

1 RESOLUTION NO. 2022-384

LATE FILING
First Reading Passage Requested
(L. Pesci)

2
3 SPONSOR Executive Shapiro

4
5 DATE December 5, 2022

COMMITTEE Public Safety

6
7 **A Resolution authorizing the Executive to execute an Eighth Amendment to the Agreement**
8 **of Sublease with the Ohio Department of Rehabilitation and Correction, pertaining to the**
9 **finance of capital improvements to the Summit County Community Based Correctional**
10 **Facilities, for the Executive’s Department of Public Safety, and declaring an emergency.**

11
12 WHEREAS, the County of Summit entered into an Agreement of Sublease with the Ohio
13 Department of Rehabilitation and Correction (“ODRC”), made as of 8/1/95, pursuant to
14 Resolution No. 95-470, for the construction of the Summit County Community Based
15 Correctional Facility (“CBCF”) located at 264 East Crosier Street, Akron, Ohio 44311, which
16 was subsequently amended and supplemented by the First Amendment to Agreement of
17 Sublease, made as of 12/1/96, pursuant to Resolution No. 96-670, the Second Amendment to
18 Agreement of Sublease, made as of 4/1/00, pursuant to Resolution No. 2000-210, the Third
19 Amendment of Agreement of Sublease, made as of 12/1/00, pursuant to Resolution No. 2000-
20 784, the Fourth Amendment to Agreement of Sublease, made as of 4/1/09, pursuant to
21 Resolution No. 2009-089 and the Fifth Amendment of Sublease, made as of 1/27/15, pursuant to
22 Resolution No. 2015-018, the Sixth Amendment to Agreement of Sublease, made as of 11/01/16,
23 pursuant to Resolution No. 2015-491, and the Seventh Amendment to Agreement of Sublease,
24 made as of 12/13/17, pursuant to Resolution No. 2017-516 (collectively the “Sublease”); and

25
26 WHEREAS, the ODRC has awarded the County of Summit \$201,820.00 in capital
27 improvement funds to replace the boilers and lining the main sewer line at the CBCF (Project
28 No. DRC-23-CB12), which requires amendment of the Sublease;

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30 WHEREAS, Executive and ODRC desire to amend the Sublease with the consent of the
31 Ohio Building Authority in accordance with the terms of a Eighth Amendment to the Sublease;
32 and

33
34 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
35 that it is necessary and in the best interest of the County of Summit to authorize the Executive to
36 execute the Eighth Amendment of the aforementioned Sublease;

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

40
41 SECTION 1

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43 The Executive is hereby authorized to execute the Eighth Amendment to the Agreement
44 of Sublease and any other necessary related documents with the Ohio Department of
45 Rehabilitation and Correction pertaining to the finance of capital improvements to the Summit
46 County Community Based Correctional Facility located at 264 East Crosier Street, Akron, Ohio
47 44311.

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2 PAGE TWO

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4 SECTION 2

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6 The proper officers of the County and this Council, as appropriate, are each authorized
7 and directed to deliver any additional certificates, documents or instruments and to take such
8 further actions which are necessary or appropriate to effect the intent and purposes of this
9 Resolution and the Eighth Amendment to the Sublease.

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11 SECTION 3

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13 This Resolution is hereby declared an emergency in the interest of the health, safety and
14 welfare of the residents of the County of Summit and for the further reason to immediately
15 authorize the Executive to execute the Eighth Amendment to facilitate the expenditure of funds
16 in order to make foundational repairs to the CBCF.

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18 SECTION 4

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

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24 SECTION 5

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26 It is found and determined that all formal actions of this Council concerning and relating
27 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
28 deliberations of this Council and of any of its committees that resulted in such formal action,
29 were in meetings open to the public, in compliance with all legal requirements, including Section
30 121.22 of the Ohio Revised Code.

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33 INTRODUCED December 5, 2022

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35 ADOPTED December 5, 2022

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38 
39 CLERK OF COUNCIL
40 December 6, 2022


PRESIDENT OF COUNCIL

41 APPROVED _____

42
43 
44 _____

45 EXECUTIVE

46 December 6, 2022

47 ENACTED EFFECTIVE _____

Voice Vote - YES: 11-0: Darrow, DeVitis, Dickinson, Donofrio, McKenney, Rodgers, Schmidt, Sims, Walters, Wiedie Higham, Wilhite