



**Wharton County
Junior College**

Proposed Agenda Item

Board of Trustees Meeting

Complete this form and submit it to the Office of the President by noon on Friday, 11 days prior to the Tuesday evening meeting of the Board of Trustees. If this form does not provide enough space, you may use an expanded version *as long as you follow the format specified below.*

Date of Board Meeting: 01/17/17

Date of this Proposal: 01/09/17

SUBJECT: Memorandum of Understanding with Wharton Independent School District

RECOMMENDATION: Recommend approval of attached Memorandum of Understanding.

BACKGROUND/RATIONALE: Administration has been working with Melissa Mihalick of Bracewell as well as the Wharton Independent School District Superintendent, Tina Herrington, on an agreement for the management, maintenance, and improvements to the WISD baseball field. This Memorandum of Understanding is the first step in the process and will enable WCJC administration to begin negotiations that will end in a detailed Interlocal Cooperation and License Agreement.

Estimated Cost and Budgetary Support (how will this be paid for?): N/A

RESOURCE PERSON(S) [name(s) and title(s)]:

Betty A. McCrohan, President

Bryce D. Kocian, Vice President of Administrative Services

SIGNATURES:

B. Kocian
Originator

1/19/17
Date

B. Kocian
Cabinet-Level Supervisor

1/13/17
Date

PRESIDENT'S APPROVAL:

Betty McCrohan

1-13-17

Reg 113
6-21-95

THE STATE OF TEXAS

COUNTY OF WHARTON

MEMORANDUM OF UNDERSTANDING
BETWEEN THE WHARTON INDEPENDENT
SCHOOL DISTRICT AND WHARTON COUNTY JUNIOR COLLEGE

This Memorandum of Understanding is entered into between and among the WHARTON INDEPENDENT SCHOOL DISTRICT, hereinafter referred to as "WISD," and WHARTON COUNTY JUNIOR COLLEGE, hereinafter referred to as "WCJC."

WHEREAS, WISD owns, operates, equips, manages and maintains a baseball field and related facilities, including but not limited to the concession stand, the restrooms, the backstop, the building and storage facility located at 800 Old Boling Road in Wharton, Texas, for WISD governmental purposes and activities, including fielding school district baseball teams; and

WHEREAS, both WISD and WCJC sponsor baseball teams, respectively, each in furtherance of their respective governmental purposes and activities authorized under the Texas Education Code, that compete in their respective districts/conferences; and

WHEREAS, this agreement will become null and void should either party cease to sponsor a baseball team; and

WHEREAS, this Memorandum of Understanding is made pursuant to and under the provisions of the Interlocal Cooperation Act, codified at Chapter 791, Texas Government Code, and Section 332.021 of the Texas Local Government Code;

NOW THEREFORE, in consideration of the mutual promises, covenants, and conditions contained herein, WISD and WCJC hereby agree to enter into an Interlocal cooperation and license agreement to provide for:

- (a) The joint operation, management, equipping, maintenance, improvements, and shared use of the WISD baseball field and related facilities, including but not limited to the concession stand, the restrooms, the backstop, the building and storage facility located at 800 Old Boling Road in Wharton, Texas, owned by WISD, pursuant to which WISD will:
 - (i) Retain ownership of the baseball field and related facilities, including but not limited to the concession stand, the restrooms, the backstop, the building and storage facilities; and

- (ii) Retain the obligation to provide for the operation, maintenance, equipping, and improvements to certain of the facilities at the baseball fields, as further defined in the Interlocal cooperation and license agreement; and
 - (iii) Grant to WCJC the right to use the baseball field in consideration for the obligation of WCJC to contribute to the management of the baseball fields and related facilities, as further defined in the Interlocal cooperation and license agreement; and
- (b) The development and maintenance of a "schedule of shared use" between WISD and WJCD; and

This MOU will terminate upon termination of the Interlocal cooperation and license agreement.

WHARTON COUNTY JUNIOR COLLEGE

By: _____

Betty A. McCrohan, President, WCJC

Date: _____

WHARTON INDEPENDENT SCHOOL DISTRICT

By: _____

Tina Herrington, Superintendent, WISD

Date: _____