

Mayport Middle School

Name of School

School No. 254

Landscaping & Irrigation

General Description

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING ("Memorandum"), made and entered into this 19 day of July, 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 Mayport Middle School, 2600 Mayport Road, Jacksonville, FL 32233.

(Name of School)

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 or DCSB may require the City to demolish and remove the Improvements on the Property and return the Property completely as practicable to its original condition prior to the installations of the Improvements.

Section 5. Memorandum Period and Termination. This Memorandum shall be effective for the period beginning 7/16/2007 and shall continue unless terminated by either party, with or without cause, upon giving three (3) months written notice to the other party.

Section 6. 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 Karen Davis

Name of Principal

At Mayport Middle School, 2600 Mayport Road, Jacksonville, FL 32233

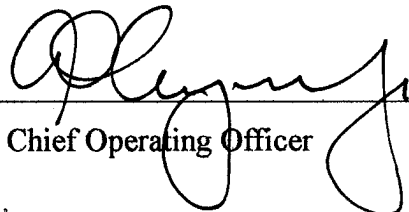
School Address

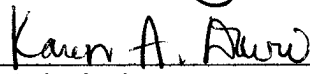
Section 7. Amendments. This memorandum may be amended from time to time by written request and agreements of the parties. The Director, Parks, Recreation, Entertainment and Conservation and the Assistant Superintendent, Facilities Services are authorized to execute any and all such amendments on behalf of the City and DCSB, respectively.

Section 8. 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

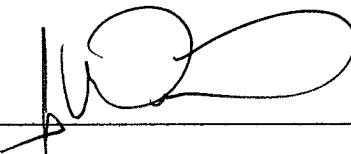
By: 
Director, Public Works

EXHIBIT A

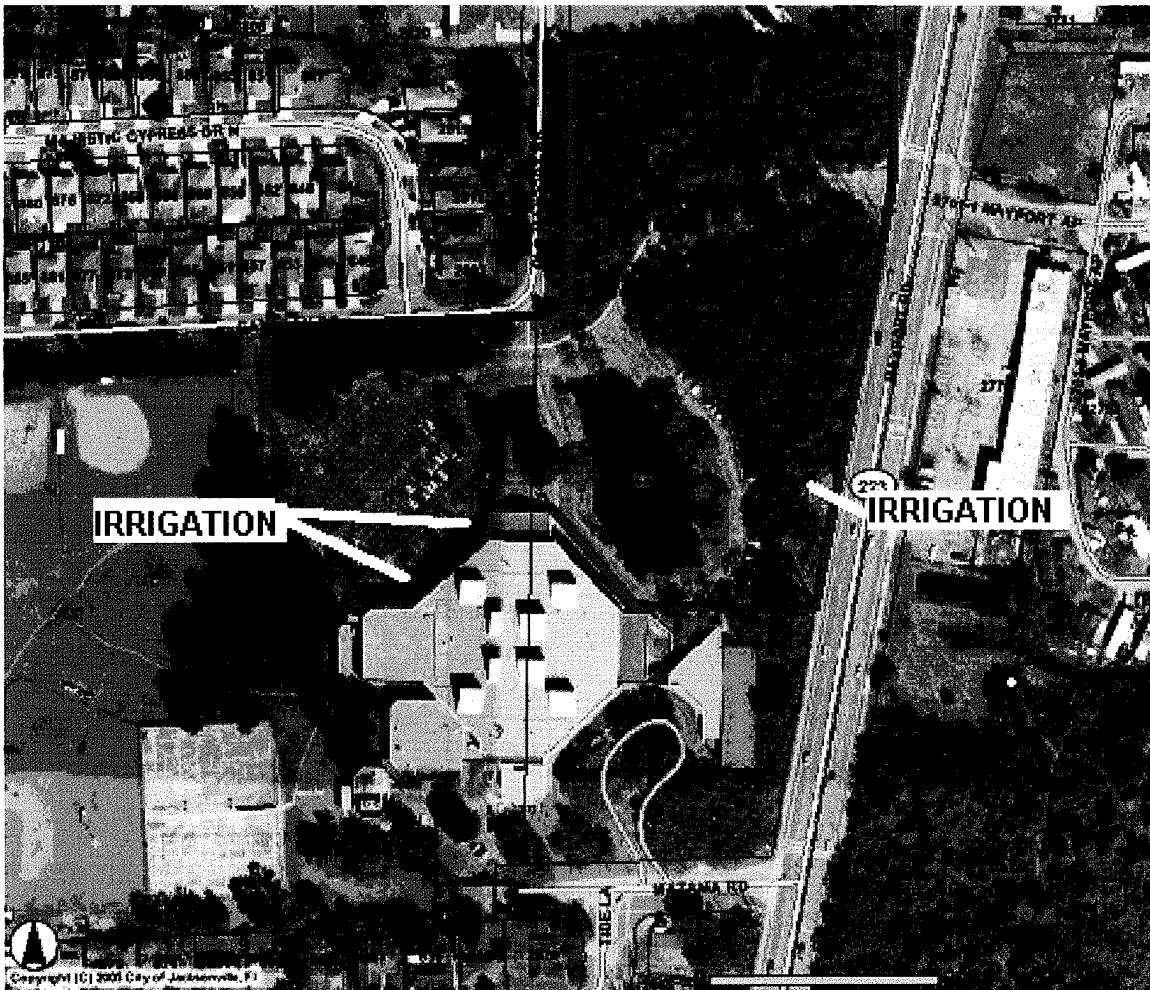


EXHIBIT B

TIME OF USE BY CITY

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

EXHIBIT C

IMPROVEMENTS

Landscaping and Irrigation



ATTACHMENT

1 Introduced by Council Member Alvarez and amended by the
2 Finance Committee:

3
4
5 **ORDINANCE 2007-495-E**

6 AN ORDINANCE APPROPRIATING \$25,000 FROM
7 COUNCIL DISTRICT 11 CAPITAL PROJECTS (ETR,
8 2004) FOR LANDSCAPING AT MAYPORT MIDDLE SCHOOL
9 TO INSTALL LANDSCAPING AND IRRIGATION;
10 WAIVING THE REQUIREMENTS OF THE AUTUMN BOND,
11 ORDINANCE 2004-998-E, AS AMENDED BY 2005-1044-
12 E AND SECTION 106.315, *ORDINANCE CODE*, THAT
13 BOND FUNDS BE USED ON CITY PROPERTY; REQUIRING
14 COMPLIANCE WITH THE PROVISIONS OF SECTION
15 106.315 AND CHAPTER 118, PARTS 1, 3, 4 AND 5,
16 *ORDINANCE CODE*, UNLESS OTHERWISE WAIVED
17 HEREIN; PROVIDING FOR THE CARRYOVER OF FUNDS
18 TO FISCAL YEAR 2007-2008; PROVIDING FOR
19 EFFECTIVE DATE

20
21 **BE IT ORDAINED** by the Council of the City of Jacksonville:

22 **Section 1. Appropriation.** For the 2006-2007 fiscal year,
23 within the City's budget, there are hereby appropriated the
24 indicated sum(s) from the account(s) listed in subsection (a) to
25 the account(s) listed in subsection (b):

26 (a) Appropriated from:

Council District 11 Capital Projects (ETR, 2004)

28 CCCP36311720-09910 \$25,000

29 (b) Appropriated to:

Mayport Middle School Landscaping

To be determined \$25,000

Section 2. Purpose. The purpose of this appropriation is to provide funding for the Duval County School Board to provide for tree planting and irrigation at Mayport Middle School, as more particularly described in **Exhibit 1** attached hereto. Any unused funds shall revert to the source of origin. It shall be the responsibility of the Duval County School Board to prove such invoices, documentation, and oversight information as may be required by the City of Jacksonville's accounting division to support the appropriation contained in section 1 herein. Funds shall be disbursed on a reimbursement basis.

Section 3. Waiving the Requirement that Bond funds be used on City Property. The provisions of the Autumn Bond, Ordinances 2004-998-E and 2005-1044-E and Section 106.315, Ordinance Code, requiring that bond funds be used on City property, and open to the public, is hereby waived.

Section 4. Carryover. The funds appropriated herein shall not lapse at the end of the current fiscal year, but shall carry over into Fiscal Year 2007-2008.

Section 5. Effective Date. This ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

Form Approved:

 /s/ Margaret M. Sidman

Office of General Counsel

Legislation Prepared By: Margaret M. Sidman



L & H SERVICES

Landscape Design, Installation and Maintenance

1649 Park Terrace East
Atlantic Beach, FL 32233

Phone (904) 333-6508
Fax (904) 247-0587

L & H Services

1649 Park Terrace East
Atlantic Beach, FL 32233

Estimate

DATE	ESTIMATE NO.
2/27/2007	2158

NAME / ADDRESS
Mayport Middle School

DESCRIPTION	QTY	RATE	PROJECT
			TOTAL
Landscape Design - For the following areas on campus- Mayport Road Frontage, Main Entrance to Campus, Front Pond, Annex Building, Rear Parking Area and North side walk area.		2,700.00	2,700.00
Irrigation Design and Installation w/ Water meter		12,800.00	12,800.00
Landscape Installation		6,700.00	6,700.00
Site Work / Preparation		2,800.00	2,800.00
We look forward to working with you.			TOTAL \$25,000.00

Accepted by:

Exhibit 1
Page 1 of 6

ToddHullender@bellsouth.net

Mayport Middle School Landscaping Plan Phase I

Mayport Middle School has developed an overall Campus Enhancement Plan to make improvements to its school building, landscaping and athletic fields. Phase I of this plan is currently underway. The landscaping portion of Phase I is broken down into seven different areas located in the front and on the north side of the school. These areas include:

Area 1: Mayport Road Frontage



The plan for this area includes:

1. Enhancing elevation for new monument sign by filling low lying area with 4 truckloads of fill dirt to create a natural berm. Cost - \$800.00
2. Planting of 8 crepe myrtle trees (1" caliper with 3 trunk minimum – cost \$200.00 each)
3. Installation of irrigation system to water area around new trees (cost included in overall irrigation bid)

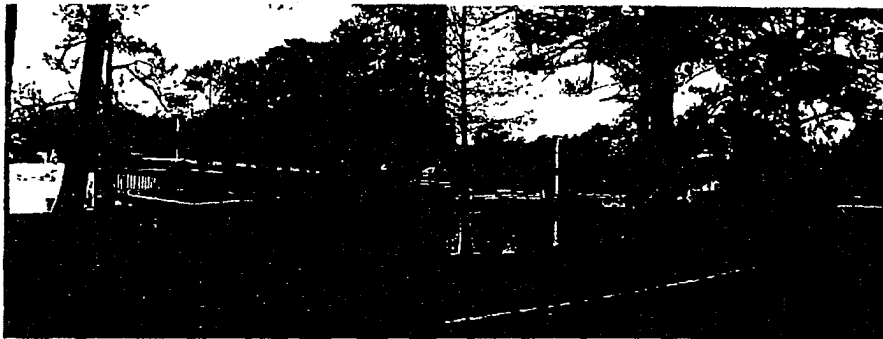
Area 2: Main Entrance to Mayport Middle



The plan for this area includes:

1. Planting of 6 crepe myrtle trees (1" caliper with 3 trunk minimum – cost \$200.00 each)
2. Installation of irrigation system to water area around new trees (cost included in overall irrigation bid)

Area 3: Large Pond in front of school



The plan for this area includes:

1. Planting of 6 crepe myrtle trees (1" caliper with 3 trunk minimum – cost \$200.00 each)
2. Installation of irrigation system to water area around new trees (cost included in overall irrigation bid)

Area 4: Annex Building



The plan for this area includes:

1. Planting of 3 crepe myrtle trees (1" caliper with 3 trunk minimum – cost \$200.00 each)
2. Installation of irrigation system to water area around new trees (cost included in overall irrigation bid)

Area 5: Between Pond and Side Parking Lot



The plan for this area includes:

1. Planting of 7 live oak trees (2" caliper, 10-12 feet tall – cost \$220.00 per tree)
2. Installation of irrigation system to water area around new trees (cost included in overall irrigation bid)

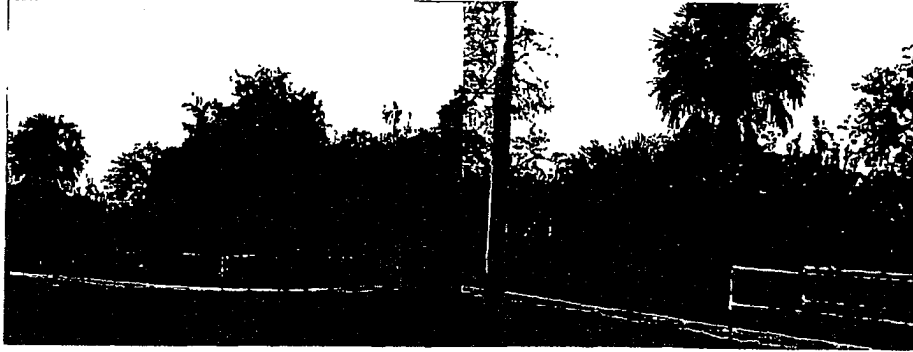
Area 6: Back Parking Lot



The plan for this area includes:

1. Planting of 6 cabbage palms (14 foot, clear trunk – cost \$210.00) located along the island closest to school building.
2. Planting of 12 live oak trees (2" caliper, 10-14 feet tall – cost \$220.00 per tree) located in the six separate islands in side parking lot.
3. Installation of irrigation system in each of the islands in the parking lot (cost included in overall irrigation bid)

Area 7: North Sidewalk



The plan for this area includes:

1. Site preparation and planting of 5 live oak trees (2" caliper, 10-14 feet tall – cost 220.00 per tree) Additional fill dirt will be needed to fill low lying area before planting of trees (3 truck loads of fill dirt plus sculpting of area – cost \$600.00)
2. Installation of irrigation system to water area around new trees (cost included in overall irrigation bid)

Irrigation System for Phase I to include (2) 3/4" water meters with back flows to be installed. The system will cover all seven areas where new trees are to be planted and will be bored underground to reach the islands in the parking lot.

Total Cost for Irrigation System for Phase I	\$12,800
Total Cost for Trees (23 crepe myrtles, 24 live oaks and 6 cabbage palms)	\$11,140
Total Cost for fill dirt for site prep	\$ 1,400
Total Cost for landscape installation	<u>\$ 6,700</u>
Total project cost	\$32,040

Mayport Middle School

Landscaping Plan

Phase I – Items not covered under Tree Mitigation

- Area 1: Clear out underbrush (extend open area another 25 feet on both sides of sign)
Trim up tree canopy
Plant grasses around new monument sign
Remove selected trees (those damaged or dying)
- Area 2: Trim up tree canopy
Install new entrance sign (wood – cost \$1,200)
Plant garden under new sign with grasses
- Area 3: Trim large pines and cedar trees
Remove selected trees (damaged or dying)
Plant new grasses around dock area
Removal of underbrush
- Area 4: Remove aged azalea bushes and replace with grasses
Remove selected trees (palmetto and tree too close to building)
Trim up tree canopy
- Area 5: Remove aged azalea hedge and replace with grasses
Trim crepe myrtles
Remove selected trees (located too closely together)
- Area 6: Remove aged and dying trees
Trim up tree canopy
- Area 7: Removal of dead vines and underbrush
Further clearing of brush near sidewalk
Replace damaged and rusting walkway railing
Remove aged and dying trees

Total Cost for tree trimming and removal:	\$10,000
New Entrance Sign	\$ 1,200
Replacement of damaged railing	\$ 1,500
Total Cost of 100 green fountain grasses	
(@ \$6 each)	<u>\$ 600</u>

Total Cost **\$13,300**