



NOTICE OF MEETING

22nd District Agricultural Association Board of Directors meeting
Wednesday, September 14, 2022, at 10:00 a.m.

Boardroom

Del Mar Fairgrounds
2260 Jimmy Durante Boulevard
Del Mar, California 92014

While the 22nd District Agricultural Association Board of Director's meeting will be conducted in person, per Government Code section 11133, the 22nd DAA will also provide for remote participation by Board members and members of the public. If you prefer to participate remotely, please check the 22nd DAA's website ([Public Information](#)) for the ZOOM link and/or ZOOM dial-in instructions on how to participate and/or view this meeting.

OUR PURPOSE

We are a timeless community treasure where all can flourish, connect, and interact through year-round exceptional experiences.

OUR MISSION

We connect our community through shared interests, diverse experiences, and service to one another in an inclusive, accessible, and safe place with an emphasis on **entertainment, recreation, agriculture, and education.**

22nd DAA BOARD OF DIRECTORS

G. Joyce Rowland, President
Frederick Schenk, 1st Vice President
Richard Valdez, 2nd Vice President
Lisa Barkett, Director

Michael Gelfand, Director
Kathlyn Mead, Director
Don Mosier, Director
Sam Nejabat, Director

Secretary-Manager

Carlene Moore
Chief Executive Officer

22nd DAA Counsel

Josh Caplan
Office of the California Attorney General

OUR GOALS

THE LENS

Treat the campuses of the fairgrounds as one ecosystem where all activities are complementary and aligned with the purpose, mission, vision and values of the San Diego County Fair & Event Center.

BUSINESS PLAN

Acknowledging the short-term need to plan for fiscal recovery and stabilization, create a 5-to-10-year business plan that rebuilds a strong financial base, contemplates new business activities and partnerships, provides program accessibility, and leads to a thriving San Diego County Fair & Event Center.

MASTER PLAN

Create an environmentally and fiscally responsible land use plan for the San Diego County Fair & Event Center, aligning with purpose, mission, vision and values of the organization.

COMMUNITY ENGAGEMENT

Incorporate community engagement within the Business Plan and Master Plan processes to enhance understanding and expand opportunities.

Persons wishing to attend the meeting and who may require special accommodations pursuant to the provisions of the Americans with Disabilities Act are requested to contact the office of the Chief Executive Officer, (858) 755-1161, at least five working days prior to the meeting to insure proper arrangements can be made.

Items listed on this Agenda may be considered in any order, at the discretion of the chairperson. This Agenda, and all notices required by the California Bagley-Keene Open Meeting Act, are available at www.delmarfairgrounds.com



22nd District Agricultural Association Board of Directors meeting

AGENDA

Wednesday, September 14, 2022, at 10:00 a.m.

1. **CALL TO ORDER** – PRESIDENT G. JOYCE ROWLAND
All matters noticed on this agenda, in any category, **may be considered for action as listed**. Any items not so noticed may not be considered. Items listed on this agenda may be considered in any order, at the discretion of the Board President.
2. **ROLL CALL**
3. **CLOSED EXECUTIVE SESSION (NOT OPEN TO THE PUBLIC)**
Pursuant to the authority of Government Code section 11126(a), (b), and (e) the Board of Directors will meet in closed executive sessions. The purpose of these executive sessions is:
 - A. To confer with and receive advice from legal counsel regarding potential litigation involving the 22nd DAA. Based on existing facts and circumstances, there is significant exposure to litigation against the 22nd DAA.
 - B. To confer with counsel, discuss, and consider the following pending litigation to which the 22nd DAA is a party.
 - C. To confer with counsel, discuss, and consider the following pending litigation to which the 22nd DAA is a party. Jerry Hollendorfer v. DMTC et al., Case No. 37-2019-00036284.
 - D. To confer with counsel, discuss, and consider the following pending litigation to which the 22nd DAA is a party. Bell v. 22nd District Agricultural Association, San Diego County Superior Court, Case No. 2019-00055846.
 - E. To confer with counsel, discuss, and consider the following pending litigation to which the 22nd DAA is a party. Talley Amusements, Inc., et al., v 22nd District Agricultural Association, et al., San Diego County Superior Court, Case No. 37-2021-00032169.
 - F. To confer with counsel, discuss, and consider the following pending litigation to which the 22nd DAA is a party. B&L Productions, Inc., et al., v Gavin Newsom, et al., United States District Court, Southern District of California, Case No. 3:21-cv-01718-AJB-KSC.
 - G. Personnel: The Board will meet in closed session to consider those items authorized under Section 11126 of the Government Code, including but not limited to the evaluation of performance of the General Manager / CEO. [Gov. Code, § 11126, subd. (a.)]
4. **RECONVENE TO OPEN SESSION (estimated time to reconvene 12:00 p.m.)**
Report on actions, if any, taken by the Board in closed executive session.
5. **CONSENT CALENDAR (ACTION ITEMS)**
All matters listed under Consent Calendar are operational matters about which the Board has governing policies, implementation of which is delegated to the CEO. They will be enacted in one motion. There will be no discussion of these items prior to the time the Board of Directors votes on the motion, unless members of the board, staff, or public request specific items to be

discussed separately and/or removed from this section. Any member of the public who wishes to discuss Consent Calendar items should notify the Chair of the Board, at the time requested and be recognized by invitation of the Chair to address the Board.

- Minutes, Regular Meeting August 9, 2022 5-7
- Out of State Travel 8-11
- Contract Approval
- Review of Contracts Executed per Delegation of Authority 12-13
 - Service Agreements
(22-068, Cloud data storage); (22-069, Onsite Leadership Consulting); (22-070, Parking and Traffic Monitoring); (22-071, Noise Monitoring)
 - Event Agreements
(22-5070, Greater San Diego Hunter-Jumper-Horse Show); (22-5071& 23-3029, Viewpoint Brewing); (22-5072 & 22-5073, Belly Up); (23-2026, La Jolla Kiwanis-La Jolla Half); (23-3027, ATA Internationals-ATA Taekwondo Tournament)
- 6. **MANAGEMENT REPORT** – CEO Carlene Moore
 - Operational Announcements
 - San Elijo Wetlands & Treatment Center Presentation 14
 - Tennis Center Operations 15-18
 - Construction Projects & Facilities Updates 15-18
 - Industry News & Updates
 - Premier Food Services P&L Statement 19
- 7. **GENERAL BUSINESS**
 - A. Fair Operations Committee – Frederick Schenk, Chair (Informational)
 - 2023 Concessions and Commercial Rates (Action) 20-21
 - 2024 Theme Concept (Action) 22
 - B. Finance Committee – Richard Valdez, Chair (Informational) 23-26
 - Committee Report
- 8. **PUBLIC COMMENT**
Public comments on agenda items will be accepted during the meeting as items are addressed. This item is for Public comment on issues **NOT** on the current Agenda. However, no debate by the Board shall be permitted on such public comments and no action will be taken on such public comment items at this time, as law requires formal public notice prior to any action on a docket item. Speaker’s time is limited to **two** minutes and may be modified based on the number of public speakers. No speaker may cede their time to another speaker.
- 9. **MATTERS OF INFORMATION**
 - Directors Requests
 - Correspondence 27-37
- 10. **ADJOURNMENT**



22nd DISTRICT AGRICULTURAL ASSOCIATION
Board of Directors Meeting
Del Mar Fairgrounds
2260 Jimmy Durante Boulevard
Del Mar, CA 92014
August 9, 2022

MINUTES

The following minutes are a summary of the Board action and proceedings. For a full transcript please click on the link below or visit the delmarfairgrounds.com website.

<https://delmarfairgrounds.com/about-us/public-information/>

OFFICERS PRESENT:

Joyce Rowland, President (via ZOOM)
Frederick Schenk, 1st Vice President (via ZOOM)
Richard Valdez, 2nd Vice President
Carlene Moore, Chief Executive Officer

DIRECTORS PRESENT

Lisa Barkett, Michael Gelfand, and Don Mosier

DIRECTORS PRESENT via ZOOM

Sam Nejabat and Kathlyn Mead

OFFICERS/DIRECTORS ABSENT

NONE

OTHERS PRESENT

Josh Caplan, Deputy Attorney General
Katie Mueller, Chief Operations Officer – 22nd DAA
Donna O'Leary, Executive Assistant - 22nd DAA

CALL TO ORDER

Vice President Valdez called the meeting to order at 1:30 p.m. with a quorum present.

ROLL CALL

All Directors were present except for Director Mead who arrived later. Vice President Valdez announced that Agenda item 5, General Business, will follow the Consent Calendar and the Management Report will follow General Business.

CONSENT CALENDAR

PUBLIC COMMENT ON CONSENT CALENDAR – (See page 6 of the Board transcript)

Martha Sullivan (via ZOOM)

Director Gelfand moved to approve the May 10 and July 12, 2022, Board meeting minutes and the contracts listed on pages 10-11 of the Board packet. Director Barkett seconded the motion. President Rowland, Vice President Schenk, Vice President Valdez, Directors Barkett, Gelfand, Mosier and Nejabat, were all in favor and the motion carried 7-0. Director Mead was not present for the vote.

GENERAL BUSINESS

Fair Operations Committee – Frederick Schenk, Chair

- **Preliminary recap of the 2022 San Diego County Fair**
CEO Moore shared highlights and recapped the successes and some of the challenges, of the 2022 San Diego County Fair, through a PowerPoint presentation.

PUBLIC COMMENT ON FAIR OPERATIONS COMMITTEE – (See page 27 of the Board transcript)

Martha Sullivan (via ZOOM)

Jane Cartmill (via ZOOM)

- **2023 Theme and Dates Selection**
COO Mueller presented the proposed 2023 dates of Wednesday, June 7 through Tuesday, July 4, closed Mondays and Tuesday in June making it a 22-day Fair. The proposed theme is “Get Out There,” a celebration of the diversity of outdoor activities in San Diego County and beyond. Vice President Schenk moved to approve the proposed dates and theme for the 2023 San Diego County Fair. Director Gelfand seconded the motion. President Rowland, Vice President Schenk, Vice President Valdez, Directors Barkett, Gelfand, Mead, Mosier and Nejabat, were all in favor and the motion carried 8-0.

PUBLIC COMMENT ON FAIR OPERATIONS COMMITTEE – (See page 39 of the Board transcript)

Martha Sullivan (via ZOOM)

- **2024 Theme Selection**
Vice President Schenk announced that for the first-time staff has embarked on multi-year planning including looking ahead to the 2024 Fair. Having a multi-year approach provides greater opportunities to research ideas, source special exhibitions, and book talent. The proposed theme for 2024 is “Let’s Go Retro.” This theme will be a walk through all the best memories from the 90s, 80s, 70s, 60s and beyond. Vice President Schenk moved to approve the proposed theme for 2024 with the notion that dates, logo and more specifics be brought back to the Board for approval at a future meeting. President Rowland seconded.

PUBLIC COMMENT ON FAIR OPERATIONS COMMITTEE – (See page 47 of the Board transcript)

Martha Sullivan (via ZOOM)

- **2024 Theme Selection continued**
After a lengthy discussion, Vice President Schenk moved to table the motion to approve the 2024 proposed theme for up to 60 days. President Rowland seconded, and the motion was tabled.

Finance Committee – Richard Valdez, Chair

CEO Moore reviewed the financials through March on pages 13-16 of the Board packet, noted that the committee also discussed the Energy Efficiency Project loans through the Department of General Services. The loan payments will commence in November, with no interest charged for 2020 and 2021, and will continue annually going forward.

Appoint California Fair Services Authority (CFSA) Elector

CEO Moore explained that since the District rejoined the California Fair Services Authority insurance risk pool for the industry last year, a new board elector needs to be designated. CEO Moore suggested that it be designated by title. Director Gelfand moved to approve the designee as the Chief Executive Officer (CEO) position. President Rowland seconded. President Rowland, Vice President Schenk, Vice President Valdez, Directors Barkett, Gelfand, Mead, Mosier and Nejabat, were all in favor and the motion carried 8-0.

MANAGEMENT REPORT

CEO Moore reviewed the following items:

Operational Announcements

- Tom Struzziere of Struzziere Ventures and new operator for Horsepark thanked the Board for their support. Mr. Struzziere said that they will begin improvement during the next few weeks. The Water Quality Improvement team, Bryan Hills with Tory Walker said that they have a solid plan for addressing the storm water quality needs of the Horsepark site.
- Work on the MOU with the Don Diego Scholarship Foundation continues, once completed, it will be presented to the board in the fall for review.
- Currently conducting market research for the 2023 Del Mar National Horse Show with the intent to issue an RFP.
- Scream Zone will be back as a rental event.
- In the process of interviewing potential strategic planning consultants for presentation back to the committee.
- September is budget season.
- An RFP was issued for the tennis operator.

Construction Project Updates

- Working through final things on the Surf & Turf RV Lot, which was funded through SB5/ Prop 68 grants.
- The Golf Center roof is a completed project.
- Temporary repairs to the front side housing have been completed.
- The RFP for the facility condition assessment is being released next week. This could have master plan implications.
- Wrap up small items due to the de-scoping of The Center entertainment venue while simultaneously working through the contract with Belly Up.
- A short-term roof repair is needed in the Celebrity Suites located on the fifth floor of the Grandstand.

Industry News & Updates

- A reminder letter from CDFA, regarding new Fair Funds, previously AB 1499, is included in the Board packet.
- The Governor recently updated the travel ban list to add Arizona, Indiana, and Utah.

Premier Food & Service

- Marc Neveu, Director of Finance for Premier Food Services reviewed the P&L statement for June 2022, included in the Board packet on page 12.

PUBLIC COMMENT ON NON-AGENDA ITEMS (See page 82 of transcript)

Martha Sullivan (via ZOOM)

Pam Slater-Price (via ZOOM)

Jane Cartmill (via ZOOM)

Oscar de la Torre (via ZOOM)

RECESS TO CLOSED EXECUTIVE SESSION

The Board recessed to Executive Session at 3:47 p.m.

RECONVENE TO OPEN SESSION

The Board reconvened to Open Session at 5:46 p.m. Vice President Valdez reported that the Board conferred with and received advice from counsel on the items listed on the closed-session portion of the agenda and had nothing to report.

MATTERS OF INFORMATION

See pages 19-108 of the Board packet.

ADJOURNMENT

There being no further business to discuss, Vice President Valdez adjourned the meeting at 5:47 p.m.



Item 5 – Consent Calendar, Out of State Travel

Background:

The board approved certain Out of State Travel as part of the 2022 Operating Budget at the December 14, 2021 meeting subject to the locations being in a permissible travel state, for professional development opportunities that included the Western Fairs Association Annual Conference & Convention and the Feature Fair Tour to the New Mexico State Fair, the International Association of Venue Managers Academy for Venue Safety & Security, Venue Management School, Senior Executive Symposium, Venue Operations Summit, and GuestX, and the International Association of Fairs & Expositions Annual Conference & Convention.

Process/Approach

Since June 26, 2015, AB 1887 prohibits California from approving a request for state-funded or state-sponsored travel to a state that discriminates against lesbian, gay, bisexual, and transgender people. Over the years the list of prohibited states has been updated, most recently of which was the addition Indiana and Utah effective July 1, 2022, and Louisiana and Arizona effective September 28, 2022. The International Association of Fairs & Expositions (IAFE) Annual Conference & Convention coming up in November, which District staff has been unable to attend for the past three years due to its previous location in the state of Texas, relocated to Indiana in part to provide the opportunity for California District Agricultural Association fairs to attend once again.

There are limited exceptions to AB 1887 that allow travel to banned states in certain circumstances. See attached F2022-03 letter from the Department of Food & Agriculture. Exceptions will be considered on a case-by-case basis, including “to complete job-required training necessary to maintain licensure or similar standards required for holding a position, if comparable training cannot be obtained in California or a different state not subject to the travel prohibition.” Requests for exceptions must be submitted to the Governor’s Office for approval.

Additionally, and separate from the prohibited states travel issue to the IAFE Annual Conference & Convention, due to the September board meeting date change, employees are unable to travel to the Feature Fair Tour at the New Mexico State Fair in a timely enough manner to partake in the educational experience.

Request

This request is to authorize Out of State Travel to the Sponsorship Mastery Summit in Seattle, Washington at the end of the month, September 28-30, in lieu of the previously approved Feature Fair Tour. Washington is currently on the approved travel list.

The Sponsorship Mastery Summit is in its fourth year and an opportunity to collaborate, innovate, learn, and connect with leaders in the sponsorship community. Focused topics include the best activations, partnerships with purpose, transparent valuations, the rise in esports, technology-driven partnerships, leading high-performing teams, and adapting to a changing landscape.

Additionally, this request is to authorize Out of State Travel to the International Association of Fairs & Expositions Annual Conference & Convention in Indiana, subject to an exception to AB 1887 approval from the Governor's Office.

IAFE represents and facilitates the evolving interests and needs of agricultural fairs, exhibitions, and show associations' stakeholders and this annual conference and trade show provides valuable educational sessions and networking opportunities that cannot be obtained in California or a different state not subject to the travel prohibition.

If approved by the board and the Governor's Office, District employees will be able to further the mission of the 22nd District Agricultural Association by attending educational seminars, networking with industry leaders from across the country and world, and learning about business efficiencies, safety and security, and new technologies for the advancement of the San Diego County Fair.



July 19, 2022

F2022-03

TO: All Fair CEOs

SUBJECT: Employee Travel to States with Discriminatory Laws

This letter is to announce that there is a statewide ban on travel to US states that have been identified to have discriminatory laws and practices. There are four new states that have been added to the list, highlighted in **yellow** travel ban started on July 1, 2022, and highlighted in **green** travel ban will go into effect prior to September 28, 2022. Per AB 1887 (Lou) State government discrimination: travel; state-funded or state-sponsored travel to the following twenty states is prohibited. This includes recipients that receive funding for activities that require travel to and from the states identified in AB 1887, which are:

Approved Travel	Banned Travel
Alaska	Alabama
Colorado	Arizona
Connecticut	Florida
Delaware	Idaho
Florida	Indiana
Georgia	Iowa
Hawaii	Kansas
Illinois	Kentucky
Maine	Louisiana
Maryland	Mississippi
Massachusetts	Montana
Michigan	North Carolina
Minnesota	North Dakota
Missouri	Ohio
Nebraska	Oklahoma
Nevada	South Carolina
New Hampshire	South Dakota
New Jersey	Tennessee
New Mexico	Texas



New York	Utah
Oregon	West Virginia
Pennsylvania	
Rhode Island	
Vermont	
Virginia	
Washington	
Wisconsin	
Wyoming	

Per the Office of the Attorney General (OAG), there are exceptions to AB 1887 that allow travel to banned states in certain circumstances (Gov. Code, § 11139.8, subd. (c).) These exceptions only apply if travel to a prohibited state is required for the following reasons:

1. Enforcement of California law, including auditing and revenue collection.
2. Litigation.
3. To meet contractual obligations incurred before January 1, 2017.
4. To comply with requests by the federal government to appear before committees.
5. To participate in meetings or training required by a grant or required to maintain grant funding.
6. To complete job-required training necessary to maintain licensure or similar standards required for holding a position, if comparable training cannot be obtained in California or a different state not subject to the travel prohibition.
7. For the protection of public health, welfare, or safety, as determined by the affected agency, department, board, authority, or commission, or by the affected legislative office.

For more information, please visit: <https://oag.ca.gov/ab1887>.

If you have any questions or need additional information, please contact Sarah Pelle at (916) 900-5368 or sarah.pelle@cdfa.ca.gov

Sincerely,



Mike Francesconi, Branch Chief
Fairs & Expositions Branch

CONTRACT APPROVAL(S)

September 2022

In accordance with the requirements of the Department to Food & Agriculture, Fairs & Expositions Branch, Staff requests approval of the agreement(s) listed below:

Standard Agreements

Agreements Exercising Option Years					
Contract #	Contractor	Purpose	Acquisition Method	Term	Amount
N/A					
Agreements Awarded via Request for Proposals					
Contract #	Contractor	Purpose	RFP Number	Term	Amount
N/A					
Agreements Awarded via Invitation from Bid					
Contract #	Contractor	Purpose	Term		Amount
N/A					
Agreements Exempt from Bid					
Contract #	Contractor	Purpose	Categorical Exemption/ Exception	Term	Amount
N/A					

Solicitations Released Since Last Board Meeting

Solicitation #	Solicitation Type	Purpose	Term	Amount
22-904 Rebid	Request for Proposal	Tennis Center Operator	11/1/22 – 10/31/23	<u>Revenue - to be determined upon award</u>
23-901	Request for Proposal	Sportsbook Operator	Five years, term start TBD	<u>Revenue - to be determined upon award</u>
22-905	Invitation for Bid	Interim Event Utility Services	9/14/22 – 9/13/25	<u>Revenue – 53% utility services, 25% labor and equipment</u>

Delegated Authority Contracts Under \$50,000.00

approved since last Board meeting

Contract #	Contractor	Purpose	Acquisition Method	Term	Amount
22-068	Axcient	Cloud data storage	Categorical Exemption	9/1/22 – 8/31/23	\$30,168.00
22-069	Leadership Enthusiast	Onsite leadership consulting	Categorical Exemption	8/26/22 – 9/30/22	\$7,000.00
22-070	Linscott Law & Greenspan	Parking & traffic Monitoring	Categorical Exemption	10/1/22 – 9/30/23	\$19,800.00
22-071	AECOM	Noise Monitoring	Categorical Exemption	10/1/22 – 9/30/23	\$49,870.00

September 2022

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Del Mar Fairgrounds

Dear Members of the DAA Board of Directors,

I write to express my profound gratitude and sincere appreciation for being able to spearhead the Surf & Turf Tennis Club for the past 30 years. Providing a safe, educational, and fun environment for 30,000 kids of all ages, backgrounds, and experiences, as well as adults and families, has been a labor of love. I enjoyed every minute of it and remain thankful for all the support we received from you throughout our tenure. I considered operating the Surf & Turf Tennis Club a privilege and the fulfillment of a lifelong passion for the sport and the life lessons it provides.

I also remain in awe of how the Del Mar Fairgrounds has evolved into the multi-faceted venue it is today. This iconic place continues to stand out as one of California's hallmark venues for people here at home and around the world to create lasting, memorable experiences.

With the pandemic now largely behind us and a fuller sense of normalcy beginning to take place, I feel the time is right to step aside and allow the next group to carry on the Surf & Turf Tennis Club's valuable work. As we do, we'll be working to assist employees in transitioning to other opportunities as smoothly as possible.

While I will continue to teach the game of tennis in some capacity, I know the program will be in good hands with any of the organizations that submitted formal proposals to you. I don't envy your position to choose one of the many qualified applicants. I know that no matter the final selection, the Surf & Turf Tennis Club will continue to flourish. It helps makes my decision to step away a bit easier, albeit bittersweet.

Please do not hesitate to ask if I can ever assist you all. From the bottom of my heart, thank you for your unwavering support over the past three decades. I remain a big fan of the Del Mar Fairgrounds.

My best,


Alex Levie



Item 6, Manager's Report Construction Projects and Facilities Update

FRONTSIDE HOUSING

Background:

The Frontside Housing Building was originally built in 1983. The two-story building is 13,212 square feet and has 50 rooms. In Spring of 2022, California Construction Authority was engaged for an emergency roof repair due to it leaking and during that process it was discovered that the exterior stairs and walkway were structurally unstable; in addition, the walkway was supported and tied into the roof. Historically, this building is used during race meets and for limited fair-time housing.

District spent \$74,622 to make temporary repairs so that the building could be used in a safe manner for the fair and race meet, including temporary emergency tarping, a temporary ground support system to support the beam perimeter, and replacement of wood as needed to ensure structurally sound walkway and stairs.

Given the age of the building and lack of as-built plans, a structural assessment was completed on August 15, 2022, by NV5, Inc. and following this report is the 3-page summary assessment and recommendations, including "Given that the level of effort to retrofit this existing building would be comparable to, if not greater than, construction of a new residential housing structure, NV5 is of the opinion that doing a retrofit that includes all of the latest code-required upgrades is not economically feasible."

Options and Rough Cost Estimates:

Note: The following are rough cost estimates from California Construction Authority for the purposes of discussion and planning. Final costs would be determined by a competitive bidding process.

- | | |
|---|----------------------------|
| 1. Complete the repairs and retrofit the building | estimate \$3-5 million |
| 2. Demolish and rebuild the building | estimate \$3-5 million |
| 3. Demolish building without a rebuild | estimate \$200,000-300,000 |

MEMORANDUM

To:	Mr. Sean Slay	Date:	August 31, 2022
From:	Devan E. Dagley, PE	Project:	Del Mar Fairgrounds – Frontside Housing
CC:	Joseph Bouknight (NV5), Sean Roy (NV5)		
Subject:	Seismic Assessment Report		

Findings & Testing Results:

On August 15, 2022, Joseph Rodriguez, Raymundo Cecena and I were on-site to perform non-destructive testing at the Frontside Housing Building with the intention of obtaining the information we need to perform a seismic assessment of the building. Upon arrival, we found that the topsoil on top of the footing was removed over a space of approximately 4 feet. The top of footing was encountered approximately 6 inches below grade. The bottom of the footing was exposed and the depth of the existing footing measured approximately 18 inches thick. The edge of the footing was measured to be approximately 5 inches away from face of masonry block. Given that the units were occupied at the time of the inspection, and that they have concrete floors, it is assumed that the masonry wall is centered on the footing, which is typical construction method for a structure of this kind and age. Therefore, it is assumed that the footing measures 18 inches wide total. While Mr. Rodriguez was exposing the footing, Mr. Cecena and I chose three locations to do a ground penetrating radar (GPR) scan to attempt to determine if wall has reinforcement and to determine location and spacing. The selected locations are shown in the aerial image of **Figure 1**. At all three locations, the reinforcement was located and determined to be spaced at approximately 24 inches on center in both the horizontal and vertical directions. It was also determined that the masonry cells were fully grouted.



Figure 1- Aerial image (Google Earth) showing Frontside Housing Building

Structural Assessment:

Given the age and condition of the building, it was decided that a structural/seismic assessment of the building should be performed to determine if the structure is adequate to be retrofitted and upgraded as the floor framing and roof framing systems are in poor condition and need replaced. Since no destructive testing was performed (not part of scope), it was not possible to determine the rebar size/diameter or to take a core sample to determine the compression strength of the masonry block system. Therefore, some conservative assumptions were made, such as: Grade 60 (60,000 psi) rebar was used; 1500 psi normal-weight masonry block was used; code-minimum values for allowable soil bearing pressures (1500 psf); and some of the dead load (self-weight) of the framing is unknown so sizes of framing members and spacing was assumed. Structural calculations are found in **Appendix "A"**. Using the minimum prescribed dead, live, roof live, wind and seismic loads from the latest versions of the California Building Code (CBC) and ASCE 7, our assessment provided the following results:

- If using #3 rebar in analysis, the structure is **overstressed by 54.5% (1.545*)**
- If using #4 rebar in analysis, the structure is **understressed by 7% (0.93*)**
- If we allow a 1/3 increase** due to transient (lateral wind/seismic) loads, our **footing is understressed by 10% (0.90*)**
- If we do not allow for the 1/3 increase, **our footing is overstressed by 20% (1.20*)**

**Any ratio greater than 1.0 indicates an overstress condition; less than 1.0 indicates an understress condition*

***Typically allowed by building code for temporary loading conditions such as wind or seismic*

Recommendations:

Given the results of the assessment that was performed, NV5 has the following recommendations:

- Perform destructive sampling by taking core samples to determine strength of block and size of rebar
- Excavate around both sides of footing the entire perimeter of the building to expose the entire footing
- Increase the size of the footing by drilling and epoxying rebar into concrete footing and then placing additional rebar and concrete
- Remove roof, floor and elevated walkway framing and stairs, including all ledgers and hardware
- Install new roof framing (steel open web joists bearing on retrofit ledgers and metal decking)
- Install new floor framing (steel open web joists bearing on retrofit ledgers and lightweight concrete over metal decking with rebar ties doweled into masonry block for additional strength and rigidity)
- Install new elevated walkway and stairs (traditional wood framing with composite deck walkway)
- Upgrade all fire and life safety systems (fire sprinklers, means of egress, etc.)
- ADA & OSHA compliant access (stairs, railing, elevators, etc.)

Given that the level of effort to retrofit this existing building would be comparable to, if not greater than, construction of a new residential housing structure, **NV5 is of the opinion that doing a retrofit that includes all of the latest code-required upgrades is not economically feasible.**

Disclaimer:

This document was prepared for the exclusive use of California Construction Authority (CCA) and the San Diego County (Del Mar) Fair and was not intended for any other purpose. The observations and opinions



OFFICES NATIONWIDE

CONSTRUCTION QUALITY ASSURANCE • INFRASTRUCTURE • ENERGY • PROGRAM MANAGEMENT • ENVIRONMENTAL

contained herein are based upon information provided to us at the time of this document's preparation. The evaluation performed on the above date was a visual assessment. Areas hidden from view or other inaccessible areas were not examined. Please note that NV5 reserves the right to revise the document above as conditions change or additional information becomes available. This document was prepared for our client's use and NV5 disavows any liability for use by others.

Sincerely,

NV5, Inc.



Devan E. Dagley, PE
Principal Engineer



OFFICES NATIONWIDE

CONSTRUCTION QUALITY ASSURANCE - INFRASTRUCTURE - ENERGY - PROGRAM MANAGEMENT - ENVIRONMENTAL

Food & Beverage Report July 2022

July 2022 Food Service Revenues were \$4,364,410. Budgeted Revenues for July 2022 were \$3,155,831.

Net distribution to the District for July 2022 was \$1,429,454 or 32.75%. Budgeted distribution for July 2022 was \$809,760 or 25.66%.

Year-to-date 2022 distribution to the District is \$1,990,271 or 24.03%. The budgeted distribution for YTD 2022 was \$788,379 or (13.45%).

Jul-22	2022 ACTUAL	%	2022 BUDGET	%	2021 ACTUAL	%	2019 ACTUAL	%
TOTAL REVENUE	4,364,410	100.00%	3,155,831	100.00%	3,310,610	100.00%	5,548,368	100.00%
TOTAL COGS	1,047,559	24.00%	666,870	21.13%	796,723	24.07%	1,093,751	19.71%
GROSS MARGIN	3,316,851	76.00%	2,488,962	78.87%	2,513,887	75.93%	4,454,617	80.29%
TOTAL PAYROLL	1,280,331	29.34%	1,214,444	38.48%	1,134,826	34.28%	1,721,730	31.03%
OPERATING EXPENSES	402,858	9.23%	349,078	11.06%	265,957	8.03%	576,840	10.40%
NET PROFIT	1,633,662	37.43%	925,441	29.32%	1,113,104	33.62%	2,156,048	38.86%
CLIENT DISTRIBUTION	1,429,454	32.75%	809,760	25.66%	973,966	29.42%	1,886,542	34.00%

YTD	2022 ACTUAL	%	2022 BUDGET	%	2021 ACTUAL	%	2019 ACTUAL	%
TOTAL REVENUE	8,282,523	100.00%	5,862,685	100.00%	3,862,224	100.00%	12,153,749	100.00%
TOTAL COGS	1,830,318	22.10%	1,102,748	18.81%	871,390	22.56%	2,526,067	20.78%
GROSS MARGIN	6,452,205	77.90%	4,759,937	81.19%	2,990,834	77.44%	9,627,682	79.22%
TOTAL PAYROLL	3,175,166	38.34%	2,947,350	50.27%	1,523,986	39.46%	5,151,363	42.38%
OPERATING EXPENSES	1,002,444	12.10%	911,582	15.55%	501,449	12.98%	1,451,621	11.94%
NET PROFIT	2,274,596	27.46%	901,005	15.37%	965,399	25.00%	3,024,698	24.89%
Y-T-D CLIENT DISTRIBUTION	1,990,271	24.03%	788,379	13.45%	844,724	21.87%	2,646,611	21.78%



Item 7-A, Fair Operations Committee Report

Background:

The Concessions team is beginning its early stages of 2023 Fair planning. In order to move forward with the goals of the department to get vendors contracted, we are seeking approval for the 2023 rates for both Concessions and Commercial contracts.

Commercial exhibit rates were last increased for 2020 and were based on a 27-day fair. The rate was maintained in 2022 though the fair was fewer days, taking into consideration that 2022 marked four years since an increase.

Concession fees are based on a percentage of adjusted gross sales (after sales tax), historically at 25%, against a minimum guarantee. The minimum guarantee confirms their participation and then is applied during the settlement process during the fair. The minimum guarantee has not increased from \$1,500 per stand in several years.

Process/Approach:

Several factors were taken into consideration to determine the proposed rates for 2023, including number of days of the fair, past participating vendor surveys, historical rates and increases, and foot traffic for various locations on the grounds.

Recommendation

Staff proposes that the commercial exhibit rates remain the same in 2023 as 2022 and that the minimum guarantee for concessionaires increase to \$5,000 while maintaining the adjusted gross sales percentage at 25%.

Environmental/Coastal Commission Review

None.

Fiscal Impact

Anticipate a 5% increase in vendor participation for commercial exhibits and an increase of cash flow through the minimum guarantee payments received from concessionaires in advance of the fair.

**22nd District Agricultural Association
2023 San Diego County Fair
June 7th through July 4**

SPACE RENTAL RATES

	<u>2022</u>	<u>2023</u>
<u>COMMERCIAL</u>		
<i>Based on 10'x10' increments; location determined by management</i>		
Avenue	\$4,000	\$4,000
Bing Crosby	\$4,000	\$4,000
Exhibit Hall	\$3,750	\$3,750
Fairway	\$3,400	\$3,400
Gems & Minerals	\$3,450	\$3,450
O'Brien	\$3,800	\$3,800
Seaside	\$3,750	\$3,750
Concourse	\$3,400	\$3,400
Other	\$3,400	\$3,400
Clubhouse	\$2,700	\$2,700
Paddock	\$2,700	\$2,700
Durante/Arena/ Livestock Way	\$2,000	\$2,000
Infield	\$1,495	\$1,495
<u>Additional charges:</u>		
Indoor Corners	\$500	\$500
<u>CONCESSIONS</u>		
Minimum Guarantee	\$1,500	\$5,000
Adjusted Gross Percentage <i>(gross sales less sales tax)</i>	25%	25%



Item 7-A, Fair Operations Committee Report

Background:

Planning is under way for the 2023 San Diego County Fair and the committee has resumed its monthly meetings as part of the planning process.

Approved at the August Meeting:

- 2023 Theme "Get Out There"
- Dates of June 7-July 4, closed all Mondays and Tuesdays in June

Process/Approach:

To launch a multi-year planning approach, a recommendation was made to also approve a theme concept for 2024. "Let's Go Retro" was the proposed concept and much discussion was had on further defining it.

Having taken that input into consideration, the Committee continues to recommend the adoption of Let's Go Retro for the 2024 fair theme noting that some of our most popular and well-received themes have been rooted in the past, such as celebrating Dr. Seuss, The Beatles, The Wizard of Oz, Elvis, and Alice in Wonderland, to name a few.

This theme can have many interpretations. "Retro" is short for retrospective which means to look back on or deal with past events or situations. Aligning with the District's mission to honor tradition while embracing innovation, Let's Go Retro will not only be a celebration and "look back" at all the moments in time, people, entertainment, and popular culture we have experienced, but begs the question, "What will be retrospective years into the future and how will societal decisions made today affect that future?" In addition to looking back from today's point in time, Let's Go Retro provides the opportunity to envision what retro will look like to future generations.

Fair themes have an element of fun and whimsy and the best ones transport guests out of the ordinary and into the extraordinary. Picture this in 2024 – windows into our past as seen through the eyes of today and windows into our present as seen through the eyes of the future. Extraordinary!

In addition to discussion of the 2024 fair theme concept, grandstand entertainment planning for 2023 is underway. Stay tuned.

Recommendation

Approve Let's Go Retro as a theme concept for 2024 with the understanding that a logo will be presented and fair dates recommended at a future board meeting.

Fiscal Impact

None



Item 5-B, Finance Committee Report

Executive Summary

The attached financial reports are through May 31, 2022. The P&L is inclusive of District activity, while the Balance Sheet is consolidated with the District, State Race Track Leasing Commission, and Race Track Authority.

As reported last month, a third party platform and system failure between the commercial exhibits and concessions contract payment software and the merchant account processor during April and May 2022 resulted in staff expending significant hours researching, confirming, and reconciling that all payments due for commercial exhibit space and concession deposits were, in fact, collected and accounted for correctly in the accounting system, including booth fees, and that those payments match to actual bank activity (received). To date, staff has confirmed that the revenues were recorded properly in the accounting system, all payments were collected, and are working through reconciling those payments to the bank activity. At the time of this report, the entire process had been completed through May.

Balance Sheet:

Data for 2019 is included for comparison purposes of the current year (2022) to the most recent full year of activities and operations that included the San Diego County Fair (2019).

- Assets:
 - **Total Cash and Cash Equivalents** has improved over 2019. Notable is the increase to the operating **Cash** position in 2022. In 2019, **Restricted Cash in Trust** (Loan funds) for capital projects comprised a significant portion of the overall Total Cash and Cash Equivalents, while midway through the second quarter of 2022, those funds have been exhausted due to completion of the projects.
 - As a reminder, 2019 Capital Asset figures were presented as net of depreciation, hence comparative information is only included on the **Total Capital Assets** line.
- Liabilities:
 - **Deferred Revenue** is significantly higher in May 2022 due to the accounting of fees collected for the San Diego County Fair. Most of these revenues will be recognized in June with the start of the Fair.
 - **Accounts Payable** is significantly higher in anticipation of expenses related to the San Diego County Fair, many of which were paid over the coming months.
 - **Accrued Employee Leave Liabilities** reflects the value of the leave balances currently due to employees upon separation from District and continue to be managed to remain within the state mandated thresholds.

Income Statement:

Revenues are recognized in the month in which they are earned; expenses in the month incurred. For example, revenues for the San Diego County Fair are reflected in the June and July financial reports.

The first three columns of figures represent the month's activity – Actual, Budget, and Variance of Actual to Budget. The middle grouping of columns represents the year-to-date activity, while the last column

presents the complete operating budget goals for 2022. A positive variance in Revenues means exceeded budget expectations, while negative variance in Expenses means cost savings methods were achieved.

- Revenues:
 - Activity through the middle of the second quarter primarily consisted of Events such as Beyond Van Gogh which was in Wyland Hall January through May 8. A substantial amount of the District's revenues are earned June through September in large part due to the San Diego County Fair and the summer race meet.
 - **Government Funding Contributions** is inclusive of all four months of the Budget Act of 2021 Targeted Support funds provided through the California Department of Food & Agriculture, for a total of \$10.5 million for the period of May 2021 through April 2022.
 - **Interest Earnings** are outperforming the budgeted amount as result of having better than forecasted cash in the investment account (LAIF).
- Expenses:
 - As has previously been reported, filling vacancies has been a challenge in 2022. As such, **Payroll & Related Expenses** shows significant savings; however, much of this savings was spent during the San Diego County Fair on increased hourly rates, employee recognition programs, overtime, and contracted temporary labor services.
 - Fair related operating expenses were budgeted during the months of June and July; while other operating expenses were allocated across the 12 months for FY2022 budget.
 - Professional Services consists of a multitude of services, the largest being food & beverage.

Other Information:

As the financial health of the organization continues to improve, the Committee discussed the need to prepare for the future by strategically developing reserve and capital improvement fund policies. The Committee plans to research and review best practices in order to offer a recommendation later this year.

In May, Premier notified the District of a discrepancy identified during Premier's audit, of a possible \$1.25 million underbilling by Premier for employee tips collected through credit card payments. Tips were paid to employees, but not billed back to the District which had received the credit card receipts. The District engaged its own audit firm for the purposes of a special audit of the Premier accounting beginning January 1, 2020 through current. The special audit has been delayed and so District is making a good faith payment to Premier pending the outcome of the audit.

The Committee also discussed necessary capital investments that have either already been made or are upcoming in 2022, including roof repairs at the golf center and temporary repairs on the front side housing roof. As has been previously discussed, District has requested a full facilities condition assessment through California Construction Authority and that assessment is anticipated to be completed sometime next year. In the meantime, staff will continue to maintain facilities and address issues on a short-term or temporary basis.

22nd DAA
Consolidated Balance Sheet (DAA, RTA, RTLC)
As of May 31, 2022

	2022	2021	2019
Assets			
Cash	\$ 26,253,638	\$ 4,348,393	\$ 6,263,664
Restricted Cash - JLA	23,264	20,838	82,158
Restricted Cash - F&B Equipment Fund	338,980	133,084	123,146
Restricted Cash - RTA	11,939,848	8,955,815	8,627,369
Restricted Cash in Trust - WQI	(1)	421,064	6,358,205
Restricted Cash in Trust - The Center	-	3,313,828	15,750,000
Total Cash and Cash Equivalents	38,555,730	17,193,021	37,204,542
Accounts Receivable	(1,606,417)	(294,415)	419,671
Prepaid Expenses	920,463	423,745	1,567,117
Deferred Outflows Pension	5,422,668	5,422,668	5,193,040
Total Current Assets	4,736,714	5,551,998	7,179,828
Land	35,011,899	35,011,899	-
Building and Improvements	189,021,781	189,021,781	-
Equipment	38,045,190	37,934,770	-
Capital Projects in Process	38,624,428	34,470,357	-
Accumulated Depreciation	(173,822,663)	(169,815,445)	-
Total Capital Assets	126,880,635	126,623,363	116,948,821
Total Assets	\$ 170,173,079	\$ 149,368,382	\$ 161,333,191
Liabilities			
Accounts Payable	6,163,766	3,543,679	1,514,603
Payroll Liabilities	644,209	179,354	
Accrued Liabilities	1,786,594	2,023,296	12,059,612
Other Current Liabilities	704,001	5,465,289	
Deferred Revenue	4,639,709	953,184	
Current Long Term Debt	2,419,416	3,749,820	1,275,000
Accrued Employees Leave Liabilities	1,309,111	1,381,544	3,066,776
Long Term Debt	64,405,737	66,552,828	66,054,596
Reserve - F&B Equipment Fund	356,811	134,489	
Reserve - JLA	20,838	20,838	
Pension Liability	35,249,751	35,086,114	34,100,409
Deferred Inflows - Pension	1,961,567	1,961,567	1,283,146
Total Liabilities	119,661,509	121,052,002	119,354,142
Net Resources			
Contributed Capital	82,170,171	82,170,171	
Less Contributed Capital to RTA	(37,644,384)	(37,644,384)	
Net Resources - Unrestricted	(8,225,351)	(8,225,351)	
Investment in Capital Assets	(3,891,786)	(3,891,786)	-
	32,408,650	32,408,650	-
Net Proceeds from Operations	18,102,920	(4,092,269)	41,979,049
Total Net Resources	50,511,570	28,316,381	41,979,049
Total Liabilities and Net Resources	\$ 170,173,079	\$ 149,368,382	\$ 161,333,191

22nd DAA
Income Statement
For the Period Ending May 31, 2022

	<u>May 2022</u>			<u>Year-to-Date</u>			<u>Full 2022</u>
	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>Budget</u>
REVENUES							
Admissions Revenue	750	0	750	750	0	750	13,428,531
<i>Gates</i>	750	0	750	750	0	750	13,428,531
Concessions Revenue	411,991	144,549	267,442	868,961	403,941	465,020	19,650,571
<i>Merchandise</i>	12,791	8,550	4,241	43,014	34,710	8,304	56,550
Facility Rentals Revenue	223,530	176,504	47,026	902,870	739,004	163,866	2,459,146
<i>Commercial</i>	0	5,000	(5,000)	0	15,000	(15,000)	918,000
Leases Revenue	142,328	114,829	27,499	603,286	573,987	29,299	2,607,447
Program Revenues	471,187	365,500	105,687	1,758,156	1,711,200	46,956	5,365,985
<i>Parking</i>	254,725	210,000	44,725	1,217,820	918,800	299,020	4,255,085
<i>Participation Fees</i>	108,878	75,000	33,878	296,195	381,400	(85,205)	450,900
<i>Satellite Wagering</i>	107,584	80,500	27,084	244,141	411,000	(166,859)	660,000
OPERATING REVENUE TOTALS	1,249,786	801,382	448,404	4,134,024	3,428,133	705,891	43,511,681
Contributions	39,872	6,600	33,272	11,085,520	10,528,000	557,520	12,437,000
<i>Government Funding</i>	0	0	0	11,019,786	10,500,000	519,786	10,500,000
<i>Grants</i>	0	0	0	12,813	0	12,813	0
<i>Sponsorships</i>	39,872	4,600	35,272	52,772	23,000	29,772	1,932,000
Other Non-Operating Revenue	78,338	6,716	71,622	1,888,131	45,580	1,842,551	211,392
<i>Interest Earnings</i>	35	0	35	18,763	8,500	10,263	25,000
Reimbursed Costs	59,211	16,503	42,708	310,090	82,516	227,573	1,379,739
Prior Year Revenue	0	0	0	10,069	0	10,069	0
NON-OPERATING REVENUE TOTALS	177,421	29,819	147,602	13,293,810	10,656,096	2,637,713	14,028,131
			0				
TOTAL REVENUE	1,427,207	831,202	596,006	17,427,833	14,084,229	3,343,605	57,539,812
EXPENSES							
Payroll & Related Expense	1,365,979	1,345,072	20,907	4,669,017	6,449,668	(1,780,651)	16,848,818
<i>Professional Development</i>	15,159	75,000	(59,841)	37,330	97,806	(60,476)	121,656
Professional Services Expense	1,013,409	729,927	283,482	2,847,173	3,180,186	(333,013)	20,750,712
<i>Food & Beverage Expense</i>	477,842	0	477,842	1,465,838	0	1,465,838	0
Insurance Expense	98,431	61,436	36,996	436,579	293,599	142,980	724,022
Facility & Related Expense	380,377	515,670	(135,293)	1,567,582	1,445,454	122,128	4,646,974
<i>Telephone & Internet</i>	5,532	7,094	(1,562)	51,942	35,470	16,472	85,128
<i>Utilities</i>	264,983	277,000	(12,017)	1,192,411	772,304	420,107	3,046,104
<i>Repairs & Maintenance</i>	74,735	183,576	(108,841)	243,413	532,680	(289,267)	703,512
Supplies Expense	282,063	447,457	(165,394)	418,420	727,183	(308,763)	1,031,829
Marketing & Related Expense	1,502	246,837	(245,335)	130,781	500,073	(369,293)	1,485,605
Program Expenses	11,406	42,991	(31,586)	76,019	152,105	(76,085)	4,880,179
<i>Prizes & Premiums</i>	1,145	3,500	(2,355)	1,145	3,500	(2,355)	400,000
<i>Travel & Transportation</i>	0	17,250	(17,250)	0	39,033	(39,033)	92,986
<i>Artists & Entertainment</i>	156	0	156	8,906	0	8,906	4,066,500
Other Operating Expense	235,131	302,021	(66,890)	1,171,731	2,843,820	(1,672,088)	7,140,803
<i>Bank & Service Fees</i>	5,422	7,155	(1,733)	49,718	36,786	12,931	1,026,708
<i>Interest Expense</i>	222,720	7,162	215,558	1,113,599	1,406,812	293,213	2,759,982
OPERATING EXPENSE TOTALS	3,388,299	3,691,411	(303,113)	11,317,302	15,592,087	(4,274,785)	57,508,942
Other Non-Operating Expense							
<i>Prior Year Expense</i>	20,000	0	20,000	74,932	0	74,932	0
NON-OPERATING EXPENSE TOTALS	20,000	0	20,000	74,932	0	74,932	0
TOTAL EXPENSE	3,408,299	3,691,411	(283,113)	11,392,234	15,592,087	(4,199,853)	57,508,942
NET INCOME (LOSS)	(1,981,091)	(2,860,210)	879,118	6,035,599	(1,507,858)	7,543,457	30,870



August 30, 2022

Dear 22nd District Agricultural Association,

On behalf of the staff, board, and volunteers of I Love A Clean San Diego, thank you for your generous donation of \$5,000.00 on August 9, 2022. Your partnership in our mission directly supports environmental education for students and adults, as well as virtual outreach events that foster cleaner, safer and more beautiful communities throughout San Diego County.

Because of your generosity, I Love A Clean San Diego connects more than 90,000 youth and adults throughout our region to waste-free practices and the outdoor environmental protection activities each year. **With your support, we've launched zero-waste webinars and social-distanced community cleanups to keep everyone safe and healthy in 2021.** Our continued efforts toward a zero waste, litter-free and environmentally engaged San Diego region would not be possible without you!

You can easily stay connected to updates for our educational workshops and community events on Facebook, Instagram, LinkedIn or Twitter or simply visit <http://www.CleanSD.org> and sign up for our newsletter.

Thank you again for your incredible support and generosity, we are so grateful for you!

Because we love where we live,

A handwritten signature in black ink that reads "Steve M." in a cursive, flowing script.

Steve Morris

Executive Director

I Love A Clean San Diego

5797 Chesapeake Ct, Suite 200 San Diego, CA 92123 - 619.291.0103 - [CleanSD.org](http://www.CleanSD.org)

I Love A Clean San Diego is a tax exempt organization as described in Section 501(c)(3) of the Internal Revenue Code; EIN: 95-2566791



September 2, 2022

F2022-06

TO: All Fairs

SUBJECT: 2022 State Rules Advisory Committee Meeting

This letter is to invite you to the 2022 State Rules Advisory Committee Meeting on Wednesday, October 19, 2022, via Zoom. The purpose of this annual meeting is to discuss any pertinent state rule change recommendations to the State Rules Advisory Committee for the following year. The purposes of the State Rules are to ensure educational and equitable competition, provide state-wide competition consistency, and maximize exhibitor and public safety. These rules apply to all competitive exhibits conducted by District Agricultural Associations, citrus fruit fairs, and county fairs in the State of California.

During this time, we are accepting any topics you would like to submit for discussion during the meeting. Please provide any State Rules-related topics and information to Sofia Goss at sofia.goss@cdfa.ca.gov by close of business on October 5, 2022, for consideration. A notice and agenda will be sent out by email and posted on the F&E [website](#) 10 days prior to the October 19th meeting.

F&E would also like to remind the Advisory Committee that committee members with a two-year term will be termed out at the end of this calendar year. CDFA will be accepting applications for new members, or for the reappointment of existing members. The new committee members will be appointed by the F&E Branch Chief and the new two-year term will begin on January 1, 2023. The applications will be released after the State Rules Advisory Committee Meeting and will be posted on the F&E [website](#).

The committee is responsible for reviewing the State Rules on an annual basis and makes a recommendation of adoption to F&E. A requirement for appointment is knowledge of fairs, agricultural industry, and competitive exhibit programs. Each member of the committee shall serve without compensation.

If you have any questions/concerns regarding State Rules, please contact [Mike Francesconi](#) at (916) 900-5365.

Respectfully,

Mike Francesconi
Branch Chief





Recommended Caution for California Poultry Exhibitions

August 26, 2022

Dear Poultry Exhibition Organizers and Managers:

This advisory is in response to questions about the current risks of spreading Highly Pathogenic Avian Influenza (HPAI) via poultry and poultry products at exhibitions such as fairs and shows. We are posting this advisory now because of the recent increase of disease spread in California, and the risks associated with exhibitions. We urge poultry owners to prevent this devastating disease by practicing enhanced biosecurity measures and by preventing comingling with wild bird populations and with other poultry and their owners. They should also avoid moving or sharing equipment that may serve to transfer virus. Poultry owners with flocks that have experienced any unusual/suspicious illness or deaths should not move their birds or their poultry products, should not attend bird exhibitions, and should call their veterinarian or our CDFA Sick Bird Hotline at 866-922-BIRD (2473).

Since January 2022, the outbreak of HPAI has spread across all four North American flyways and 39 U.S. states affecting wild birds and domestic poultry. HPAI virus was first detected in a California backyard domestic poultry flock in Sacramento County on August 10, 2022 and is rapidly spreading. To date, HPAI has been detected in backyard flocks in Butte, Contra Costa, and Sacramento Counties and in a commercial flock in Fresno County, California. In addition to domestic flocks, HPAI has been detected in wild birds in the following thirteen counties so far: Butte, Colusa, Glenn, Mendocino, Placer, Plumas, Sacramento, Santa Clara, Siskiyou, Solano, Sonoma, Stanislaus, and Yolo.

Avian influenza is a highly contagious and often fatal disease in birds. The viral spread is promoted by wild birds, especially in wild waterfowl such as ducks and geese, but many other wild bird species can also be a source of spread. The disease spreads through movement of infected or exposed birds, direct or indirect contact with infected wild and domestic birds or contact with virus on fomites (surfaces) such as hands, shoes, clothing, or feet and fur of rodents and other animals.

There are movement Control Areas in counties with infected commercial poultry premises. A movement permit will be required to move poultry, poultry products, and poultry equipment into/out of/through a Control Area. Stay up to date on which counties have Control Areas by checking our online [HPAI Permitting Infographic](#). To request a permit or determine if your movement involves a Control Area, contact the Animal Health Branch Permitting unit at SFSPERMITS@CDFA.CA.GOV. CDFA highly recommends that poultry owners shelter their flocks in place, avoid unnecessary bird movements, and diligently enhance their biosecurity practices to protect their flocks.

Clinical signs of HPAI include sudden death, trouble breathing, clear runny discharge (from nose, mouth, and eyes), lethargy, decreased food and water intake, swelling (eyes, head, wattles, or combs), discolored or bruised comb, wattles, or legs, stumbling/falling or twisted neck. For more information, please visit our CDFA Avian Health Program [webpage](#).





CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE

Karen Ross, Secretary

To support disease containment efforts, exhibitions are NOT permitted in a HPAI Control Area, and the California State Veterinarian recommends that all avian exhibitions practice good biosecurity and health screening of all participating birds. The cooperation of bird owners is critical in controlling this disease; when exposed birds are not moved and comingled, disease spread can be prevented. *An exhibition is an assembly of birds brought to the assembly location for purposes that include public display for any duration. Exhibitions include, but are not limited to sales, auctions, shows, swap meets, pet marts, fair exhibits, pet stores, and petting zoos. Public zoos are not included in this definition.*

Sincerely,

Dr. Annette Jones
State Veterinarian





August 11, 2022

D2022 - 04

TO: All District Agricultural Association CEOs and Board Chairs
SUBJECT: SB 915 - Prohibition of Sale of Firearms on State Property

This letter is to announce that on July 21, 2022, Governor Newsom signed SB 915. This bill prohibits the sale of firearms, firearm precursor parts, and ammunition on state property, as specified.

SB 915 was signed together with seven other gun safety laws, including AB 311, which prohibits the sale of firearm precursor parts on the property of the 22nd DAA, the Del Mar Fairgrounds, and AB 1769, which prohibits the sale of any firearm, firearm precursor part or ammunition on the property of the 31st DAA, the Ventura County Fair and Event Center. To see the full list of new gun safety laws signed by the Governor, please [click here](#) to read the announcement from the Governor's Office.

SB 915 added Section 1. Section 27573 to the Penal Code, to read:

27573. (a) A state officer or employee, or operator, lessee, or licensee of any state property, shall not contract for, authorize, or allow the sale of any firearm, firearm precursor part, or ammunition on state property or in the buildings that sit on state property or property otherwise owned, leased, occupied, or operated by the state.

(b) This section does not apply to any of the following:

(1) A gun buyback event held by a law enforcement agency.

(2) The sale of a firearm by a public administrator, public conservator, or public guardian within the course of their duties.

(3) The sale of a firearm, firearm precursor part, or ammunition on state property that occurs pursuant to a contract that was entered into before January 1, 2023.

(4) The purchase of firearms, firearm precursor parts, or ammunition on state property by a law enforcement agency in the course of its regular duties.

(5) The sale or purchase of a firearm pursuant to subdivision (b) or (c) of Section 10334 of the Public Contract Code.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or

infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.



D2022-04 SB 915 - Prohibition of Sale of Firearms on State Property
August 12, 2022
Page 2

If you have any questions or need additional information, please do not hesitate to contact Sarah Pelle, at 916-900-5368.

Sincerely,

A handwritten signature in blue ink that reads "Mike Francesconi". The signature is written in a cursive, flowing style.

Mike Francesconi
Branch Chief

Enclosure

Governor Newsom Signs New Measures to Protect Californians from Gun Violence

Published: Jul 21, 2022

SACRAMENTO- Moving to bolster California's nation-leading gun safety laws, Governor Gavin Newsom today announced that he has signed additional legislation to protect Californians, including measures to improve school campus safety, restrict gun possession by people convicted of child abuse or elder abuse, and better regulate the sale of firearms.

Governor Newsom recently signed AB 1594, which allows the state, local governments and Californians to sue irresponsible gunmakers for the harm caused by their products, as well as AB 2571, which prohibits marketing of firearms to minors, and AB 1621 to further restrict ghost guns. The Governor has also sponsored SB 1327. Private right of action legislation to limit the spread of assault weapons and ghost guns.

"California has the toughest gun safety laws in the nation, but none of us can afford to be complacent in tackling the gun violence crisis ravaging our country," said Governor Newsom. "These new measures will help keep children safe at school, keep guns out of the hands of dangerous people and responsibly regulate the sale of firearms in our communities. California will continue to lead on lifesaving policies that provide a model for action by other states and the nation."

A full list of today's bills is below:

- **AB 228 by Assemblymember Freddie Rodriguez (D-Chino)** – Requires the Department of Justice, beginning January 1, 2024, to conduct inspections of dealers at least every three years, except for a dealer whose place of business is located in a jurisdiction that has adopted an inspection program.
- **AB 311 by Assemblymember Christopher Ward (D-San Diego)** – Prohibits the sale of firearm precursor parts on the property of the 22nd District Agricultural Association, the Del Mar Fairgrounds.
- **AB 1769 by Assemblymember Steve Bennett (D-Ventura)** – Prohibits the sale of any firearm, firearm precursor part, or ammunition on the property of the 31st District Agricultural Association, the Ventura County Fair and Event Center.
- **Ab 1842 by Assemblymember Freddie Rodriguez (D-Chino)** – Prohibits licensed firearms dealers from charging more than 5 percent of the purchase price of the firearms as a restocking or other returned-related fee when the purchased of the firearm is canceled by the buyer within 10 days of the application, with an exception for special order firearms.
- **AB 2156 by Assemblymember Buffy Wicks (D-Oakland)** – Expands the prohibitions on the manufacture of firearms without a state license including reducing the number of guns a person may manufacture without a license and

prohibiting the use of a three-dimensional printer to manufacture any firearm without a license.

- **AB 2239 by Assemblymember Brian Maienschein (D- San Diego)** – Creates a 10-year prohibition on the possession of firearms for individuals convicted of child abuse or elder abuse.
- **SB 906 by Senator Anthony Portantino (D-La Cañada Flintridge)** – Requires local educational agencies to annually provide information to parents about California's child access prevention laws and laws relating to the safe storage of firearms; requires school officials to report to law enforcement any threat or perceived threat of a homicidal act; and requires law enforcement or the school police to conduct an investigation and threat assessment, including a review of the Department of Justice's firearm registry and a search of the school and/or student's property by law enforcement or school police, if certain conditions are met.
- **SB 915 by Senator Dave Min (D-Costa mesa)** – Prohibits the sale of firearms, firearm precursor parts and ammunition on state property, as specified.

According to the Giffords Law Center, in 2021, California was ranked as the top state in the nation for gun safety. As California strengthened its gun laws, the state saw a 37 percent lower gun death rate than the national average. Meanwhile, other states such as Florida and Texas, with lax gun regulations, saw double-digit increases in the rate of gun deaths. As a result of the actions taken by California, the state has cut its gun death rate in half and Californians are 25 percent less likely to die in a mass shooting compared to other states.

Last month, Governor Newsom announced a record \$156 million in gun violence prevention grants provided as part of the California Violence Intervention and Prevention Grant Program (CalVIP). The Funding will support 79 cities and nonprofit organizations that are implementing anti-violence programs suited to the unique needs of their communities.

From: Martha [REDACTED]
To: Donna O'Leary
Cc: G. Joyce Rowland
Subject: [External]Pls Share w/ Board & Sr Mgt Fwd: 3rd Racehorse Death Reported at Del Mar Racetrack in 15 Days
Date: Monday, August 15, 2022 1:20:45 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you validate the sender and know the content is safe. Please forward this email to the helpdesk if you believe this email is suspicious.

Greetings! Please share the following w/ the 22nd DAA Board Members and Senior Management.

Martha [REDACTED]

Begin forwarded message:

From: Martha [REDACTED]
Subject: 3rd Racehorse Death Reported at Del Mar Racetrack in 15 Days
Date: August 15, 2022 at 10:12:26 AM PDT

FOR IMMEDIATE RELEASE: August 15, 2022
CONTACT: Martha Sullivan, 856-945-6273, Marthasullivan@mac.com
Kill Racing Not Horses

The CA Horse Racing Board has reported the third Death of a racehorse at Del Mar Racetrack in 15 days, another 2-yr-old, Show Your Cards, is listed by the CA Horse Racing Board as dying on August 3, 2022, although only posted on its Racehorse Fatalities webpage today:
https://www.chrb.ca.gov/racing_fatalities_Cat2.aspx

Show Your Cards was an unraced 2-yr-old colt whose death is listed as a "Humeral (Stall Accident)" (fracture) No Trainer or Owner listed on his official racehorse profile: <https://www.equinibase.com/profiles/Results.cfm?type=Horse&refno=10770621®istry=T&rft=TB>
CHRB lists Trainer as Mark Glatt Sold to MyRacehorse, which sells microshares in racehorses, in the Ocala Breeders 2yo Spring Sale for \$400,000

This is the third Death of a racehorse at Del Mar Racetrack so far this year, all of them 2-yr-olds The first two were reported as Sudden Deaths:
https://www.chrb.ca.gov/racing_fatalities_Cat2.aspx

Munny One died on 7/31/22, trained by Ryan Hanson, raced one time at Del Mar Racing on 7/23/22:

<https://www.equinibase.com/profiles/Results.cfm?type=Horse&refno=10789645®istry=T>

Unraced Night Girl died there on 7/20/22, trained by Luis Mendez.

Show Your Cards is the 39th Horse Killed For Gambling reported by the CA Horse Racing Board in the 2022 CA racing season. No legitimate sport would tolerate the deaths of over 1 of its "athletes" per week in just 1 state.

External message received



ORANGE COUNTY AUG 17, 2022



The Orange County Fair. | Photo courtesy of the OC Fair

by City News Service Inc.

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A preliminary accounting of attendance showed that 1,055,173 visitors attended this year's "Feel the Sunshine" fair. Eleven days of the fair were sell-outs.

Last year, the fair drew 1,055,770 visitors and had 16 sold-out shows.

OC Fair officials last year decided to limit attendance to align with efforts to curb the spread of COVID-19, after the fair was canceled in 2020 due to the pandemic. It went so well that organizers decided to do limit attendance again this year because fairgoers said they liked having more room to move and shorter lines for events and attractions.

OC Fair CEO Michele Richards said fair organizers are not aiming to break attendance records anymore, preferring to enhance the experience for fairgoers.

Fair officials also kept ticket prices the same this year.

"The annual OC Fair is very special and important to the community," Richards said. "It gives us such pleasure to present it every year. It's a thrill for our team to plan and produce an event that resonates with our guests throughout Southern California and beyond. It's always sad to see the annual OC Fair end each year, but rest assured our team is already working on next year's fair. We can't wait to welcome back all our guests again in 2023."

Twelve concerts in the Hangar were sold out, and 11 events in the Action Sports Arena were also sold out. So far, eight Pacific Amphitheatre concerts have sold out, with six more to go in the summer season.

More from Orange County

