File #: RES 11-1110, **Version:** 1

Authorizing the Department of Parks and Recreation to enter into an agreement with Hamline University for use of their tennis courts during the Summer Urban Tennis Program.

WHEREAS, the City of Saint Paul through its Department of Parks and Recreation provides a variety of special events for youth, including a tennis program through Urban Tennis; and

WHEREAS, Saint Paul Parks and Recreation is in need of tennis courts for its Urban Tennis program to be held June 20, 2011 to July 29, 2011; and

WHEREAS, Hamline University owns land at 1536 Hewitt Avenue, St. Paul, Minnesota, which includes tennis courts; and

WHEREAS, the Saint Paul City Council finds that encouraging youth participation in athletic events is a legitimate public purpose which serves the youth population and fosters stronger communities within the City; and

WHEREAS, the expenditure of public funds, which includes the promise of indemnification and defense, for such a purpose will facilitate and enable it to take place; now

THEREFORE, BE IT RESOLVED, that the City of Saint Paul shall defend, indemnify and hold harmless Hamline University from claims and suits arising or resulting from the City's use of tennis courts at 1536 Hewitt Avenue for the Summer Urban Tennis program to be held June 20, 2011 through July 29, 2011. This indemnification does not include 1) injuries or damages arising from hidden traps or dangerous conditions of the courts or surrounding property, 2) any occurrences of event which are not part of the tennis program and which do not occur or take place at the tennis courts located at during the program, 3) injuries which arise out of criminal actions, assaults, batteries or other acts of violence committed by any person or persons; and

BE IT FURTHER RESOLVED, that nothing in the foregoing provisions shall be construed as a waiver of the municipal tort liability limits set forth in Minn. Stat.§466.01 et seq. nor of the immunities and defenses provided therein.