

Meeting Date	March 25, 2019
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Deputy Mayor McAlary and Councillors,

Subject: Canadian Tire Jumpstart Playground Gift

RESOLVED that the Committee of the Whole, having met on March 11, 2019, recommends that Common Council adopt the following resolution at its meeting of March 25th, 2019:

That the Common Council approves a Gift Agreement between Canadian Tire Jumpstart Charities (“**Jumpstart**”) and the City of Saint John (the “**City**”) upon the following terms and conditions, and authorizes the Mayor and Common Clerk to execute such an agreement:

1. Jumpstart shall

- a) arrange at its own expense for the construction and installation of an inclusive playground (the “**Playground**”) at Rainbow Park;
- b) arrange for the aforesaid construction and installation of the Playground to be generally in accordance with the drawings in this regard submitted to Common Council at its meeting of March 11, 2019;

2. The City shall

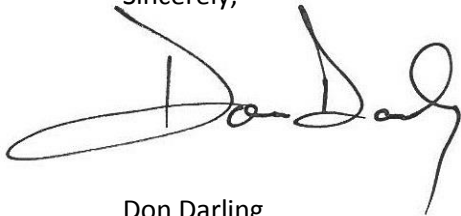
- a) at its own expense undertake the site preparation work necessary to accommodate the construction and installation of the Playground including the installation of appropriate subsurface drainage systems, walkways and associated landscaping;
- b) provide to Jumpstart an Annual Report on the status of the Playground for the purpose of ensuring that the Playground, its walkways, landscaping, etc. are maintained in good condition;
- c) include in each Annual Operating Budget during the 15 year useful lifetime of the Playground sufficient funds to maintain the Playground in compliance with the City’s policies and practices as well as all applicable standards;
- d) in the event of its default under the Agreement and if required by Jumpstart, make repayment to Jumpstart of the costs the latter incurred to the time of the default, but only in the event that the City has not remedied such default within 30 days of being advised in writing by Jumpstart of such default;

3. The City and Jumpstart shall each maintain general liability insurance in the amount of Five Million Dollars (\$5,000,000) naming the other as an additional insured as well as automobile liability insurance with a limit of not less than Two Million Dollars (\$2,000,000.00);



4. The Playground shall be named the Jumpstart Playground with corresponding onsite signage.

Sincerely,

A handwritten signature in black ink, appearing to read 'Don Darling', written in a cursive style.

Don Darling
Mayor



SAINT JOHN

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