

RESOLUTION NO. 2009-126

SPONSOR Mr. Pry

DATE \_\_\_\_\_

COMMITTEE Planning

**A Resolution authorizing the County Executive to execute an amendment to the Enterprise Zone Agreement approved and executed pursuant to Resolution No. 2005-118 among USF Propco I, LLC, formerly known as US Foodservice, County of Summit and Twinsburg Township, to change the identity of US Foodservice to USF Propco I, LLC, for the Executive's Department of Community and Economic Development, and declaring an emergency.**

WHEREAS, the County of Summit created the Western Reserve Enterprise Zone to encourage job creation and economic development within the County; and

WHEREAS, Twinsburg Township and the County of Summit entered into an enterprise zone agreement with Alliant Foodservice, Inc. dba US Foodservice, approved and executed pursuant to Resolution No. 2005-118, to offer tax incentives for eligible projects within the zone; and

WHEREAS, USF Propco I, LLC is a wholly-owned subsidiary of US Foodservice; and,

WHEREAS, US Foodservice has requested that the benefits and the commitments contained within these Enterprise Zone Agreements be assigned to USF Propco I, LLC as the current owner and taxpayer; and,

WHEREAS, Twinsburg Township has requested that the agreement approved by Resolution No. 2005-118 be amended by changing the company's name to USF Propco I, LLC.

WHEREAS, this Council has determined by reviewing all pertinent information that it is necessary and in the best interest of the County of Summit to authorize the County Executive to execute an amendment to the aforementioned Enterprise Zone Agreement to change the identity of US Foodservice to USF Propco I, LLC;

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

#### SECTION 1

The County Executive is authorized to execute an amendment to the Enterprise Zone Agreement approved and executed pursuant to Resolution No. 2005-118 among USF Propco I, LLC, formerly known as US Foodservice, County of Summit and Twinsburg Township, be and the same is hereby amended in all respects to change the identity of US Foodservice to USF Propco I, LLC.

SECTION 2

This Resolution is hereby declared an emergency in the interest of the health, safety, and welfare of the citizens of the County of Summit; and for the further reason that this will immediately allow for the amendment to the Enterprise Zone Agreement to be executed.

SECTION 3

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

SECTION 4

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

INTRODUCED March 30, 2009

ADOPTED \_\_\_\_\_

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CLERK OF COUNCIL

\_\_\_\_\_  
PRESIDENT OF COUNCIL

APPROVED \_\_\_\_\_

\_\_\_\_\_  
EXECUTIVE

ENACTED EFFECTIVE \_\_\_\_\_