

# County Council of Cuyahoga County, Ohio

## Resolution No. R2016-0116

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| Sponsored by: <b>Councilmember Schron and County Executive Budish</b> | <b>A Resolution</b> approving an amendment to an agreement establishing and governing the Village of Walton Hills - Sagamore Hills Township Joint Economic Development District, and declaring the necessity that this Resolution become immediately effective. |
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WHEREAS, Ohio Revised Code Chapter 715 empowers certain political subdivisions to form joint economic development districts to share in the costs of improvements for economic development; and

WHEREAS, in accordance with Ohio Revised Code Sections 715.72 through 715.81, Sagamore Hills Township, Summit County, Ohio (the “Township”) and the Village of Walton Hills, Cuyahoga County (the “Village”) have entered the Village of Walton Hills - Sagamore Hills Township Joint Economic Development District Agreement dated July 25, 2015 (the “Agreement”) to create and provide for the operation of a joint economic development district known as the Village of Walton Hills - Sagamore Hills Township Joint Economic Development District (the “JEDD”); and

WHEREAS, County Council previously adopted Resolution No. R2015-0122, which approved the creation of the JEDD; and

WHEREAS, the JEDD territory lies within Cuyahoga County (the “County”) and Summit County, the territory of the Township lies within Summit County, and the territory of the Village lies within Cuyahoga County; and

WHEREAS, the stated purpose of the JEDD is to facilitate economic development to create or preserve jobs and employment opportunities and to improve the economic welfare of the people in State of Ohio, Cuyahoga County, Summit County, the Township, and the Village as a whole; and

WHEREAS, retention and additional development of businesses within the JEDD will benefit the County and its residents by creating economic opportunities and stimulating collateral development in the County; and

WHEREAS, pursuant to Ohio Revised Code Section 715.761 and Resolution No. 16-23 adopted by the Township on June 1, 2016 and Resolution No. 2016-21 adopted by the Village on June 1, 2016, the Township and the Village entered into an

amendment to the Agreement (the “Amendment”) to add certain additional real property (the “Additional Property”) to the territory of the JEDD; and

WHEREAS, Ohio Revised Code Sections 715.76, 715.761, and 715.77 require this County Council to evaluate an amendment to a joint economic development district within its jurisdiction and to approve or disapprove its creation; and

WHEREAS, the County has received all documents required under Ohio Revised Code Sections 715.75, 715.76 and 715.761, including: (i) a signed copy of the Amendment, including its exhibits; (ii) certified copies of Resolution No. 16-23 of the Township and Resolution No. 2016-21 of the Village approving the Amendment; (iii) certificates from the Township and the Village that the public hearings required by Ohio Revised Code Section 715.75 have been held, which certificates include the dates of the hearings together with evidence of publication of notice for the hearings; (vi) a copy of the petitions signed by a majority of the owners of the Additional Property; and (vii) a petition signed by a majority of the owners of businesses located within the Additional Property.

WHEREAS, it is apparent that the Township and the Village have each entered the Amendment freely and without duress or coercion; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that Charter requirements can be complied with and critical services provided by Cuyahoga County can continue, and to provide for the usual, daily operation of County government.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** Acknowledgment of Receipt of Required Documents. The County Council hereby finds and determines that all documents required to be submitted to the County under Ohio Revised Code Sections 715.75, 715.76, and 715.761 in connection with the Amendment were submitted and have been received by the County in accordance with the timeframes set forth in Ohio Revised Code Sections 715.75, 715.76, and 715.761.

**SECTION 2.** Approval of the Amendment. This County Council hereby finds and determines that the Amendment of the JEDD to further promote economic development is in the best interests of the County. This County Council hereby approves the creation of the JEDD.

**SECTION 3.** Notice. The Clerk of the Council is hereby directed to deliver a copy of this Resolution to the President of the Township Board of Trustees and the Mayor of the Village within fifteen (15) days after its adoption.

**SECTION 4.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 5.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of the 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.

On a motion by Mr. Gallagher, seconded by Mr. Brady, the foregoing Resolution was duly adopted.

Yeas: Jones, Brown, Hairston, Simon, Greenspan, Miller, Germana, Gallagher, Conwell and Brady

Nays: None

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| County Council President | Date  |

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| County Executive | Date  |

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| Clerk of Council | Date  |

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