

1 RESOLUTION NO. 2013-413

2
3 SPONSOR Mr. Pry

4
5 DATE September 30, 2013 COMMITTEE Planning

6
7 **A Resolution approving the issuance by the County of Franklin, Ohio, of Health Care**
8 **Facilities Refunding and Improvement Revenue Bonds (OPRS Communities) in one or**
9 **more series, and authorizing the County Executive and County Fiscal Officer to execute all**
10 **documents and take all actions necessary and appropriate to effectuate the issuance of the**
11 **Bonds, for the Executive’s Department of Law, Insurance and Risk Management, and**
12 **declaring an emergency.**

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14 WHEREAS, the County of Summit, Ohio, has entered into a Public Hospital Agencies
15 Agreement (“Agreement”) with the County of Franklin, Ohio, the County of Shelby, Ohio, the
16 County of Butler, Ohio, the County of Mahoning, Ohio, the County of Lucas, Ohio, the County
17 of Hamilton, Ohio, the County of Clinton, Ohio, the County of Trumbull, Ohio, the County of
18 Ottawa, Ohio, and the City of Willoughby, Ohio; and

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20 WHEREAS, pursuant to the Agreement, the County of Franklin, Ohio, intends to issue
21 Health Care Facilities Refunding and Improvement Revenue Bonds (OPRS Communities) in one
22 or more series (“Bonds”); and

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24 WHEREAS, a portion of the Bonds will used to finance and/or refinance facilities of the
25 Rockynol Retirement Community (“Project”), which is located in the County of Summit in
26 Council District 3; and

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28 WHEREAS, to comply with Section 147(f) of the Internal Revenue Code of 1986, as
29 amended (“Code”), a public hearing is needed in the County of Summit, Ohio, and, thereafter,
30 the County of Summit, Ohio, must approve of the Bonds to be issued by Franklin County; and

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32 WHEREAS, pursuant to Section 147(f) of the Code, the County of Summit Council is the
33 applicable elected representative authorized to approve the Bonds;

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

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38 SECTION 1

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40 The Planning and Economic Development Committee of the County of Summit Council
41 has held a public hearing on September 23, 2013, at 4:30 p.m. in Council Chambers. The public
42 was invited to make comments at said hearing and notice of such hearing with respect to the
43 approval of the Bonds was published in *The Akron Beacon Journal* on or before September 9,
44 2013.
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4 SECTION 2

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6 This Council hereby approves the issuance of the Bonds. It is anticipated that the
7 proceeds of the Bonds will be used to finance the Project and that the balance of the proceeds of
8 the Bonds will be used to fund health care facilities throughout the State of Ohio. This approval
9 is intended to comply solely with the Code and does not constitute a finding by the County or
10 this Council that Franklin County, Ohio, or Ohio Presbyterian Retirement Services, Inc., or any
11 other party are in compliance with the legal requirements imposed upon them in connection with
12 the issuance of the Bonds.

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14 SECTION 3

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16 The County Executive, the Fiscal Officer, and the Clerk of County Council are each
17 separately authorized to take any and all actions and to execute such financing statements,
18 assignments, certificates and other instruments that may be necessary or appropriate, in the
19 opinion of Ice Miller, LLP, as Bond Counsel, in order to effect the issuance of the Bonds, the
20 financing of the Project and the intent of this Resolution.

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22 SECTION 4

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24 This Resolution is hereby declared an emergency measure necessary for the immediate
25 preservation of the public peace, health and safety of the County, and for the further reason that
26 this Resolution is required to be immediately effective in order to authorize the Bonds as soon as
27 practicable.

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29 SECTION 5

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31 It is found and determined that all formal actions of this Council concerning and relating
32 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
33 deliberations of this Council and of any of its committees that resulted in such formal action,
34 were in meetings open to the public, in compliance with all legal requirements, including Section
35 121.22 of the Ohio Revised Code.

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37 SECTION 6

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39 Provided this Resolution receives the affirmative vote of eight members, it shall take
40 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
41 effect and be in force at the earliest time provided by law.
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INTRODUCED September 16, 2013

ADOPTED September 30, 2013



CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED October 3, 2013



EXECUTIVE

ENACTED EFFECTIVE October 3, 2013

Voice Vote: 10-0 YES: Comunale, Feeman, Kostandaras
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro
Absent: Crawford