

1 RESOLUTION NO. 2016-448

Late Filing

2  
3 SPONSOR Ms. Shapiro

4  
5 DATE December 12, 2016

COMMITTEE: Finance

6  
7 **A Resolution authorizing the County Executive and County Fiscal Officer to Execute a**  
8 **Special Assessment Agreement with the City of Akron, Akron Energy Special**  
9 **Improvement District, Cascade Plaza Associates, LLC and Greenworks Lending, LLC**  
10 **pertaining to a Special Energy Improvement Project at the Cascade Plaza Building located**  
11 **in downtown Akron, for the Executive and Fiscal Officer, and declaring an emergency.**

12  
13 WHEREAS, the City of Akron, Akron Energy Special Improvement District, Cascade  
14 Plaza Associates, LLC and Greenworks Lending, LLC are parties to a certain Energy Project  
15 Cooperative Agreement whereby certain energy-efficient improvements are to be made to the  
16 Cascade Plaza Building in downtown Akron (“Special Energy Improvement Project”), and the  
17 costs of the same will be assessed against the property and paid as assessments by Cascade Plaza  
18 Associates, LLC; and

19  
20 WHEREAS, in conjunction with the Special Energy Improvement Project, the remaining  
21 parties have requested that the County execute a Special Assessment Agreement (the  
22 “Agreement”) whereby the terms and conditions of the actions to be taken by the County in the  
23 event of a default in payment by Cascade Plaza Associates, LLC are set forth, a copy of the same  
24 is attached hereto and incorporated herein by reference; and

25  
26 WHEREAS, the County Executive and County Fiscal Officer have reviewed the  
27 Agreement and have recommended that this Council authorize their execution of the same in  
28 order to encourage development in downtown Akron; and

29  
30 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
31 that it is necessary and in the best interest of the County to authorize the County Executive and  
32 County Fiscal Officer to execute the Agreement.

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

36  
37 SECTION 1

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39 The County Executive and County Fiscal Officer are hereby authorized to execute the  
40 Special Assessment Agreement with the City of Akron, Akron Energy Special Improvement  
41 District, Cascade Plaza Associates, LLC and Greenworks Lending, LLC, a copy of which is  
42 attached hereto and incorporated herein by reference. Furthermore, the County Executive is  
43 authorized to make and approve immaterial changes and revisions to the Agreement, the  
44 execution of which by the Executive shall be conclusively construed as consent thereto by this  
45 Council.

46  
47 SECTION 2

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49 This Resolution is hereby declared an emergency in the interest of the health, safety, and  
50 welfare of the citizens of the County of Summit and for the further reason to immediately  
51 authorize the execution of the Agreement in order to encourage development in downtown  
52 Akron.

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2 PAGE TWO

3  
4 SECTION 3

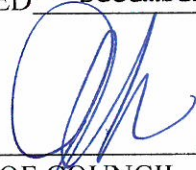
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6 Provided this Resolution receives the affirmative vote of eight members, it shall take  
7 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
8 effect and be in force at the earliest time provided by law.

9  
10 SECTION 4

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12 It is found and determined that all formal actions of this Council concerning and relating  
13 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
14 deliberations of this Council and of any of its committees that resulted in such formal action,  
15 were in meetings open to the public, in compliance with all legal requirements, including Section  
16 121.22 of the Ohio Revised Code.

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18  
19 INTRODUCED November 28, 2016

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21  
22 ADOPTED December 12, 2016

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26  
27 CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

28  
29  
30 APPROVED December 14, 2016

31  
32   
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34  
35 EXECUTIVE

December 14, 2016  
ENACTED EFFECTIVE

Voice Vote: 10-0 YES: Crawford, Dickinson, Donofrio, Feeman,  
Kostandaras, Prentice, Rodgers, Schmidt, Walters, Wilhite  
ABSENT: Lee