

**Ordinance No. 100-2021**

**By Council Members:** Brancatelli and Kelley (by departmental request)

**An emergency ordinance designating certain property situated in both the City of Cleveland and the City of Warrensville Heights as a joint economic development zone; authorizing the Mayor of the City of Cleveland to sign a Joint Economic Development Agreement with the City of Warrensville Heights; and authorizing the Directors of Economic Development, Public Works and Capital Projects to execute any necessary documents.**

**WHEREAS**, the City of Cleveland (the “City”) and City of Warrensville Heights are both municipal corporations and political subdivisions in and of the State of Ohio, and share territorial municipal jurisdiction of property owned by Tremco Co. consisting of approximately 11.7267 acres, and commonly known as Permanent Parcel Nos. 143-11-024, 143-12-097, 143-12-096, 762-09-011 and 762-09-001 which are all part of the original Warrensville Township Lot 83 and 84 and are more fully depicted in the proposed Joint Economic Development Agreement set forth in the file mentioned below (the “Property”); and

**WHEREAS**, Section 715.691 of the Revised Code provides that two or more municipal corporations may enter into a contract whereby they agree to share in the costs of improvement, and/or receipt of municipal income taxes for an area located in one or more of the contracting municipal corporations that they designate a joint economic development zone for the purpose of facilitating new or expanded growth for commercial or economic development in the State; and

**WHEREAS**, the City and Warrensville Heights desire to enter into an Agreement providing for the joint commercial development of the Property to maximize the total, long-term economic benefits to both the City and Warrensville Heights, which benefits shall include shared income tax revenues derived from new job creation; and

**WHEREAS**, this Council has determined that the optimal long-term benefit for the City from the use of the Property will be achieved, and the best interests of the residents of the City will be served by its entering into this Agreement with Warrensville Heights; and

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That this Council designates the Property as a joint economic development zone for the use and development of Property, and the income tax sharing, with Warrensville Heights.

**Section 2.** That the Mayor of the City of Cleveland is authorized to enter into an Agreement on behalf of the City with Warrensville Heights, the terms of which are substantially outlined in, and which agreement is for an area described in, File No. 100-2021-A, which shall not be materially changed except by subsequent action by Council. The Agreement shall also require that the City of Cleveland receive at least 54.0% of the gross income taxes levied and collected (less reasonable expenses associated with the collection of said taxes) on incomes earned in the Property.

**Section 3.** That the Mayor, the Directors of Economic Development, Public Works, Capital Projects and/or Law, are authorized to take such other actions and to execute and deliver such other agreements, instruments, certifications and documents as may be required by the Agreement, or, if permitted but not required, that are necessary or appropriate to promote or fulfill the transactions contemplated by the Agreement and the purposes to be served thereby, or to protect the interest of the City of Cleveland.

**Section 4.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Referred to the Directors of Economic Development; City Planning Commission; Finance; and Law; Committees on Development, Planning and Sustainability; and Finance.**