

RECORD OF ORDINANCES

Government Forms and Supplies (844) 224-3338 FORM NO. SHTROR11

Ordinance No. 0-112-24 Passed December 16, 20 24


Introduced by Council Member Risner, Chair
Finance & Personnel Committee

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO PROVIDE FINANCIAL SUPPORT FROM THE CITY'S TRANSIENT GUEST TAX FOR THE OPERATION OF THE OUTDOOR RECREATION COUNCIL OF APPALACHIA (ORCA); AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: The Mayor is hereby authorized to enter into an agreement to provide financial support from the City's Transient Guest Tax, paid into the General Fund, to the Outdoor Recreation Council of Appalachia (ORCA), a Regional Council of Governments (COG) for the operation of ORCA, provided that the proceeds of such tax are sufficient, legally available, and lawfully appropriated for the purpose, and the City's General Fund reserve balance is 8% or higher, for the year 2024. Thereafter the reserve balance shall be 9% or higher. A copy of said agreement is attached hereto and incorporated herein by reference.

SECTION II: This Ordinance shall be an emergency measure necessary for the preservation of the health, welfare and safety of the residents of the City of Athens, Ohio, in order to maintain fiscal integrity, and it shall be in full force and effect upon its passage and approval by the Mayor.




President of Council

ATTEST:



Clerk of Council

APPROVED:



Mayor

15th
11/4
AMENDED
11/18
AMENDED
12/2
2nd
12/9

AGREEMENT

PARTIES: This Agreement is entered into by and between the City of Athens, Ohio, hereinafter referred to as “City” and the Outdoor Recreation Council of Appalachia, hereinafter referred to as “ORCA.”

PURPOSE: This Agreement is for the purpose of providing financial support for the operation of ORCA and shall continue from year to year and be in effect until withdrawn by the City. In such a case, the City shall notify the ORCA Board in writing ninety (90) days prior to withdrawal as set forth below. This Agreement shall replace and supersede any prior Agreements.

ORCA AGREES:

- 1) Any prior Agreements, including the Agreement attached to Athens City Ordinance 110-19, entered into between ORCA and the City, are **null and void**. Further, the City is hereby released from all financial obligations on any prior agreements, including the financial obligation referred to in Athens City Ordinances 110-19 and 45-24.
- 2) To use the sum paid by the City for the purpose of integrating conservation, outdoor recreation, and economic development in a way that strengthens and inspires communities in Southeast Ohio and to develop outdoor recreation opportunities across governmental boundaries that create sustainable and equitable economic development, inspiring communities throughout Appalachian Ohio.
- 3) To provide to Athens City Council by the end of the first quarter of each calendar year, a complete written accounting of all expenditures of funds and activities of ORCA in which City funds were expended during the preceding twelve (12) month period.

CITY AGREES:

- 1) To pay Annual Membership Dues to ORCA by the end of the first quarter of each calendar year in an amount equaling one dollar for each resident of the City. Payment amounts will correspond with current Census population data
- 2) For calendar year 2024, the City will pay ORCA the sum of \$24,673, for 2024 Annual Membership Dues, which is due and payable upon signing of this agreement as authorized by Athens City Council.
- 3) For calendar year 2025 and thereafter, the City will pay the Annual Membership Dues to ORCA by the end of the first quarter of each calendar year.
- 4) If the City wishes to withdraw from ORCA, the City shall notify the ORCA Board in writing ninety (90) days prior to withdrawal. Withdrawal will be final after the ninetieth (90th) day, EXCEPT THAT all obligations, financial or otherwise, to ORCA assumed by the City prior to submitting the notice of intent to withdraw shall continue until the end of ORCA's then-current Fiscal Year.

For the City of Athens, Ohio:

Steve Patterson, Mayor

Date

For the Outdoor Recreation Council of Appalachia

Director:

Date

Director:

Date

Director:

Date

Director:

Date

Director:

Date

Approved as to Form:

Lisa A. Eliason, Athens City Law Director

Date