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CERTIFIED COPY

BOARD OF DIRECTORS MEETING
22ND DISTRICT AGRICULTURAL ASSOCIATION
DEL MAR FAIRGROUNDS via ZOOM
2260 JIMMY DURANTE BOULEVARD
DEL MAR, CALIFORNIA 92014

WEDNESDAY, SEPTEMBER 14, 2022

10:02 A.M.

REPORTED BY: CLAUDINE METOYER, CDLR 110

1 IN ATTENDANCE

2 OFFICERS:

3 G. Joyce Rowland, President

4 Richard Valdez, Second Vice President

5 DIRECTORS PRESENT:

6 Lisa Barkett, Director

7 Michael Gelfand, Director

8 Kathlyn Mead, Director (via ZOOM/telephone)

9 Don Mosier, Director

10 OFFICERS AND DIRECTORS ABSENT:

11 Frederick Schenk, First Vice President

12 Sam Nejabat, Director

13 ALSO PRESENT:

14 Carlene Moore, Chief Executive Officer, 22nd DAA

15 Katie Mueller, Chief Operations Officer, 22nd DAA

16 Melinda Carmichael, Chief Administrative Officer, 22nd DAA

17 Josh Caplan, Deputy Attorney General

18 Donna O'Leary, Executive Assistant, 22nd DAA

19 Dustin Fuller, Supervising Environmental Planner, 22nd DAA

20 Henry Rivera, Moderator

21 Wayne Rosenbaum, Environmental Law Group

22 Thea Lemberger, Great Ecology

23 Davis Ladd, Great Ecology

24 Chris Trees, San Elijo Joint Powers Authority

25

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1 DEL MAR, CALIFORNIA, WEDNESDAY, SEPTEMBER 14, 2022

2 10:02 A.M.

3 ---o0o---

4 PRESIDENT JOYCE ROWLAND: Good morning. This is the
5 September meeting of the 22nd DAA, and I am President Joyce
6 Rowland. I'll call the meeting to order.

7 And our first order of business is our roll call.
8 And after roll call, we'll be going immediately into closed
9 session.

10 MS. O'LEARY: President Rowland.

11 PRESIDENT JOYCE ROWLAND: Here.

12 MS. O'LEARY: Vice President Schenk has an excused
13 absence.

14 Vice President Valdez.

15 MR. VALDEZ: Present.

16 MS. O'LEARY: Director Barkett.

17 MS. BARKETT: Here.

18 MS. O'LEARY: Director Gelfand.

19 MR. GELFAND: Here.

20 MS. O'LEARY: Director Mead.

21 MS. MEAD: Here

22 MS. O'LEARY: Director Mosier.

23 MR. MOSIER: Here.

24 MS. O'LEARY: And Director Nejabat will not be in
25 attendance today also.

1 PRESIDENT JOYCE ROWLAND: Thank you.

2 So with the roll call, we're going to go into closed
3 session and we anticipate that it will be about two hours and
4 so if it becomes any -- significantly longer than that, we will
5 post something to let folks know.

6 So thank you.

7 (The meeting adjourned to closed
8 session at 10:04 a.m.)

9 * * *

10 (The open session was resumed at
11 12:35 p.m.)

12 PRESIDENT JOYCE ROWLAND: Okay. Good afternoon, and
13 this is the 22nd DAA Board reconvening to open session from our
14 closed session, and we have no actions to report from the
15 closed session.

16 We will now move to the Consent Calendar, and I'll
17 take any Board input on items to be moved from the Consent
18 Calendar. We already have one we know of which is removing the
19 out-of-state travel discussion to General Business.

20 Any other considerations from the Board on movement
21 of items?

22 Okay. Hearing none, I'll also say that we are going
23 to -- because of the flow of business, we're going to move item
24 7, General Business, up after the Consent Report so it'll be --
25 Consent Calendar -- so it'll be Consent Calendar next. We'll

1 get the public comment on the Consent Calendar and then the
2 Consent Calendar will be followed by General Business and then
3 by the Management Report. Okay. So our next item is public
4 comment on the Consent Calendar.

5 We have two members of the public who have asked to
6 speak on the Consent Calendar. The first member of the public
7 to speak is Martha Sullivan.

8 MARTHA SULLIVAN: Hello, this is Martha Sullivan.

9 I just want to confirm: So the out-of-state travel
10 is moved out of this item and into General Business?

11 PRESIDENT JOYCE ROWLAND: That is correct.

12 MARTHA SULLIVAN: Is that correct?

13 PRESIDENT JOYCE ROWLAND: That is correct.

14 MARTHA SULLIVAN: Okay. The other thing I wanted to
15 mention for this Consent Calendar item is -- regards the Sports
16 Book RFP that was issued and the responses are due today.

17 A minimum requirement in the RFP is that the proposer
18 is a racetrack operator, and that pretty much limits it to
19 Del Mar, the Stronach Group, and Los Alamitos. I'm wondering
20 did this District use Del Mar's proposal to prepare this RFP
21 because that would be a pretty big conflict of interest. It's
22 very esoteric and arcane industry so I'm -- you know, that
23 raised a big red flag for me.

24 PRESIDENT JOYCE ROWLAND: Okay. Okay. I couldn't
25 quite hear what you said, but Carlene Moore did.

1 And so the answer is no.

2 MS. MOORE: Absolutely not. And the reason why,
3 within the scope, it has to do with the language in Proposition
4 26. It is what limits the -- limits the opportunity to the
5 operators of the four tracks in four specific counties,
6 San Diego County, L.A. County, Orange County, and Alameda
7 County. And so it's actually Proposition 26 that provides that
8 limit, and the Sports Book RFP is based on if that were to be
9 passed this coming November.

10 PRESIDENT JOYCE ROWLAND: Okay. So --

11 MARTHA SULLIVAN: Okay. Thank you. I get the reason
12 for it. I just was very -- you know, it was a red flag for me
13 again because Del Mar had proposed this and it is a very
14 esoteric and arcane undertaking and I just would be curious
15 about where the District got the expertise for this if it
16 didn't use Del Mar's proposal.

17 PRESIDENT JOYCE ROWLAND: Okay. So the -- I think
18 we've answered that. And then, so we have the next member of
19 the public to speak.

20 Martha, nothing else, I assume?

21 Okay. The next member of the public signed up to
22 speak on the Consent Calendar is Doug Schaufner (spelled
23 phonetically).

24 MR. RIVERA: He is no longer in the queue.

25 PRESIDENT JOYCE ROWLAND: Okay. So we'll move to a

1 motion to adopt the Consent Calendar with the changes noted.

2 MR. GELFEND: So moved.

3 PRESIDENT JOYCE ROWLAND: So we have Director
4 Gelfand, Director Barkett. And now we'll have a roll call.

5 MS. O'LEARY: President Rowland.

6 PRESIDENT JOYCE ROWLAND: Aye.

7 MS. O'LEARY: Vice President Valdez.

8 MR. VALDEZ: Aye.

9 MS. O'LEARY: Director Barkett.

10 MS. BARKETT: Aye.

11 MS. O'LEARY: Director Gelfand.

12 MR. GELFAND: Aye.

13 MS. O'LEARY: Director Mosier.

14 MR. MOSIER: Aye.

15 MS. O'LEARY: Director Mead is trying to call on the
16 phone.

17 MS. MEAD: (Inaudible response.)

18 PRESIDENT JOYCE ROWLAND: Okay. I think we'll have
19 to put that down as a "couldn't understand," and she'll try
20 again, I'm sure.

21 Okay. Now she's in.

22 MS. MEAD: Director Mead, aye.

23 PRESIDENT JOYCE ROWLAND: Aye. Thank you.

24 So that is the Consent Calendar, and now we'll move
25 to General Business. And we have a few action items on

1 General Business.

2 Okay. So now we will move to General Business, and
3 the first item under General Business is the Fair Ops
4 Committee.

5 And I think you are handling that for Director
6 Schenk?

7 MS. MOORE: Yes. So in the absence of both
8 Director Schenk as well as Director Nejabat, actually Chief
9 Operating Officer Katie Mueller, yes, will handle the report of
10 the Fair Ops Committee and the couple of action items that we
11 have before you.

12 MS. MUELLER: Right. Good afternoon.

13 The first item is the approval of our commercial and
14 concessions rates. If you read the Operations Committee Report
15 on Page 20, that outlines what we are proposing. Basically, we
16 are proposing -- again, concession fees for the food
17 concessionaires would pay 25 percent of their gross. The only
18 thing that would change for that one is that we would be
19 requesting a minimum guarantee. In the past, it's been \$1500,
20 and we would propose raising that to \$5,000. That's just
21 applied towards their rent once they get to the fair, but it's
22 a guarantee of their space here at the fair.

23 We haven't had an increase in many, many years, and I
24 think that \$5,000 is more than justified as they bring home --
25 they take away a lot more money than that. And also, there's a

1 lot of work on our part to commit that space, and it would be
2 very difficult for us to find alternatives if they were to, you
3 know, cancel or that kind of thing. So we're requesting an
4 increase in the deposit fee.

5 And then, in the commercial buildings, you'll see on
6 Page 21 the space rental schedule. We are requesting these
7 rates not change from 2022 to 2023. If you recall, we used the
8 fee schedule from 2019, which included a 27-day fair, and we
9 feel that the rates are at a level that doesn't need to be
10 increased this year. We had some challenges last year in our
11 commercial buildings just because of the supply chain issues,
12 the labor shortages, that kind of thing, so we'd like to keep
13 the fees the same and let everyone kind of get back on their
14 feet another year before we look at increases again.

15 PRESIDENT JOYCE ROWLAND: Okay. Do we want to go
16 ahead and --

17 MS. MUELLER: Um-hum.

18 PRESIDENT JOYCE ROWLAND: -- move to --

19 MS. MOORE: Or do we want to have the report, then,
20 on the theme so we can have a discussion --

21 PRESIDENT JOYCE ROWLAND: Yeah. Let's go through --

22 MS. MOORE: -- of both?

23 PRESIDENT JOYCE ROWLAND: Let's go through everything
24 on the action items here before we move into the actual public
25 comment on the items.

1 MS. MUELLER: Okay. So if you look at Page 22 of
2 your board packet, we were directed after the last board
3 meeting to kind of narrow the scope a little bit more to define
4 a little bit better our proposal for a "Let's Go Retro" theme
5 in 2024. So we had a Fair Operations Committee meeting with
6 myself, Carlene, and Fred -- Sam was unable to attend -- and we
7 discussed the "Let's Go Retro" theme and themes in general, and
8 if you recall, you know, many of our most favorable past themes
9 have been rooted in the past.

10 If you think of themes like, you know, Alice in
11 Wonderland, Dr. Seuss, the Beatles, the Wizard of Oz, but
12 they've really been celebrations of past events, and I just --
13 some of our most successful themes have been because when
14 people come to the fair, they come to -- they are coming to
15 enjoy themselves and sort of be transported out of their
16 regular world and into a place that's fun and light-hearted and
17 spirited.

18 So we took the "Let's Go Retro" theme and we kind of
19 applied that thinking to it, but we also recognize that, you
20 know, there was kind of a desire to look into the future a
21 little bit; so not only will we be celebrating the past with
22 this theme concept, you know, the past decades, music, pop
23 culture, those kind of things, but also looking to the future,
24 what will people consider retro, you know, 50 years into the
25 future?

1 One of the things we can look back on now that people
2 will say, "Wow, that really made an impact," or "What they did,
3 you know, during the 2020s really made an impact on our
4 future," and that kind of thing. So the concept can include
5 both, you know, the historical look back and also the
6 futuristic look about what could be based on what kind of
7 choices we make at this time. And, of course, it's just a
8 concept, and we will be further defining and narrowing the
9 scope of that, but it's a great way to tie in, you know,
10 entertainment and food and shopping and exhibits and all of the
11 things that we do at the fair and make it a really unique, fun
12 experience for people coming to the fair to feel nostalgic
13 about the past but also to look forward and imagine what the
14 future might be like as well.

15 PRESIDENT JOYCE ROWLAND: Okay. Thank you.

16 And so next, we'll do the Finance Committee report.

17 MS. MOORE: So there should be public comment on 7A,
18 and then separate on 7B.

19 PRESIDENT JOYCE ROWLAND: Okay. It's not -- it's not
20 separated that way, but okay, we can absolutely do that.

21 So let's open up public comment on item 7A, the Fair
22 Ops Committee.

23 And before we get to that, any questions or comments
24 from the Board of Directors on the Fair Ops Report and the
25 impending action items?

1 PRESIDENT JOYCE ROWLAND: No? Okay. Then we'll go
2 to public comment. And so we're public commenting on 7A, the
3 Fair Operations Committee, and the first member of the public
4 is Martha Sullivan.

5 MARTHA SULLIVAN: Hello. This is Martha Sullivan
6 again.

7 I guess I would just like to express my
8 disappointment at sticking with the "Let's Go Retro" theme for
9 2024. It doesn't seem like the committee gave a whole lot of
10 consideration to the fairly extensive discussion that this
11 Board had about this and pointing out that looking back is not
12 a way for this organization to move forward the way it really
13 needs to move forward.

14 I hope that the suggestion that the look back will be
15 in some kind of futuristic way as well to look back on things
16 that have happened during, for example, 2020 because I think
17 that could be very illuminating and educational in terms of the
18 big changes, the big shifts that are happening in our society
19 currently, particularly around things at the Fairgrounds, like
20 the horseracing and like animal agriculture, cannabis, things
21 that really need to be becoming more of the future and not be
22 bogged down by the past.

23 Thank you.

24 PRESIDENT JOYCE ROWLAND: Okay. The next member of
25 the public to speak on item 7A is Jane Cartmill.

1 MR. RIVERA: Star six, Jane. You're in the meeting.

2 JANE CARTMILL: Rather than fun and entertainment, a
3 story in the Sacramento Bee about a goat named Peter is a sad
4 reminder of what the 4H youth programs actually mean for its
5 participants.

6 In Shasta County, Jessica Long's family bought a
7 four-month-old goat and took it home where she raised and cared
8 for the animal and came to love him. In June, she took the
9 goat to be exhibited at the Shasta Fair Livestock Auction. The
10 girl realized she did not want the goat to be slaughtered and
11 tried to back out of the auction, but fair officials refused.
12 A state senator bid \$902 for Cedar's meat. Jessica's mother
13 took Cedar from the fair, offering to pay any losses, but the
14 fair's livestock director threatened her with grand theft
15 charges. Two sheriff's deputies from Shasta County drove over
16 500 miles to Sonoma County where the family had taken the goat
17 in order to confiscate the child's beloved pet.

18 Of the \$902 bid for his meat, the fair was entitled
19 to only \$63.14. The ensuing civil rights lawsuit alleges that
20 officials violated the family's constitutional rights against
21 unreasonable search and seizure and due process and seeks
22 punitive damages.

23 Cedar was seized without a warrant and was then
24 killed, destroying the plaintiff's property interest. Long's
25 attorney, Ryan Gordon of Redondo Beach, said the dispute is not

1 an isolated one. And I believe that because I have personally
2 witnessed kids at Del Mar sobbing at the end of our fair when
3 they have had to part with their animals and realize that they
4 will be killed and eaten.

5 "So the case is more important than Cedar," Gordon
6 said. Quote, "Every year, the firm I work at gets calls from
7 kids in these 4H programs and they want out but are told they
8 can't." Unquote.

9 Apparently, one of the Hs in 4H stands for heartless.
10 Who would force a young child under 10 years old to hand over
11 the animal they raised and loved for slaughter?

12 PRESIDENT JOYCE ROWLAND: Okay. We'll now move to
13 the Finance Committee report.

14 MS. BARKETT: No, we've got to do the action items --

15 PRESIDENT JOYCE ROWLAND: I'm sorry. That's right.
16 We're not going to go all the way through.

17 MR. GELFAND: Is there a time constraint on these
18 public comments?

19 PRESIDENT JOYCE ROWLAND: Two minutes.

20 MR. GELFAND: Two minutes? Okay.

21 PRESIDENT JOYCE ROWLAND: Okay. So we'll move back
22 to action item on the 2023 concessions and commercial rates.
23 So I need a motion.

24 MS. BARKETT: So moved.

25 MR. MOSIER: Second.

1 PRESIDENT JOYCE ROWLAND: Director Barkett.
2 Director Mosier.
3 Roll call.
4 MS. O'LEARY: Okay.
5 President Rowland.
6 PRESIDENT JOYCE ROWLAND: Aye.
7 MS. O'LEARY: Vice President Valdez.
8 MR. VALDEZ: Aye.
9 MS. O'LEARY: Director Barkett.
10 MR. BARKETT: Aye.
11 MS. O'LEARY: Director Gelfand.
12 MR. GELFAND: Aye.
13 MS. O'LEARY: Director Mead.
14 MS. MEAD: Aye.
15 MS. O'LEARY: And Director Mosier.
16 MR. MOSIER: Aye.
17 PRESIDENT JOYCE ROWLAND: Okay. Thank you.
18 So next we need a motion and a second on the theme
19 concept for 2024.
20 MS. BARKETT: So moved.
21 PRESIDENT JOYCE ROWLAND: Director Barkett. And a
22 second?
23 MR. VALDEZ: I'll second.
24 PRESIDENT JOYCE ROWLAND: Director Valdez will
25 second.

1 And roll call, please.

2 MS. O'LEARY: Okay.

3 President Rowland.

4 PRESIDENT JOYCE ROWLAND: Aye.

5 MS. O'LEARY: Vice President Valdez.

6 MR. VALDEZ: Aye.

7 MS. O'LEARY: Director Barkett.

8 MS. BARKETT: Aye.

9 MS. O'LEARY: Director Gelfand.

10 MR. GELFAND: Aye.

11 MS. O'LEARY: Director Mead.

12 MS. MEAD: Aye. Aye.

13 MS. O'LEARY: Thank you.

14 And Director Mosier.

15 MR. MOSIER: Aye.

16 PRESIDENT JOYCE ROWLAND: Okay. Thank you.

17 MS. MUELLER: Thank you very much.

18 PRESIDENT JOYCE ROWLAND: Okay. Shall we go to the
19 out-of-state travel first or to the Finance Committee? Does it
20 matter in terms of anything that...

21 Let's go to out-of-state travel first, Carlene. Is
22 that okay?

23 Yeah. Why don't we go to out-of-state travel first
24 since there is an action item required on that. So I think --
25 are you up and ready to go?

1 MS. MOORE: Yes. I will provide kind of some -- a
2 little bit of background to this and in terms of why it was
3 originally on the Consent Calendar. And then -- which --
4 really this was anticipated at the time that the agenda was
5 done for the change so there really are two different pieces
6 here or two different requests within it.

7 One is to change from what would have been staff
8 attending the Western Fairs Association Feature Fair Tour at
9 the New Mexico State Fair, but, well, we would already be on
10 our way, and so with a change of this. But there is an
11 opportunity at the end of this month for what's called the
12 Sponsorship Mastery Summit, which is an incredible opportunity
13 with regard to industry leaders and professionals within the
14 sponsorship world coming together, connect, and because we deal
15 a lot with sponsorships, just getting up to speed on some of
16 the latest information, things like that, in anticipation not
17 only for this year but next year. And so to make that
18 adjustment that particular opportunity is held in the state of
19 Washington.

20 The second one -- and so under, I guess, kind of
21 normal circumstances or what was anticipated is this would have
22 just been on Consent for the change. But the second one is
23 something that just recently, since the agenda was posted,
24 which is, again, the reason for moving this from Consent to
25 action and for discussion, is for the board to consider the

1 opportunity to seek an exception to the travel ban for the
2 International Association of Fairs and Expositions.

3 So historically as an organization, we have attended
4 this networking and learning opportunity. Our team has gone to
5 it. But for the past -- the past few years, we've been unable
6 to attend in part due to its relocation from the state of
7 Nevada to the state of Texas, which was added to the banned
8 state list I believe back in 2017 or '18.

9 Also in part, though, because for the last couple of
10 years, it really -- the District -- we were not in a position
11 to really afford anything outside of critical travel --
12 critical travel needs. So it's been a number of years since
13 staff has attended. This year, it had moved from -- the
14 organizers of that convention and trade show have moved it from
15 the state of Texas to Indiana in anticipation that this would
16 allow the California fairs to participate. But just last
17 month, AB 1887 --

18 MS. BARKETT: -- '89.

19 MS. MOORE: -- was updated; 1887 was updated to
20 include the state of Indiana. This is an opportunity that
21 takes place in November and December.

22 MR. GELFAND: Included in the ban?

23 MS. MOORE: To include it in the ban, yes.

24 So at this point, staff is unable to. However,
25 within AB 1887, there are exceptions. There are limited

1 exceptions that can be considered, the process of which -- it
2 would start with this Board first approving and then a request
3 being made to the Governor's Office for approval of that. And
4 part -- the exception, if we were to pursue it, is because of
5 this not being provided or offered in a state that staff can
6 travel to that is an accepted state for travel.

7 And so some may ask the question of: Well, but you
8 go to the Western Fairs Association Convention and travel, kind
9 of. But there are -- there are differences. A large one, a
10 large difference, is the oppor- -- the learning opportunities
11 and networking opportunities at IAFE, as it's referred to, as
12 compared to WFA, Western Fairs. There are a -- there are more
13 large fairs throughout the country, and then there are some
14 that come internationally to it, as compared to with WFA. We
15 are very large. There are few of us kind of on the western
16 states as compared to when you get into that opportunity with
17 the mid-west and even eastern states. Many state fairs and
18 provinces and things like that attend it.

19 In additional to that, it's also the programing of
20 IAFE, as compared to WFA, in that several things that are
21 offered and are offered in more of a workshop type of setting,
22 several hours, sometimes even, you know, a full day kind of
23 learning-lesson classroom activity, as compared to sessions
24 where you're getting, you know, good information but
25 information in that. And those are really paramount to our

1 operations in terms of continuing to set the bar high for us
2 and for what we represent in our community, and those can range
3 in anything from leadership and government -- governance to
4 even consumer protection program trainings and things that are
5 offered.

6 So it's here before you. Happy to answer any -- any
7 questions or things, recognizing -- and I think it's important
8 to recognize the purpose, you know, behind AB 1887 and the
9 travel bans -- is to limit and to protect employees from states
10 who might not otherwise have laws and things in place that
11 support civil rights. And so a consideration may also be to
12 put restrictions around if employees -- if we were to get the
13 approval from not only this Board but the Governor's Office
14 perhaps any restrictions that may be -- want to be placed
15 around any employees attending in terms of, you know, staying
16 in hotel and conference center only or something to that
17 effect.

18 But with that, I will open up to any questions you
19 may have.

20 PRESIDENT JOYCE ROWLAND: Yeah. And I would also
21 add, if this were to be approved here and approved by the
22 Governor's Office, then it's a one-time --

23 MS. MOORE: Right. It is --

24 PRESIDENT JOYCE ROWLAND: -- designed as a one-
25 time --

1 MS. MOORE: -- on a per-case basis.

2 PRESIDENT JOYCE ROWLAND: Um-hum. Right.

3 So I will open this up first to questions from the
4 Board.

5 Director Mosier.

6 MR. MOSIER: Yes. Carlene, some of the conferences I
7 used to attend are now available via webinars, and I just
8 wanted to ask whether any of these sessions are available as
9 webinars so that you wouldn't have to attend in person but you
10 could listen to the presentation?

11 MS. MOORE: Unfortunately, most of especially those
12 workshop learning lessons right now are not -- not to say that
13 something may change, but it is something they had modified the
14 last, you know, couple of years. They did in 2020, was it?
15 And -- but it really is -- it's designed to be an in-person
16 attended event. So but we would continue to explore that
17 whether or not we attended it, if there are those opportunities
18 for some of them to be provided that way.

19 PRESIDENT JOYCE ROWLAND: So it might be a future
20 opportunity to encourage them.

21 So I see Director Valdez and then I think
22 Director Gelfand.

23 MR. VALDEZ: Quick question on whether or not we have
24 incurred any costs to attend the function, understanding that
25 your belief was that this was going to be held in a state that

1 was not on the ban, and when you had that belief, did the
2 District incur any costs for attending that?

3 MS. MOORE: We had not. Registration actually just
4 opened about -- around the same time as the announcement.

5 PRESIDENT JOYCE ROWLAND: Okay.

6 And Director Gelfand?

7 MR. VALDEZ: Thank you.

8 MR. GELFAND: Well, I'm familiar with IAFE, and they
9 really do have a great, you know, annual conference.

10 What is it about Indiana that got them on the list
11 that they weren't on before; do you know?

12 MS. MOORE: Four states were added to the list.

13 MR. VALDEZ: I can speak to that if...

14 MS. MOORE: I was -- okay.

15 MR. VALDEZ: I do actually know. It was the recent
16 enactment -- actually, it was their overriding of the veto of
17 the governor -- hold on one second.

18 It was based upon HB 1041, which overrode a veto from
19 the governor prohibiting transgender girls from participating
20 in girls' sports -- girls' school sports consistent with their
21 gender identity. That was the specific action that their
22 legislature took to place them on the travel ban.

23 MR. GELFAND: And so part of the intent of the travel
24 ban is that we're not --

25 MS. MOORE: Supporting --

1 MR. GELFAND: -- supporting the state financially
2 through tourism and other kinds of things. So, you know, sort
3 of consistent with that, you could go there and stay in the
4 hotel and not, you know, spend money --

5 MS. MOORE: Not participate in tourist activities and
6 things.

7 MR. GELFAND: Okay.

8 PRESIDENT JOYCE ROWLAND: Anything else from our
9 directors before I open it up for public comment?

10 So this is an item that was added to General
11 Business, and we do have only two people who were signed up for
12 General Business public comment, Martha Sullivan and Jane
13 Cartmill. So I will give you the opportunity if you want to
14 speak to this issue.

15 And no one else signed up?

16 Okay. No one else signed up. So Martha Sullivan,
17 we'll open it up for you if you want to make any comments on
18 this item.

19 MARTHA SULLIVAN: Hello, this is Martha Sullivan
20 again.

21 I would just like to know what, quote, "licensure or
22 similar standards required for holding a position," end quote,
23 would necessitate an exemption from this ban of travel to
24 Indiana because that, the exemption -- reason to fight it.

25 So what licensure or similar standards required for

1 holding a position would be addressed by attending this
2 conference?

3 PRESIDENT JOYCE ROWLAND: Okay. Thank you for your
4 comment.

5 I think it's a little bit broader than that so,
6 Carlene, if you want to just address what is actually covered
7 in that.

8 MS. MOORE: Yes.

9 So in terms of that, it is, again, staying -- also
10 remaining competitive within our industry and in what we do,
11 knowledgeable of the information, practices -- best management
12 practices -- safety procedures, things like that that we need
13 to have in place for the protection of our consumers, our
14 employees, those attending. It's not just specific to the
15 fair, but oftentimes sessions are also about facilities and
16 operations of that nature as well.

17 And so -- and as a -- as a part of this process --
18 again, if approved by this Board -- we would be submitting the
19 appropriate information and documents and things to the
20 Governor's Office.

21 PRESIDENT JOYCE ROWLAND: So it's really the similar
22 standards comments that you're relying on for that.

23 MS. MOORE: Um-hum.

24 PRESIDENT JOYCE ROWLAND: And I'm sure the office has
25 probably made decisions of a lot of organizations and so

1 they'll have their own standards as to what is similar enough.
2 So...

3 Okay. Jane Cartmill, if you would like to make
4 comments on this item as well.

5 JANE CARTMILL: I don't have anything further on this
6 item.

7 PRESIDENT JOYCE ROWLAND: Okay. So if there's
8 nothing additional from the Board, we have -- I'm sorry.
9 Director Mosier.

10 MR. MOSIER: Yeah. I just want to say that I grew up
11 in Indiana, and I'm not particularly happy with current
12 politics in Indiana, but one of the goals of AB 1887 is to not
13 only ban travel but to get events moved out of those states
14 that pass discriminatory actions. And to the extent you try to
15 bypass the travel ban, you're defeating that goal; so I'm -- I
16 understand the advantage of going to the meeting, but I must
17 say that I have real reservations about bypassing the travel
18 ban in this instance. Maybe one or two people won't make a
19 difference, but if a few people do this, you're basically
20 negating the effect that -- the legislative act of California.

21 PRESIDENT JOYCE ROWLAND: Yeah. And I agree with
22 you. I think that that's important. I think the unfortunate
23 circumstance here is I believe they moved it from Texas to
24 avoid the travel ban issues associated with Texas and moved it
25 to a state -- and as you know, there's a lot of advance

1 planning that occurs -- moved it to a state that subsequent to
2 all the planning going into it and setting the location and
3 letting everyone know, then they end up on the travel ban
4 too -- in July?

5 MS. MOORE: Um-hum. Effective August 1st.

6 PRESIDENT JOYCE ROWLAND: So I think -- what struck
7 me is that this is an organization that was actually willing to
8 be sensitive to the travel ban issues and probably next year
9 would make a different choice -- or in future years. And in my
10 mind, I didn't want to, frankly, punish them because the
11 California delegation is -- you know, it's not just us.

12 But I hear what you are saying. I think that that's
13 why in my mind I saw it as a one-time.

14 MS. BARKETT: I think that this year is an
15 aberration. I really do.

16 MR. MOSIER: Well, I appreciate that very much.
17 Again, I'm not a fan of Indiana's decisions, and I think the
18 decision should have got them on the travel ban earlier.

19 MR. GELFAND: I was going to say, could we condition
20 the motion that along with our seeking approval from the
21 Governor to have our group go there, that we send a letter to
22 the organization saying we're not going to go again if it
23 continues to be in a state that's banned.

24 PRESIDENT JOYCE ROWLAND: Oh, yeah. And I think
25 that's easily done, and they know.

1 MS. MOORE: I would perhaps recommend that we have --
2 because there are two different items on this, either the
3 motion speaks to both or --

4 PRESIDENT JOYCE ROWLAND: Well, there's the out-of-
5 state, and then there's the banned travel exception.

6 MS. MOORE: Right. Correct.

7 PRESIDENT JOYCE ROWLAND: So, yes. So we'll do two
8 action items on that, the first being the regular out-of-state
9 travel; so I need a motion on that.

10 MR. GELFAND: So moved.

11 PRESIDENT JOYCE ROWLAND: Oh, I'm sorry. Richard.

12 MR. VALDEZ: That's okay. I just wanted to make
13 sure -- I'm fine with separating them, but I wanted to make
14 sure my comments were made. And I'll defer to you, President
15 Rowland, as to whether or not you want to take care of the
16 first one and then hear back on the ban. I have a comment
17 regarding the ban as well.

18 PRESIDENT JOYCE ROWLAND: No, actually. Go ahead.

19 MR. VALDEZ: You know, I've kind of quarreled with
20 this with myself. I appreciate it having been taken off of
21 Consent so that we could have this discussion. I think it's a
22 healthy one and an important one to have.

23 I also recognized the fact that it was taken out of
24 Texas and put into a state that perhaps was intended to be one
25 that was not on the travel ban. I think that is assuming

1 something, perhaps, and giving them benefit where they may be
2 entitled to; I'm not sure. I agree with Director Mosier that
3 I'm actually surprised that it took until July 1st for Indiana
4 to be placed on the ban, but that's for the Governor's Office
5 to decide.

6 Having said that, it is the Governor's Office that
7 decided to enact AB 1887. It was them that placed Indiana onto
8 the ban list, and I think we're working within a finite amount
9 of exceptions. And the way I read the exception -- and I'll
10 read it -- is to "...complete job-required training necessary
11 to maintain licensure or similar standards"; and it's either
12 "licensure or similar standards" that I'm quarreling with that
13 perhaps was stated before: "...required for holding a position
14 in the event that comparable training cannot be obtained in
15 California or a different state not subject to the travel
16 prohibition."

17 I'm quarreling with myself as to whether I would be
18 supportive of voting in favor to allow the Governor's Office
19 just to make this call for us or whether it's our job to make
20 that call as a board. And I recognize the importance to the
21 staff on attending this, and of course, it wouldn't be
22 something that would be beneficial or the staff wouldn't be
23 requesting us to send them anyway, whether it was in a banned
24 state or not banned state. So I recognize that. I hope that
25 staff knows me well enough to know that I don't take lightly

1 taking contrary positions that staff is recommending, but I do
2 find myself having difficulty voting in favor of this for
3 similar reasons as expressed by Director Mosier.

4 PRESIDENT JOYCE ROWLAND: Okay. Thank you.

5 And with that, we will make the -- do the vote on --

6 MS. O'LEARY: I don't think I have a motion yet.

7 PRESIDENT JOYCE ROWLAND: Yeah. I -- I know. I'm
8 going to get there.

9 We'll do the vote first on the just straight
10 out-of-state -- not banned state -- but out-of-state travel.
11 And I'll need a motion and a second on that.

12 MR. GELFAND: Motion.

13 MS. BARKETT: Second.

14 PRESIDENT JOYCE ROWLAND: Okay. You have those.
15 Director Gelfand and Barkett.

16 So roll call, please.

17 MS. O'LEARY: President Rowland.

18 PRESIDENT JOYCE ROWLAND: Aye.

19 MS. O'LEARY: Vice President Valdez.

20 MR. VALDEZ: Aye.

21 MS. O'LEARY: Director Barkett.

22 MS. BARKETT: Aye.

23 MS. O'LEARY: Director Gelfand.

24 MR. GELFAND: Aye.

25 MS. O'LEARY: Director Mead.

1 MR. GELFAND: She's muted.

2 MS. O'LEARY: Director Mosier.

3 Director Mead?

4 MS. MEAD: Aye. Aye.

5 MS. O'LEARY: Yes, I hear you. Thank you.

6 MR. MOSIER: Aye, belated.

7 PRESIDENT JOYCE ROWLAND: Okay. Thank you for all

8 that.

9 Okay. So that passes.

10 So the second motion is on allowing it to go forward
11 to the Governor's Office for an exception to one-time banned
12 travel to the state of Indiana for this conference. And so I
13 need a motion, and I need a second.

14 MS. BARKETT: So moved.

15 PRESIDENT JOYCE ROWLAND: Director Barkett.

16 Need a second.

17 MR. GELFAND: I'll second it.

18 PRESIDENT JOYCE ROWLAND: Director Gelfand.

19 MS. O'LEARY: President Rowland.

20 MR. GELFAND: Before you vote, can I make a comment
21 because I do second it reluctantly, and I do so with --

22 PRESIDENT JOYCE ROWLAND: It's just a governance
23 item.

24 MR. GELFAND: I understand, but I have a family
25 member who's trans and, you know, I'm sensitive to the issue,

1 but because the organization intended to go to a state that
2 wasn't banned and this is a one-time deal, I'm okay with it.

3 PRESIDENT JOYCE ROWLAND: Yeah. And I'm okay, you
4 know, letting it go forward to the Governor's Office for them
5 to apply the standard that they have developed, whichever way
6 it goes.

7 So aye.

8 MS. O'LEARY: Then Vice President Valdez.

9 MR. VALDEZ: Nay.

10 MS. O'LEARY: And then Director Barkett.

11 MS. BARKETT: Yes.

12 MS. O'LEARY: Director Gelfand.

13 MR. GELFAND: Aye.

14 MS. O'LEARY: Director Mead.

15 Director Mead.

16 MS. MEAD: Director Mead?

17 MS. O'LEARY: Yes, it is.

18 DIRECTOR MEAD: Director Mead, no.

19 MS. O'LEARY: And then Director Mosier.

20 MR. MOSIER: No.

21 PRESIDENT JOYCE ROWLAND: Okay. So motion fails.

22 Okay. And so the next item here, which is an
23 informational item, is the Finance Committee Report.

24 MR. VALDEZ: Okay. I'm going to ask Carlene to
25 address the issue regarding monthly financials, and then she'll

1 pass it back to me on a couple of topics I wanted to cover as
2 well.

3 So on to you, Carlene.

4 MS. MOORE: Okay. Thank you.

5 So in your packet on pages 23 through 26, you have
6 both the committee report or the executive summary, as well as
7 the financial reports. This is through May. And as you
8 recall, we are still working through that, and that was that
9 third-party popcorn failure. June being the busiest month of
10 all that activity taking place, but we're nearly through all of
11 that. And of course, next -- at next month's meeting, we will
12 have the full report in terms of the fair so including even the
13 operations through July so we'll be bringing that forward.

14 Just, you know, a few things to note in terms of --
15 again we still -- we maintain a strong cash position. This is
16 very important to note, especially as we start to head into,
17 you know, the winter months, recognizing that our busiest time
18 of year is usually our spring and summer months. So a strong
19 position there.

20 I also wanted to speak to -- on Page 26, in terms of
21 the income statement, in that some may be wondering as: "Gosh,
22 we're approaching the fair; we're gearing up for things. Why
23 aren't these -- the revenues higher?" We operate on accrual
24 basis so, for example, deposits and ticket buying and things
25 like that that are occurring even in the month of May for, you

1 know, commercial space, you know, tickets to concerts and
2 things. That money, in essence, gets recognized in the month
3 in which that activity happens so you'll see a big change when
4 you see -- in looking at the June financials and -- which will
5 be a part that -- again, the fair financial report. So because
6 it's an accrual base, you aren't seeing -- because we haven't
7 earned yet those admissions dollars, those parking dollars for
8 the fair, anything that is, in essence, sold or deposited on in
9 advance of the fair, but that does impact our cash flow and so
10 therefore, the cash balance on the previous page, on Page 25.

11 And so with that, unless there are any specific
12 questions regarding the financial statements, I will turn it
13 back over to Richard.

14 PRESIDENT JOYCE ROWLAND: Yes. And Richard, you had
15 a couple comments as well.

16 MR. VALDEZ: I did.

17 I wanted to -- as stated in the staff report, we will
18 be embarking on, you know, typical budget time in the next
19 month or so. And as part of that, we found ourselves having
20 the opportunity -- which I think is a great one after having
21 survived the pandemic -- being able to have some healthy
22 discussions that we would like to embark on with the Board
23 starting probably in November about the Board's desire and
24 parameters for what we would envision, if any, with regard to
25 reserves.

1 And then also, you're going to hear a report later on
2 from Melinda Carmichael talking about -- touching upon some
3 construction-related issues and knowing that historically we
4 had used RTA and bond money for capital improvements and
5 whatnot that is not necessarily going to happen in the future,
6 how do we set aside the necessary funds for capital
7 improvements? And we're going to embark on an assessment over
8 the next probably 12 months on our facilities and so we'll ask
9 the Board for some guidance and some discussion, again, in
10 November about creating perhaps some monies to set aside for
11 that purpose as well.

12 So I want to just kind of plant the seed for that.
13 It's actually exciting conversation to be had, and we'll look
14 forward to having that discussion in -- likely in November.

15 PRESIDENT JOYCE ROWLAND: And I might have -- would
16 you just say something, a little bit -- you or Carlene -- about
17 the audit for the good-faith payment to Premier relative to the
18 underbilling, potential underbilling, and the delay of the
19 special audit; just kind of brief us on that a little bit more.

20 MR. VALDEZ: Carlene, you take that, and I'll fill in
21 any gaps.

22 MS. MOORE: Okay.

23 So it -- earlier this year, back in May, we were
24 notified by Premier that through the process of their audit, it
25 had been identified that they had underbilled us in 2021, and

1 it's related to the change from being -- from taking cash to
2 going cashless. It's related to, in essence, the tip monies
3 that were collected via, in essence, credit card that were paid
4 out to employees, that Premier had paid out to them but had not
5 sought the reimbursement from us on. And this is because the
6 revenues -- as the revenues -- our relationship with Premier is
7 such that the revenues that they generate, as those come in,
8 those are actually deposited into the 22nd DAA's bank account,
9 and then we reimburse Premier for their operating expenses so
10 what they had identified as a potential underbilling.

11 Well, if you -- rewinding back to November of 2021,
12 we had actually contacted -- and so we had already booked an
13 amount as a potential liability because in November there was a
14 significant amount of money that we had received in that
15 account that was not accounted for in the P&L statements of
16 Premier at that -- at that time. So we're aware of that.

17 In addition to the -- but, again, this was found
18 through their audit. So then what we did is we have sought out
19 a special audit for this of, in essence, the Premier account,
20 and in light of just the various changes and things that have
21 occurred going back even to January of 2020. The delay on that
22 audit was just the resources of our own audit firm. And so
23 they have since then -- have reengaged on it.

24 So we had anticipated that that was going to be
25 undertaken almost immediately; would have been done during the

1 summer months, but that has just been taken back up. And so
2 the committee had discussion around this and since, again, the
3 belief that there most likely is -- and we feel good about that
4 because of these funds that we're sitting on to make a good-
5 faith payment now because we recognize it's taken longer than
6 had been anticipated to resolve the matter to finally settle
7 it.

8 PRESIDENT JOYCE ROWLAND: So between knowing what
9 Premier's audit was and knowing where we were sitting relative
10 to cash position that was a little bit of an anomaly, as you
11 sorted it out, you feel good in making the good-faith payment.
12 You know, and I assume that, you know, if it turned out to be
13 otherwise that, you know, there are ways to recoup that so --
14 should it become necessary.

15 MS. MOORE: Um-hum.

16 PRESIDENT JOYCE ROWLAND: Okay. Thank you.

17 MS. MOORE: Did I miss anything?

18 MR. VALDEZ: I don't think so. And I think -- I
19 think that the contract between the District and Premier
20 contemplates the possibility of embarking on an audit like
21 this, and it is one that I believe that the costs are borne by
22 Premier, I believe, on the audit. We just felt that it was
23 necessary for us to go back and doublecheck.

24 PRESIDENT JOYCE ROWLAND: Sure.

25 MR. VALDEZ: But we did have an understanding that

1 there was a certain amount owed.

2 PRESIDENT JOYCE ROWLAND: Okay. Any other -- before
3 we go to public comment, any other questions from the Board?

4 Okay. Since this is still an item of General
5 Business and we still have Martha Sullivan and Jane Cartmill
6 signed up for General Business, we'll open it back up to see if
7 there are any questions about the Finance Committee Report --
8 or comments, excuse me.

9 MARTHA SULLIVAN: Hi. This is Martha Sullivan again.
10 And I appreciate that -- can you hear me?

11 PRESIDENT JOYCE ROWLAND: Yes, we can.

12 MARTHA SULLIVAN: Hello?

13 PRESIDENT JOYCE ROWLAND: Yes, we can hear you.

14 MARTHA SULLIVAN: I appreciate the discussion about
15 the special audit because that was something that jumped out at
16 me. But I also just wanted to -- just a flag that the report
17 from the Finance Committee was labeled 5B instead of 7B, which
18 can be confusing when you're going through and trying to keep
19 track of where you're at.

20 And too, I also wanted to point out that at the
21 bottom -- I think it's near the bottom of Page 24 -- there was
22 a reference to the employee -- the trackside employee housing
23 still awaiting that assessment which doesn't sync with the item
24 we're going to hear about later in the management report so I
25 wanted also wanted to point that out just as a, you know, an

1 attempt to try to sync stuff up when you're doing the board
2 packet.

3 Thank you.

4 PRESIDENT JOYCE ROWLAND: Okay. And Jane Cartmill,
5 any comments on the Finance Report?

6 JANE CARTMILL: I don't have any further comment on
7 this item.

8 Thanks.

9 PRESIDENT JOYCE ROWLAND: Okay. Thank you very much.

10 We will now move to the -- let's see -- Management
11 Report, and I believe we're going to start with the San Elijo
12 Wetlands and Treatment Center presentation; correct?

13 MS. MOORE: Yes. And so coming up to the podium is
14 our supervising environmental planner -- oh, walking away from
15 it now -- Dustin Fuller. So -- and he is getting our guests
16 for the presentation.

17 PRESIDENT JOYCE ROWLAND: Who have been patiently
18 waiting.

19 MS. MOORE: Yes. Thank you very much.

20 PRESIDENT JOYCE ROWLAND: So I would just say we're
21 going to go all the way through the Management Report and then
22 go to public comment because members of the public may have
23 comment on any aspect of the Management Report so we'll wait
24 until the end.

25 DUSTIN FULLER: If I could have just one moment.

1 Wayne's coming. He's the presenter. I'm just going to
2 introduce everybody.

3 PRESIDENT JOYCE ROWLAND: Okay. Fine.

4 DUSTIN FULLER: So I'll go ahead and start.

5 Dustin Fuller, Supervising Environmental Planner. I was here
6 back in May, gave you a rambling discussion about our Water
7 Quality Improvement Project in the backstretch and the ponds.

8 Back then, it was Great Ecology working for us. We
9 had just installed the nanobubblers about a month earlier, and
10 we had just gotten San Elijo Joint Powers Authority under
11 contract to help us with the operation maintenance of the
12 Truman (spelled phonetically) building. And I brought the
13 dream team.

14 We have Wayne Rosenbaum, our environmental attorney.
15 We have Thea Lemberger and Davis Ladd from Great Ecology and
16 Chris Trees from San Elijo Joint Powers Authority. And I'm
17 going to turn it over to Wayne, and I'll be back later.

18 PRESIDENT JOYCE ROWLAND: Great. Thank you.

19 WAYNE ROSENBAUM: Don't go too far.

20 Good afternoon. Wayne Rosenbaum, Environmental Law
21 Group.

22 We're here to talk -- to give you sort of an update
23 as to where we are with our stormwater project for the 22nd DAA
24 on the trackside. And we really, I think, are bringing you
25 good news today.

1 Is somebody controlling the slides?

2 HENRY RIVERA: It's coming up right now.

3 WAYNE ROSENBAUM: Thank you.

4 HENRY RIVERA: You should have the clicker on your
5 podium. It's the green button.

6 WAYNE ROSENBAUM: Oh. Okay. Don't go anywhere.
7 Don't go too fast.

8 Okay. Back in 2013, the 22nd Ag made a commitment to
9 the regional board and California Coastal Commission to
10 implement a large-scale stormwater project. And then several
11 years later, we had some I'll call it "additional impetus" from
12 the San Diego coast keeper and Surf (spelled phonetically) and
13 so we entered into a consent judgment to build a system that
14 was designed to address stormwater from a large CAFO, Confined
15 Animal Feeding Operation. In order to do that, the baseline is
16 you need to be able to capture and treat the 24-hour, 25-year
17 storm event and meet the discharge standards that -- wherever
18 you're going to discharge to; okay.

19 So the first task was the installation of a dedicated
20 roof drain system to collect all the runoff from the barns
21 because if we could divert that, then it didn't come into
22 contact with the horses, and therefore, we didn't have to treat
23 it. And then the second step was to divert all the remaining
24 CAFO-related water and some other associated water -- because
25 in some cases it was more difficult to not collect the water

1 than to collect it -- and take all of that water and put it
2 into the eastern receiving lake.

3 And this gives you some sense of what we were talking
4 about. These are the CAFO areas and some of the non-CAFO
5 areas, then, where we are collecting all that stormwater and
6 we're putting it first into that eastern lake. And from the
7 eastern lake -- I'm sorry -- yeah. That is the eastern lake.

8 MR. GELFAND: The one that says "Basin Seven"?

9 MS. MOORE: Yes.

10 WAYNE ROSENBAUM: And from there, the water then
11 moves on to a two-part treatment technology. The first step is
12 a constructed wetland that was -- the engineering was done by
13 Fusco. The biological treatment system was designed by Great
14 Ecology. Unfortunately, Ian was -- isn't available today, but
15 you're going to hear from the folks about -- from Great Ecology
16 as to how that part of the system works. But it's basically a
17 nature-based solution. It's a wetland. And as a wetland, what
18 does it do? It helps us remove sediment. It helps us uptake
19 nutrients. To a certain extent, it helps us uptake metals so
20 that we're removing that in an actual way from the water. And
21 we're doing it in an esthetic setting that as these facilities
22 mature, they grow in, they look nice. They are appropriate for
23 their environment from an esthetics standpoint.

24 The second component, then, is a stormwater -- a more
25 traditional stormwater treatment facility. Here, what we are

1 doing is we are filtering the water and then treating it with
2 UV to kill the bacteria, at which point we have the opportunity
3 to, one, recirculate that water because what we are beginning
4 to find is that most of the year, we have a water -- we don't
5 have enough water. We need to add water to the system. It's
6 very rare that we have such a surplus that we have to discharge
7 it. But when we have to discharge it, again, we have two
8 options. We can -- and our folks from San Elijo will talk
9 about this as well -- but we can discharge to the sanitary
10 sewer or we can discharge to the creek.

11 Now for certain reasons right now, we are sending our
12 discharge to the sanitary sewer. One, this is good water. Why
13 should we be wasting it? And two, there are some -- there
14 basically are some problems with the basin plan in which the
15 basin plan assumes that the creek into which we would be
16 discharging is absolutely fresh water. There is no seawater
17 infiltration. So we have some freshwater standards that are --
18 you know, we are still wrestling with, but we think it is best
19 to send that de minimis amount of water to San Elijo in the
20 first place.

21 Ongoing maintenance and management. And, again, the
22 folks who are actually doing this are going to talk to you in a
23 moment, but our problems? We still have some excessive algae
24 growth that we are working with, both -- which is primarily a
25 wetland -- to a certain extent a wetland health issue, but

1 mostly an esthetics issue. And we're beginning to manage that
2 both in terms of physical raking and harvesting and adding some
3 additives that will help us deal with the nutrient loads, the
4 nanobubblers that you approved for this system which help us
5 remove volatile compounds, including ammonia.

6 And at this point, I think the next slide belongs to
7 you guys from -- and I'd like to introduce Great Ecology.

8 DAVIS LADD: Good morning, everyone. I'm Davis Ladd.
9 I'm with Great Ecology, and I'm joined by Thea Lemberger, a
10 co-worker of mine.

11 Thank you, Wayne, for introducing us, and we'll go
12 through some of the management practices that we're undertaking
13 right now at the wetland mostly around the algae control, in
14 addition to just helping the wetland function at its highest
15 efficiency.

16 So on the previous slide, there were four management
17 solutions that were mentioned right now. The first of these is
18 raking and harvesting which I'll talk about in just a second.
19 But to recap, the other three were additives to the system,
20 there were the installation of nanobubblers, as well as
21 continued consulting on our part for other issues that happen
22 to arise.

23 So related to the raking and harvesting of the
24 system, we come out and we physically rake the algae at the
25 surface and subsurface level on a monthly basis. This is

1 something we had planned out. We send a physical crew. They
2 remove the algae. So it's a major esthetic improvement to the
3 system but it also helps the system operate at high functional
4 levels. The algae can be compromising to the wetland health,
5 so we want to make sure we get it out of there as soon as
6 possible. And, of course, from the Fairgrounds perspective,
7 not only do you want the wetland system to operate at its
8 highest function, but you also want it to look great, given its
9 prominence inside the system. So we want to make sure that
10 algae is out of there as fast as possible so we have monthly
11 management to come out and physically remove the algae that is
12 within the system.

13 In additional to that, we also have an annual harvest
14 that occurs, and this is related to the wetland vegetation. So
15 as the vegetation grows throughout the year, it uptakes
16 nutrients that are existing inside the water and the system
17 that, you know, you're flowing through it. So by removing
18 portions of the wetland vegetation, we're essentially setting a
19 reset button which allows more vegetation to grow back in and
20 start the process all over again. So over from harvest one to
21 harvest two, you have growth and uptake in nutrients; come out
22 and harvest that vegetation to a certain point, and again it
23 just starts all over. So it's just one of the components in
24 the system.

25 So in addition to the raking and harvesting, we also

1 have additives that are put into the system to help control the
2 nutrient levels which ultimately result in more algae. So one
3 of these is biochar bags, in addition to barley pellets. These
4 are added into the system at various points throughout the
5 wetland; help to lower the nutrient levels, and as you'll hear
6 a couple times in these slides, the less nutrients, the less
7 algae we're going to have.

8 And in addition to that, we also add pond dye to the
9 system. This is a practice that is used; pretty common in,
10 like, golf courses and other managed ponds and lakes of similar
11 sizes. The pond dye helps to reduce the amount of light that
12 gets into the system itself which means less algae growth. If
13 it can't penetrate all the way to the bottom of the system,
14 it's not going to allow the levels of algae to grow that would
15 exist if the pond dye wasn't there. So these are just three of
16 the additives that we're using as part of our adaptive
17 management to help make sure that we're keeping the algae
18 levels low in addition to actually removing any algae that does
19 grow within the system.

20 PRESIDENT JOYCE ROWLAND: What's the chemical nature
21 of the pond dye? What's in it?

22 THEA LEMBERGER: The chemicals that make up the pond
23 dye, I'd have to get back to you on what it is comprised of,
24 exactly, but it's not -- it doesn't require additional
25 permitting or limit use.

1 MR. GELFAND: I've used it before. It's like a food
2 dye, food quality typically.

3 DAVIS LADD: Essentially just changes the coloring
4 and makes it darker. You might have noticed --

5 PRESIDENT JOYCE ROWLAND: So we could eat it? It
6 would be okay?

7 THEA LEMBERGER: I wouldn't recommend that you eat
8 it.

9 PRESIDENT JOYCE ROWLAND: Go ahead.

10 DAVIS LADD: So in addition to the raking-harvesting
11 as well as the additives to the system, there has also been
12 nanobubblers installed. So from Great Ecology's point of view,
13 we help to coordinate the facilitation of Moleaer, the company
14 that installed the nanobubblers with the fairgrounds,
15 themselves. And the nanobubblers are essentially systems that
16 create millions of microscopic nanobubbles that help to aerate
17 the water.

18 So the aeration helps in a few ways. First, it's
19 going to reduce ammonia. It's going to remove -- or I'm sorry,
20 not remove but reduce volatile organic chemicals and other
21 things that are in the system that all contribute to algae
22 growth as well as some other factors that may hinder the
23 performance of the wetland itself. So -- and ultimately,
24 again, less nutrients, less algae growth. And so the
25 nanobubblers help kind of facilitate some of the removal of the

1 nutrients and other things like ammonia that exist within the
2 system.

3 As I understand it, there is a pilot phase that was a
4 part of the installation from Moleaer that I believe has ended,
5 and now the Fairgrounds and Moleaer are coordinating on an
6 implementation of a larger, more permanent system for the
7 nanobubblers. And we can say that as part of our monthly
8 management, when we've been out there during the period in
9 which the nanobubblers were active, we did see a visible
10 reduction in algae.

11 So in addition to the other three slides we had, as
12 part of the adaptive management is continued consultations. So
13 obviously, we have plans for going out there and removing the
14 algae that exists. I've already spoken about some of the
15 additives. But sometimes in a natural system, things arise
16 that we're not maybe expecting or they just happen. Things
17 happen. It's a natural environment. You never know exactly
18 what's going to show up.

19 So as part of adaptive management is making sure that
20 we're not only available to deal with something that comes up
21 but knowing how to do so. So we work with our team. We work
22 with the Fairgrounds and any other people who are involved in
23 the treatment system to deal with those things that arise
24 related to algae and the entire system overall from that
25 adaptive management perspective. And as Great Ecology, we try

1 to find the most nature-based solution to resolving that, and
2 then we will, you know, move to things like biochar and barley
3 pellets and we move ourself down the line.

4 In addition to that, we also help to control
5 biofuel -- biothaline organisms that can disrupt the
6 performance of the wetland itself, and then we continue to
7 coordinate with the Fairgrounds staff and management of the
8 entire system and planning out that management.

9 So just as a summary, we are continuing algae
10 management. It's ongoing. We're removing algae from the
11 surface and the subsurface and we are also doing what we can
12 with biochar pellets and other methods to ensure the wetland
13 health is as, you know, high as possible and to reduce the
14 levels of algae that are growing overall, and we are seeing
15 success with that.

16 In addition, we also have monthly, bi-annual, and
17 annual maintenance scheduled through the remainder of 2022.
18 This is the various methods that I spoke about in the slides,
19 in addition to larger plans in 2023, all evolving around the
20 different management practices that we're already using. And
21 then as part of adaptive management, we're always open to new
22 ideas and applying new ways of controlling the algae and other
23 issues that may arise; so if there's something that comes up,
24 we're going to deal with it however we need to because our goal
25 is to make sure that the wetland is operating at its highest

1 function so you guys can meet the regional discharge water
2 requirements that are needed through the system.

3 PRESIDENT JOYCE ROWLAND: Thank you.

4 DAVIS LADD: Thank you very much.

5 CHRIS TREES: My turn.

6 Good afternoon, Madam Chair, members of the Board.

7 I'm Chris Trees. I'm the Director of Operations of the
8 San Elijo Joint Powers Authority, and I appreciate the
9 opportunity to introduce myself and my agency to you today.

10 We are a public agency that was formed in 1965 to
11 treat wastewater from the Solana Beach Sanitation District and
12 the Cardiff Sanitation District. Over the years, we have
13 evolved to recycled water as well. Our headquarters is located
14 just two exits north off of Manchester Ave. on the 5 Freeway.

15 We are governed by a board of directors, four members
16 that are two members from the Solana Beach City Council and two
17 members from the Encinitas City Council. Those are appointed
18 positions that are appointed each year by the city council of
19 each city.

20 Our core functions are wastewater treatment. We
21 operate a 5.25 million gallon per day wastewater treatment
22 facility. We operate a three million gallon per day recycled
23 water treatment storage and distribution facility. We have a
24 state-accredited environmental laboratory onsite. We also
25 operate and maintain an ocean outfall off the coast of

1 Cardiff State Beach that -- where the -- for any water that
2 can't be recycled, we send it out to the ocean. It goes about
3 a mile and a half offshore.

4 Our urban runoff and clean water services is what we
5 are providing to you. We operate pump stations and stormwater
6 treatment systems for different public agencies, and we also
7 operate and maintain sewer pump stations that are owned by the
8 City of Solana Beach, the City of Encinitas, and the City of
9 Del Mar.

10 As far as staffing, we have a highly-qualified,
11 certified and experienced staff including engineers, operators,
12 mechanics. The California Water Environment Association, in
13 association with the State of California, maintains the
14 certification programs that require testing and annual
15 continuing education credits for our operators and maintenance
16 staff.

17 As far as wastewater, we collect from the south half
18 of the city of Encinitas out into Olivenhain, all of Solana
19 Beach, about half of Rancho Santa Fe, the city of Del Mar,
20 which includes the Del Mar Fairgrounds wastewater so when
21 you -- any wastewater that comes offsite here comes to us for
22 treatment and then we recycle that and provide it to you for
23 irrigation.

24 Our recycled water program produces a little over
25 half a billion gallons of recycled water annually that is used

1 for irrigation for the racetrack, golf courses, homeowners
2 associations, schools, parks, and CalTrans uses it on the
3 freeway for the medians all the way from the Fairgrounds all
4 the way up to La Costa Avenue on the 5 Freeway. The recycled
5 water supply is not affected by drought and reduces wastewater
6 discharge to the ocean.

7 So particularly for the 22nd District Agriculture
8 Association, we are creating value through our knowledge and
9 experience in operating pumps, filters, and ultraviolet light
10 disinfection systems, instrumentation and controls. We are
11 also helping to maintain environmental compliance by reducing
12 discharges to the creek and providing reliable service.

13 Beginning in May, we optimized operation of the
14 treatment system. We replaced some leaking pump seals. There
15 was a failed drum filter motor we replaced, some of the
16 ultraviolet lightbulbs had burned out. We replaced some of
17 those and some of the ballasts associated with those. We
18 repaired level sensors in the wetland and the main track pump
19 station; and on opening day of the race season this year, we
20 responded to one of the pump stations that had failed, and we
21 found some construction debris that was clogging the pumps and
22 so we fixed that and got that back online right away.

23 An example of some troubleshooting that we did was
24 the wetland treatment system. The level sensor went out. We
25 responded and opened up the control cabinet, and it was full of

1 ants. The ants had climbed onto the circuit board and shorted
2 it out and burned it up. So we were able to replace that
3 circuit board, and then, before we put it back in service, we
4 sealed up all of the openings in the cabinet so the ants can't
5 get back in there again.

6 Thank you for your time today.

7 PRESIDENT JOYCE ROWLAND: Thank you.

8 WAYNE ROSENBAUM: So all the team is here and
9 available for any questions.

10 PRESIDENT JOYCE ROWLAND: Hang on for a second.

11 Yes. Are you going to take questions now? Is
12 that...

13 WAYNE ROSENBAUM: Yeah. I thought I could do a
14 summary slide and then take questions.

15 PRESIDENT JOYCE ROWLAND: Okay. Very good. Yes.

16 WAYNE ROSENBAUM: In summary, yes, we're still having
17 some teething problems, but this is the -- this project is the
18 first of its kind that we're aware of that incorporates this
19 natural component with some of the more traditional mechanical
20 treatment systems. The addition -- having a team of some of
21 the best biologists -- and clearly the folks from San Elijo who
22 understand the mechanics and the pumps and the valves and the
23 sensors -- has put -- allowed us to put a team together that
24 has helped us really begin to see how effective and valuable
25 the system is.

1 That data that we have shows significant reductions
2 in sediment, bacteria and nutrients, and, in fact, other than
3 salt, our discharges are -- could fully comply. We're still
4 having a little bit of a salt problem, but everything else is
5 well within the requirements.

6 Since the project's been operational, we have not had
7 to discharge to San Elijo Creek. We've been discharging to --
8 I'm sorry; to Steven's Creek. We've been discharging to
9 San Elijo where that water, then, because it's kind of nicely
10 cleaned up, is being used to recycle -- recycling and reuse
11 purposes.

12 And on that, I'm going to be quiet, but we have the
13 entire team here so any questions that we can answer for you,
14 that's why we're here.

15 PRESIDENT JOYCE ROWLAND: Thank you.

16 I think Director Gelfand, then Director Mosier.

17 MR. GELFAND: Well, having operated similar
18 facilities, I appreciate the complexity of what you are doing,
19 and I endorse the approach you have taken.

20 I'm just curious. When you do the raking of the
21 algae and also the annual harvesting, what happens with that
22 material? Is it going to be composted? Is there any reuse
23 potential?

24 THEA LEMBERGER: Yeah.

25 PRESIDENT JOYCE ROWLAND: Microphone.

1 THEA LEMBERGER: Yeah. That's a very potent question
2 for me right now because I am exploring -- I'm exploring ways
3 to, you know, make other uses of that material. In the past,
4 what's been done is we've actually disposed of it in a
5 landfill, and it hasn't been reused.

6 There would need to be a lot more testing and time
7 done to be able to see if there are other uses, and that's
8 primarily because this is nutrient-rich water. We all know
9 what's in -- what we mean nutrients where this water is coming
10 from on the Fairgrounds.

11 MR. GELFAND: Including heavy metals and other kinds
12 of toxic materials in there?

13 THEA LEMBERGER: I mean, it's also -- I mean,
14 potentially, you know, things related to feces like E.coli or
15 something like. We don't know so it's something that would
16 need to be tested even on every stage, when it's dried, when
17 it's wet. We would just need to do a lot more testing before
18 we offered and used it in another way. But I am very
19 interested in that topic as well of what we could do with it.

20 MR. GELFAND: Thank you very much.

21 THEA LEMBERGER: Yeah.

22 MR. MOSIER: Yes. The water -- tell me where the
23 water comes from; from the barns? Is that recycled water?
24 Because we've been in an extended drought. How much are you
25 washing down the horses? Where does the water come from?

1 WAYNE ROSENBAUM: No, no. Okay. The stuff we wash
2 the horses with, that goes to the sanitary sewer. This is
3 purely precipitation. Purely rainwater that hits the ground
4 and then is --

5 MR. MOSIER: What rainwater?

6 PRESIDENT JOYCE ROWLAND: Well, yes. Yes, Director
7 Mosier, we understand. There's not as much as there might have
8 been.

9 WAYNE ROSENBAUM: "One of these days, it's going to
10 rain," said Moses. But in the meantime -- well, okay. Last
11 year, you'll recall we had those few days, that period where we
12 really did have some significant rains. So the system really
13 did have to capture all that water. We had to process it, and
14 we had to -- at that point, that was the only time we had to
15 discharge, effectively, to San Elijo. The balance of the year,
16 yes, you're right. We have these esthetic ponds into which we
17 are adding water to keep the levels up.

18 MR. MOSLER: Yeah. That's what I was going to ask.
19 You have to actually put potable water in there to keep the
20 flora surviving --

21 PRESIDENT JOYCE ROWLAND: They're saying no; so let's
22 don't concretize the potable part of that.

23 WAYNE ROSENBAUM: Yeah. We are adding reclaimed
24 water to keep those levels up because you wouldn't want dry
25 ponds in the middle of the racing season anyway.

1 MR. MOSIER: But you don't have reclaimed water if it
2 hasn't rained.

3 WAYNE ROSENBAUM: No, no. We are getting our
4 reclaimed water from San Elijo.

5 MR. MOSIER: Oh, you're getting from San Elijo. So
6 you have pipes that are... Perfect. Excellent. Great.

7 MR. GELFAND: So I had another question for Great
8 Ecology, and that is are there other biological controls that
9 you can use for algae growth? There are fish that eat algae;
10 there --

11 Go ahead.

12 THEA LEMBERGER: So, again, Davis touched on this a
13 lot, but, I mean, we are constantly exploring new ways to try
14 and precedent research other projects that are in this climate
15 and this area that have had success using X, Y, or Z controls
16 of algae. It's hard to -- I mean, in science and in biology,
17 it's hard to take those precedent projects and apply it to your
18 own project and your own area without knowing what's going to
19 happen. And that comes with risks.

20 So us, you know, introducing a biocontrol of a fish
21 that comes in is going to have a cascade of environmental
22 effects to the constructed wetland we've also created. So we
23 can't just, like, throw something like that in there without
24 doing the proper amount of research, the proper amount of
25 consideration of all the other domino effects that are going to

1 come into play there.

2 There are countless examples of just using, you know,
3 mammals and rodents to control, you know, like pests for a
4 forest disease, and then they are taking over and now there is
5 invasive, you know, mammals running around.

6 MR. GELFAND: Create osprey fee.

7 WAYNE ROSENBAUM: Yes.

8 THEA LEMBERGER: I appreciate the creativity, and we
9 want -- we are trying to -- you know, we are open to that as
10 well, but that would be coming down the line. Not right now.

11 PRESIDENT JOYCE ROWLAND: Thank you.

12 Any other questions from the Board?

13 Okay. So thank you all very much.

14 WAYNE ROSENBAUM: Thank you so much for your time.

15 PRESIDENT JOYCE ROWLAND: Yeah. Really appreciate
16 it.

17 As I mentioned, we'll go through all the Management
18 Report, and then we'll take questions from the public. So hang
19 in there, folks.

20 So the next item on the Management Report is the
21 Tennis Center Operations.

22 MS. MOORE: And just before moving on to that, if I
23 could just add, in terms of the complexity and what we are
24 doing and, you know, Wayne spoke to it a little bit as well
25 with regard to, you know, as a state entity, I find -- we found

1 it very interesting as the construction project was wrapping
2 up, as we started to look to -- and so we are so appreciative
3 of both Great Ecology and San Elijo JPA and the expertise that
4 they bring because I think it's worth being aware or knowing
5 that there are not civil service positions within the state of
6 California that really delve in -- because if you think about
7 it, typically water districts or cities operate water sewer
8 treatment-type of plants. And so really, when we say this
9 being like the first of its kind, it really is for the state of
10 California, and so we are just so appreciative of their help
11 with it and that support.

12 Okay. So moving on now to the Tennis Center.

13 As you recall, last month we had issued an RFP for
14 the Tennis Center operator. We had actually received three
15 bids in response to that original RFP. But, unfortunately, two
16 of the three were actually disqualified on technicalities,
17 leaving really only one for possible consideration. And so --
18 and those that were disqualified, they were notified with
19 regard to their deficiencies and things, but as a result of
20 that, that really -- you know, the spirit of RFP is to have
21 competition, and so we cancelled that RFP, again, having
22 notified those other proposers of their deficiencies, and we,
23 in essence, issued a new RFP. That has caused a timeline
24 delay.

25 So originally, we would have been presenting at this

1 Board meeting for the Board's approval an operator agreement
2 with the selected proposal. That timeline which would have
3 then started in October, October 1, and so that timeline has
4 moved forward.

5 In the meantime, and around the same time that this
6 was all happening, we received a letter from the current
7 operator at the end of August who had been operating on a
8 month-to-month agreement since July as we were going through
9 the RFP process, that in anticipation of the RFP, he -- the
10 contract date starting October 1st, he had begun shutting down
11 his business and operations. And so I immediately reached out
12 to him to see if he would be interested in continuing
13 operations for the month of October, but, unfortunately, it was
14 too far -- he said he was too far into that process to pull
15 back on it -- to have pulled back on it now.

16 So this was, in essence, leaving a gap in those
17 services, but, again, he was winding down -- winding down his -
18 - his business. So if nothing else changes, what the current
19 situation would be is that -- so the RFP is out. I believe
20 those responses are actually due tomorrow. But that process
21 would not bring that contract forward to this board until the
22 October board meeting for any approval. It would commence in
23 November, leaving a gap of the month of October in terms of
24 tennis operations. So that's kind of where we -- where we
25 stand at today.

1 It's also important to understand, as I start talking
2 about our options, what I've explored in that the operator
3 agreement is such that it's a rental; so any membership, dues,
4 camps, classes and so on that the public are participating in,
5 they are paying those to the operator. The operator is paying
6 rent to the District so we don't have any collection of those
7 fees. We're not involved in the operations themselves.

8 So in terms of -- so, again, this leaves us with a
9 gap for the month of October currently, and we have received
10 some phone calls as well as emails just with regard --
11 obviously, of, you know, express -- citizens that are very
12 concerned about, you know, what does this mean; what does this
13 look like for the month of October?

14 And so really, there are four potential options that
15 can be considered for that particular month. The first one,
16 which is the one I was just kind of describ- -- which is just
17 status quo. There simply is a gap, and a new operator takes
18 over on November 1st.

19 A second option could be the District running it.
20 And I -- while that could be done, I think to just recognize
21 that the District does not have the expertise as well as there
22 are potential insurance implications for us with regard to our
23 pool. A lot of things would have to be investigated, put into
24 place, really, for the District to even -- for us to truly
25 consider being able to operate it for a month. This is not

1 something that us -- nor really as a state entity -- that we
2 would typically be operating.

3 A third option would have been to extend -- so,
4 again, the current operator -- to extend it for another month
5 while we finish out the RFP process, but, again, he was not
6 interested and was unable to do that. So that option really
7 does not exist either.

8 The fourth one is to treat the Tennis Center in
9 essence as a rental agreement for 30 days, meaning that if an
10 entity or even an individual came forward that could meet all
11 of the insurance requirements, indemnification and so on, and
12 in essence pay that rental fee to the District for the month of
13 October, we could, in fact, enter into a rental agreement for
14 that month. But again, so similar to, you know, whether it was
15 of the Beyond Van Gogh coming in, it's, you know, a home and
16 garden show, or things of that nature, it would be done through
17 a rental agreement, not through the operator agreement
18 component of the RFP process.

19 But in consideration of that, anyone who has
20 submitted a proposal for it, any entity or individual, could
21 not be -- should not be considered for that opportunity
22 because, in essence, it could allow someone who we are in the
23 process of evaluating to in essence be operating, and that
24 could be perceived as -- whether it could favor them favorably
25 or unfavorably in an evaluation process. So it really needs to

1 be a different -- it would need to be a different entity other
2 than those who are -- would be submitting proposals tomorrow.

3 But that is how -- so what we're really left with,
4 again, are, I think, two practical things, one of which is --
5 and we can communicate this -- we'll be communicating this --
6 this option and opportunity back to anybody who might be
7 interested in it, but that is how I was planning to proceed
8 forward with it versus the gap in tennis services.

9 So with that, I will open up if there are any
10 questions by the Board.

11 PRESIDENT JOYCE ROWLAND: Director Gelfand.

12 MR. GELFAND: I have a few questions.

13 Did the existing operator bid in the old RFP?

14 MS. MOORE: No. Actually there's a letter included
15 in your packet where he had actually sent a letter during that
16 RFP process that he was not going to be participating in it
17 moving forward.

18 MR. GELFAND: Okay. And the two that were rejected
19 for technical reasons, is it possible that they will re-bid?

20 MS. MOORE: Quite possible. Um-hum.

21 MR. GELFAND: And when we did the RFP, we didn't know
22 that the existing operator wasn't going to participate in the
23 RFP.

24 MS. MOORE: Wouldn't be submitting a proposal;
25 correct.

1 MR. GELFAND: So what's the difference between that
2 and your fourth option where we had a rental and the person
3 operating the rental participates in the --

4 MS. MOORE: What we have is a -- it's a different
5 contract for the operator because it is a -- it's a year-
6 round -- yes, it's a different type -- it's an operator
7 agreement as compared to a rental agreement, and rental
8 agreements being short term, and that's where, you know, this
9 being a 30 -- in essence, this being 31 days that we could
10 operate so we explored if that was a possibility for us because
11 it would not be through the operator agreement which is what's
12 out to be competitively bid.

13 MR. GELFAND: I don't see that much of a conflict
14 there, but does staff have a preference in terms of these three
15 potential outcomes?

16 MS. MOORE: They would be to open -- it would be to
17 open up the opportunity and see if there's, you know, someone,
18 an individual or an entity, that, you know, could come -- would
19 come forward, keeping in mind that, again, any -- you know,
20 dues, payment, things like that that were made to the current
21 operator, you know, someone else stepping -- this -- it's a new
22 operator at that point, and whatever fees, whether they would,
23 you know, just do it in the good faith that those folks have --
24 I don't know what the arrangements are, in other words, with
25 the club that's -- and membership that is closing down with

1 regard to that. But it would be that someone -- we would
2 provide the opportunity.

3 MR. GELFAND: And there's a pool also associated with
4 the --

5 MS. MOORE: No, no. That's a separate -- that is a
6 separate operation.

7 MR. GELFAND: Yeah. I thought you said something
8 about the pool being included.

9 MS. MOORE: Oh, no. I think I was referring to our
10 in- -- our insurance pool.

11 PRESIDENT JOYCE ROWLAND: It was a different kind of
12 pool.

13 MS. MOORE: Sorry. Not swimming pool.

14 MR. GELFAND: Have you had any conversations with
15 your insurance --

16 MS. MOORE: Not as yet.

17 MR. GELFAND: -- carrier?

18 MS. MOORE: This has all happened very quickly.

19 MR. GELFAND: I'd be very surprised if they just
20 didn't roll it in without any increase in fees or anything else
21 but --

22 MS. MOORE: It also -- it has -- it's not so much --
23 it has to do with participation waivers because typically the
24 fair industry is not putting on athletic competitions itself.
25 So there -- there -- even for those who -- even for those who

1 rent for -- there can be different requirements and
2 qualifications, and what would be taken into consideration is
3 what risk does this place the pool at for the industry.

4 MR. GELFAND: Okay. Thanks.

5 PRESIDENT JOYCE ROWLAND: Small. They know it.

6 MS. MOORE: But it is -- but it is a process.

7 PRESIDENT JOYCE ROWLAND: Yes. It is different than
8 what they are accustomed to.

9 Yes, Director Mosier.

10 MR. MOSIER: I had a similar question about the RFP.

11 My understanding is that the tennis courts need some
12 upgrades. Is that part of the requirements in the RFP or is it
13 just operation?

14 MS. MOORE: It -- well, in terms of any improvements
15 that any potential operator wants to make, they make that as
16 part of their proposal. So it's not a require- -- we are not
17 requiring that any work be done to the Tennis Center.

18 MR. MOSIER: Thank you.

19 PRESIDENT JOYCE ROWLAND: Any other directors have
20 any comments about that?

21 Yeah. I would just say -- you know, personally I
22 hope we are broad -- thinking broadly about the, you know, the
23 gap time and the kinds of organizations that might come forward
24 if it were a non-profit, if, you know, some truly organized
25 organization that could do this for a period of time, maybe not

1 even at a normal rate because right now we have a gap for us
2 anyway. You know, maybe there is something that the Board
3 would have to approve or could approve for the month. It might
4 be a little bit unique, but hopefully something will develop.

5 Okay. So moving on.

6 MR. GELFAND: No action required?

7 PRESIDENT JOYCE ROWLAND: No action required. That
8 was just a report.

9 The next item are the construction --

10 MS. MOORE: We're doing that after pub- -- after all
11 of Management Report.

12 PRESIDENT JOYCE ROWLAND: Yeah. Because public
13 comment's on any aspect of the Management Report. We have not
14 forgotten you.

15 MS. MOORE: So with that --

16 PRESIDENT JOYCE ROWLAND: Yes.

17 MS. MOORE: So moving on to our construction projects
18 and facilities updates, so our Chief Administrative Officer
19 Melinda Carmichael has an update. There is a report that was
20 included in your Board packet. And so -- that began on Page 15
21 of your Board packet, and this speaking primarily to the front-
22 side housing project.

23 But with that, I will turn it over to Melinda.

24 MS. CARMICHAEL: All right. Good afternoon.

25 One of the few other minor construction updates

1 first, before I get to that lovely piece, just as a reminder,
2 last May, we shared the work that was done over at our RV Park
3 for Surf and Turf across the street which is funded by SB 5,
4 Prop 68. We have a few lingering things over there that are
5 getting done. Recognized we needed some ADA railing along one
6 of the ADA platforms so we are installing that this week.
7 We've also added some fence changing because we had moved the
8 entry to the park to the east side so we're making some
9 adjustments there, and some other minor things. And this
10 project will be ongoing for a few months, probably into early
11 next year with the things that are remaining.

12 We have an electrical box that needs to be replaced,
13 but it's on back order so I'm told we may not get that until
14 the end of the year or early Spring. But this will be wrapped
15 by early next year, and that's when it needs to conclude. The
16 funding ends in March of 2023.

17 And then moving forward, we had a facility condition
18 assessment out to bid so we partnered with California
19 Construction Authority, CCA, and they put out to bid an RFP to
20 do an entire facility condition assessment. Say that three
21 times fast. And so that will be looking at all of our property
22 and infrastructure from top to bottom, and this will give us
23 some great insight into what Vice President Valdez referred to
24 as our capital improvement needs. So that will be very helpful
25 to us, along with future master planning.

1 And so with that, we have The Center and our new
2 entertainment venue. We've got most of the majority of that
3 work done. Along the way, we found some minor things like
4 plumbing leaks and such from the exterior so we've been working
5 on those items. And all of those are, for the most part,
6 buttoned up with the exception of the outside office space. We
7 found some issues, minor things, leaky windows and such, so
8 we're trying to get all those things buttoned up and working
9 through those.

10 And we do have something that we will need to
11 consider, especially for our capital expenditures. There is --
12 and hopefully some of this will get paid for in other ways, but
13 something to be mindful of of the board is the air conditioning
14 was de-scoped during that project for all the office space
15 surrounding so the inside of the venue is on the newer digital
16 controls, and the outside office space are on the old pneumatic
17 controls. So we will need to look at a solution to tie those
18 in to make it functional from a -- just to -- being able to be
19 in the office space and it be controlled.

20 All right. And then as Carlene mentioned, on Page
21 15, there's a write-up on front-side housing. As you recall,
22 we invested about 75,000 this last year to take care of some
23 repairs and make that item functional. And based on getting
24 some of those repairs done, we decided to do a structural
25 assessment of the building. And so through CCA, they had

1 brought in the company NV5 which has a report in your Board
2 packet on Pages 16 through 18, and that's the summary page.
3 The three-page summary cites what they -- their findings were
4 and their recommendations for the site. And in the writeup in
5 your packet, that's also recapped.

6 So with that, this information really is
7 informational today and just for your insight so that we can
8 consider future construction projects, what we need to do with
9 that building. There are three options outlined in the report
10 included in your packet, but some things for you to look at.

11 And with that, that concludes my report.

12 MS. MOORE: And so with that, and to Melinda's point,
13 this is -- this is informational, an awareness for it, and as
14 Vice President Valdez had spoken of with regard to the Finance
15 Committee and some of the worth that they'll be looking at this
16 fall and things that we'll be bringing back, and I think this
17 is a really great example of just some of what we may be
18 anticipating in terms of that facility's assessed -- condition
19 assessment report.

20 Again, the RFP is out on that. But in terms of
21 timeline of that, we should just all understand that's probably
22 a year from now before we get that report. So in the meantime,
23 we just -- we are continuing to address the facilities issues
24 as we become either aware of them or even in planning on our
25 20- -- as we are working on 2023 budget planning. So we'll

1 have more information to come on this item, but if there are
2 any questions that we can answer on it, we'd be happy to do so.

3 In the meantime, the front-side housing is habitable.
4 The investment that we made into it was for this year so it
5 is -- it's a safe structure to be in currently, and -- but this
6 is definitely something we're going to have to look at with
7 regard to 2023 and beyond.

8 PRESIDENT JOYCE ROWLAND: Okay. All right. Thank
9 you.

10 Are there any questions?

11 Okay. All right. So we'll move to industry news and
12 updates.

13 MS. MOORE: There really isn't anything for that,
14 which will then move us to the Premier -- Premier's Financial
15 Report.

16 And with that --

17 MR. GELFAND: I do have a question --

18 PRESIDENT JOYCE ROWLAND: Hang on a second.

19 MR. GELFAND: -- on the front-side housing.

20 How will this decision get made in terms of which of
21 these three approaches we're going to take?

22 MS. MOORE: It's probably going to be a lengthy
23 discussion for a while. I would think there will be various
24 committees as well as this Board involved. This is -- it's
25 a -- this is pretty significant and -- the capital outlay for

1 it. Part of what we'll do is we'll bring back some information
2 on, in essence, how the building is utilized, to what extent,
3 you know, for what purposes, things like that; how much
4 activity does -- you know, does it generate; what may other
5 alternatives be outside of, you know, perhaps, you know,
6 construction; are there other solutions that we can provide,
7 you know, to, you know, replace that, temporary -- just things
8 of that -- of that scale.

9 MR. GELFAND: So it will be brought back to the
10 Board?

11 MS. MOORE: Yes.

12 MR. GELFAND: Okay. And -- because as far as I know,
13 the only time it's really utilized is for racing.

14 MS. MOORE: Correct. So it's primarily used during
15 the racing season. We have used it during the fair but not to
16 the extent that -- not to the extent utilizing all of it.

17 So, for example, when junior livestock auction or
18 things like that have come in, but there's also more
19 opportunity for us to host those campers and things in other
20 places so that will be -- but that's part of what we'll explore
21 and do an analysis on and be bringing it back. And most
22 likely, in terms of this, either -- because of its impact to
23 racing either through DMTC liaison and/or through the Finance
24 Committee.

25 MR. GELFAND: I mean, from a strategic planning-

1 master planning aspect, it would be awfully nice to not make a
2 huge investment there.

3 MS. MOORE: Right. And -- well, and that's -- so our
4 approach so far this year with regard to facilities are taking
5 care of the now and what's needed, and that's really the
6 approach we plan to have even for 2023 pending that facilities
7 report that we get because we also don't want to invest in
8 places where it's not going to -- it doesn't make sense from a
9 long-term perspective. And to be putting money -- but if the
10 roof needs to be taken care of, you know, or I think we've got
11 asphalt we have -- you know, argyling that is taking place. We
12 need -- there are needs we're going -- we will be addressing
13 this next year, and we will bring that forward through the
14 budget process.

15 MR. GELFAND: Okay. Thank you.

16 PRESIDENT JOYCE ROWLAND: So if we needed to move
17 forward and use it for another season, we could with making
18 sure it's still safe. So it could be a longer-term issue than
19 a year.

20 MS. MOORE: Potential, based on what -- that's part
21 of what we would have to explore, based on now, what it is we
22 know today.

23 PRESIDENT JOYCE ROWLAND: Right. All right. Thank
24 you for that.

25 MS. MOORE: So with that, I will invite Mark Wiggins

1 to give the Premier Report.

2 MARK WIGGINS: Thank you, Carlene.

3 Very good July. The month of July, we have revenues
4 at 4,364,410, compared to our budget of 3,155,831. Huge
5 increase from last year. We saw catering really come back for
6 us for the light needs, and we also saw a huge increase in per
7 capita spending. So -- and this is not this month. This is
8 following through through July, August, and September, so we
9 continue to see that trend throughout the year.

10 Our cost of goods came in at 1,047,559, 24 percent,
11 compared to a budget of 666,870, at 21.3 percent. We did see a
12 big increase in product cost as everybody's seen lately in the
13 news and at the grocery stores. We've been affected hugely by
14 that.

15 Payroll came in at 1,281 -- 1,281,331, 29.34 percent
16 compared to 1,214,444, at 38.84 percent in 2021. Or that's the
17 2020 budget; sorry. And then actual for 2021 was 1,134,896 at
18 34 percent. So we've had actually over -- compared to 2019 and
19 2021, we've had a decrease in our labor cost.

20 Operating expense came in at 402,858, and 9.23
21 percent, compared a budget of 349,078 at 11.06 percent.

22 And then, our net profits came in at 1,633,662, at
23 37.43 percent, compared to a budget of 925,441, at 29.32
24 percent.

25 Year-to-date our revenues are at 8,282,523, compared

1 to a budget of 5,862,685.

2 Our cost of goods is at 22 percent year to date,
3 compared to a budget of 18.8 percent.

4 Our payroll came in at 38.34 percent, compared to a
5 50.27 percent.

6 Operating expenses for year to date is at 1,002,444,
7 compared to 911,582.

8 And the net profit was 2,274,596, compared to a
9 budget of 901,005.

10 So we are way, way ahead of budget that we came in.
11 I think not knowing what Covid was going to do, and when we
12 were a year old -- from about a year ago so I think we are very
13 happy. And a lot of these numbers are very, very close to
14 2019. So we're excited about this year and the comeback and we
15 only think that we're going to go up from here.

16 PRESIDENT JOYCE ROWLAND: So questions from the
17 Board?

18 Okay. Very good. Thank you.

19 So anything else, Carlene, before we move to public
20 comment?

21 MS. MOORE: Nope. That concludes my report.

22 PRESIDENT JOYCE ROWLAND: Okay. One item.

23 In terms of The Center Operations, is there anything
24 that we --

25 MR. GELFAND: Yeah.

1 PRESIDENT JOYCE ROWLAND: -- have in that -- expect
2 on that? Any excitement coming?

3 MS. MOORE: Coming.

4 PRESIDENT JOYCE ROWLAND: Coming?

5 MS. MOORE: Yes.

6 MR. GELFAND: Nothing to report now?

7 MS. MOORE: We are in --

8 PRESIDENT JOYCE ROWLAND: Can't help ourselves.

9 MS. MOORE: I know.

10 What we are in the process of doing is determin- --
11 you know, now that it has been built and furniture and things
12 like that are being ordered, but is determining what, in
13 essence, exactly what those seating charts are. You know,
14 while it was designed to be a, you know, 1,982-person, is that
15 really what that -- what that is for then setting the target
16 goals in terms of with our operator, the Belly Up? So we are
17 continuing to work with them with regard to the space and
18 getting it ready for its debut.

19 We'll have some soft events where we are allowing for
20 the use of it so that we can test the systems ourselves, you
21 know, the flow even of food and beverage service; the flow of
22 custodial services and things like that; you know, how, in
23 essence, the sound system is performing; you know, the lighting
24 and things of that nature. So we're in the process of working
25 through those things and expect to have some -- some bigger

1 news I believe next month.

2 PRESIDENT JOYCE ROWLAND: We're all for the bigger
3 news.

4 Director Gelfand.

5 MR. GELFAND: Well, a couple questions.

6 So we've got this symphony-related --

7 MS. MOORE: So Mainly Mozart is one of those soft
8 openings. They've got -- so the 12th, 14th, and 15th -- they
9 skip a day; is that correct? Right? They skip the 13th -- of
10 October.

11 MR. GELFAND: So from a seating perspective, is that
12 going to be, like, table seating down at the lower levels as --
13 or just all chairs?

14 MS. MOORE: It's -- it's not -- it's not a full
15 house, to begin with, so it's limited seating. They are
16 limiting it to I believe it's 800.

17 MR. RIVERA: That's correct. And if -- I contacted
18 that -- or I put the link of Mainly Mozart on the information I
19 sent you. Each date has a different seating configuration it
20 looks like a little bit. So if you look at their website, they
21 have more information on that.

22 MR. GELFAND: So will there be like -- I assume
23 beverage but...?

24 MR. RIVERA: Beverage service, yes.

25 MR. GELFAND: So beverage but not food?

1 MR. RIVERA: I don't think so. I --

2 MS. MOORE: It's not a dinner show.

3 MR. RIVERA: -- reached out to Denise and put them in
4 contact so I'm not exactly sure what they're doing so maybe
5 Mark could answer that.

6 MARK WIGGINS: Well, (indiscernible) that goes along
7 with that, and we'll also have some (indiscernible) those type
8 of things at the bar. We don't have any in the stands open
9 inside (indiscernible), so we will have a long bar with some
10 grab-and-go --

11 PRESIDENT JOYCE ROWLAND: Josh is looking distressed.

12 JOSH CAPLAN: I'm going -- I'm going to jump in.

13 I appreciate that this is part of Carlene's update,
14 but this is now turning into a full-throated discussion about a
15 Mainly Mozart event that's not on the agenda so to the extent
16 the Board wants to discuss it in more detail, it can be
17 agendized for the next month's board meeting.

18 PRESIDENT JOYCE ROWLAND: Right.

19 So okay. Moving into public comment, then, we have
20 seven members of the public who have signed up to comment on
21 the Management Report, various aspects. Most are on the phone,
22 one is in the room, and we will get to all of you.

23 And so the first person signed up for public comment
24 on the Management Report is Martha Sullivan.

25 MARTHA SULLIVAN: Hello, this is Martha Sullivan

1 again.

2 I first just wanted to really, really thank you for
3 the presentation on the stormwater treatment plant. You heard
4 me ask for that for several months now so that was really -- I
5 found that very informative and very helpful and I appreciate
6 it. So thank you very much for that, and I look forward to
7 maybe future updates.

8 I think that would be a tremendous educational
9 feature for maybe next year's fair, to have, you know --

10 PRESIDENT JOYCE ROWLAND: Wetland tours.

11 MARTHA SULLIVAN: -- appropriate exhibits about that
12 and may be a tour or something.

13 I also just wanted to mention about the front-side
14 housing. I just want to make the observation that, I mean,
15 this strikes me as a real contrast between the tens of millions
16 of dollars that have been spent on the racetrack infrastructure
17 like the grandstand and the satellite wagering facility and so
18 forth. And this housing, which was built in 1983, before all
19 that, is so decrepit that it can't be repaired any further,
20 basically. It needs to just be torn down.

21 So I think this is really a reflection on the
22 priorities in the horseracing industry. You know, that they --
23 they really exploit all of their labor, human and animals.

24 Thank you.

25 PRESIDENT JOYCE ROWLAND: Okay. The next member of

1 the public signed up to speak is Jessica Frazee.

2 JESSICA FRAZEE: Hi. This is Jessica Frazee.

3 Can you hear me?

4 PRESIDENT JOYCE ROWLAND: Yes, we can hear you. Go
5 ahead.

6 JESSICA FRAZEE: Hi. Thank you.

7 Yeah. I'm the tennis pro at Surf and Turf Tennis
8 Club and I heard you guys talking about that gap month and I
9 just wanted to express some major concerns about that.

10 As a full-time teaching pro at the club, you know, I
11 have -- one, my family is dependent on that income. I have,
12 you know, kids, and so I can't -- I don't know what the
13 solution is there, but I know that if it's related to insurance
14 that there are certainly people here at the club that are more
15 than happy to pay the fee and get that insurance, whatever is
16 needed, and to pay for the month of the rental until the new
17 operator takes possession.

18 This not only affects my family but, you know, all of
19 my students who I have taught week in and week out for seven
20 years. I have several students that are super, super dedicated
21 that have never missed a lesson with me in seven years of
22 coaching them. And then I also have students that are signed
23 up for independent study PE through school and the school
24 districts require them to do their physical education hours
25 with me at the Tennis Club and there are several other pros in

1 the same boat with their students, all signed up for ISPE. So
2 this directly affects kids' grades and their eligibility with
3 their PE if you -- if we're not able to coach them and get
4 their weekly hours at the club where they are set up to do
5 their ISPE program.

6 And then also, all of the clinics and the members and
7 the leagues that are, you know, super consistent and wanting
8 to, you know, continue to play and enjoy the sport that they,
9 you know --

10 MS. O'LEARY: Miss Frazee, your time is up.

11 PRESIDENT JOYCE ROWLAND: But thank you. I think --

12 JESSICA FRAZEE: Thank you.

13 PRESIDENT JOYCE ROWLAND: -- I think -- we hear your
14 points. Thank you.

15 The next member of the public signed up to speak is
16 Racula (sic) Pimenta.

17 MS. O'LEARY: Or Raluca.

18 PRESIDENT JOYCE ROWLAND: Sorry.

19 MR. RIVERA: Raluca, you are in the meeting.

20 You want to skip her and we'll come back?

21 PRESIDENT JOYCE ROWLAND: Is it a star-six issue?

22 MR. RIVERA: No. She's on a computer.

23 PRESIDENT JOYCE ROWLAND: Oh, okay.

24 Okay. We will come back.

25 The next member of the public signed up to speak is

1 Zhixuan Wang. Sorry if I mispronounced. I'm sure I have.

2 ZHIXUAN WANG: Oh, can you guys hear me?

3 PRESIDENT JOYCE ROWLAND: We can hear you. Please go
4 ahead.

5 ZHIXUAN WANG: Thank you. Thank you for letting me
6 have the chance to speak here.

7 So I also want to express some -- my concern about
8 the tennis court. So my kids are having lessons at that tennis
9 court, and we certainly are informed that there is a
10 possibility there will be a one-month long gap operation in
11 that tennis court. And we are very concerned about that.

12 Yeah. You all know the financial impact of it for
13 you for the Fairground but also impacts all the pros who
14 certainly don't have one month's of income, or the kids who
15 training their hearts are not missing -- certainly don't have
16 place to practice tennis for the entire month. Maybe also the
17 attrition that will cause for the next operator of the tennis
18 courts due to this one. People needs to move around to other
19 places to get to play the tennis.

20 So I really wants the board to make the decision to
21 keep it operating for the month of October. And --

22 PRESIDENT JOYCE ROWLAND: I think we lost him.

23 ZHIXUAN WANG: (Indecipherable.) Good-bye.

24 PRESIDENT JOYCE ROWLAND: Thank you. I think there's
25 a little gap. Yes. Yeah. But I think we understand what you

1 are saying.

2 Okay. The next member of the public signed up to
3 speak is Jane Cartmill.

4 MR. RIVERA: Star six, Jane. You're in the meeting.

5 JANE CARTMILL: It was very concerning to read the
6 engineering report describing the dismal state of the employee
7 housing, specifically the front-side building used during the
8 fair and the race meets.

9 From the sound of the report, the roof, exterior
10 stairs and walkway were unstable, requiring \$75,000 worth of
11 temporary repairs just to allow their use for the fair and race
12 meet this year. Apparently the housing is so dilapidated and
13 unsound that the engineering firm determined it would be more
14 difficult to bring the structures up to code than to build
15 entirely new residential housing.

16 That is a pretty sorry state of affairs for the
17 workers on whom these events depend for their success. You
18 know, in these board meetings we have often heard from
19 Del Mar's worker advocate who excoriates opponents of live
20 horseracing for allegedly not caring about the needs of the
21 backstretch workers. I think this report makes it abundantly
22 clear that it is racing insiders, not outsiders, who are
23 failing these workers.

24 Given the staggering wealth of horseracing breeders,
25 owners and trainers, there's no excuse for the conditions of

1 this housing. The \$3- to \$5-million estimated as the cost to
2 demolish the old and build new housing is pocket change in this
3 industry, yet these dangerous conditions persisted until
4 emergency repairs had to be made. I think it's appalling and
5 shameful.

6 PRESIDENT JOYCE ROWLAND: Thank you for your
7 comments.

8 Do we want to go back to --

9 MR. RIVERA: Let's try her, and then Mr. Jason Wood
10 actually just popped back in. He was -- he dropped out of the
11 queue; so do you want to go Jason or do you want to try Raluca
12 first?

13 PRESIDENT JOYCE ROWLAND: Let's try Raluca first.

14 MR. RIVERA: Oop. She just dropped out of the queue.

15 PRESIDENT JOYCE ROWLAND: Okay. Then we're going to
16 go to JZ Keegan, and then we'll go back to Jason Wood.

17 MR. RIVERA: Okay.

18 JZ KEEGAN: Hi. JZ Keegan. Really nice to see
19 everyone.

20 I wanted to let everyone know I manage -- currently
21 manage the Surf and Turf Tennis Center; however, I am not
22 speaking on behalf of the current operator. I am speaking on
23 behalf of the members, the clients, and the pros and myself.

24 First, I want to thank everybody, the Fairgrounds in
25 particular, for taking such swift and quick action to address

1 the concern of the October dark period -- for lack of a better
2 word -- that is facing the club, and I do appreciate the four
3 options that you have so promptly outlined for us today.

4 I want to highlight, as the other pros, the ISPE, the
5 Independent PE, and the tremendous impact that will have on the
6 children and their ability to fulfill their public high school
7 and middle school PE. This is not something that is easily
8 done. You need to please be aware that other businesses need
9 to be contracted in order to fulfill the PE requirements, and
10 the contracts do exist within the pros that are doing it now.

11 I would also like to highlight that the pros that
12 work at the Surf and Turf Tennis Club, the majority of them
13 hold their own, individual business licenses and insurance that
14 is attached so if the Fairgrounds would consider access to
15 those courts, they can fulfill their teaching and allow them to
16 make money and support the children and the families that need
17 the physical activity and their ISPE.

18 I want to also suggest that the Board consider a
19 emergency Board meeting after the operator is announced.

20 Perhaps the dates can even be moved. I know the RFP is going
21 to be submitted -- the bids -- tomorrow, and I understand that
22 the announcement is going to be made on September 26th.

23 Perhaps in light of this dark period that we're looking at, the
24 Board could consider moving the dates so the protest period
25 could be a little earlier, and if, in fact, the Board is faced

1 with no protest, perhaps they would consider an emergency board
2 meeting to approve the new operator who, as I understand per
3 the RFP, needs to have insurance and everything else in place
4 in order to even put the RFP forward. Therefore, they would be
5 able to move on a dime to take over in the month of October.

6 Lastly, I would like to mention that as the manager,
7 I am capable to manage the Surf and Turf, but I would need the
8 Fairgrounds to provide the insurance. And please understand
9 that the -- an outside business coming in for just one month
10 probably wouldn't be able to do all the moving parts.

11 So --

12 MS. O'LEARY: Ms. Keegan, your time is up.

13 JACY KEEGAN: -- thank you very much for giving me
14 the opportunity.

15 PRESIDENT JOYCE ROWLAND: Thank you.

16 So we'll go back to Jason Wood.

17 JASON WOOD: Hello.

18 MR. RIVERA: Hello, Jason. We hear you.

19 JASON WOOD: Hi, there.

20 Thank you for listening -- or having me on. I want
21 to echo a lot of what JZ just mentioned. I'm one of the tennis
22 pros at the club. I've worked there for about 10 years.
23 Worked in San Diego since I moved down in 2002 for college.
24 And I want to echo what she said.

25 You know, having talked to other pros, the students

1 of mine, and different members at the club, you know, it's just
2 a lot of craziness going on and stress, and so I am
3 appreciative that you have those four options. I know that two
4 of them, from what I heard earlier, weren't really viable
5 options, but any way can get the club to stay open for that
6 month would be great. It's -- you know, the coaches are ready
7 to coach. The kids are ready to be coached, and, you know,
8 being a teacher, a tennis teacher, and knowing students and
9 anybody, schedule is just super important; right? So a routine
10 is important. And to take that away from some kids that may or
11 may not come back November 1, it's just a tough thing to ask
12 them to do.

13 So yeah. Thank you for listening. I hope we can
14 move, you know, quickly and find a way to keep the tennis
15 courts', you know, lights on. And yeah. Like I said, coaches
16 are ready to coach. The kids are -- you know, the ones I know
17 are ready to be coached and want to have a place to go in
18 October.

19 So thank you.

20 PRESIDENT JOYCE ROWLAND: Okay. Thank you very much,
21 Jason.

22 So we now move to public comment, and we have two
23 members of the public who are -- what?

24 I'm sorry. Did you have something else?

25 MS. MOORE: I was just -- just for the audience.

1 Just so everybody's aware, this is -- because this is
2 not an agendized item, that the Board would not be taking
3 action with regard to the Tennis Center, but just appreciating
4 all the public comment that has come in today.

5 PRESIDENT JOYCE ROWLAND: Right. We're not allowed
6 to take action at this point so.

7 Okay.

8 MS. MOORE: Operationally, we will.

9 PRESIDENT JOYCE ROWLAND: Public comment. We have
10 two members of the public signed up for general public comment.
11 The first is Martha Sullivan.

12 MARTHA SULLIVAN: I think I'm unmuted. Can you hear
13 me?

14 PRESIDENT JOYCE ROWLAND: Yes. We can hear you.

15 MARTHA SULLIVAN: Okay. Thank you.

16 I wanted to use this opportunity, after the Del Mar
17 races for the summer have concluded, to recap for you that
18 there were four young horses who lost their lives in August at
19 Del Mar: Night Girl, Money Won, Throw Your Cards, and Miss
20 Sugar Hill, three of which were sudden deaths of two- and
21 three-year-old horses. So I was -- a recurring phrase you hear
22 from me is no legitimate sport would tolerate the deaths of its
23 athletes, certainly not four in one month in one venue, which
24 are among 43 now in the state of California reported by the
25 California Horse Racing Board in nine months -- less than nine

1 months. So over one athlete per week is being killed for
2 gambling.

3 As I say, no legitimate sport would tolerate this,
4 and we certainly shouldn't.

5 Thank you.

6 PRESIDENT JOYCE ROWLAND: The next member of the
7 public signed up to speak is Jane Cartmill.

8 JANE CARTMILL: Well, I, too, was concerned about the
9 sudden deaths in the horses. It seems to be becoming a
10 recurring feature in California racehorse fatalities. And
11 although scientific and veterinary publications indicate that
12 for most cardiac conditions, the risk of sudden death is
13 highest during physical activity that requires bursts of
14 extreme exertion, intensive training programs, exercising in
15 conditions of high heat, humidity and altitude, and when those
16 factors are true for horses, racing becomes a veritable formula
17 for sudden death.

18 But, in addition, Del Mar's Ship & Win incentive
19 program presents another risk to racehorses. As reported in
20 the Paulick Report, pleuropneumonia is the most severe form of
21 bacterial pneumonia a horse can contract. It occurs when
22 pneumonia extends from the main airway to the thin membrane on
23 the surface of the lungs in the thoracic cavity. The condition
24 is often associated with long-distance hauling and is also
25 called "shipping fever."

1 Miss Sugar Hill was shipped to Del Mar where she had
2 three workouts since August 4th. Her previous workout and last
3 race was in Saratoga, New York. According to track
4 veterinarians, Miss Sugar Hill was thought to have suffered
5 respiratory arrest causing her sudden death on August 18th.

6 PRESIDENT JOYCE ROWLAND: Okay. I'm not sure if
7 that concluded your remarks or if we have lost you, but in
8 either case, we don't hear you any longer so I will assume that
9 that was your conclusion.

10 And I think we have no one else signed up.

11 MR. RIVERA: That is correct.

12 PRESIDENT JOYCE ROWLAND: Okay. Anything on any
13 other matters of information?

14 If not, then we are adjourned.

15 (The meeting adjourned at 2:38 p.m.)

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1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF LOS ANGELES)
4

5 I do hereby certify that the testimony in the
6 foregoing hearing was taken at the time and place therein
7 stated; that the testimony of said witnesses were recorded by
8 the electronic reporting method and transcribed into
9 typewriting under my supervision.

10 And I further certify that I am not of counsel nor
11 attorney for either or any of the parties to said hearing nor
12 in any way interested in the outcome of the cause named in said
13 caption.

14 I certify that the foregoing is a correct transcript,
15 to the best of my ability, from the electronic sound recording
16 of the proceedings in the above-entitled matter.

17 IN WITNESS WHEREOF, I have hereunto set my hand this
18 21st day of September, 2022.

19
20 

21
22 _____
23 CLAUDINE METOYER
24 Certified Legal Reporter
25 No. CDLR-110

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