

**MINUTES OF THE
BOARD OF PARK COMMISSIONERS
OF THE
CLEVELAND METROPOLITAN PARK DISTRICT
DECEMBER 15, 2022**

The Board of Park Commissioners met on this date, Thursday, December 15, 2022, 8:00 a.m., at the Board's office, 4101 Fulton Parkway, Cleveland, Ohio.

The roll call showed President Debra K. Berry, Vice President Dan T. Moore, and Vice President Bruce G. Rinker to be present. It was determined there was a quorum. Chief Executive Officer, Brian M. Zimmerman, Chief Financial Officer, Wade Steen, and Chief Legal and Ethics Officer, Rosalina M. Fini, were also in attendance.

APPROVAL OF MINUTES.

No. 22-12-180: It was moved by Vice President Rinker, seconded by President Berry and carried, to approve the minutes from the Regular Meeting of November 17, 2022, which were previously submitted to the members of the Board, and by them read.

Vote on the motion was as follows:

Ayes: Ms. Berry, Messrs. Moore and Rinker.
Nays: None.

FINANCIAL REPORT.

Chief Financial Officer, Wade Steen, presented a Comparative Summary of Revenues & Expenditures 2022 vs. 2021 Year-To-Date, and for the Month Ended November 30. Also provided is a Schedule of Accounts Receivable and Investments, which along with the Comparative Summary is found on pages **97564** to **97571**.

ACTION ITEMS.

(a) 2022 Budget Adjustment No. 12

(Originating Sources: Wade Steen, Chief Financial Officer/Brian M. Zimmerman, Chief Executive Officer)

The following amendments are requested for Board approval:

**CLEVELAND METROPARKS
Appropriation Summary - 2022**

Object Code	Object Description	Original Budget			Total Prior Budget Amendments	Proposed Amendment #12 12/15/2022	Total
		Baseline Budget	Carry Over Encumbrances	Total			
OPERATING							
51	Salaries	\$ 59,806,913	\$ -	\$ 59,806,913	\$ 105,368	\$ (66,504) A	\$ 59,845,777
52	Employee Fringe Benefits	19,059,340	397,108	19,456,448	(1,620,055)	236,245 B	18,072,638
53	Contractual Services	15,366,699	5,491,290	20,857,989	57,944	(450) C	20,915,483
54	Office Operations	25,134,495	3,531,243	28,665,738	958,741	352,083 D	29,976,562
	Operating Subtotal	119,367,447	9,419,641	128,787,088	(498,002)	521,374	128,810,460
CAPITAL							
571	Capital Labor	800,000	-	800,000	-	-	800,000
572	Capital Construction Expenses	25,598,296	7,601,218	33,199,514	24,218,204	499,484 E	57,917,202
574	Capital Equipment	3,656,575	1,435,810	5,092,385	784,426	52,457 F	5,929,268
575	Zoo Animals	75,000	-	75,000	-	-	75,000
576	Land	2,078,500	39,800	2,118,300	-	-	2,118,300
	Capital Subtotal	32,208,371	9,076,828	41,285,199	25,002,630	551,941	66,839,770
TOTALS							
Grand totals		\$ 151,575,818	\$ 18,496,469	\$ 170,072,287	\$ 24,504,628	\$ 1,073,315	\$ 195,650,230

An explanation of adjustments, by category, can be found on pages **97572** to **97574**. The net effect of all adjustments is an increase of \$1,073,315 which is funded by increased revenue, donations, grants, or received but previously unappropriated funds.

No. 22-12-181:

It was moved by Vice President Rinker, seconded by Vice President Moore and carried, to approve 2022 Budget Adjustment No. 12 for a total increase of \$1,073,315 as delineated on pages **97572** to **97574**.

Vote on the motion was as follows:

Ayes: Ms. Berry, Messrs. Moore and Rinker.

Nays: None.

ACTION ITEMS (cont.)**(b) *Authorization and Revision to Change Fund and Petty Cash Fund***
(Originating Source: Wade Steen, Chief Financial Officer)

Cleveland Metroparks has a need for a Change Fund to be able to operate revenue-producing amenities. Additionally, the Park District has a need for a Petty Cash Fund to be able to make emergency cash and other necessary purchases (in accordance with the Petty Cash Administrative Procedure). State auditors require that the Board of Park Commissioners reauthorize existing, and approve revisions to, Change and Petty Cash Fund amounts.

Therefore, Cleveland Metroparks is requesting that the Board of Park Commissioners authorize a revised Change Fund of **\$69,650** and a Petty Cash Fund of **\$40,300** distributed as follows (edits or updates are indicated by ***bold italics***):

Change Fund:

Location	Division Number	Custodian/Title	Current 2022	Proposed 2023
Administrative Deposit Account, Finance Department	12010	Gary Butzback, Controller	\$ 50	\$ 50
Special Events/ Experience	13070	Sam Cario, Director of Special Events & Experiences; <i>Aulbrie Kitson, Special Events/ Experiences Mgr.</i>	300	300
Nature Shops - North Chagrin	13301	<i>Stephen Devney, Retail Assistant II</i>	200	200
Nature Shops - Rocky River	13303	<i>Macy Salem, Retail Assistant I</i>	250	250
Nature Shops - West Creek	13304	Natasha Caraballo, <i>Retail Department Specialist</i>	200	200
Nature Shops - Hinckley Lake	13305	Melissa Pinto, Manager of Hinckley Lake Boathouse and Store	900	900
Retail - Special Events Off-Site	13306	<i>Stephen Devney, Retail Assistant II</i>	250	250
Nature Shops - Edgewater	13310	<i>Jayson Callahan, Retail Assistant</i>	200	200
Ledge Pool	15702	Christy Moore, Aquatics Director	700	700
North Chagrin Nature Center	15602	<i>Beth Joyave, Center Manager;</i> Lynn Barron, Information Specialist	50	50

ACTION ITEMS (cont.)

Location	Division Number	Custodian/Title	Current 2022	Proposed 2023
Rocky River Outdoor Education	15604	Val Fetzer, Nature Center Manager; Joyce Masterson, Information Specialist	50	50
CanalWay Visitor Center	15605	Terry Joyce, Center Manager; Jo Ann Kubicki, Information Specialist	150	150
Watershed Stewardship Center	15606	<i>Beth Majeski, Center Manager;</i> Terri Martincic, Information Specialist	50	50
Outdoor Recreation	15608	Rachel Nagle, Outdoor Recreation Manager; Kerry Braskie, Information Specialist	200	200
Chalet (includes hayrides)	15703	Amy McRitchie, Concession Manager	3,000	3,000
East 55 th Marina	15706	Jarrold McCarthy, Director of Enterprise; August Schill, Marina Manager; Nicholas Detlev, Assistant Marina Manager	1,500	1,500
Emerald Necklace Marina	15707	Jarrold McCarthy, Director of Enterprise; Mike Bobincheck, Marina Manager; Nicholas Detlev, Assistant Marina Manager	1,500	1,500
Wildwood Marina	15708	Jarrold McCarthy, Director of Enterprise; August Schill, Assistant Marina Manager	1,000	1,000
Wallace Lake Concessions	15802	Amy McRitchie, Concession Manager	500	500
Huntington Concessions	15803	Katelin Beltavski, Assistant Restaurant Manager; Katie Lanzo, Floor Manager	4,000	4,000
The Pier Edgewater Concessions	15805	Amy McRitchie, Concession Manager	1,500	1,500
Hinckley Spillway Concessions	15806	Amy McRitchie, Concession Manager	1,000	1,000
Euclid Beach Concessions	15807	Amy McRitchie, Concession Manager	1,000	1,000
Merwin's Wharf	15850	Ben Rockower, General Manager of Restaurant Food Service; Brian VanLoan, Assistant Manager	4,000	4,000
East 55 th Restaurant	15851	Ben Rockower, General Manager of Restaurant Food Service; Brian VanLoan, Assistant Manager	3,000	3,000
EN Marina Restaurant	15852	Katelin Beltavski, Assistant Restaurant Manager; Katie Lanzo, Floor Manager	4,000	4,000

ACTION ITEMS (cont.)

Location	Division Number	Custodian/Title	Current 2022	Proposed 2023
Edgewater Beach House	15853	Ben Rockower, General Manager of Restaurant Food Service; Brian VanLoan, Assistant Manager	6,000	6,000
Zoo	17401	Tim Savona, Director of Revenue; Theresa Moore, Admissions Manager Zoo Guest Services	20,000	20,000
Big Met Clubhouse	31101	Mark Pucky, Golf Course General Manager; Brendan McLaughlin, Golf Clubhouse Manager	1,500	1,500
Big Met Concessions	31102	Kevin Johnson, General Manager of Restaurant, Food & Beverage – Golf	1,000	1,000
Little Met Clubhouse	31201	Mark Pucky, Golf Course General Manager; Brendan McLaughlin, Golf Clubhouse Manager	800	800
Mastick Woods Clubhouse	31301	Mark Pucky, Golf Course General Manager; Dan Ratliff, Golf Clubhouse Supervisor	800	800
Manakiki Clubhouse	31401	Bill Roeder, Golf Course General Manager; Milt Johnson, Golf Clubhouse Manager/Pro	1,500	1,500
Sleepy Hollow Clubhouse	31501	Chad Lewanski, Golf Course General Manager; Brad Ruminski, Golf Clubhouse Manager/Pro	1,500	1,500
Sleepy Hollow Concessions	31502	Kevin Johnson, General Manager of Restaurant, Food & Beverage – Golf; Ben Smith, Chef	1,000	1,000
Shawnee Hills Clubhouse	31601	Brad Vecchio, Golf Course General Manager; Ben Ladaika, Clubhouse Supervisor/Pro	1,500	1,500
Shawnee Hills Concessions	31602	Kevin Johnson, General Manager of Restaurant, Food & Beverage – Golf; Mark Baumgarden, Concession & Facilities Supervisor	1,000	1,000
Washington Golf Learning Center Clubhouse	31701	Kevin Kolesar, Golf Course General Manager; Steven Morgan, Golf Professional/ Camp & Events Coordinator	1,000	1,000
Seneca Clubhouse	31801	David Donner, Golf Course General Manager; Geoffrey Koller, Golf Clubhouse Manager/Pro	1,500	1,500

ACTION ITEMS (cont.)

Location	Division Number	Custodian/Title	Current 2022	Proposed 2023
Seneca Concessions	31802	Kevin Johnson, General Manager of Restaurant, Food & Beverage – Golf; <i>Zachary Bohn Concession & Facilities Supervisor</i>	1,000	1,000
Total Change Fund			\$69,650	\$69,650

Petty Cash:

Location	Division Number	Custodian/Title	Current 2022	Proposed 2023
Administrative Petty Cash, Finance Department	12010	Gary Butzback, Controller	\$ 20,000	\$ 20,000
Special Purchase Account, Finance Department	12010	Gary Butzback, Controller	20,000	20,000
Nature Shops - North Chagrin	13301	<i>Stephen Devney, Retail Assistant II</i>	50	50
Nature Shops - Rocky River	13303	<i>Macy Salem, Retail Assistant I</i>	50	50
Nature Shops – West Creek	13304	Natasha Caraballo, <i>Retail Department Specialist</i>	50	50
Nature Shops - Hinckley Lake	13305	Melissa Pinto, Manager of Hinckley Lake Boathouse and Store	50	50
Nature Shops - Edgewater	13310	<i>Jayson Callahan, Retail Assistant</i>	100	100
Total Petty Cash Fund			\$ 40,300	\$ 40,300

No. 22-12-182: It was moved by Vice President Rinker, seconded by Vice President Moore and carried, to reauthorize existing and approve revisions to Change/Petty Funds amounts as listed above.

Vote on the motion was as follows:

Ayes: Ms. Berry, Messrs. Moore and Rinker.

Nays: None.

ACTION ITEMS (cont.)

(c) 2023 Appropriations Budget

(Originating Sources: Wade Steen, Chief Financial Officer/Brian M. Zimmerman, Chief Executive Officer)

According to State statute, the Board of Park Commissioners must adopt Cleveland Metroparks' 2023 appropriations budget on or before December 31, 2022.

Budget proposals were submitted by each of the Chiefs for their respective departments. A comprehensive budget was compiled considering operations for 2023, covering the entire span of the current tax levy.

A summary of the budgeted appropriations for 2023 are as follows:

**CLEVELAND METROPARKS
Appropriation Summary - 2023**

Object Code	Object Description	Original Budget		
		Baseline Budget	Estimated Carry Over Encumbrances	Estimated Total
OPERATING				
51	Salaries	\$ 64,280,149	-	\$ 64,280,149
52	Employee Fringe Benefits	20,015,070	877,092	20,892,162
53	Contractual Services	15,837,597	3,497,959	19,335,556
54	Office Operations	26,536,916	3,396,203	29,933,119
	Operating Subtotal	126,669,732	7,771,255	134,440,987
CAPITAL				
571	Capital Labor	800,000	-	800,000
572	Capital Construction Expenses	20,538,624	\$15,198,380	35,737,004
574	Capital Equipment	3,438,515	\$1,831,352	5,269,867
575	Zoo Animals	75,000	\$3,081	78,081
576	Land	1,200,000	\$71,321	1,271,321
	Capital Subtotal	26,052,139	17,104,134	43,156,273
TOTALS				
	Grand totals	\$ 152,721,871	\$ 24,875,389	\$ 177,597,260

ACTION ITEMS (cont.)

Additionally, pursuant to Article 4 of its By-Laws, Cleveland Metroparks Board of Park Commissioners shall fix the compensation range for all employees. To account for increases to the State of Ohio minimum wage, cost of living increases, and to maintain market competitiveness, the above 2023 appropriations budget includes the following:

- A Regular Employee compensation range from \$5.05/hour (tipped employee minimum) to \$290,270/annual for 2023, and
- An Intermittent Employee compensation range from \$4.65/hour (tipped employee minimum) to \$37.50/hour for 2023.

No. 22-12-183: It was moved by Vice President Rinker, seconded by Vice President Moore and carried, to approve the 2023 proposed appropriations budget, as reflected above, inclusive of the fixing of the 2023 compensation range for all employees, and authorize the Board President to execute all terms and conditions of existing employment contracts.

Vote on the motion was as follows:

Ayes: Ms. Berry, Messrs. Moore and Rinker.
 Nays: None.

- (d) ***Single Source(s): Surplus Declaration(s), Auction Approval(s):***
A) Declaration of Surplus Equipment/Vehicles for 2023 and Sale through GovDeals;
B) Permission for “Live” Auction (Fall 2023); and,
C) Single Source #6711 – 2023 Purchase of Used Vehicles and Equipment through Auction(s).
(Originating Sources: Joseph V. Roszak, Chief Operating Officer/Charlie Rosol, Director of Procurement/Mike Wegas, Fleet Manager)

A.) Surplus Declaration

GovDeals is an online clearinghouse for government surplus property. It provides a means for government agencies to post items for sale and for potential buyers to bid upon these items via an internet-based auction system. Recent results are as follows:

	2018	2019	2020	2021	2022
Items Sold and end date of auction	52 (7/31)	23 (12/21)	46 (12/15)	85 (12/18)	122 (11/16)
Online Sale Value	\$30,949.19*	\$20,525.66**	\$166,587.01	\$103,461.75	\$196,375.66

*Live Auction, October 13, 2018 – Items Sold 485 – Net Sales \$170,998.70

**Live Auction, September 28, 2019 – Items Sold 59 – Net Sales \$120,287.70

GovDeals continues to be the lowest and best option, as the only other viable auction house, LightGov, LLC, has a lower commission but it has far fewer bidders and sells

ACTION ITEMS (cont.)

significantly fewer items. GovDeals has a contract with Sourcewell (contract number 012821-GDI), a consortium of which Cleveland Metroparks is a member.

Fleet Management continues to pass the entire GovDeals administrative fee of 7.5% on to the winning bidder in each instance; so GovDeals invoices Cleveland Metroparks for those fees at 0%. This continues to work well with both the winning bidders and Cleveland Metroparks Fleet Management.

Fleet Management would like to continue this process while testing other auction suppliers in an effort to ensure Cleveland Metroparks is obtaining the best resale gain, paying competitive fees, and searching enhanced services such as managing listings, bidder questions and item logistics.

In 2023, it is recommended that the Park District continue the public sale of surplus equipment to the highest bidder, through either GovDeals or another online auctioneer that provides Cleveland Metroparks best value.

B.) Surplus II – Declaration and Auction Permission

Some items would gain a better price through a live auction; so, in the fall of 2023, Cleveland Metroparks would like to hold a “live” auction, on site, at Rocky River Maintenance Center. This would be an opportunity for reservations to purge surplus items that typically do not make their way to the online auction process.

Park Operations proposes holding a live Surplus Auction on Saturday, September 23, 2023 (subject to change) at the Rocky River Management Center. Items for the live auction that are valued at \$10,000 or more shall first be approved by the Board prior to auction. Items for live auction valued at less than \$10,000 shall be approved by the CEO.

C.) Single Source #6711 Summary: 2023 Purchase of Used Vehicles and Equipment through Auction(s)

Cleveland Metroparks is interested in the purchase, through live or online auctions, of pickup trucks, compact pickup trucks, service trucks, off-road equipment, and related equipment to replace some of its aging fleet. Replacement focus will be vehicles from 1999-2008 or those that have repair costs that have exceeded 50% of the acquisition price. The majority of Cleveland Metroparks older fleet (1999-2005) are primarily dump trucks and may not be available for auction-purchase at this time; for this reason, Cleveland Metroparks is focusing on pickup trucks and service vehicles.

Purchasing **2014 and newer** vehicles, when possible, will provide a useful life of an additional five (5) to seven (7) years and spread the replacement cost over a decade rather than the fleet maturing all at the same time (as is the current scenario).

Replacing older vehicles with new vehicles would cost anywhere from \$340,000-\$400,000, while auction costs should be substantially less. The goal through auction is to purchase vehicles as well as equipment with a total value not to exceed \$350,000 for a one (1) year period.

ACTION ITEMS (cont.)

No. 22-12-184: It was moved by Vice President Rinker, seconded by Vice President Moore and carried, to authorize utilization of the internet auction services of GovDeals, Inc. or another online auctioneer determined by Cleveland Metroparks staff to provide best value for 2023, as described above, to dispose of Park District surplus equipment and vehicles, whereby equipment and vehicles for disposal valued under \$10,000 would be authorized in writing as surplus by the respective Department Chief and the Chief Executive Officer prior to auction and equipment and vehicles for disposal valued at \$10,000 and above would receive Board approval prior to auction; and,

That the Board authorize a live auction on September 23, 2023 (subject to change), as described above, whereby Park District surplus equipment and vehicles identified by staff as appropriate for live auction valued under \$10,000 would be authorized in writing as surplus by the respective Department Chief and the Chief Executive Officer prior to live auction, and equipment and vehicles for disposal valued at \$10,000 and above would receive Board approval prior to auction; and,

That the Board approve the purchase of used vehicles and/or equipment at public live or online auctions, as specified in the above Single Source #6711 and pursuant to ORC 307.86(N), for a **total amount not to exceed \$350,000** for a one (1) year period. Further, that the Board authorize the Chief Financial Officer to generate and release a manual check or checks in the amount of the total active auction purchase(s) not to exceed \$350,000.

Vote on the motion was as follows:

Ayes: Ms. Berry, Messrs. Moore and Rinker.

Nays: None.

- (e) ***Second Reading: Multiple Policies***
(Originating Sources: Brian M. Zimmerman, Chief Executive Officer; Rosalina M. Fini, Chief Legal and Ethics Officer; Joseph V. Roszak, Chief Operating Officer; Kyle G. Baker, Senior Assistant Legal Counsel/Director of Real Estate; Stephanie A. Kutsko, Senior Real Estate Manager; Nate M. Hoover, Land Conservation Manager)

Pursuant to Article 1, Section 1(a) of its By-Laws, the First Reading of the following policies was held on November 17, 2022 and are now being submitted to the Board for Second Reading and adoption:

Property Line Encroachment Policy & Conservation Easement Stewardship Policy

Protecting real property interests is essential to Cleveland Metroparks' mission of conservation and preservation of the natural and cultural resources within the Park District. Cleveland Metroparks has acquired over 24,400 acres of land throughout its

ACTION ITEMS (cont.)

100-year history, nearly 500 acres of which are protected through conservation easements, amassing over 400 miles of property boundaries that adjoin to over 6,000 neighboring properties that benefit from the adjacency to park land. It is the duty of Park District staff, as custodians for the public, to actively and consistently monitor park boundaries and conservation easements to protect Cleveland Metroparks' real property interests.

Developing standard procedures ensures that each property line encroachment and conservation easement is addressed in a fair and consistent manner across the Park District, and that the actions taken are documented appropriately. This approach discourages negative impacts to natural resources and maintains a positive relationship with the many neighbors of Cleveland Metroparks.

To further Cleveland Metroparks' efforts to protect its real property interests in a consistent manner, as the policy-making authority for Cleveland Metroparks, Cleveland Metroparks staff recommends that the Board establish a uniform guideline in order to protect Cleveland Metroparks' property interests in the proposed "Property Line Encroachment Policy" and "Conservation Easement Stewardship Policy." The Property Line Encroachment Policy was last updated on November 30, 2017 with a recommended review date of November 2022. The Conservation Easement Stewardship Policy was instituted on November 30, 2017 with a recommended review date of November 2022. The policies confirm Cleveland Metroparks' commitment to its core mission of protecting nature, connecting communities, and inspiring conservation of our world.

The full Policies can be found at pages 97575 to 97584.

No. 22-12-185: It was moved by Vice President Rinker, seconded by Vice President Moore and carried, to adopt the "Property Line Encroachment Policy" & "Conservation Easement Stewardship Policy" for implementation, which will replace and supersede the previous policies that were last updated and adopted on November 30, 2017.

Vote on the motion was as follows:

Ayes: Ms. Berry, Messrs. Moore and Rinker.

Nays: None.

(f) *Euclid Beach Park: Authorization to Submit Grant Application and Commit Funds – Land and Water Conservation Fund*
(Originating Sources: Sean E. McDermott, Chief Planning & Design Officer/Natalie Ronayne, Chief Development Officer/Jim Rodstrom, Director of Construction/Kristen Trolio, Director of Grants)

The federal Land and Water Conservation Fund (LWCF), which is administered by the Ohio Department of Natural Resources, offers grant funds for the acquisition, development, and rehabilitation of recreational areas. Cleveland Metroparks submitted

ACTION ITEMS (cont.)

an application to LWCF to construct a new accessible nature-based playground and pavilion in Euclid Beach Park.

The Master Plan for the lakefront portion of Euclid Creek Reservation, including Wildwood, Villa Angela and Euclid Beach Parks was completed by Cleveland Metroparks in 2015 and subsequently updated in 2019. The plan identifies the need for a play structure and a pavilion with lake views at Euclid Beach Park and this proposed project directly aligns with the plan. In summer 2023, Cleveland Metroparks will again update the Master Plan for the lakefront portion of Euclid Creek Reservation and Euclid Beach Park and at that time will seek community input as part of the planning process. The specific components to be included in the planned play space at Euclid Beach Park will be refined as a result of the community input sessions. For this request, Cleveland Metroparks has based the project budget and concept design on the Lindsey Family Play Space which opened in 2021 at Edgewater Park. This play space is the inspiration for the proposed nature-based playground and adjacent pavilion at Euclid Beach Park.

LWCF requires a 1:1 non-federal match and the proposed grant request is as follows:

Cleveland Metroparks (cash and in-kind labor)	\$ 500,000
<u>Land and Water Conservation Fund</u>	<u>\$ 500,000</u>
Total Project:	\$1,000,000

The required resolution is on page 97585.

No. 22-12-186: It was moved by Vice President Rinker, seconded by Vice President Moore and carried, to authorize the adoption of a resolution to submit a grant application to the Ohio Department of Natural Resources for funding assistance of ±\$500,000 through the Land and Water Conservation Fund as described above; to authorize and agree matching funds in the amount of ±\$500,000 as described above; to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms and conditions of the program; and further, that the Board authorize the Chief Executive Officer to enter into agreements and execute any other documents as may be required to accept the grants upon award; form of agreement(s) and document(s) to be approved by Chief Legal and Ethics Officer.

Vote on the motion was as follows:

Ayes: Ms. Berry, Messrs. Moore and Rinker.

Nays: None.

ACTION ITEMS (cont.)

- (g) ***Contract Amendment 1660 – Cleveland Metroparks Zoo Primate, Cat and Aquatics Building Roof Replacement– Guaranteed Maximum Price 1***
(Originating Sources: Sean E. McDermott, P.E., Chief Planning and Design Officer/ Keith Carney, Project Manager/Christopher Widdowson, Architect)

Background

On February 1, 2022 Cleveland Metroparks advertised a Request for Qualifications (RFQu #6642) for interested parties to submit qualifications related to the performance of Construction Manager at Risk for the Cleveland Metroparks Zoo Primate, Cat and Aquatics Building Roof Replacement (“Project”).

On June 16, 2022, the Board awarded a Construction Manager at Risk Contract to Constructability, Inc. (“Constructability”) for the Project. At the time of the Board’s award, only the pre-construction stage compensation was fixed at \$24,712. Per the contract, a Guaranteed Maximum Price (GMP) for construction is then developed and brought back to the Board for approval.

Since June, the project team has worked to confirm scope, identify risk, and strategize the sequence for the Project in coordination with animal care requirements. The Project includes specialized aspects of roofing, structural and skylight systems and would benefit from design-assist partners in making optimal design decisions. Three (3) design-assist firms have been selected for Roof Design, Skylight Design and Steel Design. These three (3) firms will work with the design team to select materials and streamline project component details acceptable to Cleveland Metroparks, as well as self-perform the outlined construction scopes.

GMP 1 includes the costs to procure long lead time skylight and roofing materials, prior to the final design, to meet the preliminary schedule for construction to begin in Summer 2023. All construction materials will be delivered prior to the start of construction.

Constructability will continue to work in partnership with the design team and design-assist partners to create the optimal design and schedule.

GMP 1 Establishment

Constructability has established the additional design assist fees and allowances below for GMP 1 based upon criteria documents and engineering narrative:

PCA Building Roof Replacement Pre-Construction Design-Assist

Roofing Design-Assist Fee	\$ 5,000.00
Steel Design-Assist Fee	\$ 2,500.00
<u>Skylight Design-Assist Fee</u>	<u>\$ 0.00</u>
<i>Fee Subtotal</i>	<i>\$ 7,500.00</i>
 Pre-Construction Total Fees	 \$ 7,500.00

ACTION ITEMS (cont.)**PCA Building Roof Replacement GMP 1**

<u>Item</u>	<u>Cost</u>
Skylight Material Allowance	\$ 420,000.00
<u>Roofing Material Allowance</u>	<u>\$ 600,000.00</u>
<i>Cost of Work Subtotal</i>	\$1,020,000.00
Contingency (2.5%)	\$ 25,500.00
General Conditions (4.9%)	\$ 49,980.00
<u>CMR Fee (2.4%)</u>	<u>\$ 24,480.00</u>
<i>Fee Subtotal</i>	\$ 99,960.00
GMP 1 Total	\$1,119,960.00

Once construction documents are nearing finalization, staff will return to the Board to set the next Guaranteed Maximum Price (GMP 2) for the construction phase.

Construction Schedule

Constructability's construction schedule associated with the proposed GMP 1 anticipates a June 2023 Project commencement and phased implementation of work for an October 2023 Project completion barring any unseasonal weather or material procurement delays. Cleveland Metroparks Staff will monitor construction progress and supply chain challenges and provide updates to the Board.

No. 22-12-187:

It was moved by Vice President Rinker, seconded by Vice President Moore and carried, to authorize the Chief Executive Officer to amend the Guaranteed Maximum Price (GMP) contract with **Constructability, Inc.**, for the construction of RFP #6642-b, Cleveland Metroparks Zoo Primates, Cats and Aquatics Roof Replacement, to reflect a **GMP 1** in the amount of **\$1,119,960**, and additional Pre-Construction Fees not to exceed **\$7,500** which will be an amount in the addition of \$24,712 already awarded for preconstruction stage services, **for a total contract valued at \$1,152,172**, in a form of contract to be approved by the Chief Legal and Ethics Officer.

Vote on the motion was as follows:

Ayes: Ms. Berry, Messrs. Moore and Rinker.

Nays: None.

ACTION ITEMS (cont.)

- (h) ***Contract Amendment 1629 – Design-Builder for Cleveland Metroparks Manakiki Management Center – North Chagrin Reservation – Construction Guaranteed Maximum Price 2***
(Originating Sources: Sean E. McDermott, P.E., Chief Planning and Design Officer/ Ryan Denker, Architect/Michele Crawford, Project Coordinator/Keith Carney, Project Manager)

Background

On December 16, 2021, Cleveland Metroparks awarded a Design-Build Agreement to Hummel Construction Company (“Hummel”) for design-build services, as per RFP #6614-b (Board Resolution No. 21-12-183), for the design and construction of the Manakiki Management Center Project (“Project”). Following the award, the building design was solidified and construction documents have commenced. On September 14, 2022, Cleveland Metroparks awarded GMP 1 to begin the first phase of construction and includes work that will benefit from beginning prior to the winter months. This included all earthwork to prepare the site, extension of utilities to the site, concrete for all foundations and floor slabs, masonry for walls, and steel embedment’s for lintels, plates, etc.

Guaranteed Maximum Price 2 (“GMP 2”), proposed below, represents the second phase of construction and includes the remaining construction components and cost savings from GMP 1 items. The contract amendment herein includes an additional \$4,000 of pre-construction stage design fees to cover additional architectural and structural engineering requested by Cleveland Metroparks and \$3,164 to cover a cart barn electrical feasibility study.

GMP 2 Establishment

Hummel, based upon preliminary 80% design plans and alignments, has established GMP 2 as follows:

ITEM	GMP 1 (Previously Approved)	GMP 2
Temp Facilities		\$34,460.00
Asphalt Repair - Allowance		\$10,000.00
Miscellaneous Trim - Allowance		\$3,000.00
Damproofing - Allowance		\$6,500.00
Shutters - Allowance		\$2,400.00
Signage, Toilet Accessories, Fire Extinguishers - Allowance		\$4,620.00
Cupola, Supports and Hardware - Allowance		\$5,000.00
Overhead Door Photo Eye Conduit and Wiring - Allowance		\$1,600.00
Winter Protection		\$75,000.00
Sand Silo Relocation and Final Rigging - Allowance		\$10,000.00
Fuel System Power - Allowance		\$6,000.00

ACTION ITEMS (cont.)

Earthwork & Site Utilities	\$215,400.00	(\$29,490.00)
Asphalt		\$72,384.00
Concrete and Accessories	\$236,920.00	\$11,030.00
Masonry	\$282,000.00	(\$28,844.00)
Steel-Includes 6"Pipe Bollards at Overhead Doors	\$32,000.00	\$5,905.00
Carpentry-Rough Labor		\$50,450.00
Lumber and Trusses		\$89,284.00
Carpentry-Finish Labor & Material		\$28,500.00
Insulation		\$15,490.00
Shingle Roofing, Gutters and Downspouts		\$59,400.00
Metal Roofing Upgrade Allowance		\$102,473.73
Siding/Soffit/Fascia/Trim - Material and Labor		\$66,000.00
Joint Sealants		\$5,460.00
HM Doors, Frames, Hardware		\$45,535.00
Overhead Sectional and Coiling Doors		\$51,524.00
Aluminum Clad Wood Windows		\$10,000.00
Glazing + Front Entry Door		\$8,441.00
Drywall Assemblies and Acoustic Ceilings		\$80,000.00
Flooring and Base		\$8,360.00
Painting and Concrete Floor Sealer		\$46,700.00
Casework/Sills		\$4,225.00
Plumbing		\$159,900.00
HVAC		\$79,000.00
Electrical		\$138,375.00
Cost of Work Subtotal	\$766,320.00	\$1,238,682.73
Staff Cost/General Conditions Fee-7%	\$53,642.40	\$86,707.79
Design Build Contingency-5%	\$38,316.00	\$61,934.14
Design Build Fee-6%	\$45,979.20	\$74,320.96
Fee Subtotal	\$137,937.60	\$222,962.89
TOTAL	\$904,257.60	\$1,461,645.62
Construction Stage Design Services - Less Survey and Layout Allowance	\$7,542.50	\$9,958.00
Cleveland Metroparks Directed Modifications (Owner Contingency)		\$50,000.00
	GMP 1	GMP 2
GMP Totals	\$911,800.10	\$1,521,603.62
New GMP Total (GMP 1 + GMP 2)		\$2,433,403.72

ACTION ITEMS (cont.)

Additional Architectural and Structural Engineering As Requested by CMP		\$4,000.00
Cart Barn Electrical Feasibility Study		\$3,164.00
<i>Additional Preconstruction Expenses Total</i>		\$7,164.00

**() denote item deduct*

Construction Schedule

The scope of work associated with GMP 2 is anticipated to commence in January of 2023 and carry through at least the Summer of 2023. Cleveland Metroparks staff will monitor construction progress and provide updates to the Board.

No. 22-12-188:

It was moved by Vice President Rinker, seconded by Vice President Moore and carried, to authorize the Chief Executive Officer to amend the Guaranteed Maximum Price 2 (GMP 2) contract with **Hummel Construction Company** for construction of **RFP #6614-b, Manakiki Management Center**, to reflect GMP 2 in the amount of **\$1,521,603.62**, and additional Pre-Construction Stage Service Fees in the amount of **\$7,164** which will be in addition to GMP 1 amount of \$911,800.10 and the \$82,488.00 already awarded for preconstruction services for a total **contract value of \$2,523,055.72**, in a form to be approved by the Chief Legal and Ethics Officer.

Vote on the motion was as follows:

Ayes: Ms. Berry, Messrs. Moore and Rinker.
Nays: None.

- (i) ***Award of Single Source #6717 – Design of the Garfield Boulevard Connector – Garfield Park Reservation***
(Originating Sources: Sean E. McDermott, P.E., Chief Planning and Design Officer/ Sara Byrnes Maier, Principal Planner)

Background

On September 14, 2022, the Board of Park Commissioners provided authorization to enter into an agreement in accordance with O.R.C. Section 302.21 with County of Cuyahoga for Intergovernmental Management Support Services for Design of the Garfield Boulevard Connector in the City of Garfield Heights contiguous to Garfield Park Reservation.

In partnership with the City of Garfield Heights, Cuyahoga County Department of Public Works has identified Garfield Boulevard (County Route 261) in need of repaving. Furthermore, Garfield Boulevard from Warner Road to Turney Road in Garfield Heights is denoted on the Cuyahoga Greenway Plan for a future on-road multi-modal facility. Through the work of the Cuyahoga Greenway Partners, of which Cuyahoga County,

ACTION ITEMS (cont.)

Cleveland Metroparks, and the City of Garfield play important roles, additional funding has been identified to increase the scope of a typical 0.9 mile repaving project to now include a “road diet”, green infrastructure components supported by the Northeast Ohio Regional Sewer District, and a multi-use path connecting the Mill Creek Connector Trail to Garfield Park Reservation, effectively connecting Garfield Park Reservation to the Towpath Trail (the “Project”).

Cuyahoga County has requested that Cleveland Metroparks manage the process of development of the construction documents for the Project. Once plans are fully developed, Cuyahoga County will bid and construct the Project. Through their 2021 General Engineering Services RFQ (RFQ #4442), Cuyahoga County had formerly identified and engaged Michael Baker International, Inc. (“Baker”) to perform preliminary engineering for the Project. Now that the Project scope has grown to include green infrastructure and a multi-use path, Cuyahoga County has requested that Cleveland Metroparks manage the development of the construction documents.

The intergovernmental agreement, which is in draft form but nearing finalization, covers the responsibilities of the parties where:

- Cleveland Metroparks will engage Baker and manage Baker in the development of construction documents up to the point of award of the Project for construction;
- Cleveland Metroparks will attend progress meetings and communicate with Project partners including Cuyahoga County Department of Public Works and the City of Garfield Heights;
- Cleveland Metroparks will coordinate with the Northeast Ohio Regional Sewer District on the review and approval of the green infrastructure components of the Project; and,
- Cuyahoga County will pay (via reimbursement) for all costs related to performance of the engineering services and the development of the construction documents.

Proposal Analysis

A proposal was requested from Baker to prepare the necessary engineering plans for Cuyahoga County to then bid and construct the Project. The proposed cost of \$684,900 covers the below scope:

Stage 1 Design & Plan Preparation (\$255,792)

- Surveying
- Roadway Engineering
- Drainage Evaluation
- Public Meeting
- Maintenance of Traffic & Traffic Control
- Geotechnical Services
- Utility, City, and Greater Cleveland Regional Transit Authority (“GCRTA”) Coordination
- Field Visit/Conditions Assessment

ACTION ITEMS (cont.)

- Cost Estimate
- General Oversight/Project Management

Stage 2/3 Design & Plan Preparation (\$322,583)

- Roadway Engineering
- Drainage Engineering & Green Infrastructure
- Maintenance of Traffic & Traffic Control
- Utility, City, and GCRTA Coordination
- Cost Estimate
- Plans, Specifications, and Estimates Deliverables
- General Oversight/Project Management

Additional Tasks (\$106,525)

- Pavement Elevation Tables
- Maintenance of Traffic Plan Sheets
- SUL Level A Test Holes
- Pre-bid Support and Construction Phase Services

Baker's authorization to commence design will be contingent upon approval from Cuyahoga County. Furthermore, Baker's work will not commence until additional information is gathered on Project funding sources, including an outstanding Clean Ohio Trails Fund request of the Ohio Department of Natural Resources. Once Baker is authorized to commence work, approximately twelve months is needed to prepare the construction documents for bidding.

No. 22-12-189:

It was moved by Vice President Rinker, seconded by Vice President Moore and carried, to authorize the Chief Executive Officer to enter into a contract with **Michael Baker International, Inc.**, for **Single Source #6717** for **Design of the Garfield Boulevard Connector** for the not-to-exceed amount of **\$684,900** as outlined above in a form acceptable to the Chief Legal and Ethics Officer, pursuant a proposal dated October 15, 2022.

Vote on the motion was as follows:

Ayes: Ms. Berry, Messrs. Moore and Rinker.

Nays: None.

ACTION ITEMS (cont.)

- (j) ***Washington Reservation: First Lease Amendment with Cleveland Municipal School District (± 9.062 acres)***
(Originating Sources: Brian M. Zimmerman, Chief Executive Officer/Rosalina M. Fini, Chief Legal & Ethics Officer/Kyle G. Baker, Director of Real Estate & Senior Assistant Legal Counsel/Stephanie Kutsko, Sr. Real Estate Manager/Sean E. McDermott, P.E., Chief Planning and Design Officer/Michele Crawford, Project Coordinator)

Background

In January of 2003 the Board authorized (Resolution No. 03-01-016) the donation of a 99-year lease (“Washington Lease”) from the Cleveland Metropolitan School District (“CMSD”), renewable for two additional 99-year periods for ±52 acres to establish Washington Reservation. The Washington Lease commenced July 9, 2003. The Board also authorized the establishment of a Use and Operation Agreement with First Tee of Cleveland, who has been a partner at Washington Golf Course and Washington Reservation since its inception.

Since 2003, Washington Reservation has, through strategic parcel acquisitions, grown to ±59 acres. Furthermore, First Tee of Cleveland’s programs have experienced notable growth and popularity resulting in the need for additional and upgraded facilities. Due to such, on November 18, 2021 the Board authorized a Project Development Agreement with First Tee of Cleveland (Resolution No. 21-11-161). Through advancement of the needs of First Tee of Cleveland and Cleveland Metroparks discussions were held with CMSD regarding their plans for the Washington Park Horticulture School Campus, which has not been fully utilized for several years.

Cleveland Metroparks and CMSD have proposed amending the Washington Lease to add an additional ±9.062 acres and a subsequent sublease back of specific buildings to CMSD for its continued use in collaboration with Cleveland Metroparks.

Proposed Additional Land (± 9.062 acres) and Sublease Back of Specific Buildings

CMSD has agreed to amend the Washington Lease to add ±9.062 acres (reference map, page **97586**). Subsequently, Cleveland Metroparks will sublease back to CMSD the Greenhouse Building, Modular Classroom and the Garage Building and provide CMSD shared access to parking, restrooms and trash/recycling areas (reference map, page **97587**). First Tee of Cleveland will make use of the former Science Building for which an amendment to the Use and Operation Agreement between Cleveland Metroparks and First Tee of Cleveland will be needed. Cleveland Metroparks will pay all the associated closing costs necessary to record the lease amendment. Planning activities will commence following the lease amendment to determine the highest and best use of the Pavilion Building and Equipment Building.

As required by Ohio Revised Code 1545.11, Judge Anthony J. Russo approved the donation of land interests prior to the Board’s approval.

ACTION ITEMS (cont.)

No. 22-12-190: It was moved by Vice President Rinker, seconded by Vice President Moore and carried, to accept the donation of land interests as described above from the Cleveland Metropolitan School District by way of amendment to the Washington Lease, with costs of due diligence, closing, and other transaction costs to be paid by Cleveland Metroparks subject to the evidence of title, including exceptions to title, by the Chief Legal and Ethics Officer; further, that the Board authorize the Chief Executive Officer to execute other agreements, together with supplemental instruments related thereon, if any, as deemed necessary or appropriate and in form acceptable to the Chief Legal & Ethics Officer.

Vote on the motion was as follows:

Ayes: Messrs. Moore and Rinker.

Abstained: Ms. Berry.

Nays: None.

(k) ***Amendment to Bid Renewal #6605 Summary: Printing and Mailing Services***
(*Originating Sources: Charlie Rosol, Director of Procurement/Jacqueline Gerling, Director of Communications/Priscila A. Rocha, Assistant Legal Counsel*)

As a result of an inaccuracy in the number of newsletters distributed as referenced in the October Board Agenda, it is necessary to amend Bid Renewal #6605 Summary approved in Resolution 22-10-155 in the following manner:

Background

The *Emerald Necklace* is a monthly newsletter that provides the general public with information about Cleveland Metroparks educational and recreational opportunities. The newsletter has been published for over 70 years and has undergone many evolutions. Currently, approximately 40,000 copies of the newsletter are printed and distributed (on a monthly basis, approximately nearly 24,000 households receive the *Emerald Necklace*, with an additional and approximately 11,600 additional copies are distributed to Nature Centers and Community Centers on a monthly basis throughout Cleveland Metroparks' locations and the local community).

EP Graphics, Inc. was awarded a contract for a twelve (12) month period beginning with the January 2022 issue through the December 2022 issue with an option to renew for a six (6) month period from January 2023 through June 2023 or a twelve (12) month period from January 2023 through December 2023 at Cleveland Metroparks' sole discretion.

Cleveland Metroparks seeks to ~~would like to~~ exercise its ~~the~~ option to renew for a period of six (6) months beginning January 1, 2023 through June 30, 2023.

ACTION ITEMS (cont.)

No. 22-12-191: It was moved by Vice President Rinker, seconded by Vice President Moore and carried, to approve the amendment to Bid Renewal #6605 Summary authorizing an award of Bid Renewal #6605 Printing and Mailing Services of the Cleveland Metroparks monthly *Emerald Necklace* Newsletter to **EP Graphics, Inc.** for printing and mailing services for a six (6) month period, beginning with the January 2023 issue and ending with the June 2023 issue for an 8-page issue six times a year **at a revised cost of ~~\$35,471~~ ±\$50,045**. In the event the log of consumption approaches 90 percent of the total estimate, an action item will be presented to the Board requesting an increase to the expenditure. Form of contract to be approved by the Chief Legal and Ethics Officer.

Vote on the motion was as follows:

Ayes: Ms. Berry, Messrs. Moore and Rinker.

Nays: None.

- (I) ***Authorization to Initiate Litigation against FirstEnergy Corporation***
(Originating Sources: Brian M. Zimmerman, Chief Executive Officer/Joseph V. Roszak, Chief Operating Officer/Rosalina M. Fini, Chief Legal & Ethics Officer/Kyle G. Baker, Senior Assistant Legal Counsel & Director of Real Estate/Katie M. McVoy, Assistant Legal Counsel/Kelly Manderfield, Chief Marketing Officer/Stephanie Kutsko, Senior Real Estate Manager/Nate Hoover, Land Conservation Manager)

Background

On March 11, 2021, Cleveland Metroparks staff observed an encroachment and destruction of trees and other vegetation (the “Tree Cutting”) on the Cleveland Metroparks Property located within Cleveland Metroparks Hinckley Reservation on the eastern side of State Road in Hinckley, Ohio. Cleveland Metroparks had been in communication with FirstEnergy Corporation (“FirstEnergy”) prior to the Tree Cutting regarding the installation of a line extension to a newly built home located at 2504 State Road, Hinckley, OH (the “Line Extension”).

Cleveland Metroparks and FirstEnergy agreed that all vegetation clearing and construction relating to the Line Extension would be located fully within the 60-foot State Road Right-of-Way (the “Right-of-Way”). However, FirstEnergy’s Tree Cutting went beyond the Right-of-Way and felled 97 trees (ranging in diameter from 1” to 26”) which included sugar maple (*Acer saccharum*), white ash (*Fraxinus americana*), American elm (*Ulmus americana*), red maple (*Acer rubrum*) and black cherry (*Prunus serotina*) and have an estimated value of \$40,927.49 based upon a tree appraisal using generally acceptable appraisal methods.

Attempts to recover the value of the felled and destroyed trees from FirstEnergy have been unsuccessful. Ohio Revised Code §901.51 allows for treble damages when vines, bushes, shrubs, trees or crops standing or growing on public land are cut down, destroyed or injured.

ACTION ITEMS (cont.)

No. 22-12-192: It was moved by Vice President Rinker, seconded by Vice President Moore and carried, to authorize counsel to initiate litigation against FirstEnergy Corporation, and/or any appropriate parent company, subsidiaries, officers, directors, trustees, employees in matters where Cleveland Metroparks property including, but not limited to trees, shrubs, bushes or vines, have been destroyed.

Vote on the motion was as follows:

Ayes: Ms. Berry, Messrs. Moore and Rinker.

Nays: None.

AWARD OF BIDS/RFPs/CO-OPS/SINGLE SOURCES.

No. 22-12-193: It was moved by Vice President Rinker, seconded by Vice President Moore and carried, to authorize the following awards:

- (a) **Commodities Usage Report:**
- **Bid #6618:** Grass Seeds, Fertilizers, Fungicides, Herbicides, Insecticides, and Other Misc. Turf Supplies (see page 97539);
 - **Co-Ops #6620:** Information Technology Equipment and Services (see page 97540);
- (b) **RFP #6682:** Cleveland Metroparks Police Timekeeping Software (see page 97542);
- (c) **RFP #6691:** Information Systems Kentico Consultation and Development Services (see page 97544);
- (d) **Bid #6692:** Concrete (see page 97546);
- (e) **Bid # 6700:** Front Steps Building Demolition, Irishtown Bend (see page 97547);
- (f) **Single Source #6704:** Paid Media Advertising (see page 97549);
- (g) **Single Source #6712:** Estimated 2023 Postage (see page 97550);
- (h) **Single Source #6713:** Mobile App Enhancements and Integrations (see page 97551);
- (i) **Ohio Co-Op #6715:** Eleven (11) New 2023 Ford Police Interceptor Vehicles (Police Package) (see page 97553), and
- (j) **Single Source #6716:** 2023 Cleveland Metroparks Golf Merchandise for Resale (see page 97554).

Vote on the motion was as follows:

Ayes: Ms. Berry, Messrs. Moore and Rinker.

Nays: None.

AWARD OF BIDS/RFPS/CO-OPS/SINGLE SOURCES (cont.)

COMMODITIES USAGE REPORT - *“In the event the original estimate exceeds 90% consumption, an action item will be presented to the Board.”*

BID #6618: **GRASS SEEDS, FERTILIZERS, FUNGICIDES, HERBICIDES, INSECTICIDES, AND OTHER MISC. TURF SUPPLIES** to be supplied on an “as needed” basis to various Cleveland Metroparks Golf Courses and other locations throughout Cleveland Metroparks during the 2022 Season

ORIGINAL ESTIMATE \$550,000 (90% = \$495,000)

The estimated encumbrance was based upon the 2022 season spend of various grass seeds, fertilizers, herbicides, insecticides, and other turf products to be supplied on an “as needed” basis to various Golf Courses and other locations throughout Cleveland Metroparks. Due to the addition of purchasing product prior to January 1, 2023 to avoid potential price increases and obtain 2023 pre-season product stock, the requested commodity adjustment and additional funds are requested.

ORIGINAL AWARD (11/18/21)	\$550,000
Additional Consumption Estimate	150,000
REVISED TOTAL AWARD:	\$700,000

RECOMMENDED ACTION:

That the Board authorize the Chief Executive Officer to amend Resolution No. 22-02-026 to accommodate usage in excess of the original estimate as follows:

No. 22-02-026: It was moved by Vice President Rinker, seconded by Vice President Moore and carried, to authorize the purchase of various Grass Seeds, Fertilizers, Fungicides, Herbicides, Insecticides, and Miscellaneous Turf Supplies on a split award basis to the following lowest and best bidders for Bid #6618, **Advanced Turf Solutions, Aquatic Control, Harrell’s, Helena, Nutrien Ag Solutions, Site One Landscape Supply, and Walker Supply**, to be purchased on an “as needed” basis during the 2022 season, as shown and at the unit prices reflected and on file in the Procurement Office, **for a total amount not to exceed \$550,000 \$700,000**. In the event the log of consumption approaches 90 percent of the estimate, an action item will be presented to the Board requesting an increase. In the event one of the awarded vendors cannot satisfy the bid, the award will be given to the next lowest and best bidder who can satisfy the bid as reflected on the spreadsheet recording bids and alternatives on file in the Office of Procurement, which the Board, in its discretion, adopts in these minutes. The difference in cost and all related costs to the difference will be assumed by the original bidder and/or surety.

Vote on the motion was as follows:

Ayes: Ms. Berry, Messrs. Moore and Rinker.

Nays: None

AWARD OF BIDS/RFPs/CO-OPS/SINGLE SOURCES (cont.)

COMMODITIES USAGE REPORT - *“In the event the original estimate exceeds 90% consumption, an action item will be presented to the Board.”*

CO-OPS #6620: INFORMATION TECHNOLOGY EQUIPMENT AND SERVICES for a two (2) year period beginning January 1, 2022, through December 31, 2023

ORIGINAL ESTIMATE \$1,400,000 (90% = \$1,260,000)

The estimated encumbrance was based upon a two (2) year spend from January 1, 2022 through December 31, 2023 to the Information Technology Department for the purchase of information technology equipment and services on an “as needed” basis for Cleveland Metroparks. The purchases may include but are not limited to: desktop computers, laptops, servers, storage area network (SAN) storage devices, switches, firewall, phone system equipment, wireless equipment, audio/visual equipment, and other related technologies and services. The original estimated encumbrance was based on previous cost and availability of products, previously reasonable lead times, and prior years’ use of department-specific budget for certain IT purchases (e.g., Marketing may have paid for certain IT-related expense out of its own budget).

The requested commodity adjustment will be utilized to procure various required equipment and services including:

- Increased equipment costs due to supply chain constraints
- Replacement of out-of-date network core and wireless access points
- Increased data storage requirements and backup data storage requirements
- Increased Microsoft licensing fees
- The need to purchase more expensive or upgraded equipment due to the lack of availability for the originally requested equipment

Additionally, because of the long lead time for equipment (upwards of six (6) months to a year in certain circumstances), the IT department has purchased some stock items to increase the speed with which park users can access necessary new equipment. Finally, the increase is due to a change from department-specific budgets to the IT budget for most IT equipment, services and licensing purchases.

ORIGINAL AWARD (11/18/21)	\$1,400,000
<u>Additional Consumption Estimate</u>	<u>2,000,000</u>
REVISED TOTAL AWARD:	\$3,400,000

RECOMMENDED ACTION:

That the Board authorize the Chief Executive Officer to amend Resolution No. 21-11-168 to accommodate usage in excess of the original estimate as follows:

No. 21-11-168: It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to approve the purchase of Information Technology Equipment and Services as per Co-Ops #6620, from various purchasing cooperative programs for a two (2) year period

AWARD OF BIDS/RFPS/CO-OPS/SINGLE SOURCES (cont.)

beginning January 1, 2022 through December 31, 2023, from various vendors, for a total cost not to exceed ~~\$1,400,000~~ \$3,400,000. In the event the log of consumption approaches 90 percent of the estimate, an action item will be presented to the Board requesting an increase.

Vote on the motion was as follows:

Ayes: Ms. Berry, Messrs. Moore and Rinker.

Nays: None.

(See Approval of this Item by Resolution No. 22-12-193 on Page 97538)

AWARD OF BIDS/RFPs/CO-OPS/SINGLE SOURCES (cont.)**RFP #6682 SUMMARY: CLEVELAND METROPARKS POLICE TIMEKEEPING SOFTWARE****Background**

In August 2022, Cleveland Metroparks solicited proposals from qualified vendors interested in providing specialized timekeeping software and fingerprint biometric timeclocks to enhance Cleveland Metroparks Police Department timekeeping and payroll system. Cleveland Metroparks sought proposals for a three (3) year contract with the option to renew for two (2) additional years at the sole discretion of Cleveland Metroparks.

Cleveland Metroparks searched for vendors with considerable experience in developing specialized software for scheduling and timekeeping to maintain law enforcement payroll and to eliminate a paper-based process. The RFP included the following: hosting services, biometric time clocks for the ten field operation offices, consultation services, installation, and staff training to assist with structuring, organizing, and generating electronic forms, and reports to improve the processing of the department's antiquated payroll practice.

Proposals Received

Proposals were received from eight (8) vendors: Care Systems Inc., embold Creative LLC, GHG Corporation, Right Stuff Software Corporation, Softworks USA, SubItUp, TimeClock Plus, LLC, and Tracy Clock Company.

Responsive vendors are listed below in a table showing their ranking. The proposal included a Total Score Percentage (TSC) which was used to benchmark the proposal that was the best value for Cleveland Metroparks.

Evaluation of Proposal

Cleveland Metroparks staff considered the following criteria:

- Ability of the vendor to deliver products and services according to the specifications, and vendor's cost and implementation plan.
- Overall cost of the solution considering:
 - Total equipment cost
 - Ability to provide the fingerprint biometric time clocks for the ten field office locations
 - Total maintenance cost
 - Inclusion of all necessary and related fees
- Local presence (for both local vendors and proximity of key technicians)
- Supplier's implementation and selection plan (type of equipment, etc.)
- Supplier's stability and experience

AWARD OF BIDS/RFPs/CO-OPS/SINGLE SOURCES (cont.)

Police Timekeeping Software							
Vendor	Overall Cost of the proposed solution	Local presence	Cleveland Metroparks' core values including sustainability and diversity and inclusion statement	Vendor's implementation plan of the solution and their stability, experience, and record of past performance in implementation with organizations and government agencies	Assessment of the vendor's ability to deliver the product features and capabilities outlined in the RFP. Experience managing projects of complexity, as well as a track record of cost and implementation innovations		Total
	15%	5%	5%	35%	40%		100%
Care Systems, Inc.	8	2	5	10	10		35
Embold Systems	9	5	5	5	5		29
GHG Global	7	2	5	8	8		30
RightStuff	10	5	5	10	10		40
Softworks	13	2	5	8	10		38
Subitup	14	5	5	8	7		39
tcp	11	2	5	9	9		36
Tracy	12	2	3	9	9		35

Based upon the selection criteria and table above, staff recommends Right Stuff Software Corporation as the vendor for the implementation of specialized timekeeping software and the installation of the fingerprint biometric timeclocks for Cleveland Metroparks Police timekeeping software and payroll system.

In addition to Right Stuff's fixed fees, staff requests the Board approve additional fees in the sum of \$10,000 for the Right Stuff's assistance in both configuring and connecting Right Stuff Software to ADP EV5 (current Human Resources Solution). The extra work is currently referred to as an API (Application Programming Interface), and, due to the complexity of the project, full costs may not be identified until configuration is completed.

RECOMMENDED ACTION:

That the Board authorize the Chief Executive Officer to enter into an agreement, in a form approved by the Chief Legal & Ethics Officer, between Cleveland Metroparks and **Right Stuff Software Corporation** for the lowest and best proposal, as summarized above and maintained in the proposal file for RFP #6682, **in an amount of \$80,900** (\$41,400 for software and services, \$23,000 for the purchase of timeclocks, \$6,500 for professional services, and \$10,000 for the API/ADP development) for a three (3) year contract with the option to renew for two (2) additional years at the sole discretion of Cleveland Metroparks.

(See Approval of this Item by Resolution No. 22-12-193 on Page 97538)

AWARD OF BIDS/RFPs/CO-OPS/SINGLE SOURCES (cont.)

RFP #6691 SUMMARY: INFORMATION SYSTEMS KENTICO CONSULTATION AND DEVELOPMENT SERVICES

HIGHLIGHTS AT A GLANCE
2022 YTD Estimated Expenditures = \$54,364.60
2023-2024 Estimate = \$120,000.00

Background

Currently, Information Technology Services (ITS) utilizes outside IT contractors to supplement the efforts of related IT projects and services. This includes programming and development of features for Cleveland Metroparks website. These IT development firms assist Cleveland Metroparks in a variety of ways, including but not limited to: a.) targeted expertise on using and extending the Kentico Content Management System, b.) quick turnaround support for high-priority projects, and c.) unexpected internal employment scenarios.

A Request for Proposals (“RFP”) was released to identify form(s) that could provide this type of service to Cleveland Metroparks.

Based on criteria and scoring below, three (3) companies were selected based on overall best value and qualifications, which companies may be used on project-by-project basis as determined by Cleveland Metroparks’ staff.

Anticipated Vendors (include, but are not limited to):

VENDOR	Capabilities, Expertise (40%)	Prior Exp/, Work History (30%)	Overall Cost (20%)	Core Values (10%)	TOTAL
WiredViews	40	30	19	10	99%
Svanaco/American Eagle	39	29	17	9	94%
Planeteria Media	38	28	18	8	92%

*Please note other vendors/consultants may be chosen throughout the contract term through the State of Ohio Cooperative Contract, U.S. General Services Cooperative Contract or another cooperative agreement available to government municipalities.

Cleveland Metroparks reserves the right to not award any contracts to any of the consultants listed above.

This recommendation enables Cleveland Metroparks to select the best development partners while maintaining financial objectivity. Therefore, staff recommends the above companies to provide services on an “as needed” basis for a two (2) year period beginning January 1, 2023 through December 31, 2024, with an option to renew for one (1) additional one (1) year term at Cleveland Metroparks’ sole discretion.

AWARD OF BIDS/RFPS/CO-OPS/SINGLE SOURCES (cont.)**RECOMMENDED ACTION:**

That the Board authorize the Chief Executive Officer to enter into agreements, in a form approved by the Chief Legal & Ethics Officer, between Cleveland Metroparks and various consultants listed and summarized above, and maintained in the proposal file for RFP #6691, for a two (2) year period beginning January 1, 2023 through December 31, 2024, with an option to renew for one (1) additional one (1) year term, with an initial two (2) year cost **in the amount of \$120,000** and a total three (3) year cost **in the amount of \$180,000**. In the event the log of consumption approaches 90 percent of the estimate, an action item will be presented to the Board requesting an increase.

(See Approval of this Item by Resolution No. 22-12-193 on Page 97538)

AWARD OF BIDS/RFPS/CO-OPS/SINGLE SOURCES (cont.)

BID #6692 SUMMARY: **CONCRETE** to be supplied on an “as needed” basis from January 1, 2023 through December 31, 2023 to various locations throughout Cleveland Metroparks

HIGHLIGHTS AT A GLANCE
2022 YTD Expenditures = \$41,914.63
2023 Estimate = \$100,000.00 (1)

(1) The 2023 estimate includes miscellaneous patches and repairs of roads, as well as specific infrastructure rehabilitation, and capital projects performed by Park District staff.

Background

The awarded supplier will provide 3000 psi, 3500 psi, 4000 psi, 4500 psi, Class C, LSM 50, and LSM 100 concrete (all based on per yard pricing) as well as additives, additional services, and colors at specified locations throughout Cleveland Metroparks on an "as needed" basis. The concrete will be used by Park District personnel for various projects such as footers, pads, and other concrete items.

CONCRETE TYPE	3000 psi	3500 psi	4000 psi	4500 psi	Class C	LSM 50	LSM 100
2022	\$115.00	\$118.00	\$138.00	\$124.00	\$124.00	\$90.00	\$92.00
2023	\$131.00	\$134.50	\$154.00	\$140.50	\$140.50	\$106.00	\$108.00

**Prices for additives, additional services and colors are on file in the Procurement Office.*

The bid was sourced to ±20 suppliers and Cleveland Metroparks only received one (1) bid: Shelly Materials DBA Medina Supply Company.

Overall, the Park District will see ±15% increase in cost per yard compared to 2022 price structure. This 15% increase is at or below prices across the industry.

RECOMMENDED ACTION:

That the Board authorize an award of Bid #6692 to the lowest and best bidder, **Shelly Materials DBA Medina Supply Company**, for the supply of concrete for the period beginning January 1, 2023 extending through December 31, 2023, at the unit costs specified in the summary and bid file, **for a total cost not to exceed \$100,000**. In the event the log of consumption approaches 90 percent of the estimate, an action item will be presented to the Board requesting an increase.

(See Approval of this Item by Resolution No. 22-12-193 on Page 97538)

AWARD OF BIDS/RFPs/CO-OPS/SINGLE SOURCES (cont.)**BID #6700 SUMMARY: FRONT STEPS BUILDING DEMOLITION, IRISHTOWN BEND**

(Originating Sources: Sean E. McDermott, P.E., Chief Planning and Design Officer/Keith Carney, Project Manager)

Background

Cooperative efforts of multiple agencies continue to bring forward both the stabilization of the Irishtown Bend hillside and the park improvements to follow in later phases. Integral to the stabilization of the hillside is the removal of the “Front Steps” building structure atop the hillside. The Port of Cleveland will be performing the forthcoming stabilization of the hillside. Cleveland Metroparks has partnered in the past for the removal of the former Cuyahoga Metropolitan Housing Authority (CMHA) structure atop the hillside and is now partnering to raze the “Front Steps” building structure. The Front Steps Building Demolition (the “Project”) (Bid #6700) is in partnership with Riverbed West, LLC, the property owner and subsidiary of West Creek Conservancy, and the City of Cleveland, who is providing funds for the demolition. An agreement with the City of Cleveland is expected shortly.

The Project consists of hazardous material abatements and removal of the vacant multifamily residential structure, located at 1525 W 25th Street in Cleveland, Ohio. The Project results are an interim condition intended to prepare the site for the forthcoming hillside stabilization work by the Port of Cleveland. All on-grade and above-grade improvements shall be removed and all below-grade improvements inclusive of foundations shall be removed as directed by the City of Cleveland. The engineer’s estimate to complete this project is \$265,000.

Bid Results

On December 1, 2022, the following sealed bids were received for Bid #6700 – Front Steps Building Demolition, Lakefront Reservation.

Bid # 6700 - Front Steps Building Demolition	
Bidder	Total Base Bid
Baumann Enterprises, Inc.	\$209,444.00
C&J Contractors	\$211,687.00
Great Lakes Crushing, Ltd.	\$227,000.00
Eagle Abatement & Demolition	\$228,000.00
International Excavating of Ohio LLC	\$238,100.00
B & B Wrecking & Excavating, Inc.	\$328,800.00
ProQuality Land Development, Inc.	\$545,000.00

Bid Analysis

Staff performed a review of the bid results and subsequently reviewed the scope of work and details with Baumann Enterprises, Inc. (“Baumann”). Baumann has successfully completed several projects throughout Ohio and Pennsylvania similar to the Project, including the recent demolition of the former Acacia Country Club Clubhouse for Cleveland Metroparks. Review and communication with Baumann’s references concluded that they have successfully completed similar projects on time and with high quality, while staying on budget. Baumann has been in business for over 20 years specializing in demolition and excavation services.

AWARD OF BIDS/RFPS/CO-OPS/SINGLE SOURCES (cont.)**RECOMMENDED ACTION:**

That the Board authorize the Chief Executive Officer to enter into a contract with **Baumann Enterprises, Inc.** as the lowest and best bidder for Front Steps Building Demolition **in a not to exceed amount of \$209,444** as reflected above. In the event that the bidder cannot satisfy the bid, the award will be given to the next successive bidder who the Board, in its discretion, has reflected in the minutes as being the next lowest and best bidder who can satisfy the bid. The difference in cost and all related costs to the difference will be assumed by the original bidder. Form of the contract to be approved by the Chief Legal and Ethics Officer.

(See Approval of this Item by Resolution No. 22-12-193 on Page 97538)

AWARD OF BIDS/RFPS/CO-OPS/SINGLE SOURCES (cont.)**SINGLE SOURCE #6704 SUMMARY: PAID MEDIA ADVERTISING for 2023**

HIGHLIGHTS AT A GLANCE
2022 YTD Estimated Expenditures = \$905,465.75
2023 Estimate = \$1,550,000.00

Background

The 2022 YTD estimated expenditure reflects invoices paid to date, plus remaining fourth quarter advertising and outstanding invoices.

This item provides for paid media advertising to be used/secured on an “as-needed” basis throughout 2023 in support of the following initiatives: grow attendance/usage for zoo, golf, parks, rental facilities, and retail.

The media advertising mix and vendor allocations will be based on ability to effectively and efficiently reach the relevant target market(s) specific to each initiative.

The following is a summary of the advertising mediums and anticipated vendors. Actual expenditures for a given vendor will depend on market driven factors determined at the time of the actual advertising buys therefore the recommendation authorizes an overall “not to exceed” \$1,550,000 amount versus a specific spend allocation by medium and/or vendor.

Advertising Mediums & Anticipated Vendors (not limited to):

- **Digital** (Online Display/Paid Search/Mobile): Facebook, Google, WeddingWire
- **Outdoor** (Billboards/Transit): Clear Channel Airports, Lamar, Outfront Media
- **Radio**: Cleveland Guardians Radio Network, Audacy (i.e., WDOK, WKRK), iHeartMedia (i.e., WHLK, WMJI), Radio One (i.e., WENZ, WZAK), WCPN, WKNR
- **Print**: Call and Post, Crain's, Destination Cleveland, Great Lakes Publishing, La Prensa, Northeast Ohio Boomer, Northeast Ohio Parent
- **Television**: Spectrum Reach, WEWS, WJW, WKYC, WUAB/WOIO

Media buys are purchased utilizing funds contributed by branded product sponsors (i.e., CrossCountry Mortgage, MetroHealth) and general fund (Marketing).

RECOMMENDED ACTION:

That the Board approve the purchase of various single source paid media advertising buys, Single Source #6704 for a **total cost not to exceed \$1,550,000**. In the event the log of consumption approaches 90 percent of the estimate, an action item will be presented to the Board requesting an increase.

(See Approval of this Item by Resolution No. 22-12-193 on Page 97538)

AWARD OF BIDS/RFPS/CO-OPS/SINGLE SOURCES (cont.)

SINGLE SOURCE #6712 SUMMARY: ESTIMATED 2023 POSTAGE for Presort and First-Class mailing from U.S. Postmaster

HIGHLIGHTS AT A GLANCE
2022 YTD Estimated Expenditure = \$111,346
2023 Estimate = \$160,970

Cleveland Metroparks currently uses the services of the United States Postal Service for the mailing of both presort and first-class mail. The United States Postal Service is the only provider of presort and first-class mail.

Presort Mail Postage

A total of \$109,000 is estimated for the Park District's 2023 Presort Mail expenses to accommodate the mailing of publications offered by Cleveland Metroparks (primarily the "Emerald Necklace [monthly] Newsletter").

First Class Postage

First Class postage for the Park District is estimated at \$51,970 (\$48,000 Administration, \$1,950 Zoo, and \$2,020 Police) for 2023. First Class postage is used primarily for outgoing office mail including daily correspondence, vendor payments, news releases, and reservation confirmations.

1013005 – (Presort Mail)	Administration Office	\$109,000
1013005 – (First Class)	Administration Office	48,000
1017010 – (First Class)	Zoo Administration	1,950
1016030 – (First Class)	Police Department	2,020
TOTAL BUDGET ALLOCATION		\$160,970

RECOMMENDED ACTION:

That the Board approve **U.S. Postmaster** as a Single Source supplier of Presort and First-Class Postage during 2023, **for a total cost not to exceed \$160,970** as itemized in the Single Source #6712 Summary. In the event the log of consumption approaches 90 percent of the estimate, an action item will be presented to the Board requesting an increase.

(See Approval of this Item by Resolution No. 22-12-193 on Page 97538)

AWARD OF BIDS/RFPs/CO-OPS/SINGLE SOURCES (cont.)**SINGLE SOURCE #6713 SUMMARY: MOBILE APP ENHANCEMENTS AND INTEGRATIONS****Background**

In 2020, Cleveland Metroparks released RFP #6513 for a Mobile Application with plans to publicly release a robust mobile application in spring of 2021 to provide guests with an opportunity to explore Cleveland Metroparks and engage in various Cleveland Metroparks offerings prior to, as well as during, their visit to the Park District.

Initial research was conducted by Cleveland Metroparks staff to identify user preferences on key feature sets and mobile application functionality. The research concluded that three (3) areas of mobile app functionality were most important to guests: 1) the ability to find a trail, 2) finding locations of popular spots, and 3) access to downloadable maps.

Therefore, the three (3) key feature sets included in the proposal (RFP #6513) were: 1) Maps, Directions & Wayfinding, 2) Events, Activities & Registrations, and 3) Content & Interactive Experiences.

Cleveland Metroparks created an interdepartmental committee with representatives from Marketing, Information Technology Services (ITS), and Geographic Information Systems (GIS), to review the Mobile Application proposal responses.

Cleveland Metroparks received 16 proposals. The following four (4) vendors submitted proposals that met the required criteria: AgreeYa, M Genio, Recess Creative LLC, and Sudhi.

The overall scoring and estimated costs per section is listed below in the two (2) charts.

	Points Possible	AgreeYa	M Genio	Recess	Sudhi
Statement of Capability/Biographies/Experience in Subject Matter (40%)					
Total	0.40	0.33	0.22	0.32	0.12
Prior Work History (30%)					
Total	0.30	0.30	0.12	0.27	0.15
Pricing (30%)					
Total	0.30	0.15	0.08	0.23	0.30
Total	1.00	0.78	0.42	0.82	0.57

Pricing

	AgreeYa	M Genio	Recess	Sudhi
Grand Total	\$ 286,740.00	\$ 325,000.00	\$ 232,500.00	\$ 194,926.80

Based upon the above criteria and scoring, staff recommended Recess Creative LLC, as the preferred vendor as they provided the overall best value and qualifications for Cleveland Metroparks' mobile app and project development began in 2021. Since then, Recess Creative LLC has proven to be a reliable partner for support and maintenance services for the "Find Your Path" iOS and Android mobile app including documenting and maintaining the knowledge base

AWARD OF BIDS/RFPs/CO-OPS/SINGLE SOURCES (cont.)

around its development life cycle. However, the current agreement does not include potential for new development, such as enhancements to existing features or the addition of new features and functionality to benefit guests such as a mobile presence for the Zoo, additional opportunities for booking park district amenities, integrating with other systems or points-of-sale, and/or other new features or enhancements.

As Recess Creative LLC has proven to be a valuable partner coupled with their expertise during the development and inception of the mobile app, and continues to provide programming services under Ohio Revised Code section 307.86(B)(2) that are limited to a single source, staff recommends that Cleveland Metroparks renew the partnership and enter into a three (3) year agreement beginning April 1, 2023 through March 31, 2026, with an option to renew for an additional two (2) year period at Cleveland Metroparks' sole discretion. Anticipated annual expenditures of \$130,000 include \$30,000 for maintenance and \$100,000 for potential mobile app enhancements and additions.

RECOMMENDED ACTION:

That the Board authorize the Chief Executive Officer to enter into an agreement, in a form approved by the Chief Legal & Ethics Officer, between Cleveland Metroparks and **Recess Creative LLC, as per Single Source #6713, in the amount of \$390,000** for a three (3) year period beginning April 1, 2023 through March 31, 2026, with an option to renew for an additional two (2) year period at Cleveland Metroparks' sole discretion **in the amount of \$260,000, for a total amount of \$650,000**. In the event the log of consumption approaches 90 percent of the estimate, an action item will be presented to the Board requesting an increase.

(See Approval of this Item by Resolution No. 22-12-193 on Page 97538)

AWARD OF BIDS/RFPS/CO-OPS/SINGLE SOURCES (cont.)

OHIO CO-OP #6715 SUMMARY: **ELEVEN (11) NEW 2023 FORD POLICE INTERCEPTOR VEHICLES (POLICE PACKAGE)**

Item	2023 Ford Police Interceptor (Police Package)
New unit base cost-plus accessories, includes delivery and tags.	\$42,209 each
Total (x11)	\$464,299
UNITS REPLACED (Replacing nine (9) vehicles and purchasing two (2) new vehicles)	2014 Ford Police SUV (166,000 miles) (EO2114) 2014 Ford Police SUV (141,000 miles) (EO2214) 2014 Ford Police SUV (189,000 miles) (EO2414) 2015 Ford Police SUV (155,000 miles) (EO1115) 2015 Ford Police SUV (171,000 miles) (EO1215) 2015 Ford Police SUV (173,000 miles) (EO1315) 2015 Ford Police SUV (162,000 miles) (EO1515) 2017 Ford Police SUV (190,000 miles) (EO2417) 2018 Ford Police SUV (133,000 miles) (EO1018)

The replaced units will go to online auction or replace units of lesser value that will go to online auction.

RECOMMENDED ACTION:

That the Board approve the purchase of eleven (11) new 2023 Ford Police Interceptor Vehicles (Police Package) as per Ohio Co-Op #6715, equipped as specified in the above summary, from **Bob Chapman Ford** for a **total cost of \$464,299**, in full utilization of the Ohio Cooperative Purchasing Program, Contract Number RSI010770.

(See Approval of this Item by Resolution No. 22-12-193 on Page 97538)

AWARD OF BIDS/RFPs/CO-OPS/SINGLE SOURCES (cont.)**SINGLE SOURCE #6716 SUMMARY: 2023 CLEVELAND METROPARKS GOLF
MERCHANDISE FOR RESALE****Background**

Cleveland Metroparks Golf division regularly purchases various proprietary merchandise for resale (e.g., golf balls, gloves, apparel, towels, etc.) for all eight (8) golf course clubhouses, as well as range balls for the driving ranges at Shawnee Hills, Sleepy Hollow and Washington Golf Courses. Golfers at various courses prefer different name brands, each of which can be purchased direct-from-the-manufacturer from a single source; for instance, Titleist golf balls can only be purchased from Titleist.

Purchasing of the merchandise will primarily occur from thirty-six (36) vendors (but not limited to): Adidas, Ahead, AM&E, Antigua, Black Clover, Bushnell, Bridgestone, Callaway Golf, CertiFresh Cigar, Cutter & Buck, Cleveland/Srixon, Club Glove, Cobra/Puma Golf, Epoch, FootJoy, Greg Norman, Gear for Sports/Under Armor, Hornungs, Imperial Headwear, JBT Golf Supply, Mizuno, New Balance, Nike, Ouray, PG Golf, Ping Golf, Power Built, Proformance Golf, Sketchers, TaylorMade, Titleist, Tour Edge, Town Talk Manufacturing Company, U.S. Kids Golf, Weather & Company, and Wilson.

This recommendation provides flexibility and ensures adequate stock of merchandise for the Golf division to purchase proprietary merchandise for resale on an “as-needed” basis for all golf clubhouse locations and driving ranges for the period of January 1, 2023 through December 31, 2023.

RECOMMENDED ACTION:

That the Board authorize the purchase of various proprietary merchandise for resale, as per Single Source #6716, from Adidas, Ahead, AM&E, Antigua, Black Clover, Bushnell, Bridgestone, Callaway Golf, CertiFresh Cigar, Cutter & Buck, Cleveland/Srixon, Club Glove, Cobra/Puma Golf, Epoch, FootJoy, Greg Norman, Gear for Sports/Under Armor, Hornungs, Imperial Headwear, JBT Golf Supply, Mizuno, New Balance, Nike, Ouray, PG Golf, Ping Golf, Power Built, Proformance Golf, Sketchers, TaylorMade, Titleist, Tour Edge, Town Talk Manufacturing Company, U.S. Kids Golf, Weather & Company, and Wilson, for the period of January 1, 2023 through December 31, 2023, **for a total cost not to exceed \$500,000**. In the event the log of consumption approaches 90 percent of the estimate, an action item will be presented to the Board requesting an increase.

(See Approval of this Item by Resolution No. 22-12-193 on Page 97538)

GOODS AND SERVICES (\$10,000 - \$50,000) ACQUIRED
SINCE LAST BOARD MEETING (Presented 12/15/22)

Pursuant to Cleveland Metroparks By-Laws, Article 5 (Procurement), Section 5(a), “The CEO is authorized to enter into contracts and contract amendments for construction, change orders, and to purchase equipment, goods and services, and real estate, without prior approval of the Board in each instance, if the cost of the contract or contract amendment, for any single project, or the amount of the purchase, does not exceed \$50,000. Any contracts where the cost exceeds \$10,000 or any purchase where the amount exceeds \$10,000, and approved by the CEO, shall be reported to the Board at its next regularly scheduled meeting following the execution of said contract or said purchase,” the following is provided:

<u>REF. NO. / ITEM – SERVICE</u>	<u>VENDOR</u>	<u>COST</u>	<u>PROCEDURE</u>
Supply and installation of workstation furniture and walls for Planning and Design Department.	Ohio Desk	\$34,288.63	(2)
Santa performers for 2022 Wild Winter Lights at the Zoo.	Raymond P. Jasko	\$28,255.00	(3)
Costume characters for 2022 Wild Winter Lights at the Zoo.	Spectacular Party Entertainment LLC	\$49,990.00	(3)
Professional service to evaluate the parking circulation and pedestrian access at the Zoo entrance.	Environmental Design Group	\$35,370.00	(7)
Three (3) new 2023 John Deere Gator utility vehicles with cab for the Zoo.	John Deere	\$48,533.37	(2)
Cleveland Metroparks Maps web application support and development for a one (1) year period beginning January 1, 2023 through December 31, 2023 for GIS.	Substrate Websoft LLC	\$21,000.00	(3)
Professional services for master planning and contract support for Sleepy Hollow Golf Course.	Environmental Design Group	\$10,340.00	(7)

GOODS AND SERVICES (\$10,000 - \$50,000) ACQUIRED (cont.)

<u>REF. NO. / ITEM – SERVICE</u>	<u>VENDOR</u>	<u>COST</u>	<u>PROCEDURE</u>
Professional services for the LEED V4 Commissioning services and other related tasks necessary to design for the Garfield Pond Program Center at Garfield Park Reservation.	Osborn Engineering	\$21,800.00	(7)
Diversity, equity, and inclusion training services for park staff.	Working River Leadership Consulting	\$39,000.00	(7)
Dental iM3 CR7 VET image plate X-ray scanner for Zoo Hospital.	Midwest Veterinary Supply	\$20,031.00	(7)
Professional services to remove existing wall covering and repainting specified areas for Police Headquarters at Rocky River Reservation, additional services.	The Dependable Painting Company	\$35,036.00 3,970.00 <u>5,650.00</u> \$44,656.00	(7)
Fence installation services for Hovnanian Property at Euclid Creek Reservation.	Eric W. Detweiler	\$16,183.00	(7)
Closing costs for West Creek Conservancy at Brookside Reservation.	Surety Title Agency, Inc.	\$13,552.50	(3)
Two (2) new 2023 E-Z-GO EX1 golf cars for the Zoo.	Lake Erie Golf Cars	\$19,674.00	(2)
One (1) used 2014 nine (9) passenger electric shuttle.	Connelly Recycling	\$11,500.00	(3)
Tree removal services to remove 58 identified trees at Sleepy Hollow Golf Course; additional trees removed.	Edwards Tree Service	\$20,000.00 <u>2,000.00</u> \$22,000.00	(7)
One (1) new 2023 Star EV Classic EPR golf cart.	Blue Diamond Marketing Corp.	\$17,495.00	(7)

GOODS AND SERVICES (\$10,000 - \$50,000) ACQUIRED (cont.)

<u>REF. NO. / ITEM – SERVICE</u>	<u>VENDOR</u>	<u>COST</u>	<u>PROCEDURE</u>
Closing costs for West Creek Conservancy at Bedford Reservation.	Surety Title Agency Inc.	\$14,157.38	(3)
Seventy-two (72) replacement windshields for golf cars.	Willandale Golf Cart Sales, LLC	\$12,471.30	(7)
Range balls for various golf courses.	TaylorMade Golf Company	\$24,850.00	(4)
Repairs to Forestry tracked lift.	Up Equip	\$11,687.23	(3)
Bridgestone golf balls for resale at various golf course clubhouses.	Bridgestone Sports USA	\$28,257.68	(4)
FootJoy golf gloves for resale.	Acushnet CO/FootJoy Div.	\$32,283.00	(4)
Wireless technology that enables the facilitation of data gathering of projects for staff.	Tektelic Communications Inc.	\$13,254.36	(7)
Electrical engineering services for Manakiki Golf Course irrigation pump system at North Chagrin Reservation; additional design services.	Osborn Engineering Co.	\$15,400.00 <u>4,400.00</u> \$19,800.00	(7)
2022 estimated lab fees for veterinary diagnostic testing for Zoo, additional fees.	Idexx Distribution Inc.	\$30,000.00 <u>4,750.00</u> \$34,750.00	(7)
Merchandise apparel for resale.	S&S Activewear LLC	\$9,133.08 <u>4,500.12</u> \$13,633.20	(6)
Modifications to the existing workstations in Finance located in the Administration Building; additional services.	Ohio Desk	\$16,652.82 <u>5,928.42</u> \$22,581.24	(2)

GOODS AND SERVICES (\$10,000 - \$50,000) ACQUIRED (cont.)

<u>REF. NO. / ITEM – SERVICE</u>	<u>VENDOR</u>	<u>COST</u>	<u>PROCEDURE</u>
Various roof replacements at Brecksville and Hinckley Reservation; additional wood replacement.	Legacy Roofing Service LLC	\$32,800.00	(7)
		<u>2,895.00</u>	
		\$35,695.00	
Professional design services for Seneca Golf Course master plan for nine (9) holes, practice area and construction consultation.	Sustainable Sports Solutions, LLC	\$35,000.00	(7)

===== **KEY TO TERMS** =====

- (1) "**BID**" – Formal bid invitations sent and advertised in *The Plain Dealer* 15 days preceding the bid opening.
- (2) "**COOPERATIVE**" – Purchased through cooperative purchasing programs i.e. – State of Ohio, OMNIA, etc.
- (3) "**SINGLE SOURCE**" – Purchased from one source as competitive alternatives are not available.
- (4) "**PROPRIETARY**" – Products purchased for resale directly from the brand’s manufacturer.
- (5) "**PROFESSIONAL SERVICE**" – Services of an accountant, architect, attorney at law, physician, professional engineer, construction project manager, consultant, surveyor or appraiser as outlined under Article 5, Sections 1-4 of the Board By-Laws and defined by ORC 307.86.
- (6) "**COMPETITIVE QUOTE (up to \$10,000)**" – Originally estimated \$10,000 or less, quoted by three vendors.
- (7) "**COMPETITIVE QUOTE (over \$10,000 to \$50,000)**" – Chosen through the accumulation of three written quotes.

**CONSTRUCTION CHANGE ORDERS OR AMENDMENTS TO
PROFESSIONAL SERVICE CONTRACTS (12/15/22)**

Pursuant to Cleveland Metroparks By-Laws, Article 5 (Procurement), Section 5(b) and (c), “...the CEO is not authorized to enter into any change orders to construction contracts, without prior approval of the Board in each instance, except that the CEO is authorized to enter into change orders to construction contracts, without prior approval of the Board in each instance, where the additional cost is less than THE LESSER OF: (i) \$50,000, or (ii) ten percent (10%) of the total cost of the contract at the time of the change order. Each change order by the CEO under this Article shall be reported to the Board at the next meeting of the Board following the execution of said change order. The aggregate value of all change orders authorized by the CEO shall not exceed fifty percent (50%) of the original contract value without prior approval of the Board. If the Board approves a revised contract value, then the aggregate value of all change orders issued after Board approval of the revised contract value shall not exceed fifty percent (50%) of the revised contract value without additional approval of the Board.”

I. “Amendment to Professional Service Contract. For professional service contracts greater than \$50,000, the CEO is not authorized to enter into any amendment to professional services or other special services agreement, without prior approval of the Board in each instance, except that the CEO is authorized to enter into amendments to professional services and other special services agreements for additional fees, without prior approval by the Board in each instance, where the additional fees for the agreement by the CEO pursuant to this Section, are less than THE LESSER OF: (i) \$50,000, or (ii) ten percent (10%) of the total cost of the agreement at the time of the amendment. Each amendment by the CEO under this Section shall be reported to the Board at the next meeting of the Board following the execution of said amendment. The aggregate value of all amendments authorized by the CEO shall not exceed fifty percent (50%) of the original contract value without prior approval of the Board. If the Board approves a revised contract value, then the aggregate value of all change orders issued after Board approval of the revised contract value shall not exceed fifty percent (50%) of the revised contract value without additional approval of the Board.”, the following is provided:

<u>Contract</u>	<u>Item/Service</u>	<u>Vendor</u>	<u>Change Order or Amendment</u>
NONE			

AWARD OF BIDS/RFPs/CO-OPS/SINGLE SOURCES; CONSTRUCTION CHANGE ORDERS.

The following were presented to the Board for award/acknowledgment: bid/RFP/co-op/single source tabulations, as shown on pages **97538** through **97554**; \$10,000 to \$50,000 purchased items/services report, pages **97555** through **97558**; and construction change orders, page **97559**.

APPROVAL OF VOUCHERS AND PAYROLL.

No. 22-12-178: It was moved by Vice President Rinker, seconded by Vice President Moore and carried, to approve vouchers, net payroll, employee withholding taxes, and procurement card charges, as identified on pages **97588** to **97722**.

Vote on the motion was as follows:

Ayes: Ms. Berry, Messrs. Moore and Rinker.

Nays: None.

No. 22-12-179: It was moved by Vice President Rinker, seconded by President Berry and carried, to approve JP Morgan Mastercard-Arborwear dated November 1, 2022 to November 30, 2022 in the amount of \$991.39, as identified on pages **97723** to **97724**.

Vote on the motion was as follows:

Ayes: Ms. Berry and Mr. Rinker.

Abstained: Mr. Moore.

Nays: None.

PUBLIC COMMENTS.

Public comments were offered by Marty Leshner of Olmsted Township. All such comments can be heard in their entirety by accessing the "About" section of Cleveland Metroparks website at <https://www.clevelandmetroparks.com/about/cleveland-metroparks-organization/boards-of-park-commissioners/board-meeting-archives>.

INFORMATION/BRIEFING ITEMS/POLICY.**(a) *History Moment: Winter Fun***

(Originating Sources: Joseph V. Roszak, Chief Operating Officer/Judy MacKeigan, Historian and Archivist)

From thrilling rides on the toboggan chutes at the Chalet to solitary hikes on snowy trails, guests have been enjoying winter in Cleveland Metroparks for generations. Judy MacKeigan takes a look at winter fun in the parks through the years.

(b) *Interstate 71 Beautification Project, Brookside Reservation*

(Originating Sources: Sean E. McDermott, P.E., Chief Planning and Design Officer/Chris Cheraso, Landscape Architect)

Cleveland Metroparks has received grant funding from the Northeast Ohio Public Energy Council (NOPEC), Energized Community Grant for the purpose of planting and maintaining trees in the City of Cleveland for the benefit of NOPEC City of Cleveland customers.

Using this funding, Cleveland Metroparks and the Ohio Department of Transportation (ODOT) have collaborated to enhance the freeway interchanges adjacent to Interstate 71 between West 25th Street and Fulton Road. ODOT will set the groundwork by first removing dead and dying trees along the interchanges. Cleveland Metroparks will follow, filling the voids with a tree palette focused on seasonal interest and viability.

Staff will provide a project background to the Board and then return to provide a recommendation for a contractor in the coming months as the project is being prepared for bidding.

(c) *2022 Year in Review*

(Originating Sources: Brian Zimmerman, Chief Executive Officer/Kelly Manderfield, Chief Marketing Officer)

As 2022 concludes, Cleveland Metroparks reflects on a transformational year as the Park District entered its Second Century of Stewardship with the adoption of an updated strategic plan and mission statement. Over the past year, Cleveland Metroparks celebrated new park land, trails, programs and partnerships that helped elevate its impact on the region. Highlights included the completion of the Bonnie Park Restoration Project, a celebration of 10 years of transformation at Acacia Reservation, the opening of the Cleveland-Cliffs Bike Park and new trails in Euclid Creek, Rocky River and West Creek, as well as the addition of 330 acres of park land for protection. A video presentation will share a comprehensive overview of accomplishments and projects across Cleveland Metroparks in 2022.

After the last information/briefing item/policy presentation, Chief Executive Officer Brian M. Zimmerman acknowledged the passing of K9 Zeke of the Cleveland Metroparks Police Department and read aloud from the following tribute:

Unfortunately, we have difficult news to report. K9 partner Zeke succumbed to cancer. At six weeks old, Zeke joined the Cleveland Metroparks Police Department in April 2019. He received his explosive detection and patrol certification at sixteen months old and proudly began to service the department for the past three years.

As an explosives detection K9, Zeke played an integral role in several large-scale events in the Park District and throughout Northeast Ohio on both the local and national levels. Zeke participated in sweeps for explosives in several high-profile events. Some of those events included multiple Akron Marathons, the Goodyear Marathon, the 2022 NBA All-Star weekend, the 2021 NFL Draft, the 2020 Presidential Debate, and weapons sweep at Youngstown prison, on top of many more. His efforts helped keep hundreds of thousands of people safe as they attended those events. Zeke's work did not stop with explosive detection. Zeke assisted in ten criminal apprehensions along with several tracks for fleeing and missing persons. Zeke also participated in multiple K9 demonstrations and community outreach programs.

DATE OF NEXT MEETING.

The next Regular Meeting of the Board of Park Commissioners was scheduled by the Board for Thursday, January 19, 2023, 8:00 a.m. at the Board's office, 4101 Fulton Parkway, Cleveland, Ohio.

ADJOURNMENT TO EXECUTIVE SESSION.

No. 22-12-194: At 9:10 a.m., upon motion by Vice President Rinker, seconded by Vice President Moore and carried, the meeting adjourned to an Executive Session for the purpose of discussing the Purchase/Acquisition of Real Property, a Personnel Matter (Employment of a Public Employee), and Collective Bargaining, as stated by Chief Legal and Ethics Officer, Rose Fini.

Roll-call vote on the motion was as follows:

Aye: Ms. Berry.
Aye: Mr. Moore.
Aye: Mr. Rinker.
Nays: None.

No action was taken as a result of the Executive Session.

ADJOURNMENT.

No. 22-12-195: There being no further matters to come before the Board, upon motion by Vice President Rinker, seconded by Vice President Moore, and carried, President Berry adjourned the meeting at 10:40 a.m.

Vote on the motion was as follows:

Ayes: Ms. Berry, Messrs. Moore and Rinker.

Nays: None.

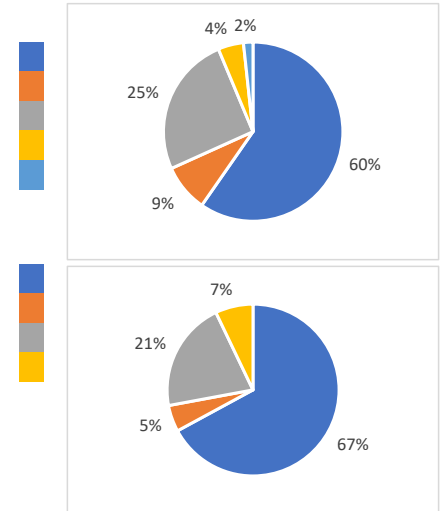
President.

Attest:

Secretary.

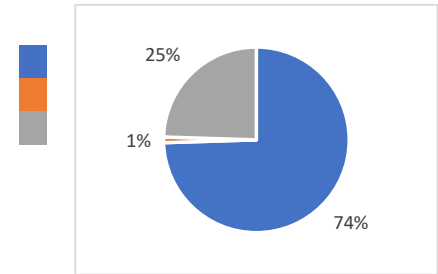
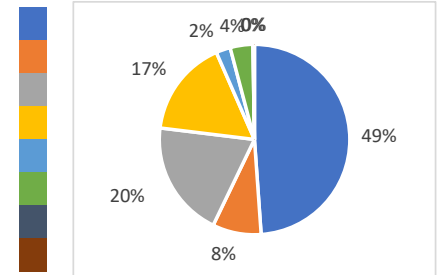
Cleveland Metroparks
 Financial Performance
 11/30/2022
 CM Park District

	Actual November '21	Actual November '22	Fav (Unfav)	Actual YTD November '21	Actual YTD November '22	Fav (Unfav)
Revenue:						
Property Tax	10,254	98,854	88,600	77,675,530	78,473,841	798,311
Local Gov/Grants/Gifts	4,292,712	523,940	(3,768,772)	26,048,614	11,324,179	(14,724,435)
Charges for Services	1,647,537	2,375,225	727,688	30,403,350	33,361,065	2,957,715
Self-Funded	753,190	766,546	13,356	6,940,215	6,040,384	(899,831)
Interest, Fines, Other	<u>4,214</u>	<u>561,949</u>	<u>557,735</u>	<u>188,656</u>	<u>2,276,418</u>	<u>2,087,762</u>
Total Revenue	6,707,907	4,326,514	(2,381,393)	141,256,365	131,475,887	(9,780,478)
OpEx:						
Salaries and Benefits	4,801,918	5,298,729	(496,811)	58,524,399	64,105,150	(5,580,751)
Contractual Services	383,747	539,994	(156,247)	4,462,170	4,776,994	(314,824)
Operations	1,429,036	1,776,975	(347,939)	16,718,328	19,884,590	(3,166,262)
Self-Funded Exp	<u>715,575</u>	<u>941,953</u>	<u>(226,378)</u>	<u>6,566,070</u>	<u>6,795,071</u>	<u>(229,001)</u>
Total OpEx	7,330,276	8,557,651	(1,227,375)	86,270,967	95,561,805	(9,290,838)
Op Surplus/(Subsidy)	(622,369)	(4,231,137)	(3,608,768)	54,985,398	35,914,082	(19,071,316)
CapEx:						
Capital Labor	68,677	67,571	1,106	730,363	669,905	60,458
Construction Expenses	746,837	2,075,514	(1,328,677)	16,816,832	17,354,187	(537,355)
Capital Equipment	75,320	270,961	(195,641)	1,937,010	3,356,405	(1,419,395)
Land Acquisition	136,632	67,448	69,184	3,060,063	1,612,781	1,447,282
Capital Animal Costs	<u>9,150</u>	<u>5,313</u>	<u>3,837</u>	<u>28,820</u>	<u>18,164</u>	<u>10,656</u>
Total CapEx	1,036,616	2,486,807	(1,450,191)	22,573,088	23,011,442	(438,354)
Net Surplus/(Subsidy)	(1,658,985)	(6,717,944)	(5,058,959)	32,412,310	12,902,640	(19,509,670)



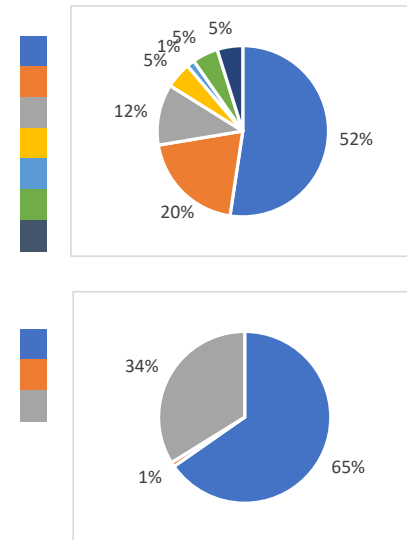
**Cleveland Metroparks
Financial Performance
11/30/2022
Zoo**

	Actual November '21	Actual November '22	Fav (Unfav)	Actual YTD November '21	Actual YTD November '22	Fav (Unfav)
Revenue:						
General/SE Admissions	735,129	692,830	(42,299)	7,202,711	6,946,144	(256,567)
Guest Experience	2,585	20,896	18,311	1,266,958	1,181,500	(85,458)
Zoo Society	0	573,309	573,309	2,249,399	2,813,234	563,835
Souvenirs/Refreshments	141,484	185,685	44,201	2,287,110	2,340,802	53,692
Education	2,355	2,280	(75)	324,389	347,721	23,332
Rentals & Events	30,504	16,600	(13,904)	486,740	545,410	58,670
Consignment	100	1,154	1,054	25,925	33,690	7,765
Other	<u>(1,411)</u>	<u>3,196</u>	<u>4,607</u>	<u>9,204</u>	<u>4,015</u>	<u>(5,189)</u>
Total Revenue	910,746	1,495,950	585,204	13,852,436	14,212,516	360,080
OpEx:						
Salaries and Benefits	1,143,972	1,235,404	(91,432)	13,233,653	14,486,674	(1,253,021)
Contractual Services	13,227	6,892	6,335	144,100	183,536	(39,436)
Operations	<u>472,165</u>	<u>520,841</u>	<u>(48,676)</u>	<u>3,991,526</u>	<u>4,768,518</u>	<u>(776,992)</u>
Total OpEx	1,629,364	1,763,137	(133,773)	17,369,279	19,438,728	(2,069,449)
Op Surplus/(Subsidy)	(718,618)	(267,187)	451,431	(3,516,843)	(5,226,212)	(1,709,369)
CapEx:						
Capital Labor	0	9,084	(9,084)	17,551	16,054	1,497
Construction Expenses	95,127	93,959	1,168	557,964	1,341,580	(783,616)
Capital Equipment	0	34,845	(34,845)	18,447	161,762	(143,315)
Capital Animal Costs	<u>9,150</u>	<u>5,313</u>	<u>3,837</u>	<u>28,820</u>	<u>18,164</u>	<u>10,656</u>
Total CapEx	104,277	143,201	(38,924)	622,782	1,537,560	(914,778)
Net Surplus/(Subsidy)	(822,895)	(410,388)	412,507	(4,139,625)	(6,763,772)	(2,624,147)
Restricted Revenue-Other	3,227,256	26,329	(3,200,927)	11,214,568	4,081,168	(7,133,400)
Restricted Revenue-Zipline	13,172	15,265	2,093	236,709	495,219	258,510
Restricted Expenses	<u>144,126</u>	<u>790,857</u>	<u>(646,731)</u>	<u>1,629,784</u>	<u>4,723,793</u>	<u>(3,094,009)</u>
Restricted Surplus/(Subsidy)	3,096,302	(749,263)	(3,845,565)	9,821,493	(147,406)	(9,968,899)



Cleveland Metroparks
 Financial Performance
 11/30/2022
 Golf Summary

	Actual November '21	Actual November '22	Fav (Unfav)	Actual YTD November '21	Actual YTD November '22	Fav (Unfav)
Revenue:						
Greens Fees	115,830	189,189	73,359	4,690,619	5,313,747	623,128
Equipment Rentals	54,846	81,001	26,155	1,947,611	2,032,293	84,682
Food Service	43,205	42,783	(422)	900,924	1,165,353	264,429
Merchandise Sales	11,680	17,967	6,287	431,152	495,705	64,553
Pro Services	(6,974)	125	7,099	83,752	150,825	67,073
Driving Range	10,942	16,121	5,179	468,888	497,761	28,873
Other	<u>15,615</u>	<u>1,420</u>	<u>(14,195)</u>	<u>476,201</u>	<u>488,633</u>	<u>12,432</u>
Total Revenue	245,144	348,606	103,462	8,999,147	10,144,317	1,145,170
OpEx:						
Salaries and Benefits	293,892	375,969	(82,077)	4,082,982	4,821,731	(738,749)
Contractual Services	5,791	6,393	(602)	44,088	63,331	(19,243)
Operations	<u>120,675</u>	<u>140,378</u>	<u>(19,703)</u>	<u>2,236,930</u>	<u>2,495,165</u>	<u>(258,235)</u>
Total OpEx	420,358	522,740	(102,382)	6,364,000	7,380,227	(1,016,227)
Op Surplus/(Subsidy)	(175,214)	(174,134)	1,080	2,635,147	2,764,090	128,943
CapEx:						
Capital Labor	0	1,261	(1,261)	11,142	87,584	(76,442)
Construction Expenses	0	31,281	(31,281)	194,797	491,838	(297,041)
Capital Equipment	<u>0</u>	<u>311</u>	<u>(311)</u>	<u>432,262</u>	<u>453,291</u>	<u>(21,029)</u>
Total CapEx	0	32,853	(32,853)	638,201	1,032,713	(394,512)
Net Surplus/(Subsidy)	(175,214)	(206,987)	(31,773)	1,996,946	1,731,377	(265,569)

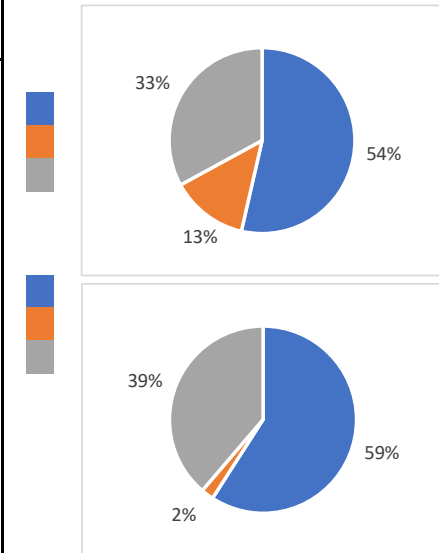


Cleveland Metroparks
 Financial Performance
 11/30/2022
 Golf Detail

	Big Met (18)		Little Met (9)		Mastick Woods (9)		Manakiki (18)		Sleepy Hollow (18)	
	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22
Operating Revenue	1,396,764	1,597,227	390,135	516,450	291,557	360,746	1,473,840	1,542,846	1,809,849	2,090,917
Operating Expenses	<u>1,093,343</u>	<u>1,196,754</u>	<u>282,574</u>	<u>283,854</u>	<u>204,441</u>	<u>252,542</u>	<u>933,459</u>	<u>1,048,939</u>	<u>1,341,802</u>	<u>1,502,020</u>
Operating Surplus/(Subsidy)	303,421	400,473	107,561	232,596	87,116	108,204	540,381	493,907	468,047	588,897
Capital Labor	0	0	0	38,710	0	0	0	16,758	0	8,098
Construction Expenses	92,802	77,606	0	36,409	0	0	35,797	252,434	37,921	45,436
Capital Equipment	<u>66,202</u>	<u>0</u>	<u>0</u>	<u>8,890</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>38,541</u>	<u>321,835</u>	<u>0</u>
Total Capital Expenditures	159,004	77,606	0	84,009	0	0	35,797	307,733	359,756	53,534
Net Surplus/(Subsidy)	144,417	322,867	107,561	148,587	87,116	108,204	504,584	186,174	108,291	535,363
	Shawnee Hills (27)		Washington Park (9)		Seneca (27)		Golf Admin		Total	
	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22
Operating Revenue	1,284,444	1,351,825	537,537	667,110	1,777,658	2,010,526	37,364	6,671	8,999,148	10,144,315
Operating Expenses	<u>768,810</u>	<u>912,465</u>	<u>412,025</u>	<u>476,123</u>	<u>1,025,216</u>	<u>1,171,962</u>	<u>302,330</u>	<u>535,567</u>	<u>6,364,001</u>	<u>7,380,226</u>
Operating Surplus/(Subsidy)	515,634	439,360	125,512	190,987	752,442	838,564	(264,966)	(528,896)	2,635,147	2,764,089
Capital Labor	0	0	0	7,669	0	16,349	11,142	0	11,142	87,584
Construction Expenses	8,816	7,757	0	20,669	0	51,527	19,460	0	194,796	491,838
Capital Equipment	<u>19,875</u>	<u>20,540</u>	<u>3,487</u>	<u>49,000</u>	<u>16,389</u>	<u>184,843</u>	<u>4,476</u>	<u>151,479</u>	<u>432,263</u>	<u>453,290</u>
Total Capital Expenditures	28,691	28,297	3,487	77,338	16,389	252,719	35,078	151,479	638,201	1,032,712
Net Surplus/(Subsidy)	486,943	411,063	122,025	113,649	736,053	585,845	(300,044)	(680,375)	1,996,946	1,731,377

**Cleveland Metroparks
Financial Performance
11/30/2022
Enterprise Summary**

	Actual November '21	Actual November '22	Fav (Unfav)	Actual YTD November '21	Actual YTD November '22	Fav (Unfav)
Revenue:						
Concessions	87,128	77,935	(9,193)	2,088,353	2,840,699	752,346
Dock Rentals	136,264	147,087	10,823	889,941	714,688	(175,253)
Other*	<u>81,694</u>	<u>105,654</u>	<u>23,960</u>	<u>1,172,837</u>	<u>1,746,060</u>	<u>573,223</u>
Total Revenue	305,086	330,676	25,590	4,151,131	5,301,447	1,150,316
OpEx:						
Salaries and Benefits	181,895	188,219	(6,324)	2,457,169	3,084,683	(627,514)
Contractual Services	4,600	7,361	(2,761)	61,212	112,466	(51,254)
Operations	<u>65,282</u>	<u>76,027</u>	<u>(10,745)</u>	<u>1,682,448</u>	<u>2,021,685</u>	<u>(339,237)</u>
Total OpEx	251,777	271,607	(19,830)	4,200,829	5,218,834	(1,018,005)
Op Surplus/(Subsidy)	53,309	59,069	5,760	(49,698)	82,613	132,311
CapEx:						
Capital Labor	14,911	8,674	6,237	19,527	9,557	9,970
Construction Expenses	11,111	9,114	1,997	40,151	57,037	(16,886)
Capital Equipment	<u>0</u>	<u>0</u>	<u>0</u>	<u>12,720</u>	<u>20,183</u>	<u>(7,463)</u>
Total CapEx	26,022	17,788	8,234	72,398	86,777	(14,379)
Net Surplus/(Subsidy)	27,287	41,281	13,994	(122,096)	(4,164)	117,932



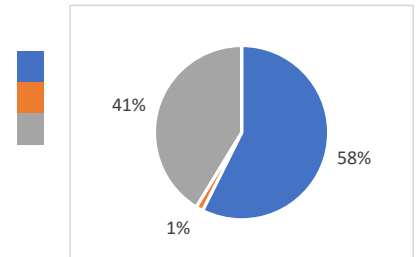
*Other includes Chalet fees, parking, hayrides, aquatics, gift cards, misc.

Cleveland Metroparks
 Financial Performance
 11/30/2022
 Enterprise Detail

	Merwin's Wharf		EW Beach House		E55th Marina		E55th Restaurant		Wildwood		Euclid Beach		EmerNeck Marina		EmerNeck Restaurant		Edgewater Pier		Wallace Lake		Hinckley Lake		Huntington		Chalet		Ledge Lake		Parking		Enterprise Admin		Total		
	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22	YTD November '21	YTD November '22			
Operating Revenue	932,754	1,463,478	313,851	433,439	1,000,250	935,435	528,956	442,599	33,941	36,258	0	5,224	414,146	436,011	106,735	286,095	47,844	36,232	29,886	29,406	0	9,850	296,892	318,726	177,351	242,569	130,536	150,057	137,990	476,066	0	0	4,151,132	5,301,445	
Operating Expenses	<u>1,186,016</u>	<u>1,651,297</u>	<u>212,625</u>	<u>329,286</u>	<u>414,212</u>	<u>472,614</u>	<u>456,660</u>	<u>395,665</u>	<u>41,308</u>	<u>58,846</u>	<u>1,697</u>	<u>6,437</u>	<u>309,397</u>	<u>311,660</u>	<u>70,928</u>	<u>254,706</u>	<u>42,292</u>	<u>32,997</u>	<u>33,157</u>	<u>32,939</u>	<u>656</u>	<u>11,761</u>	<u>237,715</u>	<u>231,566</u>	<u>194,154</u>	<u>219,370</u>	<u>97,142</u>	<u>146,856</u>	<u>16,357</u>	<u>25,524</u>	<u>886,514</u>	<u>1,037,308</u>	<u>4,200,830</u>	<u>5,218,832</u>	
Operating Surplus/(Subsidy)	(253,262)	(187,819)	101,226	104,153	586,038	462,821	72,296	46,934	(7,367)	(22,588)	(1,697)	(1,213)	104,749	124,351	35,807	31,389	5,552	3,235	(3,271)	(3,533)	(656)	(1,911)	59,177	87,160	(16,803)	23,199	33,394	3,201	121,633	450,542	(886,514)	(1,037,308)	(49,698)	82,613	
Capital Labor	19,527	9,557	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	19,527	9,557		
Construction Expenses	25,700	18,856	0	0	1,935	14,050	0	0	3,935	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8,581	24,131	40,151	57,037
Capital Equipment	<u>8,323</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>(1,656)</u>	<u>7,697</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>3,882</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>2,171</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>12,486</u>	<u>20,183</u>	
Total Capital Expenditures	53,550	28,413	0	0	1,935	14,050	(1,656)	7,697	3,935	0	0	0	0	0	3,882	0	0	0	2,171	0	0	0	0	0	0	0	0	0	0	0	8,581	36,617	72,398	86,777	
Net Surplus/(Subsidy)	(306,812)	(216,232)	101,226	104,153	584,103	448,771	73,952	39,237	(11,302)	(22,588)	(1,697)	(1,213)	104,749	124,351	31,925	31,389	5,552	3,235	(5,442)	(3,533)	(656)	(1,911)	59,177	87,160	(16,803)	23,199	33,394	3,201	121,633	450,542	(895,095)	(1,073,925)	(122,096)	(4,164)	

Cleveland Metroparks
 Financial Performance
 11/30/2022
 Nature Shops and Kiosks

	Actual November '21	Actual November '22	Fav (Unfav)	Actual YTD November '21	Actual YTD November '22	Fav (Unfav)
Retail Revenue	37,277	51,728	14,451	358,684	492,251	133,567
OpEx:						
Salaries and Benefits	15,987	23,822	(7,835)	214,006	338,520	(124,514)
Contractual Services	388	1,052	(664)	4,640	7,654	(3,014)
Operations	<u>17,700</u>	<u>42,328</u>	<u>(24,628)</u>	<u>145,788</u>	<u>243,522</u>	<u>(97,734)</u>
Total OpEx	34,075	67,202	(33,127)	364,434	589,696	(225,262)
Op Surplus/(Subsidy)	3,202	(15,474)	(18,676)	(5,750)	(97,445)	(91,695)
CapEx:						
Capital Labor	0	0	0	0	0	0
Construction Expenses	0	0	0	0	0	0
Capital Equipment	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>4,365</u>	<u>(4,365)</u>
Total CapEx	0	0	0	0	4,365	(4,365)
Net Surplus/(Subsidy)	3,202	(15,474)	(18,676)	(5,750)	(101,810)	(96,060)



**CLEVELAND METROPARKS
ACCOUNTS RECEIVABLE AND INVESTMENTS SCHEDULES
FOR THE MONTH ENDED NOVEMBER 2022**

ACCOUNTS RECEIVABLE

Current	Past Due				Total
	1-30 Days	30-60 Days	60-90 Days	Over 90 Days	
\$620,089	\$897	\$0	\$125,649	\$35,962	\$782,597

Date Placed	Bank	Description	Days of Duration	Rate	Date of Maturity	Interest Earned	EOM Balance
11/01/22	Fifth Third Securities	Money Market (A)	29	3.01%	11/30/22	\$8	\$3,325
11/01/22	STAR Ohio	State pool (B)	29	3.63%	11/30/22	\$169,044	\$55,823,669

(A) Federated Government Money Market Account.

Investment balance ranged from \$ 3,316 to \$3,325 in November 2022

(B) State Treasurer's Asset Reserve (STAR Ohio).

Investment balance ranged from \$55,654,624 to \$55,823,669 in November 2022

Source: Wade Steen, Chief Finance Officer
12/07/22

CLEVELAND METROPARKS
Appropriation Summary - 2022

Object Code	Object Description	Original Budget			Total Prior Budget Amendments	Proposed Amendment #12 12/15/2022	Total
		Baseline Budget	Carry Over Encumbrances	Total			
OPERATING							
51	Salaries	\$ 59,806,913	\$ -	\$ 59,806,913	\$ 105,368	\$ (66,504) A	\$ 59,845,777
52	Employee Fringe Benefits	19,059,340	397,108	19,456,448	(1,620,055)	236,245 B	18,072,638
53	Contractual Services	15,366,699	5,491,290	20,857,989	57,944	(450) C	20,915,483
54	Office Operations	25,134,495	3,531,243	28,665,738	958,741	352,083 D	29,976,562
	Operating Subtotal	119,367,447	9,419,641	128,787,088	(498,002)	521,374	128,810,460
CAPITAL							
571	Capital Labor	800,000	-	800,000	-	-	800,000
572	Capital Construction Expenses	25,598,296	7,601,218	33,199,514	24,218,204	499,484 E	57,917,202
574	Capital Equipment	3,656,575	1,435,810	5,092,385	784,426	52,457 F	5,929,268
575	Zoo Animals	75,000	-	75,000	-	-	75,000
576	Land	2,078,500	39,800	2,118,300	-	-	2,118,300
	Capital Subtotal	32,208,371	9,076,828	41,285,199	25,002,630	551,941	66,839,770
TOTALS							
Grand totals		\$ 151,575,818	\$ 18,496,469	\$ 170,072,287	\$ 24,504,628	\$ 1,073,315	\$ 195,650,230

OPERATING

51 SALARIES

- \$ (6,000) Transfer of appropriations from Seasonal Salaries to Capital Construction Expenses for Finance
Net budget effect is zero
- \$ (10,097) Transfer of appropriations from Seasonal Salaries to Office Operations for Park Operations
Net budget effect is zero
- \$ (1,221) Transfer of appropriations from Seasonal Salaries to Capital Equipment for Park Operations
Net budget effect is zero
- \$ (49,186) Transfer of appropriations from Seasonal Salaries to Office Operations for Marketing
Net budget effect is zero

A \$ (66,504) Total increase (decrease) to Salaries

52 FRINGE BENEFITS

- \$ 236,245 Increase in Fringe Benefits for Human Resources
Appropriation increase will be covered by existing Workers' Compensation funds

B \$ 236,245 Total increase (decrease) to Fringe Benefits

53 CONTRACTUAL SERVICES

- \$ 3,375 Transfer of appropriations from Capital Construction Expenses to Contractual Services for P&D
Net budget effect is zero
- \$ 4,050 Transfer of appropriations from Operations to Contractual Services for legal services
Net budget effect is zero
- \$ (4,500) Transfer of appropriations from Contractual Services to Operations Maintenance for Park Operations
Net budget effect is zero

C \$ (450) Total increase (decrease) to Contractual Services

54 OFFICE OPERATIONS

- \$ 353 Transfer of appropriations from Capital Equipment to Office Operations for Legal
Net budget effect is zero
- \$ (4,050) Transfer of appropriations from Operations to Contractual Services for legal services
Net budget effect is zero
- \$ (25,000) Transfer of appropriations from Operations to Capital Equipment for Park Operations
Net budget effect is zero
- \$ (2,751) Transfer of appropriations from Office Operations to Technology Equipment for Park Operations
Net budget effect is zero
- \$ (20,000) Transfer of appropriations from Office Operations to Capital Equipment for Development
Net budget effect is zero
- \$ 4,871 Transfer of appropriations from Capital Equipment to Utilities for Police
Net budget effect is zero
- \$ 196,570 Increase in appropriations for Operations - Maintenance for Golf Operations
Appropriation increase will be covered by existing enterprise funds
- \$ 25,000 Increase in appropriations for Office Operations for Golf Operations
Appropriation increase will be covered by existing enterprise funds
- \$ 100,000 Increase in appropriations for Animal Food for the Zoo
Appropriation increase will be covered by existing restricted funds
- \$ 4,000 Increase in appropriations for Operations - Employee services for Police
Appropriation increase will be covered by existing restricted funds
- \$ 3,144 Transfer of appropriations from Capital Equipment to Utilities for Police
Net budget effect is zero
- \$ 2,427 Transfer of appropriations from Capital Construction Expenses to Office Operations for ITS

Net budget effect is zero

- \$ 4,500 Transfer of appropriations from Contractual Services to Operations Maintenance for Park Operations
Net budget effect is zero
- \$ 4,089 Transfer of appropriations from Capital Construction Expenses to Office Operations for ITS
Net budget effect is zero
- \$ 10,097 Transfer of appropriations from Seasonal Salaries to Office Operations for Park Operations
Net budget effect is zero
- \$ 49,186 Transfer of appropriations from Seasonal Salaries to Office Operations for Marketing
Net budget effect is zero

D \$ 352,083 Total increase (decrease) to Office Operations

\$ 521,374 **TOTAL INCREASE (DECREASE) TO OPERATIONS**

CAPITAL

572 CAPITAL CONSTRUCTION EXPENSES

- \$ (3,375) Transfer of appropriations from Capital Construction Expenses to Contractual Services for P&D
Net budget effect is zero
- \$ (2,427) Transfer of appropriations from Capital Construction Expenses to Office Operations for ITS
Net budget effect is zero
- \$ 500,000 Increase of appropriations in Capital Construction Expenses for Planning and Design
Appropriation increase will be covered by new restricted funds
- \$ (4,089) Transfer of appropriations from Capital Construction Expenses to Office Operations for ITS
Net budget effect is zero
- \$ 6,000 Transfer of appropriations from Seasonal Salaries to Capital Construction Expenses for Finance
Net budget effect is zero

E \$ 499,484 Total increase (decrease) to Capital Construction Expenses

574 CAPITAL EQUIPMENT

- \$ (353) Transfer of appropriations from Capital Equipment to Office Operations for Legal
Net budget effect is zero
- \$ 25,000 Transfer of appropriations from Operations to Capital Equipment for Park Operations equipment.
Net budget effect is zero
- \$ 2,751 Transfer of appropriations from Office Operations to Capital Equipment for Park Operations
Net budget effect is zero
- \$ 20,000 Transfer of appropriations from Office Operations to Capital Equipment for Development
Net budget effect is zero
- \$ 11,500 Increase of appropriations in Capital Equipment for Park Operations
Appropriation increase will be covered by existing restricted funds
- \$ (4,871) Transfer of appropriations from Capital Equipment to Utilities for Police
Net budget effect is zero
- \$ (3,144) Transfer of appropriations from Capital Equipment to Utilities for Police
Net budget effect is zero
- \$ 1,221 Transfer of appropriations from Seasonal Salaries to Capital Equipment for Park Operations
Net budget effect is zero

F \$ 52,457 Total increase (decrease) to Capital Equipment

\$ 551,941 **TOTAL INCREASE (DECREASE) TO CAPITAL**

\$ 1,073,315 **GRAND TOTAL - INCREASE (DECREASE) FOR AMENDMENT**

**BOARD OF PARK COMMISSIONERS OF THE
CLEVELAND METROPOLITAN PARK DISTRICT
POLICY STATEMENT**

SUBJECT: Property Line Encroachment Policy

EFFECTIVE DATE:

I. PURPOSE

Cleveland Metroparks consists of over 24,000 acres of park land and has several hundred miles of property boundaries and thousands of neighbors. While Cleveland Metroparks property lines are respected by many adjoining landowners, encroachments onto Park District property do occur. An encroachment is defined as the unauthorized use of Cleveland Metroparks property, typically for the private benefit of an adjacent property owner.

Examples of encroachments include, but are not limited to, the following:

- Structures erected on Cleveland Metroparks property (e.g., buildings, sheds, garages, fences, invisible pet fences, decks, playhouses, play equipment, stairs, bridges, lean-tos, deer stands, etc.)
- Cutting or maintaining vegetation on Cleveland Metroparks property (e.g., mowing vegetation, cutting or killing trees, planting vegetation, including planting hedges or trees for privacy, etc.)
- Landscaping and private use areas on Cleveland Metroparks property (e.g., private trails, ATV trails and use, patios, firepits, picnic tables and other outdoor furniture, gardens, ballfields, sport areas, parking spaces, etc.)
- Storage of materials on Cleveland Metroparks property (e.g., firewood, trash and compost bins, machinery, tools, construction materials and equipment, landscaping materials and equipment, boats, RVs, cars, etc.)
- Disposal of materials on Cleveland Metroparks property (e.g., dumping of grass clippings, leaves, brush, and other yard waste, dumping of trash and other refuse, etc.)

Encroachments damage the natural resources Cleveland Metroparks is tasked with protecting, limit public access to public lands, and detract from public enjoyment of public lands. As a steward of these public lands, it is necessary for Cleveland Metroparks to attentively monitor its park boundaries for encroachments and restore encroached upon areas to park use for public good.

II. POLICY

Cleveland Metroparks regularly inspects its property boundaries to identify encroachments. These regular inspections are conducted by Park Managers and Park Operations staff, as they regularly manage and maintain Park District property and are recognized as the first line of defense against property line encroachments. Additional support is provided by the Real Estate Division, which monitors property boundaries and areas of concern using GIS, aerial photography, and field inspections.

As encroachments are identified and verified, Cleveland Metroparks staff will contact the property owner suspected of the encroaching activity and request a resolution to the issue. A significant percentage of property line encroachments are due to property owners not knowing the location of the

**BOARD OF PARK COMMISSIONERS OF THE
CLEVELAND METROPOLITAN PARK DISTRICT
POLICY STATEMENT**

SUBJECT: Property Line Encroachment Policy

EFFECTIVE DATE:

property line or not knowing the negative impacts caused by encroachments. It is, therefore, the Park District's policy that the encroachment resolution process begins as an educational process, rather than a punitive one. Cleveland Metroparks created the Good Neighbor Guide, attached as Exhibit A, to educate the public on how to be a good neighbor to the Park District and the important role neighbors can play in preserving natural resources and public enjoyment of public lands.

III. PROCEDURES

A. Property line inspection

Cleveland Metroparks will inspect the property boundaries for each Reservation at least once every three (3) years. The triennial property line inspections will be conducted by the Real Estate Division using GIS and aerial photography to identify and document potential encroachments.

In addition to the property line inspection process, Cleveland Metroparks staff, through day-to-day park operations, will periodically identify, or be notified of, encroachments on park property. Cleveland Metroparks staff will notify the Real Estate Division and Park Manager upon discovery of a suspected encroachment.

B. Problem verification

Upon identification of a suspected encroachment, the Real Estate Division, with support from the Park Manager, will inspect property boundaries to field verify that an encroachment exists. A log of the inspection will be kept, including the date of the inspection, a description of the issue, and photo documentation of the issue. If an area is difficult to access in the field, aerial imagery may be used for documentation of an encroachment.

Cleveland Metroparks Surveyors can assist in delineating park boundaries to help verify encroachments. Natural Resources staff are also available to assess impacts to the Park District's natural resources by encroaching activities.

C. Problem resolution

1. In all property line violations, the Real Estate Division or Park Manager will mail, or personally deliver, a standard letter to the suspected encroaching property owner describing the type of encroachment(s) identified and requesting a resolution to the problem within a reasonable period of time. A copy of the Good Neighbor Guide will be attached to the encroachment letter (Attachment A). The Real Estate Division, in coordination with the Park Manager, will keep an inspection log documenting the encroachment, correspondence with the property owner suspected of the encroaching activity, and the resolution of the issue.

**BOARD OF PARK COMMISSIONERS OF THE
CLEVELAND METROPOLITAN PARK DISTRICT
POLICY STATEMENT**

SUBJECT: Property Line Encroachment Policy

EFFECTIVE DATE:

Appeal - If the property owner receiving a letter wishes to challenge the existence of an encroachment, they may hire a surveyor, or obtain other professional services, at their own cost.

2. The Real Estate Division or Park Manager shall monitor compliance with the established resolution deadline outlined in the encroachment letter. If a resolution to the problem has not been achieved within the given deadline, then a follow-up letter will be mailed to the encroaching property owner.
3. If an acceptable resolution still has not occurred after the deadline given in the follow-up letter, then, based on the discretion of the Real Estate Division and the Park Manager, the problem may be elevated to the Cleveland Metroparks Police Department and/or the Cleveland Metroparks Legal Department, with attention to the Chief Executive Officer or Chief Operating Officer.

Severe or actively occurring encroachments may be elevated directly to the Cleveland Metroparks Police Department and/or the Cleveland Metroparks Legal Department, where necessary.

Cleveland Metroparks retains the right to directly resolve unauthorized encroachments on Park District property at any time and for any reason (eg., demolishing structures, removing stored materials, cleaning up dumped materials, etc.). Cleveland Metroparks will assess costs associated with resolving encroachments against the encroaching property owner.

IV. DESTRUCTION OF VEGETATION AND NATURAL RESOURCES

When the Park District's vegetation and natural resources are damaged by encroaching property owners, Cleveland Metroparks may seek compensation for the value of the destroyed natural resource. The most common example of destruction of vegetation is a neighboring property owner cutting trees on Cleveland Metroparks property. To determine the value of damaged or destroyed vegetation, the Natural Resources Division will utilize the *Guide for Plant Appraisal, 10th Edition, Revised* (or subsequent editions), published by the Council of Tree and Landscape Appraisers, or other methodology in line with best practices for the valuation of vegetation and natural resources. As part of the encroachment resolution process, the appraised value of the damaged vegetation will be requested from the encroaching property owner, and the funds will be added to the Cleveland Metroparks Legacy Fund. Cleveland Metroparks uses the Legacy Fund to purchase trees and plants to help create a healthy environment for wildlife and preserve and enhance the natural beauty of Cleveland Metroparks.

**BOARD OF PARK COMMISSIONERS OF THE
CLEVELAND METROPOLITAN PARK DISTRICT
POLICY STATEMENT**

SUBJECT: Property Line Encroachment Policy

EFFECTIVE DATE:

References:

Replaces and Supersedes: Property Line Encroachment Policy – 11/30/2017

Approved:

Chief Executive Officer-Secretary

Board President

Approval Date

Review Date



Cleveland Metroparks Good Neighbor Guide

The primary mission of Cleveland Metroparks is protecting nature, connecting communities, and inspiring the conservation of our world. The Park District serves as a steward to over 24,000 acres of land in 18 reservations, including 8 golf courses and the Cleveland Metroparks Zoo.

Neighbors living adjacent to Cleveland Metroparks Reservations play an important role in the Park District's conservation mission. Cleveland Metroparks has hundreds of miles of property boundaries and thousands of neighbors. The goal of the Good Neighbor Guide is to educate Cleveland Metroparks' neighbors on how they can support the Park District's conservation goals by being attentive to their property boundaries.

The Good Neighbor Guide supplements the Cleveland Metroparks Property Line Encroachment Policy, which guides how the Park District monitors its property boundaries and resolves issues with encroaching property owners. An encroachment is defined as the unauthorized use of Cleveland Metroparks property, typically for the private benefit of an adjacent property owner. The Good Neighbor Guide seeks to prevent encroachments from occurring on Park District property by stating the Park District's expectations for neighboring property owners.

Encroachments onto Park District property damage natural resources and detract from public enjoyment of public lands. Encroachments can include, but are not limited to, the following:

- Erecting structures on Cleveland Metroparks property (e.g., buildings, sheds, garages, fences, invisible pet fences, decks, playhouses, play equipment, stairs, bridges, lean-tos, deer stands, etc.)
- Cutting or maintaining vegetation on Cleveland Metroparks property (mowing vegetation, cutting or killing trees, planting vegetation, including planting hedges or trees for privacy, etc.)
- Landscaping and creating private use areas on Cleveland Metroparks property (private trails, ATV trails and use, patios, firepits, picnic tables and other outdoor furniture, gardens, ballfields, sport areas, parking spaces, etc.)
- Storage of materials on Cleveland Metroparks property (firewood, trash and compost bins, machinery, tools, construction materials and equipment, landscaping materials and equipment, boats, RVs, cars, etc.)
- Disposal of materials on Cleveland Metroparks property (dumping of grass clippings, leaves, brush, and other yard waste, dumping of trash and other refuse, etc.)

Cleveland Metroparks neighbors can assist in the preservation of the Park District's natural resources by avoiding the types of encroaching activities listed above. The first step in being a good neighbor is knowing your property boundaries. Other ways to be a good neighbor can include planting native plants in your garden, utilizing rain barrels to capture rainfall, and keeping pets contained on your property to prevent them from disturbing wildlife and park users.

If you are a neighbor to the Park District and have questions regarding the Cleveland Metroparks Property Line Encroachment Policy, Good Neighbor Guide, or Cleveland Metroparks property boundaries, please contact Cleveland Metroparks at 216-635-3200 or generalinfo@clevelandmetroparks.com. Maps of the Cleveland Metroparks are also available at www.clevelandmetroparks.com and on the Cleveland Metroparks mobile app.

**BOARD OF PARK COMMISSIONERS OF THE
CLEVELAND METROPOLITAN PARK DISTRICT
POLICY STATEMENT**

SUBJECT: Conservation Easement Stewardship Policy

EFFECTIVE DATE:

I. PURPOSE

When the Board of Park Commissioners of the Cleveland Metropolitan Park District (Cleveland Metroparks) was established on July 23, 1917, the Park District began acquiring land interests to preserve the pristine landscape and provide access to nature for the citizens of Cuyahoga County and Hinckley Township. Cleveland Metroparks has utilized a number of acquisition tools since its establishment to expand the Park District to over 24,000 acres of protected land. Fee acquisition of land has been the most commonly used method of preserving land, however, beginning in 1996, the Park District began strategically acquiring Conservation Easements on properties containing significant natural resources.

Conservation Easements (CE) are voluntary legal agreements between a landowner and Cleveland Metroparks that permanently limit the use of the land to protect its conservation value. In cases where a property contains a high-quality natural resource, and the property holder wishes to retain ownership of their land but desires to preserve the natural resource, a CE can be entered into between Cleveland Metroparks and the property owner to ensure the resource is protected in perpetuity. The terms of these agreements vary from property to property. Typically a CE will place specific restrictions upon the use of the land preventing the disturbance of the landscape and natural resources while also granting on-going access to Cleveland Metroparks for natural resource management activities. Public access is also often included in the terms of the CE. Between 1996 and 2022, Cleveland Metroparks has preserved nearly 500 acres of land using CEs.

To ensure that the terms of the agreements are met, Cleveland Metroparks must periodically inspect the properties protected by CEs. These property inspections are intended to identify any activities that might endanger the undisturbed, natural, scenic, and open or wooded state of the protected property. Examples of land uses that may not be permitted include:

- Construction of buildings, structures, roadways, or other improvements which affect the protected property.
- Clearing or harvesting of trees and vegetation.
- Manipulation or alteration of natural water courses, lake shores, wetlands or other water bodies.
- Storage of hazardous materials or equipment which may damage the land.
- Unauthorized drilling of oil and gas wells or mining of mineral interests.
- ATV and other motor vehicle use and associated impacts on the landscape.

It is important for Cleveland Metroparks to identify any land use that conflicts with the recorded CE and address it immediately with the landowner to ensure that the landowner understands the terms of the agreement and halts any activity that may further damage the preserved natural resources.

**BOARD OF PARK COMMISSIONERS OF THE
CLEVELAND METROPOLITAN PARK DISTRICT
POLICY STATEMENT**

SUBJECT: Conservation Easement Stewardship Policy

EFFECTIVE DATE:

II. POLICY

Cleveland Metroparks inspects its conservation easements at least once every three (3) years. These stewardship visits are conducted by the Real Estate Division, in coordination with the Park Manager and Natural Resources Division, and are specific to the terms of each respective CE. A monitoring form is completed for each CE property during the stewardship visit. The completed form is utilized to document the conditions of the property and any activities that may conflict with the CE.

After each stewardship visit, a letter is drafted to the landowner to summarize the observations made on the visit. If a land use or activity exists that conflicts with the CE, it is documented within the letter and a follow-up meeting with the landowner is requested to review the CE and develop a plan to correct the conflicting land use.

In some instances, severe violations of the CE terms and conditions may exist. Activities such as timber harvesting, construction of a permanent structure, destruction of wetlands, and other actions that cause permanent impacts to the preserved natural resources of the property may require restoration or restitution from the landowner. These instances will be reviewed on a case-by-case basis and will require engaging the Chief Executive Officer, Chief Legal & Ethics Officer, Chief Operations Officer, and Cleveland Metroparks Police Department to review the implications of the land use conflict.

Cleveland Metroparks will work to establish a Baseline Documentation Report or Current Conditions Report for each conservation easement it holds. These reports document the existing conditions on a conservation easement property at the time an easement is agreed to, in the case of a Baseline Documentation Report, or at the time of the report, in the case of a Current Conditions Report. These reports, by providing a description of the natural resources that exist on a preserved property, as well as photos, can be used as a reference if there is a suspected land use conflict.

Cleveland Metroparks utilizes CEs as a vital tool for conserving the natural resources of Northeast Ohio and will continue to enforce the recorded land use restrictions protecting these properties.

III. PROCEDURES

The following procedures define the role of the Real Estate Division in administering the Conservation Easement Stewardship Policy:

- A. Stewardship Visit – The Real Estate Division will inspect each conservation easement held by Cleveland Metroparks at least once every three (3) years. Notice of the stewardship visit will be sent to the property owner in advance of the visit. The visit

**BOARD OF PARK COMMISSIONERS OF THE
CLEVELAND METROPOLITAN PARK DISTRICT
POLICY STATEMENT**

SUBJECT: Conservation Easement Stewardship Policy

EFFECTIVE DATE:

will be scheduled to ensure maximum visibility of land use. The property owner may participate in the stewardship visit if they desire to. During the stewardship visit, the property will be walked to identify any land use that may be in conflict with the conservation easement language. A property inspection log will be kept using a standard monitoring form, including photographs. A letter will be sent to the landowner summarizing the findings of the stewardship visit.

B. Problem verification – If a problem or conflicting land use is identified upon the preserved property during the stewardship visit, a follow-up phone call, letter, or email to the landowner will be used to confirm the field observations. Cleveland Metroparks surveyors, GIS, and aerial imagery may be used to verify and assess the extent of a land use conflict. If the conservation easement has a Baseline Documentation Report or Current Conditions Report on file, the report may be referenced to compare the baseline condition of the property to the conditions of the property observed during the stewardship visit.

C. Problem resolution

1. With all conservation easement restriction conflicts, a summary of the verified violations will be included in the stewardship visit follow-up letter sent to the landowner. The Real Estate Division, in coordination with the Park Manager and Natural Resources Division, will request an appropriate remedy to the problem. A follow-up meeting will be scheduled to review the conservation easement conflict and to create an action plan to remedy the issue, including a timeline for completion. The follow-up meeting is intended to be educational, not punitive, as many conflicts arise from a lack of information rather than a malicious intent. It is the responsibility of the landowner to remedy the issue as quickly as possible, regardless of whether he/she is the source of the violation or not. If the conflicting land use is originating from a neighboring landowner, the Real Estate Division will support the landowner of the preserved property by communicating the terms of the agreement and pursuing a resolution to the conflicting land use with the neighboring landowner.
2. The Real Estate Division, in coordination with the Park Manager and Natural Resources Division, will monitor the resolution of the conservation easement violation in accordance with the resolution timeline established. If a resolution has not been achieved within the allotted timeframe, and no extenuating circumstances exist, then the problem may be elevated to the Cleveland Metroparks Legal Department.
3. If an acceptable resolution has not been reached after the follow-up letter, then the violation will be referred to the Cleveland Metroparks Chief Legal & Ethics Officer and Chief Executive Officer. The Chief Legal & Ethics Officer and

**BOARD OF PARK COMMISSIONERS OF THE
CLEVELAND METROPOLITAN PARK DISTRICT
POLICY STATEMENT**

SUBJECT: Conservation Easement Stewardship Policy

EFFECTIVE DATE:

Chief Executive Officer will, with notice to the Chief Operating Officer, Park Manager, and Real Estate Division, determine the appropriate next steps to resolving the violation, which may include the initiation of legal action, up to and including criminal prosecution.

4. In addition to being guided by the Conservation Easement Stewardship Policy, problem resolution will be dictated by, and superseded by, the terms of each respective conservation easement.

D. Severe land use violation and resolution – In rare cases, the damage caused by a conflicting land use may require funds for restoration, or necessitate other restitution to Cleveland Metroparks. Examples of such violations are:

- Clear cutting of forest and timber harvesting
- Filling in or destruction of wetlands
- Oil & gas well drilling or mining operations
- Construction of permanent structures

Such rare and extreme cases will be reviewed on a case-by-case basis and require engaging the Chief Executive Officer, Chief Operating Officer, Chief Legal & Ethics Officer, and the Cleveland Metroparks Police Department.

E. Destruction of vegetation and natural resources – To determine the value of damaged or destroyed vegetation, the Natural Resources Division will utilize the *Guide for Plant Appraisal, 10th Edition, Revised* (or subsequent editions), published by the Council of Tree and Landscape Appraisers, or other methodology in line with best practices for the valuation of vegetation and natural resources. As part of the problem resolution process, the appraised value of the damaged vegetation may be requested from the property owner or responsible party, and the funds will be added to the Cleveland Metroparks Legacy Fund. Cleveland Metroparks uses the Legacy Fund to purchase trees and plants to help create a healthy environment for wildlife and preserve and enhance the natural beauty of Cleveland Metroparks.

F. Baseline Documentation Reports and Current Conditions Reports – Baseline Documentation Reports document the condition of a conservation property at the time a conservation easement is entered into. The reports include maps and photographs of the conservation property, as well as descriptions of the property's unique natural resources. For conservation easements that did not have a Baseline Documentation Report created at the time the easement was established, a Current Conditions Report

**BOARD OF PARK COMMISSIONERS OF THE
CLEVELAND METROPOLITAN PARK DISTRICT
POLICY STATEMENT**

SUBJECT: Conservation Easement Stewardship Policy

EFFECTIVE DATE:

can be created after the establishment of the easement that includes the same information as a Baseline Documentation Report. The Baseline Documentation Report or Current Conditions Report serves as a reference for future monitoring and enforcement activities. Cleveland Metroparks will work to create a Baseline Documentation Report or Current Conditions Report for each conservation easement it holds.

References:

Replaces and Supersedes: Conservation Easement Stewardship Policy – 11/30/2017

Approved:

Chief Executive Officer-Secretary

Board President

Approval Date

Review Date

**Resolution of Authorization
Land and Water Conservation Fund
Euclid Beach Playground and Pavilion
December 15, 2022**

WHEREAS, the State of Ohio through the Ohio Department of Natural Resources, administers financial assistance for public recreation purposes, through the federal Land and Water Conservation Fund grant program, and

WHEREAS, Cleveland Metroparks desires financial assistance under the Land and Water Conservation Fund grant program,

WHEREAS, Cleveland Metroparks desires to construct an accessible nature-based play space and pavilion at Euclid Beach Park in the Euclid Creek Reservation, and

NOW, THEREFORE, be it resolved by the Board of Park Commissioners of the Cleveland Metropolitan Park District:

That the Board of Park Commissioners of the Cleveland Metropolitan Park District approves filing this application for financial assistance.

That Brian M. Zimmerman is hereby authorized and directed to execute and file an application with the Ohio Department of Natural Resources and to provide all information and documentation required to become eligible for possible funding assistance.

That the Board of Park Commissioners of the Cleveland Metropolitan Park District does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the Land and Water Conservation Fund grant program.

Debra K. Berry, President
Board of Park Commissioners

CERTIFICATE OF RECORDING OFFICER

I the undersigned, hereby certify that the foregoing is a true and correct copy of the resolution adopted by Cleveland Metroparks on the 15th day of December 2022, and that I am duly authorized to execute this certificate.

Brian M. Zimmerman
Chief Executive Officer



Cleveland Metroparks

LEASE AMENDMENT

VILLAGE OF NEWBURGH HEIGHTS & CITY OF CLEVELAND
COUNTY OF CUYAHOGA, STATE OF OHIO

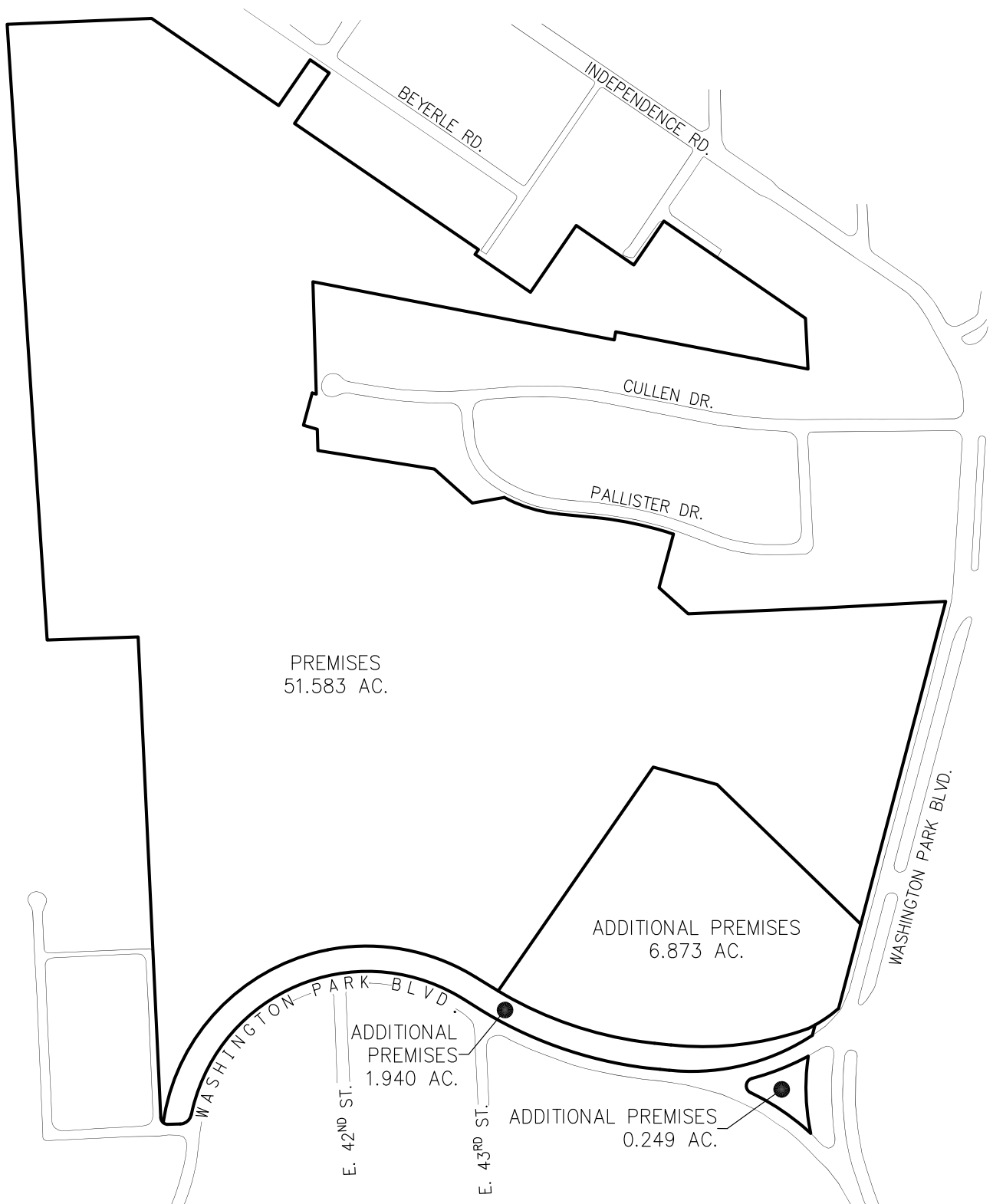
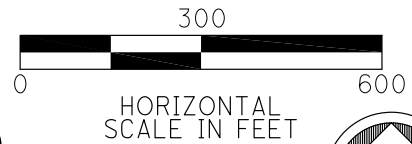




EXHIBIT A-1

The following vouchers have been reviewed as to legality of expenditure and conformity with the Ohio Revised Code.

Attest: _____

Chief Financial Officer

BE IT RESOLVED, that the payment of the following items, which may include Then and Now Certificates, are ratified by the Board of Park Commissioners. All expenditures have been reviewed and approved for payment by the Chief Financial Officer and Chief Executive Officer in accordance with the by-laws of the Board of Park Commissioners.

Direct Disbursement dated November 10, 2022 in the amount of \$3,258.00

Wire Transfer dated November 10, 2022 in the amount of \$584,620.71

Printed Checks dated November 10, 2022 in the amount of \$776,342.26

Direct Disbursement dated November 17, 2022 in the amount of \$4,418.25

Printed Checks dated November 18, 2022 in the amount of \$2,282,746.11

Wire Transfer dated November 22, 2022 in the amount of \$575,559.07

Printed Checks dated November 22, 2022 in the amount of \$163,721.39

Direct Disbursement dated December 2, 2022 in the amount of \$194,800.15

Printed Checks dated December 2, 2022 in the amount of \$1,892,751.13

Net Payroll dated October 23, 2022 to November 5, 2022 in the amount of \$1,388,094.40

Withholding Taxes in the amount of \$325,924.78

Net Payroll dated November 6, 2022 to November 18, 2022 in the amount of \$1,346,786.41

Withholding Taxes in the amount of \$315,304.44

Bank Fees/ADP Fees in the amount of \$44,800.21

Cigna Payments in the amount of \$900,132.86

ACH Debits (First Energy; Sales Tax) in the amount of \$78,279.95

JP Morgan Mastercard/Mastercard Travel Card dated November 1, 2022 to November 30, 2022 in the amount of \$795,986.81

Total amount: \$11,673,526.93

PASSED: December 15, 2022

Attest: _____

President of The Board of Park Commissioners

Chief Executive Officer

RECOMMENDED ACTION: That the Board of Park Commissioners approves **Resolution No. 22-12-178** listed above.

RESOLUTION NO. 22-12-179

The following vouchers have been reviewed as to legality of expenditure and conformity with the Ohio Revised Code.

Attest: _____

Chief Financial Officer

BE IT RESOLVED, that the payment of the following items, which may include Then and Now Certificates, are ratified by the Board of Park Commissioners. All expenditures have been reviewed and approved for payment by the Chief Financial Officer and Chief Executive Officer in accordance with the by-laws of the Board of Park Commissioners.

JP Morgan Mastercard-Arborwear dated November 1, 2022 to November 30, 2022 in the amount of \$991.39

Total amount: \$991.39

PASSED: December 15, 2022

Attest: _____

President of The Board of Park Commissioners

Chief Executive Officer

RECOMMENDED ACTION:

That the Board of Park Commissioners approves **Resolution No. 22-12-179** listed above.