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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. 95 - 2013

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8
9 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
10 COMMUNITY DEVELOPMENT TO MAKE A SUBGRANT
11 OF CLEAN OHIO REVITALIZATION FUND GRANT
12 PROCEEDS TO PORTAGE CROSSING, LLC TO PROVIDE
13 FINANCIAL ASSISTANCE FOR ENVIRONMENTAL
14 REMEDIATION AND SITE PREPARATION AT THE
15 PORTAGE CROSSING REDEVELOPMENT SITE,
16 (PARCEL NOS. 02-05240, 02-05241, 02-14014, 02-
17 01811, 02-18517, 02-18768, 02-18769, 02-20436, 02-
18 20437, 02-20439 AND 02-02885), AND DECLARING AN
19 EMERGENCY.
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21 WHEREAS, on July 13, 2009, the State of Ohio Department of Development,
22 through State Controlling Board Action No. DEV0100718, awarded a Clean Ohio
23 Revitalization Fund ("CORF") grant (Grant No. ADMN-10-007, hereinafter the
24 "CORF Grant") to the City Cuyahoga Falls in the amount of \$2,000,000 for the
25 purpose of assessment and remediation of environmental contamination and site
26 preparation at the former State Road Shopping Center (Parcel Nos. 02-05240, 02-
27 05241, 02-14014, 02-01811, 02-18517, 02-18768, 02-18769, 02-20436, 02-
28 20437, 02-20439 and 02-02885) hereinafter the "Property;" and
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30 WHEREAS, pursuant to the authority of Ord. No. 57-2009, passed June 22,
31 2009, the City entered into contract to expend the CORF Grant for the assessment
32 and remediation purposes stated therein, which purposes have been fully
33 completed; and
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35 WHEREAS, by written amendment to the CORF Grant dated July 17, 2013, the
36 Ohio Development Services Agency (ODSA), as administrator of the CORF Grant,
37 approved reprogramming of unused surplus grant monies associated with the
38 CORF Grant to further site preparation work including backfilling at the site; and
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40 WHEREAS, ODSA has approved as consistent with governing law, a subgrant in
41 the amount of not to exceed \$215,000 to be provided to Portage Crossing, LLC to
42 provide financial assistance for further site preparation work including backfilling
43 at the Portage Crossing Redevelopment Site,
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45 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
46 Falls, County of Summit and State of Ohio, that:
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48 Section 1. The Director of Community Development is hereby authorized to make
49 a subgrant of the proceeds of CORF Grant No. ADMN-10-007 in the amount of not to
50 exceed \$215,000 to Portage Crossing, LLC for the purpose of providing financial
51 assistance for further site preparation work including backfilling at the Portage
52 Crossing Redevelopment Site (Parcel Nos. 02-05240, 02-05241, 02-14014, 02-
53 01811, 02-18517, 02-18768, 02-18769, 02-20436, 02-20437, 02-20439 and 02-
54 02885), as set forth in the subgrant agreement now on file with the Clerk of Council
55 in Council File No. 95-2013
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57 Section 2. The Director of Finance is hereby authorized and directed to make
58 payment for same from the Capital Projects Fund, line item Capital Outlay.
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60 Section 3. Any other ordinances or resolutions or portions of ordinances and
61 resolutions inconsistent herewith are hereby are repealed, but any ordinances and
62 resolutions not inconsistent herewith and which have not previously been repealed
63 are hereby ratified and confirmed.
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65 Section 4. It is found and determined that all formal actions of this Council
66 concerning and relating to the adoption of this ordinance were adopted in an open
67 meeting of this Council, and that all deliberations of this Council and of any of its
68 committees that resulted in such formal action, were in meetings open to the public,
69 in compliance with all legal requirements, to the extent applicable, including Chapter
70 107 of the Codified Ordinances.
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72 Section 5. This ordinance is hereby declared to be an emergency measure
73 necessary for the preservation of the public peace, health, safety, convenience and
74 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason that
75 it is immediately necessary to permit timely and appropriate development of this
76 property, and provided it receives the affirmative vote of two thirds of the members
77 elected or appointed to Council, it shall take effect and be in force immediately upon
78 its passage and approval by the Mayor; otherwise it shall take effect and be in force
79 at the earliest period allowed by law.
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83 Passed: 12/23/13



President of Council



Clerk of Council

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89 Approved: 12/26/13



Mayor

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92 12/9/13

93 O:\2013ords\CORF subgrant Portage Crossing