

**CITY OF XENIA, OHIO
RESOLUTION 2020 – AA**

AUTHORIZING THE INCORPORATION OF THE XENIA COMMUNITY IMPROVEMENT CORPORATION

WHEREAS, pursuant to Ohio Revised Code Chapter 1724, community improvement corporations (CICs) may be incorporated for the purpose of advancing, encouraging, and promoting industrial, economic, commercial, and civic development of a community or area;

WHEREAS, when such economic development corporation is incorporated as a CIC, it may exercise all the powers set forth in ORC 1724.02;

WHEREAS, pursuant to ORC 1724.10, such CIC may be designated by a county, one or more townships, one or more municipal corporations, or any combination thereof, as the agency for the political subdivision for the industrial, commercial, distribution, and research development in such political subdivision; and

WHEREAS, this Council finds it to be in the best interests of the health, safety, and general welfare of the City and its inhabitants to incorporate a CIC so that this Council can then designate such CIC as agent for the City for economic development purposes.

NOW, THEREFORE, THE CITY OF XENIA HEREBY RESOLVES, at least four (4) members of the City Council concurring, that:

Section 1. It is hereby determined that the incorporation of the Xenia Community Improvement Corporation will advance, encourage, and promote the industrial, economic, commercial, and civic development of the City of Xenia.

Section 2. The Law Director is hereby directed and authorized to prepare Articles of Incorporation for the Xenia Community Improvement Corporation and submit the same to the Ohio Secretary of State, with the appropriate filing fee, for the formation of a not-for-profit economic development corporation/community improvement corporation, which said corporation to be formed pursuant to ORC Chapter 1724.

Section 3. The Law Director, the City Manager, the Finance Director, the Development Director and/or any other City official, as appropriate, are hereby directed and authorized to sign any documents necessary for the submittal of said Articles of Incorporation to the Ohio Secretary of State and to take any such actions as are necessary or appropriate to form the Xenia Community Improvement Corporation.

Section 4. Upon its incorporation, the Xenia Community Improvement Corporation shall be governed by a Board of Directors having seven members, composed as follows:

- (1) A Councilmember, appointed by a majority vote of the Xenia City Council;
- (2) The City Manager or his designee;
- (3) The Finance Director or his designee;
- (4) The Development Director;
- (5) A member-at-large, who shall not be a City official or employee, appointed in accordance with the bylaws of the Xenia Community Improvement Corporation;

- (6) A member-at-large, who shall not be a City official or employee, appointed in accordance with the bylaws of the Xenia Community Improvement Corporation;
- (7) A member-at-large, who shall not be a City official or employee, appointed in accordance with the bylaws of the Xenia Community Improvement Corporation;

There shall be no terms or expiration of terms for the City Manager, or his designee, the Finance Director, or his designee, and the Development Director. The terms of the Councilmember and the three (3) members at large shall be for a period of four (4) years; provided, however, that the Councilmember may only serve as a member of the Board of Directors during his or her continuation in elected office.

Upon the vacancy of the seat designated for a member of the City Council, Council shall appoint another member to fill such vacancy. An appointee to the Board may be appointed for successive terms.

The Bylaws or Code of Regulations of the Xenia Community Improvement Corporation may provide for non-voting members of the Corporation.

Section 5. Upon its incorporation, the Xenia Community Improvement Corporation shall adopt Bylaws or a Code of Regulations as may be required in accordance with Title 17 of the Ohio Revised Code including, but not limited to, Chapter 1724.


Section 6. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 7. This Resolution shall be effective immediately upon its passage.

Introduced: September 10, 2020
Passed: September 24, 2020

Attest:


Michelle D. Johnson
City Clerk


Wesley E. Smith
President, Xenia City Council