

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 257-13

AN ORDINANCE

authorizing a facility usage agreement with TAG Events, LLC to allow use of the Central Missouri Events Center for the annual Halloween event; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Manager is hereby authorized to execute a facility usage agreement with TAG Events, LLC to allow use of the Central Missouri Events Center for the annual Halloween event. The form and content of the agreement shall be substantially as set forth in "Exhibit A" attached hereto and made a part hereof as fully as if set forth herein verbatim.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2013.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



TAG Events, LLC

FACILITY USAGE AGREEMENT

This AGREEMENT made & entered into on August 21, 2013 by and between TAG Events, LLC, hereinafter referred to as "TAG" AND CITY OF COLUMBIA . Hereinafter referred to as "USER".

WITNESSETH:

WHEREAS, the parties have agreed with respect to use of certain facilities leased by TAG and located at 5212 North Oakland Gravel Road, Columbia, Missouri in Boone County, Missouri and with the specific facilities subject in this Agreement being described as:

1. MAIN ARENA
- 2.
- 3.
- 4.
- 5.
- 6.

And now, therefore, for good and valuable considerations hereby acknowledged as received, it is mutually understood and agreed as follows:

1. USER shall be entitled to the use of the designated facilities described above, together with parking, restrooms, office, but excluding stalls or any other facilities of the premises.
2. USER shall be entitled to use designated facilities between 10/31/2013.
3. USER shall pay to TAG a fee, payable in the following manner: On signing this agreement, User shall pay the sum of \$0 which shall constitute a NON-REFUNDABLE DEPOSIT and will be credited to total fee due. And the balance due shall be paid on or before the termination date as set forth above. Contract shall be considered void if not returned within 30 days of receipt accompanied by the stated deposit.
4. User agrees that no illegal activities will be conducted on the premises.
5. The City of Columbia is hereby authorized to distribute candy during this event.
6. USER agrees that all rules & parking regulations with respect to use of the facilities shall be observed by user & exhibitors for your event.
7. USER acknowledges that TAG shall have no liability for any injuries caused by any animals, machinery, equipment, vehicles and shall have no responsibility for any animal and its welfare, for any injury or disease suffered.
8. USER will provide a certificate of insurance, ten days prior to the event in the amount of \$2,000,000.00 naming TAG Events, LLC and BOONE COUNTY as additional insured.
9. The cost for the Main Arena will be \$1,500.00.
The cost for tables will be \$4.00 each.
The cost for chairs will be \$.50 each.
ALL DOGS MUST BE ON A LEASH AND UNDER CONTROL.
10. USER Agrees no gas, electric or propane heaters or hot plates or any other unsafe units will be allowed.
11. USER will make arrangements for their own security if needed.

12. Any modifications to this agreement shall be in writing.
13. In the event of any litigation between parties, it is agreed that the party prevailing in such litigation shall be entitled to a reasonable attorney's fee and all cost of such litigation.
14. This agreement shall be binding upon, and shall insure to the benefit of the parties hereto.
15. **Notwithstanding any other provision of this Agreement, TAG's obligations under this agreement are conditioned upon TAG having in place a management agreement with Boone County, Missouri, the owner of the facility, which authorizes TAG to operate the facility during the dates and times set out in this Agreement. TAG will promptly notify User within a reasonable time if TAG no longer has such a management agreement and in such an event TAG will refund any deposit paid pursuant to this Agreement.**

General Manager

5212 North Oakland Gravel Road

Columbia, Missouri 65202
573-474-9435

User Name

Date

Address

FOR THE CITY OF COLUMBIA, MISSOURI

By: _____
Mike Matthes, City Manager

ATTEST:

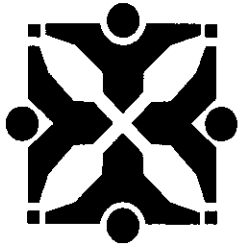
Sheela Amin, City Clerk

Date

APPROVED AS TO FORM: _____
Nancy Thompson, City Counselor

CERTIFICATION: I hereby certify that this Contract is within the purpose of the appropriation to which it is to be charged, that is, account _____ and that there is an unencumbered balance to the credit of such account sufficient to pay therefore.

John Blattell, Finance Director



Source: Parks and Recreation

Agenda Item No:

To: City Council

From: City Manager and Staff

Council Meeting Date: Sep 3, 2013

Re: Agreement with TAG Events, LLC for use of Community Events Center for the annual Halloween event

EXECUTIVE SUMMARY:

The Parks & Recreation Department is requesting Council approval for the City to enter into an agreement with TAG Events, LLC for the lease of the Central Missouri Events Center on October 31, 2013 for the annual city-wide Halloween event. In previous years, this event was held at the University of Missouri's Hearnes Fieldhouse. Unfortunately, due to November 1 & 2, 2013 SEC conference volleyball and football games, the University has declined City use of the Hearnes Fieldhouse on October 31. Recreation staff was able to secure the arena at the Central Missouri Events Center, which is large enough to host the approximately 3,800 attendees. As shown in "Exhibit A" the City will pay \$1,500 rental fee plus \$4.00 per table and \$.50 per chair. Following the 2013 Halloween event, staff will evaluate the Central Missouri Events Center venue and determine whether to continue with this location, seek other sites or change the event to accommodate more locations.

DISCUSSION:

The City's Halloween "Tiger Night of Fun" event had been held at the University of Missouri Hearnes Fieldhouse since the 1990's. In an email dated August 7, 2013, Katie Lohe, Event Coordinator, Facilities and Events for the University of Missouri Athletics Department, indicated that the Fieldhouse would not be available. With a volleyball game on Friday, November 1 and a football game on Saturday, November 2, MU staff felt that they would not be able to accommodate the Halloween event on October 31. Ms. Lohe did offer the use of the Fieldhouse for Wednesday, Oct 30 as an alternate date. P&R staff discussed this option, but felt that since one of the goals of this event is to provide a community safe alternative to door-to-door "trick or treating," any night other than October 31 would not be community acceptable.

Staff looked at several other venues including, but not limited to, Columbia Public School facilities, Columbia Mall, and some of the hotels, but with an estimated crowd of 3,800 and existing facility conflicts, there weren't many options. Fortunately, the large arena at the Central Missouri Events Center, home of the Boone County Fair, was available, and staff is recommending that Council approve the agreement with TAG Events, LLC. The event is coordinated by the Parks and Recreation Department and is sponsored by KPLA, TAG Events and other local businesses.

The Parks and Recreation Department works with local businesses, clubs and non-profit agencies (Kiwanis, MU Adventure Club, Golden Key Honor Society, etc.) to provide fun, interactive activities for the youth that attend this event. Historically, approximately 70-80 booths are set up for the event. In 2012, 3,800 adults and children attended the event.

Under the terms of this agreement, the City agrees to provide TAG Events a Certificate of Insurance and pay a \$1,500 fee for use of the facility and \$130 for equipment rental. The \$1630 fee represents an increase of \$230 over 2012 rental expenses.

Since Halloween will fall on Friday night in 2014 and Saturday night in 2015, it is likely that there could be future conflicts at the Hearnes Fieldhouse. Following the 2013 Halloween event, staff will evaluate the Central Missouri Events Center venue and determine whether to continue with this location, seek other sites or change the event to accommodate more locations.

FISCAL IMPACT:

The fiscal impact of this council action is \$1,630 for the use of the Central Missouri Events Center and equipment rental. Funds for this event are budgeted in the Recreation Services operating budget.

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

12.2 Goal: Columbia's recreational needs and desires will be met through effective public and private partnerships that provide outstanding, exciting, and diverse recreational facilities such as, but not limited to, an ice skating rink, golf courses, tennis courts, soccer fields, ball fields, ball parks, and swimming pools. These facilities will be placed appropriately throughout the city to allow easy access for everyone.

SUGGESTED COUNCIL ACTIONS:

Approve the ordinance authorizing the City Manager to enter into the attached agreement with TAG Events, LLC.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$1,630.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$1,630.00	Duplicates/Epands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	Yes
One Time	\$1,630.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	12.2
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	