

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

MARCH 15, 2012**

The Board of Park Commissioners met on this date, Thursday, March 15, 2012, 9:08 a.m., at the Lake Erie Nature & Science Center, 28728 Wolf Road, Bay Village, Ohio 44140.

The roll call showed President Bruce G. Rinker, Vice President Dan T. Moore, and Vice President Debra K. Berry to be present. It was determined there was a quorum. Executive Director-Secretary Brian M. Zimmerman, Treasurer David J. Kuntz, and Law Director Rose M. Fini were also in attendance.

ORGANIZATION OF THE BOARD.

Commissioner Rinker reminded everyone that at the beginning of the year, the Board strayed from the normal rotation of electing officers due to an ethics review by the Ohio Ethics Commission with respect to Commissioner Moore.

As noted in the Minutes of the Special Meeting held on March 10, 2012 (which was the first opportunity that the Board had to meet since the opinion was received from the Ohio Ethics Commission on February 27, 2012), Law Director Fini provided an update on the recent decision with respect to certain business interests of Commissioner Moore. Specifically, Law Director Fini stated that since April 2011, Cleveland Metroparks staff had been working collaboratively and proactively with Commissioner Moore to assure that these matters were handled appropriately.

As a result, the Ohio Ethics Commission opined that Commissioner Moore shall not participate in discussion or voting, in his role as a member of the Board of Park Commissioners, with respect to the following topics: (1) Wendy Park; (2) Whiskey Island (including issues impacting ingress and egress to the Island); (3) Community Connector Trails from Canal Basin to Lakefront; (4) Lake Link Trail, a proposed trail that will link the Towpath Trail with Whiskey Island and Wendy Park; and (5) Lakefront Connector Bridge, a pedestrian bicycle bridge to Wendy Park. The aforementioned items will be placed on the agenda in a manner that will allow Commissioner Moore to recuse himself and not participate in the discussion or the vote.

However, Law Director Fini emphasized that the Ethics Commission reminded Cleveland Metroparks that Commissioner Moore could in fact participate in discussions related to the aforementioned topics as an individual citizen, the same as any other citizen.

Commissioner Moore clarified the decision of the Ethics Commission by verifying that he is not allowed to be involved with the Towpath as it starts at the Scranton Road Peninsula. He is, however, allowed to be involved with the Towpath as it passes through the Steelyard. In addition, Commissioner Moore advised that he is no longer involved with the Wendy Park Foundation, nor is any member of his staff.

No. 12-03-051: It was moved by Bruce G. Rinker, seconded by Debra K. Berry and carried, to nominate Dan T. Moore as President of the Board for the remainder of 2012, and further, to nominate Bruce G. Rinker and Debra K. Berry as Vice Presidents of the Board for the remainder of 2012.

Vote on the motion was as follows:

Aye: Mr. Rinker

Aye: Ms. Berry

Aye: Mr. Moore

Nays: None

DIRECTOR'S REPORT.

Director Zimmerman thanked Catherine Timko, Executive Director of Lake Erie Nature & Science Center, and Colleen Lowmiller, President of Lake Erie Nature & Science Center, for hosting today's Board meeting, and for providing a tour of the facility this morning to highlight the great improvements and accomplishments taking place, such as the Wildlife Rehabilitation Area downstairs.

Also, Director Zimmerman stated that one of the things they have talked about is changing the order of the agenda from time to time due to the desire to spend more time on Information Items. With that said, several items on the agenda were taken out of order with the discussion of Action Items being first, followed by Bid summaries, and finally Information Items.

ACTION ITEMS.

- Van Meter, Ashbrook & Associates***
(Originating Source: Brian M. Zimmerman, Executive Director)

On November 17, 2011, the Board approved a Purchase Order payable to Van Meter, Ashbrook & Associates in the amount of \$20,000 for government and direct advocacy consulting services on behalf of Cleveland Metroparks. Said amount was approved by the Board under the standard "ITEMS/SERVICES \$5,000-\$20,000" list on an interim basis. To date, invoices totaling \$20,000 have been paid to Van Meter, Ashbrook & Associates for services rendered through March 2012.

At this time, the Executive Director has deemed it necessary to continue utilizing the services of Van Meter, Ashbrook & Associates, and therefore requests Board approval to increase the Purchase Order in an amount not to exceed ~~\$45,000~~ \$50,000, for additional services rendered from ~~April~~ March 2012 through December 2012.

No. 12-03-052: It was moved by Vice President Berry, seconded by Vice President Rinker and carried, to authorize an award for additional services rendered to Van Meter, Ashbrook & Associates, as hereinabove described, for a period from ~~April~~ **March** 2012 through December 2012, in an amount not to exceed ~~\$45,000~~ **\$50,000**.

Vote on the motion was as follows:

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

2. Professional Engineering Services Agreement Amendment Re: 2007 to 2011 Park District Bridge Inspection and Rehabilitation/Replacement Program; 2012 Bridge Inspection Task
(Originating Sources: Richard J. Kerber, P.E., Director of Planning, Design and Natural Resources / John C. Kilgore, P.E., Chief of Engineering and Design)

Background:

The State of Ohio requires governmental entities to have an annual bridge inspection program for all bridges used by public vehicles. The Ohio Department of Transportation (ODOT) requires that the inspections be performed by an organization qualified and certified to perform the work. An annual condition report for each roadway bridge is transmitted to ODOT, who maintains an inspection database. Cleveland Metroparks program also includes bridges that carry maintenance vehicles, APT bridges and a number of selected trail bridges that have longer spans and/or are advanced in age at least once every five years.

Cleveland Metroparks issued Request for Qualifications (RFP) No. 5183 in May 2006 for engineering firms to provide bridge inspection and/or bridge rehabilitation/replacement engineering design services for the period from 2007 through 2011. On January 25, 2007, the Board approved the award of a contract to the engineering firm of Euthenics, Inc., to perform the annual inspection services. In 2011 Euthenics completed inspection of 44 roadway bridges and fords with the following summary results according to the ODOT rating system:

Condition Category	Description of Condition	2007 Condition	2011 Condition
Excellent, Very Good or Good	No work needed	16	14
Satisfactory or Fair	Minor deficiencies, still functioning as designed	26	28
Poor or Serious	At least one component with a major deficiency, in need of repair to continue functioning as designed	5	4
Critical, Immanent Failure or Failed	No longer functioning as designed	0	0
Totals		47	44

Five Year Program Summary:

1. Professional Services Fees
 - a. 2007 – Inspections \$46,430.00, Design Services \$150,490.00
 - b. 2008 – Inspections \$21,384.37, Design Services \$ 25,074.37
 - c. 2009 – Inspections \$53,112.00, Design Services \$ 20,824.37
 - d. 2010 – Inspections \$26,436.00, Design Services \$121,140.00
 - e. 2011 – Inspections \$27,965.00, Design Services \$ 0.00

2. Construction Costs for Rehabilitation/Replacement

- a. 2007 – Bridges: 4 Roadway + 3 Trail, Cost \$863,442.64
- b. 2008 – Bridges: 2 Roadway, Cost \$ 146,500
- c. 2009 – Bridges: 2 Roadway, Cost \$ 44,500.00
- d. 2010– Bridges: 2 Roadway, Cost \$498,980.69*
- e. 2011 – Bridges: 0,Cost \$ 0.00

* Old Lorain Road bridge only; Zoo Historic Bridge repair was performed by ODOT.

2012 Inspection Task:

Staff is requesting that the agreement with Euthenics be extended to cover the 2012 inspection task as a continuation of the 2007 to 2011 program. A request for proposal was solicited and received to perform the required annual physical inspection of 43 bridges that currently have ODOT structural numbers, and obtain the inspection report for the 44th bridge where ODOT performs the annual inspection. Standard report forms will also be submitted to ODOT. All results from the noted items will be summarized in bridge physical condition report, submitted in accordance with a negotiated schedule.

No. 12-03-053:

It was moved by Vice President Berry, seconded by Vice President Rinker and carried, to authorize the Executive Director to execute an amendment to the professional services agreement with Euthenics, Inc., in a form acceptable to the Director of Law, pursuant to its proposal dated February 20, 2012, to provide for architectural/engineering services for the 2012 Bridge Inspection Program as described above, in an amount not to exceed \$27,508.00.

Vote on the motion was as follows:

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

Nays: None.

AWARD OF BIDS

BID #5531 RENEWAL: **SEWER CLEANING AND PIT TOILET CLEANING SERVICES** to be supplied “as needed” at various locations throughout Cleveland Metroparks, for a three (3) year period, beginning May 5, 2012 through May 4, 2015

This three-year bid, with an option to award three additional years, requires the successful bidder to provide Sewer Cleaning and Pit Toilet Cleaning Services for various locations throughout Cleveland Metroparks on an “as needed basis.”

The recommended bidder, Inland Waters of Ohio, Inc., was approved for the original three-year term, and had built into the agreement an option to escalate unit costs by 7.5% if the second three-year term was awarded. Inland performed well and met the approval of staff in the first term, and has agreed to hold unit costs for their services without including the 7.5% escalation that was originally approved by the Board on April 30, 2009.

The Purchasing Manager acknowledged the appreciation of the Board to Inland for this gesture and notes that it has a value close to \$25,000 in savings.

No. 12-03-054: It was moved by Vice President Berry, seconded by Vice President Rinker and carried, to authorize the renewal of Bid #5531 to lowest and best bidder, **Inland Waters of Ohio, Inc.**, for a three-year period beginning May 5, 2012 and extending through May 4, 2015, **at a cost not to exceed \$330,000 (total six-year cost not to exceed \$660,000)**, based upon the positive staff recommendation and the vendor’s ability to hold costs without the 7.5% escalation referred to above. In the event log of consumption approaches 90 percent of the total estimate, an action item will be presented to the Board requesting an increase. In the event this vendor cannot satisfy the bid, the award will be given to the next bidder who the Board, in its discretion, has reflected in the minutes as being the next lowest and best bidder who can satisfy the bid. The difference in cost and all related costs to the difference will be assumed by the original bidder and/or surety.

Vote on the motion was as follows:

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

Nays: None.

RFP #5775: CLEVELAND METROPARKS WOODCHIPS AND TREE REMOVAL
for various locations throughout Cleveland Metroparks

Background

Cleveland Metroparks solicited proposals to remove multiple woodchip piles and other tree debris stock piles from various locations throughout Cleveland Metroparks (see list of sites below). The woodchips are generally in large piles, and are also in various stages of decomposition. Other tree debris consists of various tree segments from cleaned up log jams and logs from vegetative management and debris from the 2011 floods.

Cleveland Metroparks is also searching to build a partnership with a contractor to continue to remove woodchips and debris on a continuous basis due to storm damage or other unforeseen events.

2012 Budget Code: 1510 – 72450 – A12004 / Results as follows:

RFP #5775, Cleveland Metroparks Woodchips and Tree Removal	
Budgeted Funds = \$25,000	
<u>Proposer Name</u>	<u>Proposal Amount</u>
Van Curen Services, Inc.	\$49,600
Boyas Excavating, Inc.	Provide a compensation package with various restrictions

Park Operations staff recommends Cleveland Metroparks enter into a contract with VanCuren Services, Inc. for the various areas as indicated below. There are eight (8) targeted areas that need to be addressed, but based on limited funds available, Park Operations selected the top five (5) priority targeted areas (Brecksville Management Center, Chippewa Ford in Brecksville Reservation, Eastland Ford in Mill Stream Run, North Chagrin Management Center, and Under Lorain Road Bridge in Rocky River Reservation (cost per location listed below) to remove woodchips and various wood debris.

<u>Priority Areas</u>	<u>Unit Cost</u>
Brecksville Management Center	\$4,700
Brecksville Chippewa Ford	\$4,500
Mill Stream Run Eastland Ford	\$6,500
North Chagrin Management Center	\$2,800
Rocky River - Under Lorain Road Bridge	\$6,500
Total	\$25,000
<u>Other Areas For Consideration</u>	<u>Unit Cost</u>
Sleepy Hollow Golf Course	\$3,800
Seneca Golf Course	\$18,000
Manakiki Golf Course	\$2,800
Total	\$24,600

No. 12-03-055: It was moved by Vice President Berry, seconded by Vice President Rinker and carried, to authorize the Executive Director to enter into a contract with **VanCuren Services, Inc.**, as the lowest and best proposal for **RFP #5775, Cleveland Metroparks Woodchips and Tree Removal**, for the **lump sum amount of \$25,000**. In the event that the proposer does not satisfy their proposal, the award will be given to the next successive proposer who the Board, in its discretion, has reflected in the minutes as being the next lowest and best proposal who can satisfy the proposal. The difference in cost and all related cost to the difference will be assumed by the original proposer and/or surety. Form of contract to be approved by the Director of Law.

Vote on the motion was as follows:

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

AWARD OF BIDS (cont.)

CO-OP #5806 SUMMARY: ONE NEW 2012 4WD REGULAR CAB DIESEL CAB & CHASSIS (Replacement)

DESIGNATION	Zoo Facility Operations
UNIT(S) REPLACED	1996 Ford F-350 Dump Truck
Mileage and Condition	45,000 mi. (9,300 engine hrs.)
NEW UNIT BASE COST	\$36,299.00
Additional Set of Keys	49.00
Tow Hitch 7 Pin Plug, Brake Controller	199.00
All terrain tire upgrade	249.00
Running Boards	270.00
Cold Weather Starting Aids	69.00
Snow Plow Prep Package	85.00
19,500 GVW Upgrade	1,750.00
Upfitter Switches	250.00
Delivery	157.00
<u>TOTAL COST (with delivery)</u>	\$39,377.00
PURPOSE - use of vehicles	This vehicle will be fitted with a new dumping body and snow plow and used for hauling materials during summer months and snow removal during the winter.
COMPARATIVE UNIT	The most recent purchase of a similar vehicle was in September of 2006 (Bid #5289) at a price of \$47,200. Since those vehicles slightly larger, a direct cost comparison would be inconclusive.

Replaced unit will go to online auction or replace a unit of lesser value that will go to on line auction.

No. 12-03-057: It was moved by Vice President Berry, seconded by Vice President Rinker and carried, to approve the purchase of One (1) New 2012 Ford F550 Model FH5, equipped as specified in the above summary, from **Germain Ford for total cost of \$39,377.00** in full utilization of the Ohio Cooperative Purchasing Program.

Vote on the motion was as follows:

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

ITEMS/SERVICES (\$5,000 - \$20,000) ACQUIRED
SINCE LAST BOARD MEETING (Presented 03/15/12)

Pursuant to Cleveland Metroparks By-Law XIII (a) as revised and approved by the Board of Park Commissioners on January 10, 2008, *"The Executive Director-Secretary is authorized to purchase equipment and services without prior approval of the Board, if the cost of the contract does not exceed \$20,000. Any purchase where the cost exceeds \$5,000 shall be reported to Board at next meeting of the Board following said purchase,"* the following is provided:

<u>REF. NO. / ITEM – SERVICE</u>	<u>VENDOR</u>	<u>COST</u>	<u>PROCEDURE</u>
Attorney to address Board of Tax Appeal matters.	Karen H. Bauernschmidt Company	\$7,500.00	(6)
Settlement in connection with the Raymond Towler vs. Richard DeChant case.	Loevy and Loevy Trust Attorneys	\$15,000.00	(6)
Twelve 14-foot utility boats for Hinckley Boathouse including 24 oars, 12 oar locks and delivery.	Burroughs Marine	\$18,581.40	(8)
Six 10-foot kayaks, four 12-foot kayaks, two tandem kayaks, eighteen 1-piece paddles, eight aluminum canoes, sixteen paddles and delivery to Hinckley Boathouse.	D & D Outfitters	\$12,227.34	(8)
Establishment of an on-line health and wellness "Rewards" program through Cleveland Metroparks "Vitality Program."	Wellness IQ, Inc.	\$19,560.00	(3)
Interface, Leads and annual maintenance fees for 2012 State of Ohio information access for Ranger Department.	Cuyahoga Regional Information System	\$15,960.00	(3)
Various signs to be used in multiple park locations to bring Cleveland Metroparks signage up to current standards.	Grimco, Inc.	\$5,618.67	(8)
6 cases of "plate material" digital media to be used on Visual Communication's printing press.	Presstek, Inc.	\$5,340.22	(8)

ITEMS/SERVICES (\$5,000 - \$20,000) ACQUIRED SINCE LAST BOARD MEETING (cont.)

<u>REF. NO. / ITEM – SERVICE</u>	<u>VENDOR</u>	<u>COST</u>	<u>PROCEDURE</u>
2012 Pontoon Boat (25') with 9.9 HP, 4-stroke Yamaha gas motor for Hinckley Boathouse.	Charles Mill Marina	\$10,995.00	(8)
Work in connection with animal welfare grant study, analyzing behavior, etc.	Bonnie Ann Baird	\$1,500.00 <u>\$4,500.00</u> \$6,000.00	Additional (6)
White and Yellow Pages listing and advertising for various locations throughout Cleveland Metroparks (i.e. The Zoo, golf courses, The Chalet, etc.).	A T & T	\$13,872.00	(3)
Printing of 1,002,000 zoo tickets for 2012.	National Ticket Company	\$9,242.50	(8)
600 ft. of 24" x 20' sections - solid HDPE pipe with 45 degree elbows and split couplers for Rocky River Golf Courses.	FEI – Ferguson Waterworks	\$9,324.00	(8)
Drilling, lab and engineering services related to Hogsback Road landslide in Rocky River Reservation.	EDP Geosciences	\$19,445.00	(6)
Charges for 35 AT&T USB air cards for Rangers CRIS Network access.	AT & T Mobility	\$15,944.40	(3)

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

- (1) "**BID**" - Advertised twice in *The Plain Dealer* during 15 days preceding bid opening/specific bid invitations sent.
- (2) "**OHIO CO-OP**" - Purchased through the Ohio Cooperative Purchasing Program.
- (3) "**SOLE SOURCE**" - Purchased from specified source as competitive alternatives are not available.
- (4) "**PROPRIETARY**" - Items purchased directly from manufacturer at lowest cost. Bid yields sole source results.
- (5) "**COMPETITIVE QUOTE (less than \$5,000)**" - Originally estimated less than \$5,000, quoted by three vendors
- (6) "**PROFESSIONAL SERVICES**" - Authorized by discretionary selection of Executive Director.
- (7) "**ARTICLE XIII**" - Per By-laws - construction projects costing \$20,000 or less may be entered into by Executive Director
- (8) "**COMPETITIVE QUOTE (over \$5,001-\$20,000)**" - Authorized by Executive Director under Board By-Laws where three written quotes are sought.

CONSTRUCTION CHANGE ORDERS

Pursuant to Cleveland Metroparks By-Law XIII (b) as revised and approved by the Board of Park Commissioners on January 10, 2008, "...the Executive Director Secretary is authorized to enter into change orders to construction contracts, without prior approval of the Board in each instance, as follows: (i) for amounts included within an allowance previously approved by the Board as part of the contract; and (ii) for amounts not included within allowances previously approved by the Board as part of the contract where the change orders for that contract by the Executive Director-Secretary pursuant to this By-Law XIII (b) aggregate less than **THE LESSER OF**: (A) \$20,000 or (B) ten percent (10%) of the cost of the contract. Each change order by the Executive Director-Secretary under this By-Law XIII (b) shall be reported to the Board at the next meeting of the Board following the execution of said change order", the following is provided:

There are no change orders to report for this period.

APPROVAL OF MINUTES.

No. 12-03-061: It was moved by Vice President Berry, seconded by Vice President Rinker and carried, to approve the minutes from the Regular Meeting of February 23, 2012 and the Special Meeting of March 10, 2012, 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.

INFORMATION/BRIEFING ITEMS.

1. ***Director's Employee Guest***
(Originating Source: Brian M. Zimmerman, Executive Director)

Erik Shaffer, Management Trainee – Natural Resources

Erik Shaffer was employed at Cleveland Metroparks for many years as a seasonal employee. Most recently, Erik was a Natural Resource Specialist I in the Natural Resources Division. In January 2012, Erik became a full-time employee as part of the Management Trainee Program. Erik holds an Associates of Applied Science in Fish and Wildlife Management from Hocking College in Nelsonville, Ohio, and a Bachelor of Science in Wildlife Management from the University of Minnesota in Crookston, Minnesota. Erik also has certificates in prescribed fire management, chainsaw operation, rope and repelling, ATV operation, water craft/airboat operation, tractor, skid steer, red card, and CPR/first aid.

2. ***Cleveland Metroparks Annual Real Estate Report***
(Originating Sources: Donna L. Studniarz, Chief of Strategic Initiatives/Stephanie Kutsko, Land Protection Coordinator)

Each year a report of Cleveland Metroparks land acquisitions is prepared highlighting the past year's acquisitions and summarizing land holdings from 1917. The report provides updated information on park real estate by reservation, municipality, county, and watershed. For 2011, Cleveland Metroparks acquired 489 acres in 6 transactions, including acquisitions in Mill Stream Run, Bedford, Hinckley and North Chagrin Reservations. The land acquisitions included donations and land purchases totaling \$170,000. The predominant acquisition was a 99-year renewable lease with the City of Cleveland for the 478 acre Seneca Golf Course and the property to the north known as the "tree farm." The acquisitions preserved mature forests, wetlands and headwater streams, bringing Cleveland Metroparks total land holdings to 22,008 acres.

Donna Studniarz and Stephanie Kutsko shared a PowerPoint presentation with the Board and answered questions related thereto.

Jim Ewing of The Plain Dealer asked if the acreage included easements. Ms. Studniarz explained that only conservation easements were included in the acreage.

Commissioner Rinker requested that this presentation and information be posted on Cleveland Metroparks website to make it available to the public.

3. 2011 Mall Kiosk Update
(Originating Source: David J. Kuntz, Treasurer)

The South Park Mall Kiosk was operated for an eight-week period from November through December 2011. The kiosk received strong positive feedback from mall patrons who were pleased with Cleveland Metroparks presence out in the community, and the convenient opportunity to purchase merchandise and gift cards. A variety of information and brochures were distributed by staff to mall shoppers, many of which were unfamiliar with all that Cleveland Metroparks has to offer. The kiosk offered a significant opportunity to connect with both traditional park supporters and the general community at large. Staff intends to operate the mall kiosk again during the 2012 holiday season.

Mall Kiosk	2011
Total revenue	\$26,153
Less operating exp.	26,848
Oper. surplus (subsidy)	(\$695)
Less capital expenses	2,937
Net surplus (subsidy)	(\$3,632)

Marketing Director, Jane Christyson, commented that it was the intention of staff to not go into the mall this year until the third week of November because the peak time for the mall is between Black Friday and Christmas Eve. The best selling items last year were the golf gift cards, which accounted for approximately half of all sales, and Cleveland Metroparks logo items. In 2012 staff will stock mostly “soft” items for sale.

4. Emerald Ash Borer Update
(Originating Sources: Chuck Engelhart, Forestry Manager Constance E. Hausman, Ph.D., Plant and Restoration Ecologist)

The Emerald Ash Borer (EAB) (*Agrilus Planipennis*) is a wood-boring beetle native to Asia. Since its discovery in Michigan in 2002 it has killed tens of millions of ash trees (*Fraxinus* spp.). To date, EAB infestations have been confirmed in 13 of Cleveland Metroparks 16 reservations with significant tree mortality in the western reservations. Overarching concerns related to EAB include: 1) public safety; 2) ash debris management; 3) reforestation efforts; 4) work load feasibility (in-house or contract); 5) public relations; 6) chemical treatment of ash trees; and 7) woody invasive plant removal. Applied management efforts have required collaborative contribution from Natural Resources, the Forestry Division and Park Operations. The cost of management is projected to increase in magnitude as the beetle continues to spread and ash tree mortality increases. Cleveland Metroparks is anticipating the commitment of EAB related initiatives to be extensive in time and scale.

Chuck Engelhart and Connie Hausman shared a PowerPoint presentation with the Board and responded to questions.

Commissioner Rinker requested that this presentation and information also be posted on Cleveland Metroparks website to make it available to the public.

5. *Facebook Marketing and Outdoor Education Initiative to Improve Metrics*
(Originating Sources: *M. Jane Christyson, Director of Marketing/ Eric Barnett, Marketing Associate*)

Cleveland Metroparks Facebook page was established on August 26, 2008. The Marketing Division updates and manages the brand page with contributions from other divisions. The number of “likes” has consistently grown and now numbers over 36,000, eclipsing other similar Park District pages “likes” by a factor of 5 or more. Recently, staff also updated its page to the new “Timeline” format.

However, success on Facebook is not measured by “likes” alone. In fact, Facebook regularly changes the algorithm (the formula it uses to create newsfeed impression for fans) frequently to create a better user experience. In January, a new collaboration to increase the number of posts by Outdoor Education staff was developed to leverage Cleveland Metroparks large fan base to benefit the Park District through increased visibility.

There are currently two major “metrics,” which are ways that organizations track how their audiences are receiving Facebook posts, namely “People talking about us” and “Reach.” “People talking about us” is the number of people that are commenting, liking, and sharing posts. It is a measure of the “viral-nature” of the post. “Reach” is the number of people who see posts – but don’t necessarily interact with them. This is important to the Park District because the higher these numbers are on these metrics, the greater possibility that people will act on the messaging, translating to greater foot traffic, participation in general and media interest as well. After Google, Facebook is now the highest generator of traffic to Cleveland Metroparks website. For example, Naturalist LaDonna Sifford typically gets 4 to 7 people for her winter hikes in Bedford Reservation. She reported this January that more than 40 individuals attended a program, and when everyone was asked about how they discovered the hike, they stated that they saw it on Facebook.

After the first month of Outdoor Education posts, the “People Talking About Us” metric has increased from 363 to 770, a 212% increase. The “Reach” metric jumped from 12,990 to 22,209, a 170% increase.

The Marketing Division is continuing to develop a social media strategy, as well as track metrics, as they relate to the Park District as a whole. Clearly, collaboration by staff promoting the unique programs, facilities and natural areas in Cleveland Metroparks will be vital to the success of this kind of social marketing.

Jane Christyson and Eric Barnett shared data and information related to Facebook. Commissioner Moore challenged Ms. Christyson and Mr. Barnett to double the “Reach” numbers by 2013.

6. *Levy Update*
(Originating Sources: *Brian M. Zimmerman, Executive Director/David J. Kuntz, Treasurer*)

Director Zimmerman acknowledged that there was a brief discussion regarding Cleveland Metroparks levy efforts at the Special Meeting held on March 10, 2012. At that time a document on the levy was shared with the Commissioners. A work session with the Commissioners will probably be held in May to discuss the levy further.

COMMENTS FROM THE EXECUTIVE DIRECTOR.

Director Zimmerman acknowledged the African Elephant Crossing Award of Excellence that had been received from the Cleveland Engineering Society, Design and Construction Division, for a new construction, large project through contractors Osborne and Marous.

Director Zimmerman also acknowledged Maggie Kovacs, a junior at St. Joe's Academy, who is an excellent writer and currently job shadowing in Cleveland Metroparks Marketing Division. Ms. Kovacs was introduced to the Board by Jane Christyson, Director of Marketing.

Lastly, Director Zimmerman acknowledged an email message received from former employee, Rick Tyler, recognizing and congratulating Erik Shaffer on his excellent work over the years as a seasonal worker, and for the smooth transition to his current role as Management Trainee in the Natural Resources Division.

COMMENTS FROM THE PUBLIC.

With respect to the Ohio Open Meetings Act, Ms. Marty Leshner of Olmsted Township voiced her opposition to the Special Meeting held Saturday, March 10, 2012, and provided the Board with a copy of a prepared statement reflecting same (see page [73949](#)). Ms. Leshner also provided a copy of a document entitled "Ohio AG Sunshine Law FAQs" (see page [73950](#)).

In addition, Ms. Leshner read a prepared statement voicing her opinion and opposition to spending monies on items such as boats, a future toboggan lift, and a rope jungle gym during fiscally difficult times prior to passage of a new levy (see page [73951](#)).

In response to Ms. Leshner's statements, Law Director Fini reiterated Commissioner Rinker's desire to continually make more items available to the public on Cleveland Metroparks website. Law Director Fini stated that it is the strong commitment of the Commissioners, as well as the staff, to fully comply with the Open Meetings Act. The Special Meeting held on March 10, 2012, as Ms. Leshner acknowledged, did list an Executive Session for the purposes of discussing Real Estate matters, and for the purpose of discussing Personnel matters related to the Table of Organization. Law Director Fini also thanked Ms. Leshner for acknowledging that Law Director Fini spent a significant amount of time on March 9, 2012 addressing Ms. Leshner's questions.

With respect to the real estate matters, Ms. Fini stated that Cleveland Metroparks analysis continues to be very solid in compliance with the Ohio Open Meetings Act. Therefore, Cleveland Metroparks will choose, and continue to disagree, with Ms. Leshner's basis and objections, which Law Director Fini understood to be long-standing.

As for the Table of Organization, Law Director Fini stated that she had taken a great deal of time researching and citing numerous cases in an attempt to address Ms. Leshner's concerns. The Table of Organization discussion involved the removal of positions and dismissal of employees which falls within the proper category to go into Executive Session. In fact, the Ohio Attorney General opined that merely stating the purpose of going into Executive Session for the matters of discussing "personnel" is insufficient. That is why staff took greater care to say that the discussion was with respect to the Table of Organization to comply with the Attorney General's direction yet not to cause a great alarm. The discussion of the Table of Organization did in fact involve the changes in position, or perhaps the removal of certain positions within the organization. Law Director Fini further stated that she remained confident that each time these issues arise, Cleveland Metroparks is conducting the proper research to conform with the Public Records Act.

In response to the issue raised by Ms. Leshner with respect to the levy and ethics discussions held on March 10, 2012, Law Director Fini advised that this date was the first opportunity that the Board had been able to meet since receipt of the letter from the Ohio Ethics Commission on February 27, 2012. The last Board meeting was held on February 23, 2012 which was prior to that date. Therefore, these items were brought back to the public session today so that everyone would have the benefit of hearing about them. Law Director Fini advised that Cleveland Metroparks remains diligent in trying to comply with not only the ethics laws, but also the Ohio Open Meetings Act and Cleveland Metroparks public records policy.

Commissioner Rinker added that his experience within his community had been to add a "catch all" to all notices that includes the language "any other matters" before council to alert people that there may be more items that may come up.

Ms. Leshner opined that that practice may be acceptable for normal, regularly scheduled public meetings, but that the laws are very specific to special meetings, and the Board can only address the items that are spelled out in the special meeting notice.

Commissioner Rinker advised he would take up this matter with his law director, but they have followed this practice at the request of Council. Therefore, Commissioner Rinker disagreed with Ms. Leshner's interpretation. Further, Commissioner Rinker advised that the Commissioners have looked at this matter very carefully with Law Director Fini which is why they asked her to address the issue. Commissioner Rinker further stated that the Commissioners have a challenge before them as a three-person body in being able to handle these kinds of issues effectively and sensitively.

Commissioner Moore advised Ms. Leshner that there are a lot of things that impact Cleveland Metroparks, and there is an unprecedented reduction in appraised values that he had never seen in his lifetime. There are changes in the way the State is helping to fund Cleveland Metroparks. This is a difficult time, and as the Commissioners and staff deal with these fiscal problems, there will be a need to have more meetings. Secondly, there is a feeling that Cleveland Metroparks should at least look at taking over the ODNR lease on the lakefront. This is not easy and is extremely complicated which will require more time to study. Commissioner Moore stated that there was no question that these are real estate deals. Talking about real estate deals is extremely complicated which is exactly why it should not be public while being deliberated.

Ms. Leshner opined that lakefront land is already ODNR and is not protected. It probably will not be a front runner and have an exaggerated value that will probably be done as a 99-year lease for a nominal amount. As far as complex issues facing Cleveland Metroparks, Ms. Leshner stated that she was extremely aware of them and has been attending meetings for a very long time. Further, Ms. Leshner stated that she does not believe the Open Meetings Act should be very narrowly construed in favor of openness to the public. In Ms. Leshner's opinion, difficult issues can be discussed in public meetings by perhaps going back to more regularly scheduled public meetings, but does not believe these discussions should be made behind closed doors because these are the parks of the tax payers and it affects all of them. Ms. Leshner emphasized that she was not saying that the lakefront shouldn't be considered, but felt it should be considered publicly. Ms. Leshner further commented that when facing an adjusted cash balance on an \$80,000,000 budget of somewhere between \$30,000 and \$60,000 as estimated at the end of the year, perhaps this is not the time to pursue the lakefront, but rather wait until the levy passes. Ms. Leshner commented that perhaps \$40,000 should not be spent for new boats for Hinckley, or \$400,000 for a rope exhibit if there are not sufficient funds. Ms. Leshner acknowledged how tight money is and suggested that those things are things are not essential.

Commissioner Moore responded that the issue of the lakefront would become public, but we first Cleveland Metroparks needs to know what the deal is.

Director Zimmerman thanked all for their comments.

In addition, Director Zimmerman advised that a matter had come before staff yesterday that required the Commissioners to go into a Executive Session to be briefed on a potential transaction.

Law Director Fini requested a motion to adjourn to Executive Session for the purposes of discussing a real estate matter.

ADJOURNMENT TO EXECUTIVE SESSION.

No. 12-03-062: At 10:48 a.m., upon motion by Vice President Berry, seconded by Vice President Rinker and carried, President Moore adjourned the meeting into an Executive Session for the purpose of discussing a real estate item.

Vote on the motion was as follows:

Aye: Mr. Moore

Aye: Ms. Berry

Aye: Mr. Rinker

Nays: None

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

MEETING RECONVENED TO WORK SESSION.

At 11:45 a.m., the meeting reconvened to a Work Session for the purposes of discussing the 2012 Budget. Treasurer, David J. Kuntz, reviewed the Budget in detail. Minutes of the Work Session can be found on pages 73952 to 73953.

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

The following were presented to the Board for award/acknowledgment: bid tabulations, as shown on pages 73932 through 73938; \$5,000 to \$20,000 purchased items/services report, page 73939 through 73940; and construction change orders, page 73941.

APPROVAL OF VOUCHERS AND PAYROLL.

No. 12-03-048: After review by Rosalina M. Fini, Director of Law, it was moved by Vice President Berry, seconded by Vice President Rinker and carried, to approve payroll and vouchers, employee withholding taxes, and ADP payroll, as identified on pages 73954 to 74010.

Vote on the motion was as follows:

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

Nays: None.

DATE OF NEXT MEETING.

The next Regular Meeting of the Board of Park Commissioners was scheduled by the Board for Thursday, March 29, 2012, 9:00 a.m. at the Board's office, 4101 Fulton Parkway, Cleveland, Ohio.

ADJOURNMENT.

No. 12-03-063:

There being no further matters to come before the Board, upon motion by Vice President Berry, seconded by Vice President Rinker, and carried, President Moore adjourned the meeting at 12:06 p.m.

Vote on the motion was as follows:

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

Nays: None.

President.

Attest:

Secretary.

**MINUTES OF
CLEVELAND METROPARKS
THURSDAY, MARCH 15, 2012
WORK SESSION (following Board Meeting)**

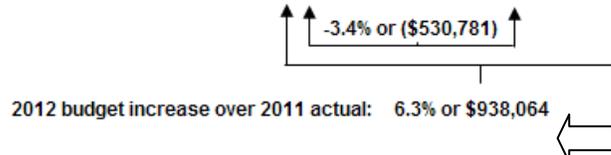
1. **Draft 2012 Cleveland Metroparks Budget**
(Originating Sources: David J. Kuntz, Treasurer/Brian M. Zimmerman, Executive Director)

Statutorily, Commissioners must adopt a 2012 budget no later than March 31, 2012. The draft 2012 budget booklet is provided to the Commissioners with anticipated approval on March 29, 2012.

Aspects of the proposed 2012 budget include:

1. **2012 total "earned" revenue projections** (reference draft budget book, page 28) are anticipated to increase **±6.3 percent from what was actually received in 2011**, as follows:

	2011 Actual	2011 Baseline Budget	2012 Baseline Budget	Increase (Decrease) Over Baseline Budget	
				Amount	Percent
Golf	\$5,030,118	\$6,191,639	\$6,100,005	(\$91,634)	-1.5%
Zoo	8,798,641	8,097,117	8,300,931	203,814	2.5%
The Chalet/hayrides/food conc.	379,166	385,450	525,948	140,498	36.5%
Ledge Pool/aquatics	153,562	121,715	155,446	33,731	27.7%
Institute of the Great Outdoors and Outdoor Educ. programs	77,606	115,963	163,916	47,953	41.4%
EarthWords Nature Shops	233,147	294,000	348,996	54,996	18.7%
Facility use permits	227,838	224,975	242,900	17,925	8.0%
TOTALS	\$14,900,078	\$15,430,859	\$15,838,142	\$407,283	2.6%



2. The 2012 proposed **operating expenditure budget** in comparison to the 2011 budget reflects **an overall decrease of 2.7 percent** (reference page 34 of draft budget book).
3. **Including the incorporation of 12 new positions from the Diversity Improvement Initiative into permanent full-time staffing, full-time positions declined by one in 2012. Additionally, 8.2 full time equivalents (FTE) in part-time and 11.1 FTE in seasonal reductions are incorporated in the 2012 Budget** (reference page 121 of the draft budget book). Continuing in 2012, position management will also sustain flexibility in the 2012 operating budget during uncertain economic times.
4. **2012 Capital Projects – Significant "new" capital projects** for 2012 are summarized on page 44 of the draft budget book and **significant "2011 carry-over" projects** to 2012 are summarized on pages 45-46.

5. The **10-year levy forecast, page 110**, reflects no increase in Salaries & Fringes or operating supplies in 2013 and 2014 and a significantly reduced capital allocation of \$5.0 million annually.

RECOMMENDED ACTION: (for Board action on March 29, 2012)

That the Board adopt the 2012 proposed appropriations, as reflected in the draft budget book on pages 40-42; the Apportionment of Property Tax in Lieu of Transfers, page 29 and the proposed 2012 Rates & User Fees schedule for fees effective January 1, 2012, pages 129 to 138.