

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

JULY 9, 2015

The Board of Park Commissioners met on this date, Thursday, July 9, 2015 8:00 a.m., at the Board's office, 4101 Fulton Parkway, Cleveland, Ohio.

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

APPROVAL OF MINUTES.

No. 15-07-111: It was moved by Vice President Berry, seconded by President Moore and carried, to approve the minutes from the Regular Meeting of June 18, 2015, which were previously submitted to the members of the Board, and by them read.

Vote on the motion was as follows:

Ayes: Ms. Berry and Mr. Moore.

Abstained: Mr. Rinker.

Nays: None.

PUBLIC COMMENTS.

Ms. Marty Leshner of Olmsted Township read from a prepared statement. Ms. Leshner's comments can be heard in their entirety by accessing the "About Us" section of Cleveland Metroparks website under "Board Meetings/Board Meeting Archives."

ACTION ITEMS.

- (a) ***Swearing in of Rangers***
(Originating Source: Daniel J. Veloski, Chief Ranger)

Stephen M. Howard

Steve is currently a part-time officer for the City of Wakeman, and works full time at University Hospitals Elyria Medical Center as a Protective Services Officer. Steve graduated in 2006 from Baldwin-Wallace College with a major in Philosophy and a concentration in Spanish, and also graduated from Lorain County Community College's Basic Police Academy in June 2012.

Megan J. McNulty

Megan is a May 2014 graduate of the Polaris Natural Resources Ranger Academy. That same month she was sworn in as a reserve officer in Wakeman, Ohio. In June 2014, she was sworn in as a part-time officer in Wellington, Ohio as their first female officer. Megan has an Associate of Applied Science Degree from Lorain Community College, graduating in May 2012.

Krystina M. Schneider

Krystina is a 2011 Kent State Police Academy graduate. She is currently attending Lakeland Community College and will graduate with a major in Criminal Justice and an Associate in Applied Science. Krystina is a park ranger for the Summit County Metro Parks.

Tyler M. Tomasheski

Tyler graduated in 2012 from Hocking College with an Associate in Applied Science in Natural Resources Law Enforcement. He graduated from the National Ranger Training Institute (OPOTA) in January 2014.

No. 15-07-112: It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to appoint Stephen M. Howard, Megan J. McNulty, Krystina M. Schneider and Tyler M. Tomasheski as full-time rangers for Cleveland Metroparks as authorized by Section 1545.13 of the Ohio Revised Code.

Vote on the motion was as follows:

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

Nays: None.

ACTION ITEMS (cont.)

- (b) ***Depository of Public Funds for a Five Year Period, July 2015-2020***
(Originating Source: David J. Kuntz, Chief Financial Officer)

Background

Cleveland Metroparks, for a five-year period (July 2015 to July 2020), must select a bank depository, said selection based on advertised Request for Proposal. A recap of the Request for Proposals received for Cleveland Metroparks depository contracts follows. Current active depository services (July 2010 to July 2015) are provided by PNC Bank.

A. Banks for Deposit of Active Funds**Basic Banking Services**

The following banks offered applications for deposit of active funds with Cleveland Metroparks: PNC Bank, Fifth Third Bank, Huntington Bank, US Bank, and First Merit Bank. The proposals are summarized as follows:

	PNC Bank	US Bank	First Merit Bank	Fifth Third Bank	Huntington Bank
Base bid for sample month ⁽¹⁾	\$1,941	\$1,868	\$1,754	\$2,583	\$1,979
Cost of 12 months based on sample criteria	\$23,286	\$22,421	\$21,048	\$31,000	\$23,748
Earnings Credit Rate offset (based on estimated \$4 million balance)	(\$16,000)	(\$14,000)	(\$8,000)	(\$8,000)	(\$14,000)
Procurement card rebate (based on estimated volume of \$4.8 million)	(\$69,600)	(\$72,960)	(\$57,600)	(\$64,800)	(\$36,000)
Estimated annual cost One-Time Contract Incentives	(\$62,314)	(\$64,539)	(\$44,552)	(\$41,800)	(\$26,252)
Total estimated five year cost	(\$331,569)	(\$324,194)	(\$226,269)	(\$221,499)	(\$131,440)

- (1) The proposal for banking services is based upon a list of common banking services at historical average volumes. Volume increases during summer months will result in a monthly fee that is higher than the average used in the proposal. Also, there are additional banking services that are priced differently from bank to bank.

The 2014 actual annual cost for banking services with PNC Bank was a net of \$41,058 received. PNC Bank is being recommended as Cleveland Metroparks primary depository, with a depository contract based on their best proposal for the five year period.

Based upon estimated volumes, the new agreement for active funds with PNC Bank will generate \$62,314 in revenue to Cleveland Metroparks annually or \$331,569 over the new five year term, including a one time renewal incentive of \$20,000.

ACTION ITEMS (cont.)

US Bank is being recommended as Cleveland Metroparks secondary depositor, with a depository contract based on their next best proposal. The US Bank depository contract will only be utilized in the event of PNC Bank’s non-performance.

Merchant Services (Credit Card and Gift Card Processing)

The following companies offered applications for merchant services with Cleveland Metroparks: PNC Bank, Fifth Third Bank, Huntington Bank, US Bank, First Merit Bank and Leverich Contracting Services, LLC. The proposals are summarized as follows:

	US Bank	Fifth Third Bank	Huntington Bank	Leverich Consulting	PNC Bank	First Merit Bank
Credit Cards						
Rate Above Interchange ⁽¹⁾						
Percentage of Sales	0.10%	0.00%	0.15%	0.05%	0.13%	0.10%
Per Transaction Fee	\$0.00	\$0.07	\$0.05	\$0.05	\$0.05	\$0.10
Annual Cost Including Monthly Fees ⁽²⁾	\$8,626	\$17,850	\$28,182	\$45,437	\$50,480	\$64,600
Gift Cards						
Per Transaction Fee ⁽³⁾	\$0.18	\$0.10	\$0.25	\$0.10	0.13%	\$0.18
Annual Cost Including Monthly Fees	\$1,410	\$870	\$1,875	\$1,050	\$1,035	\$1,470
Conversion Fee	N/A	None	\$750-\$1,000	Not Specified	\$20,000	Up to \$20,000
Total Estimated Five Year Cost Excluding Conversion	\$56,076	\$96,722	\$156,856	\$236,985	\$266,749	\$333,906

(1) The proposal for merchant services is based upon an “Interchange Plus” pricing structure. The fees indicated by the proposers are in addition to standard rates charged by Visa, Mastercard, and Discover.

(2) The annual costs were calculated based on estimated 255,000 transaction count and \$8,200,000 in credit card sales.

(3) The total annual fee for Gift Cards assumes 7,500 transactions annually.

US Bank is the current provider of merchant services for Cleveland Metroparks. The US Bank proposal represents a decrease in the per transaction fee from their previous agreement. US Bank is being recommended as Cleveland Metroparks primary credit card processor based on their lowest and best proposal for the five year period.

ACTION ITEMS (cont.)

Fifth Third Bank is being recommended as Cleveland Metroparks secondary credit card processor based on their next lowest proposal. The Fifth Third Bank contract will only be utilized in the event of US Bank’s non-performance.

B. Banks for Deposit of Interim Funds

The chart below lists the banks to be approved for investment of interim funds. This is the major investment vehicle for Cleveland Metroparks. Banks listed will be contacted for investment quotations as cash is available for investment purposes. The collateralized amount represents the total amount of investment that they are willing to undertake at any one time during the year. Collateralization is accomplished through treasury bills, other governmental agencies or an investment bond at the face value of the amount of the investment. Cleveland Metroparks investments are defined by statute and are found in the District’s Investment Policy. Primarily, they represent certificates of deposit, treasury bills and bills or notes from other governmental agencies guaranteed by the full faith of the Federal Government.

Bank	Collateralized Amount
PNC Bank	Unlimited
Fifth Third Bank	\$50,000,000
Huntington Bank	\$35,000,000
US Bank	\$40,000,000
First Merit	\$35,000,000
Key Bank	Unlimited

No. 15-07-113:

It was moved by Vice President Rinker, seconded by Vice President Berry and carried, that PNC Bank be named as Cleveland Metroparks primary depository for active funds, for the period of July 18, 2015 - July 17, 2020; further, that US Bank be named as Cleveland Metroparks secondary depository for active funds, for the period of July 18, 2015 - July 17, 2020; further, that US Bank be named as Cleveland Metroparks primary credit card processor for the period of July 18, 2015 - July 17, 2020; further, that Fifth Third Bank be named as Cleveland Metroparks secondary credit card processor for the period of July 18, 2015 - July 17, 2020; further, that PNC Bank, Fifth Third Bank, Huntington Bank, US Bank, First Merit Bank and Key Bank be approved for the deposit of interim funds for the same period of time, at the collateralized amounts shown; further that the Board authorize the Chief Financial Officer to execute depository contracts and related documents, in form acceptable to the Chief Legal and Ethics Officer, on terms described above.

Vote on the motion was as follows:

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

Nays: None.

ACTION ITEMS (cont.)

- (c) ***House at 35069 Cannon Road, Bentleyville, Ohio – South Chagrin Reservation***
(Originating Sources: Brian M. Zimmerman, Chief Executive Officer; Joseph V. Roszak, Chief Operating Officer; Rosalina M. Fini, Chief Legal & Ethics Officer; Nancy Desmond, Director of Special Projects)

Background

On May 7, 2015, the Board of Park Commissioners of the Cleveland Metropolitan Park District (Board) considered the matter of the McFarland House located at 35069 Cannon Road which the Village of Bentleyville (Village) and the Friends of the McFarland Homestead (Friends) have struggled with restoration efforts over the past seventeen years. Based upon the Village's and the Friend's failure to make more progress on restoration and as a result of concerning safety issues, the Board authorized the relocation of the McFarland House by June 6, 2015 or its demolition.

After fruitful discussions between Cleveland Metroparks Chief Executive Officer Brian M. Zimmerman and Mayor Leonard Spremulli, an agreement was negotiated to allow additional time for the Friends and Village to engage in a relocation feasibility study, fundraising efforts, and the relocation of the McFarland Home.

No. 15-07-114: It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to authorize the Chief Executive Officer (CEO) to authorize and execute any documents or agreements with the Village which contain the following terms:

1. The Village of Bentleyville shall:
 - a. Conduct a feasibility study to relocate the McFarland Home which shall be completed within six (6) months of the date of this resolution; and,
 - b. Raise funds to relocate the McFarland Home to be completed within one (1) year of this resolution; and,
 - c. If deemed feasible, relocate the McFarland Home within one (1) year of this resolution.
2. The CEO will allocate the funds that would have been spent on the abatement and demolition to be used toward the relocation of the McFarland Home, if relocation is deemed feasible by the study; and,
3. If the feasibility study is not conducted and/or completed by the six month deadline or if the feasibility study concludes that relocating the McFarland Home is not feasible, Cleveland Metroparks may move forward with abatement and demolition at that time.

Vote on the motion was as follows:

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

ACTION ITEMS (cont.)

- (d) ***Big Creek Reservation Land Acquisition: Lake to Lake Trail (±2.5 acres)***
(Originating Sources: Brian M. Zimmerman, Chief Executive Officer/Donna L. Studniarz, Chief of Strategic Initiatives/Stephanie Kutsko, Land Protection Coordinator)

Adjacent and visible from the 2.5 mile Lake to Lake Trail is the Meincke property, a ±2.5 acre property located north of the Lake Isaac Waterfowl Sanctuary and just south of the Fowles Wetland area (reference map, page **79981**). The Lake-to-Lake area of Big Creek Reservation is a highlight of the reservation, providing a universally accessible all-purpose multi-use trail that travels through 175 acres of headwater wetlands and connects two glacial kettle lakes, Lake Abram and Lake Isaac. Cleveland Metroparks acquired a ±0.5 acre conservation easement from Duane and Roberta Meincke in 2003 for the construction of the Lake-to-Lake trail.

Cleveland Metroparks has the opportunity to acquire the entire property in fee simple title as Karl Meincke, Executor of the estate of Roberta J. Meincke, desires to sell the property. The property contains a residence which was built in 1858, a garage, barn and small shed, which, if the property was acquired, would be demolished and restored to a natural condition. The heirs have agreed to sell the property via fee simple title for \$170,000. The acquisition will provide a buffer to this highly popular trail and continued protection of the natural resources in a significant natural area of Big Creek Reservation.

No. 15-07-115: It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to authorize the acquisition of fee simple title of ±2.5 acres as hereinabove described, through the estate of Roberta J. Meincke, Karl Meincke, Executor, for a purchase price of \$170,000, 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 and Ethics Officer.

Vote on the motion was as follows:

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

Nays: None.

ACTION ITEMS (cont.)

- (e) ***Adoption of Revised Cleveland Metroparks Codified Rules and Regulations - 2015***
(Originating Sources: Daniel J. Veloski, Chief Ranger/Rosalina M. Fini, Chief Legal & Ethics Officer/Anne Eisenhower, Chief Prosecuting Attorney)

Background

There is a need to amend the Park District's Codified Rules and Regulations to ensure conformity with the Ohio Revised Code and other policy decisions. In this review, the following modifications are hereby proposed:

1. **General Required Changes:** Several changes occurred to the Ohio Revised Code and Bylaw changes require the Board of Park Commissioners to further update its Codified Rules and Regulations as recommended by the Walter H. Drane Company, who performed the previous comprehensive code revisions for Cleveland Metroparks. A Table of Contents of Park District Rules and Regulations, with modifications, is provided on pages **79982** to **79983**.
2. **Specific Changes to Regulations:**
 - a. **Recreation.**
 - 1) 543.02 (a) Swimming and wading ~~are~~ is hereby permitted except at areas that are otherwise designated. Users assume all risk of any body contact or other use of the water.
 - 2) 543.03 (a) Unlicensed Watercraft and Motor Boats Prohibited. No watercraft driven or propelled by motors shall be operated upon any lakes, rivers, ponds or other bodies of water owned by, or under the control of the Board, except Rocky River in Scenic Park in the Rocky River Reservation for access to Lake Erie, ~~and~~ Hinckley Lake in the Hinckley Reservation, the Cuyahoga River and Lake Erie adjacent to Cleveland Metroparks. Watercraft operated on Hinckley Lake shall be operated only with electric motors, unless the watercraft is rented from Cleveland Metroparks, and operation of all watercraft shall be at a speed not to exceed six (6) miles per hour. No person shall use rafts, tubes, flotation devices ~~and~~ or other objects supporting persons which are not licensed by the State of Ohio and such are hereby prohibited. Sailboards are permitted, if the operator wears a type 1, 2 or 3 personal flotation device.
 - b. **Refine restrictions on pets.**
 1. 505.01(a) No unauthorized person shall bring into, permit, have, or keep in any part of the park any household pet, other animal destructive to birds or other animals except that dogs or cats are permitted (other than in designated swimming areas or adjacent beaches as determined by the Chief Executive Officer or his designee) if they have a valid registration tag (except for guide dogs registered under Ohio R.C. 955.011) and are controlled at all times on a leash or tether not more than eight feet long.

ACTION ITEMS (cont.)

c. Definitions added.

1. 501.01 Definitions: As used in the Park District Regulations:

(p) “Drone” means the following:

(1) an unmanned aircraft system (UAS) controlled by remote control of a pilot on the ground who maintains visual contact with the UAS.

(q) “Swimming” means any of the following:

(1) to move in water by movements of the

limbs; or,

(2) to float on the surface of water; or,

(3) to move, rest, or be suspended in water; or,

(4) to move, glide, or go smoothly over or

through water.

(r) “Wading” means any of the following:

(1) to walk in water when one’s body is partially immersed in water levels that

exceed a person’s ankle; or,

(2) to walk through water, snow, sand, or any other substance that impedes free motion

or offers resistance to movement.

2. Non-passenger motor-powered and remote control devices

~~509.05~~ (a) ~~Engine-powered miniature model rocket or rocket-type device and toy radio controlled airplanes, boats, cars, sirens or other noisemaking devices shall not be operated, except in designated areas. “Motor-powered” or “remote-controlled” rockets, rocket-type devices, model airplanes, drones, boats, cars, or other similar devices, weighing less than fifty-five pounds, shall not be operated throughout the Park District, except in designated areas, or by permit. In those designated areas or by permit, any and all applicable Federal and State regulations must be strictly followed.~~

(b) “Ignition-powered” rockets, rocket-type devices, model airplanes, drones, boats, cars, or other similar devices and motor-powered or remote controlled rockets, rocket-type devices, model airplanes, drones, boats, cars, or other similar devices, weighing more than five pounds are prohibited throughout the Park District.

(c) Whoever violates this section shall be fined not more than one hundred fifty dollars (\$150.00) for

the first offense and not more than one thousand dollars (\$1,000) for each subsequent offense. (ORC 1545.99)

RECOMMENDED ACTION:

That the Board adopt revised Cleveland Metroparks Rules and Regulations in their entirety effective August 8, 2015 at 12:01 A.M.

ACTION ON THIS ITEM WAS DEFERRED

JULY 9, 2015

79972

AWARD OF BIDS:

THERE WERE NO BIDS FOR APPROVAL AT THIS TIME

SERVICES (\$10,000 - \$50,000) ACQUIRED
SINCE LAST BOARD MEETING (Presented 07/09/15)

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>
2015 trophies and award plaques for Cleveland Metroparks golf tournaments and events.	Pete Sudyks	\$ 3,500.00	(7)
	Prize Possessions	2,600.00	
	Cannon Advertise	2,500.00	
	Golf Gift Gallery	<u>1,500.00</u>	
		\$10,100.00	
Channel catfish (\$3.17/lb.) for stocking lakes and streams throughout Cleveland Metroparks. Modified for additional stocking for better fishing experience.	Advanced Tech Aquatic, Inc.	\$ 6,340.00	(6)
	Additional....	<u>5,000.00</u>	
		\$11,340.00	
Original order: 205 grey trash barrels; 103 blue plastic lids; 182 grey trash barrel lids for distribution throughout Cleveland Metroparks. Last seen at meeting of May 28, 2015. Shown here to add \$873.80* to Dean Supply for more recycle/trash cans.	Dean Supply	\$ 7,707.80	(7)
	WW Grainger	1,306.62	
	MSC Industrial	6,312.96	
	Dean Supply *	<u>873.80</u>	
	Revised total.....	\$16,201.18	
Equipment rentals (sound system, generator, etc.) for Cinema at Sunset Movie and Cavs/Warriors Basketball Watch Parties.	Colortone Staging and Rent	\$30,500.00	(7)
Power washing of buildings at Timberlane Farms, Brecksville.	K & O Services, LLC	\$34,888.57	(7)
Invasive plant control at Wallace Lake and other Cleveland Metroparks locations.	Aqua Doc	\$35,575.00	(7)

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

<u>REF. NO. / ITEM – SERVICE</u>	<u>VENDOR</u>	<u>COST</u>	<u>PROCEDURE</u>
Pasture fencing at Timberlane Farms in Brecksville Reservation.	Hickory Nut Fencing	\$13,656.00	(7)
Slide in/out pump unit for any standard pickup truck to control wild land fires or accommodate hose layouts in wooded areas.	Unruh Fire	\$13,642.00	(7)
Geotechnical services for Phase I of the Valley Parkway connector trail in Brecksville Reservation.	PSI-Professional Service	\$31,639.00	(5)
Liquid and dry granular chlorine, muriatic acid, etc. for use in Cleveland Metroparks pools beginning June 15, 2015 and ending June 14, 2016.	Ohio Pool Equipment	\$16,000.00	(7)
Installation of backflow, impellers, discharge, etc. at the pump station at Seneca Golf Course.	Pro Pump and Controls	\$20,910.82	(7)
2016 - F350 crew cab pickup truck (4x4 XLT) for Outdoor Recreation.	Middletown Ford, Inc.	\$36,415.56	(2)
Consulting fees and expenses associated with the Rocky River Reservation Trail Master Plan.	Natureshape, LLC	\$32,254.00	(3)
Replacement of two 4” valves at Little Met Golf Course.	Noce Enterprise, Inc.	\$11,400.00	(7)
Install acoustical panels and ceiling panels in Cleveland Metroparks Zoo administration auditorium.	Buncher Construction, Inc.	\$12,122.00	(7)
Sound, stage, and emcee services for Edgewater Live and Euclid Beach Live concerts (10 events) last seen at meeting of May 18, 2015. Shown here to add larger stage for June 26, July 3 and August 14, 2015 events at Euclid Beach Live	Rock the House	\$49 000.00	(7)
	Additional.....	<u>390.00</u>	
		\$49,390.00	

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

<u>REF. NO. / ITEM – SERVICE</u>	<u>VENDOR</u>	<u>COST</u>	<u>PROCEDURE</u>
Lumber for Aukerman Park pavilion.	Lodi Lumber	\$11,944.60	(7)
Number 105 armor stone for Button Road erosion project.	Zeiter Trucking, Inc.	\$14,681.00	(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 (07/09/15)

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 No.</u>
<p><u>Villa Angela Bridge</u> Original Contract Amount: \$677,900.00</p> <p><u>Revised Contract Amount:</u> Change order #1 Added \$11,084.00. Total value revised to \$688,984.00</p>	<p>Upgrade to LED fixtures, increases to site lighting and sealing and striping parking lot.</p>	<p>Platform Cement</p>	<p>No. 1</p>
<p><u>Flats Water Taxi Station</u> Original Contract Amount: \$219,350.00</p> <p><u>Revised Contract Amount:</u> Change order #1 Added \$2,000.00 Total value revised to Revised to \$221,350.00</p>	<p>Modification to include additional research regarding wave effects and potential need for greater stabilization.</p>	<p>KS Associates</p>	<p>No. 1</p>
<p><u>Giraffe Deck Structure</u> Original Contract Amount: \$472,400.00</p> <p><u>Revised Contract Amount:</u> Change order #1 Added \$15,467.38 Total value revised to Revised to \$487,867.38</p>	<p>Reroute existing 12" storm line and shift giraffe deck.</p>	<p>Envirocom Construction</p>	<p>No. 1</p>

INFORMATION/BRIEFING ITEMS/POLICY.

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

John R. Dorsey, Jr., Golf Professional/Clubhouse Supervisor – Big Met Golf Course

John Dorsey began his career with Cleveland Metroparks in November 2014 as the Golf Professional/Clubhouse Manager – Big Met Golf Course. Just prior to coming to Cleveland Metroparks, John was an Account Executive for Technology Recovery Group where he built and maintained positive relationships with clients and prospects. In 2009, John was the Interim Head Golf Professional for Congress Lake Club in Hartville, Ohio, where he also spent approximately four years as the 1st Assistant Golf Professional. Further, he was previously an Assistant Golf Professional at Westwood Country Club in Rocky River, Ohio, and a Seasonal Golf Assistant at Fiddlesticks Country Club in Fort Myers, Florida. John received an Occupational Associate Degree in Golf Complex Operations and Management with an emphasis on Golf Professional and General Management from The Golf Academy of the South in Altamonte Springs, Florida, graduating as Valedictorian; and received a Bachelor of Arts in Business Administration from Miami University in Oxford, Ohio.

Elaine M. McLaughlin, Administrative Assistant I – Facility Operations (part-time)

Elaine (Lane) McLaughlin joined the staff of Cleveland Metroparks Zoo in October 2014 as the Administrative Assistant I in Zoo Facility Operations. From 2003 – 2008 Lane was a volunteer for the International Women's Air & Space Museum where she tracked items acquired, donated and accessioned through the use of Microsoft Office databases and spreadsheets. She was also a representative of the museum at the Centennial of Flight Celebration, Cleveland Airshow, EAA, Great Lakes Science Center, NASA functions and the International Women in Aviation conference. Lane also served as the Traveling Assistant to the Executive Director of the Women's Air Service Pilots, an organization of women pilots who flew during WWII, and has worked as an Executive Assistant for the Zaremba Group LLC. Lane holds a Bachelor of Science in Management of Technical Operations from Emory Riddle Aeronautical University in Daytona Beach, Florida, and has received Airframe and Power Plant certificates from Columbus State Community College in Columbus, Ohio.

- b. ***Cleveland Metroparks Reservations: Walk – Bike Shed Analysis***
(Originating Sources: *Donna L. Studniarz, Chief of Strategic Initiatives/Sara Meier Byrnes, Senior Strategic Park Planner/Tom Kraft, Planning Technician*)

As part of long-range and strategic planning activities, staff has analyzed public access to each of the 18 Cleveland Metroparks reservations and Cleveland Metroparks Zoo to determine the total populations and their characteristics within a half-mile walk and a 3 mile bike ride of each park area. The analysis utilized existing park access points and considered the walkability and bike-ability to the park via sidewalk and roadway networks within the adjoining communities. The analysis provides information on the local populations that each reservations likely impacts that can guide decision making on future trail connectors, facility uses, and programming. Staff will discuss the methodology and results of the analysis.

INFORMATION/BRIEFING ITEMS/POLICY (cont.)

- c. ***Garfield Park Center Changes Over Time***
(Originating Sources: Joseph V. Roszak, Chief Operating Officer/ Wendy Weirich, Director of Outdoor Experiences)

Since its origin in 1987, Garfield Park Nature Center has been through many changes. After acquiring Garfield Park Reservation in 1986, it was only natural for Cleveland Metroparks to consider adding to our collection of education centers. This education center was the first center outside of the original three (Rocky River, Brecksville and North Chagrin) for decades. Adding an education center in the center of our Emerald Necklace made sense. Since then we have added two more education facilities in our core. Garfield is adapting to the times with some new initiatives that help Cleveland Metroparks serve the community even better.

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

The following were presented to the Board for award/acknowledgment: \$10,000 to \$50,000 purchased items/services report, pages **79973** through **79975**; and construction change orders, page **79976**.

APPROVAL OF VOUCHERS AND PAYROLL.

No. 15-07-110: It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to approve payroll and vouchers, employee withholding taxes, and ADP payroll, as identified on pages **79984** to **80068**.

Vote on the motion was as follows:

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

Nays: None.

DATE OF NEXT MEETING.

The next Regular Meeting of the Board of Park Commissioners was scheduled by the Board for Thursday, July 30, 2015, 8:00 a.m. at the Board's office, 4101 Fulton Parkway, Cleveland, Ohio.

MISCELLANEOUS COMMENTS:

Chief Executive Officer Zimmerman congratulated Chief Marketing Officer Sanaa Julien and the entire Marketing staff on the recent Emmy Award they received for Cleveland Metroparks “Come Out & Play” campaign. Cleveland Metroparks is the first governmental agency to receive such an award.

A citizen, Mr. Jack Delaney, was present in the audience and requested to address the Board. Because Mr. Delaney was unfamiliar with the order of business routinely followed at Cleveland Metroparks Board meetings, his request was granted. Mr. Delaney spoke in depth about his experiences swimming at Euclid Beach in light of the recent swimming issues at Euclid Beach and Villa Angela. Mr. Delaney’s comments, as well as the dialogue with the Board and staff, can be heard in their entirety by accessing the “About Us” section of Cleveland Metroparks website under “Board Meetings/Board Meeting Archives.”

WORK SESSION.

The Board Meeting continued into a Work Session to discuss Cleveland Metroparks Huntington Reservation which hosts several cultural amenities for the visiting public. These affiliates have been commonly referred to as a campus of nature, arts and cultural programming. During the Work Session, components of the master plan, the current state of the Huntington affiliates and new proposals for providing innovative programming and amenities were discussed.

Staff members Nancy Desmond, Kelly Coffman and Gary Baran were present to provide an overview of the current state of Huntington Reservation.

In representation of each respective affiliate, the following individuals were also present:

Lake Erie Nature & Science Center

Mr. Bill Nowak, Vice President
Mr. Allen Kacencjar, Member, Board of Directors

BAYarts

Mr. Peter Winzig, President

Huntington Playhouse

Mr. Tom Meyrose, President

The Work Session discussion can be heard in its entirety by accessing the “About Us” section of Cleveland Metroparks website under “Board Meetings/Board Meeting Archives.”

ADJOURNMENT TO EXECUTIVE SESSION.

No. 15-07-116: At 10:58 a.m., upon motion by Vice President Rinker, seconded by Vice President Berry and carried, the meeting adjourned to an Executive Session for the purpose of discussing a Personnel (Employment) Matter, as stated by Chief Legal and Ethics Officer, Rose Fini.

Vote on the motion was as follows:

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

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

ADJOURNMENT.

No. 15-07-117: There being no further matters to come before the Board, upon motion by Vice President Rinker, seconded by Vice President Berry, and carried, President Moore adjourned the meeting at 11:18 a.m.

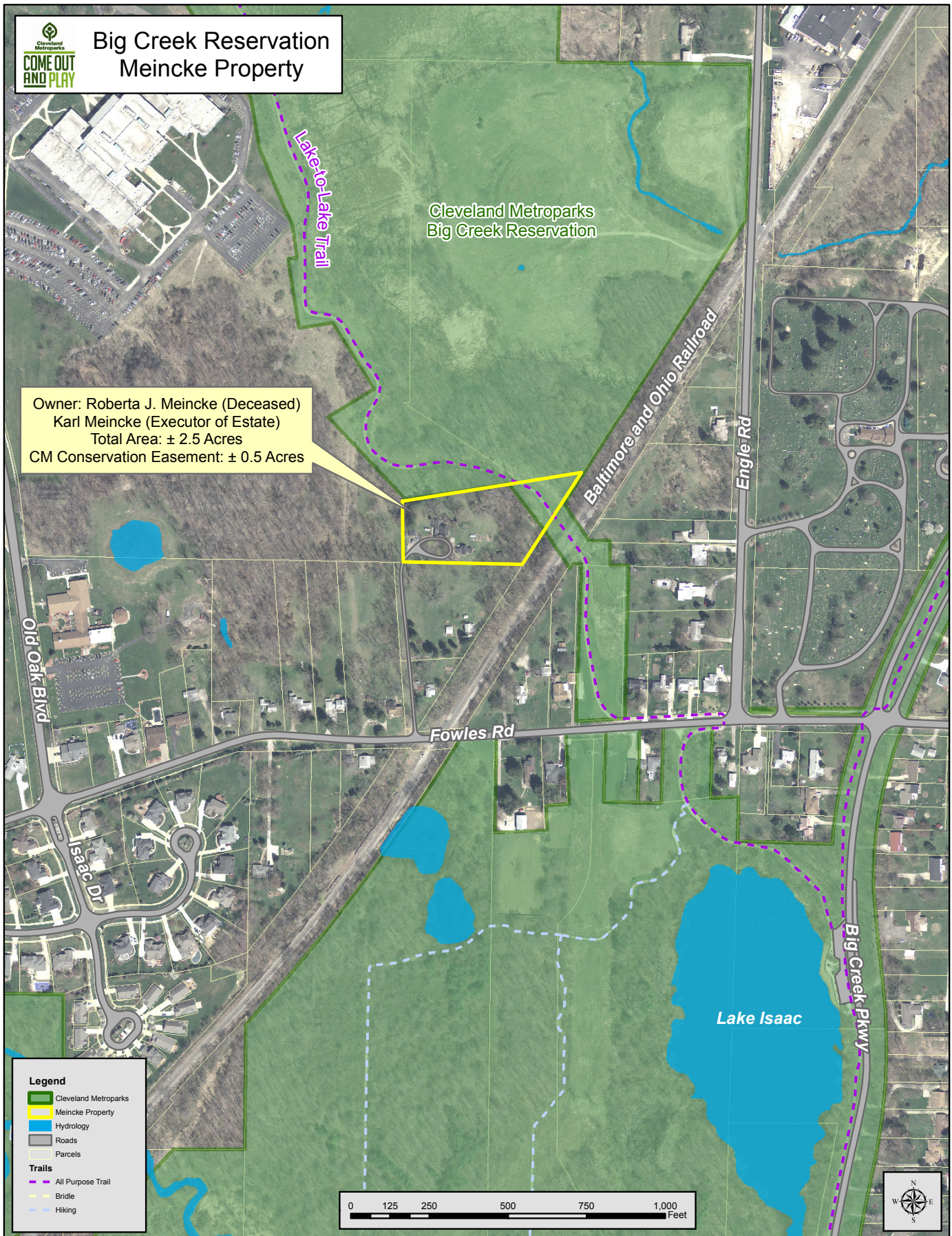
Vote on the motion was as follows:

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

President.

Attest:

Secretary.



The Walter H. Drane Company
Summary of Model Changes
Cleveland Metropolitan Park District Regulations

Traffic Code

- 331.34 Vehicular Operation on Street Closed Due to Rise in Water Level. (Adds new section prohibiting the operation of a vehicle on a street or highway closed due to a rise in water level.)
- 333.021 Approaching a Stationary Public Safety, Emergency or Road Service Vehicle. (Adds vehicles used by the Public Utilities Commission and roadway maintenance vehicles to vehicles being approached by the driver of a motor vehicle.)
- 335.072 Driving Under Financial Responsibility Law Suspension or Cancellation. (Adds subsection (d)(3) pertaining to providing the court with proof of financial responsibility; amends subsection (e) to add presentation of electronic wireless communication devices.)
- 335.074 Driving Under License Forfeiture or Child Support Suspension. (Adds last sentence to subsection (c)(2) pertaining to providing the court with proof of financial responsibility.)
- 337.17 Focus and Aim of Headlights. (Adds subsection (b) requiring the headlights on a motor vehicle to comply with federal motor vehicle safety standards.)

General Offenses Code

- 501.07 Requirements for Criminal Liability. (Clarifies when strict criminal liability is imposed and modifies the concept of acting recklessly.)
- 501.08 Culpable Mental States. (Modifies the concept of acting knowingly and makes stylistic changes.)
- 533.08 Soliciting. (Adds “who is eighteen years of age or older” to subsection (a) and adds new subsection (d).)
- 537.05 Aggravated Menacing. (Adds words or conduct directed at another person that refer to an organization to which the person belongs.)
- 537.051 Menacing by Stalking. (Adds words or conduct directed at another person that refer to an organization to which the person belongs.)
- 537.06 Menacing. (Adds words or conduct directed at another person that refer to an organization to which the person belongs.)
- 545.01 Theft and Fraud Definitions. (Adds subsection (II) definition of “active duty service member”.)
- 545.02 Determining Property Value in Theft Offense. (Adds language pertaining to a series of offenses committed against an active duty service member or spouse in subsections (b)(1) and (2).)
- 545.05 Petty Theft. (Adds “active duty service member or spouse” to subsection (b)(2).)
- 545.15 Securing Writings by Deception. (Adds “active duty service member or spouse” to subsection (b)(2).)
- 549.005 Weapons Definitions. (Deletes second sentence in subsection (e); changes “silencer” to “suppressor” in subsection (k)(5); adds subsections (p) and (q).)

A RESOLUTION TO APPROVE, ADOPT AND ENACT
REVISED RULES AND REGULATIONS OF THE
CLEVELAND METROPOLITAN PARK DISTRICT; AND
AUTHORIZING THE REQUIRED PUBLICATION.

WHEREAS, there is a need to update and modify the Codified Rules and Regulations of the Cleveland Metropolitan Park District;

NOW, THEREFORE, BE IT RESOLVED by the Board of Park Commissioners of the Cleveland Metropolitan Park District:

Section 1. The rules and regulations of the Cleveland Metropolitan Park District which will be published are hereby revised and approved. One copy of the Codified Rules and Regulations shall be certified as correct by the President of this Board and the Chief Executive Officer of the Cleveland Metropolitan Park District, attached to this resolution as a part hereof, and filed with the permanent resolutions of this Board. All provisions of the Codified Rules and Regulations continue in full force and effect, including such revisions, commencing on and after 12:01 a.m. Eastern Standard Time on August 8, 2015.

Section 2. The Chief Executive Officer of this Board is hereby authorized and directed, in the manner and as provided in Section 731.23, Ohio Revised Code, to cause to be published in the manner required by that Section the revised provisions contained in the Codified Rules and Regulations and to give notice of the approval, adoption and enactment of the changes to the Codified Rules and Regulations except that such publication shall be made in The Cleveland *Plain Dealer* and the *Medina Gazette*.

Section 3. This Board finds and determines that all formal actions of the Board concerning and relating to the adoption of the changes to regulations were taken in an open meeting of this Board and that all deliberations of this Board and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. This resolution shall be effective immediately upon its adoption by this Board, provided that the Codified Rules and Regulations revised by this resolution shall become and be effective from and after 12:01 a.m. Eastern Standard Time on August 8, 2015.

I hereby certify the forgoing to be a true and correct copy of the Resolution which was duly adopted by the Board of Park Commissioners of the Cleveland Metropolitan Park District of Cleveland, Cuyahoga County, Ohio, on the 9th day of July, 2015.

Chief Executive Officer

Date

RESOLUTION NO. 15-07-110

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 following **Checks** dated June 17, 2015 in the amount of \$49,274.26; and **Checks** dated June 19, 2015 in the amount of \$573,211.40; and **Checks** dated June 24, 2015 in the amount of \$179,752.05; and **Checks** dated July 2, 2015 in the amount of \$591,842.64; and **Checks** dated July 9, 2015 in the amount of \$2,377,406.59; and **Net Payroll** dated April 19, 2015 to May 2, 2015 in the amount of \$1,092,158.02; and **Withholding Taxes** in the amount of \$271,337.68; and **Net Payroll** dated May 3, 2015 to May 16, 2015 in the amount of \$1,161,463.10; and **Withholding Taxes** in the amount of \$280,824.93; and **Bank Fees/ADP Fees** in the amount of \$24,124.07; and **ACH Debits (FirstEnergy; Sales Tax)** in the amount of \$114,800.18; and **"Then and Now Certificates"** including **Visa Purchasing Card** purchases dated June 7, 2015 to June 27, 2015 in the amount of \$259,162.38; and **Visa Travel Card** purchases dated June 7, 2015 to June 27, 2015 in the amount of \$16,969.73; and **Purchases**, including but not limited to purchases of \$1,000.00 or more, as listed on the voucher summary for which certification of funds was not obtained before the purchase, be approved.

PASSED: July 9, 2015

Attest: _____
President of the Board of Park Commissioners

Chief Executive Officer

VOUCHER SUMMARY

	No. of Vendors	No. of Purchases	Amount	Average Vendor Amount	Average Purchase Amount	Code	<u>CODE LEGEND</u>
Bid Items	38	210	\$ 819,596.43	\$ 21,568.33	\$ 3,902.84	C	
Board Authorized Payments	48	219	\$ 856,957.73	\$ 17,853.29	\$ 3,913.05	A	
Director Approved Payments	70	277	\$ 419,809.17	\$ 5,997.27	\$ 1,515.56	D	
Telephone-Written Quote Items	28	44	\$ 70,987.79	\$ 2,535.28	\$ 1,613.36	P	
Telephone Quote Items	36	46	\$ 73,511.69	\$ 2,041.99	\$ 1,598.08	T	
Utilities	24	223	\$ 185,280.87	\$ 7,720.04	\$ 830.86	U	
Health Insurance	3	4	\$ 96,983.82	\$ 32,327.94	\$ 24,245.96	H	
Other Exempt Items	98	113	\$ 1,204,944.77	\$ 12,295.35	\$ 10,663.23	E	
Non-Bid Items less than \$1,000	89	140	\$ 30,012.03	\$ 337.21	\$ 214.37	N	
Purchases Obtained w/o Cert.	5	5	\$ 13,402.64	\$ 2,680.53	\$ 2,680.53	S	
	439	1281	\$ 3,771,486.94	\$ 8,591.09	\$ 2,944.17		

- N - Purchases less than \$1,000 for vendors who do not accept a credit card; purchase order is printed
- T - Telephone quoted items from \$1,000 to \$5,000 (Various vendors of our choice are contacted to provide a verbal quotation on a specific item. A minimum of three phone quotes are observed.)
- P - Telephone quoted items from \$5,001 to \$10,000 (The lowest of three phone quotes must submit a written quote.)
- D - Items from \$10,001 to \$50,000 approved by Chief Executive Officer including Article XII purchases.
- E - Exempt items - (Taxes, assessments, credit card payments and permit fees which require timely payments, employee reimbursements, prisoner housing, court costs, refunds, petty cash, special purchase account, land acquisition expense up to \$5,000 to secure closing transactions and legal obligations of the board.)
- C - A complete descriptive bid specification is developed, advertised for public notice and awarded to the lowest and/or best bidder including Article XII purchases.
- A - Board authorized payments.
- U - Utilities
- H - Health insurance purchase in accordance with our negotiated bargaining agreements and other employee/group insurance premiums.
- S - Purchases obtained without certifications of funds.

RECOMMENDED ACTION:

That The Board of Park Commissioners approves **Resolution No. 15-07-110** listed above.