

1 RESOLUTION NO. 2019-396

2
3 SPONSOR Ms. Shapiro

4
5 DATE October 28, 2019 COMMITTEE Committee of the Whole

6
7 **An Amended Resolution declaring it necessary to levy a tax outside the ten-mill limitation**
8 **in order to provide sufficient funds to the Akron Zoological Park to maintain and operate**
9 **existing facilities and to expand physical facilities and educational programs in order to**
10 **continue to provide zoological park services and facilities at the Akron Zoo, to develop the**
11 **~~Akron Zoo, and to provide for the acquisition, disposition and care of animals to be~~**
12 **~~exhibited at the Akron Zoo, by the renewal of an existing tax levy of eight-tenths (0.8) of a~~**
13 **mill with an increase of four-tenths (0.4) of a mill, to constitute a tax levy of one and two-**
14 **tenths (1.2) mills, for a duration of ten years, and requesting the County Fiscal Officer to**
15 **certify to the County Council the total current tax valuation of the County and the dollar**
16 **amount of revenue that would be generated by the proposed tax levy for the Executive and**
17 **Council and declaring an emergency.**

18
19 WHEREAS, the Council of the County of Summit ("Council") is the taxing authority of
20 the County pursuant to Article III, Section 3.01 of the County Charter; and

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

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25 WHEREAS, Section 307.76 of the Ohio Revised Code authorizes the County to contract
26 with or contribute to a nonprofit corporation to maintain, and operate ~~and develop~~ a zoological
27 park in the County and to provide for the acquisition, disposition, and care of animals to be
28 exhibited at the zoological park, and the County has entered into an agreement with the Akron
29 Zoological Park for that purpose; and

30
31 WHEREAS, the electors of Summit County on November 5, 2013 approved the renewal
32 of an eight-tenths (0.8) of a mill tax levy, for operating and capital expenses for the provision of
33 zoological park services and facilities at the Akron Zoo; and

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

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38 WHEREAS, the amount of taxes which may be raised within the ten-mill limitation and
39 the existing tax levy will be insufficient for the aforesaid purpose, and it is necessary to renew
40 and increase by four-tenths (0.4) of a mill the one-eighth (0.8) of a mill levy to constitute a tax
41 levy of one and two-tenths (1.2) mills, pursuant to Ohio Revised Code Sections 5705.19 and
42 5705.191; and

43
44 WHEREAS, the Board of Directors of the Akron Zoological Park has recommended to
45 the County that this Council place upon the ballot at the primary general election on ~~March~~
46 ~~17~~November 3, 2020 the question of the renewal of a tax levy of eight-tenths (0.8) of a mills and
47 increase of four-tenths (0.4) of a mill, to constitute a tax levy of one and two-tenths (1.2) mills,
48 for the aforesaid purpose, to run for a period of ten (10) years, beginning with the 2021 tax list
49 and duplicate, for collection in the years 2022 through 2031 inclusive; and

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51 WHEREAS in accordance with Section 5705.03 of the Ohio Revised Code as amended
52 by Amended Substitute House Bill 166, effective July 18, 2019, upon receipt of a certified copy
53 of a resolution of this Council declaring the necessity of a tax, (a) stating its purpose, (b) whether
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4 it is an additional levy, a renewal, or a replacement of an existing tax, or the renewal or
5 replacement of an existing tax with an increase or a decrease, (c) the Section of the Revised Code
6 authorizing the submission of the question of the tax, (d) the term of years of the tax (or that it is
7 for a continuing period of time), (e) that the tax is to be levied upon the entire territory of the
8 County, (f) the date of the election at which the question of the tax shall appear on the ballot, (g)
9 that the ballot measure shall be submitted to the entire territory of the County, (h) the tax year in
10 which the tax will first be levied and the calendar year in which it will be first collected, and
11 requesting such certification, the County Fiscal Officer is to certify the (1) total current tax
12 valuation of the County; and (2) dollar amount of revenue that would be generated by the
13 specified number of mills; and

14
15 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
16 that it is necessary and in the best interest of the County of Summit to declare the necessity of
17 renewing the aforementioned tax levy of eight-tenths (0.8) of a mill and providing for an increase
18 of four-tenths (0.4) of a mill, to constitute a tax levy of one and two-tenths (1.2) mills for the
19 Akron Zoological Park, to increase the duration of the levy to ten years from seven years and to
20 certify this Resolution to the Fiscal Officer requesting that she certify to the taxing authority the
21 total current tax valuation of the County, and the dollar amount of revenue that would be
22 generated by the aforementioned renewal and increase tax levy;

23
24 NOW, THEREFORE, BE IT RESOLVED, by the Council of the County of Summit,
25 State of Ohio, two-thirds of all the members elected thereto concurring, that:

26
27 SECTION 1

28
29 It is necessary to levy a tax outside the ten-mill limitation ~~in order to provide~~
30 ~~necessary funds to the Akron Zoological Park to maintain and operate the Akron Zoo, to develop~~
31 ~~the Akron Zoo, and to provide for the acquisition, disposition and care of animals to be exhibited~~
32 ~~at the Akron Zoo,~~ by the renewal of the existing tax levy of eight-tenths (0.8) of a mill with an
33 increase in the levy of four-tenths (0.4) of a mill, to constitute a tax levy of one and two-tenths
34 (1.2) mills, for a period of ten (10) years commencing with the tax duplicate of 2021 for
35 collection in the years 2022 through 2031, inclusive, to maintain and operate existing facilities
36 and to expand physical facilities and educational programs in order to continue to provide
37 zoological park services and facilities at the Akron Zoological Park, and that this Council intends
38 to submit the question of the ~~proposed~~ renewal and increase of that levy to electors of the entire
39 territory of the County, and only the territory of the County, at an election on ~~March 17~~
40 November 3, 2020, pursuant to Ohio Revised Code Sections 5705.19 and 5705.191.

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42 SECTION 2

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44 In accordance with Section 5705.03 of the Ohio Revised Code, this Council authorizes
45 and requests the Clerk of Council to certify a copy of this Resolution to the County Fiscal
46 Officer for calculation of the total current tax valuation of the County and for calculation of the
47 dollar amount of revenue that would be generated by the aforesaid renewal levy of eight-tenths
48 (0.8) of mill with an increase of four-tenths of (0.4) tents of a mill to constitute a tax levy of one
49 and two-tenths (1.2) mills. This Council requests the County Fiscal Officer to thereupon certify
50 to it both (i) the total current tax valuation of the County, and (ii) the dollar amount of revenue
51 that would be generated by the aforesaid renewal levy of one-eighth (0.8) with an increase of
52 four-tenths (0.4) at a rate not to exceed one and two-tenths (1.2) mills.
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1 RESOLUTION NO. 2019-396

2 PAGE THREE

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4 SECTION 3

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6 This Resolution is hereby declared an emergency in the interest of the health, safety and
7 welfare of the residents of the County of Summit and for the further reason to timely certify to
8 the Board of Elections this ballot issue.

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10 SECTION 4

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12 Provided this Resolution receives the affirmative vote of eight (8) 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 5

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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 any of its committees that resulted in such formal action, were
21 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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24 INTRODUCED October 7, 2019

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26 ADOPTED October 28, 2019

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29 _____
30 CLERK OF COUNCIL

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34 PRESIDENT OF COUNCIL

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36 APPROVED October 29, 2019

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38 
39 _____
40 EXECUTIVE

41 ENACTED EFFECTIVE October 29, 2019

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