

## **MINUTES OF OCFEC BOARD OF DIRECTORS MEETING HELD SEPTEMBER 13, 2021**

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

[https://s3.us-west-1.amazonaws.com/ocfair.com/wp-content/uploads/2021/09/04131309/21\\_09\\_September13th\\_Transcript.pdf](https://s3.us-west-1.amazonaws.com/ocfair.com/wp-content/uploads/2021/09/04131309/21_09_September13th_Transcript.pdf)

### **1. CALL TO ORDER:**

Chair Rubalcava-Garcia called the meeting to order at 9:01 a.m.

### **2. MISSION STATEMENT**

### **3. PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited by Director Ashleigh Aitken. Roll call was taken by Summer Angus.

### **4. DIRECTORS PRESENT (via Zoom):**

Chair Rubalcava-Garcia, Vice Chair La Belle, Director Cervantes, Director Ruiz, Director Bagneris, Director Aitken and Director Pham.

Director Cervantes joined the meeting after roll call.

**DIRECTORS ABSENT/EXCUSED:** Director Kovacevich.

### **OTHERS PRESENT:**

(Via Zoom): Michele Richards, OCFEC CEO; Joan Hamill, OCFEC Chief Business Development Officer; Jason Jacobsen, OCFEC Director of Planning & Presentation; Terry Moore, OCFEC Director of Communications; Summer Angus, OCFEC Executive Assistant; Josh Caplan, Office of the Attorney General; Katherine Thomas, transcriptionist; Ash Alvandi, Senator Dave Min's Office; Bob Templeton, Crossroads of the West Gun Shows; Charles Blek; Theresa Sears; Gibran Stout; Piper Benom; Julia Demlow

### **5. MATTERS OF PUBLIC COMMENT**

None.

### **6. GOVERNANCE PROCESS**

#### **A. Discuss and Vote on Communication to the Governor's Office Regarding Amendment to SB264 Banning Gun Shows Solely at OC Fair & Event Center**

Action Item

Chair Rubalcava explained her recommendation for sending a letter to the Governor's office regarding SB264 that would ban gun shows from state property. She discussed the original bill would ban gun shows from all state properties then was amended to just banning gun shows at the OC Fair & Event Center (OCFEC). She discussed the economic impact the ban would have on the OCFEC.

Ash Alvandi, provided comment on behalf of Senator Dave Min, asserting the OCFEC Board is prohibited from taking political positions on outstanding legislation. He discussed if the Board should preapprove gun show contracts, at a special meeting called immediately after SB264 passed state legislature, that this would appear to be a bad-faith contract intended to evade and thwart the purpose of the legislation. He asserted that if the Board engaged in such action, the Senator would explore all options to invalidate the contracts that it approves in this manner, including through litigation and new legislation, and may hold members of the Board who voted for such a measure, they may potentially be personally liable.

Bob Templeton, Crossroads of the West Gun Shows, discussed a twenty-five year history with OCFEC and, to his knowledge, no serious law enforcement issues or firearms traced to the gun shows have been used in any crimes. He stated the gun shows serve the sporting/collecting/gunsmithing communities of Orange County, supporting hobbies and businesses. He asserted that he is willing to address the concerns expressed, with regard to the sale of unserialized action parts, as part of any agreement to be able to continue to operate the shows.

Charles Blek, Brady Orange County Board member, spoke in support of SB264. He also spoke in opposition of sending a letter to the governor's office and opposed pre-approving 2022 gun shows. He spoke in support of the comments made by Senator Min's Office.

Chair Rubalcava-Garcia stated the Board had received a letter from Senator Dave Min. She made the distinction that San Diego County Fair and the Cow Palace Board of Directors voted to ban gun shows on their properties, it did not happen through legislation. She also recommended sending a copy of Senator Min's letter along with the letter she is proposing for the Board to send to the governor's office.

Board discussion ensued regarding SB264 and the letter presented to the governor, items discussed:

- The governor can sign the bill into effect any day, veto the bill or, if he does not take action by October 10, 2021, it automatically becomes law
- The Board is not making a political stance on the legislation but rather expressing concerns of the economic impact on the OCFEC from loss of revenue the gun shows provide on an annual basis
- When the bill was initially introduced, it would have banned gun shows on all state properties
  - Having issue with the bill being amended only banning gun shows on the 32<sup>nd</sup> DAA property and not state wide or all DAA properties

- Banning gun shows on one property does not address issues with gun safety or gun violence
- Gun shows at OCFEC being legal and safe
- Addressing the “ghost guns” issue with state wide legislation
- Asking the governor to veto the bill until alternative revenue sources can be found
- Being governor appointed board members and advancing those policies the governor supports – his past support of banning gun shows
- Public support of Senator Min, being elected by the people in this district
- Directors Aitken and Bagneris spoke in opposition to sending the letter to the governor and would want their opposition noted/highlighted in the letter if the Board takes action to send said letter
- Disappointment that the legislation is not an all or nothing legislation that applies to all DAAs
- Being able to replace the revenue from the loss of the gun shows
- Sending a respectful letter to the governor making him aware of the economic impact on the 32<sup>nd</sup> DAA and that the legislation only applies to one DAA and not all

CEO Richards read the proposed draft letter.

Gibran Stout stated SB264 singles out one piece of property, the right to bear arms is still currently protected by the Constitution, and California is the state with the strictest gun laws and has one of the lowest rates of death by gun violence. She shared it is wrong to let personal feelings restrain the legal rights of others and it is bad business to turn away income and deny local businesses the opportunity to recover financially (from the pandemic). She spoke in support of economic recovery and approving the gun show contracts with the “ghost gun” exclusion provision.

Piper Benom asserted the state legislature voted to end gun shows at the OC Fairgrounds and the governor has expressed support for the bill when it was a statewide ban. She shared that it is not valid for the OCFEC Board to go against the constituents that elected Senator Min, largely on the his pursuance of banning gun shows on state property, and asserted those constituents that live near the fairgrounds don’t want gun shows at OCFEC anymore. She urged the Board to go with what Senator Min’s constituents want.

Julia Demlow stated that she and others have been trying to work with the OCFEC Board for the past two years to either exclude gun shows or not to renew gun show contracts for the gun shows at the fairgrounds. She discussed requests made to the Board to disallow “ghost guns” at the gun shows. She shared her confidence in staff in

finding creative family-friendly events to recoup lost revenues. She discussed the effects of guns in the communities after the shows.

Josh Caplan, Deputy Attorney General, discussed the Board's ability to lobby, that they cannot engage in grass roots lobbying – lobbying on a particular partisan issue. He stated the Board would be able to provide the governor with information of financial impacts to the District to take into consideration when he is deciding whether or not to sign the bill. He continued to say the Board cannot advocate for a specific veto of the bill.

Board and Counsel discussion ensued regarding items in the letter, items discussed:

- To remove "respectfully request you to veto"
- To add "this is the information we would like the governor to take into consideration in deciding whether or not to sign SB264"
- Changing "concerns" with "financial concerns"
- Vice Chair La Belle stated he cannot support the letter in its current form
- To keep the letter information based on the financial impacts on the 32<sup>nd</sup> DAA
- Only including facts that can be proven
- Director Aitken asked for her dissenting vote to be included in the letter
- Whether or not to include Senator Min in the letter
- Wanting time to review a revised letter and time for Counsel to review the letter before voting

The Board discussed making a motion whether or not to send the letter. Board consensus was to vote on the revised version of the letter at the September 23<sup>rd</sup> Board of Directors meeting.

Chair Rubalcava-Garcia requested that Counsel research the validity of Senator Min's statement in his letter where he threatens legal action against any Board member who might vote on this item

**ACTION:** Director Ruiz motioned and Director Bagneris seconded to table the item to the next Board of Directors meeting on September 23, 2021. **MOTION CARRIED.** **AYES:** Chair Rubalcava-Garcia, Vice Chair La Belle, Director Cervantes, Director Ruiz, Director Bagneris, Director Aitken and Director Pham. **NAYES:** None. **ABSTENTIONS:** None.

Chair Rubalcava-Garcia urged the Board to keep in mind that they represent the fairgrounds and its economic viability while they review the revised letter to send to the governor.

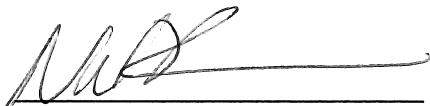
**B. Discuss and Vote on Whether or Not to Approve 2022 Rental Agreements with Crossroads of the West Gun Show to Exclude Sale of Firearm Precursor Parts**

Action Item

**ACTION:** Vice Chair La Belle motioned and Director Bagneris seconded to table the item to the September 23, 2021 Board of Directors meeting. **MOTION CARRIED.** **AYES:** Chair Rubalcava-Garcia, Vice Chair La Belle, Director Cervantes, Director Ruiz, Director Bagneris, Director Aitken and Director Pham. **NAYES:** None. **ABSTENTIONS:** None.

- 7. BOARD OF DIRECTORS MATTERS OF INFORMATION**
- 12. NEXT BOARD MEETING: SEPTEMBER 23, 2021**
- 13. ADJOURNMENT MOTION TO ADJOURN**

The meeting adjourned at 10:18 a.m.



Natalie Rubalcava-Garcia, Chair



Michele Richards, Chief Executive Officer