

# Sunol Community Park Agreement

Parties to this Agreement are the Friends of the Park (Friends) and the Pacific Locomotive Association (PLA), both of which are volunteer groups dedicated to maintaining and improving the property known as the Sunol Community Park (Park) for the use and pleasure of both visitors and residents alike. Said property is owned by the County of Alameda and included in the Transportation Corridor lease to PLA

To this end, the Friends and the PLA agree to be guided by the procedures as stated in this Agreement on a trial basis until June 30, 2007, at which time both groups may review and present revisions to this Agreement, which would be subject to approval by both groups. This Agreement, including changes if any, would then be effective until either group desires to withdraw by submitting to the other group a written notice of termination at least 60 days prior.

**Duties of PLA** It is the responsibility of PLA to insure that this County property known as the Park be maintained in a safe, clean and inviting condition at all times. To accomplish these goals, PLA has enlisted the services of the Friends to provide Park Management. PLA will provide a Park liaison, who is a member of the Friends and PLA whose primary duties will be to act as liaison and work closely with the Friends, and to insure that PLA's obligations to the County are fulfilled. Funds for the Park will be included annually in the PLA budget. These funds will be allocated by PLA when (sic) submitted by the Park Liaison and the Friends Chairperson for such items as maintenance, tools, plants, trees, and specific Park improvement projects, i.e. new fencing, establishing additional paths, picnic grounds, parking and storage areas, etc. Water and electricity for the Park will be paid by PLA in addition to the annual budget amount. If additional funds above the approved budgeted amount are desired, the request must be presented to the PLA Board of Directors by the Park Liaison and Friends Chairperson, for consideration. PLA will insure that all requests for Park reservations and functions will be forwarded to the Friends. PLA will provide additional labor and machinery to assist with Friends special projects as available when requested. Liability insurance and any necessary permits for major Park improvements, as required by the county, will be secured by PLA.

**Duties of Friends** All Park maintenance will be provided by the Friends. Park policy covering rules, procedures, deposits, costs, payments, refunds, and other items, can be provided by Friends if they decide such items are necessary for efficient Park management. Park improvement projects developed by Friends must be approved by the PLA prior to implementing. Friends will select a Park Reservationist, whose primary duties will be to control Park reservation requests of groups wishing to use the Park and insure that use payments, if any, are collected. It will be the duty of the Park Reservationist to coordinate group reservations with PLA's Stationmaster, as train groups provide much of the funding needed to support the Park. All Friends must sign a liability waiver before working on any Park project, as required by PLA's insurance carrier. Any Park booking problem encountered by the Park Reservationist may be given to the Park Liaison and the Friends Chairperson for resolution. PLA will not be charged for Park use.

**Funding** PLA will provide funding for routine maintenance as an annual budget item based on, but not guaranteed, the amount requested by the Park Liaison and Friends Chairperson. Once an annual amount is established and funded, expenditures may be processed for Park maintenance, projects and services during the budget year up to the maximum authorized. The initial budget amount, for the fiscal year ending June 30, 2007, is \$4,000.00. Any additional income derived as a result of the Park, such as use payments, bequests, donations, etc. will be immediately added to the funds currently available in the Park's annual budget, thus increasing the funds available for park use. All monies, income and payments, will be processed through the Treasurer of the PLA.

**Problems** Should a problem develop between Friends and PLA that cannot be resolved between the two groups, either group can submit the problem to the Sunol Advisory Committee for resolve. Should this fail, the group may ask the Office of Gail Steele to arbitrate, and failing that, go directly to the Board of Supervisors.