

RESOLUTION NO. 1983-232

AMENDING RESOLUTION NO. 1983-173  
RELATING TO AN AGREEMENT BETWEEN THE CITY  
OF CLEVELAND AND THE GREATER CLEVELAND  
REGIONAL TRANSIT AUTHORITY PROVIDING FOR  
THE DISBURSEMENT OF FUNDS FROM GRANT NO.  
OH-23-9001 FOR REHABILITATION OF BRIDGES  
AT WEST SECOND, THIRD AND SIXTH STREETS

WHEREAS, The United States of America, Department of Transportation, through its Secretary, has approved a grant application made by the Greater Cleveland Regional Transit Authority entitled FFY 1982 - Tower City Grant Application, in the sum of Three Million One Hundred Fifty-Nine Thousand Nine Hundred Ninety-Four Dollars (\$3,159,994.00), representing eighty-five percent (85%) of the total estimated project cost; and

WHEREAS, said grant provides for the use of One Million Four Hundred Sixty-Eight Thousand Four Hundred Ninety-Four Dollars (\$1,468,494.00) of said grant for the rehabilitation of the bridges supporting West Second, Third and Sixth Streets; and

WHEREAS, the fifteen percent (15%) local share of project costs contemplated by said grant will be provided by the City of Cleveland from funds made available by UDAG Grant No. B-80-AA-39-0073 (as amended) and/or other sources; and

WHEREAS, the City of Cleveland has authorized its Directors of Economic Development and Public Service to enter a contract with the Greater Cleveland Regional Transit Authority for the partial funding of the rehabilitation of said bridges; and

WHEREAS, Department of Housing and Urban Development has advised the City of Cleveland that UDAG funds may not be used directly as matching funds for station design and planning; and

WHEREAS, O.D.O.T. did not award the construction contracts in August 1983 as had been contemplated when Resolution 1983-173 was adopted July 5, 1983.

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

Section 1. That Section 3 of Resolution No. 1983-173 be and it is hereby amended as follows: Delete "..., and shall require that all funds remaining in the City of Cleveland UDAG Grant fund after disbursement for the contemplated bridge repairs shall be reserved to the GCRTA for local match funding of all remaining projects under the said UMTA Grant". Insert: "and in addition thereto shall require the City of Cleveland to allocate all unused UDAG funds to the costs of the rehabilitation of said bridges."

As amended, Section 3 of Resolution 1983-173 shall read as follows:

" Section 3. That said agreement shall require the City of Cleveland to provide all local match funding for the rehabilitation of the bridges supporting West Second, Third and Sixth Streets as described in UMTA Grant No. OH-23-9001 and in addition thereto shall require the City of Cleveland to allocate all unused UDAG funds to the costs of the rehabilitation of said bridges."

Section 2. That the Authority conferred hereby is conditioned upon the receipt by GCRTA of a written assurance from Tower City Properties that no costs attributable to the rehabilitation of bridges in the Tower City complex shall be assessed against GCRTA under any term of the Leases and Agreements of May 10, 1951 running between GCRTA as the successor in interest to the Cleveland Transit System and City of Shaker Heights and Tower City Properties as the successor in interest to Cleveland Union Terminal Company.

Section 3. That this resolution shall be effective immediately upon its adoption.

Adopted: September 6, 1983

*James A. ...*  
President

Attest: *Robert J. Landgraf*  
Secretary-Treasurer