

MEMORANDUM OF UNDERSTANDING
BETWEEN COUNTY OF EL DORADO AND GREEN VALLEY COMMUNITY
CHURCH REGARDING THE OPERATION OF JOE'S SKATEBOARD PARK

The County of El Dorado ("County") and Green Valley Community Church ("GVCC") hereby agree to the following terms and understandings for the mutual benefit of both entities with respect to operation of Joe's Skateboard Park located within the El Dorado County Fairgrounds.

WHEREAS, the County owns that certain real property utilized by the Fair since 1939; and

WHEREAS, the County owns and maintains that certain skateboard park known as Joe's Skateboard Park ("Skate Park") located within the Fairgrounds; and

WHEREAS, the Skate Park has been closed and is not in use; and

WHEREAS, the Skate Park is a valuable community asset and it is desirable that it be reopened as soon as possible; and

WHEREAS, to facilitate the opening of the park GVCC has agreed to support the facility by providing volunteers to staff and manage the Skate Park on a trial basis; and

WHEREAS, the parties hereto want to establish the terms under which GVCC will provide volunteers for said purpose.

NOW, THEREFORE it is agreed by and between the parties:

1. County Responsibilities. County, through the Department of General Services, is responsible for the oversight of all operations, maintenance and management activities associated with the Skate Park, and for expenses incurred for background checks and fingerprinting (refer to Item 6).

2. Provision of Volunteers. GVCC agrees to provide volunteers to staff and manage the Skate Park in accordance with the terms of this Memorandum of Understanding during its hours of operation.

3. Additional Assistance. County will also seek and consider assistance and input from other community based organizations and the Skate Park Advisory Committee for the continued management and operations of the Skate Park.

4. Hours of Operation. Initially, the hours of operation of the Park shall be 9:00 a.m. to dusk on Saturdays only, starting September 27, 2008. The hours and days of operation may be expanded with written authorization from the County Department of General Services.

5. Governing Ordinance. The Skate Park Ordinance as approved by the County Board of Supervisors shall be the enforcement document for Skate Park management.

6. Identification and Approval of Volunteers. GVCC shall provide a list, in writing, of all volunteers to be used on the project. Background checks and fingerprinting will be performed by the County on all volunteers. If the County objects to a volunteer, that volunteer shall not be used by GVCC.

7. Training. All volunteers will be trained in conflict management and first aid.

8. Rules and Regulations. The Rules and Regulations associated with the Skate Park, attached hereto as Exhibit "A" and incorporated herein, shall be posted during all hours of operation and shall be enforced by GVCC volunteers.

9. Number of Volunteers. GVCC shall have at least two adults (eighteen years of age or older) present during hours of operation.

10. Duties of Volunteers. The volunteers shall perform the following tasks:

- a. Open and close the Skate Park at the beginning and end of operating hours.
- b. Ensure that all participants have a Waiver and Release of Liability on file. Participants over eighteen years of age shall sign the Waiver and Release of Liability themselves. Participants under the age of eighteen shall have a parent sign the Waiver and Release of Liability in the presence of the volunteer.
- c. Ensure that all participants wear appropriate protective gear, including shoes, helmets, knee pads, and wrist pads while inside the Skate Park.
- d. Provide an adult presence at the Park to maintain order and prevent violence. However, in the event of an act of violence, or threat of violence, it shall be the duty of the volunteers to call the Placerville Police Department for intervention. All volunteers shall carry cell phones for that purpose. Any unlawful activity witnessed by the volunteers shall immediately be reported to the City of Placerville Police Department.
- e. Report any injury suffered at the Skate Park, whether minor or major, no later than the next regular business day to the County Department of General Services at (530) 621-5846 / (530) 621-6543.
- f. Keep a log for any issues or problems.

11. Age Specific Activities. Age specific schedules for Skate Park activities shall be developed and posted at the Skate Park.

12. Event Dates. Operation and event dates and hours planned by GVCC shall be subject to approval by the County.

13. Status of Volunteers. Volunteers shall be deemed volunteers to GVCC, not volunteers to the County. County shall not provide volunteers with liability insurance, nor cover them under the County's self insurance program. Volunteers shall not be entitled to workers compensation benefits from the County.

14. Insurance. GVCC shall provide liability coverage for the volunteers under GVCC's policy of liability insurance.

Name of Insurance: _____ Policy Number _____

15. Termination. This Memorandum of Understanding may be terminated, without cause, by either party on giving of fifteen (15) days written notice.

16. County Representative. Capital Programs Manager, Department of General Services, or successor, shall be the administrator of this Memorandum of Understanding for the County.

17. Notice. All notices to be given by the parties hereto shall be in writing and served by depositing the same in the United States Post Office, postage prepaid and return receipt requested. Notices to County shall be addressed as follows:

COUNTY OF EL DORADO
DEPARTMENT OF GENERAL SERVICES
3000 FAIRLANE COURT, SUITE 2
PLACERVILLE, CALIFORNIA 95667
ATTENTION: CAPITAL PROGRAMS MANAGER

or to such other location as the County directs.

Notices to GVCC shall be addressed as follows:

ATTN: _____

18. Authorized Signature. The parties to the Memorandum of Understanding warrant and represent that the undersigned individuals executing this Memorandum of Understanding on their respective behalf are fully authorized to do so by law or other appropriate instrument and to bind upon said parties the obligations set forth herein.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding the day and year first below written.

- - COUNTY OF EL DORADO - -

Dated: _____

By: _____
Rusty Dupray
Chair of the Board of Supervisors

ATTEST:
Suzanne Allen de Sanchez
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

Date: _____

- - GREEN VALLEY COMMUNITY CHURCH - -

Dated: _____

By: _____
Name:
Title:

Dated: _____

Corporate Secretary

EXHIBIT A

JOE'S SKATEBOARD PARK RULES AND REGULATIONS

1. All Joe's Skateboard Park (Skate Park) users are required to sign a waiver indicating that they have read these rules and regulations and understand them, prior to participating in skating or biking activities.
2. Riders must wear helmets, elbow pads, and knee pads at all times.
3. Individuals using the Skate Park shall assume all risk of injury or loss.
4. Parental supervision is required for all children under the age of 10.
5. Skating is prohibited outside of the Skate Park fence on fairground property.
6. No motorized vehicles allowed in the Skate Park.
7. Unauthorized pieces of equipment or obstacles are strictly prohibited in the Skate Park or surrounding area.
8. Food or drink (other than water) is prohibited in the Skate Park.
9. Glass is prohibited in the Skate Park.
10. Climbing over the fence or accessing the Skate Park from any point other than the designated entrance is prohibited.
11. No tobacco, alcohol, or drug use.
12. Intimidation, hazing, fighting, profanity, harassment or derogatory comments will not be tolerated.
13. Dogs are not allowed in the Skate Park.
14. All injuries, whether major or minor, suffered at the Skate Park are to be reported no later than the next regular business day to the County Department of General Services at (530) 621-5846 / (530) 621-6543.
15. El Dorado County reserves the right to eject anyone from the Skate Park at any time for any reason.
16. No person shall use the Skate Park at times other than those posted at the Skate Park.
17. The Skate Park is closed when there is no attendant on duty.

ENFORCEMENT

- A. Any violation of these rules and regulations will result in immediate expulsion from the Skate Park and County Fairgrounds property. Three violations shall result in a one-year expulsion from the Skate Park.
- B. Any person who violates any of these rules and regulations shall, in the discretion of the enforcing authority, be guilty of an infraction or misdemeanor and, pursuant to Section 1.24.020 of the El Dorado Ordinance Code, may be subject to a fine of not more than Five Hundred Dollars (\$500) and/or imprisonment not to exceed six (6) months.