

**ORDINANCE NO. 54-23**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONCESSIONS AGREEMENT WITH THE BIG SHOW LTD. TO ACT AS THE CITY'S CONCESSIONAIRE FOR THE AVON MUNICIPAL AQUATIC FACILITY AND DECLARING AN EMERGENCY**

**WHEREAS**, the Administration issued a Request for Proposals from various food service operators (caterers and food truck operators) to operate a concession stand at the City's Aquatic Facility for the convenience of the patrons; and

**WHEREAS**, the deadline to submit responses was March 15, 2023; and

**WHEREAS**, only one entity responded with a proposal, The Big Show, Ltd., dba "A Big Show"; and

**WHEREAS**, the Administration thoroughly reviewed their response is prepared to move forward with awarding the pool concessions contract to The Big Show, Ltd.; and

**WHEREAS**, Council, having reviewed the concessions agreement with The Big Show, Ltd, finds that entering into said agreement is in the best interest of the health, safety and welfare of the citizens of Avon.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:**

Section 1 - That the Mayor is hereby authorized to enter into a concessions agreement with The Big Show, Ltd., an Ohio Limited Liability Company, dba "A Big Show" in substantially the form set forth in the attached [Exhibit A](#), which is incorporated herein and made a part of this ordinance, for the planning, coordinating and implementing of a comprehensive program of food and beverage service at the City's Aquatic Facility

Section 2 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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 actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to authorize the Mayor to enter into a Concessions Agreement with The Big Show, Ltd. to handle the food and beverage concession at the City's Aquatic Facility for the 2023 season which is set to begin in early June; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Ordinance No. 54-23 (Con't.)

PASSED: \_\_\_\_\_

DATE SIGNED: \_\_\_\_\_

By: \_\_\_\_\_

Brian Fischer, Council President

DATE APPROVED BY THE MAYOR \_\_\_\_\_

\_\_\_\_\_  
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
John A. Gasior, Law Director

ATTEST:

\_\_\_\_\_  
Barbara J. Brooks, Clerk of Council

POSTED: \_\_\_\_\_

Electronically and at City Hall as  
Provided by Council

Prepared by:  
John A. Gasior, Esq.  
Law Director