

**MINUTES OF THE
BOARD OF PARK COMMISSIONERS
OF THE
CLEVELAND METROPOLITAN PARK DISTRICT**

NOVEMBER 30, 2017

The Board of Park Commissioners met on this date, Thursday, November 30, 2017, 8:00 a.m., at the Board's office, 4101 Fulton Parkway, Cleveland, Ohio.

The roll call showed President Bruce G. Rinker, Vice President Debra K. Berry, and Vice President Dan T. Moore, to be present. It was determined there was a quorum. Chief Executive Officer, Brian M. Zimmerman, Chief Financial Officer, William Chorba, and Sr. Assistant Legal Counsel, Kyle G. Baker, were also in attendance.

APPROVAL OF MINUTES.

No. 17-11-167: It was moved by Vice President Moore, seconded by Vice President Berry and carried, to approve the minutes from the Regular Meeting of October 9, 2017, 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, William Chorba, presented a Comparative Summary of Revenues & Expenditures 2017 vs. 2016 Year-To-Date, for the Month Ended October 31, Schedule of Accounts Receivable, Encumbrances and Investments Placed, as found on pages **85187** to **85192** and they were filed for audit.

ACTION ITEMS.

- (a) ***Chief Executive Officer's Retiring Guest(s):***
(Originating Source: Brian M. Zimmerman, Chief Executive Officer)

Albert H. Lewandowski, Chief Veterinarian – Cleveland Metroparks Zoo

Albert Lewandowski has served Cleveland Metroparks for more than 28 years, utilizing his knowledge, skills and abilities as a Veterinarian and Chief Veterinarian at Cleveland Metroparks Zoo. Doctor Lewandowski has managed the operations and staff of the veterinary medical hospital, and provided extensive care to the zoo's animal collection to include medical treatment, pathology, surgery, quarantine, necropsy and medical related recordkeeping. He implemented a program to track the diets of all zoo animals, and was responsible for updating and implementing guidelines and policies. Dr. Lewandowski was involved with numerous animal health-related research topics resulting in more than 30 presentations and peer review publications, and dedicated tremendous effort in providing guidance to the design phase of the veterinary hospital, overseeing building construction, and securing donations of equipment and furnishings which resulted in the successful opening of the Sarah Allison Steffee Center for Zoological Medicine. He has provided leadership, inspiration, instruction and mentoring to colleagues, veterinary staff, and veterinary students, and selflessly assisted them in developing their own careers, skills and knowledge. Dr. Lewandowski has been a valued asset to Cleveland Metroparks Zoo, and the products of his labor have been appreciated and will not be forgotten.

No. 17-11-168: It was moved by Vice President Moore, seconded by Vice President Berry and carried, to recognize Albert H. Lewandowski for his years of service to Cleveland Metroparks and the greater Cleveland community by adopting the Resolution found on page **85193**.

Vote on the motion was as follows:

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

Nays: None.

ACTION ITEMS (cont.)

(b) 2017 Budget Adjustment No. 7

(Originating Sources: William Chorba, Chief Financial Officer/Brian M. Zimmerman, Chief Executive Officer)

The following amendments are requested for Board approval:

CLEVELAND METROPARKS Appropriation Summary - 2017							
Object Code	Object Description	Original Budget			Total Prior Amendments	Proposed Amendment #7 11/30/17	Total Appropriations Including Amendments
		Baseline Budget	Carry Over Encumbrances	Total			
OPERATING							
51	Salaries	\$ 48,822,530	\$ -	\$ 48,822,530	\$ (3,938)	\$ 51,796	\$ 48,870,388
52	Employee Fringe Benefits	16,659,400	17,466	16,676,866	6,012	13,250	16,696,128
53	Contractual Services	13,128,629	667,064	13,795,693	147,419	20,731	13,963,843
54	Office Operations	22,707,607	1,676,108	24,383,715	1,425,423	63,304	25,872,442
	Operating Subtotal	101,318,166	2,360,638	103,678,804	1,574,916	149,081	105,402,801
CAPITAL							
572	Capital Materials	5,294,781	1,230,808	6,525,589	224,010	9,350	6,758,949
573	Capital Contracts	19,203,065	7,641,228	26,844,293	10,255,236	337,150	37,436,679
574	Capital Equipment	2,173,723	497,762	2,671,485	147,293	27,369	2,846,147
575	Zoo Animals	75,000	13,467	88,467	-	-	88,467
576	Land	1,200,000	24,043	1,224,043	246,500	212,000	1,682,543
	Capital Subtotal	27,946,569	9,407,308	37,353,877	10,873,039	585,869	48,812,785
TOTALS							
	Grand totals	\$ 129,264,735	\$ 11,767,946	\$ 141,032,681	\$ 12,447,955	\$ 734,950	\$ 154,215,586

An explanation of the adjustments, by category, can be found on pages **85194** to **85196**. The net effect of all adjustments is an increase of \$734,950.00.

No. 17-11-169:

It was moved by Vice President Moore, seconded by Vice President Berry and carried, to approve the 2017 Budget Adjustment No. 7 for a total increase of \$734,950.00 as delineated on pages **85194** to **85196**.

Vote on the motion was as follows:

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

ACTION ITEMS (cont.)

- (c) **2018 Temporary Appropriations**
(Originating Source: William Chorba, Chief Financial Officer)

Cleveland Metroparks Board of Park Commissioners are required to adopt a final budget by March 31 of each year. During the interim, the Board is also required to adopt temporary appropriations, based upon a *maximum* of 25% of the previous year's budget. A 2018 proposed budget will be completed, reviewed with Commissioners and submitted for their approval. In the meantime, a temporary budget must be filed with the County Fiscal Officer on or before January 15. Staff requests that the Board approve the following resolution:

2018 Temporary Appropriations

<u>Object Code</u>	<u>Object Description</u>	<u>Operating</u>
<u>Operating</u>		
51	Salaries	\$ 12,189,530
52	Employee Fringe Benefits	4,177,734
53	Contractual Services	3,406,063
54	Office Operations	<u>6,381,552</u>
	Subtotal - Operating	26,154,879
<u>Capital</u>		
572	Capital Materials	1,227,971
573	Capital Contracts	8,502,082
574	Capital Equipment	1,704,560
575	Zoo Animals	13,000
576	Land	<u>310,000</u>
	Subtotal - Capital	<u>11,757,613</u>
	Grand Total	<u>\$ 37,912,492</u>

BE IT RESOLVED, That there is hereby appropriated in the funds of this Board, for the period of January, February and March 2018, or until the approval of a budget for the full year 2018, the amounts set opposite the items listed above.

BE IT FURTHER RESOLVED, That a certified copy of this Resolution be filed with the Cuyahoga County Fiscal Officer.

No. 17-11-170: It was moved by Vice President Moore, seconded by Vice President Berry and carried, to approve the 2018 Temporary Appropriations Resolution above.

Vote on the motion was as follows:

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

Nays: None.

ACTION ITEMS (cont.)

- (d) ***Agreement Ratification of Cleveland Metroparks Employees Association***
(Originating Sources: Brian M. Zimmerman, Chief Executive Officer/Harold G. Harrison, Chief Human Resources Officer)

An agreement has been negotiated with Cleveland Metroparks Employees Association (CMEA) for 163 CMEA employees, for the three-year period from January 1, 2017 through December 31, 2019. A CMEA ratification meeting was held Wednesday, November 1, 2017, with the membership ratifying the agreement.

The agreement includes wage adjustments for all classifications as follows:

1st Year – 2.75 %
2nd Year – 2.50 %
3rd Year – 2.25 %

Cleveland Metroparks reserves the right to provide discretionary bonuses based on an employee's performance starting in 2019.

Health benefits premium contributions levels have been established for the duration of the agreement (Plan A – 18%/Plan B – 13%). Effective January 1, 2019, Cleveland Metroparks reserves the right to incorporate a \$100.00 spousal surcharge.

No. 17-11-171: It was moved by Vice President Moore, seconded by Vice President Berry and carried, to authorize the Chief Executive Officer to execute a labor relations agreement, in a form approved by Counsel and Chief Human Resources Officer, with Cleveland Metroparks Employees Association, for the three-year period from January 1, 2017 through December 31, 2019.

Vote on the motion was as follows:

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

ACTION ITEMS (cont.)

- (e) ***Authorization of 2018 Wage Adjustments/Compensation***
(Originating Sources: Harold G. Harrison, Chief Human Resources Officer)

Pursuant to Article 4 of its By-Laws, the Board 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, it is recommended that the Board set the 2018 non-union/regular employee compensation plan range at \$8,632 (\$4.15/hour) to \$249,312 and the 2018 intermittent employee (seasonal, variable, and intern) compensation plan range at \$4.15 per hour to \$30.00 per hour.

In addition, it is recommended that the Board of Park Commissioners approve a 3.00% aggregate performance merit adjustment effective January 1, 2018. Performance merit wage adjustments (range from 1% - 4%) are based on the forced distribution evaluation method. The total cost to implement the adjustments for the 421 non-union employees (302 full-time and 119 part-time) is ±\$685,736.

It is recommended that the Board of Park Commissioners amend the Chief Executive Officer's employment contract.

No. 17-11-172: It was moved by Vice President Moore, seconded by Vice President Berry and carried, to authorize a 3.00% aggregate performance merit adjustment in 2018 for all full-time and part-time non-union employees; that the Board authorize the above-described employee compensation plan ranges for 2018; that the Board authorize the President of the Board to execute an employment contract extension through December 31, 2023, and in addition, the Chief Executive Officer may elect to convert up to 80 hours of accrued unused vacation time to cash at the current rate of pay; and lastly, that the Board authorize the President of the Board to approve/deny certain expenses related to career development and training opportunities, the career development and training opportunities to include workshops, seminars, conferences and formal education.

Vote on the motion was as follows:

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

Nays: None.

ACTION ITEMS (cont.)

- (f) ***Award RFP #6304-B: Cleveland Metroparks Zoo Welcome Pavilion and Primate, Cat, and Aquatics Exterior Gorilla Yard Modifications – Construction Manager at Risk (Originating Sources: Sean E. McDermott, P.E., Chief Planning and Design Officer/Christopher Kuhar, PhD., Zoo Executive Director)***

Background:

On September 18, 2017 Cleveland Metroparks issued an RFQ for construction management firms to submit qualifications for the construction management (at risk) of the proposed Welcome Pavilion and Primate, Cat, and Aquatics Exterior Gorilla Yard Modifications at Cleveland Metroparks Zoo. The proposed Welcome Pavilion is being designed by Cleveland Metroparks planning and design staff while the exterior gorilla yard modifications have been designed by WDM Architects of Wichita, Kansas.

The RFQ yielded 9 responding construction management firms. The firm’s statements of qualifications were reviewed by a review panel of Cleveland Metroparks staff, including Sean McDermott, Chris Kuhar, Andy Simons, Christopher Lowe and Christopher Widdowson. The review panel determined a short list of four firms and proposals were requested from each. Additionally, interviews were held with each short listed firm.

**Welcome Pavilion / PCA Gorilla Yard
RFP 6304-b - Responding Firms**

* A M Higley Company
Anthony Allega, Inc.
Dunlop & Johnstson, Inc.
The Krill Co., Inc.
* Panzica Construction Company
* Regency Construction Services
Richard L. Bowen & Assoc.
Schirmer Construction Co.
* The Whiting-Turner Contracting Company

* - Denotes short list

Proposals from each short-listed construction management firm were received and reviewed by the project review panel. The firms were then ranked in compliance with the Ohio Revised Code (“ORC”). As permitted by the ORC, both the qualifications of the firm and their proposed price are blended to produce a “best value” score. At Cleveland Metroparks election, qualifications are weighted at 60% and price at 40%. Below is a listing of the four (4) short listed construction managers, and their corresponding “best value” score.

RFP #6304-B Results:

Ranking	Construction Management Firm	Price ^(a) (sum)	(1) Price Component	(2) Qualifications Component	(1)+(2) Best Value Score
1	Regency Construction Services	\$77,005	40.0	57.0	97.0
2	A.M. Higley Co.	\$93,920	31.2	57.6	88.8
3	The Whiting-Turner Contracting Co.	\$92,900	31.7	53.4	85.1
4	Panzica Construction Co.	\$147,420	3.4	56.4	59.8

ACTION ITEMS (cont.)

The price reflected in the above table includes the preconstruction services fee, the preconstruction expenses, estimated general conditions costs (based on percentage of construction cost) and the construction manager fee (based on percentage of construction cost) for the project. Once construction documents are nearing finalization, staff will return to the Board to set a Guaranteed Maximum Price (GMP), at which time, inclusive of construction costs, the general conditions costs, and the construction manager fee will be finalized. Upon the negotiation of a contract with the recommended construction management firm, Regency Construction Services, Inc., the preconstruction services fee and preconstruction stage expenses will be established at \$4,485.00.

RFP Analysis:

Staff recommends the construction manager at risk contract be negotiated and awarded to **Regency Construction Services, Inc.** (“Regency”) of Lakewood, Ohio. Regency, a Certified Female Business Enterprise firm, has been in operation since 1994 and has extensive construction management at risk and general contracting experience in Northeast Ohio. Regency’s approach and understanding of the project was well demonstrated in the interview process, and their project team and goals align with Metroparks staff. Regency has also performed positively for Cleveland Metroparks on the Zoo 4D Theater, Stillwater Place, Administrative Office Addition, and the Brecksville Trailside Program Center among other projects.

No. 17-11-173:

It was moved by Vice President Moore, seconded by Vice President Berry and carried, to authorize the Chief Executive Officer to enter into a Guaranteed Maximum Price (GMP) contract with **Regency Construction Services, Inc.**, being ranked as the “best value” for RFP#6304-B, the **Zoo Welcome Pavilion and Primate, Cat, and Aquatics Exterior Gorilla Yard Modifications, Cleveland Metroparks Zoo**, inclusive of \$4,485.00 for preconstruction stage compensation. In the event that a GMP contract cannot be negotiated with the construction manager, a contract would then be negotiated, per Ohio Revised Code, with the next ranked construction manager, who the Board, in its discretion, has reflected in the minutes as being the next ranked construction manager. 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.)

- (g) ***Amendment to Authorization of Land Acquisition and The Conservation Fund – Ohio Forested Habitat Fund Grant Application: Western Reserve Land Conservancy Property (± 102 acres) – Brecksville Reservation***
(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/Stephanie Kutsko, Land Protection Manager/Kristen Trolio, Grants Manager)

On October 27, 2016 the Board approved the acquisition of the Western Reserve Land Conservancy (WRLC) Property (Property) with a contribution of up to \$320,000 (\$300,000 towards acquisition and \$20,000 towards restoration). The Property is located just south of Brecksville Reservation and west of Hillsdale Road in the City of Brecksville, consisting of ±102 acres (reference map, page **85197**). The Property is predominately forested and represents a significant acquisition to Brecksville Reservation including both upland and wetland forests with open wet meadows and streams. WRLC entered into a purchase agreement with B. Palmieri Enterprises, LLC for \$2,500,000 to purchase the Property in June of 2016, contingent upon WRLC securing financing through public or private funds. Staff has worked with WRLC on the acquisition and has assisted in identifying and securing funds for the acquisition and restoration of the Property, and is recommending the following funding assemblage:

Funding Source	Amount	Status
Clean Ohio Conservation Fund	\$1,753,569 (acquisition funds only)	Awarded
Land and Water Conservation Fund	\$300,000 (acquisition funds only)	Awarded
Ohio Forested Habitat Fund	\$474,575 (\$459,575 acquisition funds & \$15,000 restoration)	<i>Pending</i>
Total:	\$2,528,144	

WRLC has entered into an agreement with the Ohio Public Works Commission for the acceptance of \$1,753,569 from the Clean Ohio Conservation Fund and Cleveland Metroparks has entered into an agreement with the Ohio Department of Natural Resources for the acceptance of \$300,000 from the Land and Water Conservation Fund. The Ohio Forested Habitat Fund is administered through The Conservation Fund and the required resolution for the acceptance of these funds is on page **85198**. Cleveland Metroparks plans to acquire the Property in December 2017 utilizing Cleveland Metroparks capital funds, and Cleveland Metroparks will seek reimbursement from the Ohio Forested Habitat Fund in 2018. Should Cleveland Metroparks not receive the requested funds from the Ohio Forested Habitat Fund, the Board will commit to contributing up to \$446,431.00 plus due diligence and closing costs toward the acquisition of the Property to cover the funding gap. If the funding assemblage detailed above is approved and awarded, Cleveland Metroparks will acquire fee simple title to the Property from WRLC subject to a conservation easement held by WRLC and contribute only closing and due diligence costs for acquisition of the Property.

ACTION ITEMS (cont.)

No. 17-11-174: It was moved by Vice President Moore, seconded by Vice President Berry and carried, to authorize the contribution of up to \$446,431.00 plus due diligence and closing costs and accept the fee simple title acquisition of the ±102 acre B. Palmieri Enterprises, LLC property from the Western Reserve Land Conservancy, subject to the terms and conditions hereinabove summarized, and subject to the approval of the environmental assessment report and evidence of title, including exceptions to title, by the Chief Legal and Ethics Officer; further, that the Board authorize the grant agreement with The Conservation Fund for funding assistance through the Ohio Forested Habitat Fund as described above; further, to authorize and agree 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 finally, that the Board authorize the Chief Executive Officer to enter into agreements and execute any other documents as may be required to accept the grant upon award and to acquire the property, including an amendment with Western Reserve Land Conservancy to reflect the above terms; form of 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.

(h) *Authorization of Land Acquisition: Porozynski Property, Brecksville Reservation (±8.2 acres)*

(Originating Sources: Brian M. Zimmerman, Chief Executive Officer/Rosalina M. Fini, Chief Legal & Ethics Officer/Kyle G. Baker, Senior Assistant Legal Counsel/Stephanie Kutsko, Land Protection Manager/Isaac Smith, Conservation Program Manager)

Cleveland Metroparks has the opportunity to acquire an ±8.2 acre property located at 9617 Brecksville Road in Brecksville, and adjacent to the southwest corner of Brecksville Reservation (see page **85199**). Brecksville Reservation is the largest of Cleveland Metroparks reservations and protects an extensive oak-hickory upland woods which is cut by multiple gorges. This acquisition will enhance the reservation by preserving additional stream valleys and associated ridges. The property contains a mature oak forest creating a significant buffer to this corner of the reservation. The streams on the property are part of a high-quality subwatershed, one of only two subwatersheds in the entire Park District that has Redside dace (*Clinostomus elongatus*) present. Redside dace are only found in very clean, intact headwater streams and have been declining statewide for decades. Along the stream channels are small wetlands and seepage areas, which are beneficial to the adjacent and downstream aquatic habitats. Brecksville Reservation, along with its proximity to the Cuyahoga Valley National Park, provides support of a larger, connected natural area, capable of sustaining more significant populations of sensitive species. The acquisition of the Porozynski Property will continue the protection of this important natural area and associated headwater streams and forests.

ACTION ITEMS (cont.)

Michelle Keagle, as Guardian of Martin J. Porozynski, reached out to Cleveland Metroparks with an interest in selling the property to the Park District. The Probate Court of Cuyahoga County has previously appointed Michelle Keagle as the guardian of Martin J. Porozynski. However, as a condition of the guardianship, Michelle Keagle must obtain Probate Court approval to sell the property to Cleveland Metroparks. As such, the acquisition of the Porozynski Property will be subject to the Probate Court's approval.

No. 17-11-175: It was moved by Vice President Moore, seconded by Vice President Berry and carried, to authorize the acquisition of fee simple title of ±8.2 acres as hereinabove described, from Michelle Keagle, Guardian of Martin J. Porozynski (subject to Probate Court approval as above-described), for a purchase price of \$255,000 subject to the approval of the environmental assessment report and 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 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: Ms. Berry, Messrs. Moore and Rinker.
Nays: None.

- (i) ***Second Reading and Adoption: Multiple Policies***
(*Originating Source: Brian M. Zimmerman, Chief Executive Officer/Rosalina M. Fini, Chief Legal and Ethics Officer/Joseph V. Roszak, Chief Operating Officer/Kelly M. Manderfield, Chief Marketing Officer/Kyle G. Baker, Senior Assistant Legal Counsel-Director of Real Estate/Isaac D. Smith, Conservation Program Manager*)

Pursuant to Article 1, Section 1(a) of its By-Laws, the following policies were submitted to the Board of consideration and First Reading on November 9, 2017. No changes have been proposed, and they are now before the Board of a 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 park lands. Cleveland Metroparks has acquired over 23,000 acres of land throughout its 100-year history, nearly 500 acres of which are protected through conservation easements, amassing nearly 400 miles of property boundaries that adjoin to over 5,000 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 its property boundaries and conservation easements to protect Cleveland Metroparks real property interests.

ACTION ITEMS (cont.)

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 previously a Chief Executive Officer Policy last updated on December 28, 2012 with a recommended review date of December 28, 2017. The Conservation Easement Stewardship Policy is a new policy for Cleveland Metroparks because it was not until 1996 that Cleveland Metroparks acquired its first conservation easement. The policies confirm Cleveland Metroparks commitment to the core values of “customer focus” for protecting the park user experience, “dignity and respect,” “integrity,” and “professionalism” for addressing the property interests fairly, consistently, and in a dignified manner, “teamwork” for combining staff resources, and “sustainability” for working together to preserve the natural resources of the Park District.

Trademark and Logo Usage Policy:

The Board of Park Commissioners of the Cleveland Metropolitan Park District owns brands, marks, names, and logos which are very important organizational assets. Several recent examples of third parties registering marks used by other entities underscore the need to properly secure marks, names and logos that define an organization. Cleveland Metroparks identified the most significant marks for federal registration, and the final registration has just been received. Consequently, the Trademark and Logo Usage Policy is needed to provide a roadmap for staff and third parties to understand more clearly how and when the registered marks may be used.

The full Policies can be found at pages **85200** through **85221**.

No. 17-11-176: It was moved by Vice President Moore, seconded by Vice President Berry and carried, to Board adopt the “Property Line Encroachment Policy, the “Conservation Easement Stewardship Policy,” and the “Trademark and Logo Usage Policy” for implementation.

Vote on the motion was as follows:

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

Nays: None.

ACTION ITEMS (cont.)

- (j) ***Disbursement of Zoo Conservation Funds 2017***
(Originating Source: Christopher Kuhar, Zoo Executive Director/Kristen Lukas, Director of Conservation and Science)

Background

Cleveland Metroparks Zoo's commitment to securing a future for wildlife includes enabling our guests to take action to positively impact wildlife conservation. To this end, the Zoo maintains a number of donation opportunities for our guests and partners. Funds generated at the Zoo for wildlife conservation support are held in restricted Cleveland Metroparks accounts to be disbursed in support of targeted wildlife conservation efforts in the field around the world.

These funds are as follows:

- **Zoo R.A.I.N. Fund (#2017710)**
- **Zoo Sea Turtles Fund (#2017711)**
- **Quarters for Conservation Fund (#2017712)**
- **Future for Wildlife Fund (#2017717)**
- **Conservation Donations Aramark (#2017718)**
- **Event Networks / Zoo Gift Concession Conservation Fund (#2017740)**

In addition to how funds have been generated in the past, Cleveland Metroparks Zoo engaged in two unique conservation fund generating activities to complement the Future for Wildlife campaign and generate additional conservation funds. These included a donation option after the summer All-star Stunt Dogs Challenge and as part of a naming contest for a giraffe calf.

If approved, the funds will be distributed in December 2017. Restricted fund totals as of December 24, 2017 are as follows:

<u>Restricted Fund</u>	<u>Amount</u>
Zoo R.A.I.N. Fund - #2017710	\$3,103
Zoo Sea Turtles Fund - #2017711	\$535
Quarters for Conservation Fund - #2017712	\$73,763
Future for Wildlife Fund - #2017717	\$7,870
Conservation Donations Aramark - #2017718	\$1,839
Event Networks Conservation Fund - #2017740	\$48,000
TOTAL	\$135,110

ACTION ITEMS (cont.)**Zoo R.A.I.N. Fund (#2017710) and Zoo Sea Turtles Fund (#2017711)**

In November 1992, the Cleveland Metroparks Board of Park Commissioners approved the conservation visitor donation program at the RainForest and Primate, Cat and Aquatics buildings to provide an opportunity for individuals to contribute to rainforest and aquatic education and preservation. On June 29, 2000, by way of Resolution No. 00-06-181 the Board approved the distribution of the RainForest and Primate, Cat and Aquatics donations for 2000 and beyond for education/conservation organizations deemed appropriate by the Zoo Director, provided that such distributions shall be reported to the board as informational items in regular board meetings prior to said distributions.

2017 SUPPORT:**In-situ Conservation Education**

Cleveland Metroparks Zoo proposes to contribute **\$1,800** from restricted fund **#2017710** to the Amazon Center for Environmental Education and Research (ACEER Foundation). The mission of the ACEER Foundation is to promote conservation of the Amazon by fostering awareness, understanding, action, and transformation. For more than 20 years the ACEER has been initiating environmental education programs, supporting basic and applied research, and protecting unique tracts of land. Educational activities include environmental education programs in the Peruvian Amazon targeted at developing environmental awareness and sustainable use of natural resources while enhancing cross-cultural understanding and learning through a series of interactive experiences.

Cleveland Metroparks Zoo proposes to contribute **\$403** from restricted fund **#2017710** to the Civil Association for Conservation of the Peruvian Amazon Environment (CONAPAC). CONAPAC is a non-government organization formed in 1990 whose goal is the conservation of the Peruvian Amazon primary rainforest through local education and tools for sustainable living. Education efforts focus on sustainability, environmental health, social and economic stability, and cultural heritage. Programs include educating children about the importance of their rainforest ecosystems, educating adults about the natural resources of the rainforest, long-term sustainable methods and models for utilizing these resources and their role in the ecosystem and rainforest preservation.

Cleveland Metroparks Zoo proposes to contribute **\$900** from restricted fund **#2017710** to the Wildlife Conservation Society's Mbeli Bai Project. Since 1995 the Mbeli Bai Project has been monitoring the wildlife visiting Mbeli Bai to help ensure the long-term protection of gorillas and other forest mammals in the Nouabalé-Ndoki National Park through applied research, capacity building, local community outreach, and sustainable livelihoods. The Mbeli Bai Project includes an environmental education project called "Club Ebobo" which uses interactive strategies to teach local children about the region's flora and fauna and ecosystems and promotes appreciation and pride in their local biodiversity.

ACTION ITEMS (cont.)**The total proposed distribution from restricted fund #2017710 (Zoo R.A.I.N. Fund) is \$3,103.**

Cleveland Metroparks Zoo proposes to contribute \$535 from restricted fund #2017711 to the Wider Caribbean Sea Turtle Conservation Network (WIDECAST). WIDECAST programs in Venezuela (managed under CICTMAR since 1999) focus research and conservation efforts at the two most important nesting areas for endangered sea turtles in Venezuela. The project monitors and protects more than 500 nests each year, creates awareness, and links sea turtle conservation to better livelihoods for coastal people. The field work on the beaches significantly reduces egg poaching and promotes local environmental awareness in the communities who participate in the project. Conservation activities and materials are also provided to local communities, reaching thousands of people, including children, fishermen and local authorities.

The total proposed distribution from restricted fund #2017711 (Zoo Sea Turtles Fund) is \$535.**Quarters for Conservation Fund (#2017712)**

The Quarters for Conservation (Q4C) program was established at Cleveland Metroparks Zoo in 2012 to help the Zoo increase both support for and communication about Cleveland Metroparks wildlife conservation efforts. Twenty-five cents from each ticketed admission is earmarked for support of wildlife conservation. Each ticketed visitor participates in the program by depositing a token they receive at the ticket counter at a kiosk inside the Zoo entrance to support one of three wildlife conservation projects. There is also an opportunity to make an additional donation.

At Cleveland Metroparks Zoo, three conservation focus areas are selected at the beginning of each year based on current conservation priorities. The priority areas selected for 2017 were gorillas, lions and cheetahs, and giraffe. Based on the proportion of tokens deposited and additional donations made, these funds are divided appropriately between the three projects. Additionally, funds generated from the giraffe naming contest were included in the distribution to the Giraffe Conservation Foundation.

2017 SUPPORT**Gorilla Conservation**

Cleveland Metroparks Zoo proposes to contribute \$23,138 to the Dian Fossey Gorilla Fund International (DFGFI) to protect endangered Eastern lowland gorillas, only found in in Democratic Republic of Congo (DRC). Fewer than 2500 of these gorillas remain in wild. DFGFI is a long-standing partner of

ACTION ITEMS (cont.)

Cleveland Metroparks and a leader in gorilla conservation, representing the longest continuous gorilla conservation project in the world. DFGFI is protecting 150 gorillas in the Nkuba-Biruwe Conservation Area in DRC using monitoring and protection programs modeled after proven programs that protect Mountain Gorillas in Rwanda. The goal is work with local communities to double the number of Grauer's gorillas protected in this region by 2020.

Giraffe Conservation

Cleveland Metroparks Zoo proposes to contribute **\$23,831** to the Giraffe Conservation Foundation. These funds will be used to promote giraffe conservation in Kenya and Tanzania and study and help protect endangered Rothschild's giraffe in Uganda. GCF is the only organization in the world focused solely on giraffe conservation and works closely with African and international government and non-government organizations to conduct and promote giraffe conservation and support innovative research on giraffe ecology, genetics, conservation and management.

Lion and Cheetah Conservation

Cleveland Metroparks Zoo proposes to contribute **\$26,794** to the Oxford University Ruaha Carnivore Project in Tanzania. These funds will be used to study and monitor populations of lions and other large carnivores and support work with local pastoral communities to help address human-lion conflict in the Ruaha region of Tanzania – a critical area for the conservation of large carnivores. This successful program is a prestigious National Geographic “Big Cats Initiative” partner and was recognized for its excellence when founder and Director, Dr. Amy Dickman was a finalist for a prestigious Tusk Trust Award.

The total proposed distribution from restricted fund #2017712 (Quarters for Conservation Fund) is \$73,763**Future for Wildlife Fund (#2017717)**

The Future for Wildlife (FFW) fund was established in 2016 to help the Zoo increase support for FFW conservation efforts and facilitate public donations in support of Zoo wildlife conservation efforts. This fund holds donations received through the Zoo for support of Future for Wildlife and generated through onsite guest FFW engagement activities.

2017 SUPPORT**Combating Illegal Wildlife Trade**

Cleveland Metroparks Zoo proposes to contribute **\$3,000** to the African Wildlife Foundation for support of the Canine Detection Unit. Illegal poaching in Africa is at an all-time high, with elephants and rhinos targeted by well-funded and well-equipped poachers who are motivated by a lucrative illegal trade. African Wildlife Foundation's Canine program trains and deploys detection dogs to critical

ACTION ITEMS (cont.)

trafficking hubs like airports and seaports throughout East Africa to help law enforcement detect illegal wildlife products and head off traffickers before they can export illegal products. These highly trained dogs can detect even the smallest amounts of wildlife contraband, like ivory or rhino horn dust, and they boast a 90 percent accuracy rate. A portion of the funds in this account were generated from donations raised as part of the summer All-Start Stunt Dog Challenge.

Andean Bear Conservation

Cleveland Metroparks Zoo proposes to contribute **\$737** to the Andean Bear Conservation Alliance (ABCA). The Zoo has been involved in Andean bear conservation for more than 15 years and created the Andean Bear Conservation Alliance (ABCA) in partnership with the Wildlife Conservation Society in 2010. ABCA was created to provide a cohesive, coordinated, efficient and effective approach to Andean bear conservation throughout its range, and consolidate efforts through a targeted action plan. Updated and accurate information on Andean bear distribution, abundance and conservation status is needed to design effective national and regional conservation plans for Andean bears.

Giraffe Conservation

Cleveland Metroparks Zoo proposes to contribute **\$749** to the Giraffe Conservation Foundation. These funds will be used to promote giraffe conservation in Kenya and Tanzania and study and help protect endangered Rothschild's giraffe in Uganda. GCF is the only organization in the world focused solely on giraffe conservation and works closely with African and international government and non-government organizations to conduct and promote giraffe conservation and support innovative research on giraffe ecology, genetics, conservation and management.

Gorilla Conservation

Cleveland Metroparks Zoo proposes to contribute **\$968** to the Dian Fossey Gorilla Fund International (DFGFI) to protect endangered Eastern lowland gorillas, only found in Democratic Republic of Congo (DRC). Fewer than 2500 of these gorillas remain in wild. DFGFI is a long-standing partner of Cleveland Metroparks and a leader in gorilla conservation, representing the longest continuous gorilla conservation project in the world. DFGFI is protecting 150 gorillas in the Nkuba-Biruwe Conservation Area in DRC using monitoring and protection programs modeled after proven programs that protect Mountain Gorillas in Rwanda. The goal is work with local communities to double the number of Grauer's gorillas protected in this region by 2020.

ACTION ITEMS (cont.)**Lion and Cheetah Conservation**

Cleveland Metroparks Zoo proposes to contribute **\$760** to the Oxford University Ruaha Carnivore Project in Tanzania. These funds will be used to study and monitor populations of lions and other large carnivores and support work with local pastoral communities to help address human-lion conflict in the Ruaha region of Tanzania – a critical area for the conservation of large carnivores. This successful program is a prestigious National Geographic “Big Cats Initiative” partner and was recognized for its excellence when founder and Director, Dr. Amy Dickman was a finalist for a prestigious Tusk Trust Award.

Tiger Conservation

Cleveland Metroparks Zoo proposes to contribute **\$792** to the WildAid tiger program. WildAid works to address illegal tiger trade and reduce demand for tiger parts in targeted markets in Asia, particularly in China. WildAid works with government, business, media partners, and celebrities to encourage attitudinal and behavioral change to target demand reduction. WildAid also leads an International Tiger Coalition of 42 environmental, zoological, and animal protection groups, calling for a permanent ban on the trade in tiger parts and products.

Asian Turtle Conservation

Cleveland Metroparks Zoo proposes to contribute **\$864** to the Turtle Survival Alliance (TSA). The goal of the TSA is to create a broad-based, international partnership network for the conservation and sustainable management of freshwater turtles and tortoises. TSA initiates and supports range country efforts in education and law enforcement, field research, identification of protected natural areas, and establishment of in-country rescue centers and genetically viable “assurance colonies” for endangered turtle species. The Zoo was a founding member in 2001 and the TSA is now the leading turtle conservation organization in the world - recognized as a global force for turtle conservation.

The total proposed distribution from restricted fund #2017717 (Future for Wildlife Fund) is \$7,870.

Conservation Donations Aramark (#2017718)

In 2015, Aramark, Inc offered to place donation boxes at select Zoo concession locations to facilitate public donations to Zoo wildlife conservation efforts. Funds generated from these donation boxes are deposited in this restricted account during the calendar year for support of targeted wildlife conservation projects.

ACTION ITEMS (cont.)**2017 SUPPORT****Combating Illegal Wildlife Trade**

Cleveland Metroparks Zoo proposes to contribute **\$1,839** to the African Wildlife Foundation (AWF) for support of the Canine Detection Unit. Illegal poaching in Africa is at an all-time high, with elephants and rhinos targeted by well-funded and well-equipped poachers who are motivated by a lucrative illegal trade. AWF's Canine program trains and deploys detection dogs to critical trafficking hubs like airports and seaports in East Africa to help law enforcement detect illegal wildlife products and head off traffickers before they can export illegal products. These highly trained dogs can detect even the smallest amounts of wildlife contraband, like ivory or rhino horn dust, and boast a 90 percent accuracy rate.

The total proposed distribution from restricted fund #2017718 (Conservation Donations Aramark) is \$1,839.

Event Networks Conservation Fund (#2017740)

The Event Networks Conservation Fund was established at Cleveland Metroparks Zoo in 2012 to help the Zoo increase both support for and communication about Cleveland Metroparks wildlife conservation efforts. Conservation revenue is generated at the gift shop in three ways.

1. An amount equivalent to 1% of annual sales in the gift shop is allocated to the Event Networks Conservation Fund. A number of conservation focus areas/projects are selected late in the year for the coming year based on current conservation priorities.
2. Buyers are invited to "round up" their purchase to the next dollar and donate that amount to the Zoos conservation efforts. A number of conservation focus areas/projects are selected late in the year for the coming year based on current conservation priorities.
3. A predetermined % of proceeds generated from the sale of FFW items and/or FFW program-specific items in the shop is allocated to the Event Networks Conservation Fund. These sales are tracked to ensure that support will be disbursed to the appropriate field conservation partner/projects associated with each item. Examples include slow loris plush toys (Little Fireface Project) and Andean Bear Conservation Alliance coffee, mug and plush.

2017 SUPPORT**Turtle Conservation**

Cleveland Metroparks Zoo proposes to contribute **\$5,000** to the Turtle Survival Alliance (TSA). The goal of the TSA is to create a broad-based, international partnership network for the conservation and sustainable management of freshwater turtles and tortoises. TSA initiates and supports range country efforts in education and law enforcement, field research, identification of protected

ACTION ITEMS (cont.)

natural areas, and establishment of in-country rescue centers and genetically viable “assurance colonies” for endangered turtle species. The Zoo was a founding member in 2001 and the TSA is now the leading turtle conservation organization in the world - recognized as a global force for turtle conservation.

Elephant Conservation

Cleveland Metroparks Zoo proposes to contribute **\$5,000** to the WildAid elephant program. A key component of this program is the “Say No” campaign. In collaboration with African Wildlife Foundation, Save the Elephants and CHANGE, this public awareness campaign is aimed at stopping the demand for illegal wildlife products - specifically ivory and rhino horn - in Asia, one of the biggest markets for illegal wildlife products. The “Say No” Campaign targets major ivory and rhino horn consuming nations, including China, Hong Kong, Vietnam and Thailand.

Elephant Conservation

Cleveland Metroparks Zoo proposes to contribute **\$5,000** to the Wildlife Conservation Society’s 96 Elephants campaign. The 96 Elephants campaign brings together NGOs, citizens, and governments to stop the illegal trade of ivory. The initiative allocates funding for the three-pronged goal of preventing the killing of elephants, halting the smuggling of ivory, and reeducating global consumers. Most critically, the campaign is supporting the hiring and training over 3,000 new park rangers at a number of targeted sites across Africa. Public advocacy is a key component of the campaign as well and was extremely active in advocating for the US moratorium on ivory sale in the United States. The U.S. is one of the largest markets for ivory in the world, second only to China.

Ape Conservation

Cleveland Metroparks Zoo proposes to contribute **\$5,000** to the AZA Ape TAG Conservation Initiative (ATCI). The ATCI represents a collective effort by zoos to help conserve wild populations of apes. Launched in early 2010, the primary goals are to increase the amount and duration of zoo support for ape conservation, as well as the number of zoos contributing to the in situ conservation of apes, and provide multi-year support for high priority ape populations and sites. Funds are generated by contributions from supporting zoos and equally distributed among projects selected for support. The Zoo is a founding member of the ATCI.

Human Wildlife Conflict Mitigation

Cleveland Metroparks Zoo proposes to contribute **\$5,000** to the Human Wildlife Conflict Collaboration (HWCC). The HWCC is addressing the practical, urgent needs in human-wildlife conflict, on both the local and global scale, through a global partnership that supports greater collaboration on human-wildlife conflict across disciplines, sites, institutions and policy areas. The HWCC aims to prevent and mitigate human-wildlife conflicts by facilitating collaborative learning, innovation, scientific analysis and development of best practices and an active and engaged community of practice.

ACTION ITEMS (cont.)**Red Panda Conservation**

Cleveland Metroparks Zoo proposes to contribute **\$5,000** to the Red Panda Conservation Network (RPN). RPN develops community-based initiatives that protect red panda and their habitats and benefit the livelihoods of local people. RPN works with local communities to protect and restore red panda habitat, monitor red pandas and their bamboo forest habitat and increase red panda awareness among local communities. The Forest Guardian program, along with ecotourism, anti-poaching network, alternative energy production, organic farming and medicinal plant cultivation programs enhance local livelihoods and foster red panda stewardship.

Tree Kangaroo Conservation

Cleveland Metroparks Zoo proposes to contribute **\$4,000** to the Tree Kangaroo Conservation Project (TKCP). For over a decade the TKCP has been working with local landowners in Papua New Guinea to create and manage the country's first Conservation Area, encompassing pristine cloud forest and endangered tree kangaroo habitat. TKCP has grown and evolved over the years from a conservation research project into a holistic program, addressing the goals of species and habitat protection through a community-based approach, involving local landowners in decision-making and providing communities with real and tangible conservation benefits.

Strategic Wildlife Conservation Support

Cleveland Metroparks Zoo proposes to contribute **\$2,000** to the Conservation Breeding Specialist Group (CBSG). The CBSG is a specialist group of the International Union for the Conservation of Nature (IUCN) whose mission is to save threatened species by increasing the effectiveness of conservation efforts worldwide. CBSG efforts include developing and disseminating innovative and interdisciplinary science-based tools and methodologies, providing culturally sensitive and respectful facilitation that results in conservation action plans, and promoting global partnerships and collaborations that support species conservation.

Amphibian Conservation

Cleveland Metroparks Zoo proposes to contribute **\$2,000** to the Amphibian Ark (AArk). The AArk is a joint effort of the World Association of Zoos and Aquariums (WAZA), the IUCN SSC Conservation Breeding Specialist Group (CBSG), and the Amphibian Specialist Group (ASG). AArk works to ensure the survival and diversity of amphibian species focusing on those that cannot currently be safe-guarded in their natural environments. AArk partners evaluate the conservation needs for amphibian species and regions; develop and implement amphibian conservation training programs for individuals and institutions; and promote awareness and action on behalf of amphibian conservation.

ACTION ITEMS (cont.)**Madagascar Conservation**

Cleveland Metroparks Zoo proposes to contribute **\$5,000** to the Madagascar Fauna and Flora Group (MFG). The MFG is an international non-government organization that brings together zoos, aquariums, botanical gardens and related institutions for the united purpose of conserving Madagascar's biodiversity. In operation since 1988, the MFG includes zoo professionals, field biologists, Malagasy government officials and regional and local people to promote the conservation of Madagascar. The MFG is a holistic and integrated program that works to conserve Madagascar's unique biodiversity through research, environmental education, capacity-building and conservation action.

Rhino Conservation

Cleveland Metroparks Zoo proposes to contribute **\$3,000** to the International Rhino Foundation (IRF). For 25 years, the International Rhino Foundation has championed the survival of the world's rhinos through conservation and research. IRF operates on-the-ground programs in all areas of the world where rhinos live in the wild, helping to secure viable populations of the five remaining rhino species and the communities that coexist with them. IRF protects particularly threatened rhino populations and their habitats in the wild. Conservation efforts for African rhinos include the Lowveld Rhino Conservation Program in Zimbabwe, and "Operation Stop Poaching Now" in Southern Africa.

Addressing Illegal Wildlife Trade

Cleveland Metroparks Zoo proposes to contribute **\$2,000** to TRAFFIC International.

TRAFFIC, the wildlife trade monitoring network, is the leading non-governmental organization working globally on wildlife trade. TRAFFIC's mission is to ensure that trade in wild plants and animals is not a threat to the conservation of nature. The globally distributed TRAFFIC bulletin is the only journal devoted exclusively to wildlife trade issue and includes valuable news on the trade in wildlife resources, the latest in related legislation, investigations and seizures, and original global and regional reports.

The total proposed distribution from restricted fund #2017740 (Event Network Conservation Fund) is \$48,000.

No. 17-11-177: It was moved by Vice President Moore, seconded by Vice President Berry and carried, to authorize the disbursement of \$135,110 contributed funds for conservation programming to the following organizations:

ACTION ITEMS (cont.)

ACEER	\$1,800
CONAPAC	\$403
Mbeli Bai Project	\$900
WideCas	\$535
Dian Fossey Gorilla Fund International	\$24,106
Giraffe Conservation Foundation	\$24,580
Oxford University Ruaha Carnivore Project	\$27,554
African Wildlife Foundation	\$4,839
Andean Bear Conservation Alliance	\$737
WildAid – Tiger	\$792
Turtle Survival Alliance	\$5,864
WildAid - Elephant	\$5,000
Wildlife Conservation Society (96 elephants)	\$5,000
Ape TAG Conservation Initiative	\$5,000
Human Wildlife Conflict Collaboration	\$5,000
Red Panda Conservation Network	\$5,000
Tree Kangaroo Conservation Project	\$4,000
Conservation Biology Specialist Group	\$2,000
Amphibian Ark	\$2,000
Madagascar Flora & Fauna Group	\$5,000
International Rhino Foundation	\$3,000
TRAFFIC	\$2,000

Vote on the motion was as follows:

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

Nays: None.

AWARD OF BIDS:

No. 17-11-178: It was moved by Vice President Moore, seconded by Vice President Berry and carried, to authorize the following bid awards:

- (a) **Bid #6311:** **Asphaltic Concrete** to be supplied on an “as needed” basis from January 1, 2018 through December 31, 2018 to various locations throughout Cleveland Metroparks (see page **85177**);
- (b) **Bid #6312:** **Concrete** to be supplied on an “as needed” basis from January 1, 2018 through December 31, 2018 to various locations throughout Cleveland Metroparks (see page **85178**);
- (c) **AZA Co-Op #6313:** **Five (5) Club Car Carry All Utility Vehicles** for Cleveland Metroparks Zoo (see page **85179**); and
- (d) **Ohio Co-Op #6314:** **Audio/Visual for Asian Highlands Exhibit** at Cleveland Metroparks Zoo (see page **85180**).

Vote on the motion was as follows:

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

Nays: None.

AWARD OF BIDS (cont.)

BID #6311 SUMMARY: ASPHALTIC CONCRETE to be supplied on an “as needed” basis from January 1, 2018 through December 31, 2018 to various locations throughout Cleveland Metroparks

--- HIGHLIGHTS AT A GLANCE ---
2017 Expenditures = \$75,000.00
2018 Estimate = \$200,000.00 (1)

(1) The 2018 estimate includes miscellaneous patches and repairs of roads and asphalt trails, as well as specific infrastructure rehabilitation, estimated at ±\$200,000.

This bid provides various asphaltic concrete material (all based on per yard pricing) for various locations throughout Cleveland Metroparks on an "as needed" basis for various projects.

Bid results as follows:	Allied Bedford Hts.	Allied W. 3rd St.	Allied W. 150th	Allied Copley	Kokosing Columbia Station	Kokosing Garfield Hts.	Kokosing Cleveland
301 Virgin Materials (per ton)	\$65.70	\$65.10	\$65.70	\$61.50	\$61.75	\$61.50	\$61.75
301 w/Recycled Materials (per ton)	\$51.00	\$51.75	\$51.75	\$48.50	\$56.75	\$56.50	\$56.75
448-2 Virgin Materials (per ton)	\$66.25	\$66.25	\$66.25	\$64.20	\$62.75	\$62.50	\$62.75
448-2 w/Recycled Materials (per ton)	\$52.00	\$52.75	\$52.75	\$50.50	\$57.75	\$57.50	\$57.75
448-1 Virgin Materials (per ton)	\$72.50	\$71.75	\$73.00	\$70.75	\$72.00	\$71.50	\$71.50
448-1 w/Recycled Materials (per ton)	\$60.75	\$61.75	\$61.75	\$60.25	\$67.00	\$66.50	\$66.50
Tack (per gallon)	\$7.25	\$7.25	\$7.25	\$7.25	No Bid	No Bid	No Bid
5 gallon buckets	Included	Included	Included	Included	No Bid	No Bid	No Bid

Prices displayed above represent a comprehensive split award. This is necessitated from previous experiences wherein sometimes, during the paving season, the awarded low vendor cannot supply product demands in a timely manner (due to other customers picking up loads at the same time) and the second low bidder must be utilized (at the bid secured price) to complete jobs already in process. Proximity to the job also will have a bearing on which plant is utilized and selected. This decision will be made at the discretion of the Director of Construction.

The increase in cost per ton reflects an average of 2% compared to 2017 price structure.

RECOMMENDED ACTION:

That the Board authorize a split award for asphaltic concrete, as noted in Bid #6311 Summary, to be supplied as needed beginning January 1, 2018 and extending through December 31, 2018 to the lowest and best bidders **Allied Corporation, Inc. and Kokosing Materials, Inc.** at the unit costs shown in the summary for a **total amount not to exceed \$200,000.00**. In the event these vendors cannot satisfy the bid, the award will be given to the next 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 and/or surety. 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. 17-11-178 on Page 85182)

AWARD OF BIDS (cont.)

BID #6312 SUMMARY: **CONCRETE** to be supplied on an “as needed” basis from January 1, 2018 through December 31, 2018 to various locations throughout Cleveland Metroparks

--- HIGHLIGHTS AT A GLANCE ---
2017 Expenditures = \$50,000.00
2018 Estimate = \$100,000.00 (1)

(1) The 2018 estimate includes miscellaneous patches and repairs of roads and asphalt trails, as well as specific infrastructure rehabilitation, estimated at ± \$100,000.

The awarded supplier will provide and pour up to \$100,000 of 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
2018	\$103.00	\$106.00	\$109.00	\$112.00	\$112.00	\$82.00	\$84.00
2017	\$98.00	\$101.00	\$104.00	\$107.00	\$107.00	\$77.00	\$79.00

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

The bid was sourced to ±15 suppliers and Cleveland Metroparks only received one bid from Medina Supply Company.

The increase in cost per ton reflects an average of 5% compared to 2017 price structure.

RECOMMENDED ACTION:

That the Board authorize an award of Bid #6312 to the lowest and best bidder, **Medina Supply Company**, for the supply of concrete for the period beginning January 1, 2018 extending through December 31, 2018, at the unit costs specified in the summary and bid file, **for a total cost not to exceed \$100,000.00**. 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. 17-11-178 on Page 85182)

AWARD OF BIDS (cont.)**AZA CO-OP #6313 SUMMARY: **FIVE (5) CLUB CAR UTILITY VEHICLES/
CLEVELAND METROPARKS ZOO****

DESIGNATION	Cleveland Metroparks Zoo
UNIT(S) REPLACED	Three (3) Carry All Utility Vehicles
Item	Three (3) Carry All Utility Vehicles
Base Cost	\$ 9,520.20
Cargo Beds including electric bed lift	\$673.60
Taillight, Brake Light and Horn	\$186.40
Curtis Cab Unit	\$3,387.20
Set up/Installation	\$600.00
UNIT TOTAL	\$14,367.20 each
TOTAL ORDER (3)	\$43,101.60
Item	1 Carry All Utility Vehicle w/Van Box
Base Cost	\$9,520.20
Cargo Beds including electric bed lift	\$673.60
Tailgate, Brake Light and Horn	\$186.40
Curtis Cab Unit	\$3,387.20
Van Box	\$2,307.20
UNIT TOTAL	\$16,074.60 each
TOTAL ORDER (1)	\$16,074.60
Item	1- Four Passenger Golf Carts
Base Cost	\$7,999.20
Canopy Top	Included
Fold Down Windshield	\$122.40
Set up / Installation	\$300.00
UNIT TOTAL	\$8,421.60
TOTAL ORDER (1)	\$8,421.60
GRAND TOTAL (5)	\$67,597.80

The five (5) Carry All Utility Vehicles will be used by Cleveland Metroparks Zoo Facility Operations and Zoological Programs staff. Three of the Utility Vehicles are marked for replacement and were purchased in 1994, 1996, and 1998. They are beyond economical repair. Two are new additions to the fleet and four of the five new units are equipped with larger beds and full cabs making them available for year-round usage. The replaced units will go to on-line auction or replace units of lesser value that will go to on-line auction. (Codes:4017503 – 574007)

RECOMMENDED ACTION:

That the Board approve the purchase of **Five (3) Carry All Utility Club Car Vehicles**, equipped as specified in the above summary, AZA Co-Op #6313, from **South East Golf Car Company** for a **total cost of \$67,597.80** in full utilization of the AZA Smart Source Cooperative Purchasing Program.

(See Approval of this Item by Resolution No. 17-11-178 on Page 85182)

AWARD OF BIDS (cont.)**OHIO CO-OP #6314 SUMMARY: AUDIO/VISUAL FOR ASIAN HIGHLANDS EXHIBIT AT CLEVELAND METROPARKS ZOO****Background:**

The following represents the Audio/Visual Systems for Asian Highlands Exhibit at Cleveland Metroparks Zoo. This purchase is made pursuant to the Park District Strategic Information Systems Guideline (*available from the Finance Department*). The below equipment fulfills the following needs: Two (2) – Outdoor Rated Televisions (for the viewing of the related animal exhibits) with digital players and media management system, telecommunications rack, one (1) television for a custom kiosk, Internal & External Audio Systems with necessary wall speakers, ground speakers, microphones, amplifiers/systems capable of multiple zones, and a hearing assist system for ADA requirements.

Recommended Audio/Visual Systems for Asian Highlands Exhibit:

The equipment and services are purchased through the State of Ohio cooperative purchasing program, kept on file in the Procurement Office and purchased based upon standard Cleveland Metroparks purchasing policies.

The following items are recommended for purchase from Ohio State supplier, specifically Sound Com (State of Ohio contract number 800487).

Audio/Visual Systems for Asian Highlands Exhibit

Item	Cost
Video Related Systems (3 Outdoor LCD), Rack, Media Players, Equipment	\$34,650
Audio/Visual Installation Services & Training	\$14,100
Path Speakers Installation	\$3,600
Path Speakers (Hardware, etc.)	\$6,545
Allowance (for potential change orders)	\$5,000
Total	\$63,895.00

RECOMMENDED ACTION:

That the Board authorize an award of Ohio Co-Op #6314 for the purchase of Audio/Visual Equipment & Services in the sum of **\$63,895.00** as specified in the summary and maintained in the Procurement Office in full cooperation with State of Ohio Contract Number 800487 and Cleveland Metroparks purchasing policies.

(See Approval of this Item by Resolution No. 17-11-178 on Page 85182)

SERVICES (\$10,000 - \$50,000) ACQUIRED
SINCE LAST BOARD MEETING (Presented 11/30/17)

Cleveland Metroparks By-Laws, Article 5 (Procurement), Section 4 (a), as revised and approved by the Board of Park Commissioners on January 10, 2013, *"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>
Feed pods for animal habitats at the zoo.	Whitepark Engineering Ltd.	\$10,400.00	(7)
Glass replacement for Capybara enclosure at The RainForest.	Complete Glass and Mirror	\$20,310.00	(7)
New rifle for Natural Resources Division (culling program).	Short Action Customs, LLC	\$10,217.00	(3)
Domestic waters heaters, storage tank, expansion tank and pumps for water system at Primates, Cats and Aquatics building at the zoo.	Active Plumbing Supply	\$45,817.04	(7)
Demolition, wall modifications, stone coping and galvanized steel at Acacia/Euclid Creek Restoration.	Schirmer Construction, Inc.	\$20,900.00	(7)
Brecksville Nature Center tree and stump removal.	VanCuren Services, Inc.	\$16,380.00	(7)
Supply and installation of LVT planks and carpet tile.	D & R Carpet Service, Inc.	\$10,317.51	(2)
Addition of scope of construction administration services and field reporting as related to installation of gorilla chute.	WMD Architects, PA	26,594.00 <u>11,500.00</u> \$38,094.00	(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, US Communities, etc.
- (3) **"SOLE SOURCE"** – Purchased from one source as competitive alternatives are not available.
- (4) **"PROPRIETARY"** – Merchandise 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 (11/30/17)**

Pursuant to Cleveland Metroparks By-Laws, Article 5 (Procurement), Section 4 (b) and (c), as revised and approved by the Board of Park Commissioners on January 10, 2013, "...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 cost of the contract. 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."

(c). "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, aggregate less than THE LESSER OF: (i) \$50,000, or (ii) ten percent (10%) of the cost of the agreement. 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 following is provided:

<u>Contract</u>	<u>Item/Service</u>	<u>Vendor</u>	<u>Change Order or Amendment</u>
<p><u>Marina kitchen renovations</u> \$277,755.00</p> <p>Revised Contract Amount: Change orders #1 added \$4,246.00 #2 added \$3,765.27</p> <p>Total revised to \$285,766.27</p>	<p>Restroom modifications, eliminate caging, relocate electrical for ice maker, alter bathroom accessories, eliminate heat trace on new plumbing.</p>	<p>Sterling Professional Group</p>	<p>No. 2</p>
<p><u>Red line Greenway</u> \$600,000.00</p> <p>Revised Contract Amount: Amendment #1 = \$45,365.00</p> <p>Total revised to \$645,365.00</p>	<p>Contract amendment to exercise "if authorized" items shown to the Board at 6/15/17 meeting as part of award of RFQu #6247. Items include but are not limited to: survey services, utility records, railroad protective liability insurance, test holes.</p>	<p>Michael Baker International</p>	<p>Professional Service Agreement Amendment No. 1</p>

APPROVAL OF VOUCHERS AND PAYROLL.

No. 17-11-166: It was moved by Vice President Moore, seconded by Vice President Berry and carried, to approve payroll and vouchers, employee withholding taxes, and ADP payroll, as identified on pages **85222** to **85337**.

Vote on the motion was as follows:

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

Nays: None.

PUBLIC COMMENTS.

Ms. Marty Leshner of Olmsted Township read from a prepared statement. Ms. Andrea Kleinhenz also addressed the Board with respect to listings on the Emerald Necklace newsletter. Also in the audience was Ms. Catherine Timko, Executive Director of Lake Erie Nature & Science Center, who offered comments relative to Ms. Kleinhenz's concerns. All such public comments can be heard in their entirety by accessing the "About" section of Cleveland Metroparks website at <https://clevelandmetroparks.com/about/cleveland-metroparks-organization/boards-of-park-commissioners>.

INFORMATION/BRIEFING ITEMS/POLICY.

- a. ***Chief Executive Officer's Employee Guest(s)***
(Originating Source: Brian M. Zimmerman, Chief Executive Officer)

Amanda L. Creque, Park Manager – Hinckley Reservation

Amanda Creque began her career at Cleveland Metroparks in February 2016 as the Park Manager of Hinckley Reservation. Amanda brought to her position a wealth of experience in the field of recreation management and operations. She was previously the Facility Manager for the City of Fairview Park Recreation Department where she oversaw the maintenance and custodial needs of the recreation center, parks and football stadium. While in that position she was responsible for playground maintenance along with field and turf care. Amanda was also the Facility Operations Supervisor at the Massillon Recreation Center, a 70,000 square foot recreation center in Massillon, Ohio. In that role she had the opportunity to oversee all of the maintenance and operations of the facility. Amanda holds a Master of Business degree with concentrations in Finance and Marketing, and a Bachelor of Science degree in Leisure Studies with concentrations in Recreation Management and Sports Management, both degrees from Kent State University.

INFORMATION/BRIEFING ITEMS/POLICY (cont.)**Derrick Haas, Technician – Big Met Golf Course**

Hired in November of 2015, Derrick Haas is a Technician at Cleveland Metroparks Big Met Golf Course. Derrick previously worked as a Mechanic for Moscarino's Outdoor Creations where he repaired and maintained trucks and mowers ensuring that all equipment was prepared for each day. He has also been employed as an Assistant Greenskeeper at Kent State University Golf Course managing and supervising employees, fixing drainage and irrigation, and making sure that mowers and all equipment functioned properly. Derrick is experienced in working on both gas and diesel engines, two-cycle engines such as weed eaters, chainsaws, backpack blowers, and four-wheelers. Four-cycle engines include push mowers, riding mowers, golf carts, cars, trucks, tractors, skid steers, and backhoes. Derrick has two welding certificates in FCAW and SMAW structural welding, and attended The Penn State University Turfgrass and Agriculture Technician Certificate Program.

b. *Cuyahoga Greenways Transportation for Livable Communities Initiative (TLCI) Update*

(Originating Sources: Sean E. McDermott, P.E., Chief Planning and Design Officer/Kelly Coffman, Senior Strategic Park Planner/Sara Byrnes Maier, Senior Strategic Park Planner)

Cleveland Metroparks identified in its Strategic Plan the need to pursue bicycle and pedestrian connections to neighborhoods and regional trails and greenways. In 2016, the Park District was asked to partner with the Cuyahoga County Planning Commission on a countywide trail planning study. *Cuyahoga Greenways* is a joint effort between County Planning, Cleveland Metroparks, and the Northeast Ohio Areawide Coordinating Agency (NOACA) to plan and build an interconnected system of greenways and trails that link neighborhoods, parks, and public transportation, and create a comprehensive countywide active transportation network. The greenway system, when built, will provide recreation opportunities and alternative transportation options for moving around the county, on foot and by bike, improving our communities' health, well-being, and economic vitality. The project is funded largely through NOACA's TLCI grant program, and Cleveland Metroparks has committed \$10,000 and staff time to this study.

Glenn Coyne, FAICP, Executive Director, Cuyahoga County Planning Commission, will provide an update on the study, which kicked off in April 2017 and will conclude in mid-2018. More information is available at www.CuyahogaGreenways.com. Upcoming public meetings are scheduled as follows:

CENTRAL

Wednesday, January 17th

4:30 - 6:30 p.m.

Hofbrauhaus - Festhall

1550 Chester Ave, Cleveland

INFORMATION/BRIEFING ITEMS/POLICY (cont.)**WEST**

Thursday, January 18th
6:30 - 8:30 p.m.
Gemini Center - Oak Room
21225 Lorain Road, Fairview Park

EAST

Thursday, January 18th
6:30 - 8:30 p.m.
Beachwood Community Center
25325 Fairmount Blvd, Beachwood

Mr. Glenn Coyne, Executive Director of the Cuyahoga County Planning Commission, presented the Board with an overview of this initiative to date.

c. 2017 Year End Review

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

As 2017 comes to a close, Cleveland Metroparks leadership team reflects on significant projects and achievements over the past year. The organization celebrated 100 years of stewardship with the community and created new connections to strengthen the Emerald Necklace. From the renovation and rededication of the William Stinchcomb Memorial and A.B. Williams Forest, to receiving a \$500,000 grant from Clean Ohio Trails Fund to complete the Red Line Greenway. In 2017, Cleveland Metroparks acquired a total of 171 acres of land across eight reservations in eight communities. To build on the legacy of Cleveland Metroparks, investment continues throughout the Park District including some major capital projects that were completed in the centennial year, such as Edgewater Beach House, Euclid Creek Restoration at Acacia Reservation, Seneca Golf Course Phase II and continued restoration of the historic Coast Guard Station. A rebranding effort at Cleveland Metroparks Zoo shifted focus to the mission, highlighting the progressive work already being done in conservation and animal welfare. Cleveland Metroparks staff is dedicated to improving the Park District and advancing the mission of Conservation, Recreation and Education. Cleveland Metroparks is proud to have been recognized as a 11-time winner of NorthCoast 99 'Best Workplaces'. As Cleveland Metroparks embarks on the next 100 years of stewardship, it's important to retain top talent and continue to deliver high quality results to the residents of Cuyahoga County and Hinckley Township.

INFORMATION/BRIEFING ITEMS/POLICY (cont.)

- d. ***Centennial Moment: The Purpose of a Park***
Originating Sources: Joseph V. Roszak, Chief Operating Officer/Wendy Weirich, Director of Outdoor Experiences

William Stinchcomb had a lot of influences as he was formulating his idea for a ring of connected parks. Director of Outdoor Experiences Wendy Weirich took a look at the forces that contributed to this transformative idea.

AWARD OF BIDS; CONSTRUCTION CHANGE ORDERS; STATUS RE: CAPITAL PROJECTS.

The following were presented to the Board for award/acknowledgment: bid tabulations, as shown on pages **85176** through **85180**; \$10,000 to \$50,000 purchased items/services report, page **85181**; and construction change orders, page **85182**.

DATE OF NEXT MEETING.

The next Regular Meeting of the Board of Park Commissioners was scheduled by the Board for Thursday, December 14, 2017, 8:00 a.m. at the Board’s office, 4101 Fulton Parkway, Cleveland, Ohio.

ADJOURNMENT.

No. 17-11-179: There being no further matters to come before the Board, upon motion by Vice President Moore, seconded by Vice President Berry, and carried, President Rinker adjourned the meeting at 10:12 a.m.

Vote on the motion was as follows:

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

Nays: None.

President.

Attest:

Secretary.

	2016 YTD Actual	2016 Annual Budget	2016 YTD % of Budget Used	2017 YTD Actual	2017 Annual Budget	2017 Remaining Budget	2017 YTD % of Budget Used
Revenues:							
Property Tax	73,843,183	73,127,868	101.0%	71,085,645	74,233,000	3,147,355	95.8%
Local Governmental, Donations, Gifts, Gran	7,456,722	19,048,484	39.1%	8,119,280	23,732,283	15,613,003	34.2%
Interest Income	191,481	100,000	191.5%	200,147	225,000	24,853	89.0%
Charges for Services	21,996,424	26,100,283	84.3%	25,191,271	26,250,411	1,059,140	96.0%
Damages and Fines	<i>included in charges for services</i>			66,185	140,192	74,007	47.2%
Self-Funded	6,445,833	7,074,864	91.1%	7,048,204	9,761,000	2,712,796	72.2%
Total Revenues	109,933,643	125,451,499	87.6%	111,710,732	134,341,886	22,631,154	83.2%
Operating Expenditures:							
Salaries and Benefits	50,356,601	62,003,228	81.2%	53,364,980	65,501,470	12,136,490	81.5%
Contractual Services	<i>included in operation expenditures</i>			3,643,795	6,271,812	2,628,017	58.1%
Self-Funded	8,589,139	9,761,000	88.0%	5,470,554	7,670,000	2,199,446	71.3%
Operations	18,888,395	27,660,125	68.3%	17,961,797	25,834,248	7,872,451	69.5%
Operating Expenditures	77,834,135	99,424,353	78.3%	80,441,126	105,277,530	24,836,404	76.4%
Operating Results - Surplus/(Subsidy)	32,099,508	26,027,146	123.3%	31,269,606	29,064,356	(2,205,250)	107.6%
Capital Expenditures:							
Capital Project Labor	-	-		-	201,945	201,945	0.0%
Capital Material	2,277,043	5,597,914	40.7%	2,854,275	6,782,457	3,928,182	42.1%
Capital Contracts	18,087,337	25,930,884	69.8%	14,012,913	36,892,435	22,879,522	38.0%
Capital Equipment	2,802,298	2,403,759	116.6%	1,763,777	2,817,261	1,053,484	62.6%
Animal Acquisition	27,906	94,730	29.5%	42,050	88,467	46,417	47.5%
Land Acquisition	2,200,105	1,023,948	214.9%	777,412	1,470,543	693,131	52.9%
Capital Expenditures	25,394,689	35,051,235	72.5%	19,450,427	48,253,108	28,802,681	40.3%
Net Suplus/(Subsidy)	6,704,819	(9,024,089)	174.3%	11,819,179	(19,188,752)	(31,007,931)	261.6%

	Big Met (18)		Little Met (9)		Mastik Woods (9)		Manakiki (18)	
	2017	2016	2017	2016	2017	2016	2017	2016
Operating Revenues:								
Greens Fees	617,284	593,577	186,177	182,535	154,251	147,800	612,012	577,445
Equipment Rentals	160,611	268,408	58,453	83,456	37,589	57,947	191,055	251,240
Driving Range/Practice Tee	-	-	-	(341)	-	-	2,331	1,848
Professional Services	510	14	-	895	6,400	725	4,890	5,371
OtherSales/Coupons	14,373	14,018	4,779	5,075	4,078	4,670	19,154	16,165
Gift Cards Sold/(Redeemed)	(13,512)	(15,655)	(8,059)	(8,385)	(2,864)	(1,233)	(9,023)	(9,978)
Merchandise Sales	63,589	61,012	19,139	19,239	12,561	14,451	51,817	56,804
Tournament Entries	6,013	5,372	14,224	1,165	5,925	14,641	(5,340)	6,807
Golf Outing/League Deposits	(776)	220	-	117	-	-	250	500
Miscellaneous (Over/Short)	5,212	(8,690)	(1,116)	500	(179)	2,467	(744)	(6,523)
Golf Receivables	-	493	-	52	-	98	-	606
Sales Tax	5,520	5,640	4,535	3,626	2,363	3,302	3,666	3,751
Food Service	178,007	189,540	28,227	30,829	16,722	19,284	95,400	80,177
Golf Administration Revenue	3,280	3,358	1,640	1,679	1,640	1,679	3,280	3,358
Operating Revenues	1,040,111	1,117,308	307,998	320,442	238,485	265,832	968,748	987,571
Operating Expenditures:								
Salaries and Benefits	512,105	470,075	131,761	144,205	129,809	125,865	464,290	491,086
Contractual Services	5,557	(1,657)	1,895	-	587	-	3,688	-
Operations	363,035	432,225	126,872	145,337	109,089	158,440	339,652	413,326
Operating Expenditures	880,698	900,644	260,528	289,541	239,486	284,305	807,630	904,412
Operating Surplus/(Subsidy)	159,414	216,664	47,470	30,901	(1,001)	(18,473)	161,118	83,159
Capital Expenditures:								
In-House Capital Labor	-	5,405	-	-	-	-	-	7,490
Capital Material	-	7,413	-	-	-	-	14,078	65,929
Capital Contracts	-	11,355	-	-	-	-	59,616	42,879
Capital Equipment	-	-	-	37,982	-	37,982	389,026	4,929
Capital Expenditures	-	24,173	-	37,982	-	37,982	462,720	121,227
Net Surplus/(Subsidy)	159,414	192,491	47,470	(7,081)	(1,001)	(56,455)	(301,602)	(38,068)

	Sleepy Hollow (18)		Shawnee Hills (27)		Washington Park (9)		Seneca (27)		Total	
	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016
Operating Revenues:										
Greens Fees	733,340	596,061	540,642	457,339	84,588	72,520	395,799	354,850	3,324,093	2,982,127
Equipment Rentals	238,030	257,014	132,421	229,235	19,007	23,327	126,182	180,557	963,348	1,351,185
Driving Range/Practice Tee	111,214	93,075	72,306	55,452	135,649	108,010	7,463	5,157	328,963	263,201
Professional Services	31,146	14,792	20,241	11,040	35,245	36,104	54,678	32,445	153,110	101,386
OtherSales/Coupons	11,900	15,669	14,661	17,991	11,168	5,020	16,124	12,805	96,237	91,413
Gift Cards Sold/(Redeemed)	(20,164)	(9,900)	(25,298)	(19,020)	58,450	58,225	(34,174)	(18,676)	(54,644)	(24,596)
Merchandise Sales	102,814	99,584	45,240	44,600	16,667	14,726	29,145	29,721	340,972	340,138
Tournament Entries	4,846	(8,727)	(798)	803	(19)	1,815	1,790	544	26,639	22,420
Golf Outing/League Deposits	600	4,793	-	8,996	340	120	520	(100)	934	14,646
Miscellaneous (Over/Short)	(11,798)	(3,934)	(421)	4,279	72	(7,050)	(841)	(7,543)	(9,815)	(26,495)
Golf Receivables	-	206	-	818	-	576	-	403	-	3,253
Sales Tax	8,682	8,379	4,734	5,827	2,826	2,428	3,057	3,499	35,382	36,451
Food Service	264,184	242,245	110,474	106,328	17,201	15,259	86,291	76,506	796,507	760,167
Golf Administration Revenue	3,280	3,358	4,919	5,038	1,640	1,679	6,559	6,717	26,238	26,866
Operating Revenues	1,478,073	1,312,617	919,122	928,725	382,833	332,758	692,594	676,884	6,027,965	5,942,162
Operating Expenditures:										
Salaries and Benefits	556,560	526,864	416,909	397,359	205,705	198,933	466,029	458,577	2,883,168	2,812,963
Contractual Services	9,414	(23,822)	1,661	-	1,157	-	3,313	(24,944)	27,273	(50,423)
Operations	572,118	562,240	366,717	394,956	125,138	158,339	382,956	371,570	2,385,578	2,636,433
Operating Expenditures	1,138,092	1,065,282	785,287	792,314	332,000	357,272	852,299	805,203	5,296,019	5,398,973
Operating Surplus/(Subsidy)	339,981	247,335	133,835	136,411	50,833	(24,514)	(159,705)	(128,319)	731,945	543,189
Capital Expenditures:										
In-House Capital Labor	-	244,669	-	855	-	-	-	132,681	-	391,100
Capital Material	3,180	263,954	10,255	652	-	-	190,495	327,657	218,007	665,605
Capital Contracts	6,608	27,672	-	-	-	-	221,017	842,557	287,241	924,463
Capital Equipment	44,250	307,682	-	5,432	-	5,432	-	39,807	433,276	439,245
Capital Expenditures	54,037	843,976	10,255	6,939	-	5,432	411,512	1,342,703	938,523	2,420,414
Net Surplus/(Subsidy)	285,944	(596,642)	123,581	129,472	50,833	(29,946)	(571,217)	(1,471,021)	(206,578)	(1,877,224)

	2016 YTD Actual	2016 Annual Budget	2016 YTD % of Budget Used	2017 YTD Actual	2017 Annual Budget	2017 Available Budget	2017 YTD % of Budget Used
Operating Revenues:							
Gifts and Donations	-			231	200	(31)	115.4%
General Admissions	4,075,320	4,685,000	87.0%	3,682,383	3,736,800	54,417	98.5%
Special Event Admissions	<i>in Gen Admin</i>			281,098	378,000	96,902	74.4%
Zoo Guest Experience	849,402	826,105	102.8%	882,905	971,863	88,958	90.8%
Zoo Society Attendance	1,350,870	1,852,500	72.9%	2,024,774	1,982,500	(42,274)	102.1%
Zoo Souvenirs/Refreshments	1,117,740	962,000	116.2%	1,305,132	1,587,620	282,488	82.2%
Education	457,813	442,631	103.4%	396,418	864,479	468,061	45.9%
Storybook	<i>added in 2017</i>			84,158	-	(84,158)	NA
Zoo Rental and Events	884,966	799,699	110.7%	376,931	2,000	(374,931)	18846.6%
Miscellaneous	62,922			349,717	416,298	66,581	84.0%
Total Revenues	8,799,033	9,567,935	92.0%	9,383,747	9,939,760	556,013	94.4%
Operating Expenditures:							
Salaries and Benefits	11,469,156	14,756,761	77.7%	11,892,979	15,062,295	3,169,316	79.0%
Contractual Services	<i>included in operations expenditures</i>			185,873	320,316	134,443	58.0%
Operations	3,601,858	5,409,249	66.6%	3,747,502	5,513,456	1,765,955	68.0%
<i>Utilities</i>	<i>1,646,889</i>	<i>2,465,091</i>	<i>66.8%</i>	<i>1,877,981</i>	<i>2,487,505</i>	<i>609,525</i>	<i>75.5%</i>
<i>Other</i>	<i>1,954,969</i>	<i>2,944,158</i>	<i>66.4%</i>	<i>1,869,521</i>	<i>3,025,951</i>	<i>1,156,430</i>	<i>61.8%</i>
Total Operating Expenditures	15,071,014	20,166,010	74.7%	15,826,354	20,896,067	5,069,713	75.7%
Operating Results - Surplus/(Subsidy)	(6,271,981)	(10,598,075)	59.2%	(6,442,607)	(10,956,307)	(4,513,700)	58.8%
Capital Revenues:							
Zoo Animal Sales	3,912	-	(3,912)	1,940	-	(1,940)	NA
Total Revenues	3,912	-	(3,912)	1,940	-	(1,940)	NA
Capital Expenditures:							
Capital Material	196,691	825,108	23.8%	197,890	814,888	616,998	24.3%
Capital Contracts	3,135,774	4,101,098	76.5%	1,078,015	3,802,518	2,724,503	28.4%
Capital Equipment	269,990	450,517	59.9%	120,114	511,918	391,804	23.5%
Animal Acquisition	27,906	94,730	29.5%	42,050	88,467	46,416	47.5%
Total Capital Expenditures	3,630,361	5,471,453	66.4%	1,438,069	5,217,791	3,779,722	27.6%
Net Capital Surplus/(Subsidy)	(3,626,449)	(5,471,453)	66.3%	(1,436,129)	(5,217,791)	(3,781,662)	27.5%
Restricted Fund Revenue:							
Operating	917,613			837,430	1,579,766	742,336	53.0%
Capital	1,376,419			1,256,145	2,369,648	1,113,503	53.0%
Total Restricted Fund Revenues	2,294,032			2,093,575	3,949,414	1,855,839	53.0%
Restricted Fund Expenditures:							
Operating	692,123			590,118	1,180,518	590,400	50.0%
Capital	2,516,415			897,766	3,054,628	2,156,862	29.4%
Total Restricted Fund Expenditures	3,208,538			1,487,884	4,235,146	2,747,262	35.1%
Net Restricted Fund Surplus/(Subsidy)	(914,506)			605,691	(285,732)	(891,423)	212.0%
Revenues:							
Operating	8,799,033			9,383,747	9,939,760	556,013	94.4%
Capital	3,912			1,940	-	(1,940)	NA
Restricted	2,294,032			2,093,575	3,949,414	1,855,839	53.0%
Total Revenues	11,096,977			11,479,262	13,889,174	2,409,912	82.6%
Expenditures:							
Operating	15,071,014			15,826,354	20,896,067	5,069,713	75.7%
Capital	3,630,361			1,438,069	5,217,791	3,779,722	27.6%
Restricted	3,208,538			1,487,884	4,235,146	2,747,262	35.1%
Total Expenditures	21,909,913			18,752,307	30,349,004	11,596,697	61.8%
Zoo Levy Support:							
Operating	6,271,981			6,442,607	10,956,307	4,513,700	58.8%
Capital	3,626,449			1,436,129	5,217,791	3,781,662	27.5%
Total Zoo Levy Support	9,898,430			7,878,736	16,174,098	8,295,362	48.7%

	Merwin's Wharf		Wallace Lake		Huntington Concessions		Edgewater Beach House	
	2017	2016	2017	2016	2017	2016	2017	2016
Operating Revenues	1,989,187	1,720,550	68,907	63,831	190,896	207,025	917,255	-
Operating Expenditures	1,870,316	1,665,281	60,093	60,490	170,144	182,841	730,911	-
Operating Surplus/(Subsidy)	118,871	55,269	8,814	3,341	20,752	24,184	186,344	-
Capital Expenditures	46,099	47,989	-	2,409	2,999	2,884	144,892	-
Net Surplus/(Subsidy)	72,772	7,280	8,814	932	17,753	21,300	41,452	-

	Mobile Concessions		Hinckley Lake Concessions		Edgewater Pier		East 55th Restaurant	
	2017	2016	2017	2016	2017	2016	2017	2016
Operating Revenues	-	177,569	53,005	41,437	99,716	214,337	387,717	352,561
Operating Expenditures	1,664	67,286	47,335	47,885	116,090	105,808	406,175	345,186
Operating Surplus/(Subsidy)	(1,664)	110,283	5,670	(6,448)	(16,374)	108,529	(18,458)	7,375
Capital Expenditures	-	24,500	-	-	-	-	-	33,101
Net Surplus/(Subsidy)	(1,664)	85,783	5,670	(6,448)	(16,374)	108,529	(18,458)	(25,726)

	Emerald Necklace Restaurant		East 55th Marina		Emerald Necklace Marina		Water Taxi	
	2017	2016	2017	2016	2017	2016	2017	2016
Operating Revenues	210,500	229,073	797,838	728,132	351,860	377,340	58,419	36,395
Operating Expenditures	236,898	293,141	332,718	324,567	256,789	307,567	89,295	82,734
Operating Surplus/(Subsidy)	(26,398)	(64,068)	465,120	403,565	95,071	69,773	(30,876)	(46,339)
Capital Expenditures	61	21,576	21,757	8,104	1,017	19,843	-	9,675
Net Surplus/(Subsidy)	(26,459)	(85,644)	443,363	395,461	94,054	49,930	(30,876)	(56,014)

	Parking		Chalet		Ledge Lake		Aquatic Management		Enterprise Administration	
	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016
Operating Revenues	213,151	124,290	257,307	286,324	171,688	196,769	-	-	-	-
Operating Expenditures	12,920	11,792	238,367	231,876	128,918	148,276	549,084	528,039	637,724	417,072
Operating Surplus/(Subsidy)	200,231	112,498	18,940	54,448	42,770	48,493	(549,084)	(528,039)	(637,724)	(417,072)
Capital Expenditures	-	11,248	36,819	76,130	-	16,667	-	25,351	1,039	-
Net Surplus/(Subsidy)	200,231	101,250	(17,879)	(21,682)	42,770	31,826	(549,084)	(553,390)	(638,763)	(417,072)

	North Chagrin		Rocky River		West Creek		Hinckley Lake Boat Shop	
	2017	2016	2017	2016	2017	2016	2017	2016
Operating Revenues	57,228	43,123	108,078	94,566	27,685	26,619	310,844	296,176
Operating Expenditures	27,687	38,704	61,838	48,860	16,794	13,458	162,332	158,385
Operating Surplus/(Subsidy)	29,541	4,419	46,240	45,706	10,891	13,161	148,512	137,791
Capital Expenditures	680	3,286	680	3,286	680	3,286	1,002	13,721
Net Surplus/(Subsidy)	28,861	1,133	45,560	42,420	10,211	9,875	147,510	124,070

	Nature Shop Mobile		Southpark Kiosk		Great Northern Kiosk		Retail Division/Admin	
	2017	2016	2017	2016	2017	2016	2017	2016
Operating Revenues	25,633	5,817	-	-	-	45	-	-
Operating Expenditures	2,130	1,416	1,724	11,945	19,548	11,328	138,677	137,549
Operating Surplus/(Subsidy)	23,503	4,401	(1,724)	(11,945)	(19,548)	(11,283)	(138,677)	(137,549)
Capital Expenditures	-	-	-	-	-	-	-	-
Net Surplus/(Subsidy)	23,503	4,401	(1,724)	(11,945)	(19,548)	(11,283)	(138,677)	(137,549)

**CLEVELAND METROPARKS
ACCOUNTS RECEIVABLE AND INVESTMENTS SCHEDULES
FOR THE MONTH ENDED OCTOBER 31, 2017**

ACCOUNTS RECEIVABLE

Current	Past Due			Total
	30 Days	60 Days	90 Days	
\$108,267	\$583,167	\$11,026	\$74,939	\$777,400

RANGER/COURT FINES RECEIVABLE

Total
\$41,179

INVESTMENTS

Date Placed	Bank	Description	Days of Duration	Rate	Date of Maturity	Interest Earned	EOM Balance
10/01/17	PNC Bank	Money Market (A)	30	0.25%	10/31/17	\$5,472	\$19,936,870
10/01/17	Fifth Third Securities	Money Market (B)	30	0.91%	10/31/17	\$453	\$2,628,254
Various	Fifth Third Securities	Certificates of Deposit (C)	30	Various	Various	\$12,712	\$2,000,000
10/01/17	STAR Ohio	State pool (D)	30	1.23%	10/31/17	\$8,510	\$8,629,640
10/01/17	STAR Plus	State pool (E)	30	0.90%	10/31/17	\$488	\$661,042

- (A) Government Performance Money Market Account.
Investment balance ranged from \$26,931,474.08 to \$19,931,474.08 in October.
- (B) Federated Government Money Market Account used to temporarily reinvest Brokered Certificate of Deposit interest payments.
Investment balance varied between \$2,619,565.21 to \$2,628,254.18 in October due to maturity CD's.
- (C) Brokered Certificates of Deposit.
Maturities range from 4/9/18 through 10/07/19 at rates from 0.90% to 1.30%.
- (D) State Treasurer's Asset Reserve (STAR Ohio).
Investment balance ranged from \$8,620,722.77 to \$8,629,640.07 in October.
- (E) State Treasurer's Asset Reserve Plus Account (STAR Plus)
Investment balance ranged from \$660,336.86 to \$661,041.77 in October.

**RESOLUTION
RECOGNIZING THE
RETIREMENT OF
ALBERT H. LEWANDOWSKI**

WHEREAS, *Albert H. Lewandowski has served Cleveland Metroparks for more than 28 years; and,*

WHEREAS, *Albert H. Lewandowski has devoted these years of service utilizing his knowledge, skills and abilities as a Veterinarian and Chief Veterinarian at Cleveland Metroparks Zoo; and,*

WHEREAS, *Albert H. Lewandowski has managed the operations and staff of the veterinary medical hospital, and provided extensive care to the zoo's animal collection to include medical treatment, pathology, surgery, quarantine, necropsy and medical related recordkeeping, implemented a program to track the diets of all zoo animals, and was responsible for updating and implementing guidelines and policies; and,*

WHEREAS, *Albert H. Lewandowski was involved with numerous animal health-related research topics resulting in more than 30 presentations and peer review publications; and,*

WHEREAS, *Albert H. Lewandowski dedicated tremendous effort and provided expert guidance to the design phase of the veterinary hospital, oversaw building construction, and secured donations of equipment and furnishings, which resulted in the successful opening of the Sarah Allison Steffee Center for Zoological Medicine; and,*


WHEREAS, *Albert H. Lewandowski provided leadership, inspiration, instruction and mentoring to colleagues, veterinary staff, and veterinary students, and selflessly assisted them in developing their own careers, skills, and knowledge; and,*

WHEREAS, *Albert H. Lewandowski was committed to building positive relationships for Cleveland Metroparks Zoo by conducting innumerable behind-the-scenes tours, presentations, and served as a spokesperson for animal health and welfare; and,*

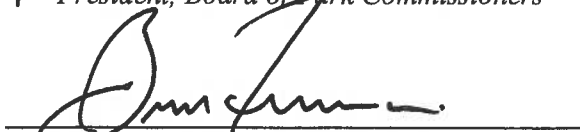
WHEREAS, *Albert H. Lewandowski demonstrated a spirit of cooperation when he served on the Dangerous Wild Animal Task Force and Danger Wild Animal Advisory Committee, consulted with veterinarians of the Animal Welfare and Legislative Committee of the Ohio Veterinary Medical Association, served on numerous Association of Zoos and Aquariums (AZA) inspection committees, and served as a Clinical Instructor of exotic animal medicine at Cuyahoga Community College; and,*

WHEREAS, *Albert H. Lewandowski's dedication has been a valued asset to Cleveland Metroparks Zoo. The products of his labor have been appreciated and will not be forgotten.*

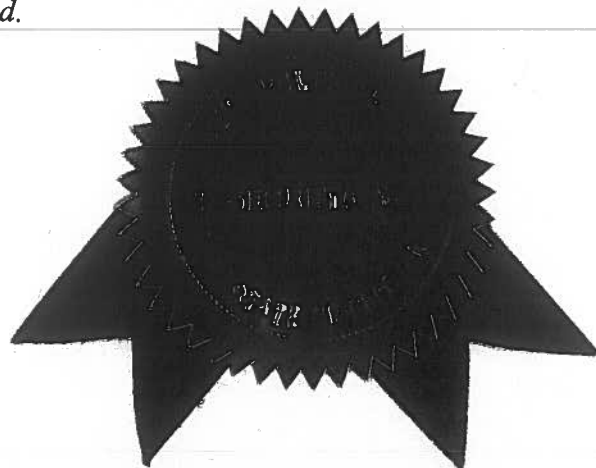
NOW, THEREFORE, BE IT RESOLVED, *that the Board of Park Commissioners of Cleveland Metroparks expresses its sincere appreciation to Albert H. Lewandowski for his years of service and dedication in serving the citizens of Greater Cleveland.*



Bruce G. Rinker
President, Board of Park Commissioners



Brian M. Zimmerman
Executive Director-Secretary



CLEVELAND METROPARKS Appropriation Summary - 2017								
Object Code	Object Description	Original Budget			Total Prior Amendments	Proposed Amendment #7 11/30/17		Total Appropriations Including Amendments
		Baseline Budget	Carry Over Encumbrances	Total				
OPERATING								
51	Salaries	\$ 48,822,530	\$ -	\$ 48,822,530	\$ (3,938)	\$ 51,796	A	\$ 48,870,388
52	Employee Fringe Benefits	16,659,400	17,466	16,676,866	6,012	13,250	B	16,696,128
53	Contractual Services	13,128,629	667,064	13,795,693	147,419	20,731	C	13,963,843
54	Office Operations	22,707,607	1,676,108	24,383,715	1,425,423	63,304	D	25,872,442
	Operating Subtotal	101,318,166	2,360,638	103,678,804	1,574,916	149,081		105,402,801
CAPITAL								
572	Capital Materials	5,294,781	1,230,808	6,525,589	224,010	9,350	E	6,758,949
573	Capital Contracts	19,203,065	7,641,228	26,844,293	10,255,236	337,150	F	37,436,679
574	Capital Equipment	2,173,723	497,762	2,671,485	147,293	27,369	G	2,846,147
575	Zoo Animals	75,000	13,467	88,467	-	-		88,467
576	Land	1,200,000	24,043	1,224,043	246,500	212,000	H	1,682,543
	Capital Subtotal	27,946,569	9,407,308	37,353,877	10,873,039	585,869		48,812,785
TOTALS								
Grand totals		\$ 129,264,735	\$ 11,767,946	\$ 141,032,681	\$ 12,447,955	\$ 734,950		\$ 154,215,586

Appropriations 2017 - Legend - Amendment #7

OPERATING

51 SALARIES

- \$ 9,000 Transfer of appropriations for additional seasonal funds for Special Events
Net budget effect of zero.
- 20,000 Transfer of appropriations from Contractual Services for part time Assistant Legal Counsel position.
Net budget effect of zero.
- (12,204) Transfer of appropriations to Office Operations to align with actual expenditures.
Net budget effect of zero.
- 35,000 Increase in appropriations for UAV Imagery Processing.
Increase is offset by new grant from World Bank.

A \$ 51,796 Total increase (decrease) to Salaries

52 EMPLOYEE BENEFITS

- \$ 13,250 Increase in appropriations for UAV Imagery Processing.
Increase is offset by new grant from World Bank.

B \$ 13,250 Total increase (decrease) to Salaries

53 CONTRACTUAL SERVICES

- (2,270) Transfer of appropriations to Office Operations for programming expenses.
Net budget effect of zero.
- 54,000 Increase in appropriations for African Great Ape project.
New grant from Zoological Society.
- (20,000) Transfer of appropriations to Salaries for part time Assistant Legal Counsel position.
Net budget effect of zero.
- (10,999) Transfer of appropriations from Contractual Services and Salaries to align with actual expenditures.
Net budget effect of zero.

C \$ 20,731 Total increase (decrease) to Contractual Services

54 OFFICE OPERATIONS

- \$ (770) Transfer of appropriations to Capital Equipment for purchase of equipment at auction.
Net budget effect of zero.
- 3,000 Increase in appropriations for Richmond Road parking lot
New grant received from Ohio Horseman's Council.
- (163) Transfer of appropriations to Capital Equipment for balance required for purchase of sailboats.
Net budget effect of zero.
- 20,000 Increase in appropriations due to higher than anticipated programs.
Higher than budgeted program fees offset this increase
- (1,628) Transfer of appropriations to Capital Equipment for purchase of computer for Marketing Department.
Net budget effect of zero.
- (7,630) Transfer of appropriations to Capital Equipment for purchase of additional computers for various Park Op Departments.
Net budget effect of zero.
- 11,000 Increase in appropriations for new feed pods at Zoo.
New donation from Zoological Association will cover increase.
- 7,100 Increase in appropriations for exhibit for the Naure Conservancy.
Payment received from Nature Conservancy to cover this increase.
- 2,270 Transfer of appropriations from Contractual Services for programming expenses.
Net budget effect of zero.
- (1,178) Transfer of appropriations to Capital Equipment for purchase of computer.
Net budget effect of zero.
- (9,000) Transfer of appropriations from Salaries for additional seasonal funds for Special Events
Net budget effect of zero.
- 23,203 Transfer of appropriations from Contractual Services and Salaries to align with actual expenditures.
Net budget effect of zero.
- 1,300 Increase in appropriations for higher than budgeted credit card expenses due to higher sales.
Increase offset by hgher revenues.
- 15,800 Increase in appropriations for Retail Division due to higher than anticipated sales.
Increase offset by higher than budged revenues.

D \$ 63,304 Total increase (decrease) to Office Operations

\$ 149,081 TOTAL INCREASE (DECREASE) TO OPERATING

Appropriations 2017 - Legend - Amendment #7

CAPITAL

572 CAPITAL MATERIALS

\$ 150 Transfer of appropriations from Capital Contracts for Breakwall work.
 Net budget effect of zero.
 5,000 Transfer of appropriations from Capital Contracts for Wildwood project.
 Net budget effect of zero.
 1,000 Transfer of appropriations from Capital Contracts for Hinckley Dam project.
 Net budget effect of zero.
 3,200 Transfer of appropriations from Capital Contracts for Euclid Beach Pier project.
 Net budget effect of zero.

E \$ 9,350 Total increase (decrease) to Capital Materials

573 CAPITAL CONTRACTS

\$ (150) Transfer of appropriations to Capital Materials for Breakwall work.
 Net budget effect of zero.
 (5,000) Transfer of appropriations to Capital Materials for Wildwood project.
 Net budget effect of zero.
 346,500 Increase in appropriations for new FEMA grant for Whiskey Island ADA docks.
 Increase offset by new grant funds to be received.
 (1,000) Transfer of appropriations to Capital materials for Hinckley Dam project.
 Net budget effect of zero.
 (3,200) Transfer of appropriations to Capital materials for Euclid Beach Pier project.
 Net budget effect of zero.

F \$ 337,150

574 CAPITAL EQUIPMENT

\$ 770 Transfer of appropriations from Office Operations for purchase of equipment at auction.
 Net budget effect of zero.
 163 Transfer of appropriations from Office Operations for balance required for purchase of sailboats.
 Net budget effect of zero.
 16,000 Increase in appropriations for purchase of backup electrofishing unit.
 Increase covered by fund balance.
 1,628 Transfer of appropriations from Office Operations for purchase of additional computer for Marketing staff.
 Net budget effect of zero.
 7,630 Transfer of appropriations from Office Operations for purchase of additional computers for various Park Op Departments.
 Net budget effect of zero.
 1,178 Transfer of appropriations from Office Operations for purchase of computer.
 Net budget effect of zero.

G \$ 27,369 Total increase (decrease) to Capital Equipment

576 LAND ACQUISITION

\$ 212,000 Increase in appropriations for land purchase.
 Increase will come from fund balance and will be reimbursed in 2018 by The Conservation Fund.

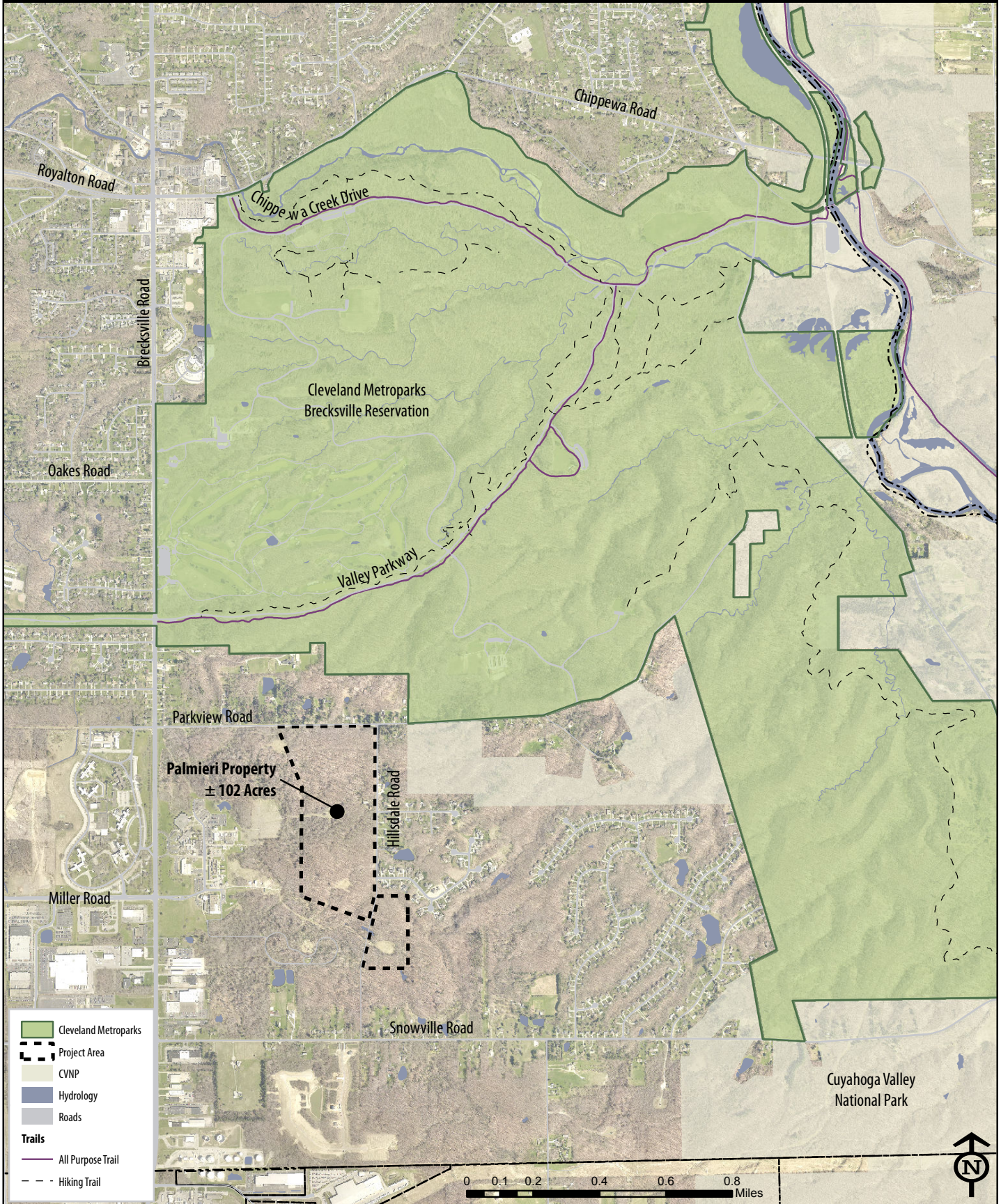
H \$ 212,000 Total ioncrease (decrease) to Land Acquisition

\$ 585,869 TOTAL INCREASE (DECREASE) TO CAPITAL

\$ 734,950 GRAND TOTAL - INCREASE (DECREASE) FOR AMENDMENT

Brecksville Reservation

Western Reserve Land Conservancy - Palmieri Property



**Resolution of Authorization
Ohio Forested Habitat Fund - Brecksville Upland Preserve**

November 30, 2017

WHEREAS, the Conservation Fund through the Ohio Forested Habitat Fund, offers financial assistance for migratory bird and bat habitat purchase and restoration in the State of Ohio, and

WHEREAS, Cleveland Metroparks plans to acquire and permanently protect ±102.1 acres on the City of Brecksville, Cuyahoga County, Ohio as part of Brecksville Reservation, referred to as the Brecksville Upland Preserve, and

WHEREAS, Cleveland Metroparks has been awarded \$474,575 through the Ohio Forested Habitat Fund to acquire and restore the Brecksville Upland Preserve, 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 acceptance of these grant funds for the acquisition and restoration of the property.

That Brian M. Zimmerman, Chief Executive Officer, is hereby authorized and directed to enter into any agreements as necessary and appropriate for obtaining this financial 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 Ohio Forested Habitat Fund program.

Bruce G. Rinker, President
Board of Park Commissioners

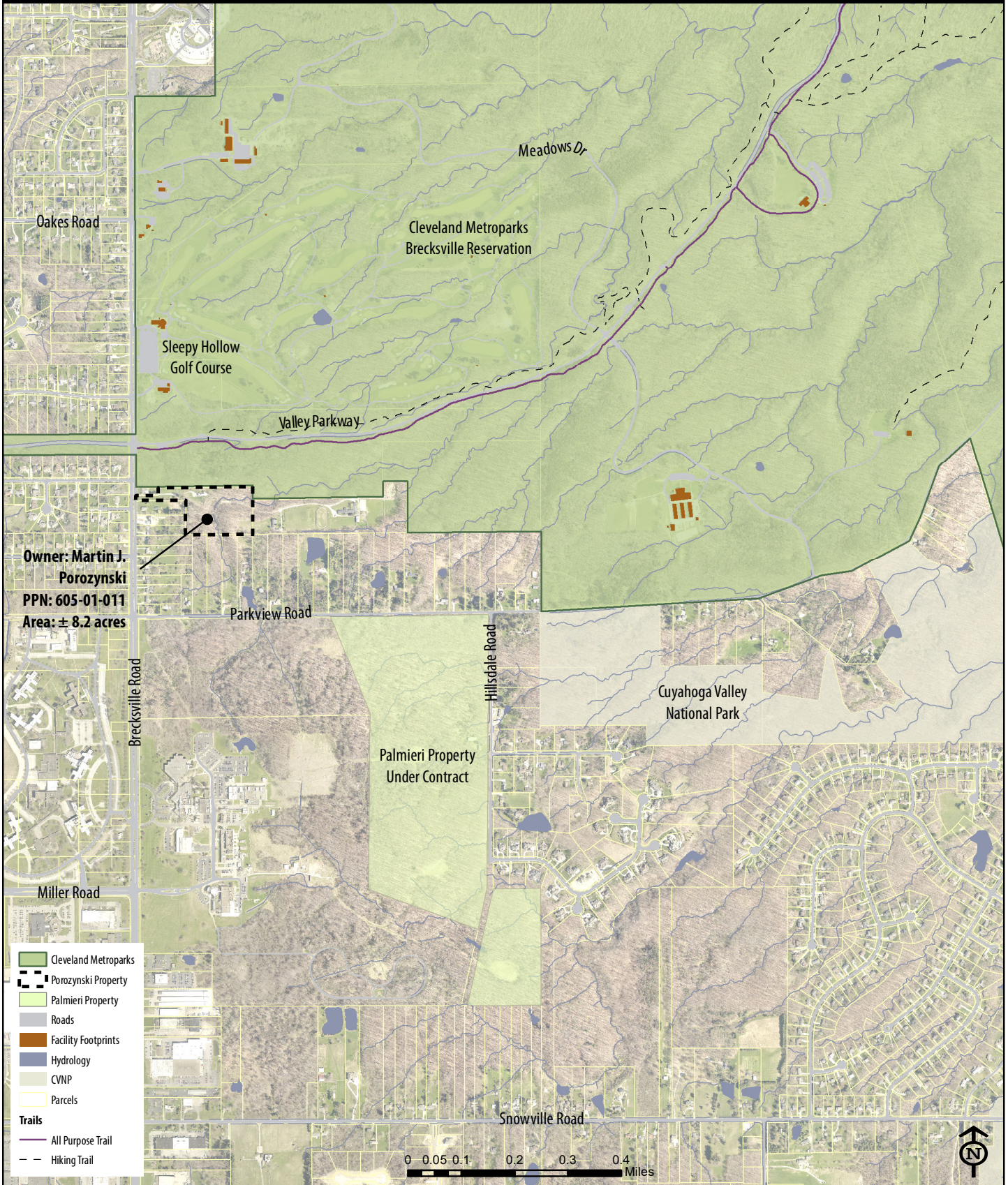
CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify that the foregoing is a true and correct copy of the resolution adopted by Cleveland Metroparks on the 30th day of November 2017, and that I am duly authorized to execute this certificate.

Brian M. Zimmerman
Chief Executive Officer

Brecksville Reservation

Porozynski Property - Brecksville



Owner: Martin J. Porozynski
PPN: 605-01-011
Area: ± 8.2 acres

Palmieri Property Under Contract

Cuyahoga Valley National Park

- Cleveland Metroparks
- Porozynski Property
- Palmieri Property
- Roads
- Facility Footprints
- Hydrology
- CVNP
- Parcels
- Trails**
- All Purpose Trail
- Hiking Trail

0 0.05 0.1 0.2 0.3 0.4 Miles



NOVEMBER 30, 2017 **BOARD OF PARK COMMISSIONERS OF THE
CLEVELAND METROPOLITAN PARK DISTRICT
POLICY STATEMENT**

SUBJECT: Encroachment Policy

EFFECTIVE DATE: November 30, 2017

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 to acquire lands at a rapid pace under the guidance and leadership of William A. Stinchcomb. Cleveland Metroparks acquired over 14,108 acres of land throughout its founder's tenure and leadership, and has acquired over 23,000 acres of land throughout its 100 year history. The Park District continues to expand as conservation and land protection opportunities become available, and as a result of these preservation initiatives the number of neighbors to Cleveland Metroparks also continues to grow.

Cleveland Metroparks has several hundred miles of property lines shared with adjoining land owners, and therefore has established the attached "Good Neighbor Policy" (GNP) to educate our neighboring landowners and residents that share common property lines with Cleveland Metroparks and convey the conservation mission of the Park District. While the Cleveland Metroparks property lines are respected by many of the adjoining land owners, some private encroachments onto Park District land exist.

Examples of encroachments include the following:

- Buildings or structures such as sheds, garages, fences, decks, playhouses, deer stands, swing sets, or other play equipment.
- Landscaping and private use areas such as patios, gardens, ballfields, sport areas, and parking spaces.
- Storage of belongings such as boats, RVs, cars, firewood, machinery, or tools.
- Waste products and other unsightly items such as trash cans, compost bins, yard waste, junk cars, junk appliances, and other debris or litter.
- Boundary identifying features such as hedges, landscaping, fences and other items that "claim" Park District land or limit the public's use and enjoyment of it.

It is important for Cleveland Metroparks to attentively monitor its boundaries so adjacent land owners do not interfere with Cleveland Metroparks ownership of its land. (See Attachment A, "Property Line Encroachments: Legal Principles")

II. POLICY

Cleveland Metroparks regularly inspects its lands to identify encroachments. These regular inspections are conducted by the Park Manager, or staff designee of the Park Manager, as they regularly manage and maintain the Park and are recognized as the first line of defense against

NOVEMBER 30, 2017 **BOARD OF PARK COMMISSIONERS OF THE
CLEVELAND METROPOLITAN PARK DISTRICT
POLICY STATEMENT**

SUBJECT: Encroachment Policy

EFFECTIVE DATE: November 30, 2017

property line encroachments. Additional support is provided by the Conservation Program Manager, who coordinates and implements reviews of the property lines and areas of concern using GIS and Remote Sensing technology. The Conservation Program Manager also schedules site walks of each reservation using the pattern outlined within the procedures of this Policy.

As encroachments are identified and verified, a boundary management procedure must be initiated to assure compliance, including a programmed “follow-up” to ensure correction of the encroachment and future compliance. A significant percentage of property line encroachments, including minor dumping of yard waste, are due to misinformation as to property line locations or the negative impacts caused by the encroachment activity. It is, therefore, the Park District’s policy that the first follow-up to correct these types of problems be educational, rather than punitive. This would take the form of personal contact by the Park Manager, the distribution of an informational brochure explaining Cleveland Metroparks conservation commitment, or a warning (perhaps only oral but documented internally) to correct the problem within a reasonable time frame (typically 30 days). At the expiration of that period of time, a follow-up must be made to determine if further action is necessary, including possibly a citation and the initiation of legal action as described below.

Cleveland Metroparks will not sell land, grant easements, exchange land, or grant use licenses to remedy conditions resulting from unauthorized encroachments onto Park District land.

III. PROCEDURES

The following procedures define the role of the Park Manager as the position responsible for park boundary management:

- A. Property line inspection – The Park Manager or designated staff will inspect all property boundaries within their reservation at least once every three (3) years. Inspection logs will be maintained documenting the inspections. Each Park Manager will then proceed to initiate resolution of encroachments pursuant to the procedures below.

Additionally, the Conservation Program Manager, or his/her designee, will provide support by monitoring the Park boundaries in coordination with the Park Manager via GIS technology and strategic property visits of identified encroachment areas. Monitoring of boundaries by the Conservation Program Manager will be conducted in a manner that each reservation is reviewed at least once every three (3) years.

- B. Problem verification – Upon identification or notification of a suspected problem, the Park Manager shall investigate the site to attempt to verify that an encroachment violation exists. The Park Manager shall complete the “Property Line Inspection Form,” Attachment B,

NOVEMBER 30, 2017 **BOARD OF PARK COMMISSIONERS OF THE
CLEVELAND METROPOLITAN PARK DISTRICT
POLICY STATEMENT**

SUBJECT: Encroachment Policy

EFFECTIVE DATE: November 30, 2017

The Natural Resource Area Managers are available to assist if needed. The Park Manager determines if additional assistance is necessary to make a final judgment (e.g. a survey of the property line, an interpretation on restrictions, etc.) and procures the assistance if needed.

C. Problem resolution

1. In all property line violations, the Park Manager first will talk, then, if necessary, will personally deliver, or mail, a standard letter (Attachment C) to the property owner (with the ability and need to detail the specific infraction and tailor the form letter to the situation), asking for resolution of the problem within a reasonable period of time, (e.g., 30 days) along with the informational flyer (Attachment D). The Park Manager will work with the Conservation Program Manager to keep an inspection log documenting the encroachment, notice, follow-up, and resolution. The Conservation Program Manager will keep the inspection log on file, and monitor follow-up and resolution to ensure that all encroachments are dealt with uniformly across the Park District.
2. The Park Manager shall monitor compliance with the established deadline. If resolution of the problem has still not been achieved and no extenuating circumstances exist, then the problem, with inspection log, will be referred to the Ranger's Natural Resources Enforcement Team for a second letter, with a copy to the Park Manager and the Conservation Program Manager.
3. If an acceptable resolution has not occurred after the fixed period established by the Park Ranger letter, then the problem, with inspection log, will be referred by written notice from the Park Ranger to Cleveland Metroparks Chief Prosecuting Attorney, with written notice also to the Chief Executive Officer, Chief Operating Officer, Park Manager, and Conservation Program Manager. Follow-up, dependent upon the circumstances, will be initially determined by the Chief Legal & Ethics Officer, Chief Operating Officer, and Chief Executive Officer with notice to the Park Manager and Conservation Program Manager, and may include the initiation of civil legal action or criminal prosecution.

*A flowchart is included as Attachment E to assist in following this procedure.

IV. COMPLIANCE WITH POLICY AND PROCEDURES

All neighboring property owners will be expected to adhere to the common legal boundaries between their land and Park District property. Compliance with these boundaries will be the responsibility of the Park Manager to ensure these Policy and Procedures are utilized for addressing encroachments. The Conservation Program Manager will assist the Park Manager by identifying potential encroachments and providing support and coordination as it relates to deed records and real estate information.

NOVEMBER 30, 2017 **BOARD OF PARK COMMISSIONERS OF THE
CLEVELAND METROPOLITAN PARK DISTRICT
POLICY STATEMENT**

SUBJECT: Encroachment Policy

EFFECTIVE DATE: November 30, 2017

Recognizing that the ultimate goal of this process is to protect Cleveland Metroparks resources and educate the adjoining land owners, and not to “write tickets,” the Park Manager will necessarily have the leeway to be flexible and subjective on a case-by-case basis. This flexibility reflects the educational goal of the enforcement policy. Blatant infractions can and should be pursued immediately.

Some investigations will not be able to identify the absolute parties responsible, i.e., a continual dumping of brush and grass clippings behind a given home, but no direct observation of the dumping. Again, since education is the first step in the process, a “friendly” communication with the suspected homeowner(s) should still accomplish the goal of stopping the action in the future. In cases where foreign materials should be or must be removed from Cleveland Metroparks property and a specific responsible party cannot be identified with certainty, the Park Manager will remove the material as soon as is practical and keep a record, including costs. This will send a very clear message that Cleveland Metroparks is serious about this type of problem.

References:

Replaces and Supersedes: Property Line Encroachment Policy – 12/28/2012

Approved:

Chief Executive Officer-Secretary

Board President

Approval Date

Review Date

NOVEMBER 30, 2017

Attachment A – Property Line Encroachment: Legal Principles

The Cleveland Metroparks is a political subdivision of the State of Ohio that has the power to acquire lands for conversion into forest reserves and for the conservation of the natural resources of the state pursuant to Ohio Revised Code 1545.11.

As the Cleveland Metroparks continues to acquire land and protect its current landholdings, it is necessary to keep in mind the various real property doctrines available to landowners adjacent to Cleveland Metroparks. The following are three legal important to property line encroachment issues:

(1) Adverse Possession

Definition: A party is capable of taking legal title to another's land by proving the party has exclusive possession of the land that is open, notorious, continuous, and adverse for a period of 21 years.

Explanation: Under Ohio law, it would be difficult for an adjacent property owner to acquire Cleveland Metroparks land through "adverse possession." Ohio courts have found that adverse possession typically does not apply to park districts. Courts have determined that park districts cannot be as vigilant in monitoring its property for trespassers as private property owners, as such a burden would be prohibitive and contrary to the public interest. Park districts are created to provide for public use and enjoyment of land and allowing adverse possession would deprive the public of this use.

Overall, Ohio courts tend to disfavor adverse possession because successful actions result in the legal titleholder forfeiting ownership to an adverse possessor without compensation.

Conclusion: Given the Cleveland Metroparks' mission of land conservation, it would be difficult for an adverse party to prove the element of "nonuse" (or that an area did not appear to be open for public use) as the setting aside land for future public use is a valuable use of land resources and the public should not suffer for a government's negligence or inattention to its property boundaries.

Example: An adjacent property owner constructs a fence enclosing both his own property and a portion of Cleveland Metroparks' property owned where such enclosure does not allow for any use by Cleveland Metroparks or the public. Even if the other elements of adverse possession are met by the encroaching landowner, because Cleveland Metroparks owns the land, it would not be subject to adverse possession by the encroaching landowner. However, the encroaching landowner may argue that they are entitled to use of the property (but not a fee interest in the property) under equitable estoppel or abandonment, as described below.

(2) Equitable Estoppel

Definition: A landowner, such as Cleveland Metroparks, may be precluded by conduct (i.e. a promise or a misstatement of fact) or by silence when an encroaching landowner reasonably, and in ignorance, relies upon the truth of a matter to the encroaching landowner's detriment.

Explanation: When Cleveland Metroparks is aware of and continues to allow an encroaching landowner to use the Cleveland Metroparks' property as if it were the encroaching landowner's

NOVEMBER 30, 2017

private property, the encroaching landowner may claim that Cleveland Metroparks' awareness and silence on the matter caused the encroaching landowner to reasonably believe the property was theirs to use.

However, the general rule is that the principle of estoppel does not apply against the political subdivisions, such as Cleveland Metroparks, in the exercise of a governmental function. Furthermore, one court held that a wildlife preservation was found to be classified as a "governmental function" with regard to the inapplicability of estoppel against political subdivisions, giving a stronger claim to Cleveland Metroparks. However, an encroaching landowner could make a colorable legal claim that they would be entitled to use the land based upon estoppel.

Example: Allowing an encroaching landowner to continue building a structure on Cleveland Metroparks property and delaying any objection until after significant expenditure has been made. The encroaching landowner could argue that it is entitled to compensation for relying on Cleveland Metroparks' statement that it was appropriate or non-statement when the encroachment was obvious.

(3) Abandonment

Definition: Abandonment occurs when an encroaching landowner proves 21 years of nonuse of land, and an intent to abandon land.

Explanation: Abandonment is typically associated with the doctrine of adverse possession of municipality/political subdivision lands. Every recent case involving adverse possession has addressed the notion that it is against public policy to adversely possess land owned by political subdivisions, such as park districts, because the land is for the benefit and enjoyment of the public. In addition, park districts are large and own a lot of land, making it burdensome to require the quality of awareness required by ordinary individuals to monitor their land. Given the dynamics of the functions of a park district, it would be difficult to prove the second element of abandonment – an intent to abandon.

Example: A portion of Metroparks' property is physically isolated from the remainder of reservation through an artificial barrier (i.e. fence) such that it cannot be used by employees or the public. The encroaching landowner is able to use the property because the encroaching landowner is on the other side of the fence. The encroaching landowner may claim that Cleveland Metroparks abandoned the land and that the encroaching landowner is entitled to a fee interest in the abandoned land.

Summary

As noted above, there are clear principles that land owned park districts is afforded some protection against adverse possessors, nevertheless, park employees should be aware of these legal principles and any adverse uses of Cleveland Metroparks' property should not go unchallenged where observed. Sending letters and documenting visits that show that staff notified the encroaching landowner of the unpermitted use of Cleveland Metroparks' property is vitally important. As staff of Cleveland Metroparks, custodians for public, open space should do everything reasonably in their power to assert the park district's property rights against potential adverse possessors.

Cleveland Metroparks Park Operations
Property Line Inspection Form

Reservation: _____

Reservation Manager: _____

Inspected By: _____

Date of Inspection: _____

Address of Property: _____

City/Zip Code: _____

Name of Property Owner (if applicable): _____

Suspected Violations:

- | | |
|--|--|
| <input type="checkbox"/> Structure | <input type="checkbox"/> Organic Dumping |
| <input type="checkbox"/> Mowing | <input type="checkbox"/> Inorganic Dumping |
| <input type="checkbox"/> Tree Removal | <input type="checkbox"/> Drain Tile |
| <input type="checkbox"/> Play Equipment | <input type="checkbox"/> Fence |
| <input type="checkbox"/> Landscaped | <input type="checkbox"/> Garden |
| <input type="checkbox"/> Cleared Underbrush | <input type="checkbox"/> Wood Pile |
| <input type="checkbox"/> ATV Activity | <input type="checkbox"/> Other (explain in comments) |
| <input type="checkbox"/> Path (brick or stone) | |

Observations/Comments: _____

Violations: Yes No If yes, please explain: _____

Action Taken: Yes No If yes, please describe: _____

Property Owner Comments: _____

Verification By: _____ **Date:** _____

Comments: _____



Date: **Attachment C**

Name
Street Address
City, State, Zip

Dear Cleveland Metroparks Neighbor:

The primary mission of Cleveland Metroparks is the conservation and protection of natural resources as well as provision of education and recreation opportunities for area residents. The Park District is dedicated to a mission of conservation, education and recreation and recognizes the importance of maximizing its 23,000-plus acres of land in 18 reservations, 8 golf courses, and Cleveland Metroparks Zoo.

Cleveland Metroparks has several hundred miles of property lines shared with adjoining land owners. Cleveland Metroparks has established the attached "Good Neighbor Policy" to recognize the goals of those homeowners that share common property lines with Cleveland Metroparks in order to help these neighbors understand the conservation mission of the Park District. While many of the property lines are respected by the adjoining owners, some private encroachments onto Cleveland Metroparks land exist. These range from "mowing as a part of the backyard" on the one extreme to construction of permanent structures on the other.

During a routine inspection of Cleveland Metroparks property lines, an encroachment onto Park District lands (detailed below) was discovered adjacent to your property. As the adjoining land owner, it appears that the problem originated from your property.

Although Cleveland Metroparks realizes that, in many cases, the property lines are not clearly marked so you may not have been aware of the infringement onto Park District property, we bring it to your attention now and request that you remedy the encroachment as soon as possible.

DATE OF INSPECTION:

DESCRIPTION OF PROBLEM:

REQUESTED ACTION:

DUE DATE:

Cleveland Metroparks wishes to remain a good neighbor to the hundreds of adjacent property owners throughout the Park District. Thank you for your attention to the above matter.

If you have any questions about this situation, or feel that there has been a mistake in the determination or location of the problem, please call me.

Sincerely,

Park Manager

CC: Chief Operating Officer
Chief Legal and Ethics Officer
Conservation Program Manager

Good Neighbor Policy

Cleveland Metroparks Mission: “Cleveland Metroparks will conserve significant natural resources and enhance people’s lives by integrating high-quality outdoor education, recreation and zoological opportunities into people’s lives.”

The Park District contains more than 23,000 acres of land and is dedicated to a mission of conservation, education, and recreation and recognizes the importance of maximizing its land within 18 reservations, 8 golf courses, and Cleveland Metroparks Zoo. Cleveland Metroparks has established a “Good Neighbor Policy” to recognize the goals of homeowners that share common property lines with Cleveland Metroparks and to help these neighbors understand the conservation mission and preservation goals of the Park District.

Natural Resources: Cleveland Metroparks takes a proactive approach to managing land, focusing on the long-term goal of maintaining native plant and animal populations, and the forest, streams, wetlands and other wild areas in which those species live. These features make Cleveland Metroparks unique in northeastern Ohio and a treasured resource for its citizens.

Ensuring that these unique conservation areas remain healthy for generations to come is dependent upon achieving the following ecological principles.

- Conservation areas remain healthy only if lands surrounding those parks are hospitable to plants and wildlife, free of aggressive, nonnative plants, allow for the passage of clean, regulated flows of water; and provide "green" corridors that connect to the larger park lands.
- Success of conservation is dependent upon preserving ALL native parts of an ecosystem, no matter how small or large, charismatic or nondescript. The great American conservationist, Aldo Leopold, stated that without all those “cogs and wheels” we can have no hope of a healthy earth.
- Conservation land needs to remain intact and not fragmented into small pieces by roads or other development, or from encroachment from outside park boundaries. As a wild area gets smaller and more fragmented, species are reduced as is the area’s uniqueness and as a place for people to seek solitude.

Good Neighbor Policy: Cleveland Metroparks respects the rights of its neighbors and asks that the conservation mission and preservation goals of the Park District be respected as well. While an appropriate goal for a homeowner may be to maintain a well manicured lawn, garden, and a small patio, Cleveland Metroparks has a goal to maintain park land in a natural condition with trees, native plants, and wildlife.

Cleveland Metroparks has developed the Good Neighbor Policy and inspects its property lines in an effort to eliminate dumping, tree cutting, encroaching structures, and other inappropriate activities and conditions from occurring on or affecting Park District Property. Property line inspections may also identify potential dangerous situations originating on Park District land. The policy is implemented to ensure that the natural resources of the Park District remain intact.

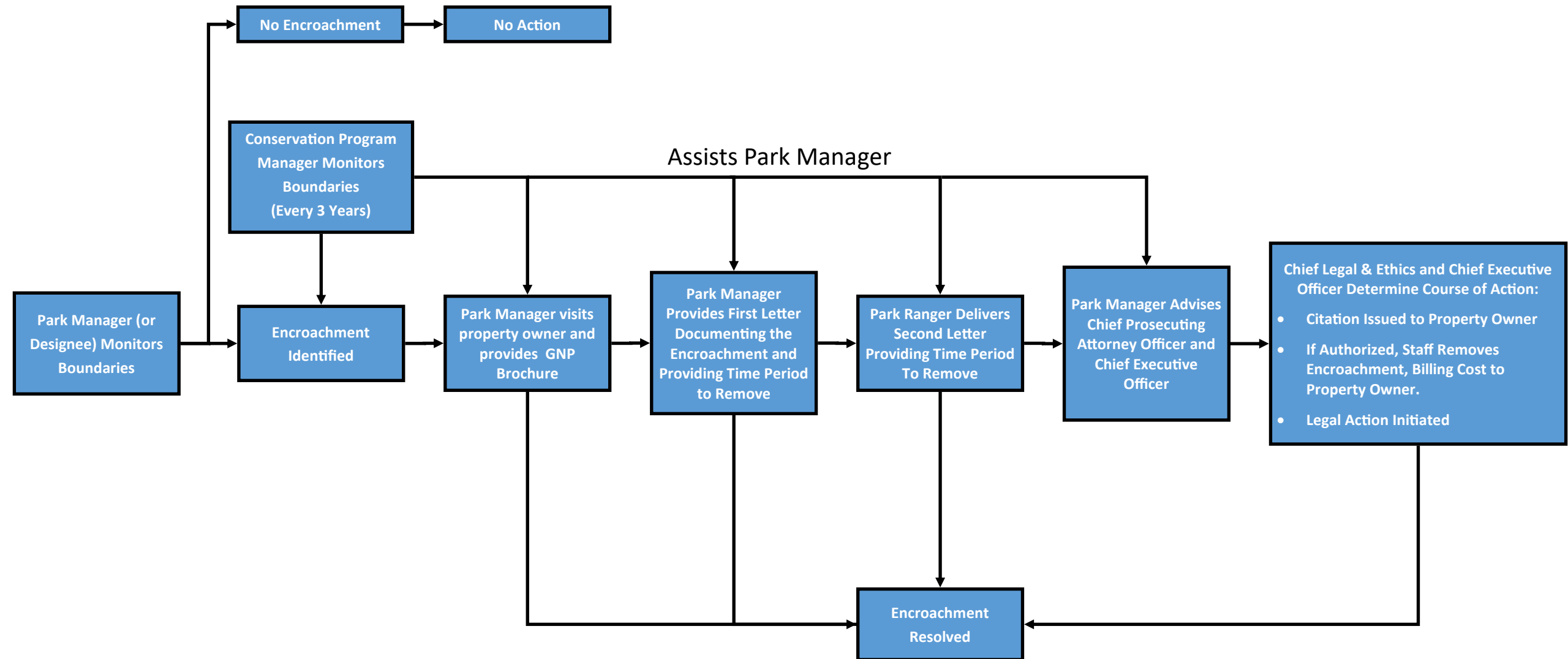
Good Neighbors: Cleveland Metroparks hopes to strengthen its Good Neighbor Policy through communication of its management programs and recognition and understanding of both homeowner and Park District goals. The Park Manager of each Cleveland Metroparks Reservation is responsible for inspecting property lines and implementing the Good Neighbor Policy. If you have questions, please call Park Operations at (440) 331-8111.

Cleveland Metroparks Rangers are available 24 hours a day, 365 days a year. Cleveland Metroparks rules and regulations can be found at <http://www.conwaygreene.com/clemetroparks.htm>. For more information about Park District rules or for non-emergency inquiries, please call (440) 331-5530 or visit www.clevelandmetroparks.com. In case of accident or emergency, call Ranger Headquarters at (440) 333-4911.

Cleveland Metroparks
 Administrative Offices
 4101 Fulton Parkway,
 Cleveland, Ohio 44144
 Phone (216) 635-3286



Cleveland Metroparks Encroachment Policy: Boundary Management Flow Chart



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

SUBJECT: Conservation Easement Stewardship Policy

EFFECTIVE DATE: November 30, 2017

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 create access to nature for the citizens of Cuyahoga County and Hinckley Township. Cleveland Metroparks has utilized a number of acquisition tools over its 100-year history to expand the Park District to over 23,000 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 is negotiated by Cleveland Metroparks to ensure the resource is protected. The terms of these agreements vary by property owner and resources protected, however they generally permit the land owner to retain ownership of the property while placing specific restrictions upon the land preventing the disturbance of the landscape and natural resources. CEs grant access to Cleveland Metroparks to manage the natural resources, and in some cases, permit public access to the land. Between 1996 and 2017, 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 inspections of land 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:

- Constructing buildings, 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 & Gas wells or other mining of mineral interests.
- ATV 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 land owner 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: November 30, 2017

II. POLICY

Cleveland Metroparks inspects lands protected by CEs at least once every three (3) years. These stewardship visits, as they are commonly called in the conservation profession, are conducted by the Conservation Program Manager in coordination with the Park Manager and are specific to the conditions of the CE at issue. Notification of the stewardship visit will be sent to the landowner and a date for the visit will be coordinated. A monitoring form of observations made during each visit is completed for each property during the visit. The completed form is utilized to document the conditions of the property and any activities that may conflict with the CE.

After each visit, a letter is drafted to the land owner using information documented with the monitoring form to outline the terms of the CE and summarize the observations made by the Conservation Program Manager. 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 land owner is requested to review the CE and develop a plan to correct the conflicting land use.

In some instances, extreme violations with the CE terms and conditions may exist. Activities such as timber harvesting, permanent structure construction, 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 land owner. These instances will be reviewed on a case by case basis, and require engaging the Chief Executive Officer, Chief Legal and Ethics Officer, Chief Operations Officer, and Ranger Department to review the implications of the land use conflict.

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

III. PROCEDURES

The following procedures define the role of the Conservation Program Manager as the position responsible for Conservation Easement Stewardship:

- A. Stewardship Visit – The Conservation Program Manager, or designee, will inspect each CE held by Cleveland Metroparks at least once every three (3) years. Notice of the visit and coordination of the date and time will be made by the Conservation Program Manager. The property will be walked to identify any indication of unpermitted land use and a property inspection log will be kept using a standard monitoring form (Attachment A – monitoring form). The visits will be scheduled to ensure maximum visibility of land use.

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

SUBJECT: Conservation Easement Stewardship Policy

EFFECTIVE DATE: November 30, 2017

After each property visit, a report will be written outlining the findings. A letter will be drafted to the land owner that summarizes the findings of each visit.

B. Problem verification – If a problem or conflicting land use is identified upon the property, a follow-up phone call will be made to the land owner to verify the land use identified in the field. In many cases, the observed land use may not conflict with restrictions as originally interpreted (example: temporary drives or utility work that may indicate future restricted activity, but is found to be completed and restoration is underway). If a landowner is not compliant with the terms of the CE:

C. Problem resolution

1. With all CE restriction conflicts, a summary of the violations will be drafted by the Conservation Program Manager and included with the letter sent to the land owner stating that the restricted activity must be remedied. A copy of this letter will be provided to the Park Manager. A request for a follow-up meeting to review the conflicts will be made, during which an action plan for correcting the restricted activity will be made 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 land owner 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 land owner, the Conservation Program Manager will support the land owner of the preserved property with communicating the terms of the agreement and discussing a resolution to the conflicting land use.
2. The Park Manager will monitor the correction of the violation in accordance with the timeline set forth during the meeting with the land owner. If resolution of the problem has not been achieved, and no extenuating circumstances exist, then the problem, with the inspection log and letter, will be referred to the Ranger's Natural Resource Enforcement Team for a second letter, with a copy to the Conservation Program Manager and Park Manager.
3. If an acceptable resolution has not occurred after the fixed period established by the Park Ranger letter, then the violation, with inspection log, will be referred by written notice from the Park Ranger to Cleveland Metroparks Chief Legal & Ethics Officer, with written notice also to the Chief Executive Officer, Chief Operating Officer, and Park Manager. Follow-up, dependent upon the circumstances, will be initially determined by the Chief Legal & Ethics Officer and Chief Executive Officer, with notice to the Chief Operating Officer, Park Manager, and may include the initiation of legal action, up to and including criminal prosecution.

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

SUBJECT: Conservation Easement Stewardship Policy

EFFECTIVE DATE: November 30, 2017

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

- Clear cutting of forest (timber harvesting);
- Filling in or destruction of wetlands;
- Oil & Gas well drilling; and
- 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 and Ethics Officer and Ranger Department.

IV. COMPLIANCE WITH POLICY AND PROCEDURES

All owners of properties which Cleveland Metroparks owns CEs upon are expected to adhere to the terms and conditions agreed upon within the recorded CE agreement. Monitoring the compliance with these terms and conditions will be the responsibility of the Conservation Program Manager with assistance provided by the Park Manager to monitor progress of correcting violations. The Conservation Program Manager will provide CE documentation and stewardship visit logs as needed to the Chief Legal and Ethics Officer as conflicts are corrected and/or restitution is sought.

Recognizing the complexity and variability that each individual CE’s terms and conditions may have, and that the ultimate goal is to protect Cleveland Metroparks natural resources and educate land owners, the Conservation Program Manager will have the leeway and flexibility to be subjective and review each property on a case by case basis.

References:

Approved:

Chief Executive Officer-Secretary

Board President

Approval Date

Review Date



Conservation Easement Checklist

PROPERTY INFORMATION	
Property Owner(s):	Hinckley Township (Wakefield Run HOA)
Did Owners Attend:	Check One: <input type="checkbox"/> (Yes) <input type="checkbox"/> (No)
Staff Name(s):	Isaac Smith
Address:	Wakefield Run Blvd/Boston Road Hinckley, OH 44223
Telephone number:	(000) 000-0000
Email Address:	generic@email.com
Reservation:	Hinckley Reservation
Deed/Agreement/ #:	Deed 1494
PPN(s):	1603B05029, 1603B06119, 1603B12017, 1603B24006
Stewardship Visit Date:	03/01/2018
Date of Previous Visit:	03/01/2016
Property Acreage (Deed):	143.48

ATTACHMENT & SITE VISIT CHECKLIST	
(check all that apply)	
<input type="checkbox"/>	Map Attached
<input type="checkbox"/>	Photos Attached
<input type="checkbox"/>	Property Boundary Visibly Marked
<input type="checkbox"/>	Property Accessible

OBSERVATIONS DURING VISIT
(over for checklist of observed land use changes)

NOVEMBER 30, 2017

OBSERVED LAND USE CHANGES (changes in land use that may conflict with recorded Conservation Easement)		
<input type="checkbox"/>	Buildings, structures, billboards, or signs erected upon subject property	Type and description:
<input type="checkbox"/>	Filling, excavation, or changes in topography	Describe:
<input type="checkbox"/>	Removal or topsoil, sand, gravel, rock, minerals, or other materials	Describe:
<input type="checkbox"/>	Harvesting of timber or clearing of vegetation	Describe:
<input type="checkbox"/>	Construction of roads, trails or paths	Describe:
<input type="checkbox"/>	Spraying of herbicides or pesticides upon the property	Describe:
<input type="checkbox"/>	Erection or installation of transmission lines (electric power, telephone, natural gas, petroleum products, etc.)	Type and description:
<input type="checkbox"/>	Garbage, trash, or unsightly materials stored or disposed of on property	Describe:
<input type="checkbox"/>	Manipulation/Alteration of natural water courses, wetlands, or other water bodies	Describe:
<input type="checkbox"/>	Evidence of hunting/trapping	Describe:
<input type="checkbox"/>	Evidence of ATV or other vehicle use	Describe:
SUMMARY AND NEXT STEPS		
<input type="checkbox"/>	No Land Use Conflicts	Send standard letter
<input type="checkbox"/>	Pending Land Use Conflict(s) (more info needed)	Additional info required:
<input type="checkbox"/>	Land Use Conflict(s) Exist	Summarize:

~~BOARD OF PARK COMMISSIONERS OF THE CLEVELAND METROPOLITAN PARK DISTRICT~~
BOARD OF PARK COMMISSIONERS OF THE CLEVELAND METROPOLITAN PARK DISTRICT (“CLEVELAND METROPARKS”)

POLICY STATEMENT

SUBJECT: Trademark and Logo Usage Policy

EFFECTIVE DATE: November 30, 2017

I. PURPOSE

The Board of Park Commissioners of the Cleveland Metropolitan Park District (Cleveland Metroparks) owns brands, marks, names, and logos which are very important organizational assets. See the attached Exhibit A which includes all of Cleveland Metroparks’ list of trademarks.

The Cleveland Metroparks Trademark and Logo Usage Policy sets forth the authorized policies for using or referring to Cleveland Metroparks brands, trademarks, product and service names, logos and slogans.

II. CLEVELAND METROPARKS’S TRADEMARK RIGHTS

As the owner of its trademarks, Cleveland Metroparks has the exclusive right to use its trademarks, as well as the right to stop others from using its trademarks improperly or without authorization.

Identification of Cleveland Metroparks products or services is the sole permissible use of Cleveland Metroparks trademarks and logos. The following is a non-exhaustive list of impermissible uses of Cleveland Metroparks trademarks and logos:

- No Cleveland Metroparks trademark or logo may be incorporated into or used as part of a third party’s own logo, company name, product logo or otherwise.
- No Cleveland Metroparks trademark or logo may be used in any way that is likely to be confusing, misleading or deceptive as to the true identity or source of products, services, materials, courses or programs.
- No mark that is misleadingly similar in design or appearance to any Cleveland Metroparks mark or infringes on Cleveland Metroparks trademark rights may be used.
- No Cleveland Metroparks trademark or logo may be used in any manner that is likely to disparage, dilute or negatively affect Cleveland Metroparks reputation.
- No Cleveland Metroparks trademark or logo may be used in a way that is likely to imply that the user, its products, or its services are endorsed by, sponsored or affiliated with Cleveland Metroparks, without written permission from Cleveland Metroparks.

Cleveland Metroparks will pursue its legal rights against those who engage in any of the aforementioned activities or any other activities that infringe on Cleveland Metroparks trademark rights.

~~BOARD OF PARKS~~ **COMMISSIONERS OF THE CLEVELAND METROPOLITAN PARK
DISTRICT (“CLEVELAND METROPARKS”)**

POLICY STATEMENT

SUBJECT: Trademark and Logo Usage Policy

EFFECTIVE DATE: November 30, 2017

III. PROPER USE OF TRADEMARKS AND SYMBOLS

Cleveland Metroparks trademarks and service marks shall be used so long as such references (a) are truthful, fair, and not misleading, and (b) comply with this Policy.

1. When referencing Cleveland Metroparks, Cleveland Metroparks Zoo, Emerald Necklace, or Merwin’s Wharf entities, CLEVELAND METROPARKS, CLEVELAND METROPARKS ZOO, EMERALD NECKLACE, or MERWIN’S WHARF names may be used as a proper nouns. Cleveland Metroparks, Cleveland Metroparks Zoo, Emerald Necklace, or Merwin’s Wharf names may, in that instance, be used as a trade name; no trademark symbol is needed when referring to the company.

Correct: Today, Cleveland Metroparks announced the opening of the new Fort Hill Staircase.

2. Trademarks may not be used in the plural or the possessive.

Correct: Cleveland Metroparks Emerald Necklace.

Incorrect: Cleveland Metroparks’s Emerald Necklace.

Trademarks must not be used in the possessive.

Correct: Cleveland Metroparks Emerald Necklace.

Incorrect: Cleveland Metropark’s Emerald Necklace.

3. Cleveland Metroparks trademarks may not be shortened, abbreviated or made into acronyms.

Correct: “Cleveland Metroparks”

Incorrect: “CMP.”

IV. PROPER TRADEMARK ATTRIBUTION

Include a trademark notice when referring to a trademark. Place an appropriate trademark notice symbol (®) adjacent to the first or most prominent reference to the trademark. Do not add a space between the trademark name and the symbol. The symbol should be in superscript or subscript. In the absence of those symbols, a parenthetical notation such as (R) is acceptable.

Correct: Edgewater LIVE®

Incorrect: Edgewater Live

~~BOARD OF PARKS~~ COMMISSIONERS OF THE CLEVELAND METROPOLITAN PARK
DISTRICT (“CLEVELAND METROPARKS”)

POLICY STATEMENT

SUBJECT: Trademark and Logo Usage Policy

EFFECTIVE DATE: November 30, 2017

Use the appropriate trademark symbol. When referring to Cleveland Metroparks trademarks, use the “®” symbol in accordance with the status of the particular Cleveland Metroparks product or service. Refer to Exhibit B (or the webpage entitled “Cleveland Metroparks Trademarks”) to determine the correct symbol for the particular trademark being used.

Use the trademark legend. In addition to applying the appropriate symbol to the trademark being used, third parties must attribute all Cleveland Metroparks Trademarks in an appropriate trademark legend. The legend may be printed in small print, however, it must be large enough to be legible. Permissible locations to place the legend include but are not limited to, the end of a document, on the back of a package or on the bottom of a web page.

Use the following standard trademark legend in all material referencing any Cleveland Metroparks trademark:

“Cleveland Metroparks, *[insert all other trademarks, product names, service names, program names, etc., that are referred to or displayed in the document]* are registered trademarks of Cleveland Metroparks.”

V. USE OF CLEVELAND METROPARKS LOGOS

Cleveland Metroparks logos may only be shown independently. A logo may not be used in the context of a written description. Additionally, Cleveland Metroparks logos shall only be used in accordance with the Cleveland Metroparks Style Guide available at clevelandmetroparks.com/brand and as may be amended in Cleveland Metroparks sole discretion from time to time

VI. THIRD PARTY USE OF CLEVELAND METROPARKS TRADEMARKS

Affiliates of Cleveland Metroparks, licensees, and other third parties are limited to specific, approved uses of Cleveland Metroparks trademarks. Third parties must use Cleveland Metroparks trademarks within the parameters outlined below. Unauthorized or improper use of Cleveland Metroparks trademarks may infringe on Cleveland Metroparks trademark rights.

1. Cleveland Metroparks trademarks may not be used in third party company or product names without a written trademark license agreement.
2. A licensed third party shall not use any other trademark or service mark in close proximity to any of the Cleveland Metroparks Trademarks or combine marks in either case so as to effectively create a unitary composite mark, ***without the prior written approval of Cleveland Metroparks***; provided, however, nothing herein shall prevent such

~~BOARD OF PARKS~~ **COMMISSIONERS OF THE CLEVELAND METROPOLITAN PARK DISTRICT (“CLEVELAND METROPARKS”)**

POLICY STATEMENT

SUBJECT: Trademark and Logo Usage Policy

EFFECTIVE DATE: November 30, 2017

licensed third party from preparing and distributing marketing materials in which the Cleveland Metroparks Trademarks and the licensed third party’s marks appear on the same page or slide as discrete marks. Notwithstanding the foregoing, each use of Cleveland Metroparks Trademarks is subject to Cleveland Metroparks pre-approval, such approval to be withheld at its sole discretion.

3. Prior to publication or release, written approval by Cleveland Metroparks must be received by all third parties of advertising and/or marketing collateral or other materials that use Cleveland Metroparks trademarks or logos.
4. Except as provided within this Policy, Cleveland Metroparks third party affiliates may not use any Cleveland Metroparks trademark as part of their own logo or company name or in third party advertising, product packaging, website or other promotional materials.
5. Neither domain names nor metatags in third party websites may use or include Cleveland Metroparks trademarks or logos without Cleveland Metroparks advance written consent.
6. Additionally, without Cleveland Metroparks advance written consent, third parties may not hyperlink or deeplink to Cleveland Metroparks webpages, unless the third party provides clear and unmistakable notice that the end user is exiting that website and entering the Cleveland Metroparks website. The sole circumstance under which deeplinking is permissible is when a need for information on Cleveland Metroparks products, programs, services or technologies exists on the third party website.
7. Proper references to Cleveland Metroparks products or services by third parties is permissible. To refer to Cleveland Metroparks products and services, third parties may use Cleveland Metroparks trademarks but only if used properly: accompany the trademarks with the appropriate trademark symbol and legend. For further guidance, please refer to Section 2 of this policy entitled “Proper Use of Trademarks and Symbols.”

VII. THIRD PARTY USE OF CLEVELAND METROPARKS LOGOS

Cleveland Metroparks logos may be used only when licensed from Cleveland Metroparks. If a company or individual has a valid written license agreement in effect with Cleveland Metroparks, that company or individual must use the logo in accordance with the specifications described in the license agreement. Those guidelines are license-specific, and will not be addressed in this general Policy. In the event that the terms of an individual license and this Policy conflict, the terms of the individual license shall govern. A logo licensee whose license does not describe limitations on use of the logo should follow the guidelines found in Section 2.

BOARD OF PARK COMMISSIONERS OF THE CLEVELAND METROPOLITAN PARK DISTRICT (“CLEVELAND METROPARKS”)

POLICY STATEMENT

SUBJECT: Trademark and Logo Usage Policy
EFFECTIVE DATE: November 30, 2017

References:

Federal Trademark Act (also known as the Trademark Act of 1946 and the Lanham Act). 15 U.S.C. §§ 1051–1127.

Trade name registration. Ohio Rev. Code Ann. §§ 1329.01–1329.10.

Trademark registration. Ohio Rev. Code Ann. §§ 1329.54–1329.99.

Rules of practice in trademark cases. 37 C.F.R. §§ 2.1–2.189.

Assignment and recording of trademark applications and registrations. 37 C.F.R. §§ 3.1–3.85.

Classification of goods and services under Trademark Act. 37 C.F.R. §§ 6.1–6.4.

Replaces and Supersedes: n/a

Approved:






Chief Executive Officer-Secretary

Board President

Approval Date

Review Date

Exhibit A

Mark
CLEVELAND METROPARKS

CLEVELAND METROPARKS ZOO

EDGEWATER LIVE

EMERALD NECKLACE
MERWIN'S WHARF



RESOLUTION NO. 17-11-166

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.

Checks dated November 3, 2017 in the amount of \$607,919.06

Checks dated November 9, 2017 in the amount of \$1,177,608.34

Checks dated November 17, 2017 in the amount of \$1,208,540.67

Net Payroll dated September 17, 2017 to September 30, 2017 in the amount of \$1,292,473.10

Withholding Taxes in the amount of \$336,070.85

Net Payroll dated October 1, 2017 to October 14, 2017 in the amount of \$1,256,454.34

Withholding Taxes in the amount of \$321,194.92

Bank Fees/ADP Fees in the amount of \$52,246.51

ACH Debits (First Energy; Sales Tax) in the amount of \$135,739.48

Visa/Travel Purchasing Card dated October 29, 2017 to November 18, 2017 in the amount of \$250,246.14

Total amount: \$6,638,493.41

PASSED: November 30, 2017

Attest: _____

President of The Board of Park Commissioners

Chief Executive Officer

RECOMMENDED ACTION:

That the Board of Park Commissioners approves **Resolution No. 17-11-166** listed above.