

RESOLUTION NO. 2002 - 98

AUTHORIZING THE ESTABLISHMENT OF REAL ESTATE POLICIES OF THE BOARD OF TRUSTEES OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY (GCRTA).

WHEREAS, the General Manager of the Authority is required to enter into a wide range of Real estate transactions in the management of the Authority's business; and

WHEREAS, the General Manager's authority to enter into these transactions needs to be comprehensively defined; and

WHEREAS, it is the policy of this Board that all Real estate transactions shall be in compliance with the Ohio Revised Code and the FTA regulations governing Real estate transactions; and

WHEREAS, it is the policy of this Board to authorize the General Manager to enter into Real estate contracts for the acquisition and disposition of property, the leasing of property, the granting and taking of licenses and easements, the joint development of property, and the granting of and acceptance of limited use contracts regarding GCRTA real property and the real property of others; and

WHEREAS, certain resolutions need to be repealed because they are superseded by this comprehensive resolution regarding the General Manager's authority with respect to Real property.

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

Section 1. Resolution No. 1993-136, Amending Resolution No. 1991-103 Regarding Policies and Procedures for Implementing Joint Development of Greater Cleveland Regional Transit Authority Transit Facilities, Resolution No. 1991-103, Adopting Policies and Procedures for Implementing Joint Development of Greater Cleveland Regional Transit Authority Rail and Bus Facilities and Resolution No. 1994-192 Approving a Policy on the Use of Authority Facilities for Special Events, are hereby repealed.

Section 2. Acquisitions of Real property and eminent domain takings by GCRTA require the recommendation of the General Manager/Secretary-Treasurer and the approval of the Board of Trustees.

Section 3. Dispositions of Real property and granting of perpetual easements regarding Real property require the recommendation of the General Manager/Secretary-Treasurer and the approval of the Board of Trustees.

Section 4. Leases of GCRTA Real property and temporary easements granted by GCRTA require the recommendation of the General Manager/Secretary-Treasurer and the approval of the Board of Trustees for all contracts that originally or after amendment or other means of continuous use by or grant to another party exceed \$25,000 in total revenue and/or are for a term of more than a year. GCRTA shall not enter into leases or temporary easements that provide for automatic renewals. Leases and Easements that do not exceed one year and

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that do not provide for total revenue in excess of \$25,000 may be authorized by the General Manager/Secretary-Treasurer without board approval; however, board approval shall be required for any means of continuous use or grant that would involve the total lease or grant exceeding one year or \$25,000 in revenue.

Section 5. Leases by GCRTA of another party's Real property and Temporary easements taken by GCRTA across another's property require the recommendation of the General Manager/Secretary-Treasurer and the approval of the Board of Trustees for all contracts that originally or after amendment or other means of continuous use by or grant to GCRTA exceed \$25,000 in total cost and/or are for more than one year. GCRTA shall not enter into leases or temporary easements that provide for automatic renewals. Leases that do not exceed one year and that do not provide for total revenue in excess of \$25,000 may be authorized by the General Manager/Secretary-Treasurer without Board approval; however, board approval shall be required for any means of continuous use or grant that would involve the total lease or grant exceeding one year or \$25,000 in cost.

Section 6. Joint Development agreements require the recommendation of the General Manager/Secretary-Treasurer and the approval of the Board of Trustees.

Section 7. License agreements regarding use of GCRTA's Real property or use by GCRTA of another party's property that originally or after amendment or other means of continuous grant exceed \$25,000 in revenue or cost or are for more than one year require recommendation by the General Manager/Secretary-Treasurer and the approval of the Board of Trustees. Licenses that do not exceed \$25,000 and do not exceed one year may be authorized by the General Manager/Secretary-Treasurer without Board approval; however, board approval shall be required for any means of continuous grant that causes the total grant to exceed one year or \$25,000 in revenue or cost.

Section 8. Limited Use agreements regarding GCRTA Real property or that of another party require the recommendation of the General Manager/Secretary-Treasurer and the approval of the Board of Trustees for all contracts that originally or after amendment or other means of continuous use exceed \$25,000 in total revenue or cost and/or a term of more than one year. Limited Use agreements where the total revenue or cost is \$25,000 or less which are for a term of one year or less may be authorized by the General Manager/ Secretary-Treasurer without Board approval; however, board approval shall be required for any amendment or means of continuous use that cause the use to exceed one year or the revenue or costs to exceed \$25,000.

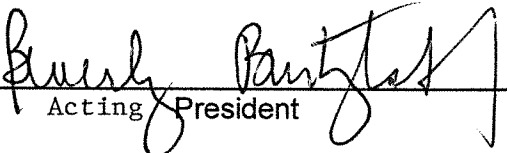
Section 9. The General Manager/Secretary-Treasurer is authorized to establish a fee schedule for the use of Authority Real property and facilities. Limited Use agreements include but are not limited to: use of Authority facilities for special events, filming agreements, temporary construction easements, permits to come upon and/or use GCRTA Real property, construction staging area permits, and temporary right-of-way permits.

Section 10. All Real Estate transactions must be reviewed for determination of compliance with FTA regulations.

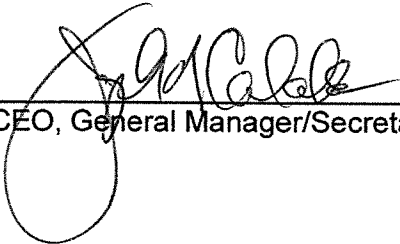
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Section 11. This resolution shall become effective immediately upon its adoption.

Adopted: May 21, 2002



Acting President

Attest: 

CEO, General Manager/Secretary-Treasurer

RESOLUTION NO. 1993-136

AMENDING RESOLUTION NO. 1991-103 REGARDING POLICIES AND
PROCEDURES FOR IMPLEMENTING JOINT DEVELOPMENT OF GREATER
CLEVELAND REGIONAL TRANSIT AUTHORITY TRANSIT FACILITIES

WHEREAS, the Board of Trustees through the passage of Resolution No. 1991-103 on May 21, 1991, recognized the variety of benefits to be gained by the Authority from the formation of public-private partnerships to jointly develop Authority transit facilities; and

~~WHEREAS, an amendment to Section 306.43 of the Ohio Revised Code makes competitive negotiation a permissible means by which the joint development rights of a particular transit facility may be awarded; and~~

~~WHEREAS, it has been determined that modifications to the existing Joint Development Policies and Procedures are necessary for the Authority to take advantage of the competitive negotiation process for such joint development awards in the future;~~

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

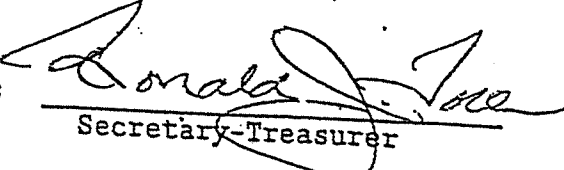
Section 1. That the Policies and Procedures for Implementing Joint Development of Greater Cleveland Regional Transit Authority Transit Facilities are hereby revised in accordance with "Exhibit A" attached hereto and incorporated herein.

Section 2. That the General Manager be and is hereby authorized to revise the procedures contained therein from time to time as deemed necessary or desirable by the General Manager to carry out joint development projects in accordance with said policies.

Section 3. That this resolution to take effect immediately upon its adoption by the Board of Trustees.

Attachment: Policy and Procedures For Implementing Joint Development of GCRTA Transit Facilities


Adopted: August 24, 1993

Attest: 
Secretary-Treasurer


President

CERTIFICATION OF RESOLUTION

The foregoing is hereby certified to be a true and correct copy of Resolution No. 1993-136 duly adopted by the Board of Trustees of the Greater Cleveland Regional Transit Authority on August 24, 1993.


Secretary-Treasurer

REV 8/19/93

GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY
POLICIES AND PROCEDURES FOR IMPLEMENTING
JOINT DEVELOPMENT OF GCRTA TRANSIT FACILITIES

Purpose and Scope

Joint development is a third party real estate development that is physically connected to public transit facilities. The access and location advantages provided by a transit facility act as an impetus for the development which benefits both the public transit authority and the private developer, as well as other public entities.

The benefits to the transit authority include increased use of the transit system, and a creative mechanism for funding construction, operation and maintenance of capital projects. The private developer receives the advantage of a built-in transportation linkage, which may decrease risk due to the influx of public resources as leverage for the development. Other public participants benefit from increased economic development and correspondingly enhanced tax and employment bases, improved urban design, and the opportunity to manage continued growth and development. Joint development has the potential to convey benefits on all participants. However, it can only prove to be a viable option for GCRTA to pursue if the appropriate blend of transit and land-use planning is realized.

Joint development agreements with the private sector will be used to offset transit system real estate acquisition and facility construction costs; provide station upgrades and desired public amenities; and help fund ongoing system operating costs.

Development Approaches

Four prospective joint development approaches have been identified: (i) negotiated investments; (ii) public improvement districts (PID's), (iii) connector fees; and (iv) leasing of land and air rights.

(i) A negotiated investment is a contribution of property, facilities or amenities by a private developer in exchange for benefits to a private development plan. These agreements are expected to provide access improvements (elevators, escalators, entranceways), bus and parking facilities, station aesthetics and/or real property interests.

(ii) PID's are formed when commercial property owners within a

district agree, through petition to the governing municipality, to fund all or a portion of a transit station. The municipality finances the station with debt and assesses the property owners in the form of incremental ad valorem taxes or a cents-per-square foot levy based on property values. Assessments must reflect the benefit of the station to the property owners. The Authority leases the station from the municipality until the debt is paid off, after which ownership can be transferred to the Authority.

(iii) Connector fees are paid by developers to construct a physical link between a private development and a transit station. They will be negotiated primarily on subway or elevated stations, where direct access to mezzanine levels creates additional prime rental space. Fees are usually in the form of an annual contribution for station operating costs.

(iv) Land and air rights leases will be negotiated with commercial developers on station sites and parking areas purchased or already owned by the Authority for transit purposes. In some cases, the facilities will be integrated into the overall development. Common facilities, such as plazas and entranceways, will be shared whenever possible.

The intent of joint development is to enhance station environs and attract riders, and to create a long-term (more than twenty year) revenue stream that will assist RTA in financing the transit system.

Policies for Joint Development of GCRTA Transit Facilities

Comprehensive Planning

1. Coordinate comprehensive planning and development around Rail station sites and Bus facilities (i.e. Park-n-Rides, bus loops) with the involved communities, in accordance with local and regional land use plans, policies and zoning regulations.
2. Encourage land use plans which are designed to enhance system ridership and provide needed public amenities, such as sidewalks and other pedestrian connectors to form linkages between developments and rail stations or bus facilities.
3. Ensure that all uses of Authority owned property and any given local jurisdiction's adopted land use plans are consistent, and attempt to achieve that consistency by seeking change in such land use plans.
4. Promote and reinforce local land use plans which provide for the creation of high-quality development at each rail station or bus facility; where the local governmental entity's adopted land use plans call for maintenance of a residential area, maintain consistency with those plans.
5. Provide agency support and interagency representation.
6. Encourage local jurisdictions to structure their land use plans in the vicinity of rail stations and bus facilities to promote uses supportive of transit.
7. Select joint development projects that have a primary purpose of promoting transit ridership and increasing mobility. Such projects enhance economic development including job creation, and other community needs.

Control of Joint Development Activities

8. Obtain and retain station facility and related transportation service design and location authority.
9. Maintain an active role in all joint development activities.
10. Retain ownership of land and air rights acquired for GCRTA transit facilities; jointly develop these with the private sector and/or other public entities for the purpose of establishing long term revenues to support initial offset of GCRTA capital

expenditures, as well as a sustainable annual cash flow for meeting ongoing costs related to operating, and maintenance requirements.

Implementation

11. Package joint development projects.
12. Establish a joint development decision making process which fosters positive relations with the private sector other public agencies, and members of the general public, particularly residents affected by development in their respective communities.
13. Solicit proposals for joint development of Authority owned property through a competitive process.
14. Infuse public sector capital or "in lieu" contributions where appropriate to create more viable joint development projects.
15. Ensure the involvement of disadvantaged and women business enterprises in joint development projects.

Enhancement of GCRTA Transit Facilities

16. Consider the potential for enhancement of GCRTA Transit operations through joint development prior to selection and configuration of sites for GCRTA transit facilities.
17. Encourage direct connections between transit facilities and surrounding developments.
18. Encourage land uses which promote pedestrian activities and promote the safety and security of patrons.
19. Review GCRTA transit facility design and, where feasible, incorporate design features that will facilitate future joint development. Such design alternatives shall capture the greatest private sector development contributions with the least number of challenges to system performance, service quality, schedule and lowest construction cost. Site alternatives will be in accordance with planned development goals.
20. Make most efficient use of Authority real property.

Revenue Generation, Cost Sharing and Value Capture

21. Negotiate joint agreements between the Authority and developers using Authority land and/or property rights to create a long-term source of revenue for the operation and maintenance of the system.
22. Ensure long term value capture in support of public investment in the form of contractor fees, joint ventures, and lease agreements.
23. When construction of adjacent joint development projects precede or parallel construction of GCRTA transit facilities, negotiate offsets to GCRTA rail costs through station/facility cost sharing.
24. Require connector fees or equivalent consideration from any property owner/developer of any building who requests a physical link to a GCRTA transit facility; the cost of such connectors, including additional design costs, and maintenance costs will be borne by the property owner/developer and will be negotiated.
25. Require, where appropriate, that property owners/developers who propose to be directly connected to stations, where there is no benefit assessment district, to pay fees substantially equivalent to benefit assessment as set for other stations; fees which are collected in lieu of such benefit assessments shall be in addition to all other fees, contributions, or considerations.
26. Structure connector fees or capital offset fees in the form most appropriate to the transaction; for example, lump sum payments, participation in the revenue created by the development, "in lieu" dedication payments of property and/or easements, or combinations of forms.
27. Ensure that joint development projects contain some provision for financial security against future adverse impacts on transit operations by the owner/occupants of the joint developments.

Land Acquisition and Disposition

28. Plan property acquisitions to obtain the best possible combination of cost savings on site acquisition and joint development potential on the sites after system construction.

29. Where joint development is not feasible or is a long-range project, consider leasing land and air rights at the current market rate to potential developers, with consideration of any capital investment incorporated.
 30. Dispose of real property only when it is advantageous to the Authority.
 31. An environmental assessment will be completed of any parcel the Authority buys or sells.
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Procedures for Joint Development of GCRTA Transit Facilities

The following is the process to be used by the Authority in implementing its adopted policies regarding joint development of GCRTA transit facilities.

1. The Authority may initiate joint development of a GCRTA transit facility or such a proposal may be initiated by an inquiry from a private developer, public agency or other person.
2. Any recommendation by a department of the Authority, or any inquiry from a person outside the Authority regarding joint development opportunities on a GCRTA site shall be referred to a joint staff committee of the Operations Planning, Strategic Planning and Research, Legal, Transit Transportation, and Procurement Departments, and the Finance, and Engineering and Construction Divisions (Joint Staff Committee).
3. Upon receipt of a request for joint development on a GCRTA site, the Joint Staff Committee shall analyze the feasibility and benefits of the proposed development.
4. If a preliminary analysis by the Joint Staff Committee indicates that a proposed development on a site may be feasible and beneficial, or if the General Manager determines that it is in the interest of the Authority to pursue joint development of a site, a Request For Proposals for development of the site will be issued by the Procurement Department. The General Manager may, at his discretion, brief the Board Planning and Development Committee on the proposed development prior to the issuance of a RFP.
5. Notice of the Authority's RFP for joint development of a GCRTA site shall be given in newspapers of general circulation, and in other specialized publications, if appropriate, for an adequate period of time prior to the submittal deadline. Notice may also be given to adjacent property owners and to any person specifically requesting such notice from the Authority.
6. The Authority's RFP shall contain: (1) site description, (2) basic project description and development guidelines, (3) special Authority requirements for interface with the transit operations (4) requirements for benefit to the Authority, (5) selection process, including criteria used for selection, (6) responsibilities of the Developer, (7) form of the development proposal, and (8) statement of policy regarding participation by disadvantaged

business enterprises.

7. Responses to an Authority RFP shall contain: (1) conceptual benefit to the community, (2) description of the development entity, (3) financial capability of the Developer, (4) conceptual benefit to the Authority, (5) detailed project description including dimensioned site plans, elevations, circulation and parking plans and a description of the interface with GCRTA operations during and after construction, (6) pro forma financial analysis including development cost and ten-year cash flow projections, (7) costs to the Authority, (8) evidence of market feasibility, (9) construction schedule, (10) identification of disadvantaged business participation at all levels at which such involvement is proposed, (11) revenue and benefits offered to the Authority, (12) a performance guarantee to be specified in the RFP based upon individual project specifics, and (13) other information appropriate to the particular project.
8. The Joint Staff Committee shall review and evaluate all RFP submittals and rank submittals in their order of preference.
9. The Joint Staff Committee will select a negotiating team who shall initiate discussions with all proposers in the competitive zone. The negotiating team shall consult with the Joint Staff Committee and the Executive Management Team on a regular basis during the negotiation process. ~~Written best and final offers will be received from such proposers. The Joint Staff Committee shall then select the most advantageous offer.~~
10. The General Manager and/or designated staff shall forward the offer to the Board Planning and Development Committee for action.
11. ~~The Authority may deviate from its RFP procedures for joint development of a GCRTA site in any case where the Authority has entered into an intergovernmental agreement with a local government that is participating in the joint development process; procedures for implementing the joint development shall be specified in the intergovernmental agreement.~~
12. The Authority may deviate from its RFP procedures for joint development of a GCRTA site if the interested party is an adjacent property owner and the Authority finds that combining the Authority site with an adjacent property will result in a joint development project that is feasible and beneficial to the

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Authority, procedures for implementing the joint development project shall be specified in a written agreement between the Authority and the adjacent property owner.

Procedures for Connectors to GCRTA Transit Facilities

The following is the process to be used by the Authority in implementing its adopted policies regarding joint development of GCRTA transit facilities, particularly those policies related to connections to stations:

1. The Authority may initiate connections (streets, sidewalks, pedestrian easements, and sub-surface or aerial walkways) into GCRTA transit facilities or such connections may be initiated by requests from private developers, public entities or other persons.
2. Any recommendation by a department of the Authority, or any inquiry from a person outside the Authority regarding joint development connections to a GCRTA site shall be referred to the Joint Staff Committee.
3. Upon receipt of a request for a connection to a GCRTA Rail station or Bus facility the Joint Staff Committee shall analyze the feasibility, costs, and benefits of the proposed connection.
4. If the Joint Staff Committee finds that the connection proposal is feasible and beneficial, the General Manager and/or designated staff shall negotiate a draft agreement for the connection; the negotiating team shall consult with the Joint Staff Committee and the Executive Management Team on a regular basis during the negotiation process.
5. A recommendation for a connection to a GCRTA Rail station or Bus facility shall be reviewed by the Board Planning and Development Committee and, if acceptable, shall be recommended to the Board.

Procedures for Sale or Long-Term Lease of Sites

The following is the process to be used by the Authority in implementing its adopted policies regarding rail stations, bus facilities or other sites, particularly those policies related to the sale or long-term lease of surplus properties:

1. The Authority may initiate the sale or long-term lease of any site or such a sale may be initiated by an inquiry from a private developer, public agency or other person.
2. Any recommendation by a department of the Authority, or any inquiry from a person outside the Authority, regarding sale or long-term lease of a Site shall be referred to the Joint Staff Committee.
3. Upon receipt of a request to sell a Site, the Joint Staff Committee shall analyze the feasibility and potential costs and benefits of discontinuing bus or other current operations at that location.
4. If a preliminary analysis by the Joint Staff Committee indicates that sale or long-term lease of the Site is feasible and beneficial, the Committee may recommend action to sell the Site, or offer it for lease in accordance with the governing statute.
5. The successful offer to purchase or lease will be presented to the Board for action.

RESOLUTION NO. 1991-103

A RESOLUTION ADOPTING POLICIES AND PROCEDURES
FOR IMPLEMENTING JOINT DEVELOPMENT OF GREATER
CLEVELAND REGIONAL TRANSIT AUTHORITY
RAIL AND BUS FACILITIES.

~~WHEREAS, the Board of Trustees recognizes the variety of economic and non-economic benefits to be gained by the Authority from the formation of public-private partnerships to jointly develop Authority rail and bus facilities; and~~

~~WHEREAS, there is a need to insure comprehensive planning and uniform implementation of joint development projects relating to Authority property acquisition and disposition; and~~

WHEREAS, the adoption of policies for planning and implementing joint development will insure the comprehensive effort necessary to maximize the benefits available to Authority from joint development;

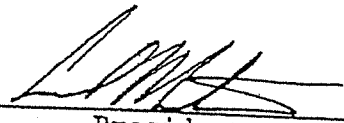
NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Greater Cleveland Regional Transit Authority:

Section 1: That the Policies and Procedures for Implementing Joint Development of Greater Cleveland Regional Transit Authority Rail and Bus Facilities, attached hereto as "Exhibit A" and incorporated herein by reference as if fully rewritten herein are hereby adopted.

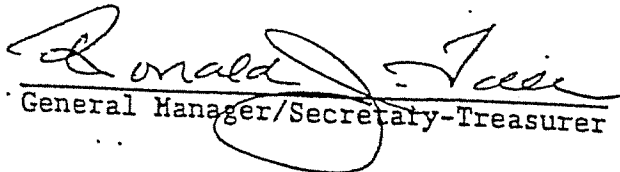
Section 2: That the General Manager be and is hereby authorized to revise the procedures contained therein from time to time as deemed necessary or desirable by the General Manager to carry out joint developments in accordance with said policies.

~~Section 3: That this resolution take effect immediately upon its adoption by the Board of Trustees.~~

Adopted: May 21, 1991



President

Attest: 
General Manager/Secretary-Treasurer

Attachment: Policies and Procedures for Implementing Joint Development of GCRTA Rail and Bus Facilities

RESOLUTION NO. 1994-192

APPROVING A POLICY ON THE USE OF AUTHORITY FACILITIES
FOR SPECIAL EVENTS

WHEREAS, the Authority operates and maintains a variety of transit facilities throughout the Greater Cleveland area; and

WHEREAS, the Authority's facilities are located in neighborhoods and communities and afford attractive and convenient venues for community based organizations to hold events and functions; and

WHEREAS, allowing community organizations to use these facilities would provide benefits to the Authority including promotion of Authority services and facilities; improved public relations; and improved neighbor relations.

NOW, THEREFORE, be it resolved by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio, that:

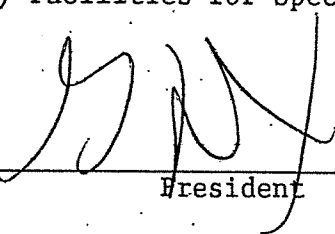
Section 1: It is in the Authority's best interest to allow community organizations to hold events at Authority facilities subject to certain terms and conditions.

Section 2: The general policy and terms and conditions set forth in Attachment A hereto are hereby adopted as the policy of the Authority.

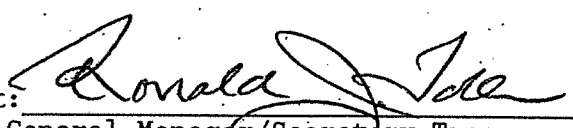
Section 3: This Resolution shall become effective upon its adoption.

ATTACHMENT A - GCRTA Policy on Use of Authority Facilities for Special Events

Adopted: November 22, 1994



President

Attest: 

General Manager/Secretary-Treasurer

ATTACHMENT A

GCRTA POLICY
ON USE OF AUTHORITY FACILITIES
FOR SPECIAL EVENTS

General Policy

GCRTA will permit the use of Authority facilities for special events sponsored by organizations involved in community service efforts and for uses not inconsistent with the public use and need of such facility. Gambling is prohibited at special events. The use of GCRTA facilities will be subject to certain terms and conditions as set forth below.

Allowing Authority facilities to be used for special community service events and activities will benefit GCRTA in several ways:

- o help promote the existence and attractiveness of GCRTA services and facilities;
- o improve the Authority's public image and relations; and
- o improve or maintain good neighbor relations with property owners and communities adjacent to or nearby GCRTA facilities.

GCRTA reserves the right to deny the request of any group or organization when a proposed use is inconsistent with the public interest; when the Authority will not benefit from the proposed use; or when the group or organization refuses to abide by the guidelines and requirements set forth herein.

Guidelines and Requirements

1. Special community service events will be limited to passenger facilities (i.e. transit stations, parking lots, walkways) and, on a selected basis, district bus garages.
 - a. Use of a facility cannot cause undue disruption to GCRTA operations, customers and/or employees.
 - b. Usage of a specific facility for a special community service event is limited to once every 30 days.
 - c. The period for usage of a facility cannot exceed four (4) hours from start of any setup to completion of any cleanup.
2. The group sponsoring a special event must agree to hold the GCRTA harmless from any liability resulting from the event and shall obtain insurance which names GCRTA as an additional insured, and in an amount to be determined on a case by case basis. If alcoholic beverages are to be served, then the policy of insurance shall include a specific liquor liability endorsement.

3. The sponsoring group must agree to:
 - a. Reimburse GCRTA for any clean-up costs.
 - b. Reimburse GCRTA for any damage incurred.
 - c. Use GCRTA police for any required security and reimburse GCRTA for the costs thereof.
 - d. Pay the Authority a fee for using the facility according to the following schedule:

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| Stations | \$250 |
| Parking lots | 250 |
| Walkways | 250 |
| Loops | 100 |
| Meeting rooms | 25 |

- f. The fee amount must be paid to the Authority prior to the facility usage along with a deposit of \$0-\$250 to help defray any cleanup and/or security costs.
4. Food service and the dispensing of alcoholic beverages will be permitted provided the sponsoring group obtains any required permits and/or licenses prior to the event occurring.
5. The sponsoring group must execute prior to facility usage a written letter of agreement stipulating usage conditions and any special requirements.
6. The requirements of any applicable laws or easements, contracts or other agreements GCRTA has entered into associated with a facility will take precedence over provisions of this policy whenever appropriate in a given situation.
7. Organizations may use the facility for benefits. These groups may sell tickets prior to the event but not on the premises or at the door. The ticket or an example of the ticket must be submitted and approved prior to sale BY GCRTA.
8. Permits issued to a group must be used for the function stated on the permit only.
9. Alcohol is permitted while using the facilities. The renter must provide the alcohol for the affair; B.Y.O.B. (bring your own bottle) is not permitted.
10. No food, tickets or alcoholic beverages are to be sold on the premises at any time. No glass bottles or containers are allowed on the outdoor premises. GCRTA maintains a policy of no smoking inside its buildings and structures.

11. Permittee shall sign all necessary permits, and satisfy all applicable requirements of GCRTA and the municipality where the facility is located, including not not limited to:
 - Facility Rental Rules and Regulations
 - Permits as required by the municipality
 - Security Permit and Fee (GCRTA)
12. It will be the permittee's responsibility to see that all members of their affair abide by the Rules and Regulations set by GCRTA and the municipality. Police Officer's decisions with regard to traffic, crowd control and general welfare of those persons present are FINAL.
13. Permittee will be responsible for cleaning and bagging of all perishable items at the conclusion of their affair. Plastic bags will be provided.
14. Permittee is prohibited from putting up decorations on any walls (plastered & painted). However, permittee may use any of the wooded areas for decorations.
15. Permittee is given two hours to set up or decorate (at no charge) immediately preceding start time indicated on the permit, provided it meets requirements of Section 1(a).
16. DEPOSIT AND RECOVERY COST (The GCRTA reserves the right to increase prices without notice.)
 - a. GCRTA will not accept personal checks. Certified checks or money orders should be made payable to GCRTA.
 - b. The full amount of the deposit will be required when permit is issued.
 - c. Sixty (60) days prior to the event the full amount of recovery cost will be due. This amount is over and above the deposit. **Cancellations thereafter will result in forfeiture of the full amount of recovery and deposit.**
 - d. The deposit will be returned after the event, provided the user meets all the aforementioned agreements and there are **absolutely NO** damages to the facility used.
17. The General Manager has the authority to make reasonable exceptions to the provisions of this policy when the best interests of the Authority or the general public would be served by doing so.
18. The General Manager will determine organizational responsibility for administering this policy.



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| TITLE/DESCRIPTION: AUTHORIZING THE ESTABLISHMENT OF REAL ESTATE POLICIES OF THE BOARD OF TRUSTEES OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY | Resolution No.: 2002-98 |
| | Date: May 21, 2002 |
| | Initiator: Property Management |
| ACTION REQUEST: XX Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____ | |

1.0 PURPOSE/SCOPE:

- 1.1 To establish and define the General Manager/Secretary Treasurer's authority to enter Real Estate contracts on behalf of the Greater Cleveland Regional Transit Authority; and
- 1.2 To repeal Resolution No. 1991-103, "Adopting Policies and Procedures for Implementing Joint Development of Greater Cleveland Regional Transit Authority Rail and Bus Facilities" ;and
- 1.3 To repeal Resolution No.1993-136, "Regarding Policies for Implementing Joint Development of the Greater Cleveland Regional Transit Authority Transit Facilities"; and
- 1.4 To repeal Resolution No. 1994-192, "Approving A Policy on the Use of Authority Facilities for Special Events."

2.0 DESCRIPTION/JUSTIFICATION:

- 2.1 To define the various types of Real property contracts/ agreements and the capital limits that would require the GCRTA's Board of Trustees approval by clarifying the General Manager/ Secretary Treasurer's authority with respect to the type of Real Estate contracts, the total dollar value of the contracts and the term years of the Real Estate contracts; and
- 2.2 To update all the GCRTA Board of Trustees policies including but not limited to acquisitions, dispositions, leases, use, management and joint development of the Authority's Real Property in compliance with current Federal and State regulations and the Administrative policies of the GCRTA.

3.0 PROCUREMENT BACKGROUND: Not Applicable

4.0 DBE AFFIRMATIVE ACTION BACKGROUND: Not Applicable

5.0 POLICY IMPACT: The resolution will impact policies by establishing new policies of the Board of Trustees of the Greater Cleveland Regional Transit Authority for Real Estate contracts as defined herein and by repealing Resolution No. 1993-136 "Regarding Policies and Procedures for Implementing Joint Development of Greater Cleveland Regional Transit Authority Transit Facilities"

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RESOLUTION NO. 1993-136

AMENDING RESOLUTION NO. 1991-103 REGARDING POLICIES AND PROCEDURES FOR IMPLEMENTING JOINT DEVELOPMENT OF GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY TRANSIT FACILITIES

WHEREAS, the Board of Trustees through the passage of Resolution No. 1991-103 on May 21, 1991, recognized the variety of benefits to be gained by the Authority from the formation of public-private partnerships to jointly develop Authority transit facilities; and

~~WHEREAS, an amendment to Section 306.43 of the Ohio Revised Code makes competitive negotiation a permissible means by which the joint development rights of a particular transit facility may be awarded; and~~

~~WHEREAS, it has been determined that modifications to the existing Joint Development Policies and Procedures are necessary for the Authority to take advantage of the competitive negotiation process for such joint development awards in the future;~~

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

Section 1. That the Policies and Procedures for Implementing Joint Development of Greater Cleveland Regional Transit Authority Transit Facilities hereby revised in accordance with "Exhibit A" attached hereto and incorporated herein.

Section 2. That the General Manager be and is hereby authorized to revise the procedures contained therein from time to time as deemed necessary or desirable by the General Manager to carry out joint development projects in accordance with said policies.


Section 3. That this resolution to take effect immediately upon its adoption by the Board of Trustees.

Attachment: Policy and Procedures For Implementing Joint Development of GCRTA Transit Facilities

Adopted: August 24, 1993




President

Attest: 

Secretary-Treasurer

CERTIFICATION OF RESOLUTION

The foregoing is hereby certified to be a true and correct copy of Resolution No. 1993-136 duly adopted by the Board of Trustees of the Greater Cleveland Regional Transit Authority on August 24, 1993.



Secretary-Treasurer

REV 8/19/93

GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY
POLICIES AND PROCEDURES FOR IMPLEMENTING
JOINT DEVELOPMENT OF GCRTA TRANSIT FACILITIES

Purpose and Scope

Joint development is a third party real estate development that is physically connected to public transit facilities. The access and location advantages provided by a transit facility act as an impetus for the development which benefits both the public transit authority and the private developer, as well as other public entities.

The benefits to the transit authority include increased use of the transit system, and a creative mechanism for funding construction, operation and maintenance of capital projects. The private developer receives the advantage of a built-in transportation linkage, which may decrease risk due to the influx of public resources as leverage for the development. Other public participants benefit from increased economic development and correspondingly enhanced tax and employment bases, improved urban design, and the opportunity to manage continued growth and development. Joint development has the potential to convey benefits on all participants. However, it can only prove to be a viable option for GCRTA to pursue if the appropriate blend of transit and land-use planning is realized.

Joint development agreements with the private sector will be used to offset transit system real estate acquisition and facility construction costs; provide station upgrades and desired public amenities; and help fund ongoing system operating costs.

Development Approaches

Four prospective joint development approaches have been identified: (i) negotiated investments; (ii) public improvement districts (PID's), (iii) connector fees; and (iv) leasing of land and air rights.

(i) A negotiated investment is a contribution of property, facilities or amenities by a private developer in exchange for benefits to a private development plan. These agreements are expected to provide access improvements (elevators, escalators, entranceways), bus and parking facilities, station aesthetics and/or real property interests.

(ii) PID's are formed when commercial property owners within a

district agree, through petition to the governing municipality, to fund all or a portion of a transit station. The municipality finances the station with debt and assesses the property owners in the form of incremental ad valorem taxes or a cents-per-square foot levy based on property values. Assessments must reflect the benefit of the station to the property owners. The Authority leases the station from the municipality until the debt is paid off, after which ownership can be transferred to the Authority.

(iii) Connector fees are paid by developers to construct a physical link between a private development and a transit station. They will be negotiated primarily on subway or elevated stations, where direct access to mezzanine levels creates additional prime rental space. Fees are usually in the form of an annual contribution for station operating costs.

(iv) Land and air rights leases will be negotiated with commercial developers on station sites and parking areas purchased or already owned by the Authority for transit purposes. In some cases, the facilities will be integrated into the overall development. Common facilities, such as plazas and entranceways, will be shared whenever possible.

The intent of joint development is to enhance station environs and attract riders, and to create a long-term (more than twenty year) revenue stream that will assist RTA in financing the transit system.

Policies for Joint Development of GCRTA Transit Facilities

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Comprehensive Planning

1. Coordinate comprehensive planning and development around Rail station sites and Bus facilities (i.e. Park-n-Rides, bus loops) with the involved communities, in accordance with local and regional land use plans, policies and zoning regulations.
2. Encourage land use plans which are designed to enhance system ridership and provide needed public amenities, such as sidewalks and other pedestrian connectors to form linkages between developments and rail stations or bus facilities.
3. Ensure that all uses of Authority owned property and any given local jurisdiction's adopted land use plans are consistent, and attempt to achieve that consistency by seeking change in such land use plans.
4. Promote and reinforce local land use plans which provide for the creation of high-quality development at each rail station or bus facility; where the local governmental entity's adopted land use plans call for maintenance of a residential area, maintain consistency with those plans.
5. Provide agency support and interagency representation.
6. Encourage local jurisdictions to structure their land use plans in the vicinity of rail stations and bus facilities to promote uses supportive of transit.
7. Select joint development projects that have a primary purpose of promoting transit ridership and increasing mobility. Such projects enhance economic development including job creation, and other community needs.

Control of Joint Development Activities

8. Obtain and retain station facility and related transportation service design and location authority.
9. Maintain an active role in all joint development activities.
10. Retain ownership of land and air rights acquired for GCRTA transit facilities; jointly develop these with the private sector and/or other public entities for the purpose of establishing long term revenues to support initial offset of GCRTA capital

expenditures, as well as a sustainable annual cash flow for meeting ongoing costs related to operating, and maintenance requirements.

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Implementation

11. Package joint development projects.
12. Establish a joint development decision making process which fosters positive relations with the private sector other public agencies, and members of the general public, particularly residents affected by development in their respective communities.
13. Solicit proposals for joint development of Authority owned property through a competitive process.
14. Infuse public sector capital or "in lieu" contributions where appropriate to create more viable joint development projects.
15. Ensure the involvement of disadvantaged and women business enterprises in joint development projects.

Enhancement of GCRTA Transit Facilities

16. Consider the potential for enhancement of GCRTA Transit operations through joint development prior to selection and configuration of sites for GCRTA transit facilities.
17. Encourage direct connections between transit facilities and surrounding developments.
18. Encourage land uses which promote pedestrian activities and promote the safety and security of patrons.
19. Review GCRTA transit facility design and, where feasible, incorporate design features that will facilitate future joint development. Such design alternatives shall capture the greatest private sector development contributions with the least number of challenges to system performance, service quality, schedule and lowest construction cost. Site alternatives will be in accordance with planned development goals.
20. Make most efficient use of Authority real property.

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Revenue Generation, Cost Sharing and Value Capture

- 21. Negotiate joint agreements between the Authority and developers using Authority land and/or property rights to create a long-term source of revenue for the operation and maintenance of the system.
- 22. Ensure long term value capture in support of public investment in the form of contractor fees, joint ventures, and lease agreements.
- 23. When construction of adjacent joint development projects precede or parallel construction of GCRTA transit facilities, negotiate offsets to GCRTA rail costs through station/facility cost sharing.

~~24. Require connector fees or equivalent consideration from any property owner/developer of any building who requests a physical link to a GCRTA transit facility; the cost of such connectors, including additional design costs, and maintenance costs will be borne by the property owner/developer and will be negotiated.~~

25. Require, where appropriate, that property owners/developers who propose to be directly connected to stations, where there is no benefit assessment district, to pay fees substantially equivalent to benefit assessment as set for other stations; fees which are collected in lieu of such benefit assessments shall be in addition to all other fees, contributions, or considerations.

26. Structure connector fees or capital offset fees in the form most appropriate to the transaction; for example, lump sum payments, participation in the revenue created by the development, "in lieu" dedication payments of property and/or easements, or combinations of forms.

~~27. Ensure that joint development projects contain some provision for financial security against future adverse impacts on transit operations by the owner/occupants of the joint developments.~~

Land Acquisition and Disposition

- 28. Plan property acquisitions to obtain the best possible combination of cost savings on site acquisition and joint development potential on the sites after system construction.

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29. Where joint development is not feasible or is a long-range project, consider leasing land and air rights at the current market rate to potential developers, with consideration of any capital investment incorporated.

30. Dispose of real property only when it is advantageous to the Authority.

31. An environmental assessment will be completed of any parcel the Authority buys or sells.

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Procedures for Joint Development of GCRTA Transit Facilities

The following is the process to be used by the Authority in implementing its adopted policies regarding joint development of GCRTA transit facilities.

1. The Authority may initiate joint development of a GCRTA transit facility or such a proposal may be initiated by an inquiry from a private developer, public agency or other person.
2. Any recommendation by a department of the Authority, or any inquiry from a person outside the Authority regarding joint development opportunities on a GCRTA site shall be referred to a joint staff committee of the Operations Planning, Strategic Planning and Research, Legal, Transit Transportation, and Procurement Departments, and the Finance, and Engineering and Construction Divisions (Joint Staff Committee).
3. Upon receipt of a request for joint development on a GCRTA site, the Joint Staff Committee shall analyze the feasibility and benefits of the proposed development.
4. If a preliminary analysis by the Joint Staff Committee indicates that a proposed development on a site may be feasible and beneficial, or if the General Manager determines that it is in the interest of the Authority to pursue joint development of a site, a Request For Proposals for development of the site will be issued by the Procurement Department. The General Manager may, at his discretion, brief the Board Planning and Development Committee on the proposed development prior to the issuance of a RFP.
5. Notice of the Authority's RFP for joint development of a GCRTA site shall be given in newspapers of general circulation, and in ~~other specialized publications, if appropriate, for an adequate period of time prior to the submittal deadline.~~ Notice may also be given to adjacent property owners and to any person specifically requesting such notice from the Authority.
6. The Authority's RFP shall contain: (1) site description, (2) basic project description and development guidelines, (3) special Authority requirements for interface with the transit operations (4) requirements for benefit to the Authority, (5) selection process, including criteria used for selection, (6) responsibilities of the Developer, (7) form of the development proposal, and (8) statement of policy regarding participation by disadvantaged

~~business enterprises.~~

7. Responses to an Authority RFP shall contain: (1) conceptual benefit to the community, (2) description of the development entity, (3) financial capability of the Developer, (4) conceptual benefit to the Authority, (5) detailed project description including dimensioned site plans, elevations, circulation and parking plans and a description of the interface with GCRTA operations during and after construction, (6) pro forma financial analysis including development cost and ten-year cash flow projections, (7) costs to the Authority, (8) evidence of market feasibility, (9) construction schedule, (10) identification of disadvantaged business participation at all levels at which such involvement is proposed, (11) revenue and benefits offered to the Authority, (12) a performance guarantee to be specified in the RFP based upon individual project specifics, and (13) other information appropriate to the particular project.
8. The Joint Staff Committee shall review and evaluate all RFP submittals and rank submittals in their order of preference.
9. The Joint Staff Committee will select a negotiating team who shall initiate discussions with all proposers in the competitive zone. The negotiating team shall consult with the Joint Staff Committee and the Executive Management Team on a regular basis during the negotiation process. ~~Written best and final offers will be received from such proposers.~~ The Joint Staff Committee shall then select the most advantageous offer.
10. The General Manager and/or designated staff shall forward the offer to the Board Planning and Development Committee for action.
11. ~~The Authority may deviate from its RFP procedures for joint development of a GCRTA site in any case where the Authority has entered into an intergovernmental agreement with a local government that is participating in the joint development process; procedures for implementing the joint development shall be specified in the intergovernmental agreement.~~
12. The Authority may deviate from its RFP procedures for joint development of a GCRTA site if the interested party is an adjacent property owner and the Authority finds that combining the Authority site with an adjacent property will result in a joint development project that is feasible and beneficial to the

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Authority, procedures for implementing the joint development project shall be specified in a written agreement between the Authority and the adjacent property owner.

Procedures for Connectors to GCRTA Transit Facilities

The following is the process to be used by the Authority in implementing its adopted policies regarding joint development of GCRTA transit facilities, particularly those policies related to connections to stations:

1. The Authority may initiate connections (streets, sidewalks, pedestrian easements, and sub-surface or aerial walkways) into GCRTA transit facilities or such connections may be initiated by requests from private developers, public entities or other persons.
2. Any recommendation by a department of the Authority, or any inquiry from a person outside the Authority regarding joint development connections to a GCRTA site shall be referred to the Joint Staff Committee.
3. Upon receipt of a request for a connection to a GCRTA Rail station or Bus facility the Joint Staff Committee shall analyze the feasibility, costs, and benefits of the proposed connection.
4. If the Joint Staff Committee finds that the connection proposal is feasible and beneficial, the General Manager and/or designated staff shall negotiate a draft agreement for the connection; the negotiating team shall consult with the Joint Staff Committee and the Executive Management Team on a regular basis during the negotiation process.
5. A recommendation for a connection to a GCRTA Rail station or Bus facility shall be reviewed by the Board Planning and Development Committee and, if acceptable, shall be recommended to the Board.

Procedures for Sale or Long-Term Lease of Sites

The following is the process to be used by the Authority in implementing its adopted policies regarding rail stations, bus facilities or other sites, particularly those policies related to the sale or long-term lease of surplus properties:

1. The Authority may initiate the sale or long-term lease of any site or such a sale may be initiated by an inquiry from a private developer, public agency or other person.
2. Any recommendation by a department of the Authority, or any inquiry from a person outside the Authority, regarding sale or long-term lease of a Site shall be referred to the Joint Staff Committee.
3. Upon receipt of a request to sell a Site, the Joint Staff Committee shall analyze the feasibility and potential costs and benefits of discontinuing bus or other current operations at that location.
4. If a preliminary analysis by the Joint Staff Committee indicates that sale or long-term lease of the Site is feasible and beneficial, the Committee may recommend action to sell the Site, or offer it for lease in accordance with the governing statute.
5. The successful offer to purchase or lease will be presented to the Board for action.

RESOLUTION NO. 1991-103

A RESOLUTION ADOPTING POLICIES AND PROCEDURES FOR IMPLEMENTING JOINT DEVELOPMENT OF GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY RAIL AND BUS FACILITIES.

WHEREAS, the Board of Trustees recognizes the variety of economic and non-economic benefits to be gained by the Authority from the formation of public-private partnerships to jointly develop Authority rail and bus facilities; and

WHEREAS, there is a need to insure comprehensive planning and uniform implementation of joint development projects relating to Authority property acquisition and disposition; and

WHEREAS, the adoption of policies for planning and implementing joint development will insure the comprehensive effort necessary to maximize the benefits available to Authority from joint development;

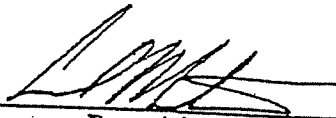
NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Greater Cleveland Regional Transit Authority:

Section 1: That the Policies and Procedures for Implementing Joint Development of Greater Cleveland Regional Transit Authority Rail and Bus Facilities, attached hereto as "Exhibit A" and incorporated herein by reference as if fully rewritten herein are hereby adopted.

Section 2: That the General Manager be and is hereby authorized to revise the procedures contained therein from time to time as deemed necessary or desirable by the General Manager to carry out joint developments in accordance with said policies.

Section 3: That this resolution take effect immediately upon its adoption by the Board of Trustees.

Adopted: May 21, 1991


President

Attest: 
General Manager/Secretary-Treasurer

Attachment: Policies and Procedures for Implementing Joint Development of GCRTA Rail and Bus Facilities

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RESOLUTION NO. 1994-192

APPROVING A POLICY ON THE USE OF AUTHORITY FACILITIES
FOR SPECIAL EVENTS

WHEREAS, the Authority operates and maintains a variety of transit facilities throughout the Greater Cleveland area; and

WHEREAS, the Authority's facilities are located in neighborhoods and communities and afford attractive and convenient venues for community based organizations to hold events and functions; and

WHEREAS, allowing community organizations to use these facilities would provide benefits to the Authority including promotion of Authority services and facilities; improved public relations; and improved neighbor relations.

NOW, THEREFORE, be it resolved by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio, that:

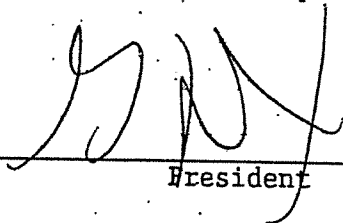
Section 1: It is in the Authority's best interest to allow community organizations to hold events at Authority facilities subject to certain terms and conditions.

Section 2: The general policy and terms and conditions set forth in Attachment A hereto are hereby adopted as the policy of the Authority.


Section 3: This Resolution shall become effective upon its adoption.

ATTACHMENT A - GCRTA Policy on Use of Authority Facilities for Special Events

Adopted: November 22, 1994



President

Attest: 

General Manager/Secretary-Treasurer

ATTACHMENT A

GCRTA POLICY
ON USE OF AUTHORITY FACILITIES
FOR SPECIAL EVENTS

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General Policy

GCRTA will permit the use of Authority facilities for special events sponsored by organizations involved in community service efforts and for uses not inconsistent with the public use and need of such facility. Gambling is prohibited at special events. The use of GCRTA facilities will be subject to certain terms and conditions as set forth below.

Allowing Authority facilities to be used for special community service events and activities will benefit GCRTA in several ways:

- o help promote the existence and attractiveness of GCRTA services and facilities;
- o improve the Authority's public image and relations; and
- o improve or maintain good neighbor relations with property owners and communities adjacent to or nearby GCRTA facilities.

GCRTA reserves the right to deny the request of any group or organization when a proposed use is inconsistent with the public interest; when the Authority will not benefit from the proposed use; or when the group or organization refuses to abide by the guidelines and requirements set forth herein.

Guidelines and Requirements

1. Special community service events will be limited to passenger facilities (i.e. transit stations, parking lots, walkways) and, on a selected basis, district bus garages.
 - a. Use of a facility cannot cause undue disruption to GCRTA operations, customers and/or employees.
 - b. Usage of a specific facility for a special community service event is limited to once every 30 days.
 - c. The period for usage of a facility cannot exceed four (4) hours from start of any setup to completion of any cleanup.
 2. The group sponsoring a special event must agree to hold the GCRTA harmless from any liability resulting from the event and shall obtain insurance which names GCRTA as an additional insured, and in an amount to be determined on a case by case basis. If alcoholic beverages are to be served, then the policy of insurance shall include a specific liquor liability endorsement.
-

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GCRTA Policy on Use of Authority
Facilities for Special Events
Page 2

3. The sponsoring group must agree to:
 - a. Reimburse GCRTA for any clean-up costs.
 - b. Reimburse GCRTA for any damage incurred.
 - c. Use GCRTA police for any required security and reimburse GCRTA for the costs thereof.
 - d. Pay the Authority a fee for using the facility according to the following schedule:

| | |
|---------------|-------|
| Stations | \$250 |
| Parking lots | 250 |
| Walkways | 250 |
| Loops | 100 |
| Meeting rooms | 25 |

- f. The fee amount must be paid to the Authority prior to the facility usage along with a deposit of \$0-\$250 to help defray any cleanup and/or security costs.
4. Food service and the dispensing of alcoholic beverages will be permitted provided the sponsoring group obtains any required permits and/or licenses prior to the event occurring.
5. The sponsoring group must execute prior to facility usage a written letter of agreement stipulating usage conditions and any special requirements.
6. The requirements of any applicable laws or easements, contracts or other agreements GCRTA has entered into associated with a facility will take precedence over provisions of this policy whenever appropriate in a given situation.
7. Organizations may use the facility for benefits. These groups may sell tickets prior to the event but not on the premises or at the door. The ticket or an example of the ticket must be submitted and approved prior to sale BY GCRTA.
8. Permits issued to a group must be used for the function stated on the permit only.
9. Alcohol is permitted while using the facilities. The renter must provide the alcohol for the affair; B.Y.O.B. (bring your own bottle) is not permitted.
10. No food, tickets or alcoholic beverages are to be sold on the premises at any time. No glass bottles or containers are allowed on the outdoor premises. GCRTA maintains a policy of no smoking inside its buildings and structures.

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11. Permittee shall sign all necessary permits, and satisfy all applicable requirements of GCRTA and the municipality where the facility is located, including not not limited to:
 - Facility Rental Rules and Regulations
 - Permits as required by the municipality
 - Security Permit and Fee (GCRTA)
12. It will be the permittee's responsibility to see that all members of their affair abide by the Rules and Regulations set by GCRTA and the municipality. Police Officer's decisions with regard to traffic, crowd control and general welfare of those persons present are FINAL.
13. Permittee will be responsible for cleaning and bagging of all perishable items at the conclusion of their affair. Plastic bags will be provided.
14. Permittee is prohibited from putting up decorations on any walls (plastered & painted). However, permittee may use any of the wooded areas for decorations.
15. Permittee is given two hours to set up or decorate (at no charge) immediately preceding start time indicated on the permit, provided it meets requirements of Section 1(a).
16. DEPOSIT AND RECOVERY COST (The GCRTA reserves the right to increase prices without notice.)
 - a. GCRTA will not accept personal checks. Certified checks or money orders should be made payable to GCRTA.
 - b. The full amount of the deposit will be required when permit is issued.
 - c. Sixty (60) days prior to the event the full amount of recovery cost will be due. This amount is over and above the deposit. Cancellations thereafter will result in forfeiture of the full amount of recovery and deposit.
 - d. The deposit will be returned after the event, provided the user meets all the aforementioned agreements and there are absolutely NO damages to the facility used.
17. The General Manager has the authority to make reasonable exceptions to the provisions of this policy when the best interests of the Authority or the general public would be served by doing so.
18. The General Manager will determine organizational responsibility for administering this policy.

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and No. 1991-103, "Adopting Policies and Procedures for Implementing Joint Development of Greater Cleveland Regional Transit Authority Rail and Bus Facilities."

6.0 ECONOMIC IMPACT: Not Applicable

7.0 ALTERNATIVES: Reject the resolution. The rejection of the resolution will result in the continuation of existing policies and would not include defined authority of the General Manager in Real Estate transactions.

8.0 RECOMMENDATION: It is recommended that the resolution to define and clarify the General Manager/Secretary Treasurer's authority to execute Real Estate contracts/agreements; be approved and the resolution passed.


9.0 ATTACHMENTS:

9.1 Resolution No. 1993-136

9.2 Resolution No. 1991-103

9.3 Resolution No. 1994-192

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.



CEO, General Manager/Secretary-Treasurer