

**CITY OF WAUKESHA****Administration**

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Common Council Item Number: 15-3648	Date: 11/3/2015
Submitted By: Ron Grall, Director of Parks, Recreation & Forestry Pat Grulke, Recreation Services Manager	City Administrator Approval: Kevin Lahner, City Administrator KL
Finance Department Review: Rich Abbott, Finance Director RA	City Attorney's Office Review: Brian Running, City Attorney BR
Subject: Approval and authorization of a Music Performance Agreement between the City of Waukesha and Broadcast Music, Inc. (BMI).	

Details:
BMI is a performing rights organization that licenses the nondramatic public performance of musical works on behalf of copyright owners pursuant to the United States Copyright Law. The proposed BMI Music License Agreement will authorize the City of Waukesha to legally perform all the musical works in the BMI repertoire. The City Attorney has reviewed this agreement and recommends the City of Waukesha enters into this agreement with BMI. The Parks, Recreation & Forestry Department currently has agreements with ASCAP and SESAC, two additional music licensing organizations.

Options & Alternatives:
The City Attorney has recommended completing the agreement with BMI, no other option is viable to perform the BMI music legally.

Financial Remarks:
The 2015 BMI Rate Schedule for local governments, for a city the size of Waukesha, is \$668 annually. The annual fee has been budgeted for in 2016, account # 5310.55330 – Recreation Programs Equipment Rental.

Executive Action:
Recommend approval of agreement between City of Waukesha and Broadcast Music, Inc. (BMI) and authorize the Mayor to enter into this agreement.

Committee Recommendation:
On October 19, 2015, the Parks, Recreation & Forestry Board unanimously approved the proposed BMI Music License Agreement.

