THE CITY OF ASHEVILLE

STAFF REPORT

Council Meeting Date: September 27, 2022

Subject: Interlocal agreement with Asheville City Board of Education for Playground Maintenance at Ira B. Jones School

Staff Resource(s): D. Tyrell McGirt, Director, Parks & Recreation
Brad Branham, City Attorney

Action Requested: Adoption of a resolution authorizing the City Manager to enter into an interlocal agreement with Asheville City Board of Education regarding the maintenance of donated playground equipment at Jones Park.

Background:

- The Asheville City Board of Education approved an interlocal agreement on September, 19, 2022 to establish the responsibilities of each party related to the ownership, installation, & maintenance of donated playground equipment at Jones Park.
- The Asheville CIty Board of Education owns property located at 544 Kimberly Avenue, Asheville North Carolina, 28804 commonly known as "Jones Park,"
- Community members have offered to make a financial donation to the School Board to be used exclusively for construction of the playground equipment at Jones Park in its entirety.
- The School Board agreed to appoint Buncombe County ("County") as its agent for construction activities including all necessary bidding and construction activities for the renovation of the playground.
- Upon completion of the installation of the playground the City agrees to oversee maintenance and repair of the playground equipment for a period of 20 years.
- The School Board will continue to maintain the grounds inside and outside of Jones Park (i.e., mowing, trash)
- The City shall maintain adequate property & casualty insurances for any playground equipment installed at Jones Park

Vendor Outreach Efforts:

- Not applicable

Council Goal(s):

- A well-planned and livable community
- A Clean and Healthy Environment

Committee(s):

- None

Pro(s):

- Establishes the expectations for the responsibility of the City as they relate to the ownership, installation, & maintenance of donated playground equipment at Jones Park.
- Supports City Council's FY 2022-23 Neighborhood Resilience and Improve and Expand Core Services priorities through partnership with the Asheville City Board of Education.

Con(s):

- Funding was not planned in the FY23 budget for maintenance of Jones Playground.
- Places liability on the City for playground equipment

Fiscal Impact:

- Any maintenance required for this playground equipment will be funded from within the existing Parks & Recreation operating budget.

Suggested Motion:

- 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.

Attachment(s)

- Resolution
- Interlocal Agreement

RESOLUTION NO. 22-____

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH ASHEVILLE CITY BOARD OF EDUCATION REGARDING THE MAINTENANCE OF DONATED PLAYGROUND EQUIPMENT AT JONES PARK

WHEREAS, the City of Asheville has authority pursuant to N.C.G.S. 160A-461, units of local government may enter into agreements with each other in order to jointly exercise any power or function of local government; and

WHEREAS,An interlocal agreement with Asheville City Board of Education to establish the responsibilities of each party related to the ownership, installation, & maintenance of donated playground equipment at Jones Park; and

WHEREAS,The Asheville CIty Board of Education owns property located at 544 Kimberly Avenue, Asheville North Carolina, 28804 commonly known as "Jones Park,"; and

WHEREAS, Community members have offered to make a donation to the School Board to be used exclusively for construction of the playground equipment at Jones Park in its entirety; and

WHEREAS, The School Board agreed to appoint Buncombe County ("County") as its agent for construction activities including all necessary bidding and construction activities for the renovation of the playground; and

WHEREAS, Upon completion of the installation of the playground the City agrees to oversee maintenance and repair of the playground equipment for a period of 20 years; The School Board will continue to maintain the grounds inside and outside of Jones Park (i.e., mowing, trash); and

WHEREAS, Funding for the maintenance of Jones Park playground equipment will be provided from the annual Parks & Recreation operating budget;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to enter into an interlocal agreement with Asheville City Board of Education regarding the maintenance of donated playground equipment at Jones Park.

Read, approved and adopted this 27th day of September 2022.

_____ _____

City Clerk Mayor

Approved as to form:

_____

City Attorney