

# County Council of Cuyahoga County, Ohio

## Resolution No. R2012-0076

Sponsored by: <b>Council President Connally</b>	<b>A Resolution</b> authorizing the County Fiscal Officer to create a special project account within the Capital Improvements Fund for the purpose of accepting a deposit of funds in the amount of \$211,018.26 from the Soldiers' and Sailors' Monument Support Group (Federal ID No. 34-1949122); directing that said funds be appropriated for extraordinary maintenance and capital improvements for the Cuyahoga County Soldiers' and Sailors' Monument; and declaring the necessity that this Resolution become immediately effective.
-------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

WHEREAS, Article 3, Section 9, Subsection 5 of the Cuyahoga County Charter gives County Council the power to adopt and amend the County's operating budget and capital improvements program and to make appropriations for the County; and,

WHEREAS, Article 3, Section 9, Subsection 7 of the Cuyahoga County Charter gives County Council the power to provide for the acquisition, construction, maintenance, administration, rental, and leasing of property, including buildings and other public improvements; and,

WHEREAS, pursuant to the Ohio Revised Code Chapter 345 and prior Ohio statutes, the Cuyahoga County Soldiers' and Sailors' Monument was created in 1894 and is operated and maintained by the Cuyahoga County Soldiers' and Sailors' Monument Commission; and,

WHEREAS, the Soldiers' and Sailors' Monument Support Group, a nonprofit 501(c)(3) organization, was created in part to help raise money to maintain the Cuyahoga County Soldiers' and Sailors' Monument; and,

WHEREAS, starting in 2004, an award winning restoration project was undertaken by the Cuyahoga County Soldiers' and Sailors' Monument Commission; and,

WHEREAS, Cuyahoga County provided approximately two million dollars (\$2,000,000.00) to pay for the costs of rehabilitating, renovating and otherwise improving in and around the Cuyahoga County Soldiers' and Sailors' Monument ("the Restoration Project"), with the understanding that the Support Group would work to raise funds for the Restoration Project; and,

WHEREAS, the Support Group raised public and private funds for the restoration project; and,

WHEREAS, the Support Group; through the Commission, has raised and provided to Cuyahoga County \$598,614.84 and paid \$43,206.74 directly for work done for the Restoration Project, and has a remaining balance of \$211,018.26 from funds raised for the Restoration Project that have not been provided to Cuyahoga County; and,

WHEREAS, Cuyahoga County understands that there are additional capital needs for the facility and there may be unanticipated extraordinary maintenance needs; and,

WHEREAS, Cuyahoga County desires to continue to provide for the Cuyahoga County Soldiers' and Sailors' Monument to remain a preeminent perpetual symbol of the participation of the citizens of the County in the American Civil War; and,

WHEREAS, Cuyahoga County desires, once the \$211,018.26 is given to the County, to direct that the funds be allocated to the Cuyahoga County Soldiers' and Sailors' Monument Commission for extraordinary maintenance and capital needs of the facility.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the County Council hereby authorizes the Cuyahoga County Fiscal Officer to create a special account within the Capital Improvements Fund for the purpose of accepting a deposit of funds in the amount of \$211,018.26 from the Soldiers' and Sailors' Monument Support Group, and directing that said funds be appropriated for extraordinary maintenance and capital improvements for the Cuyahoga County Soldiers' and Sailors' Monument.

**SECTION 2.** That to access said funds, the Cuyahoga County Soldiers' and Sailors' Monument Commission must request approval from the Cuyahoga County Council on a case-by-case basis; such approval to be granted only for the use of funds related to specific expenses and projects for extraordinary maintenance and capital improvements of the Cuyahoga County Soldiers' and Sailors' Monument.

**SECTION 3.** That once approved by the County Council, specific funds approved shall be transferred into the Cuyahoga County Soldiers' and Sailors' Monument line-item budget for use for the approved project(s).

**SECTION 4.** It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue without interruption, and to provide for the usual, daily operation of a county department; therefore, this Resolution, provided it receives the affirmative vote of eight members of Council, shall become effective immediately upon the signature of the County Executive;

otherwise it shall be in full force and effect from and immediately after the earliest time permitted by law.

**SECTION 5.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Mr. Miller, seconded by Ms. Conwell, the foregoing Resolution was duly adopted.

Yeas: Germana, Gallagher, Schron, Conwell, Jones, Rogers, Simon, Greenspan, Miller and Connally

Nays: None

\_\_\_\_\_

County Council President

\_\_\_\_\_

Date

\_\_\_\_\_

County Executive

\_\_\_\_\_

Date

\_\_\_\_\_

Clerk of Council

\_\_\_\_\_

Date

First Reading/Referred to Committee: May 8, 2012

Committee(s) Assigned: Finance & Budgeting

Journal CC006

May 22, 2012