

1 RESOLUTION NO. 2013-422

2
3 SPONSOR Mr. Pry

4
5 DATE September 30, 2013 COMMITTEE Planning

6
7 **A Resolution authorizing the County Executive to execute an amendment to the Term**
8 **Sheet with the City of Green and Development Finance Authority of Summit County for**
9 **the County’s contribution to the construction of sanitary sewers for the CAK International**
10 **Business Park, Phase III Development, for the Executive’s Department of Environmental**
11 **Services, and declaring an emergency.**

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13 WHEREAS, the City of Green is constructing certain public infrastructure improvements
14 for the CAK International Business Park, Phase III Development (“Project”), near the Akron-
15 Canton Regional Airport (“Airport”); and

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17 WHEREAS, as part of the Project, the City of Green is installing sanitary sewers that will
18 service the area (“Project Site”) and will be turned over to the County as part of the Department
19 of Environmental Services sanitary sewer operation; and

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21 WHEREAS, pursuant to Resolution No. 2013-129; this Council authorized the Executive
22 to execute a term sheet (“Term Sheet”) and subsequent agreement consistent with the Term
23 Sheet with the City of Green and Development Finance Authority of Summit County
24 (“Development Finance Authority”) whereby the County would fund the sanitary sewer portion
25 of the Project; and

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27 WHEREAS, one of the contingencies of the County’s funding was that the Airport, as
28 owner of the Project Site, enter into a 99-year lease with the Development Finance Authority that
29 would spur the development of the Project Site and ensure the payback of the County’s
30 contribution to the Project; and

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32 WHEREAS, during the course of negotiations, the Airport and Development Finance
33 Authority have developed an alternative to the 99-year lease of the Project Site in the form of a
34 Cooperative Agreement that would still reasonably lead to the development of the Project Site
35 necessary for the County to realize the payback of its contribution; and

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37 WHEREAS, it is necessary and in the best interest of the County to authorize the County
38 Executive to execute an amendment to the Term Sheet that will expand the aforementioned
39 funding contingency to include alternatives to the 99-year lease but still provide for the
40 development of the Project Site.

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

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45 SECTION 1

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47 The County Executive is hereby authorized to execute an amendment to the Term Sheet
48 with the City of Green and Development Finance Authority for the County’s contribution for the
49 sanitary sewers at the Project Site in the form attached hereto as Exhibit A, and incorporated
50 herein by reference. The County Executive is further authorized to execute any agreements
51 contemplated by and consistent with the Term Sheet and aforementioned amendment.
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2 PAGE TWO

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4 SECTION 2

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6 This Resolution is hereby declared an emergency in the interest of the health, safety, and
7 welfare of the citizens of the County of Summit and for the further reason that it immediately
8 fosters development within the County.
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10 SECTION 3

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12 Provided this Resolution receives the affirmative vote of eight members, it shall take
13 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
14 effect and be in force at the earliest time provided by law.
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16 SECTION 4

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18 It is found and determined that all formal actions of this Council concerning and relating
19 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
20 deliberations of this Council and of any of its committees that resulted in such formal action,
21 were in meetings open to the public, in compliance with all legal requirements, including Section
22 121.22 of the Ohio Revised Code.
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25 INTRODUCED September 16, 2013

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27 ADOPTED September 30, 2013

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31 CLERK OF COUNCIL

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37 PRESIDENT OF COUNCIL

38 APPROVED October 3, 2013

39 EXECUTIVE

ENACTED EFFECTIVE October 3, 2013

Voice Vote: 10-0 YES: Comunale, Feeman, Kostandaras
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro
Absent: Crawford