

1 RESOLUTION NO. 2016-333

Late Filing

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3 SPONSORS Ms. Shapiro, Mr. Schmidt, Mr. Feeman, Ms. Walters, Mrs. Rodgers,
4 Mr. Kostandaras, Mr. Crawford, Mrs. Prentice, Mr. Donofrio, Mr. Wilhite

5
6 DATE September 12, 2016 COMMITTEE Planning

7
8 **A Resolution authorizing the County Executive to execute a Cooperative Agreement with**
9 **the Development Finance Authority of Summit County and The Community Hall**
10 **Foundation, Inc. dba Akron Civic Theatre and regarding the Akron Civic Theatre Phase II**
11 **Renovation Project, for the Executive's Department of Administrative Services, and**
12 **declaring an emergency.**

13
14 WHEREAS, The Community Hall Foundation, Inc. dba Akron Civic Theatre ("Civic") is
15 the lessee of certain real property located at 182 S. Main St., Akron, Ohio 44308, in Council
16 District 5, and more commonly known as the Akron Civic Theatre ("Property"); and

17
18 WHEREAS, the Development Finance Authority of Summit County ("DFA") is the
19 owner of the Property and has leased the same to the Civic; and

20
21 WHEREAS, the Civic is seeking funding from the Ohio Facilities Construction
22 Commission and the Summit County Land Reutilization Corporation for its Phase II Renovation
23 Project, which includes roof replacement, electrical and heating upgrades and restoration of the
24 grand lobby and entry arcade at the Property, and anticipates receiving said funding; and

25
26 WHEREAS, the County, the DFA and the Civic previously entered into a Memorandum
27 of Understanding dated March 7, 2016 whereby the DFA and County expressed their intention to
28 assist the Civic in obtaining the aforementioned funding and to further assist with the
29 management of the construction of the Phase II Renovation Project; and

30
31 WHEREAS, the County, the DFA and the Civic now desire to enter into a Cooperative
32 Agreement, a copy of which is attached to this Resolution as Exhibit A and incorporated herein
33 by reference, whereby the County will formally assist the Civic in obtaining the aforementioned
34 funding and further assist with the management of the construction of the Phase II Renovation
35 Project; and

36
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 to authorize the County Executive to
39 execute said Cooperative Agreement with the DFA and the Civic for the aforementioned
40 reasons;

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

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45 SECTION 1

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47 The County Executive is hereby authorized to execute a Cooperative Agreement with the
48 Development Finance Authority of Summit County ("DFA") and The Community Hall
49 Foundation, Inc. dba Akron Civic Theatre ("Civic") and regarding the Akron Civic Theatre
50 Phase II Renovation Project, a copy of which is attached to this Resolution as Exhibit A, and
51 incorporated herein by reference. The County Executive is hereby authorized to execute said
52 Cooperative Agreement in substantially the form attached to this Resolution as Exhibit A.
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1 RESOLUTION NO. 2016-333

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 reason to immediately
8 authorize the County Executive to execute a necessary Cooperative Agreement with the DFA
9 and the Civic regarding the Akron Civic Theatre Phase II Renovation Project.

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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 August 22, 2016

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28 ADOPTED September 12, 2016

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33 CLERK OF COUNCIL

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40 PRESIDENT OF COUNCIL

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42 APPROVED September 13, 2016

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Voice Vote: YES: 9-0-1 - Crawford, Donofrio, Feeman,
Kostandaras, Prentice, Rodgers, Schmidt, Walters, Wilhite
ABSTAIN: Dickinson
ABSENT: Lee