

1 RESOLUTION NO. 2019-277

Late Filing

2
3 SPONSOR Ms. Shapiro

4
5 DATE August 19, 2019

COMMITTEE Planning

6
7 **A Resolution authorizing the County Executive and County Fiscal Officer to execute a**
8 **Standing PACE Special Assessment Agreement with the Akron-Summit County Energy**
9 **Special Improvement District, Inc. ("ESID") and the Toledo-Lucas County Port Authority**
10 **concerning Residential PACE Projects within the ESID's boundaries, for the Executive's**
11 **Department of Community and Economic Development, and declaring an emergency.**

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13 WHEREAS, the Akron-Summit County Energy Special Improvement District, Inc.
14 ("ESID") has adopted a Residential Program Plan that allows owners of residential property to
15 assess energy-efficiency improvements against their property through the Property Assessed
16 Clean Energy Program ("Residential PACE Program"); and

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18 WHEREAS, it is anticipated that several municipalities and townships within the
19 jurisdiction of the ESID will adopt the Residential PACE Program for residents within their
20 borders; and

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22 WHEREAS, the Toledo-Lucas County Port Authority will provide the financing for the
23 costs of the energy-efficiency improvements for owners of residential real property under the
24 Residential PACE Program; and

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26 WHEREAS, owners of residential property that participate in the Residential PACE
27 Program will agree to assessments against their real property to pay for the energy-efficiency
28 improvements, and said assessments will be levied and collected by the County Fiscal Officer;
29 and

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31 WHEREAS, the assessments levied against residential real property under the Residential
32 PACE Program will be utilized to repay the Toledo-Lucas County Port Authority for its
33 financing of the energy-efficiency improvements under the Residential PACE Program; and

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35 WHEREAS, in order to facilitate future improvements under the Residential PACE
36 Program, the County Executive has recommended that this Council authorize the County
37 Executive and County Fiscal Officer to execute a Standing PACE Special Assessment
38 Agreement for the Residential PACE Program with the ESID and the Toledo-Lucas County Port
39 Authority, a copy of which is attached hereto as Exhibit A; and

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41 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
42 that it is necessary and in the best interest of the County to authorize the County Executive and
43 County Fiscal Officer to execute a Standing PACE Special Assessment Agreement for the
44 Residential PACE Program with the ESID and the Toledo-Lucas County Port Authority.

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

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4 SECTION 1

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6 The County Executive and County Fiscal Officer are hereby authorized to execute a
7 Standing PACE Special Assessment Agreement for the Residential PACE Program with the
8 ESID and the Toledo-Lucas County Port Authority, a copy of which is attached hereto as Exhibit
9 A, with such revisions and additions that are not adverse to the interest of the County, which
10 shall be conclusively evidenced by the execution of the same by the County Executive.
11 Additionally, the County Executive is further authorized to execute any agreement necessary to
12 provide for the contribution by the County to the ESID of a portion of the charge collected by the
13 County pursuant to Section 2.3 said Agreement for the purpose of expanding and administering
14 PACE programs by the ESID.

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16 SECTION 2

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18 This Council acknowledges and understands that the Akron-Summit County Energy
19 Special Improvement District, Inc. is the name by which the Akron, Barberton, Bath Township,
20 Copley Township, Coventry Township, Cuyahoga Falls, Fairlawn, Green, Lakemore, New
21 Franklin, Norton, Richfield, Springfield Township, Tallmadge Energy Special Improvement
22 District, Inc. currently does business, and this Council expressly extends the authority conferred
23 in Section 1 to any Standing PACE Special Assessment Agreement with this entity, including as
24 the entity expands to include additional political subdivisions within Summit County and
25 consequently amends its legal name with the addition of those political subdivisions.

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27 SECTION 3

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29 This Resolution is declared an emergency in the interest of the health, safety and welfare
30 of the residents of the County of Summit and for the further reason to immediately authorize the
31 County Executive and County Fiscal Officer to execute the aforementioned Standing PACE
32 Special Assessment Agreement in order to allow PACE-related assessments on residential
33 properties to proceed.

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35 SECTION 4

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

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41 SECTION 5


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43 It is found and determined that all formal actions of the Council concerning and relating
44 to the adoption of the Resolution were adopted in an open meeting of this Council, and that all
45 deliberations of this Council and of any of its committees that resulted in such formal action,
46 were in meetings open to the public, in compliance with all legal requirements, including Section
47 121.22 of the Ohio Revised Code.
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6 INTRODUCED June 24, 2019

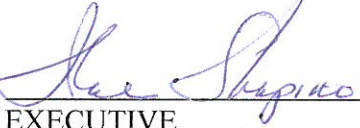
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8 ADOPTED August 19, 2019

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12 _____
13 CLERK OF COUNCIL



PRESIDENT OF COUNCIL

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15 APPROVED August 21, 2019

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18 _____
19 EXECUTIVE

ENACTED EFFECTIVE August 21, 2019

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