

RESOLUTION NO. 2016 - _____

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO EXTEND THE AGREEMENT AND AMEND THE TERMS WITH BOB EARLEY, DBA ROCKIN' ON THE RIVER REGARDING THE CONDUCT OF A CONCERT SERIES AT BLACK RIVER LANDING.

WHEREAS, Bob Earley dba "Rockin' on the River" has conducted concerts at Cuyahoga Falls over the past 11 years; and

WHEREAS, the Rockin' on the River Concert Series has been conducted in Cuyahoga Falls for over 28 years; and

WHEREAS, Bob Earley, dba Rockin' on the River relocated the Concert Series to Lorain, Ohio, specifically Black River Landing beginning in 2015; and

WHEREAS, Section 2 Term of the Agreement entered into in 2015 provided for an option to extend the term of said Agreement for an additional period up to two (2) years; and

WHEREAS, the Lorain Port Authority THROUGH Resolution No. 2015-41 passed December 8, 2015 extended the terms of the Agreement, "Section 2. Term" with Bob Earley, dba Rockin' on the River to conduct the Concert Series in Lorain, Ohio at Black River Landing for two (2) years through 2017; and

WHEREAS, it is the desire of the Lorain Port Authority to further extend the term of the Agreement through 2019; and

WHEREAS, it is further the desire of the Lorain Port Authority to amend "Section 3. Payment of Fees" of the Agreement, which currently reads as follows:

"Payment and Fees. The Concessionaire shall pay the sum of One Dollar (\$1.00) per head for each event attendee in excess of Two Thousand Five Hundred (2,500) attendees."

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Lorain Port Authority:

SECTION I. That the Executive Director or his Designee is hereby authorized and directed to enter into an extension of the Agreement (attached) with Bob Earley, dba Rockin' on the River Concert Series in Lorain, Ohio at Black River Landing through 2017.

SECTION 11. That "Section 3. Payment of Fees." of the Agreement, which currently reads:

"Payment and Fees. The Concessionaire shall pay the sum of One Dollar (\$1.00) per head for each event attendee in excess of Two Thousand Five Hundred (2,500) attendees."

Be amended to read as follows:

“Payment and Fees. The Concessionaire shall pay the sum of Ten Thousand Dollars (\$10,000.00) to the Lorain Port Authority for each year during the amended term of this Agreement. Said payment shall be provided at the end of each event year.”

SECTION III. It is found and determined that all formal proceedings and actions of this Board concerning and relating to the passage of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board 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.

Ayes:

Nays:

Abstain:

Adopted:

Carl Nielsen, Chairman

Richard M. Novak, Executive Director