

1 RESOLUTION NO. 2019-268

Late Filing

2  
3 SPONSOR Ms. Shapiro

4  
5 DATE June 24, 2019

COMMITTEE Planning

6  
7 **A Resolution authorizing the County Executive to execute a Cooperative Agreement with**  
8 **159 Development, LLC whereby the County will provide paid parking in the Summit**  
9 **County Parking Deck to the tenants of 159 S. Main St., Akron, OH 44308, and will**  
10 **contribute to the costs of the renovation of the skywalk between the Summit County**  
11 **Parking Deck and the building located at 159 S. Main St., for the Executive, and declaring**  
12 **an emergency.**

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14 WHEREAS, 159 Development, LLC (the "Owner") is the owner of the real property  
15 located at 159 South Main Street, in the City of Akron, and more commonly known as the Law  
16 Building (the "Law Building"); and

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18 WHEREAS, the Owner is pursuing an adaptive reuse and redevelopment of the Law  
19 Building to convert the current 11-story office building into 112 market-rate residential units on  
20 the upper seven floors, with approximately 27,000 square feet of retail space between the sub  
21 level and first floor, and approximately 47,000 square feet of office space on the second through  
22 fourth floors (the "Project"); and

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24 WHEREAS, the Owner and the County are parties, as successors in interest as owners,  
25 respectively, of the Law Building and the Ohio Building (located at 175 South Main Street,  
26 Akron, Ohio), to a certain agreement dated January 14, 1959 (the "Skywalk Agreement")  
27 relating to the construction and shared maintenance of a pedestrian bridgeway between the Law  
28 Building and the Ohio Building (the "Skywalk"); and

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30 WHEREAS, ss part of the Project, Owner intends to repair and renovate the Skywalk at  
31 an estimated budget of \$400,000; and

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33 WHEREAS, the County is the owner of the Summit County Parking Deck ("County  
34 Parking Deck") which connects to the Ohio Building and the Law Building via the Skywalk.

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36 WHEREAS, the Owner and County anticipate that the Project will generate the need for  
37 additional parking for residential and commercial occupants and visitors of the Law Building as  
38 redeveloped through the Project; and

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40 WHEREAS, in recognition that the undertaking of the Project will promote economic  
41 development in the County, and that the County has not been requested for a number of years to  
42 contribute to the maintenance and repair of the Skywalk pursuant to the Skywalk Agreement, the  
43 County desires, in lieu of contributing to the anticipated costs of repair and renovation of the  
44 Skywalk as contemplated in the Skywalk Agreement, to provide a number of parking spaces in  
45 the County Parking Deck to the Law Building at a monthly discounted rate of \$35.00 for a ten  
46 (10) year period, and to forego payment of such discounted monthly rate until the aggregate  
47 foregone payments total Two Hundred Thousand and no/100 Dollars (\$200,000.00), at which  
48 point, the Owner will pay the discounted rate to County as set forth herein; and

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4 WHEREAS, the County Executive has proposed entering into a Cooperative Agreement  
5 whereby the County will provide said parking in the Summit County Parking Deck to the tenants  
6 of the Owner, and will contribute to the costs of the renovation of the skywalk as set forth above;  
7 and  
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10 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
11 that it is necessary and in the best interest of the County to authorize the County Executive to  
12 execute the aforementioned Cooperative Agreement.  
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14 NOW, THEREFORE, BE IT RESOLVED, by the Council of the County of Summit,  
15 State of Ohio, that:  
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17 SECTION 1

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19 The County Executive is hereby authorized to execute a Cooperative Agreement with 159  
20 Development, LLC ("Owner") whereby it will provide a number of parking spaces in the County  
21 Parking Deck to the Law Building at a monthly discounted rate of \$35.00 for a ten (10) year  
22 period, and to forego payment of such discounted monthly rate until the aggregate foregone  
23 payments total Two Hundred Thousand and no/100 Dollars (\$200,000.00), at which point, the  
24 Owner will pay the discounted rate to County as set forth herein, a copy of which is attached  
25 hereto as Exhibit A, and which shall be modified as necessary and in the discretion of the County  
26 Executive, which shall conclusively be evidenced by the execution of the same by the County  
27 Executive.  
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29 SECTION 2

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31 This Resolution is declared an emergency in the interest of the health, safety, and welfare  
32 of the residents of the County of Summit, and for the further reason that it immediately  
33 authorizes the Executive to execute the aforementioned Cooperative Agreement so that 159  
34 Development, LLC may commence the renovations of the Law Building.  
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36 SECTION 3

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38 Provided this Resolution receives the affirmative vote of eight members, it shall take  
39 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
40 effect and be in force at the earliest time provided by law.  
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42 SECTION 4

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44 It is found and determined that all formal actions of this Council concerning and relating  
45 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
46 deliberations of this Council and any of its committees that resulted in such formal action, were  
47 in meetings open to the public, in compliance with all legal requirements, including Section  
48 121.22 of the Ohio Revised Code.  
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INTRODUCED June 17, 2019

ADOPTED June 24, 2019

  
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CLERK OF COUNCIL

  
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PRESIDENT OF COUNCIL

APPROVED June 25, 2019

  
\_\_\_\_\_  
EXECUTIVE

ENACTED EFFECTIVE June 25, 2019

Voice Vote 10-0 - YES: Dickinson, Donofrio, Feeman, Hamilton,  
Koehler, Prentice, Rodgers, Schmidt, Walters, Wilhite  
ABSENT: McKenney