

RESOLUTION NO. 2023.18

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO
NON-DISCLOSURE AGREEMENTS FOR ECONOMIC DEVELOPMENT PURPOSES
ON BEHALF OF THE CITY OF SUNBURY**

WHEREAS, the City of Sunbury (the “City”) has adopted the Mayor-Council-Administrator form of government and assigned general powers to the City Administrator including responsibilities for the administration of the Municipality including the execution of all contracts, leases, deeds, easements, conveyances, and agreements;

WHEREAS, the City Administrator’s general administrative duties include engaging governmental entities, and agencies thereof, and public, private, or nonprofit organizations for the purposes of economic development, business attraction and retention, and project development; and

WHEREAS, in carrying out these duties, the City Administrator frequently receives or is asked to review sensitive, confidential, or proprietary information, related to an economic development project requiring the execution of a non-disclosure agreement; and

WHEREAS, the execution of a non-disclosure agreement is intended to facilitate the confidential exchange of proprietary information to determine if an economic development project is beneficial to the City and not a means to subvert the Ohio Public Records Act (the “Act”) (insert citation); and

WHEREAS, to facilitate economic development in the City, council wishes to authorize the Administrator may to execute the attached non-disclosure agreement, Exhibit A, or one substantially similar, that provides a process for the legal disclosure of documents required by the Act.

NOW, THEREFORE, BE IT RESOLVED by the Council for the City of Sunbury, Delaware County, State of Ohio as follows:

SECTION I: The City Administrator is hereby authorized to enter into non-disclosure agreements for economic development purposes on behalf of the City provided such agreements do not involve the expenditure of public funds and a copy of each agreement is shared with Council upon execution.

SECTION II: Council specifically authorizes and approves the Non-Disclosure Agreement attached hereto as Exhibit “A” with such changes not inconsistent with this Resolution as shall be agreed to by the City Administrator and the City Director of Law, with written approval thereof constituting conclusive evidence of such approval.

SECTION III: This Council finds and determines that all formal actions of the Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and

