

CLIFTON BEACH 2020 Annual Meeting

Thursday MAY 21, 2020
6:00 p.m. ~ Via Webcast

Agenda

- Introduction-Trustees & Staff
- Announcements
- 2019 Projects Completed
- 2020 Planned Projects
- 2019 Rules/Access Change
- Financial Review
- Legal History & Update
- Q&A

2020 Clifton Park Organization - Unchanged

- Trustees - Warren Coleman, Rob Frost, Mary Ellen Fraser, Jim Seibert and Ryan Meany
- Secretary / Treasurer – Nancy Graves
- Superintendent– Tony Gallagher
- Guards:
 - Rich Flood
 - Tom Krist
 - Ray Long
 - Harry May
 - Jim Slagle
 - Bob Weist

Announcements - Trust Governance

- 2019 990 and 990T filed
- Minutes of Meetings and financial records
- Trust website: <http://cliftonparktrustees.org>
 - Includes Trustee and Secretary Contact Info

Announcements

- The Clifton Club will again offer the Beach Cart to all Beneficiaries and Club Members this season.
 - Serving food and beverages
 - Non-club members may pay with credit card
 - Info being mailed out to Park residents by Clifton Club

Covid-19 Changes & Rules Modifications

- The Trustees are following guidance from State and local authorities
- Opening facilities and activities as approved by Departments of Health and when Trustees feel safe to do so
- As mentioned in Trustee email, facilities and equipment are not sanitized. Members are responsible for sanitizing tables, chairs and proper hand washing while at the Beach
- No guests permitted until further notice
- Members must maintain social distancing while at the Beach

Covid-19 Changes & Rules Modifications

- The Beach House will remain closed for the foreseeable future. Trustees do not feel we can meet the ODH and local requirements to operate
 - Reservations will continue but all are At Risk of cancellation
 - Deposits will be refunded if reservation is cancelled
- Tennis courts will open in line with State guidance and City of Lakewood
 - Trustees are researching as guidelines are extensive
 - Guest policy will be in line with entire Beach
 - Continuing to review, but group lessons are unlikely this season
- Beach School is cancelled for this Beach season
- Playground will open in accordance with City of Lakewood playgrounds

2019 Projects Completed

- (Spot) Boardwalk Replacement/Repair
- Lighting at the Stairs to Lake Road
- Painting
- Platform Tennis Reinforcement
- New Beach House Roof
- Merry-go-Round

Notable Project 1: Beach House Roof

- Spring 2019 re-opening revealed leaks (consistent with age and flat design)
- Various options were developed, including: 1.) Re-roof, 2.) Tear-off, and 3.) Reconfigure (sloping, etc.)
- Multiple contractors submitted bids
- Ties into and completes 2018 Chimney repairs
- Total cost **\$15,000**
- Now enables 2020 projects to proceed (interior ceiling tiles,



Notable Project 2: The Merry-Go-Round

- Existing one >> 50 Years old.
Strong community attachment to it.
- Deterioration (the deck) made it unusable and cordoned off in '19
- Options analyzed:
 - Replace w/new (~\$16,500)
 - Removal (~\$8,000)
 - Various contractors avoided a rebuild – custom, complex
- We worked with a contractor on tightly- managed, custom-rebuilding project



2. Merry-Go-Round Reconstruction



2. Merry-Go-Round Completion



- **Nielson Construction** completed the project for **\$4,904.40**
- Steel handles/frame repainted as soon as weather permits

2020 Projects

- Beach House Ceiling - COMPLETED
- Beach House Painting -
 - Including the Flagpole and Merry-Go-Round
- Tennis Court Resurfacing
- Rebuild “the Circle” - STARTED
- Work on Multi-year Projects
 1. Boardwalk and Beach Lighting
 2. Drainage, Retaining Walls, and Road Rep



Project 1. - Boardwalk and Beach Lighting

- Situation Summary

- **Boardwalk**

- Continuous, annual maintenance
- Fair and declining condition
- Inherent weaknesses in design
- No curbs (car and plow damage)

- **Beach Lighting**

- > 30 years old
- Direct-buried cables (insulation erodes)
- Equipment, configuration no longer meets code
- The projects are related and are within the Trustee's "Maintain Existing" responsibility



Project 1. - Boardwalk and Beach Lighting

• Development Process

- 2019
 - Engaged architect / engineering firm, AoDK, to develop boardwalk and lighting design options and requirements
 - Friends of Beach support (Thank You!)
- 2020
 - Initial options being prepared (with rough cost estimates)
 - Community review and opportunity to comment
- Late 2020 or early 2021 - Construction

• Range of options being reviewed:

- Rebuild existing
- Concrete curb with various decking options
- Concrete curb with concrete base with various decking options

• Rough Ball Park of Scope (Use with Caution):

- Almost 900' of boardwalk @ 6' = 5400 sq. ft.



Project 2. - Drainage, Retaining Walls, Road Repairs

a. Upper Wall (in Woods)

- Situation Summary

- Two primary retaining walls provide hillside support under the Beach access road
 - Condition ranges from Poor/Failing (upper) to Fair (lower)
 - Will require replacement and/or reinforcement
- Long-term monitoring the of access road for movement
- There are related sewers connected with road – condition unknown
- The work is:
 - Significant (\$\$)
 - Likely multi-year



b. Lower Wall (entry)



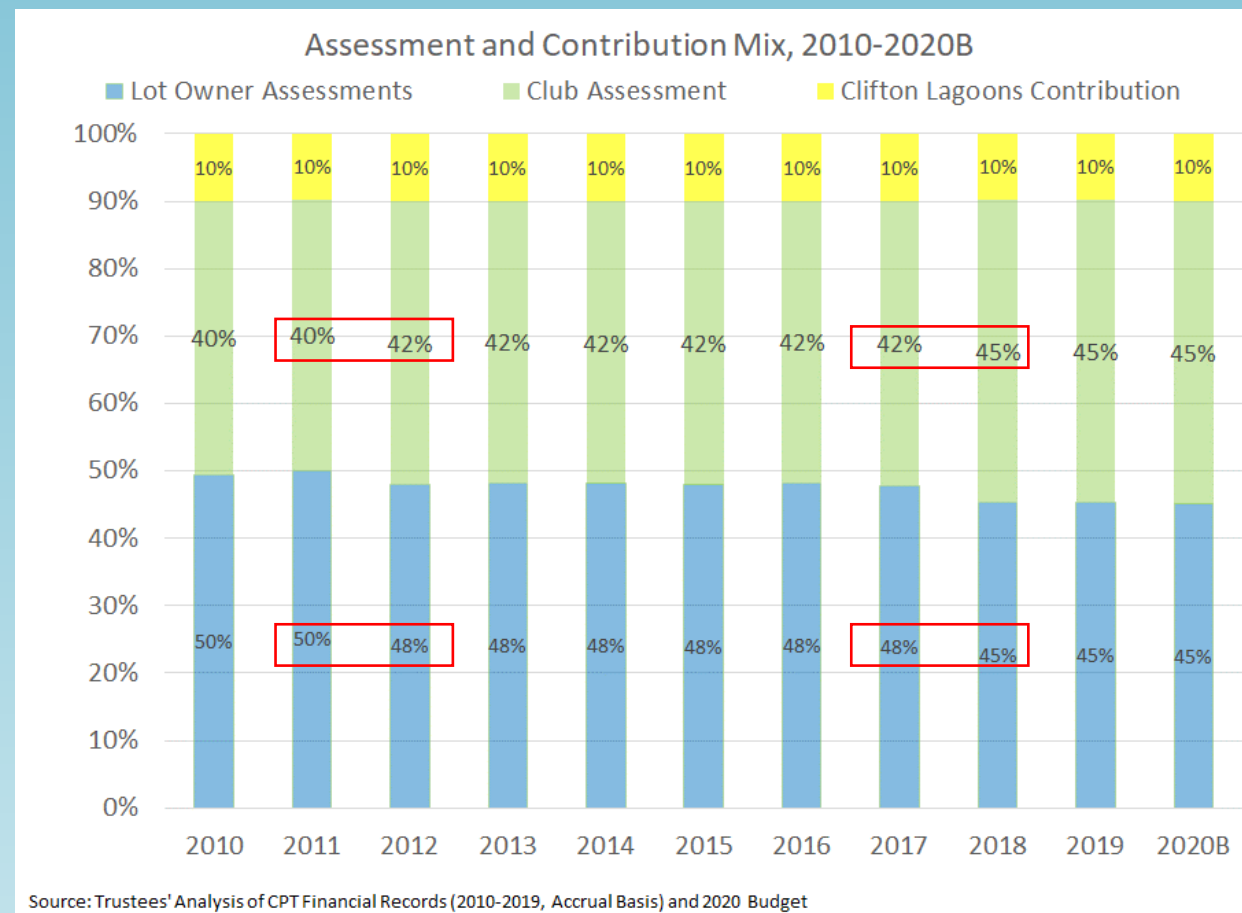
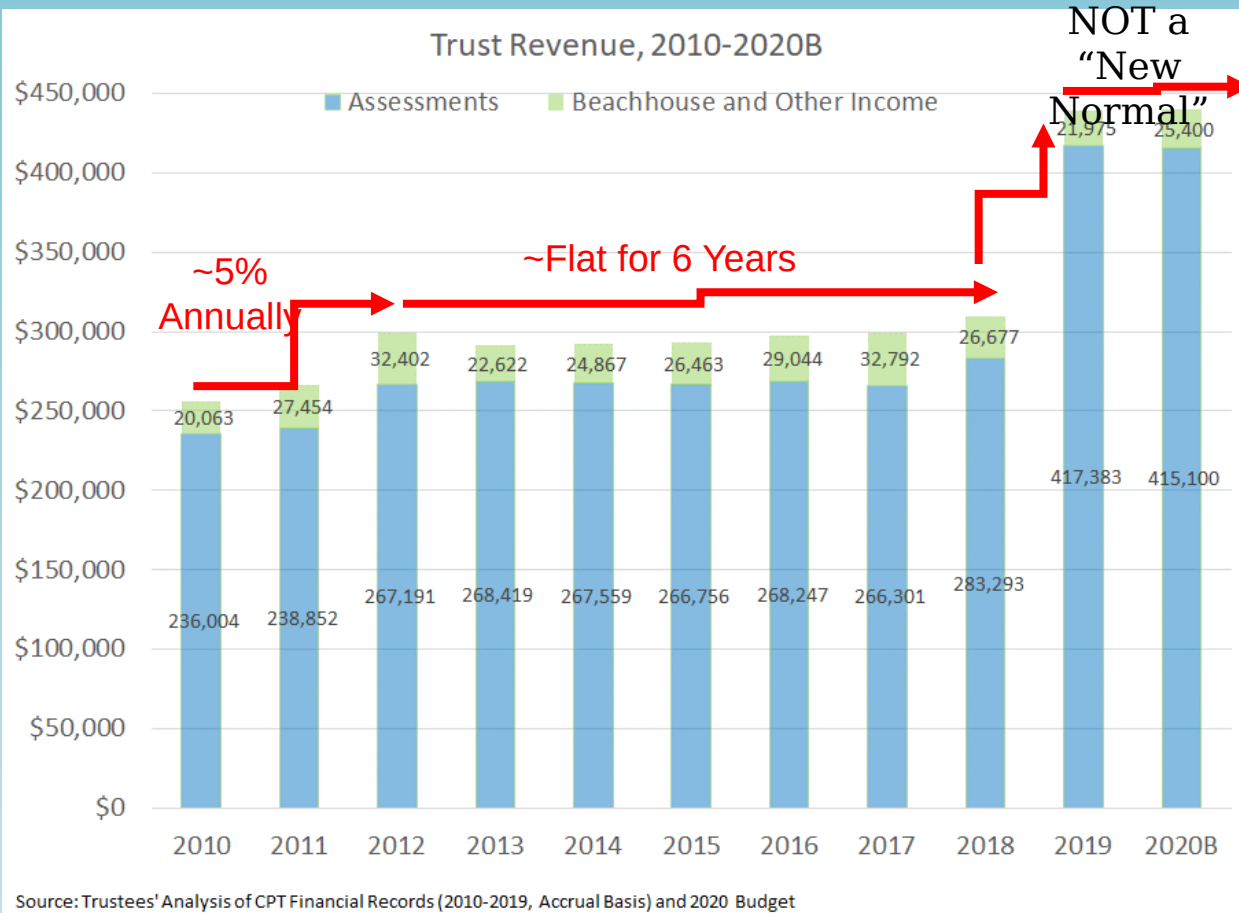
Project 2. - Drainage, Retaining Walls, Road Repairs

Development Process

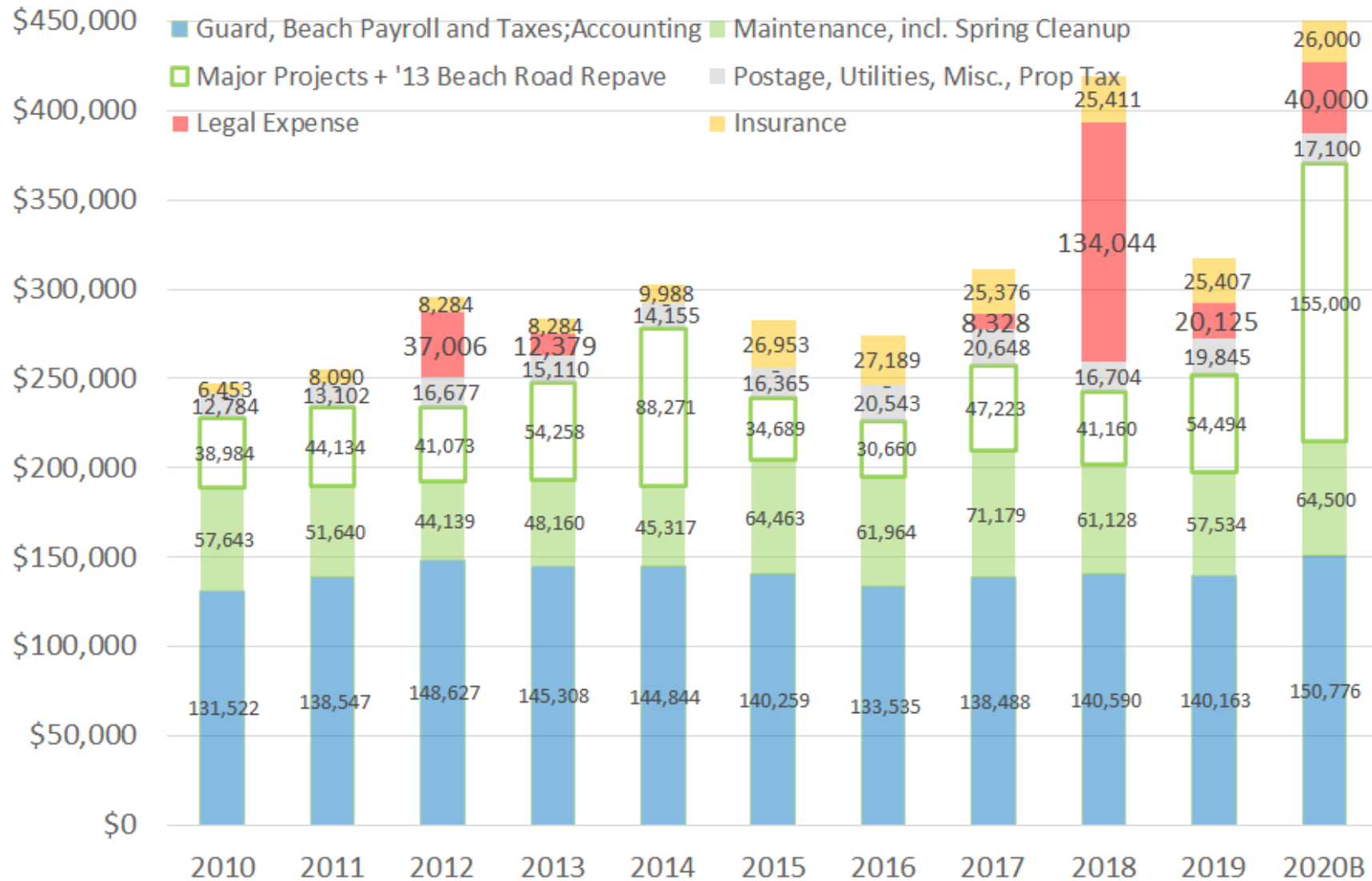
- 2019 - Initial Engineering
 - Hire engineering firm
 - Survey the existing site
 - Define the technical requirements for scope and cost estimates
 - Solicit budgetary estimates from several contractors
- 2020 - Prep and Planning
 - Engage commercial plumbers to clean sewers, inspect (with video cameras) the system, document locations, and report
 - Develop a phased construction plan based on findings (sewer priorities, walls, road, etc.)
- 2020-2022 - Construction
 - Phase construction work based on plan, depending on priorities and budgets
 - If/when road repair occurs 1 lane access will be maintained and ideally “off-season” to minimize impact



Trust Revenue - Update to 2020B



Trust Expenditures – Update to 2020B



Source: Trustees' Analysis of CPT Financial Records (2010-2019, Accrual Basis) and 2020 Budget

3. Ideally, the budgeted Legal will be used for LT Maintenance

2. LT Maintenance (Boardwalk, Lighting, Retaining Walls, etc.)

1. The majority of expenses are stable with normal growth and variances.

Financial Recap

- Our prior (open) line of credit was paid back.
- The Trust's Reserve for LT/Capital Maintenance is back to historic strength.
- We will provide periodic updates on the Major Capital Maintenance projects as they develop.

Beach Usage - Introduction and Summary

A detailed report of 2019 is available on the Trustee website

Introduction – Although imperfect, the reservation data is our best available resource. Guards and Trustees have sought to maintain the records consistently.

<u>Measure</u>	<u>Total</u>	<u>Reserved Beach Usage</u>		
		<u>Home Owner</u>	<u>Club Member</u>	<u>Lagoon</u>
Reservations	1660	692	937	31
Share of Reservations	100%	42%	56%	2%
Unique Users	350	149	192	9
Cohort Size*	460	207	225	28
Usage Rate	76%	72%	85%	32%

*Cohort size varies slightly from home/member count from sales, split lots, and member changes

Finding #1 – Club Members** reserve *** beach tables ~ 1/3 more than Home Owners.

Finding #2 – Substantially all Club Members use the beach, when considering some Club Members are also Home Owners (and are in the Home Owner category).

Source: Trustee Analysis of Beach Usage, May 1 to

Oct 15, 2019

** Club Members described here and throughout this analysis refer only to those Club members with permissive beach access, known to the Club as **Resident Members** (i.e. residents of Greater Cleveland). Club Members who are legal beneficiaries (i.e. Park or Lagoons owners) are known as **Park Associate** Club members and are included in the Home or Lagoon categories.

*** This analysis reviews table reservations. All users are also entitled to ad-hoc usage on an “as available” basis that doesn’t represent a formal

Reservation Distribution by Period

A detailed report of 2019 is available on the Trustee website

Usage by Session

Cohort	Afternoon Reservations	% of Afternoon	Evening Reservations	% of Evening	Total Reservations	% of Total
Club Member	141	56%	796	56%	937	56%
Home Owner	107	43%	585	42%	692	42%
Lagoon	3	1%	28	2%	31	2%
Grand Total	251	100%	1409	100%	1660	100%

Finding #5 - Sundays are by far the most in-demand days. Club members disproportionately use Sunday reservations.

Finding #3 - Usage patterns are consistent between afternoon and evening sessions.

Usage by Day of Week

Day of Week	Home Owner	Lagoon	Club Member	Total	Home Owner	Lagoon	Club Member
Sun	170	8	274	452	38%	2%	61%
Mon	55	3	54	112	49%	3%	48%
Tue	25	2	37	64	39%	3%	58%
Wed	38	2	65	105	36%	2%	62%
Thu	86	4	102	192	45%	2%	53%
Fri	149	2	195	346	43%	1%	56%
Sat	169	10	210	389	43%	3%	54%
Grand Total	692	31	937	1660	42%	2%	56%

Finding #4 - Usage patterns are consistent on most days, including Friday and Saturday.

Source: Trustee Analysis of Beach Usage, May 1 to Oct 15, 2019

Legal Matters Update

- 2012 Lawsuit – Plaintiffs Arthur Dueck, Nancy Binder, Todd Gilmore, William Keller, Rhonda Loje and Jeffrey & Constance Mansell vs. Defendants The Clifton Club Company et al.
 - This case established that members of the The Clifton Club are not direct beneficiaries of the Clifton Park Trust; however, the Clifton Club Company is a direct beneficiary of the Clifton Park Trust and members of The Clifton Club have a permissive right of beach access subject to the discretion of the Clifton Park Trustees.
 - The only remaining matter pending before the Cuyahoga County Probate Court in this matter is Plaintiffs' motion for attorney fees, which the Court stayed until the ultimate conclusion of the 2018 lawsuit.
 - The Court has indicated that Plaintiffs' motion for attorney fees will be heard in conjunction with the Trustees' motion for attorney fees in the latter action.

Legal Matters Update

- 2018 Lawsuit – Plaintiffs Arthur Dueck, Nancy Binder, William Keller and Paul Bjorn vs. The Clifton Park Trustees
- The Eighth District Court of Appeals upheld the Cuyahoga County Probate Court’s dismissal of Count I of Plaintiffs’ Second Amended Complaint.
- In Count I of their Complaint, Plaintiffs had asked the Court to enjoin the Clifton Park Trustees from granting beach access to Clifton Club members without the unanimous consent of all Clifton Park lot owners.
- The remaining Counts II and III of Plaintiffs’ Complaint allege that the beach rules established by the Clifton Park Trustees improperly give greater beach access rights to Clifton Club members and improperly restrict the beach access rights of resident lot owners.
- Count IV alleges an improper delay and failure by the Clifton Park Trustees in producing documents relating to the administration of the Trust.

Q&A Session

- Questions and discussion are organized, by the following categories and order:
 - Announcements & Rules (including Covid rules)
 - Maintenance & Major Projects
 - Financials
 - 2019 Beach Usage
 - Legal
 - Other
- Please submit your questions via:
 - the chat feature in Zoom
 - Text to 440-781-5817
- Identify yourself and your home address and/or Club membership