

## AGREEMENT

THIS AGREEMENT by and between the City of Columbia, Missouri, a municipal corporation (hereinafter "City") and Columbia Public School District (hereinafter "District"), is entered into on the date of the last signatory noted below.

WHEREAS, District is improving the playground facilities at two elementary schools; specifically, New Haven Elementary and West Boulevard Elementary; and

WHEREAS, City, in accordance with Policy Resolution 20-98, is willing to participate in funding of the construction of new playground equipment at New Haven Elementary and West Boulevard Elementary ; and

WHEREAS, District is willing to make these playground improvements available to the public when the playgrounds are not being used for school activities.

NOW, THEREFORE, City and District agree as follows:

1. City will reimburse District in an amount up to Thirty Thousand Dollars (\$30,000.00) for improvements to the playgrounds at New Haven Elementary School and West Boulevard Elementary School. Specific improvements include construction of new playground structures at each elementary school. Reimbursement will be made upon receipt of documentation of actual expenditures made by the District with respect to the facility development.
2. As a condition of receiving the payment for these improvements, District agrees to:
  - a. Keep its playgrounds at New Haven Elementary School and West Boulevard Elementary School open to the public at all reasonable times when not in use for school activities.
  - b. Submit improvement plans and specifications to City's Parks and Recreation Department for approval.
  - c. Construct the improvements according to the plan submitted.
  - d. Hold the City harmless for any and all claims or damages for personal injury or property damage arising out of the use of the playground, whether by students or by members of the public.
  - e. Complete the projects by April 1, 2020. If due to extenuating or unusual circumstances the District is unable to complete the projects by April 1, 2020, the District may request an extension. Requests should be made in writing to the Parks and Recreation Department not less than 30 days

prior to the project deadline and should include an explanation of the extenuating circumstances, a report of the progress to date, and the estimated time needed to complete the project(s). Failure to complete the projects on time or obtain approval for a time extension will result in the forfeiture of City funding.

- f. Install and maintain a permanent sign on site that indicates: "Partial funding provided by the Park Sales Tax." If requested, Parks & Recreation can provide a sign or the appropriate wording could be worked into an existing sign.

[SIGNATURES ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the Parties have executed this agreement on the dates written below.

**CITY OF COLUMBIA, MISSOURI**

By: \_\_\_\_\_  
Mike Matthes, City Manager

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Sheela Amin, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Nancy Thompson, City Counselor

CERTIFICATION: I hereby certify that the above expenditure is within the purpose of the appropriation to which it is charged, Account No. 44008850 604990 00249, and that there is an unencumbered balance to the credit of such appropriation sufficient to pay therefor.

\_\_\_\_\_  
Michelle Nix, Finance Director

**COLUMBIA PUBLIC SCHOOL DISTRICT**

By: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_