

RESOLUTION 2004- 159

EXTENDING THE PUBLIC TRANSPORTATION OPERATING AGREEMENT WITH  
THE CITY OF MAPLE HEIGHTS THROUGH MARCH 31, 2005

WHEREAS, the Greater Cleveland Regional Transit Authority ("Authority") was established for the purpose of providing public transportation throughout Cuyahoga County; and

WHEREAS, the Authority has entered into a Public Transportation Operating Agreement with the City of Maple Heights ("City") pursuant to Resolution 1999-136 adopted on September 28, 1999; and

WHEREAS, the Public Transportation Operating Agreement between the Authority and the City of Maple Heights will expire on December 31, 2004; and

WHEREAS, the Authority and the City are presently involved in negotiations regarding the merger and integration of the Maple Heights Transit System into the Greater Cleveland Regional Transit Authority; and

WHEREAS, the Authority has determined it is in the best interest of the Authority to extend the present Public Transportation Operating Agreement while negotiating the terms and conditions of a possible acquisition agreement.

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

Section 1. That the General Manager/Secretary-Treasurer be and he is hereby authorized to execute an extension of the Public Transportation Operating Agreement between the Authority and the City of Maple Heights dated December 2, 1999 for a period of three (3) months through March 31, 2005.

Section 2. That the General Manager/Secretary Treasurer is hereby authorized and directed to execute, deliver and perform all such further agreements, instruments, documents and acts in the name of and on behalf of the Authority as shall be required to carry out the intent and purposes of this resolution.

Section 3. That this resolution supersedes all other resolutions previously adopted by this Board relative to the public transportation operating agreements between the Greater Cleveland Regional Transit Authority and the City of Maple Heights, and any such resolution or portion thereof which is inconsistent with any of the provisions of this resolution is hereby repealed.

Section 4. That this resolution shall become effective immediately upon its adoption.

Adopted: December 21, 2004

  
\_\_\_\_\_  
President

Attest:   
\_\_\_\_\_  
CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority  
**STAFF SUMMARY AND COMMENTS**

J-2

TITLE/DESCRIPTION: EXTENDING THE PUBLIC TRANSPORTATION OPERATING AGREEMENT WITH THE CITY OF MAPLE HEIGHTS THROUGH MARCH 31, 2005	Resolution No.: 2004- 159
	Date: December 21, 2004
	Initiator: Legal Affairs
ACTION REQUEST: [X] Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 PURPOSE/SCOPE: This action will extend the present Public Transportation Operating Agreement with the City of Maple Heights through March 31, 2005.
- 2.0 DESCRIPTION/JUSTIFICATION: The Authority is presently engaged in negotiations with the City of Maple Heights for the possible acquisition of the Maple Heights Transit System. The current Operating Agreement expires on December 31, 2004. This action will extend the Operating Agreement through March 31, 2005, so that those negotiations can be concluded.
- 3.0 PROCUREMENT BACKGROUND: Does Not Apply.
- 4.0 DBE/AFFIRMATIVE ACTION BACKGROUND: Does Not Apply.
- 5.0 POLICY IMPACT: Does Not Apply.
- 6.0 ECONOMIC IMPACT:
- 7.0 ALTERNATIVES: If the resolution is not enacted, the agreement with the City of Maple Heights will expire.
- 8.0 RECOMMENDATION:
- 9.0 ATTACHMENTS:

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

  
 \_\_\_\_\_  
 General Manager/Secretary-Treasurer

**PUBLIC TRANSPORTATION OPERATING AGREEMENT EXTENSION**

This Public Transportation Operating Agreement Extension is hereby made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_ by and between the City of Maple Heights ("City"), an Ohio Municipal Corporation acting pursuant to Ordinance No. \_\_\_\_\_ and the Greater Cleveland Regional Transit Authority ("Authority"), an Ohio Regional Transit Authority created pursuant to Sections 306.30 through 305.54, 306.70 and 306.71 of the Ohio Revised Code, acting pursuant to Resolution No. \_\_\_\_\_.

**WITNESSETH:**

**WHEREAS**, the Authority and the City entered into a Public Transportation Operating Agreement dated December 2, 1999; and

**WHEREAS**, said Public Transportation Operating Agreement will expire on December 31, 2004; and

**WHEREAS**, it is the mutual desire of the Authority and City that the terms and conditions of the Operating Agreement be extended for a period of three (3) months so that the City and the Authority can negotiate the possible acquisition of the Maple Heights Transit System.

**NOW, THEREFORE**, the Authority and the City hereby agree that the Public Transportation Operating Agreement by and between the Authority and the City is hereby extended through March 31, 2005.

**IN WITNESS WHEREOF**, the Parties hereto have caused this Agreement to be made effective and executed as of the date first set forth above by their respective, duly authorized officials.

J-4

WITNESSETH:

GREATER CLEVELAND REGIONAL  
TRANSIT AUTHORITY

\_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_

Its: \_\_\_\_\_

CEO, General Manager/  
Secretary-Treasurer

CITY OF MAPLE HEIGHTS

\_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_

Its: \_\_\_\_\_

The legal form and correctness  
of the within instrument are hereby  
approved.

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\_\_\_\_\_  
Deputy General Manager—Legal Affairs    Law Director – City of Maple Heights