



WHATCOM
community
FOUNDATION

1500 Cornwall Ave., Suite 202
Bellingham, Washington
98225
360.671.6463 whatcomcf.org

THE BENDER FIELDS PROJECT MEMORANDUM OF UNDERSTANDING

Upon acceptance of the Bender Fields Project (Project) by the City of Lynden, this Sponsorship Memorandum of Understanding (MOU), is made this 17th day of March 2025, by and between **Whatcom Community Foundation** (“Foundation”), a Washington nonprofit corporation, the **City of Lynden** (“City”), and representatives of the **Bender Fields Project Committee** (the Committee), is as follows:

The above Parties have entered into this MOU for the purpose of memorializing their related interests and responsibilities in securing funding and completing the improvements of the Bender Fields facilities for Phase I of facility upgrades, dugout renovations and netting installation as described in the 2025 proposal submitted by Daniel Vander Kooi in Addendum A and Addendum B and summarized below:

This is a privately funded and managed project offered to the City as inspiration to the Lynden community and many more Whatcom County users so that they can continue to safely enjoy this well used outdoor space that is owned by the City of Lynden and located at 8770 Bender Road, Lynden, WA 98264. This MOU is by and between the following organizations:

Whatcom Community Foundation – A 501(c)(3) nonprofit charitable organization created by citizens of Whatcom County to enrich the quality of life for all area residents.

City of Lynden – A municipality that owns the land (the Bender Fields Park) and current facilities.

Representatives of the above entities, to include Daniel Vander Kooi, City of Lynden Parks Department and other related staff, (hereafter referred to as the *Bender Fields Committee or the Committee*,) will support:

- Advocacy and fundraising supporting the design, engineering, and construction costs associated with the Project
- Completion of design and permitting for the Project
- Completion of Project construction

The Foundation has agreed to serve as Project Sponsor through December 31, 2025. The Whatcom Community Foundation has found the Project to be consistent with its purpose and mission, and it will be accounted for as a Foundation program for IRS auditing and financial reporting purposes. All gifts to the Project are subject to the variance power of the Foundation's Board of Directors, as set forth under Treasury Regulations, 1.170A-9(e)(11)(V)(B), (C) and (D).)

As compensation for the Foundation services, a minimum fee of \$3,000 will be charged and revisited if needed. Any income earned by the Fund will accrue to the Foundation for administrative purposes.

The Foundation will acknowledge all contributions to the Project in writing and will provide financial reporting to the other parties of this MOU as requested. Funds raised may be used to pay administrative expenses of the Project, such as fundraising expenses or to reimburse the City Lynden for other Project expenses. The Parties may apply to individuals, foundations or other funding sources under Foundation auspices, but the Foundation is not responsible for fundraising for the Project. Foundation staff must review all fundraising plans and requests. All printed materials must identify the Project as "Affiliated with the Whatcom Community Foundation." In addition, public programs or events related to the Project must include acknowledgement of the Foundation's participation.

The City may secure funds for the Project through grant applications and/or in-kind contributions of goods and services. The City will acknowledge all contributions to the Project in writing and will provide periodic financial reporting to the other parties to this MOU. This MOU does not obligate the City to secure a specific amount of funding for the Project.

All invoices and reimbursements will be approved by either the primary designated Committee member, Daniel Vander Kooi, the secondary designee, Connor Herman/General Contractor at least seven days prior to the requested payment date by the Foundation. The designee will confirm with the Foundation that sufficient funds are available, provide original invoices and attest that the expense(s) are chargeable to the Project and that all materials have been received and/or services performed.

Foundation staff will review invoices submitted by the Committee and/or the City for qualified expenses and make payments, generally within seven (7) days of receipt of the request. *The Foundation will not directly oversee or accept liability for the construction phases of the project. The Foundation will not be responsible for any debts incurred by the Project, nor will it release any funds in amounts greater than the current balance of the Fund at any time.*

Nothing contained in this Agreement shall be construed to create the relationship of employer and employee between the parties. All parties assert that they are independent contractors and operate and intend to operate all their activities entirely independent of each other except as stated in the specific and express provisions of this Agreement. No other obligations exist between the Parties that are not included in this MOU or added, in writing, as addendums to this MOU.

General roles and responsibilities of each party are outlined in the attached Roles and Responsibilities document; all parties acknowledge that this document will evolve over time based on the needs of the Project and the willingness and ability of each party to fulfill various roles. Further, the parties assert that, other than as specified in this MOU, they are not in a joint venture,

nor do they intend to operate as a joint venture. Any and all contemplated changes in the attached Roles and Responsibilities shall be in writing and made a part of this document.

Should there be excess funds raised to support this project during the active timeline of this MOU or its amendments, the funds will be granted to the City of Lynden to support the Bender Fields Park and facilities.

Non-Discrimination Clause: By signing this agreement, you acknowledge that your organization, contractors, and sub-contractor do not discriminate in policy or practice, on gender, religion, sexual orientation or identity, ethnicity, national origin or physical ability.

The parties hereto have executed this agreement as of the date and year first written above.

Whatcom Community Foundation

City of Lynden

Mauri Ingram
President & CEO

Scott Korthuis
Mayor

Bender Fields Committee Representative

Daniel Vander Kooi
Project Committee Lead

Bender Fields Project Roles & Responsibilities

The following entities are involved in the Bender Fields Project (Project). Others may join the endeavor as the Project develops. The anticipated roles and responsibilities of each participating entity are listed below and may evolve over time based on a number of factors.

Whatcom Community Foundation

The Foundation, upon all parties signing the attached agreement, will serve as Fiscal Sponsor for the Project. As such, the Foundation will:

- 1) Support the fundraising efforts of the Committee and other Project supporters.
- 2) Allow use of the Foundation's name for solicitation of gifts and grant applications.
- 3) Hold and administer funds, based on the terms of the Fiscal Sponsorship Agreement, for any:
 - a) Future private or corporate grants, and
 - b) Individual grants/gifts.
- 4) Based on funds available, recommendation of the Project Committee and approval of the Foundation:
 - a) Pay related Project expenses approved by the Committee / City of Lynden

The City of Lynden - owns the land housing the Bender Fields Park and facilities. As such, the City of Lynden will:

- 1) Hold and administer proceeds from Public Sector grants.
- 2) Issue all required permits for the Bender Fields project(s) and cover associated permit fees.
- 3) Provide electrical, water, storm drain and sewer access for the Project.
- 4) Provide civil engineering requirements.
- 5) Provide insurance for the Project.

Bender Fields Project Committee (Committee)

The Bender Fields Project Committee members will:

- 1) Provide project management.
- 2) Bid the construction and administer the construction project(s).
- 3) Review and approve Project invoices and reimbursements for payment using Foundation funds. (*invoices may also be approved by a designee of the Committee "Lead," e.g. the General Contractor*)
- 4) Participate in Project fundraising.
- 5) In partnership with other Project supporters, be responsible for Project advocacy and for securing additional Project funds from a variety of sources.

Addendum A of the Bender Fields Project MOU

Proposal for Lynden Regional Park and Recreation District (LRPRD)

Project Title: Lynden Regional Park Complex Upgrades – Phase I and II

Proposed Start Date: 2025

Submitted by: Daniel Vander Kooi

Executive Summary:

We propose a two-phase capital improvement project for the Lynden Regional Park complex, beginning in 2025. The goal of the project is to enhance the park's sports facilities, benefiting both local and regional sports programs while attracting tournaments and increasing year-round usability. Through this initiative, we aim to reduce weather-related game cancellations, improve safety for spectators, and create new revenue streams for the park. Our organization has secured commitments from various businesses to cover much of the project's cost, and we are seeking partnership with the Lynden Regional Park and Recreation District (LRPRD) to help cover specific infrastructure costs.

Phase I: Facility Upgrades, Dugout Renovation, and Netting Installation

Objective:

To enhance the infrastructure of the park by constructing new multi-functional buildings, renovating dugouts, and improving safety measures for spectators, ensuring a safer and more comfortable environment for athletes, families, and event organizers.

Proposed Upgrades:

- **Concession Stands (2-story):** Construction of two new 2-story concession buildings equipped with restrooms, storage, meeting rooms, and press boxes, each with integrated scoreboards and sound systems for all fields. These buildings will serve as central hubs for tournaments and recreational events, improving both functionality and the spectator experience.
- **Dugout Renovations:** Renovation of dugouts on Fields 5-8, providing each dugout with a wide concrete slab and a roof, ensuring better shelter and functionality for athletes.
- **Safety Netting Installation:** Installation of protective netting behind the seating area at Fields 1-4, extending back to the press boxes. This netting will help ensure the safety of spectators from foul balls and errant pitches, addressing a growing concern over spectator safety. Currently, multiple incidents occur each year where spectators are struck by baseballs or softballs, and we have been fortunate that no serious injuries have occurred. The installation of netting is crucial to mitigate this risk.
- **Utility Support:** Infrastructure improvements, including trenching and septic hookup (to be covered by LRPRD).

Estimated Costs:

- **Concession and Press Box Buildings, Dugout Renovations, and Netting:** Funded by private donors and corporate sponsors
- **Septic and Trenching (Phase I):** (to be covered by LRPRD)
- **Netting Installation (Fields 1-4):**
 - Estimated Cost: \$200,000
 - Requested Contribution from LRPRD: \$100,000
 - Remaining Costs: To be covered by private donors

Total Phase I Investment: \$600,000 (excluding septic and trenching)

Timeline:

Construction is expected to commence in 2025 with a projected completion date April 2025.

Phase II: Field Turf Installation and the "Adopt a Field" Project**Objective:**

To enhance the park's field quality and increase their usability throughout the year, reducing weather-related cancellations and offering flexible, year-round play options.

Proposed Upgrades:

- **Field Turf Installation:** Field turf will be installed on the infields of Fields 1-4 and the two northern fields (5-8), creating a durable and consistent playing surface that can withstand inclement weather.
- **"Adopt a Field" Initiative:** Partnering with local civil contractors, we will address the groundwork (grading, drainage) needed to prepare the fields for turf installation. Local contractors are committed to providing this support at a discounted or donated rate.
- **Matching Funds Request:** Our organization has secured approximately \$375,000 in matching funds from private donors for this phase of the project. We are requesting a match from LRPRD of \$375,000 to complete the turf installation on all six fields.

Benefits of Field Turf:

- **Increased Playability:** Turf fields will reduce cancellations due to weather, allowing for consistent play across all seasons, especially during spring and summer when field closures due to rain are a major concern.
- **Year-Round Revenue:** Turf fields will facilitate year-round rentals and programming, which will generate additional revenue for the park. The reduced need for field prep (lining, raking) will also decrease operational costs.
- **Age Group Flexibility:** Magnetic bases on the turf will allow for easy adjustment of base lengths, enabling the fields to be used by different age groups for various types of games and tournaments.
- **Sustainability:** Artificial turf requires less long-term maintenance, reducing the cost and time needed for field upkeep.

Estimated Costs:

- **Civil Contractors (field prep):** Donated or discounted by local contractors
- **Turf Installation:** \$750,000 total (\$125,000 per field for 6 fields)
- **Matching Funds Request from LRPRD:** \$375,000
- **Matching Funds Secured from Donors:** \$375,000

Total Phase II Investment: \$750,000 (excluding prep work by contractors)

Timeline:

Phase II construction would begin in 2025, with turf installation expected to be completed by late 2026.

Funding Breakdown:

- **Phase I:**
 - Concession and press box buildings, dugout renovations, and netting installation: Funded by private donors and corporate sponsors
 - Septic and trenching (Phase I): (covered by LRPRD)
 - Protective netting (Fields 1-4): \$200,000 (LRPRD contribution of \$100,000, balance from donors)
- **Phase II:**
 - Civil contractors (field prep): Donated or discounted by local contractors
 - Turf installation: \$750,000 total (LRPRD match of \$375,000, remaining \$375,000 secured from donors)

Conclusion:

The proposed two-phase project offers a tremendous opportunity to upgrade and modernize the Lynden Regional Park complex, benefiting local sports leagues, attracting regional tournaments, and creating additional revenue streams for the park. We believe that with the LRPRD's support, we can enhance the park's infrastructure, improve safety, and ensure its fields are playable year-round. The requested partnership—covering specific costs like trenching, septic installation, and the netting installation—will help make these improvements a reality.

We are excited about the potential of this project and look forward to working closely with LRPRD to ensure its success. Thank you for your consideration, and we hope to receive approval to begin these critical upgrades in 2025.

Sincerely,

Daniel Vander Kooi

360-319-7075 cell

Daniel@mannainsurancegroup.com

Addendum to the Lynden Regional Park Complex Upgrades Proposal Additional Proposed Projects for Consideration

Submitted by: Daniel Vander Kooi

Date: 12/11/24

In addition to the two phases outlined in our original proposal, we would like to present a few additional projects that we believe will further enhance the Lynden Regional Park facilities and contribute to the overall improvement of the park. These projects align with the goal of making the park a more attractive and functional venue for both local and regional events.

We request consideration from the Lynden Regional Park and Recreation District (LRPRD) for partnership on these projects, which we are prepared to take on with funding and support from various sources.

1. Additional Parking Near the Bender Shop and Soccer Fields

Objective:

To address growing concerns over parking availability during peak usage times, particularly for tournaments and large events, by expanding parking options close to the Bender Shop and the soccer fields.

Proposed Project:

- **Additional Parking Spaces:** We propose creating additional parking by looping around the Bender Shop area, which would increase the capacity of the existing parking lot. This expansion would alleviate congestion during peak times, improving access to the soccer fields, as well as other nearby amenities.
- **Traffic Flow Improvements:** In addition to the parking spaces, we recommend improving traffic flow with better signage and the possibility of adding another entry/exit point to reduce bottlenecks and streamline parking access.

Timeline:

This project could be initiated in tandem with Phase II of the larger facility upgrades, starting in 2025, with construction completed by mid-2026.

2. New Lighting for Fields 1-4 and Fields 5-8

Objective:

To improve the playing conditions and extend the usability of the fields, particularly for evening games and tournaments, by upgrading the lighting systems on Fields 1-4 and Fields 5-8.

Proposed Project:

- **Field Lighting Upgrade:** We propose replacing the current lighting systems on Fields 1-4 and 5-8 with energy-efficient, high-quality LED lights. This upgrade would enhance visibility for players and spectators, extend playing hours, and improve the overall safety and appeal of the park.
- **Benefits:**
 - **Energy Efficiency:** LED lighting will reduce electricity costs and maintenance requirements over time.
 - **Increased Event Capacity:** Better lighting will allow for more evening games, helping to accommodate larger tournaments and increase revenue through extended game times.
 - **Improved Safety:** Proper lighting will also improve safety for players, spectators, and staff during evening events and tournaments.

Timeline:

This project could be coordinated with Phase I of the proposed upgrades, beginning in 2025, with installation completed by late 2026.

3. Paved Walkways to Fields

Objective:

To enhance accessibility and safety by installing paved walkways throughout the park, ensuring safe and convenient access to all fields and amenities, especially for individuals with mobility challenges, families with strollers, and others who might face difficulties walking on uneven or unpaved ground.

Proposed Project:

- **Paved Walkways:** We propose constructing paved walkways connecting key areas of the park, including the parking lots, concession stands, fields, restrooms, and spectator areas. These walkways would provide a smoother, more accessible route for visitors, making it easier to move between fields and facilities, regardless of weather conditions.
- **Strategic Coverage:** The paved walkways will primarily connect the main parking areas to Fields 1-4 and Fields 5-8, as well as to key spectator areas and restrooms. This will significantly improve the overall visitor experience and ensure that all park users can easily access the amenities and enjoy the park safely.

- **ADA Compliance:** The new pathways will be designed with ADA (Americans with Disabilities Act) compliance in mind, ensuring that the park is accessible to individuals with physical disabilities.

Timeline:

We anticipate that this project could begin in 2025, either alongside Phase I or after the completion of the field upgrades. The installation of the paved walkways would be completed by late 2026.

Conclusion:

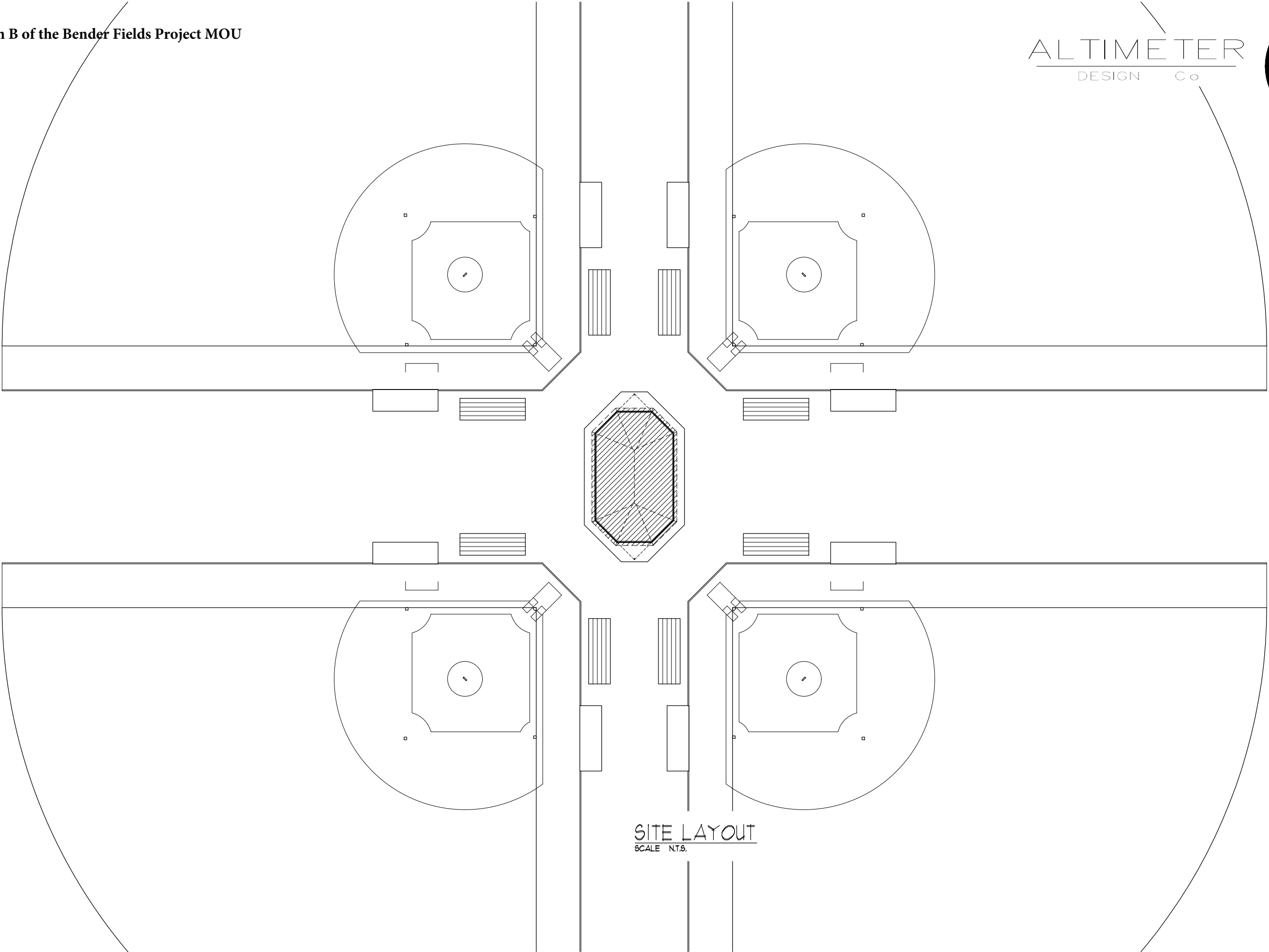
These additional projects—parking expansion, lighting upgrades, and paved walkways—are integral to improving the Lynden Regional Park’s overall functionality, safety, and user experience. Together, these enhancements will help create a more welcoming, accessible, and enjoyable environment for athletes, families, and spectators.

We are committed to funding and supporting these initiatives through partnerships with local contractors, private donors, and corporate sponsors, with the goal of working alongside LRPRD to bring these plans to fruition. These improvements, when combined with the Phase I and Phase II projects, will solidify the park as a top-tier sports facility, enhancing its value to the local community and attracting a wide range of regional events and tournaments.

Thank you for your continued consideration, and we look forward to working together to improve and expand the Lynden Regional Park facilities.

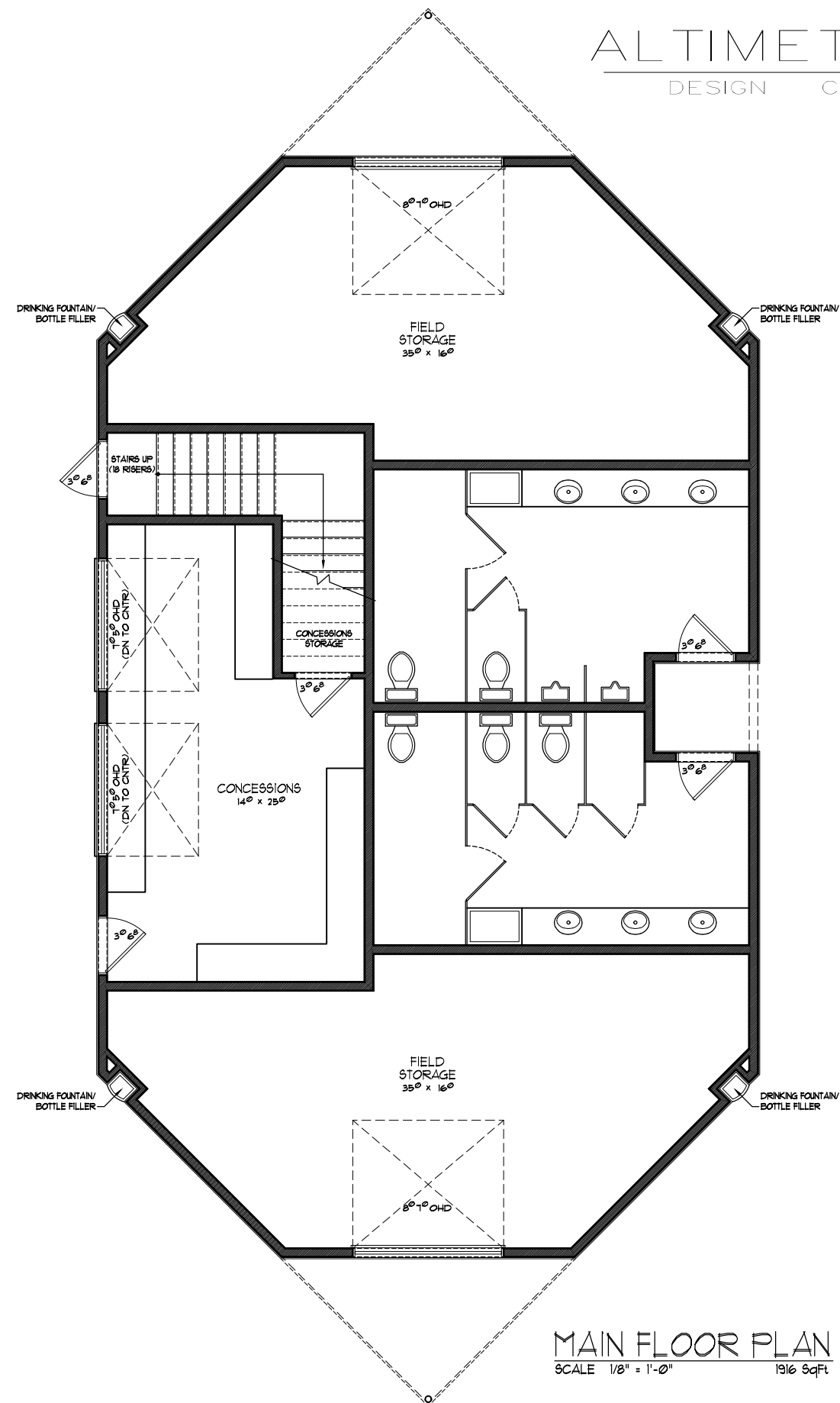
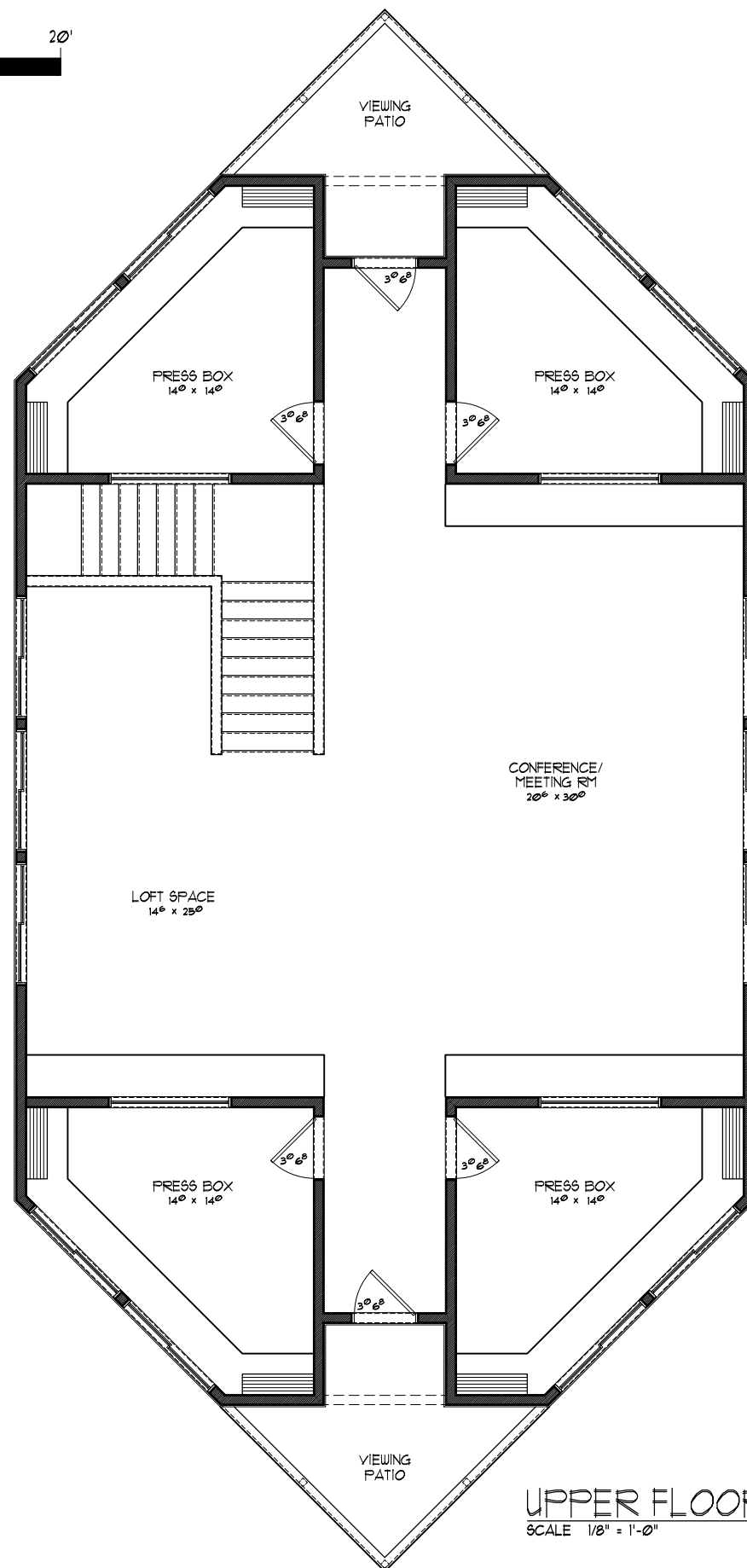
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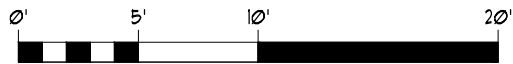
Daniel Vander Kooi
360-319-7075 cell
Daniel@mannainsurancegroup.com



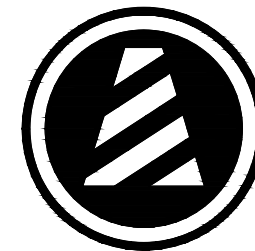
SITE LAYOUT

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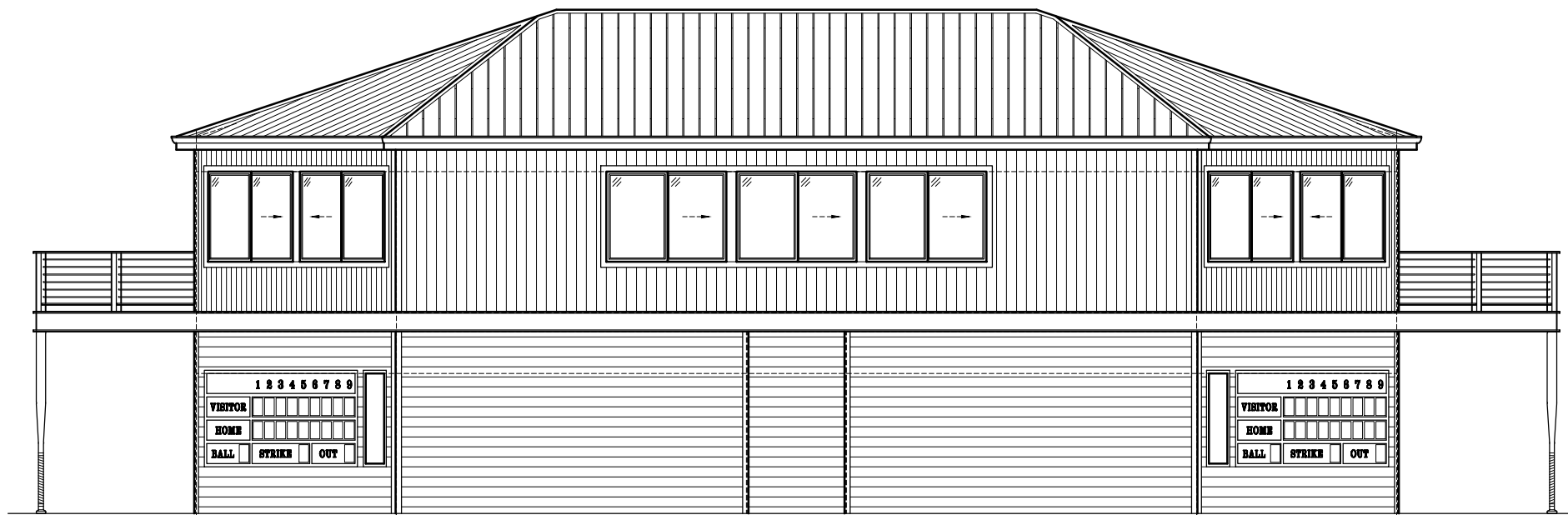




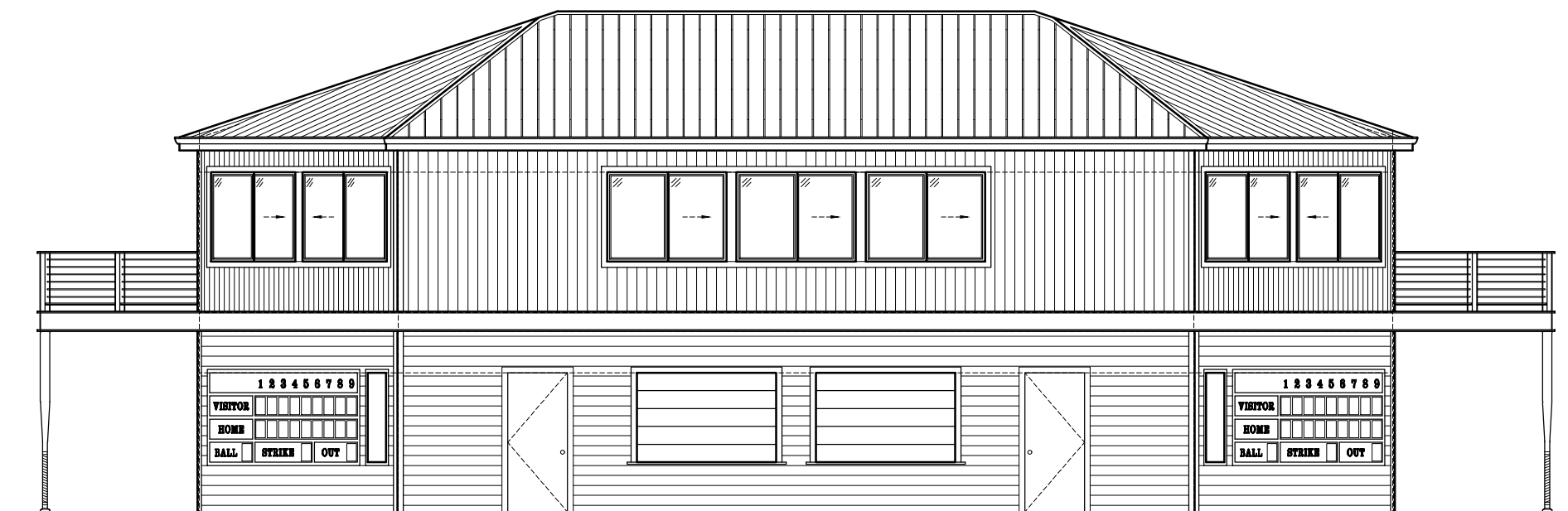
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