

RESOLUTION NO. 2020-62

BY: Bullock, Kepple, Litten, Neff,
O'Malley, Shachner

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, authorizing the Mayor and Director of Law to enter into an agreement with Carnegie Management and Development Corporation, in an amount not to exceed \$ 255,000 for the full and final settlement of all claims raised in and related to the De-velopment and Use Agreement between the City of Lakewood and Carnegie Management and Development Corporation (the "Agreement").

WHEREAS, it is necessary and desirable to resolve the outstanding disputes arising under the Agreement; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power of local self-government, and the power to enact laws that are for the health, safety, welfare; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments in that it is necessary and in the best interest of the City to resolve these issues so that a new developer can be identified for the former Lakewood Hospital Site; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The Mayor and Director of Law are hereby authorized to enter into an agreement with Carnegie Management and Development Corporation, in an amount not to exceed \$ 255,000 for the full and final settlement of all claims raised in and related to the Development and Use Agreement between the City of Lakewood and Carnegie Management Corporation.

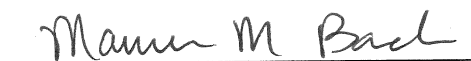
Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 3. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least five members of Council, this resolution shall take effect and be in force immediately upon its adoption by the Council

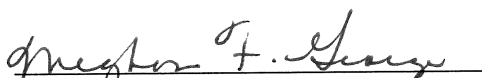
and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: 10/5/2020


PRESIDENT


CLERK

Approved: 10/9/2020


MAYOR