

RESOLUTION

A RESOLUTION PURSUANT TO SECTION 1724.10(A)(2) OF THE OHIO REVISED CODE DESIGNATING THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION AS THE AGENCY FOR THE RECLAMATION, REHABILITATION, AND REUTILIZATION OF VACANT, ABANDONED, TAX-FORECLOSED AND OTHER REAL PROPERTY IN THE COUNTY, DIRECTING THE CORPORATION TO ACT ON BEHALF OF AND IN COOPERATION WITH THE COUNTY IN EXERCISING THE POWERS AND PERFORMING THE DUTIES OF THE COUNTY UNDER CHAPTER 5722 OF THE OHIO REVISED CODE; DIRECTING THE PREPARATION OF AN AGREEMENT AND PLAN IN FURTHERANCE OF THESE MATTERS; AND AUTHORIZING RELATED MATTERS.

-----

WHEREAS, the County pursuant to division (A) of Section 5722.02 of the Ohio Revised Code has elected to adopt and implement the procedures set forth in Sections 5722.02 to 5722.15 of the Ohio Revised Code to facilitate the effective reutilization of nonproductive land situated within its boundaries.

WHEREAS, the County has caused the Cuyahoga County Land Reutilization Corporation (the "Corporation") to be organized as a county land reutilization corporation under Chapter 1724 of the Ohio Revised Code to act on behalf of and cooperate with the County in exercising the powers and performing the duties of a county with respect to land reutilization under Chapter 5722 of the Ohio Revised Code.

WHEREAS, subdivision (A)(2) of Section 1724.10 of the Ohio Revised Code authorizes a county to designate a county land reutilization corporation organized under Chapter 1724 of the Ohio Revised Code as its agency for the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property in the county.

WHEREAS, this Board now desires to designate pursuant to subdivision (A)(2) of Section 1724.10 of the Ohio Revised Code the Corporation as its agency for the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property in the county and for the exercise of the County's powers under Chapter 5722 of the Ohio Revised Code.

WHEREAS, in furtherance of the purposes of reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property in the County and the exercise by the Corporation on behalf of the County of the powers of the County under Chapter 5722 of the Ohio Revised Code, this Board also desires to enter into an agreement and plan with the Corporation (the "Agreement and Plan") to accomplish the foregoing.

WHEREAS, the Board hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board, and that all the deliberations of this Board, and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Cuyahoga County, Ohio, that:

Section 1. Pursuant to subdivision (A)(2) of Section 1724.10 of the Ohio Revised Code, the County acting by and through this Board, hereby designates the Corporation as its agency for the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property in the County.

Section 2. Pursuant to Section 1724.04 and division (B) of Section 5722.02 of the Ohio Revised Code, this Board hereby authorizes the Corporation to exercise on its behalf the powers granted to the County under Chapter 5722 of the Ohio Revised Code, subject to any limitations therein on a county land reutilization corporation.

Section 3. In furtherance of the designation of the Corporation by this Board as the agency for the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed or other real property in the County pursuant to division (A)(2) of Section 1724.10 of the Ohio Revised Code and as its agency for exercise of the powers granted to the County under Chapter 5722 of the Ohio Revised Code, this Board hereby directs the Corporation to prepare or cause to be prepared for approval and execution by this Board an agreement and plan between the Corporation and the County as authorized by division (B) of Section 1724.10 of the Ohio Revised Code to provide for, among other things, a plan of reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property and the extent to which the Corporation will participate as the agency of the County in carrying out the plan.

Section 4. In connection with the designation hereunder, this Board hereby states that it intends that the employees of the Corporation be deemed "public employees" for the purpose of Chapter 145 of the Ohio Revised Code, Public Employees Retirement System; provided, however, that this statement of intent by this Board shall in no way be construed as an agreement or covenant by this Board or the County to assume, to be liable for or to guarantee any or all obligations of the public employer with respect to such employees, all of which obligations this Board understands will be paid by the Corporation.

Section 5. The Clerk of this Board is hereby authorized and directed to deliver a certified copy of this resolution to Frank Russo, County Auditor; James Rokakis, County Treasurer and William D. Mason, County Prosecutor.

Section 6. This resolution shall take effect and be in force immediately upon its adoption.

On Motion of Commissioner Dimora, seconded by Commissioner Jones, the foregoing resolution was duly adopted.

Ayes: Dimora, Jones, Hagan.


Nays: None.

Resolution Adopted.

Jeanne M. Schmotzer,  
Clerk of the Board

Journal 302  
April 30, 2009  
091709  
fg

The undersigned, Clerk of the Board of County Commissioners of Cuyahoga County, certifies that the foregoing is a true and correct excerpt from the minutes of the meeting of April ~~30~~ 2009, of the Board of County Commissioners of Cuyahoga County, showing the adoption of the resolution above set forth.

  
Clerk of the Board of County  
Commissioners of Cuyahoga County, Ohio