



FRESNO COUNTY ZOO AUTHORITY

SPECIAL MEETING

10:30 am, Wednesday, June 25, 2014

Fresno County Employees' Retirement Association

1111 H Street, Fresno, CA 93721

(559) 457-0681

ACTION SUMMARY MINUTES

1. Call to Order

CHAIRMAN HERZOG CALLED THE MEETING TO ORDER AT 10:32 AM. A QUORUM OF MEMBERS JOHN GRAY, GERALD LYLES, OLIVER BAINES; KENT STRATFORD, PAUL TOSTE, RALPH WATERHOUSE, AND THE CHAIRMAN WERE PRESENT.

2. Public Comments

This time is made available to receive comments from the public on matters within the Board's jurisdiction that are not on the Agenda. Attention is called to the fact that the Board is prohibited from taking any action on matters that are not on the Agenda. Members of the public are limited to three minutes to speak during Public Comments as well as for each item on the agenda. In order to accurately record the minutes, members of the public are asked to speak only from the podium. Before beginning comments, please state for the record your name and affiliation, if any.

PUBLIC COMMENTS WERE RECEIVED FROM ATTORNEY RICHARD HARRIMAN.

3. Discuss current status and possible options for management of subcontractor's retention funds for Africa Adventure and for future projects' retention and payments; and,

- a. Direct staff to pay retention funds withheld to date for African Adventure and for each future African Adventure claim, and/or,
- b. Direct staff to return with additions for possible adoption that address retention to the Authority's Procedures for Approving and Administering Measure Z Funds.

COORDINATOR CATHY CROSBY INTRODUCED THE ITEM. MEMBERS LYLES AND HERZOG COMMENTED THAT HOLDING RETENTION UNTIL PROJECT COMPLETION WAS COMMON WITH MOST PUBLIC PROJECTS. JON WHELESS, ZOOCORP AFRICAN ADVENTURE PROJECT MANAGER, CONFIRMED THAT PUBLIC CONTRACTS HAVE THE OPTION OF SETTING UP AN ESCROW ACCOUNT, AND THAT THE ZOOCORP-HARRIS CONTRACT HAD BEEN MODELED ON CALIFORNIA STATE UNIVERSITY PUBLIC PROJECT CONTRACTS AND INCLUDED THE OPTION. TREASURER JEFF BLANKS CONFIRMED THAT NO RETENTION FUNDS HAD BEEN PAID ON CLAIMS TO THIS POINT. ZOO CORP COUNSEL DOUG LARSON STATED THAT INTEREST IS AS ISSUE, AND THE

ZOOCORP HAS THE SAME CONCERN AS THE AUTHORITY TO SEE THAT THE PROJECT IS COMPLETED BEFORE PAYING THE RETENTION.

MEMBER GRAY LEFT THE MEETING AT 10:55 AM.

SEVERAL POSSIBLE OPTIONS FOR HANDLING RETENTION WERE PROPOSED AND DISCUSSED. THE CONSENSUS OF THE BOARD WAS TO DIRECT THE TREASURER TO WITHHOLD RETENTION PAYMENTS UNTIL REQUESTED AT THE COMPLETION OF THE AFRICAN ADVENTURE PROJECT, AND TO DIRECT COUNSEL TO WORK WITH ZOOCORP COUNSEL LARSON TO DRAFT AN AGREEMENT FOR THE AFRICAN ADVENTURE RETENTION PAYMENT THAT INCLUDES REPORTING REQUIREMENTS. FURTHER DIRECTION WAS GIVEN TO COUNSEL TO DRAFT A POLICY ON RETENTION PAYMENT MANAGEMENT FOR FUTURE PROJECTS, AND TO HAVE BOTH AN AGREEMENT AND POLICY FOR THE BOARD AT THE NEXT MEETING.

Adjourn

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 11:10 AM.

All supporting documentation is available for public review in the office of the Fresno County Zoo Authority, 2220 Tulare Street, 6th Floor, Fresno, 93721, during regular business hours.

For further information, please contact Catherine Crosby, Zoo Authority Coordinator, at 600-4305, email zooauthority@co.fresno.ca.us, or visit www.zooauthority.org.

Requests for disability-related modification or accommodation needed in order to participate in the meeting must be made to the Zoo Authority Coordinator no later than 9:00 a.m. on the day prior to the meeting.