MEMORANDUM
Date: September 21, 2021
To: City-County Parks Board
From: Lindsay A. Morgan, Planner III

RE: Proposed Playground at Bob Ryan Park/Helena Exchange Club Park

Applicant:
Helena Babe Ruth Baseball Association
P.O. Box 1280
Helena, MT 59624
Representative: John Cochrane

City-County Parks Board Meeting: Wednesday, October 6, 2021

EXECUTIVE SUMMARY:
Helena Babe Ruth Baseball Association (HBRBA) desires to construct a playground at Bob Ryan/Helena Exchange Club Park. In accordance with the current Management Agreement between HBRBA and the County, HBRBA must receive written consent from the County before making any major improvements or changes to the Park. Because a playground is considered a major improvement, Staff has prepared the attached DRAFT Consent for consideration by the Board of County Commissioners (BoCC) to allow the proposed playground at this location subject to specific requirements. Prior to BoCC consideration of the DRAFT Consent; however, the Parks Board will need to review and provide comments to the BoCC regarding the proposed playground design.

REQUEST:
The Applicant is seeking review and comment from the Parks Board regarding the design of the proposed playground.

STAFF RECOMMENDATION:
Approval.
BACKGROUND:
HBRBA and the County currently have a Management Agreement for the Bob Ryan/Helena Exchange Club Park dated January 28, 2016. Because this Agreement requires written consent from the County before constructing a playground at this location, Staff has prepared a DRAFT Consent for the BoCC’s consideration that lays out the design, procurement, and installation parameters and specifications for the proposed playground. In accordance with the DRAFT Consent, HBRBA will raise the necessary project funds for the installation of the playground, acknowledge that County Staff and the City-County Parks Board will review and comment on proposed playground design, and acknowledge that the County will have final approval of the playground design, specifications, and signs. In addition, the DRAFT Consent requires that all playground-related improvements meet the requirements of the Americans with Disabilities Act (ADA), and that safety netting be installed adjacent to the baseball fields to adequately restrict balls and bats from striking persons using the playground. Upon completion of both the playground-related improvements and safety netting, the DRAFT Consent also requires that a professional engineer registered in the State of Montana certify that the improvements and netting were installed in accordance with the installation parameters and specifications laid out in the Consent.

ATTACHMENTS:
- Exhibit A: Location Map of Proposed Playground Area
- Exhibit B: Layout of Proposed Playground Area
- Exhibit C: Three Images of Proposed Playground Area
- Exhibit D: DRAFT Consent
Exhibit C: Images of Proposed Playground Area (1 of 3)
Exhibit C: Images of Proposed Playground Area (2 of 3)
CONSENT TO CONSTRUCT A
PLAYGROUND AT BOB RYAN/HELENA EXCHANGE CLUB PARK

Consent has been given on the ____ day of ___________, 2021, to the HELENA BABE RUTH BASEBALL ASSOCIATION, a non-profit organization incorporated in the State of Montana, after this referred to as HBRBA, by LEWIS AND CLARK COUNTY, a political subdivision of the State of Montana, after this referred to as COUNTY.

General Provisions

1. Purpose

HBRBA desires to construct a playground at Bob Ryan/Helena Exchange Club Park, after this referred to as FACILITY.

In accordance with the current Management Agreement between HBRBA and the COUNTY dated January 28, 2016, HBRBA must receive written consent from the COUNTY before making any major improvements or changes to the FACILITY.

The purpose of this Consent is to lay out design, procurement, and installation parameters and specifications for the playground at the FACILITY.

2. Scope of Agreement

HBRBA agrees to timely invite the COUNTY and other partners to all meetings, correspondence, negotiations, and communications related to the design and development of the playground at the FACILITY; to raise necessary project funds through both private and public sources for the planning, procurement, and installation of the playground; to serve as a liaison between the COUNTY and community, special interest groups, and organizations in an effort to identify design priorities and generate awareness for construction of the playground at the FACILITY; to acknowledge that COUNTY staff and the City-County Park’s Board will review and comment on proposed playground designs; and to acknowledge that the COUNTY will have final approval of the playground design, specifications, and signs.

The COUNTY agrees to fully include HBRBA and other partners in meetings, correspondence, negotiations, and communications related to the design and development of the playground at the FACILITY.
3. Improvements

All playground-related improvements constructed at the FACILITY must meet the requirements of the Americans with Disability Act (ADA), and upon completion, be certified as having been installed in accordance with the approved requirements by a professional engineer that is registered in the State of Montana and has certifications in both ADA compliance and playground safety inspection.

Safety netting shall also be installed adjacent to the baseball fields to adequately restrict balls and bats from striking persons using the playground at the FACILITY. A professional engineer that is registered in the State of Montana must certify that both balls and bats are adequately restricted by this net from striking persons using the playground at the FACILITY.

4. Local, State, and Federal Requirements

HBRBA shall comply with all applicable federal, State, and local laws, rules, and regulations.

The playground at the FACILITY will be operated consistently with all applicable State and Federal laws and regulations.

SIGNED AND DATED this 24th day of August, 2021.

For HBRBA:

John Cochrane
John Cochrane, President
Helena Babe Ruth Baseball Association

SIGNED AND DATED this _____ day of __________, 2021.

For the COUNTY:

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Andy Hunthausen, Chairman
Board of County Commissioners

ATTEST:

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