Construction of Jones Park Playground

Interlocal Agreement

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Key takeaways

- Proposed Interlocal Agreement between the City of Asheville and the Asheville City Board of Education (“ACS”) will allow for the construction and ongoing maintenance of the playground.

- Construction of the new playground will be managed by Buncombe County, and the land will continue to be owned by ACS.

- The cost of construction will be funded fully by private donations.

- The City’s responsibility will be limited to maintenance of the playground equipment until the end of the useful life of the equipment and removal thereafter.

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Background

- The Jones Park playground previously was located on property owned by Asheville City Schools (ACS) near the Ira B. Jones School.
- The playground was removed due to safety and maintenance concerns in 2021.
- Thereafter, community members offered to make a financial donation to ACS to fully fund the construction of a new playground at this site.
- The Asheville City Board of Education voted unanimously last week to enter into an interlocal agreement with the City of Asheville to construct a new playground and ensure its maintenance for the useful life of the equipment.
- City staff, including representatives from Parks and Recreation as well as the City Attorney's Office have reviewed the terms of the agreement and support it.

Interlocal Agreement Terms

- ACS will accept the private donation to fund the playground construction.
- Selection of the construction firm and oversight of the work will be managed by Buncombe County pursuant to existing agreements with ACS.
- ACS will continue to own the property including land and the playground equipment.
- Upon completion of construction, the City of Asheville will assume responsibilities for maintenance of the playground equipment consistent with Parks' policies and procedures.
- The City of Asheville will be responsible for removal of the equipment at the end of its useful life (estimated to be 20 years), unless agreement is determined by ACS.

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Interlocal Agreement Terms

- ACS will continue to be responsible for mowing, trash removal, and mulch replacement.
- City's liability will be limited to any damages resulting from use of the playground equipment.
- NOTE: City also maintains the authority to jointly approve the playground design.
- Either party may terminate the agreement with 180 days notice, but will incur responsibility for equipment removal.
- At the end of the useful life of the equipment, and removal, the City will have no further responsibility for Jones Park or the playground.

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City of Asheville Financial Considerations

- City of Asheville will maintain adequate property & casualty insurances for any playground equipment installed.
- Playground equipment maintenance will be funded from the existing Parks & Recreation operating budget.
- Removal costs are unknown at this time, but the recent playground removal costs were approximately $10,000
- City incurs no costs for construction or site maintenance beyond the equipment itself.

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Recommendation

Motion to adopt a resolution authorizing the City Manager to enter into an interlocal agreement with Asheville City Board of Education regarding the construction and maintenance of a playground at Jones Park.

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Questions?

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