

AUTHORIZING THE PRESIDENT OF THE BOARD OF TRUSTEES TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH GARFIELD HEIGHTS COACH LINES, INC. PROVIDING FOR THE ACQUISITION OF THE TRANSIT FACILITIES OF GARFIELD HEIGHTS COACH LINES IN ACCORDANCE WITH THE PURCHASE OPTION PROVISION OF ARTICLE XI OF THE OPERATING AGREEMENT

WHEREAS, the Greater Cleveland Regional Transit Authority is a party to a public transportation operating agreement dated November 14, 1975 with Garfield Heights Coach Lines, Inc.; and

WHEREAS, Garfield Heights Coach Lines, Inc. has exercised the purchase option provision of Article XI of the operating agreement, and

WHEREAS, Article XI of the operating agreement provides for a purchase price equal in amount to the mean average of three appraisals of the transit facilities of Garfield Heights Coach Lines, Inc. made by appraisers of recognized national standing in the transit field; and

WHEREAS, the mean average of the three appraisals conducted pursuant to Article XI of the 1975 Public Transportation Operating Agreement was \$336,643.00 and the purchase price of the transit facilities of Garfield Heights Coach Lines, Inc. has been reduced to \$270,009.00 as a result of the sale of certain motor coaches owned by Garfield Heights Coach Lines, Inc.; and

WHEREAS, the obligation of the Greater Cleveland Regional Transit Authority to consummate the purchase of the transit facilities of Garfield Heights Coach Lines Inc. is conditional upon the Authority obtaining funds for such purchase from the Urban Mass Transportation Administration; and

WHEREAS, the Greater Cleveland Regional Transit Authority has received from the Urban Mass Transportation Administration a "Letter of No Prejudice" which will enable this Authority to complete the acquisition of the public transit facilities of Garfield Heights Coach Lines, Inc.; and

WHEREAS, the Greater Cleveland Regional Transit Authority has agreed to the terms of a 13-C agreement with the Independent Transit Employees Union (I.T.E.U.) of Garfield Heights Coach Lines, Inc.; and

WHEREAS, the employees of the Independent Transit Union have agreed that upon acquisition of the transit facilities of Garfield Heights Coach Lines by RTA, all employees transferred to the employment of RTA shall be governed by the Conditions of Employment now agreed to between RTA and Division 268 of the Amalgamated Transit Union including but not limited to wage rates thereunder;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority:

Section 1. That the President of the Board of Trustees be and he is hereby authorized to execute a Memorandum of Understanding subject to the execution of a 13-C agreement between the Greater Cleveland Regional Transit Authority and the Independent Transit Employees Union of Garfield Heights Coach Lines, Inc. for the acquisition by the Authority of the transit facilities of the Garfield Heights Coach Lines conforming with the requirements of Article XI of the public transportation operating agreement with Garfield Heights Coach Lines, Inc. dated November 14, 1975.

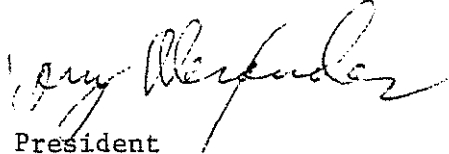
Section 2. That the expenditure of \$270,009.00 for the purchase of the transit facilities of Garfield Heights Coach Lines, Inc. is hereby authorized and funds in that amount and for that purpose are hereby appropriated and shall be payable in accordance with the terms set forth in said Memorandum of Understanding.

Section 3. That funds for said expenditures are to be made payable out of the General Fund of the Greater Cleveland Regional Transit Authority, to be reimbursed to the General Fund from the proceeds of the grant application for funds for such purpose now being processed by the Urban Mass Transportation Administration of the United States Department of Transportation.

Section 4. That the President be and he is hereby authorized to take such further action and to execute and deliver all such further agreements, instruments, certificates and documents, in the name of and on behalf of the Greater Cleveland Regional Transit Authority as shall be necessary, proper, or advisable in order to carry out the intent and purposes of this resolution and said Memorandum of Understanding.

Section 5. That this resolution shall become effective immediately upon its adoption.

Adopted: January 21, 1980

  
President

Attest:   
Secretary-Treasurer