

1 RESOLUTION NO. 2010-507

2  
3 SPONSOR Mr. Pry

4  
5 DATE December 20, 2010 COMMITTEE Planning

6  
7 **A Resolution authorizing the County Executive to execute a lease with Hattie's Café, LLC,**  
8 **subject to the approval of the Board of Control, for approximately 1,075 square feet of**  
9 **space in the County of Summit Courthouse, located at 209 South High Street, Akron, Ohio**  
10 **44308, in Council District 4, for the purpose of a food service operation, including**  
11 **breakfast, lunch and catered food items, for a five-year term, from 1/1/11 or an earlier**  
12 **commencement date mutually agreed to by the parties, through 12/31/15, for rent of \$1.00**  
13 **per year, for the Executive's Department of Law, and declaring an emergency.**

14  
15 WHEREAS, the current Bureau-Grantor Agreement between the County of Summit, the  
16 Ohio Rehabilitation Services Commission's Bureau of Services for the Visually Impaired  
17 ("BSVI") and the Commission's Business Enterprise Program ("BEP<sub>ro</sub>"), dated January 6, 2000  
18 (the "2000 Agreement") and a Stand Concession Permit dated March 18, 1975 (the "1975 Stand  
19 Concession Permit") the BSVI has the exclusive right to operate food service and install and  
20 operate related vending machines in certain County buildings; and

21  
22 WHEREAS, the BSVI no longer wishes to operate food service facilities in the County  
23 buildings listed in the 2000 Agreement; and

24  
25 WHEREAS, there is legislation currently pending before this Council which would  
26 authorize the County Executive to execute a new Bureau-Grantor Agreement with the BSVI and  
27 BEP<sub>ro</sub> to define the respective rights of the parties; and

28  
29 WHEREAS, in place of the BSVI, the County wishes to lease to Hattie's Café, LLC  
30 approximately 1,075 square feet of space in the County of Summit Courthouse, located at 209  
31 South High Street, Akron, Ohio 44308, in Council District 4, for the purpose of a food service  
32 operation, including breakfast, lunch and catered food items, for a five-year term, from 1/1/11 or  
33 an earlier commencement date agreed to by the parties, through 12/31/15, for rent of \$1.00 per  
34 year; and

35  
36 WHEREAS, County Council has determined by reviewing all pertinent information that  
37 it is necessary and in the best interest of the County of Summit to authorize the Executive to  
38 execute the aforementioned lease with Hattie Larlham, subject to the approval of the Board of  
39 Control;

40  
41 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
42 of Ohio, that:

43  
44 SECTION I

45  
46 The County Executive is hereby authorized to execute a lease with Hattie's Café, LLC,  
47 subject to the approval of the Board of Control, for approximately 1,075 square feet of space in  
48 the County of Summit Courthouse, located at 209 South High Street, Akron, Ohio 44308, in  
49 Council District 4, for the purpose of a food service operation, including breakfast, lunch and  
50 catered food items, for a five-year term, from 1/1/11 or an earlier commencement date mutually  
51 agreed to by the parties, through 12/31/15, for rent of \$1.00 per year.

52

1 RESOLUTION NO. 2010-507

2 PAGE TWO

3  
4 SECTION 2

5  
6 This Resolution is hereby declared an emergency in the interest of the health, safety and  
7 welfare of the citizens of the County of Summit and for the further purpose of immediately  
8 authorizing the Executive to execute a necessary lease with Hattie's Café.  
9

10 SECTION 3

11  
12 Provided this Resolution receives the affirmative vote of eight members, it shall take  
13 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
14 effect and be in force at the earliest time provided by law.  
15

16 SECTION 4

17  
18 It is found and determined that all formal actions of this Council concerning and relating  
19 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
20 deliberations of this Council and of any of its committees that resulted in such formal action,  
21 were in meetings open to the public, in compliance with all legal requirements, including Section  
22 121.22 of the Ohio Revised Code.  
23

24  
25 INTRODUCED November 29, 2010

26  
27 ADOPTED December 20, 2010

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31  
32 Charlene Mims  
33 CLERK OF COUNCIL

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41 [Signature]  
PRESIDENT OF COUNCIL

42 APPROVED December 21, 2010

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ENACTED EFFECTIVE December 21, 2010

Voice Vote: 11-0 YES: Comunale, Crawford, Crossland, Kostandaras  
Feeman, Poda, Prentice, Rodgers, Schmidt, Shapiro, Smith