

RESOLUTION NO. 2016-87

AMENDING CHAPTER 216, "RECORDS RETENTION AND DISCLOSURE" 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 216, Records Retention and Disclosure, 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 216.01 is hereby amended to read as follows:

216.01 PUBLIC RECORDS POLICY.

Consistent with the premise that government at all levels exists first and foremost to serve the interests of the people, it is the policy of the Greater Cleveland Regional Transit Authority to at all times fully comply with Ohio's Public Records Act, Ohio Revised Code Section 149.43.

Section 2. That Section 216.02 is hereby amended to read as follows:

216.02 RECORD RETENTION.

- (a) All Authority records shall be maintained and retained in compliance with the internal operating needs of the Authority and local, state and federal laws.
- (b) By Resolution 1991-264, passed December 17, 1991, the Authority adopted a Records Retention Schedule. The CEO, General Manager/Secretary-Treasurer is authorized to revise and update the Records Retention Schedule without further approval by the Board of Trustees so long as such amendments are in full compliance with all known applicable laws, rules and regulations governing the retention and disposal of records created and maintained by the Authority.

Section 3. That new Section 216.03 is hereby enacted to read as follows:

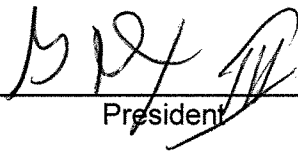
216.03 PUBLIC RECORD DISCLOSURE.

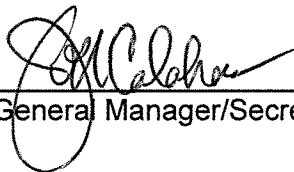
- (a) The Authority shall comply with all applicable laws regarding the disclosure of public records. All public record requests shall be referred to the Legal Department for handling.

- (b) The Authority has administrative procedures governing the Authority's disclosure of public records. The CEO, General Manager/Secretary-Treasurer may amend those procedures without further approval by the Board of Trustees.

That this resolution shall become effective immediately upon its adoption.

Adopted: September 27, 2016

  
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President

Attest:   
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CEO, General Manager/Secretary-Treasurer



<b>TITLE/DESCRIPTION:</b>  AMENDING CHAPTER 216, "RECORDS RETENTION AND DISCLOSURE" OF THE CODIFIED RULES AND REGULATIONS OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY	<b>Resolution No.:</b> 2016- 87
	<b>Date:</b> September 22, 2016
	<b>Initiator:</b> Legal
<b>ACTION REQUEST:</b> <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 216 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.  
  
Ohio's Public Records law requires GCRTA to both retain its public records and make them available upon request to the public. Previously, Chapter 216 provided for GCRTA to retain records, but did not address the obligation to make them available to the public. The chapter is being updated to set forth the Authority's public records policy and to provide for the disclosure of public records.
- 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 216 remaining out of date.
- 8.0 **RECOMMENDATION:** It is recommended that this resolution be adopted.
- 9.0 **ATTACHMENTS:** Redline copy of revisions to Chapter 216.

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

  
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 CEO, General Manager/Secretary-Treasurer

## CHAPTER 216

### Records Retention and Disposal~~Disclosure Policy~~Public Records

- 216.01 ~~Adoption of Schedule~~Record retention.Public records policy  
216.02 Record retention.  
216.023 ~~Administrative policies and procedures~~Disclosure of public records.  
216.03 Amendments.

### CROSS REFERENCES

Documents, reports and records - see Ohio R.C. Ch.

149.43

~~County recorders~~—see Ohio R.C. Ch. 317

~~Lost and destroyed records~~—see Ohio R.C. Ch. 2729

### 216.01 PUBLIC RECORDS POLICY.

Consistent with the premise that government at all levels exists first and foremost to serve the interests of the people, it is the policy of the Greater Cleveland Regional Transit Authority to at all times fully comply with Ohio's Public Records Act, Ohio Revised Code Section 149.43.

#### 216.01 ADOPTION OF SCHEDULE

#### 216.02 RECORD RETENTION.

(a) All Greater Cleveland Regional Transit Authority records shall be maintained and retained in compliance with the internal operating needs of the Authority and local, state and federal laws. The Greater Cleveland Regional Transit Authority hereby adopts the adopted a Records Retention Schedule dated January, 1991, which is attached to original Resolution 1991-264, passed December 17, 1991, and fully incorporated as if written herein.

(Res. 1991-264. Passed 12-17-91.)

#### 216.02 ADMINISTRATIVE POLICIES AND PROCEDURES.

The General Manager/Secretary-Treasurer is hereby authorized to establish administrative policies and procedures for the retention and disposal of records created and maintained by the Authority in accordance with the Records Retention Schedule attached to original Resolution 1991-264, passed December 17, 1991, and any subsequent amendments.

(Res. 1991-264. Passed 12-17-91.)

#### 216.03 AMENDMENTS.

(b) By Resolution 1991-264, passed December 17, 1991, the Authority adopted a Records Retention Schedule. The CEO, General Manager/Secretary-Treasurer is authorized to is hereby authorized to may amend revise and update the Records Retention Schedule without further approval by the Board of Trustees so long as such amendments are in full compliance with all known applicable laws, rules and regulations governing the retention and disposal of records created and maintained by the Authority.

(Res. 1991-264. Passed 12-17-91. Res. 2016-XXX. Passed XX-XX-16.)

216.032 PUBLIC RECORD DISCLOSURE.

(a) The Authority shall comply with all applicable laws regarding the disclosure of public records. All public record requests shall be referred to the Legal Department for handling.

(b) The Authority has administrative procedures governing the Authority's disclosure of public records. The CEO, General Manager/Secretary-Treasurer may amend those procedures without further approval by the Board of Trustees.

(Res. 2016-XXX. Passed XX-XX-16.)