

1 RESOLUTION NO. 2012-186 Late Filing

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3 SPONSOR Mr. Pry and Council of the Whole

4
5 DATE May 14, 2012 COMMITTEE Planning

6
7 **A Resolution authorizing the County Executive to execute an amendment to a lease with**
8 **the Akron Area Arts Alliance for its portion of the Akron Center Building, 140 East**
9 **Market Street, Akron, Ohio, Council District 4, to revise the percentage of utilities costs to**
10 **be paid by the Alliance and to provide for storage space in the basement, for the**
11 **Executive's Department of Law, Insurance and Risk Management, and declaring an**
12 **emergency.**

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14 WHEREAS, County Council previously adopted Resolution No. 2008-385, which
15 approved the award by the Board of Control of a lease with the Akron Area Arts Alliance
16 ("Alliance") for 31,728 square feet of space located at the Akron Center Building, 140 East
17 Market Street, Akron, Ohio, Council District 4, for the period 9/1/08 through 8/31/13, with two
18 options to renew for an additional five-year term, in an amount not to exceed \$1.00 per year; and

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20 WHEREAS, the aforementioned lease, dated 10/12/08 (the "Lease"), was executed by the
21 parties; and

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23 WHEREAS, the Knight Foundation has invested over \$200,000 in expanding the Akron
24 Center Building as an arts incubator for the benefit of citizens of Summit County; and

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26 WHEREAS, pursuant to the Lease, in years four and five, the Alliance is required to pay,
27 respectively, 40% and 60% of the cost of utilities at the Akron Center Building; and

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29 WHEREAS, because the expansion of the Akron Center Building has proceeded more
30 slowly than expected, the Executive has proposed to amend the Lease to reduce the
31 aforementioned percentage of utilities costs to 20% for years four and five, the same amount as
32 in year three; and

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34 WHEREAS, the Executive has proposed to further amend the Lease to provide the
35 Alliance with 950 square feet of storage space in the basement; and

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37 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
38 that it is necessary and in the best interest of the County of Summit to authorize the County
39 Executive to execute an amendment to the Lease to revise the percentage of the cost of utilities
40 to be paid by the Alliance and to provide the Alliance with 950 square feet of storage space in
41 the basement;

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43 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
44 of Ohio, that:

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46 SECTION 1

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48 The County Executive is hereby authorized to execute an amendment to a lease with the
49 Akron Area Arts Alliance for 31,728 square feet of space located at the Akron Center Building,
50 140 East Market Street, Akron, Ohio, Council District 4, to revise the percentage of utilities costs
51 to be paid by the Alliance and to provide the Alliance with 950 square feet of storage space in
52 the basement. A copy of said amendment is attached hereto as Exhibit A.

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2 PAGE TWO

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4 SECTION 2

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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 the aforementioned amendment to the lease with the Akron
9 Area Arts Alliance for space in the Akron Center Building.

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11 SECTION 3

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


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17 SECTION 4

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

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26 INTRODUCED April 30, 2012

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28 ADOPTED May 14, 2012

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31 
32 CLERK OF COUNCIL


PRESIDENT OF COUNCIL

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34 APPROVED May 15, 2012

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37 
38 EXECUTIVE

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40 ENACTED EFFECTIVE May 15, 2012

Voice Vote: 11-0. YES: Komunale, Crawford, Feeman, Kostandaras
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro