

1 RESOLUTION NO. 2024-202

2

3 SPONSOR Executive Shapiro, Council as a Whole

4

5 DATE June 17, 2024 COMMITTEE Finance

6

7 **An Amended Resolution creating the Summit County Regional Arts and Culture District**
8 **pursuant to Section 3381.04 of the Ohio Revised Code and authorizing the creation of a**
9 **Board of Trustees, for the Executive, and declaring an emergency.**

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11 WHEREAS, a need exists for coordinated and concentrated efforts and actions which
12 shall foster and encourage the development and preservation of the Arts or cultural heritage in
13 Summit County; and

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15 WHEREAS, "Arts or cultural heritage" includes, but is not limited to, literature, theater,
16 music, dance, ballet, painting, sculpture, photography, motion pictures, architecture,
17 archaeology, history, natural history, or the natural sciences.; and

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19 WHEREAS, in furtherance thereof, an entity must be created on an area-wide basis
20 without regard to political boundaries which are inappropriate for arts or cultural heritage
21 considerations; and

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23 WHEREAS, ArtsNow and other community organizations propose the creation of a
24 regional arts and culture district in accordance with Section 3381.04 of the Ohio Revised Code;
25 and

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27 WHEREAS, this Council previously adopted Ordinance No. 2000-383, creating a
28 regional arts and culture district, which was subsequently repealed by Ordinance No. 2003-510;
29 and

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31 WHEREAS, this Council subsequently adopted Resolution No. 2005-331, creating a
32 regional arts and culture district, and this District was later dissolved in 2014; and

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34 WHEREAS, the Executive proposes the creation of the "Summit County Regional Arts
35 and Culture District", the District and its Board of Trustees shall be responsible for making
36 grants to support the operating or capital expenses of Arts or Cultural Organizations located
37 within Summit County; and

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39 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
40 that it is in the best interest of the County of Summit to create a regional arts and culture district
41 in Summit County, known as the "Summit County Regional Arts and Culture District"; and

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

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46 SECTION 1

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48 This Council authorizes the creation of a regional arts and culture district pursuant to
49 Section 3381.04 of the Ohio Revised Code. The official name of the District shall be "Summit
50 County Regional Arts and Culture District." The District shall include the geographic limits of
51 Summit County, Ohio. The principal office of the District shall be located at 175 S. Main Street,
52 Akron, Ohio 44308 or in such other place in Summit County, Ohio as may be selected by the

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4 SECTION 1 (Cont.)

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6 Board. The District will initially be staffed and operated by ArtsNow, or by such other
7 organization dedicated at a future time by Resolution of this Council.

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9 Additionally, this Council formally disbands any regional arts and culture districts
10 previously created by this Council under the Ohio Revised Code, or otherwise. Hereafter, the
11 District created by this resolution shall be the only such district within the geographic limits of
12 Summit County, Ohio

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14 SECTION 2

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16 The purposes of the District shall be to make grants to support the operating or capital
17 expenses of Arts or Cultural Organizations located within the District and to acquire, construct,
18 equip, furnish, repair, remodel, renovate, enlarge, improve, or administer Artistic or Cultural
19 Facilities. The District may exercise all the rights and powers granted to arts and culture districts
20 pursuant to Chapter 3381 of the Ohio Revised Code.

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22 SECTION 3

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24 The District shall be governed by a Board of Trustees appointed by the County Executive
25 and approved by Summit County Council. The Board shall be composed of five trustees who are
26 qualified electors in the District's territory. The Board must have two trustees who devote a
27 major portion of their time to practicing, performing, or teaching any of the arts or who are
28 professional administrators in any field of the arts or cultural heritage, and the resolutions or
29 ordinances creating the district shall so provide.

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31 Each Trustee shall serve a term of three years, except that any person appointed to fill a
32 vacancy shall be appointed to only the unexpired term. Any member is eligible for
33 reappointment. The initial trustees shall be appointed within sixty days after the creation of the
34 District. The term of each trustee of the Board shall be deemed to run from the date of their
35 appointment.

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37 If any trustee resigns, expires, becomes disqualified or is removed from office, the
38 County Executive may promptly appoint a person meeting the requirements of this section to fill
39 the vacancy. Upon the expiration of their term, a trustee may remain in office until a successor
40 trustee is selected by the County Executive and approved by Summit County Council. A member
41 of the Board may be removed by the County Executive at any time by Executive Order.

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43 A majority of the Board shall constitute a quorum, the affirmative vote of which is
44 necessary for any action taken by the District. No vacancy in the Board shall impair the rights of
45 a quorum to exercise all rights and perform all the duties of the District.

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4 SECTION 4

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6 The District may be terminated and dissolved at any time by the adoption of a resolution of
7 termination and dissolution by the County Executive and the County Council. The resolution of
8 termination and dissolution shall fix a date on the resolution shall be filed with the Clerk of
9 Council. Before any termination date, the District shall proceed to wind up its affairs, fulfill or
10 discharge its contracts, collect its assets, sell its assets or cash at public or private sale, discharge
11 of pay its liabilities, make distributions to Arts and Cultural Organizations to the extent
12 practicable, and do all other acts appropriate to liquidate its business. On the termination date,
13 the District, after paying or adequately providing for the payment of its liabilities, shall distribute
14 the remaining assets of the District (if any) to the County. After the termination date, the District,
15 its trustees and officers may continue to function for the purpose of winding up the affairs of the
16 District in the same manner as if the termination had not taken place. In so doing, the trustees
17 shall not be deemed to be trustees for the assets of the District and title to such assets shall
18 remain in the District until transferred by it. Until the winding up of the affairs of the District is
19 completed, this Resolution and any by-laws of the District shall continue in full force and effect.

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21 SECTION 5

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23 This Resolution is hereby declared to be an emergency in the interest of the health, safety,
24 and welfare of the residents of the County of Summit and for the further reason that it is necessary
25 to immediately create the Summit County Regional Arts and Culture District to encourage the
26 expansion of arts and culture in the County.

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29 SECTION 6

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

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35 SECTION 7

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

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44 INTRODUCED June 17, 2024

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47 ADOPTED June 24, 2024

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3 DocuSigned by:

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5 _____

6 CLERK OF COUNCIL
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9 APPROVED June 24, 2024

10 DocuSigned by:

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13 EXECUTIVE
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16 ENACTED EFFECTIVE June 25, 2024

DocuSigned by:



PRESIDENT OF COUNCIL
82A3B60D2648...

Voice Vote – YES: 10 – 0: Darrow, Dickinson,
Donofrio, Ford, McKenney, Rodgers, Schmidt,
Walters, Wiedie Higham, Wilhite
Absent: DeVitis