

1 RESOLUTION NO. 2018-340

First Reading Passage Requested
(J. Dodson)

2
3 SPONSOR Ms. Shapiro

4
5 DATE September 10, 2018

COMMITTEE Planning

6
7 **A Resolution authorizing the County Executive and County Fiscal Officer to execute any**
8 **Special Assessment Agreements with the Akron-Summit County Energy Special**
9 **Improvement District, Inc. the Development Finance Authority of Summit County, a**
10 **political subdivision within the County and a borrower owning real property within that**
11 **political subdivision, for a Special Energy Improvement Project within that political**
12 **subdivision, provided that the Special Assessment Agreement complies with the form set**
13 **forth in this Resolution, for the Executive’s Department of Community and Economic**
14 **Development, and declaring an emergency.**

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16 WHEREAS, from time to time, the Akron-Summit County Energy Special Improvement
17 District, Inc. the Development Finance Authority of Summit County, a political subdivision
18 within the County and a borrower owning real property within that political subdivision, will
19 partner to undertake a certain Special Energy Improvement Project pursuant to the State of
20 Ohio’s Property Assessed Clean Energy (“PACE”) laws; and

21
22 WHEREAS, in order to undertake a Special Energy Improvement Project, the Akron-
23 Summit County Energy Special Improvement District, Inc. the Development Finance Authority
24 of Summit County, a political subdivision within the County and a borrower owning real
25 property within that political subdivision will from time to time request the County to enter into a
26 Special Assessment Agreement whereby the terms and conditions of the actions to be undertaken
27 by the County in the event of a default in payment by the borrower are set forth; and

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29 WHEREAS, in order to facilitate future PACE projects, the County Executive has
30 recommended that this Council approve a form of a Special Assessment Agreement, a copy of
31 which is attached hereto as Exhibit A, and provide the County Executive and County Fiscal
32 Officer with the authority to execute any Special Assessment Agreement that complies with and
33 is consistent with the form attached as Exhibit A; and

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35 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
36 that it is necessary and in the best interest of the County to approve the recommended form of
37 Special Assessment Agreement and to further authorize the County Executive and County Fiscal
38 Officer to execute any Special Assessment Agreement that complies with and is consistent with
39 said form.

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41 NOW, THEREFORE, BE IT RESOLVED, by the Council of the County of Summit,
42 State of Ohio, that:

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44 SECTION 1

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46 This Council hereby approves the form of Special Assessment Agreement attached hereto
47 as Exhibit A and incorporated herein by reference, and further authorizes the County Executive
48 and County Fiscal Officer to execute any Special Assessment Agreement with the Akron-
49 Summit County Energy Special Improvement District, Inc. the Development Finance Authority
50 of Summit County, a political subdivision within the County and a borrower owning real
51 property within that political subdivision that complies with and is consistent with the form
52 attached as Exhibit A. The County Executive may agree to non-material deviations from the
53 approved form that are not contrary to the County’s interest, which shall be conclusively
54 determined by the County Executive.

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4 SECTION 2

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6 This Council acknowledges and understands that the Akron-Summit County Energy
7 Special Improvement District, Inc. is the name by which the Akron, Barberton, Bath Township,
8 Copley Township, Coventry Township, Springfield Township Energy Special Improvement
9 District, Inc. currently does business, and this Council expressly extends the authority conferred
10 in Section 1 to any Special Assessment Agreement with this entity, including as the entity
11 expands to include additional political subdivisions within Summit County and consequently
12 amends its legal name with the addition of those political subdivisions.

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14 SECTION 3

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16 This Resolution is declared an emergency in the interest of the health, safety and welfare of
17 the residents of the County of Summit and for the further reason to immediately authorize the County
18 Executive and County Fiscal Officer to execute future Special Assessment Agreements in order to
19 ensure those PACE projects proceed as expeditiously as possible.

20
21 SECTION 4

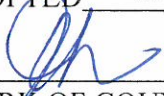
22
23 Provided this Resolution receives the affirmative vote of eight members, it shall take effect
24 immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in
25 force at the earliest time provided by law.

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27 SECTION 5

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

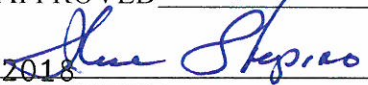
34
35
36 INTRODUCED September 10, 2018

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38 ADOPTED September 10, 2018

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41 _____
42 CLERK OF COUNCIL


43 _____
44 PRESIDENT OF COUNCIL

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46 APPROVED September 11, 2018


47 _____
48 EXECUTIVE

ENACTED EFFECTIVE September 11, 2018

Voice Vote: YES 11-0 - Dickinson, Donofrio, Feeman, Hamilton, Koehler, Prentice, Rodgers, Schmidt, Soyars, Walters, Wilhite