

## NOTICE OF MEETING 22<sup>nd</sup> District Agricultural Association Board of Directors meeting Tuesday, October 11, 2022, at 1:30 p.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 22<sup>nd</sup> 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 (<u>Public Information</u>) 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**.

#### 22<sup>nd</sup> DAA BOARD OF DIRECTORS

G. Joyce Rowland, President Frederick Schenk, 1<sup>st</sup> Vice President Richard Valdez, 2<sup>nd</sup> Vice President Lisa Barkett, Director Michael Gelfand, Director Kathlyn Mead, Director Don Mosier, Director Sam Nejabat, Director

<u>Secretary-Manager</u> Carlene Moore Chief Executive Officer <u>22<sup>nd</sup> DAA Counsel</u> 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 <u>www.delmarfairgrounds.com</u>



### 22<sup>nd</sup> District Agricultural Association Board of Directors meeting AGENDA Tuesday, October 11, 2022, at 1:30 p.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. <u>ROLL CALL</u>

#### 3. 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 September 13, 2022
- Contract Approval
  - Standard Agreements (DAA-18-213-19 AM3, Sponsorship acquisition & coordination)
- Review of Contracts Executed per Delegation of Authority
  - o <u>Service Agreements</u>

(22-074, Web development); (22-073, air pollution testing); (22-075, Teaching Pro); (22-076, Teaching Pro); (22-077, Teaching Pro); (22-078, Teaching Pro); (22-080, Teaching Pro); (22-081, Teaching Pro); (22-082, Teaching Pro); (22-083, Teaching Pro); (22-084, Teaching Pro); (22-085, Teaching Pro); (22-087, Teaching Pro); (22-088, Teaching Pro); (22-087, Teaching Pro); (22-088, Teaching Pro); (22-087, Teaching Pro); (22-088, Teaching Pro); (22-089, Teaching Pro); (22-087, Teaching Pro); (22-088, Teaching Pro); (22-089, Teaching Pro); (22-087, Teaching Pro); (22-088, Teaching Pro); (22-089, Teaching Pro); (22-080, Teaching

o <u>Event Agreements</u>

(22-5074, Pinery Christmas Trees, Inc.-Christmas Tree Sale); (23-3030, Bart Hall & Associates, LLC-Bart Hall Show); (23-3031, FJS Productions - The Great Junk Hunt); (23-3032, Fully Charged Show, LLC-Fully Charged Show)

## 4. **<u>MANAGEMENT REPORT</u>** – CEO Carlene Moore (Informational)

- Operational Announcements
  - Sportsbook RFP Update
- Construction Projects & Facilities Updates
- Industry News & Updates
- Premier Food Services P&L Statement

6-8 9-11

12-13

14

#### 5. **GENERAL BUSINESS**

A. Tennis Center Operations (Action)

1.	Discuss and vote on whether to approve contract under Request for Proposal No.	15-16
	22-904 (Rebid 1 Tennis Center Operator) with Racket Club One.	

17

25

B. Center Activities Updates (Action)

1. Consideration and vote to approve name of Venue & Center (Power Point (PP))	
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- C. Out of State Travel (Action)
- D. Community & Government Relations Committee Don Mosier, Chair

• City of San Diego El Camino Real Widening Project Presentation (Informational)

- E. Finance Committee Richard Valdez, Chair (Informational)
- Committee Report 18-21
   2022 San Diego County Fair Financial Report Presentation (PP) 22
   F. Fair Operations Committee Frederick Schenk, Chair VERBAL
   Committee Report (Informational) 23-24
  - Summer Race Meet Review
  - Fall Race Meet Overview
- H. Affordable Housing Ad Hoc Committee Kathlyn Mead, Chair
  - Committee Report (Informational)

#### 6. **<u>PUBLIC COMMENT</u>**

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.

#### 7. 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. Talley Amusements, Inc., et al., v 22nd District Agricultural Association, et al., San Diego County Superior Court, Case No. 37-2021-00032169.
- E. 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.
- F. 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.)]

#### 8. **RECONVENE TO OPEN SESSION**

Report on actions, if any, taken by the Board in closed executive session.

## 9. MATTERS OF INFORMATION

- Directors Requests
- Correspondence

## 10. ADJOURNMENT



#### 22<sup>nd</sup> DISTRICT AGRICULTURAL ASSOCIATION Board of Directors Meeting Del Mar Fairgrounds 2260 Jimmy Durante Boulevard Del Mar, CA 92014 **September 14, 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. <u>https://delmarfairgrounds.com/about-us/public-information/</u>

#### **OFFICERS PRESENT:**

Joyce Rowland, President Richard Valdez, 2<sup>nd</sup> Vice President (via ZOOM) Carlene Moore, Chief Executive Officer

#### DIRECTORS PRESENT

Lisa Barkett, Michael Gelfand, Kathlyn Mead (via ZOOM) and Don Mosier

#### **OFFICERS/DIRECTORS ABSENT**

Frederick Schenk, 1<sup>st</sup> Vice President Sam Nejabat

#### **OTHERS PRESENT**

Josh Caplan, Deputy Attorney General (via ZOOM) Melinda Carmichael, Chief Administrative Officer – 22<sup>nd</sup> DAA Katie Mueller, Chief Operations Officer – 22<sup>nd</sup> DAA Donna O'Leary, Executive Assistant - 22<sup>nd</sup> DAA

#### CALL TO ORDER

President Joyce Rowland called the meeting to order at 10:02 a.m. with a quorum present.

**<u>ROLL CALL</u>** All Directors were present except for Vice President Schenk and Director Nejabat who had excused absences.

#### **RECESS TO CLOSED EXECUTIVE SESSION**

The Board recessed to Executive Session at 10:04 a.m.

#### **RECONVENE TO OPEN SESSION**

The Board reconvened to Open Session at 12:35 p.m. President Rowland 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.

President Rowland announced that "Out of State Travel" will move to General Business for discussion and vote. The new order is Consent Calendar, General Business, then Management Report. 22<sup>nd</sup> DAA Board Meeting Minutes September 14, 2022 Page 2

#### **CONSENT CALENDAR**

#### <u>PUBLIC COMMENT ON CONSENT CALENDAR</u> – (See page 7 of the Board transcript) Martha Sullivan (via ZOOM)

Director Gelfand moved to approve the August 9, Board meeting minutes and the contracts listed on pages 12-13 of the Board packet. Director Barkett seconded the motion. President Rowland, Vice President Valdez, Directors Barkett, Gelfand, Mead and Mosier, were all in favor and the motion carried 6-0.

#### **GENERAL BUSINESS**

Fair Operations Committee – Frederick Schenk, Chair

2023 Concessions and Commercial Rates

Chief Operating Officer Mueller reviewed the proposed Concessions and Commercial Rates for the 2023 San Diego County Fair included on pages 20-21 in the Board packet. Director Barkett moved to approve the proposed rates. Director Mead seconded the motion. President Rowland, Vice President Valdez, Directors Barkett, Gelfand, Mead and Mosier, were all in favor and the motion carried 6-0.

• <u>2024 Theme Concept</u>

COO Mueller presented the revised theme for the 2024 San Diego County Fair, "Let's Go Retro". This theme will not only celebrate the past decades, music, and pop culture but will also look to the future and how the choices made today may look 50 years from now. The committee will continue to meet and further define the concept and narrow the scope so that the theme ties in with entertainment, food, and shopping. Director Barkett moved to approve the proposed 2024 theme concept "Let's Go Retro". Vice President Valdez seconded. President Rowland, Vice President Valdez, Directors Barkett, Gelfand, Mead and Mosier, were all in favor and the motion carried 6-0.

<u>PUBLIC COMMENT ON FAIR OPERATIONS COMMITTEE</u> – (See page 14 of the Board transcript) Martha Sullivan (via ZOOM) Jane Cartmill (via ZOOM)

#### Out of State Travel

CEO Moore reviewed the report on pages 8-9 of the Board packet. The requests are to authorize Out of State Travel to the Sponsorship Mastery Summit in Seattle, WA, September 28-30, in lieu of the previously approved Feature Fair Tour in New Mexico. The second request is to authorize Out of State Travel to the International Association of Fairs & Exposition (IAFE) Annual Conference & Convention in Indiana, subject to an exception to AB 1887 approval from the Governor's Office as Indiana is now on the banned travel list. There was a detailed discussion.

<u>PUBLIC COMMENT ON OUT OF STATE TRAVEL CALENDAR</u> – (See page 25 of the Board transcript) Martha Sullivan (via ZOOM)

Director Gelfand moved to approve Out of State Travel to the Sponsorship Mastery Summit in Seattle, WA. Director Barkett seconded the motion. President Rowland, Vice President Valdez, Directors Barkett, Gelfand, Mead and Mosier, were all in favor and the motion carried 6-0.

Director Barkett moved to approve Out of State Travel to allow staff to apply for an exception to travel to Indiana, which is now on the banned travel list, to attend the IAFE Annual Conference & Convention. Director Gelfand seconded. President Rowland voted yes; Vice President Valdez voted no; Directors Barkett and Gelfand voted yes; Directors Mead and Mosier voted no. The motion failed 3-3.

#### Finance Committee – Richard Valdez, Chair

CEO Moore reviewed the financials through May on pages 23-26 of the Board packet. A full report that includes the financials for the Fair through July will be on the October board agenda. CEO noted that the District maintains a strong cash position going into the winter months when Fairgrounds activity is slower.

22<sup>nd</sup> DAA Board Meeting Minutes September 14, 2022 Page 3

<u>PUBLIC COMMENT ON GENERAL BUSINESS</u> – (See page 39 of the Board transcript) Martha Sullivan (via ZOOM)

#### MANAGEMENT REPORT

CEO Moore reviewed the following items:

**Operational Announcements** 

• San Elijo Wetlands & Treatment Center Presentation

Dustin Fuller, Supervising Environmental Planner introduced the team that worked on the Water Quality Improvement Project in the backstretch and the ponds. Wayne Rosenbaum, environmental attorney for the District, Thea Lemberger and Davis Ladd from Great Ecology, and Chris Trees from San Elijo Joint Powers Authority gave an update on the stormwater project.

• <u>Tennis Center Operations</u> The original RFP for the Tennis Center Operations was cancelled and a new one was issued which caused a timeline delay for Board approval for a new operator. In the meantime, the current operator gave his 30-day notice which leaves a gap in the operation of the Tennis Center for the month of October. The options for the Tennis Center were reviewed.

**Construction Projects & Facilities Updates** 

• Chief Administrative Officer Melinda Carmichael reviewed the report on page 15 of the Board packet. The District has partnered with California Construction Authority (CCA) to do a Facility Condition Assessment RFP that will look at all the Fairground's property and infrastructure from top to bottom which will give great insight as to the facility capital improvement needs and future master planning.

Industry News & Updates

• Nothing to report

Premier Food & Service

• Mark Wiggins, General Manager for Premier Food Services reviewed the P&L statement for July 2022, included in the Board packet on page 19. Mr. Wiggins noted that revenues had a huge increase from 2021 and should be ahead of budget going forward.

#### PUBLIC COMMENT ON MANAGEMENT REPORT (See page 80 of transcript)

Martha Sullivan Zhizuan Wang JZ Keegan Jessica Frazee Jane Cartmill Jason Wood

#### PUBLIC COMMENT ON NON-AGENDA ITEMS (See page 89 of transcript)

Martha Sullivan (via ZOOM) Jane Cartmill (via ZOOM

MATTERS OF INFORMATION

See pages 27-37 of the Board packet.

#### **ADJOURNMENT**

There being no further business to discuss, Vice President Valdez adjourned the meeting at 2:38 p.m.

Carlene Moore Chief Executive Office

#### CONTRACT APPROVAL(S)

#### October 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 Ex	ercising Option Yea	rs			
Contract #	Contractor	Purpose	Acquisition Method	Term	Amount
DAA-18-213-19 AM3	Miller Consulting	Sponsorship acquisition, coordination, & fulfillment	Request for Proposal	9/1/18 - 8/31/23	\$550,000.00 (AM3) (Total contract value \$852,900.00)
Agreements Aw	varded via Request f	or Proposals			
Contract #	Contractor	Purpose	<b>RFP Number</b>	Term	Amount
N/A					
Agreements Aw	varded via Invitation	n from Bid		<u>.</u>	
Contract #	Contractor	Purpose	Term		Amount
N/A					
Agreements Ex	empt from Bid				
Contract #	Contractor	Purpose	Categorical Exemption/ Exception	Term	Amount
N/A					

# **Solicitations Released Since Last Board Meeting**

Solicitation #	Solicitation Type	Purpose	Term	Amount
23-005	Request for Proposal	Del Mar National Horse Show Producer	1/1/23 - 12/31/23	To be determined upon award

# **Delegated Authority Contracts Up to \$50,000.00**

approved since last Board meeting

Contract #	Contractor	Purpose	Acquisition Method	Term	Amount
22-073	Jauregui & Culver	Air Pollution Testing	Fair & Reasonable	8/29/22 - 8/28/23	\$1,650.00
22-074	Saffire, LLC	Web Development	Categorical Exemption	10/7/22 - 10/6/23	\$50,000.00
22-075	Alex Levie	Tennis Teaching Pro	Categorical Exemption	10/1/22 - 3/31/23	\$50,000.00
22-076	Matthew Jones	Tennis Teaching Pro	Categorical Exemption	10/1/22 - 3/31/23	\$50,000.00
22-077	Stanley Perry	Tennis Teaching Pro	Categorical Exemption	10/1/22 - 3/31/23	\$50,000.00
22-078	Richard Cole	Tennis Teaching Pro	Categorical Exemption	10/1/22 - 3/31/23	\$50,000.00
22-079	Tyler Hayden	Tennis Teaching Pro	Categorical Exemption	10/1/22 - 3/31/23	\$50,000.00
22-080	Andrey Portnoy	Tennis Teaching Pro	Categorical Exemption	10/1/22 - 3/31/23	\$50,000.00
22-081	Jessica Frazee	Tennis Teaching Pro	Categorical Exemption	10/1/22 - 3/31/23	\$50,000.00

22-082	Jason Wood	Tennis Teaching Pro	Categorical Exemption	10/1/22 - 3/31/23	\$50,000.00
22-083	Doug Shoffner	Tennis Teaching Pro	Categorical Exemption	10/1/22 - 3/31/23	\$50,000.00
22-084	Heidi Shoffner	Tennis Teaching Pro	Categorical Exemption	10/1/22 - 3/31/23	\$50,000.00
22-085	Kathleen McGlennen	Tennis Teaching Pro	Categorical Exemption	10/1/22 - 3/31/23	\$50,000.00
22-086	Daniel De La Torre	Tennis Teaching Pro	Categorical Exemption	10/1/22 - 3/31/23	\$50,000.00
22-087	Raul De La Torre	Tennis Teaching Pro	Categorical Exemption	10/1/22 - 3/31/23	\$50,000.00
22-088	David Alper	Tennis Teaching Pro	Categorical Exemption	10/1/22 - 3/31/23	\$50,000.00
22-089	Andrew Buckner	Tennis Teaching Pro	Categorical Exemption	10/1/22 - 3/31/23	\$50,000.00
22-091	Tracey King	Tennis Teaching Pro	Categorical Exemption	10/1/22 - 3/31/23	\$50,000.00

#### NEWLY CONTRACTED EVENTS October 2022

CONTRACT #	STARTING	ENDING	CLIENT NAME	EVENT NAME	RENTAL FEE
22-5074	10/25/2022	1/1/2023	Pinery Christmas Trees, Inc	Christmas Tree Sale (Horsepark)	\$27,000
23-3030	2/13/2023	2/20/2023	Bart Hall & Associates, LLC	Bart Hall Show	\$40,000
23-3031	3/2/2023	3/4/2023	FJS Productions	The Great Junk Hunt	\$8,800
23-3032	10/25/2023	10/30/2023	Fully Charged Show, LLC	Fully Charged Show	\$43,200



# Item 4, Sportsbook RFP Update - Staff Report

## **Background**

On November 8, 2022, California voters will vote on Proposition 26, a ballot initiative that, if passed, would legalize in-person sports wagering on tribal lands and at horse-racing tracks in four specified counties for persons 21 years or older (the "Ballot Initiative"). Specifically, the Ballot Initiative, if passed, would authorize Approved Racetrack Operators (as that term is defined by section 19670 of the Business and Professions Code), to offer an onsite Sportsbook at the Del Mar Fairgrounds and Race Track ("Fairgrounds"). For reference, the District is the only District Agricultural Association in California that would receive revenues from the Sportsbook operation under the Ballot Initiative. If passed, Proposition 26 would become effective January 1, 2023.

Before commencing a sportsbook operation on the Fairgrounds, the District must, among other things, analyze and consider the environmental impacts as required under the California Environmental Quality Act (CEQA) and take all actions required under CEQA. Such actions may include the preparation of a Notice of Exemption, Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report.

## Process/Approach

The District issued a Request For Proposals (RFP) for a Sportsbook Operator in August 2022. The District received one proposal in response to the RFP. The District has commenced the CEQA analysis process to determine whether the use of the Fairgrounds for a sportsbook operation may result in any potential environmental effects, and if so, the actions that would be necessary to mitigate those effects. District staff will perform all actions required under CEQA analysis before any contract for sports wagering is presented to the District's Board of Directors (Board) for consideration or approval.

In addition to completing all actions required under CEQA, and all actions required to amend or modify the District's Coastal Development Permit, the District will start working with the successful proposer to develop a contract for Board consideration. Each express condition identified in the RFP must be satisfied before the sports wagering contract is presented to the Board for consideration. By December 2022, District staff expects to present to the Board for consideration the documents(s) required under CEQA and a contract for the sports wagering operation.

## The CEQA Process

As confirmed by the District in Section 2.10 of the RFP, the Board will not approve any contract pursuant to this RFP until the District performs all actions required by CEQA. There is no right to proceed with any contract pursuant to the RFP until the District has completed the actions required by CEQA and a contract is considered and approved at a duly noticed public Board meeting. The Board maintains its full discretion, notwithstanding its selection of a successful proposal under the RFP, to determine not to proceed with the sportsbook operation at the Fairgrounds based on any environmental impacts identified in the CEQA process.

## Presentation of Proposed Contract and CEQA Document to Board for Consideration

The contract for a Sportsbook operation will not be presented to the Board for consideration or approval unless the provision of Sportsbook services, as contemplated by the RFP, is lawful in California and the District has completed all actions required under CEQA. District staff will continue to perform its necessary due diligence. Until the contract is presented to the Board for consideration, there is no contract in place for sports wagering, and the Board maintains sole and absolute discretion to take any action it deems necessary related to that contract, including imposing any express conditions to mitigate environmental impacts of the sports wagering operation or considering alternatives to the proposal for that operation, including a "no project" alternative. The District has not, and will not, prejudge or predetermine the potential environmental impacts of approving a contract for the sports wagering operation.

#### Food & Beverage Report August 2022

August 2022 Food Service Revenues were \$5,181,511. Budgeted Revenues for August 2022 were \$4,174,854.

Net distribution to the District for August 2022 was \$1,574,201 or 30.38%. Budgeted distribution for August 2022 was \$1,156,868 or 27.71%.

Year-to-date 2022 distribution to the District is \$3,564,472 or 26.47%. The budgeted distribution for YTD 2022 was \$1,945,248or (19.38%).

Aug-22	2022 ACTUAL	%	2022 BUDGET	%	2021 ACTUAL	%	2019 ACTUAL	%
TOTAL REVENUE	5,181,511	100.00%	4,174,854	100.00%	4,175,632	100.00%	7,139,437	100.00%
TOTAL COGS	1,264,661	24.41%	882,375	21.14%	588,226	14.09%	1,449,676	20.31%
GROSS MARGIN	3,916,850	75.59%	3,292,479	78.86%	3,587,406	85.91%	5,689,762	79.69%
TOTAL PAYROLL	1,687,212	32.56%	1,563,906	37.46%	1,423,458	34.09%	2,235,784	31.32%
OPERATING EXPENSES	430,551	8.31%	406,437	9.74%	405,577	9.71%	599,436	8.40%
NET PROFIT	1,799,087	34.72%	1,322,135	31.67%	1,758,371	42.11%	2,854,542	39.98%
CLIENT DISTRIBUTION	1,574,201	30.38%	1,156,868	27.71%	1,538,575	36.85%	2,497,725	34.98%
·								
YTD	2022 ACTUAL	%	2022 BUDGET	%	2021 ACTUAL	%	2019 ACTUAL	%
YTD TOTAL REVENUE		<b>%</b> 100.00%		<b>%</b> 100.00%		<b>%</b> 100.00%		<b>%</b> 100.00%
	ACTUAL		BUDGET		ACTUAL		ACTUAL	
TOTAL REVENUE	ACTUAL 13,464,034	100.00%	<b>BUDGET</b> 10,037,539	100.00%	ACTUAL 8,037,856	100.00%	ACTUAL 19,293,186	100.00%
TOTAL REVENUE	ACTUAL 13,464,034 3,094,979	100.00%	BUDGET 10,037,539 1,985,123	100.00%	ACTUAL 8,037,856 1,459,616	100.00%	ACTUAL 19,293,186 3,975,742	100.00%
TOTAL REVENUE TOTAL COGS GROSS MARGIN	ACTUAL 13,464,034 3,094,979 10,369,055	100.00% 22.99% 77.01%	BUDGET 10,037,539 1,985,123 8,052,416	100.00% 19.78% 80.22%	ACTUAL 8,037,856 1,459,616 6,578,240	100.00% 18.16% 81.84%	ACTUAL 19,293,186 3,975,742 15,317,444	100.00% 20.61% 79.39%
TOTAL REVENUE TOTAL COGS GROSS MARGIN TOTAL PAYROLL	ACTUAL 13,464,034 3,094,979 10,369,055 4,862,378	100.00% 22.99% 77.01% 36.11%	BUDGET 10,037,539 1,985,123 8,052,416 4,511,257	100.00% 19.78% 80.22% 44.94%	ACTUAL 8,037,856 1,459,616 6,578,240 2,947,444	100.00% 18.16% 81.84% 36.67%	ACTUAL 19,293,186 3,975,742 15,317,444 7,387,147	100.00% 20.61% 79.39% 38.29%



# Item 5-A, Tennis Center Operations

## <u>Background</u>

As was previously reported to the Board, the District issued a Request For Proposals (RFP) for a Tennis Center Operator in July which anticipated a contract start date of October 1, 2022. Ultimately, that RFP was canceled and a Re-bid RFP was issued in August, pushing the anticipated contract start date to November 1. In the meantime, the operator at the time notified the District that he was not extending his month-to-month agreement beyond September 30. This created a one month gap in tennis services.

# Process/Approach

Recognizing the ripple effect that a month-long gap in tennis services could have on the community, the District explored legally available options to continue those services. The options were:

- a) Extend the month-to-month contract during the RFP process that did not apply here as the then-current operator was not interested in an extension
- b) Enter into a 30-day rental agreement with a third party (that was not a proposer to the RFP) requires renter to meet all insurance and indemnification requirements
- c) District operates would require becoming a quick study on the business of tennis operations, hiring industry professionals with the knowledge and expertise to operate the program, implementing business processes such as a court and play reservation system, and overcoming perceived issues such as insurance and waivers

Following the September 13, 2022, Board of Directors meeting, the District immediately went to work to resolve any issues in order to commence District-operated tennis services on October 1. Four temporary, seasoned, and knowledgeable employees were hired including a Tennis Center Manager, contracts were issued to approximately 15 tennis professionals to provide lessons and clinics, a buyout of necessary equipment for the operations was negotiated with the previous operator, and an online court and play reservation system was implemented. District-operated tennis services officially began on October 1.

On September 27, 2022, the District issued a Notice of Intent to award the contract for Tennis Center Operator under RFP 22-904 Rebid 1 to Racket Club One. On September 28, 2022, the District and the Department of General Services (DGS) received a protest to the contract award, which may extend the District's operation of the tennis center beyond October 31.

## **Recommendation**

The Board cannot take any action to approve the contract until the protest has been withdrawn or rejected by DGS. If either of these options does not occur prior to Tuesday's board meeting, there will be no action to approve the contract under RFP 22-904 Rebid 1 Tennis Center Operator with Racket Club One.

Contract	Contractor	Purpose	RFP Term		Amount
#			Number		
22-904	Racket Club One	Tennis Center Operator	22-904	11/1/22-	\$126,000.00
				10/31/23	Revenue

### RFP 22-904 Rebid 1 Evaluation Summary

	Racket Club				
Proposer	One	Agape	Gorin	Leon Jung	Groh
Responsive	YES	YES	YES	YES	NO

Final Ranking	1			2	 4	3	
TOTAL SCORE	91.42		82	2.33	59.26	64.65	
Average Score	57.07		62	2.33	37.83	38.55	
Score 3	53.65		6	6.5	22.5	22.4	
Score 2	55.55		5	6.25	41.25	40.75	
Score 1	62		64	4.25	49.75	52.5	
Technical Score							
amount/Highest amount)x30	30		20	0.00	21.43	26.10	
Financial Proposal Score (individual							
CUF Compliance	YES		١	N/A	N/A	N/A	
SB Preference	YES			NO	NO	NO	
Financial Proposal Grand Total Amount	\$ 126,0	000	\$ 3	84,000	\$ 90,000	\$ 109,620	\$ 108,000

#### Forms submmitted/responsiveness check

Forms submitted/responsiveness check					1
Proposer/Contractor Status Form	YES	YES	YES	YES	
Certificate re California Government					
Code 1090 Disclosure of Interests Form	YES	YES	YES	YES	
Financial Proposal Form	YES	YES	YES	YES	
Payee Data Record	YES	YES	YES	YES	
Contractor Certification Clauses	YES	YES	YES	YES	
Bidder's Declaration Form (if applicable,					
to be completed for any applicable					
subcontractor)	YES	NO	YES	YES	
Subcontractor Declaration Form (if					
applicable, to be completed by any					
applicable subcontractor)	N/A	NO	N/A	N/A	
Disable Veteran Business Enterprise					
Declaration	N/A	NO	N/A	N/A	
California Civil Rights Laws Certification	YES	YES	YES	YES	
Proposer References Form	YES	YES	YES	YES	
Darfur Contracting Act Certification	N/A	NO	N/A	N/A	
Proof/Evidence of Insurance (i.e.					
Insurance Certificate)	YES	YES	YES	YES	
Proposal Cover letter containing					
statement verbatim	YES	YES	YES	YES	
Addendum No.1 Acknowledgement	YES	YES	YES	YES	NO



# Item 5-C - 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. At various times the list of prohibited states is updated and as such, impacts professional development opportunities including several hosted by the International Association of Venue Managers and the International Association of Fairs & Expositions Annual Conference & Convention.

In place of these conditionally approved events, the District continues to seek out new opportunities to encourage and develop a culture of learning within the organization. Recently, the National Independent Concessionaires Association (NICA) announced their schedule of educational sessions at their upcoming conference.

#### <u>Request</u>

This request is to authorize Out of State Travel to the NICA Marketplace in Las Vegas, Nevada November 6-8, in lieu of the previously approved International Association of Fairs & Expositions Annual Conference & Convention. Nevada is currently on the approved travel list.

Excerpt about the NICA Marketplace:

NICA Marketplace will feature a non-exclusive Trade Show, Educational Sessions led by hands-on Event Industry Thought Leaders, and Networking Opportunities that are welcome and comfortable. A place where we all understand we are customers of each other and Together we share a Fair guest to serve.



# Item 5-E, Finance Committee Report

#### **Executive Summary**

The attached financial reports are through July 31, 2022. The Income Statements are inclusive of District activity, while the Balance Sheet is consolidated with the District, State Race Track Leasing Commission, and Race Track Authority. An Income Statement has been provided that is inclusive of all District programs and operations as well as one for the San Diego County Fair as a program.

#### 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 in 2019 and those funds have been exhausted due to completion of the projects in 2022.
  - 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:
  - Accounts Payable and Accrued Liabilities must be combined in 2019 for comparison to Accounts Payable 2022 which is due to a philosophical change from 2019 to 2022 of how liabilities are recorded. Expenses related to the Fair are recorded as of the time the expense was incurred (invoice date being in June and July), however, payment for this activity occurs in later months such as August and September.
  - **Deferred Revenue** is significantly reduced from prior months as the recognition of revenues collected for the San Diego County Fair were recognized by the end of July.
  - 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 (All Programs & Operations):

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 July includes the 2022 San Diego County Fair, the largest of the District's operations.
  - Concessions Revenue, and specifically Midway revenue, far exceeds the annual budget amount through July 2022 in large part due to the shift to an independent midway for the 2022 San Diego County Fair, and therefore, gross revenues being collected by the District. At the time of budget planning, a master carnival operator was anticipated which would have paid net revenue to the District. The budgeted net revenue was estimated at \$3,481,500 based on 35% revenue of rides and 25% revenue of games at a conservatively estimated \$10,000,000 total midway gross by the anticipated master carnival operator. There is a related substantial increase in Program Expenses as a result of this operational change.
  - Facility Rentals Revenue far exceeds the budget amount as a result of the oversight to include Commercial Vendor space rental fees in the 2022 Operating Budget when presented in December 2021. The board was made aware of this oversight at the January 11, 2022 board meeting.
  - **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 was trending significant savings in previous months; however, that savings was spent during the San Diego County Fair on increased hourly rates, employee recognition programs, overtime, and contracted temporary labor services.
  - **Professional Services** consists of a multitude of services, the largest being food & beverage.
  - Program Expenses far exceed the annual budget amount due to the change in midway operations as described within the Concessions Revenue above. Midway Expense is comprised of payments to the ride and game operators based on percentages of gross revenues and was not anticipated during the 2022 Operating Budget development due to the consideration of a master carnival operator.

#### 2022 San Diego County Fair (program) Income Statement:

- A presentation of the 2022 San Diego County Fair financial report will be provided during the board meeting.
- Revenues and expenses over budget are attributed to the change in midway operations as well as the previous oversight of commercial space rental described above.
- **Payroll & Related Expense** is comprised of part-time and seasonal employee wages, taxes, and benefits incurred in the production of the 2022 San Diego County Fair. In future reports, as business stabilizes and the District achieves appropriate full-time employment levels, wage and benefit allocations of full-time employees will also be included.

# UNAUDITED FINANCIAL STATEMENTS

# 22nd DAA

## Consolidated Balance Sheet (DAA, RTA, RTLC) As of July 31, 2022

	2022	2021	2019
Assets			
Cash	\$ 40,275,381	\$ 10,974,704	\$ 14,608,047
Restricted Cash - JLA	34,426	84,918	48,570
Restricted Cash - F&B Equipment Fund	338,980	133,084	82,880
Restricted Cash - RTA	11,941,017	8,955,871	8,186,955
Restricted Cash in Trust - WQI	(1)	421,064	3,923,394
Restricted Cash in Trust - The Center		2,227,256	18,044,596
Total Cash and Cash Equivalents	52,589,803	22,796,897	44,894,442
Accounts Receivable	2,600,694	971,058	817,124
Prepaid Expenses	780,169	456,714	2,077,337
Deferred Outflows Pension	5,422,668	5,422,668	5,193,040
Total Current Assets	8,803,532	6,850,440	8,087,501
Land	35,011,899	35,011,899	-
Building and Improvements	189,040,757	189,021,781	-
Equipment	38,091,995	37,934,770	-
Capital Projects in Process	38,630,599	34,471,170	-
Accumulated Depreciation	(173,822,663)	(170,979,892)	-
Total Capital Assets	126,952,587	125,459,730	122,504,609
Total Assets	\$ 188,345,922	\$ 155,107,066	\$ 175,486,552
Liabilities			
Accounts Payable	11,451,346	5,448,693	3,606,986
Payroll Liabilities	403,844	156,615	
Accrued Liabilities	1,747,461	1,989,304	8,993,183
Other Current Liabilities	712,850	723,893	
Deferred Revenue	1,643,138	858,042	
Current Long Term Debt	2,442,663	3,772,327	1,275,000
Accrued Employees Leave Liabilities	1,264,869	1,508,874	3,299,619
Long Term Debt	63,670,398	65,840,737	66,022,742
Reserve - F&B Equipment Fund	468,712	191,017	
Reserve - JLA	20,838	20,838	
Pension Liability	35,284,689	35,113,840	37,706,271
Deferred Inflows - Pension	1,961,567	1,961,567	1,283,146
Total Liabilities	121,072,374	117,585,746	122,186,947
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	34,864,899	5,112,670	53,299,605
Total Net Resources	67,273,548	37,521,320	53,299,605
Total Liabilities and Net Resources	\$ 188,345,923	\$ 155,107,066	\$ 175,486,552

# UNAUDITED FINANCIAL STATEMENTS

#### 22nd DAA

Income Statement (All Programs & Operations) For the Period Ending July 31, 2022

1	July 2022			Year-to-Date		Full 2022	
Ľ	Actual	Budget		Actual	Budget	Variance	Budget
REVENUES							
Admissions Revenue	2,276,418	3,886,870	(1,610,452)	11,713,824	13,428,531	(1,714,708)	13,428,53
Concessions Revenue	10,958,344	3,691,299	7,267,044	30,894,449	12,191,140	18,703,309	19,650,57
Food & Beverage Contract	4,364,410	3,690,249	674,161	8,282,523	8,668,380	(385,857)	16,112,521
Other Food & Beverage	2,464,808	0	2,464,808	3,756,578	0	3,756,578	(
Midway	4,051,446	0	4,051,446	18,515,896	3,481,500	15,034,396	3,481,500
Facility Rentals Revenue	27,164	67,700	(40,536)	4,491,904	1,757,134	2,734,770	2,459,14
Commercial	23,163	35,000	(11,837)	3,236,816	918,000	2,318,816	918,000
Leases Revenue	139,280	115,197	24,083	895,812	804,013	91,799	2,607,44
Program Revenues	759,528	777,445	(17,917)	5,517,840	4,929,395	588,445	5,365,98
Parking	735,005	731,445	3,560	4,888,908	4,032,995	855,913	4,255,085
Participation Fees	3,238	7,000	(3,762)	331,777	400,900	(69,123)	450,900
Satellite Wagering	21,285	39,000	(17,715)	297,155	495,500	(198,345)	660,000
OPERATING REVENUE TOTALS	14,160,733	8,538,511	5,622,222	53,513,828	33,110,213	20,403,615	43,511,68
Contributions	378,690	4,600	374,090	12,952,728	12,414,000	538,728	12,437,00
Government Funding	360,928	0	360,928	11,380,714	10,500,000	880,714	10,500,000
Grants	0	0	0	12,813	0	12,813	20,000,000
Sponsorships	17,762	4,600	13,162	1,551,682	1,909,000	(357,318)	1,932,000
Other Non-Operating Revenue	39,669	24,716	14,953	2,058,982	84,512	1,974,470	211,392
Interest Earnings	0	0	0	67,526	15,000	52,526	25,000
Reimbursed Costs	55,017	205,703	(150,687)	418,690	476,223	(57,533)	1,379,73
Prior Year Revenue	0	0	0	10,069	470,225	10,069	1,575,75
NON-OPERATING REVENUE TOTALS	473,376	235,019	238,357	15,440,469	12,974,735	2,465,734	14,028,13
			0		,,	_,,	,e_e,_e
TOTAL REVENUE	14,634,109	8,773,531	5,860,579	68,954,297	46,084,948	22,869,349	57,539,81
EXPENSES							
Payroll & Related Expense	1,870,449	2,025,969	(155,520)	10,247,029	10,502,756	(255,727)	16,848,818
Professional Development	29,249	1,000	28,249	94,818	100,956	(6,138)	121,656
Professional Services Expense	4,304,682	4,056,627	248,056	11,485,652	14,113,418	(2,627,766)	20,750,71
Food & Beverage Expense	3,212,019	2,143,537	1,068,482	6,842,044	4,890,313	1,951,731	10,334,923
Insurance Expense	69,121	61,436	7,685	617,375	416,470	200,905	724,02
Facility & Related Expense	1,118,487	560,920	557,567	3,795,853	3,008,324	787,528	4,646,97
Telephone & Internet	9,227	7,094	2,133	69,534	49,658	19,876	85,128
Utilities	289,570	404,500	(114,930)	1,937,195	1,613,104	324,091	3,046,104
Repairs & Maintenance	28,230	22,326	5,904	355,328	587,332	(232,004)	703,512
Supplies Expense	67,082	69,657	(2,575)	895,292	904,096	(8,804)	1,031,82
Marketing & Related Expense	232,831	440,132	(207,301)	1,216,168	1,356,142	(139,974)	1,485,60
Program Expenses	5,991,857	1,316,681	4,675,176	14,627,369	4,747,127	9,880,242	4,880,179
Prizes & Premiums	71,956	375,000	(303,044)	80,516	393,500	(312,984)	400,000
Travel & Transportation	916,795	1,050	(303,044) 915,745	916,795	67,683	(312,984) 849,112	400,000 92,986
Artists & Entertainment	235,787	1,050 857,750	(621,963)	3,384,783	<i>4,066,500</i>	(681,717)	92,980 4,066,500
Midway Expense	4,750,221	837,730 0	4,750,221	10,124,751	4,000,300		
	622,725	483,521	139,204	2,983,532	4,447,474	10,124,751 (1,463,942)	( 7,140,80
Other Operating Expense Bank & Service Fees							
Interest Expense	328,215 222,720	201,055 7,162	127,160 215,558	1,330,734 1,559,039	1,005,608 1,421,136	325,126 (137,903)	1,026,708 2,759,982
OPERATING EXPENSE TOTALS	14,277,234	9,014,943	5,262,291	45,868,269	39,495,807	6,372,462	57,508,94
	_ ,_,,,,,,,,,,,	JJU 1 7 J 7 J	-,=02,231			5,57 2,702	57,500,54
Other Non-Operating Expense Prior Year Expense	284	0	284	229,750	0	229,750	(
,				•		,	
NON-OPERATING EXPENSE TOTALS	284	0	284	229,750	0	229,750	
TOTAL EXPENSE	14,277,518	9,014,943	5,262,575	46,098,019	39,495,807	6,602,212	57,508,942
NET INCOME (LOSS)	356,592	(241,412)	598,004	22,856,279	6,589,142	16,267,137	30,870
	330,372	(241,412)	330,004	22,030,213	0,303,142	10,207,137	30,67

# UNAUDITED FINANCIAL STATEMENTS

#### 22nd DAA

# 2022 San Diego County Fair (program) Income Statement

For the Period Ending July 31, 2022

		July 2022		Year-to-Date			
	Actual	Budget		Actual	Budget	Variance	Full 2022 Budget
REVENUES							8
Admissions Revenue	2,276,403	3,886,870	(1,610,467)	11,712,579	13,428,531	(1,715,953)	13,428,531
Concessions Revenue	7,460,304	2,112,334	5,347,970	26,527,333	10,202,733	16,324,599	10,202,733
Food & Beverage Contract	868,149	2,112,334	(1,244,185)	3,963,808	6,721,233	(2,757,426)	6,721,233
Other Food & Beverage	2,464,808	0	2,464,808	3,755,491	0	3,755,491	0
Midway	4,051,446	0	4,051,446	18,515,996	3,481,500	15,034,496	3,481,500
Facility Rentals Revenue	32,288	55,000	(22,712)	3,651,356	975,867	2,675,489	975,867
Commercial	30,763	35,000	(4,237)	3,244,416	918,000	2,326,416	918,000
Leases Revenue	0	0	0	0	0	0	(
Program Revenues	673,393	738,445	(65,052)	3,938,265	3,515,095	423,170	3,565,095
Parking	670,155	731,445	(61,290)	3,606,238	3,114,195	492,043	3,114,195
Participation Fees	3,238	7,000	(3,762)	332,027	400,900	(68,873)	450,900
OPERATING REVENUE TOTALS	10,442,388	6,792,649	3,649,739	45,829,532	28,122,226	17,707,306	28,172,226
Contributions	13,162	0	13,162	1,525,702	661,880	863,822	661,880
Sponsorships	13,162	0	13,162	1,518,182	656,880	861,302	656,880
Other Non-Operating Revenue	1,522	0	1,522	53,568	2,000	51,568	2,000
Reimbursed Costs	0	0	0	7,441	171,500	(164,059)	171,500
Prior Year Revenue	0	0	0	0	0	0	(
NON-OPERATING REVENUE TOTALS	14,684	0	14,684	1,586,710	835,380	751,330	835,380
			0				
TOTAL REVENUE	10,457,072	6,792,649	3,664,423	47,416,243	28,957,606	18,458,636	29,007,606
EXPENSES							
Payroll & Related Expense	3,708,775	2,023,969	1,684,805	3,921,852	4,122,403	(200,552)	4,125,753
Professional Development	20,098	0	20,098	54,310	74,465	(20,155)	77,815
Professional Services Expense	1,828,502	2,705,289	(876,787)	4,862,493	9,079,279	(4,216,785)	9,267,404
Food & Beverage Expense	767,211	1,071,769	(304,558)	767,211	2,592,999	(1,825,788)	2,592,999
Insurance Expense	0	0	0	0	0	0	(
Facility & Related Expense	944,043	340,500	603,543	1,967,401	1,462,830	504,571	1,474,330
Utilities	162,601	222,000	(59,399)	616,864	761,100	(144,236)	761,100
Repairs & Maintenance	5,230	0	5,230	15,438	3,000	12,438	3,000
Supplies Expense	55,455	42,000	13,455	699,100	679,500	19,600	682,000
Marketing & Related Expense	228,628	436,500	(207,872)	1,152,615	1,269,350	(116,735)	1,370,200
Program Expenses	5,975,200	1,294,190	4,681,010	14,493,132	4,590,820	9,902,312	4,604,885
Prizes & Premiums	71,956	375,000	(303,044)	80,516	393,500	(312,984)	400,000
Travel & Transportation	916,795	1,050	915,745	916,795	52,840	863,955	<i>59,955</i>
Artists & Entertainment	235,787	857,750	(621,963)	3,368,083	4,066,500	(698,417)	4,066,500
Midway Expense	4,750,221	0	4,750,221	10,124,751	0	10,124,751	0
Other Operating Expense	388,391	238,322	150,069	1,309,591	1,238,167	71,424	1,323,000
Bank & Service Fees	327,940	201,055	126,885	1,231,472	978,900	252,572	980,400
OPERATING EXPENSE TOTALS	13,128,992	7,080,770	6,048,222	28,406,183	22,442,348	5,963,835	22,847,572
Other Non-Operating Expense							
Prior Year Expense	0	0	0	11,672	0	11,672	0
NON-OPERATING EXPENSE TOTALS	0	0	0	11,672	0	11,672	(
TOTAL EXPENSE	13,128,992	7,080,770	6,048,222	28,417,856	22,442,348	5,975,507	22,847,572
NET INCOME (LOSS)	(2,671,920)	(288,121)	(2,383,799)	18,998,387	6,515,258	12,483,129	6,160,035

# Del Mar Summer Meet Highlighted by Record Wagering and Field Size; Track's Superlative Safety Record Continues

Sunday, September 11th, 2022

Spurred by strong support from horsemen and women from California and around the country, Del Mar set new records for average daily handle and field size during its 83rd summer season that concluded Sunday, September 11.

The track also continued its exemplary safety record for the fourth consecutive year. Del Mar reported no catastrophic injuries among its 2,688 starters in its 294 races during the 31-day season.

Average daily handle for the 31-day summer race meet was a record \$18.69 million, an increase of 1.5% from last year's \$18.41 million, the previous record. Total wagering for the meet increased to \$579.24 million, compared to the \$570.78 million wagered during the 2021 summer session.

On-track business increased over 2021. Average daily wagering of \$1.52 million represented 4.8% growth over last year's \$1.45 million. Total attendance of 278,702 resulted in a gain of 16.1% from 2021's total of 240,030.

Fueled by record California purses of over \$800,000 per day, field size during the summer meet averaged 9.77 for turf races and 8.67 for main track events. Together they combined for a Del Mar record 9.14 horses per contest, well above last year's average of 8.45. The 9.14 mark puts the seaside track at the very pinnacle of all tracks in the country and has served as a great lure for horse players nationwide.

The highlight of the meeting was Flightline's tour de force performance in the TVG Pacific Classic when the undefeated 4-year-old dominated the \$1 million race, the track's signature event, by nearly 20 lengths in an awe-inspiring display that led to a standing ovation by the fans on hand and accolades from the racing community throughout the country. Owned by Hronis Racing and partners, trained by John Sadler and ridden by Flavien Prat, Flightline is expected to make his next start in the rich Breeders' Cup Classic at Keeneland in November.

"Just an incredible meet on all levels," said Joe Harper, Del Mar's Chief Executive Officer. "All season long the racing was ultra-competitive and extremely safe. Our racing office, led by Tom Robbins and David Jerkens, was phenomenal. We're also very appreciative of the support we received from our fans and our players both here on track and all across the country."

Seventy different trainers recorded wins at the summer meet, further evidence of how competitive the racing was this season.

The track's innovative "Ship & Win" program had its best season yet with 222 new runners shipping in to race at the shore oval, well ahead of last year's record 186 imports. The majority of those horses, which are primarily owned and trained by California stables, will compete at Los Alamitos, Santa Anita and Golden Gate, boosting field size throughout the state.

Del Mar's jockey championship was a runaway with last fall's leading rider, Juan Hernandez, picking it right back up and proving he belongs with the best of the best. The versatile 30-year-old captured a total of 49 races at the session, a full 22 winners ahead of runner-up Umberto Rispoli. The leading trainer title was a battle down to the very last day and it saw Hall of Famer Bob Baffert tie Phil D'Amato, each with 19 firsts. This was Baffert's eighth training title, but his first since 2003. It was D'Amato's fourth, counting his score in last fall's Bing Crosby meet. The stand's top owners were the trio of Mike Pegram, Karl Watson and Paul Weitman, who won nine races at the meet (including closing day's Grade I Runhappy Del Mar Futurity) and a total of \$849,680 in purses.

"This meet is the culmination of a year-long plan to revitalize California racing and return it to its rightful place as one of the best circuits in America," said Thoroughbred Owners of California chairman Gary Fenton. "A big thank you to our partners at DMTC and our members. Without owners there is no California racing and they continue to make a strong statement that Del Mar is their favorite place to be."

Racing returns to Del Mar for the track's fall Bing Crosby meet from November 11 through December 4.



# Item 5-H, Affordable Housing Ad-Hoc Committee Report

#### **Background:**

In February 2021, the Affordable Housing Ad-Hoc Committee was established to address the City of Del Mar's request to utilize District owned land to satisfy the City's affordable housing requirements. Meetings between District and City staff occurred throughout June 2021, with a focus on concept-level location possibilities, constraints to the property, and Strategic Planning effort and timing. The Committee met with the City Council's Housing Liaisons in August 2021 to discuss the work being done at the staff level, the City's Housing Element goals, District's strategic planning effort, next steps, and timing. In November 2021, the City engaged consultants to conduct two feasibility studies, one on the design aspects of affordable housing developments and the other focused on the economics to make it achievable. In December of 2021, the City of Del Mar submitted their 6<sup>th</sup> Cycle Housing Element to the Housing and Community Development Department of the State for review and approval. Approval of the document is still pending.

#### Process/Approach:

In June 2022, the findings from the feasibility studies were presented to the Del Mar City Council. In September, City staff presented the information to District staff who will be reviewing it in greater detail. The Committee anticipates providing regular updates on this topic to the Board for consideration of strategic and master plan impacts.

#### **Recommendation**

There is no recommendation at this time.

#### Environmental/Coastal Commission Review

None at this time.

## <u>Fiscal Impact</u>

Unknown at this time.



# SAN DIEGO'S BEST U-T READERS POLL 2022

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LO	CAL NEWS ANCHOR	JENNY MILKOWSKI OF KUSI CHANNEL 9/51 (INDEPENDENT)
LO	CAL NEWS SPORTSCASTER	BRANDON STONE OF KUSI CHANNEL 9/51 (INDEPENDENT)
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A	PPLIANCE STORE	LARS APPLIANCE SHOWROOM
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C	MERA/TELESCOPE STORE	NELSON PHOTO SUPPLIES
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		ALLEN'S FLOWERS & PLANTS
F	OOD DELIVERY SERVICES	
G	OLF SHOP	SINGING HILLS GOLF RESORT AT SYCUAN
G	ROCERY STORE	TRADER JOE'S
H	EALTH FOOD STORE	TRADER JOE'S
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P	ET BOARDING/DAYCARE	PAW COMMONS PET RESORT
P	ET GROOMING	PAW COMMONS PET RESORT
P	ET STORE	PAW COMMONS PET RESORT
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S	PORTING GOODS STORE	
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S	WAP MEET	
Т	ANNING SALON	ITAN SUN SPRAY SPA
T	ATTOO SHOP	PORT SIDE TATTOO
T	RAVEL AGENT	DREAMFINDER TRAVEL
V	ETERINARIAN	ANIMAL CARE CLINIC

N-TRIBUNE | SAN DIEGO'S BEST | SUNDAY • JULY 31, 2022

People walk around at the San Diego County Fair at the Del Mar Fairgrounds on July 1, 2022. Union-Tribune readers chose the fair as Best San Diego Event in this year's annual San Diego's Best campaign. hurro

From: Carla Echols-Hayes <<u>carla@writingwithdata.com</u>>

Sent: Friday, October 7, 2022 2:36 PM

**To:** Kathlyn Mead (SDFair) <<u>kmead@sdfair.com</u>>; Michael Gelfand (SDFair) <<u>mgelfand@sdfair.com</u>>; Don Mosier (SDFair) <<u>dmosier@sdfair.com</u>>; Richard Valdez (SDFair) <<u>rvaldez@sdfair.com</u>>; Sam Nejabat (SDFair) <<u>snejabat@sdfair.com</u>>; Lisa Barkett (SDFair) <<u>lbarkett@sdfair.com</u>>; Frederick Schenk (SDFair) <<u>fschenk@sdfair.com</u>>; Joyce Rowland (SDFair) <<u>irowland@sdfair.com</u>>; Carlene Moore <<u>cmoore@sdfair.com</u>>

Subject: [External]In support of affordable housing--see this article re track backstretch workers

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.

Hi Everyone,

Looking at the Board agenda, I saw that Director Mead is looking at affordable housing on the Fairgrounds. I know nothing about this project except it strikes me as an excellent idea for many reasons.

Just in case you might have missed it, here is a great article from Voice of San Diego about the mostly Latino/Hispanic worker community that lives at the Fairgrounds during racing season. <u>The Tight-knit,</u> <u>Humble Community Behind Del Mar's Multimillion-Dollar Horse Racing Industry Voice of San Diego</u>

If anyone needs and deserves affordable housing in Del Mar, it's these people who work long hours behind the scenes. Throughout my life with horses, I can testify that these gentle and very knowledgeable people are essential in keeping our horses safe and sane across equine sports.

In addition, many employees who work at other venues on the premises--the sports book, the indoor entertainment venue--could benefit from truly affordable housing on-site. I sincerely hope that the Fairgrounds might see a path to providing decent housing for these hard-working individuals and families.

As a side note, I'm thrilled that HITS is starting non-CAFO construction on October 10. They have the experience, the capital, and the project experience to turn Horsepark into a truly world-class facility. Thank you again for making this venture possible for horse enthusiasts across the West and Southwest.

Best regards, Carla Hayes Friends of Del Mar Horsepark 925-202-0033

External message received



Horse Groomers working in the morning at the Del Mar Fairgrounds on July 29, 2022. / Photo by Ariana Drehsler

# **NORTH COUNTY**

# The Tight-knit, Humble Community Behind Del Mar's Multimillion-Dollar Horse Racing Industry

Del Mar Racetrack's backstretch workers have fostered a tight-knit community, an incredible work ethic and a deep love of horses.

by Tigist Layne September 12, 2022

Almost every morning, Felipe Pulido Mendoza starts work at around 4:15 a.m. Before the

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# **VOICE** of SAN DIEGO

Pulido Mendoza is one of about 950 people who live and work on the backstretch of the Del Mar Fairgrounds – nearly a quarter of Del Mar's year-round population – for about 10 weeks each summer and six weeks in the fall.

They play an integral part in the multimillion-dollar horse racing industry, yet they are largely unknown to the millions of fans who visit every summer and are a forgotten voice in the ongoing debates around the age-old industry and those who believe it should be shut down.

Backstretch workers are responsible for taking care of up to 2,000 Thoroughbred horses. They are made up of grooms, hot walkers, exercise riders, pony riders and assistant trainers.



Felipe Pulido Mendoza, horse groomer, is one of about 950 people who live and work on the backstretch of Del Mar Fairgrounds. / Photo by Ariana Drehsler

Most of them are from Guatemala, Mexico, Honduras and El Salvador, and Spanish is often their first language. Both men and women work on the backstretch, though about 80

percent are men, and a variety of ages are represented. Some of the workers are single and some have families that they are separated from during the season.

The work itself is physically and mentally demanding, requiring long days in the summer heat, hard labor and the patience to handle nearly 2,000-pound Thoroughbreds.

They must also adapt to a sometimes-challenging lifestyle – the nomadic nature of living at different racetracks during the different racing seasons can make it difficult for them to regularly see their families or to maintain a stable community back home.

But despite these challenges, their love for the horses shines through and their dedication to the sport keeps most of them around for the long haul.

Last month, Pulido Mendoza received a Dedication to Racing Award as part of the annual **Thoroughbred Industry Employee Awards**.

"My favorite thing is my horses," Pulido Mendoza said when asked about the best part of his job. "I work with them every day and I think they know me – they don't speak, but they know."

# 'We Go Where the Horses Go'



Pulido Mendoza working at the Del Mar Fairgrounds. / Photos by Ariana Drehsler

In 1974, before Thoroughbred horse trainer Richard Mandella became a household name and a member of the U.S. Racing Hall of Fame, he hired Pulido Mendoza. He was a hotwalker when he and Mandella first crossed paths, but he quickly became Mandella's most trusted groom. Grooms act as the horses' personal attendants and easily spend the most time with the horses. Hotwalkers are tasked with cooling down the horses after exercise.

Pulido Mendoza was born in Jalisco, Mexico, and came to the U.S. almost 50 years ago. His family lives about 10 minutes away from Santa Anita Park, but, like most of the other backstretch workers, he lives and works at the Del Mar Fairgrounds.

Once the season ends in Del Mar, he and his peers will migrate to Santa Anita Park for the start of that racing season. Next year, he'll do it all over again.

"We go where the horses go," he said with a laugh.

Before entering the horseracing world, Pulido Mendoza grew up around horses and, for him, it was second nature.

"I just love the horses," Pulido Mendoza said, beaming from ear to ear, gazing at one of his horses in the nearby stall. He's not a man of many words, but his interactions with his horses said it all.

Several years ago, Mandella attempted to promote Pulido Mendoza, but he opted to remain a groom to stay closer to the horses.

"As much as he loves his horses, it didn't surprise me because of that," <u>Mandella told The</u> <u>Paulick Report in 2018</u>. "He'd rather work with horses than people, and that's understandable."

Horse leg wraps hang on a clothesline at the Del Mar Fairgrounds on July 29, 2022. / Photo by Ariana Drehsler

Gary Mandella, Richard Mandella's son, and now a trainer alongside his father, was only two years old when Pulido Mendoza was hired into his dad's stable.

"I've never seen anyone love horses more than he does," Gary Mandella said. "They literally melt into him. They trust him because he has a gentle soul. I'm incredibly proud to work with him and call him a friend."

On the day we visited, Gary Mandella was busily preparing his horses and staff for a race that upcoming Saturday. His dad was out sick, and seven of their Thoroughbreds would be entering the race.

He talked about the importance of having a dependable team around the horses, especially on the crucial days right before a big race.

"There's a fair number of these guys that have worked for us for a long time," Gary Mandella said. "Most of us found our way here because we had some sort of integagtion with horses as young people, and that bond and that love for horses, it just gets into you, and you can't let it go."

Andres Mora is another groom at the Del Mar Racetrack. He works for two-time Kentucky-Derby-winning trainer Doug O'Neill. Mora's father, Leandro Mora, is O'Neill's assistant trainer and right-hand man.

Andres Mora, horse groomer, walks out Thoroughbred horse, Appreciated, at the Del Mar Fairgrounds. / Photo by Ariana Drehsler

Mora has known O'Neill since he was a kid, when he used to go to the track with his dad. The 28-year-old was raised around horses, so following in his father's footsteps was never really a matter of "if," but a matter of "when."

Like many of the other backstretch workers, Mora goes where the horses go. He's even worked at racetracks in different parts of the world, including Dubai and Japan. His home is in Santa Anita, but during Del Mar's season, he lives and works on the backstretch.

In addition to his groom duties, Mora also works with the Thoroughbreds doing horse therapy. His days start at the same time as the other grooms, but normally wraps up a couple hours later. "You get to create a bond with the animal – a lot closer of a bond than most assume," Mora said. "I get to know them, and they get to know me, because, you know, you're going into their home. You want them to feel comfortable, so they don't feel like you're a threat entering their space."

The one thing Mora treasures most is seeing the horses grow to care for the people that care for them.

"I need to treat [the horses] just as well as they're going to treat me," Mora said. "I want them to be nice to me, so I'm going to be nice to them."

He swiftly pulled out one of the carrots he keeps in his pocket, which is one of the ways he likes to show kindness to his horses.

After the season ends, Mora is planning on going up to Santa Anita Park with his dad and the rest of the barn, but he hopes to eventually go back to school to become a teacher, which, he says, his horses have prepared him well for.

# **Backstretch Living**

Jeans hang on a fence near where horse groomers work at the Del Mar Fairgrounds on July 29, 2022. / Photo by Ariana Drehsler

Walking through the backstretch almost feels like entering another town. The fresh-cut grass, well-manicured hedges and bright flowers that greet visitors as they enter the racetrack are replaced with dirt roads and box-shaped dormitories.

Outdoor walking rings that hotwalkers use to cool down the horses are placed every so often, along with the occasional Thoroughbred getting hosed down by a groom.

Clothing lines are hung across fences and between poles holding jeans and various other garments, and bundles of hay are scattered throughout the vicinity.

A mix of backstretch workers look up and wave at passersby, smiling and offering a greeting. As the day starts to wind down at around 11 a.m. for most of the workers, groups start to gather, their laughter piercing the air as they tell stories of the day.

Workers on their break in the cafeteria at the Del Mar Fairgrounds. / Photo by Ariana Drehsler

In total, about 950 backstretch workers live in the dorm-style housing, which usually holds two people per room, free of charge.

The property has 43 barns on the backside, each with several bedrooms in them. There is also a dormitory, known as "Motel 6," that houses just under 100 people, as well as approximately 50 trailers that are imported each summer.

Wages vary among the workers. Entry level jobs, like hot walkers or brand-new grooms, pay minimum wage, but there are opportunities for everyone to work their way up, receive raises and some can even become salaried. And some of the workers, like the exercise riders, are independent contractors.

They also have the option to enroll in a statutory backstretch pension plan, which is like a 401k.

All backstretch workers also have full medical, dental and vision coverage for themselves

and their families with minimal costs. Since 2001, the Gregson Foundation has sponsored college scholarships for children of backstretch personnel as well as outings for the workers and their families to places like the San Diego Zoo, Sea World and Padres baseball games.

A man walks near the horse stables at the Del Mar Fairgrounds. / Photo by Ariana Drehsler

The workers also enjoy going out to the beach and exploring Del Mar's attractions in their free time.

A large dining hall serves breakfast, lunch and dinner at reduced prices. That and the "Rec Room" with TVs, pool tables and ping pong tables have become a place for all the workers to gather, socialize and unwind after a hard day's work.

"Living on the backstretch, you really get that sense of family," Mora said. "A lot of the employees have been here for a while. They've all known each other for quite some time, and it's to the point where if someone nearby is making food, they always ask you, 'hey, you want a taco?"

Many of the workers pursued this career to provide for their families while still being able

to do what they know and love.

Backstretch work has provided them with an opportunity for stability, financial security, safety and companionship. That, and the undeniable love they have for their horses, has created a special kind of fulfillment that many aren't planning on giving up any time soon.

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As Del Mar's summer 2022 season comes to an end, many of the backstretch workers will be heading to Santa Anita Park, but the horses will be back here in the fall, and the backstretch workers will follow.

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September 12, 2022 at 7:01 am

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Local volunteer high school tennis coach Jesse Steinberg was awarded a bid to take over operations of the Surf & Turf Tennis Club in Del Mar starting in November, with pro coach Matt Jones, left, to serve as director of tennis. Photo by Laura Place

# New Surf & Turf Tennis Club operators step forward

by <u>Laura Place</u> October 4, 2022

"There's been uncertainty among members, patrons and the community about what's going to be the future of the club ... part of our goal of providing transition is embracing player-coach relationships. Our goal is to retain the coaching staff; we are going to do what we can to make that happen," he said.

As far as facility upgrades, Steinberg said he plans to resurface the courts within the next year, renovate the interior of the tennis pro shop on the property and add new furniture to encourage socializing among club patrons.

"We want Del Mar, the Fairgrounds and the community to be proud of the tennis center," Steinberg said.

## Potential closure averted

Amid the search for a new Surf & Turf operator, coaches and other staff at the club were also fighting to <u>prevent a closure</u> for October. While the new club operator was initially scheduled to begin on October 1, this start date was delayed to November 1 when the Fairgrounds opted to issue a new request for proposals. Levie had already planned to shut down his operations by the end of September, spelling a potential shutdown of club activities during October between operators.

After making a plea to the Fairgrounds board at their September meeting, the **club's current onsite manager JZ Keegan was allowed to run** the club herself for that month.

"The coaches and the community members are so grateful to the Fairgrounds for stepping in so quickly, allowing the coaches to continue to work, and allowing the community to use the facility, play tennis, exercise, and socialize," Keegan said.

Last month, the Fairgrounds board discussed putting forward their own insurance to allow the club to remain open. Representatives did not respond to a request for comment by the time of publication.

Youth and adult clinics and leagues are continuing as usual at the club, but club memberships will be nonoperational until next month, Keegan said.

Come November, community members will still be able to find Keegan in the pro shop and on the courts as she continues her role as club manager with Steinberg and Jones.

The Coast News