



# County of Fresno

Hall of Records, Rm. 301  
2281 Tulare Street  
Fresno, California  
93721-2198

## Legislation Details (With Text)

**File #:** 16-1175 **Name:** Petition for Waiver of Absences for Peter Herzog for the Zoo Authority Board

**In control:** Public Works & Planning

**On agenda:** 9/13/2016 **Final action:** 9/13/2016

**Enactment date:** **Enactment #:**

**Title:** Approve petition for waiver of absences for Peter Herzog to allow him to retain his position on the Fresno County Zoo Authority Board

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Item, 2. Attachment A

Date	Ver.	Action By	Action	Result
9/13/2016	1	Board of Supervisors	Conducted Hearings	Pass

**DATE:** September 13, 2016

**TO:** Board of Supervisors

**SUBMITTED BY:** Steven E. White, Director  
Department of Public Works and Planning

**SUBJECT:** Petition for Waiver of Absences for Peter Herzog for the Zoo Authority Board

### RECOMMENDED ACTION(S):

**Approve petition for waiver of absences for Peter Herzog to allow him to retain his position on the Fresno County Zoo Authority Board**

### ALTERNATIVE ACTION(S):

If the recommended action is not approved, Mr. Herzog will be deemed to have resigned if he was to miss a third meeting in 2016, and the Board of Supervisors would have to appoint a new regular member.

### FISCAL IMPACT:

There is no fiscal impact associated with the recommended action.

### DISCUSSION:

In accordance with Fresno County Ordinance Section 2.68.010.A regarding member attendance at meetings; except as otherwise specifically provided by the Ordinance Code, a nonelected member of any board, commission, committee or council appointed by the Board of Supervisors shall be deemed to have resigned his or her membership for absences in excess of two regular meetings in a calendar year if the board, commission, committee or council has six or fewer regular meetings per calendar year.

Further, Section 2.68.035 states that, "Where a member has been absent from meetings such that one

additional absence will result in an automatic resignation, that member may petition the board of supervisors for a waiver of one or more of the prior absences. Such petition may only be made once per calendar year. The granting of such petition shall be based on good cause as determined in the sole discretion of the Board of Supervisors.” (Ord. 06-019 § 1.)

In 2016 to date, the Zoo Authority has held regular meetings on February 24, and June 29, 2016, and Mr. Herzog was absent on both meeting dates. The Zoo Authority will meet next on September 28, 2016, and will meet for at least a fourth time in 2016. For reasons mentioned in his petition (Attachment A), Mr. Herzog is asking for a waiver of the two absences so that he may continue to serve on the Zoo Authority Board.

REFERENCE MATERIAL:

Fresno County Ordinance Code, Title 2 Administration, Chapter 2.68 Boards, Commissions, Committees and Councils, as amended effective July 17, 2006

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachment A

CAO ANALYST:

John Hays