

1 RESOLUTION NO. 2017-523

2
3 SPONSOR Ms. Shapiro

4
5 DATE December 12, 2017

COMMITTEE Planning

6
7 **A Resolution requesting the issuance by the Akron, Bath and Copley Joint Township**
8 **Hospital District, Ohio, of Hospital Facilities Improvement Revenue Bonds, pursuant to**
9 **Chapter 140 of the Ohio Revised Code, a portion of the proceeds of which will be used to**
10 **pay costs of certain hospital facilities located in the County of Summit, Ohio, and**
11 **authorizing and approving related matters, for the Executive's Department of Law,**
12 **Insurance and Risk Management, and declaring an emergency.**

13
14 WHEREAS, the County of Summit, Ohio (the "County") is a "public hospital agency,"
15 as defined in Chapter 140 of the Revised Code (the "Act"), and is authorized by the Act to enter
16 into agreements with other public hospital agencies (a) to acquire, construct, improve and equip
17 "hospital facilities," as defined in the Act, and (b) to provide for the issuance of revenue bonds to
18 pay "costs of hospital facilities," all as defined and provided in the Act;

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20 WHEREAS, the Akron, Bath and Copley Joint Township Hospital District, Ohio (the
21 "Issuer") and the County entered into a Public Hospital Agencies Agreement dated as of April 1,
22 2002 (the "Agreement"), authorized by Ordinance No. 2002-245 and passed April 29, 2002 and
23 approved April 30, 2002, which contemplates, among other things, the issuance of bonds by the
24 Issuer to finance hospital facilities of Summa Health System (which includes hospital facilities
25 located within the County) ("Summa Health System"); and

26
27 WHEREAS, Summa Health System has requested that this Council and the County
28 Executive approve the issuance by the Issuer of Hospital Facilities Improvement Revenue Bonds
29 in one or more series in the maximum aggregate principal amount of \$145,000,000 (the
30 "Hospital Facilities Improvement Revenue Bonds") to pay costs of hospital facilities situated
31 within the jurisdiction of the Issuer and hospital facilities situated within the jurisdiction of the
32 County.

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

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37 SECTION 1

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39 Findings and Determinations. This Council finds and determines, consistent with, and in
40 furtherance of the Agreement, that (a) the proposed issuance of Hospital Facilities Improvement
41 Revenue Bonds by the Issuer will promote the public purposes stated in Section 140.02 of the
42 Act and (b) Summa Health System constitutes a nonprofit hospital agency within the meaning of
43 the Act and the hospital facilities to be financed or refinanced by the Hospital Facilities
44 Improvement Revenue Bonds and to be utilized in connection with the provision of health care
45 services by Summa Health System within this County constitute hospital facilities, the costs of
46 which are financeable under the Act.
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4 SECTION 2

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6 Request for Issuance of Hospital Facilities Improvement Revenue Bonds. This Council
7 requests that the Issuer issue the Hospital Facilities Improvement Revenue Bonds pursuant to the
8 Act and allocate a portion of the proceeds to finance the costs of hospital facilities within this
9 County, consistent with the provisions of this Resolution. One or more public hearings with
10 respect to the proposed issuance of the Hospital Facilities Improvement Revenue Bonds shall be
11 conducted by the Issuer or its designee on behalf of the Issuer and the County. Notice of each
12 such public hearing shall be published in the *Akron Beacon Journal*, a newspaper of general
13 circulation in Summit County. Following each such hearing, the County Executive is authorized
14 to approve the issuance of the Hospital Facilities Improvement Revenue Bonds as the
15 “applicable elected representative” of the County. Such approval shall also constitute the
16 approval of this Council.

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18 SECTION 3

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20 Public Hospitals Agencies Agreement. This Council finds, determines and confirms that
21 the Hospital Facilities Improvement Revenue Bonds are “Obligations” contemplated by the
22 Agreement.

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24 SECTION 4

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26 Authorization and Execution of Documents. The County Executive, the Clerk of this
27 Council and any other appropriate officer of the County, acting alone or acting together with any
28 of the others, is authorized and directed to execute, deliver and, if applicable, file for and in the
29 name and on behalf of the County, any certifications, financing statements, assignments and
30 other instruments and documents and take such other actions which are necessary or appropriate
31 to consummate the transactions contemplated in this Resolution and the Agreement.

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33 SECTION 5

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35 No Obligation. The Hospital Facilities Improvement Revenue Bonds do not constitute
36 general obligations, debt or bonded indebtedness of the Issuer or this County and neither the faith
37 or credit or taxing power of the Issuer or this County or any other political subdivision shall be
38 pledged to the payment of principal of or interest on the Hospital Facilities Improvement
39 Revenue Bonds and the holders or owners thereof shall not be given the right and have no right
40 to have excises or taxes levied by the Issuer or this County for the payment of principal of and
41 interest thereon. Further, no part of the Hospital Facilities Improvement Revenue Bonds shall be
42 issued, or shall be deemed issued, for or on behalf of the County.

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44 SECTION 6

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46 Emergency Provision. This Resolution is declared to be an emergency measure necessary
47 for the immediate preservation of the public peace, health and safety of the County and for the
48 further reason that this Resolution is required to be immediately effective in order to enable the
49 County to approve and facilitate the issuance of the Hospital Facilities Improvement Revenue
50 Bonds, and thereby to permit Summa Health System to acquire, construct, improve, equip and
51 refinance hospital facilities and to enhance the availability, efficiency and economy of hospital
52 facilities and services rendered thereby available to County residents.

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2 PAGE THREE

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4 SECTION 7

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


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10 SECTION 8

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12 Compliance with Open Meeting Requirements. This Council finds and determines that
13 all formal actions of this Council concerning and relating to the adoption of this Resolution were
14 taken in an open meeting of this Council and that all deliberations of this Council and of any
15 committees that resulted in those formal actions were in meetings open to the public in
16 compliance with the law.

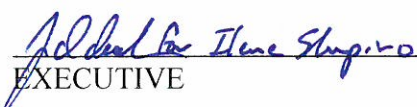
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19 INTRODUCED November 27, 2017

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21 ADOPTED December 12, 2017

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26 CLERK OF COUNCIL

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30 PRESIDENT OF COUNCIL

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32 APPROVED December 13, 2017

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EXECUTIVE

ENACTED EFFECTIVE December 13, 2017

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