

First I want to thank the 130 residents that came to my first Park Foundation Meeting on August 7, 2008 and particularly the 25 people that put in \$50.00 each to create the Lompoc Valley Parks Recreation and Pool Foundation. Next I want to thank everyone that has worked on the various locations considered for this park over the last 5 years. I particularly want to thank Gilbert Navarro, the first BMX committee chairman and Dave Baker, the current chairman and the current committee for making this dream finally come true for the BMX riders of Lompoc. I also want to thank the City Staff for their diligent work in bringing this to the council this evening.

There are three amendments that the council should make to the MOU before passing it this evening.

Bike Park MOU Amendments.

Section 7 J: Other similar City of Lompoc construction projects that involve grading for various projects or the installation of water or sewer lines require only a \$1,000,000.00 dollar contractor liability insurance policy not the \$2,000,000.00 in this MOU. The other city contracted projects are for work similar to the work on this project. None of the Lompoc contractors that have volunteered to donate time, equipment and materials on this project have \$2,000,000.00 liability coverage in place as it is not required for other city contracts, federal contracts or private contracts that they currently work under.

There is a consideration that this project may create a higher level of liability for the City than a public works project. For that reason Hilride has been hired by the Committee to provide construction management and act as the general contractor by supervising, inspecting and certifying that the project is built to Hilride's design. Hilride has the \$2,000,000.00 of public liability coverage in place and will approve the final completed construction.

If it is not changed the \$2,000,000.00 insurance requirement, for contributing contractors will eliminate the donation of work by Lompoc contractors and will raise the cost of the project by tens of thousands of dollars, because out of town contractors with the \$2,000,000.00 liability coverage will instead have to be hired and paid.

Exhibit B item 10 does not have a weather delay clause that is routinely included in grading projects and must be added.

Exhibit B should also contain the addition of item 12 to allow the City Administrator to amend the very rigid schedule of performance for good reasons. This will eliminate the need to have routine time changes brought back to council for approval. I recommend that section 12 read as follows.

“12. Amendment of times for completion: The City Administrator shall have the authority under this MOU to extend any time deadline at the Administrators sole discretion.”

John H Linn: Resident of Lompoc and BMX SUPPORTER!!!