

MEMORANDUM OF AGREEMENT BETWEEN Arlington County and Rivendell School

This Memorandum of Agreement between the County Board of Arlington County (hereafter identified as "the County") and Rivendell School Board of Trustees, 5700 Lee Highway, Arlington, Virginia 22207 (hereinafter identified as "Rivendell School"), is effective the 23rd day of January 2009.

GENERAL:

This document establishes the terms and conditions agreed upon by the County and Rivendell School as relates to the shared use of the outdoor park located at Lee Community Center and use of the Rivendell School for community meetings and recreational activities. 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 and does not govern management of the park except as detailed below.

HOURS OF USE:

The park may be used by Rivendell School during its school year (September – June)

- Rivendell School may use the park for recess during the school year between the hours of 11:20 a.m. – 1:20 p.m., Monday through Friday.
- The park will continue to remain open to the general public at all times.
- The park field will be closed beginning on or about Nov. 15 of each year to perform aeration, seeding and turf cover until spring. The opening of the park field each spring will be determined by the County depending on weather and field conditions.

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 park use with Rivendell School during the agreed upon time periods.
- Notifying Rivendell School whenever the park is closed.
- Maintenance of the park.
- Treatments of the park field on a biannual basis. The County will provide Rivendell School 48 hours notice before any chemical applications.
- During the third week in November, the County will aerify, fertilize, seed, and turf cover the field, closing it and re-opening in the spring.
- Aerify the field in the spring. Attempts will be made 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 education of the School's students, such as care and upkeep of the butterfly garden, trees and shrubs.
- Posting appropriate signage regarding park regulations to include, but not 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 of or modifications to the park.
- Providing adequate supervision while their students are on the playground. The adult to student ratio shall be at least 1 adult to 15 students.
- Coordination of Rivendell School usage of the park during the agreed upon time periods with the County Facilities Coordination Unit at (703) 228-1803.
- Notifying the County and community in writing regarding any special events sponsored by Rivendell School impacting neighborhood street parking.
- Ensure only appropriately age children use the playground equipment. The equipment will only be used by kindergarten and 1st grade children.
- Provide cleanup after Rivendell School related events prior to leaving the park.
- Provide students annual educational materials emphasizing the importance of the trees, shrubs and butterfly garden that exist at the park.
- Ensure students remain on the opposite side of a protective stanchion barrier placed around the large scarlet oak, located in the southwest corner of the park, adjacent to the children's play structure as indicated on Park signage. This barrier helps minimize soil compaction around the tree's root system, therefore preserving the lifespan of this significant champion tree.
- Use of the butterfly garden must be under adult supervision.
- Repair any damage done to the park resulting from Rivendell School use.
- Continue to provide meeting space in Rivendell School as needed for the Leeway / Overlee Civic Association meetings.
- Provide gym / multipurpose room space in Rivendell School mid November through February for the Rivendell School teams which shall be comprised of at least 50% Rivendell students for the County's basketball program. These teams will be coached and supervised during scheduled use of Rivendell by Rivendell parents. These teams do not need practice space during holiday breaks.

- Rivendell School must show proof of insurance in a form acceptable to the County covering all of its activities in the park by providing the County with a Certificate of Insurance for Commercial General Liability with limits not less than \$ 1 million per occurrence. Arlington County (including its elected and appointed officials, agents and employees) must be named as an additional insured on the CGL policy.

THE COUNTY AND RIVENDELL SCHOOL SHALL BE JOINTLY RESPONSIBLE FOR:

- Notification to each other of special events that may impact the County, Rivendell School 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.
- The Rivendell School Board of Trustees shall be responsible for the administration and management of this Agreement for Rivendell School. Its liaison shall be identified in writing to PRCR within five (5) business days of execution of the MOA.
- Representatives of PRCR, CPHD Planning Division, Rivendell School and Leeway Overlee Civic Association will meet annually before the new school year begins, to discuss the effectiveness of the MOA. These meetings are intended to maintain a collaborative spirit to explore ways to mitigate the impact on either party. Rivendell School will also inform the civic association representatives at that time of upcoming school-year events.

This Memorandum of Understanding will remain in effect for five years with annual reviews by the participating parties and may be extended for additional periods by written agreement.

Arlington County Board



Ron Carlee
County Manager

Rivendell School



Printed Name: Lyle Peterson
Board of Trustees