

1 RESOLUTION NO. 2014-467

Late Filing

2
3 SPONSOR Mr. Pry

4
5 DATE October 27, 2014

COMMITTEE Planning

6
7 **A Resolution authorizing the County Executive to execute an amendment to an agreement**
8 **with the Summit County Land Reutilization Corporation for the reclamation,**
9 **rehabilitation and reutilization of vacant, abandoned, tax-foreclosed and other real**
10 **property within Summit County which would authorize the SCLRC pursuant to Section**
11 **1724.10(B)(2) of the Ohio Revised Code to sell or lease lands owned by the County, without**
12 **competitive bidding, upon the authorization of County Council and for such uses,**
13 **consideration and upon other terms specified by Council, for the Executive's Department**
14 **of Community and Economic Development, and declaring an emergency.**

15
16 WHEREAS, County Council previously adopted Resolution No. 2012-214, which
17 established the Summit County Land Reutilization Corporation ("SCLRC"), in accordance with
18 Chapters 1724 and 5722 of the Ohio Revised Code, and approving, and authorizing the County
19 Fiscal Officer to file, the Articles of Incorporation for the SCLRC as a non-profit corporation and
20 the Fiscal Officer subsequently filed the same on June 6, 2012; and

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22 WHEREAS, Council subsequently adopted Resolution No. 2012-254, which designated
23 the SCLRC as the agent for the reclamation, rehabilitation and reutilization of vacant,
24 abandoned, tax-foreclosed and other real property within Summit County pursuant to Section
25 1724.10 (A)(2) of the Ohio Revised Code and directing the SCLRC to prepare an agreement with
26 the County and plan in furtherance of these matters; and

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28 WHEREAS, this Council subsequently adopted Resolution 2013-322, which authorized
29 the County Executive to execute said agreement and plan for the reclamation, rehabilitation and
30 reutilization of vacant, abandoned, tax-foreclosed and other real property in Summit County, and
31 providing for the County to serve as management agent and provide ongoing administration and
32 support to the SCLRC (the "Agreement"); and

33
34 WHEREAS, on July 31, 2013, the County and the SCLRC entered into the Agreement;
35 and

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37 WHEREAS, Section 1724.10(B)(2) of the Ohio Revised Code authorizes a community
38 improvement corporation, which includes within its definition a county land reutilization
39 corporation, to sell or to lease any lands or interests in lands owned by a political subdivision
40 determined by the legislative authority of the political subdivision not to be required by such
41 political subdivision for its purposes, for uses determined by the legislative authority as those
42 that will promote the welfare of the people of the political subdivision, stabilize the economy,
43 provide employment, assist in the development of industrial, commercial, distribution, and
44 research activities to the benefit of the people of the political subdivision, will provide additional
45 opportunities for their gainful employment, or will promote the reclamation, rehabilitation, and
46 reutilization of vacant, abandoned, tax-foreclosed, or other real property within the subdivision;
47 and

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49 WHEREAS, Section 1724.10(B)(2) further provides that the legislative authority shall
50 specify the consideration for such sale or lease and any other terms thereof; and
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4 WHEREAS, Section 1724.10(B)(2) further provides that upon the approval of the
5 legislative authority of a political subdivision, the community improvement corporation acting
6 through its officers and on behalf and as agent of the political subdivision shall execute the
7 necessary instruments, including deeds conveying the title of the political subdivision or leases,
8 to accomplish such sale or lease, without advertising and receipt of bids and shall file a copy of
9 such agreement with the office of the county recorder of any county in which lands or interests in
10 lands to be sold or leased are situated prior to the recording of a deed or lease executed pursuant
11 to such agreement; and

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13 WHEREAS, County Council recently adopted Resolution No. 2014-441, which
14 authorizes the County Executive to execute a real estate purchase agreement with the SCLRC for
15 the sale of a vacant parcel of County real property, Parcel No. 62-05929, located on Oxford
16 Street in Twinsburg Township, in Council District 1, for the amount of \$6,230.00, for the
17 purpose of returning said parcel to productive use, consistent with the purpose and mission of the
18 SCLRC; and

19
20 WHEREAS, Section 177.16(e) of the Codified Ordinances of the County of Summit
21 already authorizes the sale of County-owned real property, or any part thereof, that is not
22 necessary for County operations, upon the authorization of County Council, to any non-profit
23 corporation for hospital, charitable, scientific, educational, recreational, or low to moderate-
24 income housing purposes or to the United States, the State of Ohio or any of its agencies or
25 political subdivisions, municipal corporations, townships, or any other governmental
26 subdivision, without competitive bidding; and

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28 WHEREAS, it is necessary to authorize the Executive to execute an amendment to the
29 Agreement to authorize the SCLRC pursuant to Section 1724.10(B)(2) of the Ohio Revised Code
30 to sell or lease lands owned by the County, without competitive bidding, upon the authorization
31 of County Council and for such uses, consideration and upon other terms specified by Council;
32 and

33
34 WHEREAS, this Council finds and determines, after reviewing all pertinent information
35 that it is necessary and in the best interest of the County of Summit to authorize the Executive to
36 execute said amendment to the Agreement with the SCRLC for the aforementioned reasons;

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

40
41 SECTION 1

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43 The County Executive is hereby authorized to execute an amendment to an agreement
44 with the Summit County Land Reutilization Corporation for the reclamation, rehabilitation and
45 reutilization of vacant, abandoned, tax-foreclosed and other real property within Summit County
46 (the "Agreement") which would authorize the SCLRC pursuant to Section 1724.10(B)(2) of the
47 Ohio Revised Code to sell or lease lands owned by the County, without competitive bidding,
48 upon the authorization of County Council and for such uses, consideration and upon other terms
49 specified by Council.

1 RESOLUTION NO. 2014-467

2 PAGE THREE

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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 purpose of immediately
8 authorizing the Executive to execute a necessary amendment to the Agreement to authorize the
9 SCLRC pursuant to Section 1724.10(B)(2) of the Ohio Revised Code to sell or lease lands
10 owned by the County, without competitive bidding, upon the authorization of County Council
11 and for such uses, consideration and upon other terms specified by Council.
12

13 SECTION 3

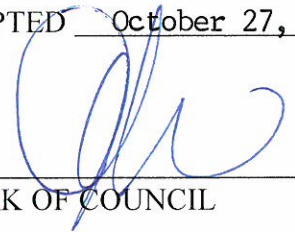
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15 Provided this Resolution receives the affirmative vote of eight members, it shall take
16 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
17 effect and be in force at the earliest time provided by law.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

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

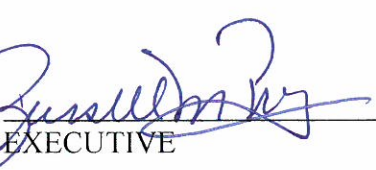
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28 INTRODUCED October 6, 2014

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30 ADOPTED October 27, 2014

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34 _____
35 CLERK OF COUNCIL

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40 PRESIDENT OF COUNCIL

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42 APPROVED October 28, 2014

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47 EXECUTIVE

48 ENACTED EFFECTIVE October 28, 2014

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50 Voice Vote: 10-0-1 YES: Comunle, Crawford, Kostandaras, Kurt, Lee,
51 Prentice, Rodgers, Roemer, Schmidt, Shapiro
52 ABSTAIN: Feeman