

2
3 CITY OF CUYAHOGA FALLS

4
5 ORDINANCE NO. 82 -2013

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8 AN ORDINANCE APPROVING THE ISSUANCE OF
9 BONDS BY FRANKLIN COUNTY, OHIO IN RELATION TO
10 CERTAIN HOSPITAL FACILITIES LOCATED WITHIN THE
11 CITY OF CUYAHOGA FALLS, PURSUANT TO SECTION
12 147 OF THE INTERNAL REVENUE CODE OF 1986, AS
13 AMENDED, AND DECLARING AN EMERGENCY.

14
15 WHEREAS, the City of Cuyahoga Falls, Ohio (the "City") has entered into a
16 Public Hospital Agencies Agreement (the "Hospital Agencies Agreement"), dated June
17 1, 2005, providing authorization for the issuance by the County of Franklin, Ohio
18 ("Franklin County"), acting by and through the County Hospital Commission of
19 Franklin County, of bonds of Franklin County, from time to time, to finance and
20 refinance the acquisition, construction, installation, and equipping of Hospital
21 Facilities (as defined in Section 140.01(E) of the Ohio Revised Code) for the benefit of
22 Portage Trail Care Center (d/b/a Traditions at Bath Road), an Ohio nonprofit
23 corporation (the "Borrower"), which Hospital Agencies Agreement remains in effect;
24 and

25
26 WHEREAS, Franklin County has determined to issues its Adjustable Rate
27 Demand Health Care Facilities Revenue Bonds (Traditions Healthcare Obligated
28 Group), Series 2013 (the "Bonds"), such Bonds to be issued in the maximum aggregate
29 principal amount not to exceed \$5,000,000, of which approximately \$900,000 of the
30 proceeds of the Bonds will be made available to the Borrower to (i) finance and
31 refinance the acquisition, construction, installation, and equipping of hospital facilities
32 owned by the Borrower and located at 300 East Bath Road, in the City of Cuyahoga
33 Falls, Summit County, Ohio (the "Bath Road Project"), including the general
34 renovation and upgrade of the facility, (ii) reimburse the Borrower for costs associated
35 with the Bath Road Project, and (iii) pay certain costs of issuance of the Bonds; and

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37 WHEREAS, following publication on April 26, 2013 in the Falls News Press,
38 which is a newspaper of general circulation in the City, there was held on May 13,
39 2013 a public hearing with respect to the Project in accordance with Section 147 of
40 the Internal Revenue Code of 1986, as amended (the "Code"); and

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42 WHEREAS, in accordance with Section 147 of the Code, this City Council, as
43 the "applicable elected representative" for purposes of such Section, has determined to
44 approve the issuance of the Bonds,

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46 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
47 Falls, County of Summit and State of Ohio, that:

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49 Section 1. This City Council, as the "applicable elected representative" of the
50 City hereby approves the issuance of the Bonds in the maximum aggregate amount

51 not to exceed \$5,000,000, on behalf of the Borrower and affiliates of the Borrower for
52 the purposes set forth in this Ordinance.
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54 Section 2. All resolutions and ordinances, or parts thereof, in conflict with
55 the provisions of this Ordinance are, to the extent of such conflict, hereby repealed. If
56 any section, paragraph or provision of this Ordinance shall be held to be invalid or
57 unenforceable for any reason, the invalidity or unenforceability of such section,
58 paragraph or provision shall not affect any of the remaining provisions of this
59 Ordinance.
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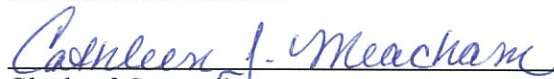
61 Section 3. It is found and determined that all formal actions of this City
62 Council concerning and relating to the adoption of this Ordinance were adopted in an
63 open meeting of this City Council, and that all deliberations of this City Council that
64 resulted in those formal actions, were in meetings open to the public, in compliance
65 with all legal requirements, including Section 121.22, Ohio Revised Code.
66

67 Section 4. This Ordinance is declared to be an emergency measure necessary
68 for the immediate preservation of the public peace, health and safety of the City, and
69 for the further reason that this Ordinance is required to be immediately effective in
70 order to issue and sell the Bonds, which is necessary to finance the Bath Road Project,
71 which will further promote the public purpose stated in Section 140.01 of the Ohio
72 Revised Code; wherefore this Ordinance shall be in full force and effect immediately
73 upon its passage and approval by the Mayor.
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76 Passed: 5-13-13



President of Council



Clerk of Council

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81 Approved: 5/15/13



Mayor

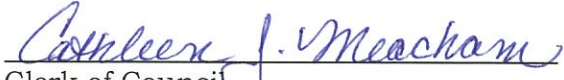
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CERTIFICATE

The undersigned Clerk of the City Council for the City of Cuyahoga Falls, Ohio (the "City Council"), hereby certifies that the foregoing is a true and correct copy of an ordinance duly passed by the City Council at its regular meeting held on May 13, 2013.


Clerk of Council,
City of Cuyahoga Falls, Ohio

May 13, 2013

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