



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 04/23/2024

REQUESTER: Jason Olsen, Director of Parks and Recreation

PRESENTER: Jason Olsen, Director of Parks and Recreation

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AMENDMENT THREE TO CONTRACT K-1819-70: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE NORMAN OPTIMIST CLUB TO MODIFY THEIR PAYMENT OF METERED ELECTRIC COSTS AT REAVES PARK.

BACKGROUND:

In November 2018, the City contracted with the Ball Clubs of Norman to manage the youth softball and baseball programs and the adult softball program. The contract auto-renewed for five (5) one-year terms, expiring in November 2023.

The contract allowed for the use of the fields at Griffin Park for these programs. In February 2019, the agreement was amended to enable the use of the fields at Reaves Park. It was further amended in 2021 to take over the adult softball programming, limit its programming to the fields at Reaves Park, and extend the contract term for five (5) more one-year terms to 2026.

For a \$1 annual payment to the City, use of equipment owned by the City, and the City's mowing the grounds weekly, the contract requires the operating entity to pay a pro-rated portion of the electric bill (will require they pay 100% in 2023), carry workers compensation and liability insurance for its programming, maintain the park areas used for programming, provide concession operations and provide a schedule of regular season play, tournaments and other sanctioned events to the City's Parks and Recreation Department.

The Ball Clubs of Norman (BCON) disbanded on December 31, 2022, and their Board voted to transfer their contract to the Norman Optimist Club ("Association"). The Association provides youth sports programming, including football, volleyball, and basketball. Amendment and Addendum No. Two to K-1819-70 was entered into on or about November 30, 2021, between the City and the Association regarding the assignment of K-1819-70 from the BCON to the Association and associated modifications to the scope of the Association's rights, obligations, and services.

DISCUSSION:

The Norman Optimist Club has requested to modify their payment of metered electrical costs at Reaves Park due to financial hardship, to which the Parks Department is agreeable. The parties now intend to amend and modify the Amendment and Addendum Two to K-1819-70 and the original agreement. The modification, as described below, waives the metered electrical costs for the current contract year and then reverts back to the original payment schedule for the last two one-year renewal terms.

The parties agree to amend paragraph (3) of K-1819-70 and section (3) of Amendment and Addendum Two to K-1819-70 to modify the NOC's payment of metered electrical cost, as follows, with "Year 3" beginning on November 30, 2023, and ending November 29, 2024:

- Year 3: 0% of the electric bill
- Year 4: 80% of the electric bill (assuming contract renewal)
- Year 5: 100% of the electric bill (assuming contract renewal)

RECOMMENDATION:

It is recommended that Amendment Three to Contract K-1819-70 be approved to allow the Norman Optimist Club to modify their payment of metered electric costs at Reaves Park for the duration outlined above.