



U  
9-25-2024

**ROSEBURG PARKS AND RECREATION COMMISSION AGENDA**  
**WEDNESDAY, October 2, 2024**  
**8:15 a.m. Regular Meeting**

**In Person at City Hall Third Floor Conference Room**  
**Public Access: [www.Facebook.com/CityofRoseburg](http://www.Facebook.com/CityofRoseburg)**

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**NOTE: IT IS UP TO EACH OF YOU AS COMMISSIONERS TO CALL 541-492-6730 AND LET STAFF KNOW BEFORE THE DAY OF THE MEETING IF YOU WILL NOT BE ATTENDING. THANK YOU.**

**I. CALL TO ORDER**

**II. ROLL CALL:**

Chair: Ruth Smith  
Commissioners: Kyle Bailey Ryan Finlay Diana Wales  
Bob Grubbs Marsha La Verne Tobiah Mogavero

**III. APPROVAL OF MINUTES**

A. July 3, 2024

**IV. DISCUSSION ITEMS**

- A. **Umpqua Actors Community Theatre (UACT) – Renovation Project**
- B. **Legion Field Management and Operation Agreement and Legion Field Turf Construction License Agreement Assignment**

**AUDIENCE PARTICIPATION** – At this time, anyone wishing to address the Commission concerning items of interest not included in the agenda may do so. The person addressing the Commission shall, when recognized, give his/her name for the record. All remarks shall be directed to the whole Commission. Comments also can be provided via email to the Commission at [pwd@cityofroseburg.org](mailto:pwd@cityofroseburg.org) or hand delivered to City Hall, 900 SE Douglas Avenue in Roseburg **prior to 12:00 pm on Tuesday, October 1, 2024.** Comments must include the person's name and address for the record. The Commission reserves the right to delay any action requested until they are fully informed on the matter.

**V. INFORMATIONAL**

**VI. BUSINESS FROM THE COMMISSION**

**VII. NEXT MEETING DATE: November 6, 2024**

**VIII. ADJOURNMENT**

**\*\*\* AMERICANS WITH DISABILITIES ACT NOTICE \*\*\***

Please contact the Office of the City Administration Office at least 48 hours prior to the scheduled meeting date if you need accommodations in accordance with the Americans with Disabilities Act. TDD users please call Oregon Telecommunications Relay Service at 800-735-2900.

**CITY OF ROSEBURG  
PARKS AND RECREATION COMMISSION  
JULY 3, 2024**

**MINUTES**

**CALL TO ORDER:** The meeting of the City of Roseburg Parks and Recreation Commission was called to order at 8:15 a.m. Wednesday, July 3, 2024, in the Third Floor Conference Room at City Hall, Roseburg, Oregon.

**ROLL CALL:** Present: Chair Ruth Smith, Commissioners Kyle Bailey, Bob Grubbs, and Tobiah Mogavero

Absent: Commissioners Ryan Finlay, Marsha La Verne, and Diana Wales

Attending Staff: City Manager Nikki Messenger, Public Works Director Dawn Easley, Parks and Recreation Program Manager Val Ligon, and Department Technician Chanelle Rogers

Others Present: News Review Reporter Drew Winkelmaier

**APPROVAL OF MINUTES:** Commissioner Grubbs moved to approve the minutes of the May 1, 2024 Parks and Recreation Commission meeting. Motion was seconded by Commissioner Bailey and approved with the following vote: Chair Smith, Commissioners Bailey, Grubbs, and Mogavero voted yes. No one voted no.

**DISCUSSION ITEMS:**

**Five-Year Capital Improvement Plan Update:** Easley informed staff was in the process of drafting an update to the City's Five-Year Capital Improvement Plan (CIP). Easley explained which projects were included in each fund and what fiscal year they were proposed to be done. Commissioner Mogavero inquired about the proposed bike trail at Sunshine Park. Easley stated that is part of the Bike Trail fund and that portion of the CIP was brought to the commission in May. Chair Smith mentioned all the athletic fields we have are usually booked up, is there a chance of purchasing more property to add additional field space. Chair Smith also mentioned would be nice to look into adding some neighborhood parks in the Newton Creek and Vine Street areas. Messenger said the last time there was property purchased was with a bond. Discussion ensued.

**MOTION:** Commissioner Bailey moved to recommend to City Council adoption of the Park Improvements/Stewart Park Trust Funds components of the 2024-2029 Capital Improvement Plan. Motion was seconded by Commissioner Grubbs and approved with the following vote: Chair Smith, Commissioners Bailey, Grubbs, and Mogavero voted yes. No one voted no.

**AUDIENCE PARTICIPATION:** None

**INFORMATIONAL:** Easley informed this was her last Parks Commission meeting as she was leaving the City of Roseburg, she has taken a position at the City of Medford.


Messenger said staff had met with the financial donors of Brown Park and they are super thrilled with the plan/design of the expansion. The design is for an all-inclusive park similar to the ARC Park in Eugene. Discussion ensued regarding the Supreme Court decision regarding the unhoused. Chair Smith questioned if anything regarding that decision would need to come to the Parks Commission. Messenger replied that anything would go to the Homeless Commission and then to City Council.

Ligon provided brief updates on the summer recreation programs. They had good turn outs for Movies in the Park in June, Women's Golf and Zumba had started also the Low-Impact Fitness had moved outdoors. In July Yoga will be starting and it is also Parks and Recreation Month so staff will be posting on the Parks and Recreation Facebook page a different way to celebrate each day of the month, also staff will be handing out popsicles to kids at one of the parks one day each week during the month of July.

**BUSINESS FROM THE COMMISSION:** None

**NEXT MEETING DATE:** August 7, 2024

**ADJOURNMENT:** Meeting adjourned at 8:47 a.m.

A handwritten signature in cursive script that reads "Chanelle Rogers". The signature is written in black ink and is positioned above a horizontal line.

Chanelle Rogers, Public Works Department Technician



## CITY OF ROSEBURG MEMORANDUM



**DATE:** October 2, 2024

**TO:** Parks & Recreation Commission

**FROM:** Velorie Ligon, Parks & Recreation Program Manager

**SUBJECT:** Umpqua Actors Community Theatre (UACT) – Renovation Project

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### **ISSUE STATEMENT AND SUMMARY**

UACT would like to expand the Betty Long Unruh Theatre building they lease from the City located at 1614 West Harvard Avenue. The issue for the Commission is whether to recommend that Council give preliminary approval to UACT's conceptual expansion and renovation plan.

### **BACKGROUND/ANALYSIS**

UACT received a \$2 million dollar donation and would like to use the funding to expand the footprint and renovate the Betty Long Unruh Theatre building. UACT will fundraise for additional donations to complete the project. UACT is seeking preliminary approval for expansion as they work to define the project.

Just prior to the May 3, 2023, commission meeting, commission members and City staff met with members of UACT to tour the existing facility. At the commission meeting, commission members unanimously voted to forward a recommendation to City Council to give preliminary approval to UACT's conceptual expansion and renovation. Since then, UACT has been working with a local architect and have provided us with a conceptual plan. Since it has been almost a year-and-a-half, staff thought we would bring it back to the Commission for review.

### **FINANCIAL/RESOURCE ISSUES**

The proposed project is being entirely funded by UACT. No financial impacts are expected for the City.

### **TIMING ISSUES**

UACT would like to proceed with planning the building expansion and renovation as soon as practical. As such, they are seeking preliminary approval to allow that effort to begin.

### **COMMISSION OPTIONS**

The Commission has the following options:

1. Recommend that the City Council grant preliminary approval to UACT's conceptual expansion and renovation plans; or
2. Request additional information; or
3. Not recommend preliminary approval.

### **STAFF RECOMMENDATION**

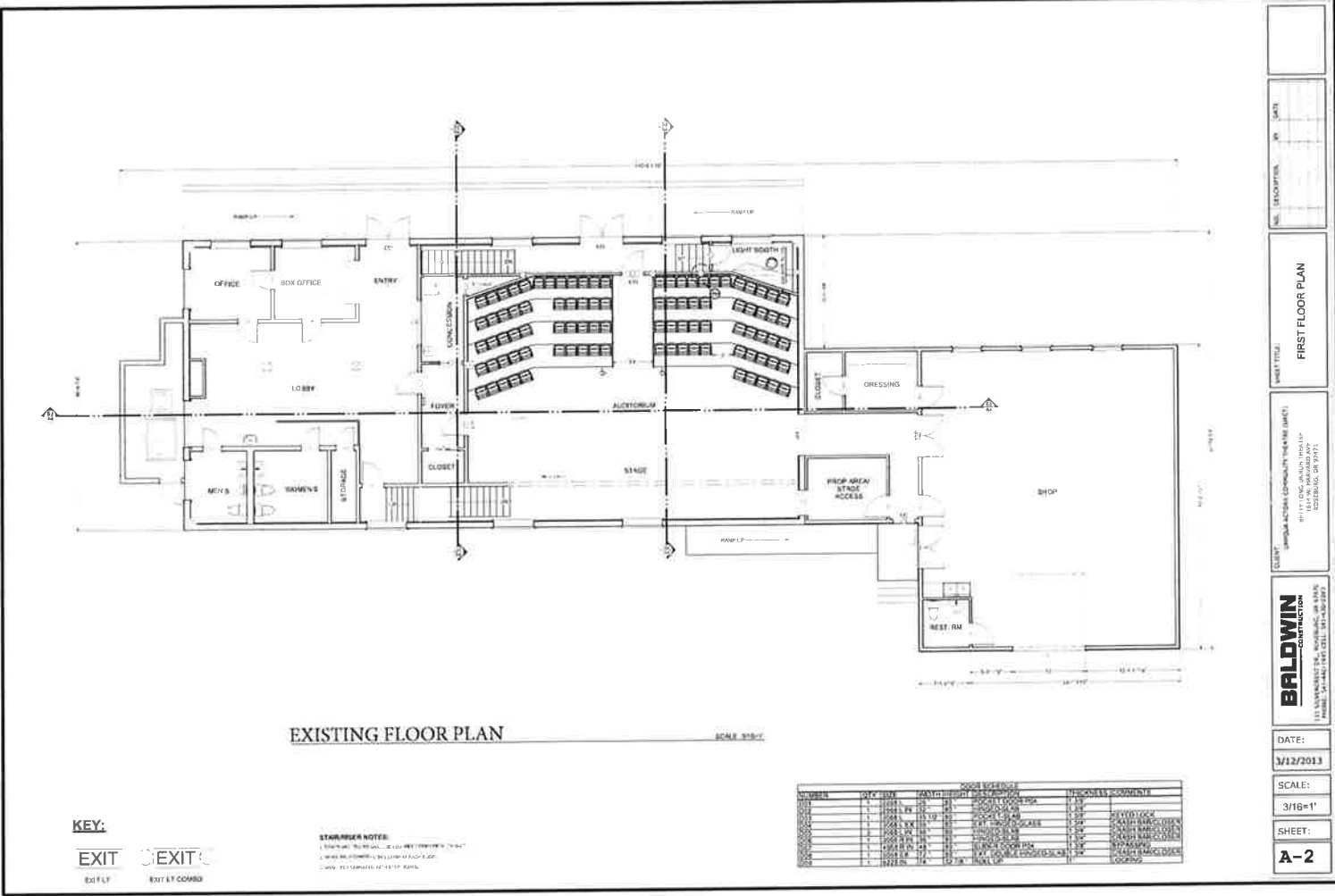
Staff recommend giving preliminary approval to the concept as step one in the process. As such, staff recommends that the Commission forward a recommendation to City Council to approve the preliminary expansion and renovation concepts attached to this memo. This will allow UACT to begin fundraising efforts while continuing to refine the project and work through details with staff.

### **SUGGESTED MOTION**

*I move to forward a recommendation to City Council to give preliminary approval to UACT's conceptual expansion and renovation plan.*

### **ATTACHMENTS**

1. 2024 Current Floor Plan
2. 2025 Proposed New Addition Design



EXISTING FLOOR PLAN

SCALE: 3/16"

KEY:



**STAIRCASE NOTES:**  
 1. STAIRCASES TO BE RELOCATED TO THE WEST SIDE OF THE BUILDING.  
 2. STAIRCASES TO BE RELOCATED TO THE WEST SIDE OF THE BUILDING.  
 3. STAIRCASES TO BE RELOCATED TO THE WEST SIDE OF THE BUILDING.

NO.	DATE	BY	REVISIONS	DESCRIPTION	APPROVED	COMMENTS
1	3/12/2013	JL	1	ISSUED FOR PERMIT	JL	
2	3/12/2013	JL	2	ISSUED FOR PERMIT	JL	
3	3/12/2013	JL	3	ISSUED FOR PERMIT	JL	
4	3/12/2013	JL	4	ISSUED FOR PERMIT	JL	
5	3/12/2013	JL	5	ISSUED FOR PERMIT	JL	
6	3/12/2013	JL	6	ISSUED FOR PERMIT	JL	
7	3/12/2013	JL	7	ISSUED FOR PERMIT	JL	
8	3/12/2013	JL	8	ISSUED FOR PERMIT	JL	
9	3/12/2013	JL	9	ISSUED FOR PERMIT	JL	
10	3/12/2013	JL	10	ISSUED FOR PERMIT	JL	

PROJECT TITLE: FIRST FLOOR PLAN

CLIENT: SHAW-WALKER CONSTRUCTION (THE THEATRE)

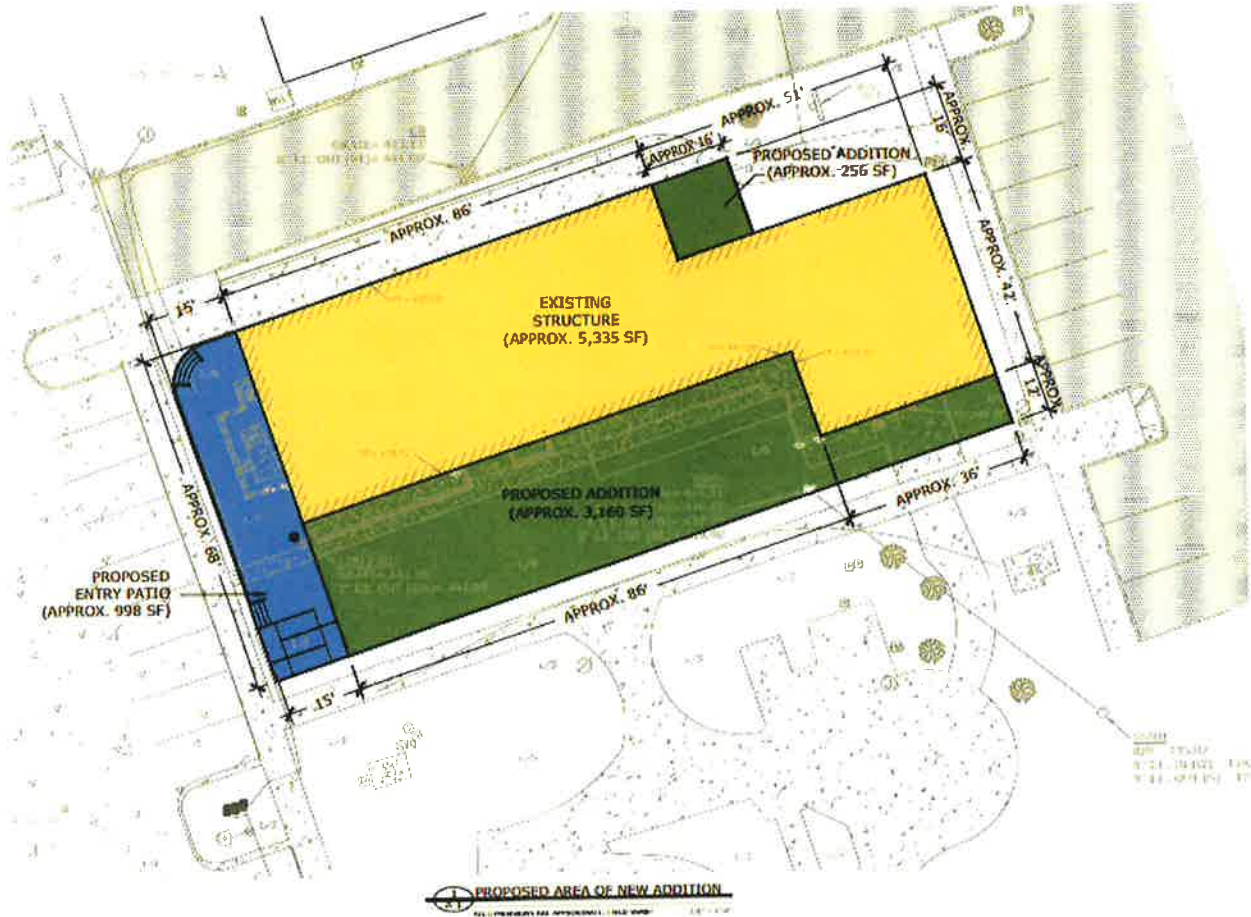
1111 GONG GARDEN ROAD, SUITE 100  
 COSTA MESA, CA 92626

**BALDWIN**  
 CONSTRUCTION

DATE: 3/12/2013

SCALE: 3/16"=1'

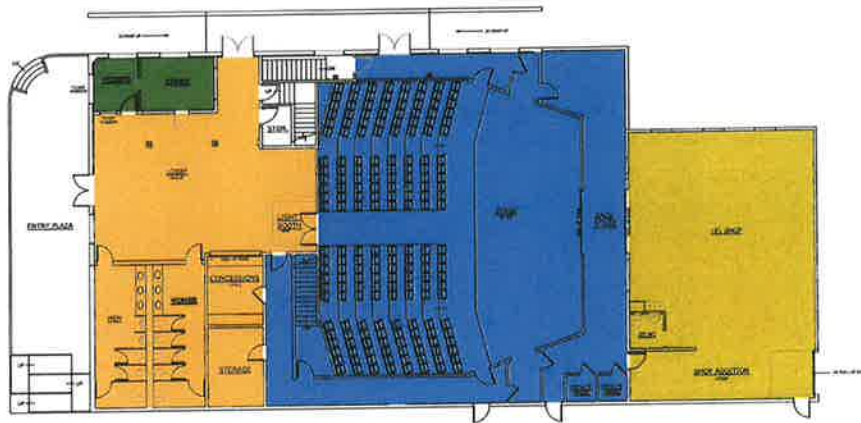
SHEET: A-2



DAE BIEB GENHLEY ARCHITECTS, LLC  
 1000 N. 10th Street, Suite 100  
 Phoenix, AZ 85004  
 Phone: (602) 944-4444  
 Fax: (602) 944-4445  
 www.daebiebgenhley.com

A NEW ADDITION & REMODEL FOR  
**BETTY LONG UNRUH THEATER**  
 A PROJECT OF THE CITY OF PHOENIX

NO. 1	DATE	BY
NO. 2	DATE	BY
NO. 3	DATE	BY
NO. 4	DATE	BY
NO. 5	DATE	BY
NO. 6	DATE	BY
NO. 7	DATE	BY
NO. 8	DATE	BY
NO. 9	DATE	BY
NO. 10	DATE	BY



**1**  
**A-2** **PROPOSED FLOOR PLAN**  
 187 SEATS - (IF WE REDUCED CHAIRS/ROW FROM 8 FT TO 6 FT & REDUCED STAGE DEPTH TO 17 FEET, WE COULD ADD (1) ROW OF SEATING TO ACHIEVE 210 SEATS.)  
 1/8" = 1'-0"

- LEGEND**
- PROPOSED LOBBY AREA (171 SF)
  - PROPOSED THEATER AREA (88 SF)
  - PROPOSED LOBBY/CONCOURSE AREA (204 SF)
  - PROPOSED KITCHEN AREA (87 SF)

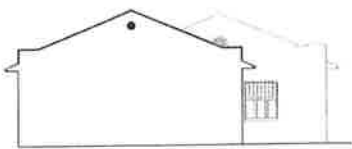
CREATED BY:	CHROM
CHECKED BY:	PLB
DATE:	8/14/24
TITLE:	PROPOSED FLOOR PLAN
SCALE:	1/8" = 1'-0"
SHEET NO.	
<b>A-2.0</b>	
OF 6	





1  
A-3  
EXISTING NORTH ELEVATION

1/8" = 1'-0"



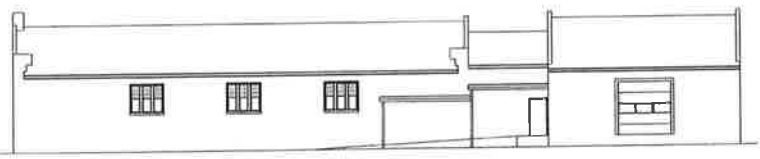
2  
A-3  
EXISTING EAST ELEVATION

1/8" = 1'-0"



3  
A-3  
EXISTING WEST ELEVATION

1/8" = 1'-0"



4  
A-3  
EXISTING SOUTH ELEVATION

1/8" = 1'-0"



PAUL L. BENTLEY ARCHITECTS A.L.A. P.C.  
1000 WEST HAVEN AVENUE  
ROCKFORD, ILLINOIS 61102  
TEL: 815.398.1100  
WWW.PLBENTLEYARCHITECTS.COM

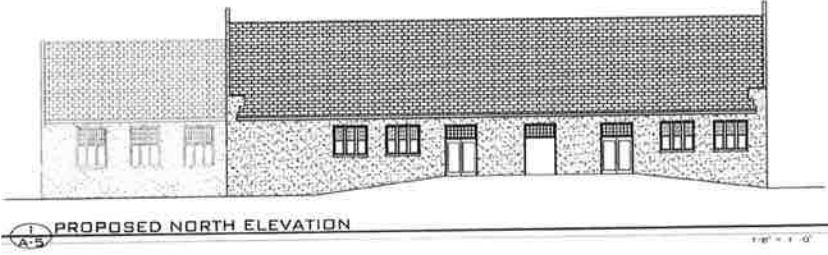
PAUL L. BENTLEY ARCHITECTS A.L.A. P.C.

SCHEMATIC DESIGN

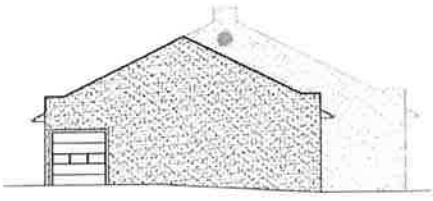
A NEW ADDITION & RENOVATION  
**BETTY LONG UNRUH THEATER**  
ROCKFORD, ILL.  
1000 WEST HAVEN AVENUE

DRAWN BY:	DMH
CHECKED BY:	PLB
DATE:	5-24-24
FILE:	EXISTING ELEVATIONS
SCALE:	1/8" = 1'-0"

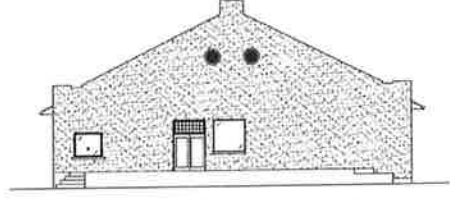
SHEET NO.  
**A-3.0**  
OF 6



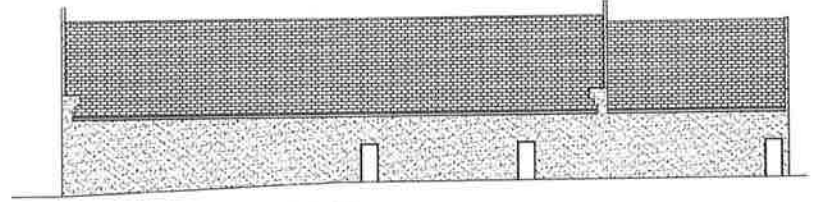
1  
A-5 PROPOSED NORTH ELEVATION 1/8" = 1'-0"



2  
A-5 PROPOSED EAST ELEVATION 1/8" = 1'-0"



3  
A-5 PROPOSED WEST ELEVATION 1/8" = 1'-0"



4  
A-5 PROPOSED SOUTH ELEVATION 1/8" = 1'-0"



PAUL L. BENTLEY ARCHITECT A.I.A., P.C.  
100 WEST HARRIS AVENUE  
ANN ARBOR, MI 48106  
734.769.1100  
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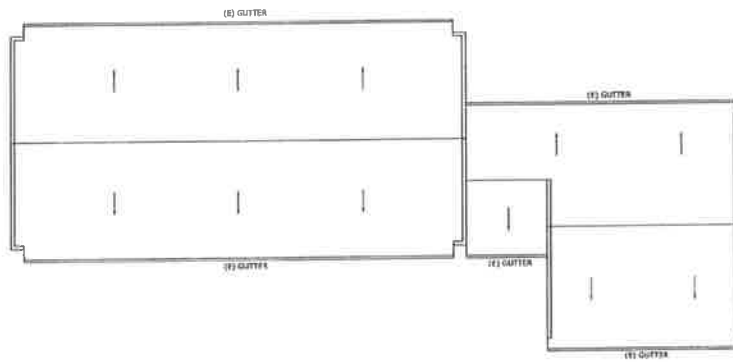
PAUL L. BENTLEY Architect A.I.A., P.C.

CHEMATIC DESIGN

A. WOLF ARCHITECTS & ASSOCIATES, P.C.  
**BETTY LONG UNRUH THEATER**  
1014 WEST HARRIS AVENUE  
ANN ARBOR, MI

DRAWN BY:	DRH/HL
CHECKED BY:	PLB
DATE:	5/14/24
FILE:	PROPOSED ELEVATION
SCALE:	1/8" = 1'-0"

SHEET NO:  
**A-5.0**  
OF 6



1  
A-4

**EXISTING ROOF PLAN**

1/8" = 1'-0"



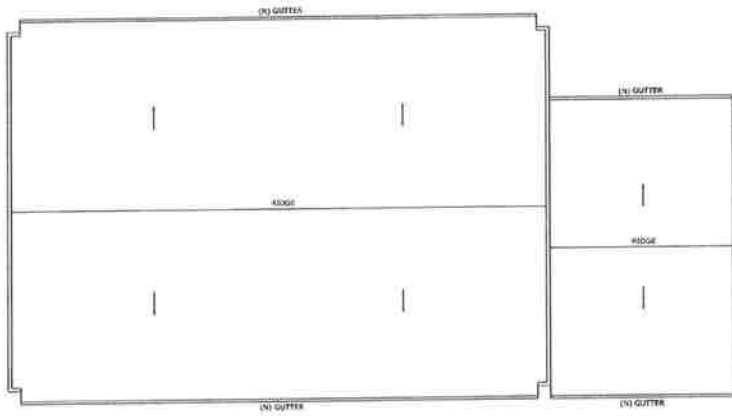
PAUL L. BENTLEY ARCHITECT A.L.A. P.C.  
 1000 WEST HANCOCK AVENUE  
 SUITE 100  
 SEASIDE, OR 97138  
 TEL: 503.764.1111  
 WWW.PLBENTLEYARCHITECT.COM

PAUL L. BENTLEY ARCHITECT A.L.A. P.C.

CONCEPT DESIGN

A. TROY ADRIANO & ASSOCIATES, L.P.A.  
**BETTY LONG UNRUH THEATER**  
 1018 WEST HANCOCK AVE.  
 SEASIDE, OR

DESIGN BY:	CHRYL
DATE:	5/14/24
TITLE:	EXISTING ROOF PLAN
SCALE:	1/8" = 1'-0"
SHEET NO:	A-4.0
	OF 6



1  
A-6 PROPOSED ROOF PLAN  
1/8" = 1'-0"



Paul L Bentley  
Architect A.I.A. P.C.  
1000 Peachtree Street, N.E.  
Atlanta, Georgia 30309  
404.525.1234  
www.paulbentleyarchitect.com

PAUL L BENTLEY Architect A.I.A. P.C.

SCHEMATIC DESIGN

A NEW ADDITION & RENOVATION  
**BETTY LONG UNRUH THEATER**  
1814 WEET HARVARD AVE.  
ROSELAND, GA

DRAWN BY:	CHW/ML
CHECKED BY:	PLB
DATE:	5/14/24
TITLE:	PROPOSED ROOF PLAN
SCALE:	1/8" = 1'-0"

SHEET NO.:	<b>A-6.0</b>
OF 6	



## CITY OF ROSEBURG MEMORANDUM



**DATE:** October 2, 2024

**TO:** Parks & Recreation Commission

**FROM:** Velorie Ligon, Parks & Recreation Program Manager

**SUBJECT:** **Legion Field Management and Operation Agreement and Legion Field Turf Construction License Agreement Assignment**

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### **ISSUE STATEMENT AND SUMMARY**

The City has a long-standing relationship with the Roseburg American Legion Baseball Commission (Commission) related to the operation of Bill Gray Stadium in Stewart Park. Commission has requested the assignment of their agreements to a new non-profit organization, currently being led by Umpqua Community College. The issue for the Parks Commission is whether to recommend the City Council authorize assignment of two agreements.

### **BACKGROUND/ANALYSIS**

The City owns all of the facilities within Stewart Park, including the American Legion Baseball complex aka Bill Gray Stadium (Facility). The City currently has two agreements with the Roseburg American Legion Baseball Commission.

1. Legion Field Management and Operation Agreement "Operation Agreement"
2. Legion Field Turf Construction License Agreement "Turf Agreement"

The Operation Agreement became effective June 1, 2009 and replaced a previous agreement dating back to May of 1994. The Operation Agreement outlines Commission's requirements and responsibilities for operating the Facility. This includes the priority for field space usage identified in Section 2.3. Amendments to the original agreement include the following:

- First Amendment – June 2014 - 5-year renewal extended agreement to June 2019
- Second Amendment – June 2017 - Changed renewal options to allow renewal for up to a maximum of 20 years and updated insurance requirements.
- Third Amendment – June 2022 – 5-year renewal extended agreement to June 2027.

The Turf Agreement became effective August of 2019 and outlined requirements and responsibilities for the construction of turf within the Facility. In addition to those terms, the Turf Agreement also modified the advertising provisions contained in the Operations

Agreement in order to allow additional advertising to provide a funding mechanism for future turf replacement when needed.

Commission has dedicated countless hours to making the Facility a success, but finds their membership aging and dwindling in numbers. In order to keep the facility operating successfully, Commission reached out to Umpqua Community College, which formed a college baseball team in 2020, to assist with managing the Facility. Commission has now requested that agreements between the City and Commission be assigned to a new non-profit organization being formed as the Douglas County Baseball Association (DCBA). UCC has begun the process of forming the non-profit and will act as the temporary fiscal agent. UCC President Rachel Pokrandt has indicated the DCBA board will have a broad representation of interested parties from the local baseball community. The City has requested an ex-officio position in order to keep informed.

Section 25 of the Operations Agreement reads as follows:

**25. Assignment.** Except as herein provided, this Agreement may not be assigned, nor may a right of use of any portion of the Facilities be conferred on any person voluntarily or involuntarily by any other means without the prior written consent of City. This provision shall apply, without limitation, to all transfers by operation of law and all transfers to and by trustees, including trustees in bankruptcy, receivers, guardians and personal representatives of decedents' estates. An assignment, transfer or other matter or transaction in violation of this Paragraph shall be void and shall constitute a default by the Commission and a breach of this Agreement. Consent by City to one assignment or transfer shall not destroy or waive this provision; all later assignments or transfers shall likewise require City's prior written consent. Any third party user or assignee shall become liable directly to City for all obligations of the Commission hereunder, without relieving the Commission's liability therefore.

On August 15, 2024, City staff hosted a meeting of interested parties to discuss this proposed assignment. Representatives from the City, Commission, UCC, Umpqua Valley Christian School (UVCS), and Roseburg High School (RHS) attended and held a discussion related to this proposed assignment. Staff's intent was to make sure all of the current user groups were informed and to get feedback and answer any questions and ensure communication between user groups prior to bringing the proposal forward for the Parks Commission's consideration.

One of the primary concerns was around priority usage, which would remain the same as the current agreement:

2.3 Priority of Uses. Priority of use of the Facilities by the Commission, City, and others shall be determined by the Commission in accordance with the following priority schedule (beginning with the highest priority):

2.3.1 Use by youth for organized baseball league and tournament play, including practices, as follows:

2.3.1.1 The Commission for American Legion baseball;

2.3.1.2 Roseburg High School for baseball games and practices;

2.3.1.3 Other organized youth baseball with responsible adult leadership.

2.3.2 City's events;

2.3.3 Use by others for special events when the Commission is notified at least 90 (ninety) days in advance of the scheduled event;

2.3.4 Use by the Commission for any other purpose.

*\*Commission refers to Roseburg American Legion Baseball Commission above*

Commission shared that they have existing Field Use Agreements with RHS, UVCS and UCC as well as a Memorandum of Understanding (MOU) with UVCS regarding field usage, scheduling priority and user fees. Commission has provided the attached copies of those agreements, which will also need to be assigned to and honored by DCBA.

### **FINANCIAL/RESOURCE ISSUES**

No financial or resource impacts are expected.

### **TIMING ISSUES**

Both Commission and DCBA would like the assignment to take place as soon as possible.

### **PARKS COMMISSION OPTIONS**

The Parks Commission has the following options:

1. Recommend to City Council to assign the Legion Field Management and Operation Agreement and the Legion Field Turf Construction License Agreement to DCBA; or
2. Request additional information; or
3. Recommend that City Council reject the request for assignment.

### **STAFF RECOMMENDATION**

Staff recommends the Parks Commission forward a recommendation to City Council to support the request by the Roseburg American Legion Baseball Commission to assign the terms of their two current agreements to DCBA.

### **SUGGESTED MOTION**

If the Parks Commission supports the assignment, it would be appropriate to direct staff to forward to Council.

***I move to forward a recommendation to City Council to approve the assignment of the Legion Field Management and Operation Agreement and the Legion Field Turf Construction License Agreement to Douglas County Baseball Association.***

### **ATTACHMENTS**

Legion Field Use Contract – RHS  
Legion Field Use Contract – UVCS  
Legion Field Use Contract – UCC  
MOU - UVCS

## Legion Field Use Contract

Date: 12-12-19

To: Roseburg High School / Russ Bolin, Athletic Director  
From: Tom Donegan, Chairman / American Legion Baseball

**RE: Fees and requirements, for turf and stadium upkeep during Baseball season.**

**\$3,000.00 -- High School regular season (Spring)**

Keys will be provided for use of the facility, which includes: turf playing field, water, electricity, press box, scoreboard, PA system, Grand Stands, field house, coaches room, umpires room, storage, batting cages, and turf prep and grooming equipment.

**Exclusions -- (School / Coaches Responsibility):**

1. Turf baselines and infield must be groomed and prepped after every practice and game.
2. Once a week-- outfield and foul areas must be groomed.
3. All clean-up of trash cans, grandstands, and bathrooms.(To be done after every use.)
4. All paper products for restrooms, and garbage can liners throughout the stadium and dugouts.
5. Gas for drag equipment and Gator.
6. Game equipment and Umpires.
7. Concessions
8. PA announcers and scoreboard operators.
9. Any damage that occurs during use. ( This does not include normal wear and tear)

**\*\*\*\*\* No Steel Baseball Cleats will be allowed on the turf playing area !!! \*\*\*\*\***

(There will be a charge of up to \$50.00 per use-- for field lighting during play or practice.)

Roseburg Baseball will have first priority of the facility during their baseball season. This is due to a long standing agreement between Roseburg Baseball and the City of Roseburg. All outside area scheduling must be approved by the Athletic Director of Roseburg High and Chairperson of Roseburg Legion Baseball.

Tom Donegan

Chairman-- Roseburg American Legion Baseball Program



## Legion Field Use Contract

Date: 12-12-19

To: Umpqua Valley Christian School / Athletic Director  
From: Tom Donegan, Chairman / American Legion Baseball

RE: **Fees and requirements:** for turf and stadium upkeep during Baseball season.

**Due to generous donations from UVC Sponsors--- there will be no fees charged to the school for use of the Legion Baseball Facility.**

Keys will be provided for use of the facility, which includes: turf playing field, water, electricity, press box, scoreboard, PA system, Grand Stands, field house, coaches room, umpires room, storage, batting cages, and turf prep and grooming equipment.

### **Exclusions -- (School / Coaches Responsibility):**

1. Turf baselines and infield must be groomed and prepped after every practice and game.
2. Once a week-- outfield and foul areas must be groomed.
3. All clean-up of trash cans, grandstands, and bathrooms. (To be done after every use.)
4. All paper products for restrooms, and garbage can liners throughout the stadium and dugouts.
5. Gas for drag equipment and Gator.
6. Game equipment and Umpires.
7. Concessions
8. PA announcers and scoreboard operators.
9. Any damage that occurs during use. ( This does not include normal wear and tear)

**\*\*\*\*\* No Steel Baseball Cleats will be allowed on the turf playing area !!!! \*\*\*\*\***

Roseburg Baseball will have first priority of the facility during their baseball season. This is due to a long standing agreement between Roseburg Baseball and the City of Roseburg. All outside area scheduling must be approved by the Athletic Director of Roseburg High and Chairperson of Roseburg Legion Baseball.

Tom Donegan

Chairman-- Roseburg American Legion Baseball Program

## Legion Field Use Contract

Date: 12-12-19

To: Umpqua Community College / Craig Jackson-- Athletic Director

From: Tom Donegan, Chairman / American Legion Baseball

RE: **Fees and requirements:** for turf and stadium upkeep during Baseball season.

**\$6,750.00** -- College Baseball Season --\$750.00 x 9 months

Keys will be provided for use of the facility, which includes: turf playing field, water, electricity, press box, scoreboard, PA system, Grand Stands, field house, coaches room, umpires room, storage, batting cages, and turf prep and grooming equipment.

### **Exclusions -- (School / Coaches Responsibility):**

1. Turf baselines and infield must be groomed and prepped after every practice and game.
2. Once a week-- outfield and foul areas must be groomed.
3. All clean-up of trash cans, grandstands, and bathrooms.(To be done after every use.)
4. All paper products for restrooms, and garbage can liners throughout the stadium and dugouts.
5. Gas for drag equipment and Gator.
6. Game equipment and Umpires.
7. Concessions
8. PA announcers and scoreboard operators.
9. Any damage that occurs during use. ( This does not include normal wear and tear)

\*\*\*\*\* **No Steel Baseball Cleats will be allowed on the turf playing area !!!!** \*\*\*\*\*

(There will be a charge of up to \$50.00 per use-- for field lighting during play or practice.)

Roseburg Baseball will have first priority of the facility during their baseball season. This is due to a long standing agreement between Roseburg Baseball and the City of Roseburg. All outside area scheduling must be approved by the Athletic Director of Roseburg High and Chairperson of Roseburg Legion Baseball.

Tom Donegan

Chairman-- Roseburg American Legion Baseball Program

## Memorandum of Understanding

October 19<sup>th</sup>, 2018

This Memorandum of Understanding (the "Memorandum") is made on ~~July 23~~, 2018, by and between Roseburg American Legion Baseball, of Legion Field, Roseburg, Oregon 97471 and Umpqua Valley Christian School (Referred to as UVC) for the purpose of achieving the various aims and objectives relating to the Agreement of usage between Roseburg American Legion Baseball Commission and UVC.

WHEREAS Roseburg American Legion Baseball and UVC desire to enter into an agreement in which Roseburg American Legion Baseball and UVC will work together to utilize Roseburg American Legion field as partners.

AND WHEREAS Roseburg American Legion Baseball Commission has determined under the terms of its lease agreement with the City of Roseburg, it has the authority to enter into and agree to the terms of this MOU.

AND WHEREAS Roseburg American Legion Baseball and UVC are desirous to enter into a Memorandum of Understanding between them, setting out the working arrangements that both partners agree are necessary to complete these goals;

### **Purpose**

The purpose of this MOU is to provide the framework for any future binding agreement of the usage of Legion Field, between Roseburg American Legion Baseball Commission and UVC.

### **Obligations of the Partners**

The Partners acknowledge that no contractual relationship is created between them by this MOU but agree to work together in the true spirit of partnership to ensure that there is a united visible and responsive agreement to the usage of Legion Field. Partners agree that by accepting the terms of this MOU, they will work in good faith to execute a binding agreement that meets the terms and intentions of this MOU.

### **Cooperation**

The activities and services for this agreement shall include, but not limited to:

- a. Services to be rendered by Roseburg American Legion Baseball include:

Roseburg American Legion Baseball Commission agrees to allow UVC the use of Legion Field based on the Roseburg Parks Agreement.

Roseburg American Legion Baseball Commission agrees to allow UVC to have keys to the entire facility (e.g., field, fieldhouse, scorers room, bathrooms, etc.). Roseburg American Legion Baseball agrees that UVC shall have the right to use the entire facility, including scoreboard and sound system for its games.

Roseburg American Legion Baseball Commission agrees that UVC will be excused from a user fee during their respective season. These fees are not required due to UVC's financial contribution to the Legion Field Turf Project in 2018.

Roseburg American Legion Baseball Commission agrees that UVC shall have the right to use the lights at the field and may use the field for evening and/or night games or practices and shall be excused from any fees for the usage of lights during their respective season.

All season scheduling will be submitted to Roseburg American Legion Baseball no later than December 1<sup>st</sup> of the prior year to the season starting. UVC will have second choice of scheduling and second use of Legion Field for games and practices. UVC's JV team will have fourth choice of scheduling and fourth use of Legion Field for games and practices.

Roseburg American Legion Baseball agrees to have UVC's finalized schedule (dates and times) for UVC's games and practices for both it's Varsity and JV by December 20<sup>th</sup> of each calendar year. Roseburg American Legion Baseball will provide UVC it's complete schedule in writing by such date.

Roseburg American Legion Baseball Commission agrees to maintain Legion field suitable for usage; this does not encompass any acts of God and/or weather-related issues.

b. Services to be rendered by UVC include:

UVC agrees during their respective season to supply; bathroom supplies, empty garbage into provided dumpster, personnel for operation of scoreboard or gate receipts, and to keep dugouts and the field house clean at all times in cooperation with Roseburg High School and Umpqua Community College.

Any gate receipts collected by UVC for its games shall be the property of UVC.

#### **Communication Strategy**

Where it does not breach any confidentiality protocols, a spirit of open and transparent communication should be adhered to. Coordinated communications should be made with Roseburg American Legion Baseball and UVC in this agreement to reach the goals set forth in this agreement.

#### **Liability**

No liability will arise or be assumed between the Partners as a result of this Memorandum.

#### **Dispute Resolution**

In the event that any dispute relating to this MOU cannot be resolved by settlement between the parties, the parties shall attempt to resolve all disputes through informal means. This may include mediation or any other procedures upon which the parties agree. If the parties cannot agree to a resolution, the parties shall agree to binding arbitration, with the arbitrator being agreed to by both parties as someone not having a conflict of interest in the matter.

Each party shall be equally responsible for the costs of such conflict-resolution, unless otherwise agreed upon in writing.

#### **Term**

The arrangements made by the Partners by this Memorandum shall remain in place from December 01, 2018 until December 01, 2033. UVC shall have the right at the time of expiration to renew for a term of 5 more years at the same terms being offered to Roseburg High School at such time. If, during the agreement, UVC does not field a baseball team, Roseburg American Legion has the right to fill that position with a team of their choosing. When UVC fields a team, this MOU will be in full force. After that term, future terms can be extended only by agreement of both of the Partners.

**Notice**

Any notice or communication required or permitted under this Memorandum shall be sufficiently given in person or by email/text message to the Roseburg American Legion MOU Liaison.

**Governing Law**

This MOU shall be construed in accordance with the laws of the State of Oregon.

**Assignment**

Neither party may assign or transfer the responsibilities or agreement made herein without the prior written consent of the non-assigning party, which approval shall not be unreasonably withheld.

**Amendment**

This MOU may be amended or supplemented in writing if the writing is signed by both parties obligated under this MOU.

**Prior Memorandum Superseded**

This MOU constitutes the entire agreement between the parties relating to this subject matter and supersedes all prior or simultaneous representations, discussions, negotiations, and other agreements, whether written or oral.

**Understanding**


It is mutually agreed upon and understood by and among the Partners of this Memorandum that:

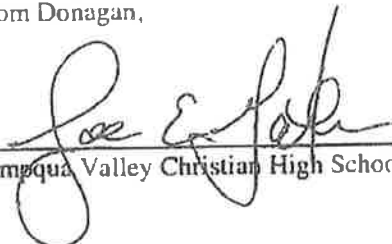
- a. Each Partner will work together in a coordinated fashion for the fulfillment of this agreement.
- b. In no way does this MOU restrict UVC from pursuing similar agreements with other public or private agencies, organizations or individuals.
- c. To the extent possible, each Partner will participate in the development of this MOU
- d. This MOU will be effective upon the signature of all Partners.
- e. Any Partner may terminate its participation in this MOU by providing written notice to other Partner.

The following Partners support the goals and objectives of the Agreement of usage between Roseburg American Legion Baseball Commission and UVC:

**Signatories**

This Agreement shall be signed on behalf of Roseburg American Legion Baseball by Tom Donagan, Chairman Roseburg American Legion Baseball Commission, and Umpqua Valley Christian School (Referred to as UVC) by their respective Athletic Director. This MOU shall be effective as of the date first written above.

 \_\_\_\_\_ Date: 10-19-18  
 Roseburg American Legion Baseball Chairman  
 Tom Donagan,

 \_\_\_\_\_ Date: 10-19-18  
 Umpqua Valley Christian High School Athletic Director