

Bill No. 25-2024

Ordinance No. 1574-2024

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO SIGN A PARK RESERVATION AGREEMENT BETWEEN KEARNEY R1 SCHOOL DISTRICT, A POLITICAL SUBDIVISION AND THE CITY OF KEARNEY, MISSOURI, TO HOST PICKLEBALL TOURNAMENTS.

WHEREAS, KEARNEY R1 SCHOOL DISTRICT, requests use of the pickleball courts by two specific sport teams as a fundraiser opportunity to gain extra funds specific to their sporting teams; and

WHEREAS, KEARNEY R1 SCHOOL DISTRICT has used our parks and facilities for other events, such as 5K fun runs, and cross-country events; and

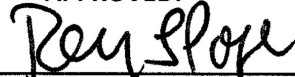
WHEREAS, A Reservation of Park Agreement Between the Kearney R1 School District, a Political Subdivision the City of Kearney is hereby attached.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF KEARNEY, MISSOURI, AS FOLLOWS:

Section 1. The City Administrator of Kearney is authorized to sign a Park Reservation Agreement with and between KEARNEY R1 SCHOOL DISTRICT, & CITY OF KEARNEY for the purpose of allowing KEARNEY R1 SCHOOL DISTRICT, use of the Pickleball courts, for two sporting teams fundraising events, to be held Saturday September 21st, and Saturday, October 5th. KEARNEY R1 SCHOOL DISTRICT will procure and add the City as an additional insured on general liability insurance in a minimum amount of the Missouri Sovereign Immunity Limits. **"The City of Kearney shall have no duty to pay damages unless the defenses of sovereign and governmental immunity are inapplicable. Nothing in this Section shall reflect an intent by the City of Kearney to waive any defenses of sovereign and governmental immunity."**

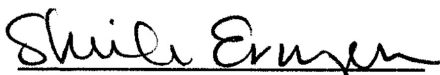
APPROVED AND ADOPTED BY THE MAYOR AND BOARD OF ALDERMEN, CITY OF KEARNEY, MISSOURI, THIS 17TH DAY OF JUNE 2024.

APPROVED:



Randy Pogue, Mayor

ATTEST:



Sheila Ernzen, City Administrator

RESERVATION OF PARK AGREEMENT

This Reservation of Park Agreement entered this 17th day of June 2024, between the City of Kearney, Missouri, a municipal corporation (City) and KEARNEY R1 SCHOOL DISTRICT, a Missouri Political Subdivision.

WHEREAS, KEARNEY R1 SCHOOL DISTRICT requests use of the Pickleball courts for the purpose of fundraising measures specific to their sports teams on Saturday, September 21st, and Saturday October 5th; and

WHEREAS, KEARNEY R1 SCHOOL DISTRICT has used our pickleball facilities this past season for physical education classes and forming pickleball club team's concept.


NOW THEREFORE, the parties agree as follows:

1. This event does not interfere with a city, or other organizations' scheduled event at the pickleball complex.
2. KEARNEY R1 SCHOOL DISTRICT requests and is granted a reservation to use the City of Kearney Pickleball complex, to conduct their sport specific fundraising activities
3. Such Pickleball fundraising tournaments will be conducted by KEARNEY R1 SCHOOL DISTRICT as a Missouri Political Subdivision and KEARNEY R1 SCHOOL DISTRICT will indemnify and hold City harmless from any liability for matters arising out of the use of said pickleball complex and any activities occurring thereon. KEARNEY R1 SCHOOL DISTRICT will procure and add the City as an additional insured on the KEARNEY R1 SCHOOL DISTRICT general liability insurance in a minimum amount of Missouri Sovereign Immunity Limits. Policy needs to be in the hands of City of Kearney, no later than 30 days prior to event. **"The City of Kearney shall have no duty to pay damages unless the defenses of sovereign and governmental immunity are inapplicable. Nothing in this Section shall reflect an intent by the City of Kearney to waive any defenses of sovereign and governmental immunity."**
4. Raquelitas Food truck has the contractual right of first refusal for concessions at the Pickleball Complex. In that contract, the City of Kearney receives a percentage of gross concession receipts. Should Raquelitas decline to serve concessions at an event, the event organizer can choose any concession vendor they wish, if they have all proper city and state licenses and permits. Outside concession vendors will not be held to the gross receipts' stipulation.
5. Total facility use fee to rent the trail for the Kearney R1 School District Pickleball fundraising tournament on Saturday September 21st & Saturday October 5, 2024, is **waived, as Kearney R1 School District is a Missouri Political Subdivision.**

THIS AGREEMENT ENTERED ON THE DAY AND YEAR FIRST ABOVE MENTIONED.

CITY OF KEARNEY, MISSOURI

By: 
Sheila Erzen, City Administrator

By: 
KEARNEY R1 SCHOOL DISTRICT Representative