RESOLUTION NO. 2012-254

SPONSOR Mr. Pry and Mrs. Shapiro and Council of the Whole

DATE June 18, 2012 COMMITTEE: Planning

A Resolution designating the Summit County Land Reutilization Corporation as the agent for the reclamation, rehabilitation and reutilization of vacant, abandoned, tax-foreclosed and other real property in Summit County and directing it to prepare an agreement with the County and plan in furtherance of these matters, for the Executive, Fiscal Officer and Council, and declaring an emergency.

WHEREAS, pursuant to Section 5722.02(A) of the Ohio Revised Code, the County has elected to adopt and implement the procedures set forth in Sections 5722.02 to 5722.15 of the Ohio Revised Code to facilitate the effective reutilization of nonproductive land situated within Summit County; and

WHEREAS, the County has caused the Summit County Land Reutilization Corporation (the “Summit CLRC”) to be organized as a county land reutilization corporation under Chapter 1724 of the Ohio Revised Code to act on behalf of and cooperate with the County in exercising the powers and performing the duties of a county with respect to land reutilization under Chapter 5722 of the Ohio Revised Code; and

WHEREAS, Section 1724.10(A)(2) of the Ohio Revised Code authorizes the County to designate a county land reutilization corporation organized under Chapter 1724 of the Ohio Revised Code as its agent for the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property within Summit County; and

WHEREAS, this Council now desires to designate, pursuant to Section 1724.10(A)(2) of the Ohio Revised Code, the Summit CLRC as its agent for the reclamation, rehabilitation and reutilization of vacant, abandoned, tax-foreclosed or other real property in the county and for the exercise of the County’s powers under Chapter 5722 of the Ohio Revised Code; and

WHEREAS, in furtherance of the purposes of reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property in the County and the exercise by the Summit CLRC on behalf of the County of the powers of the County under Chapter 5722 of the Ohio Revised Code, this Council also desires to enter into an agreement and plan with the Summit CLRC to accomplish the foregoing; and

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

SECTION 1

Pursuant to Section 1724.10(A)(2) of the Ohio Revised Code, this Council hereby designates the Summit CLRC as the agent of the County for the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property located within Summit County.
SECTION 2

Pursuant to Section 1724.04 and Section 5722.02(B) of the Ohio Revised Code, this Council hereby authorizes the Summit CLRC to exercise on its behalf the powers granted to the County under Chapter 5722 of the Ohio Revised Code, subject to any limitations therein on a county land reutilization corporation.

SECTION 3

In furtherance of the designation of the Summit CLRC by this Council as the agent of the County for the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property located within the County pursuant to Section 1724.10(A)(2) of the Ohio Revised Code and as its agent for exercise of the powers granted to the County under Chapter 5722 of the Ohio Revised Code, this Council hereby directs the Summit CLRC to prepare or cause to be prepared, for approval by this Council and execution by the County Executive, an agreement and plan between the Summit CLRC and the County, as authorized by Section 1724.10(B) of the Ohio Revised Code to provide for, among other things, a plan of reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property and the extent to which the Summit CLRC will participate as the agent of the County in carrying out the plan.

SECTION 4

This resolution is hereby declared an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the County, and for the further reason that this Council must immediately take all steps necessary to create and duly empower the Summit CLRC in order for the same to timely apply for and commit matching funds under the Ohio Attorney General's Moving Ohio Forward Grant Program.

SECTION 5

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

SECTION 6

This Council finds and determines that all formal actions of this Council concerning the enactment of this resolution were taken in an open meeting of this Council, and all deliberations of this Council and any of its committees that resulted in those formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.
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INTRODUCED: June 4, 2012
ADOPTED: June 18, 2012

CLERK OF COUNCIL

PRESIDENT OF COUNCIL

APPROVED June 18, 2012

EXECUTIVE

ENACTED EFFECTIVE: June 18, 2012

Voice Vote: 11-0. YES: Comunale, Crawford, Feeman, Kostandaras Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro