

1 RESOLUTION NO. 2019-449

Late Filing

2  
3 SPONSOR Ms. Shapiro

4  
5 DATE December 9, 2019

COMMITTEE Finance

6  
7 **A Resolution declaring it necessary to renew an existing tax levy of eight-tenths (0.8) of a**  
8 **mill and provide for an increase of four-tenths (0.4) of a mill, to constitute a tax levy of one**  
9 **and two-tenths (1.2) mills to maintain and operate existing facilities and to expand physical**  
10 **facilities and educational programs in order to continue to provide zoological park services**  
11 **and facilities at the Akron Zoological Park, to increase the duration of the levy to ten years**  
12 **from seven years, and to submit the question of the renewal and increase of that levy to the**  
13 **electors of this County at the general election on November 3, 2020, for the Executive and**  
14 **the Council, and declaring an emergency.**

15  
16 WHEREAS, the Council of the County of Summit (the "Council") is the taxing authority  
17 of the County pursuant to Article III, Section 3.01 of the County Charter; and

18  
19 WHEREAS, the Akron Zoological Park, a nonprofit corporation, operates and maintains  
20 a zoological park in the County (the "Akron Zoo"); and

21  
22 WHEREAS, the electors of Summit County on November 5, 2013 approved the renewal  
23 of an eight-tenths (0.8) of a mill tax levy, for the purpose operating and capital expenses for the  
24 provision of zoological park services and facilities at the Akron Zoo; and

25  
26 WHEREAS, the authority to levy the aforesaid tax expires with the levy heretofore made  
27 on the 2020 tax duplicate for distribution to the County in 2021; and

28  
29 WHEREAS, the amount of taxes which may be raised within the ten-mill limitation will  
30 be insufficient to provide for the aforesaid purpose, and it is necessary to renew the .8 mill levy  
31 and increase by .4 mill to constitute a tax levy of 1.2 mills pursuant to Ohio Revised Code  
32 Sections 5705.19 and 5705.191; and

33  
34 WHEREAS, the Board of Directors of the Akron Zoological Park has recommended that  
35 this Council place upon the ballot at the general election on November 3, 2020 the question of  
36 the renewal of a tax levy of eight-tenths (0.8) of a mills and increase of four-tenths (0.4) of a  
37 mill, to constitute a tax levy of one and two-tenths (1.2) mills, for the aforesaid purpose, to  
38 increase the duration of the levy to ten years from seven years, for a period beginning with the  
39 2021 tax list and duplicate, for collection in the years 2022 through 2031 inclusive; and

40  
41 WHEREAS, this Council has adopted Resolution 2019-396 on October 28, 2019  
42 pursuant to Section 5705.03 of the Revised Code declaring it necessary to renew and increase the  
43 aforesaid tax levy for the aforesaid period and requesting the County Fiscal Officer to certify to  
44 the taxing authority the total current tax valuation of the County and the dollar amount of  
45 revenue that would be generated by that of eight-tenths (0.8) of a mills and increase of four-  
46 tenths (0.4) of a mill, to constitute a tax levy of one and two-tenths (1.2) mills, (the Initial  
47 Resolution); and

48  
49 WHEREAS, the County Fiscal Officer has certified to the taxing authority as to the total  
50 current tax valuation of the County and the dollar amount of revenue that would be generated by  
51 that eight-tenths (0.8) of a mill renewal levy and four-tenths (0.4) of a mill increase to constitute  
52 a one and two-tenths (1.2) mill tax levy; and  
53

3  
4 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
5 that the Akron Zoological Park Board's recommendation to place the aforementioned question  
6 on the ballot at the general election on November 3, 2020, shall enable the Akron Zoological  
7 Park to maintain and operate the Akron Zoo, to develop the Akron Zoo, and to provide for the  
8 acquisition, disposition and care of animals to be exhibited at the Akron Zoo, and is therefore,  
9 necessary and in the best interest of the County of Summit;

10  
11 NOW, THEREFORE, BE IT RESOLVED, by the Council of the County of Summit,  
12 State of Ohio, two-thirds of all the members elected thereto concurring, that:

13  
14 SECTION 1

15  
16 The amount of taxes which may be raised within the ten-mill limitation by levies on the  
17 current tax duplicate will be insufficient to provide an adequate amount to maintain and operate  
18 existing facilities and to expand physical facilities and educational programs in order to continue  
19 to provide zoological park services and facilities at the Akron Zoo after providing the normal and  
20 customary percentage of the total general fund appropriation for that purpose.

21  
22 SECTION 2

23  
24 It is necessary to levy a tax in excess of the ten-mill limitation for a period of ten (10)  
25 years commencing with the 2021 tax list and duplicate, for collection in the years 2022 through  
26 2031 inclusive, at a rate of one and two-tenths (1.2) mills to maintain and operate existing  
27 facilities and to expand physical facilities and educational programs in order to continue to  
28 provide zoological park services and facilities at the Akron Zoological Park.

29  
30 SECTION 3

31  
32 The questions of renewing the existing eight-tenths (0.8) of mill tax levy and providing  
33 for an increase of four-tenths (0.4) of a mill to constitute a one and two-tenths (1.2) mill levy  
34 and increase the duration to ten years from seven years to maintain and operate existing facilities  
35 and to expand physical facilities and educational programs in order to continue to provide  
36 zoological park services and facilities at the Akron Zoological Park for a period of ten (10) years,  
37 beginning with the 2021 tax list and duplicate, the proceeds of which levy first would be  
38 distributed in calendar year 2022, shall be submitted under the provisions of 5705.19 and  
39 5705.191 of the Ohio Revised Code to the electors of the County of Summit at the general  
40 election to be held therein on November 3, 2020, as authorized by law. The election shall be  
41 held at the regular places of voting in the County as established by the Board of Elections of  
42 Summit County, Ohio, or otherwise, within the time provided by law and shall be conducted,  
43 canvassed and certified in the manner provided by law.  
44

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4  
5 SECTION 4

6  
7 The ballot form for this question shall be substantially as follows:

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11  
12 PROPOSED TAX LEVY  
13 (RENEWAL AND INCREASE)  
14 SUMMIT COUNTY

15 A majority affirmative vote is necessary for passage.  
16 (Vote ballot with "X")

17  
18 A renewal of an eight-tenths (0.8) of a mill tax and increase of four-tenths (0.4) of  
19 a mill for the benefit of Summit County in order to provide sufficient funds to the  
20 Akron Zoo to maintain and operate existing facilities and to expand educational  
21 programs and physical facilities in order to continue to provide zoological park  
22 services and facilities at the Akron Zoo, at a rate not exceeding one and two-  
23 tenths (1.2) mills for each one dollar of valuation, which amounts to \$0.12 for  
24 each one hundred dollars of valuation, for ten (10) years commencing in 2021,  
25 first due in calendar year 2022.

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27  
28 \_\_\_\_\_ FOR THE TAX LEVY

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30 \_\_\_\_\_ AGAINST THE TAX LEVY  
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35 SECTION 5

36  
37 The Clerk of Council is authorized and directed to certify to the Board of Elections of  
38 Summit County not later than December 18, 2019: (i) a copy of the Initial Resolution as defined  
39 in the preambles hereto; (ii) the certification by the County Fiscal Officer as to the total current  
40 tax valuation of the County and the dollar amount of revenue that would be generated by that 1.2  
41 mill renewal with an increase levy; and (iii) a copy of this Resolution. This Council requests that  
42 the Board of Elections of Summit County give notice of the election and prepare the necessary  
43 ballots and supplies for the election in accordance with law.  
44  
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1 RESOLUTION NO. 2019-449

2 PAGE FOUR

3  
4 SECTION 6

5  
6 This Resolution is hereby declared an emergency in order to place the question of the  
7 renewal and increase of the aforesaid levy upon the ballot at the general election on November 3,  
8 2020, in the interest of the health, safety and welfare of the residents of the County of Summit  
9 and for the further reason that it is necessary to provide for the continued maintenance and  
10 operation of the Akron Zoological Park in order to continue to provide zoological park services  
11 and facilities at the Akron Zoological Park.

12  
13 SECTION 7

14  
15 Provided this Resolution receives an affirmative vote of eight (8) members, it shall take  
16 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
17 effect and be in force at the earliest time provided by law.

18  
19 SECTION 8

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

26  
27  
28 INTRODUCED November 18, 2019

29  
30 ADOPTED December 9, 2019

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35 CLERK OF COUNCIL

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42 PRESIDENT OF COUNCIL

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44 APPROVED December 10, 2019

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43 ENACTED EFFECTIVE December 10, 2019

44 Voice Vote: YES - 10-0 Dickinson, Donofrio, Feeman, Koehler,  
McKenney, Prentice, Rodgers, Schmidt, Walters, Wilhite