

# MINUTES

## SPECIAL TELECONFERENCE MEETING OF CALIFORNIA FAIR SERVICES AUTHORITY BOARD OF DIRECTORS

July 30, 2019

1776 Tribute Road, Suite 100, Sacramento, CA 95815

In attendance:

### Board Members

**Stephen Kenny**, Board Chair  
Butte County Fair

**Dan Jacobs**, Director  
Antelope Valley Fair (50<sup>th</sup> DAA)

**Lori Marshall**, Director  
Cow Palace Arena & Event Center  
(1-A DAA)  
(Via Phone)

**Michael Olcott**, Director  
Kern County Fair (15<sup>th</sup> DAA)

**Jack Blyskal**, Director  
Public Member

**John Quiroz**, Director  
CDFA Fairs & Expositions Branch

### CFSA Staff

**Becky Bailey-Findley**, Executive Director  
California Fair Services Authority

**Rebecca Desmond**  
Deputy Executive Director  
California Fair Services Authority

**Raechelle Gibbons**, Chief Financial  
Officer  
California Fair Services Authority

**Tom Amberson**, Risk Department  
Manager  
California Fair Services Authority

**Melissa Thurber**, Communication Director  
California Fair Services Authority

**Kevin Wright**, Mgr of Bus Svcs  
California Fair Services Authority

**Christy Layton**, Legal Counsel to CFSA  
Sloan Sakai Yeung & Wong LLP

## I. CALL TO ORDER

Pursuant to the meeting notice, a special teleconference meeting of the California Fair Services Authority (CFSA) Board of Directors was convened at 9:02 a.m., July 30, 2019, by Board Chair Steven Kenny, in the conference room at 1776 Tribute Road, Suite 200, Sacramento, California.

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**II. APPROVAL OF MINUTES**

Moved by Director Byskal and seconded by Director Olcott to adopt **Resolution No. 19-26** approving the minutes of the Special Teleconference meeting of May 23, 2019, as presented to the Board of Directors.

Ayes: Chair Kenny, Directors Blyskal, Jacobs, Olcott, Marshall, Quiroz  
Noes: None  
Abstain: None  
Absent: Director Wolcott

**III. ADOPTION OF RESOLUTION APPROVING REVISIONS TO CFSA PERSONNEL POLICIES**

Deputy Director Rebecca Desmond proposed minor changes to six current policies: Policy 210, Work Hours and Paydays; Policy 212, Compensatory Time Off; Policy 313, Sick Leave; Policy 330, Employee Assistance Program; Policy 350, Group Benefits; and Policy 640, Training and Education Assistance.

Moved by Director Marshall and seconded by Director Jacobs to adopt **Resolution No. 19-27** accepting the changes to CFSA Personnel Policies as presented to the Board of Directors.

Ayes: Chair Kenny, Directors Blyskal, Olcott, Jacobs, Marshall, Quiroz  
Noes: None  
Abstain: None  
Absent: Director Wolcott

**IV. ADOPTION OF RESOLUTION APPROVING 2019-2020 CFSA GENERAL LIABILITY RISK SHARING PROGRAM CERTIFICATE OF COVERAGE (COC) AND MEMORANDUM OF COVERAGE (MOC)**

The CFSA MOC and COC are based on the CSAC-EIA GL 1 Memorandum of Coverage (GL 1 MOC). The CFSA MOC and COC detail the coverage provided to CFSA members for the first \$100,000 of protection under the CFSA General Liability Program. The CSAC-EIA GL 1 MOC details the second layer of coverage provided above the \$100,000 SIR, up to \$25 million per occurrence. Each year, CSAC-EIA considers modifications to the GL 1 MOC and adopts those modifications in June. This year, the CSAC-EIA Board adopted several substantive modifications, which are detailed in a CSAC-EIA memo and copy of the GL1 MOC.

CFSA's approach has been to adopt and directly incorporate the language of the GL 1 MOC to the extent possible. However, the CFSA COC also has unique provisions required by the fact that CFSA provides the first layer of coverage verses the second layer of coverage, and also that CFSA has multiple members.

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Moved by Director Blyskal and seconded by Director Marshall to adopt **Resolution No. 19-28** accepting the CFSA MOC and COC as presented to the Board of Directors.

Ayes: Chair Kenny, Directors Blyskal, Olcott, Jacobs, Marshall, Quiroz  
Noes: None  
Abstain: None  
Absent: Director Wolcott

**V. ADOPTION OF RESOLUTION APPROVING GENERAL LIABILITY OPERATING MEMORANDUM NO. 19-01 INCLUDING REVISED CFSA INSURANCE REQUIREMENTS**

Due to circumstances that have arisen recently in a handful of general liability claims, CFSA Liability Claims Manager Mark Stone has recommended an addition to our CFSA Insurance Requirements. The additional language requires that insurance certificates provided by fair vendors and renters include a listing of policy forms, endorsements, exclusions and certain deductibles. All General Liability pool members are required to attach the CFSA Insurance Requirements to their contracts with vendors and renters. Changes to this document are done under the Memorandum of Coverage and through operating memoranda approved by the CFSA Board of Directors.

Moved by Director Blyskal and seconded by Director Quiroz to adopt **Resolution No. 19-29** accepting General Liability Operating Memorandum No. 19-01 including revised CFSA Insurance Requirements as amended to require that "California Fair Services Authority" be listed as an additional insured in insurance certificates.

Ayes: Chair Kenny, Directors Blyskal, Jacobs, Olcott, Marshall, Quiroz  
Noes: None  
Abstain: None  
Absent: Director Wolcott

**VI. ADOPTION OF RESOLUTION APPROVING CFSA CONFLICT OF INTEREST CODE RELATED TO FPPC REQUIREMENTS**

California Government Code requires public entities to amend their conflict of interest codes when necessitated by changed circumstances, including the creation or deletion of positions, which must be designated, and/or relevant changes in the duties assigned to existing positions.

Because the final Conflict of Interest Code has not been received by CFSA from the FPPC, this item was tabled; no action taken.

**VII. INFORMATION ITEMS**

2. CFSA Investment reports were presented as written.
3. Staff reports were presented as written:
  - a. Administrative Services
  - b. Finance Department
  - c. Risk Department
4. Executive Director's Report

**VIII. CLOSED SESSION**

The Board adjourned from regular session at 10:35 a.m. and went into closed session to discuss the following:

**Liability/Special Events Claims – Government Code Sec. 54956.95**

**Claimant:** Chris Alderson

**Agency Claimed Against:** Alameda County Fair

**Workers' Compensation Claims (Government Code Section 54956.95)**

**Claimant:** Michael Murdock

**Agency Claimed Against:** Contra Costa County Fair/23<sup>rd</sup> DAA

**Conference with Legal Counsel – Existing Litigation**

Name of Case: King v. California Fair Services Authority, et al.; US District Court, Eastern District of California, Case No. 2:18-cv-02990-JAM-AC (paragraph (1) of subdivision (d) of Gov. Code Section 54956.9)

Directors Jacobs and Quiroz left the meeting at 12:40 p.m..

**Liability/Special Events Claims – Government Code Sec. 54956.95**

**Claimant:** Wendy Bozigian and Maby Hernandez Audelo

**Agency Claimed Against:** Antelope Valley Fair/50<sup>th</sup> DAA et al.

**IX. OPEN SESSION**

The Board adjourned from Closed Session at 1:07 p.m. and resumed regular session. There was no reportable action taken during the closed session.

Directors Jacobs and Quiroz returned to the meeting at 1:08 p.m.

**X. INFORMATIONAL ITEMS**

1. Executive Director Becky Bailey-Findley led the Strategic Planning Workshop
  - a. Review of CFSA performance: 2018 Strategic Goals
    - i. Pool Financial Stability and Pool Financing
    - ii. Outreach, Training and Communication
    - iii. Partnering with CDFA: Resources, Training, Protection, Advocacy for Fairs
    - iv. Culture of Safety, Fair Responsibility in Risk Management
  - b. Planning: Setting Direction
    - i. CFSA Business Plan Update
    - ii. Financial Services Business Plan
    - iii. Additional Services Opportunities
    - iv. Emergency Response Planning
  - c. Strategic Goals: Review and Revise
  - d. Conclusion
    - i. Next Steps
    - ii. Evaluation

#### **XI. SETTING DIRECTION FOR THE FINANCIAL SERVICES BUSINESS PLAN**

After discussion, the Board of Directors directed staff to return at the next Board meeting with a Financial Services Business Plan including the following elements: break even within three to five years, new fairs obtaining services to pay at the break-even level; and work with CDFA to obtain a subsidy for the Financial Services Program.

#### **XII. CLOSED SESSION**

The Board adjourned from regular session at 3:36 p.m. and went into closed session to discuss the following:

##### **Public Employee Performance Evaluation (Government Code Section 54957)**

Title: Executive Director

##### **Public Employment (Government Code Section 54957)**

Title: Executive Director

#### **XIII. OPEN SESSION**

The Board adjourned from closed session at 4:48 p.m. and returned to open session and reported out as follows: "After eight years of service as CFSA's Executive Director, Becky Bailey-Findley has announced her retirement at the end of 2019. The Board voted unanimously in closed session to appoint Rebecca Desmond as the next CFSA Executive Director, pending negotiation of final

contract terms and conditions.”

**XIV. DISCUSSION, AND POSSIBLE ACTION, AUTHORIZING BOARD CHAIR TO ESTABLISH AD HOC COMMITTEE FOR FAIRGROUNDS EMERGENCY RESPONSE SYSTEMS PLANNING**

The Board tabled this item.

**XV. DISCUSSION, AND POSSIBLE ACTION, AUTHORIZING BOARD CHAIR TO ESTABLISH AD HOC COMMITTEE FOR AGENCY STAFFING MODEL**

The Board tabled this item.

**XVI. INFORMATIONAL ITEMS**

**DIRECTOR'S REPORTS**

1. Director Dan Jacobs stated that the Board expresses its appreciation to Becky Bailey-Findley for her many years of dedicated service to CFSA and the fair industry

2. Next Regular Meeting will be held on October 2, 2019.

**XVII. ADJOURNMENT**

The meeting was adjourned at 4:50 p.m.

ATTEST:

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SECRETARY



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CHAIR

