

**RESOLUTION NO. R26-35**

**A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH AN ELIGIBLE DEVELOPER, AND AUTHORIZING ECONOMIC DEVELOPMENT/GOVERNMENT EQUITY (ED/GE) PROGRAM FUNDS TO SUPPORT AN ECONOMIC DEVELOPMENT PROJECT IN THE CITY OF TROTWOOD.**

**WHEREAS**, Guided By Mushrooms, LLC desires to acquire a facility for the indoor cultivation, processing, and packaging of specialty products in the City of Trotwood; and

**WHEREAS**, the City applied for and was awarded from Montgomery County, an amount not to exceed \$25,000.00 from their 2026 Primary Economic Development Fund to provide funding support for the Guided by Mushrooms Project in the City of Trotwood; and

**WHEREAS**, effective March 20, 2026, Section 9.66 of the Ohio Revised Code provides that certain information previously disseminated by a public office or official shall now be exempt from disclosure and not considered a public record under Ohio law; and

**WHEREAS**, Guided by Mushrooms, LLC, has executed a written waiver and authorization permitting the disclosure and use of its name and the amount of funding awarded to satisfy legislative approval and public transparency requirements; and

**WHEREAS**, the City Manager recommends City Council authorize the City Manager to enter into a Development Agreement with Guided by Mushrooms, LLC.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROTWOOD, STATE OF OHIO:**

**SECTION I:** City Council accepts the recommendation of the City Manager and hereby authorizes the City Manager to enter into a Development Agreement with Guided By Mushrooms, LLC.

**SECTION II:** The City, with funds received from Montgomery County through the ED/GE Program, will provide funding support in the amount of \$25,000.00 to Guided By Mushrooms, LLC to acquire a facility for the indoor cultivation, processing, and packaging of specialty products in the City of Trotwood.

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

**SECTION III:**


This Resolution shall take effect and be in force from and after the date of its passage.

Passed on this 1st day of June, 2026.

ATTEST:

APPROVED:

  
\_\_\_\_\_  
KARA B. LANDIS  
CLERK OF COUNCIL

  
\_\_\_\_\_  
TYNA R. BROWN  
VICE-MAYOR  
FOR AND ON BEHALF OF  
YVETTE F. PAGE  
MAYOR

  
\_\_\_\_\_  
TYNA R. BROWN  
VICE-MAYOR

**CERTIFICATE OF RECORDING OFFICER**

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Resolution No. R26-35 adopted by the Trotwood City Council at a regular scheduled meeting held on the 1st day of June, 2026, and that I am duly authorized to execute this certificate.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
CLERK OF COUNCIL

**CERTIFICATE REGARDING PROVISION OF INFORMATION  
IN CONNECTION WITH ECONOMIC DEVELOPMENT ASSISTANCE**

The undersigned, DAVID SPARKS, acting in the capacity of OWNER for GUIDED BY MUSHROOMS (the “*Company*”), represents that the Company has applied, and may hereafter make further application, to the CITY OF TROTWOOD (the “*Subdivision*”) for certain economic development assistance, which assistance may include, but will not necessarily be limited to, grants, subgrants, exemptions, credits, loans, awards, cooperative agreements, or other similar and related forms of financial assistance (collectively, the “*Assistance*”), all in connection with a Company project which generally includes the development of GUIDED BY MUSHROOMS ED/GE GRANT (the “*Project*”).

From time to time, the Company and/or its principals, employees or third-party advisors are expected to provide information (which information may be submitted in various formats and the aggregate of any submitted information is collectively referred to as the “*Information*”) to the Subdivision which may relate to the Company, the Project and/or the Assistance. The Company agrees that the Information submitted to the Subdivision in connection with the Project, except to the extent such Information is clearly marked by or on behalf of the Company as confidential, (i) is not confidential or proprietary, (ii) is not intended to be subject to the confidentiality requirements set forth in Section 9.66(D) or any other provision of the Ohio Revised Code, (iii) is necessary to secure the approval of the application for Assistance and, (iv) upon any such submission by the Company, shall, for all purposes (including for purposes of Sections 9.66(D), 121.22 and 149.43 of the Ohio Revised Code, and any related, similar or replacement Sections from time to time in effect), be deemed published by the Company as public information of the Subdivision (herein, the “*Public Information*”) which, accordingly, may be used by the Subdivision in such manner as is determined reasonably necessary by the Subdivision to facilitate the approval, documentation and provision of any Assistance, provide for the consummation of any required real estate, financing, construction and/or management transactions, and otherwise ensure that the Project and any related public improvements are completed in such manner as is agreed upon by the Company and the Subdivision, each in its sole discretion.

By way of further clarification, the Company agrees that any disclosure, discussion, release, announcement or other use of the Public Information by or on behalf of the Subdivision (including by its officials, employees and third-party advisors) consistent with this Certificate is adopted by the Company and shall constitute the disclosure, discussion, release, announcement or other use of that Information by and on behalf of the Company.

By way of further clarification, the Company agrees that the Subdivision may utilize, incorporate, reproduce, reference, and publish the Public Information directly within, or in connection with, any authorizing legislation, resolutions, ordinances, agreements, reports, filings, or other legislative or administrative actions undertaken by the Subdivision in the ordinary course of its governmental functions, without further notice to or consent from the Company. Such use shall be deemed consistent with the purposes of this Certificate and shall not constitute a breach of any confidentiality or similar obligation.

Dated: June 1, 2026

By: 