RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE LIMITED SUBLEASE OF A PORTION OF PROPERTY LEASED BY THE BRYANT YOUTH ASSOCIATION TO INITIATE ACADEMY SUBJECT TO CONDITIONS PRESERVING THE PUBLIC RECREATIONAL PURPOSE OF THE PROPERTY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Bryant, Arkansas (the "City"), owns certain public property and recreational facilities which are leased to the Bryant Youth Association ("BYA") for the primary purpose of providing recreational and youth athletic opportunities to the citizens of Bryant; and

WHEREAS, the lease agreement between the City and BYA permits BYA to sublease portions of the leased premises only with the prior approval of the City Council; and

WHEREAS, BYA has requested approval from the City Council to sublease certain limited portions of the leased premises, including certain rooms and recreation areas, to Initiate Academy for educational and related purposes; and

WHEREAS, the City Council finds that the primary and dominant use of the property shall remain recreational in nature and under the control and oversight of the City and BYA; and

WHEREAS, the City Council further finds that any revenue generated from the approved sublease shall be used solely for public recreational purposes benefiting the citizens of Bryant and shall not be used for private gain or non-recreational purposes; and

WHEREAS, the City Council further finds that a portion of all revenue generated from the approved sublease should be reinvested directly into the public recreational facility for repairs, maintenance, and improvements benefiting the citizens of Bryant; and

WHEREAS, the City Council finds that permitted public recreational purposes include, but are not limited to:

(a) youth athletic and recreational programming;
(b) maintenance and repair of recreational facilities;
(c) recreational equipment and supplies;
(d) capital improvements to public recreational facilities and areas;
(e) scholarships or fee assistance for youth participation in recreational activities;
(f) utilities, insurance, and operational expenses associated with recreational facilities;
(g) field maintenance and improvements; and
(h) other recreational purposes approved by the City or its designee; and

WHEREAS, the City Council finds that the proposed sublease, subject to the limitations and conditions set forth herein, will not materially interfere with the public recreational use of the property and is consistent with the public interest, health, safety, and welfare of the citizens of Bryant; and

WHEREAS, the City Council further finds that approval of the proposed sublease is consistent with the terms of the existing lease agreement and applicable laws of the State of Arkansas.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRYANT, ARKANSAS:

SECTION 1. APPROVAL OF LIMITED SUBLEASE.
The City Council hereby approves BYA's request to sublease a limited portion of its leased premises to Initiate Academy, subject to all conditions, restrictions, and limitations set forth in this Resolution and the existing lease agreement between the City and BYA.

Prior to execution of any sublease agreement, the proposed sublease shall be submitted to and reviewed by the Bryant City Attorney, and no sublease shall become effective unless and until it is approved as to form and legality.

SECTION 2. LIMITATION OF RIGHTS.
The sublease agreement shall not assign, transfer, or convey any greater rights than those held by BYA under the master lease with the City. The City shall not be deemed a party to the sublease agreement.

SECTION 3. PRIMARY RECREATIONAL USE REQUIRED.
The recreational and public use of the property shall remain the primary and dominant use of the leased premises at all times. The approved sublease shall not materially interfere with recreational programming, youth athletics, public recreational access, or the intended recreational purposes of the property. The sublease shall not include any of the gymnasium area unless otherwise directed by the City or its designee.

SECTION 4. LIMITATION ON OCCUPANCY.
The use of the premises by Initiate Academy shall be limited to twenty (20) registered students.

SECTION 5. RESTRICTION ON USE OF SUBLEASE REVENUE.
Any revenue received by BYA from the approved sublease shall be used exclusively for public recreational purposes associated with BYA recreational operations and facilities serving the citizens of Bryant.

Permitted expenditures shall include only:

(a) youth recreational and athletic programs;
(b) maintenance and operation of recreational facilities;
(c) recreational equipment and supplies;
(d) facility improvements and repairs;
(e) scholarships or fee assistance for youth participation;
(f) utilities, insurance, and operational costs associated with recreational services;
(g) field maintenance and improvements; and
(h) other recreational purposes approved by the City or its designee.

No sublease revenue shall be distributed for private gain or used for purposes unrelated to public recreation.

Not less than twenty percent (20%) of all monies received by BYA from the approved sublease shall be dedicated and expended toward maintenance, repairs, upgrades, renovations, or capital improvements to the building or facilities located on the leased premises for the continued benefit of public recreational use. The decision on how these monies are allocated shall be jointly made with the BYA and city administration.

SECTION 6. FINANCIAL ACCOUNTABILITY.
BYA shall maintain records regarding all revenue received from the sublease and all expenditures of such revenue, including documentation demonstrating compliance with the twenty percent (20%) facility reinvestment requirement contained herein. Such records shall be provided to the City upon request.

SECTION 7. TERM OF SUBLEASE.
Any approved sublease shall not extend beyond the term of the annual lease agreement between the City and BYA and shall automatically terminate upon expiration or termination of the master lease unless separately approved by the City Council.

SECTION 8. COMPLIANCE WITH LAW.
The subtenant shall comply with all applicable federal, state, and local laws, ordinances, fire codes, occupancy regulations, zoning requirements, and building regulations. BYA shall remain responsible for ensuring compliance with all requirements applicable to the leased premises.

SECTION 9. INSURANCE AND LIABILITY.
BYA shall remain fully responsible for all obligations, maintenance responsibilities, liabilities, and insurance requirements under the original lease agreement with the City. The City shall not assume liability arising from the sublease agreement.

SECTION 10. RIGHT OF REVOCATION.
Approval of the sublease is conditioned upon continued compliance with this Resolution, the master lease agreement, and all applicable laws. The City Council reserves the right to revoke approval of the sublease if:

(a) the sublease materially interferes with public recreational use;
(b) sublease revenue is used for non-recreational purposes;
(c) the sublease exceeds the scope approved by the City Council;
(d) applicable laws or regulations are violated; or
(e) the City Council determines that the sublease no longer serves the public interest or public recreational purposes of the property.

SECTION 11. AUTHORIZATION.
The Mayor and City Clerk are hereby authorized to execute any documents necessary to evidence the City's approval of the sublease consistent with this Resolution.

PASSED AND APPROVED this ____ day of _____, 2026.

Approved:

_____
Mayor Chris Treat

Attest:

_____
Mark Smith, City Clerk