

# County Council of Cuyahoga County, Ohio

## Resolution No. R2012-0240

<b>Sponsored by: County Executive FitzGerald/Department of Public Works</b>	<b>A Resolution</b> authorizing the County Executive and Department of Public Works to release an amount not-to-exceed \$500,000.00 from the Medical Mart Contingency Fund to the Cleveland Sports Commission when the 2013 Senior Games are held at the Convention Center, and authorizing the County Executive and Department of Public Works to negotiate and execute any necessary contract or other documents for same.
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WHEREAS, under the Medical Mart Agreement Regarding Final Project Finance Approval dated December 1, 2010, a County Contingency Fund was established in the amount of \$3,485,435.00 (“Contingency Fund”); and,

WHEREAS, there is currently \$3,385,435.00 remaining in the Contingency Fund; and,

WHEREAS, the County Executive and Department of Public Works have requested the authority to release an amount not to exceed \$500,000.00 from the Contingency Fund to the Cleveland Sports Commission for the Senior Games to be held at the Cleveland Convention Center in Cleveland; and,

WHEREAS, the Contingency Fund is held at U.S. Bank, the Trustee for Medical Mart, and it is not a part of the County’s General Fund; and,

WHEREAS, Section 3.10(a)(11) of the Cuyahoga County Contracting and Purchasing Procedures Ordinance provides that the Cuyahoga County Council may review and approve any “contract, purchase, sale, lease, grant made by the County, loan made by the County, or any exemption, procedure, or other action within the process of completing any such contract, purchase, sale, lease, grant, exemption, or loan that does not otherwise require Council approval, but the County Executive, Board of Control, or Contracts and Purchasing Board determines to submit to Council for its consideration, review, and approval; and,

WHEREAS, Section 3.18 of the Cuyahoga County Contracting and Purchasing Procedures Ordinance provides that the “County Executive may refer an item to the County Council for approval that otherwise would require approval from the Board of Control or the Contracts and Purchasing Board”; and,

WHEREAS, the County Executive has determined to submit this intended action to the County Council instead of the Cuyahoga County Board of Control for its review and approval pursuant to Section 3.10(a)(11) and Section 3.18 of the Cuyahoga County Purchasing and Procedures Ordinance; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

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

**SECTION 1.** For the 2013 Senior Games to be held at the County's Convention Center in Cleveland, the Cuyahoga County Council hereby authorizes the Department of Public Works to release an amount not to exceed \$500,000.00 from the Medical Mart and Convention Center Contingency Fund to the Cleveland Sports Commission to aid with the Senior Games to be held at the Cleveland Convention Center.

**SECTION 2.** The County Executive is hereby authorized to negotiate and execute any necessary contract or other documents to effectuate the release of the funds under the terms specified in this Resolution.

**SECTION 3.** 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 of 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. Schron, seconded by Mr. Gallagher, the foregoing Resolution was duly adopted.

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

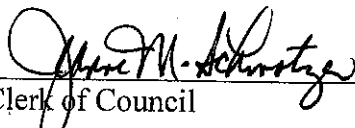
Nays: None

  
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County Council President

1-22-13  
Date

  
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County Executive

1/24/13  
Date

  
Clerk of Council

1/22/2013  
Date.

First Reading/Referred to Committee: November 13, 2012  
Committee(s) Assigned: Economic Development & Planning

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