

ORDINANCE NO. 2019-18

INTRODUCED BY: MAYOR MICHAEL DYLAN BRENNAN

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGENCY AGREEMENT WITH THE UNIVERSITY HEIGHTS CITY BEAUTIFUL CORPORATION.

WHEREAS, the City authorized the creation of a community improvement corporation, which has been formed under Chapter 1724 of the Ohio Revised Code and registered with the Ohio Secretary of State and known as the University Heights City Beautiful Corporation;

WHEREAS, the University Heights City Beautiful Corporation is organized and existing for the purpose of doing all acts and things necessary or convenient to carry out the purposes of a community improvement corporation as set forth in Chapter 12724 of the Ohio Revised Code, including, but not limited to, engaging in economic development opportunities, and acquiring or selling real property for purposes of economic development and/or the re-purposing, rehabilitation, refurbishment or use of any such real property; and

WHEREAS, the City wishes to appoint the University Heights City Beautiful Corporation as its agent to perform the economic development activities or tasks permitted under Chapter 1724 of the Ohio Revised Code and, when the opportunity arises, to implement various aspects of the City's existing Master Plan; and

WHEREAS, the City wishes to authorize the lease to the University Heights City Beautiful Corporation, from time to time on an as-needed basis, of City employees and their City property including computer hardware and software, and the City wishes to acknowledge that the lease of said employees constitutes material consideration for the corporation's agreement to serve as the City's agent;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, OHIO THAT:

Section 1. Council hereby authorizes the Mayor to enter into an Agency Agreement with the University Heights City Beautiful Corporation, in the form set forth in Exhibit A attached hereto, which is incorporated herein by reference as if fully rewritten. A complete copy of Exhibit A is also on file with the Clerk of Council.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

CITY OF UNIVERSITY HEIGHTS, OHIO



MICHAEL DYLAN BRENNAN, MAYOR

FIRST READING: 04/01/2019

PASSED: 04/15/2019

ATTEST:



KELLY M. THOMAS, CLERK OF COUNCIL

APPROVED AS TO FORM:



LUKE F. MCCONVILLE, LAW DIRECTOR

AGENCY AGREEMENT

This Agency Agreement is made by and between the City of University Heights, Ohio, an Ohio municipal corporation and the University Heights City Beautiful Corporation, a community improvement corporation organized and existing under the laws of the State of Ohio.

WHEREAS, the existence of the University Heights City Beautiful Corporation (the "CIC") has been authorized by the City of University Heights, Ohio (the "City") by ordinance;

WHEREAS, the agency relationship between the CIC and the City, pursuant to which the CIC shall act as the agent of the City, has been approved and authorized by the City by ordinance;

WHEREAS, the CIC will adopt the most recent University Heights Master Plan as its plan for redevelopment and re-use of land within the City;

WHEREAS, the City has confirmed the adoption of its Master Plan by the CIC as the CIC's plan for redevelopment and re-use of land within the City;

WHEREAS, the CIC shall be authorized to sell or lease any real property or interests in real property owned by the City determined from time to time by City Council not to be required by the City for its purposes, for uses determined by City Council as those that will promote the welfare of the people of the City, stabilize the economy, provide employment, assist in the development of industrial, commercial, distribution and research activities to the benefit of the people of the City, and shall provide additional opportunities for their gainful employment;

WHEREAS, the City will convey to the CIC real property and interests in real property owned by the City and determined by City Council not to be required by the City for its purposes and that such conveyance of real property or interests in real property will promote the welfare of the people of the City, stabilize the economy, provide employment, assist in development of industrial, commercial, distribution, and research activities to the benefit of the people of the City, and provide additional opportunities for their gainful employment;

WHEREAS, the CIC may acquire from others additional real property or interests in real property, and any real property or interests in real property so conveyed by it for uses that will promote the welfare of the people of the City, stabilize the economy, provide employment, assist in the development of industrial, commercial, distribution and research activities required for the people of the City and for their gainful employment;

WHEREAS, the shared goal of the City and the CIC is to implement the City Master Plan, and to create economic development, commercial development and a greater number of housing units than what currently exists in the City;

WHEREAS, new development and construction projects within the City will help to stabilize the economy, increase commercial activity, provide employment opportunities for City residents and be for the benefit of the people of the City; and

WHEREAS, refurbishment and/or re-purposing of existing structures within the City will help to stabilize the economy, increase commercial activity, provide employment opportunities for City residents and be for the benefit of the people of the City

NOW THEREFORE, the parties hereto, for good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties hereto, now agree as follows.


1. The CIC shall serve as an agent for the City for the purposes set forth in Chapter 1724 of the Ohio Revised Code and R.C. Section 1724.10.
2. The CIC shall attempt to implement the goals of City's Master Plan.

3. If any real property or interests in real property conveyed by the City pursuant to this Agreement or under R.C. Section 1724.10 are sold by the CIC at a price in excess of the consideration received by the City from the CIC, such excess shall be paid to the City after deducting, to the extent and in the manner provided in the agreement, the costs of such acquisition and sale, taxes, assessments, costs of maintenance, costs of improvements to the real property by the CIC, service fees, and any debt service charges of the CIC attributable to such real property or interests.
4. In consideration for its services as agent for the City, the City shall, from time to time, lease its employees to the CIC for the purpose of performing administrative and ministerial services or tasks. The lease of employees hereunder shall occur at times mutually agreed upon by the parties, and shall include use of employees' computer hardware and software, as necessary or convenient for the parties to conduct their business hereunder.

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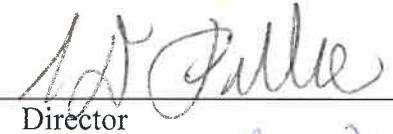
IN WITNESS WHEREOF, the parties hereto have set their hands this 15th day of April, 2019.

THE CITY OF UNIVERSITY HEIGHTS

By: 
Mayor Michael Dylan Brennan

**UNIVERSITY HEIGHTS CITY
BEAUTIFUL CORPORATION**

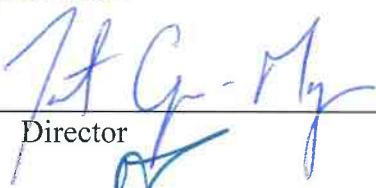
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Director

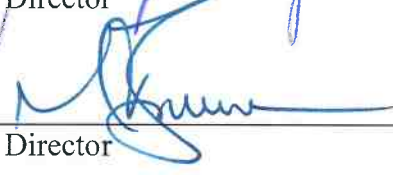
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