

**GARFIELD HEIGHTS CITY SCHOOLS
GARFIELD HEIGHTS, OHIO**

**Garfield Heights Board of Education Offices
5640 Briarcliff Drive
Garfield Heights, Ohio**

**SPECIAL BOARD MEETING
November 8, 2017
8:00 p.m.**

AGENDA

ROLL CALL: **Mr. Gary Wolske** _____
 Mrs. Christine A. Kitson _____
 Mr. Robert A. Dobies, Sr. _____
 Mrs. June A. Geraci _____
 Mr. Joseph M. Juby _____

PURPOSE: Approval of waiving 14-day statutory notification requirement of the City of Garfield Heights regarding proposed City Ordinance 70-2017.

❖ **RECOMMEND ADOPTION OF AGENDA AS PRESENTED. M _____ S _____**

1. It is recommended that the Board approve the following Resolution No. 2017-18:

**RESOLUTION WAIVING 14-DAY STATUTORY NOTIFICATION
REQUIREMENT OF THE CITY OF GARFIELD HEIGHTS
REGARDING PROPOSED CITY ORDINANCE 70-2017**

WHEREAS, the City of Garfield Heights (“City”) presented the Garfield Heights City School District Board of Education (“School Board” or “School District”) a copy of an *Ohio Development Services Agency Ohio Community Reinvestment Area Program* application regarding a proposed agreement between the City and OverDrive, Inc. (“OverDrive”) for an area designated as the “Garfield Mall Community Reinvestment Area” as described in proposed Ordinance 70-2017, and its Exhibit “A” Community Reinvestment Area Agreement between the City, OverDrive, and Blue Sky Campus, Inc. – *See a copy of the proposal under Tab 1 hereto;*

WHEREAS, the School Board has reviewed the proposed Ordinance 70-2017, its Exhibit “1” and the *Ohio Development Services Agency Ohio Community Reinvestment Area Program* application regarding the Garfield Mall Community Reinvestment Area;

WHEREAS, the School Board recognizes the value to the City and to the School Board in promoting the proposed investment construction and the consequential income created through the higher tax base;

WHEREAS, the School Board acknowledges and agrees Ordinance 107-1990 authorized the agreement between the City and the School Board to promote the health, safety, and welfare of the citizens of the City and the School District and that the respective parties executed the agreement attached as Exhibit A thereto, which provides that payments by the City to the School Board will be made annually to replace the revenue lost by the School Board by virtue of the City's tax abatement of certain real estate parcels using the City Payment Formula in Section 1 of the agreement; and

WHEREAS, the School Board acknowledges time is of the essence in this matter and that the notification period required under state law must be waived in order for the City to properly proceed with Ordinance 70-2017.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the Garfield Heights City Schools, County of Cuyahoga, State of Ohio, that:

Section 1: The Board has determined to waive the City's 14-day statutory notice requirement regarding proposed Ordinance 70-2017, only if the City includes the following language in Ordinance 70-2017:

The City acknowledges the proposed exemption exceeds 50% and consent of the Garfield Heights City School District is required unless the legislative authority determines that at least 50% of the amount of tax revenue the School District would have otherwise received but for the tax abatement granted by the City will be made up by other taxes or payments by the City to the School District. The City acknowledges that through its Ordinance 107-1990, the City will make direct annual payments to the School District to make up at least 50% of the amount of the tax revenue the School District would have otherwise received but for the tax abatement granted by the City under Ordinance 70-2017. Having determined to make up the required tax revenue loss to the School Board, the School Board's consent is not required.

Section 2: It is found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Board, and that all deliberations of the Board and any of its committees that resulted in such formal action were in meetings in compliance with all legal requirements, including R.C. §121.22.

M _____ S _____

Adjournment _____ P.M. M _____ S _____

PUBLIC PARTICIPATION AT BOARD MEETINGS

All meetings of the Board and Board-appointed committees are open to the public.

In order for the Board to fulfill its obligation to complete the planned agenda in an effective and efficient fashion, a maximum of 30 minutes of public participation may be permitted at each meeting.

Each person addressing the Board shall give his/her name and address. If several people wish to speak, each person is allotted three minutes until the total time of 30 minutes is used. During that period, no person may speak twice unless approved by a vote of the majority of the Board present and voting. Persons desiring more time should follow the procedure of the Board to be placed on the regular agenda. The period of public participation may be extended by a vote of the majority of the Board, present and voting.

Agendas are available to all those who attend Board meetings. The section on the agenda for public participation shall be indicated. Noted at the bottom of each agenda shall be a short paragraph outlining the Board's policy on public participation at Board meetings.

[Adoption date: August 19, 2013]

LEGAL REFS.: ORC [121.22\(C\)](#), [3313.20\(A\)](#)