

Honorable Members of the Board of Education
Dayton City School District

ITEM II

I recommend approval of the following resolution:

Rationale

WHEREAS, the Board and/or its Designees have been involved in settlement negotiations with Jeff Wray Architects, Inc. and the estate of Jeff Wray regarding a dispute arising out of the design of the Stivers School for the Arts (the “Project”); and

WHEREAS, in an effort to avoid the expense, inconvenience and uncertainty of litigation, the parties have agreed to compromise and settle all disputed issues and claims arising out of the dispute;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of Dayton Public Schools as follows:

1. Based upon the recommendation of the Superintendent and the Chief Construction Officer, the Board finds that it is in the best interest of the Board, the District and the State of Ohio, which provided partial funding for the Project, to execute and enter into a Settlement Agreement and Release. Accordingly, the Board hereby authorizes and ratifies the signature on said Settlement Agreement and Release of its Chief Construction Officer.
2. The Board hereby authorizes the Superintendent and Treasurer to make the payments required by the Board and District under the terms of the Settlement Agreement and Release.
3. It is hereby found and determined that all formal actions of the Board concerning and relating to the passage of this Resolution were taken in an open meeting of the Board, and that all deliberations of the Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Ohio Revised Code Section 121.22.

Respectfully submitted,

Lori L. Ward
Superintendent