

MINUTES

REGULAR TELECONFERENCE MEETING OF CALIFORNIA FAIR SERVICES AUTHORITY BOARD OF DIRECTORS

December 7, 2022

1776 Tribute Road, Suite 100, Sacramento, CA 95815

In attendance:

Board Members

Nancy Sites, Director
Tulelake-Butte Valley Fair (Via Zoom)

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

Tom Mitchell, Director
Madera District Fair

Jack Blyskal, Board Chair
Public Member

CFSA Staff

Rebecca Desmond, Executive Director
CFSA

John Quiroz, Deputy Executive Director
CFSA

Raechelle Gibbons, Chief Financial
Officer, CFSA

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

All Board members, CFSA staff and other participants attended in person or remotely via Zoom or phone (as noted), 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., December 7, 2022, by Chair Jack Blyskal and roll call was taken.

II. ADOPTION OF RESOLUTION APPROVING THE MINUTES OF THE

REGULAR TELECONFERENCE MEETING OF OCTOBER 5, 2022.

Moved by Director Floyd and seconded by Director Kenny to adopt **Resolution No. 22-32** approving the minutes as presented.

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

There was no public comment.

Motion passed.

IV. ADOPTION OF RESOLUTION AUTHORIZING GL OPERATING MEMO #22-04 REVISING HAZARDOUS/NONHAZARDOUS ACTIVITIES LIST EFFECTIVE JANUARY 1, 2023

Staff met internally to discuss changes to the Hazardous Activities List based on member feedback and staff experience within the fair industry. Below are the changes that are being recommended:

1. Security Services: We are expanding the definition in the \$1 million coverage category and adding law enforcement contracts to the \$2 million coverage category with an option for mutual indemnification with public law enforcement agencies.
2. Mobile Equipment – Mobile Equipment such as utility vehicles, golf carts, gators, and all-terrain vehicles have been added to the Hazardous list with a minimum insurance limit of \$1 million. This coverage will be required if a vendor provides their own mobile equipment or if the vendor rents the mobile equipment.
3. Christmas Tree Farm/Sales/Recycling with processing: We are adding this category with a minimum of \$1 million in coverage. The preparation and recycling of trees involves sharp mechanical tools. Sales usually involves the vendor providing materials (rope/straps/twine) to the seller for transportation and/or the vendor secures the tree to the vehicle/trailer.

If approved, General Operating Memo #22-04 will take effect January 1, 2023

Moved by Director Kenny and seconded by Director Francesconi to adopt **Resolution No. 22-33** approving General Operating Memo #22-04, revisions to the CFSA Hazardous/Nonhazardous Activities List as presented.

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

There was no public comment.

Motion passed.

V. ADOPTION OF RESOLUTION APPROVING REVISIONS IN CFSA POLICIES

- a. Policy No. 010 Definitions of Employment Status
 - i. Language was changed for pro-rated accruals for regular part-time employees working 20 or more hours per week instead of 30.
- b. Policy No. 120 Wage and Salary Administration
 - i. Section C was rewritten to reflect the new CFSA Pay Scale.
 - ii. References to the H.R. Administrator were changed to Chief Administration Officer.
- c. Policy 210 Work Hours and Paydays
 - i. Section I was added to limit employees to 10-hour workdays including travel time for safety reasons.
- d. Policy No. 212 Compensatory Time Off: Non-Managerial Exempt Employees
 - i. Removed references to a 9/80 alternative work week that CFSA no longer recognizes and added clarification that CTO will be provided for employees who work a 4/10 schedule after working ten (10) hours in a day.
 - ii. Clarifies that Management employees are only eligible for CTO when they work on an official holiday.
- e. Policy No. 310 Vacations
 - i. Changed the vacation accrual language for regular part-time employees to accrue vacation hours if they are normally scheduled for 20 or more hours per week instead of 30.
- f. Policy No. 312 Holidays
 - i. Language was changed to make holiday pay available for regular part-time employees working 20 or more hours per week instead of 30, based on number of hours normally worked per day.
- g. Policy No. 419 Social Media Participation
 - i. Changed all references to Communications Officer to Executive Director.

- ii. Changed references to Human Resources to Chief Administration Officer.
- h. Policy No. 420 Email, Facsimile, Voicemail and Computer Systems
 - i. Changed all references to Communication Officer to Deputy Executive Director.
 - ii. Changed references to Information Specialist and Human Resources Administrator to Chief Administration Officer.

Moved by Director Floyd and seconded by Director Francesconi to adopt **Resolution No. 22-34** approving revisions to CFSA personnel policies as presented.

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

There was no public comment.

Motion passed.

VI. ADOPTION OF RESOLUTION APPROVING 2023 PAY SCALE

The Salary Study Committee met this week to review the 2023 Pay Scale based upon the 2022 Salary Study and the board's action in October to raise the current Pay Scale by 12.5% effective January 1, 2023.

The attached Pay Scale incorporates all current positions and a minimum hourly and annual rate along with a maximum hourly and annual rate for each position. The former salary grade system has been transitioned to the following position classifications:

- Non-exempt/Clerical
- Exempt Non-management
- Exempt Management
- Exempt Executive

The Salary Study Committee will continue to meet with the Executive Director through 2023 to monitor challenges with staff recruitment, inflation, and the budget.

Moved by Director Francesconi and seconded by Director Blyskal to adopt **Resolution No. 22-35** approving the CFSA 2023 Pay Scale as presented.

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Ayes: Directors Blyskal, Floyd, Giannini, Kenny, Francesconi, Sites,
Mitchell

Noes: None

Abstain: None

Absent: None

There was no public comment.

Motion passed.

VII. ADOPTION OF RESOLUTION APPROVING CFSA FINANCIAL SERVICES FEE SCHEDULE

In 2019 the CFSA Board of Directors approved a business plan that brought this program into a minimum of a break-even financial position. The program is on target for a net positive at the end of 2022 which will assist in the increased costs for 2023

We are in communication with our Financial Services clients regarding the proposed fee structure for 2023.

Moved by Director Mitchell and seconded by Director Giannini to adopt **Resolution No. 22-36** approving CFSA 2023 Financial Services Fee Schedule as presented.

Ayes: Directors Blyskal, Floyd, Giannini, Kenny, Francesconi, Sites,
Mitchell

Noes: None

Abstain: None

Absent: None

There was no public comment.

Motion passed.

VIII. ADOPTION OF RESOLUTION APPROVING CFSA 2023 PRELIMINARY BUDGET

The Preliminary 2023 Budget presented for consideration is a deficit budget based on assumptions of unrealized losses and excess insurance costs estimated at this time. The budget does include increases in fees for all three risk pools as well as the financial services program, and salary increases based upon the board's action in October increasing the salary schedule based on the 2022 salary study.

Until we receive our 2022 actuary report, final excess insurance fee estimates, and our GASB 68 (pension) and GASB 75 (OPEB) figures in the spring, this preliminary budget stands as our operating guide going into next year.

The footnotes on Page 1 of the budget highlight the major changes in this budget from the Final 2022 Budget adopted this past April.

Moved by Director Giannini and seconded by Director Floyd to adopt **Resolution No. 22-37** Approving the CFSA 2023 preliminary budget as presented.

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

There was no public comment.

Motion passed.

IX. CONSIDER ADOPTION OF RESOLUTION APPROVING A NEW EMPLOYMENT CONTRACT WITH REBECCA DESMOND TO CONTINUE TO SERVE AS CFSA EXECUTIVE DIRECTOR

Rebecca Desmond was appointed as CFSA's Executive Director effective January 1, 2020. The CFSA Board of Directors entered into an employment agreement with Rebecca Desmond effective through December 31, 2022. The Board has expressed its desire that Rebecca Desmond continue to serve as Executive Director.

Moved by Director Kenny and seconded by Director Francesconi to adopt **Resolution No. 22-38** approving a new employment contract for CFSA Executive Director effective January 1, 2023, through December 31, 2026.

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

There was no public comment.

Motion passed.

X. ADOPTION OF RESOLUTION APPOINTING MICHAEL KIELTY AS THE CFSA PUBLIC BOARD MEMBER EFFECTIVE JANUARY 1, 2023

December 7, 2022

Moved by Director Francesconi and seconded by Director Kenny to adopt **Resolution No. 22-39** appointing Michael Kielty to serve as the Public Member of the CFSA Board of Directors effective January 1, 2023.

Ayes: Directors Blyskal, Floyd, Giannini, Kenny, Francesconi, Sites, Mitchell

Noes: None

Abstain: None

Absent: None

There was no public comment.

Motion passed.

XI. DOPTION OF RESOLUTIONS HONORING OUTGOING CFSA BOARD MEMBERS:

A. Steve Kenny

Moved by Director Floyd and seconded by Director Blyskal to adopt **Resolution No. 22-41** honoring Board Member Stephen Kenny for his years of service on the CFSA Board of Directors.

Ayes: Directors Blyskal, Floyd, Giannini, Kenny, Francesconi, Sites, Mitchell

Noes: None

Abstain: None

Absent: None

There was no public comment.

Motion passed.

B. Jack Blyskal

Moved by Director Giannini and seconded by Director Floyd to adopt **Resolution No. 22-41** honoring Board Member Jack Blyskal for his years of service on the CFSA Board of Directors.

Ayes: Directors Blyskal, Floyd, Giannini, Kenny, Francesconi, Sites, Mitchell

Noes: None

Abstain: None

Absent: None

There was no public comment.

Motion passed.

XIII. INFORMATIONAL ITEMS

1. CFSA Investment Report
2. Staff Reports:
 - a. Administrative Services stood as presented
 - b. Finance Report was briefly presented by Chief Financial Officer Raechelle Gibbons.
 - c. Risk Management report stood as presented.
3. Executive Director's Report was briefly presented by Rebecca Desmond.
4. Directors' Reports
5. Next Meeting: February 1, 2023

XIV. PUBLIC COMMENT

There was no public comment.

The Board broke for lunch at 12:06 p.m. and reconvened at 12:31 p.m.

X. CLOSED SESSION

The Board adjourned from regular session at 12:31 p.m. and went into closed session to discuss the following:

Workers' Compensation Claims – Government Code Sec. 54956.95

Claimant: Richard Souza

Agency Claimed Against: Gold Country Fair/20th District Agricultural Association

Claimant: Earl Escobar

Agency Claimed Against: Salinas Valley Fair

Claimant: Louie Vasquez

Agency Claimed Against: Santa Clara County Fair

Claimant: Joseph Smith

Agency Claimed Against: San Mateo County Fair & Expo

General Liability Claims – Government Code Sec. 54956.95

Claimant: Adam Carleton

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

Claimant: Robert Grisak

Agency Claimed Against: 44th District Agricultural Association/Colusa County Fair

Claimant: James Cooper

Agency Claimed Against: 16th District Agricultural Association/California Mid-State Fair

Claimant: Eubanks, Bryan

Agency Claimed Against: California Fairs Financing Authority

Claimant: Amin, Katelyn

Agency Claimed Against: 39th District Agricultural Association/Calaveras County Fair

Claimant: Chancellor, Christine

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

Claimant: Newton, Kletra

Agency Claimed Against: San Mateo County Event Center

XI. RECONVENE FROM CLOSED SESSION

The Board adjourned from closed session at 1:22 p.m. and resumed regular session.

There was no reportable action from Closed Session.

ADJOURNMENT

The meeting was adjourned at 1:23 p.m.



CHAIR

ATTEST:



Kevin Wright, **SECRETARY**