

RESOLUTION NO. 2009-078

SPONSOR Mr. Pry

DATE March 16, 2009

COMMITTEE Planning

A Resolution approving the renewal of the Services Agreement between the Northeast Ohio Joint Office of Economic Development (the "JOED") and the Northeast Ohio Trade & Economic Consortium ("NEOTEC"), from 01/01/09 through 12/31/09, with the reservation that the automatic annual renewal in Paragraph 1.3 is not authorized, and authorizing the payment directly to NEOTEC of the County's annual JOED contribution of \$25,000.00 to compensate NEOTEC for providing services to JOED for that period, for the Executive's Department of Community and Economic Development, and declaring an emergency.

WHEREAS, the County of Summit entered into an Amended Cooperative Agreement dated as of September 1, 2000 (the "Cooperative Agreement"), creating under Section 307.07 of the Ohio Revised Code a joint economic development district known as the Northeast Ohio Joint Office of Economic Development (the "JOED") consisting of the County of Summit and the counties of Ashtabula, Columbiana, Mahoning, Portage, Stark and Trumbull ("JOED Counties"); and

WHEREAS, County Council previously adopted Resolution 2004-652, approving the addition of the counties of Medina and Wayne to the JOED; and

WHEREAS, County Council previously adopted Resolution 2005-654, approving the addition of the County of Richland to the JOED; and

WHEREAS, under the Cooperative Agreement, the County's annual contribution to the JOED is \$25,000.00; and

WHEREAS, County Council previously adopted Resolution No. 2004-259, which approved payment of \$25,000.00 to the Northeast Ohio Trade & Economic Consortium ("NEOTEC") for providing services to the JOED from 01/01/04 through 12/31/04 and authorized the JOED to enter into a services agreement with NEOTEC, with the reservation that the automatic annual renewal in Paragraph 1.3 was not authorized; and

WHEREAS, the JOED entered into the agreement for the purchase of services (the "Services Agreement") with NEOTEC, from 01/01/04 through 12/31/04, a copy of which was attached to Resolution No. 2004-259 as Exhibit A and incorporated therein as if fully restated, except for the automatic renewal in Paragraph 1.3; and

WHEREAS, under the Services Agreement, the County's annual contribution to the JOED in the amount of \$25,000.00 is to be paid to NEOTEC to compensate NEOTEC for services provided under the Services Agreement; and

WHEREAS, because the County of Summit did not agree to the automatic renewal of the Services Agreement pursuant to Paragraph 1.3 an annual approval of the Services Agreement and authorization of payment of fees to NEOTEC for providing services to JOED under the Services Agreement is necessary; and

WHEREAS, in 2005, 2006, 2007 and 2008, this Council authorized the renewal of said contract, except for the automatic renewal in Paragraph 1.3, and the payment of \$25,000.00 directly to NEOTEC of the County's annual JOED contribution; and

WHEREAS, after reviewing all pertinent information, this Council has determined that it is necessary and in the best interest of the County of Summit to approve the renewal of the Services Agreement between JOED and NEOTEC, from 01/01/09 through 12/31/09, with the reservation that the automatic annual renewal in Paragraph 1.3 is not authorized, and to authorize the payment of \$25,000.00 to NEOTEC for providing services to JOED for that period;

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

SECTION 1

The renewal of the Services Agreement between the Northeast Ohio Joint Office of Economic Development (the "JOED") and the Northeast Ohio Trade & Economic Consortium ("NEOTEC"), from 01/01/09 through 12/31/09 is hereby approved, with the reservation that the automatic renewal in Paragraph 1.3 is not authorized, and the County Executive is authorized to execute any documents necessary for the same. The payment of \$25,000.00 to NEOTEC for providing services to JOED from 01/01/09 through 12/31/09 is hereby authorized.

SECTION 2

The renewal of the Services Agreement does not include the approval of Paragraph 1.3 of the Agreement, which provides that the Agreement renews automatically unless a majority of the JOED Counties elect not to renew it. Paragraph 1.3 is not authorized by the County of Summit and the County's contribution of \$25,000.00 under the Services Agreement for any renewal periods after the initial term of 01/01/04 through 12/31/04 shall continue to be subject to the approval of County Council and the appropriation of funds.

SECTION 3

The Clerk of Council is hereby directed to deliver a copy of the Resolution to the secretary of NEOTEC and the Chairman of the JOED.

SECTION 4

This Resolution is hereby declared an emergency in the interest of the health, safety, and welfare of the citizens of the County of Summit, and for the further reason that it is necessary to immediately authorize necessary agreements to preserve jobs and employment opportunities for the citizens of the County.

2009-078

RESOLUTION NO. 2008-078

PAGE THREE

SECTION 5

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

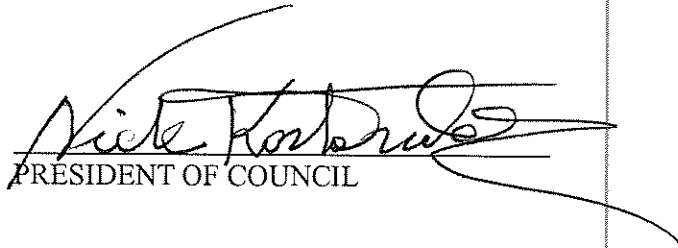
SECTION 6

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

INTRODUCED March 2, 2009

ADOPTED March 16, 2009


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED March 16, 2009


EXECUTIVE

March 16, 2009

ENACTED EFFECTIVE

Voice Vote: 11-0 YES: Crossland, Schmidt, Comunale, Poda, Prentice
Smith, Crawford, Feeman, Rodgers, Shapiro, Kostandaras