

1 RESOLUTION NO. 2011-039

2
3 SPONSOR Mr. Pry

4
5 DATE February 14, 2011 COMMITTEE Planning

6
7 **A Resolution approving the renewal of the Services Agreement between the Northeast Ohio**
8 **Joint Office of Economic Development ("JOED") and the Northeast Ohio Trade and**
9 **Economic Consortium ("NEOTEC"), from 1/1/11 through 12/31/11, with the reservation**
10 **that the automatic annual renewal in Paragraph 1.3 is not authorized, and authorizing the**
11 **payment directly to NEOTEC of the County's annual JOED contribution of \$25,000.00 to**
12 **compensate NEOTEC for providing services to JOED for that period, for the Executive,**
13 **and declaring an emergency.**

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15 WHEREAS, the County of Summit entered into an Amended Cooperative Agreement
16 dated as of September 1, 2000 (the "Cooperative Agreement"), creating under Section 307.07 of
17 the Ohio Revised Code a joint economic development district known as the Northeast Ohio Joint
18 Office of Economic Development ("JOED") consisting of the County of Summit and the
19 counties of Ashtabula, Columbiana, Mahoning, Portage, Stark and Trumbull ("JOED Counties");
20 and

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22 WHEREAS, County Council previously adopted Resolution 2004-652, approving the
23 addition of the counties of Medina and Wayne to the JOED; and

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25 WHEREAS, under the Cooperative Agreement, the County's annual contribution to the
26 JOED is \$25,000.00; and

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28 WHEREAS, Council previously adopted Resolution No. 2004-259, which approved
29 payment of \$25,000.00 to the Northeast Ohio Trade & Economic Consortium ("NEOTEC") for
30 providing services to the JOED from 1/1/04 through 12/31/04 and authorized the JOED to enter
31 into a services agreement with NEOTEC, with the reservation that the automatic annual renewal
32 in Paragraph 1.3 was not authorized; and

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34 WHEREAS, the JOED entered into the agreement for the purchase of services (the
35 "Services Agreement") with NEOTEC, from 1/1/04 through 12/31/04, a copy of which was
36 attached to Resolution No. 2004-259 as Exhibit A and incorporated therein as if fully restated,
37 except for the automatic renewal in Paragraph 1.3; and

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39 WHEREAS, under the Services Agreement, the County's annual contribution to the
40 JOED in the amount of \$25,000.00 is to be paid to NEOTEC to compensate NEOTEC for
41 services provided under the Services Agreement; and

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43 WHEREAS, because the County of Summit did not agree to the automatic renewal of the
44 Services Agreement pursuant to Paragraph 1.3 an annual approval by Council of the Services
45 Agreement and authorization of payment of fees to NEOTEC for providing services to JOED
46 under the Services Agreement is necessary; and

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4 WHEREAS, after reviewing all pertinent information, this Council has determined that it
5 is necessary and in the best interest of the County of Summit to approve the renewal of the
6 Services Agreement between JOED and NEOTEC, from 1/1/11 through 12/31/11, with the
7 reservation that the automatic annual renewal in Paragraph 1.3 is not authorized, and to authorize
8 the payment of \$25,000.00 to NEOTEC for providing services to JOED for that period;

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

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13 SECTION 1

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15 The renewal of the Services Agreement between the Northeast Ohio Joint Office of
16 Economic Development ("JOED") and the Northeast Ohio Trade & Economic Consortium
17 ("NEOTEC"), from 1/1/11 through 12/31/11 is hereby approved, with the reservation that the
18 automatic renewal in Paragraph 1.3 is not authorized, and the County Executive is authorized to
19 execute any documents necessary for the same. The payment of \$25,000.00 to NEOTEC for
20 providing services to JOED from 1/1/11 through 12/31/11 is hereby authorized.

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22 SECTION 2

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24 The renewal of the Services Agreement does not include the approval of Paragraph 1.3 of
25 the Agreement, which provides that the Agreement renews automatically unless a majority of the
26 JOED Counties elect not to renew it. Paragraph 1.3 is not authorized by the County of Summit
27 and the County's contribution of \$25,000.00 under the Services Agreement for any renewal
28 periods after the initial term of 1/1/04 through 12/31/04 shall continue to be subject to the
29 approval of County Council and the appropriation of funds.

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31 SECTION 3

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33 The Clerk of Council is hereby directed to deliver a copy of the Resolution to the
34 secretary of NEOTEC and the Chairman of the JOED.

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36 SECTION 4

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38 This Resolution is hereby declared an emergency in the interest of the health, safety, and
39 welfare of the citizens of the County of Summit, and for the further reason that it is necessary to
40 immediately authorize necessary agreements to preserve jobs and employment opportunities for
41 the citizens of the County.

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43 SECTION 5

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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
47 effect and shall be in force at the earliest time provided by law.
48

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4 SECTION 6

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6 It is found and determined that all formal action 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 of any of its committees that resulted in such formal action,
9 were in meetings open to the public, in compliance with all legal requirements, including Section
10 121.22 of the Ohio Revised Code.

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13 INTRODUCED January 31, 2011

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15 ADOPTED February 14, 2011

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20 Shawley F. Greer
CLERK OF COUNCIL

[Signature]
PRESIDENT OF COUNCIL

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22 APPROVED February 14, 2011

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ENACTED EFFECTIVE February 14, 2011

[Signature]
EXECUTIVE

Voice Vote: 11-0 YES: Komunale, Crawford, Feeman, Kostandaras
Poda, Prentice, Rodgers, Roemer, Schmidt, Shapiro, Smith