

RESOLUTION NO. 2007-175

RESOLUTION BY THE PUBLIC WORKS, PARKS AND FACILITIES COMMITTEE AUTHORIZING A SECOND AMENDMENT TO THE HABAN PARK LEASE WITH RACINE YOUTH SPORTS, ALLOWING USE OF THE POND AND CLASSROOM BY SHERIFF'S DEPARTMENT DIVE RESCUE RESPONSE TEAM, AND GENERAL RELEASE TO RACINE YOUTH SPORTS ARISING FROM USE OF THE POND

To the Honorable Members of the Racine County Board of Supervisors:

BE IT RESOLVED by the Racine County Board of Supervisors that a Second Amendment to the Haban Park Lease with Racine Youth Sports, Inc. (hereinafter "RYS"), which lease was authorized by Resolution 94-265, and amended by authorization of Resolution 2006-147, is authorized and approved under the following terms and conditions:

- 1. The Second Amendment to Haban Park Lease will allow the Sheriff Department's Dive Rescue Response Team (hereinafter "Team"), to use the pond located at Haban Park for training at various times throughout the year, upon reasonable advance notice to RYS, and will allow the Team to use the building adjacent to the pond for classroom instruction but not for storage of equipment, and will further provide a general release to RYS for any liability resulting from use of the pond by the Team.
2. The Second Amendment to Haban Park Lease will be negotiated and drafted by the Corporation Counsel, and the Director of Public Works.

BE IT FURTHER RESOLVED that the Racine County Board of Supervisors authorizes the Corporation Counsel and the Public Works Director to come to terms with RYS at times in the future for other appropriate groups and uses of Haban Park during the term of the lease.

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that any two of the County Clerk, the County Board Chairman and/or the County Executive are authorized to execute any contracts, agreements or other documents necessary to carry out the intent of this resolution.

Respectfully submitted,

1st Reading _____

PUBLIC WORKS, PARKS AND FACILITIES COMMITTEE

2nd Reading _____

BOARD ACTION

Gilbert Bakke, Chairman

Adopted _____

For _____

Against _____

Absent _____

Daniel F. Sharkozy, Vice-Chairman

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VOTE REQUIRED: Majority

Mike Dawson, Secretary

Prepared by:
Corporation Counsel

Robert D. Grove

Kenneth Hall

Diane Lange

Donnie Snow

21 **INFORMATION ONLY**

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23 **WHEREAS**, the Racine County Sheriff’s Department Dive Rescue Response Team
24 (hereinafter “Team”) does training in various bodies of water throughout Racine County,
25 including the pond located at Haban Park; and

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27 **WHEREAS**, Racine Youth Sports, Inc. (hereinafter “RYS”), which has a leasehold
28 interest in Haban Park, supports the endeavor but has requested a hold harmless
29 agreement regarding use of the pond, and the Sheriff’s Department seeks clarification in
30 the Haban Park Lease that the Team may continue to use the pond for training upon
31 reasonable advance notice to RYS, and that the Team may continue to use the building
32 adjacent to the pond for classroom instruction, although per the request of RYS, the Team
33 will not use the building for storage of equipment.