

**AMENDMENT NO. 9 TO
AGREEMENT OF SUBLEASE**

between

OHIO DEPARTMENT OF YOUTH SERVICES

and

BUTLER COUNTY, OHIO

This AMENDMENT NO. 9 TO AGREEMENT OF SUBLEASE ("Amendment"), dated as of March 20, 2023 between the DEPARTMENT OF YOUTH SERVICES (the "Department") and the BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF BUTLER, 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 Butler County Juvenile Detention & Rehabilitation Center (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. Amendment and Restatement of Exhibit A. Exhibit A to the Original Sublease is hereby amended and restated in its entirety in the form of 9th Amended and Restated Exhibit A attached hereto and made a part hereof.

Section 2. Original Sublease Unaltered. 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:  04/11/2023
Director

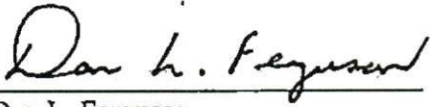
BUTLER COUNTY, OHIO

By: 
Commissioner

By: 
Commissioner

By: 
Commissioner

Approved as to form only.

 3-9-2023
Dan L. Ferguson
Chief Assistant Prosecuting Attorney

**NINTH AMENDED AND RESTATED
EXHIBIT A**

BUTLER COUNTY JUVENILE DETENTION & REHABILITATION CENTER

Original Project

- A. Legislative Authority: Amended Substitute House Bill No. 812 and Amended Substitute Senate Bill No. 336; CIR-701
- B. Purpose: Secure placement of juvenile offenders in lieu of commitment to the Ohio Department of Youth Services
- C. Location: County owned property at 280 North Fair Avenue, Hamilton, Ohio 45011
- D. Cost: \$8,000,000
- E. Description: 36-bed juvenile rehabilitation facility and 10-bed group home. The facility currently serves youth from Butler, Clermont, Clinton and Warren Counties.

Amendment No. 1

- A. Legislative Authority: Amended Substitute House Bill No 748 and Amended Substitute Senate Bill No. 310; CAP-829
- B. Size/Cost: 18,000 square feet/\$600,000
- C. Description: 32-bed expansion to existing 20-bed detention facility.

Amendment No. 2

- A. Legislative Authority: Amended Substitute House Bill No. 245 of the 123rd Ohio General Assembly and Amended Substitute House Bill No. 640 of the 123rd Ohio General Assembly; CAP-812
- B. Cost: \$105,000
- C. Description: Upgrade of electronic controls for security doors and cameras at housing units and other youth areas of Project.

Amendment No. 3

- A. Legislative Authority: Amended Substitute House Bill No. 530 of the 126th Ohio General Assembly; CAP-812
- B. Cost: \$96,800
- C. Description: Replacement of existing roof on the rehabilitation wing, which is approximately 29,780 sq. ft. in area

Amendment No. 4

- A. Legislative Authority: Amended Substitute House Bill No. 562 of the 127th Ohio General Assembly; C47003
- B. Purpose: General Improvements
- C. Cost: \$636,089
- D. Description: General improvements throughout the facility, to include but not limited to, sewer pipe and drain replacement, boiler and air handler, hot water tank replacement, chiller replacement, and fence repairs.

Amendment No. 5

- A. Legislative Authority: Amended Substitute House Bill No. 482 of the 129th Ohio General Assembly; C47003
- B. Purpose: General Improvements
- C. Cost: \$525,200
- D. Description: General improvements throughout the facility, to include but not limited to, exterior envelope repairs, security system upgrades, security door replacements and backup generator replacement.

Amendment No. 6

- A. Legislative Authority: Amended Substitute House Bill No. 497 of the 130th Ohio General Assembly; C47007
- B. Purpose: General Renovations to Detention Wing
- C. Cost: \$550,464.00
- D. Description: This project will make general renovations throughout the facility, to include but not limited to replacement of HVAC controls, heating boilers, air conditioning equipment and domestic hot water tanks; replace plumbing fixtures; replace and upgrade lighting fixtures; upgrade the entire security system; replace flooring; install a mezzanine railing extension and PREA upgrades.

Amendment No. 7

- A. Legislative Authority: Amended Substitute Senate Bill No. 310 of the 131st Ohio General Assembly; ALI C47003
- B. Purpose: General Renovations to Rehabilitation Wing
- C. Cost: \$180,000.00
- D. Description: This project will make replace the door control system.

Amendment No. 8

- A. Legislative Authority: Amended Substitute Senate Bill No. 310 of the 133rd Ohio General Assembly; ALI C47003 and C47007
- B. Purpose: General Facility Renovations
- C. Cost: C47003 \$68,500.00 and C47007 \$41,100.00
- D. Description: General Improvements throughout the facility to include but not limited to replacement of boiler system.

Amendment No. 9

- A. Legislative Authority: House Bill 687, 134th Ohio General Assembly; ALI C47003/C47007
- B. Purpose: General Renovations
- C. Cost: \$350,525.50 C47003; \$256,562.70 C47007
- D. Description: This project includes but is not limited to replacement of the facility roof, video surveillance system, intercoms and doors. State funding will match local funds for a capital improvements project (60/40 split) to address general renovation at the Butler County Juvenile Rehabilitation Center.



Board of County Commissioners
Butler County, Ohio

EXECUTIVE SUMMARY

23-03-00484

T.C. Rogers
President

Cindy Carpenter
Vice President

Donald L. Dixon
Member

Grant Award

**Juvenile Court
An Inter-Departmental Review**

Target Meeting: 3/20/23

Summary

Execute Amendment No. 9 to Agreement of Sublease for grant award with the Ohio Department of Youth Services for replacement of facility roof, video surveillance system, intercoms, and doors in the amount of \$607,088.20 with a cash match of \$171,041.80.

Financial Impact

Authorization to the Auditor to expend fund for cash match from the account(s) listed below:

03/20/23 14524246.542000 · JUV REHAB CNTR EVN CAPTIAL EQP \$350,525.50
Roof, security, doors
03/20/23 01004268.542000 · GF DETENTION CAPITAL EQUIPMENT \$256,562.70
Roof, security, doors
Total: \$607,088.20

Justification

The Ohio Department of Youth Services has agreed to fund general renovations for the Juvenile Rehabilitation Center and the Juvenile Detention Center, reimbursing JRC expenditures at 100% up to \$350,525.50, and JDC (General Fund) expenditures at 60% up to \$256,562.70.

Recommendation

The Department supports the initiative funded by this particular grant.

Approved by:



County Commissioners
Butler County, Ohio

RESOLUTION

23-03-00484

T.C. Rogers
President

Cindy Carpenter
Vice President

Donald L. Dixon
Member

Grant Award

The Board of County Commissioners of Butler County, Ohio met in Regular Meeting on the 20th day of March, 2023 in the Commission Chambers of the Butler County Government Services Center, 315 High Street, 2nd Floor, Hamilton, Ohio 45011.

Whereas the Butler County Juvenile Justice Center has been awarded grant funding in the amount of \$607,088.20 for the Amendment #9 to the Agreement of Sublease from the Ohio Department of Youth Services;

Whereas the Board of Butler County Commissioners of the County of Butler (the "Board") has previously entered 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 Butler County Juvenile Detention Center and Juvenile Rehabilitation Center (the "Project"); and

Whereas in view of an additional appropriation for the Project for improvements of the facility, the Board and the Department wish to enter into an Amendment No. 9 to Agreement of Sublease (the "9th Amendment"), in order to amend the description of the Project contained in Exhibit A to the Sublease.

Now, Therefore be it Resolved, that two or more members of the Board are authorized and directed to execute and deliver, in the name and on behalf of County, the 9th Amendment between the Board and the Department, in substantially the form submitted to and now on file with the Board which is hereby approved, with such changes therein not inconsistent with this resolution as may be approved by such members of the Board. The approval of such changes by said members of the Board shall be conclusively evidenced by the execution of the 9th Amendment by such members of the Board; and

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 effect the intent of these resolutions; 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 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 Cod; and

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.

Authorization to the Auditor to expend fund for cash match from the account(s) listed below:

03/20/23 14524246.542000 · JUV REHAB CNTR EVN CAPTIAL EQP \$350,525.50
03/20/23 01004268.542000 · GF DETENTION CAPITAL EQUIPMENT \$256,562.70
Total: \$607,088.20

Commissioner Dixon moved for the adoption of the foregoing resolution, Commissioner Carpenter seconded the motion and upon call of the roll, the vote resulted as follows:

RESULT: Adopted

AYES: T.C. Rogers, Cindy Carpenter, Donald Dixon

State of Ohio, County of Butler, on this 20th day of March, 2023, the Clerk of the Board does hereby certify that 23-03-00484 is a true, exact, complete and unaltered electronic record of the Butler County Board of Commissioners.

Flora Butler

Flora Butler, Clerk of the Board

