

RESOLUTION NO. 2023-104

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 ("Board") of the Greater Cleveland Regional Transit Authority ("Authority") codified the resolutions establishing its policies and procedures; and

WHEREAS, the Authority has conducted a review and determined that Chapter 465 Financial Assistance should be amended to streamline the process for applying for grants.

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

Section 1. That Code Book Chapter 465 Financial Assistance is hereby amended to read as specified in Attachment A hereto.

Section 2. That the Board of Trustees hereby waives the fourteen-day period provided for in Article XI, Section 2 of the Bylaws.

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

Attachment: A. Chapter 465 Financial Assistance

Adopted: December 19, 2023



President

Attest:



Secretary-Treasurer

Resolution Attachment A

CHAPTER 465
Financial Assistance

465.01	Federal grant applications.	Northeast Ohio Areawide
465.02	State grant applications.	Coordinating Agency
465.03	Execution of grant contracts.	("NOACA")
465.04	Documents, reports and information.	465.07 Private grants.
465.05	Acceptance and expenditure of funds.	465.08 Authority of Acting General Manager, Chief Executive Officer.
465.06	Funds Allocated by the	

CROSS REFERENCES

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

Requirements to receive federal grants – see 49 U.S.C. 5807(R) (1)

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

Grants from the United States, the State of Ohio, 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 Division – see ADM. Ch. 286

Contracts and procurements – see FIN. Ch. 410

Debt policies – see FIN. Ch. 420

465.01 FEDERAL GRANT APPLICATIONS.

(a) Federal Grants.

- (1) The General Manager, Chief Executive Officer may execute and file applications for federal assistance on behalf of the Greater Cleveland Regional Transit Authority.
- (2) The General Manager, Chief Executive Officer 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.)

(b) The General Manager, Chief Executive Officer 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. (Res. 1992-158. Passed 9-22-92. Res. 2016-69. Passed 8-16-16. Res. 2023-XXX. Passed 12-19-23.)

465.02 STATE GRANT APPLICATIONS.

The General Manager, Chief Executive Officer may file 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. 2016-69. Passed 8-16-16.)

465.03 EXECUTION OF GRANT CONTRACTS.

(a) The General Manager, Chief Executive Officer may execute grant and cooperative agreements with awarding federal agencies on behalf of the Authority.

(b) The General Manager, Chief Executive Officer may execute grant contracts with the State of Ohio on behalf of the Authority. (Res. 2016-69. Passed 8-16-16.)

465.04 DOCUMENTS, REPORTS AND INFORMATION.

(a) Information Required by the State of Ohio. The General Manager, Chief Executive Officer 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. (Res. 1992-17. Passed 1-21-92.)

(b) Information Required by the United States Government.

(1) The General Manager, Chief Executive Officer 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 General Manager, Chief Executive Officer may set forth and execute affirmative minority business policies in connection with the procurement needs for projects funded by federal grants.

(Res. 1993-156. Passed 9-21-93; Res. 2016-69. Passed 8-16-16.)

465.05 ACCEPTANCE AND EXPENDITURE OF FUNDS.

(a) The General Manager, Chief Executive Officer 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.)

(b) The General Manager, Chief Executive Officer 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.)

465.06 FUNDS ALLOCATED BY THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (“NOACA”)

(a) That the General Manager, Chief Executive Officer is hereby authorized to file applications, as required, and to execute contracts, as required, on behalf of the Greater Cleveland Regional Transit Authority with the Northeast Ohio Areawide Coordinating Agency ("NOACA") for financial assistance and capital project programs (including transfer of highway funds) under all NOACA programs.

(b) That the General Manager, Chief Executive Officer is authorized to execute and file such applications, any assurances or any other documentation required by NOACA under the financial assistance and capital project programs.

(c) That the General Manager, Chief Executive Officer is authorized to furnish such additional information as NOACA may require.

(d) That that the authority granted in subsections (a) – (c) hereof is conditioned upon an assessment by the General Manger, Chief Executive Officer that (1) any required local match funds are available; (2) the Greater Cleveland Regional Transit Authority is willing to provide the local match amount for any funding awarded to it by NOACA and (3) the Greater Cleveland Regional Transit Authority represents in writing to NOACA that it is willing to provide the local match amount for any funding awarded to it by NOACA .

(e) That the General Manager, Chief Executive Officer is authorized to accept the funds resulting from the NOACA financial assistance and capital programs.

465.07 PRIVATE GRANTS.

The General Manager, Chief Executive Officer is hereby authorized to borrow or accept grants from private sources in accordance with State law. (Res. 2016-69. Passed 8-16-16.)

465.08 AUTHORITY OF ACTING GENERAL MANAGER, CHIEF EXECUTIVE OFFICER.

In the absence of the General Manager, Chief Executive Officer, the Acting General Manager, Chief Executive Officer 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. 2016-69. Passed 8-16-16.)



TITLE/DESCRIPTION: AMENDING CHAPTER 465 FINANCIAL ASSISTANCE OF THE CODIFIED RULES AND REGULATIONS OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY	Resolution No.: 2023-104
	Date: December 14, 2023
	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 Financial Assistance of the Codified Rules and Regulations (“Code Book”) of the Greater Cleveland Regional Transit Authority (“Authority”).
- 2.0 DESCRIPTION/JUSTIFICATION: The Policies and Procedures of the Board of Trustees were codified in 1989, pursuant to Resolution No. 1989-176. The Code Book is undergoing a comprehensive review and update so that the Code Book will conform to the current structure and operations of the Authority.

Chapter 465 provides authority to apply for federal, state and NOACA-administered grants. The Authority’s practice has been to periodically bring resolutions to the Board for authority to apply for grants, which duplicates the authority already present in the Code Book. Both the State of Ohio and NOACA have approved the proposed amendments and approved of using Code Book Chapter 465 in support of GCRTA’s grant applications.

The proposed amendments will streamline the process of applying for grants because it will eliminate the need to periodically bring resolutions to the Board for authority to apply for ODOT and NOACA 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 streamline the process of applying for grants.
- 6.0 ECONOMIC IMPACT: Does not apply.
- 7.0 ALTERNATIVES: Not adopting this resolution. Not adopting this resolution will cause the Authority to continue to bring all ODOT and NOACA grant application resolutions before the Board rather than streamlining the grant application process.
- 8.0 RECOMMENDATION: This resolution was discussed at the December 5, 2023 Committee of the Whole meeting and recommended for consideration by the full Board of Trustees. It is recommended that this resolution be adopted.
- 9.0 ATTACHMENT: A. Red-line of proposed amendments to Chapter 465 Financial Assistance

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

General Manager, Chief Executive Officer

Staff Summary Attachment A

CHAPTER 465
Financial Assistance

465.01	Federal grant applications.	<u>465.06</u>	<u>Funds Allocated by the</u>
465.02	State grant applications.		<u>Northeast Ohio Areawide</u>
465.03	Execution of grant contracts.		<u>Coordinating Agency</u>
			<u>("NOACA")</u>
465.04	Documents, reports and information.	465.06	<u>465.07</u> Private grants.
		465.07	<u>465.08</u> Authority of
			Acting CEO , General
			Manager/ Secretary
465.05	Acceptance and expenditure of funds.		<u>Treasurer, Chief</u>
			<u>Executive Officer.</u>

CROSS REFERENCES

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

Requirements to receive ~~Federal~~federal grants – see 49 U.S.C. 5807(R) (1)

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

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

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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) Federal Grants.

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

(Res. 2007-165. Passed 11-20-07.)

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

(Res. 1992-158. Passed 9-22-92.) ~~Res. 2016-69. Passed 8-16-16.~~ Res. 2023- XXX. Passed 12-19-23.

465.02 STATE GRANT APPLICATIONS.

The ~~CEO,~~ General Manager/~~Secretary-Treasurer,~~ Chief Executive Officer may ~~submit~~ file grant applications, along with any necessary certifications and documentation, to the State of Ohio for ~~State~~ 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. 2016-69. Passed 8-16-16.)

465.03 EXECUTION OF GRANT CONTRACTS.

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

(b) The ~~CEO,~~ General Manager/~~Secretary-Treasurer,~~ Chief Executive Officer may execute grant contracts with the State of Ohio on behalf of the Authority.
(Res. 2016-69. Passed 8-16-16.)

465.04 DOCUMENTS, REPORTS AND INFORMATION.

(a) Information Required by the State of Ohio. The ~~CEO,~~ General Manager/~~Secretary-Treasurer,~~ Chief Executive Officer 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~~ state grant funds on behalf of the Authority.

(Res. 1992-17. Passed 1-21-92.)

(b) Information Required by the United States Government.

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

- (2) The ~~CEO, General Manager/Secretary Treasurer, Chief Executive Officer~~ may set forth and execute affirmative minority business policies in connection with the procurement needs for projects funded by ~~Federal federal~~ grants.
(Res. 1993-156. Passed 9-21-93; Res. 2016-69. Passed 8-16-16.)

465.05 ACCEPTANCE AND EXPENDITURE OF FUNDS.

(a) The ~~CEO, General Manager/Secretary Treasurer, Chief Executive Officer~~ may accept ~~Federal federal~~ funds from awarding ~~Federal 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.)

(b) The ~~CEO, General Manager/Secretary Treasurer, Chief Executive Officer~~ 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.)

~~(c) The CEO, General Manager/Secretary Treasurer, Chief Executive Officer 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 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 69. Passed 8 16 16.)~~

465.06 FUNDS ALLOCATED BY THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY ("NOACA")

(a) That the General Manager, Chief Executive Officer is hereby authorized to file applications, as required, and to execute contracts, as required, on behalf of the Greater Cleveland Regional Transit Authority with the Northeast Ohio Areawide Coordinating Agency ("NOACA") for financial assistance and capital project programs (including transfer of highway funds) under all NOACA programs.

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Authority represents in writing to NOACA that it is willing to provide the local match amount for any **funding** awarded to it by NOACA .

(e) That the General Manager, Chief Executive Officer is authorized to accept the funds resulting from the NOACA financial assistance and capital programs.

465.01465.07 PRIVATE GRANTS.

The ~~CEO, General Manager/Secretary-Treasurer, Chief Executive Officer~~ is hereby authorized to borrow or accept grants from private sources in accordance with State law.

(Res. 2016-69. Passed 8-16-16.)

**~~465.02465.08~~ AUTHORITY OF ACTING GENERAL MANAGER/
~~SECRETARY-TREASURER, CHIEF EXECUTIVE OFFICER.~~**

In the absence of the ~~CEO, General Manager/Secretary-Treasurer, Chief Executive Officer~~, the Acting ~~CEO, General Manager/Secretary-Treasurer, Chief Executive Officer~~ 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. 2016-69. Passed 8-16-16.)