

1 RESOLUTION NO. 2018-006

**First Reading Passage Requested**  
**(J. Dodson)**

2  
3 SPONSOR Ms. Shapiro

4  
5 DATE January 8, 2018

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 the Development Finance**  
10 **Authority of Summit County pertaining to a Special Energy Improvement Project at the**  
11 **Cascade Plaza Building located in downtown Akron, for the Executive and Fiscal Officer,**  
12 **and declaring an emergency.**

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

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

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

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

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

37  
38 SECTION 1

39  
40 The County Executive and County Fiscal Officer are hereby authorized to execute the  
41 Special Assessment Agreement with the City of Akron, Akron Energy Special Improvement  
42 District, Cascade Plaza Associates, LLC, and the Development Finance Authority of Summit  
43 County. The Executive is hereby authorized to execute said Special Assessment Agreement in  
44 substantially the form attached hereto as Exhibit A.

45  
46 SECTION 2

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48 This Resolution is hereby declared an emergency in the interest of the health, safety, and  
49 welfare of the citizens of the County of Summit and for the further reason to immediately  
50 authorize the execution of the Agreement in order to encourage development in downtown  
51 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 January 8, 2018

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21 ADOPTED January 8, 2018

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24  
25 CLERK OF COUNCIL

26  
27  
28  
29 PRESIDENT OF COUNCIL

30  
31 APPROVED January 10, 2018

EXECUTIVE

January 10, 2018  
ENACTED EFFECTIVE

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