

RESOLUTION NO. 2016-69

AMENDING CHAPTER 465, "FINANCIAL ASSISTANCE" OF THE CODIFIED RULES AND REGULATIONS OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY

WHEREAS, pursuant to Resolution No. 1989-176, the Board of Trustees the Authority codified the resolutions establishing its policies and procedures; and

WHEREAS, over the years, many of the resolutions have been amended; and

WHEREAS, at the present time, the Authority deems it necessary to review, revise and update the codified rules and regulations; and

WHEREAS, the Authority has conducted a review and determined that certain portions of Chapter 465, "Financial Assistance" must be revised.

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

Section 1. That Section 465.01 is hereby amended to read as follows:

465.01 FEDERAL GRANT APPLICATIONS.

(a) Federal Grants

- (1) The CEO, General Manager/Secretary Treasurer may execute and file applications for Federal assistance on behalf of the Greater Cleveland Regional Transit Authority.
- (2) The CEO, General Manager/Secretary Treasurer may execute and file with its applications, certifications and assurances and other documents the awarding agency may require for a Federal assistance grant or cooperating agreement.

(b) The CEO, General Manager/Secretary-Treasurer may submit grant applications to the State of Ohio Department of Transportation, to provide for the State's share of the non-Federal funds necessary for Federal grant applications executed and filed as provided for in subsection (a)(1) hereof, and State funding for other eligible transit projects.

Section 2. That Section 465.02 is hereby amended to read as follows:

465.02 STATE GRANT APPLICATIONS.

The CEO, General Manager/Secretary-Treasurer may submit grant applications, along with any necessary certifications and documentation, to the State of Ohio for state grant funds on behalf of the Greater Cleveland Regional Transit Authority.

Section 3. That Section 465.03 is hereby amended to read as follows:

465.03 EXECUTION OF GRANT CONTRACTS

(a) The CEO, General Manager/Secretary-Treasurer may execute grant and cooperative agreements with awarding Federal agencies on behalf of the Authority.

(b) The CEO, General Manager/Secretary-Treasurer may execute grant contracts with the State of Ohio on behalf of the Authority.

Section 4. That Section 465.04 is hereby amended to read as follows:

465.04 DOCUMENTS, REPORTS AND INFORMATION.

(a) Information Required by the State of Ohio.

The CEO, General Manager/Secretary-Treasurer may furnish such additional information, assurances or other documentation, execute any and all documents or assurances and make such reports as is necessary and required by the State of Ohio for state grant funds on behalf of the Authority.

(b) Information Required by the United States Government.

(1) The CEO, General Manager/Secretary-Treasurer may execute and file assurances or other documents, and furnish such additional information as the awarding federal agencies may require in connection with federal grant applications on behalf of the Authority.

(2) The CEO, General Manager/Secretary-Treasurer may set forth and execute affirmative minority business policies in connection with the procurement needs for projects funded by Federal grants.

Section 5. That Section 465.05 is hereby amended to read as follows:

465.05 ACCEPTANCE AND EXPENDITURE OF FUNDS.

(a) The CEO, General Manager/Secretary-Treasurer may accept federal funds from awarding federal agencies on behalf of the Authority and expend such funds in accordance with applicable law, regulations and grant agreements.

(b) The CEO, General Manager/Secretary Treasurer may accept and receive funds from the State of Ohio and expend the same pursuant to the terms and conditions of corresponding grant contracts with the State of Ohio.

(c) The CEO, General Manager/Secretary-Treasurer may apply to the Northeast Ohio Areawide Coordinating Agency ("NOACA") and the Federal Transit Administration ("FTA") for funds allocated by NOACA, execute any necessary agreements with NOACA and FTA, accept federal funds from the FTA, received through agreements with NOACA, and expend such funds in accordance with applicable law, regulations and grant agreements.

Section 6. That Section 465.06 is added and states as follows:

465.06 PRIVATE GRANTS

The CEO, General Manger/Secretary-Treasurer is hereby authorized to borrow or accept grants from private sources in accordance with state law.


Section 7. That Section 465.07 is amended to read as follows:

465.07 AUTHORITY OF ACTING GENERAL MANAGER/ SECRETARY-TREASURER.

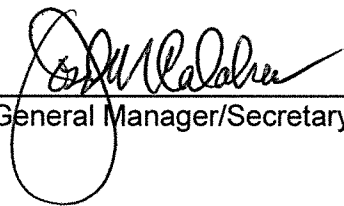
In the absence of the CEO, General Manager/Secretary-Treasurer, the Acting CEO, General Manager/Secretary-Treasurer of the Authority is hereby authorized to perform any and all of the functions described in this chapter.

Section 8. That this resolution shall become effective immediately upon its adoption.

Adopted: August 16, 2016



President

Attest: 

CEO, General Manager/Secretary-Treasurer

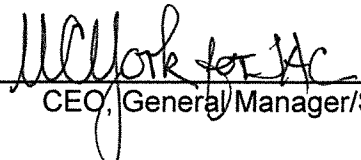


TITLE/DESCRIPTION: AMENDING CHAPTER 465, "FINANCIAL ASSISTANCE" OF THE CODIFIED RULES AND REGULATIONS OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY	Resolution No.: 2016- 69
	Date: August 11, 2016
	Initiator: Legal
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 PURPOSE/SCOPE: This resolution will amend Chapter 465 of the Codified Rules and Regulations ("Code") of the Greater Cleveland Regional Transit Authority.
- 2.0 DESCRIPTION/JUSTIFICATION: The Policies and Procedures of the Board of Trustees were codified in 1989, pursuant to Resolution 1989-176. The code book has been updated periodically. It is now time for a comprehensive review and update so that the updated Code will conform to the current structure and operations of the Authority.

Sections 465.01 and 465.02 are being amended to generalize the types of federal and state grants for which the Authority may apply. Section 465.03 authorizes the CEO, General Manager to execute federal and state grant contracts, and Section 465.04 authorizes the furnishing of required documentation for said grants. Section 465.05 states that the Authority may accept and expend grant funds, including funds from NOACA. Section 465.06 authorizes the Authority to borrow or accept private grants.
- 3.0 PROCUREMENT BACKGROUND: Does not apply.
- 4.0 AFFIRMATIVE ACTION/DBE BACKGROUND: Does not apply.
- 5.0 POLICY IMPACT: Adoption of the resolution will result in a clear, accurate and current policy.
- 6.0 ECONOMIC IMPACT: Does not apply.
- 7.0 ALTERNATIVES: Not adopting this resolution. Not adopting this resolution would result in Chapter 465 remaining out of date.
- 8.0 RECOMMENDATION: It is recommended that this resolution be adopted.
- 9.0 ATTACHMENTS: Redline copy of revisions to Chapter 465.

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



CEO, General Manager/Secretary-Treasurer

CHAPTER 465

Financial Assistance ~~for Transit Projects~~

- 465.01 Federal grant~~Grant~~ applications.
- 465.02 State grant applications.~~Grant contracts with State Department of Transportation.~~
- 465.03 Execution of grant contracts
- 465.04 Documents~~documents, etc.;~~ reports and information.
- ~~465.04~~465.05 Acceptance and expenditure of funds.
- ~~465.05~~465.06 Private grants.
- 465.07 Authority of Acting CEO, General Manager/Secretary-Treasurer.

CROSS REFERENCES

~~Conversion of equipment and facilities loans to grants for public transportation projects – see 49 U.S.C.A. 1602-1~~

~~Appropriations – see 49 U.S.C.A. 1603(b) et seq.~~

~~Federal Grants (MAP-21) – see 49 U.S.C.A. Chapter 53.~~

~~Requirements to receive federal grants – see 49 U.S.C. 5307(c)(1)~~

~~Borrowing from federal, state, other governmental or private source – see Ohio R.C. 306.35(J)~~

~~Grants from the United States, the State, other governmental or private sources – see Ohio R.C. 306.35(R)~~

~~Grants for assistance for elderly and disabled – see Ohio R.C. 5501.07(B)~~

~~Department of Internal Audit - see ADM. Ch. 260~~

~~Internal audit policies and procedures - see ADM. Ch. 262~~

~~Finance and Administration Division - see ADM. Ch. 286~~

~~Contracts and procurements - see FIN. Ch. 410~~

~~Debt policies - see FIN. Ch. 420~~

465.01 FEDERAL GRANT APPLICATIONS.

~~(a) The General Manager/Secretary-Treasurer is hereby authorized to submit grant applications to the State of Ohio Department of Transportation for projects which have both highway and transit benefit as detailed under the Intermodal Surface Transportation Efficiency Act as follows:~~

~~(1) Bus turnarounds.~~

- ~~(2) Park and ride lots.~~
 - ~~(3) Bridge work.~~
- ~~(Res. 1992-17. Passed 1-21-92.)~~

~~(b) The General Manager/Secretary-Treasurer is hereby authorized to execute and file grant applications on behalf of the Authority with the U.S. Department of Transportation for capital and/or operating assistance (including assistance by transfer of highway funds) under Sections 3 and 9 of the Federal Transit Act of 1964, as amended, and Title 23 of the United States Code.~~
~~(Res. 1993-156. Passed 9-21-93.)~~

(a) Federal Grants

- (1) The CEO, General Manager/Secretary Treasurer may execute and file applications for Federal assistance on behalf of the Greater Cleveland Regional Transit Authority.
- (2) The CEO, General Manager/Secretary Treasurer may execute and file with its applications, certifications and assurances and other documents the awarding agency may require for a Federal assistance grant or cooperating agreement. (Res. 2007-165. Passed 11-20-07. Res. 2016-XXX. Passed 8-XX-16)

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~~(eb) The CEO, General Manager/Secretary-Treasurer is hereby authorized to may submit grant applications to the State of Ohio Department of Transportation, to provide for the State's share of the non-Federal funds necessary for Federal grant applications executed and filed as provided for in subsection ~~(ba)~~(1) hereof, and State funding for other eligible transit projects. (Res. 1992-158. Passed 9-22-92.) Res. 2016-XXX. Passed 8-XX-16.)~~

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~~(de) The CEO, General Manager/Secretary Treasurer is hereby authorized to may execute and file a grant application with the State of Ohio Department of Transportation to aid in the financing of reduced fare privileges for the elderly and disabled and to obtain permission from those governmental entities outside of Cuyahoga County that are serviced by the Authority to include their respective populations in said application. (Res. 1993-158. Passed 9-21-93.)~~

465.02 STATE GRANT CONTRACTS WITH STATE DEPARTMENT OF TRANSPORTATION APPLICATIONS.

The CEO, General Manager/Secretary-Treasurer may submit grant applications, along with any necessary certifications and documentation, to the State of Ohio for state grant funds on behalf of the Greater Cleveland Regional Transit Authority. (Res. 1992-17. Passed 1-21-92. Res. 1992-158. Passed 9-22-92. Res. 1993-158. Passed 9-21-93. Res. 2016-XXX. Passed 8-XX-16.)

~~(a) The General Manager/Secretary Treasurer is hereby authorized to enter into grant contracts with the State of Ohio Department of Transportation to provide the requested funds necessary to complete the projects referred to in Section 465.01(a). (Res. 1992-17. Passed 1-21-92.)~~

~~(b) The General Manager/Secretary Treasurer is hereby authorized to enter into~~

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~~grant contracts with the State of Ohio Department of Transportation to provide for the State's share of the non-Federal funds necessary for Federal grant applications executed and filed as provided in Section 465.01(b), and for other eligible transit projects. (Res. 1992-158. Passed 9-22-92.)~~

~~(c) The General Manager/Secretary-Treasurer is hereby authorized to sign and execute the State of Ohio Department of Transportation Elderly and Disabled Transit Fare Assistance Program grant contract. (Res. 1993-158. Passed 9-21-93.)~~

465.03 EXECUTION OF GRANT CONTRACTS

(a) The CEO, General Manager/Secretary-Treasurer may execute grant and cooperative agreements with awarding Federal agencies on behalf of the Authority.

(b) The CEO, General Manager/Secretary-Treasurer may execute grant contracts with the State of Ohio on behalf of the Authority.
(Res. 2016-XXX. Passed 8-XX-16.)

465.04 EXECUTION OF DOCUMENTS, ETC.; REPORTS AND INFORMATION.

(a) Information Required by the State of Ohio.

~~(1) The CEO, General Manager/Secretary-Treasurer is hereby authorized to may furnish such additional information, assurances or other documentation, execute any and all documents or assurances and make such reports or furnish such information as is necessary and required by the State of Ohio for state grant funds on behalf of the Authority the performance of projects referred to in Section 465.01(a). (Res. 1992-17. Passed 1-21-92.)~~ Res. 2016-XXX. Passed 8-XX-16.)

~~(2) The General Manager/Secretary-Treasurer is hereby authorized to execute any and all documents or assurances and make such reports or furnish such information as is necessary and required by the State of Ohio for the performance of projects referred to in Section 465.01(e).~~

~~(Res. 1992-158. Passed 9-22-92.)~~

~~(3) The CEO, General Manager/Secretary-Treasurer is hereby authorized to may furnish such additional information, assurances or other documentation as the State of Ohio Department of Transportation may require in connection with the grant application made pursuant to Section 465.01(d). (Res. 1993-158. Passed 9-21-93.)~~

(b) Information Required by the United States Department of Transportation Government.

~~(1) The CEO, General Manager/Secretary-Treasurer is hereby authorized to may execute and file with grant applications made pursuant to Section 465.01(b), assurances or other documents, and furnish such additional information as the awarding federal agencies may require in connection with federal grant applications on behalf of the Authority required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964, as amended.~~

~~(2) The CEO, General Manager/Secretary-Treasurer is hereby authorized to may furnish such additional information as the U.S. Department of Transportation may require in connection with Federal grant applications made pursuant to Section 465.01(b), or projects to be funded by such grants.~~

~~(23) The CEO, General Manager/Secretary-Treasurer is hereby authorized to may set forth and execute affirmative minority business policies in connection with the procurement needs for projects funded by Federal grants applied for pursuant to Section 465.01(b).~~

~~(Res. 1993-156. Passed 9-21-93.) Res. 2016-XXX. Passed 8-XX-16.)~~

~~465.04~~465.05 **ACCEPTANCE AND EXPENDITURE OF FUNDS.**

~~(a) The CEO, General Manager/Secretary-Treasurer is hereby authorized to may accept federal funds from awarding federal agencies on behalf of the Authority and expend such funds in accordance with applicable law, regulations and grant agreements. (Res. 2007-165. Passed 11-20-07. Res. 2016-XXX. Passed 8-XX-16.) and receive funds from the State of Ohio and to expend the same pursuant to the terms and conditions of corresponding grant contracts with the Ohio Department of Transportation as provided in Section 465.01(a). (Res. 1992-17. Passed 1-21-92.)~~

~~(b) The CEO, General Manager/Secretary Treasurer may accept and receive funds from the State of Ohio and expend the same pursuant to the terms and conditions of corresponding grant contracts with the State of Ohio. (Res. 1992-17. Passed 1-21-92. Res. 2016-XXX. Passed 8-XX-16)~~

~~(b) The General Manager/Secretary Treasurer is hereby authorized to accept and receive Federal funds from the Federal Transit Administration (FTA) pursuant to grant applications with the U.S. Department of Transportation executed as provided in Section 465.01(b), and to expend such funds for specific projects as authorized by the Board of Trustees. (Res. 1993-156. Passed 9-21-93.)~~

~~(c) The CEO, General Manager/Secretary Treasurer is hereby authorized to may accept and receive funds from the State of Ohio providing for the State's share of non-Federal funds necessary for Federal grant applications, as provided in Section 465.01(b), and to expend such funds pursuant to the terms and conditions of Federal grant applications and resultant corresponding grant contracts with the Ohio Department of Transportation. (Res. 1992-158. Passed 9-22-92.)~~

~~(d) The CEO, General Manager/Secretary Treasurer is hereby authorized to may receive the funds resulting from the State of Ohio Department of Transportation Elderly and Disabled Transit Fare Assistance grant and to expend such funds as authorized by the Board of Trustees. (Res. 1993-158. Passed 9-21-93.)~~

~~(c) The CEO, General Manager/Secretary-Treasurer may apply to the Northeast Ohio Areawide Coordinating Agency ("NOACA") and the Federal Transit Administration ("FTA") for funds allocated by NOACA, execute any necessary agreements with NOACA and FTA, accept federal funds from the FTA, received~~

through agreements with NOACA, and expend such funds in accordance with applicable law, regulations and grant agreements. (Res. 1976-171. Passed 5-25-76. Res. 2016-XXX. Passed 8-XX-16)

465.06 PRIVATE GRANTS

The CEO, General Manger/Secretary-Treasurer is hereby authorized to borrow or accept grants from private sources in accordance with state law. (Res. 2016-XXX. Passed 8-XX-16)

~~465-05~~465.07 AUTHORITY OF ACTING GENERAL MANAGER/
SECRETARY-TREASURER.

In the absence of the CEO, General Manager/Secretary-Treasurer, the Acting CEO, General Manager/Secretary-Treasurer of the Authority is hereby authorized to perform any and all of the functions described in this chapter.

(Res. 1992-17. Passed 1-21-92; Res. 1992-157. Passed 9-22-92; Res. 1992-158. Passed 9-22-92. Res. 2016-XXX. Passed 8-XX-16)