

This plan includes projections of project costs.

Projections can change depending on final scope of the project (size, complexity and quality), the actual Measure Z revenue, community feedback, recent USDA, USFWS or AZA regulations or recommendations, or the current construction climate.

The budget for a project is determined when it's approved in a Zoo Authority meeting, a public meeting with public comments. Fresno Chaffee Zoo was under the approved Measure Z budget on Sea Lion Cove. African Adventure will be on or under budget.

2014 Measure Z Funds Available

Zoo Director's Budget Presentation

Measure Z Capital Fund Balance	\$ 44.75
2014 Tax Proceeds allotted for capital projects	\$ 3.48
<u>2014 Interest</u>	<u>\$ 0.15</u>
Total Capital Funds available	\$ 48.38

2014 Measure Z Expenditures

Africa Construction	\$21.98
Approved projects (Exploration Station, Reptile House Entry, etc.)	\$ 0.31
<u>Children's Water Play Area Design</u>	<u>\$ 0.10</u>
Total Capital Fund expenses 2014	\$ 22.39

2014 Capital Projection

2015 Measure Z Funds Available

Measure Z Capital Fund Balance

\$ 25.99

2015 Tax Proceeds allotted for capital projects

\$ 3.39

Total Capital Funds available

\$ 29.38

2015 Measure Z Expenditures

Africa Construction

\$ 22.50

Animal Nutrition Center design and construction

\$ 1.00

Tiger/Orang expansion and improvements

\$ 2.00

Komodo Dragon outdoor exhibit design and construction

\$ 1.20

Parking improvements (shared costs with City of Fresno)

\$ 0.50

Education Animal Facility Design and Construction

\$ 1.40

Contingency

\$ 0.78

Total Capital Fund Expenses 2015

\$ 29.38

2015 (if Measure Z doesn't pass)

2015 Measure Z Funds Available

Measure Z Capital Fund Balance

\$ 25.99

2015 Tax Proceeds allotted for capital projects

\$ 8.00

Total Capital Funds available

\$ 33.39

2015 Measure Z Expenditures

Africa Construction

\$ 22.50

Wart hog/bat eared fox exhibit construction

\$ 0.60

Animal Nutrition Center and Facilities design and construction

\$ 1.50

Hippo/croc (African River) design (Concept and Schematics)

\$ 0.80

Tiger/Orang expansion and improvements (First phase)

\$ 2.00

Komodo Dragon exhibit

\$ 1.20

Parking improvements (shared costs with City of Fresno)

\$ 0.50

Education Animal Facility Design and Construction

\$ 1.40

Total Capital Fund Expenses 2015

\$ 30.50

2015 Projection - Measure Z passes

2016 Measure Z Funds Available

Zoo Director's Budget Presentation

Measure Z Capital Fund Balance	\$ 2.89
<u>2016 Tax Proceeds allotted for capital projects</u>	<u>\$ 8.00</u>
Total Capital Funds available	\$ 10.89

2016 Measure Z Expenditures

Tiger & Hornbill expansion (Second tiger exhibit)	\$ 2.00
African River (hippos, crocs, otters) – Design completion (through Construction Drawings)	\$ 3.00
Children's Water Play Adventure	\$ 1.50
<u>Dino Dig Expansion</u>	<u>\$ 0.50</u>
Total Capital Fund Expenses 2015	\$ 7.00

2016 Capital Projection

2017 Measure Z Funds Available

Measure Z Capital Fund Balance

\$ 3.89

2017 Tax Proceeds allotted for capital projects\$ 8.00**Total Capital Funds available****\$ 11.89****2017 Measure Z Expenditures**

African River Construction (Hippos, crocs, otters)

2017 Capital Projection

2018 Measure Z Funds Available

Measure Z Capital Fund Balance

\$ 11.89

2018 Tax Proceeds allotted for capital projects

\$ 8.00

Total Capital Funds available

\$ 19.89

2018 Measure Z Expenditures

African River (hippo/croc/otter) construction

Penguin/Entry Design

2018 Capital Projection

2019 Measure Z Funds Available

Measure Z Capital Fund Balance

\$ 19.89

2019 Tax Proceeds allotted for capital projects\$ 8.00**Total Capital Funds available****\$ 27.89****2019 Measure Z Expenditures**

Penguin/Zoo Entry design and construction

2020 Measure Z Funds Available

Measure Z Capital Fund Balance

\$ 27.89

2015 Tax Proceeds allotted for capital projects

\$ 8.00

Total Capital Funds available

\$ 35.89

2020 Measure Z Expenditures

Penguin/Entry Construction

Future Projects

Education Center

Asia exhibits (bear, tapir, rhino)

South America exhibits (jaguar, Amazon river)

Australia exhibits

African ape (gorilla, chimpanzee or bonobo)

2020 Capital Projection



October 27, 2014 Handouts Staff Reports

For Item 8 Staff reports

1. October 28, 2014 Board of Supervisors Agenda Item 7, regarding the Fresno County Zoo Authority Board Conflict of Interest Code
2. Fresno's Chaffee Zoo Corporation's amended Conflict of Interest Code for approval by the Board of Supervisors on November 4, 2014
3. Table of Disclosure Categories Compared
4. County of Fresno Conflict of Interest Affidavit, and Board Member Statement Regarding Business Interests (Specific to the Fresno County Zoo Authority.)

Other documents for reference

5. Application Form for County of Fresno Boards, Commissions and Committees, including Fresno County Board of Supervisors Administrative Policy No. 35 regarding conflict of interest of appointees, Revised 9/14.
6. Section 41 of the Charter of the County of Fresno, as amended November 3, 1992, regarding the financial interests of County employees and members of appointive boards or commissions, excerpted October 27, 2014



Agenda Item

DATE: October 28, 2014

TO: Board of Supervisors

FROM: Daniel C. Cederborg, County Counsel *Daniel C. Cederborg*

SUBJECT: Fresno County Zoo Authority Conflict of Interest Code

RECOMMENDED ACTION:

1. Accept Fresno County Zoo Authority's 2014 Local Agency Biennial Notice; or
2. Reject Fresno County Zoo Authority's 2014 Local Agency Biennial Notice and direct staff to notify the Fresno County Zoo Authority of specific changes the Board of Supervisors requests the Fresno County Zoo Authority Board make to its Conflict of Interest Code.

If your Board believes the current Fresno County Zoo Authority (Authority) Conflict of Interest Code is sufficient, your Board should adopt recommended action number 1.

If your Board does not believe the current Authority Conflict of Interest Code is sufficient, your Board can adopt recommended action number 2, articulating specific changes your Board wishes to request the Authority make to its Conflict of Interest Code.

ALTERNATIVE ACTION(s):

Your Board could direct staff to prepare amendments to the Board of Supervisors Resolution that created the Authority to include required disclosure categories to be included in the Authority's Conflict of Interest Code. If your Board chooses this alternative action, you should articulate the specific disclosure categories you wish to be included in the Resolution and direct staff to return with these amendments when it returns with the other amendments discussed by your Board at its October 14, 2014 meeting.

ADMINISTRATIVE OFFICE REVIEW _____

Page *1* of *4*

UNANIMOUS _____ BORGEAS _____ CASE MCNAIRY _____ LARSON _____ PEREA _____ POOCHIGIAN _____

Alternatively, your Board could direct staff to prepare amendments to the Authority Resolution to include required disclosure categories to be included in the Authority's Conflict of Interest Code. These amendments to the Authority Resolution would come back to your Board with the other Resolution amendments your Board suggested at your October 14 meeting.

At your October 14 meeting, some Board members indicated they thought it more appropriate that the Authority conflict of interest code require "full disclosure." That disclosure category could look something like:

Disclosure Category I: All interests in real property located within the County of Fresno or within two miles of the boundaries of the County of Fresno or within two miles of any land owned or used by the Fresno Chaffee Zoo Corporation.

Disclosure Category II: All investments, business positions in business entities, and income, including gifts, loans and travel payments, from all sources.

There may also have been expressed by at least one Board of Supervisors member that language should be added to the disclosure category that requires disclosure of gifts. If, instead of "full disclosure", your Board instead wished the Authority disclosure categories to be revised to specifically call out gifts, your Board may want to request the Authority amend their disclosure categories 2 and 3 to state:

Disclosure Category II: All investments, business positions in business entities, and income, including gifts, loans and travel payments, from any business entity which within the last two years has done or may foreseeably do business with the Authority to provide goods or services to the Authority.

Disclosure Category III: All investments, business positions in business entities, and income, including gifts, loans and travel payments, from any business entity which within the last two years has done or may foreseeably do business with the entity operating the Chaffee Zoo to provide goods or services to the Zoo.

Your Board may have other suggested language changes.

REFERENCE MATERIAL:

BAI No. 1, October 14, 2014

BAI No. 9, October 7, 2014

BAI No. 5, June 17, 2014

BAI No. 9, January 15, 2008, Resolution No. 08-024

BAI No. 8, July 13, 2004, Resolution No. 08-341



FRESNO'S CHAFFEE ZOO CORPORATION CONFLICTS OF INTEREST CODE

1. TERMS OF CONFLICT OF INTEREST CODE

Pursuant to the Political Reform Act, Government Code sections 81000, et seq., Fresno's Chaffee Zoo Corporation ("ZooCorp") adopts and promulgates this conflict of interest code. The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations, section 18730 that contains the terms of a standard conflict of interest code. Section 18730 is amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice hearings. The Fair Political Practices Commission urges organizations to incorporate section 18730 as their standard conflicts of interest code.

ZooCorp hereby adopts the terms of this standard conflict of interest code. Section 18730 and any amendments to it that are duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This code also includes the Appendix, which shall be that document, as may be amended by the Board of Directors, in which employees are designated and disclosure categories are set forth.

2. FILING AND RETENTION OF STATEMENTS

All designated employees and members of the Board of Directors shall file required Statements of Economic Interests (FPPC Form 700) with the office of the Chief Executive Officer / Zoo Director of ZooCorp. The Chief Executive Officer / Zoo Director shall retain and make available to the public all statements filed by designated employees. For statements filed by members of the Board of Directors, the Chief Executive Officer / Zoo Director shall retain a copy of the statements and forward originals to the Fresno County Board of Supervisors.



APPENDIX A TO CONFLICT OF INTEREST CODE

CATEGORY 1

Persons occupying the following positions are designated employees in Category 1:

- Members of the Board of Directors
- Chief Executive Officer / Zoo Director
- Chief Financial Officer
- Chief Development Officer
- Construction Manager

Designated persons in this category must report:

- a) Interests in real property located within a two mile radius of the Fresno Chaffee Zoo such interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property.
- b) Investments or positions in any business entity that provide services, supplies, materials, machinery or equipment to ZooCorp.
- c) Income:
 - 1) From sources that are engaged in the acquisition or disposal of real property within a two mile radius of the Fresno Chaffee Zoo; ;
 - 2) That is derived from vendors, contractors or subcontractors that provide services, supplies, materials, machinery or equipment to ZooCorp; or Including, loans, gifts or honoraria of \$250 or more from vendors, contractors or subcontractors that provide services, supplies, materials, machinery or equipment to ZooCorp.



APPENDIX B TO CONFLICT OF INTEREST CODE

CATEGORY 2

Persons occupying the following positions are designated employees in Category 2:

- Facilities Manager
- Veterinarian
- Marketing Manager
- Events Manager
- Safety and Security Manager
- Education Curator
- General Curator
- HR Manager
- Visitor Services Manager

Designated persons in this category must report investments, income or positions with vendors, contractors or subcontractors that supply services, supplies, materials, machinery or equipment to ZooCorp. Designated persons must also report loans, gifts or honoraria of \$250 or more from vendors, contractors or subcontractors that provide services, supplies, materials, machinery or equipment to ZooCorp.

Disclosure Categories Compared

Zoo Authority 2012 Conflict of Interest Code Exhibit B	Board of Supervisors FPPC Disclosure Requirements	Board of Supervisors Agenda Item 7 10/28/14 County Counsel suggested Requirements	Fresno's Chaffee Zoo Corporation Adopted Conflict of Interest Code for Board of Supervisors Approval	FPPC Model Disclosure Category for Grant/Service Providers/Agencies that Oversee Programs
Disclosure Category I Designated employees in this category must report any interest in real property which is located within two miles of the boundaries of Chaffee Zoo or Roeding Park.	Disclosure Category I For local officials, real property located within 2 miles of the boundaries of the jurisdiction or any real property that the agency has an interest in is deemed to be "within the jurisdiction. (Government Code Section 87200)	Disclosure Category I "Full Disclosure" All interests in real property located within the County of Fresno or within two miles of the boundaries of the County of Fresno or within two miles of any land owned or used by the Fresno Chaffee Zoo Corporation.	Interests in real property located within a two mile radius of the Fresno Chaffee Zoo such interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property.	
Disclosure Category II Designated employees in this category must report investments in, income from, and business positions with any business entity which within the last two years has done or may foreseeably do business with the Authority to provide goods or services to the Authority.	Disclosure Category II ...(B)boards of supervisors, city council members, planning commissioners, elected state officials, etc.) must report all sources of gifts, as well as sources of income, and investments and business positions in business entities, doing business within, and real property interests located within, their agency's jurisdiction. (Government Code Section 87200)	Disclosure Category II All investments, business positions in business entities, and income, including gifts, loans and travel payments, from any business entity which within the last two years has done or may foreseeably do business with the Authority to provide goods or services to the Authority.		
Disclosure Category III Designated employees in this category must report investments in, income from, and business positions with any business entity which within the last two years has done or may foreseeably do business with the entity operating the Chaffee Zoo to provide goods or services to the Zoo.		Disclosure Category III All investments, business positions in business entities, and income, including gifts, loans and travel payments, from any business entity which within the last two years has done or may foreseeably do business with the entity operating the Chaffee Zoo to provide goods or services to the Zoo.		All investments, business positions and income, including gifts, loans and travel payments, or income from a nonprofit organization, if the source is of the type to receive grants or other monies from or through the (name of agency).

Item #7
10-28-14

**COUNTY OF FRESNO
CONFLICT OF INTEREST AFFIDAVIT**

For Quarter Ended September 30, 2014
Government Code Section 1094

During the above period, I have not had a financial interest in any contract made by me in my official capacity or by any body or board of which I am a member. Further, I have not been a purchaser at any sale or vendor at any purchase made by me in my official capacity. Neither I, nor, to my knowledge, any of my deputies or clerks, have purchased or sold or in any manner received for my, their own, or for any other person's use or benefit, any county warrants, scrips, orders, claims or other evidence of indebtedness against the County of Fresno. (This does not apply to evidence of indebtedness for services rendered nor to evidences of funded indebtedness of the County.) I have complied with the provisions of Article 4 of Chapter 1 of Division 4 of Title 1 of the Government Code (Sections 1090 et seq.) before having my account with the County allowed by the Auditor-Controller/Treasurer-Tax Collector for the quarter ended **September 30, 2014.**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signature

Title

Date

Government Code Section 1094:

Every office, whose duty it is to audit and allow the accounts of other state, county, or city officers shall, before allowing such accounts, require each of such officers to make and file with him an affidavit or certificate under penalty of perjury that he has not violated any of the provisions of this article and any individual who willfully makes and subscribes such certificate to an account which he knows to be false as to any material matter shall be guilty of a felony and upon conviction thereof shall be subject to the penalties prescribed for perjury by the Penal Code of this State.

Item #7
10-28-14

BOARD MEMBER STATEMENT REGARDING BUSINESS INTERESTS

I certify that during my term of service on the Board of the Fresno County Zoo Authority neither I, nor any corporation, subsidiary, sole proprietorship, partnership, entity or business in which I have an interest will have or enter into any contract or business transaction with the Zoo Authority or the Fresno Chafee Zoo Corporation in any capacity whatsoever, including but not limited to as a contractor, subcontractor, service provider, vendor or supplier.



COUNTY OF FRESNO
BOARDS, COMMISSIONS, COMMITTEES APPLICATION FORM

Please be advised that you may be required to file a Form 700 - Statement of Economic Interest

Name of Applicant: _____

☐ Home Address: _____ City: _____ Zip: _____

Current Employer: _____

☐ Business Address: _____ City: _____ Zip: _____

☐ Home Phone: _____ ☐ Work Phone: _____ Supervisorial District No. _____

E-mail Address: _____

NOTE: Please check ☐ above the address and telephone number you would like listed on the roster if you are appointed. The roster information may be released as a public record.

COMPLETE NAME of Board/Committee/Commission(s) you are interested in serving on as well as the position for which you are qualified (if necessary). If you are applying for the Mental Health Board, Fresno Child Care & Development Local Planning Council, In-Home Supportive Services Advisory Committee, or Children and Families Commission, please call the number below for a supplemental application. If you are applying for the Workforce Investment Board or Community Medical Centers Board of Trustees, please note a different application form is required.

List past or present County appointments, as well as any other public service appointments, or elected positions held (please list dates served):

What experience or special knowledge can you bring to your area(s) of interest?

List community organizations to which you belong:

Convictions and Penalties – Have you ever been convicted of a felony? If yes, give dates(s), location(s) and penalties. (Convictions are evaluated for each position and are not necessarily disqualifying).

List any affiliation you or your spouse has with public service agencies:

I HAVE READ THE "FRESNO COUNTY BOARD OF SUPERVISORS' ADMINISTRATIVE POLICY NO. 35" REGARDING CONFLICT OF INTEREST FOR BOARD APPOINTEES AND AGREE TO ABIDE BY THE POLICIES AND PROCEDURES AT ALL TIMES WHILE AN APPOINTED MEMBER OF THE INTERESTED NAMED COMMITTEE. AT PRESENT, TO THE BEST OF MY KNOWLEDGE, NO CONFLICT OF INTEREST EXISTS IN MY SERVING ON THIS COMMITTEE

(Signature)

(Date)

PLEASE RETURN COMPLETED FORM TO:

Clerk, Board of Supervisors
Hall of Records, Room 301
2281 Tulare Street, Fresno, CA 93721
Telephone: (559) 600-3529, Option 4
Fax: (559) 600-1608

APPLICATIONS WILL BE KEPT ON FILE FOR ONE YEAR.

Please re-file after that time if you are still interested in serving on a Board, Commission or Committee

**FRESNO COUNTY BOARD OF SUPERVISORS
ADMINISTRATIVE POLICY
NO. 35**

SUBJECT: CONFLICT OF INTEREST - BOARD APPOINTEES

POLICY STATEMENT

In addition to any Federal or State conflict of interest requirements which may apply, no member of any board, commission or committee shall make, participate in making or in any way attempt to use their position to influence a decision in which he or she knows or has reason to know that he or she or their spouse has a financial interest. In all such cases, the affected member shall disclose their interests in the records of the board, commission or committee and shall refrain from participating in all discussions and votes concerning the matter in which they or their spouse has a financial interest.

The purpose of this policy is not only to avoid actual improprieties, but also the appearance of possible improprieties. Therefore, it is the policy of the Board of Supervisors that any doubts as to whether a member shall refrain from participating in a particular matter should be resolved in favor of non-participation.

While recognizing that state law and regulations may specify categories of memberships on certain board, commission and committees, to the extent possible, no one shall be appointed to a board, commission or committee which recommends funding allocations to community based organizations, who is or whose spouse is a director or officer of an agency or organization which competes in the funding process before that board, commission or committee.

MANAGEMENT RESPONSIBILITY

The County Administrative Officer shall provide all nominees to County boards, commission and committees with copies of the Board's Conflict of Interest policy. Additionally, the County's staff to each board, commission, and committee shall be provided with a copy of the application of each appointee so as to be able to assist in monitoring compliance with the conflict of interest policy. Monitoring shall include annual review of appointee circumstances as they may change during each appointee's term of office.

APPLICANT/NOMINEE RESPONSIBILITY

All applicants shall state on their application for appointment what affiliation, if any, they or their spouse has with public service agencies. Additionally, all applicants shall certify prior to their participation as a voting representative of the Board of Supervisors that they have read this policy and can serve free of any conflict of interest. The certification will be made by an applicant/nominee by signing the application for their appointment. Further, should any conflict of interest arise during the appointee's term of office, the appointee shall so declare and abstain from participation on the proceeding and business as it relates to the area of conflict.

For those boards, commissions and committees which recommend funding allocations to the Board of Supervisors, no member shall participate in any discussions or decisions related to an agency of which the member or the member's spouse is a director or officer. Additionally, unless state law or regulation require otherwise, any such member shall also refrain from participation in discussions or decisions related to proposals which are in direct competition with a proposal submitted by the agency of which the member or member's spouse is a director or officer.

CHARTER OF THE COUNTY OF FRESNO STATE OF CALIFORNIA

RATIFIED APRIL 10, 1933
APPROVED APRIL 19, 1933

Amended November 3, 1936
Amended November 3, 1942
Amended November 7, 1944
Amended November 2, 1948
Amended November 8, 1949
Amended November 2, 1954
Amended November 6, 1956
Amended November 8, 1960
Amended June 7, 1966
Amended November 3, 1970
Amended November 7, 1972
Amended November 5, 1974
Amended June 8, 1976
Amended November 2, 1976
Amended June 6, 1978
Amended November 7, 1978
Amended June 3, 1980
Amended November 3, 1992

SECTION 41. No officer or employee shall be interested directly or indirectly in any contract or transaction with the County or become a surety upon any bond given to the County.

No officer or employee shall receive any commission, money, or thing of value, or derive any profit, benefit or advantage, directly or indirectly, from or by reason of any dealings with, or service for the County, by himself or otherwise, except his lawful compensation as such officer or employee.

As to members of appointive boards and commissions only, the following standards shall apply. No appointive board or commission member shall be financially interested in any contract made by any body or board of which he is a member. The meaning of the terms "financial interest" and "made" shall be consistent with state law. Nothing contained herein shall be construed to apply to a member of a board or commission which is purely advisory.

Any violation of the provisions of this Section shall render the contract or trans-action involved voidable at the option of the Board of Supervisors. It shall be the duty of every officer and employee who has knowledge of any violation of the provisions of this section immediately to report such violation to the Board of Supervisors. Failing to do so, he may be removed from his office or employment.

(Amended June 3, 1980.)