



City of Broken Arrow

Request for Action

File #: 24-927, Version: 1

**Broken Arrow City Council
Meeting of: 07-15-2024**

Title:

Approval of and authorization to execute an annual Parks and Recreation Use Agreement between the City of Broken Arrow and the Broken Arrow Community Playhouse

Background:

The attached use agreement grants a non-exclusive license to allow Broken Arrow Community Playhouse (BACP), a registered non-profit organization, to use the Community Playhouse which is located at 1800 South Main Street in Broken Arrow.

Highlights of the Use Agreement are as follows:

- Added language that the Councilor(s) and liaison will be exempt from any fee or cost regarding any extracurricular event.
- In the event that any defect may threaten the safety and welfare of participants or the general public, licensee shall not allow individuals to utilize the Premises until the defective portion of the Premises has been repaired or replaced.
- The City shall mow and fertilize the outdoor area surrounding the Premises.
- The City shall perform all clearing of snow and ice from the parking lots and sidewalks of the premises.
- In the event any landscaping is installed by the Licensee, the Licensee shall be responsible for maintenance and upkeep. Any landscaping installed by the City, shall be the City's responsibility for maintenance and upkeep.
- Licensee shall lock and secure the Premises after each use. That the Licensee is allowed two keys to the property. Any required duplication of any key, for any reason, over the two allotted, shall be at the sole cost of the Licensee.
- City shall manage and conduct all fire extinguisher and fire suppression inspections.
- All required maintenance, repair, washing, maintenance, removals or any other service provided

by the City herein shall be at the city's sole discretion and timing.

- Licensee shall be responsible for ensuring adherence to all Fire Life Safety codes and ensuring a safe environment. Licensee agrees to allow the Broken Arrow Fire Department access to the building for the purposes of inspection and/or safety review and Licensee agrees to be solely responsible for any remediation required. The opinion of the Fire Chief or his or her designee shall be conclusive evidence of the need for remediation and all remediation shall be considered a condition for the continued use of the premises.
- BACP's term for usage will commence upon approval and end on June 30, 2025.

Cost: \$14,500

Funding Source: Parks and Recreation General Operations

Requested By: Matt Hendren, Parks and Recreation Director

Approved By: City Manager's Office

Attachments: Broken Arrow Community Playhouse Use Agreement

Recommendation:

Approval of and authorization to execute an annual Parks and Recreation Use Agreement between the City of Broken Arrow and the Broken Arrow Community Playhouse.