



Legislation Details (With Text)

**File #:** 20-0379      **Version:** 1      **Name:** Hold Harmless Agreement: Shani Baraka Basketball Camp  
**Type:** Resolution      **Status:** Adopted  
**File created:** 3/4/2020      **In control:** Recreation, Cultural Affairs and Senior Services  
**On agenda:** 4/21/2020      **Final action:** 4/21/2020

**Title:** Dept/ Agency: Recreation, Cultural Affairs and Senior Services  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Hold Harmless and Indemnification Agreement  
Purpose: To provide facility use for Shani Baraka Basketball Camp.  
Entity Name: Newark Public Schools  
Entity Address: 765 Broad Street, Newark, New Jersey 07102  
Event Location: Weequahic High School, Ronald G. Stone Gymnasium, 279 Chancellor Avenue, Newark, New Jersey 07112  
Event Date(s): July 6, 2020 through August 21, 2020  
Event Time: 8:00 A.M. until 4:00 P.M.  
Additional Information:  
Sponsor:

**Sponsors:** John Sharpe James, Carlos M. Gonzalez

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
4/21/2020	1	Municipal Council	Adopt	Pass

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**WHEREAS**, the City of Newark, Department of Recreation, Cultural Affairs and Senior Services (the "City"), conducts the Shani Baraka Basketball Camp for approximately two hundred (200) City of Newark children, ages seven (7) through fourteen (14), as an annual, youth, summer, recreational and physical activity program; and

**WHEREAS**, this year, the Shani Baraka Basketball Camp will operate from Monday, July 6, 2020 through Friday, August 21, 2020, from 8:00 A.M. until 4:00 P.M.; and

**WHEREAS**, based upon the capacity and facility needs of the Shani Baraka Basketball Camp

and the camps and programs already scheduled to be conducted at the City's recreational facilities with regulation size basketball courts, Newark Public Schools gymnasium facilities are required for the operation of the basketball camp from Monday, July 6, 2020 through Friday, August 21, 2020; and

**WHEREAS**, this year, the City, desires to operate the Shani Baraka Basketball Camp at Weequahic High School, Ronald G. Stone Gymnasium, located at 279 Chancellor Avenue, Newark, New Jersey 07112; and

**WHEREAS**, in order to operate the Shani Baraka Basketball Camp at Weequahic High School, Ronald G. Stone Gymnasium, 279 Chancellor Avenue, Newark, New Jersey 07112, the City is required to issue a Hold Harmless and Indemnification Agreement, agreeing to hold harmless, indemnify, and defend the Newark Public Schools, its agents, servants and administrators from any and all liability arising out of or related to the use of said premises or property, including but not limited to, any and all costs, including attorney fees; and

**WHEREAS**, in order to operate the Shani Baraka Basketball Camp at Weequahic High School, Ronald G. Stone Gymnasium, 279 Chancellor Avenue, Newark, New Jersey 07112, the City is required to obtain a permit to operate from the Newark Public Schools; and

**WHEREAS**, Newark Public Schools is waiving the permit application fee for the City's use of its facilities for the Shani Baraka Basketball Camp; and

**WHEREAS**, the Municipal Council supports the Shani Baraka Basketball Camp by supporting its efforts to obtain a permit to operate the camp at Weequahic High School, Ronald G. Stone Gymnasium, 279 Chancellor Avenue, Newark, New Jersey 07112 and approving that the City of Newark issuance of a Hold Harmless and Indemnification Agreement for the benefit of Newark Public Schools.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Municipal Council supports the issuance of a Hold Harmless and indemnification Agreement, drawn by the City of Newark Insurance Fund Commission, for the benefit of the Newark Public School, 765 Broad Street, Newark, New Jersey 07102, agreeing to hold harmless, indemnify, and defend any claims arising out of the City of Newark's use of Weequahic High School, Ronald G. Stone Gymnasium, 279 Chancellor Avenue, Newark, New Jersey 07112, from Monday, July 6, 2020 through Friday, August 21, 2020, from 8:00 A.M. until 4:00 P.M. for the Shani Baraka Basketball Camp.
2. The Director of the Department of Recreation, Cultural Affairs and Senior Services, on behalf of the city of Newark, shall forward copies of the Hold Harmless and Indemnification Agreement to the Risk Manager at Newark Public Schools, 765 Broad Street, Newark, New Jersey 07110, for their records.
3. The Director of Recreation, Cultural Affairs and Senior Services shall file, in the Office of the City Clerk, the duly executed copies of the permit and the Hold Harmless and Indemnification Agreement inuring to the benefit of Newark Public Schools.

**STATEMENT**

This resolution supports the issuance, by the City of Newark Insurance Fund Commission, of a Hold Harmless and Indemnification Agreement for the benefit of Newark Public School, 765 Broad Street, Newark, New Jersey 07102, agreeing to hold harmless, indemnify, and defend any claims arising out of the City of Newark's use of Weequahic High School, Ronald G. Stone Gymnasium, 279 Chancellor Avenue, Newark, New Jersey 07112, from Monday, July 6, 2020 through Friday, August 21, 2020, from 8:00 A.M. until 4:00 P.M. for the Shani Baraka Basketball Camp.