



Board of Directors Agenda Report

MEETING DATE: MARCH 24, 2022 **ITEM NUMBER:** 8C

SUBJECT: Review of Amendment to Board Policy 6.04 (High Profile Event Policy) and Vote to Ratify

DATE: March 18, 2022

FROM: Michele Richards, CEO

PRESENTATION BY: Michele Richards, CEO

RECOMMENDATION

Staff recommends to the Board to ratify the amendment to Board Policy 6.04 as approved by the Board at the March 2022 meeting.

BACKGROUND

At the February 2022 meeting, the Board of Directors approved staff's and the Governance Committee's recommendation to amend the High Profile Event Policy 6.04 requiring 10 days' advance notice, rather than 7 days'.

The policy document has been amended and the Board will vote to ratify the new policy as attached.

32nd District Agricultural Association
Board Policies

Board Policy 6.04: High Profile Event Policy

Date Adopted/Last Revised: March, 2022

Note: Capitalized terms not otherwise defined in this Board Policy have the meanings set forth in the Definitions section of Board Policy 1.01. Should any provision in this policy contradict any provision of California law, California law shall control.

Purpose

This policy governs High Profile Events at the OC Fair & Event Center (OCFEC). A High Profile Event is defined as an event that meets one or more of the following criteria, as determined by OCFEC in its sole and absolute discretion:

- The event has the potential to have a significant impact on the surrounding neighborhoods, including but not limited to noise, lighting, traffic congestion, and public safety.
- The complex nature of the event may impede operational event execution including, without limitation, effective crowd control and public safety measures.

Policy

In order to allow the OCFEC adequate time to assess and plan for High Profile events, the following policy will be implemented:

1. **OCFEC must have at least ten (10) business days' notice** prior to the High Profile Event to adequately assess and plan the event, and coordinate with all relevant internal operations functions and appropriate external partners. The assessment process will include the same considerations as with all other events, including:
 - a. Available space – Is the desired space available without negatively impacting other users/uses of the property?
 - b. Available dates – Is the desired date(s) available without negatively impacting other users/uses of the property?
 - c. Scope of High Profile Event– Can the event be supported by available infrastructure and operational resources, and is it within the mission and values of OCFEC?
 - d. Competing events – Does the event compete with a similar or like event within the date range designated in the Competing Events Policy?

- e. Safety concerns – Are there any safety risks and liabilities that may be caused by the event? If so, are such risks manageable?
 - f. Renter experience – What is the event experience desired by Renter?
 - g. Venue references – What is the past experience of the Renter’s event at other venues?
 - h. Bank and financial institutions references – provide three current references.
 - i. Provide three venue references in which renter has held previous events and if possible, references for events similar in size and scope to current event being considered by OCFEC.
 - j. High Profile Event business plan – What is the Renter’s proposed business plan for the event?
 - k. Financial return to OCFEC – What is the proposed net financial gain from the event?
2. Before an OCFEC contract for a High Profile Event is executed, OCFEC staff and CEO, along with Renter’s representative(s) if applicable, will meet with area stakeholders including, but not limited to, the Chair and Vice-Chair of the OCFEC Board of Directors, the City of Costa Mesa, the Costa Mesa Police Department, Cal Fire, the OC Sheriff’s Department, Orange Coast College, Vanguard University, and the Newport Mesa School District to discuss and assess the potential impact on the surrounding neighborhoods.
 3. The Renter is required to pay 100% of the estimated event expenses, including the facility rental, in advance via certified check or wire transfer.
 4. A security plan for the High Profile Event will be developed by OCFEC staff in conjunction with area law enforcement. The Renter must approve the security plan, agree and pay in advance the full costs associated with this plan to all appropriate agencies involved in providing services to the event, including OCFEC. Satisfactory payment arrangements must be made directly with the security/third party vendor before an OCFEC contract will be executed.
 5. The Renter is required to provide an additional payment in the form of a minimum deposit of 50% of the total estimated event expenses to cover any additional costs that may be incurred as a result of the event. A certified check or credit card is required for this deposit and must be submitted 24 hours prior to the start of the event. If a credit card is presented as payment for this deposit, 50% of the total estimated costs will be charged to the credit card 24 hours prior to the start of the event. Within five business days of the conclusion of the event, OCFEC staff will present the Renter with a final event expense invoice and refund any overages.

6. The Renter may not issue tickets, vouchers or passes to the event (whether paid or complimentary) in excess of the State Fire Marshal's maximum capacity for the venue.
7. Due to the nature of High Profile events and the potential risk for OCFEC and surrounding areas, the Renter must provide a certificate of insurance for an amount not less than \$2 million in general liability coverage per occurrence. Upon concluding a risk assessment, OCFEC in its sole and absolute discretion reserves the right to increase the general liability coverage in an amount determined over the \$2 million minimum requirement.
8. Once the High Profile Event contract is signed, OCFEC will immediately begin communicating through a variety of channels to the public, stakeholders and surrounding neighbors regarding the event.