

**MINUTES OF A MEETING OF THE
BOARD OF DIRECTORS OF FRIENDS OF THE ELEPHANT SEAL
JULY 20, 2011**

Directors present: Jim Brownell, Donovan Marley, Michele Roust, Ken Dunn, Brandt Kehoe, Megg McNamee and Tim Postiff

Also present: Marcella Botheillo, Joan Crowder and Diane Mason

Guests: Juvie Ortiz, State Parks

A motion was made, seconded and passed that: The minutes from the June 15, 2011 FES Board meeting are approved.

Topic: Park Cooperative Association Affiliation

Action: The motion was made, seconded and passed that:

Be it Resolved that: the Board of Directors of Friends of the Elephant Seal (Board) authorizes the President of the Board to negotiate and sign a contract with California State Parks and Recreation (State Parks) making Friends of the Elephant Seal a Cooperating Association with State Parks, subject to ratification by the Board.

Be it Further Resolved that: The Board recommends that the following changes be made in the Standard Agreement:

- Exhibit A, Scope of Work, Section 1, Paragraph 2: Replace "State Park System Units" with "what is now a state park".
- Exhibit A, Scope of Work, Section 1, Paragraph 3, Line 2: Delete "by operating successfully under prior Agreements."
- Exhibit A, Scope of Work, Section 1, Paragraph 3, Line 3: Delete "continue to"
- Exhibit A, Attachment 1, Section 3 Role of Cooperating Association, Paragraph M: Delete this paragraph.
- Exhibit A, Attachment 1, Section 6 Sales, Paragraph B. Material and Services: delete ", posted on a website" and insert after "or otherwise distributed" the words "on State Park System property".
- Exhibit A, Attachment 1, Section 8 Property Use, Paragraph B. Museum Collections and Museum Objects, Subparagraph 2: Append to the end of sentence 1 "excepting those objects obtained prior to the execution of this Agreement."

Be it Further Resolved that: Effective with the ratification of the contract, Article II, Paragraph B of the Articles of Incorporation of Friends of the Elephant Seal be amended to read (underlined portion added):

- B. The specific purposes for which this corporation is organized include, but are not limited to: provide support for educational and interpretive programs of the State Park System; the preservation of the Piedras Blancas Elephant Seal Colony for ecological, educational, scientific, historic, or scenic opportunities; to create and administer volunteer docent

programs which will provide environmental education for the public and promote safe viewing of elephant seals and other marine life along the Central Coast of California.

Be it Further Resolved that: Effective with the ratification of the contract, Article III Purposes and Limitations, Paragraph 3.02 Limitations, Section C Dissolution, of the By-Laws of Friends of the Elephant Seal be revised to read:

- C. Dissolution. Upon the winding up and dissolution of this Corporation, after paying or adequately providing for the payment of the debts, obligations and liabilities of the Corporation, the remaining assets of this corporation shall be distributed in accord with Exhibit D, Section 10. Paragraph D 1 of the Cooperating Agreement with State Parks.

Discussion: Juvie Ortiz informed the board that he will be retiring in December of 2011. He will stay active in another program involving cadet and life guard training in SLO. Brooke, Sector Superintendent and Lisa Remington, Supervising Ranger will stay involved with the FES program.

Regarding wording in the proposed State Parks contract with FES, Tim Postiff asked Juvie about “*intellectual rights*” as they relate to written and/or photographed materials created by FES members/docents in the past or in the future. Juvie suggested that “State Parks would relinquish those rights to use those materials for advertising, etc.” He also made it clear that any materials created by FES should show/mention the author or creator. He also suggested that we contact other coop (CALPA) members to see exactly how they handle this issue. He did not feel there was any conflict or problem.

We further discussed that “Cooperative Association” activities performed under this agreement (sales, interpretive docent activities, school groups) are performed as **state park volunteers** and therefore covered under the State’s Workman’s Comp program. Not included would be docent dinners, office activities, fundraising as performed within the scope of the **cooperative association** but NOT as a state park volunteer.

All current docents will be required to sign up as a volunteer with State Parks. The Board will design a schedule offering several days for signups and offer training to further understand the role FES will play both as a Cooperative Association and State Park Volunteer. It was also agreed that this signature and training process will become a part of the Training Program already in place for FES docents. Wayne Breece will be contacted to follow up on the time line.

It was also mentioned that as state park volunteers we may be able to use a State Parks truck to bring a trailer out to bluff to set up a sales trailer. Perhaps Cal Trans will permit FES to use their property to set up our sales trailer. Nick might be able to help as he has a good relationship with Cal Trans. This idea will be pursued at a later date.

Donovan brought a plastic brochure dispenser in the hopes that Juvie would consent to FES placing them at the bluff. Juvie agreed that it would be in line and appropriate to mount on railings at the bluff but suggested we wait for Lisa to get back to us.

Presidents Report

Brandt reminded us of the July 30th Pot Luck and talk at both Rabo Bank and the Vets Hall. There will also be an FES Fundraiser at Cambria Pines Nursery on September 17th, either October 8th or 22nd.

Marcella will check with the nursery person to select which date works for both parties and get back to us once a date has been confirmed.

Betty Bardeen will join the Board starting in January 2012. Michele Roest offered to stay on the Board until January but has a conflict with her teaching schedule at Cuesta (Wednesdays). The Board agreed to start Board meetings at 2:00 pm instead of 1:00 pm. in order to accommodate her schedule.

Treasurers Report:

Megg transferred \$10,000 from the FES checking account to FES savings account. After that transfer there was approximately \$14,000 in the checking account and approximately \$55,000 in savings.

Membership Report:

Donovan reported that his campaign is \$691 dollars away from annual goal and that he expects to have that (annual goal amount) by next month's meeting. He also explained that the 3rd qtr. renewal efforts will be difficult as there are very few renewals during July, Aug & Sept. He said that there should be \$30,000 from this campaign by the end of 3rd qtr.

Donovan explained that the "Tiered Giving" system of \$1500, \$250 and \$100 is currently yielding 70% of what we have received so far. He also feels that the incentive for the higher levels should be re-thought as they are not producing any results so far. The ratio of expense to income is at 24 % and the next set of brochures are all done for this current campaign. The average donation in 2010 was \$42.88 to 2011 \$68.42. Donovan presented the new acquisition brochure (done by Hay Printing) and reported that the cost was \$1551.39 for 10,000 brochures.

Training Committee:

Tim reported that we currently have 3 applications for new docents. He also mentioned that a couple from Santa Cruz (Mullens) are currently docenting at Ana Nuevo and have applied to become docents with FES. The question brought to the Board was whether or not they should be required to go through our full training schedule before being accepted as docents. It was agreed that they should be given the opportunity to complete part or all of the training but that it would not be mandatory in their case. There was also some question about the viability of a commute from Santa Cruz. Tim will talk to them and get back to the Board.

He also mentioned that there was some disappointment with a few docents that he had talked to about FES not participating in the 2011 Pinedorado parade. He'll find out if any of those people are interested in leading the Pinedorado Parade committee. Board is happy to support any effort in that direction.

Diane Mason guest docent: What is the name of our State Park: Hearst San Simeon State Park.

Next Board meeting will be on August 17th at 2:00 pm.