

MEMORANDUM OF AGREEMENT BETWEEN
Arlington County and Rivendell School
DRAFT DOCUMENT– 12.15.08

The following constitutes a Memorandum of Agreement between Arlington County (hereafter identified as “the County”) and Rivendell School. The purpose of this agreement is to set forth the agreed upon use of Lee Community Center Park.

GENERAL:

This document is designed to establish the relationship between the County and Rivendell School as it relates to the shared use of the outdoor amenities located at Lee Community Center. This relationship is intended to be of the mutual benefit and enhancement of the recreational opportunities for the residents of Arlington County and the students of Rivendell School. This agreement does not constitute a transfer of ownership or management of the facility except as detailed below.

HOURS OF USE:

The field will be used by Rivendell School during its school year (September – June)

- Rivendell School will use the Lee Community Center Park for recess during the school year between the hours of 11:20 a.m. – 1:20 p.m., Monday through Friday.
- The outdoor park located at Lee Community Center will continue to remain open to the general public at all times.
- The field area will be closed on or about Nov. 15 of each year to perform aeration, seeding and turf cover.

THE COUNTY SHALL BE RESPONSIBLE FOR:

- Fostering relationships to ensure positive experiences for park users and the surrounding community, and monitoring park use and condition of the park for trash, vandalism or maintenance concerns.
- Coordination of facility use with Rivendell School during the agreed upon time periods.
- Notifying Rivendell School whenever facilities are closed.
- Maintenance of outdoor facilities.
- Trugreen Chemlawn treatments of field area on a biannual basis. Trugreen Chemlawn will provide us with 48 hours notice before any of their chemical applications.

- During the third week in November, PRCR will aerify, fertilize, seed, and turf cover the grass area, protecting it until mid-March. The opening of the area each spring should have some flexibility to be delayed if early March is particularly cold or wet. There is also flexibility for the field area to be uncovered earlier in the event of a mild winter.
- Aerify the field in the spring attempting to do so during spring break, or some timeframe that has the least impact on the users. County staff will coordinate application dates with Rivendell School.
- Trash collection.
- Providing information and support to Rivendell School for participant education, such as care and upkeep of the butterfly garden, trees and shrubs.
- Posting appropriate signage regarding park regulations to include, but limited to, the use of the field, playground equipment, butterfly garden and champion tree information.
- The County liaison will be the PRCR, Facility Coordinator at (703) 228-1803.

RIVENDELL SCHOOL SHALL BE RESPONSIBLE FOR:

- Notifying the County Park Service Manager and receiving approval prior to performing any maintenance or modifications to the outdoor facility.
- Providing adequate supervision while their students are on the playground. The adult to student ratio should be 1 adult to 15 students.
- Coordination of Rivendell School usage of the outdoor facility during the agreed upon time periods with the County Facilities Coordination Unit at (703) 228-1803.
- Notifying the County and community regarding any special events sponsored by the school impacting neighborhood street parking.
- Ensure appropriate age designation regarding the use of the playground equipment. The equipment will only be used by kindergarten and 1st grade children.
- Provide cleanup after school related events prior to leaving the facility.
- Provide students annual educational materials emphasizing the importance of the trees, shrubs and butterfly garden that exist at Lee Community Center Park. It is important to share with the students how some of their playground activities and practices can adversely affect these natural elements.

- Ensure students remain on the opposite side of a protective barrier that is to be placed around the large scarlet oak, located in the southwest corner of the property, adjacent to the children's play structure. This barrier will help minimize soil compaction around the tree's root system, therefore preserving the lifespan of this significant County champion tree.
- Using the butterfly garden only as a planned supervised activity.
- Any damage done to Park facilities resulting from Rivendell School use.
- Continue to provide meeting space as needed for the Leeway / Overlee Civic Association meetings.
- Provide gym / multipurpose room space mid November through February for the Rivendell School teams comprised of at least 50% Rivendell students for the County's basketball program. The teams would not need space during holiday breaks.
- Rivendell School will add Arlington County as an additional insured to their liability insurance policy.

THE COUNTY AND RIVENDELL SCHOOL SHALL BE JOINTLY RESPONSIBLE FOR:

- Notification of special events that may impact the County, Rivendell or the neighborhood community.

ADMINISTRATION OF THE AGREEMENT:

- The Department of Parks, Recreation and Cultural Resources (PRCR) shall be responsible for the administration and management of this Agreement for the County.
- A Rivendell School Representative shall be responsible for the administration and management of this Agreement for Rivendell School.
- Representatives of PRCR, CPHD Planning Division, Rivendell School and Leeway Overlee Civic Association will meet annually before the new school year begins, to discuss issues under the MOU. Rivendell School will also inform the civic association representatives at that time of upcoming school-year events. Rivendell School also agrees to continue to inform neighbors of the school in writing of school special events at least once per year.

This Memorandum of Understanding is signed this _____ day of _____, 2009 and will remain in effect for a minimum of five years with annual reviews attended by the participating parties.

Ron Carlee
County Manager
Arlington County Government

Board of Trustees
Rivendell School
