

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2019, Legislative Day No. 7

Bill No. 22-19

Introduced by Mr. Pruski, Chairman
(by request of the County Executive)

By the County Council, April 1, 2019

Introduced and first read on April 1, 2019
Public Hearing set for and held on May 6, 2019
Bill Expires July 5, 2019

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Second Amendment to Lease Agreement of certain
2 County-owned properties to The Public Library Association of Annapolis and Anne
3 Arundel County, Incorporated

4
5 FOR the purpose of authorizing a second amendment to the lease of various County-owned
6 properties to The Public Library Association of Annapolis and Anne Arundel County,
7 Incorporated to permit emergency management cooling and warming stations at the
8 public library facilities; authorizing the sale of alcoholic beverages at the public library
9 facilities during certain types of events; and generally relating to public library
10 facilities.

11
12 WHEREAS, by Lease Agreement dated April 11, 2016 (“Lease Agreement”),
13 approved by the County Council in Bill No. 29-16, the County leased certain
14 County-owned properties (“Library Properties”) to The Public Library Association
15 of Annapolis and Anne Arundel County, Incorporated (the “Library”), for use for
16 Library Purposes, as that term is defined in the Lease Agreement; and

17
18 WHEREAS, the County and the Library entered into an Amendment to Lease
19 Agreement dated March 31, 2017, which was approved by the County Council
20 pursuant to Bill No. 13-17, to add the Severn Community Library located 2624
21 Annapolis Road, Severn, Maryland to the Lease Agreement; and

22
23 WHEREAS, the Anne Arundel County Office of Emergency Management is
24 desirous of utilizing the Library Properties for cooling and warming relief centers
25 for those vulnerable populations during extreme temperature situations; and

26
27 WHEREAS, the Library is desirous of utilizing the Library Properties to serve
28 alcoholic beverages on the Library Properties for: (1) fundraising events for the sole

1 benefit of the Library, provided that such events are conducted after regular
2 operating hours; and (2) farmers' market events where attendees may purchase
3 alcoholic beverages from participating beer and wine vendors; and
4

5 WHEREAS, the parties are desirous of amending the Lease Agreement to: (1)
6 permit emergency management cooling and warming stations at the Library
7 Properties; and (2) authorize the sale of alcoholic beverages at the Library
8 Properties during certain types of events, as set forth in the Second Amendment to
9 Lease Agreement; now, therefore,
10

11 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
12 That the Second Amendment to Lease Agreement attached hereto as Exhibit A is hereby
13 approved.
14

15 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days
16 from the date it becomes law.

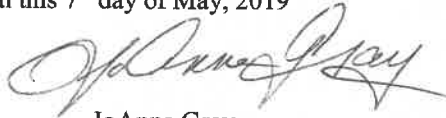
READ AND PASSED this 6th day of May, 2019

By Order:



JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 7th day of May, 2019



JoAnne Gray
Administrative Officer

APPROVED AND ENACTED this 9th day of May, 2019



Stuart Pittman
County Executive

EFFECTIVE DATE:

JUN 23 2019

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
22-19. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



JoAnne Gray
Administrative Officer

SECOND AMENDMENT TO LEASE AGREEMENT

THIS SECOND AMENDMENT TO LEASE AGREEMENT is made this _____ day of _____, 2019, by and between Anne Arundel County, Maryland, a body corporate and politic of the State of Maryland, (the “County”) and The Public Library of Annapolis and Anne Arundel County, Incorporated, a Maryland Corporation (the “Lessee”).

WHEREAS, the County and the Lessee are parties to a Lease Agreement dated April 11, 2016 and amended on March 31, 2017 (collectively the “Lease”), related to Lessee’s use of County owned real properties for public library facilities known as Annapolis Regional, Broadneck, Brooklyn Park, Crofton, Deale Community, Eastport Annapolis Neck, Edgewater, Library Headquarters, Linthicum, Maryland City, North County (Glen Burnie Regional), West County (Odenton), Riviera Beach, Severna Park Regional, and Severn Community Library (collectively, the “Leased Properties”); and

WHEREAS, the Anne Arundel County Office of Emergency Management (“Office of Emergency Management”) is desirous of utilizing the Leased Properties for cooling and warming relief centers for those vulnerable populations during extreme temperature situations; and

WHEREAS, the Lessee is desirous of utilizing the Leased Properties to serve alcoholic beverages for special events held for the sole benefit of the Library and as more particularly described herein; and

WHEREAS, the parties desire to amend the Lease as set forth herein.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the County and the Lessee agree as follows:

1. The Office of Emergency Management shall be permitted to utilize the Leased Premises as warming and cooling centers in extreme weather conditions as determined by the Office of Emergency Management.

2. The Lessee shall be permitted to serve alcoholic beverages on the Leased Premises during the following types of events;

- a. Fundraising events for the sole benefit of the Lessee, provided that such events are conducted after regular operating hours; and
- b. Farm market events where attendees may purchase alcoholic beverages from participating beer and wine vendors.

3. The Lessee and vendors shall be responsible to obtaining all necessary licenses and permits prior to serving alcoholic beverages on the Leased Premises.

4. Fundraising events associated with any political purpose shall not be permitted on the Leased Premises.

5. All other terms and conditions of the Lease will remain in full force and effect.

IN WITNESS WHEREOF the parties have set their hands and seals on the day and date first above-written.

WITNESS:

**THE PUBLIC LIBRARY OF ANNAPOLIS AND
ANNE ARUNDEL COUNTY, INC.**

 2/4/19
Date

 2/4/19
BY: Donald E. Roland Date
TITLE: Chairman

ATTEST/WITNESS:

ANNE ARUNDEL COUNTY, MARYLAND


Date BY: Benjamin J. Birge Date
TITLE: Chief Administrative Officer for
Steuart Pittman, County Executive

APPROVED FOR FORM AND LEGAL SUFFICIENCY
GREGORY J. SWAIN, COUNTY ATTORNEY



Christine B. Neiderer Date 2/26/19

APPROVED:



Christine A. Romans Date 3/4/19
Central Services Officer