

MINUTES

REGULAR TELECONFERENCE MEETING OF CALIFORNIA FAIR SERVICES AUTHORITY BOARD OF DIRECTORS

October 6, 2021

1776 Tribute Road, Suite 100, Sacramento, CA 95815

In attendance:

Board Members

Lori Marshall, Director, Board Chair
Cow Palace Arena

Nancy Sites, Director
Tulelake-Butte Valley Fair

Laurie Giannini, Director
Calaveras County Fair

Kim Floyd, Director
Del Norte County Fair

Mike Francesconi, Director
CDFA Branch of Fairs & Expositions

Steve Kenny, Director
Butte County Fair

CFSA Staff

Rebecca Desmond, Executive Director
CFSA

John Quiroz, Deputy Executive Director
CFSA

Raechelle Gibbons, Chief Financial
Officer, CFSA

Kevin Wright, Chief Administration
Officer, CFSA

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.*

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 6, 2021, by Board Chair Lori Marshall and roll call was taken. Director Jack Blyskal was absent.

II. ADOPTION OF RESOLUTION RATIFYING THE GOVERNOR'S PROCLAMATION OF STATE OF EMERGENCY AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD THROUGH NOVEMBER 5, 2021, DUE TO THE IMMINENT RISK TO THE HEALTH AND

SAFETY OF ATTENDEES

Moved by Director Giannini and seconded by Director Floyd to adopt **Resolution No. 21-29** ratifying the Governor's proclamation of a State of Emergency and authorizing remote teleconference meetings of the Board through November 5, 2021.

Ayes: Chair Marshall, Directors Sites, Floyd, Francesconi, Giannini,
Kenny
Noes: None
Abstain: None
Absent: Director Blyskal

There was no public comment.

Motion passed.

III. APPROVING THE MINUTES OF THE REGULAR TELECONFERENCE MEETING OF JUNE 2, 2021

Moved by Director Floyd and seconded by Director Kenny to adopt **Resolution No. 21-30** approving the minutes as presented.

Ayes: Chair Marshall, Directors Sites, Floyd, Francesconi, Giannini,
Kenny
Noes: None
Abstain: None
Absent: Director Blyskal

There was no public comment.

Motion passed.

IV. ADOPTION OF RESOLUTION APPROVING REVISIONS TO CFSA'S PERSONNEL POLICY 210 WAGE HOURS AND PAYDAYS, POLICY 211 OVERTIME NON-EXEMPT EMPLOYEES, AND POLICY 720 VACCINATION VERIFICATION AND TESTING REQUIREMENTS

CFSA employees have mostly been working remotely since the onset of the pandemic last spring. Updates to Policy 210 Wage Hours and Paydays reflect updates on teleworking and a phone allowance for using personal phones for work purposes. We will be presenting a complete new telework policy to the board in December as we now have several employees who are working at home permanently due to the COVID pandemic.

Provisions in the new policy will also impact a handful of existing personnel policies so we want to thoroughly review everything with the management team

and general counsel to make sure all policies are uniform, which is why we are not prepared to present the new policy to you at this time.

Policy 211 Overtime Non-Exempt Employees has been updated to show overtime policy for the 4/10 alternative work schedule.

Policy 720 COVID Vaccination Verification and Testing Requirements is a new policy setting direction for employees related to vaccination and testing and incorporates CFSA's Covid Prevention Plan that had earlier been created by Executive Management.

Moved by Director Francesconi and seconded by Director Giannini to adopt **Resolution No. 21-31** approving revisions to CFSA's Personnel Policies 210 Wage Hours and Paydays, 211 Overtime Non-Exempt Employees, and 720 Vaccination Verification and Testing Requirements as presented.

Ayes: Chair Marshall, Directors Sites, Floyd, Francesconi, Giannini,
Kenny
Noes: None
Abstain: None
Absent: Director Blyskal

There was no public comment.

Motion passed.

V. ADOPTION OF RESOLUTION APPROVING REVISIONS TO CFSA CONFLICT OF INTEREST CODE

Periodically it is necessary for CFSA to amend its Conflict of Interest code with the Fair Political Practices Commission (FPPC). Proposed updates include changing of three position titles and the elimination of five positions that are no longer included on the CFSA Pay Scale.

Moved by Director Kenny and seconded by Director Francesconi to adopt **Resolution No. 21-32** approving revisions to the CFSA Conflict of Interest code as presented.

Ayes: Chair Marshall, Directors Sites, Floyd, Francesconi, Giannini,
Kenny
Noes: None
Abstain: None
Absent: Director Blyskal

There was no public comment.

Motion passed.

VI. ADOPTION OF RESOLUTION APPROVING REVISIONS TO THE CFSA UNDERWRITING POLICY

The purpose of the Underwriting Policy is to establish the criteria and process for new and returning participating members, calculations for setting fees and possible surcharges or assessments, determination of risk retention levels, compatibility between members and serviceability by staff. It provides a summary of and highlights much of the criteria utilized to complete the underwriting process. Adherence to these Board approved standards and guidelines guarantees the continued financial viability and security of CFSA pool programs. The policy also calls for review at least once every three years. In the revised policy, coverage application requirements from our excess carrier PRISM along with other minor revisions have been added.

Moved by Director Floyd and seconded by Director Francesconi to adopt **Resolution No. 21-33** approving the Revised Underwriting Policy as presented.

Ayes: Chair Marshall, Directors Sites, Floyd, Francesconi, Giannini,
Kenny
Noes: None
Abstain: None
Absent: Director Blyskal

There was no public comment.

Motion passed.

VII. ADOPTION OF RESOLUTION APPROVING REVISIONS TO CFSA BOARD POLICY 100 MEMBER DISPUTE RESOLUTION

The CFSA Board of Directors adopted a board policy regarding the resolution of member disputes in 2002. The California Association of Joint Powers Authorities (CAJPA) accreditation program now requires that we include the member dispute resolution policy of our excess carrier (PRISM) in our policy.

Moved by Director Sites and seconded by Director Floyd to adopt **Resolution No. 21-34** approving the revisions to CFSA Board Policy 100 Member Dispute Resolution as presented.

Ayes: Chair Marshall, Directors Sites, Floyd, Francesconi, Giannini,
Kenny
Noes: None
Abstain: None
Absent: Director Blyskal

There was no public comment.

Motion passed.

VIII. ADOPTION OF RESOLUTION APPROVING 2022 SPECIAL EVENTS RATE CARD

The Special Events Program is an important resource for members by providing fairground customers insurance for non-hazardous special events. CFSA has provided a special events rate card over the years, however the content is dated with events such as cribbage tournaments and doll shows and in need of updating. While the special event rates were revised in 2019, the list of covered events has not been updated for some time, accordingly we called a Risk Advisory Committee (RAC) together to examine the contents of the rate card. The RAC consisted of a range of fair representatives that have highly utilized the program (Lori Marshall (1-A DAA CEO), Lauri Giannini (39th DAA CEO), David Dillabo (13th DAA CEO), Michele Ellier, 10th DAA AGPA) and CFSA representatives (Rebecca Desmond, John Quiroz, Mario Castagnola, Kristen Fryer, Eugene Chan). The Committee met in September to review staff-recommended updates to the rate card and discussed how the fairs utilize the program.

Moved by Director Giannini and seconded by Director Kenny to adopt **Resolution No. 21-35** approving changes to the 2022 Special Events Rate Card as presented.

Ayes: Chair Marshall, Directors Sites, Floyd, Francesconi, Giannini, Kenny
Noes: None
Abstain: None
Absent: Director Blyskal

There was no public comment.

Motion passed.

IX. ADOPTION OF RESOLUTION APPROVING REVISIONS TO THE HAZARDOUS/NONHAZARDOUS ACTIVITIES LIST AND APPROVING CFSA GENERAL LIABILITY OPERATING MEMORANDUM #21-01 REGARDING HAZARDOUS/NONHAZARDOUS ACTIVITIES LIST REVISIONS

Periodically we need to update our Hazardous/Nonhazardous Activities List and minimum general liability insurance limits for fair contracts to reflect current trends and activities. This is done through operating memoranda approved by the CFSA Board of Directors, per our MOC.

Moved by Director Giannini and seconded by Director Kenny to adopt **Resolution No. 21-36** approving revisions to the Hazardous/Nonhazardous Activities List and approving CFSA General Liability Operating Memorandum #21-01 regarding Hazardous/Nonhazardous Activities List Revisions as amended

and corrected.

Ayes: Chair Marshall, Directors Sites, Floyd, Francesconi, Giannini,
Kenny

Noes: None

Abstain: None

Absent: Director Blyskal

There was no public comment.

Motion passed.

X. ADOPTION OF RESOLUTION RATIFYING CFSA EXECUTIVE DIRECTOR AND BOARD CHAIR APPROVAL ALLOWING THE 7TH DAA AND 35TH DAA RE-ENTRY INTO THE CFSA GENERAL LIABILITY RISK POOL EFFECTIVE JULY 1, 2021

At the June 2, 2021, board meeting, the CFSA Board of Directors delegated to the Board Chair and Executive Director ("Approval Team") the approval of re-entry of the 7th DAA and the 35th DAA (individually "Fair") into the CFSA General Liability Risk Pool Program effective July 1, 2021 based on the following conditions:

(1) the Approval Team determines in writing that the Fair meets each re-entry requirement in the CFSA Underwriting Policy.

(2) the Fair's re-entry is conditioned upon a minimum 5-year term of participation in the Program.

(3) the Approval Team documents in writing its approval of the Fair's re-entry into the Program.

(4) the re-entry of the Fair is placed on the agenda of the CFSA Board's August 2021 meeting for the issuance of a resolution ratifying the Fair's re-entry effective July 1, 2021.

Board Chair Lori Marshall and Executive Director Rebecca Desmond met via telephone on June 29, 2021, to review and approve the re-entry of the 7th DAA and 35th DAA into the CFSA General Liability Risk Pool Program. Because the CFSA Board did not meet in August, the delegated action is on this agenda for ratification.

Moved by Director Kenny and seconded by Director Francesconi to adopt **Resolution No. 21-37** ratifying CFSA Executive Director and Board Chair approval allowing the 7th DAA and 35th DAA re-entry into the CFSA General Liability Risk Pool effective July 1, 2021.

Ayes: Chair Marshall, Directors Sites, Floyd, Giannini, Kenny

Noes: None

Abstain: None

Absent: Director Blyskal

There was no public comment.

Motion passed.

XI. DISCUSSION AND BOARD DIRECTION ON ESTIMATED 2022 RISK POOL PROGRAM FEES

In an effort to assist CFSA 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.

We use the estimated fees to invoice our members beginning in January each year. Then once the final fees are set in April, we true-up fees with the final rates (if any changes are necessary) and final payroll data in the July invoices. For those members who pay lump-sum and receive a 1% discount, we adjust their lump-sum payment accordingly.

We were so hopeful this time last year that things would get "back to normal" for our fairs in 2021 and as you all know this has not been the case. We are in the same position looking toward 2022 as the end of the impacts of the COVID pandemic remains elusive. We have chosen to apply the same approach to estimated 2022 fees as we did with estimates for 2021.

The biggest impact on the risk pools over the last two years has been a decline in member payroll. Our Workers' Compensation risk pool is based on member payroll and we experienced a \$1.5 million decrease in fees in 2020 (we passed on our excess insurance saving from the impact of COVID on to our members) and another \$800,000 decrease in 2021. Workers' Compensation claims were down in 2020 as can be expected, however, they are on the climb in 2021.

Yet with so many unknowns remaining, we are following our process from last year by using the fair's estimated 2021 payroll and increasing it by 25% to forecast increased activity and payroll in 2022 for our estimated fees in 2022. We will true these figures up as we do every year once we get the actuary report and actual 2021 payroll figures next spring. This pool will right itself once payroll returns to traditional levels, hopefully, in 2022 or 2023.

According to our Equity Allocation Policy, our annual funding goal is at the 70%-80% confidence level and the estimated fees for 2022 are at the 70% confidence level. At this time, we are not recommending any change to our program base fees from what we charged in 2021, which are the same base fees we charged in 2020 and 2019.

October 6, 2021

CFSA's top priority for its members is to fund the risk pools prudently. At this time, staff is seeking direction from the Board of Directors at this meeting as to the 2022 estimated fees as follows:

- General Liability Risk Pool: No change in base rate.
- Workers' Compensation Risk Pool: No change in base rate.

Direction from the Board of Directors is to move forward with the estimated Risk Pool Program Fees as planned and presented.

There was no public comment.

XII. INFORMATIONAL ITEMS

1. CFSA Investment Report was presented as submitted. There was no public comment.
2. The Administrative Services, Finance, and Risk Department Reports were presented as submitted. There was no public comment.
3. Executive Director's Report was presented as submitted. Chair Marshall announced that the 2022 Budget Committee would include herself, Vice Chair Jack Blyskal and Director Floyd. There was no public comment.
4. Directors' Reports: Director Floyd reported that their fair was great, and thanks to John Quiroz for visiting. Director Marshall reported that there would be no Grand National Rodeo in October of this year, only the junior livestock show. They also are working on a roof replacement. Director Sites reported that they also had a great fair. Director Giannini reported that they had been active with fire camps. Director Francesconi reported on employee COVID testing requirements that are forthcoming for DAA fairs. There was no public comment.
5. The next Regular Board Meeting is December 1, 2021.

XIII. CLOSED SESSION

The Board adjourned from regular session at 11:38 a.m. and went into closed session to discuss the following:

Conference with Legal Counsel – Anticipated Litigation – Government Code Sec. 54956.9

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Government Code Section 54956.9 (One potential Case).

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CFSA Staff

Rebecca Desmond, Executive Director
CFSA

John Quiroz, Deputy Executive Director
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Raechelle Gibbons, Chief Financial
Officer, CFSA

Kevin Wright, Chief Administration
Officer, CFSA

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

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I. CALL TO ORDER

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II. ADOPTION OF RESOLUTION RATIFYING THE GOVERNOR'S PROCLAMATION OF STATE OF EMERGENCY AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD THROUGH NOVEMBER 5, 2021, DUE TO THE IMMINENT RISK TO THE HEALTH AND

SAFETY OF ATTENDEES

Moved by Director Giannini and seconded by Director Floyd to adopt **Resolution No. 21-29** ratifying the Governor's proclamation of a State of Emergency and authorizing remote teleconference meetings of the Board through November 5, 2021.

Ayes: Chair Marshall, Directors Sites, Floyd, Francesconi, Giannini, Kenny

Noes: None

Abstain: None

Absent: Director Blyskal

There was no public comment.

Motion passed.

III. APPROVING THE MINUTES OF THE REGULAR TELECONFERENCE MEETING OF JUNE 2, 2021

Moved by Director Floyd and seconded by Director Kenny to adopt **Resolution No. 21-30** approving the minutes as presented.

Ayes: Chair Marshall, Directors Sites, Floyd, Francesconi, Giannini, Kenny

Noes: None

Abstain: None

Absent: Director Blyskal

There was no public comment.

Motion passed.

IV. ADOPTION OF RESOLUTION APPROVING REVISIONS TO CFSA'S PERSONNEL POLICY 210 WAGE HOURS AND PAYDAYS, POLICY 211 OVERTIME NON-EXEMPT EMPLOYEES, AND POLICY 720 VACCINATION VERIFICATION AND TESTING REQUIREMENTS

CFSA employees have mostly been working remotely since the onset of the pandemic last spring. Updates to Policy 210 Wage Hours and Paydays reflect updates on teleworking and a phone allowance for using personal phones for work purposes. We will be presenting a complete new telework policy to the board in December as we now have several employees who are working at home permanently due to the COVID pandemic.

Provisions in the new policy will also impact a handful of existing personnel policies so we want to thoroughly review everything with the management team

October 6, 2021

and general counsel to make sure all policies are uniform, which is why we are not prepared to present the new policy to you at this time.

Policy 211 Overtime Non-Exempt Employees has been updated to show overtime policy for the 4/10 alternative work schedule.

Policy 720 COVID Vaccination Verification and Testing Requirements is a new policy setting direction for employees related to vaccination and testing and incorporates CFSA's Covid Prevention Plan that had earlier been created by Executive Management.

Moved by Director Francesconi and seconded by Director Giannini to adopt **Resolution No. 21-31** approving revisions to CFSA's Personnel Policies 210 Wage Hours and Paydays, 211 Overtime Non-Exempt Employees, and 720 Vaccination Verification and Testing Requirements as presented.

Ayes: Chair Marshall, Directors Sites, Floyd, Francesconi, Giannini, Kenny
Noes: None
Abstain: None
Absent: Director Blyskal

There was no public comment.

Motion passed.

V. ADOPTION OF RESOLUTION APPROVING REVISIONS TO CFSA CONFLICT OF INTEREST CODE

Periodically it is necessary for CFSA to amend its Conflict of Interest code with the Fair Political Practices Commission (FPPC). Proposed updates include changing of three position titles and the elimination of five positions that are no longer included on the CFSA Pay Scale.

Moved by Director Kenny and seconded by Director Francesconi to adopt **Resolution No. 21-32** approving revisions to the CFSA Conflict of Interest code as presented.

Ayes: Chair Marshall, Directors Sites, Floyd, Francesconi, Giannini, Kenny
Noes: None
Abstain: None
Absent: Director Blyskal

There was no public comment.

Motion passed.

VI. ADOPTION OF RESOLUTION APPROVING REVISIONS TO THE CFSA UNDERWRITING POLICY

The purpose of the Underwriting Policy is to establish the criteria and process for new and returning participating members, calculations for setting fees and possible surcharges or assessments, determination of risk retention levels, compatibility between members and serviceability by staff. It provides a summary of and highlights much of the criteria utilized to complete the underwriting process. Adherence to these Board approved standards and guidelines guarantees the continued financial viability and security of CFSA pool programs. The policy also calls for review at least once every three years. In the revised policy, coverage application requirements from our excess carrier PRISM along with other minor revisions have been added.

Moved by Director Floyd and seconded by Director Francesconi to adopt **Resolution No. 21-33** approving the Revised Underwriting Policy as presented.

Ayes: Chair Marshall, Directors Sites, Floyd, Francesconi, Giannini,
Kenny
Noes: None
Abstain: None
Absent: Director Blyskal

There was no public comment.

Motion passed.

VII. ADOPTION OF RESOLUTION APPROVING REVISIONS TO CFSA BOARD POLICY 100 MEMBER DISPUTE RESOLUTION

The CFSA Board of Directors adopted a board policy regarding the resolution of member disputes in 2002. The California Association of Joint Powers Authorities (CAJPA) accreditation program now requires that we include the member dispute resolution policy of our excess carrier (PRISM) in our policy.

Moved by Director Sites and seconded by Director Floyd to adopt **Resolution No. 21-34** approving the revisions to CFSA Board Policy 100 Member Dispute Resolution as presented.

Ayes: Chair Marshall, Directors Sites, Floyd, Francesconi, Giannini,
Kenny
Noes: None
Abstain: None
Absent: Director Blyskal

There was no public comment.

Motion passed.

VIII. ADOPTION OF RESOLUTION APPROVING 2022 SPECIAL EVENTS RATE CARD

The Special Events Program is an important resource for members by providing fairground customers insurance for non-hazardous special events. CFSA has provided a special events rate card over the years, however the content is dated with events such as cribbage tournaments and doll shows and in need of updating. While the special event rates were revised in 2019, the list of covered events has not been updated for some time, accordingly we called a Risk Advisory Committee (RAC) together to examine the contents of the rate card. The RAC consisted of a range of fair representatives that have highly utilized the program (Lori Marshall (1-A DAA CEO), Lauri Giannini (39th DAA CEO), David Dillabo (13th DAA CEO), Michele Ellier, 10th DAA AGPA) and CFSA representatives (Rebecca Desmond, John Quiroz, Mario Castagnola, Kristen Fryer, Eugene Chan). The Committee met in September to review staff-recommended updates to the rate card and discussed how the fairs utilize the program.

Moved by Director Giannini and seconded by Director Kenny to adopt **Resolution No. 21-35** approving changes to the 2022 Special Events Rate Card as presented.

Ayes: Chair Marshall, Directors Sites, Floyd, Francesconi, Giannini, Kenny
Noes: None
Abstain: None
Absent: Director Blyskal

There was no public comment.

Motion passed.

IX. ADOPTION OF RESOLUTION APPROVING REVISIONS TO THE HAZARDOUS/NONHAZARDOUS ACTIVITIES LIST AND APPROVING CFSA GENERAL LIABILITY OPERATING MEMORANDUM #21-01 REGARDING HAZARDOUS/NONHAZARDOUS ACTIVITIES LIST REVISIONS

Periodically we need to update our Hazardous/Nonhazardous Activities List and minimum general liability insurance limits for fair contracts to reflect current trends and activities. This is done through operating memoranda approved by the CFSA Board of Directors, per our MOC.

Moved by Director Giannini and seconded by Director Kenny to adopt **Resolution No. 21-36** approving revisions to the Hazardous/Nonhazardous Activities List and approving CFSA General Liability Operating Memorandum #21-01 regarding Hazardous/Nonhazardous Activities List Revisions as amended

and corrected.

Ayes: Chair Marshall, Directors Sites, Floyd, Francesconi, Giannini,
Kenny

Noes: None

Abstain: None

Absent: Director Blyskal

There was no public comment.

Motion passed.

X. ADOPTION OF RESOLUTION RATIFYING CFSA EXECUTIVE DIRECTOR AND BOARD CHAIR APPROVAL ALLOWING THE 7TH DAA AND 35TH DAA RE-ENTRY INTO THE CFSA GENERAL LIABILITY RISK POOL EFFECTIVE JULY 1, 2021

At the June 2, 2021, board meeting, the CFSA Board of Directors delegated to the Board Chair and Executive Director ("Approval Team") the approval of re-entry of the 7th DAA and the 35th DAA (individually "Fair") into the CFSA General Liability Risk Pool Program effective July 1, 2021 based on the following conditions:

(1) the Approval Team determines in writing that the Fair meets each re-entry requirement in the CFSA Underwriting Policy.

(2) the Fair's re-entry is conditioned upon a minimum 5-year term of participation in the Program.

(3) the Approval Team documents in writing its approval of the Fair's re-entry into the Program.

(4) the re-entry of the Fair is placed on the agenda of the CFSA Board's August 2021 meeting for the issuance of a resolution ratifying the Fair's re-entry effective July 1, 2021.

Board Chair Lori Marshall and Executive Director Rebecca Desmond met via telephone on June 29, 2021, to review and approve the re-entry of the 7th DAA and 35th DAA into the CFSA General Liability Risk Pool Program. Because the CFSA Board did not meet in August, the delegated action is on this agenda for ratification.

Moved by Director Kenny and seconded by Director Francesconi to adopt **Resolution No. 21-37** ratifying CFSA Executive Director and Board Chair approval allowing the 7th DAA and 35th DAA re-entry into the CFSA General Liability Risk Pool effective July 1, 2021.

Ayes: Chair Marshall, Directors Sites, Floyd, Giannini, Kenny

Noes: None

Abstain: None

Absent: Director Blyskal

There was no public comment.

Motion passed.

XI. DISCUSSION AND BOARD DIRECTION ON ESTIMATED 2022 RISK POOL PROGRAM FEES

In an effort to assist CFSA 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.

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Yet with so many unknowns remaining, we are following our process from last year by using the fair's estimated 2021 payroll and increasing it by 25% to forecast increased activity and payroll in 2022 for our estimated fees in 2022. We will true these figures up as we do every year once we get the actuary report and actual 2021 payroll figures next spring. This pool will right itself once payroll returns to traditional levels, hopefully, in 2022 or 2023.

According to our Equity Allocation Policy, our annual funding goal is at the 70%-80% confidence level and the estimated fees for 2022 are at the 70% confidence level. At this time, we are not recommending any change to our program base fees from what we charged in 2021, which are the same base fees we charged in 2020 and 2019.

October 6, 2021

CFSA's top priority for its members is to fund the risk pools prudently. At this time, staff is seeking direction from the Board of Directors at this meeting as to the 2022 estimated fees as follows:

- General Liability Risk Pool: No change in base rate.
- Workers' Compensation Risk Pool: No change in base rate.

Direction from the Board of Directors is to move forward with the estimated Risk Pool Program Fees as planned and presented.

There was no public comment.

XII. INFORMATIONAL ITEMS

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2. The Administrative Services, Finance, and Risk Department Reports were presented as submitted. There was no public comment.
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5. The next Regular Board Meeting is December 1, 2021.

XIII. CLOSED SESSION

The Board adjourned from regular session at 11:38 a.m. and went into closed session to discuss the following:

Conference with Legal Counsel – Anticipated Litigation – Government Code Sec. 54956.9

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Government Code Section 54956.9 (One potential Case).

General Liability Claims – Government Code Sec. 54956.95

Claimant: Hamilton

Agency Claimed Against: Antelope Valley Fair Association, et al.

Claimant: Kramer

Agency Claimed Against: 32nd District Agricultural Association/OC Fair & Event Center

Claimant: Straub, Lorraine

Agency Claimed Against: Solano County Fair.

Special Events Claims – Government Code Sec. 54956.95

Claimant: Richardson, Kathleen

Agency Claimed Against: 31st District Agricultural Association/Ventura County Fair

Workers' Compensation Claims – Government Code Sec. 54956.95

Claimant: Castillo, Guadalupe

Agency Claimed Against: Alameda County Fair

Claimant: Garcia, Juan Antonio

Agency Claimed Against: Alameda County Fair

Claimant: Castillo, Guadalupe (2nd Claim)

Agency Claimed Against: Alameda County Fair

Claimant: Rodrigues, Gary

Agency Claimed Against: Alameda County Fair

Claimant: Burns, James

Agency Claimed Against: Alameda County Fair

Claimant: White, Cody

Agency Claimed Against: Alameda County Fair

Claimant: Barba, Rafael

Agency Claimed Against: Antelope Valley Fair Association

Claimant: Lomier, Russell

Agency Claimed Against: Big Fresno Fair/21st District Agricultural Association

Claimant: Manning, Mark

Agency Claimed Against: California Exposition and State Fair

Claimant: Stotler, Kay

Agency Claimed Against: Kern County Fair/15th District Agricultural Association

Claimant: Stotler, Kay (2nd Claim)

Agency Claimed Against: Kern County Fair/15th District Agricultural Association

Claimant: Stotler, Kay (3rd Claim)

Agency Claimed Against: Kern County Fair/15th District Agricultural Association

Claimant: Allen, Windell

Agency Claimed Against: Kern County Fair/15th District Agricultural Association

Claimant: Borders, Robert

Agency Claimed Against: Lassen County Fair

Claimant: Jiminez, Rafael

Agency Claimed Against: Merced County Fair/35th District Agricultural Association

Claimant: Pedroza, Gabriel

Agency Claimed Against: Monterey County Fair/7th District Agricultural Association

Claimant: Ranolde, Richard

Agency Claimed Against: National Orange Show

Claimant: Alvarez, Jorge

Agency Claimed Against: National Orange Show

Claimant: Flores, Anita

Agency Claimed Against: Orange County Fair/32nd District Agricultural Association

Claimant: Holbrook, Keith

Agency Claimed Against: Orange County Fair/32nd District Agricultural Association

Claimant: Carillo, Jovani

Agency Claimed Against: Orange County Fair/32nd District Agricultural Association

Claimant: Rocha, Antonio

Agency Claimed Against: Orange County Fair/32nd District Agricultural Association

Claimant: Field, Maria Macias
Agency Claimed Against: San Joaquin County Fair/2nd District
Agricultural Association

Claimant: Smith, Joseph
Agency Claimed Against: San Mateo Event Center

Claimant: Morones, Alejandro
Agency Claimed Against: Santa Barbara Fair & Expo/19th District
Agricultural Association

Claimant: Martinez, Thelma
Agency Claimed Against: Santa Clara County Fair

Claimant: Quintana, Jaime
Agency Claimed Against: Santa Clara County Fair

Claimant: Waggoner, John
Agency Claimed Against: Siskiyou Golden Fair/10th District Agricultural
Association

Claimant: Waggoner, John (2nd Claim)
Agency Claimed Against: Siskiyou Golden Fair/10th District Agricultural
Association

Claimant: Dunlap, Jay
Agency Claimed Against: Ventura County Fair/31st District Agricultural
Association

Claimant: Bryson, Barbara
Agency Claimed Against: Ventura County Fair/31st District Agricultural
Association

**Public Employee Performance Evaluation – Government Code Sec.
54957(b) (1)**

Title: Executive Director

Conference with Labor Negotiators – Government Code Sec. 54957.6

Agency Designated Representative: Board Chair

Unrepresented Employee: Executive Director

XIV. OPEN SESSION

The Board adjourned from closed session at 12:17 p.m. and resumed regular

XV. CONSIDER POSSIBLE ACTION AND DIRECTION FROM CLOSED SESSION

Moved by Director Giannini and seconded by Director Kenny to recognize the exemplary work and leadership of Executive Director Rebecca Desmond during the COVID-19 pandemic in 2020 with a \$5,000 performance bonus.

Ayes: Chair Marshall, Directors Sites, Floyd, Francesconi, Giannini,
Kenny
Noes: None
Abstain: None
Absent: Blyskal

There was no public comment.

Motion passed.

Chair Marshall said the Board, recognizing that staff bonuses are at the full discretion of the Executive Director per CFSA policy, supports management's consideration of bonuses for 2020 CFSA staff for their hard work during the COVID-19 pandemic in 2020 with bonuses, spending up to a total of \$25,500.

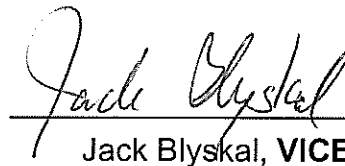
There was no other reportable action from Closed Session.

XVI. PUBLIC COMMENT

There was no public comment.

XVII. ADJOURNMENT

The meeting was adjourned at 12:21 p.m.



Jack Blyskal, **VICE-CHAIR**

ATTEST:



Kevin Wright, **SECRETARY**