



SPECTRA

RICHARD SCHNEIDER

Executive Vice President

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Richard.Schneider@SpectraXP.com

June 4, 2020

32nd District Agricultural Association
88 Fair Drive
Costa Mesa, CA 92626
Attn: Michelle Richards, Chief Executive Officer

Re: Outdoor Marketplace Rental Agreement

Dear Ms. Richards:

I am writing in response to your letter dated May 27, 2020 regarding the Outdoor Marketplace Rental Agreement. Your letter states that Spectra is authorized to immediately resume operation of the OC Marketplace as a result of the State of California's approval of Orange County's plan to accelerate businesses into "Stage Two".

Following receipt of your letter, Ovations FanFare contacted the Orange County Health Care Agency and asked whether the Marketplace was indeed able to resume operations. The response was an unequivocal "no", because at this point there are no guidelines or protocols in place to allow swap meets to operate. See attached email dated Friday, May 29th, from Wida Rahimi, Supervising Environmental Health Specialist, Environmental Health Division, OCHCA, in which Ms. Rahimi advised Linda Keasberry, OC Fair Commercial and Concessions Supervisor, "As of yet we do not have any specific guidelines on the EFFs, concessionaires, swap meets, etc. as they are not allowed to operate at this point".

Also on Thursday, May 28th, Ms. Rahimi verbally advised Juan Quintero, General Manager of the OC Fair & Event Center, that the Marketplace is not able to open at this time. Ms. Rahimi then confirmed this direction in an email the following day, noting that no guidelines are currently in place to permit the Marketplace to operate (see attached).

Ms. Rahimi followed up to advise Mr. Quintero that, under certain circumstances, it may be permissible to permit vendors to operate, provided that no food or beverage service would be permitted. Food and beverage is a material component of the swap meet experience and necessary to sustain even a minimal level of operation from both a financial and customer satisfaction perspective. It is indisputable that operating the swap meet without the ability to sell food or beverage would prevent Ovations FanFare from utilizing the premises for the intended purpose. Further, the swap meet is unable to operate without certain services being provided by the Association, including parking, security and maintenance services. There is currently no operating plan for the Association

to safely provide these services (nor any active workforce through which to do so). Thus, Ovations FanFare is still prevented from operating the Marketplace under the terms of the Rental Agreement.

As previously advised, the Rental Agreement will terminate on June 20th. We look forward to working together to discuss a different arrangement under which Ovations FanFare would continue to service the Marketplace.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. Schneider", with a stylized flourish at the end.

Richard Schneider
Executive Vice President

Cc: Steven L. Edwards, Esq.
Manatt, Phelps & Philips, LLP
695 Town Center Drive, 14th Floor
Costa Mesa, CA 92626

From: Quintero, Juan <Juan.Quintero@spectrarp.com>
Sent: Friday, May 29, 2020 1:39 PM
To: Nicora, Nick <Nick.Nicora@spectrarp.com>
Subject: Fwd: OC market place

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From: Rahimi, Wida <WRahimi@ochca.com>
Sent: Friday, May 29, 2020 12:58 PM
To: Quintero, Juan
Subject: RE: OC market place

CAUTION: This email originated from outside the organization, please proceed with caution.

Hi Juan, no problem. That is my understanding but please keep in mind that the reopening phases are fluid and things can change depending on the Governor's order. We have yet to see guidelines for TFFs, Swap Meets., etc. As soon as I have more information I will keep you posted.
Thank you,



Wida Rahimi, REHS
Supervising Environmental Health Specialist
Environmental Health Division
1241 E. Dyer Road, Suite 120, Santa Ana, CA 92705
Phone: (714) 433-6160
[Website](#) | [Facebook](#) | [Twitter](#)

From: Quintero, Juan <Juan.Quintero@spectrarp.com>
Sent: Friday, May 29, 2020 12:55 PM
To: Rahimi, Wida <WRahimi@ochca.com>
Subject: OC market place

Wida,

Thank you very much for your time yesterday just as a follow up just want to confirm that the market place is not allowed to operate at this time , if I understood correctly we are classified as category 3 on the governors plan for re- opening.

From: Howard Sandler <HSandler@ocfair.com>

Sent: Friday, May 29, 2020 9:19:57 AM

To: Linda Keasberry <LKeasberry@ocfair.com>

Cc: Michele Richards <MRichards@ocfair.com>; Ken Karns <KKarns@ocfair.com>; Joan Hamill <jhamill@ocfair.com>; Jennifer Olvera <JOlvera@ocfair.com>; Kimber Merati <KMerati@ocfair.com>; Quintero, Juan <Juan.Quintero@spectrapp.com>

Subject: RE: OC Fair Questions about concessions

CAUTION: This email originated from outside the organization, please proceed with caution.

Linda,

Well, there it is...OCHCA response pretty much as expected. Good thing we're not making promises yet.

Lots of good questions you've asked.

Thanks,
Howard

From: Linda Keasberry

Sent: Friday, May 29, 2020 9:08 AM

To: Howard Sandler

Subject: FW: OC Fair Questions about concessions

Health Department response below.

Linda Keasberry

From: Rahimi, Wida [<mailto:WRahimi@ochca.com>]

Sent: Friday, May 29, 2020 9:01 AM

To: Linda Keasberry; Devani, Miloni; Wong, Brian; Valdez, Jose; Lundin, Whitney; Torrico, Britney

Subject: RE: OC Fair Questions about concessions

Good Morning Linda,

As of yet we do not have any specific guidelines on the TFFs, concessionaires, swap meets, etc. as they are not allowed to operate at this point.

Let us explore and get back to you.

Perhaps we can do a phone conference with you and Miloni so we can discuss further.

From: Linda Keasberry <LKeasberry@ocfair.com>

Sent: Friday, May 29, 2020 8:39 AM

To: Devani, Miloni <MDevani@ochca.com>; Rahimi, Wida <WRahimi@ochca.com>; Wong, Brian <BWong@ochca.com>; Valdez, Jose <JValdez@ochca.com>; Lundin, Whitney <WLundin@ochca.com>; Torrico, Britney <BTorrico@ochca.com>

Subject: RE: OC Fair Questions about concessions

Hello again,
One more question came to mind.
If we were allowed to have a mini food event with fair concessionaires in July and August,
Would you require the concessionaires to package up the food in **to-go containers?**
Containers with lids.

We were thinking to place the concessionaires in one of our parking lots, where they would have access to electric, sewer and water.
A bathroom for the concession staff only is located in the campground.

One thought was in our Lot F, south of our Administration building.
Utilities are in the campground easily accessed through the metal grid fence.

Thank you,

Linda Keasberry

Commercial & Concessions Supervisor

LKeasberry@ocfair.com

(I am currently working from home. If you need to reach me immediately, please call my mobile).

(714) 708-1942 Office

(714) 708-1573 Department

(714) 679-1187 Mobile

(714) 708-1546 FAX



32nd District Agricultural Association, State of California
88 Fair Drive, Costa Mesa, CA 92626

From: Linda Keasberry

Sent: Thursday, May 28, 2020 6:22 PM

To: 'Devani, Miloni'; 'Rahimi, Wida'; 'Wong, Brian'; 'Valdez, Jose'; 'Lundin, Whitney'; 'btorrico@ochca.com'

Subject: OC Fair Questions about concessions

Hello,

I hope you are all well. I have a few questions.

We are working on a virtual fair for July and August.

One aspect that may not be virtual is the thought of bringing in a few concession stands during this time.

Perhaps each week a different group of concessions, a couple of entrée vendors and a dessert vendor.

What protocols outside of the norm would you require of the concessionaires?

Plexiglass between the cashier and guest paying?

Plexiglass between food server and guest picking up food?

Concession staff wearing masks. Gloves? Anything else?

Guest line, making sure the public is physical distancing.

Any other protocols outside the norm that they would need to incorporate?

Would you prefer no seating allowed, just pick up and take food home.?

If we were able to physically distance the tables more than 6 feet. We could do 10 or 15 feet perhaps, would you allow on site eating?

Again, this is exploratory. Any advice, direction you can give us will be appreciated.

Thank you and stay well.

Linda Keasberry

Commercial & Concessions Supervisor

LKeasberry@ocfair.com

(I am currently working from home. If you need to reach me immediately, please call my mobile).

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