

1 RESOLUTION NO. 2017-318

Late Filing

2
3 SPONSOR Ms. Shapiro

4
5 DATE August 21, 2017

COMMITTEE Planning

6
7 **A Resolution authorizing the County to execute a Cooperative Agreement, and all**
8 **agreements and other documents contemplated therein, between the County, the**
9 **Development Finance Authority of Summit County, and the Northeast Ohio Public Energy**
10 **Council to expand the Akron Energy Special Improvement District to the balance of**
11 **Summit County, for the Executive's Department of Community and Economic**
12 **Development, and declaring an emergency.**

13
14 WHEREAS, pursuant to Chapter 1710 of the Ohio Revised Code, the City of Akron has
15 created an Energy Special Improvement District ("Akron ESID") whereby owners of real
16 property may assess their real property for the cost of certain energy-related improvements to the
17 same; and

18
19 WHEREAS, Akron has adopted a Resolution permitting the expansion of the Akron
20 ESID to the balance of Summit County; and

21
22 WHEREAS, the County, the Development Finance Authority of Summit County
23 ("DFA") and the Northeast Ohio Public Energy Council ("NOPEC") each desire to expand the
24 Akron ESID in order to (i) encourage private and public investment in energy-related
25 improvements to real property throughout Summit County, (ii) create additional jobs in Summit
26 County, and (iii) encourage economic development in Summit County; and

27
28 WHEREAS, the County, DFA and NOPEC further desire to expand the Akron ESID in
29 order to enable NOPEC to provide additional programming to its member communities in
30 Summit County related to the Akron ESID and the assessment of energy-related improvements
31 to real property; and

32
33 WHEREAS, the County, DFA and NOPEC desire to enter into a Cooperative Agreement
34 to set forth the strategy and mechanisms to expand the Akron ESID to the balance of Summit
35 County. A copy of the Cooperative Agreement is attached hereto as Exhibit A, and is hereby
36 incorporated fully herein by reference; and

37
38 WHEREAS, pursuant to the Cooperative Agreement, the County, DFA and NOPEC
39 intend to assist both public and private owners of real property interested in performing energy-
40 related improvements to their property and assessing the costs of the same against their real
41 property; and

42
43 WHEREAS, pursuant to the Cooperative Agreement, in order to expand the Akron ESID
44 to portions of Summit County, the County, DFA and NOPEC intend to take certain actions
45 necessary to enable the County to petition certain communities in Summit County wherein it is
46 the owner of certain real property, including, but not limited to, certain sanitary sewer
47 infrastructure ("County Assessed Properties"), to expand the Akron ESID and allow for the
48 County to assess itself for the costs related to energy-related improvements ("County Assessed
49 Improvements") to the County Assessed Properties (collectively known as a "County ESID
50 Projects"); and

51
52

1 RESOLUTION NO.: 2017-318

2 PAGE TWO

3
4 WHEREAS, pursuant to the Cooperative Agreement, the County and DFA further desire
5 to enter into a series of loan agreements whereby the DFA shall loan funds to the County to fund
6 the County ESID Projects, and the same shall be repaid by the assessments against the County
7 Assessed Properties; and

8
9 WHEREAS, pursuant to the Cooperative Agreement, the County, DFA and NOPEC
10 desire to engage the services of certain legal counsel to provide assistance, guidance and services
11 necessary to expand the Akron ESID to the balance of Summit County; and

12
13 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
14 that it is necessary and in the best interest of the County to authorize the County Executive to
15 enter into the Cooperative Agreement to expand the Akron ESID for the reasons set forth above.

16
17 NOW, THEREFORE, BE IT RESOLVED, by the Council of the County of Summit,
18 State of Ohio, that:

19
20 SECTION 1

21
22 The County Executive is hereby authorized to execute the Cooperative Agreement
23 between the County, DFA and NOPEC to expand the Akron ESID, in the form attached hereto as
24 Exhibit A, with such modifications and revisions as shall be in furtherance of the provisions of
25 the Cooperative Agreement and not substantially adverse to the County, all of which shall be
26 conclusively evidenced by the execution thereof by the County Executive.

27
28 SECTION 2

29
30 The County Executive is further authorized to execute all agreements and other
31 documents necessary to consummate the transactions set forth in the Cooperative Agreement,
32 including, but not limited to, the loan agreements between the County and DFA necessary for the
33 County to finance its energy-related improvements to its real property.

34
35 SECTION 3

36
37 This Resolution is hereby declared an emergency in the interest of the health, safety and
38 welfare of the citizens of the County of Summit, and for the further reason to immediately
39 authorize the County Executive to execute the Cooperative Agreement so that the Akron ESID
40 may be expanded, and both public and private real property owners may take advantage of the
41 same.

42
43 SECTION 4

44
45 Provided this Resolution receives the affirmative vote of eight members, it shall take
46 effect immediately upon its adoption and approval by the Executive; otherwise it shall take effect
47 and be in force at the earliest time provided by law.

48
49
50
51
52

1 RESOLUTION NO.: 2017-318

2 PAGE THREE

3
4 SECTION 5

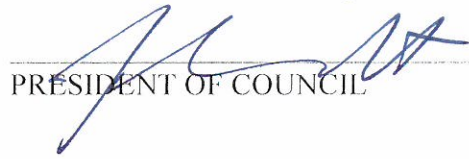
5
6 It is found and determined that all formal actions of this Council concerning and relating
7 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
8 deliberations of this Council and any of its committees that resulted in such formal action were in
9 meetings open to the public, in compliance with legal requirements, including Section 121.22 of
10 the Ohio Revised Code.

11
12
13 INTRODUCED August 7, 2017

14
15 ADOPTED August 21, 2017

16
17
18
19 

20 CLERK OF COUNCIL



21 PRESIDENT OF COUNCIL

22
23 APPROVED August 22, 2017

24
25
26 

27 EXECUTIVE

August 22, 2017

ENACTED EFFECTIVE

Voice Vote: 9-0-1 YES: Crawford, Donofrio, Feeman, Hamilton,
Koehler, Prentice, Schmidt, Walters, Wilhite
ABSTAIN: Dickinson
ABSENT: Rodgers