



In the Matter Of:

OCFEC Board of Directors

TRANSCRIPT OF PROCEEDINGS

September 13, 2021

Case No:

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32nd District Agricultural Association
OCFEC Board of Directors

Monday, September 13, 2021

9:00AM

Reported by:

Katherine Thomas
CSR No. 14378

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ATTENDEES

Board of Directors:

Natalie Rubalcava-Garcia, Board Chair

Doug La Belle, Vice Chair

Sandra Cervantes, Member

Robert Ruiz, Member

Barbara Bagneris, Member

Ashleigh Aitken, Member

Newton Pham, Member

Nick Kovacevich, Member

Michele Richards, Secretary-Treasurer

Josh Caplan, Attorney General

Public Speakers:

Ash Alvandi, Senator Mins Office

Bob Templeton, Crossroads of the West Gun Shows

Charles Blek

Gibran Stout

Piper Benom

Julia Demlow

1 32nd District Agricultural Association

2 OCFEC Board of Directors

3
4 Monday, September 13, 2021

5 9:00AM

6
7 CHAIR RUBALCAVA-GARCIA: All right. It's 9:00 a.m.
8 I'd like to call this meeting to order.

9 All matters noticed on the agenda in any category
10 may be considered for action as listed. Any item not so
11 noticed may not be considered. Items listed on this agenda
12 may be considered in any order at the discretion of the
13 chairperson.

14 The mission of the Orange County Fair and Event
15 Center is to celebrate -- is celebration of Orange County's
16 communities, interests, agriculture, and heritage with
17 results justifying resources expended.

18 At this time I would like to ask Director Aitken to
19 lead us in the Pledge of Allegiance.

20 (Pledge of Allegiance conducted.)

21 DIRECTOR AITKEN: Thank you very much.

22 CHAIR RUBALCAVA-GARCIA: Thank you, Director Aitken.
23 Summer, can you please take roll call?

24 SECRETARY ANGUS: Yes.

25 Chair Rubalcava-Garcia?

1 CHAIR RUBALCAVA-GARCIA: Present.

2 SECRETARY ANGUS: Vice Chair La Belle?

3 VICE CHAIR LA BELLE: Here.

4 SECRETARY ANGUS: Director Cervantes?

5 Director Ruiz?

6 DIRECTOR RUIZ: Present.

7 SECRETARY ANGUS: Director Bagneris?

8 DIRECTOR BAGNERIS: Here.

9 SECRETARY ANGUS: Director Aitken?

10 DIRECTOR AITKEN: Here.

11 SECRETARY ANGUS: Director Pham?

12 DIRECTOR PHAM: Here.

13 SECRETARY ANGUS: And Director Kovacevich?

14 Thank you.

15 CHAIR RUBALCAVA-GARCIA: Thank you, Summer.

16 Moving onto Agenda Item No. 5: Matter of Public
17 Comment. Public comment is allowed on issues not on the
18 current agenda.

19 However, no debate by the Board shall be permitted
20 on such public comments and no action will be taken on such
21 public comment items at this time, as law requires formal
22 public notice prior to any action on a docket item.

23 Speakers are requested to sign-in prior to the start
24 of the meeting and are limited to three minutes. Comments
25 will be accepted on agenda items during the meeting.

1 Speakers wishing to address the Board on items on
2 the agenda are requested to sign-in prior to the start of the
3 meeting and identify the agenda items on which you desire to
4 address the Board.

5 Speakers are limited to three minutes. Summer will
6 be gathering public comments, so if you wish to address the
7 Board, please let Summer know.

8 Summer, do we have any public comment?

9 SECRETARY ANGUS: As of right now, I don't have any
10 for general public comment for Item 5. However, we do have a
11 few people that are dialed-in.

12 So this is just an announcement for anyone
13 dialed-in, you'll have to press star 6 to unmute and mute
14 yourself.

15 If you're dialed-in and would like to make public
16 comment on -- for general public comment items not on the the
17 agenda, please state your name now.

18 Hearing none, Chair Rubalcava-Garcia, I turn it over
19 to you.

20 CHAIR RUBALCAVA-GARCIA: Perfect. Thank you,
21 Summer.

22 So I'm going to go ahead and go over to
23 Agenda Item 6, which is the Governance Process Agenda 6A, is
24 to discuss and vote on communicating to the Governor's office
25 regarding amendments to SB 264, which would ban gun shows

1 solely at the Orange County Fair and Event Center.

2 I believe everybody received the item that I -- or
3 the staff report. That was also in the packet.

4 Does anybody have any questions regarding
5 that -- any Board members?

6 Okay. So I would just like to mention, the reason
7 we are -- that I'm recommending that we send a letter to the
8 Governor regarding SB 264.

9 The fact of the matter is that SB 264 originally
10 started out as something that would ban gun shows from all
11 State properties. It had been further amended to only
12 exclude gun shows at the Orange County Fair and Event Center.

13 As you all know, as a Board, we have approved these
14 gun shows in the past. The issue that I think is most
15 important is the economic impact it would have to the
16 Orange County Fair and Event Center.

17 We are a fairgrounds that develops or generates
18 revenue and are pretty self-sustaining. So it would create a
19 gap in the budget, and I do think that it is the Board's
20 duty, as the governing body who was appointed by the governor
21 to send a respectful letter just letting him know the
22 economic impact so that we can have it on the record.

23 And this is information that would be useful to the
24 governor as he is deciding whether or not to sign or veto the
25 letter -- or the bill.

1 I'm going to go ahead and turn it over to the rest
2 of the Board members for discussion, and I think Michelle is
3 going to share a draft of the letter that we can review,
4 discuss, and make changes to.

5 VICE CHAIR LA BELLE: Chair Rubalcava-Garcia, do we
6 have any public comments on this item that we could consider
7 before we discuss the matter?

8 CHAIR RUBALCAVA-GARCIA: Sounds good, Doug.
9 Summer, how much public comment do we currently
10 have?

11 SECRETARY ANGUS: I currently have three for 6A.

12 CHAIR RUBALCAVA-GARCIA: Okay. Perfect. Let's go
13 ahead and take them.

14 SECRETARY ANGUS: Okay. We'll have Senator Dave Min
15 followed by Bob Templeton, then Charles Blek.

16 Senator Min, when you're ready, please go ahead and
17 make your comment.

18 MR. ALVANDI: Hello. Unfortunately, Senator Min
19 regrets he cannot personally call into this, but he has deep
20 concerns about Agenda Items 6 and 6B and I would love to
21 provide a comment on his behalf.

22 This is Ash Alvandi, I'm his District Director.

23 SECRETARY ANGUS: Please, go ahead, Ash.

24 MR. ALVANDI: Thank you.

25 With respect to Issue 6A, as the Board and staff

1 have repeatedly represented to me and my staff, the Board's
2 job is not to respond to political concerns or to act as a
3 political body, but rather to act simply as a fiscal steward
4 of the 32nd Agricultural Association.

5 This is why Senate Bill 264 was necessary in the
6 first place, because the Board correctly noted that they
7 could not make a political decision here.

8 For the Board to weigh-in with Governor Newsom,
9 would be directly contrary to its past statements, as well as
10 the clear guidelines for the Board's governance.

11 In fact, the 2008 Board handbook issued by the
12 California Department of Food and Agriculture specifically
13 notes that the Boards are prohibited from taking political
14 positions on outstanding legislation.

15 Finally, it is worth noting that the merits of the
16 Board's complaint have already been well-settled.

17 The core of the complaint is that the
18 32d District Agricultural Association is being singled-out,
19 such legislation targeting a specific fairground has clear
20 and recent precedent, including at fairgrounds in Del Mar and
21 the Cal Palace.

22 With respect to Issue 6B, where the Board is
23 considering pre approving a contract with the
24 Crossroads of the West Gun Show, it is worth noting that the
25 exception we crafted for the contracts entered into before

1 January 1st, 2002 -- 22 was meant to be a narrow exception
2 applying to contracts negotiated and entered into prior to
3 the time of this legislation.

4 What the Board would be doing if it pre approved a
5 long-term contract at a special meeting called immediately
6 after SB 264 passed out of the state legislature would appear
7 to be clearly a bad-faith contract intended to evade and
8 thwart the purpose of this legislation.

9 As such, I believe that any such contract that were
10 to be pre approved at this time and in this matter could be
11 voided for being contrary to public policy.

12 Let me be clear. If the Board does engage in such
13 action, I will explore all options to invalidate all
14 contracts that it approves in this manner, including through
15 litigation or through new legislation.

16 Moreover, me and my advisors believe that if the
17 Board is found to have entered into these contracts in bad
18 faith that members of the Board who voted for such a measure
19 may potentially be held personally liable.

20 Thank you.

21 SECRETARY ANGUS: Thank you.

22 Bob Templeton, when you're ready.

23 Bob, you may have to unmute yourself.

24 MR. TEMPLETON: Can you hear me now?

25 SECRETARY ANGUS: There you go. Go right ahead.

1 MR. TEMPLETON: I have not prepared a formal
2 statement as Senator Min has because I wanted to be available
3 to answer any questions and address any concerns that the
4 Board members have.

5 But the primary concern, as expressed by the
6 Brady Organization and many groups who are concerned about
7 activities at the gun shows at the Orange County Fairgrounds
8 seem to focus and center around the so-called ghost guns or
9 the unnumbered -- unserialized versions of frames and
10 actions, which can be legally sold in California, and I
11 thought we'd address that issue separately.

12 But it's important to know that we have a 25, I
13 think, now 26-year-history with the Orange County Fairgrounds
14 and Exposition Center and doing our gun shows there and there
15 haven't been any serious law enforcement issues or to the
16 best of my knowledge any firearms ever traced to the gun show
17 that were used in any crimes.

18 The gun show itself serves the sporting community,
19 the collecting community, the gunsmith community of Orange
20 County and surrounding areas, supporting their hobby or their
21 businesses.

22 Our hope is that we can continue to do the shows as
23 we have in the 25 years past. We will be willing to address
24 those concerns expressed with regard to the sale of the
25 unserialized action parts, as part of any agreement that we

1 might be able to come to in continuing to operate the shows.

2 Do any of you have any questions that I might be
3 able to answer for you with regards to the shows themselves
4 or to anything else?

5 CHAIR RUBALCAVA-GARCIA: Bob, if you don't mind, if
6 we can finish with public comment, and then if we can -- if
7 the Board does have questions once we review the letter and
8 the next agenda item, would you mind answering any of those
9 questions after?

10 MR. TEMPLETON: Sure. That would be just fine.

11 CHAIR RUBALCAVA-GARCIA: Perfect.

12 Thank you.

13 SECRETARY ANGUS: Okay. Thank you, Bob.

14 Charles Blek, when you're ready.

15 Charles, same thing, you'll have to unmute yourself.

16 MR. BLEK: Hi, am I on now?

17 SECRETARY ANGUS: You're on now. Go right ahead.

18 MR. BLEK: Thank you very much. I'm a retired
19 attorney, I'm past president of Brady Orange County and
20 currently an active Board member.

21 It was my privilege to offer testimony to the
22 State Assembly and Senate Committees on public safety and
23 support of SB 264, and I would address that but it would be
24 too lengthy for the time permitted to me at this point.

25 I was surprised and disappointed by Item 6A and 6B

1 on your agenda. I would object to both, and I would object
2 to anybody paraphrasing how we have written our particular
3 objections.

4 I believe that your actions today are outside of
5 your duties and the Orange County communities through their
6 elected officials and our State legislature have spoken: No
7 gun shows at the fairgrounds.

8 I support Senator Min's written memo submitted to
9 you today, and I hope you take it very very seriously. It
10 has some excellent points in it.

11 And thank you for the opportunity to be heard.

12 CHAIR RUBALCAVA-GARCIA: Thank you to our public
13 speakers.

14 Summer, have there been any additional since we
15 started public comment on this item?

16 SECRETARY ANGUS: I don't believe so.

17 CHAIR RUBALCAVA-GARCIA: Okay. So public comment is
18 closed for this agenda item at this time. Thank you to all
19 of our public commenters.

20 One of the things I just want to highlight as well,
21 you know, for a couple of the -- we actually did receive a
22 letter from Senator Dave Min directed to me this morning, and
23 I believe the rest of the Board also received a copy of that.

24 One of the issues that I did notice from the
25 legislation was Cal Palace, as well as Del Mar had been

1 mentioned as setting precedent.

2 One of the things that -- one distinction, I think,
3 that we need to highlight from what happened at those two
4 DAAs is that their board of directors actually voted to ban
5 gun shows from their fairgrounds. That's not what happened
6 here.

7 The Board had not been addressed by Senator Dave Min
8 as to, you know, look to various policies that we might be
9 able to put into place that might, you know, make gun shows
10 safer, at least in his eyes.

11 So I'm going to go ahead and open it up to our board
12 members for discussion now, but I just wanted to make that
13 one distinction there, and then also to keep in mind that
14 this legislation is not law until the Governor signs it.

15 So that is why the Board, as appointed gubernatorial
16 members of the 32nd DAA, are really the ones who are here to
17 help govern.

18 The other thing I also want to highlight is: If
19 this isn't good for the entire state, how come it's good for
20 the 32nd DAA?

21 And those are really the issues that I think the
22 Board needs to keep in mind as we're discussing and reviewing
23 the letter that we're proposing we send to the governor.

24 And I'm also recommending that we send a copy of
25 Senator Dave Min's letter along with our letter so that the

1 governor can also see the strong language that was used
2 within the letter toward the Board of Directors.

3 DIRECTOR AITKEN: Chair Rubalcava-Garcia, do you
4 know off the top of your head or, maybe, our CEO could let us
5 know when is the deadline for the governor to support or veto
6 this legislation, SB 264?

7 SECRETARY RICHARDS: My understanding is that the
8 governor, the deadline is October 10th. So the governor can
9 either sign the bill, he can veto the bill, or if he does not
10 sign it, it automatically becomes law as of October 10th.

11 DIRECTOR RUIZ: Chair Rubalcava, this is
12 Director Ruiz. I just wanted to, you know, speak on this
13 briefly.

14 We're not making a political point out of this, at
15 least from my standpoint I'm not. I'm just addressing it
16 from an economic point of view, that's it.

17 I wish Senator Min would have came to us and
18 addressed to us: Look, we're about to loose a million
19 dollars if this goes through, what other options -- or what
20 other options can we come up with to replace the revenue that
21 could potentially be lost if this bill goes through? That's
22 all.

23 This is -- we're not making a political statement
24 here, and, again, I'm speaking for myself. I'm just
25 addressing the economic impact on the 32nd DAA.

1 I was under the impression when the bill was first
2 introduced that this was going to be a statewide thing. So I
3 figured, okay, if it's a statewide thing, well, it is what it
4 is. So be it.

5 But then the bill was amended, and now we're the
6 only ones that are going to be affected by this. That, I'm
7 just having a hard time understanding that.

8 Again, I'm for gun safety. I'm all for gun safety,
9 but getting rid of this gun show doesn't address the issue
10 that we have with guns.

11 Most -- all State laws are being followed at these
12 gun shows, there's nothing illegal at these gun shows. I
13 can't walk in there and walk out of there with a gun, like in
14 some other states. That doesn't happen here.

15 Now, if ghost guns is the issue, let's address that,
16 let's address the ghost gun issue on a statewide legislation
17 if that is the problem.

18 I don't know all the facts behind ghost guns like
19 I'm sure Mr. Templeton could address, but I think we
20 should -- this should have been addressed differently.

21 Again, I'm just speaking from an economic
22 standpoint. Maybe the governor can veto it until we come up
23 with other ideas as to how we can supplement the revenue that
24 we potentially tend to lose here.

25 Yes, guns are a problem, but this doesn't fix the

1 problem. So I just wanted to state my opinion on that.
2 Again, I'm not politicizing this at all. I'm just addressing
3 it from an economic standpoint for the 32nd DAA. That's all.

4 CHAIR RUBALCAVA-GARCIA: Thank you, Director Ruiz.

5 Any other comments or questions from the Board
6 before we review the letter?

7 DIRECTOR AITKEN: Yes, Chair, if you don't mind. I
8 want to make a couple comments before we, kind of, go over
9 the content of the letter.

10 You know, I agree with my fellow Board member that
11 we're not making the argument that anything at the shows that
12 is happening is violating California law.

13 I think we've -- those of us -- I think almost all
14 of the Board members have taken the opportunity to go to the
15 gun shows, to meet Mr. Templeton, so that's not a point of
16 my -- of concern for me as we're going forward with this.

17 And I do acknowledge, as the Chair pointed out, that
18 our fairgrounds and our Board of Directors has consistently
19 supported having gun shows at the fairgrounds.

20 I think my concern is two-fold. One, as an
21 appointee of the governor's office, I look to his past
22 comments, his past support of banning gun shows, and I look
23 at it as my role as a Board of Director to advance policy
24 that the governor would support.

25 I know it is not until October 10th that we will

1 have a definitive answer, but I think in looking at his past
2 actions, his past statements as a candidate for office, and
3 as our governor, I think his opinion on these issues is
4 fairly clear.

5 I'm also concerned that, you know, I'm not an
6 elected official. Senator David Min was elected by the
7 people in this district, and this was a -- really a forefront
8 issue for him, and the voters decided, you know, to put him
9 into office and this issue is one of the things that, I
10 think, people resoundingly supported him on.

11 So I'm just uncomfortable sending this letter for
12 those reasons, and I think if the Board does decide to go
13 through and send this letter, I would just respectfully
14 request that we put something in there that I will not be
15 supporting this, and I will not be signing my name as a Board
16 of Director to the letter going forward.

17 CHAIR RUBALCAVA-GARCIA: Thank you, Director Aitken.
18 Director Bagneris.

19 DIRECTOR BAGNERIS: I have -- my biggest concern
20 about this -- the million dollars -- I think our safety comes
21 first. So I know that our staff and the persons that we've
22 hired to help us to bring in funds are going to be able to do
23 that, I believe we will successfully replace that money.

24 I'm very disappointed that this wasn't an all or
25 nothing legislation. All, if it's good for the 32nd DAA, was

1 good for all of the State fairs. So I'm hoping at some point
2 that that still happens.

3 I have to agree with Sora Aitken -- I'm sorry,
4 Ashleigh, I've been in delta mode all weekend -- Director
5 Aitken in that I would not be comfortable putting my name to
6 the letter.

7 So if the Board does approve this and it moves
8 forward, I agree that I would like to have some way to -- for
9 it to be known, maybe it's the transcript from this meeting,
10 that I am not in agreement with this kind of letter to the
11 governor.

12 What we can do about the other fairs, I don't know,
13 but I just think it's unfair that you singled this fair out
14 and didn't make it an all or nothing, but if this legislation
15 passes, I would support the governor in that passage.

16 CHAIR RUBALCAVA-GARCIA: Thank you,
17 Director Bagneris. And I think that is the -- do we have
18 comment from anybody?

19 And I just want to highlight, we haven't reviewed
20 the letter yet, and it's really about the fact that -- I
21 respect that Dave Min was elected, but I want to put
22 something in perspective.

23 If Dave Min came in and said, "I don't like the way
24 the Equestrian Center is run at the fairgrounds," and he puts
25 policy through to get that removed from the fairgrounds, is

1 that something that we want to set precedent for?

2 And I know that this is a safety issue, but for me
3 it's not political, so I don't even want to get into the fact
4 that it makes no comprehensive change to any safety-related
5 policies related to gun control or anything like that.

6 The issue here is that this is something that Dave
7 Min ran on, right? His political campaign, that's great, but
8 it affects only the 32nd DAA and that's really what we
9 address in the letter.

10 We are appointed members of the Board of Directors
11 by the governor of the State. This isn't political. We're
12 not beating him over the head and saying, you know, "We know
13 that you don't like guns, and we ask you to veto this."

14 We're simply making him aware of the fact that this
15 32nd DAA, if it's not good for one DAA, how is it not good
16 for the rest?

17 So I just want to, you know, remind everybody we're
18 not -- we will not -- never send a disrespectful letter to
19 the governor.

20 I also respect the governor's position on various
21 things, but I also think, as the governing body, we need to
22 make sure that we have it on the record that we are losing
23 this revenue.

24 Replacing it with a 5K will never generate a million
25 dollars in revenue annually. It will actually lose money at

1 the fairgrounds.

2 So this is not a political fight. We're not
3 fighting with Senator Min. He has made it personal by saying
4 he will go after any board members who personally votes for
5 stuff. This is not personal. This is simply us governing
6 the DAA.

7 So, Doug, did you have a comment? I'm sorry, I
8 actually spoke over you.

9 VICE CHAIR LA BELLE: Yes, thanks, Natalie.

10 One of the concerns that I have, I think Barbara and
11 Robert both articulated it and that was the fact that this
12 only applies to the 32nd DAA.

13 I was wondering if Senator Min's chief of staff
14 could speak to the reasons why the legislation was pared
15 down, if you will, from all State properties to apply only to
16 the 32nd DAA.

17 I believe he's still on the line or perhaps the
18 gentleman from Brady Group who provided testimony --

19 CHAIR RUBALCAVA-GARCIA: Or Ash. I think Ash is
20 representing Senator Dave Min's office.

21 VICE CHAIR LA BELLE: Yeah, right. So I would like
22 to kind of see if I can get an answer to that question.

23 MR. ALVANDI: Thank you, Board Member. I would be
24 happy to have the senator, you know, send you his remarks on
25 that. You know, we're still finalizing our public statements

1 regarding what happened with the bill.

2 VICE CHAIR LA BELLE: I guess the question is
3 that -- I think Director Bagneris said it very well.

4 Obviously, when this started out it was going to
5 apply to all of the DAAs, and there are a number of them in
6 the state and as Chair Rubalcava-Garcia said that in the case
7 of both the Cal Palace and San Diego, the Board's went on
8 record in opposition to the gun shows.

9 This is a very significant economic impact on the
10 district, and I think, as you know and everyone knows, it's
11 been a struggle for all DAAs for the last couple of years
12 with COVID.

13 And we, through our leadership on our -- on the
14 Board, as well as our CEO we work very hard to, obviously,
15 replace those lost revenues and to keep our ship afloat, so
16 to speak.

17 Obviously, the loss of the gun shows will not break
18 the bank, so to speak, but it does provide an immediate
19 significant challenge, as Director Ruiz said, to our staff
20 and the Board to replace those lost revenues if they came
21 from events that were legal and well-monitored within the
22 district.

23 So any information you could at some point in time
24 provide to the district as to what happened in the making of
25 the legislation that went from everyone to only us would be

1 much appreciated.

2 DIRECTOR PHAM: Yes. This is Newton, by the way, as
3 well.

4 CHAIR RUBALCAVA-GARCIA: Oh, hi, Newton. Go ahead.

5 DIRECTOR PHAM: Yeah, yeah, I mean, politics aside,
6 fundamentally from my standpoint, you know, we, like you
7 said, it's our job to sort of govern the fairgrounds, and
8 this particular thing is specifically targeting just our
9 facility.

10 So I think from that standpoint, you know, we do
11 have, you know, a, I guess, a -- not necessarily -- you know,
12 I think it's -- it's okay from a standpoint to say, "Hey,
13 provide, you know, information to the governor presenting the
14 economic impact that's proposed," and it's up to him to
15 decide whether he would like to kind of take that into
16 consideration or not.

17 I think that's a relatively harmless thing from this
18 letter. You know, I think making it larger than it is and
19 making it a political statement is not necessarily the case
20 here.

21 It's just saying, "Hey, this is a big impact
22 financially to our fairgrounds. I would like to you consider
23 that before finalizing anything," and leave it up to him.
24 That's kind of how I see it.

25 CHAIR RUBALCAVA-GARCIA: Thank you, Director Pham.

1 Director Ruiz, go ahead.

2 DIRECTOR RUIZ: Yeah, if you could read the letter,
3 so that way everyone knows what exactly we're sending,
4 because I think the message is not getting across.

5 We are not sending a letter telling the governor
6 that we don't agree with his -- his gun legislation. That's
7 not what we're doing. So if you could read the letter so
8 everyone knows exactly what we're sending to the governor.

9 CHAIR RUBALCAVA-GARCIA: Okay. Michelle, would you
10 like to read the letter, because it's kind of small for me.
11 I can't --

12 SECRETARY RICHARDS: Sure.

13 CHAIR RUBALCAVA-GARCIA: Thank you.

14 SECRETARY RICHARDS: Sure. Let me enlarge it for
15 everybody.

16 Dated today, addressed to the
17 Honorable Gavin Newsom, Governor of the State of California,
18 regarding -- sorry -- Regarding: SB 264, Request Veto of
19 Senate Bill 264 --

20 MS. SHARP: Yeah, I'm on a Zoom call, is it
21 critical?

22 SECRETARY RICHARDS: Ms. Sharp, you're
23 not -- Ms. Sharp, you're not muted. We can -- thank you.

24 The 32nd District Agricultural Association Board of
25 Directors opposes SB 264 and respectfully requests you veto

1 the bill. SB 264 would prohibit all sales of firearms and
2 ammunition at events held at the 32nd District Agricultural
3 Association, the Orange County Fair and Event Center.

4 For over 30 years -- and I think that will have to
5 be amended to 25 years -- the OC Fair and Event Center has
6 hosted a gun show, which resulted in approximately one
7 million dollars in revenue annually.

8 This event is held multiple times each year, is
9 attended by 70,000 members of the community annually, and
10 generates economic development opportunities for surrounding
11 businesses located near the OC Fair and Event Center.

12 The event promoter is a family-owned business
13 providing opportunities for small business owners to generate
14 an income that allows them to support their families. This
15 prohibition unfairly and exclusively impacts the OC Fair and
16 Event Center.

17 The 32nd DAA is governed by a gubernatorial
18 appointed board of directors and requires minimal to no
19 support annually from the State of California. The OC Fair
20 and Event Center generates revenues from hosting a 23-day
21 annual fair, trade shows, consumer events, concerts, and
22 other like events.

23 The 32nd DAA Board of Directors has historically
24 approved the type of events held at the OC Fair and Event
25 Center in response to the needs and interests of the

1 surrounding community.

2 In 2020 the Board of Directors voted 5-to-1 to allow
3 gun shows to continue operating at the OC Fair and Event
4 Center as long as they are legal in the State of California.

5 Unfortunately, Senator Dave Min never consulted with
6 the Board of the 32nd DAA to determine if other
7 non-legislative options exist to address his concerns.

8 We request you veto this bill so Senator Dave Min
9 and the Board of Directors may discuss solutions.

10 Furthermore, this prohibition will not enhance
11 public safety, as current law already requires all firearm
12 transactions at events hosted at fairgrounds to be subject to
13 the same stringent standards as required in a dealers store.

14 All firearm transactions that take place on
15 fairgrounds are subject to the ten-day waiting period while
16 requiring the firearm to remain in the possession of the
17 transacting dealer until that period ends and the
18 Department of Justice has completed the required background
19 check.

20 The gubernatorial appointed board of the 32nd DAA
21 respectfully requests that you veto SB 264, so we can work
22 with Senator Dave Min to identify solutions that will address
23 his concerns.

24 Currently signed by the Chair of the 32nd DAA.

25 CHAIR RUBALCAVA-GARCIA: So open to any other Board

1 members for questions or comments, and we do have one other
2 public -- one additional public comment on this item.

3 DIRECTOR BAGNERIS: I'd like to hear the public
4 comment if we can.

5 CHAIR RUBALCAVA-GARCIA: Thank you,
6 Director Bagneris.

7 Summer, can you please have the public comment.

8 Thank you. It's Monday.

9 SECRETARY ANGUS: Gibran Stout, when you're ready,
10 and if you're dialed in, you'll have to press star 6.

11 MS. STOUT: Hi.

12 SECRETARY ANGUS: There you are.

13 MS. STOUT: Can you hear me?

14 SECRETARY ANGUS: Yeah, go right ahead.

15 MS. STOUT: Okay. All right. My personal feelings
16 about guns in general are ambiguous, and I had to do some
17 research on this topic, and I know it's hard but I think it's
18 critical that we set aside our personal passions, politics,
19 and feelings, and stick to the simple facts.

20 So my research, as you've already pointed out, is
21 that SB 264 singles out one piece of property in the entire
22 state without any discussions.

23 Two, the right to bear arms is still currently
24 protected in our Constitution, and three, California actually
25 is the state with the strictest gun laws and has the seventh

1 lowest rate of deaths by gun violence, didn't know that, but
2 thought that was interesting.

3 As many directors have pointed out, the economic
4 impact is huge. Our country, say, our entire world continues
5 to suffer great and social economic loss due to COVID-19. I
6 truly believe that every single business is essential to
7 somebody, to some person or some family.

8 So I think it's wrong to let our personal feelings
9 restrain the legal rights of others. I think it's bad
10 business to turn away income and deny local businesses the
11 opportunity to recover financially by conducting their
12 business legally on state-owned property.

13 Instead of denying the proposed contracts, I fully
14 support amending them to specifically prohibit sales, which
15 contribute to ghost guns which the vender has already agreed
16 to do, so problem solved it would seem to me.

17 I think that it is better to help stimulate legal
18 businesses and economic recovery. I think that the Board of
19 Directors has done a great job guiding this district, and I
20 think you should continue to do so without interference from
21 legislators four hundred miles away.

22 I think it's also telling that this legislation was
23 proposed without any discussion with you. So clearly you are
24 perfectly capable steering this ship successfully as you have
25 done.

1 I would recommend no on SB 264, yes on economic
2 recovery, and yes on these contracts with the ghost gun
3 provision.

4 So carry on, I think you guys are doing a great job,
5 and I think that we set aside passions and politics and we
6 just go -- you follow the law and right now they're legal and
7 if we can do it in a legal and safe way, I support that.

8 So thank you.

9 SECRETARY ANGUS: Thank you, Gibran.

10 We have one more public commenter. Piper Benom,
11 when you're ready.

12 MS. BENOM: Hi, good morning, Directors. I just
13 wanted to say -- remind you all that the state legislator has
14 voted to end gun shows at the OC Fairground, and it wasn't
15 even close.

16 The governor has expressed his support for the bill
17 when it was a statewide ban, and I think we can safely assume
18 he will continue to support it when it's just Orange County.

19 The bill was narrowed to Orange County because
20 it's -- because it's a local control issue, and that's my
21 understanding of why it was narrowed.

22 And I think that we should -- the Board should
23 recognize that this is the law that is happening and since
24 the Governor has already expressed support for it, I don't
25 think it's -- I don't think it's valid for the Board to go

1 against what the -- the constituents that elected Senator Min
2 in his district and your district have elected him based
3 largely on this issue, and the constituents that live in
4 where the fairground is don't want gun shows there anymore.

5 We have spoken many times about it and Senator Min
6 now as our elected representative has put this bill through,
7 his first bill, I believe, and the voters put him in for that
8 reason, and I think the Board -- it would behoove the Board
9 to go with what the constituents, the -- your representative,
10 and the governor's office has expressed in this case.

11 Thank you.

12 SECRETARY ANGUS: Thank you.

13 CHAIR RUBALCAVA-GARCIA: Thank you to our public
14 commenters.

15 Any additional comments, Summer?

16 SECRETARY ANGUS: No, not at this time.

17 Oh, I'm sorry. One more. Julia Demlow, when you're
18 ready.

19 MS. DEMLOW: Great. Can you hear me?

20 SECRETARY ANGUS: Yes, go ahead.

21 MS. DEMLOW: Okay. Thank you, Summer.

22 I would just like to make a couple comments to the
23 Board in regards to some statements made. The first one, I
24 would just like on the record that we and other people have
25 been trying to work with the Board for the past two years in

1 either excluding gun shows on the fairgrounds and not
2 renewing contracts and actually touring with the Board
3 members and Mr. Templeton at gun shows to voice our concerns.

4 So many times when the contract comes up for
5 renewal, we have voiced our concerns in hopes that the Board
6 of the fairgrounds would take action and disallow gun shows
7 on the OC Fairgrounds property.

8 To then -- to that point, no action was taken. The
9 gun shows did continue, and therefore, we supported and our
10 community supported Senator Dave Min, this being one of his
11 main topics and main positions if elected.

12 So it is disingenuous to say that no one has worked
13 with the Fairground Board in trying to come up with solutions
14 on the gun shows. So that's the first statement.

15 The second statement would be, I feel very confident
16 in the staff for the gun -- for the fairgrounds, and I feel
17 very confident that they would be able to come up with
18 creative family-friendly events that would more than recoup
19 the million dollars of lost revenue.

20 So with that being said, I think that the
21 hypotheticals that the Chairman has put forward, are just
22 that, hypotheticals, and we should have the opportunity to
23 explore other events and opportunities to make that
24 shortfall.

25 And lastly, it is true that the gun show is

1 operating within law -- the current California laws and at
2 these shows have not had any issues, but the effects after
3 the shows, the guns in our communities that are causing
4 deaths in our communities, cannot be forgotten and excluded
5 and even though it doesn't happen on the gun show property,
6 there are after effects in our community that need to be
7 addressed.

8 So thank you for this opportunity to speak.

9 CHAIR RUBALCAVA-GARCIA: Thank you. Thank you to
10 all our public speakers.

11 Summer, does that conclude public comment for now?

12 SECRETARY ANGUS: Yes, it does.

13 CHAIR RUBALCAVA-GARCIA: Thank you.

14 I would like to turn it back over to the Board, and
15 I just want to also mention that Josh is on the call. So if
16 anybody has any questions for Josh regarding this issue, feel
17 free, in terms of the Board members.

18 VICE CHAIR LA BELLE: Yes, Natalie. This is Doug
19 again.

20 Josh, could you speak to the issue of the Board
21 taking any specific position either for or against any
22 legislation now or in the future that would impact the
23 32nd DAA?

24 MR. CAPLAN: I'm happy to. I can speak generally to
25 the ability of the Board -- and this issue has come up

1 historically, not only at the 32nd DAA, but other DAAs
2 regarding the ability to retain lobbying firms. I'll make
3 the connection for you in just a minute.

4 The reason why that's a critical issue to discuss,
5 well, in the first instance is, generally DAAs -- there's
6 nothing that our office has found in terms of statutory or
7 regulatory prohibitions on a DAA's ability to retain a
8 lobbying firm simply because the DAA is a State institution.

9 The critical piece though to keep in mind is that
10 the scope of any lobbying efforts on behalf of the district
11 is limited specifically to engaging the legislature in
12 discussion for the purpose of presenting the district's
13 viewpoint on proposed legislation.

14 You know, there is Case Law in California that
15 distinguishes between, what's called, legislative lobbying.
16 A great example of legislative lobbying would have been what
17 the 32nd DAA went through regarding the 5050 raffle.

18 The DAA identified a potential source of revenue for
19 the 32nd DAA and perhaps other DAAs across the state,
20 retained the lobbyists to work with other DAAs, I'm
21 presuming, and possibly with CDFA to present the idea to
22 members of the State legislature to see whether legislation
23 would be -- would be a possibility and to go through that
24 process.

25 Again, that discussion was started because the

1 district identified an issue that would benefit the facility
2 and presumably benefit the county and all of its residents in
3 terms of generating revenue on the property.

4 But what the district is not able to do, is to
5 engage in something called grassroots lobbying, which is
6 essentially lobbying on particular partisan issues.

7 So, for example, if there's a local initiative
8 that's on the ballot, the district can't take any position
9 for or against any local initiative or even if there is a
10 State initiative on the ballot, the district could not take
11 one side over the other because the Board represents all of
12 the members of Orange County and certainly there's going to
13 be diverse political voices and opinions within the county
14 boundaries. So the district simply can't pick one side over
15 the other.

16 The reason why Senate Bill 264 is a little bit more
17 challenging is because the legislature has already passed the
18 bill and has sent it along to Governor Newsom for signature.

19 So while the district, I think, California law would
20 have supported the district's ability to engage the
21 legislature during the legislative process, the bill has
22 already been approved by the legislature and now the only
23 thing that would need to happen is the governor either signs
24 the bill into law or vetoes the bill or does nothing, and
25 then I presume it's vetoed as a matter of law.

1 To the extent the district wants to provide
2 information to the governor in terms of financial impacts or
3 information that it would have provided earlier on in the
4 process if given the opportunity, I don't think that would
5 create any concern.

6 What the district needs to avoid though -- and,
7 again, because there's some gray area in the law at this
8 stage of the legislative process -- again, the question is:
9 Is this legislative process complete?

10 In other words, the bill has now been passed to the
11 executive office of the governor, and so it's unclear whether
12 the DAA would have the authority, for example, to hire a
13 lobbyist to lobby Governor Newsom on signing the bill,
14 because I think an argument could be made that that is taking
15 a political position.

16 But I think there would be a way for the Board to
17 provide the Governor with information to take into
18 consideration when he's deciding whether or not to sign the
19 bill.

20 And specifically, I'm looking at the letter in front
21 of me, and I'm not -- certainly not going to take the
22 position or presume that I'm in the best situation to redline
23 or modify that letter that's coming from the Board.

24 But if the Board does want to provide the governor
25 with information regarding the potential financial impacts on

1 the property if gun shows are prohibited under this bill, I
2 think that would be appropriate.

3 But I think -- I do not know that the Board has the
4 ability to advocate, for example, for a specific veto. I
5 think it was Director Pham that put it, I think, better than
6 I could, which is the Board should provide information to the
7 governor for him to take into consideration in deciding
8 whether or not to sign SB 264 as opposed to providing him
9 with information and essentially directing him to veto
10 SB 264.

11 And that distinction is critically important because
12 there are members of the county that presumably support
13 SB 264, and likewise, there are members of county that
14 likewise are opposed to SB 264.

15 And so the district is in a unique position to
16 provide the governor with insight and information about the
17 potential financial impacts of this bill, and then ultimately
18 let Governor Newsom decide whether or not he intends to sign
19 the bill or not.

20 And in doing that, he'll likely take into
21 consideration information from various sources inside
22 Orange County and outside of Orange County.

23 So that's -- I know I'm not giving you an easy
24 answer, but, I think, that's the best information that I can
25 provide you with given the state of things and where SB 264

1 sits at the point in the legislative process.

2 CHAIR RUBALCAVA-GARCIA: Yeah, and, Josh, so you're
3 recommending -- and I think it would be good for Michelle to
4 also share some information on how the bill was sort of
5 pushed through and so that they waived any opportunity for
6 anybody to potentially lobby the elected officials.

7 But what I think I'm hearing you say is, the letter
8 is okay, but we should probably avoid putting in
9 "respectfully request you veto," but maybe replace that with,
10 you know, request that -- our concerns, "Here are the things
11 that concern us about the passage of this bill."

12 MR. CAPLAN: Yeah, or even, you know, even
13 statements like, you know, "This is the information we would
14 like the governor to take into consideration in deciding
15 whether or not to sign SB 264."

16 You know what, I certainly hate to wordsmith on the
17 fly, but there are, you know, words, you know, words like
18 "concern" can be read to suggest that the district is taking
19 a specific political position, whereas if the term "concern"
20 is -- if there's a modifier to that term, for example,
21 "financial concerns."

22 If there's other concerns that the Board has
23 separate and apart from the substantive nature of the bill,
24 in other words, the substantive nature of the bill should not
25 play a specific role in what -- in the information the Board

1 is providing the governor.

2 For example, you had mentioned the example of the
3 Equestrian Center. So let's -- if SB 264 had made it
4 illegal, the ability to operate a horse run facility in
5 Orange County, then presumably this letter would look -- the
6 letter should look very similar to the extent that that bill
7 would impact the financial -- the ability of the district to
8 generate revenue and if it would have financial implications
9 for the financial viability of the property.

10 So to the extent that that type of information can
11 be provided, it's -- it's information that is uniquely
12 provided by the district and doesn't take a position one way
13 or the other.

14 CHAIR RUBALCAVA-GARCIA: Thanks Josh.

15 And I might -- oh, go ahead, Doug.

16 VICE CHAIR LA BELLE: Thanks, Josh. I think that's
17 very helpful and very informative, and I cannot support the
18 letter in its current form.

19 If we can modify it and maybe the approach would be
20 to do that and bring it back to the 23rd meeting and keep it
21 just very informational, advising the governor, "As you
22 consider your actions regarding this legislation, we wanted
23 to provide you with the following information relative to the
24 impacts on the 32nd DAA," and just keep it very general.

25 Even in that context, maybe just providing the

1 comments from the transcript, but I think to urge one action
2 one way or the other, and then to address the issues relative
3 to senator Min, I think we should keep it very generic, just
4 information only, here's the financial impacts on the 32nd
5 DAA.

6 You know, we can obviously go into some history with
7 how long they've been a business operating at the fair, and
8 we can also go into all of the efforts that the Board and
9 staff have made during the COVID situation to, like you said
10 earlier, to keep the ship afloat.

11 But I think making any recommendation for or against
12 any legislation that would impact this, should not
13 be -- should not be a part of the letter.

14 CHAIR RUBALCAVA-GARCIA: And, Doug, to your point,
15 Michelle is changing it in real-time right now. So now it
16 reads, "Economic Impact of SB 264 on 32nd District
17 Agricultural Association," and that's how it could be
18 modified throughout the entire letter. So we'll remove any
19 request for veto but make it just factual.

20 DIRECTOR BAGNERIS: So Director -- Chair, I am -- I
21 know we're doing this on the fly and already I like it better
22 that we're not directing -- saying, "Hey, veto this," but do
23 we need to take a five-minute break, ten-minute break to get
24 the language, or do we wait for the next Board meeting?

25 Since there is a deadline for the governor to sign

1 it, the more time he has with our letter, the better if we're
2 going to do this.

3 So should we take a break and wordsmith this with
4 the help of Josh, or do we bring it back to the next Board
5 meeting?

6 CHAIR RUBALCAVA-GARCIA: I'm okay with -- does the
7 Board want to take a break to have us wordsmith this really
8 quickly?

9 DIRECTOR AITKEN: Can we -- can we offer our input?

10 CHAIR RUBALCAVA-GARCIA: Yeah, you know, Ashleigh,
11 if you want to offer your input and Michelle is actually
12 changing it at the same time.

13 And I'm mindful of people's time, and I know
14 that -- I want to make sure that we get to this item. So if
15 you want to look at that -- Ashleigh, if you want to add some
16 context there or change the context.

17 DIRECTOR AITKEN: Yeah, I think my concern -- you
18 know, and I think we can change it if the majority of the
19 Board decides to send this letter that we just have something
20 that says, "The majority of the 32nd DAA Board of Directors
21 with Director Aitken" -- and if anybody else wants to join
22 me -- "voting no."

23 I just want that in there, and, I think, we -- I
24 like what you said about sticking to the facts. I think
25 there's certain things in here that I don't know that we can

1 prove.

2 Obviously, we know what our revenue stream is, we
3 know that they've been here for 25 years, that it's four
4 times a year, but when we say it's 70,000 -- and maybe
5 Michelle knows this -- is 70,000 -- are those individually
6 and distinct members of the community or could it be the same
7 15-, 20,000 that come all four?

8 I mean, that just -- I don't know if we can prove
9 that, as well as the statement about it generates economic
10 development opportunities for surrounding businesses. I
11 don't know that we can say that or prove that. I don't know
12 if it makes the argument any stronger.

13 I also think, at the bottom, when we are using,
14 maybe, in my opinion, language that's a bit too strong
15 addressing Senator -- State Senator Dave Min.

16 He did come to the gun show. He did come -- I
17 believe he has made public comment and has addressed our
18 Board before, so I don't know if it's entirely fair to say
19 that he never consulted with us.

20 I think he certainly never agreed with the majority
21 of the Board, but that's different than maybe never
22 consulting with us, maybe we could soften that language a
23 little bit.

24 The same thing, I think, in the last paragraph where
25 we're saying, "This prohibition will not enhance public

1 safety," I think that's extremely debatable. I think some
2 people will say yes, some people will say no.

3 And if the Board wants to do this, I think to
4 Director La Bell's point, I think we should just stick to the
5 facts that we can prove, and then just make the
6 caveat carve-out that I'm not going to be signing onto this
7 letter in whatever language that you see fit.

8 Those would be my overall general comments.

9 DIRECTOR BAGNERIS: So, Madam Chair -- so
10 Director Aitken, I heard what you just said, and I'm pretty
11 much on the same wavelength, but I did like the fact that we
12 would tailor this letter just to be the -- to stick to the
13 economic concern of not having the gun show and leave a lot
14 of the rest of this out.

15 But it sounds to me that you would not be in favor
16 of the letter even if we do that, and that's the thing that
17 we could easily put a motion to the floor to reject the
18 letter period and move on.

19 I don't know if we want to delay this meeting,
20 trying to do something that may not pass or pass. I'm just
21 concerned that there are too many concerns right now for this
22 letter and the whole process that we're trying to take on
23 this, that maybe we just need to move on, and if the governor
24 signs, it will be law, and we won't have a choice in it
25 anyway.

1 CHAIR RUBALCAVA-GARCIA: Director Bagneris makes a
2 good point, and I would recommend we go ahead and take a vote
3 as to whether or not we're going to send a letter as one full
4 Board.

5 My concerns about tabling it for our September 23rd
6 meeting is that it could be signed into law tomorrow or the
7 day after, and I think it's good for us to get this on the
8 record from a budget perspective too.

9 If there's ever opportunity for the State to provide
10 us with some sort of fiscal support, having this on the
11 record is instrumental. I think that Director Aitken, you
12 know, made a good point about that last statement about the
13 safety, that should come out.

14 But I actually am opposed to removing -- with
15 confirmation, we can definitely confirm number of attendees,
16 but I don't think that we should take out the statement about
17 the surrounding businesses because we are an economic
18 development driver and there are businesses in the
19 surrounding area that benefit, and I don't think that hurts
20 or makes a political statement whatsoever.

21 But I would go ahead and -- if I can get a motion to
22 at least vote on sending the letter with, you know, with the
23 caveat that we are going to revise it so that it's all
24 factual and we will take out any reference to, you know,
25 Senator Dave Min.

1 The other thing I want to mention is Senator Dave
2 Min never came to our Board meeting and addressed the Board.
3 He -- I believe, he -- there was a group called Waive, which
4 is a political group that came here to address our Board and
5 we gave them ample time.

6 Senator Dave Min was invited to visit the gun show
7 and he did, but we never had any discussions with him prior
8 to that. He just decided to push -- bulldoze this through
9 and basically take it out of our governing decision-making.

10 So for those reasons, I think we need to at least
11 send a letter to address the economic impact and the failure
12 in the process.

13 So this is not a, you know, political issue, this is
14 purely economic development, and we are the governing body.
15 We have a fiduciary duty as appointees of the governor to at
16 least make him aware of what has happened and what will
17 impact us.

18 DIRECTOR RUIZ: Director Rubalcava [sic], this is
19 Director Ruiz. I just wanted to make a comment. I
20 wholeheartedly agree with what you said.

21 I would like to see Senator Min's name left on there
22 because, you're right, he didn't come. He spoke at a
23 meeting, speaking and addressing your opinion is one thing,
24 coming to the Board and telling us -- asking us, "How can we
25 work together? This is the direction which I want to go in

1 my district with 32nd DAA, how can we work together?"

2 To me that's reaching out and trying to come up with
3 a solution. Getting up to the microphone and speaking your
4 opinion is not a solution in my opinion. So I would request
5 that his name stay on this letter. That's my opinion.

6 CHAIR RUBALCAVA-GARCIA: Thank you, Director Ruiz.

7 And I believe Director Cervantes has a comment but
8 may have some issues coming off of mute.

9 SECRETARY ANGUS: Director Cervantes, try star 6 to
10 unmute yourself.

11 DIRECTOR CERVANTES: Awesome. Can you hear me now?

12 SECRETARY ANGUS: Yes.

13 DIRECTOR CERVANTES: Perfect. Thank you so much.

14 And I agree with exactly everything that
15 Director Ruiz just mentioned, and I think one of the most
16 important facts that we should go ahead and focus on also is
17 that during this entire period of time of having gun shows,
18 nothing has changed.

19 Safety has been of the utmost concern that the
20 OC Fair staff has worked together and implemented, so much so
21 that one of the Board of Directors, Director Barbara Bagneris
22 purchased a gun as far as I remember -- and you can correct
23 me, Director Bagneris, if that's not true.

24 But most importantly, safety hasn't changed. It's
25 still there, so I do support the letter.

1 DIRECTOR RUIZ: With that, I would like to
2 entertain -- I make a motion that we send the letter --

3 DIRECTOR CERVANTES: I so move that we do. This is
4 Sandra Cervantes.

5 DIRECTOR BAGNERIS: So I have discussion.

6 DIRECTOR PHAM: So just for clarity, if we're voting
7 to send a letter, you know, do we have to have a subsequent
8 vote for the content of the letter, or do we want to just
9 say, you know, have a vote to not send a letter to kind of
10 nip that in the bud if people want that to happen, and then
11 we can discuss content afterwards?

12 DIRECTOR BAGNERIS: And the motion isn't clear to
13 that effect --

14 DIRECTOR PHAM: Right.

15 DIRECTOR BAGNERIS: -- and because of that, I would
16 have to vote the motion down, and it would have to come back
17 to us in a different form, because I'm not comfortable -- if
18 the motion clarifies that or not.

19 VICE CHAIR LA BELLE: I agree with
20 Director Bagneris. If this letter is going to just provide
21 information only to the governor, whether he signs it or
22 doesn't sign it, you know, I think based on Director Aitken's
23 earlier comments, I think the governor is on record in
24 support of this even on a statewide basis.

25 I think our only role at this point in time as a

1 Board is to advise the governor of what the economic impacts
2 will be and keep it very very generic.

3 I would like to see a letter that all of us can
4 support, and, you know, if we can't get to that point, then
5 I'm going to be a no on sending any kind of communication to
6 the governor and the record will just show what our
7 discussion was and to the extent that anyone would want to
8 review that, then that's obviously part of the public
9 record.

10 CHAIR RUBALCAVA-GARCIA: Perfect.

11 VICE CHAIR LA BELLE: So based on -- I'm a no at
12 this point.

13 CHAIR RUBALCAVA-GARCIA: So, Doug, I would -- let's
14 look at this. So as part of the discussion, we have already
15 changed it to, "Economic Impact of 264."

16 We are removing "The 32nd DAA Agricultural
17 Association Board of Directors opposes." So the letter will
18 start out with, "SB 264 would prohibit all sale of firearm
19 and ammunition at the fairgrounds," which basically states
20 what the bill is.

21 We go into the economic development. We will remove
22 where it says, "Furthermore, this prohibits -- this
23 prohibition will not enhance public safety," we will take
24 that out, and then, we can -- the last statement could just
25 say, "The gubernatorial appointed Board of the 32nd DAA

1 writes to inform you about your decision as you ponder
2 signing or vetoing -- or signing SB 264."

3 It is okay -- I think, that the governor has his
4 stance on things. I don't think that should sway how the
5 Board -- you know, we're just informing him as appointees of
6 the governor.

7 DIRECTOR BAGNERIS: I'm just not comfortable on the
8 fly trying to recreate this letter without us reading what
9 the final format of this letter would be.

10 DIRECTOR PHAM: Right.

11 DIRECTOR BAGNERIS: That's my --

12 CHAIR RUBALCAVA-GARCIA: Yeah, and we can -- I mean,
13 we can --

14 VICE CHAIR LA BELLE: I agree, and I also want
15 Josh Caplan to have had the opportunity to review and edit
16 appropriately to make sure that we are, you know, in
17 accordance with laws relating to the -- this whole matter.

18 CHAIR RUBALCAVA-GARCIA: Okay. So how about this,
19 since we noticed a ten-day meeting, how about we send
20 everybody a copy of this letter, and then we reconvene at
21 11:00 to review and vote?

22 VICE CHAIR LA BELLE: Josh, does that give you
23 enough to time to review the letter and provide your input?

24 MR. CAPLAN: Yes, and so the Board is aware, my
25 review is really going to be focused on ensuring the letter

1 doesn't include any language that identifies a specific
2 political position on the bill itself but that it's focused
3 truly on the impacts of the bill.

4 Again, setting aside the substance of the bill, what
5 impacts would this bill have, and what information does the
6 Board think is helpful.

7 I'm not going to insert or include or wordsmith the
8 information, for example, about the history of the gun show,
9 number of attendees, financial revenue generated. I simply
10 don't have that information.

11 I'll be focused more on a lot of language, which has
12 already been stricken in red on the screen share, language
13 like that, which goes more outside of the corners of the
14 financial impacts of this bill.

15 But yeah, I won't be able to do that between now and
16 11:00, it's a very short letter.

17 DIRECTOR AITKEN: And then, Josh, I would just
18 respectfully request that in the -- sorry, this is
19 Director Aitken -- that we put, maybe, when it says, "In 2020
20 the Board of Directors voted 5 to 1," just saying, "with
21 Director Aitken dissenting," and then at the bottom, just
22 say, "The majority of the gubernatorial appointed board of
23 the 32nd DAA writes to inform you."

24 MR. CAPLAN: I don't have any legal objection to
25 those changes.

1 DIRECTOR PHAM: Just looking at the letter, it looks
2 like a lot's going to be stricken. You know, there's request
3 to veto in the third paragraph, which, you know, kind of puts
4 a position on, whatnot, you know, the Board.

5 But, yeah, I mean, I think deciding this quickly on
6 a new letter and then circling back in a half an hour, even
7 an hour is going to be challenging from what I'm hearing, so.

8 CHAIR RUBALCAVA-GARCIA: Okay. So then hearing the
9 concerns, can we at least vote that we will send a letter, we
10 will then circulate the letter to the Board for review and
11 approval at the 23rd meeting?

12 What I'm trying to avoid is wasting time on the 23rd
13 deciding whether or not we're sending a letter. We can send
14 a letter to the Board to review and make any suggested edits
15 to Michelle Richards, and then we can go ahead and send it
16 off by the 23rd.

17 DIRECTOR BAGNERIS: I'm somewhat concerned --
18 Director Bagneris -- that we're doing this so quickly and in
19 haste and that maybe this -- even though this discussion has
20 been good, I'm glad that we are having this discussion, but
21 maybe we are in haste trying to get this letter out and maybe
22 it's not a good idea after all.

23 I think I hear three dissenting votes to sending a
24 letter, I don't know if that's enough to pass with who is on
25 the call right now, but I think, maybe, let's -- I think

1 Sandra is trying to say something, I'm not sure if she's not
2 being able to get off mute.

3 But if we do take this vote and we vote it down,
4 we're done. If it votes up, then, yes, maybe the 23rd is a
5 better time, but the governor could have signed it at that
6 point.

7 VICE CHAIR LA BELLE: Well, from my perspective,
8 whether the Governor signs it or not, we have the
9 ability -- or we have the responsibility to advise him of the
10 economic impacts of this bill on the district. That's all I
11 want to do.

12 DIRECTOR PHAM. Agreed.

13 VICE CHAIR LA BELLE: I don't want to get into the
14 politics of it either way, for or against, but, you know,
15 maybe at some point in time, we can't replace that million
16 dollars, and we may find ourselves in a situation where we're
17 going to go hat-in-hand and ask for funding to offset the
18 lost revenues.

19 That's all I'm -- I'm prepared to include in the
20 letter, and I don't think we -- we all -- I want to see the
21 letter in it's final form before I decide whether I'm for or
22 against it, so that's all I'm saying.

23 CHAIR RUBALCAVA-GARCIA: Doug, so with all of those
24 comments that you just said, are you recommending that we
25 vote to send a letter but wait to discuss the content at the

1 23rd meeting?

2 I just need to get some clarification so that we can
3 move on.

4 DIRECTOR PHAM: Why can't we just vote to send it
5 after we see the content on the 23rd meeting?

6 CHAIR RUBALCAVA-GARCIA: We can do that so.

7 So we'll go ahead, at this time we'll table this
8 item. We will send a copy of the revised letter to the
9 Board. Please be prepared to discuss and vote on whether or
10 not we're going to send a letter on the 23rd.

11 So with that said, moving onto agenda -- the next
12 agenda item, which I think may be the same situation. I
13 don't want -- I'm respectful of Board members' time, I know
14 everybody has things to do today.

15 So I'll go ahead and turn it over for discussion on
16 this item, we can either table that to the 23rd as well, or
17 we can go ahead and discuss this -- and this is actually a
18 recommendation from staff, so.

19 MR. CAPLAN: Chair Rubalcava-Garcia, just a quick
20 point, when the -- when there is an updated draft of the
21 letter, because it will be circulated to the full
22 board -- maybe, this is more for Michelle and her
23 team -- just to make sure that that updated letter finds its
24 way to the website as part of the public material so the
25 members of the public can review the draft as well going into

1 the next Board meeting.

2 CHAIR RUBALCAVA-GARCIA: Absolutely, and we'll be
3 posting soon, so we will get that circulated today and give
4 Board members enough time to review and comment, and just for
5 Bagley Keene purposes, the comments will go directly to
6 Michelle Richards, the letter will go out to the Board as a
7 one-way communication.

8 DIRECTOR BAGNERIS: So let me just ask this question
9 because there is a motion on the floor, it was seconded: Do
10 we have to move to table it officially?

11 I think we do for the record because it was a
12 motion, and it was seconded.

13 DIRECTOR RUIZ: Yes, that is correct. Before we
14 moved on, I was going to bring up the point that there was a
15 motion on the floor and there was a second, and we never
16 voted on it.

17 DIRECTOR BAGNERIS: Right.

18 CHAIR RUBALCAVA-GARCIA: Why don't you go ahead and
19 make a motion to table it, Robert?

20 DIRECTOR RUIZ: I'm good with that.

21 I'll reamend my motion, and we'll table this item
22 for our next public meeting until everyone gets a copy of
23 whatever the letter is going to look like at that time.

24 DIRECTOR BAGNERIS: I'm not sure who seconded, but
25 this is Director Bagneris for a second motion to table.

1 CHAIR RUBALCAVA-GARCIA: Great. Thank you.

2 And then, Josh, if you could do me a favor -- I
3 think what we will do is table the second item as well unless
4 any other Board members have objection, but if you could do
5 some research on Dave Min's letter where he threatens legal
6 action against any Board members who might vote on this item.

7 If it is not actual law until the the governor signs
8 it, is there any weight to his threat, which I actually take
9 personal because he addressed the letter directly to me.

10 So if you could do that and be prepared to guide the
11 Board either before the 23rd or on the 23rd, that would be
12 wonderful.

13 SECRETARY RICHARDS: And Chair Rubalcava-Garcia,
14 there is a motion on the floor, so we need to get the vote.

15 CHAIR RUBALCAVA-GARCIA: Yes, and, Summer
16 is -- Summer is going to go ahead --

17 VICE CHAIR LA BELLE: I have a question.

18 CHAIR RUBALCAVA-GARCIA: So we have a first and a
19 second to table this item until the next meeting, which is on
20 the 23rd.

21 Summer, can you please take roll call?

22 SECRETARY ANGUS: Chair Rubalcava-Garcia?

23 CHAIR RUBALCAVA-GARCIA: Yes.

24 SECRETARY ANGUS: Vice Chair La Belle?

25 VICE CHAIR LA BELLE: Yes.

1 SECRETARY ANGUS: Director Cervantes?

2 DIRECTOR CERVANTES: Yes.

3 SECRETARY ANGUS: Director Ruiz?

4 DIRECTOR RUIZ: Yes.

5 SECRETARY ANGUS: Director Bagneris?

6 DIRECTOR BAGNERIS: Yes.

7 SECRETARY ANGUS: Director Aitken?

8 DIRECTOR AITKEN: Yes.

9 SECRETARY ANGUS: And Director Pham?

10 DIRECTOR PHAM: Yes.

11 CHAIR RUBALCAVA-GARCIA: Thank you.

12 So I'm going to go ahead, and we'll move on from
13 this item, but I just want to remind Board members we are
14 appointed by the governor to govern this property.

15 This is not a political thing. We are -- regardless
16 of what office we might be running for or things that are
17 going on, we need to make sure that we're representing the
18 fairgrounds and its economic viability.

19 So please keep that in mind as we are preparing to
20 review the letter and send the letter to the governor. We
21 are supposed to be voting as one body, so regardless of
22 whether something passes or nothing, it's something that the
23 Board as a whole adopts.

24 So please keep that in mind as we move to the 23rd
25 and reflect on the letter and discuss next steps.

1 So with that said, I'm going to go ahead -- do we
2 need a motion to table the second item, Josh?

3 MR. CAPLAN: Yes.

4 VICE CHAIR LA BELLE: Chair Rubalcava-Garcia, I'm
5 good with tabling it, and would so move to do that. But do
6 we have any public comments on the second item that we
7 might -- might be helpful to hear now and help us in our
8 deliberation later?

9 CHAIR RUBALCAVA-GARCIA: Actually, Doug, I would
10 like to wait to have public comment on that item until the
11 23rd.

12 I would like Josh to come back to the Board, and I
13 also know that we have some Board members who probably have
14 to leave the call because they have to get back to their
15 work.

16 So I would prefer to table that until the 23rd.

17 VICE CHAIR LA BELLE: I'm okay with that.

18 So I move to table it until the 23rd.

19 CHAIR RUBALCAVA-GARCIA: Perfect. So can I get a
20 second?

21 DIRECTOR BAGNERIS: Director Bagneris, I'll
22 second it.

23 CHAIR RUBALCAVA-GARCIA: Summer, can you take roll
24 call?

25 SECRETARY ANGUS: Chair Rubalcava-Garcia?

1 CHAIR RUBALCAVA-GARCIA: Yes.

2 SECRETARY ANGUS: Vice Chair La Belle?

3 VICE CHAIR LA BELLE: Yes.

4 SECRETARY ANGUS: Director Cervantes?

5 DIRECTOR CERVANTES: Yes.

6 SECRETARY ANGUS: Director Ruiz?

7 DIRECTOR RUIZ: Yes.

8 SECRETARY ANGUS: Director Bagneris?

9 DIRECTOR BAGNERIS: Yes.

10 SECRETARY ANGUS: Director Aitken?

11 DIRECTOR AITKEN: Yes.

12 SECRETARY ANGUS: And Director Pham?

13 DIRECTOR PHAM: Yes.

14 CHAIR RUBALCAVA-GARCIA: Perfect. Thank you.

15 If all board members are okay with us skipping
16 Board of Director's Matter of Information, we're going to go
17 ahead and do that.

18 The next publicly noticed Board meeting is on
19 September 23rd, and at this time this meeting is adjourned.

20

21 (Whereupon, the meeting was adjourned.)

22

23

24

25

CERTIFICATE

OF

CERTIFIED SHORTHAND REPORTER

* * * *

The undersigned Certified Shorthand Reporter of the
State of California does hereby certify:

That the foregoing Proceeding was taken before me
at the time and place therein set forth.

That the testimony and all objections made at the
time of the Proceeding were recorded stenographically by me
and were thereafter transcribed, said transcript, being true
and correct copy of the proceedings thereof.

In witness whereof, I have subscribed my name, this
date: September 22, 2021

Katherine Thomas
Katherine Thomas

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