

RESOLUTION NO. 21-2007

Offered by All of Council

A RESOLUTION AUTHORIZING THE MAYOR AND THE FINANCE DIRECTOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE BOARD OF EDUCATION OF THE REVERE LOCAL SCHOOL DISTRICT PERTAINING TO JOINT PLANNING TO DETERMINE THE UTILIZATION FEASIBILITY OF A JOINT USE FACILITY ON BRECKSVILLE ROAD

BE IT RESOLVED by the Council of the Village of Richfield, Summit County, State of Ohio:

SECTION 1. That the Mayor and the Finance Director be, and they hereby are, authorized and directed to enter into a Memorandum of Understanding with the Board of Education of the Revere Local School District concerning joint planning to determine the feasibility of utilization of property on Brecksville Road for a joint use facility including a School District bus maintenance and storage facility and a Village Service Department maintenance facility, a copy of which Memorandum of Understanding is attached hereto as Exhibit "A" and incorporated herein fully as if by reference.

SECTION 2. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 5/1/07



President of Council



Mayor

Dated: 5/1/07

ATTEST:


Clerk of Council

MEMORANDUM OF UNDERSTANDING

THIS AGREEMENT made this _____ day of _____, 2007, by and between the VILLAGE OF RICHFIELD, 4410 West Streetsboro Road, P. O. Box 387, Richfield, Ohio 44286-0387 ("Richfield") and the BOARD OF EDUCATION OF THE REVERE LOCAL SCHOOL DISTRICT, 3496 Everett Road, Bath, Ohio 44210 ("School District").

WHEREAS, the Village owns property located at _____ Brecksville Road which can be used for expanded Service Department facilities for the Village and potentially school bus maintenance facilities for the School District; and

WHEREAS, the School District owns property located at _____ West Streetsboro Road which can be used potentially for Village purposes, including economic development; and

WHEREAS, the Village and the School District wish to undertake joint planning to determine the feasibility of the utilization of the Brecksville Road property for a joint use facility including a School District bus maintenance and storage facility and Village Service Department maintenance facility; and

WHEREAS, the Village wishes to determine the feasibility of utilization or development of the West Streetsboro Road property; and

WHEREAS, the School District and the Village wish to determine if the development of a joint use facilities pursuant to Revised Code 755.16 and the Village's powers under Article XVIII, Section 3 of the Ohio Constitution will result in economies and efficiencies that will benefit the residents of the Village and the residents of the School District.

NOW, THEREFORE, it is hereby agreed between the Village and the School District as follows:

A. Joint Study.

1. The School District, acting through its Superintendent, or designee, and the Village, acting through its Mayor, shall jointly request proposals to determine the requirements for the maintenance, storage and staging of the School District's school bus operation and the Village's Service Department operations generally in accordance with the draft Request for Proposal attached hereto as Exhibit "A" and incorporated herein fully as if by reference.

2. After receipt of responses to the Request for Proposal, the School District, acting through its Superintendent, and the Village, acting through its Mayor, shall jointly evaluate the responses. If the Superintendent and the Mayor can mutually select a conditionally recommended proposal, they shall submit the proposal to their respective Board and Council for approval.

3. If approved by the Board and Council, the Village and the School District shall jointly enter into an agreement with the selected professional to perform the requested services in accordance with the Request for Proposal. The cost for those services shall [not exceed a total of \$ _____] be borne as follows:

_____ % to be paid by the School District
_____ % to be paid by the Village.

4. As contemplated in the attached Request for Proposal, both the Board of the School District and the Council of the Village shall specifically be required to authorize Phase II of the study.

B. Joint Undertaking.

1. Should the School District, acting under a resolution adopted by its Board, and the Village, acting under a resolution adopted by its Council, determine to proceed with the improvement of the Brecksville Road property for a joint use facility for the maintenance, storage and staging of the School District's school bus operations and the Village Service Department operations, the School District, acting through its Superintendent, and the Village, acting through its Mayor, shall prepare a proposed Cooperative Agreement to cover the construction, financing, ownership, use and maintenance obligations for the proposed facility. If the proposed Cooperative Agreement is reached, the agreement may then be approved by the School District's Board, acting through a duly adopted resolution, and the Village's Council, acting through a duly adopted resolution to authorize the joint undertaking to proceed. The joint undertaking shall proceed in accordance with the Cooperative Agreement.

C. Property Conveyances.

1. The School District, acting through its Superintendent, and the Village, acting through its Mayor, shall further evaluate potential property conveyances and ownerships of the Brecksville Road property and the West Streetsboro Road property. Any implementation of such property conveyances shall require the approval of the School District's Board acting through a duly adopted resolution and the Village Council acting through a duly adopted resolution.

IN WITNESS WHEREOF, the parties have agreed this _____ day of _____,
2007.

BOARD OF EDUCATION OF THE
REVERE LOCAL SCHOOL DISTRICT

By: _____
Its President

And: _____
Its Treasurer

VILLAGE OF RICHFIELD, OHIO

By: _____
Michael K. Lyons, Its Mayor

And: _____
Eleanor Lukovics, Finance Director