

## STATE OF MISSISSIPPI

GOVERNOR PHIL BRYANT

## DEPARTMENT OF FINANCE AND ADMINISTRATION LAURA D. JACKSON EXECUTIVE DIRECTOR

August 9, 2018

Mr. Dave Wetzel, Interim Director Jackson Zoological Society, Inc. 2918 West Capitol Street Jackson, MS 39209

Dear Mr. Wetzel:

The Department of Finance and Administration (hereinafter the "DFA") has recently been made aware of the Jackson Zoological Society, Inc.'s (hereinafter "the Jackson Zoo") misappropriation of bond proceeds from general obligation bonds that were issued by the State of Mississippi through Series 2015F and Series 2016B (hereinafter "Bonds").

The DFA first became aware of the misappropriation of the bond proceeds in a letter dated July 26, 2018, which was delivered to the DFA from the Jackson Zoo. After further discussion of this matter with representatives of the Jackson Zoo on July 30, 2018, it was confirmed that the Jackson Zoo knowingly and willfully violated at least two Memorandums of Understanding (hereinafter the "MOUs") that were entered into between the DFA and the Jackson Zoo on January 18, 2016 and February 3, 2017. Furthermore, the Jackson Zoo withheld information regarding the misappropriation from the DFA while reporting to the DFA as required by the MOUs.

The DFA understands that the Jackson Zoo has currently misappropriated and not repaid approximately \$350,000 that were authorized to be issued through Section 19 of Senate Bill 2906, 2015 Regular Legislative Session, Laws of 2015 and Section 48 of House Bill 1729, 2016 Regular Session, Laws of 2016 (hereinafter the "Authorizing Legislation"). The DFA further understands that for multiple years, the Jackson Zoo has made it a regular practice to use State of Mississippi (hereinafter the "State") bond funds for operational expenses and then internally repay the State bond funds from other funding sources. However, at this time, the Jackson Zoo has represented to the DFA that all previous State bond funds, except the \$350,000 from the Authorizing Legislation, have been repaid.

Based on the information available to the DFA at this time, it is apparent that the Jackson Zoo is in violation of the MOUs and the Authorizing Legislation regarding the Bonds. For this reason, the DFA requests that the Jackson Zoo repay the misappropriated funds and return any and all unexpended bond proceeds to the State by no later than Friday, November 16, 2018. Should the Jackson Zoo not return the misappropriated funds, the DFA will seek assistance from the City of Jackson and may refer this matter to the Attorney General's Office for legal action.

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Furthermore, the Jackson Zoo must provide the DFA with a detailed accounting for all expenses related to the Bonds. Along with accounting for the expenses, all invoices and similar documentation for each expense must be provided to the DFA. The Jackson Zoo must also provide the DFA with all of the documents listed under "Exhibit A" of the MOUs. This information should be provided to the DFA Bond Advisory Division at your earliest convenience but no later than 90 days from the date of this letter.

If there are any questions regarding the repayment of the misappropriated funds or the documents that must be submitted to the DFA, you may contact the DFA's Bond Advisory Division at (601) 359-3402.

Sincerely,

Laura D. Jackson

Cc: Jackson Zoological Society Board of Directors Mayor Chokwe Antar Lumumba, City of Jackson Representative Credell Calhoun

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Senator Hillman Frazier