



## Request for Council Action

**TO:** Mayor and City Council  
**THROUGH:** Tim Murray, City Administrator  
**FROM:** Paul J. Peanasky, Parks & Recreation Director  
**MEETING DATE:** May 11, 2021  
**SUBJECT:** Approve Facility Use Agreement with Faribault Rotary Club

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### **Background:**

Please find attached a copy of a Facility Use Agreement with the Faribault Rotary Club for the 2021 season. This agreement will allow the Rotary Club to construct and operate a community garden on the property at 1740 Willow Street. This is the property just east of the soccer complex. The Rotary Club will be responsible for the plowing of the garden, reserving spots for community members, and then cleaning up the location at the end of the growing season. It is agreed that this is just a 1-year agreement.

This agreement is similar to the Facility Use agreements approved for other users of City-owned property.

### **Recommendation:**

Staff recommends approving 2021 Facility Use Agreement with Faribault Rotary Club

### **Attachments:**

- Facility Use Agreement



# Facility Use Agreement

**Lessor:**

**Lessee:**

City of Faribault, Minnesota

Faribault Rotary Club

Both parties consent to the proposed lease agreement highlighted below to take effect immediately. This agreement will bind the respective parties to the outlined terms until the said agreement is dissolved or the date of the agreement has expired.

This is an agreement between the City of Faribault, hereinafter referred to as “Lessor”, and the Faribault Rotary Club, hereinafter referred to as “Lessee”.

**Purpose:** The purpose of this Facility Use Agreement is to allow Lessee ability to conduct a Community Garden at 1740 Willow Street in Faribault, MN

**Lease Conditions:**

1. Lessee will use the designated area as agreed upon by Lessee and Lessor.
2. Lessee will return the grounds to the same level of cleanliness, keeping the area free of litter and debris, as they originally found it after each use.
3. Lessee will be responsible for any damages done to grounds or property during operation and/or use.
4. Lessee shall indemnify the Lessor of any and all liability claims made against Lessee resulting from any activities sponsored by Lessee.
5. Lessee shall be responsible for privately obtaining and maintaining program and activity liability insurance of no less than one million dollars for all Lessee activities and participants.
6. Lessee agrees to schedule events during regular park hours and avoid use of said property after those hours.
7. Lessor shall not be held responsible for any property damages or losses, personal illness, injury or death occurred during or in-relation to Lessee sponsored events held on said property.
8. This agreement covers the period of time from the date signed until December 31, 2021.

**City of Faribault (Lessor)**

**Faribault Rotary Club (Lessee)**

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Representative

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Representative

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Date Signed

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Date Signed