

County Council of Cuyahoga County, Ohio

Resolution No. R2021-0210

<p>Sponsored by: County Executive Budish/Department of Public Works</p>	<p>A Resolution authorizing a Hospital Facility Agreement in accordance with Ohio Revised Code Section 140.03 with The MetroHealth System for the transfer of various parcels of real property identified in <u>Attachment A</u> hereto titled in various County-related entities and currently being used for public hospital purposes, to the Board of Trustees of The MetroHealth System; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, pursuant to Ohio Revised Code Section 140.03, the County may enter into an agreement with the Board of Trustees of The MetroHealth System related to hospital facilities and said agreement may provide for the manner in which title to the real estate related to hospital facilities is to be held (“Agreement”); and

WHEREAS, the various parcels of real property identified on Attachment A currently titled in County-related entities (the “Parcels”) are being used by The MetroHealth System for public hospital and related purposes; and

WHEREAS, the County and the Board of Trustees of The MetroHealth System (“Board”) desire to enter into an Agreement in order to transfer title to the Parcels to the Board; and

WHEREAS, in accordance with the Agreement, upon completion of said transfers, the Board will own and hold the Parcels for public hospital purposes or, in its discretion acting in the best interests of The MetroHealth System, may transfer the real estate to one or more nonprofit affiliates of The MetroHealth System for public purposes supporting The MetroHealth System; any real estate purchased for use by The MetroHealth System in the future will be titled in the Board; and

WHEREAS, the County has determined that transferring the Parcels to the Board under the Agreement is fair consideration for the value and benefit to be derived by the County under the Agreement and the Agreement promotes the public purpose stated in Section 140.02 of the Ohio Revised Code.

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

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

SECTION 1. That the Cuyahoga County Council hereby authorizes a Hospital Facility Agreement in accordance with Ohio Revised Code Section 140.03 (“Agreement”) with the Board of Trustees of The MetroHealth System (“Board”) for the transfer of the parcels of real property identified in Attachment A hereto (the “Parcels”).

SECTION 2. That the County Executive or the Executive’s designee is authorized to execute the Agreement and take all actions and to execute, acknowledge, deliver and/or file for record (as and where appropriate) all documents and instruments necessary or desirable to facilitate and/or consummate the transactions contemplated hereby.

SECTION 3. That, in accordance with the Agreement, upon completion of said transfers, the Board will own and hold the Parcels for public hospital purposes or, in its discretion acting in the best interests of The MetroHealth System, may transfer the real estate to one or more nonprofit affiliates of The MetroHealth System for public purposes supporting The MetroHealth System. Any real estate purchased for use by The MetroHealth System in the future will be titled in the Board. In the event any of the Parcels are no longer used for public purposes supporting The MetroHealth System, title to such parcel shall revert to the Current Title Holder as shown on Attachment A.

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 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. Tuma, seconded by Ms. Simon, the foregoing Resolution was duly adopted.

Yeas: Sweeney, Tuma, Gallagher, Conwell, Turner, Stephens, Simon, Baker, Miller and Jones

Nays: None



County Council President

12/9/21
Date



County Executive

12-13-21
Date



Clerk of Council

12/9/21
Date

First Reading/Referred to Committee: September 14, 2021

Committee(s) Assigned: Public Works, Procurement & Contracting

Legislation Substituted in Committee: December 1, 2021

Journal CC044

December 7, 2021

ATTACHMENT A

<u>Site</u>	<u>Address</u>	<u>PP#</u>	<u>Current Title Holder</u>
MetroHealth Main Campus Consolidation Plat	1708 Southpoint Dr. 2500 MetroHealth Dr. 3525 Scranton Rd. Cleveland, Ohio 44109	008-19-002 [Plat of consolidation and vacation for Cuyahoga County plat AFN 201712180624]	Board of County Hospital Trustees of The MetroHealth System
Westlake	29579 Center Ridge Road & East side of Crocker Road, Westlake, Ohio 44145	217-28-004; 217-28-006	Board of County Hospital Trustees of The MetroHealth System for and on behalf of County of Cuyahoga Board of County
Former Applewood Centers	3517 W 25th Cleveland, Ohio 44109	008-20-011	Board of County Hospital Trustees of the MetroHealth System for an on behalf of The County of Cuyahoga
Middleburg Heights	Pearl Road Middleburg Heights, Ohio 44130	373-19-008 - 011; 373-19-014; 373-18-012 - 014	Board of County Hospital Trustees of The MetroHealth System for an on behalf of the County of Cuyahoga, State of Ohio
Brecksville Broadview Heights	4774 E. Royalton Road Broadview Heights, Ohio 44147	603-04-011	Board of County Hospital Trustees of the MetroHealth System for and on behalf of the County of Cuyahoga, The State of Ohio

<u>Site</u>	<u>Address</u>	<u>PP#</u>	<u>Current Title Holder</u>
The Western Reserve Association	3525 W. 25th Street Cleveland, Ohio 44109	008-20-012 - 015	Board of CountyHospital Trustees of The MetroHealth System for and on behalf of The Countyof Cuyahoga, the State of Ohio
	3553 W. 25 th Street Cleveland, Ohio 44109	008-20-016; 008-20-017; 008-22-010	The Board of Trustees of the MetroHealth System
Luzar	3372 W. 25th Street Cleveland, Ohio 44109	015-10-018	Board of CountyHospital Trustees of The MetroHealth System for and on behalf of The Countyof Cuyahoga, the State of Ohio
MetroHealth Medical Center	2500 MetroHealth Drive Cleveland, Ohio 44109	008-20-001	Board of Trustees of Cuyahoga County Hospital
Old Brooklyn (Vacant Land)Community Gardens	4241 W. 33 rd Street Cleveland, OH 44109	014-18-050	County of Cuyahoga County, Ohio with a tax mailing address c/o The MetroHealth System
Old Brooklyn Senior Health & Wellness Center	4229 Pearl Road Cleveland, Ohio 44109	014-18-001; 014-18- 050; 014-18-014; 014-18-013 and 014- 18-049	County of Cuyahoga County, Ohio with a tax mailing address c/o The MetroHealth System
Old Brooklyn Senior Health & Wellness Center [Parking Garage]	3333 Devonshire Rd. Cleveland, Ohio 44109	014-17-010	County of Cuyahoga County, Ohio with a tax mailing address c/o The MetroHealth System

SiteAddressPP#Current Title Holder

American City Properties, Inc. (Westside of W25th)	3444-3446 W. 25th Cleveland, Ohio 44109	015-10-031	County of Cuyahoga, Ohio, Board of Commissioners
Old Brooklyn Senior Health & Wellness Center [Medical Arts Building]	4255 Pearl Road Cleveland, Ohio 44109	014-17-008	County of Cuyahoga, Ohio, Commissioners acting by and through the Board of Trustees of the MetroHealth System, established under Ohio Revised Code Section 339
MetroHealth Medical Specialties	2500 MetroHealth Drive Cleveland, Ohio 44109	008-18-006; 008-18-007- 045; 008-18-054 - 060; 008-18-999	Cuyahoga County Hospital Board of Trustees
West Park Health Center	3838 W. 150th Street Cleveland, Ohio 44111	025-33-017	The Board of Cuyahoga County Hospital Trustees dba The MetroHealth System