

First Reading: November 19, 2019

Second Reading: dispensed

RESOLUTION NO. 2019 - 128

**A RESOLUTION AUTHORIZING THE TOWNSHIP'S
PARTICIPATION IN FINANCING PUBLIC
IMPROVEMENTS IN COOPERATION WITH THE PORT
AUTHORITY AND AUTHORIZING THE EXECUTION OF
DOCUMENTS TO EFFECTUATE SUCH FINANCING, AND
DISPENSING WITH A SECOND READING**

WHEREAS, this Board of Township Trustees (the "Board") of Sycamore Township, Hamilton County, Ohio, (the "Township") has previously declared certain improvements in the Township to be exempt from taxation pursuant to Section 5709.73 of the Ohio Revised Code (Resolution No. 2019- 119; and

WHEREAS, pursuant to Revised Code Chapter 504 ("Home Rule Act") and an election held pursuant to the Home Rule Act, the Township may exercise all powers of local self-government within the unincorporated area of the Township, including the power to provide public parking facilities and other public infrastructure improvements necessary to alleviate traffic congestion and the safety hazards that result from increases in vehicular traffic that may result further development therein; and

WHEREAS, the Board determines it is necessary to construct or cause to be constructed certain public infrastructure improvements related to the Gallery at Kenwood Public Parking to which Resolution No. 2019-119 relates; and

WHEREAS, the Board determines it would be beneficial to all participants to have the Port of Greater Cincinnati Development Authority (the "Port Authority") finance such public infrastructure improvements;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees, Sycamore Township, County of Hamilton, Ohio:

SECTION 1. That the Board hereby requests the Port Authority to issue port authority revenue bonds, payable from service payments in lieu of taxes to finance the costs of the public infrastructure improvements and otherwise assist in, acquiring, constructing, managing and maintaining a portion of the public infrastructure improvements, as further described in the Tax Increment Service and Cooperative Agreement to be entered into by and among the Port Authority, the Township, Capital Investment Group, Ltd and Sycamore Creek II, LLC ("the Cooperative Agreement).

SECTION 2. That the financing documents necessary to effectuate the Port Authority's participation in the project, including the Cooperative Agreement; the Delinquency Agreement to be entered into by and among the Hamilton County Treasurer, the Township and the Port Authority, and any other documents deemed necessary by the Township's legal counsel each in substantially the form presently on file with the Fiscal Officer with such changes as are requested by the Administrator or the Township's Law Director and with only such other changes as are

approved by the Administrator and the Township's Law Director are hereby approved and the Administrator, the President of the Board and the Fiscal Officer are hereby authorized to enter into and execute said financing documents and all necessary closing certificates and to take whatever other action is necessary to complete this transaction as determined by the Township's Law Director.

SECTION 3. That the Township hereby assigns the Assigned Service Payments (which are net of any payments required to be made to the Deer Park Community School District and the Great Oaks Institute of Technology and Career Advancement) and any Supplemental Payments, each as defined in the Cooperative Agreement, to the Port Authority, such assignment to take effect upon execution of the Cooperative Agreement.

SECTION 4. That the obligations of the Township under this resolution do not and shall not represent or constitute a debt or pledge of the full faith and credit or the taxing power of the Township and no member of board, officer, official, employee, agent, or legal representative of the Township shall be liable personally for any obligations under this Resolution or the Cooperative Agreement.

SECTION 5. That it is found and determined that all formal actions of this board concerning and relating to the adoption of this resolution were adopted in an open meeting of this council, and that all deliberations of this board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

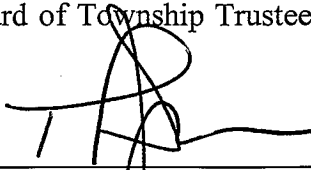
SECTION 6. The Trustees of Sycamore Township upon at least a majority vote do hereby dispense with any requirement that this resolution be read on two separate days, and hereby authorize the adoption of this resolution upon its first reading.

SECTION 7. This Resolution shall take effect on the earliest date allowed by law.

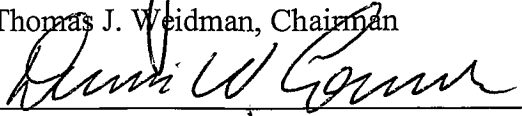
VOTE RECORD:

Mr. Connor AYE Mr. LaBarbara NO Mr. Weidman AYE

Passed at a regular meeting of the Board of Township Trustees of Sycamore Township this 19th day of November, 2019.



Thomas J. Weidman, Chairman




Dennis W. Connor, Vice-Chairman

Jim LaBarbara, Trustee

AUTHENTICATION

This is to certify that this resolution was duly passed and filed with the Sycamore Township Fiscal Officer this 19th day of November, 2019.


Robert C. Porter III, Fiscal Officer
Sycamore Township, Ohio

APPROVED AS TO FORM:


R. Douglas Miller, Law Director

Localgovernment/Sycamore/Resolutions/2019/CooperativeAgreementCIG

PROOF OF PUBLICATION

I hereby certify that this Resolution was published in the Cincinnati Enquirer on
December 7, 2019, and December 14, 2019.

A handwritten signature in black ink, appearing to read "Robert C. Porter, III", written over a horizontal line.

Robert C. Porter, III, Fiscal Officer,
Sycamore Township, Ohio