

Neptune Beach Elementary

Name Of School

School No. 246

New Playground Equipment

General Description

**MEMORANDUM OF UNDERSTANDING**

THIS MEMORANDUM OF UNDERSTANDING (“Memorandum”), made and entered into this 26 day of Feb, 2007, by and between the City of Jacksonville, a municipal corporation, hereinafter referred to as “City” and DUVAL COUNTY SCHOOL BOARD, a body politic and corporate, hereinafter referred to as “DCSB”.

WITNESSETH:

WHEREAS, the City and DCSB have entered into a Joint Use Agreement dated 1/20/98 (the “Agreement”) allowing the City and DCSB to jointly use certain DCSB property and certain City property more particularly described herein for recreational and educational purposes in accordance with said Agreement and the limitations set forth therein;

WHEREAS, the Agreement requires the parties to enter into a Memorandum of Understanding for each DCSB property and City property setting forth in detail the extent of the use to be made of each property;

WHEREAS, the City and DCSB have authorized the Director, Department of Parks, Recreation, Entertainment and Conservation and Assistant Superintendent, Facilities Services to execute all Memoranda of Understanding and amendments thereto, on behalf of the City and DCSB, respectively;

WHEREAS, the parties desire to enter into this Memorandum to set forth the terms and conditions necessary by the parties to ensure the jointly used property is well maintained and operated.

NOW THEREFORE, the parties in consideration of the foregoing and the mutual promise and covenants herein, agree as follows:

Section 1. Use. The city shall have the right to use jointly with DCSB the area designated on the plat diagram or site plan attached hereto as Exhibit A and made a part hereof

(the "Property") at Neptune Beach Elementary School, 1515 Florida Blvd., 32266 for educational and recreational purposes only. The City shall have the right to use the Property for the purposes stated herein at the times set forth in Exhibit B, attached hereto and made a part hereof.

Section 2. Improvements. The City may install the improvements listed on Exhibit C; attached hereto and made part hereof (the "Improvements") at the locations set forth in Exhibit A. All Improvements shall meet Florida Department of Education safety standards.

Section 3. Maintenance of Improvements and Property. DCSB shall maintain, at its sole cost and expense, the Improvements installed by the City on the Property. The DCSB shall maintain the Property and any improvements made by DCSB thereon and provide daily litter control during the school year.

Section 4. Title of Improvements. DCSB, at its option, may keep any or all of the Improvements installed by City on the Property and the City shall convey its rights, title and interest in the Improvements "as is" with no warranties as to merchantability or fitness to the DCSB.

Section 4. Correction of Unsafe Condition. In the event either party becomes aware of an unsafe condition, said party will notify the other party of the unsafe condition. DCSB shall be responsible for the correction of any unsafe condition resulting from the installation, existence, maintenance or failure to maintain the improvements. The City shall provide proper supervision and safe conditions during its use of the Property.

Section 9. Memorandum Period and Termination. This Memorandum shall be effective for the period beginning 02/19/2007 and shall continue unless terminated by either party, with or without cause, upon giving three (3) months written notice to the other party.

Section 10. Notices. All notices required under this Memorandum shall be made in writing and served upon City by registered or certified mail, return receipt requested, addressed to Director, Department of Parks, Recreation, Entertainment, and Conservation, 851 N. Market Street, Jacksonville Florida 32202-2798 and served upon DCSB by registered or certified mail, return receipt requested, addressed to Assistant Superintendent, Facilities Services, 1701 Prudential Drive, Jacksonville, FL 32207-8181 with a copy to Principal Sherron Kenski

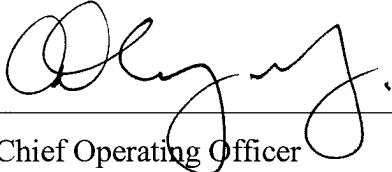
At 1515 Florida Blvd., Neptune Beach, FL 32266  
(School Address)

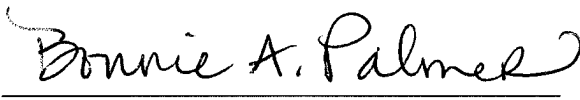
Section 11. Amendments. This memorandum may be amended from time to time by written request and agreements of the parties. The Director, Parks, Recreation, Entertainment and Conservation and the Assistant Superintendent, Facilities Services are authorized to execute any and all such amendments on behalf of the City and DCSB, respectively.

Section 12. Association Use of Property. The City may allow associations, groups or individuals use of the Property for public purposes upon written agreement between City and the association, group or individual, in accordance with the terms and conditions of the Joint Use Agreement. Any such written agreement between the City and the association, group or individuals must be approved by the school principal, or his/her designee. The DCSB may in its sole discretion deny such use.

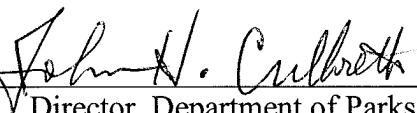
IN WITNESS WHEREOF, the parties hereto have executed this Memorandum on the day and year first above written.

DUVAL COUNTY SCHOOL BOARD

By:   
Chief Operating Officer

By:   
Principal

CITY OF JACKSONVILLE

By:   
Director, Department of Parks,  
Recreation, Entertainment and Conservation



**EXHIBIT A**

**SITE PLAN**

EXHIBIT A

JAXGIS Property Information



RE #	Name	Address	Transaction Price	Acres	Book-Page	Map Panel	Legal Descriptions	Flood Zone	Land Use	Zoning	Asst Site	JEDC Zone	BrownFields Zone
177457 0010	DUVAL COUNTY SCHOOL BOARD	1515 FLORIDA BV NEPTUNE BEACH 32266	0	12.817		9	38-2S-29E B DE CASTRO Y FERRER GRANTX5 PT RECD O/R BK 2668-689	X5				Not in Enterprise Zone	Not in BrownField Zone

## EXHIBIT B

### TIME OF USE BY CITY

The City shall have use of the playground equipment after 5 p.m.  
Monday through Friday and all day Saturday and Sunday.

EXHIBIT C

IMPROVEMENTS

## Playground by the Sea

### Project Vision:

To develop the grounds of Neptune Beach Elementary into a complete community park complete with a playground, pavilion, sports facilities and running track.

### Background:

Neptune Beach Elementary is situated in the middle of several residential neighborhoods in the center of the Beaches community. The school population includes approximately 1100 children coming from over 800 different families. Our school represents the very concept of diversity with students coming from a wide range of socio-economic backgrounds and geographic areas. Approximately 40% of our students qualify for the free or reduced lunch program and we house the following special education programs:

- Profoundly Mentally Handicapped (PMH) for children with severe disabilities
- Trainable Mentally Handicapped (TMH) for children with moderate disabilities
- Emotionally Handicapped
- Specific Learning Disabled (SLD) for children with minor learning issues
- English as a Second Language (ESOL)
- Gifted

In some cases, students may travel from parts of Arlington or the Southside to benefit from one of these programs.

Two years ago, Neptune Beach Elementary became one of 16 regional sites in the country for the MOVE (Mobility Opportunities Via Education) program. MOVE is a ground-breaking educational program designed to help children and adults with disabilities acquire increased independence in sitting, standing and walking to experience, learn and gain more mobility, better health and enhanced personal dignity. The mission statement of MOVE is founded in the belief that the ability to move is the first foundation stone in building personal dignity. We have children at Neptune Beach Elementary who have been enrolled in MOVE who were never expected to walk – and are now doing so. Neptune Beach Elementary was recently featured in the MOVE International national newsletter – see attached.

### Implementation Plan:

The playground project continues efforts begun two years ago when the PTA sponsored our Lap the Track Project which raised over \$60,000 to build a state of the art track and sports field with sidewalks so that students from the MOVE program could have full access to the track facilities. The City of Neptune Beach has provided lighting for the field so it is fully functional. The field is used by Pop Warner football, Scout groups and other members of the community.

EXHIBIT C



This year's effort is focused on developing a fully accessible playground that will accomplish the following goals:

1. To facilitate the development of our MOVE program by integrating the TMH/PMH students with the rest of the students in the playground area
2. To provide elements in the playground that offer potential for sensory integration and motor development therapy.
3. To improve the recreational avenues available to NBE students focusing on continuing goals of improving student fitness in the wake of a childhood obesity epidemic.

#### Playground Design:

The Neptune Beach Elementary PTA has selected Grounds for Play as our Playground Design company – please see attached. Grounds for Play is one of the few companies headed by childhood developmental specialists rather than landscape architects. They have the unique ability to design a playground that will truly incorporate all types of children.

Neptune Beach actually has two separate playground areas: the Kindergarten/ESE smaller playground and the General playground. Our plan is to renovate both areas with the following focus:

- The Kindergarten/ESE area will be 100% handicap accessible. This area is most often used by the ESE and younger students so the playground elements will have more developmental potential and the surfacing must be completely smooth to allow easy access by children using walkers and wheelchairs.
- The General playground will be 80% handicap accessible. This area is open to everyone and is designed to offer a sidewalk path throughout the area bringing the disabled children to many of the playground elements but still offering some of the higher, more developmentally challenging elements for the majority of the students.

The complete designs are attached but it may take more than one year to fully complete the designs as shown. We currently have a three phase plan that will significantly change both playgrounds in the first year and add superstructures to each playground area as funds become available.

#### Funding Plan:

The PTA has already committed approximately \$10,000 to this project and will do at least one more fundraising project this year. Other community sponsorship is being sought from the Cities of Jacksonville and Neptune Beach. Both of the entities supported our Track project two years ago. A grant application has also been submitted to the Lowes Foundation with support from our local Lowes store. A program to sell sponsorships for specific playground elements is also underway – see attached.

#### Summary:

We believe that this community park could be an addition to the entire Beaches community. Our playground would be the only truly accessible playground in the Beaches area and one of very few in the city of Jacksonville. Having this resource would also complete the vision of truly integrating our disabled student population into the rest of the school which would benefit everyone.

EXHIBIT C

**City of Jacksonville  
City Council Bond Accounts  
Expenditure Request Form**

Council Member: Art Graham, Dist. 13

Project Name: Neptune Beach Elementary Playground Proj. Phase 2

Project Location: Neptune Beach

Total Project Cost Estimate: \$40,000.00

Authorized Expenditure Amount: \$40,000.00

Account Number to be Used: CCCP36313720

Association or City Agency: Neptune Beach Elementary PTA

Contact Person: Sheri Nicholson

Telephone Number: 234-0038

Association Required Match: NA

Project description: The funds will be used to purchase and install recreational equipment for the playground, fitness area and music experience area at the elementary school.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date of Request: January 4, 2007

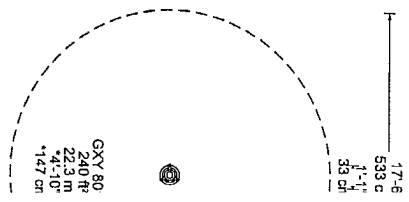
Requesting Council Member: Art Graham, District 13

EXHIBIT C



**Space required:** See drawing  
**Footings**  
 In-ground steel footing with anchoring by means of concrete surface installation by means

**Vega - GXY 8017**  
 Vega is all about initiative, cooperation and trust. Many children can gather around Vega and make it a human spinning top. They can stand, sit or hang by their arms and spin around - and perhaps a new participant will jump on.



\* Free height of fall

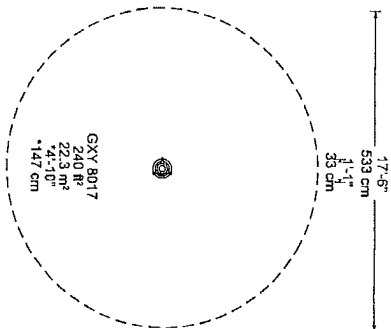
EXHIBIT C



**Space required:** See drawing  
**Footings**  
 In-ground steel footing with base plate, prepared for anchoring by means of concrete. Also available for surface installation by means of expansion bolts.

**Vega • GXY 8017**

Vega is all about initiative, cooperation and trust: Many children can gather around Vega and make it a human spinning top. They can stand, sit or hang by their arms and spin around – and perhaps a new participant will jump on.



• Free height of fall



Practu-  
 reator  
 the for  
 Inform  
 requir

EXHIBIT C

**Neptune Beach Elementary School  
Playground Project Phase 2  
1515 Florida Blvd  
Neptune Beach, Florida 32266**

January 16, 2007

City of Jacksonville  
Parks Department  
Fax# 630-3562

Attn: Vanessa Price

Enclosed is an itemized list of equipment that we are planning to add to our Playground Project Phase 2. We have already purchased and installed the Inclusion area with the help of the City of Neptune Beach and Neptune Beach Elementary Schools D.A.D.S Club. The remaining items to order are the Fitness & Musical area provided by Grounds for Play & Bliss Products equipment.

Again, all of us Neptune Beach Elementary School and the Beaches Community appreciate all that you and the City of Jacksonville have done to make our school and Park a great place for all children to enjoy.

Grounds for Play	\$37,705.56
Bliss Products	\$ <u>2,185.25</u>
Total expense for equipment	\$ 39,890.81

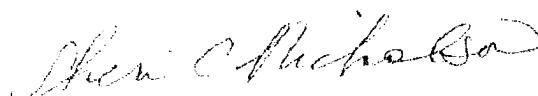
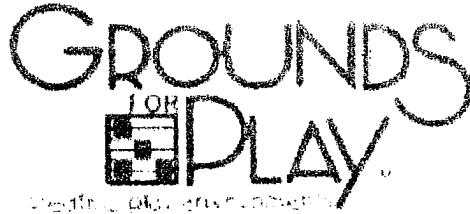
Sincerely,   
Sheri C. Nicholson  
NBE PTA  
234-0038  
Seatemp@comcast.net

EXHIBIT C



PLAYGROUND PROPOSAL

For  
Neptune Beach Elementary Intermediate-Age Area

January 16, 2007

Black/White Checkerboard Game Tables (2) with extra benches:	\$2,018.00
Directional Tutor	\$1,331.00
Balance Ball Game	\$2,778.00
Bowling Track with scoring wheel and scoring counters	\$4,442.00
Universal Art Easel	\$735.00
12' x 8' ball wall with return	\$3,168.00
- Sub Total/Installed on 12/23 by City of Neptune Beach and by volunteers	<b>14,472.00</b>
Trex/FRP benches with back (quantity of 6)	\$2,886.00
Polytone Art/Picnic Tables (quantity of 2)	\$1,400.00
Accessible Picnic Table with polytone top and pedestal seats	\$756.00
Fitness Area to include: Two Lateral Rock Wall Climbers, Turn/Chin Bars, Jump/Seated Reach Panels and Rubber Mushroom Trail.	\$5,938.00
Music Experience Area to include: Thunder Drums, Rain Wheel, Bongo Drums and Jamaican Steel Drum.	\$2,987.00
16' x 16' Pyramid Shade Structure w/ 8' entry height and 4 pole 5' pads (to cover existing accessible swings on primary playground)	\$2,735.00
Equipment	<hr/> \$31,174.00
<small>As shown on plan except those items labeled N.I.P. (Not In Proposal). Although every effort has been made to ensure accuracy, Grounds For Play reserves the right to make changes in the lay out for safety reasons, to avoid slopes, or utilities.</small>	
Equipment Installation for equipment not already installed	\$4,581.56
<small>Based on equipment listed above and site information provided by customer. <u>Price does not include cost of permitting or engineering documents for shade structures.</u></small>	
Shipping and Handling Estimate	\$1,950.00
<small>While Grounds For Play makes every effort to provide accurate shipping prices, these are only estimates and additional charges may apply.</small>	
<b>PROJECT SUBTOTAL:</b>	<b>\$37,705.56</b>

Plus sales tax as applicable.

NOTES: Prices are valid for at least 30 days.

Respectfully Submitted:

Andrew Adams C.P.S.I.  
Design Consultant

**OPTIONS:** Optional equipment and/or services are listed below. Please initial all accepted options. Project total will be adjusted to reflect desired options.

EXHIBIT C



**City of Jacksonville  
City Council Bond Accounts  
Expenditure Request Form**

Council Member: Art Graham, Dist. 13

Project Name: KinderTurf Surfacing

Project Location: Neptune Beach Elementary

Total Project Cost Estimate: \$40,000.00

Authorized Expenditure Amount: \$40,000.00

Account Number to be Used: CCCP36313720

Association or City Agency: Neptune Beach Elementary PTA

Contact Person: Sheri Nicholson/Daniel Cronrath (Parks)

Telephone Number: 904-234-0038/904-630-3543

Association Required Match: NA

Project description: Upgrade the Primary Age Playground where the Mobility Opportunities Via Education (MOVE) Program children play with 2674 s.f. of 6' critical fall height use zone material installed on a 4" compacted aggregate base.

---

Date of Request: January 6, 2006

Requesting Council Member: Art Graham, District 13

EXHIBIT C



CITY OF JACKSONVILLE, FLORIDA  
DEPARTMENT OF PROCUREMENT



PURCHASE ORDER PO 097263

APPROVED BY: *D.J.R.*  
Devin J. Reed, Director

BID/CONTRACT NO AD-0048-06

DATE 3/24/06

DELIVER AS REQUIRED

TERMS NET 30

BUYER MARTHA ARNETT (904) 630-7575

FOB JOB SITE

ENDOR NEPTUNE BEACH ELEMENTARY SCHOOL PTA 1515 FLORIDA BLVD NEPTUNE BEACH FL 32266 CONTACT: SHERI NICHOLSON (904) 234-0038	DELIVER TO PARKS, REC., ENTER., & CONSERVATION 851 NORTH MARKET STREET JACKSONVILLE FL 32202 CONTACT: SUSAN SALTSGIVER (904) 630-3508
--	---

DESCRIPTION	QUAN	UOI	UNIT PRICE	EXT AMT
CONTRIBUTION TO NEPTUNE BEACH ELEMENTARY PTA TO UPGRADE THE PRIMARY AGE PLAYGROUND SURFACING.	1	EACH	40,000.00	40,000.00
NEPTUNE BEACH ELEMENTARY SCHOOL				

*CLOSED  
3-30-06  
SHS*

TOTAL

**40,000.00**

NEPTUNE BEACH ELEMENTARY SCHOOL PTA

PT	DIV	INDEX	SUBOBJ	PROJ	PROJ DTL	GRANT	GRANT DTL	USERCODE	FIS YR	VENDOR NO.	COMM CD
PR	CP	PRCP363F5790	06505	PR0495	02				2006	596000589 02	700.00

EXHIBIT C