RESOLUTION NO. 2012-186                  Late Filing

SPONSOR         Mr. Pry and Council of the Whole

DATE           May 14, 2012                COMMITTEE       Planning

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

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

WHEREAS, the aforementioned lease, dated 10/12/08 (the “Lease”), was executed by the
parties; and

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

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

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

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

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

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

SECTION 1

The County Executive is hereby authorized to execute an amendment to a lease with the
Akron Area Arts Alliance for 31,728 square feet of space located at the Akron Center Building,
140 East Market Street, Akron, Ohio, Council District 4, to revise the percentage of utilities costs
to be paid by the Alliance and to provide the Alliance with 950 square feet of storage space in
the basement. A copy of said amendment is attached hereto as Exhibit A.
RESOLUTION NO. 2012-186

SECTION 2

This Resolution is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit and for the further purpose of immediately authorizing the Executive to execute the aforementioned amendment to the lease with the Akron Area Arts Alliance for space in the Akron Center Building.

SECTION 3

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

SECTION 4

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

INTRODUCED __ April 30, 2012 __

ADOPTED __ May 14, 2012 __

CLERK OF COUNCIL

APPROVED __ May 15, 2012 __

EXECUTIVE

ENACTED EFFECTIVE __ May 15, 2012 __

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