

1 RESOLUTION NO. 2010-463

2  
3 SPONSOR Mr. Pry

4  
5 DATE November 15, 2010 COMMITTEE Public Safety

6  
7 **A Resolution authorizing the County Executive to execute Addendum No. 1 to the**  
8 **Operating Agreement with Oriana House, Inc. ("Oriana"), for the operation of the**  
9 **Residential Correction Center, located at 222 Power Street, Akron, Ohio 44304, in Council**  
10 **District 4, to set off the costs of emergency building foundation repairs to be paid by**  
11 **Oriana against any potential purchase by Oriana of the Facility, for the Executive, and**  
12 **declaring an emergency.**

13  
14 WHEREAS, pursuant to County Council Resolution No. 91-585, the County of Summit  
15 and Oriana executed an Operating Agreement dated August 28, 1991, for the improvement and  
16 operation of an existing correctional facility then known as the Power Street Facility, located at  
17 222 Power Street, Akron, Ohio 44304, for use as a halfway house or community residential  
18 center to house probationers, parolees and furloughees and as a site for work release, supervised  
19 bail and other rehabilitation programs for the purpose of helping to eliminate overcrowding and  
20 helping to ensure that there is adequate space in the County's system of correctional facilities;  
21 and

22  
23 WHEREAS, the Power Street Facility is now known as the Residential Correction Center  
24 and is operated by Oriana pursuant to the Operating Agreement; and

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26 WHEREAS, the Residential Correction Center is in need of emergency repairs to its  
27 building foundations; and

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29 WHEREAS, Oriana has agreed to pay all costs related to the building foundation repairs  
30 under County supervision of the repairs and the award of contracts pursuant to the requirements  
31 of Chapter 177 of the Codified Ordinances of the County of Summit; and

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33 WHEREAS, in exchange for funding the building foundation repairs, the County has  
34 agreed, pursuant to Section 4(b) of the Operating Agreement, to set off the cost of the  
35 repairs against any potential purchase by Oriana of the Facility as set forth in Section 5 of  
36 the Operating Agreement; and

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38 WHEREAS, it is necessary to execute Addendum No. 1 to the Operating Agreement to  
39 allow the emergency building foundation repairs to be made; and

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41 WHEREAS, this Council has determined by reviewing all pertinent information that it is  
42 necessary and in the best interest of the County of Summit to authorize the County Executive to  
43 execute Addendum No. 1 to the Operating Agreement for the aforementioned reasons;

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

47  
48 SECTION 1

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50 The County Executive is hereby authorized to execute Addendum No. 1 to the Operating  
51 Agreement with Oriana House, Inc. ("Oriana") for the operation of the Residential Correction  
52 Center, located at 222 Power Street, Akron, Ohio 44304, in Council District 4, pursuant to which

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2 PAGE TWO

3  
4 SECTION 1 (cont'd.)

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6 Oriana shall pay all costs related to the building foundation repairs under County supervision of  
7 the repairs and the award of contracts pursuant to the requirements of Chapter 177 of the  
8 Codified Ordinances of the County of Summit and pursuant to Section 4(b) of the Operating  
9 Agreement, the cost of the repairs shall be set-off against any potential purchase by Oriana of  
10 the Facility as set forth in Section 5 of the Operating Agreement.

11  
12 SECTION 2

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14 This Resolution is hereby declared an emergency in the interest of the health, safety and  
15 welfare of the citizens of the County of Summit, and for the further reason that it will  
16 immediately allow emergency building foundation repairs to be made to the Residential  
17 Correction Center.

18  
19 SECTION 3

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

24  
25 SECTION 4

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27 It is found and determined that all formal actions of this Council concerning and relating  
28 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
29 deliberations of this Council and of any of its committees that resulted in such formal action,  
30 were in meetings open to the public, in compliance with all legal requirements, including Section  
31 121.22 of the Ohio Revised Code.

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34 INTRODUCED November 1, 2010

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36 ADOPTED November 15, 2010

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40 \_\_\_\_\_  
41 CLERK OF COUNCIL

  
42 \_\_\_\_\_  
43 PRESIDENT OF COUNCIL

44 APPROVED November 15, 2010

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48 \_\_\_\_\_  
49 EXECUTIVE

50 ENACTED EFFECTIVE November 15, 2010

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