

1 RESOLUTION NO. 2018-479

2
3 SPONSOR Ms. Shapiro

4
5 DATE December 3, 2018

COMMITTEE Planning

6
7 **A Resolution authorizing the County Executive to execute a Second Amendment and**
8 **Second Renewal of a Lease Agreement with Summit Artspace for certain space at the**
9 **Akron Center Building at 140 East Market Street, Akron, Ohio 44308, whereby the Lease**
10 **Agreement will be expanded to include the entire Akron Center Building, and the Lease**
11 **Agreement will be renewed for an additional five-year term, from 10/1/18 to 9/30/23, for**
12 **the rent of \$1.00 annually, plus 20% of the utility costs for the Akron Center Building, for**
13 **the Executive's Department of Law and Risk Management, and declaring an emergency.**

14
15 WHEREAS, the County owns certain real property known as the Akron Center Building,
16 located at 140 East Market Street, Akron, Ohio 44308, in Council District 4 (the "Building");
17 and

18
19 WHEREAS, Summit Artspace, fka Akron Area Arts Alliance, an Ohio nonprofit
20 corporation, promotes art throughout Summit County through the housing of art galleries,
21 offering a variety of arts programming and events, and hosting a creative business incubator in
22 the Building; and

23
24 WHEREAS, this Council previously adopted Resolution No. 2008-385, which authorized
25 the County Executive to execute a lease agreement ("Lease") whereby the County leased a
26 portion of the Building to Summit Artspace for a period of five years, from 10/1/08 to 9/30/13,
27 for the rent of \$1.00 annually, plus 20% of the utility costs for the leased portion of the Building;
28 and

29
30 WHEREAS, this Council previously adopted Resolution No. 2013-415, which authorized
31 the County Executive to execute a renewal of the Lease for a period of five years, from 10/1/13
32 to 9/30/18 for the rent of \$1.00 annually, plus 20% of the utility costs for the leased portion of
33 the Building; and

34
35 WHEREAS, this Council previously adopted Resolution No. 2015-517, which authorized
36 the County Executive to execute an amendment to the Lease to expand the portion of the
37 Building leased to Summit Artspace to 38,070 square feet for the balance of the renewal term;
38 and

39
40 WHEREAS, the County Executive desires to execute a Second Amendment and Second
41 Renewal of the Lease whereby the County will lease the entire Building to Summit Artspace, and
42 the term of the Lease will be renewed for a period of five years, from 10/1/18 to 9/30/23 for the
43 rent of \$1.00 annually, plus 20% of the utility costs for the Building; and

44
45 WHEREAS, because Summit Artspace is a non-profit corporation, the approval of the
46 Board of Control is not necessary, pursuant to Section 177.17(e) of the Codified Ordinances of
47 the County of Summit;

48
49 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
50 that it is necessary and in the best interest of the County to authorize the County Executive to
51 execute the aforementioned Second Amendment and Second Renewal of the Lease.
52

1 RESOLUTION NO. 2018-479

2 PAGE TWO

3
4 NOW, THEREFORE, BE IT RESOLVED, by the Council of the County of Summit,
5 State of Ohio, that:

6
7 SECTION 1

8
9 The County Executive is hereby authorized to execute a Second Amendment and Second
10 Renewal of a lease agreement ("Lease") with Summit Artspace for certain space at the Akron
11 Center Building at 140 East Market Street, Akron, Ohio 44308 ("Building") whereby the Lease
12 will be expanded to include the entire Building and the Lease will be renewed for an additional
13 five-year term, from 10/1/18 to 9/30/23, for the rent of \$1.00 annually, plus 20% of the utility
14 costs for the Building. A copy of the Second Amendment and Second Renewal of the Lease is
15 attached hereto as Exhibit A, and incorporated herein by reference.

16
17 SECTION 2

18
19 This Resolution is declared an emergency in the interest of the health, safety and welfare
20 of the residents of the County of Summit and for the further reason to immediately authorize the
21 Executive to execute the aforementioned Second Amendment and Second Renewal of the Lease
22 in order to timely provide for the lease of the Building to Summit Artspace.

23
24 SECTION 3

25
26 Provided this Resolution receives the affirmative vote of eight members, it shall take
27 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
28 effect and be in force at the earliest time provided by law.

29
30 SECTION 4

31
32 It is found and determined that all formal actions of the Council concerning and relating
33 to the adoption of the Resolution were adopted in an open meeting of this Council, and that all
34 deliberations of this Council and of any of its committees that resulted in such formal action,
35 were in meetings open to the public, in compliance with all legal requirements, including Section
36 121.22 of the Ohio Revised Code.

37
38
39 INTRODUCED November 19, 2018

40
41 ADOPTED December 3, 2018

42
43 
44 CLERK OF COUNCIL

45
46 
47 PRESIDENT OF COUNCIL

48
49 APPROVED December 4, 2018

50
51 
2018 EXECUTIVE

ENACTED EFFECTIVE December 4,
2018

Voice Vote YES - 11-0: Dickinson, Donofrio, Feeman, Hamilton,
Koehler, McKenney, Prentice, Rodgers, Schmidt, Walters, Wilhite