

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

SEPTEMBER 7, 2017

The Board of Park Commissioners met on this date, Thursday, September 7, 2017, 8:00 a.m., at the Board's office, 4101 Fulton Parkway, Cleveland, Ohio.

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

APPROVAL OF MINUTES.

No. 17-09-126: It was moved by Vice President Berry, seconded by President Rinker and carried, to approve the minutes from the Regular Meeting of August 17, 2017, which were previously submitted to the members of the Board, and by them read.

Vote on the motion was as follows:

Ayes: Ms. Berry and Mr. Rinker.

Nays: None.

ACTION ITEMS.

- (a) **2017 Budget Adjustment No. 5**
(Originating Sources: Karen Fegan, Chief Financial Officer/Brian M. Zimmerman, Chief Executive Officer)

The following amendments are requested for Board approval:

CLEVELAND METROPARKS Appropriation Summary - 2017							
Object Code	Object Description	Original Budget			Total Prior Amendments	Proposed Amendment #5 09/07/17	Total Appropriations Including Amendments
		Baseline Budget	Carry Over Encumbrances	Total			
OPERATING							
51	Salaries	\$ 48,822,530	\$ -	\$ 48,822,530	\$ (4,145)	\$ 7,900	\$ 48,826,285
52	Employee Fringe Benefits	16,659,400	17,466	16,676,866	(988)	7,000	16,682,878
53	Contractual Services	13,128,629	667,064	13,795,693	154,072	5,820	13,955,585
54	Office Operations	22,707,607	1,676,108	24,383,715	817,925	370,013	25,571,653
	Operating Subtotal	101,318,166	2,360,638	103,678,804	966,864	390,733	105,036,401
CAPITAL							
572	Capital Materials	5,294,781	1,230,808	6,525,589	147,451	12,524	6,685,564
573	Capital Contracts	19,203,065	7,641,228	26,844,293	7,922,763	1,755,480	36,522,536
574	Capital Equipment	2,173,723	497,762	2,671,485	154,649	12,540	2,838,674
575	Zoo Animals	75,000	13,467	88,467	-	-	88,467
576	Land	1,200,000	24,043	1,224,043	246,500	-	1,470,543
	Capital Subtotal	27,946,569	9,407,308	37,353,877	8,471,363	1,780,544	47,605,784
TOTALS							
Grand totals		\$ 129,264,735	\$ 11,767,946	\$ 141,032,681	\$ 9,438,227	\$ 2,171,277	\$ 152,642,185

An explanation of the adjustments, by category, can be found on pages **84498** to **84500**. The net effect of all adjustments is an increase of \$2,171,277.00.

No. 17-09-127: It was moved by Vice President Berry, seconded by President Rinker and carried, to approve the 2017 Budget Adjustment No. 4 for a total increase of \$2,171,277.00 as delineated on pages **84498** to **84500**.

Vote on the motion was as follows:

Ayes: Ms. Berry and Mr. Rinker.

Nays: None.

ACTION ITEMS (cont.)

- (b) ***Authorization of the 2017 Tax Levy Amounts and Rates***
(Originating Source: Karen Fegan, Chief Financial Officer)

By statute, the Board of Park Commissioners are required to adopt a resolution accepting the amounts and rates determined by the County Budget Commission, and authorizing them to levy the taxes necessary. It is therefore requested that the Board adopt the following resolution.

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES
 AS DETERMINED BY THE BUDGET COMMISSION,
 AND AUTHORIZING THE NECESSARY TAX LEVIES AND
 CERTIFYING THEM TO THE COUNTY FISCAL OFFICER(S)**

WHEREAS, This Board of Park Commissioners, in accordance with the provisions of law, have previously adopted a Tax Budget for the next succeeding fiscal year, commencing January 1, 2018; and

WHEREAS, The Budget Commission of Cuyahoga and Medina Counties, Ohio, has certified their actions hereon to this Board, together with an estimate by the County Fiscal Officers of the rate of each tax necessary to be levied by this Board, and what part thereof is without and what part within the ten-mil tax limitation; therefore, be it

RESOLVED, By the Board of Park Commissioners of Cleveland Metroparks, of Cuyahoga and Medina counties, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Counties the rate of each tax necessary to be levied within and without the ten-mil limitation as follows:

SCHEDULE A

Summary of Amounts Required from General Property Tax Approved by Budget Commission and County Fiscal Officer's Estimated Tax Rates

	Estimate of amount to be derived from levies	County Fiscal Officer's Estimate of Tax to Be Levied	
		Inside 10-Mill Limit	Outside 10-Mill Limit
General/Capital Funds	\$ (A)	.05	2.7

(A) To be provided by County Budget Commission in mid-December.

ACTION ITEMS (cont.)

and be it further

RESOLVED, that the Secretary of this Board be and is hereby directed to certify a copy of this Resolution to the County Fiscal Officer of said County.

No. 17-09-128: It was moved by Vice President Berry, seconded by President Rinker and carried, to approve the resolution above.

Vote on the motion was as follows:

Ayes: Ms. Berry and Mr. Rinker.
Nays: None.

(c) ***Agreement Ratification of Fraternal Order of Police, Ohio Labor Council (Ranger Sergeants and Rangers)***
(Originating Sources: Brian M. Zimmerman, Chief Executive Officer/Harold G. Harrison, Chief Human Resources Officer)

An agreement has been negotiated with Fraternal Order of Police, Ohio Labor Council, for 13 Sergeants and 59 Rangers, for the three-year period from January 1, 2017 through December 31, 2019. A Fraternal Order of Police, Ohio Labor Council, ratification meeting was held Thursday, August 24, 2017, with the membership ratifying the agreement.

The agreement includes wage adjustments for all classifications as follows:

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

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

No. 17-09-129: It was moved by Vice President Berry, seconded by President Rinker and carried, to authorize the Chief Executive Officer to execute a labor relations agreement, in a form approved by Counsel and the Chief Human Resources Officer, with Fraternal Order of Police, Ohio Labor Council, for the three-year period from January 1, 2017 through December 31, 2019.

Vote on the motion was as follows:

Ayes: Ms. Berry and Mr. Rinker.
Nays: None.

ACTION ITEMS (cont.)

- (d) ***Professional Services Agreement – RFQu No. 6197: Gorilla Exhibit – Design Services – Cleveland Metroparks Zoo***
(Originating Sources: Sean E. McDermott, P.E., Chief Planning and Design Officer/Christopher W. Kuhar, Ph.D., Zoo Executive Director)

Background:

On July 28, 2016 the Board approved a contract with Van Auken Akins Architects, LLC (“VAA”) to perform a study of the Primate, Cat and Aquatics Building (“PC&A”) and the exhibits associated with the collection held within PC&A. The planning study’s findings, which were presented and discussed at a November 17, 2016 work session with the Board, resulted in the identification of several species, including gorilla that could relocate from PC&A and expand to larger habitats within the existing Zoo footprint.

RFQ Response and Analysis:

On May 20, 2016 Cleveland Metroparks issued a Request for Qualifications (RFQu No. 6197) for professional design services and invited qualified design professionals to submit their qualifications for PC&A planning and design. The RFQ also allowed for the extension of design services of the selected team to apply to the preparation of documents related to the implementation of the findings of the study. The RFQ yielded eight (8) responses from consultant teams. Qualifications were reviewed by a review panel consisting of Cleveland Metroparks, Cleveland Metroparks Zoo and Cleveland Zoological Society staff on June 10, 2016. Following an interview process, and pursuant to ORC 153.69, the top three (3) firms were ranked in order of most qualified. VAA has been identified as the most qualified. VAA’s team includes WDM Architects, a zoo architecture firm based in Wichita, Kansas, and the local sub-consultant firm of Environmental Design Group (civil engineering). The full list of consultant teams whom submitted statements of qualifications, and the top three (3) firm rankings are shown on *Table 1 – RFQu No. 6197 Respondents*, on page **84501**.

Proposal Analysis:

A proposal was requested from VAA to perform concept plans and cost estimates related to the construction of a gorilla exhibit on undeveloped lands south of the Sarah Allison Steffee Center for Zoological Medicine and the new hay barn and north of Big Creek, currently utilized as primitively improved parking (the Rhino Lot). Due to the potential size and complexity of the project several design components require specialty consultants which VAA has now included on their team. The firms include ME Engineers, Zoo Horticulture Consulting & Design, Daylighting Innovations, Magnusson Klemencic Associates and Pepper Construction. The sub-consultants will provide mechanical engineering expertise, indoor horticulture experience, daylight criteria and sun/shade study ability, specialty structural design expertise and zoo exhibit cost modeling. The current proposed cost of the preparation of the concept plans and associated cost estimates is \$399,140.00. The contract and project scope include:

ACTION ITEMS (cont.)

Concept Design

- Programming
- Site Analysis
- Floor Planning
- Architecture
- Sketching and Narratives
 - Civil
 - Structural
 - Mechanical
 - Electrical
 - Plumbing
 - Horticultural and daylighting aspects
- Cost Estimating
- 3D Modeling

It is anticipated that the collaborative conceptual design process with the VAA team will take approximately six (6) months to complete the scope as described. Staff will return to the Board with the findings of the concept planning and cost estimating efforts in order to inform the next steps in plan development.

No. 17-09-130: It was moved by Vice President Berry, seconded by President Rinker and carried, to authorize the Chief Executive Officer to enter into a Professional Service Agreements for the design of the Gorilla Exhibit at the Cleveland Metroparks Zoo with **Van Auken Akins Architects, LLC**, in the not-to-exceed amount of **\$399,140.00** for concept design and cost estimating in a form acceptable to the Chief Legal and Ethics Officer, pursuant a proposal dated August 30, 2017.

Vote on the motion was as follows:

Ayes: Ms. Berry and Mr. Rinker.

Nays: None.

(e) ***RFP #6278: Authorization to Enter into Contract for Body Art, Caricature, and Digital Photo Services at Cleveland Metroparks Zoo***
(Originating Sources: Christopher W. Kuhar, Executive Director, Cleveland Metroparks Zoo/Tim Savona, Director of Revenue Development)

Background

Face painting has been used by many zoos and amusement parks to generate revenue and enhance the guest experience by providing a fun, themed, way for guests to enjoy their day. In 2015 Cleveland Metroparks awarded a three-year contract to provide caricature and body art services for Cleveland Metroparks Zoo to Kaman Arts (RFP #60220).

ACTION ITEMS (cont.)

During this three-year period the zoo’s net revenue went from \$35,000 to \$52,000 despite relatively flat attendance, as Cleveland Metroparks received 23% of Kaman Art’s sales. With the pending expiration of this contract, RFP #6278 was issued in June for a new five (5) year contract with three (3) additional one (1) year extensions available by mutual agreement of Cleveland Metroparks and the awarded company. Cleveland Metroparks was fortunate to have three quality companies compete for the contract.

Proposals

In all proposals, the contractor would handle all cash, credit cards, and deposits, and employ all staff, including a site manager. All proposals offered multiple services including temporary tattoos, face-painting, caricatures and digital photo services. The three (3) proposals differed in commission percentage and five-year revenue projection. Capital investment was consistent across all proposals.

	Kaman Arts	Personality Portraits	Images Everywhere
5 Year Projected Revenue for Zoo	\$332,000.00	\$342,250.00	\$500,000.00 Guarantee
Commission %	25%	37%	\$100,000.00 Guarantee or 25%
Capital Investment	Already in place	\$100,000.00	\$100,000.00
Zoos Currently Serving	Cincinnati, Indianapolis, Kansas City	Milwaukee, St. Louis	Los Angeles, Houston

Evaluation of Proposals:

We propose selecting Images Everywhere for two reasons: Images Everywhere guarantees a commission of at least \$100,000.00 per year. Over the five (5) year period this amount is approximately \$158,000.00 more than Personality Portraits and \$168,000.00 more than Kaman Arts based upon projected revenues. Images Everywhere has also proposed a robust photo offering that includes an entry photo component. This opportunity will allow for future growth potential which was not contained in the other two proposals.

No. 17-09-131:

It was moved by Vice President Berry, seconded by President Rinker and carried, to authorize the Chief Executive Officer to enter into an Agreement with *Images Everywhere Specialty Services*, for its highest and best proposal, as summarized above and maintained in the bid/proposal file for RFP #6278, for Body Art, Caricature, and Digital Photo Services at the Zoo including revenue share for a five (5) year

ACTION ITEMS (cont.)

period from February 1, 2018 through January 31, 2023, with the option to extend the Agreement for three (3) additional one (1) year extensions at the sole discretion of Cleveland Metroparks (up to January 31, 2026). *Images Everywhere Specialty Services* shall also provide a capital investment amount of \$100,000 during the initial five (5) year term. This contract will be entered into a form approved by Cleveland Metroparks Chief Legal and Ethics Officer.

Vote on the motion was as follows:

Ayes: Ms. Berry and Mr. Rinker.

Nays: None.

- (f) ***Adoption of Revised Cleveland Metroparks Codified Rules and Regulations – 2017*** (Originating Sources: Rosalina M. Fini, Chief Legal & Ethics Officer/John Betori, Chief Ranger/Anne Eisenhower, Chief Prosecuting Attorney/Sean McDermott, Chief of Planning & Design/Kyle Baker, Senior Assistant Legal Counsel & Director of Real Estate/Priscila Rocha, Assistant Legal Counsel)

Background

Pursuant to Article 1, Section 1 of the Board of Park Commissioners of the Cleveland Metropolitan Park District By-Laws, the Park District's Codified Rules and Regulations must be amended to ensure conformity with State and Federal law and address other public policy issues. In this review, the following modifications are hereby proposed:

1. **General Required Changes**: Several changes occurred to the Ohio Revised Code and require the Board of Park Commissioners to further update its Codified Rules and Regulations as recommended by the Walter H. Drane Company, who annually performs the comprehensive code revisions for Cleveland Metroparks. A Summary of Changes to Traffic and General Offenses Codes for 2017, is provided on page **84502**.
2. **Additional Changes to Regulations**: After review of the Codified Rules and Regulations, the following changes are proposed by staff. The proposed new language is underlined and proposed language to be removed is stricken as noted below.
 - a. **101.09 WAIVERS; PERMITS.**
 - (a) There are occasions when the waiver of a particular rule is appropriate or necessary with respect to programs or operations (e.g., allowing for group functions or special event demonstrations or to accommodate extraordinary attendance situations) or otherwise. Waivers of particular rules must be written but may be included in permits, including without limitation conditions of use (collectively, the "permits"). Inquiries regarding a waiver of a particular rule should be directed to:

ACTION ITEMS (cont.)

Cleveland Metroparks
~~Visitor Services Division~~
 4101 Fulton Parkway
 Cleveland, Ohio 44144
 (216) 635-3200

(b) Whenever a requests is made shall be made for a waiver of a particular rules by permit or otherwise, the Chief Executive Officer ~~Director~~ is authorized to grant the waivers, including the permits, based on the effect that of the granting the waiver/permit may have thereof on maintaining good order; preserving, protecting and maintaining the vegetation, animals, streams and ponds; safeguarding the park users and the animals; preventing damage and preserving the environment and otherwise conserving the natural resources. The Chief Executive Officer ~~Director~~ may designate park employees to execute waivers, including permits, under conditions specified by him. All waivers/permits executed by the Chief Executive Officer designee shall be deemed to be issued by the authority of the Chief Executive Officer ~~Director~~.

b. 501.01 DEFINITIONS.

(r) (1) "Drone" or "Unmanned Aircraft" (UA) means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft (P.L. 112-95, Section 331);

(r)(2) "Unmanned Aircraft System" (UAS) an unmanned aircraft and associated elements, including communication links and components that control the unmanned aircraft, that are required for the pilot in command to operate safely and efficiently in the national airspace system (P.L. 112-95, Section 331). ~~by remote control of a pilot on the ground who maintains visual contact with the UAS.~~

(r)(3) "Aircraft" any contrivance invented, used, or designed to navigate, or fly in the air (49 U.S.C. §40102).

~~c. 509.08 SALES REQUIRE PRIOR PERMIT. 509.08 is replaced by Section 747~~

~~(a) No person shall solicit, beg, hawk, peddle or sell anything of value or service within the park, without a prior permit.~~

~~(b) Whoever violates this section shall be fined not more than one hundred fifty dollars (\$150.00) for the first offense and not more than one thousand dollars (\$1,000) for each subsequent offense.~~

~~(ORC 1545.99)~~

ACTION ITEMS (cont.)**d. 509.15 DRONES OR UNMANNED AIRCRAFT SYSTEM**

(a) No person shall operate a drone or UAS in a manner that recklessly endangers persons, wildlife, or property or in a manner that harasses, disturbs, intimidates, annoys or threatens persons or wildlife.

e. 509.07 FIRES.

(a) No person shall start a fire, except small fires for culinary purposes in grills or in places or designated areas approved by rangers, unless authorized to do so for resource management or other lawful purpose, provided that small fires for culinary purposes may be prohibited for limited periods at any location where deemed necessary for the protection of the park, park employees, the participants or other park visitors.

(b) All fires shall be completely extinguished by the person starting or using the same, before leaving the immediate vicinity of such fire. No person shall dump or place hot coals, ashes or fire from portable picnic grills onto any grass or plants or other location that may cause injury or damage to persons or the environment.

f. 543.02 SWIMMING; SWIMMING AREAS AND BEACHES.

(d) Glass Bottles, Metal Cans, Picnicking Prohibited. No person shall possess any glass bottles or glass containers, metal cans or containers on the beaches adjacent to or in designated swimming areas. ~~No person shall use those beaches for picnicking.~~

g. 543.09 OPERATION OF ALL-PURPOSE VEHICLES PROHIBITED.

(a) No person shall operate, within the park, an all-purpose vehicle, except any vehicle principally used in playing golf or where designated in writing or as specified in Section 371.11. "All-purpose vehicle" as used herein means any vehicle designed primarily for cross-country travel on land and water, or on more than one type of terrain, and steered by wheels or caterpillar treads, or any combination thereof, including vehicles that operate on a cushion of air, vehicles commonly known as all-terrain vehicles, all season vehicles, mini-bikes and trail bikes.

h. PART SEVEN – LAND USE

Section 1545.11 of the Ohio Revised Code empowers the Board of Park Commissioners to "acquire lands either within or without the park district for conversion into forest reserves and for the conservation of the natural resources of the state, including streams, lakes, submerged lands, and swamplands, and to those ends may create parks, parkways, forest reservations, and other reservations and afforest, develop, improve, protect, and promote the use of the same in such manner as the board deems conducive to the general welfare." With said broad authority, the Board is compelled to provide direction for land use within the jurisdiction of Cleveland Metroparks through its regulations. and will adopt the following Part Seven Land Use provisions:

ACTION ITEMS (cont.)**PART SEVEN - LAND USE****Title One – Administration**

Chapter 701. Reserved

Chapter 703 Reserved

Chapter 705 Reserved

Title Three – Master Planning**Chapter 711 Strategic Planning**

(a) The Park District shall maintain a current strategic plan establishing the priorities and initiatives of the organization. The strategic plan shall state how the Park District will achieve its mission, goal and objectives over the period of time the strategic plan is to be in effect.

Chapter 713 Planning

(a) In support and execution of the strategic plan, respective master plans shall be established to guide development and the protection of natural resources throughout the Park District.

Chapter 715 General Development Standards

(a) In the development and construction of improvements best practices shall be maintained, practiced and followed. Industry standards such as Ohio Department of Transportation's Construction Materials and Specifications, American Association of State Highway and Transportation Officials policies and guidelines, Ohio Department of Natural Resources' Rainwater and Land Development Manual and Ohio Building Code shall be incorporated into the development of improvements to the maximum extent practical. The Park District will aspire to serve as a model for utilization of green infrastructure investment as a strategy for effective park development.

Title Five – Activities**Chapter 741 Use of Walks and Trails (formerly 303.09)**

(a) No person shall use any portion of the park for purposes of travel except roadways, walks and trails established for such purposes. No person shall operate any motor vehicle on trails established as bridle trails, foot trails or all-purpose trails except as specified in Section [371.11](#). No person shall ride on a trail designated as a mountain bike trail within the park between the time of one-half hour after sunset and one-half hour before sunrise.

(b) No person shall operate any type of self-propelled vehicle or any vehicle moved by animal or human power upon any foot trail or bridle trail except as specified in Section [371.11](#). No person shall operate a bicycle except on roadways, paved all-purpose trails or trails specifically designated for bicycle use except as specified in Section [371.11](#).

ACTION ITEMS (cont.)**Chapter 743 Recreational Activities (formerly Chapter 543)**

- 743.01 Horseback riding.
- 743.02 Swimming; swimming areas and beaches.
- 743.03 Boating.
- 743.04 Golfing.
- 743.05 Sled riding, skiing and ice skating.
- 743.06 Climbing, repelling or slacklining.
- 743.07 Camping or sleeping requires permit.
- 743.08 Fishing hours; prohibited fishing equipment.
- 743.09 Operation of all purpose vehicles prohibited.
- 743.10 Engine Powered Miniature Models and Toys (formerly 509.05)
 - (a) Engine-powered miniature model rocket or rocket-type device and toy radio controlled airplanes, boats, cars, sirens or other noisemaking devices shall not be operated, except in designated areas.

Chapter 745 Unmanned Aircraft Systems (formerly 509.05)

745.01 Definitions.

As used in this chapter, certain words and terms are defined as follows:

- (a) “Aircraft” any contrivance invented, used, or designed to navigate, or fly in the air (49 U.S.C. §40102).
- (b) “Drone” or “Unmanned Aircraft” (UA) means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft (P.L. 112-95, Section 331);
- (c) “Unmanned Aircraft System” or “UAS” an unmanned aircraft and associated elements, including communication links and components that control the unmanned aircraft, that are required for the pilot in command to operate safely and efficiently in the national airspace system (P.L. 112-95, Section 331).

ACTION ITEMS (cont.)745.02 Purpose and Intent

This chapter is intended to provide direction for the use of UAS in a manner that is consistent with the Park District's conservation and protection of natural resources and wildlife and in a manner that promotes public safety and enjoyment. In consideration of these principles, the Park District is restricting the use of UAS to specific uses and to specific areas. This chapter is not intended to preempt Federal Aviation Administration (FAA) rules and regulations, but to operate in conjunction with those rules while utilizing its land use authority and its police power proscribed in Chapter 1545 of the Ohio Revised Code.

754.03 Restrictions

(a) No person shall launch, land or operate, or cause to be launched, landed or operated, any UAS weighing more than 4.4lbs/2.2kg in any airspace within the Park District.

(b) No person shall launch, land or operate, or cause to be launched, landed or operated, any UAS weighing less than 4.4lbs/2.2kg in any airspace within the Park District except in designated areas and must possess a current certificate of aircraft registration issued by the FAA for the UAS or is flying the UAS strictly for hobby or recreational use.

(c) No person shall launch, operate, or cause to be launched or operated, any unmanned aircraft system in any airspace within or over any area within the Park District that the FAA determines to be a restricted area, either by way of a Notice to Airmen (NOTAM), Temporary Flight Restriction, No Drone Zone, or other means.

(d) Division (b) of this section shall not apply to any person who has previous approval from the FAA to operate a UAS in a restricted area and is complying with all terms and conditions of their approval.

745.04 Exemption for Park District

This Chapter shall not apply to any UAS that are operated by the Park District, or its designee, for governmental purposes in compliance with federal laws and regulations and in compliance with Park District policies.

745.99 Violation; Penalties

Whoever violates this section shall be fined not more than one hundred fifty dollars (\$150.00) for the first offense and not more than one thousand dollars (\$1,000) for each subsequent offense. (ORC 1545.99)

ACTION ITEMS (cont.)**Chapter 747 PERMITS.****747.01 Definitions**

As used in the Park District regulations:

- (a) "Permit" means a temporary written license and includes all terms and conditions of the written permit issued by the Park District.
- (b) "Person" means and includes a natural person, any form of business or social organization, and any governmental entity other than the Park District's use of its property in a proprietary capacity.
- (c) "Special Event" means (1) any planned gathering of fifty (50) or more persons which is to assemble or travel in an organized manner on any street, park or other public property; or, (2) any planned activity conducted by a person for a common or collective use, purpose or benefit which directly or indirectly involves the use of, and has an impact on, street(s), park(s) or other public property or facilities which reasonably requires Park District management, regulation or resources to protect the health, safety, welfare or property of the Park District or its invitees, coordinate multiple uses of public property, control traffic or address other substantial governmental interests at or around the activity. Examples of special events include, but are not limited to: Parades, festivals, athletic or sporting events (*e.g.*, races, runs).

747.02 Designation of Park Facilities

The Chief Executive Officer shall classify Park District property under a uniform system of classification and designate for each such classification the use or uses which, in his or her judgment, should be permitted therein. The Chief Executive Officer shall classify Park District property under the following designations:

- (1) Public forums;
- (2) Limited use facilities;
- (3) Areas or facilities not designated for public assembly; or
- (4) Special facilities.

The Chief Executive Officer shall then record the designations for each reservation and shall transmit the same promptly to the Board, which shall then approve, amend or reject the designations. Thereafter, the Chief Executive Officer shall establish a written policy as he or she shall deem necessary to delineate the purpose for which each designated facility may be used.

ACTION ITEMS (cont.)**747.03 Rules and Policies**

The Chief Executive Officer may, from time to time, establish reasonable rules and policies, for the use of each facility in the Park District and for obtaining permits pursuant to this section. Such rules and policies shall be based on a due regard for the purpose for which the facility is established, the safety of those using the facility, the safety of park employees and the public, the safety and maintenance of Park District property, the need for and the availability of supervisory personnel, the protection of natural resources, and the maximum number of people who can safely use the facility at one time. Subject to the foregoing, and except as hereinafter provided, Park District facilities may be used by members of the general public, without permit, for recreational purposes not inconsistent with the nature of the facility, the safety of the public and of Park District property, and natural resources.

747.04 Permit Requirements

- (a) General: No person shall, without a permit:
- (1) Engage in an activity that is intended to involve, is reasonably likely to involve, or actually involves, as participants and/or spectators, at any one time, fifty (50) or more persons;
 - (2) Engage in an activity which seeks to exclude, or to have the right to exclude, any member of the public from the activity or from any park or from any area of any park including but not limited to the exclusive use of a shelter, facility or center;
 - (3) Circulating or distributing leaflets, handbills, notices, pamphlets, books, documents or papers of any kind in any indoor facility, zoo, or other special facility;
 - (4) Engage in an activity which requires, or is reasonably likely to require, Park District services additional to those already provided to the public as a matter of course in the park, including but not limited to: increased police protection; provision of utilities, such as gas, electricity or sewer; placing, removing, opening or closing gates or fences, or the special preparation of fields or other facilities;
 - (5) Sell or offer for sale any goods or services, including any monetary exchange between individuals for use of or for activities conducted on Park District property;
 - (6) Conduct any exhibit, music or dramatic performance, fair, circus, concert, play, radio or television broadcast, other than a news transmission;
 - (7) Exhibit or display any motion picture, television program, light or laser light display, or similar event;
 - (8) Use, display, fire discharge, or set off any rocket, cracker, torpedo, or other fireworks, or any substance of any explosive or pyrotechnic nature within the Park District;
 - (9) Detect metal through surface-mining activities;

ACTION ITEMS (cont.)

- (10) Climb rocks at Whipp's Ledges in Hinckley Reservation;
- (11) Engage in off-trail research and/or research collection activities;
- (12) Place any temporary or permanent structure, including but not limited to any stage, fence, building, tent, canopy, stand, bandstand, stage, tower, scaffold, sound stage, platform, rostrum or other structure in the Park District unless otherwise designated by the Chief Executive Officer;
- (13) Access or disrupt Park District property to maintain, repair, or replace any and all equipment or improvements owned or leased by a third party but that is properly situated on Park District property.

747.05 Permit Applications**(a) Filing an Application:****(1) Event, Special Event or Activity Permit**

- a. Any person seeking the issuance of a permit for activities in section 747.05(a)(1)(a) shall apply for a permit by filing a written application for permit on a form and within no less than (45) calendar days before the event date as shall be prescribed by the Chief Executive Officer. Written applications for a permit involving any of the following activities shall be filed with the Sales Manager in the Park District Marketing Department, or his designee:
 1. any activity or event involving fifty (50) or more individuals;
 2. the sale or offering for sale any goods or services, including any monetary exchange between individuals for use of or for activities conducted on Park District property;
 3. advertising or commercial activities;
 4. any exhibit, music or dramatic performance, fair, circus, concert, play, radio or television broadcast, other than a news transmission;
 5. exhibiting or displaying any motion picture, television program, light or laser light display, or similar event;
 6. use, display, fire discharge, or set off any rocket, cracker, torpedo, or other fireworks, or any substance of any explosive or pyrotechnic nature within the Park District;
 7. metal detecting;
 8. rock climbing at Whipp's Ledges in Hinckley Reservation;
 9. slacklining

ACTION ITEMS (cont.)

- b. Any person seeking the issuance of a permit for activities in section 747.05(a)(1)(b) shall apply for a permit by filing an oral application for permit within no less than fourteen (14) calendar days before the event date as shall be prescribed by the Chief Executive Officer. Oral applications for a permit involving any of the following activities shall be filed by calling the Sales Manager in the Park District Marketing Department, or his designee:
 1. Reserving a shelter, facility or center;
 2. Religious ceremonies;
 3. Athletics;
 4. Cross Country Meets and Practices;
 5. Hang Gliding;
 6. Camping – Day and Overnight;
 7. Astronomy Permits Overnight;
 8. Land Navigation, ROTC and Search and Rescue drills;
 9. Fishing Derbies (Lake Erie);
 10. Photography – Wedding, Senior Photos, Families, Prom Line Ups;
 11. Multi-Purpose Fields;
 12. Wedding Receptions and Ceremonies.
- (2) Off-Trail Research and Collection Permit: Any person seeking the issuance of a permit to conduct off-trail research and/or the collection of samples for research purposes shall file a written application for permit with the Manager of Field Research, Natural Resources Division or his designee on a form and within no less than forty-five (45) calendar days before the research commencement date.
- (3) Access Permit: Any person seeking the issuance of a permit to access Park District property for the purpose of maintaining, repairing or replacing equipment or improvements located on or immediately adjacent to Park District property shall file a written application for permit with the Manager of Facilities Engineering or his designee on a form and within no less than fourteen (14) calendar days before the proposed commencement work date.
- (4) Fishing Guide Permit: Any person seeking the issuance of a permit to work as a fishing guide in exchange for monetary gain on Park District property shall file a written application for permit with the Aquatic Biologist or his designee on a form and within no less than fourteen (14) calendar days before the proposed effective date.

ACTION ITEMS (cont.)

- (b) **Application Fee:** An application for permit will not be considered unless the applicant paid the applicable application fee at the time of filing a permit application in an amount in accordance with the schedule of fees set by the Chief Executive Officer.

747.06 Processing of Permit Applications

- (a) **Process Timing:** Permit applications shall be processed in order of receipt; and the use of a particular facility, reservation, or part thereof shall be allocated upon receipt of a fully executed application accompanied by the application fee.

- (b) **Permit Application Process:** The Park District shall issue the requested permit if a complete application complying with all adopted rules and policies is filed and all of the following conditions are met:

1. The proposed use is consistent with the size of the facility and/or park;
2. The proposed use will not have an unreasonably adverse impact, from noise, litter or traffic, on the facility and/or park;
3. The proposed use does not pose an unreasonable risk to public health or safety or to the physical integrity of the facility and/or park;
4. The applicant pays all required fees and agrees to comply with all conditions of the permit;
5. The proposed use is otherwise lawful;
6. The proposed use does not conflict with an activity already scheduled for the facility and/or park or for which a different permit already has been applied for or issued in a facility and/or park that does not reasonably permit multiple occupancy;
7. The proposed use would not conflict with previously planned programs organized and conducted by the Park District and previously scheduled for the same time and place;
8. The proposed use is not prohibited by or inconsistent with the classifications and uses of the facility, park, or part thereof designated pursuant to Section 747.02 above;
9. The permit application does not contain material falsehoods or misrepresentations;
10. The applicant is legally competent to contract or to sue and be sued;
11. The applicant or the person on whose behalf the permit application was made has not damaged Park District property on prior occasions and does not have any unpaid debts to the Park District;

ACTION ITEMS (cont.)

12. The applicant possesses the proper license, certifications and/or qualifications for the requested permit;
13. The applicant has obtained any necessary permits, licenses or certifications required pursuant to local, state or federal rules, regulations or statutes;
14. The proposed research use is affiliated with a school, not-for-profit corporation, and/or for-profit corporation engaged in environmental and/or cultural assessments;
15. The proposed collection and/or research activities have a valid and rigorous study design with clear purpose and direction.

(c) Notice:

- (1) Written notice of denial, conditional approval, or issuance of permit for activities specified in section 747.05(a)(1)(a) shall be provided to the applicant at the latest fourteen (14) calendar days after receipt of the written permit application using the contact information provided on the permit application.
- (2) Written notice of denial, conditional approval, or issuance of permit for activities specified in section 747.05(a)(1)(b) shall be provided to the applicant at the latest seven (7) calendar days after receipt of the permit application by using the contact information provided in the oral permit application.
- (3) Written notice of denial, conditional approval, or issuance of permit for activities specified in section 747.05(a)(2) shall be provided to the applicant at the latest fourteen (14) calendar days after receipt of the permit application by using the contact information provided in the permit application.
- (4) Written notice of denial, conditional approval, or issuance of permit for activities specified in section 747.05(a)(3) shall be provided to the applicant at the latest five (5) calendar days after receipt of the permit application and site visit, whichever is later, by using the contact information provided in the oral permit application.
- (5) Written notice of denial, conditional approval, or issuance of permit for activities specified in section 747.05(a)(4) shall be provided to the applicant at the latest five (5) calendar days after receipt of the permit application by using the contact information provided in the oral permit application.

ACTION ITEMS (cont.)

- (d) Denials: Notice of denial of an application for permit shall clearly set forth the grounds upon which the permit was denied and, where feasible, shall contain a proposal by the Park District for measures by which the applicant may cure any defects in the application for permit or otherwise procure a permit. Where an application or permit has been denied because a fully executed prior application for the same time and place has been received, and a permit has been or will be granted to the prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular area, the Park District shall propose an alternative place, if available for the same time, or an alternative time, if available for the same place. To the extent permitted by law, the Park District may deny an application for permit if the applicant or the person on whose behalf the application for permit was made has on prior occasions made material misrepresentations regarding the nature or scope of an event or activity previously permitted or has violated the terms of prior permits issued to or on behalf of the applicant.
- (e) Amendment or Revision of Permit Applications: Any amendment or revision of an application or permit shall for purposes of determining the priority of the permit application and to time in which the Park District shall grant or deny the application for permit and provide notice of such granting or denial shall be computed from the date of the amendment or revision.
- (f) Appeals: Review by Chief Executive Officer
- (1) Any applicant who is denied a permit for activities specified in section 747.05(1)(a) may within seven (7) calendar days of the date of such determination, file a written appeal from such determination with the Chief Executive Officer who shall have ten (10) calendar days from the date on which the appeal was received in which to notify applicant that he has affirmed, modified, or reversed the denial of permits.
 - (2) Any applicant who is denied a permit for activities specified in section 747.05(1)(b), (2), (3) and (4) may within two (2) calendar days of the date of such determination, file a written appeal from such determination with the Chief Executive Officer who shall have two (2) calendar days from the date on which the appeal was received in which to notify applicant that he has affirmed, modified, or reversed the denial of permits.
 - (3) Form of Appeals: Any appeals filed pursuant to this regulation shall state succinctly the grounds upon which it is asserted that the determination should be modified or reversed and shall be accompanied by copies of the application for permit, the written notice of the determination of the Park District, and any other papers material to the determination.

747.07 Permits to be Exhibited: Any person claiming to have a permit issued under this section shall produce such permit upon the request of any authorized person who may desire to inspect the same.

ACTION ITEMS (cont.)

747.08 Permits are Non-transferrable: Any permit issued under this section shall be personal to the permittee, and shall be void if transferred or assigned in any manner, except with the written consent of the Chief Executive Officer.

747.99 Penalty: Whoever violates this section shall be fined not more than one hundred fifty dollars (\$150.00) for the first offense and not more than one thousand dollars (\$1,000) for each subsequent offense. (ORC 1545.99)

No. 17-09-132: It was moved by Vice President Berry, seconded by President Rinker and carried, to adopt revised Cleveland Metroparks Rules and Regulations in their entirety effective October 8, 2017 at 12:01 A.M.

Vote on the motion was as follows:

Ayes: Ms. Berry and Mr. Rinker.

Nays: None.

PRESENTATION OF RESOLUTION FROM GOVERNOR KASICH'S OFFICE

Mr. Dustin Russell of the Ohio Governor's Office, presented Cleveland Metroparks with a resolution commemorating its 100th Anniversary on behalf of Governor John R. Kasich and Lt. Governor Mary Taylor.

AWARD OF BIDS:

No. 17-09-133:

It was moved by Vice President Berry, seconded by President Rinker and carried, to authorize the following bid awards:

Bid #6286: **2017 Parkwide Painting** (see page **84489**); and

Sole Source #6301: **Used Vehicles/Equipment from Auction** (see page **84491**).

Vote on the motion was as follows:

Ayes: Ms. Berry and Mr. Rinker.

Nays: None.

AWARD OF BIDS (cont.):

BID #6286 SUMMARY: **2017 PARKWIDE PAINTING**

*(Originating Sources: Joseph V. Roszak, Chief Operating Officer/
Jim Rodstrom, Director of Construction)*

Cleveland Metroparks Park Operations Department has taken inventory and condition assessments of the exterior paint and/or stain on various structures throughout the Park District, including structures at the Zoo and on golf courses. Based on those assessments, nine structures were identified which warrant exterior paint and/or stain. Each structure is proposed to be properly washed, scraped, caulked (as needed), primed, and have two coats of paint and/or stain applied. Various structures also include repair or replacement of rotted wood siding before painting/staining operations begin.

The scope of work includes exterior painting and/or staining on the following buildings:

Base Bid:

1. Tyler Barn
2. Scenic Picnic Area Shelter
3. Polo Field Shelters (2) and Announcer Stand
4. Chalet Roof
5. Big Met Clubhouse and Starter Shed

Alternate A: Big Met Cart Barn

Bids were received on August 21, 2017 and are tabulated below:

Bidder Name	Lump Sum Base Bid	Alternate A: Big Met Cart Barn	Total: Base bid plus Alt. A
CertaPro Painters	\$94,200.00	\$19,450.00	\$113,650.00
Southwest Companies, Inc.	\$89,225.00	\$21,857.00	\$111,082.00
Tony's Painting Company	Does not meet spec	Does not meet spec	-
Athos Contracting, Inc.	\$85,545.00	\$19,610.00	\$105,155.00
Feghali Brothers, LLC	\$70,500.00	\$9,000.00	\$79,500.00
Thomarios	\$105,412.00	\$28,740.00	\$134,152.00
Engineer's Estimate	\$95,000.00		

Staff recommends awarding the **Base Bid plus add Alternate A** to **Feghali Brothers, LLC**. Feghali Brothers has not performed any work directly for Cleveland Metroparks in the past; however, they have performed similar work for the City of Cleveland, The University of Akron, and Cleveland State University as well as numerous other northeast Ohio public entities. They have been in business for 13 years and specialize in public entity general contracting including painting and carpentry projects.

AWARD OF BIDS (cont.):

2017 Budget Codes: 4015001-573002-PA15002
4031101-573002-1G08001

RECOMMENDED ACTION:

That the Board authorize the Chief Executive Officer to enter into a contract with **Feghali Brothers, LLC** as the lowest and best bidder for Bid #6286, 2017 Parkwide Painting for the Base Bid amount of \$70,500.00, plus add Alternate A for \$9,000.00, for the **total, lump sum amount of \$79,500.00**. 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 and/or surety. Form of contract to be approved by the Chief Legal and Ethics Officer.

(See Approval of this Item by Resolution No. 17-09-133 on Page 84488)

AWARD OF BIDS (cont.):

SOLE SOURCE #6301 SUMMARY: **USED VEHICLES/EQUIPMENT FROM AUCTION**

Cleveland Metroparks is interested purchasing, through auction, pickup trucks, compact pickup trucks, service trucks and backhoes to replace some of the aging fleet. Replacement focus will be vehicles/equipments from 1999-2001 or those that have repair costs that have exceeded 50% of the acquisition price.

The majority of Cleveland Metroparks older fleet (1991-1994) are primarily dump trucks and may not be available for auction-purchase at this time.

Leaning towards **2010 and newer** vehicles/equipment will provide a useful life of an additional 5-7 years and spread the replacement cost over a decade rather than the fleet maturing all at the same time (as is the current scenario). Replacing these vehicles/equipment with new would cost anywhere from \$340,000.00 - \$400,000.00. The goal through auction is to purchase 17 or more vehicles/equipment with a total value of ±\$250,000.00.

Below are some of the vehicles/equipment the fleet manager has been looking at and the auction prices of those vehicles/equipment, if the fleet manager is able to buy all of the desired units.

Targeted Vehicles/Equipment for Purchase at Auction								
				High	Low	Target Qty	Average	Total Potential
2010	Ford	F150	Pickup	\$13,000.00	\$6,100.00	6	\$9,500.00	\$57,000.00
2011	GMC	Canyon	Compact Pickup	\$8,500.00	\$2,000.00	2	\$3,500.00	\$7,000.00
2012	Ford	F250	Service Truck	\$20,500.00	\$8,100.00	2	\$14,300.00	\$28,600.00
2007	Ford	Ranger	Compact Pickup	\$10,000.00	\$8,100.00	4	\$9,050.00	\$36,200.00
	Ford	555	Backhoes	\$33,000.00	\$29,000.00	3	\$31,000.00	\$93,000.00
						±17		±\$221,800.00

RECOMMENDED ACTION:

That the Board approve the purchase of approximately **±17 used vehicles/equipment** at live auction from JJ Kane for a total amount not to exceed \$250,000.00. 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 \$250,000.00.

(See Approval of this Item by Resolution No. 17-09-133 on Page 84488)

SERVICES (\$10,000 - \$50,000) ACQUIRED
SINCE LAST BOARD MEETING (Presented 09/07/17)

Cleveland Metroparks By-Laws, Article 5 (Procurement), Section 4 (a), as revised and approved by the Board of Park Commissioners on January 10, 2013, *"The CEO is authorized to enter into contracts and contract amendments for construction, change orders, and to purchase equipment, goods and services, and real estate, without prior approval of the Board in each instance, if the cost of the contract or contract amendment, for any single project, or the amount of the purchase, does not exceed \$50,000. Any contracts where the cost exceeds \$10,000 or any purchase where the amount exceeds \$10,000, and approved by the CEO, shall be reported to the Board at its next regularly scheduled meeting following the execution of said contract or said purchase,"* the following is provided:

<u>REF. NO. / ITEM – SERVICE</u>	<u>VENDOR</u>	<u>COST</u>	<u>PROCEDURE</u>
Parking lot light replacement at East 72/Gordon Park, Lakefront.	R & K Electric	\$37,594.76	(2)
Replacement of glass at Capybara exhibit at The RainForest.	Complete Glass and Mirror	\$19,450.00	(7)
Three (3) year contract for RE NXT Essentials Software Subscription for fundraising database.	Blackbaud	\$11,857.33	(3)
Video clips for Asian Highlands.	BBC World Wide, Inc.	\$13,000.00	(3)
Various trash can liners supplied on an "as needed" basis throughout Cleveland Metroparks through July 31, 2017 (final invoices).	Joshen Paper and Packaging	\$32,735.00	(7)
		<u>12,265.00</u>	
		\$45,000.00	
Liquor license renewals for 2017/18	Ohio Department of Commerce	\$19,860.00	(3)
Brecksville Auxiliary Building, toilet room building construction documents and administrative services.	The Osborn Engineering Company	\$16,350.00	(7)
		<u>7,600.00</u>	
		\$23,950.00	

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

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

**CONSTRUCTION CHANGE ORDERS OR AMENDMENTS TO
PROFESSIONAL SERVICE CONTRACTS (09/07/17)**

Pursuant to Cleveland Metroparks By-Laws, Article 5 (Procurement), Section 4 (b) and (c), as revised and approved by the Board of Park Commissioners on January 10, 2013, "...the CEO is not authorized to enter into any change orders to construction contracts, without prior approval of the Board in each instance, except that the CEO is authorized to enter into change orders to construction contracts, without prior approval of the Board in each instance, where the additional cost is less than THE LESSER OF: (i) \$50,000, or (ii) ten percent (10%) of the cost of the contract. Each change order by the CEO under this Article shall be reported to the Board at the next meeting of the Board following the execution of said change order."

(c). "Amendment to Professional Service Contract. For professional service contracts greater than \$50,000, the CEO is not authorized to enter into any amendment to professional services or other special services agreement, without prior approval of the Board in each instance, except that the CEO is authorized to enter into amendments to professional services and other special services agreements for additional fees, without prior approval by the Board in each instance, where the additional fees for the agreement by the CEO pursuant to this Section, aggregate less than THE LESSER OF: (i) \$50,000, or (ii) ten percent (10%) of the cost of the agreement. Each amendment by the CEO under this Section shall be reported to the Board at the next meeting of the Board following the execution of said amendment.", the following is provided:

<u>Contract</u>	<u>Item/Service</u>	<u>Vendor</u>	<u>Change Order or Amendment</u>
<p><u>Lakefront Rehabilitation</u> \$293,100.00</p> <p>Revised Contract Amount: Change order #1 Added \$28,444.74</p> <p>Total revised to \$321,544.74</p>	<p>Valve and pipe replacement as well as control panels and check valves at Wildwood, Edgewater, Whiskey Island and the Inter City Yacht Club.</p>	<p>Nerone and Sons, Inc.</p>	<p>Change Order No.1</p>

APPROVAL OF VOUCHERS AND PAYROLL.

No. 17-09-125: It was moved by Vice President Berry, seconded by President Rinker and carried, to approve payroll and vouchers, employee withholding taxes, and ADP payroll, as identified on pages **84505** to **84643**.

Vote on the motion was as follows:

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

Nays: None.

PUBLIC COMMENTS.

Ms. Marty Leshar of Olmsted Township read from a prepared statement. Cecelia, a patron who resides in the Edgewater Beach area, praised Cleveland Metroparks and its staff on its excellent service to the Lakefront community including such items as cleanliness, programs, and food items. The comments of Ms. Leshar and Cecelia can be heard in their entirety by accessing the "About" section of Cleveland Metroparks website at <https://clevelandmetroparks.com/about/cleveland-metroparks-organization/boards-of-park-commissioners>.

INFORMATION/BRIEFING ITEMS/POLICY.

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

Joanna P. Laytin, Director of Marketing & Strategy

Joanna Laytin is the Director of Marketing & Strategy in the Marketing Division. She joined the Marketing Team in May of this year after spending her career working in a variety of marketing roles in the for-profit sector including Nestle, Kraft and Walgreens. The skills and experience Joanna gained throughout her career help her in her new role to support and build the Cleveland Metroparks brand. In her most recent role at Nestle, Joanna was responsible for brand marketing for the Tombstone frozen pizza brand and developed a multi-year brand strategy utilizing consumer insight, brand history, and division objectives to increase consumer loyalty through communication of a clear brand point of difference. She also leveraged business analysis and market insights to identify regional marketing strategies including targeted messaging, localized promotional campaigns and retailer specific programming. Joanna holds a Master of Business Administration from Duke University, The Fuqua School of Business in Durham, North Carolina where she was the recipient of the Dean's Recognition Award for Leadership, and a Bachelor of Science in Learning & Organizational Change from Northwestern University in Evanston, Illinois.

INFORMATION/BRIEFING ITEMS/POLICY (cont.)

- b. ***2017 Reservation Plan Updates – Big Creek, Brookside, Garfield Park, Ohio & Erie Canal and Washington Reservations***
Originating Sources: Sean E. McDermott, P.E., Chief Planning and Design Officer/Kelly Coffman, Senior Strategic Park Planner)

Reservation Master Plans were completed in fall 2012 as part of the Emerald Necklace Centennial Plan. A rolling cycle of annual plan updates began in 2015. The cycle continues this year with Big Creek, Brookside, Garfield Park, Ohio & Erie Canal, and Washington Reservations. The plans help translate the Park District's Strategic Goals into actions at the reservation level and meet the National Recreation and Park Association's (NRPA) Commission for Accreditation of Park and Recreation Agencies (CAPRA) guidelines for planning activities.

Staff presented this year's draft updates, which have been informed by a team of internal stakeholders. The team includes representatives from park operations and management, planning and design, natural resources, marketing and communications, law enforcement, real estate, and outdoor experiences.

Public open houses will be held the following evenings from 4:30-6:30 PM, with short presentations at 5 and 6 PM:

- Tuesday, September 12, Brookside Reservation at Valley Event Center;
- Wednesday, September 13, Garfield Park at Trolley Turn Canopy;
- Tuesday, September 19, Big Creek Reservation at Creekside Reserved Shelter; and
- Wednesday, September 20, Ohio & Erie Canal Reservation at CanalWay Center.

The draft plans will be posted on Cleveland Metroparks website. Comments will be reviewed and discussed with the stakeholder team to develop a final draft of the plans, which will be presented to the Board of Park Commissioners in December 2017.

- c. ***Shelter Assessment Update***
(Originating Sources: Kelly Manderfield, Chief Marketing Officer/Joanna Laytin, Director of Marketing and Strategy)

As a follow-up to an earlier presentation on Cleveland Metroparks reservable and shared use shelter facilities, Joanna Laytin shared additional information and insight, as well as detailed analysis of reservation data including supply and demand, an in-market test and an online survey, highlight potential opportunities for future strategic planning. An update was shared along with proposed next steps and timing for incorporating recommendations.

INFORMATION/BRIEFING ITEMS/POLICY (cont.)

- d. ***Marketing Update: 2017 Year-to-Date (“YTD”) Performance***
(Originating Source: Kelly Manderfield, Chief Marketing Officer)

Every division within Cleveland Metroparks Marketing Department (Marketing & Strategy, Communications, Corporate Partnerships, Events & Experiences, Retail and Visual Communications) has established measurable goals which have been evaluated from January 2017 through YTD. Marketing efforts have been focused around the centennial, and half-year performance results are encouraging. Attendance increased incrementally compared to 2016 at the zoo (4%) and Edgewater Live (45%). There has been a significant growth in earned media opportunities and social media engagement. And, both corporate partnerships and retail sales pacing ahead of last year.

- e. ***Centennial Moment: The First 9 Reservations***
(Originating Sources: Joseph V. Roszak, Chief Operating Officer/Wendy Weirich, Director of Outdoor Experiences)

For almost 50 years, Cleveland Metroparks had nine reservations. Each of these reservations has unique characteristics and some fascinating history. Cleveland Metroparks Historian Judy MacKeigan shared some highlights of these first nine reservations.

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 **84488** through **84491**; \$10,000 to \$50,000 purchased items/services report, page **84492**; and construction change orders, page **84493**.

DATE OF NEXT MEETING.

The next Regular Meeting of the Board of Park Commissioners was scheduled by the Board for Wednesday, September 27, 2017, 8:00 a.m. at the Board’s office, 4101 Fulton Parkway, Cleveland, Ohio.

ADJOURNMENT.

No. 17-09-134: There being no further matters to come before the Board, upon motion by Vice President Berry, seconded by President Rinker, and carried, President Rinker adjourned the meeting at 9:52 a.m.

Vote on the motion was as follows:

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

Nays: None.

President.

Attest:

Secretary.

CLEVELAND METROPARKS Appropriation Summary - 2017							
Object Code	Object Description	Original Budget			Total Prior Amendments	Proposed Amendment #5 09/07/17	Total Appropriations Including Amendments
		Baseline Budget	Carry Over Encumbrances	Total			
OPERATING							
51	Salaries	\$ 48,822,530	\$ -	\$ 48,822,530	\$ (4,145)	\$ 7,900	A \$ 48,826,285
52	Employee Fringe Benefits	16,659,400	17,466	16,676,866	(988)	7,000	B 16,682,878
53	Contractual Services	13,128,629	667,064	13,795,693	154,072	5,820	C 13,955,585
54	Office Operations	22,707,607	1,676,108	24,383,715	817,925	370,013	D 25,571,653
	Operating Subtotal	101,318,166	2,360,638	103,678,804	966,864	390,733	105,036,401
CAPITAL							
572	Capital Materials	5,294,781	1,230,808	6,525,589	147,451	12,524	E 6,685,564
573	Capital Contracts	19,203,065	7,641,228	26,844,293	7,922,763	1,755,480	F 36,522,536
574	Capital Equipment	2,173,723	497,762	2,671,485	154,649	12,540	G 2,838,674
575	Zoo Animals	75,000	13,467	88,467	-	-	88,467
576	Land	1,200,000	24,043	1,224,043	246,500	-	1,470,543
	Capital Subtotal	27,946,569	9,407,308	37,353,877	8,471,363	1,780,544	47,605,784
TOTALS							
Grand totals		\$ 129,264,735	\$ 11,767,946	\$ 141,032,681	\$ 9,438,227	\$ 2,171,277	\$ 152,642,185

CLEVELAND METROPARKS

Appropriations 2017 - Legend - Amendment #5

OPERATING

51 SALARIES

\$ 13,000 Increase in appropriations for ITS Public Service Fellowship.
 New grant funds from Cleveland Foundation will offset increase.

(5,100) Transfer of appropriations to Operations for unexpected integration issues of the Online Research Library.
 Net budget effect of zero.

A \$ 7,900 Total increase (decrease) to Salaries

52 Employee Fringe Benefits

\$ 7,000 Increase in appropriations for ITS Public Service Fellowship.
 New grant funds from Cleveland Foundation will offset increase.

B \$ 7,000 Total increase (decrease) to Salaries

53 CONTRACTUAL SERVICES

\$ 100 Transfer of appropriations from Operations to match actual expenditures.
 Net budget effect of zero.

(400) Transfer of appropriations to Operations to match actual expenditures.
 Net budget effect of zero.

6,120 Increase in appropriations for new Restricted Fund set up for property restitution.
 Increase covered by payments from previous land owners.

C \$ 5,820 Total increase (decrease) to Contractual Services

54 OFFICE OPERATIONS

\$ (100) Transfer of appropriations to Contractual Services to match actual expenditures.
 Net budget effect of zero.

23,925 Transfer of appropriations from Capital Contracts for purchase of ADA tables.
 Net budget effect of zero.

330,531 Transfer of appropriations from Capital Contracts to match required capital budget.
 Net budget effect of zero.

1,000 Increase in appropriations for rental of equipment.
 Increase covered by additional donations received.

400 Transfer of appropriations from Contractual Services to match actual expenditures.
 Net budget effect of zero.

2,000 Increase in appropriations for additional activity.
 Increase covered by fund balance.

2,500 Increase in appropriations for training and conference expenses for GIS division.
 Future expenditures will be reimbursed by outside organizations.

1,657 Increase in appropriations for new Restricted Fund set up for property restitution.
 Increase covered by payments from previous land owners.

3,000 Increase in appropriations for additional expenditures for Nature at Night and Bioblitz.
 Additional covered by additional donation.

5,100 Transfer of appropriations from Seasonal Salaries for the Online Research Library.

D \$ 370,013 Total increase (decrease) to Office Operations

\$ 390,733 TOTAL INCREASE (DECREASE) TO OPERATING

CLEVELAND METROPARKS

Appropriations 2017 - Legend - Amendment #5

CAPITAL

572 CAPITAL MATERIALS

- \$ (12,540) Transfer of appropriations to capital equipment for purchase of rifles.
Net budget effect of zero.

- 64 Transfer of appropriations from Capital Contracts to match actual expenditures.
Net budget effect of zero.

- (5,000) Transfer of appropriations to Capital Contracts to match actual expenditures.
Net budget effect of zero.

- (40,000) Transfer of appropriations to Capital Contracts to match actual project expenditures.
Net budget effect of zero.

- 50,000 Increase in appropriations for NEORS D Stormwater funds.
Funds will come from NEORS D Stormwater User Fees

- 20,000 Transfer of appropriations from Contractual Contracts to match actual expenditures
Net budget effect of zero.

E \$ 12,524 Total increase (decrease) to Capital Materials

573 CAPITAL CONTRACTS

- \$ (23,925) Transfer of appropriations to Operating Supplies for purchase of ADA tables.
Net budget effect of zero.

- (64) Transfer of appropriations to Capital Materials to match actual expenditures.
Net budget effect of zero.

- (297,239) Transfer of appropriations to Operating Supplies to match required budget.
Net budget effect of zero.

- (33,292) Transfer of appropriations to Operating Supplies to match required budget.
Net budget effect of zero.

- 5,000 Transfer of appropriations from Capital Materials to match actual project costs
Net budget effect of zero.

- 40,000 Transfer of appropriations from Capital Material to match actual project expenditures.
Net budget effect of zero.

- 1,500,000 Increase in appropriations for Asian Highlands.
Increase covered by funding from Cleveland Zoological Society.

- 585,000 Increase in appropriations for NEORS D Stormwater funds.
Funds will come from NEORS D Stormwater User Fees

- (20,000) Transfer of appropriation to Contractual Materials to match project expenditures.
Net budget effect of zero.

F \$ 1,755,480 Total increase (decrease) to Capital Contracts

574 CAPITAL EQUIPMENT

- \$ 12,540 Transfer of appropriations from capital materials for purchase of rifles.
Net budget effect of zero.

G \$ 12,540 Total increase (decrease) to Capital Equipment

\$ 1,780,544 TOTAL INCREASE (DECREASE) TO CAPITAL

\$ 2,171,277 GRAND TOTAL - INCREASE (DECREASE) FOR AMENDMENT

Table 1 – RFQu No. 6197 Respondents



Cleveland Metroparks Zoo
PCA Planning
Responses to Request for Qualifications (RFQu No. 6197)
Friday, June 10, 2016



Prime / Architect	Submittal Time	Contact (Name/Location/Phone /Email)	Local Architect	Zoo Planner	Exhibitory Design	Landscape Architecture	Civil Engineer	Geotech	Survey	Mechanical	Structural	Estimator	Gunite Evaluation	Life Support Systems / Aquarium
Foit-Albert Associates	6/10/16 @ 9:17 a.m.	Gwen Howard 763 Main Street Buffalo, NY 14203 716-856-3933 ghoward@foit-albert.com	Peninsula Architects / Peninsula, OH	Foit-Albert / Buffalo, NY	Foit-Albert / Buffalo, NY	Environmental Design Group / Akron, OH	Environmental Design Group / Akron, OH	PSI, Inc. / Cleveland, OH	Environmental Design Group / Akron, OH	Karpinski Engineering / Cleveland, OH	Petrilli Structural Engineers / Buffalo, NY	PCS / Cleveland, OH	Foit-Albert / Buffalo, NY	TJP Engineering / Imperial Beach, CA
HCCP	6/10/16 @ 9:17	Michael Chatham 120 N. Orange Ave Orlando, FL 32801 407-644-2656	None	HCCP / Orlando, FL	HCCP / Orlando, FL	GAI / Orlando, FL	GAI / Orlando, FL			exp. / Maitland, FL	Peller and Associates / Cleveland, OH	Bios / Seattle, WA		PCA Global / San Diego
HWH	6/10/16 @ 1:16 p.m.	HWH Architects / Cleveland	HWH / Cleveland, OH	Jones and Jones / Seattle, WA	Jones and Jones / Seattle, WA	HWH Architects / Cleveland	HWH Architects / Cleveland	Somat Engineering / Cleveland, OH	KS / Elyria, OH	Sandhu & Associates		Oppenheim Lewis Schirmer Construction	Somat Engineering / Cleveland, OH	T.A. Maranda Consultants / Blaine, WA
Mass Design Group	6/10/16 @ 1:50 p.m.	Michael Murphy, 334 Boylston Street, Suite 400, Boston, MA 02116 917-209-5251 michael@mass-group.org	Hershmann Architects / Cleveland				Fall Creek Engineering / Santa Cruz, CA			Hershmann Architects / Cleveland	Hershmann Architects / Cleveland			
Peckham Guyton Albers & Viets, Inc. (PGAV Destinations) Ranked No. 2	6/9/16 @ 9:12 a.m.	John Kemper 200 North Broadway, Suite 1000 St. Louis, Missouri 63102 314-231-7318 john.kemper@pgav.com	David Sommers & Associates / Kent, OH	PGAV Destinations / St. Louis, MO	PGAV Destinations / St. Louis, MO	Zoo Horticulture Consulting & Design AND Environmental Design Group	Environmental Design Group / Akron, OH	PSI / Cleveland, OH	Environmental Design Group / Akron, OH	exp. / Maitland, FL	Peller and Associates / Cleveland, OH	Thomas Marker & PGAV Destinations	David Sommers & Associates / Kent, OH	
Richard L. Bowen and Associates, Inc. Ranked No. 3	6/10/16 @ 12:28 p.m.	Richard L. Bowen 13000 Shaker Boulevard Cleveland, OH 44120 216-491-9300	Richard L. Bowen / Cleveland, OH	CLR / Philadelphia, PA	CLR / Philadelphia, PA	Zoo Horticulture Consulting & Design	Osborn Engineering / Cleveland, OH	David L. Lewin / Cleveland, OH	KS / Elyria, OH	whs engineering / Cleveland, OH	Richard L. Bowen / Cleveland, OH	SIRQ Construction / Salt Lake City, UT	Cemrock / Tuscon, AZ	TJP Engineering / Imperial Beach, CA (LSS) Hall Aquatic (Aquatics)
The Portico Group	6/10/16 @ 10:42 a.m.	Charles Mayes 1500 4th Avenue, 3rd Floor Seattle, WA 98101-1670 206-621-2196	Richard Fleischman + Partners / Cleveland, OH	Portico / Seattle, WA	Portico / Seattle, WA	Biohabitats / Cleveland, OH	Langan / Cleveland, OH	Langan / Cleveland, OH	Langan / Cleveland, OH	Osborn Engineering / Cleveland, OH	Osborn Engineering / Cleveland, OH	Pepper Construction / Columbus-Chicago	Osborn Engineering / Cleveland, OH	PCA Global / San Diego
Van Auken Akins Architects, LLC Ranked No. 1	6/10/16 @ 11:12 a.m.	Jill Akins 1422 Euclid Avenue, Suite 1010 Cleveland, OH 44115 216-241-2220 jakins@vaakins.com	Van Auken Akins Architects / Cleveland	WDM Architects / Wichita, KS	WDM Architects / Wichita, KS	WDM Architects / Wichita, KS	Environmental Design Group / Akron, OH	PSI / Cleveland, OH	Dempsey Surveying Company / Lakewood, OH	Scheerer Buckley Mayfield / Akron, OH	Thorson Baker / Richfield, OH	Panzica Construction / Cleveland, OH	Wiss, Janney, Elstner / Cleveland	Satchell Engineering / Carlsbad, CA

Qualification reviews and architect interviews (3) were conducted by a panel of Sean McDermott, Chris Kuhar, Andi Kornak, Christopher Lowe and Elizabeth Fowler (Kim Epley represented Liz at interview) on June 10th and June 16th, respectively. Rankings were subsequently determined by the panel. Furthermore, phone discussions were held with HWH on June 30th to better understand their statement of qualifications.

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

Cleveland Metropolitan Park District
Summary of Changes to Traffic and General Offenses Codes 2017

Traffic Code

- 301.04 Bicycle; Motorized Bicycle; Moped. (Adds “moped” to definition of “motorized bicycle”.)
- 301.16 Motorcycle. (Adds “autocycle” to definition.)
- 313.07 Driver’s Duties Upon Approaching Ambiguous or Non-Working Traffic Signal. (Adds last clause to first paragraph pertaining to malfunctioning signals.)
- 331.03 Overtaking, Passing to Left; Driver’s Duties. (Adds last sentence to subsection (a)(1) pertaining to passing a bicycle.)
- 331.18 Right-of-Way of Public Safety or Coroner’s Vehicle. (Creates penalty exception for violation of Section 331.181.)
- 331.181 Report of Vehicle Failing to Yield Right-of-Way to Public Safety Vehicle. (Adds new section creating a procedure for issuing an investigatory report for a violation of Section 331.18.)
- 333.07 Driving Under the Influence. (Extends the look back period for OVI offenses from six to ten years and modifies the provisions pertaining to ignition interlock devices.)
- 335.021 Ohio Driver’s License Required for In State Residents. (Adds new section requiring new residents of the State to obtain an Ohio driver’s license within thirty days.)
- 335.09 Display of License Plates. (Adds “mopeds”, “motor-driven cycles”, “motor scooters” and “autocycles” to vehicles requiring license display.)
- 335.111 Registration Within Thirty Days of Residency. (Adds section requiring a new resident to register a motor vehicle within thirty days.)
- 335.12 Stopping After Accident on Street. (Increases penalty for failure to stop that results in death of or serious physical harm to a person and makes stylistic changes.)
- 335.13 Stopping After Accident Upon Property Other Than Street. (Increases penalty for failure to stop that results in death of or serious physical harm to a person and makes stylistic changes.)
- 373.02 Riding Upon Seats; Handlebars; Helmets and Glasses. (Adds exceptions for autocycles and cab-enclosed motorcycles; adds standard for protective helmets.)

General Offenses Code

- 501.01 Definitions. (Adds reference to “Ohio R.C. 2903.04(A)(1)” to subsection (i)(1).)
- 501.06 Limitation of Criminal Prosecution. (Changes terminology in subsection (i) to “child with a developmental disability or physical impairment”.)
- 513.02 Gift of Marijuana. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)
- 513.03 Drug Abuse; Controlled Substance Possession or Use. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)
- 513.04 Possessing Drug Abuse Instruments. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)
- 513.05 Permitting Drug Abuse. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)
- 513.07 Possessing or Using Harmful Intoxicants. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)
- 513.08 Illegally Dispensing Drug Samples. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)
- 513.11 Possessing Nitrous Oxide in Motor Vehicle. (Adds subsection (d) on license suspension to section.)
- 513.12 Drug Paraphernalia. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)

- 513.121 Marihuana Drug Paraphernalia. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)
- 513.13 Counterfeit Controlled Substances. (Adds subsection (c) on license suspension to section.)
- 525.10 Assaulting Police Dog or Horse or an Assistance Dog. (Revises the language of subsection (e)(5)D. hereof.)
- 529.01 Liquor Control Definitions. (Adds subsection (c)(2) clarifying that beer is not an intoxicating liquor.)
- 537.051 Menacing by Stalking. (Adds prohibition of knowingly causing another person to believe that the offender will cause physical harm or mental distress to a family or household member of the other person.)
- 537.10 Telecommunications Harassment. (Adds subsections (a)(6) - (11), (b)(2), (e), (f) and (g)(5) to (7) to expand telecommunication harassment offenses.)
- 537.17 Criminal Child Enticement. (Changes reference in subsection (f)(3) to Ohio R.C. 1546.01.)
- 541.04 Arson. (Modifies subsection (b) to eliminate lack of the owner's consent as an element of arson when the property is not occupied.)
- 541.06 Criminal Mischief. (Amends subsection (a)(1) to cover mortgaged property.)
- 541.10 Vehicular Vandalism. (Changes reference in subsection (a)(3) to Ohio R.C. 1546.01.)
- 549.005 Definitions. (Adds subsection (r) defining "active duty".)

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

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

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

Section 1. The rules and regulations of the Cleveland Metropolitan Park District which will be published are hereby revised and approved. One copy of the Codified Rules and Regulations shall be certified as correct by the President of this Board and the Chief Executive Officer of the Cleveland Metropolitan Park District, attached to this resolution as a part hereof, and filed with the permanent resolutions of this Board. All provisions of the Codified Rules and Regulations continue in full force and effect, including such revisions, commencing on and after 12:01 a.m. Eastern Standard Time on October 8, 2017.

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

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

Section 4. This resolution shall be effective immediately upon its adoption by this Board, provided that the Codified Rules and Regulations revised by this resolution shall become and be effective from and after 12:01 a.m. Eastern Standard Time on October 8, 2017.

I hereby certify the forgoing to be a true and correct copy of the Resolution which was duly adopted by the Board of Park Commissioners of the Cleveland Metropolitan Park District of Cleveland, Cuyahoga County, Ohio, on the 7th day of September, 2017.

Chief Executive Officer

Date

RESOLUTION NO. 17-09-125

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

Attest: _____

Chief Financial Officer

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

Checks dated August 11, 2017 in the amount of \$1,192,185.28

Checks dated August 18, 2017 in the amount of \$772,317.79

Checks dated August 25, 2017 in the amount of \$1,310,903.32

Visa/Travel Purchasing Card dated August 6, 2017 to August 26, 2017 in the amount of \$283,824.00

Total amount: \$3,559,230.39

PASSED: September 7, 2017

Attest: _____

President of The Board of Park Commissioners

Chief Executive Officer

RECOMMENDED ACTION:

That the Board of Park Commissioners approves **Resolution No. 17-09-125** listed above.