcohol may be purchased prior to the event by the host, however, licensed bartenders must distribute the alcohol when engaged in Open Bar engagements. Open Bar events are preferred as there is alcohol consumption oversight. Open Bars usually coincide with wedding receptions, Quinceanera's, Banquets, etc. **ALL** alcohol-related events require Security personnel.

SECURITY: An off-duty, Everman Police officer may be required for security for any events, at the sole discretion of the City Manager; however, security shall be required for any commercial event and any event where alcohol is present or consumed. Licensed alcohol handlers must be hired for "open bar" events. Events for 100 or more people will also require Security personnel. The fee charged will be at the current off-duty rate with a 4-hour minimum; payment is to be made in cash to the Officer upon arrival. All costs associated with the hiring of security services will be assumed by the client. The City reserves the right to require monitoring during any event held on city property.

Security required: ___ Yes ___ No *Client's initials* _____ *City Staff initials* _____

STAFF FEES: A trained, off-duty City of Everman staff member may be required with certain rentals to manage audio/video or other city-owned equipment as well as to serve as an onsite resource to the client. The fee charged will be

\$25/hour with a 4-hour minimum; payment is to be made in cash to the staff member upon arrival. All with the retaining of a trained, off-duty staff member will be assumed by the client. The city reserves the right to require the presence of off-duty city staff members during any event held on city property.

Staff Required: ___ Yes ___ No **Client's initials** _____ **City Staff Initials** _____

STORAGE: Storage space is **not** available at any time. All personal or catering company items must be removed at the end of each event. Shall any item be left in the building it will become the property of the City of Everman.
Client's initials _____

TABLE COVERINGS: Table coverings are required at all times. Round and rectangular tablecloths are available to rent from the City. If Client chooses not to rent table coverings from the Center, client is required to provide and cover all tables and remove them after the event.

TERM: This agreement becomes effective on the date first written below and shall remain in effect for as long as client remains on or utilizes City facilities, regardless of event(s) duration. Provisions regarding payment, indemnification and liability for damages shall survive expiration or termination of this agreement.

TRASH: All used trash bags are to be tied up and placed inside the dumpster near the facility before the client leaves the building.

WEAPONS: It is the client's responsibility to determine if handguns are to be allowed at client's event. The client must determine if the carrying of handguns would be legal at the event. The client may request the use of signage from the City to alert attendees that handguns, either openly carried and/or concealed, are prohibited at the event. The client assumes all liability regarding this issue. The City may not, pursuant to law, unilaterally prohibit the carrying of handguns at a City facility. The client is responsible for any damage or loss to the signage.

Client's initials _____

USE: Client must be at least twenty-one (21) years of age and provide proof thereof. Children must be supervised by an adult throughout the time that they are in the facility. Ages through 12 require 1 adult per 4 children; ages 13 through 17 require 1 adult per 10 young adults. Use of the facilities described herein is granted subject to the terms and conditions herein rules and regulations established from time to time by the administration of the City of Everman. The City assumes no liability or responsibility for any personal property of Client or of its employees, agents, representatives, guests or invitees brought onto the property before, during or after the event described herein. Submission of this application/agreement or acceptance by the City of Everman of any fee does not guarantee availability of any city facilities. Facility and adjoining areas are provided on an "as is" basis.

All fire exits must be kept clean, clear and unobstructed at all times. The path of travel in hallways and to exits may not be blocked by furniture or any other movable object. Client must abide by room capacity limits. It is unlawful to exceed the capacity of any room. Failure to abide by room capacity limits may result in the cancellation of the event without refund or pro-rating of fees if the rental participants do not adhere to these facility rules.

This agreement contains the entire understanding of the parties. There are no representations, covenants, or warranties other than those expressly stated herein. No change or waiver of modification of any of the terms hereof shall be valid unless in writing. Signed agreement must be shown to City authorities on demand.

Nothing in this agreement is intended to create any rights in or for a third party. Nothing in this agreement is intended to waive any defense available to the city at law or common law.

The facility is under video surveillance 24 hours a day.

By signing this application, I agree personally or on behalf of the organization I represent that I will/have/understand:

- Provide a copy of my Driver's License or state issued identification card;
- I have read, understand and agree to the terms and conditions on this form or attached hereto, incorporate herein by reference;

- I agree to provide any required Certificate of Insurance to the City at least 3 business days before
- I understand I have agreed to hold the City harmless and indemnify it from any claim or expense incurred as a consequence of my use of the facility, per the **INDEMNIFICATION** paragraph above;
- I assume all liability for loss or damage to any personal property, owned, used, or stored at the event facility;
- I agree to pay the fees as specified in advance of the event;
- Instruct all participants and spectators not to park on any grassy areas and to park in designated parking areas only; client is restricted from charging for parking of vehicles on city property at any time;
- That there is a 10% charge based on the full amount of this application to change and reprocess the method of payment submitted for an event;
- Not hold the City responsible for any personal items or items of value that are left at the facility;
- I am entitled to use only the area(s) that I have rented;
- Leave the event facility in the same condition in which I found it;
- Abide by any and all rules for the use of this facility;
- No verbal agreements have been made with city representatives;
- At the discretion of the City or any Police Officers present at a rental, understand that a rental may be cancelled without refund or pro-rating of fees if the rental participants do not adhere to the facility rules.

Not valid until signed by authorized representative of both parties. Valid for date(s) listed on page 1 only.

Applicant Signature

City Representative Signature

Applicant Printed Name

City Representative Printed Name

Date

Date

Name of entity /organization (if applicable)

If the Agreement is executed on behalf of an entity / organization, the Applicant must present proof of authority to sign on behalf of the organization / entity, e.g. a copy of corporate minutes and the proof shall be attached to this application.

DISCLAIMER: Granting permission to use the City facilities does not constitute an endorsement by the City of the group or its beliefs and/or practices.

**CITY PERSONNEL
CIVIC CENTER USE**

City Personnel (Staff and/or City Council members) may rent the Civic Center when available for use. The Civic Center may be rented at a discount of the standard price, a maximum of two (2) times a year. There is a 75% discount for the first usage and a 50% discount for the second. If there is a third use, the normal fees will apply.

If the Civic Center is rented by City Personnel, it must be used/hosted by the person renting the facility. City Personnel may not rent the facility at discounted rates for someone else. City Personnel renting the facility will be required to be at the event at all times during the rental.

All rules and regulations pertaining to the Civic Center still apply.