## RESOLUTION RES 23-12-035

# A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT NO. 2 TO AN AGREEMENT OF SUBLEASE WITH RESPECT TO MARTIN P. JOYCE JUVENILE DETENTION CENTER

WHEREAS, the Board of County Commissioners of the County of Mahoning (the "Board") desires to enter into an Agreement of Sublease (the "Original Sublease", and as supplemented and amended from time to time, the "Sublease"), with the Ohio Department of Youth Services (the "Department") concerning the Martin P. Joyce Juvenile Detention Center (the "Project"); and

WHEREAS, in order to provide for the financing and the renovation and/or construction of the Project, it will be necessary for the County to enter into the Agreement of Sublease with the Ohio Department of Youth Services concerning the Project.

NOW, THEREFORE, BE IT RESOLVED, Any two members of the Board of County Commissioners of the County are authorized and directed to execute and deliver, in the name and on behalf of the County, the Agreement of Sublease between the County and the Ohio Department of Youth Services, in substantially the form submitted to and now on file with the County which is hereby approved, with such changes therein not inconsistent with this Resolution as may be approved by such members of the Board of County Commissioners. The approval of such changes by said County Commissioners shall be conclusively evidenced by the execution of the Amendment by such County Commissioners.

FURTHER RESOLVED, that each member of the Board is each separately authorized to take any and all actions and to execute such certificates and other instruments as may be necessary or appropriate in order to affect the intent of this Resolution; and

FURTHER RESOLVED, that it is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in those formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

FURTHER RESOLVED, that this Resolution shall take effect and be in force immediately upon its adoption and, to the extent inconsistent therewith, supersedes any prior resolution of this Board.

It was moved by Mr. Traficanti, and seconded by Mrs. Rimedio-Righetti, that the foregoing Resolution be approved this 20th day of December, 2023.

Roll call voting resulted:

Mr. Ditzler:

aye

Mrs. Rimedio-Righetti:

aye

Mr. Traficanti:

aye

WHEREUPON, the President of the Board declared the foregoing Resolution be duly adopted this 20th day of December, 2023.

DAVID C. DITZLER,

PRESIDENT OF THE BOARD

ATTEST:

NANCY M. LABOY, CLERK OF THE BOARD

JR. VOL. 111, PAGE 757 - 758

cc: OMB Grants

JJC

### AMENDMENT NO. 2 TO

## AGREEMENT OF SUBLEASE

### between

### OHIO DEPARTMENT OF YOUTH SERVICES

#### and the

# MARTIN P. JOYCE DETENTION CENTER MAHONING COUNTY, OHIO

This AMENDMENT NO. 2 TO AGREEMENT OF SUBLEASE ("Amendment"), dated as of 12.20.23 between the DEPARTMENT OF YOUTH SERVICES (the "Department") and the BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MAHONING, OHIO (the "Board");

### WITNESSETH:

WHEREAS, the Department and the Board previously entered into an Agreement of Sublease (as the same has been amended previously, the "Original Sublease") with respect to the (the "Project"); and

WHEREAS, the parties hereto desire to amend the description of the Project set forth in Exhibit A to the Original Sublease in order to more accurately describe the Project;

**NOW, THEREFORE**, in consideration of the premises and the mutual covenants herein set forth, the parties hereto agree as follows:

Section 1. <u>Amendment and Restatement of Exhibit A</u>. Exhibit A to the Original Sublease is hereby amended and restated in its entirety in the form of <u>2nd Amended and Restated Exhibit A</u> attached hereto and made a part hereof.

Section 2. <u>Original Sublease Unaltered</u>. Except as expressly modified hereby, the Original Sublease remains unaltered and in full force and effect. This Amendment shall be considered an integral part of the Original Sublease and all references to the Sublease in the Original Sublease or any document referring thereto shall, on and after the date of this Amendment, be deemed to be references to the Original Sublease, as amended, including as amended by this Amendment.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by their duly authorized officers or representatives as of the day and year first hereinabove set forth, but actually on the dates of their respective acknowledgements.

[The remainder of this page is intentionally left blank; the signature page follows.]

## DEPARTMENT OF YOUTH SERVICES

By: 01/16/2024

Director

MAHONING COUNTY, OHIO

By: Commissioner

By: Commissioner

Commissioner

APPROVED AS TO FORM:

Mahoning County Presecutor's Office

# MARTIN P. JOYCE DETENTION CENTER

A. Legislative Authority: Am. Sub. H.B. 462; CAP LINE - C47007

B. Project Purpose: General Improvements.

C. Location: County owned property located at the Mahoning County Juvenile

Justice Center (300 E. Scott Street, Youngstown, OH 44505)

D. Cost: \$70,800.00

E. Description: The 40-bed facility provides secure placement for juvenile felony

offenders from the Mahoning County. The project will replace the

existing antiquated fire detection system.

# General Improvements to Project – Amendment #1

A. Legislative Authority: Senate Bill 310 133<sup>rd</sup> General Assembly; C47007

B. Project Purpose: General Improvements.

C. Cost: \$64,506.00 (State Funding)

D. Description Renovations to the existing detention facility. The State funding

will match local funds for a capital improvements project (60/40

split) to address general renovations issues at the facility,

including replacing the facility camera system.

# **General Improvements to Project – Amendment #2**

A. Legislative Authority: House Bill 687 134th General Assembly; C47007

B. Project Purpose: General Improvements.

C. Cost: \$302,109.00 (State Funding)

D. Description: Renovations to the existing detention facility. The State funding will match local funds for a capital improvements project (60/40 split) to address general renovations issues at the facility, including replacing the facility lock system.