

1 RESOLUTION NO. 2018-134

2  
3 SPONSOR Ms. Shapiro

4  
5 DATE April 16, 2018

COMMITTEE: Finance

6  
7 **A Resolution authorizing the County Executive and County Fiscal Officer to execute a**  
8 **Special Assessment Agreement with Bath Township, Akron-Summit County Energy**  
9 **Special Improvement District, Inc., Crystal Clinic, LLC, and the Development Finance**  
10 **Authority of Summit County pertaining to a Special Energy Improvement Project at 3975**  
11 **Embassy Parkway, in Bath Township, Parcel No. 0405326, in Council District 5, for the**  
12 **Executive and Fiscal Officer, and declaring an emergency.**

13  
14 WHEREAS, Bath Township, Akron-Summit County Energy Special Improvement  
15 District, Inc., Crystal Clinic, LLC, and the Development Finance Authority of Summit County  
16 intend to be parties to a certain Energy Project Cooperative Agreement whereby certain energy-  
17 efficient improvements are to be made to the property owned by Crystal Clinic, LLC, at 3975  
18 Embassy Parkway, in Bath Township, Parcel No. 0405326 (“Special Energy Improvement  
19 Project”), and the costs of the same will be assessed against the property and paid as assessments  
20 by Crystal Clinic, LLC; and

21  
22 WHEREAS, in conjunction with the Special Energy Improvement Project, the remaining  
23 parties have requested that the County execute a Special Assessment Agreement (the  
24 “Agreement”) whereby the terms and conditions of the actions to be taken by the County in the  
25 event of a default in payment by Crystal Clinic, LLC are set forth, a copy of the same is attached  
26 hereto as Exhibit A and incorporated herein by reference; and

27  
28 WHEREAS, the legal name of the Akron-Summit County Energy Special Improvement  
29 District is the Akron, Barberton, Bath Township, Coventry Township Energy Special  
30 Improvement District, and all references herein to the Akron-Summit County Energy Special  
31 Improvement District shall be to that entity; and

32  
33 WHEREAS, the County Executive and County Fiscal Officer have reviewed the  
34 Agreement and have recommended that this Council authorize their execution of the same in  
35 order to encourage development in the County; and

36  
37 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
38 that it is necessary and in the best interest of the County to authorize the County Executive and  
39 County Fiscal Officer to execute the Agreement;

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

43  
44 SECTION 1

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46 The County Executive and County Fiscal Officer are hereby authorized to execute the  
47 Special Assessment Agreement with Bath Township, Akron-Summit County Energy Special  
48 Improvement District, Inc., Crystal Clinic, LLC, and the Development Finance Authority of  
49 Summit County. The Executive is hereby authorized to execute said Special Assessment  
50 Agreement in substantially the form attached hereto as Exhibit A, with such non-material  
51 changes as the County Executive determines necessary and in the County’s interest, of which  
52 such determination shall be conclusively determined by the execution of the Agreement by the  
53 County Executive.  
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4 SECTION 2

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6 This Resolution is hereby declared an emergency in the interest of the health, safety, and  
7 welfare of the citizens of the County of Summit and for the further reason to immediately  
8 authorize the execution of the Agreement in order to encourage development in the County.  
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10  
11 SECTION 3

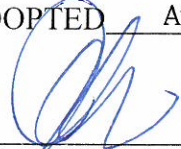
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13 Provided this Resolution receives the affirmative vote of eight members, it shall take  
14 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
15 effect and be in force at the earliest time provided by law.  
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17 SECTION 4

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19 It is found and determined that all formal actions of this Council concerning and relating  
20 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
21 deliberations of this Council and of any of its committees that resulted in such formal action,  
22 were in meetings open to the public, in compliance with all legal requirements, including Section  
23 121.22 of the Ohio Revised Code.  
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25  
26 INTRODUCED April 2, 2018

27  
28 ADOPTED April 16, 2018

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31 \_\_\_\_\_  
32 CLERK OF COUNCIL

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35 \_\_\_\_\_  
36 PRESIDENT OF COUNCIL

37 APPROVED April 17, 2018

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39   
40 \_\_\_\_\_  
41 EXECUTIVE

42 April 17, 2018  
43 \_\_\_\_\_  
44 ENACTED EFFECTIVE

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