

**MINUTES OF THE
BOARD OF PARK COMMISSIONERS
OF THE
CLEVELAND METROPOLITAN PARK DISTRICT
DECEMBER 16, 2021**

The Board of Park Commissioners met on this date, Thursday, December 16, 2021, 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, William Chorba, and Chief Legal and Ethics Officer, Rosalina M. Fini, were also in attendance.

APPROVAL OF MINUTES.

No. 21-12-174: It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to approve the minutes from the Regular Meeting of November 18, 2021, 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 2021 vs. 2020 Year-To-Date, for the Month Ended November 30, Schedule of Accounts Receivable, Encumbrances and Investments Placed, as found on pages **95142** to **95149** and they were filed for audit.

ACTION ITEMS.

(a) *Swearing In of Chief Prosecuting Attorney*

(Originating Sources: Brian M. Zimmerman, Chief Executive Officer/Rosalina M. Fini, Chief Legal & Ethics Officer/Kelly Stillman, Interim Chief of Police)

Note: Due to a scheduling conflict, the swearing in of the Chief Prosecuting Attorney did not take place at this meeting.

Marisa A. Marniella

Ms. Marniella comes to Cleveland Metroparks with over 20 years of municipal criminal law experience having served as a Magistrate for the Berea Municipal Court from 2010-2018 and as a Magistrate for the Rocky River Municipal Court from 2016 through November, 2021 where she presided over traffic, criminal court dockets, small claims civil cases and administrative license suspension hearings.

Prior to her work as a Magistrate, Ms. Marniella served as a Prosecutor and Assistant Law Director for the city of Berea and as a Prosecutor for the City of Brooklyn. She also has worked in the private sector at the firms of Demer and Marniella LLC and Climaco, Lefkowitz, Peca, Wilcox & Garafoli Co. LPA.

Ms. Marniella earned her Bachelor of Arts degree from Ohio University and a Juris Doctor degree from the Cleveland Marshall College of Law.

(b) *2021 Budget Adjustment No. 12*

(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 - 2021**

Object Code	Object Description	Original Budget			Total Prior Budget Amendments	Proposed Amendment #12 12/16/2021	Total
		Baseline Budget	Carry Over Encumbrances	Total			
OPERATING							
51	Salaries	\$ 52,784,380	\$ -	\$ 52,784,380	\$ 14,426	\$ (720) A	\$ 52,798,086
52	Employee Fringe Benefits	18,361,727	254,848	18,616,575	141,913	6,040 B	18,764,528
53	Contractual Services	14,829,987	3,414,251	18,244,238	288,817	29,164 C	18,562,219
54	Office Operations	23,481,866	3,850,870	27,332,736	1,084,164	73,065 D	28,489,965
	Operating Subtotal	109,457,960	7,519,969	116,977,929	1,529,320	107,549	118,614,798
CAPITAL							
571	Capital Labor	835,000	-	835,000	-	-	835,000
572	Capital Construction Expenses	20,180,409	10,198,670	30,379,079	9,913,155	1,485,997 E	41,778,231
574	Capital Equipment	2,749,394	671,636	3,421,030	318,322	426,579 F	4,165,931
575	Zoo Animals	45,000	5,973	50,973	-	-	50,973
576	Land	1,855,900	33,555	1,889,455	5,635,500	-	7,524,955
	Capital Subtotal	25,665,703	10,909,834	36,575,537	15,866,977	1,912,576	54,355,090
TOTALS							
Grand totals		\$ 135,123,663	\$ 18,429,803	\$ 153,553,466	\$ 17,396,297	\$ 2,020,125	\$ 172,969,888

An explanation of adjustments, by category, can be found on pages **95150** to **95152**. The net effect of all adjustments is an increase of \$2,020,125 which is funded by increased revenue, donations, grants, or received but previously unappropriated funds.

ACTION ITEMS (cont.)

No. 21-12-175: It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to approve the 2021 Budget Adjustment No. 12 for a total increase of \$2,020,125 as delineated on pages **95150** to **95152**.

Vote on the motion was as follows:

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

Nays: None.

(c) 2022 Appropriations Budget
(Originating Sources: William Chorba, Chief Financial Officer/Brian M. Zimmerman, Chief Executive Officer)

According to State statute, the Board of Park Commissioners must adopt Cleveland Metroparks' 2022 appropriations budget on or before December 31, 2021.

Budget proposals were submitted by each of the Chiefs for their respective departments. A comprehensive budget was compiled, not only considering operations for 2022, but also projecting operations through 2023, which is the entire span of the current tax levy.

A summary of the budgeted appropriations for 2022 are as follows:

CLEVELAND METROPARKS				
Appropriation Summary - 2022				
Object Code	Object Description	Original Budget		
		Baseline Budget	<u>Estimated</u> Carry Over Encumbrances	<u>Estimated</u> Total
OPERATING				
51	Salaries	59,806,913	-	59,806,913
52	Employee Fringe Benefits	19,059,340	254,194	19,313,534
53	Contractual Services	15,366,699	5,737,052	21,103,751
54	Office Operations	25,134,495	3,850,021	28,984,516
	Operating Subtotal	119,367,447	9,841,267	129,208,714
CAPITAL				
571	Capital Labor	800,000	-	800,000
572	Capital Construction Expenses	25,598,296	6,159,315	31,757,611
574	Capital Equipment	3,656,575	1,463,292	5,119,867
575	Zoo Animals Acq/Freight	75,000	-	75,000
576	Land	2,078,500	41,670	2,120,170
	Capital Subtotal	32,208,371	7,664,277	39,872,648
TOTALS				
Grand totals		\$151,575,818	\$17,505,544	\$169,081,362

ACTION ITEMS (cont.)

Additionally, pursuant to Article 4 of its By-Laws, Cleveland Metroparks Board of Park Commissioners shall fix the compensation range for all employees. To account for increases to the State of Ohio minimum wage, cost of living increases, and to maintain market competitiveness, the above 2022 appropriations budget includes the following:

- A Regular Employee compensation range from \$4.65/hour (tipped employee minimum) to \$277,568/annual for 2022, and
- An Intermittent Employee compensation range from \$4.65/hour (tipped employee minimum) to \$35.00/hour for 2022.

No. 21-12-176: It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to approve the 2022 proposed appropriations budget, as reflected above, inclusive of the fixing of the 2022 compensation range for all employees.

Vote on the motion was as follows:

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

Nays: None.

(d) *Authorization and Revision to Change Fund and Petty Cash Fund*
(Originating Sources: William Chorba, Chief Financial Officer)

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

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

Change Fund:

Location	Division Number	Custodian/Title	Current 2021	Proposed 2022
Administrative Deposit Account, Finance Department	12010	G. Butzback, Controller	\$ 50	\$ 50

ACTION ITEMS (cont.)

Location	Division Number	Custodian/Title	Current 2021	Proposed 2022
Special Events/ Experience	13070	S. Cario, <i>Director of Special Events & Experiences</i> ; S. Dechant, Group Sales Manager	300	300
Nature Shops - North Chagrin	13301	<i>N. Caraballo, Warehouse Specialist</i>	200	200
Nature Shops - Rocky River	13303	N. Caraballo, Warehouse Specialist	250	250
Nature Shops - West Creek	13304	<i>A. Scala, Retail Coordinator</i>	200	200
Nature Shops - Hinckley Lake	13305	M. Pinto, Manager of Hinckley Lake Boathouse and Store	900	900
Retail - Special Events Off-Site	13306	TBD	250	250
Nature Shops - Edgewater	13310	<i>A. Scala, Retail Coordinator</i>	200	200
Ledge Pool	15702	C. Moore, Aquatics Director	700	700
North Chagrin Nature Center	15602	B. Majeski, Center Manager; L. Barron, Information Specialist	50	50
Look-About- Lodge	15602	B. Majeski, Center Manager	50	0
Rocky River Outdoor Education	15604	V. Fetzer, Nature Center Manager; J. Masterson, Information Specialist	50	50
CanalWay Visitor Center	15605	T. Joyce, Center Manager; J. Kubicki, Information Specialist	150	150
Watershed Stewardship Center	15606	G. Albers, Center Manager; T. Martincic, Information Specialist	50	50
Outdoor Recreation	15608	R. Nagle, Outdoor Recreation Manager; K. Braskie, Information Specialist	200	200
Chalet (includes hayrides)	15703	A. McRitchie, Concession Manager	3,000	3,000
East 55 th Marina	15706	<i>J. McCarthy, Director of Enterprise</i> ; A. Schill, <i>Marina Manager</i> ; <i>N. Detlev, Assistant Marina Manager</i>	1,500	1,500

ACTION ITEMS (cont.)

Location	Division Number	Custodian/Title	Current 2021	Proposed 2022
Emerald Necklace Marina	15707	<i>J. McCarthy, Director of Enterprise;</i> <i>M. Bobincheck, Marina Manager;</i> <i>N. Detlev, Assistant Marina Manager</i>	1,500	1,500
Wildwood Marina	15708	<i>J. McCarthy, Director of Enterprise;</i> <i>A. Schill, Assistant Marina Manager</i>	1,000	1,000
Park Operations Mobile Concessions	15801	<i>B. Rockower, General Manager of Restaurant Food Service;</i> <i>J. Reed, General Manager</i>	8,000	0
Wallace Lake Concessions	15802	<i>A. McRitchie, Concession Manager</i>	500	500
Huntington Concessions	15803	<i>K. Beltavski, Assistant Restaurant Manager;</i> <i>K. Karp, Floor Manager</i>	2,000	4,000
The Pier Edgewater Concessions	15805	<i>A. McRitchie, Concession Manager</i>	1,500	1,500
Hinckley Spillway Concessions	15806	<i>A. McRitchie, Concession Manager</i>	1,000	1,000
Euclid Beach Concessions	15807	<i>A. McRitchie, Concession Manager</i>	1,000	1,000
Merwin's Wharf	15850	<i>B. Rockower, General Manager of Restaurant Food Service;</i> <i>B. VanLoan, Assistant Manager</i>	4,000	4,000
East 55 th Restaurant	15851	<i>B. Rockower, General Manager of Restaurant Food Service;</i> <i>B. VanLoan, Assistant Manager</i>	3,000	3,000
EN Marina Restaurant	15852	<i>K. Beltavski, Assistant Restaurant Manager;</i> <i>K. Karp, Floor Manager</i>	2,000	4,000
Edgewater Beach House	15853	<i>B. Rockower, General Manager of Restaurant Food Service;</i> <i>B. VanLoan, Assistant Manager</i>	6,000	6,000
Zoo	17401	<i>T. Savona, Director of Revenue;</i> <i>T. Moore, Admissions Manager Zoo Guest Services</i>	20,000	20,000

ACTION ITEMS (cont.)

Location	Division Number	Custodian/Title	Current 2021	Proposed 2022
Big Met Clubhouse	31101	M. Pucky, Golf Course General Manager; <i>B. McLaughlin, Golf Clubhouse Manager</i>	1,500	1,500
Big Met Concessions	31102	<i>K. Johnson, General Manager of Restaurant, Food & Beverage – Golf</i>	1,000	1,000
Little Met Clubhouse	31201	M. Pucky, Golf Course General Manager	800	800
Mastick Woods Clubhouse	31301	M. Pucky, Golf Course General Manager; <i>D. Ratliff, Golf Clubhouse Supervisor</i>	800	800
Manakiki Clubhouse	31401	B. Roeder, Golf Course General Manager; M. Johnson, Golf Clubhouse Manager/Pro	1,500	1,500
Sleepy Hollow Clubhouse	31501	C. Lewanski, Golf Course General Manager; J. Fiander, Golf Clubhouse Manager/Pro	1,500	1,500
Sleepy Hollow Concessions	31502	<i>K. Johnson, General Manager of Restaurant, Food & Beverage – Golf;</i> <i>B. Smith, Chef</i>	1,000	1,000
Shawnee Hills Clubhouse	31601	<i>B. Vecchio, Golf Course General Manager;</i> <i>B. Ladaika, Clubhouse Supervisor/Pro</i>	1,500	1,500
Shawnee Hills Concessions	31602	<i>K. Johnson, General Manager of Restaurant, Food & Beverage – Golf;</i> <i>M. Baumgarden, Concession & Facilities Supervisor</i>	1,000	1,000
Washington Golf Learning Center Clubhouse	31701	<i>K. Kolesar, Golf Course General Manager;</i> <i>B. Ladaika, Golf Professional/Camp & Events Coordinator</i>	1,000	1,000

ACTION ITEMS (cont.)

Location	Division Number	Custodian/Title	Current 2021	Proposed 2022
Seneca Clubhouse	31801	D. Donner, Golf Course General Manager; G. Koller, Golf Clubhouse Manager/Pro	1,500	1,500
Seneca Concessions	31802	<i>K. Johnson, General Manager of Restaurant, Food & Beverage – Golf;</i> <i>J. Learned, Concession & Facilities Supervisor</i>	1,000	1,000
Total Change Fund			\$73,700	\$69,650

Petty Cash:

Location	Division Number	Custodian/Title	Current 2021	Proposed 2022
Administrative Petty Cash, Finance Department	12010	G. Butzback, Controller	\$ 20,000	\$ 20,000
Special Purchase Account, Finance Department	12010	G. Butzback, Controller	20,000	20,000
Nature Shops - North Chagrin	13301	N. Carabello, Warehouse Specialist	50	50
Nature Shops - Rocky River	13303	N. Caraballo, Warehouse Specialist	50	50
Nature Shops – West Creek	13304	<i>A. Scala, Retail Coordinator</i>	50	50
Nature Shops - Hinckley Lake	13305	M. Pinto, Manager of Hinckley Lake Boathouse and Store	50	50
Nature Shops - Edgewater	13310	<i>A. Scala, Retail Coordinator</i>	100	100
Chalet	15703	A. McRitchie, Concession Manager	300	0
East 55 th Marina	15706	<i>J. McCarthy, Director of Enterprise;</i> A. Schill, Assistant Marina Manager	500	0

ACTION ITEMS (cont.)

Location	Division Number	Custodian/Title	Current 2021	Proposed 2022
Emerald Necklace Marina	15707	<i>J. McCarthy, Director of Enterprise; M. Bobincheck, Assistant Marina Manager</i>	500	<i>0</i>
Wildwood Marina	15708	<i>J. McCarthy, Director of Enterprise; A. Schill, Assistant Marina Manager</i>	500	<i>0</i>
Euclid Beach Concessions	15807	<i>A. McRitchie, Concession Manager</i>	500	<i>0</i>
Merwin's Wharf	15850	B. Rockower, General Manager of Restaurant Food Service; <i>B. VanLoan, Assistant Manager</i>	2,000	<i>0</i>
East 55 th Restaurant	15851	B. Rockower, General Manager of Restaurant Food Service; <i>B. VanLoan, Assistant Manager</i>	2,000	<i>0</i>
EN Marina Restaurant	15852	K. Beltavski, Assistant Restaurant Manager	2,000	<i>0</i>
Edgewater Beach House	15853	B. Rockower, General Manager of Restaurant Food Service; <i>B. VanLoan, Assistant Manager</i>	2,000	<i>0</i>
Big Met Concessions	31102	<i>K. Johnson, General Manager of Restaurant, Food & Beverage – Golf</i>	2,000	<i>0</i>
Little Met Clubhouse	31201	M. Pucky, Golf Course General Manager	500	<i>0</i>
Mastick Woods Clubhouse	31301	M. Pucky, Golf Course General Manager; <i>D. Ratliff, Assistant Clubhouse Supervisor</i>	1,000	<i>0</i>
Sleepy Hollow Concessions	31502	<i>K. Johnson, General Manager of Restaurant, Food & Beverage – Golf; B. Smith, Chef</i>	2,500	<i>0</i>
Shawnee Hills Concessions	31602	<i>K. Johnson, General Manager of Restaurant, Food & Beverage – Golf; M. Baumgarden, Concession & Facilities Supervisor</i>	2,000	<i>0</i>

ACTION ITEMS (cont.)

Location	Division Number	Custodian/Title	Current 2021	Proposed 2022
Washington Golf Learning Center Clubhouse	31701	<i>K. Kolesar, Golf Course General Manager; B. Ladaika, Golf Professional/Camp & Events Coordinator</i>	500	0
Seneca Concessions	31802	<i>K. Johnson, General Manager of Restaurant, Food & Beverage – Golf; J. Learned, Concession & Facilities Supervisor</i>	2,000	0
Total Petty Cash Fund			\$ 61,100	\$ 40,300

No. 21-12-177: It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to authorize the revised Change and Petty Cash Funds as listed above.

Vote on the motion was as follows:

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

Nays: None.

- (e) ***Single Source(s): Surplus Declaration(s), Auction Approval(s):***
A) Declaration of Surplus Equipment/Vehicles for 2022 and Sale through GovDeals;
B) Permission for “Live” Auction (Fall 2022); and,
C) Single Source #6630 – 2022 Purchase of Used Vehicles and Equipment through Auction(s).
(Originating Sources: Joseph V. Roszak, Chief Operating Officer/William Chorba, Chief Financial Officer/Charlie Rosol, Director of Procurement/Mike Wegas, Fleet Manager)

A.) Surplus Declaration

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

	2017	2018	2019	2020	2021
Items Sold	114 (12/4)	52 (7/24)	23 (11/8)	46 (11/30)	85 (12/6)
On-Line Sale Value	\$86,256.31	\$30,859.19*	\$19,681.66**	\$166,587.01	\$102,473.94

*Smaller number of items sold than in other years because of Live Auction held on October 13, 2018 – Items Sold 485 – Net Sales \$170,998.70

**Smaller number of items sold than in other years because of Live Auction held on September 28, 2019 – Items Sold 59 – Net Sales \$120,287.70

ACTION ITEMS (cont.)

GovDeals continues to be the lowest and best option, as the only other viable auction house, LightGov, LLC, has a lower commission but it has far fewer bidders and sells significantly fewer items. GovDeals has a contract with Sourcewell (contract number 012821-GDI), a consortium of which Cleveland Metroparks is a member.

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

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

In 2022, it is recommended that the Park District continue the public sale of surplus equipment to the highest bidder, through either GovDeals or another online auctioneer that provides Cleveland Metroparks best value.

B.) Surplus II – Declaration and Auction Permission

Some items would gain a better price through a live auction; so, in the fall of 2022, Cleveland Metroparks would like to hold a “live” auction, on site, at Rocky River Maintenance Center. This would be an opportunity for reservations to purge surplus items that typically do not make their way to the on-line auction process. There wasn't a “live” Auction in 2021 due to COVID-19.

Park Operations proposes holding a live Surplus Auction on Saturday, September 24, 2022 at the Rocky River Management Center. Items for the live auction that are valued at \$10,000 or more shall first be approved by the Board prior to auction. Items for live auction valued at less than \$10,000 shall be approved by the CEO.

C.) Single Source #6630 Summary: 2022 Purchase of Used Vehicles and Equipment through Public Auction(s)

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

Purchasing **2012 and newer** vehicles, when possible, will provide a useful life of an additional five (5) to seven (7) years and spread the replacement cost over a decade rather

ACTION ITEMS (cont.)

than the fleet maturing all at the same time (as is the current scenario). Replacing older vehicles with new vehicles would cost anywhere from \$340,000-\$400,000, while auction costs should be substantially less. The goal through auction is to purchase vehicles as well as equipment with a total value not to exceed \$250,000 for a one (1) year period.

No. 21-12-178: It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to authorize utilization of the internet auction services of GovDeals, Inc. or another online auctioneer determined by Cleveland Metroparks staff to provide best value for 2022, as described above, to dispose of Park District surplus equipment and vehicles, whereby equipment and vehicles for disposal valued under \$10,000 would be authorized in writing as surplus by the respective Department Chief and the Chief Executive Officer prior to auction, and equipment and vehicles for disposal valued at \$10,000 and above would receive Board approval prior to auction; and,

Further, that the Board authorize a live auction on September 24, 2022, as described above, whereby Park District surplus equipment and vehicles identified by staff as appropriate for live auction valued under \$10,000 would be authorized in writing as surplus by the respective Department Chief and the Chief Executive Officer prior to live auction, and equipment and vehicles for disposal valued at \$10,000 and above would receive Board approval prior to auction; and,

Lastly, that the Board approve the purchase of used vehicles and/or equipment at public live or online auctions, as specified in the above Single Source #6630 and pursuant to ORC 307.86(N), for a **total amount not to exceed \$250,000** for a one (1) year period. Further, that the Board authorize the Chief Financial Officer to generate and release a manual check in the amount of the total active auction purchase not to exceed \$250,000.

Vote on the motion was as follows:

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

Nays: None.

ACTION ITEMS (cont.)

- (f) ***Adoption of 2022 By-Laws***
(Originating Source: Rosalina M. Fini, Chief Legal & Ethics Officer)

Background

Cleveland Metroparks is committed to continuously improving procedures and in order to implement a new procedure effective January 1, 2022, staff is recommending the approval of By-Law changes at this December meeting.

- No. 21-12-179:** It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to adopt the 2022 By-Laws as reflected on pages **95153** to **95159** which are to become effective on January 1, 2022.

Vote on the motion was as follows:

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

Nays: None.

- (g) ***Land Acquisition from West Creek Conservancy: Pavia Property (± 2.7 acres) – West Creek Reservation***
(Originating Sources: Brian M. Zimmerman, Chief Executive Officer/Rosalina M. Fini, Chief Legal & Ethics Officer/Kyle G. Baker, Senior Assistant Legal Counsel/Stephanie A. Kutsko, Real Estate Manager)

Background

The Pavia property is located directly adjacent to Cleveland Metroparks West Creek Reservation north of West Ridgewood Drive in the City of Parma, consisting of ± 2.7 acres and buffering West Creek (“Pavia Property”). In 2020, Cleveland Metroparks entered into a 4th Lease Amendment with West Creek Conservancy (“WCC”) to add an additional ± 52 acres to West Creek Reservation. Of those ± 52 acres, ± 21 acres were located north of Ridgewood Drive and adjacent to the Pavia Property (see map, page **95160**). At the time of the 4th Lease Amendment Lucia & Michele Pavia were not interested in selling the Pavia Property. Over the past year WCC has kept in touch with the owners and was able to acquire the Pavia Property in November 2021, subject to a Life Estate.

The Pavia Property was acquired by WCC for the purposes of extending the future West Creek Greenway north from West Ridgewood Drive to Grantwood Drive. The Pavia Property was a missing link in this greenway corridor and future trail connection. WCC purchased the Pavia Property for \$400,000 subject to a Life Estate.

Partnership and Purchase Agreement with West Creek Conservancy

Cleveland Metroparks would like to assist WCC with this acquisition of the Pavia Property as protected greenspace and add it to West Creek Reservation. Cleveland Metroparks is seeking approval to enter into a purchase agreement with WCC whereby

ACTION ITEMS (cont.)

Cleveland Metroparks would provide \$150,000 toward acquisition. Upon payment of \$150,000, Cleveland Metroparks will file an Affidavit of Facts Relating to Title outlining Cleveland Metroparks interest in the Pavia Property and WCC will place a deed transferring the Pavia Property to Cleveland Metroparks into escrow. Once the Life Estate has expired, and upon Cleveland Metroparks instruction, the escrow officer will file the deed transferring the Pavia Property to Cleveland Metroparks.

Judge Anthony J. Russo approved the acceptance of the land pursuant to Chapter 1545 of the Ohio Revised Code prior to the Board's consideration.

No. 21-12-180: It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to authorize the acquisition of ± 2.7 acres as hereinabove described, from West Creek Conservancy, for compensation of \$150,000 subject to the filing of an Affidavit of Facts Related to Title as described above, and prior to acceptance of fee simple title to the property, 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.

- (h) ***Award of RFP #6608-B: Mastick Road Connector Trail – Design-Builder – Rocky River Reservation***
(Originating Source: Sean E. McDermott, P.E., Chief Planning and Design Officer)

Background

On September 28, 2021, Cleveland Metroparks issued a Request for Qualifications (RFQu) for interested parties to submit qualifications to provide Design-Builder services of the Mastick Road Connector in the Rocky River Reservation ("Project"). The Project will be a new 10' wide all purpose, shared use path to connect the city of Fairview Park to Cleveland Metroparks Rocky River Reservation and its larger trail network. The Project will provide access to more than 3,700 residents who live within one mile, as well as link the city's civic center, library, and several schools, to the Emerald Necklace Trail. The Project will provide access from approximately the intersection of Eaton and Mastick Roads to the reservation where the trail will connect to the existing all purpose trail at Mastick/Puritas and Valley Parkway intersection.

The Project is partially grant funded by the Ohio Department of Natural Resources (ODNR) Clean Ohio Trails Program Fund in the amount of \$500,000, which was

ACTION ITEMS (cont.)

awarded in March 2021. The Board previously approved local match funds in the amount of \$600,000 towards an estimated construction cost of \$1.1 million.

The Project benefits from coordination between Cleveland Metroparks, the Cuyahoga County Department of Public Works, and the City of Fairview Park. In 2014 the County conducted a feasibility study for rehabilitation or replacement of an existing 1975 side-hill bridge structure on Mastick Road, which sits approximately halfway down the hill.

Throughout the process of evaluating alternatives for the bridge, all three organizations worked together to develop an option that included safe access for bicyclists and pedestrians in conjunction with vehicular access. The preferred alternative was a bridge rehabilitation with a shared use trail on the downhill side. Construction of the bridge including the shared use trail on the east side of the structure was completed in 2020. The proposed Project will connect to the bridge at each end in order to complete the connection to the neighborhood and community assets.

RFQu Response and Analysis

The RFQu #6608 yielded three (3) responses from qualified design-build teams/firms. Each firm’s statements of qualifications were reviewed by a panel of Cleveland Metroparks staff, including Sean McDermott, Sara Maier, David Frey, Bob Burichin and Michele Crawford. Through an independent evaluation of the qualifications, the review panel short-listed three firms and requested proposals from each.

Mastick Road Connector, Cleveland Metroparks Rocky River Reservation RFQu #6608	
Design Build Firms	Short-List
Schirmer Construction	X
Nerone & Sons, Inc.	X
Pinnacle Construction	X

RFP Results

Ranking	Design-Build Firm	Price (sum)	(1) Price Component	(2) Qualifications Component	(1)+(2) Best Value Score
1	Schirmer Construction, LLC / LJB	\$237,760	30.0	67.2	97.2
2	Nerone and Sons, Inc. / CT Consultants	\$257,420	27.6	65.8	93.4
3	Pinnacle Construction / Osborne	\$354,115	15.3	58.8	74.1

The price reflected in the above table includes the preconstruction services fee, the due diligence and design fees, the preconstruction expenses, estimated general conditions costs (based on percentage of construction cost), construction stage design fees, and the design-builder fee (based on percentage of construction cost). Once construction documents are nearing finalization, staff will return to the Board to set a Guaranteed Maximum Price, at which time, inclusive of construction costs, the general conditions costs, construction stage design fees, and the design-builder fee will be finalized. Upon

ACTION ITEMS (cont.)

the negotiation of a contract with the recommended design-build firm, Schirmer Construction, LLC (“Schirmer”), the preconstruction services fee, due diligence and design fee, and preconstruction expenses will be established at \$130,900.

RFP Analysis

Staff recommends the design-build contract be negotiated and awarded to **Schirmer Construction, LLC**, of North Olmsted, Ohio. Schirmer, who has been in business since 2011, has extensive design-build and general contracting experience in Northeast Ohio. Additionally, Schirmer has partnered with LJB as lead designer, E.L. Robinson to provide foundations and structural design, OHM for route planning, SME for geotechnical analysis and Terracon for soil borings. Schirmer and LJB’s experience with similar and complementary projects, along with the competitive price associated with their services, establishes their team as the “best value” when ranked against the short-listed design-build firms.

Schirmer, who is based in North Olmsted, Ohio, has performed positively for Cleveland Metroparks in the past and on projects such as Fort Hill Steps and Valley Parkway Connector Trail Phases I and II, and Heritage and Rivergate Boat Docks among other projects. Recently, Schirmer was awarded a Construction Manager at Risk Contract for the Foster’s Run project.

No. 21-12-181: It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to authorize the Chief Executive Officer to enter into a Design-Build Agreement with **Schirmer**, being ranked as the “best value” for RFP #6608-B, the Mastick Road Connector, inclusive of \$130,900 for preconstruction services fee, due diligence and preconstruction stage design service fee, and preconstruction stage expenses. In the event that a GMP contract cannot be negotiated with the design-builder, a contract would then be negotiated, per Ohio Revised Code, with the next ranked design-builder, who the Board, in its discretion, has reflected in the minutes as being the next ranked design-builder. 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.)**(i) *Solon to Chagrin Falls Trail Partnership: Project Development Agreement & Lease and Management Agreement***

(Originating Sources: Rosalina M. Fini, Chief Legal and Ethics Officer/Kyle G. Baker, Sr. Assistant Legal Counsel & Director of Real Estate/Katie McVoy, Assistant Legal Counsel/Sean E. McDermott, P.E., Chief Planning and Design Officer/Sara Byrnes Maier, Senior Strategic Park Planner)

Background

The City of Solon and Cleveland Metroparks have entered into discussions regarding the development and maintenance of the proposed Solon to Chagrin Falls Trail (“Trail”), which will be an ADA accessible multipurpose recreational trail connection between Route 91 (SOM Center Road) in Solon and the Cleveland Metroparks Trail in South Chagrin Reservation. Ultimately, the Trail will connect downtown Solon to downtown Chagrin Falls. Solon wishes to partner with Cleveland Metroparks to install a ± 2-mile section of the Trail and make other site improvements on property Solon controls that will primarily follow the former Wheeling & Lake Erie Railway Company railroad line (see map on page **95161**).

Solon and Cleveland Metroparks propose to work collaboratively following the tenets of a forthcoming Project Development Agreement which will provide the framework of the design and construction of the Trail pursuant to the design-build model following Cleveland Metroparks typical procurement processes. While Cleveland Metroparks will be the lead party in the design of the Trail, Solon will be fully involved in the design-builder selection and ensuing design and construction process. Simultaneously, Solon and Cleveland Metroparks propose to enter into a Lease and Management Agreement for the operation of the Trail by Cleveland Metroparks once completed as an extension to South Chagrin Reservation. Staff envisions that the Lease and Management Agreement will take the similar form of recent arrangements such as the forthcoming Towpath Trail and Brighton Park. Any required Probate Court approval pursuant to Chapter 1545 of the Ohio Revised Code will be obtained prior to finalization and mutual execution of the Lease and Management Agreement.

Solon will provide all of the funds required for the Trail including, but not limited to, design, construction, permits, inspections and fund raising. Solon has already obtained substantial commitments for grant funds for the Trail through Clean Ohio Trails Fund and State of Ohio Capital funds and will either continue to raise additional funds or provide the remaining funds as determined by Solon. No Cleveland Metroparks funds, other than in-kind staff services, are being used for the design or construction of the Trail for the portion governed by the Project Development Agreement.

Solon will likewise be advancing the proposed Project Development Agreement and the Lease and Management Agreement through their legislative process in early 2022. Once finalized, work to select the design-builder will commence.

The Project Development Agreement will include a commitment by the Cleveland Metroparks to construct an additional trail segment of the Trail between the northern

ACTION ITEMS (cont.)

corporation line of the City of Solon and Chagrin River Road in the Village of Bentleyville. Included in this 1,500 linear foot trail section will be a unique crossing of the Chagrin River which will likely be achieved with a suspensions bridge. The Trail will the continue along the existing facility northeasterly to Chagrin Falls. Cleveland Metroparks will be responsible for design and construction costs of this portion of the Trail.

Development of the Solon to Chagrin Falls Trail will likely require several construction seasons. There is a possibility that construction work could take place as soon as the end of 2022.

No. 21-12-182: It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to authorize the Chief Executive Officer to enter into a Project Development Agreement and a Lease and Management Agreement with the **City of Solon** for the Solon to Chagrin Falls Trail and any other documents/agreements as may be necessary to effectuate the above, in a form to be approved by the Chief Legal and Ethics Officer.

Vote on the motion was as follows:

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

Nays: None.

(j) ***Award of RFP #6614-B: Manakiki Management Center – Design-Builder – North Chagrin Reservation***
(*Originating Source: Sean E. McDermott, P.E., Chief Planning and Design Officer*)

Background

On October 26, 2021, Cleveland Metroparks issued a Request for Qualifications (RFQu) for interested parties to submit qualifications to the Design-Builder services of the Manakiki Management Center at the North Chagrin Reservation (“Project”).

The Project will be first-class facility for golf course management, office, as well as storage and golf maintenance equipment and vehicles. The desired building will be approximately 7,500 square feet and contain three heated, double-deep maintenance bays with an adjacent storage mezzanine, three non-heated, single-deep maintenance bays, as well as conditioned office space consisting of two offices, one meeting room, one employee break room, and two locker rooms consisting of toilet rooms, showers, and lockers. The Project may include associated utility and site work. The Project scope is flexible to reflect the budget and availability of materials and as such economical solutions such are pre-engineered structures will be explored.

ACTION ITEMS (cont.)

RFQu Response and Analysis

RFQu #6614 yielded ten (10) responses from qualified design-build teams. Each firm’s statements of qualifications were reviewed by a panel of Cleveland Metroparks staff, including Sean McDermott, Andy Simons, Ryan Denker, John Cardwell, and Michele Crawford.

Through an independent evaluation of the qualifications, the review panel shortlisted three firms and requested proposals from each.

Proposals were received and each firm was interviewed. Following the interviews, the proposals from each short-listed firm were then ranked by the panel in compliance with the Ohio Revised Code (ORC). As permitted by the ORC, both qualifications and proposed price are blended to produce a “best value” score. At Cleveland Metroparks’ election, qualifications are weighted at 70% and price at 30%. Below is a listing of the short-listed firms, and their correlating “best value” score.

Manakiki Management Center, Cleveland Metroparks North Chagrin Reservation RFQu #6614	
Design Build Firms	Short-List
Constructability	
Hummel	X
Infinity	
Lawler	
Marous Brothers	X
Metis	X
Panzica	
Pinnacle	
Regency	
Turner	

RFP Results

Ranking	Design-Build Firm	Price (sum)	Price Component	Qualifications Component	(1)+(2) Best Value Score
1	Hummel Construction Company	\$215,428	30	61.6	91.6
2	Metis Construction	\$240,620	26.5	62.3	88.8
3	Marous Brothers Construction	\$307,328	17.2	69.3	86.5

The price reflected in the above table includes the preconstruction services fee, the due diligence and design fees, the preconstruction expenses, estimated general conditions costs (based on percentage of construction cost), construction stage design fees, and the design-builder fee (based on percentage of construction cost). Once construction documents are nearing finalization, staff will return to the Board to set a Guaranteed Maximum Price, at which time, inclusive of construction costs, the general conditions costs, construction stage design fees, and the design-builder fee will be finalized. Upon the negotiation of a contract with the recommended design-build firm, Hummel Construction Company, the preconstruction services fee, due diligence and design fee, and preconstruction expenses will be established at \$82,488.

RFP Analysis

Staff recommends the design-build contract be negotiated and awarded to **Hummel Construction Company** (“Hummel”) of Ravenna, Ohio. Hummel, who has been in business since 1979, has design-build and general contracting experience in Northeast Ohio. Additionally, Hummel has partnered with Larsen Architects (“Larsen”) as lead

ACTION ITEMS (cont.)

designer. Hummel and Larsen’s experience with similar and complementary projects, their history working together, along with the competitive price associated with their services, establishes their team as the “best value” when ranked against the short-listed design-build firms. Notwithstanding, the Metis and Marous Brothers teams assembled thorough proposals and staff looks forward to the potential to partnering on future projects.

No. 21-12-183: It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to authorize the Chief Executive Officer to enter into a Design-Build Agreement with **Hummel Construction Company**, being ranked as the “best value” for RFP #6614-B, the Manakiki Management Center, inclusive of \$82,488 for preconstruction services fee, due diligence and preconstruction stage design service fee, and preconstruction stage expenses. In the event that a GMP contract cannot be negotiated with the design-builder, a contract would then be negotiated, per Ohio Revised Code, with the next ranked design-builder, who the Board, in its discretion, has reflected in the minutes as being the next ranked design-builder. 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.

(k) ***Cleveland Foundry Joint Use Agreement – Cuyahoga River Heritage Experience***
(Originating Source: Sean E. McDermott, P.E., Chief Planning and Design Officer)

Background

The Cleveland Foundry (“The Foundry”), a non-profit partner and affiliate of Cleveland Metroparks, has received an \$850,000 capital appropriation as a result of Senate Bill 310 of the 133rd General Assembly Fiscal Year 2021-2022 state capital program. The appropriation for The Foundry is central to the realization and development of the Cuyahoga River Heritage Experience at The Foundry’s riverfront campus at 1831 Columbus Road in Cleveland near Rivergate Park.

The proposed Cuyahoga River Heritage Experience includes a boardwalk along the Cuyahoga River, interpretive and immersive historical experiences relating to the history of the river and sailing, and expanded and improved boat storage. As part of the appropriation, the Ohio Department of Natural Resources (ODNR) has requested that non-profit awardees such as The Foundry partner with a government agency to enter into a Joint Use Agreement in order establish public access to the improvements and to demonstrate the value of the park and recreation component of the appropriation. ODNR has requested that the government agency’s right to utilize the property for the public use not expire for a term of 15 years.

ACTION ITEMS (cont.)

Cleveland Metroparks, in partnership with The Foundry, share collective efforts to further develop and provide expanded public access to the Columbus Peninsula and the Rivergate Park vicinity. Such partnership and shared goals act as a foundation for the requested Joint Use Agreement.

No. 21-12-184: It was moved by Vice President Rinker, seconded by President Moore and carried, to authorize the Chief Executive Officer to enter into a Joint Use Agreement and any related agreements with the Cleveland Foundry and/or the Ohio Department of Natural Resources for the development of the Cleveland Foundry Cuyahoga River Heritage Experience, in a form to be approved by the Chief Legal and Ethics Officer.

Vote on the motion was as follows:

Ayes: Messrs. Moore and Rinker.

Abstained: Ms. Berry.

Nays: None.

(I) *Ratification of Collective Bargaining Agreement with the Teamsters Local 507*
(Originating Sources: Brian M. Zimmerman, Chief Executive Officer/Harold G. Harrison, Chief Human Resources Officer)

Two collective bargaining agreements have been negotiated with the Teamsters Local 507. The first agreement is a one-year contract extension from January 1, 2020 through December 31, 2020. This agreement contains no changes to the prior contract, including no wage increases.

The second agreement is for a three-year period from January 1, 2021 through December 31, 2023. This agreement contains wage increases, the payment of a health insurance rebate, and the addition of Juneteenth as a holiday. A Teamsters Local 507 ratification meeting was held Wednesday, November 17, 2021, with the membership ratifying both agreements.

The following is a summary of the financial impact of these agreements:

2020 – 0% wage increase

2021 – 3.5% wage increase and health insurance rebate

2022 – 2.5% wage increase

2023 – Wage re-opener (contingent upon passage of a new levy)

Cleveland Metroparks maintains the right to provide discretionary bonuses based on an employee's performance during the duration of the agreements. Employees are eligible for a one-time training stipend upon successfully completing the Zoonotic Disease Training program. Health benefits premium contributions levels are maintained for the duration of the agreement (Plan A – 18% / Plan B – 13%) and Cleveland Metroparks will continue to incorporate a \$100.00 spousal surcharge.

ACTION ITEMS (cont.)

No. 21-12-185: It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to authorize the Chief Executive Officer to execute collective bargaining agreements, in a form approved by Counsel and the Chief Human Resources Officer, with Teamsters Local 507 for 2020 and for the three-year period from January 1, 2021 through December 31, 2023.

Vote on the motion was as follows:

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

Nays: None.

(m) *Increase for Long-Term Disability Insurance (RFP #6443)*
(Originating Sources: Harold Harrison, Chief Human Resources Officer/Charlie Rosol, Director of Procurement)

In July 2019, Cleveland Metroparks issued RFP #6443 to purchase long-term disability insurance coverage for full-time employees. Cleveland Metroparks subsequently entered into an agreement with Life Insurance Company of America (d.b.a. Cigna) to provide long-term disability insurance for a two (2) year period beginning January 1, 2020 through December 31, 2021, at a rate of \$0.065 per \$100 of covered payroll.

At the time this contract was entered into, the total cost of the contract was not to exceed \$50,000. Therefore, the contract was not taken to the Board for formal approval, and Purchase Order 20200170 was opened in the amount of \$50,000. Due to increases in covered payroll, the total value of the contract will now exceed \$50,000 by approximately \$3,000.

The Board is hereby asked to approve an increase of \$3,000 to the awarded amount. As the original purchase order was for an amount of \$50,000, under the By-Laws, the Board was not required to approve the request. The cross-over to the above \$50,000 level now requires Board approval for a revised amount as follows:

ORIGINAL AWARD (1/13/2020):	\$50,000
<u>Additional estimate:</u>	<u>\$ 3,000</u>
REVISED TOTAL AWARD	\$53,000

No. 21-12-186: It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to authorize the increased amount to Life Insurance Company of America for long-term disability insurance pursuant to purchase order originally approved on January 13, 2020, for a new revised total of \$53,000.

Vote on the motion was as follows:

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

Nays: None.

ACTION ITEMS (cont.)

- (n) ***Appointment of Gary Butzback as Interim Chief Financial Officer/Treasurer and Designee in the Absence of the Interim Chief Financial Officer/Treasurer***
(Originating Source: Brian M. Zimmerman, Chief Executive Officer)

Pursuant to Article I, Section 3(c) of the Board's By-Laws, state in pertinent part, "*In the absence of the Chief Financial Officer (CFO), his/her designee shall serve in the place of the CFO.*" In Resolution No. 18-06-081, Gary Butzback was identified as the CFO designee. Effective December 23, 2021, the current Cleveland Metroparks Chief Financial Officer, William Chorba, will no longer serve in that capacity. It is recommended that the Board approve Controller Gary Butzback as the Interim Chief Financial Officer/Treasurer, effective December 24, 2021.

It is further recommended that in the event of the absence of the Interim Chief Financial Officer/Treasurer, that the Board designate Director of Business Systems Barbara Meyer to serve in the place of the Interim CFO, effective as of December 24, 2021.

- No. 21-12-187:** It was moved by Vice President Rinker, seconded by Vice President Berry and carried, effective December 24, 2021, to appoint Controller Gary Butzback as the Interim Chief Financial Officer/Treasurer; and further, in the absence of the Interim Chief Financial Officer/Treasurer, that the Director of Business Systems Barbara Meyer would assume the duties of the Interim Chief Financial Officer/Treasurer, and these designations shall continue until further action by the Board.

Vote on the motion was as follows:

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

Nays: None.

AWARD OF BIDS/RFPS/CO-OPS/SINGLE SOURCE:

No. 21-12-188: It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to authorize the following awards:

- (a) **Single Source Renewal #6405:** **Learning Management System** (see page **95125**);
- (b) **Bid #6621:** **Concrete** (see page **95126**);
- (c) **Single Source #6626:** **Paid Media Advertising for 2022** (see page **95127**);
- (d) **Bid #6629:** **Emerald Necklace Marina Dredging, Years 2022-2026, Rocky River Reservation** (see page **95130**); and,
- (e) **Single Source #6631:** **Non-Native Plant Material and Tropical Plants** (see page **95132**).

Vote on the motion was as follows:

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

Nays: None.

AWARD OF BIDS/RFPS/CO-OPS/SINGLE SOURCE (cont.)**SINGLE SOURCE RENEWAL #6405 SUMMARY: LEARNING MANAGEMENT SYSTEM****Background**

In January 2019, pursuant to Board Resolution No. 19-01-012, the Board of Park Commissioners approved the purchase of (Bridge) Learning Management System (LMS) (at that time on a GSA cooperative contract) from Learning Technologies Group (formally Instructure) to address the need for online compliance training and record keeping for a three (3) year period beginning February 1, 2019 through January 31, 2022, with an option to renew for three (3) additional years through January 31, 2025.

Cleveland Metroparks is seeking to renew the Learning Management System (Bridge LMS) for a three (3) year period beginning February 1, 2022 through January 31, 2025. Bridge LMS, whose software is proprietary as contemplated by ORC 307.86(B)(2), has been extremely effective and efficient for the past three (3) years, delivering eLearning, managing training events, maintaining training records, tracking training, and scheduling of live training sessions. Bridge LMS is utilized by all full and part-time staff, all seasonal staff, and volunteers.

Cleveland Metroparks desires to remain with Bridge LMS for an additional three (3) years to provide consistency and continuity. In addition to its ease of use, Bridge LMS is compatible with ADP Enterprise and has been very beneficial during the pandemic to offer on-line training sessions to employees.

Cleveland Metroparks staff recommends a three (3) year renewal with Learning Technologies Group.

RECOMMENDED ACTION:

That the Board authorize the Chief Executive Officer to enter into a three (3) year renewal of the existing agreement, in a form approved by the Chief Legal & Ethics Officer, between Cleveland Metroparks and **Learning Technologies Group** in an amount **not to exceed \$152,014.50** as per Single Source Renewal #6405, for the Learning Management System for a three (3) year period beginning February 1, 2022 through January 31, 2025.

(See Approval of this Item by Resolution No. 21-12-188 on Page 95124)

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

BID #6621 SUMMARY: CONCRETE to be supplied on an “as needed” basis from January 1, 2022 through December 31, 2022 to various locations throughout Cleveland Metroparks

HIGHLIGHTS AT A GLANCE
2021 YTD Expenditures = \$33,378
2022 Estimate = \$100,000 (1)

*NOTE: The 2021 expenditure is significantly less due to COVID-19 impact on operations.

(1) The 2022 estimate includes miscellaneous patches and repairs of roads and asphalt trails, as well as specific infrastructure rehabilitation, and capital projects performed by Park District staff.

Background

The awarded supplier will provide and may 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
2022	\$115.00	\$118.00	\$138.00	\$124.00	\$124.00	\$90.00	\$92.00
2021	\$109.00	\$112.00	\$115.00	\$118.50	\$118.00	\$88.00	\$90.00

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

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

Overall, the Park District will see ±6% increase in cost per yard compared to 2021 price structure.

RECOMMENDED ACTION:

That the Board authorize an award of Bid #6621 to the lowest and best bidder, **Shelly Materials, DBA: Medina Supply Company**, for the supply of concrete for the period beginning January 1, 2022 extending through December 31, 2022, at the unit costs specified in the summary and bid file, **for a total cost not to exceed \$100,000**. In the event the log of consumption approaches 90 percent of the estimate, an action item will be presented to the Board requesting an increase.

(See Approval of this Item by Resolution No. 21-12-188 on Page 95124)

AWARD OF BIDS/RFPS/CO-OPS/SINGLE SOURCE (cont.)**SINGLE SOURCE #6626 SUMMARY: PAID MEDIA ADVERTISING FOR 2022**

HIGHLIGHTS AT A GLANCE
2021 YTD Expenditures = \$707,005.42
2022 Estimate = \$1,550,000.00

Background

The 2021 YTD expenditure reflects invoices paid to date. The 2021 forecasted spend, including the remaining fourth quarter advertising and outstanding invoices, is \$883,113.

This item provides for paid media advertising to be used/secured on an “as-needed” basis throughout 2022 in support of the following initiatives: grow attendance/usage for Zoo, Golf, parks, rental facilities, and retail.

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

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

Advertising Mediums & Anticipated Vendors (including, but are not limited to)

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

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

RECOMMENDED ACTION:

That the Board approve the purchase of various single source paid media advertising buys, Single Source #6626, for a **total cost not to exceed \$1,550,000**. In the event the log of consumption approaches 90 percent of the estimate, an action item will be presented to the Board requesting an increase.

(See Approval of this Item by Resolution No. 21-12-188 on Page 95124)

AWARD OF BIDS/RFPS/CO-OPS/SINGLE SOURCE (cont.)**BID #6628 SUMMARY: **PID 113702 CUY SR 21 - VALLEY PKWY CROSSING
REBID, BRECKSVILLE RESERVATION****

(Originating Sources: Sean E. McDermott, P.E., Chief Planning and Design Officer/David L. Frey, P.E., Civil Engineer)

Background

In 2019, the Northeast Ohio Areawide Coordinating Agency (“NOACA”) completed the Emerald Necklace Trail Bicycle and Pedestrian Crossing Improvements Study (“Study”). Cleveland Metroparks has taken steps to implement these recommended improvements at specific locations throughout the Park District. With the City of Brecksville’s support, Cleveland Metroparks submitted and was approved for funding in the amount of \$105,000 for the Transportation for Livable Communities Initiative Brecksville Road Intersection Improvement Project Implementation Grant administered by NOACA. Cleveland Metroparks and the City of Brecksville have both agreed to submit matching funds of up to \$15,000 each (split evenly) for implementation of the project. Details of the agreement can be found in the License and Funding Commitment Agreement for Brecksville Road Intersection Improvement Project Implementation Grant at Brecksville Reservation. In addition, an LPA Project Agreement was entered into on October 1, 2020, and amended on July 19, 2021, between the Ohio Department of Transportation (“ODOT”) and Cleveland Metroparks. This agreement designated Cleveland Metroparks as the lead agency for the administration of the project and authorized Cleveland Metroparks to solicit competitive bids for a construction contract.

Bids of the project were initially opened on July 7, 2021, but were rejected due to the lump sum bid coming in above 10% of the engineer’s estimate. Plans have been modified slightly by adding concrete alternates and extending the completion date to the Spring of 2022 in hopes of receiving lower bid costs that better match the estimate and available funds.

The CUY SR 21 - Valley Pkwy Crossing rebid reflects the following scope of work: ODOT compliant plans and specifications were developed that include the removal of portions of the asphalt trail on Valley Parkway east and west of Brecksville Road to realign the crossing per the Study’s recommendations. Americans with Disabilities Act (ADA) compliant, high visibility rectangular rapid flashing beacons along with other signage and pavement markings will be installed to bring more visibility to the crossing. Minor grading, drainage, and earthwork will be incorporated to maintain ADA compliance using procedures outlined in the AASHTO Guide for the Development of Bicycle Facilities and the ODOT Location and Design Manuals.

Bid Results

On December 9, 2021, the following sealed bids were received for Bid #6628 – PID 113702 CUY SR 21 - Valley Pkwy Crossing Rebid, Brecksville Reservation. Bids included a Base Bid for the work shown on the plans including an asphalt trail and 3 alternates as well as an additive alternate. Alternate Bid 1 – 12” Conduit, Type B, As Per Plan was included per ODOT bidding requirements to install reinforced concrete pipe per the City of Brecksville specifications. Alternate Bid 2 – Concrete Trail West and Alternate Bid 3 – Concrete Trail East were provided to use concrete in lieu of asphalt for the improvements. Additive Alternate Bid – Kiosk Pad was provided to pour the foundation for a future kiosk along Valley Parkway just east of Brecksville

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

Road. In an addendum 1 dated December 6, 2021, Cleveland Metroparks specified the priority arrangement of bids and alternates, with the **Base Bid, Alternate Bid 1, and Additive Alternate Bid** specified as the top priority. This arrangement resulted in bids ranging from \$136,590 to \$196,235 and are tabulated below:

Vendor	Lump Sum Base Bid (BB)	Alternate Bid 1 - 12" Conduit, Type B, As per Plan (A1)	Additive Alternate Bid - Kiosk Pad (AA)	Metroparks Preferred (BB+A1+AA)
R.J. Platten Contracting Co.	\$132,090.00	\$3,000.00	\$1,500.00	\$136,590.00
Cook Paving & Construction Co. Inc.	\$156,784.00	\$4,080.00	\$5,800.00	\$166,664.00
Eclipse Co., LLC	\$183,777.87	\$1,692.00	\$6,255.00	\$191,724.87
Northstar Contracting	\$141,465.00	\$0.00	\$2,500.00	\$143,965.00
Perk Company, Inc.	\$137,081.21	\$3,125.00	\$5,950.00	\$146,156.21
Schirmer Construction LLC	\$185,035.00	\$6,000.00	\$5,200.00	\$196,235.00
<i>Engineer's Estimate</i>				<i>\$130,000.00</i>

Bid Analysis

Staff has performed a review of the bid results and subsequently reviewed the scope of work and details with R.J. Platten Contracting Co. ("Platten"). Platten has successfully completed several projects for Cleveland Metroparks including the West Ridgewood Drive All Purpose Trail and the replacement of the Berea Falls Overlook Deck. Both projects involved drainage, drive/parking and all-purpose trail construction, along with wood carpentry. Platten performed well on both projects as well as other more recent small flatwork projects for the Park District and staff is confident this project will also be completed in a timely and professional manner. Platten is an ODOT pre-qualified contractor located in North Royalton and has been in business since 1922 specializing in concrete and underground utility work.

RECOMMENDED ACTION:

That the Board authorize the Chief Executive Officer to enter into a contract with R.J. Platten Contracting Co. as the lowest and best bidder for PID 113702 CUY SR 21 - Valley Pkwy Crossing Rebid, Brecksville Reservation **in a not to exceed amount of \$136,590** as reflected above. In the event that the bidder cannot satisfy the bid, the award will be given to the next successive bidder who the Board, in its discretion, has reflected in the minutes as being the next lowest and best bidder who can satisfy the bid. The difference in cost and all related costs to the difference will be assumed by the original bidder. Form of the contract to be approved by the Chief Legal and Ethics Officer.

Note: Chief Executive Officer, Brian M. Zimmerman, removed this item from the agenda, and it was not included in the approval of awards for this meeting.

AWARD OF BIDS/RFPS/CO-OPS/SINGLE SOURCE (cont.)**BID #6629 SUMMARY: **EMERALD NECKLACE MARINA DREDGING,
YEARS 2022-2026, ROCKY RIVER RESERVATION****

(Originating Sources: Sean E. McDermott, P.E., Chief Planning and Design Officer/David L. Frey, P.E., Civil Engineer)

Background

The U.S. Army Corps of Engineers (USACE) formerly maintained Rocky River's main (Federal) channel from Lake Erie to the Cleveland Metroparks boat launching ramps at the Emerald Necklace Marina ("Marina"). The Federal channel runs down the middle of the river but does not extend all the way to the shoreline bulkheads at the Marina or the boat launching ramps. In addition, the large amount of sediment deposited at the Marina requires annual removal in order to stay open for dockage and boat launching. Therefore, Cleveland Metroparks must perform dredging each year so the Marina remains usable. The amount of material dredged each year is dependent on the pattern of river deposition from the previous year's storms and river flow. In 2018, Cleveland Metroparks bid a three-year contract for dredging services, which expired in 2021. Recent history of the dredging program is summarized as follows:

Year	Mobilization	Dredging Amt.	Unit Price	Total
2019	\$18,500	3,990 cu. yards	\$9.75/cu. yd.	\$57,399.75
2020	\$19,000	3,986 cu. yards	\$10.00/cu. yd.	\$58,860.00
2021	\$19,500	3,029 cu. yards	\$10.25/cu. yd.	\$50,547.25
Three Year Total				\$166,807.00

2022-2026 Bid Proposal

There are schedule time limits imposed by the USACE Permit so as not to interfere with fish stocking and migration, which are reviewed and adjusted each year. In 2022, it is anticipated that the USACE Permit will allow for all of the dredging to take place within the first three weeks of April. In addition, the USACE Permit allows the dredged sediment to be barged to an approved zone in Lake Erie where it will replenish local beaches. The restricted size of the marina and water depth precludes large dredging operations. There are a limited number of specialty contractors who service small boat marinas along the lake shore that serve this region.

Based on the estimated maximum not to exceed dredging amount of 4,000 cubic yards, the cost estimate used for bidding purposes averaged \$74,000 per year. The mobilization cost, included with the Base Bid amounts, includes an USACE Permit and a required temporary turbidity curtain, placed in the dredging zone to reduce suspended sediment in the downstream section of the river. Cleveland Metroparks will only pay for the amount of sediment actually removed and documented, plus the mobilization charge. The 2022 cost represents a Base Bid, with 2023 through 2026 bids as Alternates 1 through 4 respectively, to allow the options of single year or multiple year awards.

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

Bid Results

On December 7, 2021, the following sealed bids were received for Bid #6629 – Emerald Necklace Marina Dredging, Years 2022-2026, Rocky River Reservation:

BID #6629						
Emerald Necklace Marina Dredging, Years 2022-2026, Rocky River Reservation						
Bidder:	2022 Base Bid:	2023 Alt 1:	2024 Alt 2:	2025 Alt 3:	2026 Alt 4:	Total Bid:
Geo. Gradel Co.	\$57,300.00	\$58,800.00	\$60,300.00	\$61,800.00	\$63,300.00	\$301,500.00
Huffman Equipment Rental and Contracting, Inc.	\$60,000.00	\$61,000.00	\$62,000.00	\$63,000.00	\$64,000.00	\$310,000.00

Engineer’s Estimate for a Five-Year Total = \$370,000

Bid Analysis

The lowest and best bid received was from Geo. Gradel Co. (“Geo. Gradel”). Staff recommends that the contract be awarded to Geo. Gradel as the bidder that can perform the Base Bid and Base Bid Mobilization for 2022, plus Alternate No. 1 for the year 2023, Alternate No. 2 for the year 2024, Alternate No. 3 for the year 2025, and Alternate No. 4 for the year 2026. Geo. Gradel has been in business since 1903 and performed the last dredging contract at Emerald Necklace Marina. Geo. Gradel has the proper equipment to perform the subject work.

RECOMMENDED ACTION:

That the Board authorize the Chief Executive Officer to enter into a contract with **Geo. Gradel Co.** as the lowest and best bidder for **Bid #6629 – Emerald Necklace Marina Dredging, Years 2022-2026, Rocky River Reservation**, Base Bid plus Alternates 1 through 4 for a combined not to exceed total of **\$301,500**, at unit prices as reflected in the bid. Form of the contract to be approved by the Chief Legal and Ethics Officer.

(See Approval of this Item by Resolution No. 21-12-188 on Page 95124)

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

SINGLE SOURCE #6631 SUMMARY: **NON-NATIVE PLANT MATERIAL AND TROPICAL PLANTS** for a two (2) year period beginning January 1, 2022 through December 31, 2023

HIGHLIGHTS AT A GLANCE
2018-2019 Expenditures = \$132,000
2020-2021 YTD Expenditures = \$44,000
2022-2023 Estimate = \$150,000

*NOTE: The 2020/2021 expenditure is significantly less due to COVID-19 impact on operations.

Background

This item provides for plant material to be purchased on an “as-needed” basis for a two (2) year period beginning January 1, 2022 through December 31, 2023 for various locations throughout the Cleveland Metroparks Zoo. The award will provide flexibility to purchase from various suppliers based on need, availability, and quality of products.

The plant material requested differs from the native plant bid because it includes non-native plant material used for the Zoo in seasonal color display gardens, tropical plants for the RainForest and Primate, Cat, and Aquatics building, and non-native plants used for exhibit interpretation such as Asian Highlands and African Elephant Crossing.

The anticipated vendors have demonstrated the integrity of maintaining high quality plant material and their stock meets all of Cleveland Metroparks Zoo’s expectations.

This award will provide flexibility to purchase from various plant suppliers, which is important as each plant type is unique, and each vendor may offer a different quality of plant and plants with different provenance. Thus, the award to multiple vendors allows Zoo staff to purchase various plant material based on discretion, quality, and factors beyond price for locations throughout the Zoo.

Anticipated Vendors and Possible Product *(included but are not limited to)*

- **Perennials:** Klyn Nursery, Davis Tree Farm, Art Form Nurseries, North Coast Perennials
- **Trees and Shrubs:** Klyn Nursery, Davis Tree Farm, Herman Losely and Sons, Premier Plant Solutions
- **Tropical Plants:** Southern Tropicals, Allied Growers, Tristate Foliage, Casa Verde Growers
- **Seasonal Color:** Casa Verde Growers, Willoway Nurseries, Uncle John’s Plant Farm

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

That the Board approve the purchase of Non-Native Plant Material and Tropical Plants as per Single Source #6631 for a two (2) year period beginning January 1, 2022 through December 31, 2023, from **various vendors**, for a **total cost not to exceed \$150,000**. In the event the log of consumption approaches 90 percent of the estimate, an action item will be presented to the Board requesting an increase.

(See Approval of this Item by Resolution No. 21-12-188 on Page 95124)

GOODS AND SERVICES (\$10,000 - \$50,000) ACQUIRED
SINCE LAST BOARD MEETING (Presented 12/16/21)

Pursuant to Cleveland Metroparks By-Laws, Article 5 (Procurement), Section 4 (a), “The CEO is authorized to enter into contracts and contract amendments for construction, change orders, and to purchase equipment, goods and services, and real estate, without prior approval of the Board in each instance, if the cost of the contract or contract amendment, for any single project, or the amount of the purchase, does not exceed \$50,000. Any contracts where the cost exceeds \$10,000 or any purchase where the amount exceeds \$10,000, and approved by the CEO, shall be reported to the Board at its next regularly scheduled meeting following the execution of said contract or said purchase,” the following is provided:

<u>REF. NO. / ITEM – SERVICE</u>	<u>VENDOR</u>	<u>COST</u>	<u>PROCEDURE</u>
Phase I Environmental Site Assessment (ESA) for property located at 3700 Wildlife Way; first amendment for drilling and boring samples, lab analytics, findings, and results.	HZW Environmental, Inc.	\$2,300.00 <u>15,470.00</u> \$17,770.00	(6)
Santa performers for 2021 Wild Winter Lights at the Zoo.	Raymond Jasko	\$26,250.00 <u>2,362.00</u> \$28,612.00	(3)
DJ dance party for 2021 Wild Winter Lights at the Zoo.	Rock the House	\$25,400.00	(3)
Generators for 2021 Winter Fest at Merwin’s Wharf.	Sunbelt Rentals	\$23,513.61	(7)
Costume characters for 2021 Wild Winter Lights at the Zoo.	Spectacular Party Entertainment LLC	\$47,740.00	(3)
Toro Workman utility vehicle for the Zoo.	Century Equipment	\$28,792.50	(2)
Engineering services for nature-based shoreline protection improvements at Wendy Park, Lakefront Reservation.	KS Associates, Inc.	\$37,978.00	(5)
2021 risk management consulting fees; additional consulting fees and services.	Crain, Langner & Co.	\$10,000.00 <u>260.00</u> \$10,260.00	(7)

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

<u>REF. NO. / ITEM – SERVICE</u>	<u>VENDOR</u>	<u>COST</u>	<u>PROCEDURE</u>
Repair and reconstruction services at Nature Discovery Ridge at the Zoo.	Around the Bend	\$12,800.00	(3)
2022 Polaris Pro XD 2000G 4x4 enclosed utility vehicle with snowplow for Euclid Creek Reservation.	Century Equipment	\$26,908.59	(2)
2022 Scag 61” VEL Plus and 2022 Scag 72” VEL Plus Zero Turn Mowers for Big Creek and Brookside Reservations.	North Royalton Power Equipment	\$26,859.00	(2)
2022 Carryall 1500 two-passenger 4WD utility vehicle.	Century Equipment	\$14,825.00	(2)
Deer processing services beginning November 15, 2021 through November 10, 2022.	CLA Angus, LLC (DBA: MFM Operations Ltd.)	\$50,000.00	(7)
2022 Lazer Z X-Series 72” Zero Turn Mower for Lakefront Reservation.	North Royalton Power Equipment	\$14,265.00	(2)
Various Titleist and FootJoy merchandise for resale for Golf.	Acushnet Co.	\$46,416.74	(3)
Services to relocate aerial cable to be buried for Wendy Park Bridge at Lakefront Reservation; additional services.	AT&T Midwest	\$16,280.41 <u>3,328.04</u> \$19,608.45	(3)
Closing costs for Turner Property located by Garfield Park Reservation.	Guardian Title & Guaranty Agency	\$30,087.47	(3)
Trucking and disposal services to remove debris and material from the Trolley Turn lot at Garfield Park Reservation.	Boyas Excavating Inc.	\$46,529.00	(7)

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

<u>REF. NO. / ITEM – SERVICE</u>	<u>VENDOR</u>	<u>COST</u>	<u>PROCEDURE</u>
Clothing for resale at various golf courses; additional clothing.	Greg Norman Collection	\$18,331.76 <u>1,217.22</u> \$19,548.98	(3)
High pressure laminate graphic panels for African Elephant Crossing exhibit at the Zoo	Fossil Industries, Inc.	\$24,470.00	(3)
Driving range golf balls for various golf courses.	Wilson Sporting Goods	\$47,600.00	(7)
Services for the back-end administration tools for managing data for the Cleveland Metroparks maps website.	Substrate Websoft LLC	\$18,875.00	(7)
Ice carving for 2021 Wild Winter Lights at the Zoo.	Dave Zajac	\$9,850.00 <u>350.00</u> \$10,200.00	(3)
Enterprise support services for MapStore Open Source modular WEB GIS framework; additional services.	Geosolutions USA Corp.	\$19,000.00 <u>9,500.00</u> \$28,500.00	(7)
Used single and tandem kayaks.	Paddlesports Warehouse, Inc.	\$10,188.00	(3)
Used single and tandem kayaks.	Pelican International, Inc.	\$12,820.80	(3)
Old River Farm picnic area concrete replacement in North Chagrin Reservation; additional concrete and restoration work.	Cemex Construction Corporation	\$13,950.00 <u>1,906.60</u> \$15,856.60	(7)
Various golf balls and headwear merchandise for resale for Golf.	Callaway Golf	\$41,581.24	(3)
Cleveland Metroparks mobile app updates.	Recess Creative LLC	\$36,000.00	(3)

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

<u>REF. NO. / ITEM – SERVICE</u>	<u>VENDOR</u>	<u>COST</u>	<u>PROCEDURE</u>
Conversion of legacy ADP system to a standalone/modern format.	Hero Data Services LLC	\$13,750.00	(3)
Various native plants for resale at nature centers.	Archewild	\$15,000.25	(7)
Painting services for various areas in the Cleveland Metroparks Administration Building; additional services.	The Dependable Painting Company	\$9,500.00 5,136.00 2,560.00 <u>1,270.00</u> \$18,466.00	(7)
Railroad protective insurance per the agreement with Norfolk Southern for the Wendy Park Bridge and Whiskey Island connector projects for the period of February 5, 2020 through July 1, 2021; additional insurance.	Hylant Group Inc.	\$10,361.00 250.00 500.00 <u>500.00</u> \$11,611.00	(7)
2021 Jeep Grand Cherokee.	Haasz Automall of Ravenna	\$36,441.00	(7)
Tree installation services at Astorhurst in Bedford Reservation and Brookside Reservation.	The Davey Tree Expert Co.	\$13,187.00	(7)
2021 Ford Explorer (Police) with 4DR AWD.	Lakewood Green Enterprises	\$39,186.00	(7)

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

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

**CONSTRUCTION CHANGE ORDERS OR AMENDMENTS TO
PROFESSIONAL SERVICE CONTRACTS (12/16/21)**

Pursuant to Cleveland Metroparks By-Laws, Article 5 (Procurement), Section 4 (b) and (c), “...the CEO is not authorized to enter into any change orders to construction contracts, without prior approval of the Board in each instance, except that the CEO is authorized to enter into change orders to construction contracts, without prior approval of the Board in each instance, where the additional cost is less than THE LESSER OF: (i) \$50,000, or (ii) ten percent (10%) of the 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.”

I. “Amendment to Professional Service Contract. For professional service contracts greater than \$50,000, the CEO is not authorized to enter into any amendment to professional services or other special services agreement, without prior approval of the Board in each instance, except that the CEO is authorized to enter into amendments to professional services and other special services agreements for additional fees, without prior approval by the Board in each instance, where the additional fees for the agreement by the CEO pursuant to this Section, 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>Manakiki Clubhouse Shake Roof Replacement</u></p> <p><u>Contract Amount:</u> Original Contract Amount: \$221,735.00 Change Order No. 1 Amount: \$17,358.89 Change Order No. 2 Amount: \$17,979.39 Revised Contract Amount: \$257,073.28</p>	<p>Additional services for painting existing cupolas (3) and dormers (2) at existing shake and furnish and install foam inserts at new Oxford metal shingles to increase R value.</p>	<p>Architectural Siding, Trim and Roofing, Inc.</p>	<p>#2</p>

AWARD OF BIDS/RFPs/CO-OPS/SINGLE SOURCE; CONSTRUCTION CHANGE ORDERS; STATUS RE: CAPITAL PROJECTS.

The following were presented to the Board for award/acknowledgment: bid/RFP/co-op/single source tabulations, as shown on pages **95124** through **95133**; \$10,000 to \$50,000 purchased items/services report, pages **95134** through **95137**; and construction change orders, page **95138**.

APPROVAL OF VOUCHERS AND PAYROLL.

No. 21-12-172: 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 **95162** to **95287**.

Vote on the motion was as follows:

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

Nays: None.

No. 21-12-173: It was moved by Vice President Rinker, seconded by Vice President Berry and carried, to approve JP Morgan Mastercard (Arborwear) dated November 7, 2021 to November 27, 2021 in the amount of \$537.85, as identified on pages **95288** to **95289**.

Vote on the motion was as follows:

Ayes: Ms. Berry and Mr. Rinker.

Abstained: Mr. Moore.

Nays: None.

PUBLIC COMMENTS.

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

INFORMATION/BRIEFING ITEMS/POLICY.**(a) 2021 Year End Review**

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

As 2021 concludes, Cleveland Metroparks is marking a year of significant achievement including winning the “Best in Nation” Gold Medal Award by the American Academy for Park and Recreation Administration (AAPRA). The past year, Cleveland Metroparks celebrated the opening of transformational trails including the Re-Connecting Cleveland TIGER Trails project, launched the *Find Your Path* campaign and mobile app, completed new park amenities including the Lindsey Family Space and The Noshery, and held record breaking, community-focused events including Asian Lantern Festival.

A video presentation will share a comprehensive overview of 2021 challenges and accomplishments of the entire Cleveland Metroparks organization.

DATE OF NEXT MEETING.

The next Regular Meeting of the Board of Park Commissioners was scheduled by the Board for Thursday, January 20, 2022, 8:00 a.m. at the Board’s office, 4101 Fulton Parkway, Cleveland, Ohio.

ADJOURNMENT TO EXECUTIVE SESSION.

No. 21-12-189: At 8:59 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 the Purchase/Acquisition of Real Property, as stated by Chief Legal and Ethics Officer, Rose Fini.

Roll-call vote on the motion was as follows:

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

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

ADJOURNMENT.

No. 21-12-190: 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 9:27 a.m.

Vote on the motion was as follows:

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

Nays: None.

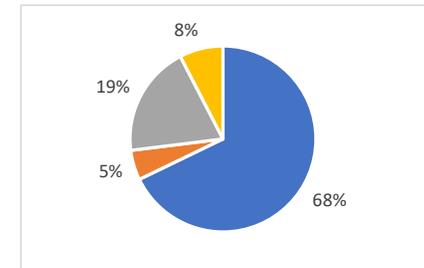
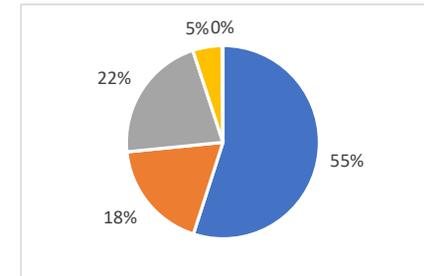
President.

Attest:

Secretary.

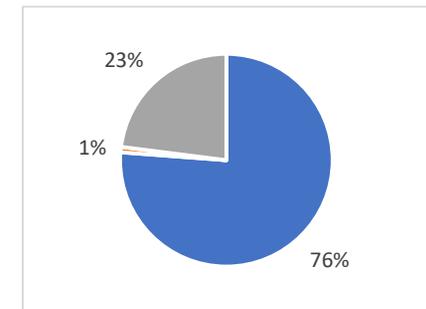
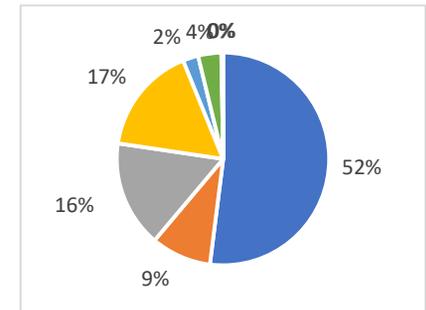
Cleveland Metroparks
 Financial Performance
 11/30/2021
 CM Park District

	Actual Nov '20	Actual Nov '21	Fav (Unfav)	Actual YTD Nov '20	Actual YTD Nov '21	Fav (Unfav)
Revenue:						
Property Tax	7,796	10,254	2,458	76,937,420	77,675,530	738,110
Local Gov/Grants/Gifts	557,034	4,292,712	3,735,678	14,185,549	26,048,614	11,863,065
Charges for Services	1,635,524	1,648,594	13,070	21,446,577	30,404,407	8,957,830
Self-Funded	756,436	753,190	(3,246)	8,470,190	6,940,215	(1,529,975)
Interest, Fines, Other	<u>423,686</u>	<u>4,214</u>	<u>(419,472)</u>	<u>957,171</u>	<u>188,656</u>	<u>(768,515)</u>
Total Revenue	3,380,476	6,708,964	3,328,488	121,996,907	141,257,422	19,260,515
OpEx:						
Salaries and Benefits	4,294,998	4,801,918	(506,920)	55,304,481	58,524,399	(3,219,918)
Contractual Services	493,677	383,747	109,930	3,757,935	4,462,170	(704,235)
Operations	1,272,485	1,430,861	(158,376)	14,161,259	16,720,153	(2,558,894)
Self-Funded Exp	<u>515,966</u>	<u>715,575</u>	<u>(199,609)</u>	<u>6,154,542</u>	<u>6,566,070</u>	<u>(411,528)</u>
Total OpEx	6,577,126	7,332,101	(754,975)	79,378,217	86,272,792	(6,894,575)
Op Surplus/(Subsidy)	(3,196,650)	(623,137)	2,573,513	42,618,690	54,984,630	12,365,940
CapEx:						
Capital Labor	69,480	68,677	803	867,592	730,363	137,229
Construction Expenses	4,390,230	746,837	3,643,393	19,566,250	16,816,832	2,749,418
Capital Equipment	23,302	75,320	(52,018)	2,043,207	1,937,010	106,197
Land Acquisition	13,379	136,632	(123,253)	3,454,734	3,060,063	394,671
Capital Animal Costs	<u>1,669</u>	<u>9,150</u>	<u>(7,481)</u>	<u>11,013</u>	<u>28,820</u>	<u>(17,807)</u>
Total CapEx	4,498,060	1,036,616	3,461,444	25,942,796	22,573,088	3,369,708
Net Surplus/(Subsidy)	(7,694,710)	(1,659,753)	6,034,957	16,675,894	32,411,542	15,735,648



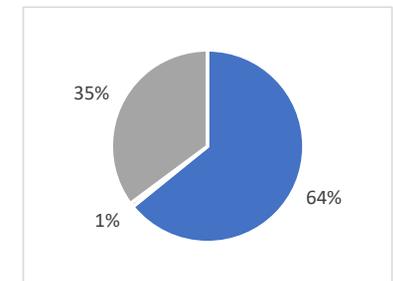
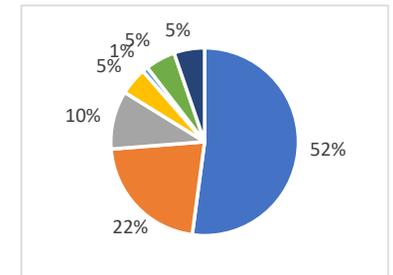
**Cleveland Metroparks
Financial Performance
11/30/2021
Zoo**

	Actual Nov '20	Actual Nov '21	Fav (Unfav)	Actual YTD Nov '20	Actual YTD Nov '21	Fav (Unfav)
Revenue:						
General/SE Admissions	677,462	735,129	57,667	4,560,650	7,202,711	2,642,061
Guest Experience	19,241	2,585	(16,656)	472,640	1,266,958	794,318
Zoo Society	71,432	0	(71,432)	1,333,300	2,249,399	916,099
Souvenirs/Refreshments	168,632	141,484	(27,148)	990,626	2,287,110	1,296,484
Education	1,550	2,355	805	94,750	324,389	229,639
Rentals & Events	23,276	30,504	7,228	207,723	486,740	279,017
Consignment	0	100	100	0	25,925	25,925
Other	(216)	(399)	(183)	200,073	10,215	(189,858)
Total Revenue	961,377	911,758	(49,619)	7,859,762	13,853,447	5,993,685
OpEx:						
Salaries and Benefits	977,998	1,143,972	(165,974)	12,389,442	13,233,653	(844,211)
Contractual Services	8,804	13,227	(4,423)	91,846	144,100	(52,254)
Operations	271,439	473,990	(202,551)	3,261,453	3,993,351	(731,898)
Total OpEx	1,258,241	1,631,189	(372,948)	15,742,741	17,371,104	(1,628,363)
Op Surplus/(Subsidy)	(296,864)	(719,431)	(422,567)	(7,882,979)	(3,517,657)	4,365,322
CapEx:						
Capital Labor	0	0	0	0	17,551	(17,551)
Construction Expenses	14,029	95,127	(81,098)	3,829,160	557,964	3,271,196
Capital Equipment	0	0	0	116,365	18,447	97,918
Capital Animal Costs	1,669	9,150	(7,481)	11,013	28,820	(17,807)
Total CapEx	15,698	104,277	(88,579)	3,956,538	622,782	3,333,756
Net Surplus/(Subsidy)	(312,562)	(823,708)	(511,146)	(11,839,517)	(4,140,439)	7,699,078
Restricted Revenue-Other	119,651	3,227,256	3,107,605	2,887,377	11,214,568	8,327,191
Restricted Revenue-Zipline	0	13,172	13,172	0	236,709	236,709
Restricted Expenses	211,473	144,126	67,347	2,946,888	1,629,784	1,317,104
Restricted Surplus/(Subsidy)	(91,822)	3,096,302	3,188,124	(59,511)	9,821,493	9,881,004



**Cleveland Metroparks
Financial Performance
11/30/2021
Golf Summary**

	Actual Nov '20	Actual Nov '21	Fav (Unfav)	Actual YTD Nov '20	Actual YTD Nov '21	Fav (Unfav)
Revenue:						
Greens Fees	219,844	115,830	(104,014)	4,730,053	4,690,619	(39,434)
Equipment Rentals	102,836	54,846	(47,990)	1,877,089	1,947,611	70,522
Food Service	22,110	43,205	21,095	669,961	900,924	230,963
Merchandise Sales	18,944	11,680	(7,264)	354,115	431,152	77,037
Pro Services	0	(6,974)	(6,974)	15,577	83,752	68,175
Driving Range	20,410	10,942	(9,468)	400,769	468,888	68,119
Other	<u>27,700</u>	<u>15,661</u>	<u>(12,039)</u>	<u>369,125</u>	<u>476,247</u>	<u>107,122</u>
Total Revenue	411,844	245,190	(166,654)	8,416,689	8,999,193	582,504
OpEx:						
Salaries and Benefits	279,122	293,892	(14,770)	3,697,433	4,082,982	(385,549)
Contractual Services	12,196	5,791	6,405	30,573	44,088	(13,515)
Operations	<u>241,197</u>	<u>120,675</u>	<u>120,522</u>	<u>2,055,117</u>	<u>2,236,930</u>	<u>(181,813)</u>
Total OpEx	532,515	420,358	112,157	5,783,123	6,364,000	(580,877)
Op Surplus/(Subsidy)	(120,671)	(175,168)	(54,497)	2,633,566	2,635,193	1,627
CapEx:						
Capital Labor	0	0	0	93,161	11,142	82,019
Construction Expenses	18,150	0	18,150	99,936	194,797	(94,861)
Capital Equipment	<u>0</u>	<u>0</u>	<u>0</u>	<u>148,445</u>	<u>432,262</u>	<u>(283,817)</u>
Total CapEx	18,150	0	18,150	341,542	638,201	(296,659)
Net Surplus/(Subsidy)	(138,821)	(175,168)	(36,347)	2,292,024	1,996,992	(295,032)



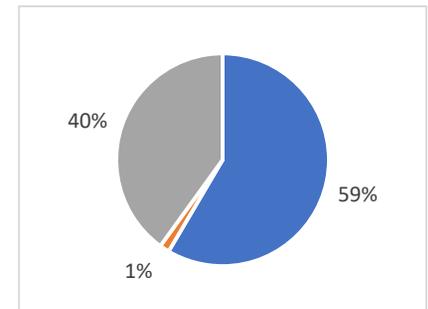
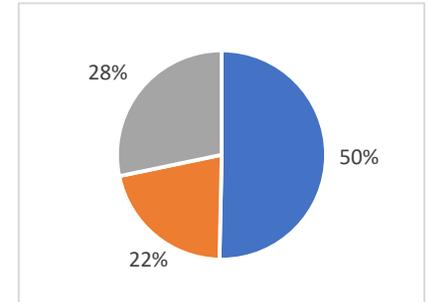
Cleveland Metroparks
 Financial Performance
 11/30/2021
 Golf Detail

	Big Met (18)		Little Met (9)		Mastick Woods (9)		Manakiki (18)		Sleepy Hollow (18)	
	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21
Operating Revenue	1,346,448	1,396,764	443,208	390,135	308,567	291,557	1,347,734	1,473,886	1,578,242	1,809,849
Operating Expenses	<u>969,982</u>	<u>1,092,816</u>	<u>201,414</u>	<u>281,161</u>	<u>181,393</u>	<u>206,554</u>	<u>877,734</u>	<u>940,335</u>	<u>1,221,201</u>	<u>1,344,340</u>
Operating Surplus/(Subsidy)	376,466	303,948	241,794	108,974	127,174	85,003	470,000	533,551	357,041	465,509
Capital Labor	0	0	0	0	0	0	0	0	0	0
Construction Expenses	13,531	92,802	0	0	0	0	0	35,797	0	37,921
Capital Equipment	<u>13,584</u>	<u>66,202</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>13,584</u>	<u>0</u>	<u>13,606</u>	<u>321,835</u>
Total Capital Expenditures	27,115	159,004	0	0	0	0	13,584	35,797	13,606	359,756
Net Surplus/(Subsidy)	349,351	144,944	241,794	108,974	127,174	85,003	456,416	497,754	343,435	105,753

	Shawnee Hills (27)		Washington Park (9)		Seneca (27)		Golf Admin		Total	
	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21
Operating Revenue	1,250,548	1,284,444	484,193	537,537	1,620,258	1,777,658	37,490	37,364	8,416,688	8,999,194
Operating Expenses	<u>769,285</u>	<u>765,564</u>	<u>331,801</u>	<u>410,849</u>	<u>861,254</u>	<u>1,020,051</u>	<u>369,058</u>	<u>302,331</u>	<u>5,783,122</u>	<u>6,364,001</u>
Operating Surplus/(Subsidy)	481,263	518,880	152,392	126,688	759,004	757,607	(331,568)	(264,967)	2,633,566	2,635,193
Capital Labor	0	0	0	0	93,161	0	0	11,142	93,161	11,142
Construction Expenses	0	8,816	83,420	0	2,985	0	0	19,460	99,936	194,796
Capital Equipment	<u>54,713</u>	<u>19,875</u>	<u>0</u>	<u>3,486</u>	<u>48,800</u>	<u>16,389</u>	<u>4,158</u>	<u>4,476</u>	<u>148,445</u>	<u>432,263</u>
Total Capital Expenditures	54,713	28,691	83,420	3,486	144,946	16,389	4,158	35,078	341,542	638,201
Net Surplus/(Subsidy)	426,550	490,189	68,972	123,202	614,058	741,218	(335,726)	(300,045)	2,292,024	1,996,992

**Cleveland Metroparks
Financial Performance
11/30/2021
Enterprise Summary**

	Actual Nov '20	Actual Nov '21	Fav (Unfav)	Actual YTD Nov '20	Actual YTD Nov '21	Fav (Unfav)
Revenue:						
Concessions	67,574	87,128	19,554	1,155,592	2,088,353	932,761
Dock Rentals	8,533	136,264	127,731	695,624	889,941	194,317
Other	<u>28,482</u>	<u>81,694</u>	<u>53,212</u>	<u>793,870</u>	<u>1,172,837</u>	<u>378,967</u>
Total Revenue	104,589	305,086	200,497	2,645,086	4,151,131	1,506,045
OpEx:						
Salaries and Benefits	136,008	181,895	(45,887)	2,095,907	2,457,169	(361,262)
Contractual Services	2,436	4,600	(2,164)	29,221	61,212	(31,991)
Operations	<u>165,514</u>	<u>65,282</u>	<u>100,232</u>	<u>1,263,077</u>	<u>1,682,448</u>	<u>(419,371)</u>
Total OpEx	303,958	251,777	52,181	3,388,205	4,200,829	(812,624)
Op Surplus/(Subsidy)	(199,369)	53,309	252,678	(743,119)	(49,698)	693,421
CapEx:						
Capital Labor	6,432	14,911	(8,479)	14,685	19,527	(4,842)
Construction Expenses	9,260	11,111	(1,851)	116,338	40,151	76,187
Capital Equipment	<u>0</u>	<u>0</u>	<u>0</u>	<u>10,042</u>	<u>12,720</u>	<u>(2,678)</u>
Total CapEx	15,692	26,022	(10,330)	141,065	72,398	68,667
Net Surplus/(Subsidy)	(215,061)	27,287	242,348	(884,184)	(122,096)	762,088



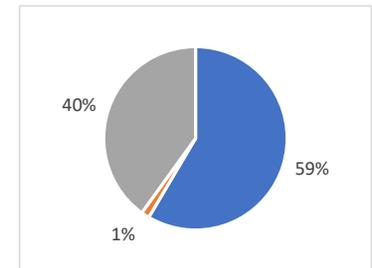
*Other includes Chalet fees, parking, hayrides, aquatics, gift cards, misc.

**Cleveland Metroparks
Financial Performance
11/30/2021
Enterprise Detail**

	Merwin's Wharf		EW Beach House		E55th Marina		E55th Restaurant			
	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21		
Operating Revenue	401,880	932,754	224,015	313,851	787,878	1,000,250	317,382	528,956		
Operating Expenses	<u>845,352</u>	<u>1,186,016</u>	<u>209,669</u>	<u>212,625</u>	<u>280,961</u>	<u>414,212</u>	<u>362,373</u>	<u>456,660</u>		
Operating Surplus/(Subsidy)	(443,472)	(253,262)	14,346	101,226	506,917	586,038	(44,991)	72,296		
Capital Labor	14,685	19,527	0	0	0	0	0	0		
Construction Expenses	48,490	25,700	0	0	40,011	1,935	0	0		
Capital Equipment	<u>10,042</u>	<u>8,323</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>(1,656)</u>		
Total Capital Expenditures	73,217	53,550	0	0	40,011	1,935	0	(1,656)		
Net Surplus/(Subsidy)	(516,689)	(306,812)	14,346	101,226	466,906	584,103	(44,991)	73,952		
	Wildwood		Euclid Beach		EmerNeck Marina		EmerNeck Restaurant			
	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21		
Operating Revenue	39,433	33,941	0	0	372,101	414,146	50,571	106,735		
Operating Expenses	<u>47,408</u>	<u>41,308</u>	<u>2,413</u>	<u>1,697</u>	<u>245,333</u>	<u>309,397</u>	<u>124,940</u>	<u>70,928</u>		
Operating Surplus/(Subsidy)	(7,975)	(7,367)	(2,413)	(1,697)	126,768	104,749	(74,369)	35,807		
Capital Labor	0	0	0	0	0	0	0	0		
Construction Expenses	2,787	3,935	0	0	0	0	49	0		
Capital Equipment	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>3,882</u>		
Total Capital Expenditures	2,787	3,935	0	0	0	0	49	3,882		
Net Surplus/(Subsidy)	(10,762)	(11,302)	(2,413)	(1,697)	126,768	104,749	(74,418)	31,925		
	Edgewater Pier		Wallace Lake		Hinckley Lake		Huntington			
	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21		
Operating Revenue	40,907	47,844	31,640	29,886	0	0	85,630	296,892		
Operating Expenses	<u>38,522</u>	<u>42,292</u>	<u>30,716</u>	<u>33,157</u>	<u>1,437</u>	<u>656</u>	<u>67,505</u>	<u>237,715</u>		
Operating Surplus/(Subsidy)	2,385	5,552	924	(3,271)	(1,437)	(656)	18,125	59,177		
Capital Labor	0	0	0	0	0	0	0	0		
Construction Expenses	0	0	0	0	0	0	0	0		
Capital Equipment	<u>0</u>	<u>0</u>	<u>0</u>	<u>2,171</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>		
Total Capital Expenditures	0	0	0	2,171	0	0	0	0		
Net Surplus/(Subsidy)	2,385	5,552	924	(5,442)	(1,437)	(656)	18,125	59,177		
	Chalet		Ledge Lake		Parking		Enterprise Admin		Total	
	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21	YTD Nov '20	YTD Nov '21
Operating Revenue	215,352	177,351	535	130,536	77,762	137,990	0	0	2,645,086	4,151,132
Operating Expenses	<u>205,651</u>	<u>194,154</u>	<u>5,978</u>	<u>97,142</u>	<u>14,784</u>	<u>16,357</u>	<u>905,164</u>	<u>886,514</u>	<u>3,388,206</u>	<u>4,200,830</u>
Operating Surplus/(Subsidy)	9,701	(16,803)	(5,443)	33,394	62,978	121,633	(905,164)	(886,514)	(743,120)	(49,698)
Capital Labor	0	0	0	0	0	0	0	0	14,685	19,527
Construction Expenses	0	0	0	0	0	0	25,000	8,581	116,337	40,151
Capital Equipment	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>10,042</u>	<u>12,720</u>
Total Capital Expenditures	0	0	0	0	0	0	25,000	8,581	141,064	72,398
Net Surplus/(Subsidy)	9,701	(16,803)	(5,443)	33,394	62,978	121,633	(930,164)	(895,095)	(884,184)	(122,096)

**Cleveland Metroparks
Financial Performance
11/30/2021
Nature Shops and Kiosks**

	Actual Nov '20	Actual Nov '21	Fav (Unfav)	Actual YTD Nov '20	Actual YTD Nov '21	Fav (Unfav)
Retail Revenue	18,447	37,277	18,830	348,859	358,684	9,825
OpEx:						
Salaries and Benefits	12,523	15,987	(3,464)	169,209	214,006	(44,797)
Contractual Services	373	388	(15)	5,076	4,640	436
Operations	<u>9,149</u>	<u>17,700</u>	<u>(8,551)</u>	<u>139,217</u>	<u>145,788</u>	<u>(6,571)</u>
Total OpEx	22,045	34,075	(12,030)	313,502	364,434	(50,932)
Op Surplus/(Subsidy)	(3,598)	3,202	6,800	35,357	(5,750)	(41,107)
CapEx:						
Capital Labor	0	0	0	0	0	0
Construction Expenses	0	0	0	0	0	0
Capital Equipment	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total CapEx	0	0	0	0	0	0
Net Surplus/(Subsidy)	(3,598)	3,202	6,800	35,357	(5,750)	(41,107)



**CLEVELAND METROPARKS
ACCOUNTS RECEIVABLE AND INVESTMENTS SCHEDULES
FOR THE MONTH ENDED NOVEMBER, 2021**

ACCOUNTS RECEIVABLE

Current	Past Due				Total
	1-30 Days	30-60 Days	60-90 Days	Over 90 Days	
\$1,078,200	\$9,297	\$68,024	\$6,228	\$7,380	\$1,169,129

INVESTMENTS

Date Placed	Bank	Description	Days of Duration	Rate	Date of Maturity	Interest Earned	EOM Balance
11/01/21	Fifth Third Securities	Money Market (A)	29	0.00%	11/30/21	\$1	\$3,295
10/1/2021*	STAR Ohio	State pool (B)	44499	0.07%	10/30/21	\$4,610	\$71,071,431

(A) Federated Government Money Market Account.

Investment balance ranged from \$3,295 to \$3,295 in November 2021.

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

Investment balance ranged from \$71,066,822 to \$71,071,431.31 in October 2021.

****Due to STAR Ohio's web site being down, the November 2021 statement was unavailable***

Source: William Chorba, CFO
12/10/21

**CLEVELAND METROPARKS
Appropriation Summary - 2021**

Object Code	Object Description	Original Budget			Total Prior Budget Amendments	Proposed Amendment #12 12/16/2021	Total
		Baseline Budget	Carry Over Encumbrances	Total			
OPERATING							
51	Salaries	\$ 52,784,380	\$ -	\$ 52,784,380	\$ 14,426	\$ (720) A	\$ 52,798,086
52	Employee Fringe Benefits	18,361,727	254,848	18,616,575	141,913	6,040 B	18,764,528
53	Contractual Services	14,829,987	3,414,251	18,244,238	288,817	29,164 C	18,562,219
54	Office Operations	23,481,866	3,850,870	27,332,736	1,084,164	73,065 D	28,489,965
	Operating Subtotal	109,457,960	7,519,969	116,977,929	1,529,320	107,549	118,614,798
CAPITAL							
571	Capital Labor	835,000	-	835,000	-	-	835,000
572	Capital Construction Expenses	20,180,409	10,198,670	30,379,079	9,913,155	1,485,997 E	41,778,231
574	Capital Equipment	2,749,394	671,636	3,421,030	318,322	426,579 F	4,165,931
575	Zoo Animals	45,000	5,973	50,973	-	-	50,973
576	Land	1,855,900	33,555	1,889,455	5,635,500	-	7,524,955
	Capital Subtotal	25,665,703	10,909,834	36,575,537	15,866,977	1,912,576	54,355,090
TOTALS							
Grand totals		\$ 135,123,663	\$ 18,429,803	\$ 153,553,466	\$ 17,396,297	\$ 2,020,125	\$ 172,969,888

CLEVELAND METROPARKS

Appropriations 2021 - Legend - Amendment #12

OPERATING

51 SALARIES

- \$ 1,000 Increase in restricted fund appropriations for Salaries Part-Time for Zoo Education's Youth Advisory Council program
Appropriation increase will be covered by existing CZS restricted funds
- \$ (3,398) Transfer of restricted fund appropriations from Full Time Salaries to PERS to align with expenses
Net budget effect is zero
- \$ 1,678 Increase in restricted fund appropriations for Full Time Salaries for Youth Sailing Club
Appropriation increase will be covered by existing restricted funds

A \$ (720) Total increase (decrease) to Salaries

52 FRINGE BENEFITS

- \$ 5,780 Transfer of restricted fund appropriations from Full Time Salaries & Other Contractual Services to PERS & Medicare to align with expenses
Net budget effect is zero
- \$ 260 Increase in restricted fund appropriations for PERS & Medicare for Youth Sailing Club
Appropriation increase will be covered by existing restricted funds

B \$ 6,040 Total increase (decrease) to Fringe Benefits

53 CONTRACTUAL SERVICES

- \$ 22,723 Transfer of appropriations from Capital Construction Expenses to Other Contractual Services for additional Tyler Tech fees
Net budget effect is zero
- \$ 10,378 Increase in restricted fund appropriations for Other Contractual Services for Zoo Education's Youth Advisory Council program
Appropriation increase will be covered by existing CZS restricted funds
- \$ (2,382) Transfer of restricted fund appropriations from Other Contractual Services to PERS & Medicare to align with expenses
Net budget effect is zero
- \$ 325 Transfer of appropriations from Vehicle Repairs & Vehicle Fluids to Other Contractual Services for annual permit costs
Net budget effect is zero
- \$ (2,500) Transfer of appropriations from Maintenance Service Contracts to Minor Computer Equipment for replacement PCs
Net budget effect is zero
- \$ 620 Transfer of appropriations from Vehicle Repairs to Other Contractual Services for Audobon recertification
Net budget effect is zero

C \$ 29,164 Total increase (decrease) to Contractual Services

54 OFFICE OPERATIONS

- \$ 47,600 Increase in appropriations for Enterprise Expenses for range balls at Golf
Appropriation increase will be covered by increased driving range revenue
- \$ (31,561) Transfer of appropriations from Minor Computer Equip. to Technology Equipment for PC replacements
Net budget effect is zero
- \$ 17,500 Increase in restricted fund appropriations for Spirits for Resale
Appropriation increase will be covered by existing relief restricted funds
- \$ 40,000 Increase in restricted fund appropriations for Animal Care, Animal Food, Pharmaceutical Supplies & Endocrinology Supplies at the Zoo
Appropriation increase will be covered by existing CZS restricted funds
- \$ 10,000 Increase in restricted fund appropriations for Property Maintenance Supplies for boat ramp repairs
Appropriation increase will be covered by existing restricted funds
- \$ 2,622 Increase in restricted fund appropriations for Conferences/Training, Business Meetings & Program Supplies for Zoo Education's Youth Advisory Council program
Appropriation increase will be covered by existing CZS restricted funds
- \$ (325) Transfer of appropriations from Vehicle Repairs & Vehicle Fluids to Other Contractual Services for annual permit costs
Net budget effect is zero
- \$ 2,500 Transfer of appropriations from Maintenance Service Contracts to Minor Computer Equipment for replacement PCs
Net budget effect is zero

CLEVELAND METROPARKS

Appropriations 2021 - Legend - Amendment #12

- \$ (7,000) Transfer of appropriations from Office Equipment Maintenance to Technology Equipment for microfilm scanner
Net budget effect is zero
- \$ (6,000) Transfer of appropriations from Portable Toilet Rentals to Technology Equipment for computer replacements
Net budget effect is zero
- \$ (1,080) Transfer of appropriations from Uniforms to Technology Equipment for PC replacements
Net budget effect is zero
- \$ (620) Transfer of appropriations from Vehicle Repairs to Other Contractual Services for Audobon recertification
Net budget effect is zero
- \$ (571) Transfer of restricted appropriations from Program Supplies & Office Supplies to Technology Equipment for PC replacements
Net budget effect is zero

D \$ 73,065 Total increase (decrease) to Office Operations

\$ 107,549 TOTAL INCREASE (DECREASE) TO OPERATIONS

CAPITAL

572 CAPITAL CONSTRUCTION EXPENSES

- \$ (22,723) Transfer of appropriations from Capital Construction Expenses to Other Contractual Services for additional Tyler Tech fees
Net budget effect is zero
- \$ 20,000 Increase in restricted appropriations for Capital Project Expenses for ambassador animal holding improvements
Appropriation increase will be covered by new restricted funds
- \$ 784,000 Increase in restricted appropriations for Capital Project Expenses for Primate Exhibit design
Appropriation increase will be covered by new restricted funds (state grant)
- \$ 29,720 Transfer of appropriations from Technology Equipment to Capital Construction Expenses for Police HQ repairs
Net budget effect is zero
- \$ 675,000 Increase in restricted fund appropriations for Capital Project Expenses for Garfield Pond
Appropriation increase will be covered by existing restricted funds

E \$ 1,485,997 Total increase (decrease) to Capital Construction Expenses

574 CAPITAL EQUIPMENT

- \$ 410,000 Increase in restricted fund appropriations for Trucks for emergency purchase to address supply chain issues
Appropriation increase will be covered by existing restricted funds
- \$ 32,132 Transfer of appropriations from Minor Computer Equip. to Technology Equipment for PC replacements
Net budget effect is zero
- \$ 87 Increase in restricted fund appropriations for Misc. Capital Equipment for necessary animal monitoring costs
Net budget effect is zero
- \$ 7,000 Transfer of appropriations from Office Equipment Maintenance to Technology Equipment for microfilm scanner
Net budget effect is zero
- \$ 6,000 Transfer of appropriations from Portable Toilet Rentals to Technology Equipment for computer replacements
Net budget effect is zero
- \$ 1,080 Transfer of appropriations from Uniforms to Technology Equipment for PC replacements
Net budget effect is zero
- \$ (29,720) Transfer of appropriations from Technology Equipment to Capital Construction Expenses for Police HQ repairs
Net budget effect is zero

F \$ 426,579 Total increase (decrease) to Capital Equipment

\$ 1,912,576 TOTAL INCREASE (DECREASE) TO CAPITAL

\$ 2,020,125 GRAND TOTAL - INCREASE (DECREASE) FOR AMENDMENT

RESOLUTION NO. 4499 - Adopted August 1, 1977
 RESOLUTION NO. 4682 - Revised October 6, 1980
 RESOLUTION NO. 4867 - Revised June 17, 1985
 RESOLUTION NO. 4887 - Revised October 21, 1985
 RESOLUTION NO. 4986 - Revised March 21, 1988
 RESOLUTION NO. 5034 - Revised January 9, 1989
 RESOLUTION NO. 90-01-010 - Revised January 12, 1990
 RESOLUTION NO. 91-01-006 - Revised January 10, 1991
 RESOLUTION NO. 92-01-006 - Revised January 9, 1992
 RESOLUTION NO. 93-01-005 - Revised January 8, 1993
 RESOLUTION NO. 98-01-009 - January 9, 1998 (no revisions from May 7, 1997)
 RESOLUTION NO. 99-01-006 - January 14, 1999
 RESOLUTION NO. 94-01-007 - Revised January 13, 1994
 RESOLUTION NO. 95-01-009 - Revised January 5, 1995
 RESOLUTION NO. 96-01-006 - Revised January 9, 1996
 RESOLUTION NO. 97-01-007 - Revised January 9, 1997
 RESOLUTION NO. 97-05-130 - Revised May 7, 1997

RESOLUTION NO. 00-01-007 - January 6, 2000
 RESOLUTION NO. 01-01-007 - January 11, 2001
 RESOLUTION NO. 03-01-006 - January 9, 2003
 RESOLUTION NO. 06-01-005 - January 9, 2006
 RESOLUTION NO. 08-01-005 - January 10, 2008
 RESOLUTION NO. 13-01-006- January 10, 2013
 RESOLUTION NO. 15-01-006 - January 8, 2015
 RESOLUTION NO. 16-01-004 - January 7, 2016
 RESOLUTION NO. 16-05-095 - May 26, 2016
 RESOLUTION NO. 17-01-004 - January 6, 2017
 RESOLUTION NO. 18-01-004 - January 18, 2018
 RESOLUTION NO. 20-01-006 - January 15, 2020
 RESOLUTION NO. 21-01-004 - January 14, 2021
RESOLUTION NO. 21-12- - December 16, 2021

BOARD OF PARK COMMISSIONERS OF THE
CLEVELAND METROPOLITAN PARK DISTRICT
BY-LAWS

ARTICLE 1. BOARD OF PARK COMMISSIONERS

Section 1. Board of Park Commissioners. The commissioners, appointed in accordance with Section 1545.09 of the Ohio Revised Code (ORC), will constitute the Board of Park Commissioners of the Cleveland Metropolitan Park District (the "Board") and shall have all of the powers and responsibilities enumerated in ORC Chapter 1545. Commissioners will serve without compensation, but will be allowed their actual and necessary expenses incurred in the performance of their duties pursuant to ORC §1545.05. The Board was created on July 23, 1917 by action of the Cuyahoga County Probate Court in accordance with provisions of ORC Chapter 1545, constitutes a separate political subdivision of the State of Ohio, and as such is not subject to the jurisdiction of any local form of government such as a county, municipality or township.

- a. Board Policies: The Board shall serve as the policy-making approval authority and shall review Board level policy at least once every five (5) years or more often as necessary. New Board policies shall have two public readings before being voted upon and adopted by the Board. Existing Board policies which are being reviewed at the five-year anniversary and contain no substantial changes, may be adopted upon one public reading.
- b. Park District Ordinances: The Board shall adopt, on an annual basis, and more frequently if necessary, Rules and Regulations that are numbered laws or decrees. Ordinances are developed by the Chief Police, Chief Prosecuting Attorney and Chief Legal & Ethics Officer and submitted to the Board for adoption.

Section 2. Quorum. Two members constitute a quorum of the Board for any meeting. Actions of the Board may be by motion or resolution with affirmative votes of at least two members necessary in order to adopt any motion or resolution. The President may second and vote on any action.

Section 3. Officers and Appointments of the Board.

- a. The officers of this Board shall consist of a President and two Vice Presidents, and shall serve one year terms. Board members shall annually rotate through the officer positions at the first meeting of the calendar year as determined by the date of his or her appointment to the Board. Specifically, unless otherwise as is necessary, a newly appointed Board member shall serve one, one-year term as Vice President prior to serving as President. Once a Board member serves his/her term as President and if the Probate Judge appoints the Board member to an

additional term, he/she shall then serve at least one, one-year term as Vice President prior to serving an additional term as President. Pursuant to ORC §1545.07, an Executive Director-Secretary shall be chosen by the Board, and a Treasurer and outside ~~General-legal c~~Counsel, ~~and other counsel deemed necessary~~, shall be chosen by the Board at the latest by the first meeting of the calendar year, to serve at the pleasure of the Board, and none of such positions shall be filled by members of the Board. This provision does not preclude additional legal counsel from being retained throughout the year pursuant to Article 5.

- b. The Executive Director-Secretary shall be known as the Chief Executive Officer (CEO) of the Cleveland Metropolitan Park District and shall serve as the secretary to the Board pursuant to ORC §1545.07. The CEO shall make an accurate and permanent record of the proceedings of the Board, affix his/her signature thereto after the proceedings have been approved, shall certify all vouchers approved by the Board for payment, shall set employee compensation including but not limited to tips/gratuities, commissions, merit bonuses, moving expenses, in accordance with the Board-approved compensation range established pursuant to Article 4, and shall sign, as authorized, all legal documents for and on behalf of the Board, and may authorize employees to serve in their official capacity on certain boards, commissions or offices. In the absence of the CEO from the office which is documented by a written statement, his/her designee, shall serve in the place of the CEO. The CEO may designate certain staff to execute template contracts which have been created or approved by the Legal Department. The CEO shall have the responsibility of approving operational and administrative policies which have been developed and updated by staff. These operational and administrative policies shall govern the day-to-day operations, and shall be consistent with the policies formulated and adopted by the Board.
- c. The Treasurer shall be an ex officio officer of the Board and shall be known as the Chief Financial Officer (CFO), serve as custodian of their funds and serve as their fiscal officer pursuant to ORC §1545.07. The CFO will endorse all checks payable to the depository of the Board, depositing to the credit of the Board all monies received and shall certify sufficiency of funds for contracts and vouchers on behalf of the Board. The CFO shall sign all checks for payment of Board approved and CEO certified payables. The CFO shall also sign all payroll checks in compliance with the Administrative Procedure for Payroll Processing. In the absence of the CFO, his/her designee, shall serve in the place of the CFO.

ARTICLE 2. MEETINGS OF THE BOARD

Section 1. Meetings. As used herein, "meeting" shall be defined as any prearranged discussion of the public business of the Board by a majority of its members.

Section 2. Business of the Board. Every meeting of the Board shall be open to the public, except the section of the meeting held in an Executive Session pursuant to applicable state law.

Section 3. Posting Time and Place of Meetings. Regular or special meetings of the Board will be determined by the Board. The meetings will be held at such times and places as the Board will from time to time designate. Notice of the date, time and place of regularly scheduled meetings will be determined annually no later than the first meeting of the calendar year, subject to change at the Board's sole discretion, and that schedule will be posted on the Board's Web site and in the Administrative Offices located at 4101 Fulton Parkway, Cleveland, Ohio 44144.

Section 4. Notice of Regular and Special Meetings to the Public. Notice of any change in date, time, or place of a regular meeting shall be posted on the Board's Web site and in the Administrative Offices at least 72 hours in advance of such meeting. The time, place and purpose of a special meeting shall be posted on the Board's Web site and in the Administrative Offices at least twenty-four hours in advance of such meeting, except in the case of an emergency meeting.

- a. Any person who desires to receive advance personal notice of any change in date, time or place of a regular meeting or of any regular or special meeting of the Board at which any specific type of business is to be discussed may receive such advance notice by requesting in writing annually that the CEO put his or her name on a list, and by providing (1) a current email address; or (2) current phone number; or (3) self-addressed, stamped envelopes or postcards. Notice of emergency meetings of the Board requiring immediate official action will be given only to the news media that have requested notification immediately pursuant to ORC §121.22 and as the same may be amended.

Section 5. Notification of Regular and Special Meetings to the News Media. News media requesting notification of any meetings of the Board will provide the CEO with written designation of the person to whom notification will be given, including said person's name, phone number and e-mail address. The Board will, if at all possible, provide such notice only within normal working hours. It shall be the obligation of the news media requesting notification to keep this written designation current at all times.

Section 6. Special Meetings. Special meetings of the Board shall be held upon call of any member of the Board or the CEO. Notices of special meetings shall be mailed to each member at least twenty-four hours before the time of such meetings or given by telephone, e-mail or personally served on each member at least three hours before the time of such meeting. If any member of the Board is unavailable for a period of at least twenty-four hours before such special meeting, failure of such member to receive notice of a special meeting shall not invalidate such meeting or any of its proceedings.

Section 7. Minutes of the Board. An accurate and permanent record of the proceedings and minutes of all meetings, regular and special, shall be kept and entered in a book to be known as the "Minutes of the Board"; and the record of each meeting in the "Minutes of the Board" shall be and constitute the only evidence of the acts of the Board at such meeting, when signed at the end of the record of such meeting by the presiding officer and CEO. The Resolutions shall be properly indexed. In addition, each meeting shall be tape recorded and those tapes kept in the Board archives as dictated by the records retention schedule. The CEO shall be the official custodian of all the records of the Board and shall be the proper person to certify any action of the Board.

Section 8. Minutes for Public Inspection. The minutes of the Board shall be open for public inspection and recorded after they have been read and approved by the Board. The minutes need only reflect the general subject matter of discussions in Executive Sessions which have been called and held pursuant to and in compliance with the applicable law.

Section 9. Business for Consideration of the Board. All petitions, applications and communications intended for the consideration of the Board (other than those presented by the members of the Board) must be in writing and shall not be considered nor acted upon by the Board unless placed in the hands of the CEO at least five (5) days before the meeting of the Board; provided, however, that the Board may grant exceptions to such requirement in its sole discretion. Public comment at board meetings is at the sole discretion of the Board and, if permitted, shall be received in a manner prescribed by the Board President.

Section 10. Absence of President. The President shall preside at all meetings. In the absence or disability of the President, a Vice President shall perform this duty. "Robert's Rules of Parliamentary Procedure" shall guide the proceedings of the Board when not expressly covered or provided for herein.

Section 11. Order of Business. The business of the Board will generally be considered as follows:

- a. Roll call.
- b. Minutes of previous meeting for approval or amendment.
- c. Presentation of Financial Statement.
- d. New Business/CEO's Report.
 - ~~ii.~~ i. Approval of action items.
 - ~~iii.~~ ii. Approval of resolution to pay expenses of the Board.
- e. Information/Briefing Items/Policy.
- f. Old business.
- g. Schedule for next meeting.

ARTICLE 3. ETHICS

Section 1. Ohio Ethics Laws. The Board and all of its employees are bound by Ohio's Ethics Laws as codified in Chapters 102 and 2921 of the Ohio Revised Code and as interpreted by the courts of Ohio and by the Opinions of the Ohio Ethics Commission and shall act in full compliance therewith. Additionally, the Board and all of its employees shall not violate any other provision of Ohio Law including, but not limited to, bribery and theft prohibitions.

Section 2. Conflict of Interest Process. In an effort to assist the Board's and its employees' compliance with the conflict of interest provisions of Ohio's Ethics Laws, a conflict of interest vetting process, which includes the review of a list of all Cleveland Metroparks current vendors and/or contractors, shall be completed ~~at least biennially~~ annually. In the event that a conflict of interest scenario would arise after the annual conflict of interest process was conducted, the Board member or employee shall disclose the potential conflict of interest to the CFO and Chief Legal & Ethics Officer to determine appropriate next steps.

ARTICLE 4. EMPLOYEES

The Board shall set the ~~CEO salary~~ ~~ies of the CEO~~ and ~~the CEO shall set the~~ CFO salary. The Board shall also fix the compensation range for all employees, and no person shall be employed in any position unless the compensation has been fixed for such position. The Board, in its discretion, may review the appointments of senior staff positions, prior to the person's employment, consisting of, *inter alia*, the Executive Director of Cleveland Metroparks Zoo; Chief Legal & Ethics Officer; Chief Human Resources Officer; Chief Operating Officer; Chief Planning and Design Officer; Chief Marketing Officer; Chief of Police; Executive Director of

Golf Operations, -Chief Information Officer, Chief Development Officer. Appointment of Police personnel shall be in conformance with ORC §1545.13.

ARTICLE 5. PROCUREMENT

Section 1. Procurement of Goods. In procuring any goods, the Board shall contract as a contracting authority under ORC §§[307.86](#) to [307.91](#).

Section 2. Procurement of Services.

- a. *Services with a cost of greater than ~~\$51,000~~ and up to and including \$50,000.* In contracting for services, unless otherwise required under any of ORC §§9.33 to 9.334 or 153.65 to 153.71, inclusive, the CEO may, after considering no fewer than three quotes from persons or entities who could perform the contract and the competence, ability and availability of said person or entity, hire any such person or entity and authorize a contract therewith.
- b. *Services with a cost over \$50,000.* In contracting for services except the services of an accountant, attorney at law, physician, consultant, surveyor, or appraiser, unless otherwise required under any of ORC §§9.33 to 9.334, inclusive, the CEO shall issue a Request for Proposal (RFP), Request for Qualifications (RFQu), Request for Information (RFI) or other competitive process to evaluate the competence, ability and availability of any person or entity and, upon the recommendation of the CEO, the Board may hire any such person or entity and authorize a contract therewith. For services of an accountant, attorney at law, physician, consultant, or appraiser, Section 2(a) shall be followed.
- c. For services valued at or below ~~\$51,000~~, the CEO is authorized to implement procurement process requirements.
- d. For services obtained pursuant to Sections 2(a) or (b), the CEO need not obtain three quotes or issue a RFP, RFQu, or RFI if: (a) the purchase is being made pursuant to a joint purchasing program similar to those addressed by ORC § 9.48; (b) the purchase is of services of a proprietary nature or are otherwise limited to a single source; or (c) the purchase is from the federal government, the state, another county or contracting authority of another county, or a board of education, educational service center, township or municipal corporation.
- e. In procuring “professional design services,” the Board shall comply with §§ 153.65 — 153.99 of the Ohio Revised Code. “Professional design services” means services within the scope of practice of an architect or landscape architect registered under Chapter 4703. of the Revised Code or a professional engineer or surveyor registered under Chapter 4733. of the Revised Code.

Section 3. Concession/Management Operations or Special Services.

- a. For agreements valued under \$100,000.00 per annum, the CEO may approve a concession/management agreement for a “new concession/management operation” on a trial, or pilot, basis to last no longer than three (3) years without conducting a RFP, RFQu, RFI or other competitive process. A “new concession/management operation” is defined as a concession/management operation the Board has not contracted for in the immediately preceding five (5) years at that location. After the trial or pilot period, an RFP, RFQu, RFI or other competitive process which evaluates multiple criteria (*i.e.*, including, but not limited to, quality, consistency with the Park District mission, level of revenue generated, etc.) shall be utilized to identify the person or entity to conduct the concession/management operation that has completed a trial or pilot time period.
- b. The CEO shall issue a RFP, RFQu, RFI or other competitive process for all concession/management operations that do not qualify as a “new concession/management operation,” to evaluate the -competence, ability and availability of any person or entity, and upon the recommendation of the CEO, the Board, -may hire any such person or entity and authorize a contract therewith.
 - i. Contracts for concession, management operation or other special services under Section 2(c)(ii) may be for a period of years not to exceed five (5) years, except where substantial capital improvements to be paid by the concessionaire/management entity are involved. Any such contracts may be renewed by the Board on one or more occasions, but the total number of years of all such renewals combined may not exceed the number of years of the initial contract period. Thereafter, any consideration of a further contract for the same service must first be advertised, new bids or proposals received, and then accepted by the Board.

Section 4. Procurement of Construction

- a. *Cost Up To and including \$50,000.* In contracting for anything to be constructed at a cost up to \$50,000 unless otherwise required under ORC §§ 153.12 to 153.14, 9.33 to 9.334, or 153.65 to 153.71, inclusive, the CEO may, after considering no fewer than three quotes from persons or entities who could perform the contract and the competence, ability and availability of said person or entity, hire any such person or entity and authorize a contract therewith.
- b. *Cost Over \$50,000.* For anything to be constructed at a cost of greater than \$50,000, -the Board shall award all construction contracts to the bidder it determines to be the lowest and best bidder or the best value proposer, as the case may be, in accordance with the applicable provisions of ORC §§ 153.12 to 153.14, 9.33 to 9.334, or 153.65 to 153.71 inclusive.

Section 5. Procurement Authority of CEO.

- a. *Authority up to and including \$50,000.* 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.
- b. *Change Orders.* For construction contracts that are greater than \$50,000, the CEO is not authorized to enter into any change orders to construction contracts, without prior approval of the Board in each instance, except that the CEO is authorized to enter into change orders to construction contracts, without prior approval of the Board in each instance, where the additional cost is less than THE LESSER OF: (i) \$50,000, or (ii) ten percent (10%) of the total -cost of the contract at the time of the change order. Each change order by the CEO under this Article shall be reported to the Board at the next meeting of the Board following the execution of said change order. The aggregate value of all change orders authorized by the CEO shall not exceed fifty percent (50%) of the original contract value without prior approval of the Board. If the Board approves a revised contract value, then the aggregate value of all change orders issued after Board approval of the revised contract value shall not exceed fifty percent (50%) of the revised contract value without additional approval of the Board.
- 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, are aggregate less than THE LESSER OF: (i) \$50,000, or (ii) ten percent (10%) of the total cost of the agreement at the time of the amendment. Each amendment by the CEO under this Section shall be reported to the Board at the next meeting of the Board following the execution of said amendment. The aggregate value of all amendments authorized by the CEO shall not exceed fifty percent (50%) of the original contract value without prior approval of the Board. If the Board approves a revised contract value, then the aggregate value of all change orders issued after Board approval of the revised contract value shall not exceed fifty percent (50%) of the revised contract value without additional approval of the Board.
- d. *Emergencies.* All goods and services must be procured in accordance with Sections 1, 2, 3 and 4 of this Article 5, except that when, due to an emergency beyond the control of the Board, or any of its officers, employees or agents, the CEO determines that the delay in utilizing the bidding or proposal process would create a real and present danger to the health, safety or well-being of the public, Board employees, or Park animals or turf or other significant resources, the CEO shall be deemed authorized, after considering the competence, ability, availability and price of any person, firm, or corporation, with respect to any services or goods, including without limitation services and goods, to hire the person, firm, or corporation and to execute a contract with such person, firm or corporation, provided that the CEO shall report such actions to each member of the Board by telephone, e-mail or facsimile transmission within one workday of such actions and by written summary of such actions containing the determination and the reasons therefore at the next meeting of the Board for ratification of the emergency contract by the Board.

Section 6. No value or use.

- a. *Sale at Auction.* Personal property not needed for Park purposes, the estimated value of which is less than \$10,000, may

be sold upon approval by the CEO at public auction or by informal quotations to the highest informal bidder. Personal property not needed for Park purposes, the estimated value of which is \$10,000 or greater, may be sold upon approval by the Board at public auction or by informal quotations to the highest informal bidder. The auctioning of property set forth in this Section 6(a) may be conducted via internet auction.

- b. *Donation or Disposal of Items of No Value.* Personal property that is obsolete or unfit for the use for which it was acquired or that has no value may be auctioned at a public auction, discarded, or donated to an organization or individual deemed appropriate in the CEO's discretion.
- c. *Donation or Disposal of Items Not Saleable.* When the CEO or Board has offered personal property for sale at public auction at least once pursuant to Subsection 6(a) or 6(b), and the property has not been sold, the CEO, for property valued at less than \$10,000, or the Board, for property valued at \$10,000 or more, may authorize the sale of the property at a private sale, discard the property, or donate the property to an organization or individual deemed appropriate in the CEO's discretion.

Section 7. Certification by CFO. All contracts will be certified by the CFO for sufficiency of funds.

Section 8. Rejection of Bids and/or Proposals. In awarding any contracts pursuant to Article 5 of the By-Laws, the Board may choose to reject all bids and/or proposals.

Section 9. No Split or division. No contract may be artificially split or divided so as to avoid any of the bidding requirements provided in these By-Laws.

ARTICLE 6. APPROVAL OF VOUCHERS

Section 1. Voucher for Payment. All vouchers in payment of bills shall be certified by the CEO and then ratified for payment by a resolution duly approved by the Board at the board meeting immediately following payment.

Section 2. Approval of Payment. The resolution authorizing payment shall not include any voucher which has not been first approved by the proper employee of the Board, as to its quantity, quality, price, validity and legality.

Section 3. Certification. The CFO shall not issue his/her check unless the voucher is certified by the CEO.

ARTICLE 7. PERMANENT FILES

No papers or documents belonging to the permanent files of the Board shall be taken out of the office of the Board, except upon approval of the Board, or upon legal process.

ARTICLE 8. SETTLEMENT AUTHORITY

Section 1. Value. The following Board employees or insurance carriers pursuant to the terms of an agreement approved by the Chief Legal & Ethics Officer shall have authority to settle claims arising against the Board for up to and including the following amounts: Insurance Carrier: \$10,000; Director of Risk Management--\$25,000; Chief Legal & Ethics Officer--\$50,000; CEO--\$100,000.

Section 2. Limit of Authority. No such claim shall be settled for more than \$100,000 without the prior approval of the Board through passage of a resolution.

All previous resolutions pertaining to the bylaws of the Board of Park Commissioners of the Cleveland Metropolitan Park District are hereby repealed.

Approved this 16th day of ~~December~~January 2021.

Board of Park Commissioners
Cleveland Metropolitan Park District

Attest:

DECEMBER 16, 2021

95159

President Daniel T. Moore

Brian M. Zimmerman, Chief Executive Officer

Vice President Debra K. Berry

Vice President Bruce G. Rinker

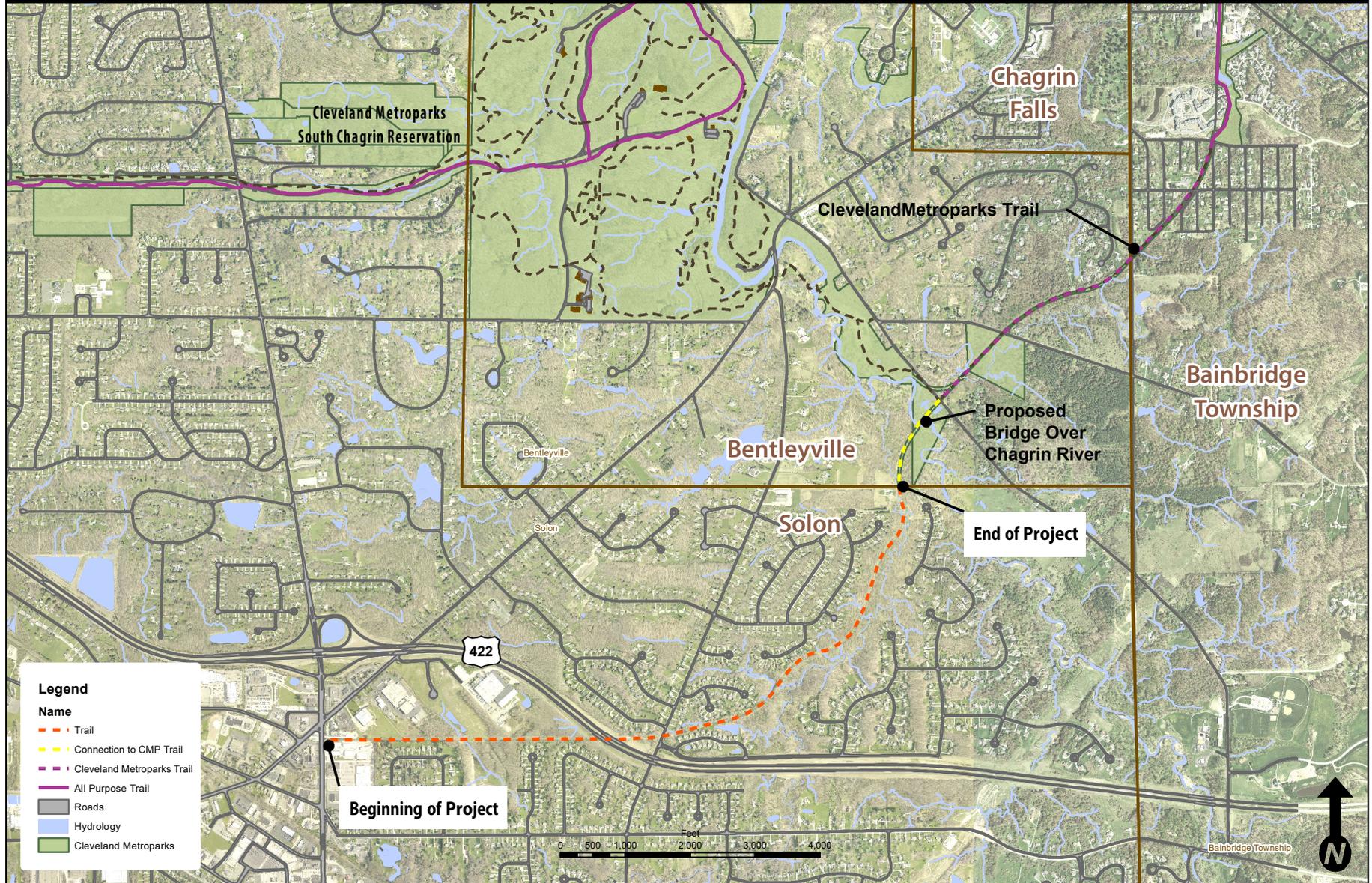
West Creek Reservation

West Creek Conservancy Property - Parma



South Chagrin Reservation

Solon to Chagrin Falls Trail



RESOLUTION NO. 21-12-172

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.

Wire Transfer dated November 12, 2021 in the amount of \$524,239.89

Printed Checks dated November 12, 2021 in the amount of \$465,254.80

Direct Disbursement dated November 19, 2021 in the amount of \$3,502.56

Printed Checks dated November 19, 2021 in the amount of \$778,742.78

Direct Disbursement dated November 23, 2021 in the amount of \$6,326.50

Wire Transfer dated November 23, 2021 in the amount of \$536,890.72

Printed Checks dated November 23, 2021 in the amount of \$566,470.77

Wire Transfer dated December 3, 2021 in the amount of \$172,392.48

Printed Checks dated December 3, 2021 in the amount of \$4,541,678.97

Net Payroll dated October 24, 2021 to November 6, 2021 in the amount of \$1,205,771.38

Withholding Taxes in the amount of \$277,409.00

Net Payroll dated November 7, 2021 to November 20, 2021 in the amount of \$1,229,081.31

Withholding Taxes in the amount of \$285,940.26

Bank Fees/ADP Fees in the amount of \$39,234.66

Cigna Payments in the amount of \$510,454.57

ACH Debits (First Energy; Sales Tax) in the amount of \$72,370.01

JP Morgan Mastercard/Mastercard Travel Card dated November 7, 2021 to November 27, 2021 in the amount of \$342,305.05

Total amount: \$11,558,065.71

PASSED: December 16, 2021

Attest: _____

President of The Board of Park Commissioners

Chief Executive Officer

RECOMMENDED ACTION: That the Board of Park Commissioners approves **Resolution No. 21-12-172** listed above.

RESOLUTION NO. 21-12-173

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

Attest: _____

Chief Financial Officer

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

JP Morgan Mastercard-Arborwear dated November 7, 2021 to November 27, 2021 in the amount \$537.85

Total amount: \$537.85

PASSED: December 16, 2021

Attest: _____

President of The Board of Park Commissioners

Chief Executive Officer

RECOMMENDED ACTION:

That the Board of Park Commissioners approves **Resolution No. 21-12-173** listed above.