

1 RESOLUTION NO. 2015-491

2  
3 SPONSOR Mr. Pry

4  
5 DATE NOVEMBER 23, 2015 COMMITTEE Public Safety

6  
7 **A Resolution authorizing the County Executive to execute a Sixth Amendment to the**  
8 **Agreement of Sublease with the Ohio Department of Rehabilitation and Correction,**  
9 **pertaining to the finance of capital improvements to the Summit County Community Based**  
10 **Correctional Facility, for the Executive's Department of Law, Insurance and Risk**  
11 **Management - Division of Public Safety, and declaring an emergency.**

12  
13 WHEREAS, the County of Summit entered into an Agreement of Sublease with the Ohio  
14 Department of Rehabilitation and Correction ("ODRC"), made as of 8/1/95 (the "Sublease"),  
15 pursuant to Resolution No. 95-470, which was subsequently amended and supplemented by the  
16 First Amendment to Agreement to Sublease, made as of 12/1/96, pursuant to Resolution No. 96-  
17 670, the Second Amendment to Agreement to Sublease, made as of 4/1/00, pursuant to  
18 Resolution No. 2000-210, the Third Amendment to Agreement of Sublease, made as of 12/1/00,  
19 pursuant to Resolution No. 2000-784, the Fourth Amendment to Agreement of Sublease, made  
20 as of 4/1/09, pursuant to Resolution No. 2009-089 and the Fifth Amendment of Sublease, made  
21 as of 1/27/15, pursuant to Resolution No. 2015-018, pertaining to the finance of capital  
22 improvements to the Summit County Community Based Correctional Facility ("CBCF") located  
23 at 246 East Crosier Street, Akron, Ohio 44311, in Council District 5 (collectively the  
24 "Sublease"); and

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26 WHEREAS, the ODRC has awarded the County of Summit \$206,570.00 in capital  
27 improvement funds to make repairs to the foundation of the CBCF(Project No. 16-CBCF-002),  
28 which requires amendment of the Sublease; and

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

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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 County  
36 Executive to execute the Sixth 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 County Executive is hereby authorized to execute the Sixth Amendment to the  
44 Agreement of Sublease with the Ohio Department of Rehabilitation and Correction pertaining to  
45 the finance of capital improvements to the Summit County Community Based Correctional  
46 Facility ("CBCF") located at 246 East Crosier Street, Akron, Ohio 44311, in Council District 5.  
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SECTION 2

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

SECTION 3

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 reason to immediately authorize the Executive to execute the Sixth Amendment to facilitate the expenditure of funds in order to make foundational repairs to the CBCF.

SECTION 4

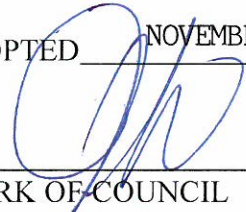
Provided this Resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

SECTION 5

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.

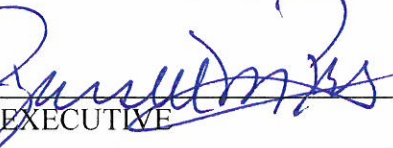
INTRODUCED November 9, 2015

ADOPTED NOVEMBER 23, 2015

  
\_\_\_\_\_  
CLERK OF COUNCIL

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

APPROVED NOVEMBER 24, 2015

  
\_\_\_\_\_  
EXECUTIVE

ENACTED EFFECTIVE NOVEMBER 24, 2015

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