



**FRESNO COUNTY ZOO AUTHORITY**

**MEETING**

**9:00 AM, Wednesday, August 27, 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 9:02 AM. A QUORUM OF FIVE MEMBERS: JOHN GRAY, GERALD LYLES, KENT STRATFORD, PAUL TOSTE, AND THE CHAIRMAN WERE PRESENT. MEMBERS OLIVER BAINES AND RALPH WATERHOUSE WERE ABSENT.**

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 AND CITIZEN JOAN LEROUX.**

**MR. HARRIMAN OFFERED AN APOLOGY FOR HIS ERROR IN STATING AT THE JUNE 25, 2014 ZOO AUTHORITY MEETING THAT MEMBER LYLES WAS ON THE MEASURE Z CAMPAIGN COMMITTEE.**

**9:05 MEMBER OLIVER BAINES ARRIVED.**

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.

**APPROVED UNANIMOUSLY – PT/JG**

- a. Review and approve minutes of two meetings held June 25, 2014
- b. Review and approve payment of County of Fresno invoice for Professional and Specialized Services in the amount of \$20,426.06 for June and July 2014
- c. Receive Treasurer's Reports for June 2014, the Quarter ended June 30, 2014 and July 2014
- d. Approve and authorize Chairman to sign *Amendment 1 to Agreement Regarding Procedures for Distribution of Tax Revenue to the Chaffee Zoo*

4. Receive Fresno Chaffee Zoo Director's Report

**RECEIVED -- DIRECTOR SCOTT BARTON STATED ATTENDANCE IS AHEAD OF LAST YEAR, WORK ON AFRICAN ADVENTURE "IS GOING VERTICAL" AND BOARD MEMBERS ARE WELCOME TO VISIT THE SITE. THE PROJECTED OPENING DATE IS OCTOBER 2015. DIA DE LOS NIÑOS HAD 6,200 VISITORS LAST SUNDAY; SUMMER CAMP BROKE ATTENDANCE RECORDS; ICE CREAM ZOO FARI SOLD OUT; AND IN SEPTEMBER DINO NIGHT AND THE ANNUAL SAFARI NIGHT FUNDRAISER WILL BE HELD.**

5. Receive Fresno Chaffee Zoo Finance Director's report

**RECEIVED -- FINANCE DIRECTOR BRIAN GOLDMAN REPORTED THAT YEAR-TO-DATE SURPLUS IS TWICE THE PROJECTED AMOUNT; SELF-GENERATED REVENUE IS 9% OF YTD BUDGET, PERSONNEL AND OPERATING EXPENSES ARE 10% AND 7% UNDER BUDGET, RESPECTIVELY; YTD ATTENDANCE IS 10% AHEAD OF BUDGET AND 4% AHEAD OF LAST YEAR.**

**COMMENTS WERE RECEIVED FROM MR. HARRIMAN AND MS. LEROUX.**

6. Approve Fresno's Chaffee Zoo Corporation Fiscal Year 2014 Amended Operations budget

**APPROVED UNANIMOUSLY -- PT/JG -- FINANCE DIRECTOR GOLDMAN REVIEWED THE HANDOUT THAT ILLUSTRATED THE AMENDED BUDGET COMPARED TO THE ORIGINAL BUDGET, AND THE REMOVAL OF \$100,000 IN MEASURE Z RENEWAL DONATIONS AND EXPENSES OF \$425,000. \$75,000 IS RESERVED TO REIMBURSE BALLOT COSTS.**

7. Approve Fresno's Chaffee Zoo Corporation request to roll over Measure Z Capital funds totaling \$297,657

**APPROVED UNANIMOUSLY -- PT/JG -- FINANCE DIRECTOR GOLDMAN EXPLAINED THE REQUEST TO ROLL OVER FUNDS FIRST APPROVED IN 2012 FOR AFRICAN ADVENTURE DESIGN, THE EXPLORATION STATION AND TROPICAL TREASURES. DESIGN IS COMPLETE AND PERMITS ARE IN PROCESS FOR THE EXPLORATION STATION; TROPICAL TREASURES IS UNDERGOING RENOVATION THAT HAD BEEN DELAYED BY SEA LION COVE.**

**MEMBER GRAY REQUESTED A DESCRIPTION OF TROPICAL TREASURES. MEMBER TOSTE ASKED ABOUT ONGOING DESIGN COSTS FOR AFRICAN ADVENTURE; MR. GOLDMAN AND AFRICAN ADVENTURE CONSTRUCTION MANAGER JON WHELESS EXPLAINED THE STATE REQUIREMENT FOR AN ARCHITECT ON-SITE DURING CONSTRUCTION. MEMBER TOSTE ASKED ABOUT THE EXPLORATION STATION, AND FOR FUTURE ROLLOVER REQUESTS TO INCLUDE A PRESENTATION ON THE PROJECTS. DIRECTOR BARTON WILL PROVIDE A FULL UPDATE ON THE CAPITAL BUDGET AT THE NEXT MEETING.**

**PUBLIC COMMENTS WERE RECEIVED FROM MS. LEROUX AND MR. HARRIMAN.**

8. Adopt Resolution concurring with proposed amendment to Fresno's Chaffee Zoo Corporation's Policy on the Procurement of Goods and Services, Including the Bidding & Selection Process for Construction Projects.

**MEMBER TOSTE STATED HE WOULD LIKE TO STRIKE THE WORDS "WISHES TO" AND SUBSTITUTE THE WORD "CHANGE" TO "CHANGES" IN THE FIRST LINE OF PARAGRAPH 2 ON PAGE 2. MEMBER GRAY POINTED OUT THAT IN PARAGRAPH 3, LINE 2, "EXHIBIT 1" SHOULD BE "EXHIBIT A".**

**MEMBER LYLES MADE A MOTION TO ADOPT THE RESOLUTION SUBJECT TO THE CHANGES MENTIONED; THE MOTION WAS SECONDED BY MEMBER TOSTE AND THE VOTE WAS UNANIMOUS.**

9. Authorize Chair to sign *Agreement Regarding Maintenance Of Retention Payments By Zoo Corporation*

**COORDINATOR CROSBY INTRODUCED THE ITEM. COUNSEL WILLE SAID THAT THE AGREEMENT HAD NOT STATED A PROCEDURE FOR THE RELEASE OF THE RETENTION, BUT TWO CHOICES WERE AVAILABLE: 1.) UPON DOCUMENTATION OF PROJECT COMPLETION, THE BOARD COULD MEET TO APPROVE THE RELEASE OF THE RETENTION, OR 2.) RETENTION COULD BE RELEASED UPON THE APPROVAL OF THE FINAL INVOICE FOR THE PROJECT, AS WAS DONE FOR SEA LION COVE.**

**MEMBER GRAY STATED HE WOULD LIKE THE BOARD TO HAVE THE FINAL SAY IN RELEASING THE RETENTION. THE CHAIRMAN CONCURRED AND ASKED THAT THIRD PARTY CERTIFICATION ALSO BE INCLUDED. MEMBER TOSTE CONSIDERED THE PHRASE "NOT LATER THAN 10 DAYS" TO NOW BE IMPRACTICAL, CONSIDERING MEMBERS HAD EXPRESSED A PREFERENCE TO HOLD A MEETING TO APPROVE THE RELEASE OF THE RETENTION. COUNSEL WILLE SUGGESTED ELIMINATING THE PHRASE AND BEGINNING THE SENTENCE WITH "PRIOR", AND THAT THE BOARD WOULD HOLD A MEETING FOR APPROVAL AS SOON AS PRACTICAL.**

**MEMBER TOSTE MADE THE MOTION TO AUTHORIZE THE CHAIRMAN TO SIGN THE AGREEMENT WITH THE CHANGES DISCUSSED, INCLUDING CHANGING THE RETENTION PERCENTAGE FROM 10% TO 5%. IT WAS SECONDED BY MEMBER GRAY AND APPROVED UNANIMOUSLY.**

**COMMENTS WERE RECEIVED FROM MS. LEROUX AND MR. HARRIMAN.**

10. Discuss Biennial Conflict of Interest Code Review, the Zoo Authority's 2012 Code, and Board of Supervisors' comments regarding disclosure categories; and,
- a. If amendments are not needed, authorize Chair to sign the 2014 Local Agency Biennial Notice, or
  - b. If amendments are needed, authorize Chair to sign the 2014 Local Agency Biennial Notice and provide direction to staff to return with draft revised code for adoption.

**APPROVED UNANIMOUSLY -- OB/PT -- AFTER CLARIFICATION FROM COUNSEL WILLE AND DISCUSSION, MEMBERS DETERMINED TO KEEP CURRENT CONFLICT OF INTEREST DISCLOSURE CATEGORIES UNCHANGED.**

11. Discuss and provide direction to staff regarding development of policy requiring review of contracts by Board of Supervisors before approval by Zoo Authority.

**AFTER DISCUSSION, THE CONSENSUS OF MEMBERS' COMMENTS WAS THAT NO POLICY WAS NEEDED.**

**COMMENTS WERE RECEIVED BY MR. HARRIMAN.**

12. Approve transfer of \$13,962 within the FY 2013-14 Zoo Authority Administrative Organization 9810 budget from Appropriations for Contingencies to Professional and Specialized Services

**TREASURER JEFF BLANKS INTRODUCED THE ITEM.**

**APPROVED UNANIMOUSLY-- PT/GL**

13. Receive staff reports

a. Zoo Authority-ZooCorp agreement for actual cost of November 2014 election

**RECEIVED – COORDINATOR CROSBY REPORTED THAT THE AGREEMENT WAS SIGNED IN JULY AND HAS BEEN POSTED TO THE ZOO AUTHORITY WEB SITE WITH OTHER DOCUMENTS RELATED TO THE RENEWAL BALLOT MEASURE.**

b. Annual report development

**RECEIVED – MS. CROSBY ALSO REPORTED THAT THE FINANCIAL DOCUMENTS FOR THE ANNUAL REPORT HAVE BEEN PREPARED FOR THE AUDIT, WORK ON THE GRAPHIC DESIGN HAS BEGUN, AND A FIRST DRAFT SHOULD BE AVAILABLE IN OCTOBER.**

14. Confirm next meeting date(s)

Approved meeting dates include:      September 24, 2014  
October 29, 2014  
November 26, 2014

**MEMBERS CANCELLED THE SEPTEMBER 24TH MEETING AND WILL HOLD THEIR NEXT MEETING OCTOBER 29TH**

**APPROVED -- PT/GL**

15. Chair's comments

**HELD – THE CHAIRMAN THANKED STAFF AND ZOOCORP STAFF FOR THEIR WORK WITH THE COMPLICATED AGENDA.**

16. Board Member comments

**COMMENTS WERE RECEIVED FROM MEMBERS LYLES, BAINES AND GRAY.**

17. Adjourn

**THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE CHAIRMAN ADJOURNED THE MEETING AT 10:33 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.