

DRAFT 12/17/10

Agreement between the Bishop Denis J. O'Connell High School and the Arlington East Falls Church Civic Association and Williamsburg Civic Association Regarding the Operation of Outdoor Athletic Field Lighting at Bishop O'Connell High School

This agreement addresses community concerns regarding athletic field lighting at Bishop Denis J. O'Connell High School. This agreement is between Bishop Denis J. O'Connell ("DJO"), the Arlington East Falls Church Civic Association and the Williamsburg Civic Associations (collectively "Associations"). Except as otherwise described, for the purposes of this agreement, "lighting" or "lights" refers to athletic field lighting used to light the rectangular and baseball fields only and excludes security lighting, parking lighting, street lights or similar, whether located on the playing fields or anywhere else on the DJO property.

Hours of Use:

No Sunday night play:

- Regardless of season, DJO agrees that lights will not be turned on Sunday nights.

Rectangular Field

- Use of the rectangular field will be scheduled to end at 9:30pm Monday through Thursday and 10:30pm Friday and Saturday.
- Should a game or practice end earlier than scheduled, the lights will be turned off thirty (30) minutes after the game or practice ends.

Baseball Field

- Use of the baseball field will be scheduled to end at 9:00pm Monday through Thursday and 10:00pm Friday and Saturday from September 21 through March 20.
- Use of the baseball field will be scheduled to end at 10:00pm Monday through Thursday and 10:30pm Friday and Saturday March 21 through September 20.
- Should a game or practice end earlier than scheduled, the lights will be turned off thirty (30) minutes after the game or practice ends.

Field Supervision:

- DJO will assign staff during scheduled activities to monitor/control activities to lessen impact on the neighborhood. DJO contact phone numbers will be provided to the Associations. Specific duties of the staff will include a mechanism for contact during events, fostering relationships to ensure positive experiences for users and the surrounding community, and monitoring athletic field use and surrounding neighborhood for trash, vandalism or maintenance concerns.

Athletic Field Lighting:

- There will be separate lighting controls for each field. Field lighting will only be turned on for a particular field if there is a scheduled activity. Lighting on that field will be turned off at the conclusion of that activity in the manner described above, even if there is still activity on other fields.
- High quality control lighting will be installed for athletic fields taking advantage of latest advances in glare and spillage reduction. The lighting will also be designed and constructed to control sky glow and glare. Sports lighting fixtures will also contain external shielding and will be installed at proper mounting heights to limit the amount of light cast into the air. Following installation of the lights DJO will provide a photometric report, demonstrating compliance with the lighting system supplier's contract and certified by a laboratory with current National Voluntary Laboratory Accreditation or an independent testing laboratory with over 5 years of experience in photometric testing. DJO will ensure that design/construction contracts include a performance guarantee including a written commitment to undertake all corrections required to meet performance specifications. DJO pedestrian-level lighting will also be installed around the running track and along the central walkway between the rectangular and baseball fields. There is also pedestrian-scale lighting planned for community use of the track and internal walkways. These lights will permit the athletic field lighting to be turned off as games end and provide security and sufficient illumination to safely exit the fields.

Event Scheduling and Use During Events:

- DJO will provide a monthly schedule of planned athletic field usage in advance.
- DJO agrees to develop a Parking Management Plan ("PMP"), which will include management techniques to be implemented. For all events, on-site parking will be encouraged by DJO. Following approval of the use permit amendment, the PMP will be submitted to Arlington County for incorporation into the use permit amendment.

- To the extent possible the PA system will be directed internally and not towards surrounding residences. The PA system will not be used after 9 pm, Monday through Thursday nor after 10 or 10:30 pm on Friday and Saturday. DJO will make best efforts to schedule athletic events in order to minimize use of the PA system during evening hours, Monday through Thursday when possible; limit use prior to 12 pm everyday except for occasional school activities; and not utilize the sound system for team practices unless warranted by an activity, i.e. dance team, band, or similar. Following installation, DJO will provide a report describing the decibel levels from the stadium PA system at the DJO property boundary. The PA system will meet the regulations of the Arlington County Noise Ordinance. The PA system will rarely be used for community events.

Maintenance:

- DJO shall perform routine clean-up of the areas along 26th St. N., North Underwood and North Trinidad Streets after events as is reasonably necessary.
- The restrooms at DJO shall be available for field users during all games and practices.

Monitoring and Evaluation:

- Based on observation and community feedback, DJO may make adjustments in the operations of the lights as needed throughout the year, with the purpose of refining points of agreement in this MOU and so long as adjustments do not include increasing the hours of use on the lit fields past 10:30 pm.
- A Standing Lighting Committee ("Committee") will be created to monitor operational and scheduling issues and provide a forum for the resolution of periodic and ongoing community concerns of light use. The Committee will advise DJO of any issues and will make recommendations for their resolution.
- The Committee will consist of 7 members which are as follows: two members of the Associations; the DJO High School President, Principal and Athletic Director; one member of the Arlington County Parks and Recreation Staff; and one member from a future major user group, if applicable.
- DJO may suspend privileges of user groups at its discretion. If a particular user group or an event is generating more noise and traffic than expected, DJO may suspend the privileges of such group or event, and/or may terminate use by/of such group or event.

Community Use and Benefits:

- The track will remain open for the general public while the fields are in use from 7 am until field activity has ended, including ~~and on~~ Sundays, except for day-time use when school is in session and unless the activity on the rectangular field is deemed dangerous for track users and/or there are concerns regarding student safety and security. In the future, DJO may allow track use during the school day subject to their approval and in consideration of student safety and security. DJO will use best efforts to publicize these exceptions in advance.
- DJO shall make its auditorium available to the local community for civic functions provided such use can be accommodated in accordance with DJO’s schedule.
- DJO shall make its athletic fields and track available to the Tuckahoe School for a field day once each spring and fall during the calendar year.
- In connection with the installation of the lights, DJO shall landscape the DJO property around the athletic fields in a more aesthetically pleasing manner than currently exists. At a minimum, DJO shall prepare a plan for County approval including the heavy planting of mixed conifers and other trees/shrubs for aesthetic and noise mitigation purposes along Trinidad and Underwood Streets and the construction of sports field fencing.
- Decorative fencing and lighting as appropriate shall be incorporated into the final landscape plan.
- DJO agrees to study the existing security building-mounted lighting on the playing field-side of the athletic fields and determine the feasibility of replacing such lighting with less intrusive lighting.

Agreed:

Date

XXX
President, Arlington East Falls Church Civic Association

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President, Williamsburg Civic Association

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President, Bishop Denis J. O'Connell