

COUNTY OF YORK

MEMORANDUM

DATE: June 1, 2023
TO: York County Board of Supervisors
FROM: Neil A. Morgan, County Administrator
SUBJECT: Suggested MOU



This week I received the attached proposed memorandum of agreement being suggested by the Williamsburg City Manager regarding plans for future Williamsburg Regional Library capital projects. I have discussed the general situation with the Board previously and wanted to make you aware of this idea.

Even though the draft document is non-binding, I have explained to the WRL Planning Committee as well as to my James City County and Williamsburg colleagues why a capital commitment would not be an easy decision for York County. We have suggested a couple of strategies that might allow the County in the future to make a capital contribution and it is my hope that our regional partners would recognize that York needs more time to carefully consider this matter.

I have advised all interested parties that I will be suggesting that York schedule an August work session to explore this question in more detail.

Good Evening Everyone:

I have attached a draft MOA regarding the joint funding of a new library facility in downtown Williamsburg and a future library facility in James City County. Key provisions include:

- (1) Payment to and from JCC is required when building permits are issued for the respective facility. We expect that would be in FY25 for the downtown branch.
- (2) The JCC location has to be started within five years of building permits being issued for the downtown branch.
- (3) The language on cost is "approximately" because actual costs are unknown until the project is bid and an agreement is reached with the contractor.
- (4) The JCC location has to be within two miles of New Town. This requirement provides certain relevancy to city users.
- (5) York and the Friends of the Library are signatories with contributions required, but amounts are to be determined.

This seems like a good balance between memorializing the "task force" work and adding some specificity for process and outcome. I would like the City Council to vote to execute the MOA at their meeting on June 8, 2023. It would be helpful if you could have any comments back to me by the close of business on Thursday so that the draft MOA can be included in our published agenda materials.



Andrew Omer Trivette, AICP, ICMA-CM
City Manager | City of Williamsburg

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MEMORANDUM OF AGREEMENT BETWEEN
THE CITY OF WILLIAMSBURG, VIRGINIA, JAMES CITY COUNTY, YORK COUNTY,
FRIENDS OF THE WILLIAMSBURG REGIONAL LIBRARY AND THE
WILLIAMSBURG REGIONAL LIBRARY BOARD OF TRUSTEES

The Memorandum of Agreement dated this ____ day of _____, 2023, is by and between the **City of Williamsburg, Virginia**, a municipal corporation of the Commonwealth of Virginia (hereinafter “the City”), **James City County, Virginia**, a political subdivision of the Commonwealth of Virginia (hereinafter “JCC”), **York County, Virginia**, a political subdivision of the Commonwealth of Virginia (hereinafter “York”), **Friends of the Williamsburg Regional Library** (hereinafter “Friends”) and the **Williamsburg Regional Library Board of Trustees** (hereinafter “Library”), and

WHEREAS, the City and JCC participate in funding a joint library system in which City residents and James City County residents are able to utilize all of the library facilities in the system, and further, residents of the Bruton District of York County are also able to utilize those facilities by separate agreement with York County; and

WHEREAS, the library facility located at 515 Scotland Street in the City of Williamsburg (“downtown library”) is at the end of its useful life and the City desires to construct a new library facility in partnership with James City County; and

WHEREAS, James City County also desires to construct a new library facility (JCC library), the location of which has not yet been determined, but which will be within two miles of the New Town area, and JCC desires to construct that facility in partnership with the City; and

WHEREAS, the parties wish to memorialize their agreement regarding the size of projects, their respective participation in the projects and their financial contributions thereto, as well as the timing of the construction of the projects.

NOW, THEREFORE, the parties agree as follows:

1. Two new library facilities shall be constructed; the downtown library shall be located at 515 Scotland Street or adjacent thereto; the JCC library shall be constructed in James City County at a location to be determined, but that location shall be within two miles of the New Town Development; and
2. Both facilities shall be at least 35,000 square feet in size; and
3. The downtown library shall be constructed first, with design starting in Fiscal Year 2024, and construction commencing in Fiscal Year 2025; and
4. The City financial investment in the downtown library shall be approximately TWENTY MILLION and 00/100 DOLLARS (\$20,000,000.00); JCC shall pay TEN MILLION and

00/100 DOLLARS (\$10,000,000) toward the cost of constructing the downtown library in addition to the City's investment. JCC's payment shall be paid to the City within THIRTY (30) days of the date that City Council approves a construction contract for the construction of the downtown library.

5. Construction of the JCC library shall commence within five years of the issuance of a building permit for the construction of the downtown library; and
6. The JCC financial investment in the JCC library shall be approximately FORTY-THREE and 00/100 DOLLARS (\$43,000,000.00). The City shall pay TWO MILLION and 00/100 DOLLARS (\$2,000,000.00) toward the cost of construction of the JCC library in addition to JCC's investment. The City's payment shall be paid to JCC within THIRTY (30) days of the date that the James City County Board of Supervisors approves a construction contract for the construction of the JCC library.

York and the Friends of the Williamsburg Regional Library, the non-profit Foundation supporting the Williamsburg Regional Library, shall both contribute to the construction cost of the two library facilities provided herein, but the parties have not yet determined the amount of their respective financial contributions. Nevertheless, the Williamsburg Regional Library Board of Trustees, Friends of the Williamsburg Regional Library, and York County are made parties herein for purposes of concurring with the plan for the construction of the two facilities as provided herein above.

WITNESS the following signatures:

CITY OF WILLIAMSBURG

Andrew O. Trivette
City Manager

Date: _____

JAMES CITY COUNTY

Scott Stevens
County Administrator

Date: _____

YORK COUNTY

Neil Morgan
County Administrator

Date: _____

WILLIAMSBURG REGIONAL LIBRARY BOARD OF TRUSTEES

Betsy Fowler
Library Director

Date: _____

FRIENDS OF THE WILLIAMSBURG REGIONAL LIBRARY

W. Samuel Sadler
President

Date: _____

DRAFT