



**FRESNO COUNTY ZOO AUTHORITY**

**9:00 AM, Wednesday, September 30, 2015**

**Fresno County Employees' Retirement Association**

**1111 H Street, Fresno, CA 93721**

**(559) 457-0681**

**ACTION SUMMARY MINUTES**

**1. Call to Order**

**VICE CHAIRMAN GERALD LYLES CALLED THE MEETING TO ORDER AT 9:05 AM. A QUORUM OF SIX MEMBERS WAS PRESENT, INCLUDING THE VICE CHAIRMAN, MICHELLE ROMAN, KENT STRATFORD, ASHLEY SWEARENGIN, PAUL TOSTE, AND RALPH WATERHOUSE. CHAIRMAN HERZOG WAS ABSENT.**

**0:00:41**

**VICE CHAIRMAN LYLES WELCOMED NEW MEMBER MICHELLE ROMAN AND ANNOUNCED THE PRESENTATION OF A PLAQUE TO OUTGOING MEMBER DR. JOHN GRAY, DVM.**

**BOARD COORDINATOR CATHY CROSBY HIGHLIGHTED DR. GRAY'S SERVICE OF OVER TEN YEARS TO THE ZOO AUTHORITY. DR. GRAY THANKED THE MEMBERS, SAYING IT WAS A PLEASURE SERVING ON THE BOARD, AND WELCOMED NEW MEMBER ROMAN. VICE CHAIRMAN LYLES COMPLEMENTED DR. GRAY ON HIS ASSISTANCE TO CHAIRMEN ON MEETING PROCEDURE.**

**VICE CHAIRMAN LYLES ALSO NOTED THAT CERTIFICATES OF APPRECIATION FOR STAFF SERVICE TO THE BOARD WOULD BE GIVEN TO FORMER COUNSELS JANELLE KELLEY AND ARTHUR WILL, AND ACCOUNTANT ERIC BORGES.**

**0:04:19**

**VICE CHAIRMAN LYLES ANNOUNCED THAT THE ORDER OF SOME AGENDA ITEMS WOULD BE CHANGED TO ALLOW MAYOR SWEARENGIN TO LEAVE BY 10 O'CLOCK.**

**0:04:52**

**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.  
**HELD; NONE OFFERED.**

0:5:35

**3. Consent Agenda**

These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to remove any item from the Consent Calendar. Items removed from the Consent Calendar may be heard immediately following approval of the Consent Calendar.

**PT/RW; APPROVED UNANIMOUSLY; CHAIRMAN HERZOG ABSENT**

- a. Review and approve minutes of June 24, 2015
- b. Review and approve payment of County of Fresno invoice for Professional and Specialized Services in the amount of \$38,267.88 for June, July and August 2015
- c. Receive Treasurer's Reports for June, July and August 2015

0:6:38

**VICE CHAIRMAN LYLES STATED THAT ITEMS 8 AND 9 WOULD BE HEARD AT THIS TIME.**

1:08:10

**4. Receive Fresno Chaffee Zoo Director's report**

**RECEIVED; DIRECTOR SCOTT BARTON COMPLEMENTED THE BOARD ON THEIR SERVICE TO THE COMMUNITY. MEMBERS RECEIVED THE 2014 FRESNO CHAFFEE ZOO ANNUAL REPORT, HE UPDATED THE BOARD ON AFRICAN ADVENTURE AND PARKING. THE AND DIRECTOR BARTON STATED 2014 HAD BEEN A REMARKABLE YEAR WITH ATTENDANCE EXCEEDING 700,000 FOR THE FIRST TIME, INCLUDING GUESTS FROM ALL 50 STATES AND 19 COUNTRIES. MEMBER TOSTE COMPLEMENTED MR BARTON ON THE ANNUAL REPORT.**

1:12:30

**5. Receive Fresno Chaffee Zoo Corporation Chief Financial Officer's reports for June, July and August**

**RECEIVED; CHIEF FINANCIAL OFFICER BRIAN GOLDMAN REPORTED THAT AS OF THE END OF AUGUST, ATTENDANCE WAS EQUAL TO LAST YEAR, SLIGHTLY AHEAD FOR SEPTEMBER, AND 8% AHEAD OF BUDGET. REVENUE EXCEEDS BUDGETED ESTIMATES, AND EXPENSES ARE UNDER BUDGET. HE HIGHLIGHTED THE 81% INCREASE IN COMBO TICKET SALES THAT INCLUDE STINGRAY BAY AND GIRAFFE FEEDING.**

1:18:28

**6. Approve Fresno Chaffee Zoo's request for FY 2015 Measure Z Capital funds totaling \$142,000 for transportation of animals for African Adventure**

**RW/MR – APPROVED UNANIMOUSLY; CHAIRMAN HERZOG ABSENT**

1:20:55

**7. Receive first Draft of 2014-15 annual report and provide direction to staff**

**RECEIVED; BOARD COORDINATOR CROSBY REVIEWED THE DRAFT; TREASURER JEFFREY BLANKS REPORTED THAT THE AUTHORITY'S AUDIT WAS UNDERWAY; MEMBERS DISCUSSED THE REPORT'S DISTRIBUTION, PRESENTATION AND A PRESS RELEASE FOR IT. VICE CHAIRMAN LYLES DIRECTED STAFF THAT UPON APPROVAL AT THE NEXT MEETING AND PRINTING, THE REPORT WAS TO BE DISTRIBUTED.**

1:28:15

**VICE CHAIRMAN LYLES STATED THAT ITEM 10, STAFF REPORTS, WOULD BE HEARD AT THIS TIME.**

6:35

8. Discuss and approve Retention Policy for Capital Projects agreements, and direct staff to incorporate it the next revision of the Authority's Procedures for Approving and Administering Measure Z Funds.

**MS. CROSBY PRESENTED THE ITEM AND STATED IF IT WAS APPROVED, IT COULD BECOME EFFECTIVE IMMEDIATELY AND INCORPORATED INTO THE AUTHORITY'S PROCEDURES FOR APPROVING AND ADMINISTERING MEASURE Z FUNDS.**

**PT/KS -- APPROVED UNANIMOUSLY AND WITHOUT COMMENT; CHAIRMAN HERZOG ABSENT**

9:25

**9. Amendments to Zoo Authority Bylaws**

- a. Conduct first reading and consider modifications to Bylaws suggested by the Board of Supervisors, and
1. Approve revisions, or
  2. Direct staff to prepare a letter of response for the Chairman's signature explaining why the Authority declines to adopt such revisions.
- b. Consider sample Annual Conflict of Interest Affidavit, as requested by the Board of Supervisors, and
1. Approve adoption of the document, or
  2. Direct staff to return with a similar document containing language relevant to the Authority, or
  3. Direct staff to prepare a letter of response for the Chairman's signature explaining why the Authority declines to adopt such document.

**REGARDING 9.a., BOARD OF SUPERVISORS' (BOS) SUGGESTED MODIFICATION #1 (FOUND IN ATTACHMENT A); AFTER DISCUSSION, MEMBERS VOTED TO APPROVE THE SUGGESTED LANGUAGE, EXCEPT TO STRIKE THE THIRD SENTENCE ON PAGE 2 OF THE DRAFT BYLAWS (ATTACHMENT C), PARAGRAPH I.b.1, AND SUBSTITUTE:**

**"The Authority shall meet a minimum of four times per year."**

**AS/PT – APPROVED 5-1 -- CHAIRMAN HERZOG ABSENT.**

18:31

**REGARDING 9.a., BOS SUGGESTED MODIFICATION #2; AFTER DISCUSSION, MEMBERS VOTED TO APPROVE THE SUGGESTED LANGUAGE ON PAGE 4 OF BYLAWS, PARAGRAPH III.B.1.**

**PT/AS -- APPROVED UNANIMOUSLY -- CHAIRMAN HERZOG ABSENT.**

20:15

**REGARDING 9.a., THE BOS REQUEST THAT THE BYLAWS INCLUDE A NEW SECTION ON PAGE 7 FOR THE ZOO AUTHORITY'S CONFLICT OF INTEREST (COI) POLICY; AFTER DISCUSSION, MEMBERS VOTED TO APPROVE PARAGRAPH A.**

**PT/AS – APPROVED UNANIMOUSLY; CHAIRMAN HERZOG ABSENT.**

23:00

REGARDING 9.b, THE BOS REQUESTED ADDITION TO THE BYLAWS, SECTION IV, **PARAGRAPH B**; AFTER DISCUSSION, MEMBERS VOTED TO APPROVE PARAGRAPH B TO READ AS FOLLOWS:

“B. The Conflict of Interest Policy shall be at a disclosure level greater than or equal to the standard established by the Fair Political Practices Commission.”

AS/PT – APPROVED UNANIMOUSLY; MEMBER HERZOG ABSENT

33:18

REGARDING **PARAGRAPH C**, THE BOS REQUESTED ADOPTION OF A CONFLICT OF INTEREST (COI) AFFIDAVIT; MEMBER SWEARENGIN SUGGESTED THAT THE FIRST PARAGRAPH OF THE DRAFT PROPOSED AFFIDAVIT (ATTACHMENT E) BE REVISED TO READ AS FOLLOWS AND RETURN FOR ADOPTION:

“During the above period, I have properly disclosed any financial interest according to FPPC regulations, and have abided by those regulations as a member of this Board.”

AFTER DISCUSSION, MEMBERS VOTED TO “ADOPT THIS COI (AFFIDAVIT), WITH INTERPRETATIONS BY COUNSEL (THE LANGUAGE AS SUBMITTED), AND COMMUNICATE BACK TO THE BOARD (BOS) OUR ACTIONS TODAY, AND OUR RECOMMENDATION THAT ALL COUNTY BOARDS AND COMMISSIONS, WHETHER THEY BE ADMINISTERING REVENUE STREAMS OR NOT, REVISIT THEIR BYLAWS, EMBRACE BEST PRACTICES, AND CODIFY THEIR COMPLIANCE WITH FPPC STANDARDS.”

AS/MR – APPROVED UNANIMOUSLY; CHAIRMAN HERZOG ABSENT.

MEMBER SWEARENGIN LEFT THE MEETING.

1:07:40

VICE CHAIRMAN LYLES STATED THAT ITEM 4, THE ZOO DIRECTOR’S REPORT, WOULD BE HEARD AT THIS TIME.

1:28:19

#### 10. Staff Reports

MS. CROSBY COMPLEMENTED THE COUNTY STAFF WHO PROVIDE THE ZOO AUTHORITY WEBSITE SUPPORT, MENTIONED THE SITE’S DOMAIN NAME WAS UP FOR A FIVE-YEAR RENEWAL, AND ASKED IF MEMBERS WOULD LIKE TO CONSIDER UPDATING THE SITE AFTER 10 YEARS. MS. CROSBY STATED SHE WOULD REPORT BACK ON THIS AT THE NEXT MEETING. MEMBERS ALSO DISCUSSED NAME BADGES AND BUSINESS CARDS. VICE CHAIRMAN LYLES STATED THAT MEMBERS WHO WISHED TO HAVE THEM MAY REQUEST THEM.

1:34:00

TREASURER JEFF BLANKS ASKED THE MEMBERS IF THEY WOULD LIKE A REPORT ON BUDGET-TO-ACTUAL COSTS FOR AFRICAN ADVENTURE, SINCE THE PROJECT IS NOW NEAR COMPLETION. VICE CHAIRMAN LYLES REQUESTED THE REPORT.

1:34:45

MS. CROSBY RECALLED CONTRIBUTIONS TO THE AUTHORITY OF FORMER ACCOUNTANT ERIC BORGES, AND FORMER COUNSELS JANELLE KELLEY AND ARTHUR WILLE, AND PRESENTED CERTIFICATES OF APPRECIATION. SHE ALSO EXPRESSED GRATITUDE FOR THE WILLING ASSISTANCE OF MANY OTHER COUNTY STAFF MENTIONED IN THE ANNUAL REPORT.

1:37:40

**11. Confirm next meeting date(s)**

Adopted meeting dates include:   **October 28, 2015**  
  **November 25, 2015**  
  **December 30, 2015**

**AFTER DISCUSSION, MEMBERS DETERMINED THAT THE OCTOBER AND NOVEMBER MEETING DATES WERE NOT NEEDED, AND VOTED TO HOLD THE NEXT MEETING ON WEDNESDAY, DECEMBER 9, 2015**

**RW/KS – APPROVED UNANIMOUSLY, CHAIRMAN HERZOG AND MEMBER SWEARENGIN ABSENT.**

1:43:42

**12. Chair’s comments**

**VICE CHAIRMAN LYLES WELCOMED NEW MEMBER ROMAN TO THE BOARD, AND SAID THE BOARD BENEFITED FROM HAVING REPRESENTATION FROM THROUGHOUT THE COUNTY, RECOGNIZING HER RESIDENCE IN KINGSBURG AND MEMBER TOSTE’S IN KERMAN. CONSIDERING THE VARIOUS ISSUES THAT HAD COME BEFORE THE AUTHORITY OVER 10 YEARS, HE OFFERED HER HIS ASSISTANCE.**

1:44:00

**13. Board Member comments**

**MEMBER TOSTE MENTIONED HE ATTENDED SAFARI NIGHT AND CONGRATULATED THE ZOO ON THE EVENT, AND WELCOMED MEMBER ROMAN.**

**MEMBER ROMAN THANKED THE MEMBERS, RECALLED HER MANY VISITS TO THE ZOO OBSERVING THE CHANGES OVER THE YEARS AS AN ELEMENTARY SCHOOL TEACHER, MOTHER AND MEMBER. SHE STATED THAT HER FAMILY HAD BEEN INVOLVED WITH THE MEASURE Z CAMPAIGN FROM THE BEGINNING, AND THE CITY OF KINGSBURG WAS SUPPORTIVE OF HER APPOINTMENT.**

**MEMBER WATERHOUSE ASKED COUNSEL SMITH IF SEVERAL MEMBERS ATTENDING THE OCTOBER 11<sup>TH</sup> EVENT WOULD CONSTITUTE A BOARD MEETING. COUNSEL SMITH RESPONDED THAT THERE WAS NOT AN ISSUE, AS LONG AS MEMBERS DID NOT DISCUSS BUSINESS.**

1:47:25

**14. Adjourn**

**SEEING NO FURTHER BUSINESS, VICE CHAIRMAN LYLES ADJOURNED THE MEETING AT 10:52 AM.**

**All supporting documentation is available for public review in the office of the Fresno County Zoo Authority, 2220 Tulare Street, 6<sup>th</sup> 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](mailto:zooauthority@co.fresno.ca.us), or visit [www.zooauthority.org](http://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.**