

MINUTES

REGULAR TELECONFERENCE MEETING OF CALIFORNIA FAIR SERVICES AUTHORITY BOARD OF DIRECTORS

October 7, 2020

1776 Tribute Road, Suite 100, Sacramento, CA 95815

In attendance:

Board Members

Stephen Kenny, Board Chair
Butte County Fair

John Quiroz, Director
CDFA Fairs & Expositions Branch

Jack Blyskal, Director
Public Member

Mike Olcott, Director
Kern County Fair

Lori Marshall, Director
Cow Palace Arena

Dan Jacobs, Director
Antelope Valley Fair

Nancy Sites, Alternate Director
Tulelake-Butte Valley Fair

CFSA Staff

Rebecca Desmond
Executive Director
CFSA

Raechelle Gibbons
Chief Financial Officer
CFSA

Kevin Wright, Business Services
Manager, CFSA

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

Osman Mufti, Legal Counsel to CFSA
Sloan Sakai Yeung & Wong LLP

All Board members, CFSA staff and other participants attended remotely via Zoom or phone, pursuant to the requirements of California Government Code Section 54950, *et seq.* and Executive Order N-29-20.

I. CALL TO ORDER

Pursuant to the meeting notice, a regular teleconference meeting of the California Fair Services Authority (CFSA) Board of Directors was convened at 10:02 a.m., October 7, 2020, by Board Chair Stephen Kenny and roll call was taken. Directors Olcott, Jacobs, and Wolcott were absent. Director Jacobs joined the meeting at 10:12 a.m., Director Olcott joined the meeting at 10:25 a.m., and Director Wolcott joined the meeting at 10:35 a.m.

II. ADOPTION OF RESOLUTION APPROVING THE MINUTES OF THE REGULAR TELECONFERENCE MEETING OF AUGUST 5, 2020

Executive Director Desmond reported that a few typos were corrected from the copy sent out in the board packet. Moved by Director Marshall and seconded by Director Quiroz to adopt **Resolution No. 20-41** approving the minutes as presented.

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

There was no public comment.

Motion passed.

III. ADOPTION OF RESOLUTION TERMINATING PARTICIPATION IN ALL CFSA RISK SHARING AND SERVICE PROGRAMS FOR THE 54th DISTRICT AGRICULTURAL ASSOCIATION/COLORADO RIVER FAIR

CFSA staff has been assured that the past due amount owed will be brought current soon with aid from California Department of Food and Agriculture's Branch of Fairs and Expositions. After discussion, however, the Board determined to move forward with the termination process per policy.

Moved by Director Blyskal and seconded by Director Marshall to adopt **Resolution No. 20-42** approving the notice of termination to the 54th District Agricultural Association/Colorado River Fair.

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

There was no public comment.

Motion passed. Director Jacobs joined the meeting.

IV. ADOPTION OF RESOLUTION APPROVING SIGNATORIES TO CFSA CHECKING ACCOUNTS

Due to the recent retirement of the Risk Department Manager Tom Amberson, he will be removed from the list of authorized signatories and Business Services Manager Kevin Wright will be added as an authorized signatory to the CFSA checking account.

Moved by Director Marshall and seconded by Director Blyskal to adopt **Resolution No. 20-44** approving signatories to the CFSA checking accounts as presented.

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

There was no public comment.

Motion passed.

V. DISCUSSION AND BOARD DIRECTION ON ESTIMATED 2021 RISK POOL PROGRAM FEES

In an effort to assist our members with their budget preparation each fall, it is our practice to present the board with recommended estimated fees for both General Liability and Workers' Compensation pool programs for the next year. After reviewing research, analysis, and data presented by staff, the board provides direction on fees for the upcoming year and staff communicates these estimated fees to participating members for their budget purposes in early October. As 2020 has been a year like no other with all but two members having to cancel their annual fair events, we have taken all of the COVID-19 pandemic impacts into consideration in estimating our 2021 fees. At this time, we are not recommending any change to our program base fees from what we charged in 2020, which are the same base fees we charged in 2019.

The Board directed that staff move forward with the recommended planned fees for 2021.

There was no public comment.

VI. ADOPTION OF RESOLUTION APPROVING 2021 FINANCIAL SERVICES FEE SCHEDULE

The 2021 Fee Schedule is aimed at bringing this valuable program into a net-positive budget position.

Moved by Director Marshall and seconded by Director Jacobs to adopt **Resolution No. 20-45** approving the 2021 Financial Services Fee Schedule as presented.

Ayes: Chair Kenny, Directors Blyskal, Jacobs, Quiroz, Marshall, Alternate Director Sites
Noes: None

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Abstain: None
Absent: Directors Wolcott, Olcott

There was no public comment.

Motion passed. Director Olcott joined the meeting.

VII. ADOPTION OF RESOLUTION APPROVING REVISED CFSA PAY SCALE

With the retirement of Risk Department Manager Tom Amberson effective September 11, 2020, the Executive Director and the executive team have been working on how best to fill the core functions of this position.

Staff is recommending the creation of the positions of Risk Pool Administrator Trainee at Salary Grade 12 and Risk Pool Administrator at Salary Grade 13.

Moved by Director Blyskal and seconded by Director Marshall to adopt **Resolution No. 20-46** approving the Revised 2020 Pay Scale as presented.

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

There was no public comment.

Motion passed. Director Wolcott joined the meeting, Director Marshall left the meeting.

VIII. INFORMATIONAL ITEMS

1. CFSA Investment Report was presented as submitted. There was no public comment.
2. Staff Reports were presented as submitted. There was no public comment.
3. Executive Director's Report was presented as submitted. She added verbally a brief report on the 2021 budget schedule; advised the board that Liability Claims Manager Mark Stone was retiring in December and the executive team was recruiting for a General Liability Claims Administrator; and announced that ballots had been issued for the 2020 CFSA Board of Directors election for three seats. There was no public comment.
4. Directors' Reports. Director Quiroz advised that CDFA and F&E were trying to distribute funds to the fairs as quickly as possible. There was no public comment.
5. The next Regular Board Meeting is December 2, 2020.

IX. PUBLIC COMMENT

There was no public comment.

Alternate Director Sites left the meeting at 11:09 a.m.

X. CLOSED SESSION

The Board adjourned from regular session at 11:10 a.m. and went into closed session to discuss the following:

Workers' Compensation Claims – Government Code Sec. 54956.95

Claimant: Denise Thompson

Agency Claimed Against: 21st District Agricultural Association

Liability/Special Events Claims – Government Code Sec. 54956.95

Claimant: Lorraine Straub

Agency Claimed Against: Solano County Fair Association

Conference with Legal Counsel – Existing Litigation

Name of Case: Noceti Group, et al. v. Covello, et al.; San Joaquin Superior Court, Case No. STK-CV-UBC-2018-0012544 (paragraph (1) of subdivision (d) of Gov. Code Section 54956.9)

Conference with Legal Counsel – Anticipated Litigation

Significant Exposure to litigation pursuant to Government Code section 54956.9(d)(2): Claim of Barbara Caraska

XI. OPEN SESSION

The Board adjourned from closed session at 11:32 a.m. and resumed regular session.

The following Closed Sessions items were reported out:

Regarding Workers' Compensation Claim "Thompson v. 21st District Agricultural Association: Director Blyskal moved to approve authority for settlement of the claim. Director Jacobs seconded the motion. A roll call vote was taken with the following results:

Ayes: Directors Blyskal, Kenny, Olcott, Jacobs, Quiroz

Noes: None

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Absent: Director Marshall

Abstain: Director Wolcott

Motion passed.

Regarding Anticipated Litigation, Government Claims Act claim submitted by Barbara Caraska: Director Blyskal moved to reject the claim as untimely. Director Jacobs seconded the motion. A roll call vote was taken with the following results:

Ayes: Directors Kenny, Blyskal, Jacobs, Quiroz, and Olcott.

Abstain: Director Wolcott.

Absent: Director Marshall.

Motion passed.

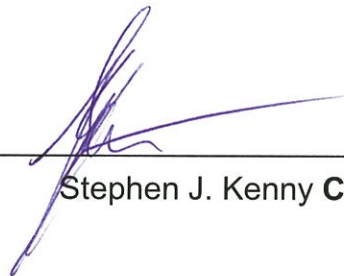
X. ADJOURNMENT

The meeting was adjourned at 11:39 a.m.

ATTEST:



Kevin Wright **SECRETARY**



Stephen J. Kenny **CHAIR**