



Work Session & Regular Meeting

Monday, January 9, 2017

*(Meeting Held at the Village of Richfield Town
Hall, Council Chambers)*

Call to Order:

The Work Session & Regular Meeting of the RJRD Board of Trustees was “Called to Order” at 6:30 p.m. by Chairperson Mr. Cugini. Following the Pledge of Allegiance, Roll Call was taken by the Administrator.

In Attendance:

Mr. Bob Becker
Ms. Kelly Clark
Mr. Dominic Cugini
Mr. Rich Fleming
Mr. Ralph Mc Nerney
Mr. Pat Norris
Mr. Bill Taylor *(Not Present)*

Mr. William R. Hanna, Counsel to the Board
Mr. Keith Shy, Capital/Public Improvements Consultant/Manager
Mrs. Debbie Bluso Rogers, Administrator

Work Session:

4-2017 Authorization for the Advancement of Local Taxes

Mr. Cugini stated that the Board was in possession of the briefing memo in advance of the meeting submitted by the Administrator requesting the adoption of resolution 4-2017 in order to receive local taxes for the 2016 tax year payable in calendar year 2017. Later in the regular business portion of the meeting, first discussion will be waived. This is an annual resolution per Ohio Revised Code 321.34 that entitles the District to receive the advancement of the semi-annual settlement of local taxes and other advances that may be required each year from the Summit County Treasurer. The resolution is required to be adopted annually in order to receive tax settlements early. There was no further discussion, comments or questions by the board.

Information and documents related to this matter are included at the end of these minutes.

Resolution 5-2017 Authorizing Issuance of RFQ from Design Professional Firms and Establishing a Process for Prequalifying and Hiring Design Professionals for Public Improvements

Mr. Cugini stated that the Board was in possession of the briefing memo in advance of the meeting. Per ORC 121.22(g), further discussion of this resolution will be considered in Executive Session. There will be formal action after the Executive Session. The purpose of the resolution was required due to the determination that the conditions of the park constitute an emergency requiring immediate action including multiple public improvement projects resulting from the master plan and the need to analyze and remediate dangerous or potentially dangerous conditions. The executive session discussion would be for the purpose of the consideration of an appointment or employment of a public employee.

There were no comments, questions or additional discussion from the Board on this matter.

Regular Meeting:

Standing Committee Reports

Capital Projects Committee:

Capital Projects Manager and Consultant, Mr. Shy stated that the demolition quotes to remove Clean Ohio structures have not been received but will assertively follow-up with the firms. There was a discussion pertaining to the particular buildings and structures that were included in the quote package and Norris stated that not all structures were required to be removed and that there was "wiggle room" in the Clean Ohio Grant based on the application and easement documentation. Both demolition firms are reputable and were used by the Summit County Metro Parks.

Formal action was required on Resolution 3-2017 to enter into an amendment number 2 to the agreement with Environmental Design Group, LLC for a hydrologic and hydraulic study in connection with the master plan. This item was discussed as first discussion, December 12, 2017. It was stated for the record that the Board has not made any formal decision regarding any action in regards to the lower dam and lake and would not until further assessments are completed.

The matter continues to be publicly deliberated and balanced against the financial options available to the board. A Hydraulic and Hydrologic Study is required for both lakes. There was no additional discussion by the board. Without further discussion, comment, or question from the Board, the following action was taken in the matter.

MOTION made by Mr. Cugini and seconded by Ms. Clark to adopt **Resolution 3-2017, A Resolution Authorizing and Directing the Chairperson and the Treasurer of the Board of Trustees to Enter Into Amendment No. 2 to the Agreement with Environmental Design Group, LLC dated September 15, 2015** in the amount of \$49,200.00 to cover the scope of expanded work for the hydraulic and hydrologic studies of the upper and lower lakes at Richfield Heritage Preserve.

DISCUSSION: None

MOTION PASSED BY THE MAJORITY PRESENT: Mr. Becker (Yea) Ms. Clark (Yea), Mr. Cugini (Yea), Mr. Fleming (Yea), Mr. McNerney (Yea), Mr. Norris (Yea), and Mr. Taylor (Not Present)

A follow-up meeting with EDG will be arranged to discuss timeline and the anticipated outcomes from the study.

Governance Committee:

Formal action was taken on the extension of the Capital Projects Consultant contract as previously discussed.

MOTION made by Mr. Cugini and seconded by Mr. Becker to adopt **Resolution 2-2017, a Resolution Authorizing and Directing the Chairperson and the Treasurer of the Board of Trustees to Enter Into Amendment Number 1 to the Agreement with Keith D. Shy to Provide Public Improvement Project Management Services.**

DISCUSSION: None

MOTION PASSED BY THE MAJORITY PRESENT: Mr. Becker (Yea) Ms. Clark (Yea), Mr. Cugini (Yea), Mr. Fleming (Yea), Mr. McNerney (Yea), Mr. Norris (Yea), and Mr. Taylor (Not Present)

Formal action was taken on the advancement of local taxes as discussed in the work session.

MOTION made by Mr. Cugini and seconded by Mr. Norris to adopt **Resolution 4-2017, a Resolution Authorizing Advances of Local Taxes Pursuant to Ohio Revised Code Section 321.34.**

MOTION AMENDED made by Mr. Cugini and seconded by Mr. Becker to waive the first discussion requirement for Resolution 4-2017 authorizing the advances of local taxes.

AMENDED MOTION PASSED BY THE MAJORITY PRESENT: Mr. Becker (Yea) Ms. Clark (Yea), Mr. Cugini (Yea), Mr. Fleming (Yea), Mr. McNerney (Yea), Mr. Norris (Yea), and Mr. Taylor (Not Present)

MOTION PASSED BY THE MAJORITY PRESENT: Mr. Becker (Yea) Ms. Clark (Yea), Mr. Cugini (Yea), Mr. Fleming (Yea), Mr. McNerney (Yea), Mr. Norris (Yea), and Mr. Taylor (Not Present)

Park Operations Committee:

The Administrator gave an update due to the absence of Mr. Taylor. Effective January 16, 2017, Park Operations Meetings will begin at 5:30 p.m. Effective December 28, 2016, Nason Landscaping and Snowplowing was hired for salting and plowing of the main driveway. Recent snow events have shown that while RJRD volunteers might be able to remove the snow on the driveway, icy conditions have occurred and have proved to very hazardous and though RJRD owns some equipment, the district is not capable to do a professional and safe job and it cannot rely on volunteers for this work. Mr. Taylor contacted Nason because of their excellent relationship with the Revere Local School systems and other local municipalities. In an email statement provided to the Administrator, Mr. Taylor stated, "*Nason reacted to the emergency situation within 45 minutes*" and will be on the property when there is 2.5-inches of snow or more. There were no comments, questions or further discussion by the Board.

Park Services Committee:

Trustee Clark reported that the Winter Fest will be cancelled until 2018.

MOTION made by Ms. Clark and seconded by Mr. McNerney to approve the Park Services Committee Meeting Minutes dated November 21, 2016 as presented.

DISCUSSION: None

MOTION PASSED UNANIMOUSLY BY THE COMMITTEE: Ms. Clark (Yea), Mr. Fleming (Yea), Mr. McNerney (Yea)

MOTION made by Ms. Clark and seconded by Mr. McNerney to approve the Park Services Committee Meeting Minutes dated December 5, 2016 as presented.

DISCUSSION: None

MOTION PASSED UNANIMOUSLY BY THE COMMITTEE: Ms. Clark (Yea), Mr. Fleming (Yea), Mr. McNerney (Yea)

Treasurer's Report:

Report by Mr. Norris was submitted and it follows this Record of Proceedings.

Administrator's Report:

No report.

Special Committee Reports:

No report.

Special Orders:

None

Unfinished Business:

Mr. Fleming stated that at the March 28, 2016 board meeting, Resolution 7-2016 was adopted to enter into an agreement with FOCH. The resolution was passed but the agreement was never signed. Mr. Fleming stated that it has been nearly a year now and it hasn't been signed and due to the recent mailings to residents by the Richfield Historical Society, Mr. Fleming posited FOCH's involvement in the matter. Mr. Fleming stated that he was prepared to make a motion to rescind the resolution but would be in approval to bring the matter back at the next meeting for more discussion. A copy of Resolution 7-2016 was not provided for the Board to review and the Administrator was asked to email the Board a copy.

MOTION made by Mr. Becker and seconded by Mr. Norris to table the matter until the next meeting.

DISCUSSION: None

MOTION PASSED BY THE MAJORITY PRESENT: Mr. Becker (Yea) Ms. Clark (Yea), Mr. Cugini (Yea), Mr. Fleming (Yea), Mr. McNerney (Yea), Mr. Norris (Yea), and Mr. Taylor (Not Present)

Resolution 7-2016 with Exhibit A will be forwarded to the Board for further discussion at the next meeting.

Under unfinished business, Ms. Clark requested the status of the Operating Engineers contract. Mr. Norris stated that this will occur later in the year and that the OE will be providing their own draft agreement; but they are willing to enter in an agreement and that he is working on this for all the right reasons.

New Business:

Ms. Clark stated that there were some errors in the Richfield Times and will communicate those corrections to the Richfield Times Magazine.

Announcements:

Mr. Cugini announced again for those in attendance that the Administrator has accepted a full-time position with the Village of Richfield as the Mayor's Executive Assistant, Human Resources, Policies and Records Coordinator. Mrs. Bluso Rogers will continue as the RJRD Administrator in a limited capacity for the time being. Mr. Cugini stated his thanks and appreciation for the Administrator's hard work and dedication.

Action Items & Agenda Items:

Follow-Up discussion regarding Resolution 7-2016

Comments from the Floor:

The Chair recognized Rick Hudak, Village Resident and Village Council Member. Mr. Hudak requested an announcement by the chair regarding any action that may be taken after the Executive Session.

The Chair recognized Sue Serdinak, Scryptype Publishing. Ms. Serdinak had questions relating to the details of the briefing memo. A press pack was provided to Ms. Serdinak. Molly Eastwood, Granger Township, stated her thanks and appreciation to the Board and brought homemade sugar cookies for the Board.

The Chair recognized Peter Schueler, Village Resident. Mr. Schueler opined that the master plan is not a master plan but rather a menu of options. This contributes to the public's concern about the park.

The Chair recognized Nancy Sandlin, Village Resident. Ms. Sandlin requested who on the board were the original appointments. It was shown by a show of hands.

The Chair recognized Village Resident, Joanne Martinak, 3838 Grant Street. She requested that the board look for grants, look for other funding sources, and public information.

The Chair recognized John Paulette, Richfield Township. Mr. Paulette stated that the Board should save what they can and do the rest later. Mr. Paulette questioned the haste to spend the bond levy in 18-24 months. The 85% / 36-month is a combined requirement from the Ohio Bond Law and the IRS. [Administrator's note: this was confirmed with the Fiscal Agent and Village Finance Director]

The Chair recognized a new resident [name not provided]. She stated that Richfield Heritage Preserve is a beautiful property and had lots to offer.

The Chair recognized Corey Ringle, Shaker Heights. Ms. Ringle stated that RHS [Richfield Historical Society and FOCH are two different entities. They are separate and confusing BUT the missions are similar. Ms. Ringle stated that FOCH is not operating together or behind the scenes with RHS on any matters.

Executive Session:

MOTION made by Mr. Cugini and seconded by Ms. Clark to go into Executive Session at 7:15 p.m. to consider the appointment and employment of a public employee per ORC 121.22(g).

DISCUSSION: None.

MOTION PASSED BY ROLL CALL VOTE: Mr. Becker (Yea) Ms. Clark (Yea), Mr. Cugini (Yea), Mr. Fleming (Yea), Mr. McNerney (Yea), Mr. Norris (Yea), and Mr. Taylor (Not Present)

Also in attendance: Mrs. Debbie Bluso Rogers, Mr. Keith Shy and Mr. Bill Hanna

Mr. Cugini announced that there would be formal action taken following the Executive Session.

The Board of Trustees came out of Executive Session at 7:45 p.m. by motion to reconvene made by Mr. Cugini and seconded by Ms. Clark.

MOTION made by Mr. Cugini and seconded by Ms. Clark to reconvene at 7:45 p.m.

DISCUSSION: None.

MOTION PASSED BY ROLL CALL VOTE: Mr. Becker (Yea) Ms. Clark (Yea), Mr. Cugini (Yea), Mr. Fleming (Yea), Mr. McNerney (Yea), Mr. Norris (Yea), and Mr. Taylor (Not Present)

MOTION made by Mr. Cugini and seconded by Ms. Clark to adopt **Resolution 5-2017, A Resolution Authorizing Issuance of a Request for Statements of Qualifications from Design Professional Firms, Determining an Emergency, and Establishing a Process for Per-Qualifying and Hiring Design Professionals for Public Improvements.**

DISCUSSION: None.

MOTION PASSED BY MAJORITY PRESENT: Mr. Becker (Yea) Ms. Clark (Yea), Mr. Cugini (Yea), Mr. Fleming (Yea), Mr. McNerney (Yea), Mr. Norris (Yea), and Mr. Taylor (Not Present)

Chairperson Mr. Cugini stated for those in attendance the purpose for the resolution. As the condition of the dams and the options for ensuring they are safe and properly maintained becomes better known, the RJRD will be faced with the need to engage design professionals to develop scopes of work, prepare specifications and bidding documents and will then need to go through a public bidding process to award construction contracts. This need will exist not only in connection with the dams, but also in connection with multiple other public improvement construction contracts. Due to the need to ensure public safety by addressing imminent repair needs and to properly manage the implementation of the master plan, whichever scenario or hybrid scenario is pursued, time is critically of the essence. Under Ohio Revised Code Chapter 153, a process is set forth concerning the hiring of design professionals which would require that separate qualifications based selection processes are followed for each public improvement project. Under ORC 153.71(B), there is an exemption for any project determined in writing by the public authority head to be an emergency requiring immediate action. As stated in the briefing memo, Mr. Cugini stated that it has been determined, in writing, that the dam and master plan implementation projects constitute an emergency, requiring immediate action.

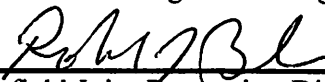
In order to facilitate the hiring of design professionals and expedite the contracting process to address these immediate needs, a resolution was prepared to memorialize the determination of an emergency requiring immediate action, and to establish a qualification based process that is based on and consistent with the QBS principles found in ORC Chapter 153, but which are not premised upon the design professional fee amount. That process will involve prequalifying design professionals who would then be eligible for design contracts related to dam and master plan implementation projects, so that the RJRD can then make a determination as to the appropriate prequalified firm for each project and then negotiate a contract with that firm. Prequalification will not guarantee that a firm receives work, but will be a prerequisite to receiving work unless a separate, statutory QBS process is undertaken.

Adjournment:

Ms. Clark made motion to adjourn seconded by Mr. Cugini at 8:16 p.m.

Respectfully submitted,

Debbie Bluso Rogers, Administrator to RJRD Board



Richfield Joint Recreation District,
Chairperson



Richfield Joint Recreation District,
Secretary

**THE TREASURER'S REPORT AND BRIEFING MEMOS
GERMANE TO THIS MEEING FOLLOW THE RJRD RECORD
OF PROCEEDINGS**