



FRIENDS OF RIVERBEND PARK, INC.



MEMORANDUM OF UNDERSTANDING
between
FRIENDS OF RIVERBEND PARK, INC. (FORB)
and
THE FAIRFAX COUNTY PARK AUTHORITY (FCPA)

This Memorandum of Understanding between the Friends of Riverbend Park (FORB) and the Fairfax County Park Authority (FCPA) establishes a framework for a sustainable working relationship between FORB and FCPA for the support of Riverbend Park in Fairfax County, Virginia. This Memorandum of Understanding replaces all other agreements existing between FORB and FCPA.

The Friends of Riverbend Park, Inc. is an independent non-stock, non-profit corporation, established in the Commonwealth of Virginia on August 5, 1999, with the purpose of protecting, enhancing and preserving the physical, cultural, and natural heritage of Riverbend Park by educating the public to the value of environmental protection generally and of the park's wildlife habitat specifically; channeling donations of money, property, and materials to the park for its operation and programs; providing citizen input to plans that may be proposed for the park; and performing any other activities or services necessary or convenient to carry out such purposes, to the extent permitted by Section 501(c)(3) of the Internal Revenue Code.

Riverbend Park is a nature preserve entrusted to and owned, operated, managed and maintained by the Fairfax County Park Authority. As the steward of this public parkland, the Park Authority protects the biological communities and cultural resources of the Potomac Gorge, while providing a natural space for education, research and outdoor recreation that is compatible with preservation goals.

To promote a sustainable working relationship between the Friends of Riverbend Park (FORB) and the Fairfax County Park Authority (FCPA) and, specifically, to ensure the continued prosperity, health and growth of Riverbend Park as a natural and cultural resources asset for Fairfax County and its citizens, FORB and FCPA agree to the following as set forth below.

The Friends of Riverbend Park (FORB) agrees to:

- Include the Riverbend Park Manager, who is an Ex-Officio member of the FORB Board of Directors, as the FCPA point of contact with whom to coordinate Riverbend Park's and FORB's plans, programs, needs and projects.
- Maintain registration with the Internal Revenue Service as a non-profit Section 501(c)(3) organization and comply with all federal, state and local non-profit and charitable solicitation requirements.
- Obtain any necessary permits, licenses, equipment, and inspections for FORB programs, activities, or events, and pay associated costs or fees.
- Maintain appropriate general liability and directors' and officers' insurance for FORB programs, activities or events, and pay associated costs or fees.
- Authorize Fairfax County, the Fairfax County Park Authority and the Fairfax County Park Foundation to use the name and the logo of the Friends of Riverbend Park to promote FORB and its activities and contributions.
- Direct donations of funds for distribution to Riverbend Park through the Fairfax County Park Foundation.
- Upon dissolution, any remaining FORB assets will be donated to Riverbend Park in accordance with the provisions in the Articles of Incorporation and By-Laws of the Friends of Riverbend Park.
- Participate in the Federation of Friends group meetings on an annual basis at a minimum.
- Provide the Riverbend Park Manager with periodic updates on its activities and finances in support of the park's needs, events and programs.

The Fairfax County Park Authority in turn agrees to:

- Permit the Riverbend Park Manager to act as the point of contact between FORB and Riverbend Park to coordinate, communicate and meet regularly to discuss the plans and needs of FORB and the park.
- Provide facilities, program and maintenance support for activities, to include meetings, programs, fundraising events and event space at mutually agreed upon times and locations.
- Comply with FCPA's financial procedures to accept and spend donations. Apply donations to Riverbend Park in accordance with FORB's designations. Report annually FORB donations made to Riverbend Park through the Fairfax County Park Foundation.
- Waive the Business Activities License fees related to fundraising on park property so long as net proceeds are donated to or used to support Riverbend Park.
- Grant FORB permission to use the name and logo of Riverbend Park for uses that support Riverbend's mission, programs, and objectives.
- Promote FORB's presence and programs as permitted and publicly recognize the work, contributions, and/or donations received from FORB.
- Report to FORB, on a quarterly basis, the status of all projects, improvements, construction and plans which will affect the physical status of Riverbend Park.

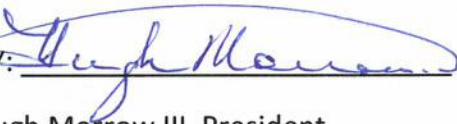
- Provide notice of budget deliberations relating to Riverbend Park and forward to FORB, on an annual basis, the finalized budget for Riverbend Park for the upcoming fiscal year.

This Memorandum of Understanding shall remain in effect for five years from the date of ratification below, unless terminated in writing at an earlier date. No modifications, assignments, alterations or extensions may be made to this agreement which contradict the Articles of Incorporation and By-Laws of the Friends of Riverbend Park. Any changes in this agreement must be in writing, signed, and approved by both FORB and FCPA. This understanding may be terminated by either FORB or FCPA upon 30 days written notice. All notices relating to this understanding shall be in writing and sent by certified mail to FORB and FCPA at the following addresses:

- Friends of Riverbend Park, Inc.
Post Office Box 1481
Great Falls, VA 22066-8481
- Fairfax County Park Authority
12055 Government Center Parkway – Suite 927
Fairfax, VA 22035


This Memorandum is entered into on May 3, 2018.

FRIENDS OF RIVERBEND PARK, INC.

BY: 

Hugh Morrow III, President
Friends of Riverbend Park, Inc.

FAIRFAX COUNTY PARK AUTHORITY

BY: 

Kirk Kincannon, Executive Director
Fairfax County Park Authority

BY: 

John Callow
Riverbend Park Manager