NOTICE OF MEETING
**** Please Note location and time change****

The 22nd DAA Board of Directors meeting is scheduled for Tuesday, **September 11, 2018** at **10:00 a.m.** at **Surfside Race Place in the Sports Club on the second floor**, Del Mar Fairgrounds, 2260 Jimmy Durante Blvd., Del Mar, California, to consider the attached agenda.

22nd District Agricultural Association
Board of Directors

Steve Shewmaker, President
Richard Valdez, Vice-President
Lisa Barkett, Director
Lee Haydu, Director
Kathlyn Mead, Director
Russ Penniman, Director
Frederick Schenk, Director
Pierre Sleiman, Director
David Watson, Director

*This notice is also available on the Internet at: www.delmarfairgrounds.com

MISSION STATEMENT

To manage and promote a world class, multi-use, public assembly facility with an emphasis on agriculture, education, entertainment, and recreation in a fiscally sound and environmentally conscientious manner for the benefit of all.

BOARD OF DIRECTORS MEETING
SEPTEMBER 11, 2018 @ 10:00 a.m.
AGENDA

Persons wishing to attend the meeting and who may require special accommodations pursuant to the provisions of the Americans with Disabilities Act are requested to contact the office of the General Manager, (858) 755-1161, at least five working days prior to the meeting to insure proper arrangements can be made.

Items listed on this Agenda may be considered in any order, at the discretion of the chairperson.

This Agenda, and all notices required by the California Bagley-Keene Open Meeting Act, are available on the internet at: www.delmarfairgrounds.com

I. CALL TO ORDER – PRESIDENT STEVE SHEWMAKER

II. ROLL CALL

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III. DIRECTORS REQUEST **5**
A. Future of Gun Shows at the Del Mar Fairgrounds (Informational)

IV. CONTRACTS OVERSIGHT COMMITTEE 99
A. Consideration of future Gun Shows at the Del Mar Fairgrounds beyond December 31st 2018. (Informational/Action)

V. PUBLIC COMMENT – GUN SHOW RELATED
Speakers are requested to sign in prior to the start of the meeting and are limited to **two minutes**. Speaker's time may be modified based on the number of public speakers. Public comments on agenda items will be accepted during the meeting as items are addressed. Public comment on issues **NOT** on the current Agenda is allowed. However, no debate by the Board shall be permitted on such public comments and no action will be taken on such public comment items at this time, as law requires formal public notice prior to any action on a docket item. **There will be no ceding of time.**

*** **BOARD LUNCH BREAK NOON - 1:30pm** ***

VI. CONSENT CALENDAR **100**
The items on the Consent Calendar will be enacted in accordance with recommended action under one motion unless trailed from the Consent Calendar by the Board. Any member wishing to trail an item from the Consent Calendar should notify the General Manager prior to the meeting. Trailed items will be considered after the motion to approve the Consent Calendar.

A. Minutes, Regular Meeting, August 14, 2018 101-106
B. Out of State Travel Approval 107
C. 22nd District Agricultural Association (DAA)/Sponsorship Contracts Approval 108

VII. MANAGERS REPORT **109**

The Board may take approval action on the Manager's Report:

A. Events Report (Informational) 110-113
B. Scream Zone Update (Informational) 114-115
C. Other (Informational) ---

VIII. COMMITTEE REPORTS **116**

The Board may take approval action on Committee Reports and New Committee Assignments:

A. Fair Operations Committee – Frederick Schenk, Chair
1. 2018 San Diego County Fair Grounds Stage Entertainment Contracts Approval (Action) 117
2. 2018 San Diego County Fair Wrap-Up (Informational) 118
3. 2019 San Diego County Fair Grandstand Entertainment Contracts Approval (Action) 119
4. 2019 San Diego Fair Proposed Dates (Informational/Action) 116
5. 2019 San Diego County Fair Proposed Theme (Informational/Action) ---

B. DMTC/Satellite Wagering Committee – Russ Penniman, Chari
1. DMTC Race Meet Report Wrap Up(Informational) 120
2. Satellite Wagering Report (Informational) 121

C. Finance Committee – Russ Penniman, Chair
1. Approval for New IBank Loan Negotiation (Informational/Action) 122
2. 2019 Budget Timeline (Informational/Action) 123
3. Annual Audit Update (Informational) 124

D. Contracts Oversight Committee – Steve Shewmaker, Chair
1. Cirque du Soleil (Informational/Action) 125

E. KAABOO Ad Hoc Committee – Richard Valdez, Chair
1. Committee Report (Informational) ---

F. Food & Beverage Committee – Lisa Barkett, Chair
1. Premier P&L Statement – July 2018 (Informational/Action) 126

G. SSRP Alternative Uses Committee – Steve Shewmaker, Chair
1. Surfside Race Place renovation update (Informational) ---

H. Legal Committee – Richard Valdez, Chair
1. Committee Report (Informational/Action) ---

IX. PUBLIC COMMENT

Speakers are requested to sign in prior to the start of the meeting and are limited to **two minutes**. Speaker's time may be modified based on the number of public speakers. Public comments on agenda items will be accepted during the meeting as items are addressed. Public comment on issues **NOT** on the current Agenda is allowed. However, no debate by the Board shall be permitted on such public comments and no action will be taken on such public comment items at this time, as law requires formal public notice prior to any action on a docket item.

X. CLOSED EXECUTIVE SESSIONS (NOT OPEN TO THE PUBLIC)

Pursuant to the authority of Government Code section 11126(a), (b), and (e), the Board of Directors will meet in closed executive sessions. The purpose of these executive sessions is:

A. To confer with and receive advice from legal counsel regarding potential litigation involving the 22nd DAA. Based on existing facts and circumstances, there is significant exposure to litigation against the 22nd DAA.
B. To confer with and receive advice from legal counsel regarding potential litigation involving the 22nd DAA. Based on existing facts and circumstances, the Board of Directors will decide whether to initiate litigation.
C. To confer with counsel, discuss, and consider the following pending litigation to which the 22nd DAA is a party. Guillermo Munoz v 22nd DAA, Claim No. 7030090048.
D. To confer with counsel, discuss, and consider the following pending litigation to which the 22nd DAA is a party. Jose Luis Morales v 22nd DAA, 4th District Court of Appeal, Division 1, Case No. D067247.
E. To confer with counsel, discuss, and consider the following pending litigation to which the 22nd DAA is a party. Gillian Brown v 22nd DAA, United States District Court, Southern District of California, Case No. 15CV2578.
F. To confer with counsel, discuss, and consider the following pending litigation to which the 22nd DAA is a party. Aegis Software, Inc. v 22nd DAA, United States District Court, Southern District of California, Case No. 15CV2956.
G. To confer with counsel, discuss, and consider the following pending litigation to which the 22nd DAA is a party. Arthur Senteno v 22nd DAA, San Diego County Superior Court, Case No. 37-2016-00005557-CU-WT-CTL.
H. To confer with counsel, discuss, and consider the following pending litigation to which the 22nd DAA is a party. Zweig v. 22nd DAA, San Diego County Superior Court, Case No. 37-2018-0024143

XI. RECONVENE TO OPEN SESSION

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

XII. DIRECTORS CLOSING COMMENTS

XIII.	**FOR YOUR INFORMATION**	**127**
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B.	Satellite Wagering Operating Statement	---
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D.	Correspondence	---

XIV. ADJOURNMENT

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3.	Crossroads of the West Information by Tracy Olcott (Informational)	75-81
4.	Correspondence – Gun Show(Informational)	82-98

Gun Show Policy Report

To: President - 22nd District Agricultural Association and Board of Directors

From: Timothy J. Fennel CEO / General Manager

Date: September 11, 2018

Subject: Gun Show Policy

Discussion / History:
B & L Productions has been producing Gun Shows for 30 years since 1988 at the Del Mar Fairgrounds. Annually they host five separate two day shows averaging between 6,000 to 10,000 people per weekend. Staff reports the show producers are very corporative, they fulfill contract deposits on time, they comply with all requirements from law enforcement and have very little internal issues in managing the event.

Pros:
Pros of having gun shows at the Del Mar Fairgrounds may include obtaining a steady revenue stream from loyal patrons and branding developed over the 30 year history. The events are well known meeting the needs of gun show enthusiasts in San Diego. The show supports temporary jobs for security personnel, contractors, vendors, food and beverage, medical staff, other event personnel. The large number of attendance per show generates exposure to the fairgrounds through their marketing efforts.

Cons:
Cons of having Gun shows include local protests from the anti-gun community, potential general safety concerns, backlash from supporting sensitive issues, and hesitation from other potential promoters wanting to have their event on the same weekend.

Fiscal Impact:

See attached profit and loss statement

Environmental Impact:

N/A

Recommended Action:

Refer to 22nd DAA Board of Director's proposal

Requested dates for 2019 are as follows:

March 16-17, 2019
May 18-19, 2019
July 13-14, 2019
October 5-6, 2019
December 14-15, 2019

Attachments:

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• P & L statement	**8**
• Governmental licenses	**9-13**
• Laws and Regulations pertaining to California Gun Shows	**14-25**
• Reported crimes from the SD Sheriff's Department	**27**
• Annual Event and Security Plan	**28-29**
• Miscellaneous information attached	**30-71**

2017 DMF GUN SHOW PROFIT AND LOSS

Revenue	3/18 & 19/2017	5/20 & 21/2011	7/15 & 16/2017	9/30 & 31/2017	12/9 & 10/2017	**Yearly Totals**
Rental Revenue	$ 21,525.00	$ 13,600.00	$ 13,600.00	$ 21,325.00	$ 21,325.00	**$ 91,375.00**
Ancillary Revenue	$ 22,197.31	$ 20,704.88	$ 20,000.00	$ 20,788.13	$ 22,062.19	**$ 105,752.51**
F&B Revenue	$ 30,671.00	$ 27,870.00	$ 31,588.00	$ 32,298.00	$ 38,101.00	**$ 160,528.00**
Parking Revenue	$ 38,352.00	$ 37,814.00	$ 35,139.00	$ 34,100.00	$ 32,147.00	**$ 177,552.00**
Per Show Revenue	**$ 112,745.31**	**$ 99,988.88**	**$ 100,327.00**	**$ 108,511.13**	**$ 113,635.19**	**$ 535,207.51**
Expenses						
Rental	$ 2,152.50	$ 1,360.00	$ 1,360.00	$ 2,132.50	$ 2,132.50	**$ 9,137.50**
Ancillary expenses	$ 19,977.58	$ 18,634.39	$ 18,000.00	$ 18,709.32	$ 19,855.97	**$ 95,177.26**
F&B expenses	$ 20,856.28	$ 18,951.60	$ 21,479.84	$ 21,962.64	$ 25,908.68	**$ 109,159.04**
Parking expenses	$ 3,835.20	$ 3,781.40	$ 3,513.90	$ 3,410.00	$ 3,214.70	**$ 17,755.20**
Total per show expenses	**$ 46,821.56**	**$ 42,727.39**	**$ 44,353.74**	**$ 46,214.46**	**$ 51,111.85**	**$ 231,229.00**
Net revenues	**$ 65,923.75**	**$ 57,261.49**	**$ 55,973.26**	**$ 62,296.67**	**$ 62,523.34**	**$ 303,978.51**

2018 DMF GUN SHOW PROFIT AND LOSS

Revenue	3/24 & 25/2018	5/26 & 27/2018	7/21 & 22/2018	**Yearly Totals**
Location Rental	$ 10,790.00	$ 13,600.00	$ 9,400.00	**$ 33,790.00**
Ancillary	$ 19,549.00	$ 20,025.94	$ 19,436.25	**$ 59,011.19**
F&B	$ 25,226.84	$ 18,285.00	$ 16,987.83	**$ 60,499.67**
Parking	$ 32,352.00	$ 38,150.00	$ 30,139.00	**$ 100,641.00**
Per Show Revenue	**$ 87,917.84**	**$ 90,060.94**	**$ 75,963.08**	**$ 253,941.86**
Expenses				
Rental	$ 1,079.00	$ 1,360.00	$ 940.00	**$ 3,379.00**
Ancillary expenses	$ 17,594.10	$ 18,023.35	$ 17,492.63	**$ 53,110.07**
F&B expenses	$ 17,154.25	$ 12,433.80	$ 11,551.72	**$ 41,139.78**
Parking expenses	$ 3,235.20	$ 3,815.00	$ 3,013.90	**$ 10,064.10**
Total per show expenses	**$ 39,062.55**	**$ 35,632.15**	**$ 32,998.25**	**$ 107,692.95**
Net revenues	**$ 48,855.29**	**$ 54,428.79**	**$ 42,964.83**	**$ 146,248.91**

Notes:

Rental expenses are applied to janitorial and maintenance staff, power, supplies and wear and tear.

Ancillary expenses are billed to the promoter to cover audio visual equipment, medical, district security, Elite security, maintenance equipment, parking directors, and law enforcement.

Parking revenue is estimate based on number other activity held at the fairgrounds.

STATEMENT AND DESIGNATION BY FOREIGN CORPORATION

1958466

FILED
In the office of the Secretary of State
of the State of California

DEC 27 1995

BILL JONES, Secretary of State

B & L PRODUCTIONS, INC.

(Name of Corporation)

_____, a corporation organized

and existing under the laws of Utah, makes the following

(State or Place of Incorporation)

statements and designation:

1. The address of its principal executive office is ~~322~~ 332 South Mountain Road, Fruit Heights, Utah 84037.

(Insert complete address of principal executive office wherever located.)

DO NOT USE POST OFFICE BOX

2. The address of its principal office in the State of California is 2017 Redwood Road, Napa, California 94558.

(Insert complete address of principal office in California.)

DO NOT USE POST OFFICE BOX

DESIGNATION OF AGENT FOR SERVICE OF PROCESS IN THE STATE OF CALIFORNIA

(Complete Either Item 3 or Item 4)

3. (Use this paragraph if the process agent is a natural person.)

Jean Crawford,

a natural person residing in the State of California, whose complete address is 2017 Redwood Road, Napa, California 94558,

DO NOT USE POST OFFICE BOX

is designated as agent upon whom process directed to the undersigned corporation may be served within the State of California, in the manner provided by law.

Secretary of State Form
S&DC-G

4. (Use this paragraph if the process agent is a corporation.)

_____, a corporation organized and existing under the laws of _____, is designated as agent upon whom process directed to the undersigned corporation may be served within the State of California, in the manner provided by law.

NOTE: Before a corporation may be designated by any other corporation as an agent for service of process, a corporate agent must have complied with Section 1505, California Corporations Code.

5. The undersigned corporation hereby irrevocably consents to service of process directed to it upon the agent designated above, and to service of process on the Secretary of State of the State of California if the agent so designated or the agent's successor is no longer authorized to act or cannot be found at the address given.

B & L PRODUCTIONS, INC.
(Name of Corporation)

Robert R Templeton
(Signature of Corporate Officer)

Robert R. Templeton, President
(Typed Name and Title of Officer Signing)

STATE OF UTAH

Department of Commerce

CERTIFICATION
OF GOOD STANDING

THE UTAH DIVISION OF CORPORATIONS AND COMMERCIAL CODE HEREBY CERTIFIES THAT

B & L PRODUCTIONS, INC.

is a Utah corporation and is qualified to transact business in the State of Utah, and that its most recent annual report required by Utah law has been filed, and that Articles of Dissolution have not been filed. A Certificate of Incorporation was issued from this office on *December 29, 1989* and said corporation is in good standing, as appears of record in the offices of the Division.

This certification is not intended to reflect the financial condition, business activity or practices of this corporation.

File Number: *CO 139867*

DIVISION OF CORPORATIONS AND COMMERCIAL CODE · STATE OF UTAH

Dated this 20th *day of* December, *19* 95.

Korla T. Woods
Director, Division of
Corporations and Commercial Code

State of California

Secretary of State

F

E-P61324

FILED

In the office of the Secretary of State of the State of California

Nov - 29 2012

This Space For Filing Use Only

Statement of Information
(Foreign Corporation)

FEES (Filing and Disclosure): $25.00. If amendment, see instructions.
IMPORTANT - READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

1. **CORPORATE NAME**

C1958466
B & L PRODUCTIONS, INC.

LEANN VAN BROCKLIN
P O BOX 290
KAYSVILLE UT 84037

DUE DATE:

No Change Statement (Not applicable if agent address of record is a P.O. Box address. See instructions.)

2. ☐ If there has been no change in any of the information contained in the last Statement of Information filed with the California Secretary of State, check the box and proceed **to Item 12.**

If there have been any changes to the information contained in the last Statement of Information filed with the California Secretary of State, or no statement has been previously filed, this form must be completed in its entirety.

Complete Addresses for the Following (Do not abbreviate the name of the city. Items 3 and 4 cannot be P.O. Boxes.)

3. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE	CITY	STATE	ZIP CODE
280 N 900 W	KAYSVILLE	UT	84037

4. STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIFORNIA, IF ANY	CITY	STATE	ZIP CODE

5. MAILING ADDRESS OF THE CORPORATION, IF DIFFERENT THAN ITEM 3	CITY	STATE	ZIP CODE
LEANN VAN BROCKLIN P O BOX 290	KAYSVILLE	UT	84037

Names and Complete Addresses of the Following Officers (The corporation must list these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

6. CHIEF EXECUTIVE OFFICER/	ADDRESS	CITY	STATE	ZIP CODE
ROBERT R TEMPLETON	2300 E CEDAR PL	CHANDLER, AZ	85249	

7. SECRETARY	ADDRESS	CITY	STATE	ZIP CODE
LESLIE LASHER	2433 W ENFIELD WAY	CHANDLER, AZ	85286	

8. CHIEF FINANCIAL OFFICER/	ADDRESS	CITY	STATE	ZIP CODE
LYNN S TEMPLETON	2300 E CEDAR PL	CHANDLER	AZ	85249

Agent for Service of Process (If the agent is an individual, the agent must reside in California and Item 10 must be completed with a California street address (a P.O. Box is not acceptable). If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 10 must be left blank.)

9. NAME OF AGENT FOR SERVICE OF PROCESS

JEAN CRAWFORD

10. STREET ADDRESS OF THE AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, **IF AN INDIVIDUAL**	CITY	STATE	ZIP CODE
313 STACEY WAY	NAPA, CA	94558	

Type of Business

11. DESCRIBE THE TYPE OF BUSINESS OF THE CORPORATION

TRADE SHOW (GUNSHOWS)

12. THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

11/29/2012	TRACY T OLCOTT	VP	
DATE	TYPE OR PRINT NAME OF PERSON COMPLETING THE FORM	TITLE	SIGNATURE

SI-350 (REV 10/2010)

APPROVED BY SECRETARY OF STATE

F

State of California
Secretary of State

Statement of Information
(Foreign Corporation)
FEES (Filing and Disclosure): $25.00.
If this is an amendment, see instructions.
IMPORTANT – READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

FT05269

FILED

In the office of the Secretary of State of the State of California

DEC-19 2017

This Space for Filing Use Only

1. **CORPORATE NAME**
B & L PRODUCTIONS, INC.

2. **CALIFORNIA CORPORATE NUMBER** C1958466

No Change Statement (Not applicable if agent address of record is a P.O. Box address. See instructions.)

3. **If there have been any changes to the information contained in the last Statement of Information filed with the California Secretary of State, or no statement of information has been previously filed, this form must be completed in its entirety.**
☑ If there has been no change in any of the information contained in the last Statement of Information filed with the California Secretary of State, check the box and proceed **to Item 13**.

Complete Addresses for the Following (Do not abbreviate the name of the city. Items 4 and 5 cannot be P.O. Boxes.)

4. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE	CITY	STATE	ZIP CODE
5. STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIFORNIA, IF ANY	CITY	STATE	ZIP CODE
6. MAILING ADDRESS OF THE CORPORATION, IF DIFFERENT THAN ITEM 4	CITY	STATE	ZIP CODE

Names and Complete Addresses of the Following Officers (The corporation must list these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

7. CHIEF EXECUTIVE OFFICER/	ADDRESS	CITY	STATE	ZIP CODE
8. SECRETARY	ADDRESS	CITY	STATE	ZIP CODE
9. CHIEF FINANCIAL OFFICER/	ADDRESS	CITY	STATE	ZIP CODE

Agent for Service of Process If the agent is an individual, the agent must reside in California and Item 11 must be completed with a California street address, a P.O. Box address is not acceptable. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 11 must be left blank.

10. NAME OF AGENT FOR SERVICE OF PROCESS

11. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, **IF AN INDIVIDUAL**	CITY	STATE	ZIP CODE

Type of Business

12. DESCRIBE THE TYPE OF BUSINESS OF THE CORPORATION

13. THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

12/19/2017	LEANN VANBROCKLIN	ACCOUNTING	Helen VanBrocklin
DATE	TYPE/PRINT NAME OF PERSON COMPLETING FORM	TITLE	SIGNATURE

SI-350 (REV 01/2013) APPROVED BY SECRETARY OF STATE

To: Board of Directors
22nd District Agricultural Association

From: Patrick J. Kerins, Public Safety Director
22nd District Agricultural Association

Via: Mr. Timothy Fennell, General Manager
22nd District Agricultural Association

Subject: Laws and Regulations pertaining to California Gun Shows

In preparation for your Board meeting on November 15, 2016 reference the letter from Mr. Wayne Derntz relative to the Crossroads of the West Gun Show, I am providing you the following historical information relative to the Crossroads of the West Gun Show and the California rules, regulations and laws that govern gun shows. As you will note in the report, I communicated with law enforcement to see if any of the information had to be up-dated but according to the San Diego Sheriff's Department that regulates the gun show I was advised that all the applicable rules, regulations and laws are as applicable today as they were in 1999.

With that said, in 1999, then Director Louis Wolfsheimer requested that a staff report be prepared to answer two questions he had regarding the gun show held at the Fairgrounds.

Mr. Wolfsheimer's major concerns were:

- can a patron attending a gun show on District property purchase a firearm without any checks or waiting periods that are required by law when guns are purchased from retail dealers off fairground property?

- secondly, does the District have in place proper internal oversight and mechanisms requiring the promoter and the vendors to comply with all applicable laws that regulate the sale and transfer of firearms?

In order to address Director Wolfsheimer's concerns as to whether firearms being sold or transfer on District property are in compliance with applicable federal, state and local laws, I contacted the Commander of the Encinitas Sheriff's station who has primary law enforcement jurisdiction pertaining to any such matters on District property. I was subsequently directed to the San Diego County Sheriff's Department Licensing Division. The San Diego County Sheriff's Department has regulatory jurisdiction in licensing and enforcement of gun shows. At the time, I was directed to Detective Tom Morton who was a licensing specialist who had considerable expertise in the area of statutory regulations and compliance for gun shows.

After reviewing Director Wolfsheimer's letter at my request, Detective Morton made an unsolicited statement that the Crossroads of the West Gun Show is one of the best gun

shows for compliance with all state and federal regulatory statutes that apply to the sale and transfer of firearms. Detective Morton said, in his opinion, The Crossroads of the West Gun Show was more a sports show. He based that on the fact that the show appears to have just as many vendors selling hunting equipment, clothes and accessories as firearms. In fact, he said the promoter should call it the "CROSSROADS OF THE WEST SPORTS SHOW" instead of gun show.

Detective Morton said that any firearm sold or transferred at the Crossroads of the West Gun Show must meet the same requirements as if the firearm was purchased from an off-site licensed vendor. All sales and transfers are subject to compliance with Penal Code sections 12071 and 12072 that regulate Gun Shows. In essence, those particular statutes requires the purchaser and seller to:

- produce valid identification and a firearms safety certificate
- prepare a CA. Dept. of Justice dealer record of sale
- prepare a Bureau of Alcohol, Tobacco and Firearms form 4473 (federal record of sale form)
- wait the required ten day waiting period for both the state and federal authorities to do a background check to determine if the person is qualified to own a firearm. This applies to any transaction whether from a vendor or via private parties.

The only exception to the above requirements is for firearms made prior to 1898 and are classified as antiques.

As for the promoter of the Crossroads of the West Gun Show, Mr. Bob Templeton, Detective Morton said he was in full compliance with the requirements set-forth in Penal Code section 12071 which regulate gun shows. Those requirements are:

- that he possess a Certificate of Eligibility issued by the California Department of Justice. This certificate is issued after a thorough background check is completed on the applicant.
- that he produce a list of all vendors that sell firearms (35 of the 265 gun show vendors) 72 hours prior to the event. Detective Morton and the California Department of Justice validates that they are all licensed vendors.

As for actual vendors, Detective Morton said that all vendors that participate in the gun show are in compliance with all the state and federal regulations. They all possess the following documents:

- Federal Firearms License issued by the Bureau of Alcohol, Tobacco and Firearms.
- Certificate of Eligibility issued by the California Department of Justice.
- sellers permit issued by the State Board of Equalization.
- California Firearms Dealer (CFD) number issued by the California Department of Justice. This certificate validates that the vendor is a fully licensed California gun dealer. Participating in a gun show is an extension of the dealer's retail business. In

essence, selling and transfer of a firearm must meet the same legal requirements as if the firearm was purchased at a licensed retail shop.
- any firearm purchased must be retained by the dealer for ten days before being transferred to the purchaser. This allows the state and federal government to do a thorough background check. In the case of private party transactions, a licensed vendor must facilitate the transaction and retain possession of the firearm for the ten days. A fee is charge to the purchaser to off-set any administrative overhead incurred by the vendor.

In order to ensure compliance with the aforementioned regulatory statutes and in accordance with section 12071.1(8) (i) Gun Show Security plan, Detective Morton, in cooperation and support with District Security, conducts both an overt and covert inspection of all our gun shows. Each gun show is policed by four uniformed San Diego County Deputy Sheriffs and a team of undercover Detectives from the Sheriff's Licensing and Explosive Ordnance Unit. Their mission is to:

- observe firearm transactions and compliance with all appropriate state and federal statutes.
- monitor private party transactions
- look for any illegal weapons
- monitor the crowd for any parole violators or any other person prohibited from owning a firearm

It should also be noted that Agents from the California Department of Justice and the Bureau of Alcohol, Tobacco and Firearms do site inspections as well.

Detective Morton, at the time, stated that the Crossroads of the West Gun Show was in full compliance with local, state and federal regulatory statutes. In his tenure of monitoring the Gun Show nominal violations had been recorded. In addition to Detective Morton's assessment of the Crossroads of the West Gun Show, the Criminal Justice Information Services Division of the State Attorney General's Office also stated that the Crossroads of the West Gun Show was in full compliance with all applicable laws of the state and federal government. Detective Morton said that most of the publicity in reference to gun show loopholes was associated with states that do not have regulatory statutes pertaining to the possession, sale and transfer of weapons at gun shows.

Detective Morton also addressed the issue of firearms that meet the definition of an assault weapon. Detective Morton said that the California Assault Weapons Control Act includes a list of semiautomatic firearms which are identified "assault weapons". Accordingly, those firearms which are specified in Penal Code section 12276 are assault weapons and are illegal to possess, sell or transfer by any means. Fully automatic weapons are illegal and CANNOT be obtained at gun shows.
As to the recent passage of Proposition 63, the sales of ammunition at the gun show will have to meet all the legal requirements of the State ballot measure. In regards to the sale of ammunition, purchasers will be required to obtain a permit from the California

Department of Justice. In reference to firearm safety, prior to purchasing and taking possession of a firearm, the purchaser must take a firearms safety course and upon successfully passing the test will be issued a Firearms Safety Certificate which is required to purchase a firearm.

As Chief of Security for the 22nd DAA, I routinely inspect the gun show and on a regular basis communicate with the San Diego Sheriff's Department re: compliance with all the applicable laws and regulations and the Security Plan required by the California Department of Justice Firearms Division. I recently spoke to Detective Jaime Rodriguez of the Sheriff's North Coastal Station who supervises the four Deputies assigned to the gun show security detail and Detective Stacey Smith who is assigned to the Sheriff's Licensing Division. Both Detectives said the Crossroads of the West Gun Show is in complete compliance with all the local, State and Federal laws that govern gun shows and that there have not been any violations of law. Both Detectives had high praise for the show promoters and the 22nd DAA staff.

In addition, the District is in full compliance with the Division of Fairs and Expositions rules and regulations that mandates that all District Agricultural Associations include specific language and terms into all contracts for shows and events where participants display, possess or sell firearms or other weapons.

The CROSSROADS OF THE WEST GUN SHOW has been affiliated with the District for approximately 30 years. Robert R. Templeton is the president of the show and produces fifty two (52) gun shows each year in California, Arizona, Utah, Colorado and Nevada. He is a chartered member of the National Association of Arms Shows, an organization of gun show producers whose rules include the strictest compliance with the law and safety requirements of any gun shows in America. Approximately thirteen (5%) percent of the 265 vendors that participate in the Crossroads of the West Gun show sell firearms. Currently, his daughter-in-law, Tracey Olcottt, manages the event and is the holder of the required Certificate of Eligibility issued by the California Department of Justice.

In my considered opinion, as Chief of Security for the 22nd DAA for the last 17 years, the CROSSROADS OF THE WEST GUN SHOWS (5 per year) are in compliance with all the local, state and federal regulatory statutes and have operated without any violations of those laws. Under the laws of the State of California you must comply with all the laws of purchasing, selling and/or transferring of firearms at a gun show as you would at licensed gun dealer's store. Due to the strict California gun show regulations there are no so called loop holes that you so often hear about in the media.

It should be further noted, that in 2016 California voters passed Proposition 63, which will comprehensively regulate ammunition sales in California. Per Proposition 63, beginning January 1, 2018 the following rules and laws governing the sale ammunition in the State of California will take effect:

- Beginning January 1, 2018, individuals who sell more than 500 rounds of ammunition in any month will be required to obtain an annual state issued license and will be required to conduct ammunition sales at specified business location or gun shows.
- State of California Department of Justice will issue ammunition vendor licenses to individuals who provide specified documentation, including a certificate of eligibility verifying that they passed a background check. Those dealers already licensed as firearm dealers are precluded.
- Dealers will be required to report loss or theft of ammunition from their inventory.
- Ammunition sales will have to be conducted by or processed through a licensed vendors.
- Beginning July 1, 2019, licensed ammunition vendors will be required to record, maintain and report to DOJ records of ammunition sales in a manner similar to dealer's records of sales for firearms purchases.
- Beginning July 1, 2019, licensed ammunition vendors will be prohibited from selling or transferring ammunition until first conducting a background check to verify that the person receiving the ammunition is legally eligible.
- Ammunition cannot be sold to anyone under the age of 18. Handgun ammunition can only be sold to those 21 years of age or older.
- All ammunition at Gun Shows must be displayed in closed containers. In addition, no person at a Gun Show in California, other than Security personnel or sworn peace officers, can possess at the same time both a firearm and ammunition that is designed to be fired in the firearm.

_____

Patrick J. Kerins, Public Safety Director
22nd District Agricultural Association

EXHIBITOR CONTRACT
REQUIRED BY CALIFORNIA STATE LAW A.B. 295

As a participant at this gun show, I agree to abide by the following terms and conditions:

I agree that I will not deliver any weapon at the show in violation of the ten day waiting period by California law. I UNDERSTAND THAT ALL FIREARMS, INCLUDING CURIOS AND RELICS, ARE SUBJECT TO THE WAITING PERIOD AND D.R.O.S. REPORTING REQUIREMENTS and that the sale or transfer of any firearm, except as noted above, must be completed through a fully licensed dealer. The only exceptions are antique firearms manufactured prior to December 31, 1898. Any antique handgun which fires ammunition readily available in commercial channels is subject to the same requirements for background checks and waiting periods as non-antique firearms.

I understand that California law requires that all firearm transactions must be processed by a licensed dealer in compliance with D.R.O.S. and other requirements, and I agree not to deliver any firearm without complying with the transfer procedures required by California law. Further, I agree to comply with all federal and local laws ***and with all facility and show rules.***

SAFETY RULES: I AGREE TO INDIVIDUALLY CHECK AND CLEAR EACH AND EVERY FIREARM WHICH I BRING TO THE SHOW OR WHICH ANY PERSON THAT I BRING TO THE SHOW HAS IN THEIR POSSESSION. THIS INCLUDES PERSONAL 'CARRY' GUNS AS WELL AS ALL OF THE GUNS ON MY TABLE, UNDER MY TABLE, IN MY BRIEFCASE OR IN MY PURSE OR ANY PLACE IN MY POSSESSION OR IN THE POSSESSION OF ANYONE WHO IS WITH ME.

I WILL CHECK AND CLEAR EVERY FIREARM IN MY POSSESSION PRIOR TO ENTERING THE BUILDING, AND TIE THE ACTION WITH A NYLON TIE WHICH WILL BE PROVIDED BY SHOW MANAGEMENT PRIOR TO PLACING ANY FIREARM ON MY TABLE FOR DISPLAY. I agree to remove all detachable magazines from any firearms in my possession or in my display. ***I understand that no loaded magazines are permitted in the show for any reason.***

Pursuant to the provision of A.B. 295, Chapter 247, I certify that:

I will not display, posses, or offer for sale any firearms, knives, or weapons for which possession or sale is prohibited.

I acknowledge that I am responsible for knowing and complying with all applicable federal, state, and local laws dealing with the possession and transfer of firearms or any other item regulated by California law.

I will not engage in activities that incite or encourage hate crimes.

I will process all transfers of firearms through licensed firearms dealers as required by state law.

I will verify that all firearms in my possession at the show or event will be unloaded, and that the firearms will be secured in a manner that prevents them from being operated except for brief periods when the mechanical condition of a firearm is being demonstrated to a prospective buyer.

I have complied with the provision of the law which requires that prior to the commencement of this gun show or event that I have provided the show producer with all of the following information relative to myself (the vendor) , my employees and other persons, compensated or not, who will be working or otherwise providing services at my display space if firearms manufactured after December 31, 1898 will be offered for sale:
(1) Complete name, (2) driver's license or state-issued identification card number and (3) date of birth.

I will not display or possess black powder, or offer it for sale. (Some facilities prohibit the possession of ANY quantity of smokeless powder in the show. Check with show management for local restrictions.)

I will conduct all firearms transfers at the gun show or event in accordance with applicable state and federal laws.

I will display ammunition only in closed original factory boxes or other closed containers, except for purposes of showing ammunition to a prospective buyer.

STRICTLY FORBIDDEN are the sale, display, possession, or bringing onto the grounds of the gun show or event the following:

Any parts or accessories that may be used on any firearm as a sound suppressor or silencer, or that may be used to convert semi-automatic firearms to full automatic fire.
Live cannon, artillery shells, mines, grenades, or other destructive devices.
Tear gas, or other antipersonnel sprays, shields, shells, canisters, projectiles, or other disabling devices such as repellents or cattle or other electric prods.
Pepper gas may be offered for sale in some facilities contingent on strict compliance with California law and Crossroads Show Rules.
Stun guns, unless power sources for such devices are packaged separately.
Ammunition for which the propellant is not contained in a metal casing (i.e. caseless ammunition)
Firearms capable of firing caseless ammunition.

I understand that this gun show is advertised to the public as a family event, and that pornographic materials or items with obscene language or graphics, including magazines, pictures, videos, bumper stickers, T-shirts, hats or other items which are offensive to families or individuals are strictly prohibited. [Racial, ethnic or hate materials, including but not limited to Nazi, Communist or white supremacist propaganda are strictly prohibited. The display of such materials is a crime under A.B. 295.]. Display or sale of any prohibited items will result in the immediate removal of the offending dealer from the show and will be grounds for being banned from any future shows.

I agree to indemnify and hold harmless, including any legal expenses, the producers of this show, the managers of this show, their employees or agents and the owners, or the operators and employees of the facility in which the show is conducted, and the State of California and its political subdivisions, from any damage, loss or legal action resulting from the failure to observe the preceding, or any intentional, unintentional or negligent act resulting in injury or damage, whether committed by myself or any individual sharing my space or employed to work in the space.

I understand and agree that show producers are not liable for loss or theft of, or damage to, merchandise, and that I am responsible for my own merchandise at all times during which the show is open to the public and during all hours which the show is closed to the public.

I understand that any activities at this show which are not in compliance with applicable laws, California State Fair Board rules or Show Producer's rules are grounds for expulsion from this show and that such violation of rules or the violation of any federal state or local law will be grounds for expulsion from this show and exclusion from any future shows.

I have read the foregoing and agree to abide by all show rules and applicable laws. I acknowledge that I have received a copy of this contract.

Print your name legibly _____ **Signed** _____

Date _____ **Show Location** _____

California Department of Justice
Firearms Division

Annual Event and Security Plan

See instructions on reverse side before completing

Gun Show Production Business Name | Gun Show Producer Last Name | COE Gun Show Producer Endorsement Number | Expiration Date

Contact Person (Name and Title) for Gun Show or Event | Contact Telephone Number | Contact Facsimile Number (Optional)

Gun Show or Event *(Use additional sheets of paper as necessary to complete this section)*

Gun Show(s) or Event(s) Name | Date(s) of Gun Show(s) or Event(s) | Time(s) of Gun Show(s) or Event(s)

Gun Show or Event Facility Name | Gun Show or Event Facility Address | City | Zip Code

Type of Gun Show or Event | Facility Contact Person (Name and Title) | Facility Contact Telephone Number

Security

Estimated number of attendees at gun show or event _____

Estimated number of vendors offering firearms for sale or display _____

Number of non-sworn security personnel employed by the producer or the facility's manager who will be present at the gun show or event _____

The number of sworn peace officers employed by the producer or the facility's manager who will be present at the show or event _____

Number of entrances and exits at the gun show or event site _____

I declare under penalty of perjury (Penal Code sections 126 and 127) that all statements made by me on this Annual Event and Security Plan are true and complete.

Signature and Title _____ Date _____

Facility Manager Approval

I declare under penalty of perjury (Penal Code section 126 and 127) that I am the manager of the above named facility and, in accordance with Penal Code section 12071.1 (i), I have consulted with with the law enforcement agency with jurisdiction over the facility regarding this Annual Event and Security Plan. I certify that, following my consultation with law enforcement, I have approved this Annual Event and Security Plan.

Signature and Title _____ Date _____

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Over ☞

GUN SHOW REQUIREMENTS

1. No person shall produce, promote, sponsor, operate or otherwise organize a gun show or event, unless that person possesses a valid certificate of eligibility (COE) from the Department of Justice.

2. Certifies that he or she is familiar with the provisions of this section and Section 12071.4. PC

3. Ensures that liability insurance is in effect for the duration of an event or show in an amount of not less than one million dollars ($1,000,000).

4. Provides an annual list of the gun shows or events that the applicant plans to promote, produce, sponsor, operate, or otherwise organize during the year for which the COE is issued, including the date, time and location of the gun shows or events.

5. Posting of required signs.

6. Prior commencement of a gun show or event, the producer shall, upon written request, within 48 hours, or a later time specified by the requesting law enforcement agency, make available a complete and accurate list of all persons, entities, and organizations that have leased or rented, or are known to the producer to intend to lease or rent, any table, display space, or area at the gun show or event for the purpose of selling, leasing, or transferring firearms.

7. This applies to persons, entities, and organizations whether or not they participate in the entire gun show or event, or only a portion thereof.

8. The producer and facility manager shall prepare an annual event and security plan and schedule that shall include, at a minimum the following:

   a. type of shows or events including, but not limited to, antique or general firearms;
   b. estimated number of vendors offering firearms for sale or display;
   c. estimated number of attendees;
   d. number of entrances and exits at the gun show or event site;
   e. location, dates and times of the shows or events;
   f. contact person and telephone number for both the producer and facility;
   g. number of sworn peace officers employed by the producer or the facilities manager who will be present at the gun show or event;
   h. number of nonsworn security personnel employed by the producer or the facility's manager who will be present at the show or event;
   i. The annual event and security plan shall be submitted by either the producer or the facility's manager to the Dept. of Justice and the law enforcement agency with jurisdiction over the facility.

9. All producers shall have written contracts with all gun show vendors selling firearms at the show or event.

10. The producer shall be responsible for informing prospective gun show vendors of the requirements.

11. No person at a gun show or event, other than security personnel or sworn peace officers, shall possess at the same time both a firearm and ammunition that is designed to be fired in the firearm.

12. Vendors and employees of vendors shall wear nametags indicating first and last name.

13. No member of the public who is under the age of 18 years shall be admitted to, or be permitted to remain at, a gun show or event unless accompanied by a parent or legal guardian.

14. All gun show or event vendors shall certify in writing to the producer that they:

    a. will not display, possess, or offer for sale any firearms, knives, or weapons for which possession or sale is prohibited;
    b. acknowledge that they are responsible for knowing and complying with all applicable federal, state, and local laws dealing with the possession and transfer of firearms;
    c. will not engage in activities that incite or encourage hate crimes;
    d. will process all transfers of firearms through licensed firearm dealers as required by state law;
    e. will verify that all firearms in their possession at the show or event will be unloaded, and that the firearms will be secured in a manner that prevents them from being operated except for brief periods when the mechanical condition of a firearm is being demonstrated to a prospective buyer;
    f. will not display or possess black powder, or offer it for sale;
    g. all firearms transfers at the gun show or event shall be in accordance with applicable state and federal laws;
    h. ammunition at a gun show or event may be displayed only in closed original factory boxes or other closed containers, except for purposes of showing ammunition to a prospective buyer;
    i. shall provide to producer information relative to vendor, the vendor's employees and other persons, compensated or not, who will be working or otherwise providing services to the public at the vendor's display space
    j. his or her complete name;
    k. his or her driver's license or state-issued identification card;
    l. His or her date of birth.

15. All firearms carried onto the premises of a gun show or event by members of the public shall be checked, cleared of any ammunition, secured in a manner that prevents them from being operated, and an identification tag or sticker shall be attached to the firearm, prior to the person being allowed admittance to the show. The identification tag or sticker shall state that all firearms transfers between private parties at the show or event shall be conducted through a licensed dealer in accordance with applicable state and federal laws.

16. The person possessing the firearm shall complete the following information on the tag before it is attached to the firearm:

    a. Gun owner's signature, printed name and identification number from government issued photo identification.

Gun Show Vendor Requirements

- Vendors and employees of vendors shall wear nametags indicating first and last name.
- Will not display, possess, or offer for sale any firearms, knives, or weapons for which possession or sale is prohibited.
- Acknowledge that they are responsible for knowing and complying with all applicable federal, state and local laws dealing with possession and transfer of firearms.
- Will not engage in activities that incite or encourage hate crimes.
- Will process all transfers of firearms through licensed firearm dealers as required by state law.
- Will verify that all firearms in their possession at the show or event will be unloaded and that the firearms will be secured in a manner that prevents them from being operated except for brief periods when the mechanical condition of a firearm is being demonstrated to a prospective buyer.
- Will not display or possess black powder, or offer it for sale.
- All firearm transfers at the gun show or event shall be in accordance with applicable state and federal laws.
- Ammunition at a gun show or event may be displayed only in closed original factory boxes or other closed containers, except for purposes of showing ammunition to a prospective buyer.
- Shall provide to the producer information relative to vendor, the vendor's employees and other persons, compensated or not, who will be working or otherwise providing services to the public at the vendor's display space.
- His or her complete name.
- His or her driver's license or state-issued identification card number.
- His or her date of birth.

GUN SHOW REQUIRED SIGNS TO BE POSTED

1. THIS GUN SHOW FOLLOWS ALL FEDERAL, STATE AND LOCAL FIREARMS AND WEAPONS LAWS WITHOUT EXCEPTION.

2. ALL FIREARMS CARRIED ONTO THE PREMISES BY MEMBERS OF THE PUBLIC WILL BE CHECKED, CLEARED OF ANY AMMUNITION, SECURED IN A MANNER THAT PREVENTS THEM FROM BEING OPERATED, AND AN IDENTIFICATION TAG OR STICKER WILL BE ATTACHED TO THE FIREARM PRIOR TO THE PERSON BEING ALLOWED ADMITTANCE TO THE SHOW.

3. NO MEMBER OF THE PUBLIC UNDER THE AGE OF 18 YEARS SHALL BE ADMITTED TO THE SHOW UNLESS ACCOMPANIED BY A PARENT, GRANDPARENT, OR LEGAL GUARDIAN.

4. ALL FIREARMS TRANSFERS BETWEEN PRIVATE PARTIES AT THE SHOW SHALL BE CONDUCTED THROUGH A LICENSED DEALER IN ACCORDANCE WITH APPLICABLE STATE AND FEDERAL LAWS.

5. PERSONS POSSESSING FIREARMS ON THIS FACILITY MUST HAVE IN THEIR IMMEDIATE POSSESSION GOVERNMENT-ISSUED PHOTO IDENTIFICATION, AND DISPLAY IT UPON REQUEST TO ANY SECURITY OFFICER OR ANY PEACE OFFICER, AS DEFINED IN SECTION 830.

6. **Also, in a readily visible location at each entrance to the parking lot at the show, signage that states:** "THE TRANSFER OF FIREARMS ON THE PARKING LOT OF THIS FACILITY IS A CRIME."

GUN SHOWS IN THE STATE OF CALIFORNIA

California has already addressed the issues of individual, unregulated gun sales and high-capacity magazines at gun shows. Assembly Bill 295, the so-called Gun Show Regulatory Bill, is the law at gun shows in California. Several of its provisions are:

- **All firearm sales must be conducted through a fully-licensed dealer.**

Licensing is handled by the California Department of Justice, and to become a fully-licensed dealer you must have local law-enforcement approval, a premises from which to do business, a Federal Firearms License, a local business license and a California sales tax license.

- **Background checks are conducted for all firearms sales at gun shows.**

Individual (unlicensed) sellers of firearms are required to process the sale of any firearm through a fully-licensed firearms dealer. The dealer conducts a background check through the California Department of Justice, which checks to see if a buyer has any criminal or mental health history before authorizing any firearm sale to proceed.

- **Dealer Report of Sale.**

California requires, in addition to the Federal Form 4473 mandated for firearm transfers, a Dealer Report of Sale. (D.R.O.S.) The D.R.O.S. initiates a criminal background check which includes federal and state criminal record databases. Additionally, California maintains one of the most comprehensive mental health history databases in the nation, and the background check screens for any prohibiting mental illness history.

- **There is a ten-day waiting period before any firearm may be delivered.**

In addition to the comprehensive background checks which are required, a ten-day waiting period is required by state law before any firearm can be delivered to a buyer. Actual deliveries of firearms occur at the dealer's place of business after the waiting period has elapsed and the background check has been completed.

- **California law bans the sale or possession of Assault Weapons.**

California law bans the sale or possession of Assault Weapons, as defined by the Code. No assault weapons are sold at California gun shows.

- **California law bans the sale or possession of high-capacity magazines.**

It is a violation of California law to possess or to sell any magazine which holds more than ten rounds. No high-capacity magazines are sold at California gun shows.

- **Law-enforcement at gun shows in California**

Local law-enforcement officers are present at all California gun shows to ensure compliance with all applicable laws. California Department of Justice undercover officers regularly monitor gun shows to ensure that all activities are being conducted in compliance with the law, and that no illegal weapons are being offered for sale at the show.

CROSSROADS of the WEST GUN SHOW FACT SHEET

Gun shows which are held at the Del Mar Fairgrounds are produced by Crossroads of the West Gun Shows. The Del Mar Fair and Crossroads have a long-standing business relationship. Crossroads has been producing gun shows at the Fairgrounds for 26 years.

All of the gun shows which Crossroads has produced have been without incident, and the relationship with the Board and management of Del Mar Fairgrounds is in good standing. The contractural arrangement with Crossroads requires the following provisions:

Compliance with all federal and state laws, including the strictly enforced provisions of the Gun Show Regulatory provisions of the California Penal Code.

No assault weapons, as defined by California law, are permitted to be sold or displayed at the shows. No high-capacity magazines are sold or displayed at the show. ***All firearms sales are conducted by licensed dealers, and no firearms are delivered to purchasers at the shows.*** They must complete the required background check (California Department of Justice) and the federal NICS check, which is administered by the California D.O.J. The purchaser may not take delivery of the firearm at the show. The dealer is required to take the firearm to their shop, hold it for ten days and get clearance from the California D.O.J. prior to delivering it to the purchaser. ***The purchaser must go to the dealer's location, after the ten-day waiting period, to pick up the firearm. No firearms are delivered at the show.***

The show is regularly monitored by undercover officers from the California Department of Justice and the federal Bureau of Alcohol, Tobacco, Firearms and Explosives. Uniformed Deputies from the San Diego Sheriff's Department also monitor activities inside the show and at the show entry and exit.

Signage is posted at the entry and throughout the show reminding exhibitors and members of the public of the required compliance with all federal and state laws.

Each firearm brought to the show by members of the public is checked, cleared and securely tied to be rendered inoperable by the Crossroads safety officer, under the direct supervision of Deputies from the San Diego Sheriff's Department .

Firearm dealers are required to inspect, clear and tie all firearms and render them inoperable. Show safety officers monitor tables prior to opening the show. Multiple public address announcements are made reminding everyone of the requirement that every firearm in the show be tied with the nylon cable to be rendered inoperable. Separate public address system announcements are made before show opening and during the show reminding everyone of the requirement to comply with all state and federal laws governing firearms and other weapons such as knives, etc.

All activities at the gun show are conducted in compliance with all applicable laws and show safety rules.

San Diego County Sheriff's Department
North Coastal Station
175 N. El Camino Real, Encinitas, CA 92024
760-966-3500

Crime Reports/Charges
San Diego County Fairgrounds "Gun Show"
2260 Jimmy Durante Blvd, Del Mar, CA 92014
2013-2017

Reported Crimes: San Diego County Fairgrounds "Gun Show" 2013-2017

Case Number	Date Occurred	Crime Description*
13112064	Mar-09-2013	PETTY THEFT(Shoplift) (M)
13125321	May-18-2013	PETTY THEFT(from Building) (M)
13125322	May-18-2013	PETTY THEFT(from Building) (M)
13125211	May-18-2013	PETTY THEFT(Shoplift) (M)
13125982	May-18-2013	PETTY THEFT(Shoplift) (M)
13125983	May-18-2013	PETTY THEFT(Shoplift) (M)
13125941	May-19-2013	FOUND PROPERTY
13136429	Jul-14-2013	GRAND THEFT (Theft From Building) (F)
13150088	Sep-29-2013	PETTY THEFT(from Building) (M)
13164135	Dec-15-2013	POSS NARCOTIC CONTROLLED SUBS (F)
14112422	Mar-09-2014	BATTERY W/SER BODILY INJURY (F)
		SIMPLE BATTERY (M)
		BATTERY W/SER BODILY INJURY (F)
15113107	Mar-14-2015	POSS NARCOTIC CONTROLLED SUBS (F)
		POSS NARCOTIC CONTROLLED SUBS (F)
		POSS CONTROLLED SUBS PARAPHERNALIA (M)
		POSS CONTROLLED SUBS PARAPHERNALIA (M)
		POSS CONTROLLED SUBS (F)
		POSS CONTROLLED SUBS (F)
		USE/UNDER INFL OF CONTROLLED SUBS (M)
		USE/UNDER INFL OF CONTROLLED SUBS (M)
		MANUFACTURE/IMPORT/POSSESS/ETC SHORT-BARRELED RIFLE/SHOTGUN (F)
		MANUFACTURE/IMPORT/POSSESS/ETC SHORT-BARRELED RIFLE/SHOTGUN (F)
15125032	May-17-2015	ASSAULT W/DEADLY WEAPON:NOT F/ARM (M)
16113108	Mar-12-2016	MISCELLANEOUS INCIDENTS; ACCIDENTAL FIREARM DISCHARGE

*Description column represents all charges associated with case number

Data Source: CAD, NetRMS
Date: 05/04/2018
Prepared by SDSO Sheriff's Analysis Group
Sr. Crime/Intel Analyst C. Lithyouvong

CALIFORNIA DEPARTMENT OF JUSTICE
FIREARMS DIVISION

ANNUAL EVENT AND SECURITY PLAN

See instructions on reverse side before completing

Gun Show Production Business Name	Gun Show Producer Last Name	COE Gun Show Producer Endorsement Number	Expiration Date
CROSSROADS of the WEST	TEMPLETON	9309	Dec. 31, 2000

Contact Person (Name and Title) for Gun Show or Event	Contact Telephone Number	Contact Facsimile Number (Optional)
JEFF TEMPLETON, SHOW MANAGER	801 544 9125	801 546 2886

GUN SHOW OR EVENT *(Use additional sheets of paper as necessary to complete this section)*

TIMES: 9-5 Saturday, 9-4 Sunda

Gun Show(s) or Event(s) Name	Date(s) of Gun Show(s) or Event(s)	Time(s) of Gun Show(s) or Event(s)
CROSSROADS of the WEST GUN SHOW	Feb 19-20, Apr 29-30, July 15-16, Oct 7-8, Dec 16-17	

Gun Show or Event Facility Name	Gun Show or Event Facility Address	City	Zip Code
DEL MAR FAIRGROUNDS	2260 JIMMY DURANTE BLVD.	DEL MAR	92014

Type of Gun Show or Event	Facility Contact Person (Name and Title)	Facility Contact Telephone Number
GENERAL	TOM MORTON	858 755 1161

SECURITY

Estimated number of attendees at gun show or event: 6,000-8,000

Estimated number of vendors offering firearms for sale or display: 30-35

Number of non-sworn security personnel employed by the producer or the facility's manager who will be present at the gun show or event: 1 supervisor, 5 door guards

The number of sworn peace officers employed by the producer or the facility's manager who will be present at the show or event: 2 S.D. Sheriff's Officers (S.D. County)

Number of entrances and exits at the gun show or event site: 6

I declare under penalty of perjury (Penal Code sections 126 and 127) that all statements made by me on this Annual Event and Security Plan are true and complete.

Signature and Title: [signature] CEO/GM — Date: 1/14/00

FACILITY MANAGER APPROVAL

I declare under penalty of perjury (Penal Code section 126 and 127) that I am the manager of the above named facility and, in accordance with Penal Code section 12071.1 (i), I have consulted with with the law enforcement agency with jurisdiction over the facility regarding this Annual Event and Security Plan. I certify that, following my consultation with law enforcement, I have approved this Annual Event and Security Plan.

Signature and Title: [signature] CEO/GM — Date: 1/27/00

FD 104 (12/99)

Over

Crossroads of the West Gun Shows

Del Mar Gun Show

Security Plan

1. A.B. 295, Chapter 247 mandates that a security plan be submitted by the gun show producer and approved by facility management and local law enforcement prior to the commencement of any show after January 1, 2000.

2. This security plan is submitted in accordance with the requirements imposed by A.B. 295 for the review of law enforcement and facility management.

3. Uniformed law enforcement (sworn officers) have in the past been provided by the San Diego Sheriff's Department at no charge to the show producer. It is proposed that two sworn officers be assigned to the gun show at the expense of the show producers. Any other officers assigned to monitor the activities at the show should not be at the expense of the show production company or the Del Mar Fair.

4. The O'Brien Pavilion will be secured by five Elite (non-sworn security personnel) guards who will be posted at five entrance and exit doors. Their primary mission will be to maintain safety and security of the premises and prevent unauthorized entry into the facility.

5. Show producer shall provide, and Del Mar facility personnel shall post, signs at the entry to each parking lot stating "THE TRANSFER OF FIREARMS OR OTHER WEAPONS ON THE PARKING LOT OF THIS FACILITY IS A CRIME."

6. Show producer shall post all signs, as required by A.B. 295, at the entry to the show. Firearms checking, clearance and tagging as required by the law will be performed by show producer's trained firearms specialists at the entrance to the show.

7. Show producer shall continue to exercise management oversight to ensure that all persons participating in the show are complying with all applicable laws.

CROSSROADS OF THE WEST GUN SHOWS

•SALT LAKE CITY • SAN FRANCISCO • SAN DIEGO • ORANGE COUNTY • PHOENIX • DENVER•

December 2, 1999

Detective Tom Morton
San Diego County Sheriff's Department
P.O. Box 429000
San Diego, California

Detective Morton,

In compliance with your request and pursuant to A. B. 295, we are submitting a listing of Crossroads of the West gun show's annual schedule for the year 2000 at the Del Mar Fairgrounds. We have five (5) shows scheduled at Del Mar on the following dates:

February 19-20, 2000
April 29-30, 2000
July 15-16, 2000
October 7-8, 2000
December 16-17, 2000

We do not anticipate any schedule changes, but will immediately notify you if any changes are made. Please let me know if you would like this schedule submitted in a different format.

Sincerely,

Tracy T Olcott

Tracy Templeton Olcott

P.O. Box 290 Kaysville, Utah 84037 (801) 544-9125 Fax (801) 546-2886

THIS GUN SHOW FOLLOWS ALL FEDERAL, STATE AND LOCAL FIREARMS & WEAPONS LAWS WITHOUT EXCEPTION.

ALL FIREARMS TRANSFERS BETWEEN PRIVATE PARTIES AT THE SHOW SHALL BE CONDUCTED THROUGH A LICENSED DEALER IN ACCORDANCE WITH APPLICABLE STATE AND FEDERAL LAWS.

NO MEMBER OF THE PUBLIC UNDER THE AGE OF 18 YEARS SHALL BE ADMITTED TO THE SHOW UNLESS ACCOMPANIED BY A PARENT, GRANDPARENT, OR LEGAL GUARDIAN.

ALL FIREARMS CARRIED ONTO THE PREMISES BY MEMBERS OF THE PUBLIC WILL BE CHECKED, CLEARED OF ANY AMMUNITION, SECURED IN A MANNER THAT PREVENTS THEM FROM BEING OPERATED, AND AN IDENTIFICATION TAG OR STICKER WILL BE ATTACHED TO THE FIREARM PRIOR TO THE PERSON BEING ALLOWED ADMITTANCE TO THE SHOW.

Persons possessing firearms on this facility must have in their immediate possession government-issued photo identification, and display it upon request to any security officer or any peace officer, as defined in Section 830.

THE TRANSFER OF FIREARMS OR OTHER WEAPONS ON THE PARKING LOT OF THIS FACILITY IS A CRIME.

California law requires that all firearms sales, trades or transfers in the State of California must be processed through a licensed firearms dealer.

Licensed dealers are provided in the show to assist you in making your firearms transactions legal.

©22nd D.A.A.

22ND DISTRICT AGRICULTURAL ASSOCIATION
State of California

January 31, 2000

Department of Justice
Firearms Licensing and Permits Unit-GSP
P O Box 820200
Sacramento, CA 94203-0200

To whom it may concern:

In accordance with Penal Code section 12071.1(i), the attached Annual Event and Security Plan for the Crossroads of the West Gun Shows, scheduled to be held at the 22nd District Agricultural Association (Del Mar Fairgrounds) for the year 2000, is being submitted in compliance with the requirements of the law.

Prior to this plan being submitted to the Department of Justice, representatives of the Del Mar Fairgrounds consulted with Captain Parker, Commander, the Encinitas Station of the San Diego Sheriff's Department, on December 17, 1999, to review the plan.

Unless otherwise notified, the Del Mar Fairgrounds feels that it has met all the provisions set forth in Penal Code section 12071.1(i) subsection (h).

If you have any questions, please feel free to contact me at (858) 792-4282.

Patrick J. Kerins, Chief of Security
22nd District Agricultural Association

2260 Jimmy Durante Boulevard • Del Mar, California 92014-2216
TELEPHONE: 619/755-1161 • FAX: 619/755-7820
http://www.delmarfair.com/dmfinfo

©22nd D.A.A.

22ND DISTRICT AGRICULTURAL ASSOCIATION
State of California

FAX
FROM

22ND D.A.A. SECURITY DEPARTMENT

TO: Lt. Jim Cooke FAX NO: 760-942-5093

DATE: 8/4/00 FROM: Pat Kerins

11 PAGES (INCLUDES COVER SHEET)

COMMENTS: _____

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2260 Jimmy Durante Blvd.
Del Mar, CA 92014
858/755-1161, X2802
FAX: 858-794-1023

APPOINTEE RESIGNS FROM GUN PANEL

By Matthew S. Brown and Marianne Funk, Staff Writers
Published: June 17, 1994 12:00 am

Former gun-shop owner and gun-show producer Robert Templeton has resigned from a state task force exploring enforcement of gun-control measures, just hours after Gov. Mike Leavitt learned Templeton has in the past pleaded guilty to a federal firearms violation.

Templeton, a Fruit Heights resident and well-known gun collector, was not available for comment Friday. The guilty plea stemmed from the sale and transport of guns to Mormons in South Africa.His letter of resignation submitted Thursday cited business demands and "extensive travel requirements" as reasons for stepping down. And a press release issued by the governor's office didn't mention the court case.

But Leavitt's spokeswoman, Vicki Varela, said the governor was alerted late Wednesday that Templeton, 55, "had federal convictions."

Federal court records confirm a grand-jury indicted Templeton in 1980 on 16 counts of unlawful sales of firearms, making a false statement and aiding and abetting. Two months later, he pleaded guilty to one count of unlawfully selling a .38 special caliber revolver out of state.

The 15 other counts were dropped and Templeton was placed on two years' probation.

Leavitt talked with Templeton, who "chose to withdraw," Varela said.

Varela declined to disclose who tipped off the governor. Temple-ton was representing hunting interests on the state Weapons Task Force. He will be replaced by Randy Hunt, co-owner of Morris Travel.

The Legislature and the governor are appointing members to the task force, charged with studying conflicts among local, state and federal weapons laws and whether those laws should be under state or local control.

Varela said Templeton was recommended by Salt Lake Mayor Deedee Corradini. The mayor differs philosophically with Temple-ton on gun-control issues, but the city had a good experience enforcing its ordinances at his gun shows, a spokesman said.

However, before his 1981 conviction, Templeton had been investigated in the late 1970s and 1980s for alleged gun sales to Mexico.

"The allegations were never substantiated and the defendant never charged," court documents say.

His case stemmed from gun sales occurring between April and September 1976, court documents say. At that time he owned the shop Guns Unlimited in Salt Lake City.

The weapons sales were arranged by Salt Lake men with connections to church members in South Africa, who desired high-quality American-made guns for self-defense.

Gun show promoter receives probation

By Joe Bauman
Deseret News staff writer
Published: March 9, 2003 12:00 am

Like his wife before him, gun show organizer Jeffrey D. Templeton was sentenced to three years' probation for the felony of possession of a firearm by an unlawful drug user.

The felony conviction means Templeton, the vice president of the Crossroads of the West Gun Shows, may never again possess a gun. But his lawyer says he has had no problem with helping to manage the business under those restrictions since he was charged a year ago.

Both Collett and Jeffrey Templeton had pleaded guilty to the charge, which stemmed from police discovering numerous guns on their property. Possessing many guns is not a crime, but it is against the law for someone addicted to or using illegal drugs to possess them.

Unlike his wife, he will have to pay a $500 fine as well.

On Dec. 11, 2001, police were called to the Templetons' home in Kaysville to investigate a possible prowler in or around the house. They found what they believed to be methamphetamine and firearms lying around the home, Kaysville Police Chief Dave Helquist said. Federal agents seized numerous guns and thousands of rounds of ammunition.

Later, the federal court approved forfeiture of 58 firearms, with the exception of any claims that Templeton's father, Robert, had on them.

Jeffrey Templeton, 36, is vice president of the company, which hosts gun shows throughout the region. Robert Templeton is president.

While the case was pending, Jeffrey Templeton's lawyer Loren E. Weiss Benson noted, he failed a drug screening and went to jail for five weeks. Since then, he said, his client has been clean in all tests.

Templeton stood before U.S. Chief Judge Dee Benson last month with twin arm casts and a broken collarbone, the result of a motorcycle accident. He told Benson he looks forward to closure in the court case.

Benson said he had received many letters in support of Templeton. "It is indicative of the very nice reputation that your parents have," he said. "I don't know what we'd get if it was just left to you."

Templeton replied that he didn't tell people what to write and that he believed people would support him individually.

"I don't say you don't have a good reputation in the making," Benson began, then added that Templeton has "neglected your children, your marriage is in tatters — maybe you can mend it."

Benson said he understands that Templeton is diagnosed as having attention deficit disorder, a problem that could require use of prescription drugs. He said of Templeton's drug abuse problems, "I don't have a high level of confidence that they're behind you."

Conditions of probation include that Templeton file all delinquent returns with the Internal Revenue Service within 180 days, that he undergo drug and alcohol treatment, that he receive mental health treatment, that any prescription medication use must be under a doctor's order and with the approval of the federal probation department and that he undergo random alcohol and drug testing.

Benson said he was not to possess or be in direct contact with firearms, and asked if he could do that for the next 36 months even though he is a gun show promoter. Weiss said Templeton has managed to do that for the past year.

The prosecutor, Assistant U.S. Attorney Brett L. Tolman, said that as a convicted felon, Templeton can never posses guns again. The prohibition is not only for the three years of his probation, he said.

The judge said he wanted to give Templeton fair warning: "If you violate these conditions of probation . . . I will send you to prison."

If Templeton can show that he has made improvements and has stabilized, Benson said, his length of probation might be reduced.

E-mail: bau@desnews.com

Local News

Meth use suspected of causing Fruit Heights house fire

By:

Rick Aaron (http://www.good4utah.com/meet-the-team/rick-aaron/135915364)

(mailto:raaron@good4utah.com)

Updated: May 08, 2018 05:21 PM MDT

(Interactive Media Not Supported by Print)

FRUIT HEIGHTS (News4Utah) - What started as a house fire Tuesday morning ended with an illegal drug investigation and a man in jail.

The fire broke out around 7 a.m. in a basement bedroom of a house at 604 South Mountain Road.

A collection of toys decorates the front yard of that house but we're told that no children live there. The couple residing there and their pets got out safely but neighbors say the man was reluctant to call 911, possibly because of how the fire started.

Detective Ty Berger of the Davis County Sheriff's Department explained the source.

"It was an open source flame," Det. Berger said. "The fire crews as they were battling the fire and putting that fire out found some items inside that bedroom, inside where the fire was that was suspicious in nature and drug related."

51 year old Jeffrey David Templeton was arrested and booked into the Davis County Jail on an outstanding warrant for a previous charge of Driving Under the Influence of a Controlled Substance Resulting in Injury. News4Utah asked Detective Berger if Templeton was operating a drug lab there.

51 year old Jeffrey David Templeton was arrested on an outstanding warrant for a previous charge after a housefire Tuesday morning.

"Manufacturing has been ruled out," Det. Berger said. "It looks like it's just drug use that potentially got away from the person that was using the narcotics...It would be consistent with the use of methamphetamine."

Janet Moyes lives next door and didn't know anything about meth in the house.

"It is kind of surprising," she said.

Asked if she was concerned about the presence of narcotics next door, Moyes said "Well of course. Anybody would be concerned, yeah we're no exception but they have been decent with us.

The Davis County Sheriff's Office Mobile Command Center arrived as investigators continued to process this scene. They claim the backyard contains dozens of vehicles resembling a scene "from the TV show Hoarders".

The Sheriff's Department says that Templeton could face drug possession charges depending on exactly what they found inside that house.

SENIOR PARTNER
C. D. MICHEL*

MANAGING PARTNER
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LOS ANGELES, CA

* ALSO ADMITTED IN TEXAS AND THE DISTRICT OF COLUMBIA

MICHEL & ASSOCIATES, P.C.
Attorneys at Law

OF COUNSEL
JOSEPH DI MONDA
SCOTT M. FRANKLIN
CLINT B. MONFORT
ERIC M. NAKASU
MICHAEL W. PRICE
TAMARA M. RIDER
LOS ANGELES, CA

WRITER'S DIRECT CONTACT:
562-216-4445
TCHEUVRONT@MICHELLAWYERS.COM

August 31, 2018

VIA U.S. MAIL & FAX
Tim Fennell, CEO
Del Mar Fairgrounds/Racetrack
California 22nd District Agricultural Assoc.
2260 Jimmy Durante Blvd.
Del Mar, CA 92014-2216
FAX: (858) 755-7820

Re: Correcting Mis-information About Crossroads of the West Gun Show

Dear Mr. Fennell:

We are writing on behalf of our client B & L Productions, Incorporated ("B & L") dba Crossroads of the West Gun Shows ("Crossroads").

There is currently an ongoing and well-coordinated and organized effort by well financed lobbying groups in the state to end gun shows throughout California, and to eliminate these forums of ideas and legal commerce. These groups want to eliminate any event where individuals who believe in the right to keep and bear arms might gather. To that end, these groups have repeatedly made misleading and disparaging statements, spread rumors and innuendo, and made false accusations as they attempt to discredit and demonize a lawfully operating business. This smear campaign to demonize gun shows and its owners is being used to advance their attacks on gun shows in the hope that the boards governing these public forums, like the Del Mar Fairgrounds, will be convinced to no longer allow gun shows to take place on the public property that they oversee.

In response to the false and misleading reports and inaccurate public comments that have been submitted to the Board of Directors for the Del Mar Fairgrounds, we provide the following information.

1. The Promoters of the Crossroads Gun Shows Have Been Vetted and Approved by the California Department of Justice ("DOJ")

The DOJ is the responsible government agency for conducting background checks on persons who apply for a Certificate Of Eligibility ("COE"). COE's are required for promoters of gun shows in California.[1]

Tracy Olcott and her brother Robert J. Templeton have each had background checks by and issued a COE from the California DOJ. (***Exhibit 1***)

California law provides that a CEO is issued to a person, but not to a company. A COE is basically an ongoing background check of an individual person that occurs routinely at least every year. Unless an individual person applying for a COE is prohibited from owning or possessing firearms, the DOJ "shall" issue a COE to the eligible individual.[2] A COE applicant is not required to provide information about family members, friends, company information, or acquaintances to obtain a COE. Approval is based upon the *individual* applicant passing the DOJ background check process.

Under penalty of perjury, the DOJ has noted that it has issued Tracy Olcott a valid COE credential to operate the Crossroads Gun Shows.

2. The DOJ Conducts Background Checks On All Registered Vendors at Gun Shows. Gun Show Operators Do Not Have Access to These State Records Databases.

Opponents of Crossroads have attempted to connect Crossroads to a gun show vendor/ exhibitor who was arrested for selling armor piercing ammunition in another state.

Each week that a gun show takes place, a list of all exhibitors/vendors who want to sell firearms at a gun show is submitted to the DOJ for approval. Included on this list are the seller's addresses, phone numbers, driver's license number and their COE license number issued by DOJ (all vendors of firearms and ammunition at a gun show must possess a valid COE from the DOJ)..

Only those vendors/individuals with approval from the DOJ can facilitate a sale of firearm or ammunition at a gun show. No one wants unlawful sales to occur at gun shows (or anywhere). That is why both Crossroads and the DOJ make sure that background checks have been completed on each gun show vendor/exhibitor, and that each vendor/exhibitor is properly licensed to sell firearms or ammunition.

As far as we know, no illegal sales have occurred at a Crossroads show. If the opponents of gun show do not like the vendor approval process dictated by state law, they should take this up with the legislature or the DOJ, since it is DOJ's responsibility to approve all vendors/exhibitors requiring a COE to do business at gun shows.

---

[1] https://oag.ca.gov/firearms/cert-eligibility (Last visited August 22, 2018).

[2] Penal Code, § 27200(a).

3. Illegal Transactions Are Not Occurring at Crossroads Gun Shows

Gun shows are some of the most heavily regulated events in the entire state. California gun shows are some of the most regulated shows in the entire country. ***(Exhibit 2)*** Both local police officers and DOJ special agents (both uniform and undercover) patrol every single Crossroads gun show. Local and state law enforcement agencies work with Crossroads security personnel to ensure the safety and security of all guests and attendees.

To be clear: there is a very strict and comprehensive process to purchase a firearm in California, and that process applies throughout the state, including at gun shows. Every single firearm sold in California must be transferred through a state and federally licensed firearm dealer ("FFL"). The FFL keeps detailed records of the transaction and the buyer as required by state and federal law. A potential firearm purchaser must pass both a written and physical test to qualify for a state issued Firearm Safety Certificate. Before a firearm can be transferred to a buyer, the buyer must pass a background check conducted by the DOJ. The purchaser must wait at least 10 days before they can take possession of a firearm. No gun purchases are actually completed at any California gun show. The sale can only be initiated through a properly licensed FFL at a gun show, but the actual transfer and delivery takes place at least ten days later, at a registered commercial FFL storefront. For each step of the process the FFL must complete the proper federal paperwork and record the transaction both online and in a record book which is audited by DOJ and ATF. The process for purchasing a firearm at a gun show is the same as if it were purchased at any retail store. There are no exceptions to this process for gun shows. (***Exhibit 3***)

Opponents reference a 2013 lawsuit in which the City Attorney for San Francisco initiated litigation against several companies that sold legal magazine repair kits in California, alleging that those kits were being used to make illegal "large capacity" ammunition magazines. B&L was one of several defendants in that action. B&L was quickly released from the suit. Significantly, at no time was B&L itself accused of selling illegal magazines. Rather, the City accused B&L of allowing these *legal* repair kits to be sold by vendors/exhibitors at Crossroads shows, somehow knowing that the legal repair kits would be used to make illegal "large capacity" magazines after the buyer took the repair kit home. Of course, Crossroads had no way of knowing whether these legal repair kits were being misused by some buyers to make illegal magazines. Nonetheless, once this was brought to B&L's attention, Crossroads *voluntarily* banned its vendors/exhibitors from selling these legal repair kits.

Opponents of the gun show have twisted that action brought by San Francisco and now claim that B & L was "selling 'large capacity magazines'" at Crossroads gun shows in violation of state law. To be clear, neither Crossroads nor B & L sold any such thing. The vendors and exhibitors at the Crossroads show sell things. Some vendors were apparently selling magazine *repair kits* -- which were *legal* to sell in California at the time of the action. Again, all transactions were conducted under the watchful eye of law enforcement. Significantly, page three of this settlement and order notes that these repair kits may continue to be sold. (***Exhibit 4***) To present the facts of this case as if Crossroads was "caught" in some kind of illegal activity is simply deceitful and misleading.

4. Mr. Templeton's Right to Possess Firearms Has Been Fully Restored

Opposition to the gun show also insinuate that Bob Templeton, namesake and retired head of B & L, is a dangerous criminal that the Board should not be doing business with. Mr. Templeton has explained in the past that he did have a very old, non-violent, federal conviction from 1980 that did not occur in the state of California. Mr. Templeton was essentially given probation for this offense, but the conviction did result in Mr. Templeton *temporarily* losing his right to possess firearms. But because this was a non-violent offense and he was expressly determined by the prosecutor and the court to *not* be a threat to public safety (***Exhibit 5***), in 1989 Mr. Templeton had his rights to acquire, transfer, receive, ship and possess firearms *fully* restored under the law.

The 1968 Gun Control Act provides that a person is not considered "convicted" if he has had his civil rights restored or set aside as Mr. Templeton has.[3] Since his conviction was vacated[4] and rights restored, Mr. Templeton's conviction has been expunged and he is legally eligible for and could be issued a COE and be a promoter of a gun show in California if he wanted to.

5. Viewpoint Discrimination

Viewpoint discrimination is not always written or spoken, more often it is carried out less visibly through the exercise of governmental discretion. Viewpoint discrimination by government bodies is particularly disfavored by the courts. When one interest group attempts to exercise their will over others, demands that their opinion is more valuable or "right" than others, and attempts to censor the other viewpoint, that is viewpoint discrimination.

"A common sense understanding of the prohibition against viewpoint discrimination is that government should be prevented from intervening into an ongoing political controversy by silencing one side of the dispute."[5] Justice Alito in a 2017 Supreme Court opinion noted that "[w]e have said time and again that the public expression of ideas may not be prohibited merely because the ideas are themselves offensive to some of the hearers."[6] The Court has further noted that "Commercial speech is no exception," the Court explained, that the principle of the First Amendment "requires heightened scrutiny whenever the government creates a regulation of speech because of disagreement with the message it conveys."[7] Unlike content based discrimination, discrimination based on viewpoint, including a regulation that targets speech for its offensiveness, remains of serious concern in the commercial context.[8]

There is a concerted effort being made to push Crossroads out of public venues because a well-organized interest group does not agree with the beliefs of the guests who attend gun shows. But these

[3] 18 U.S.C. § 921(a)(20) and (a)(33).)
[4] As if the conviction never happened; the same as a pardon.
[5] Loyola of Los Angeles Law Review, Viewpoint Discrimination and Commercial Speech, Vol.41, p. 169.
[6] *Matal v. Tam*, 582 U.S.___ (June 19, 2017).
[7] *Sorrell v. IMS Health Inc.*, 564 U.S. 552, 566 (2011).
[8] *Bolger v. Youngs Drug Products Corp.*, 463 U.S. 60-72 (1983).

gun show opponents should not be allowed to deem lawful activity "bad" just because they don't agree with it. Selling firearms, while heavily regulated, is *still* a lawful activity in the state of California. Allowing discriminatory actions to be taken against B & L based on the opposing viewpoint is unconstitutional. If these opponents don't like the educational, patriotic, self-reliance, natural resource conservation, and other messages being sent at the Crossroads show, their remedy is simple. Don't attend.

Our client again requests that the Board continue the good relationship it has with B & L and Crossroads and continue to honor upcoming contracts. B &L goes above and beyond to maintain a safe and family friendly show that teaches the public about safety, legal aspects of firearm ownership, and the constitutional rights of those who choose to own a firearm.

The government has essentially given itself a monopoly on venues large enough to be suitable for holding an event like a Crossroads gun show. The Board should end this relentless effort to ban the use of a public forum to conduct lawful and immensely popular events that are suitable for all ages to attend.

Sincerely,
Michel & Associates, P.C.

Tiffany D. Cheuvront

Cc: Tracy Olcott, President, B & L Productions, Inc.

Exhibit 1

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
LICENSING AND CERTIFICATE OF ELIGIBILITY SECTION

I, Rachel Pyara, do certify and attest under penalty of perjury that I am the legal custodian of the Certificate of Eligibility records maintained by the California Department of Justice, Bureau of Firearms, Licensing and Certificate of Eligibility Section.

On June 13, 2018 a diligent search of Certificate of Eligibility records was conducted for the following individual:

Tracy T. Olcott

The search revealed that Ms. Olcott currently holds a Certificate of Eligibility issued, by the State of California Department of Justice, on January 01, 2018.

I certify that the information provided is complete, true, and exact. This certification was prepared by personnel of the Department in the ordinary course of business on the date stated above.

RACHEL PYARA
Staff Services Analyst
Licensing and Certificate of Eligibility Section
Bureau of Firearms

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
COMPLETE TRUE AND CORRECT COPY

JUN 13 2018

R. P.
CUSTODIAN OF FIREARMS RECORDS

State of California
Department of Justice
Bureau of Firearms

CERTIFICATE OF ELIGIBILITY

Number: 10813

Issued To:

Tracy T Olcott

This is to certify that the Department of Justice, Bureau of Firearms has completed a firearms eligibility check on the above named individual. As of the date of issue, there is nothing that would prohibit the individual from acquiring or possessing a firearm.

Date of Issue: January 01, 2018 **Expiration Date: December 31, 2018**

Signature of Issuing Officer _____

09/4/2018 13:31 PM PDT TO:18587557820 FROM:7162423285 Page: 9

State of California
Department of Justice
Bureau of Firearms

CERTIFICATE OF ELIGIBILITY

Number: 26224

Issued To:

Robert J Templeton

This is to certify that the Department of Justice, Bureau of Firearms has completed a firearms eligibility check on the above named individual. As of the date of issue, there is nothing that would prohibit the individual from acquiring or possessing a firearm.

Date of Issue: July 14, 2017 **Expiration Date: July 13, 2018**

Signature of Issuing Officer _____

09/4/2018 13:31 PM PDT TO:18587557820 FROM:7162423285 Page: 10

Exhibit 2

SENIOR PARTNER
C. D. MICHEL*

MANAGING PARTNER
JOSHUA ROBERT DALE

SPECIAL COUNSEL
W. LEE SMITH

ASSOCIATES
ANNA M. BARVIR
SEAN A. BRADY
TIFFANY D. CHEUVRONT
MATTHEW D. CUBEIRO
ALEXANDER A. FRANK
JENNIFER F. HOOSHMAND
LOS ANGELES, CA

* ALSO ADMITTED IN TEXAS AND THE DISTRICT OF COLUMBIA

MICHEL & ASSOCIATES, P.C.
Attorneys at Law

OF COUNSEL
JOSEPH DI MONDA
SCOTT M. FRANKLIN
CLINT B. MONFORT
ERIC M. NAKASU
MICHAEL W. PRICE
TAMARA M. RIDER
LOS ANGELES, CA

WRITER'S DIRECT CONTACT:
562-216-4450
TCHEUVRONT@MICHELLAWYERS.COM

As a threshold matter, firearm transfers are prohibited from taking place at any gun show in California absent very limited exceptions applicable to law enforcement.[1] Instead, all transactions must generally be processed by a California licensed firearms dealer.[2] This allows the dealer to conduct the necessary background check, ensure the firearm is properly registered to the purchaser, and to hold the firearm for the required 10-day waiting period before delivering it to the purchaser.[3]

I. GENERAL REQUIREMENTS FOR ALL GUN SHOW PRODUCERS AND VENDORS

All gun show producers must possess a valid certificate of eligibility issued by the California Department of Justice, and must:

- Certify that they are familiar with all California laws regarding gun shows;
- Possess a minimum of $1,000,000 liability insurance;
- Provide an annual list of shows or events to be held to the California Department of Justice; and,
- Notify the California Department of Justice no later than 30 days prior to the gun show or event of any changes to the above.[4]

Producers must make available to law enforcement a complete and accurate list of all vendors that will participate in the show for the purposes of selling, leasing, or transferring firearms.[5]

[1] See Cal. Penal Code § 27310 (requiring all firearm transfers at gun shows to comply with state and federal law); Cal. Penal Code § 26805 (prohibiting the sale or transfer of a firearm by a licensed dealer at any location other than the dealer's premises as listed on their license, but allowing dealers to prepare documents at a gun show in preparation for sale at the dealer's premises); Cal. Penal Code § 27545 (requiring all firearm transactions to be processed through a licensed dealer when neither party is a licensed firearms dealer).

[2] Cal. Penal Code § 27545.

[3] Cal. Penal Code § 27540.

[4] Cal. Penal Code § 27200.

[5] Cal. Penal Code § 27205.

Producers must prepare an annual event and security plan and schedule to the California Department of Justice and any local law enforcement agency. The plan must include:

- The type of show or event;
- The estimated number of vendors offering firearms for sale or display;
- The estimated number of attendees;
- The number of entrances and exits at the event;
- The location, dates, and times of the event;
- The contact person and telephone number for both the producer and the facility;
- The number of sworn peace officers employed by the producer or facility's manager who will be present at the event; and,
- The number of non-sworn security personnel employed by the producer of the facility's manager who will be present at the event.[6]

Producers must inform prospective vendors of all California laws regarding gun shows.[7]

Producers must submit a list of all prospective vendors and designated firearm transfer agents who are licensed firearms dealers to the California Department of Justice no later than seven days prior to the event for the purpose of determining whether the vendors possess a valid license and are thus eligible to participate in the event.[8] If it is determined that a vendor does not possess a valid license, the California Department of Justice will notify the producer prior to the commencement of the event, and will then prohibit the vendor from participating in the event.[9]

If a licensed firearms dealer fails to cooperate with a producer, or fails to comply with all applicable California laws, that dealer will be prohibited from participating in the event.[10]

If a producer fails to inform all prospective vendors of California's laws, or fails to submit a list of all prospective vendors to the California Department of Justice, the event cannot commence.[11]

All producers must have written contracts with each vendor selling firearms at the event.[12]

Producers must post signs in a readily visible location at each public entrance to the event that includes all of the following notices:

---

[6] Cal. Penal Code § 27210.

[7] Cal. Penal Code § 27215.

[8] Cal. Penal Code § 27220.

[9] *Id.*

[10] Cal. Penal Code § 27225.

[11] Cal. Penal Code § 27230.

[12] Cal. Penal Code § 27235.

- "This gun show follows all federal, state, and local firearms and weapons laws, without exception.
- Any firearm carried onto the premises by any member of the public will be checked, cleared of any ammunition, and secured in a manner that prevents it from being operated, and an identification tag or sticker will be attached to the firearm before the person is allowed admittance to the show.
- No member of the public under the age of 18 years shall be admitted to the show unless accompanied by a parent, grandparent, or legal guardian.
- All firearms transfers between private parties at the show shall be conducted through a licensed dealer in accordance with applicable state and federal laws.
- Persons possessing firearms at this facility must have in their immediate possession government-issued photo identification and display it upon the request to any security officer or any peace officer, as defined in Section 830."[13]

Producers must also post signs in a readily visible location at each entrance to the parking lot at the event stating:

- "The transfer of firearms on the parking lot of this facility is a crime."[14]

A willful failure of a producer to comply with any of California's applicable laws is considered a misdemeanor punishable with a fine of up to $2,000 and will render the producer ineligible for a gun show producer's license for one year.[15] Subsequent offenses are grounds for suspension of a producer's certificate of eligibility.[16]

A willful failure of a producer to post the required signs is considered a misdemeanor punishable with a fine of up to $1,000 for the first offense and up to $2,000 for subsequent offenses.[17] Subsequent offenses will render the producer ineligible for a gun show producer license for one year.[18]

II. THE GUN SHOW ENFORCEMENT AND SECURITY ACT OF 2000

The Gun Show Enforcement and Security Act of 2000 was part of a larger policy debate about banning gun shows in the state. Thanks to testimony offered by DOJ representatives which warned legislators that banning gun shows would push gun sales into the black market, more restrictions on gun shows were implemented as safeguards. **Just this week, in the California State Legislative Hearings of the Public Safety Committee, again the DOJ position that banning gun shows would be detrimental to safety and keeping these transactions out in the open was echoed by Assemblyman Quirk when he stated that *"that this is a situation where [at gun shows] all of the laws are observed and if people don't buy a gun here, I am worried that they will buy a gun in a***

[13] Cal. Penal Code § 27240(a).

[14] Cal. Penal Code § 27240(b).

[15] Cal. Penal Code § 27245(a).

[16] Cal. Penal Code § 27245(c).

[17] Cal. Penal Code § 27245(b).

[18] *Id.*

place where all of those laws are not observed."[19] Assemblyman Quirk refused to support a bill that would shut down a gun show in the state.

All gun show vendors must certify in writing to the show's producer that they:

- Will not display, possess, or offer for sale any firearms, knives, or weapons for which possession or sale is prohibited;
- Acknowledge that they are responsible for knowing and complying with all applicable federal, state, and local laws dealing with the possession and transfer of firearms;
- Will not engage in activities that incite or encourage hate crimes;
- Will process all transfers of firearms through licensed firearms dealers as required by state law;
- Will verify that all firearms in their possession will be unloaded, and that the firearms will be secured in a manner that prevents them from being operated except for brief periods when the mechanical condition of the firearm is being demonstrated to a prospective buyer;
- Have provided all required information to the producer under Penal Code section 27320; and,
- Will not display or possess black powder or offer it for sale.[20]

All firearms transfers at gun shows must be processed in accordance with all applicable state and federal laws.[21]

Ammunition may only be displayed in closed original factory boxes or other closed containers, with the only exception for showing the ammunition to a prospective buyer.[22]

Before participating in an event, every vendor who intends to sell firearms must provide the producer with all of the following information relative to the vendor, the vendor's employees, and other persons, compensated or not, who will be working or otherwise providing services to the public at the vendor's display space:

- The person's complete name;
- The person's driver's license or state-issued identification card number; and,
- The person's date of birth.[23]

The producer must keep all vendor information at the onsite headquarters of the event and regular place of business for two weeks after the conclusion of the event and make available the information to any peace officer upon request.[24]

All vendors and their employees must wear a name tag indicating their first and last name.[25]

---

[19] http://assembly.ca.gov/media/assembly-public-safety-20180619/video

[20] Cal. Penal Code § 27305.

[21] Cal. Penal Code § 27310.

[22] Cal. Penal Code § 27315.

[23] Cal. Penal Code § 27320(a).

[24] Cal. Penal Code § 27320(b).

No person other than security personnel or law enforcement are allowed to possess both a firearm and ammunition for that firearm at the same time, with the exception of vendors who are selling both.[26]

No member of the public under 18 years of age may enter the event or be permitted to remain unless accompanied by a parent or legal guardian.[27]

Anyone other than security or law enforcement who brings a firearm into the event must have the firearm checked, cleared of any ammunition, secured in a manner that prevents them from being operated, and have a tag or sticker attached to the firearm prior to being allowed admittance.[28] The tag or sticker must state that all firearm transfers must be conducted through a licensed dealer in accordance with all applicable state and federal laws, and must also include the owner's signature, printed name, and identification number from the owner's government-issued identification.[29]

Any person who possess a firearm at a gun show or event must have a government-issued photo identification in their immediate possession and must display it upon request to any security personnel or peace officer.[30]

Any unintentional first-time violations of the Gun Show Enforcement and Security Act of 2000 are considered infractions.[31] However, willful violations and subsequent offenses are considered misdemeanors.[32]

Crossroads of the West Gun Shows have continued to make improvements to their operation protocols which may serve to address some concerns by community members. In addition to complying will all applicable laws, Crossroads Gun Shows have implanted the following additional safety procedures including:

- Retaining the services of a retired California DOJ Bureau of Firearms Enforcement Officer to actively monitor activities at shows and insure compliance with state laws;

- Actively surveilling the shows to ensure all merchandise at the shows is legal and compliant with all applicable laws;

---

[25] Cal. Penal Code § 27325.

[26] Cal. Penal Code § 27330.

[27] Cal. Penal Code § 27335.

[28] Cal. Penal Code § 27340. *See also Gun Show Safety and Security Responsibilities: ADDITIONAL REMINDER*, California Department of Justice, FIREARMS DIVISION, https://oag.ca.gov/sites/all/files/agweb/pdfs/firearms/infobuls/0402.pdf? (May 26, 2004).

[29] Cal. Penal Code § 27340.

[30] Cal. Penal Code § 27345.

[31] Cal. Penal Code § 27350.

[32] *Id.*

- Increased scrutiny of anyone bringing in a personal firearm for the purposes of repair, appraisal, or repair;

- Education of attendees regarding current transfer of firearm laws and that any such transfer must be through a licensed dealer per applicable law;

- Enforcing new laws regarding ammunition sales where ammunition must be kept behind a barrier and out of reach of the public and only licensed dealers may sell ammunition;

- All employees of any ammunition seller must have a background check and be in possession of a valid Certificate of Eligibility issued by the California DOJ; and,

- Stricter monitoring of shows by contracted security personnel to ensure that no one under the age of 18 is admitted without a supervising adult.

III. PROHIBITING LAWFUL ACTIONS AT GUN SHOWS WOULD VIOLATE CONSTITUTIONAL PRINCIPLES

Any proposal requiring the Show to be discontinued would be problematic since it would likely be unconstitutional and lead to possible litigation. Banning the Show would be an improper content-based restriction that violates the First Amendment, unduly and unjustly burdens activity protected by the Second Amendment, and makes classifications affecting those fundamental rights in violation of the Fourteenth Amendment's Equal Protection Clause.

Exhibit 3

RULES FOR RETAILERS IN CALIFORNIA

	CA GUN SHOW VENDORS	BRICK AND MORTER RETAILERS
1. CA Firearm Dealers must obtain a valid firearm license.	✓	✓
2. Firearm dealers must have a valid COE Issued by the CA Dept. of Justice.	✓	✓
3. All employees that handle ammunition or Firearms must have a valid COE.	✓	✓
4. Private collectors can buy, sell, trade, but transactions must go through a licensed dealer and background check.	✓	✓
5. Firearm purchases must go through background check and 10 (24-hour) waiting period. No transactions are done same day.	✓	✓
6. All firearms and ammunition must be kept out of direct reach of customers unless being assisted by the retailer.	✓	✓
7. Customers must complete a Firearm Safety Certificate Test prior to purchasing a gun.	✓	✓
8. Customer is limited to buying only one handgun in any 30-day period.	✓	✓
9. Fully-automatic weapons are illegal to sell in California.	✓	✓
10. Customers must have personal firearm checked, cleared and tagged at the door by an agent.	✓	☒
11. Purchases constantly monitored by ATF and CA DOJ agents on site.	✓	☒

Exhibit 4

DENNIS J. HERRERA, State Bar #139669
City Attorney
OWEN J. CLEMENTS, State Bar #141805
Chief of Complex & Special Litigation
KRISTINE POPLAWSKI, State Bar #160758
CHRISTINE VAN AKEN, State Bar #241755
Deputy City Attorneys
1390 Market Street, 7th Fl.
San Francisco, California 94102-5408
Telephone: (415) 554-3878
Facsimile: (415) 554-3985
E-Mail: kristine.poplawski@sfgov.org
E-Mail: christine.van.aken@sfgov.org

Attorneys for Plaintiff
THE PEOPLE OF THE STATE OF CALIFORNIA,
ex rel. San Francisco City Attorney Dennis J. Herrera

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO

UNLIMITED JURISDICTION

THE PEOPLE OF THE STATE OF CALIFORNIA, ex rel. San Francisco City Attorney Dennis J. Herrera,

Plaintiff,

vs.

44MAG DISTRIBUTING LLC d/b/a 44MAG.COM, an Oregon limited liability company; EXILE MACHINE, LLC, d/b/a EXILEMACHINE.COM, a Texas limited liability company; COPES DISTRIBUTING, INC., an Ohio corporation; and B & L PRODUCTIONS, INC., a Utah corporation, d/b/a CROSSROADS OF THE WEST GUN SHOWS, and DOES 1 through 50, inclusive.

Defendants.

Case No. CGC-13-531982

STIPULATED INJUNCTION AND ORDER FOR ENTRY OF JUDGMENT

Date Action Filed: June 10, 2013
Trial Date: Not set

macintosh
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Plaintiff the People of the State of California, acting by and through San Francisco City Attorney Dennis J. Herrera ("Plaintiff") and defendant B & L Productions, Inc. ("B & L Productions"), having executed a Settlement Agreement, present this stipulated injunction and order for entry of judgment to Department 304 of the San Francisco Superior Court. Plaintiff and B & L Productions consent to entry of this Stipulated Injunction and Order for Entry of Judgment by the Court, and Plaintiff and B & L Productions waive their respective rights to a noticed motion, hearing, or trial. The Plaintiff and B & L Productions agree that this Stipulated Injunction and Order for Entry of Judgment shall be entered and become final for all purposes upon entry thereof, and each party to this Stipulated Injunction and Order for Entry of Judgment waives any right to appeal therefrom.

The Plaintiff and B & L Productions hereby request that this Court retain jurisdiction pursuant to California Code of Civil Procedure section 664.6 to enforce their Settlement Agreement.

Accordingly, IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

A. **JURISDICTION.** This Court has jurisdiction over the subject matter of this lawsuit as set forth in the allegations of the Complaint against B & L Productions and over the Plaintiff and B & L Productions to make further orders and directions as may be necessary or appropriate for the construction, application or carrying out of the provisions herein.

B. **INJUNCTION.** B & L Productions shall prohibit exhibitors or vendors at all B & L Production events held in the State of California from offering or displaying for sale or selling any magazine box, tube, body, or drum, which, with or without modification, is capable of holding more than ten rounds, subject to the following exceptions and terms:

a. B & L Productions shall be released from the obligation set forth in the preceding paragraph in the event the sale of such parts is deemed legal or permissible by any subsequent:

i. Agreement between Plaintiff and any other defendant in this litigation;

ii. Final judgment in the Litigation or any other litigation that holds that restrictions on the possession, importation, manufacture or sale of magazines capable of holding more than ten rounds are unconstitutional, or that holds that the importation or sale of magazines capable of holding more than ten rounds in California must be permitted, or that expressly holds that the importation or sale in California of magazine boxes, tubes, bodies, or drums, which are capable of holding more than ten rounds must be permitted; provided that, upon motion of B&L Productions, the San Francisco Superior Court finds and determines that said final judgment or order indeed permits the conduct that B&L Productions proposes to engage in; or

iii. Any change in statute that permits the importation or sale of magazines capable of holding more than ten rounds in California or expressly allows the importation or sale in California of magazine boxes, tubes, bodies, or drums, which are capable of holding more than ten rounds.

b. Nothing in this injunction limits the rights of B & L Productions or its vendors to sell the following repair or replacement parts for large-capacity magazines: followers, follower springs, follower buttons, follower locks, follower lock springs, lips, nozzle rubbers, lip set pins, inner base set pins, release valves, charging valves, inner tubes, inner bases, inner base seals, base plates, base plate locks, bases, base lock pins, block retainer plugs, locking plates, and inserts.

C. Plaintiff shall take nothing further from B & L Productions in connection with the Complaint except as provided in this Stipulated Injunction and Order for Entry of Judgment and as provided in the Settlement Agreement executed by Plaintiff and B & L Productions.

D. Except as otherwise provided in the Settlement Agreement, Plaintiff and B & L Productions shall bear their own costs, fees, and expenses.

E. Pursuant to the request of the Plaintiff and B & L Productions, this Court shall retain continuing jurisdiction to enforce the Settlement Agreement and Release.

F. The Court hereby orders that Judgment in this matter be entered in the form stipulated by Plaintiff and B & L Productions.

SO STIPULATED:

DATED: _____

Plaintiff the People of the State of California, by and through City Attorney Dennis J. Herrera

By: _____
Name: Dennis J. Herrera
City Attorney

DATED: 11-19-13

Defendant B & L Productions, Inc.

By: Bob Templeton
Name: Bob Templeton
Title:

APPROVED AS TO FORM:

DATED: _____

SAN FRANCISCO CITY ATTORNEY'S OFFICE

By: _____
Name:
Deputy City Attorney

Attorneys for Plaintiff PEOPLE OF THE STATE OF CALIFORNIA by and through San Francisco City Attorney Dennis J. Herrera

DATED: 11/20/13

MICHEL & ASSOCIATES, P.C.

By: _____
Name: Clinton B. Monfort

Attorneys for Defendant B & L Productions

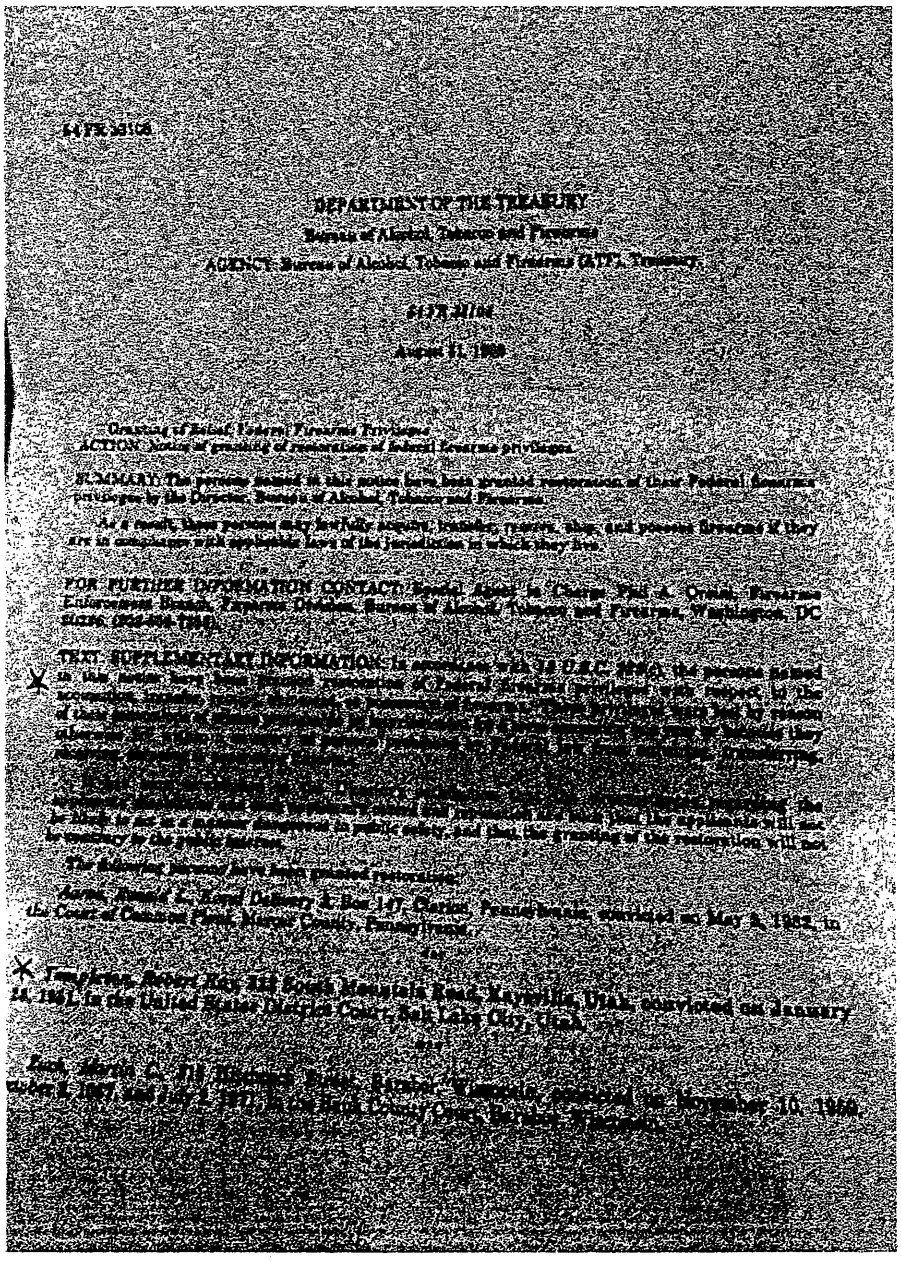
IT IS SO ORDERED:

DATED: _____

_____
Honorable Curtis E.A. Karnow
Judge of the Superior Court

Exhibit 5

[illegible]



DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Treasury.

[illegible]

August [illegible], [illegible]

Granting of Relief, Federal Firearms Privileges

ACTION: Notice of granting of restoration of federal firearms privileges.

SUMMARY: The persons named in this notice have been granted restoration of their Federal firearms privileges by the Director, Bureau of Alcohol, Tobacco and Firearms.

As a result, these persons may lawfully acquire, transfer, receive, ship, and possess firearms if they are in compliance with applicable laws of the jurisdiction in which they live.

FOR FURTHER INFORMATION CONTACT: Special Agent in Charge Phil A. Orsini, Firearms Enforcement Branch, Firearms Division, Bureau of Alcohol, Tobacco and Firearms, Washington, DC [illegible].

TEXT: SUPPLEMENTARY INFORMATION: In accordance with 18 U.S.C. [illegible], the persons named in this notice have been granted restoration of Federal firearms privileges with respect to the acquisition, transfer, receipt, shipment, or possession of firearms. [illegible] of these [illegible] otherwise [illegible] [illegible] transferring, receiving, shipping or possessing firearms.

[illegible] the Director [illegible] the [illegible] regarding the applicants [illegible] and [illegible] and [illegible] that the applicants will not be likely to act in a manner dangerous to public safety, and that the granting of the restoration will not be contrary to the public interest.

The following persons have been granted restoration:

Aaron, Ronald L., Rural Delivery 2, Box 147, Clarion, Pennsylvania, convicted on May 3, 1982, in the Court of Common Pleas, Mercer County, Pennsylvania.

***

Templeton, Robert Ray, [illegible] South Mountain Road, Kaysville, Utah, convicted on January [illegible], 1961, in the United States District Court, Salt Lake City, Utah.

***

Zuck, Martin C., [illegible] Kittleson Street, Baraboo, Wisconsin, convicted on November 10, 1959, [illegible] 2, 1967, and July 2, 1971, in the Sauk County Court, Baraboo, Wisconsin.

Summary of past and current litigation in California regarding the ability of event promoters to hold gun show events on government property

Non-Litigation

Santa Clara County Gun Ordinance (non-litigation) – In May 2018, the Santa Clara County Board of Supervisors unanimously approved an ordinance that prohibits the possession, sale, or discharge of firearms and the possession or sale of ammunition on county property, including the Santa Clara County fairgrounds. The ordinance exempts the County-operated Field Sports Park shooting range, as well as peace officers, on-duty members of the military, and authorized conceal carry weapon permit holders. The ordinance does not prevent lawful gun owners from possessing or using firearms on private property or from buying guns at licensed vendors throughout the county. Final approval of the ordinance is expected at the Santa Clara County Board of Supervisors' June 5, 2018 board meeting.

San Francisco and San Mateo Counties Gun Show Ban (non-litigation) – In May 2018, State Senator Scott Weiner and State Senator Jerry Hill are considering introducing legislation to ban gun shows at the Cow Palace (1-A District Agricultural Association). Because the Cow Palace is on State property that straddles San Francisco and San Mateo Counties, neither county has the authority to prevent the Cow Palace from renting its facility to gun show promoters. As of the date of this memorandum, legislation has not been introduced to ban gun shows at the Cow Palace.

Los Angeles County Ban on "Ultracompact Handguns" (non-litigation) – 16 years ago, the Los Angeles City Council approved a ban on the sale or transfer of "ultracompact firearms," even if those firearms were listed on the Department of Justice's "Roster of Handguns Certified for Sale" in California. On September 20, 2016, the National Rifle Association and California Rifle & Pistol Association sent a pre-litigation demand letter to the City Council stating that the ordinance was preempted by California law and that because California law permitted the sale of some of the weapons prohibited under the ordinance, the ordinance was invalid. On August 29, 2017, and in response to the demand letter, the Los Angeles City Council unanimously approved an ordinance to repeal the ban.

San Carlos Moratorium on Firearm Retailers (non-litigation) – On November 13, 2017, the City of San Carlos recently proposed and adopted a temporary moratorium on firearm retail businesses as a result of several anti-gun residents complaining of a newly proposed gun store. The City of San Carlos may extend the moratorium up to two years so that it has sufficient time to retain an expert to study the issue of gun violence and zoning restrictions related to gun stores.

Litigation

Teixeira v. County of Alameda, 873 F.3d 670 (9th Cir. 2017)

A business owner challenged a County of Alameda ordinance that required, among other things, "that businesses selling firearms in unincorporated areas of the County be located at least five hundred feet away from any of the following: schools, day care centers, liquor stores or establishments serving liquor, other gun stores, and residentially zoned districts." The Court of Appeal held, among other things, that: (1) the ordinance does not infringe Second Amendment rights of potential customers of prospective gun store operator; (2) the ordinance does not interfere with Second Amendment right to provide ancillary training and certification services in county; and (3) the Second Amendment does not independently protect a business owner's right to sell firearms.

National Shooting Sports Foundation, et al., v. Pleasant Hill [Contra Costa County Superior Court (Civil Case No. MSN13-1922)]

In 2013, the City of Pleasant Hill passed an ordinance placing certain limitations on the sale of firearms and ammunition, including the requirement that all businesses that sell firearms and/or ammunition obtain a permit issued by the Pleasant Hill Police Chief after a determination by the chief that the permit applicant meets certain standards identified in the ordinance. In December 2013, City Arms East, LLC and the National Shooting Sports Foundation filed a lawsuit challenging the ordinance. After several years of protracted litigation and motion practice, the parties entered into a settlement agreement. As part of the settlement agreement, the lawsuit was dismissed on February 19, 2016 and the City of Pleasant Hill agreed to pay approximately $400,000 in attorneys' fees.

Calguns Foundation v. County of San Mateo (2013) 218 Cal.App.4th 661

Gun owners filed a lawsuit challenging a local ordinance that precludes the possession and use of guns in the county's parks and recreational areas. The Court of Appeal upheld the validity of the ordinance concluding that it was not preempted by state law.

Nordyke v. King, 681 F.3d 1041 (9th Cir. 2012)

Gun show promoters filed suit challenging constitutionality of county ordinance prohibiting possession of firearms on county property. California Court of Appeal held that ordinance as applied to promoters' gun shows did not violate Second Amendment.

Fiscal v. City and County of San Francisco (2008) 158 Cal.App.4th 895

Plaintiffs challenged a local ordinance prohibiting: (1) virtually all city residents from possessing handguns; and (2) all city residents, without exception, from selling, distributing, transferring and manufacturing firearms and ammunition. The Court of Appeal invalidated the ordinance as preempted by state law.

Nordyke v. King (2002) 27 Cal.4th 875

Gun show promoters brought suit challenging county ordinance prohibiting the possession of firearms on county property, alleging that ordinance violated First Amendment and was preempted by California regulations. California Supreme Court concluded that whether or not the ordinance is partially preempted, the County has the authority to prohibit the operation of gun shows held on its property, and, at least to that extent, may ban possession of guns on its property.

Great Western Shows v. City of Los Angeles (2002) 27 Cal.4th 853

Gun show promoter filed suit to bar county from enforcing ordinance prohibiting the sale of firearms and ammunition on county property, alleging, among other things, that ordinance violated First Amendment. California Supreme Court held (1) that state law does not compel counties to allow their property to be used for gun shows at which guns and ammunition are sold; and (2) a county may regulate the sale of firearms on its property located in an incorporated city within the borders of the county.

Cal. Fire & Pistol Association v. City of West Hollywood (1998) 66 Cal.App.4th 1302

Plaintiffs filed suit to bar a city from enforcing an ordinance which banned, within city limits, the retail or wholesale sale of any handgun which the City classifies as a "Saturday Night Special," alleging that the ordinance was preempted by state law. The Court of Appeal upheld the validity of the ordinance, concluding that it was not preempted by state law and did not violate equal protection or due process.

CROSSROADS OF THE WEST

PO Box 290 • Kaysville, Utah 84037-0290 • (801) 544-9125

Dear Tim Fennell
Chief Executive officer,

I understand that there are many questions about my involvement at gun shows here at Del Mar. There will simply not be enough time to explain it all in the allotted 2 minute window.

Let me assure you that despite what you may have read or heard, I have absolutely been to every Del Mar gun show since 2001. I went many years before that, as well, but I understand that your concern lies in the time frame from 2001 forward. I co-managed the Del Mar gun show with my brother, Jeff, until October 2001. In December 2001, I began managing the shows without a managing partner. Jeff has not attended any shows at Del Mar since October 6-7, 2001.

I have enclosed a copy of our accounting of airline purchases that correspond with my travel to and from the Del Mar gun show from 1997 to present. If you will take the time to examine these accounting documents, you will find that they validate my travel schedule.

Also included in this packet is a description of what a Certificate of Eligibility (COE) is and what I do before each and every show. I have included a certified copy of my license so you have the reference information required to make phone calls or do whatever research you deem necessary.

I hope you will take the time to read the "Gun Show Producer Certificate of Eligibility" that I wrote, which explains the process for obtaining and using the COE. I think you will find that it answers many of your questions.

Let me reassure you that Crossroads of the West operates in compliance with every applicable law and we require that our vendors conduct their operations in compliance with all laws.

Best regards,

Tracy T Olcott,
President
Crossroads of the West Gun Shows

GUN SHOW PRODUCER CERTIFICATE OF ELIGIBILITY

A Certificate of Eligibility (COE) and a Gun Show Producers license (GSP) is required by any individual who desires to produce gun shows in the state of California (Penal Code Section 16800 and 27200 through 27350). The COE is issued by the Department of Justice (DOJ), Bureau of Firearms and must be renewed annually. Crossroads of the West had the very first COE/GSP license issued by the state of California, issued to Lynn S Templeton.

At the beginning of each year, a list of our planned gun shows is submitted to the California DOJ so they can staff appropriately for the shows, both in the office and undercover at the shows. Additionally, a security plan approved by the facility is submitted for their review per Penal Code 12071.1. Any changes to our event calendar must be submitted to the DOJ so they are aware of our show dates and locations.

Each week that a gun show takes place, a list of all individuals who wish to sell firearms is submitted by the COE/GSP to the DOJ for approval. Included on the list are the seller's address, phone number, Drivers License number and their COE license number (gun sellers have a different COE category than those who produce gun shows). Only those with approval from the DOJ can facilitate the sale of a firearm. Any other individual selling firearms must use one of these approved license holders in order to begin the sale of a firearm.

When a person decides to purchase a firearm, they must first obtain a Firearm Safety Certificate (FSC). This is a test administered by an agent licensed by California DOJ. The test is 30 questions consisting of True/False and Multiple Choice and demonstrates a basic knowledge of firearm handling and safety. Once a FSC is obtained, they can begin the process of purchasing a firearm. The FSC testing can be done at the gun show or at any gun store in the state and is valid for 5 years.

The process for purchasing a firearm at a gun show is the same if it were purchased from any retail or gun store. Once they find what they want to purchase, the buyer and seller find a state approved, licensed firearms dealer to begin the process. The approved dealer takes possession of the firearm from the seller and holds it until the 10 day waiting period and a state and federal background check is complete. The dealer is responsible for completing the necessary paperwork (form 4473, a federal document) and recording the transaction in their bound book that is reviewed and audited by DOJ. This process connects the buyer to the federal database of firearms owners.

After the waiting period is complete, the buyer can pick up their firearm at the licensed dealers place of business. At that time, the buyer must demonstrate practical knowledge of gun handling and safety for that particular firearm. If the buyer is denied through the background check process, the firearm can be returned to the seller, who must then go through a background check to get their own firearm returned.

XAVIER BECERRA
Attorney General

State of California
DEPARTMENT OF JUSTICE

DIVISION OF LAW ENFORCEMENT
BUREAU OF FIREARMS
P.O. Box 160487
Sacramento, CA 95816-0487
Telephone: (916) 227-7872
Fax: (916) 227-1032
Tanya.Dominguez@doj.ca.gov

June 13, 2018

Mark Barnes
Attorney at Law
Mark Barnes & Associates
1350 I Street N W Suite 260
Washington, DC 20005

RE: Request for Copy of Certificate of Eligibility

The enclosed certification is in response to your request for licensing and permit information for Tracy T. Olcott.

If you have any questions, please contact me at (916) 227-7872.

Sincerely,

TANYA DOMINGUEZ, Manager
Bureau of Firearms

For XAVIER BECERRA
Attorney General

Enclosure

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
LICENSING AND CERTIFICATE OF ELIGIBILITY SECTION

I, Rachel Pyara, do certify and attest under penalty of perjury that I am the legal custodian of the Certificate of Eligibility records maintained by the California Department of Justice, Bureau of Firearms, Licensing and Certificate of Eligibility Section.

On June 13, 2018 a diligent search of Certificate of Eligibility records was conducted for the following individual:

Tracy T. Olcott

The search revealed that Ms. Olcott currently holds a Certificate of Eligibility issued, by the State of California Department of Justice, on January 01, 2018.

I certify that the information provided is complete, true, and exact. This certification was prepared by personnel of the Department in the ordinary course of business on the date stated above.

Rachel Pyara

RACHEL PYARA
Staff Services Analyst
Licensing and Certificate of Eligibility Section
Bureau of Firearms

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
COMPLETE TRUE AND CORRECT COPY

JUN 13 2018

R. P.

CUSTODIAN OF FIREARMS RECORDS

MARK BARNES*
CHRISTOPHER THOMAS*
MICHAEL FAUCETTE**
MELISSA BURGESS++
CAROLINE WATSON++
PETER McDONALD*‡

* Also Admitted in Arizona and Alaska
♦ Also Admitted in Arizona
• Not Admitted in the District of Columbia

Mark Barnes & Associates
ATTORNEYS

HEATHER HAMILTON**
OF COUNSEL

**Also Admitted in Maryland
++Also Admitted in Virginia
‡ Only Admitted in Florida

June 12, 2018

BY ELECTRONIC COMMUNICATION

Bureau of Firearms
California Department of Justice
4949 Broadway
Sacramento, CA 95820

RE: Request for Certified Copy of Certificate of Eligibility

To Whom It May Concern:

On behalf of Ms. Tracy T. Olcott, we respectfully request a certified copy of Ms. Olcott's Certificate of Eligibility.

If you have any questions or require additional information to process this request, please contact me at (202) 626-0070 or mark.barnes@mbassociateslaw.com.

Sincerely,

Mark Barnes
Attorney at Law

Enclosure: Power of Attorney

Tracy T. Olcott

344 S 1800 E Fruit Heights UT 84037

June 9, 2018

RE: Power of Attorney

To Whom It May Concern:

Please be advised that Mark Barnes & Associates is authorized to represent the undersigned, Tracy T. Olcott, in all matters relating to, regarding, or involving the Bureau of Alcohol, Tobacco, Firearms, and Explosives and the California Department of Justice.

Please provide representatives of Mark Barnes & Associates, including Mark Barnes, Christopher Thomas, Michael Faucette, Melissa Burgess, Caroline Watson, and Peter McDonald, with any information to which the undersigned would be entitled if the request were made by the undersigned personally.

Thank you for your cooperation in this matter.

Sincerely,

Tracy T. Olcott

State of California
Department of Justice
Bureau of Firearms

CERTIFICATE OF ELIGIBILITY

Number: 10813

Issued To:

Tracy T Olcott

This is to certify that the Department of Justice, Bureau of Firearms has completed a firearms eligibility check on the above named individual. As of the date of issue, there is nothing that would prohibit the individual from acquiring or possessing a firearm.

Date of Issue: January 01, 2018 **Expiration Date: December 31, 2018**

Signature of Issuing Officer _____

Gun Show Correspondence

AMERICAN CIVIL LIBERTIES UNION
SAN DIEGO & IMPERIAL COUNTIES
FOUNDATION

PO Box 87131
San Diego, CA 92138-7131
T/ 619-232-2121
F/ 619-232-0036
www.aclusandiego.org

VIA ELECTRONIC MAIL

August 27, 2018

Donna O'Leary
22nd District Agricultural Association
Attn: Board of Directors
2260 Jimmy Durante Blvd.
Del Mar, CA 92014
doleary@sdfair.com

Re: Gun Show at Del Mar Fairgrounds

Dear Ms. O'Leary,

I understand the question has arisen whether there is a First Amendment right to hold a gun show involving possession, display, and sale of firearms at the Del Mar Fairgrounds. While the Board of Directors may wish to seek legal advice from its own counsel, I write to state my office's position on that question. This letter addresses only First Amendment issues and does not concern Second Amendment or other legal questions.

The First Amendment protects speech, expressive conduct, and expressive association. *See Hurley v. Irish-Am. Gay, Lesbian & Bisexual Grp. of Boston*, 515 U.S. 557, 569 (1995); *Texas v. Johnson*, 491 U.S. 397, 404 (1989); *Roberts v. U.S. Jaycees*, 468 U.S. 609, 622 (1984). The scope of protected expression is broad but not limitless. "It is possible to find some kernel of expression in almost every activity a person undertakes—for example, walking down the street or meeting one's friends at a shopping mall—but such a kernel is not sufficient to bring the activity within the protection of the First Amendment." *City of Dallas v. Stanglin*, 490 U.S. 19, 25 (1989).

In general, the conduct involved in the possession, use, and sale of firearms, or the gathering of individuals for such conduct, is not protected by the First Amendment. *See New York State Rifle & Pistol Ass'n, Inc. v. City of New York*, 883 F.3d 45, 67–68 (2d Cir. 2018) (noting "[t]ypically a person possessing a gun has no intent to convey a particular message, nor is any particular message likely to be understood by those who view it" and holding "participation in recreational and competitive shooting events … does not constitute expressive association under the First Amendment").

As the Ninth Circuit has noted, "a gun itself is not speech." *Nordyke v. King*, 319 F.3d 1185, 1189 (9th Cir. 2003). In addition, "the sale itself" of a firearm "is not commercial speech." *Id.* at 1191. "As possession itself is not commercial speech and a ban on possession at most interferes with sales that are not commercial speech," a prohibition on the possession or sale of firearms in a given place "does not infringe [a person's] right to free commercial speech." *Id.*

"Where the symbols on the gun (not the gun itself) convey a political message," the First Amendment is implicated, but the mere presence of a few such decorated guns "at a show at which the vast majority of the prohibited guns bear no message whatsoever" does not necessarily mean a prohibition on possessing guns would violate the First Amendment. *Id.* at 1190. Assuming the display of firearms at a gun show may involve certain elements of speech or expressive conduct, it does not violate the First Amendment to prohibit gun shows on government property. *Nordyke v. King*, 681 F.3d 1041, 1043 n.2 (9th Cir. 2012).

Different issues would be presented if the government prohibited speech about guns on government property, as opposed to the possession, sale, or use of guns themselves, but I see no First Amendment obstacle to prohibiting gun shows on government property.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions.

Sincerely,

David Loy
Legal Director

AMANDA YOUNG RIGBY
CITY COUNCILWOMAN

August 13, 2018

To: 22nd District Agricultural Association Board of Directors
Re: Crossroads of the West Gun Shows
==========

As a City Council Member for the City of Vista, I represent many constituents in my city who attend and enjoy the Crossroads of the West Gun Show at the Fairgrounds in Del Mar and I am writing to express my support for the renewal of their contract for five (5) gun shows with no new restrictions.

As your Mission Statement says, the Fairgrounds is a "public assembly facility" providing a wide range of activities and events "for the benefit of all" San Diego County residents. While you state that "no tax monies are used in the operations of these facilities" the Fairgrounds is, nonetheless, a state-owned entity, provided for the benefit of all and as such, I submit that no one city has the power to summarily dictate the use of this facility.

The Crossroads of the West Gun Show is a legal business operating in a lawful manner, promoting local business owners while providing firearms education, proficiency, and safety. In addition, Crossroads of the West has held its show at the Fairgrounds for 30 years and they have enjoyed an impeccable legal and safety record during this time.

On behalf of my Vista constituents, I respectfully request that you renew the contract with Crossroads of the West Gun Shows.

Very Sincerely,

Amanda Young Rigby

200 Civic Center Drive, Vista, California 92084-6275 I P: (760) 639-6130 I F: (760) 639-6132 I cityofvista.com

CITY OF OCEANSIDE

COUNCIL MEMBER
JACK FELLER

August 29, 2018

Mr. Stephen O. Shewmaker, President
22nd District Agricultural Association
2260 Jimmy Durante Blvd.
Del Mar, CA 92014-2216

RE: 22nd District Agricultural Association – Crossroads of the West

Dear Mr. Shewmaker:

Please accept this letter as a reiteration of my position as a **5 time elected councilmember** of the City of Oceanside. **I am in favor of and supportive of gun shows at the Del Mar Fairgrounds.** This is the **State run fairgrounds, supported by millions of Southern California residents – many of them from Oceanside.**

I would appreciate you being mindful of this support as you consider your position on this issue. Should you have any questions, I can be reached at (760) 435-3056.

Sincerely,

JACK FELLER
Councilmember

JF/vp

CIVIC CENTER • 300 NORTH COAST HIGHWAY • OCEANSIDE, CA 92054-2885 • TELEPHONE (760) 435-3056 • FAX (760) 435-3045
E-MAIL: jfeller@ci.oceanside.ca.us

Sent Via FAX

September 3, 2018

The Honorable Board of Directors, Del Mar Fairgrounds:

Lisa Barkett
Lee Haydu
Kathlyn Mead
Pierre Sleiman
Russ Penniman
Frederick Schenk
Steve Shewmaker, President
Richard Valdez, Vice President
David Watson

Something to Consider Regarding the Gun Show

The Del Mar Gun Show is a legal activity. Horse Racing at Del Mar is also a legal activity.

No person or animal has been killed or injured at the Gun Show. People and animals were injured and killed as a result of Horse Racing.

If you set a precedent of disallowing a long-standing legal activity by submitting to the demands for elimination of the Gun Show by a vocal group of anti-gun extremists, then what do you think will be the next logical target for elimination by an extremist group or groups.

Sincerely,

Allan Zirkin
Carlsbad, California
zirkin@iname.com

This was dropped off at Reception Desk.

August 25, 2018

Board of Directors and CEO, Del Mar Fairgrounds
22nd District Agricultural Association
2260 Jimmy Durante Blvd.
Del Mar, CA 92014

Honorable Board Members and CEO:

We write to urge you to end the gun shows at the Del Mar Fairgrounds, a state-owned property that has prided itself in offering agricultural, educational, recreational, and entertainment events in a safe and "family friendly" environment. We are not fighting the Second Amendment, but strongly support efforts to ban the gun shows at this public venue.

With over 38,000 U.S. firearm fatalities in 2016, it is critical to address gun violence as a major public health problem. Gun shows glorify gun culture for our youth, many of whom now fear a mass shooting at their school. Promoting the sale of more guns and ammunition at the Fairgrounds may contribute to future homicides, firearm injuries, suicides, accidental deaths, and gun trafficking. Target shooting has also been identified as the cause of at least 9 County forest fires, putting the lives of firefighters and residents at risk.

We adopted a public health approach to evaluate the pros and cons of gun shows, considering empirical research, a focus on prevention, and community stakeholder engagement. Our group, all of whom are now retired, include a professor of Public Health, two Public School teachers, and a professional from the business community. Several other NeverAgainCA members also contributed their observations and insights, including those who visited the gun shows and met with students from 26 diverse San Diego County schools. All of us have resided in communities near the Del Mar Fairgrounds for 20+ years, and three of these cities have passed resolutions to ban the gun shows.

Thank you for reading and considering the case made in the following document. We hope you will put child and community safety above Fairground profits, and act to end the gun shows at your upcoming meeting. Prevention of future gun violence is key. Our youth need to know that you are doing everything in your power to insure their future safety and well-being. The decision you make on September 11th could save a child's life and help to protect your own loved ones.

Respectfully,

Sally Koblinsky
Professor Emeritus and Retired Associate Dean
University of Maryland School of Public Health
Former Director, Maryland Veterans Resilience Initiative

Cindi Clemons
Retired Teacher
Lafayette Elementary School
San Diego Unified School District

Jill Cooper
Retired Teacher
Solana Vista Elementary School
Solana Beach School District

Debby Richmond
Retired Manager
Quest Consulting & Training

Banning Gun Shows at the Del Mar Fairgrounds:

A Call to Action for Gun Violence Prevention in San Diego County Communities

Summary

Residents of San Diego County and the state of California have suffered mass shooting incidents and continue to witness high numbers of gun deaths. Yet despite these tragic events, guns and ammunition are regularly sold at publicly-owned facilities, including the Del Mar Fairgrounds. Communities near the Fairgrounds and students from schools throughout the County have urged the Del Mar Fair Board to cease hosting gun shows. Adopting a public health approach, the following document provides a rationale for terminating gun shows at the state-owned Fairgrounds.

Background

The vast majority of public health scientists and criminologists agree that the more guns, the more homicide and crime. A review of research by the Harvard Injury Control Research Center reveals that with higher levels of household gun ownership, there are more gun homicides, total homicides, gun suicides, and accidental gun deaths.[1] Firearms are now the second leading cause of death for American children and teens.[2] In an average month, 50 American women are shot to death by an intimate partner, and the risk of homicide increases 5-fold when the partner owns a firearm.[3]

Gun sales are currently increasing in California and nationally. In 2016, there was a 15% increase in California's gun-related homicide rate, reversing years of decline beginning in 2008.[4]

Given the latter research and recent trends, NeverAgainCA and communities surrounding the Del Mar Fairgrounds have urged Fair Board members to adopt a public health approach to reducing gun violence and protecting the public's safety. The national Institute of Medicine defines a public health approach as including 3 major elements: a focus on prevention, a reliance on scientific research to identify risk and patterns, and multidisciplinary collaboration, including community engagement, to address the problem. **Adopting this approach, we respectfully present reasons to terminate the Crossroads Gun Shows at the publicly-owned Del Mar Fairgrounds.** Our opposition to these shows is based on: 1) Detrimental Effects of Celebrating Gun Culture; 2) Negative Impacts on Students and Families, Schools, and Communities, and 3) Legal Risks to the Del Mar Fair Board.

Detrimental Effects of Celebrating Gun Culture

Gun shows have been described as a "flea market for firearms," enabling participants to buy, sell, and trade firearms and firearm-related accessories. California gun show attendees, including young children, encounter vendors and tables covered with thousands of conventional handguns (including semi-automatic pistols), shotguns, rifles, antique/replica guns, knives, and swords. Vendors also sell gun parts and accessories, ammunition, body armor, books, and merchandise only peripherally related to guns and shooting, such as t-shirts and jewelry.

In 2009, the Violence Prevention Research Program at the University of California, Davis Department of Emergency Medicine produced a report, *Inside Gun Shows: What Goes on When Everybody Thinks Nobody's Watching*.[5] This report documents the broad range of activities that take place at gun shows, identifying activities that that pose problems for the public's health and safety. The report is based on direct observations made at 78 gun shows in 19 states, including the Crossroads of the West Gun Shows in Del Mar.

In addition to identifying several illegal practices observed at gun shows, the UC Davis report highlights 3 aspects of a gun show's social environment that may contribute to future firearm violence. These include: 1) facilitating children's access to firearms, 2) promoting objectification and violence in relationships between men and women, and 3) endorsing violence as a problem-solving tool. Photographs in the report and recently taken at the Del Mar Gun Show raise questions about whether these events are truly "Family Friendly." The report notes that "Children receive a steady stream of messages encouraging gun use, largely untampered by information or behaviors promoting gun safety. Their involvement progresses from observation and imitative play in the preschool years through independent exploration to active participation in the buying and selling of guns by early adolescence. Messages endorsing the use of violence--sometimes indiscriminate violence—to address complex social and geopolitical problems are widespread. Support for alternative approaches was never observed."[5, p 207-208] The researchers further found "frequent expressions of misogyny in both the products available and sentiments expressed by attendees," with women devalued and treated as objects of sexual gratification.[5, p 220-221]

Gun shows also feature technical books on specific guns, how-to manuals for gun maintenance and modification, and weapon-making, including "manuals for converting conventional weapons into machine guns, for making silencers, for making and using explosive devices, and for shooting down an airplane." [5, p 204] T-shirts and bumper stickers with pro-gun messages "are ubiquitous," but more concerning are "materials promoting violence and irresponsible gun use" (e.g., bumper stickers reading 'Execute Antiwar Demonstrators' and 'When in Doubt, Empty the Magazine'). [5, p 216] Some gun shows also feature white supremacist materials.[5]

Clearly, there is no unitary gun show culture and gun show attendees have different experiences at different shows. However, NeverAgainCA and Brady Campaign attendees at the March and May 2018 Crossroads Gun Shows in Del Mar observed several immediate safety concerns for young children and youth, including guns and knives on tables that were easily accessible to unsupervised children.[6] Observers also noted a failure to check all attendees' bags for their contents at the gun show entrance, posing a risk for visitors to bring loaded weapons into the crowded Fairgrounds.

Negative Impacts on Students and Families, Schools and Communities

Local Students Fearful of Mass Shootings at School

There have been 5 school shootings in San Diego County (Grover Cleveland Elementary School/ San Diego, Kelly Elementary School/Carlsbad, Santana High School/Santee, Granite Hills High School/El Cajon, San Diego State University), killing 7 and injuring 29 students and adults. Moreover, in May 2018 Torrey Pines High School canceled classes, athletic contests, and other school events after receiving a mass shooting threat from a former student.[7] Two other threats to harm Torrey Pines students, including one warning of a mass shooting, occurred in February 2018. Thus, it is not surprising that hundreds of local students have voiced fears and anxiety about the possibility of mass shootings in their schools, seriously disrupting their academic experience and learning environment.

A recent national study by the Pew Research Center found that the majority of teens (57%) are 'very worried'or 'somewhat worried' about the possibility of a shooting occurring at their school, and only 13% said they are 'not at all worried.'[8] Nonwhite teens, including 73% of Hispanic students, were even more fearful than their white peers. Parents of teen students expressed similar levels of concern, with 63% very worried or somewhat worried about a shooting happening at their child's school.[8] Active shooter drills are now held in many County schools. Fears for children's safety are also shared by the federal government. Recently, the Department of Homeland Security

announced a grant program to teach high school students "mass casualty survival techniques" in the event of school shootings, including "medical triage and bleeding control techniques to help victims who have sustained traumatic injuries until first responders arrive." [9]

After the Parkland shootings, NeverAgainCA members met to discuss student fears and violence prevention strategies with children and youth from 9 Elementary Schools, 4 Middle Schools, 9 High Schools, and 4 Colleges throughout the County. Represented were students from Cardiff-by-the-Sea, Carlsbad, Carmel Valley, Del Mar, Encinitas, La Jolla, Oceanside, Poway, San Diego, San Marcos, Solana Beach, Torrey Highlands, Vista, and 4S Ranch. Students expressed fears about the potential for future school shootings, with many sharing their belief that "one could now come to my school." Students also voiced their determination to actively work for school safety and violence prevention initiatives. Some students created clubs to combat school and community violence, organized walkouts to honor the Parkland victims, established an anti-violence Instagram site, and organized a community town hall meeting to discuss school safety at a Clairemont mosque. A large student group created murals, artwork, poetry, and music aimed at banning the Del Mar Gun Shows and reducing gun violence, which they displayed at the NeverAgainCA gun show protest in July 2018. A CD of their work is being provided to Fair Board members.

Students from local communities have also appealed directly to the Del Mar Fair Board to terminate the gun shows. For example, A 15-year old Canyon Crest Academy student addressed Board members at their August 14, 2018 meeting, stating:

"Holding these (gun) shows at the Del Mar Fairgrounds demonstrates just how careless adults have become with their own and their children's safety....Gun shows perpetuate a culture in which having a weapon designed for military use and capable of ending dozens of lives in seconds is normal or necessary....It is nothing less than callous and apathetic to hold these events which glorify killing machines, despite San Diego's youth having shown how vehemently we oppose their ability to rip apart classrooms and families, and our confidence that we are safe. I am ashamed that this event has been allowed to continue in light of all of the children who have died due to the inability of adults to take decisive actions on gun control."

Guns Associated with Increased Risk for Suicide

Another danger associated with gun ownership is completed suicide. Half of all gun deaths in California are suicides.[10] Suicide is also the second most prevalent cause of U.S. deaths for youth and young adults aged 10 to 24 years.[11] Multiple studies over two decades reveal a strong association between the presence of a firearm in the home and an increased risk of suicide for both the gun's owner and his/her spouse and children.[11]

Guns are not the most frequent way to attempt suicide, but they are the most fatal. Gun availability increases the risk because most attempts are impulsive. One study found that among those who made near-lethal attempts, a quarter took less than 5 minutes and 70% less than an hour between the decision to kill themselves and an actual attempt.[11] Among individuals who survive suicide attempts, about 90% do not go on to kill themselves later on.[12]

Suicide is the leading cause of death among military veterans, and military suicide rates are increasing. Firearms currently account for 68% of veteran suicides. [12] A recent study of student veterans who had deployed to Iraq and/or Afghanistan, reported that 20% of these veterans reported suicidal thoughts with an actual suicide plan, and almost half (46%) had thought about killing themselves at one point.[13] These rates are 6 times higher than college students in general. When a

public health professional discussed this study with several student veterans (now successfully managing their PTSD), the students shared that they would have likely purchased a gun for a suicide attempt from a gun show. When pressed for reasons, veterans stated, *"It's the most hassle-free way to get a gun,"* and *"Gun show sellers are there to make the sale... They don't really care about what you want (the gun) for."* Notably, more than 240,500 veterans reside in San Diego County, comprising more than 13% of the County's population.[14]

The strongest predictor of how likely a person will die from a suicide attempt is a gun in the home. A gun at home makes suicide 3 times more likely, regardless of the type of gun, method of storage, or number of guns in the household.[11] Thus, limiting community access to guns and keeping guns out of the home can play a key role in suicide prevention, especially for youth and young adults.

Communities Near the Fair Grounds Opposed to Gun Shows

Residents of Del Mar and communities near the Fairgrounds have largely opposed the gun shows, viewing the ban as an important step in combatting the glorification of gun culture and reducing the incidence of firearm violence. City Councils of Del Mar, Solana Beach, and Encinitas have passed resolutions opposing gun shows at the Del Mar Fairgrounds. NeverAgainCA has collected letters from residents and representatives of community groups and civic organizations throughout the County urging termination of the gun shows. Notably, the Fair Board's written policy directs Board members to consider local community values, standards, and ordinances when entering into Fairground contracts. Last year the Fair Board rescinded the contract for a festival focused on medical marijuana[15]; arguably, a gun show poses even greater safety risks for Fairground visitors.

Other California communities have also sought to ban gun and ammunition sales on public properties. In August 2018, State legislators passed Senate Bill 221 that would end the sale of guns and ammunition at the Cow Palace in Daly City; the bill now goes to the Assembly for a final vote and will then advance to the Governor with the Assembly's support. San Mateo County, Marin County, Santa Clara County, San Francisco, and the city of Glendale have successfully banned gun shows.[6] Notably, Democratic gubernatorial candidate Gavin Newsom has also supported a ban on gun shows at the Del Mar Fairgrounds.[16]

Gun Shows a Source of Illegally Trafficked Firearms

Most violent criminals don't purchase their guns directly from gun shows. However, researchers have found that gun shows are "the critical moment in the chain of custody for many guns, the point at which they move from the somewhat-regulated legal market to the shadowy, no-questions-asked illegal market."[17] A report released by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), examining federal gun-trafficking prosecutions involving 84,000+ illegal guns, found that 30% of the total cases had a gun-show connection.[18] Additionally, both U.S. and Mexican officials express concerns about gun trafficking to Mexico. ATF reported that 87% of firearms seized by Mexican authorities and traced over a 5 year period came from the U.S., noting that these firearms have become increasingly more powerful and lethal. Many of these firearms were originally purchased from gun shops and gun shows in southwest border states.[18]

Target Shooting Responsible for Multiple County Forest Fires

Gun shows also provide easy access to ammunition for target shooting. One clear risk of target shooting in the current environment is the possibility of forest fires. In May 2017, the "Gate Fire" was started at a popular shooting spot near Jamul and the community of Dulzura. While the exact cause is under CalFire investigation, video evidence suggests that it was accidentally started by

target shooters.[19] The fire burned more than 2,000 acres and caused over 500 campers and residents to evacuate. A dozen wildfires occurred in San Diego County's Marron Valley and Sycamore Canyon areas between 2011 and 2015, 9 of them caused by target shooters according to the Bureau of Land Management.[19] Hundreds of thousands of dollars were spent to extinguish them. Recent forest fires ignited by target shooting in California (e.g., 2017 Detwiler Fire in Mariposa County near Yosemite) and other states have likewise led to major fires, burning forests, destroying homes and businesses, and placing firefighters and residents at risk for injury and loss of life.

Legal Risks for the Del Mar Fair Board

Investigations of Crossroads of the West Gun Shows

Ten organizations, led by the San Francisco Chapter of the Brady Campaign to Prevent Gun Violence and including NeverAgainCA, have united to ask the California Department of Justice to conduct a comprehensive investigation of Crossroads of the West Gun Shows.[20] Crossroads is the company that produces gun shows at state-owned venues in California, including the Del Mar Fairgrounds and Cow Palace in Daly City. Concerns include the discovery that the Crossroads CEO and former Vice President have been convicted of violating federal firearms laws and apparently did not disclose those convictions when entering into gun show contracts with state agencies. The organizations' letter also cites a 2013 lawsuit brought by the San Francisco City Attorney against Crossroads and several gun sellers, alleging efforts to evade the state ban on the sale, manufacture, and import of large capacity magazines. Still another concern is a federal criminal complaint connecting a Crossroads vendor in Las Vegas and Phoenix to the off-premises sale of illegal armor piercing/incendiary ammunition to the mass shooter at the 2017 Las Vegas music festival.

NeverAgainCA brought several of these allegations to the attention of the Del Mar Fair Board. President Steve Shewmaker reported that the Board has begun an investigation of Crossroads with the Department of Justice.[21] All ten of the organizations noted above question the wisdom of hiring persons convicted of violating federal gun laws to run community gun shows.

Liability in Accidental or Negligent Shootings at Gun Shows

There have been numerous documented violations at Crossroads of the West Gun Shows in Del Mar and at their other venues, including 35 accidental (negligent) discharges of loaded firearms.[22] If a gun show vendor's or attendee's carelessness contributed to the incident, the courts will consider several factors to determine liability. Crossroads carries only $1 million of liability insurance, a figure woefully insufficient given the potential for significant injury or death resulting from an accidental or negligent shooting. In some cases, the State's 22nd District Agricultural Association (which manages and operates the Del Mar Fairgrounds) may also face some degree of responsibility and liability, and be a party in a major lawsuit. Personal injury attorneys will help accidental shooting victims sue for large damage awards to obtain a sense of justice and begin their recovery process. For example, medical treatment, skilled nursing care for serious injuries, and compensation for lost work and pain and suffering will likely cost millions. Wrongful death cases may also be brought by heirs of shooting victims for very substantial damage awards.

Request for Action: End Gun Shows at the Del Mar Fairgrounds

In summary, members of NeverAgainCA join cities near the Del Mar Fairgrounds and students and families from throughout San Diego County in urging the Fair Board to ban future gun shows. This call to action is based on a public health approach to gun violence and suicide prevention, drawing on empirical research, a prevention focus, and stakeholder engagement in decision-making. Gun violence takes a daily toll on the lives of Californians and Americans. Individuals and families have

grown tired of the thoughts and prayers, flags at half mast, and sorrowful speeches that accompany senseless shootings.

The time for action is now. Families and communities are demanding meaningful solutions to the gun violence epidemic. Thus, we ask the Del Mar Fair Board to put child and community safety above Fairground profits from gun and ammunition sales. Fair Board members have a unique opportunity to reduce access to firearms that may be used in future school shootings, homicides, suicides, and violent crimes----inflicting grief and trauma on survivors, friends and families, teachers, first responders, and health professionals. Please ban the gun shows to ensure our publicly-owned Fairgrounds can live up to its mission as a safe and "family friendly" venue. Your decision on September 11th could save the life of a child and help to protect the people you love.

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Julie Hampton
1252 Neptune Ave.
Encinitas CA 92024

August 29, 2018

Mr. Steve Shewmaker
Del Mar Fairgrounds Board of Directors
2260 Jimmy Durante Blvd.
Del Mar, CA 92014

Dear Mr. Shewmaker,

In June, a San Marcos middle schooler brought a hand gun to school. I meant to write a letter to the Fair Board while this news was fresh. The sad thing is that it doesn't really matter when I write my letter, because every day there is more gun violence, and increasingly frequent mass shootings. We now live in a country where this is becoming commonplace. Yet we cannot let this be something we just accept.

- Beyond the horrific headline-making mass shootings, the broader spectrum of gun violence is tearing apart families and communities. In an average month 50 women are shot and killed by intimate partners. Our country is awash in guns. In 1994 the average gun owner had 4.2 guns, in 2013 the average gun owner has 8.1 guns. Why do individuals need this type of arsenal?

In a recent Denver Post article, statistics are cited that the trend of toddlers involved in shooting themselves or someone else is on track for the third year at slightly more than once a week, a sad sliver of some 33,000 gun deaths annually in the United States. Americans are 25 times more likely to be murdered with a gun than people in other developed countries.

Fair directors would probably have to concede that firearms purchased through the gun shows held on your property have already been used in criminal pursuits, domestic violence, suicide and heart-breaking accidents involving firearms.

Is the Fair Board going to wait until one of the guns purchased at the gun show is part of a school shooting? What has to happen before the directors realize that they are part of this horrible problem of gun proliferation in this country? Do we really want to live in a world where all public spaces have to be under surveillance, and children have to walk through metal detectors and armed guards to get an education? That sounds like a dystopian nightmare to me.

Please take a stand on this important issue, and take it on the side of your neighbors, the majority of whom want fewer guns in their community. Coupled with the questionable scruples of gun show management including shady under the table and parking lot transactions, this is the time to end the gun shows.

The fairgrounds should serve the community to provide a space for families and fun. I can't understand why one would think hosting a showcase of firearms that are killing people is consistent with this, American, or even more to the point at this location, California, values.

Please stop the gun shows.

Thank you,

Julie Hampton

~~July 24, 2018~~ August 28, 2018

To: Del Mar Fairgrounds Board of Directors, Steve Shewmaker, President; Tim Fennell, CEO

Dear Honorable Board Members and CEO,

I am writing to you because I am opposed to any gun shows at the Del Mar Fairgrounds. This is why I am opposed to the gun shows:

- ***The Del Mar Fair Grounds is state-owned property. I agree with Lt. Governor Gavin Newsom that the proliferation of firearms through gun and ammunition sales should not take place on state-owned property.***
- ***The father and son, Crossroads president and show director, are convicted felons. Convicted firearms felons shouldn't be allowed near a gun show, and clearly should not be allowed to own, operate or promote gun shows.***
- ***Crossroads of the West Gun Shows facilitated the worst mass murderer in modern times. The Las Vegas shooter found his ammo supplier at a Crossroads Gun Show.***

The Crossroads of the West Gun Show glorifies and normalizes the use of guns to our youth. We need to change the gun culture!

Children are afraid to go to school for fear of getting shot and gun shows stoke that fear.

Guns are now the third-leading cause of death for all Americans under 18.

Additional comments:

I urge you to **End Gun Shows on state owned property**. Guns and ammunition should be sold only at registered and licensed gun stores.

Sincerely,

Signature Nadine Nilsteins

City/Community San Diego **Zip Code:** 92120 **CA**

Mandy Guerra

From: Donna O'Leary
Sent: Tuesday, August 21, 2018 4:50 PM
To: Mandy Guerra
Subject: FW: No to Gun Shows at Del Mar

For file

From: Paul Coogan [mailto:ideabuzz@gmail.com]
Sent: Tuesday, July 24, 2018 5:30 PM
To: Donna O'Leary <doleary@sdfair.com>
Subject: No to Gun Shows at Del Mar

Dear Honorable Board Members and CEO,

I am opposed to hosting gun shows anywhere int eh state of California until the laws surrounding the purchase of weapons and ammunition is more tightly controlled. You doubtlessly aware that the transfer of weapons and ammunition at these events are very loosely controlled and increase the danger to our communities. I refer specifically to the incident it the College area of San Diego recently that injured public safety officers. The perpetrator was heavily armed and armored.

Five gun shows a year at the Del Mar Fairgrounds are far too many. I urge you to end gun shows on state owned property.

Sincerely,
Paul Coogan
San Diego, CA 92116

Paul Coogan
Phone: 626 390-4190
ideabuzz@gmail.com

4385 Nobel Drive Unit 93
San Diego CA 92122

July 24, 2018

To: 22ND DAA, Del Mar Fairgrounds Board of Directors
Steve Shewmaker, President, Richard Valdez, Vice President, Lisa Barkett, Lee Haydu, Kathlyn Mead, Pierre Sleiman, Russ Penniman, Frederick Schenk, David Watson, Tim Fennell, CEO

Subject: Gun Show

Dear Honorable Board Members and CEO,

My name is Frederick William Hornbeck. I am Professor Emeritus at San Diego State University where I enjoyed forty-two years as an active faculty member. I live in University City not far from Del Mar and have done so for many years. Our Fair Grounds and the activities that they host are close to me. Beyond that, those activities affect everyone in the 22ND District whether they participate directly or not. They are important locally and beyond.

I write to oppose the hosting of gun shows by the 22ND DAA at the Del Mar Fair Grounds. Your responsibility as a public board for the stewardship of our Fair Grounds is complex and I appreciate that. You must consider fiscal as well as legal, moral, and ethical considerations in your deliberations and decisions. We trust that you do so and thank you for your service.

I am sure that each of you is aware of the substantial concerns and arguments proffered by those supporting as well as the large number opposing the use of our beautiful Fair Grounds for the promotion of gun use and ownership. Please consider this matter carefully. I hope that you will decide that the public costs of easy access to firearms are sufficient reason to make this public venue unavailable for this commercial enterprise.

Respectfully,

Fred Hornbeck

IV. CONTRACTS OVERSIGHT COMMITTEE

A. Consideration of future Gun Shows at the Del Mar Fairgrounds beyond December 31st 2018. (Informational/Action)

CONTRACTS COMMITTEE RECOMMENDATION: GUN SHOWS

The contracts Committee recommends that the Board of the 22nd DAA not consider any contracts with producers of gun shows beyond December 31st 2018 until such time as the District has put into place a more thorough policy regarding the conduct of gun shows that:

- Considers the feasibility of conducting gun shows for only educational and safety training purposes and bans the possession of guns and ammunition on state property
- Aligns gun show contract language with recent changes in state and federal law
- Details an enhanced security plan for the conduct of future shows
- Proposes a safety plan
- Considers the age appropriateness of such an event
- Grants rights for the DAA to perform an audit to ensure full compliance with California Penal Code Sections 171b and 12071.1 and 12071.4. These audit rights may be delegated at the discretion of the 22nd

This policy shall be presented to the Board no later than the December, 2019 Board meeting.

PAGE

VI. CONSENT CALENDAR 100

The items on the Consent Calendar will be enacted in accordance with recommended action under one motion unless trailed from the Consent Calendar by the Board. Any member wishing to trail an item from the Consent Calendar should notify the General Manager prior to the meeting. Trailed items will be considered after the motion to approve the Consent Calendar.

A. Minutes, Regular Meeting, August 14, 2018 101-106

B. Out of State Travel 107

C. 22nd DAA / Sponsorship Contracts Approval 108

22nd DISTRICT AGRICULTURAL ASSOCIATION
Board of Directors Meeting
Del Mar Fairgrounds
2260 Jimmy Durante Blvd.
Del Mar, Ca 92014
August 14, 2018

MINUTES

The 22nd District Agricultural Association(DAA), Board of Directors met in the Board Meeting Room at the Del Mar Fairgrounds on August 14, 2018 at 1:30 p.m.

OFFICERS PRESENT:
Steve Shewmaker, President
Richard Valdez, Vice President
Tim Fennell, Manager, Secretary-Treasurer

DIRECTORS PRESENT
Lisa Barkett, Lee Haydu, Russ Penniman, Frederick Schenk, Pierre Sleiman, and David Watson

DIRECTORS/OFFICERS ABSENCE
Kathlyn Mead

OTHERS PRESENT
Josh Caplan, Deputy Attorney General
Katie Mueller, Deputy General Manager - 22nd DAA
Gary Reist, Deputy General Manager - 22nd DAA
Rita Walz, Chief Financial Officer – 22nd DAA
Donna O'Leary, Executive Assistant - 22nd DAA

CALL TO ORDER

President Steve Shewmaker called the meeting to order at 1:30 p.m. with a quorum present.

ROLL CALL

All Directors were present except for Kathlyn Mead who had an excused absence.

CONSENT CALENDAR

Director David Watson moved for approval of Items A through C on the Consent Calendar.

A. Minutes, Regular Meeting, May 22, 2018
B. Out of State Travel Approval
C. 22nd District Agricultural Association (DAA)/ Sponsorship Contracts Approval

Director Pierre Sleiman seconded the motion. Before the vote, Director Penniman listed changes to be made to the May 22, 2018 Board Meeting minutes. Directors Pierre Sleiman, Lee Haydu, Frederick Schenk, Vice President Richard Valdez, President Steve Shewmaker, Directors Russ Penniman, Lisa Barkett, and David Watson were all in favor and the motion carried. Kathlyn Mead had an excused absence.

MANAGERS REPORT

Employee Recognition for 20 years of Service

CEO Timothy Fennell recognized and thanked the following team members for their many years of outstanding service to the District: Rita Walz, Chief Financial Officer, 20 years; Char Cunningham, Facility Sales Representative, 20 years; Tina Fago, Purchasing Manager, 25 years and Ritch Billburg, Production Department A/V Tech, 25 years.

DRAFT

MANAGERS REPORT continued

Events Report
CEO Timothy Fennell reviewed the events for July, August and September 2018 on pages 14-16 of the Board Packet.

eSports
CEO Timothy Fennell referred to pages 17-22 of the Board Packet. ESports is becoming very popular and staff would like to explore it further. CEO Fennell has reached out to San Diego State and asked them to put a presentation together to explain the ins and outs of eSports at a future Board Meeting.

COMMITTEE REPORTS

FAIR OPERATIONS COMMITTEE – Frederick Schenk, Chair

Director Schenk applauded the District staff for their work in creating a tremendously successful, fun, educational and safe Fair. A full report will be given at the September Board Meeting.

2018 San Diego County Fair Grounds Stage Entertainment Contracts
Director Frederick Schenk moved for approval of the Grounds Stage Entertainment contracts as listed on page 25 of the Board packet. Director Lee Haydu seconded the motion. Directors Pierre Sleiman, Lee Haydu, Frederick Schenk, Vice President Richard Valdez, President Steve Shewmaker, Directors Russ Penniman, Lisa Barkett, and David Watson were all in favor and the motion carried. Kathlyn Mead had an excused absence.

DMTC LIAISON/SATELLITE WAGERING COMMITTEE – Russ Penniman, Chair

DMTC Race Meet Report
Joe Harper, Del Mar Thoroughbred Club (DMTC) CEO, reported that the quality of horses and field sizes of the races, are better and bigger than last year. Wagering is up eight percent. Attendance is off a little bit but should make up the difference at the back end of the meet which has more promotions.

Terms for future Breeder's Cup contracts
Director Russ Penniman referred to the terms listed on pages 32 and 33 of the Board Packet. Josh Rubinstein, President and Chief Operating Officer, said that the 2017 Breeders' Cup was a tremendous success. The net to the District was $1.1 million. He added that the Breeder's Cup board and management is contemplating giving DMTC either the 2019, '20 or '21 Breeders' Cup and the terms will be better than the 2017 contract. The final Breeders' Cup contract needs to be ratified by the Racetrack Leasing Commission at their annual meeting in March 2019. Director Russ Penniman moved to approve the terms on pages 32 and 33 for a future Breeders' Cup at Del Mar. Director Lisa Barkett seconded the motion. Directors Pierre Sleiman, Lee Haydu, Frederick Schenk, Vice President Richard Valdez, President Steve Shewmaker, Directors Russ Penniman, Lisa Barkett, and David Watson were all in favor and the motion carried. Kathlyn Mead had an excused absence.

Satellite Wagering Report
George Bradvica, SSRP Manager, said that SSRP has been closed during the live meet and will open again on September 7.

GOVERNMENT RELATIONS COMMITTEE – Frederick Schenk, Chair

Sports Wagering
Director Schenk gave an update on the Sports Wagering legislation that was upheld by the Supreme Court. California will be looking at some legislation within the next year. It will require a two-thirds majority to pass with the lower and upper house then it would require a ballot measure which would require a 50-percent-plus-one vote for passage. Josh Rubinstein added that it has the opportunity to be a real benefit for a place like the Del Mar Race Meet and Surfside Race Place. They are following the issue closely and hope to have something to report in 2019.

CONTRACTS OVERSITE COMMITTEE – Steve Shewmaker, Chair

Cirque du Soleil
This item was tabled until the September board meeting. The anticipated date for the event would be late January, 2019.

Energy efficiency project loan application approval
Gary Reist, Del Mar Fairgrounds Deputy General Manager, reviewed the energy efficient project as described on page 37 of the Board Packet. Director Russ Penniman moved to approve the recommended loan as proposed by staff. Director Pierre Sleiman seconded the motion. Directors Pierre Sleiman, Lee Haydu, Frederick Schenk, Vice President Richard Valdez, President Steve Shewmaker, Directors Russ Penniman, Lisa Barkett, and David Watson were all in favor and the motion carried. Kathlyn Mead had an excused absence.

KAABOO AD HOC COMMITTEE – Richard Valdez, Chair
Vice President Richard Valdez asked Nate Prenger, KAABOO Senior Vice President of Operation, to give an overview presentation of KAABOO Del Mar which opens September 14, 2018. Ken Wilson, Premier Food Services General Manager, gave an update on the memorandum of understanding discussed at the March Board Meeting. The updated agreement will give Premier Food Services the artists feeding job as well.

FOOD & BEVERAGE COMMITTEE – Lisa Barkett, Chair
Premier P&L Statement – May & June 2018
Director Lisa Barkett referred to pages 46-47 of the Board Packet and reported that in May revenues exceeded budget as did total revenue year-to-date. June year-to-date sales are up $650K, due to the Fair increase of $200K and an increase in unbudgeted catering events of $450K.

Premier Food & Beverage Contract extension
Shaun Beard, SMG-Premier Senior Vice President, spoke to the Board and asked for a three-year extension on their contract (see page 48 of the Board Packet). After discussion, Director Barkett moved to renew the agreement with SMG-Premier for second of two exercisable three-year options. Director Penniman seconded the motion. Directors Pierre Sleiman, Lee Haydu, Frederick Schenk, Vice President Richard Valdez, President Steve Shewmaker, Directors Russ Penniman, Lisa Barkett, and David Watson were all in favor and the motion carried. Kathlyn Mead had an excused absence.

SSRP ALTERNATIVE USES COMMITTEE – Steve Shewmaker, Chair
Surfside Race Place renovation update
Gary Reist, Deputy General Manager for the Del Mar Fairgrounds, gave an overview of the details for the reduced phased project. The goal is to get the project ready to go out to bid in September, get bids back in October and optimistically start construction in December. The new reduced phased project is forecasted to take eight to nine months to complete.

FINANCE COMMITTEE – Russ Penniman, Chair
IBank Loan
Director Penniman referred to pages 37 and 38 of the Board packet which gives a summary of the loan from IBank. Since the project came in over budget it was decided to defer the first loan. Director Penniman hopes to come back to the Board at the September meeting with the amount needed to be borrowed from IBank in order to complete the Concert Venue project.

LAND USE/ENVIRONMENTAL/MASTER PLAN COMMITTEE – David Watson, Chair
Sustainability Report
Krista Mays, Sustainability Coordinator, gave a recap of her report included in the Board packet on pages 51-53

Storm Water Treatment Plant Update
Gary Reist, Deputy General Manager, told the Board that there is a standing meeting every Tuesday at 10 a.m. to update the progress of the project. Mr. Reist gave an overview of his report included in the Board packet on

page 54. Director Watson added that when this project is done this will be a state-of–the-art, highest level storm water treatment facility around.

Traffic Report
Katie Mueller, Deputy General Manager, gave a detailed PowerPoint presentation to address the facts surrounding parking and traffic at the Fair. The report was included in the Board Packet on pages 61-132. This report was also presented to the City of Del Mar and the City of Solana Beach.

(recess: 4:10 p.m. to 4:21 p.m.)

COMMUNITY RELATIONS COMMITTEE – David Watson, Chair
Committee Report/Christine Kehoe Coast to Crest Trail Dedication
Director David Watson said that the committee met and discussed the traffic management issues and how they can all work together to make things better. The City of Del Mar also asked about how to build affordable housing on the Fairgrounds. The committee delegated staff to look into this issue further.

The dedication of the Chris Kehoe Trail is on September 8 at 12:30 p.m. The press release and information on this event is included in the Board packet on pages 133-135.

AGRICULTURE/LIVESTOCK COMMITTEE – Pierre Sleiman, Chair

Cannabis Festival Policy
Director Pierre Sleiman made motion to adopt the Draft Cannabis Festival Policy proposed by staff included in the Board Packet on page 137. Director David Watson seconded. There was public comment given before the vote.

PUBLIC COMMENT

- Barbara Gordon, San Dieguito Alliance, asked the Board to consider a good health policy above profit.
- Tom Hetherington asked the Board to ban all cannabis-related events at the Fairgrounds.
- Becky Rapp, a married mother of five, feels that the Fairgrounds need not participate in cannabis-related events of any kind.
- Kelly McCormick, spoke on behalf of children, teenagers and young adults. Ms. McCormick said that the Fairgrounds will send the wrong message to the youth by allowing pot related events be held.
- Haley Guiffrida said that she attended the Iration concert during the races but had a disappointing experience due to the many people smoking cigarettes and pot and the lack of security to handle the situation.
- Riane Fletcher also attended the Iration concert and had to leave even before the concert started due to the combination of the size of the crowd, smoke from vaping, cigarettes and pot.
- Judi Strang, Executive Director of the San Dieguito Alliance for Drug-Free Youth, shared the concerns of their organization regarding the proposed policy.
- Janet Asaro said that if it is the goal to provide an educational festival then the people from the prevention groups, non-profits and public health experts should be allowed to have tables or booths at no cost.

AGRICULTURE/LIVESTOCK COMMITTEE continued
After a long discussion it was decided to reword the second paragraph first sentence as follows: "The District may contract an interim event with the purpose of education, advocacy, and promotion only of medical uses of cannabis, with no possession, use, consumption, distribution, or sale of cannabis allowed on the premises." The second sentence will read: "Signage will be posted and security levels will be approved by the District to enforce the policy of no possession, use, consumption, distribution, or sale of any controlled substance." The vote was taken as follows: Director Sleiman, yes; Director Haydu, no; Director Schenk, yes; Vice President Valdez, yes; President Shewmaker, yes; Director Penniman and Barkett, no; Director Watson, yes. The vote was five to three in favor of the motion with one absentee, Director Kathlyn Mead.

(recess: 5:05 P.M. to 5:10 p.m.)

PUBLIC COMMENT (Gun Show related)

- Rose Ann Sharp spoke out against Bob Templeton and the Crossroads of the West Gun Show and said it is time for change, time to end gun shows.
- Ira Sharp spoke out against Bob Templeton and urged the Board to make sure Mr. Templeton does not have a role as an organizer of the gun show and to find out whether he has broken the law again.
- Jake Aift-Guatelli, a high school student from Pacific Ridge, urged the Board to discontinue gun shows on the Fairgrounds.
- Jennifer Lonbom said that her research shows many crimes have been committed at the Del Mar Gun Show and the Board has the obligation to stop these crimes and protect the community.
- Kathy Murphy, a resident of Solana Beach, asked that gun shows no longer be held at the State-owned fairgrounds.
- Caroline Zdanowski with Team Enough, a youth organization for gun control, asked the Board to stop the gun shows.
- Kara Chine with Team Enough, urged the Board to end gun shows and read a letter from a junior at Torrey Pines High School asking for change.
- Wendy Hauffen representing San Diego County Gun Owners handed out a stack of letters from Mayors and City Council members from across the county who are in favor of continuing the Crossroads of the West gun shows.
- Latha Sundar, a teacher, read a poem from students against gun shows.
- Sheila Sharpe, handed out a DVD of the gun protest their group held on July 14, 2018.
- Jill Cooper, a retired teacher, ask the board to prohibit vendors at the gun show from selling or sharing blueprint software for 3D-printed plastic guns.
- Kelly Harless opposes gun shows.
- Victor White, a resident of Oceanside and a member of Veterans for Peace, urged the Board to not do the gun shows.
- Robbi Glatts, a student at Canyon Crest Academy, spoke out against having gun shows at the Fairgrounds.

CLOSED EXECUTIVE SESSION
President Shewmaker adjourned the Board into Executive Session at 5:51 p.m.

PERSONNEL/EMPLOYEE COMPENSATION COMMITTEE – Steve Shewmaker, Chair
Committee Report
The Board discussed in Executive Session.

LEGAL COMMITTEE – Richard Valdez, Chair
Committee Report
The Board discussed in Executive Session.

RECONVENE TO OPEN SESSION
The public session reconvened at 6:30 p.m. President Shewmaker said there was not nothing to report.

DIRECTORS REQUESTS
Director Penniman would like staff to investigate the alleged crimes committed during the gun shows and to provide a written report as back up. Director Watson agreed that it would be helpful to have a staff report that gave them everything they needed to know about the gun show. Director Barkett would like to see if we can get a copy of an article published in the Reader in 1999 and in the LA Times in 2014.

Vice President Valdez asked that the Deputy Attorney General's Office provide a presentation of the nuts and bolts of Bagley-Keen and give us an opportunity to ask any and all questions.

DIRECTORS CLOSING COMMENTS
Director Watson thanked the staff for the detailed reports provided as backup. They are very helpful.

DRAFT

ADJOURNMENT

There being no further business to discuss, President Shewmaker adjourned the meeting at 6:37 p.m.

_____
Timothy J. Fennell
Secretary/Treasurer
TJF: dmo – 08/14/18

DRAFT

Consent Calendar Item B

OUT OF STATE TRAVEL

Management requests Board approval on the following out of state travel:

Deputy General Manager Katie Mueller, Exhibits Manager Jacky Eshelby, and Special Events Manager Cathy Mordente to visit Kansas City, MO to conduct theme research for the 2019 Fair, October 5-8, 2018.

Entry Office Supervisor Pat Wallace to travel to help judge the IAFE competitions, October 14-18, 2018 in Springfield, MO.

Deputy General Manager Katie Mueller, Exhibits Manager Jacky Eshelby, Concessions Manager Donna Ruhm, Marketing/Media Director Jennifer Hellman, Box Office Manager Lena Jouldjian, and Special Events Manager Cathy Mordante to attend the IAAPA Attractions Expo 2018 Conference and Trade Show, November 11-16, 2018 in Orlando, Florida.

Consent Calendar Item C

CONTRACT APPROVAL(S)

September 2018

In accordance with the requirements of the Department to Food & Agricultural, Division of Fairs & Expositions, Staff requests approval of the agreement(s) listed below:

Standard Agreements

Contract #	Contractor	Purpose	Term	Amount
DAA-17-245-2X AM #1	RDO Equipment	Heavy Equipment Repair Services	10/30/18 – 10/29/19 Option Year (second year of a potential five year agreement)	$45,000.00 (AM #1) (Total Value of Contract Including Option Years $225,000.00)
DAA-18-213-19	Miller Consulting, Inc.	District Sponsorship Acquisitio & Fulfillment Coordinator	9/1/18 – 8/31/21 (Initial three-year term of a potential six year agreement)	$908,700.00 (Total Anticipated Value of Contract Including Option Years $1,817,400)
DAA-15-310-60 AM #4	Gladstone, Inc.	Provide Specialized Software and Support for Fairtime Exhibi Entries. (Amendment to Exercise Option Year)	9/11/18 – 9/10/19 Option Year (fourth year of a potential five year agreement)	$12,000.00 (AM #4) (Total Value of Contract Including Amendments and Option Years $59,200.00)

		PAGE
VII.	**<u>MANAGERS REPORT</u> – Tim Fennell, CEO will report**	109
A.	Events Report (Informational)	110-113
B.	Scream Zone Update(Informational)	114-115
C.	Other (Informational)	---

EVENTS DEPARTMENT
September 2018

DATE:	EVENTS:		CONTRACT AMOUNT	VENUE:
7/18-9/3	Del Mar Thoroughbred Club Horse Racing		(DMTC Sponsored)	Fairgrounds
9/7-9	Horsepark County 6 Horse Show	Est. Stalls/Fees:	(District Sponsored) $75,000.00	Horsepark
9/14-16	Kaaboo-Del Mar LLC Music Festival	Rental:	$1,500,000.00	Entire Fairgrounds
9/22	Friends of San Pasqual Academy Team Penning	Rental:	$2,100.00	Arena
9/22	SPOCOM Car Show	Rental:	$5,300.00	O'Brien Hall
9/24	Friesian Keuring Horse Show	Rental: Est. Stall	$650.00 $1,395.00	Horsepark
9/26	Calif. Assoc. of Directors Activiti Student Conferences	Rental:	$10,350.00	Activity Ctr, Mission Tower, Paddock, Grndstnd Skyboxes
9/27	The Barney & Barney Foundatic Fundraiser Concert	Rental:	$1,700.00	Paddock, 17 Hands
9/28-10/28	Pinery Christmas Trees Pumpkin Patch	Rental:	$11,320.00	East/West Big Dirt
9/28-10/31	Scream Zone Haunted House	Rental:	(District Sponsored)	Green Lot
9/29	Newton, Emily Wedding & Reception	Rental:	$3,000.00	Turf Courtyard, Paddock
9/29	Shewmaker, Steve Reunion	Rental:	$510.00	Seabiscuit
9/29	San Dieguito Cotillion Cotillion	Rental:	$2,760.00	Mission Tower
9/29-30	Clinton Andersons Walkabout E Horse Clinic	Rental:	$10,035.00	Arena
9/29-30	B&L Productions Gunshow	Rental:	$10,790.00	O'Brien

	(15 Events)	vs.	(16 Events)	
2018 Rental Total:	$1,558,515.00	*Yr. 2017*	$	1,107,673.90
2018 Est Stall Total:	$76,395.00	*Yr. 2017*	$	99,538.00
2018 GRAND TOTAL:	$1,634,910.00	*Yr. 2017*	$	1,207,211.90

EVENTS DEPARTMENT
September 2018

Revenue from Events for the month ending July 31st 2018, which includes event generated revenue from facility rentals, reimbursed costs (equipment, labor and administration fees), food & beverage and parking totaled $6,359,495 as compared to $5,873,455 for 2017, an increase of $486,040, or 8.28% more than the same period last year.

Due mainly to T Rex and Gem Show events being both longer and much larger in attendance than last year, together with the three events with West Coast Dressage held at the Arena, which was far larger than the one held last year. This not only created greater event income, but contributed to larger production revenues, as well as increases to parking, feed store and Premier Food & Beverage revenues.

Other big revenue contributors that were not part of last year's calendar, were Ballast Point, the Cesar Chavez Concert, Zinpro, Zeta, Via Sat, Barrett's Horse Auction, Pinner's Conference, Tour de Cure, Robertson & Brklacich, Gun Owners PAC Dinner & Autism Tree Project.

EVENTS DEPARTMENT
October 2018

DATE:	EVENTS:	CONTRACT AMOUNT:	VENUE:
9/28-10/28	Pinery Christmas Trees Pumpkin Patch	(Revenue of $11,320. listed in September)	East/West Dirt Lot
9/28-10/31	Scream Zone Haunted House	(District sponsored)	Green Lot
10/2-3	Informa Medical Device Trade Show	$ 14,400.00	Activity Center, Wyland
10/3-7	Greater San Diego Hunter/Jumper Assoc. Horse Show Est. stall:	$ 17,200.00 $ 35,190.00	Arena
10/5-7	Westward Expos Fall Home & Garden Show	$ 17,330.00	O'Brien, B.C. N parking lot
10/6-7	SDCCU Used Car Sale	$ 8,550.00	Main Lot
10/6	Torrey Pines HS Class of 1978 Reunion Class Reunion	$ 1,500.00	Equus romm
10/6	Foundation for the Children Fundraiser Concert	$ 1,745.00	Paddock, 17 Hands
10/10-14	West Palms Communications, Inc. Horse Show Est. stall:	$ 17,282.00 $ 51,595.00	Arena, Training Track
10/12-14	Harvest Festival Original Art & Craft Show Art & Craft Show	$ 26,550.00	O'Brien, Bing Crosby, B.C. North parking lot
10/12-13	National Assoc. of Clock & Watch Trade Show	$ 6,630.00	Wyland Center
10/13	The Burn Institute Gala	$ 1,300.00	Paddock, 17 Hands
10/14	March of Dimes Fundraiser	$ 1,700.00	Paddock, 17 Hands Paddock Tavern
10/14	El Classificado Quinceanera Expo	$ 3,900.00	Wyland Center
10/17-21	West Palms Communications, Inc. Arena Est. stall:	$ 19,467.00 $ 56,652.00	Arena
10/18-21	Redwood Media Group Art Show	$ 14,300.00	Wyland Center
10/18-21	Pink Classic Qtr. Horse Horse Show Est. Stall:	$ 5,600.00 $ 11,000.00	Horsepark
10/19-21	Gem Faire, Inc. Gem Show	$ 11,700.00	Exhibit Hall

EVENTS DEPARTMENT
October 2018

DATE:	EVENTS:		CONTRACT AMOUNT:	VENUE:
10/20-21	Stock & Foil Community Development Kids Fair & Expo		$ 9,020.00	O'Brien, B.C. north Parking lot
10/20	Nanez, Lesvia Wedding & Reception		$ 2,600.00	Paddock, Turf Courtyard, Equus Veranda
10/20	Perez, Heceliza Anniversary Reception		$ 1,875.00	Mission Tower
10/22-23	Automotive Events Subaru Training		$ 7,400.00	West Lot, Training Track
10/24-28	West Palms Communications		$ 17,282.00	Arena, Training Track
	Horse Show	Est. stall:	$ 4,590.00	
10/26-27	Villalpando, Erikka Wedding & Reception		$ 1,975.00	Turf Courtyard, Celebrity Stes Equus, Paddock lnge.
10/26-28	Spooktacular Dressage		$ 6,800.00	Horsepark
	Horse Show	Est. Stall:	$ 13,185.00	
10/27	AE Group Pet Expo		$ 4,200.00	O'Brien
10/27	San Dieguito Cotillion Cotillion		$ 2,760.00	Mission Tower
10/27-28	Frontline Gaming Board Game Competition		$ 7,800.00	Exhibit Hall

MEDIA CONTACT:
Annie Pierce
(858) 792-4262
Del Mar Fairgrounds, 22nd DAA
2260 Jimmy Durante Blvd.
Del Mar, CA 92014
apierce@sdfair.com

FOR IMMEDIATE RELEASE
Images are available here.

SAVE BIG ON GETTING PETRIFIED OUT OF YOUR WITS AT THE SCREAM ZONE

DEL MAR, Calif. (July 25, 2018) – Fear-mongers, unite! This year's Scream Zone boasts an architecture of horror like no other. It's happening Sept. 28-Oct. 31 at the Del Mar Fairgrounds (aka 'Scaregrounds'). Buy your tickets by Aug. 31 and save $10 off the Triple Haunt or VIP admission. Tickets go on sale Aug. 1 and can be purchased here after that date.

The Scream Zone is a labyrinth of horrors and attractions, including a collection of three terrifying haunts: The Haunted Hayride, KarnEvil and House of Horrors. You'll find all the terrifying elements of a horror show, including actors popping out of the walls, a fire-breathing dragon and more zombies than you can count.

Returning for its 21st year, San Diego's largest, goriest and freakiest fright fest runs for 24 select days of terror. On opening night, Sept. 28, the Triple Haunt is slashed to half-price.

ABOUT THE HAUNTED ATTRACTIONS:

You'll definitely want to huddle together on the **Haunted Hayride**, where every turn is a new survival challenge. This year you'll visit "Motel Hell" and the "Garden of Heads" after an inevitable wrong turn that leads deep into the mouth of the "Mutants Mine Shaft," among other terrifying stops!

KarnEvil is a haunt where fairy tales become blood-curdling 'scary' tales! Watch out for the giant flesh-eating rabbit who hunts down Alice in Wonderland, the pack of teeth-gnashing wolves gnawing into Little Red Riding Hood and the evil-infused Hansel and Gretel who join the witch in frantic attacks on unsuspecting victims.

House of Horror features room after room of frightening and surprising scares. You'll be trapped in zombie lair, scorched by a fire-breathing dragon, introduced to Penny Wise (your drooling, blood-hungry host), and you'll find human body parts listed as today's "special cuts" on Ivan the Medieval Butcher's menu!

2018 SCREAM ZONE SPECIFICS:

WHEN:
Friday and Saturday: Sept. 28 and 29
Thursday-Sunday: Oct. 4-7
Wednesdays-Sundays: Oct. 10-14 and 17-21
Wednesday-Wednesday: Oct. 24-31

HOURS:
Friday and Saturday nights: 7 p.m.-midnight
All other nights: 7-11 p.m.

LOCATION:
Del Mar Fairgrounds (aka "Scaregrounds"), 2260 Jimmy Durante Blvd., Del Mar, CA

TICKET PRICES:
Tickets go on sale Aug. 1 and can be purchased here after that date. Buy your tickets by Aug. 31 and save $10 off the Triple Haunt or VIP admission.

Triple Haunt: $34 – House of Horror + Haunted Hayride + KarnEvil
*(Triple Haunt admission is slashed in half for **one night only – Friday, Sept. 28!** Other promotions do not apply.)*
Single Haunt: $21 – Choose either the House of Horror or Haunted Hayride
Skip the lines and add Fast Track admission to the House of Horror and/or the Haunted Hayride for $10 for a single Fast Track; $20 double Fast Track.

VIP Pass: $85
This package is built for the true haunt-lover. The VIP Pass allows one person to explore all three haunted attractions two times (plus you'll get Fast Track entrance for the House of Horror and Haunted Hayride). Two drink tickets (pick your poison) are also included. That's a savings of over $50!

MORE INFO:
thescreamzone.com; 858-755-1161

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About the Del Mar Fairgrounds
The 22nd District Agricultural Association is a State of California agency that owns and operates the Del Mar Fairgrounds, Surfside Race Place, Horsepark Equestrian Center and the Del Mar Golf Center. The 22nd DAA produces three events each year: The San Diego County Fair, the Del Mar National Horse Show and The Scream Zone. The Fairgrounds hosts more than 350 events annually, the largest of which is the live horse racing meet each summer and fall, which is operated by the Del Mar Thoroughbred Club for the 22nd DAA and the State of California. For more information on the Del Mar Fairgrounds, visit delmarfairgrounds.com.

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2018

FAIR SPECIAL EVENTS ENTERTAINMENT CONTRACTS

September Board Meeting

CONTRACT	AMOUNT	NAME	DESCRIPTION
144	$100.00	Rosemary Bystrak	To judge the Battle of the Bands contest on June 17

San Diego County Fair Wrap-Up Video

To: Board of Directors

From: Katie Mueller, Deputy General Manager

Date: 9/4/18

Subject: Fair Wrap Up Report/Video

Discussion / History:
This is an animated slide show that will show highlight moments and numbers from the 2018 San Diego County Fair

Pros:
A fun way to reminisce on and celebrate the fair's many successes.

Cons:
none

Fiscal Impact:
N/A

Environmental Impact:
N/A

Recommended Action:
N/A

Attachments:
N/A

2019

FAIR GRANDSTAND ENTERTAINMENT

Staff requests Board approval of the newly confirmed Grandstand entertainment contracts:

CONTRACT	AMOUNT	NAME	DATE	TICKET TYPE	GENRE
19-1001	$10,000.00	Brad Upton	Thur. 7/4/19	Free	Comedy

Surfside Race Place
Monthly Board Report, Month Year

Details of **day signal*** handle, revenue and attendance figures

	2018	**2017**	**% Change**
Number of racing days			--
Surfside Race Place			
Total Attendance			4
Total Handle			
Revenue (Handle)	$	$	
Revenue (Mini Satellites)			
Ocean's 11 Casino	$	$	
Gaslamp Quarter	$	$	
Revenue (ADW source)	$	$	
Total Revenue	$	$	

Details of **night signal**** handle, revenue and attendance figures

	2018	**2017**	**% Change**
Number of racing nights			
Surfside Race Place			
Total Attendance			
Total Handle	1		
Revenue (Handle)	$	$	
Revenue (ADW source)	$	$	
Total Revenue	$	$	--

Facility News:

Surfside reopens for business on Thursday, September 6.

Los Alamitos conducts the Los Angeles County Fair live racing dates for three weeks through Sunday, September 23 on a four-day-a-week basis.

Santa Anita follows with their opening day on Thursday, September 27, a 6 week season, including the Breeders' Cup from Chuchill Downs on November 2-3. Therefore, Surfside will be open for the two day BC festival.

Del Mar opens for live racing on November 8, and once again, Surfside will be closed during the 4 week racing season, ending on December 2.

While we are serving our customers at Surfside in the Fall, we will once again offer our NFL Football Contest each week. A cash prize of $150 is offered to the winners of the football contest each week (winner receives $75, 2nd place $50, 3rd place $25). We have the NFL package so every game can be seen at Surfside.

In the month of October, a daily random drawing from our Diamond Club data base will be conducted. One free Saddle Club admission ticket is awarded to the person whose name is drawn and is present at Surfside and identifies themselves.

Through October 28, with an uncashed winning mutuel ticket from the 2018 Del Mar summer season, Surfside offers one free admission to Diamond Club members. If a person is not a Diamond Club member, it free and virtually instantaneous to sign up for membership.

Bingo Del Mar is back from the summer hiatus starting Sunday, September 23. We always guarantee Game 10 to pay $1000, plus a $200 consolation.

22nd DAA
Entertainment/ Concert Venue Project
Estimated costs
Dated 8/10/18

Estimated hard construction costs	10,000,000
Construction contingency 7%	700,000
CFSA Management Fee 5%	500,000
Travel & Direct Costs 2%	200,000
Furniture and equipment	1,500,000
Total Estimated Costs	**12,900,000**

22nd DAA

PROPOSED 2019 BUDGET TIMELINE

SEPTEMBER 14	Department Heads will receive budget forms and instructions from Finance
SEPTEMBER 17 -21	CEO, Deputy General Managers and CFO to meet with each Department Head regarding departmental needs
SEPTEMBER 28	ALL DEPT. BUDGETS DUE TO CONTROLLER
OCT. 1-5	Finance to review and compile total District budget
OCTOBER 8-19	Budget review with all Department Heads -- Finalize budget figures
NOVEMBER 19-27*	Budget review with Budget Committee
DECEMBER 11	Budget presented at Board Meeting for approval

* Dates to be confirmed with Budget Committee

22nd DAA

Status of Audited Financials

For the year ended 12/31/2017

The District's audit firm completed its field work in May, 2018. We are now waiting for pension information, pursuant to Governmental Accounting Standards Board 68, from the State Controllers Office. It is anticipated that the SCO's report will be made available in October. Once this is provided to the Department of Food and Agriculture, they will allocate the total pension liability for all fairs to each individual fair, based on its payroll that is subject to CalPERS. We hope to have the report completed by the end of November.

Cirque Du Soleil

To: President - 22nd District Agricultural Association and Board of Directors

From: Gary Reist - Deputy General Manger

Paul Blaney – Chief of Expo. Events

Date: August 7, 2018

Subject: Cirque Du Soleil

Discussion / History:
2002: Dralion, 2006: Quidam, 2008: Corteo, 2010: Kooza, 2012: Totem

2019 Show Name: Volta
Occupation Dates: February 25 – May 17, 2019 (move-in/move-out)
Show Dates: March 27 – May 5, 2019

Location:
Main Lot

Status:
A discussion between District's Attorney General and Cirque's legal council took place on July 10th to discuss legal terms in the contract. The District is waiting to receive the contract from Cirque based on the outcome form the conference call.

Pros:

Cons:

Fiscal Impact:

Environmental Impact:

Recommended Action:

Attachments:

Food & Beverage Report
July 2018

July 2018 Food Service Revenues were $5,519,017. Budgeted Revenues for July were $5,230,469.

Net distribution to the District for July was $1,859,144 or 33.69%. Budgeted distribution for July was $1,805,265 or 34.51%.

Yeat-to-date distribution to the District is $2,134,198 or 18.47%. The budgeted distribution for 2018 was $2,254,300 or 21.23%.

Jul-18	2018 ACTUAL	%	2018 BUDGET	%	2017 ACTUAL	%
TOTAL REVENUE	5,519,017	100.00%	5,230,469	100.00%	5,248,100	100.00%
TOTAL COGS	1,077,345	19.52%	1,074,431	20.54%	1,098,861	20.94%
GROSS MARGIN	4,441,671	80.48%	4,156,038	79.46%	4,149,238	79.06%
TOTAL PAYROLL	1,719,545	31.16%	1,525,622	29.17%	1,566,936	29.86%
OPERATING EXPENSES	597,391	10.82%	567,256	10.85%	576,051	10.98%
NET PROFIT	2,124,736	38.50%	2,063,160	39.45%	2,006,251	38.23%
CLIENT DISTRIBUTION	1,859,144	33.69%	1,805,265	34.51%	1,755,470	33.45%

YTD	2018 ACTUAL	%	2018 BUDGET	%	2017 ACTUAL	%
TOTAL REVENUE	11,556,417	100.00%	10,617,165	100.00%	10,679,493	100.00%
TOTAL COGS	2,469,162	21.37%	2,227,274	20.98%	2,296,813	21.51%
GROSS MARGIN	9,087,255	78.63%	8,389,891	79.02%	8,382,680	78.49%
TOTAL PAYROLL	5,108,173	44.20%	4,450,349	41.92%	4,433,393	41.51%
OPERATING EXPENSES	1,539,999	13.33%	1,363,199	12.84%	1,384,789	12.97%
NET PROFIT	2,439,083	21.11%	2,576,343	24.27%	2,564,498	24.01%
Y-T-D CLIENT DISTRIBUTION	2,134,198	18.47%	2,254,300	21.23%	2,243,936	21.01%

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22nd District Agricultural Association
Statement of Operations
For the Seven Months Ending Tuesday, July 31, 2018
Unaudited

	2018 Actual	2018 Budget	Variance Fav/(Unfav)	Actual vs Budget Var %	Actual Prior Year	Current Yr vs Prior Yr Fav/(Unfav)	Current Yr vs Prior Yr % Var
Revenues							
Admissions - Fair	$9,337,267	$10,334,858	($997,591)	(9.65%)	$9,482,314	($145,047)	(1.53%)
Admissions to Concerts	1,701,442	2,002,465	(301,023)	(15.03%)	1,578,875	122,567	7.76%
Carnival Rides	10,690,186	10,800,000	(109,814)	(1.02%)	10,421,725	268,461	2.58%
Carnival Space Rental	1,036,330	1,015,000	21,330	2.10%	1,001,460	34,870	3.48%
Commercial Space	3,719,714	3,657,000	62,714	1.71%	3,527,712	192,002	5.44%
Concessions	4,235,810	4,340,000	(104,190)	(2.40%)	4,104,785	131,025	3.19%
Entry Fees	710,932	775,700	(64,768)	(8.35%)	844,411	(133,479)	(15.81%)
Food & Beverage	11,556,417	10,617,170	939,247	8.85%	10,679,493	876,924	8.21%
Parking	5,289,419	5,436,520	(147,101)	(2.71%)	4,856,268	433,151	8.92%
Surf & Turf	948,522	1,065,453	(116,931)	(10.97%)	842,607	105,915	12.57%
Sponsorships	2,622,540	2,510,852	111,688	4.45%	2,764,860	(142,320)	(5.15%)
Facility Rentals	2,563,076	2,544,460	18,616	0.73%	2,471,042	92,034	3.72%
Reimbursement Costs	1,293,243	977,259	315,984	32.33%	1,163,628	129,615	11.14%
Admissions - OTB	86,510	59,000	27,510	46.63%	93,937	(7,427)	(7.91%)
Track Commissions	339,113	281,000	58,113	20.68%	419,523	(80,410)	(19.17%)
Account Wagering	313,476	280,000	33,476	11.96%	306,036	7,440	2.43%
Program Sales	123,424	85,500	37,924	44.36%	132,571	(9,147)	(6.90%)
Lottery	71,374	50,000	21,374	42.75%	73,360	(1,986)	(2.71%)
Other - OTB	8,752	11,000	(2,248)	(20.44%)	29,403	(20,651)	(70.23%)
Del Mar National Horse Show	1,116,528	1,233,791	(117,263)	(9.50%)	1,180,590	(64,062)	(5.43%)
Merchandise	651,822	644,155	7,667	1.19%	627,153	24,669	3.93%
Leases	333,772	323,901	9,871	3.05%	331,127	2,645	0.80%
Interest	137,980	65,000	72,980	112.28%	62,725	75,255	119.98%
Other	231,877	260,200	(28,323)	(10.89%)	379,015	(147,138)	(38.82%)
Total Revenues	***$59,119,526***	***$59,370,284***	***($250,758)***	***(0.42%)***	***$57,374,620***	***$1,744,906***	***3.04%***
Expenses							
Payroll Related & Benefits	18,389,955	18,042,842	(347,113)	(1.92%)	17,247,392	(1,142,563)	(6.62%)
Temporary Payroll Services	453,181	502,655	49,474	9.84%	885,202	432,021	48.80%
Professional Services	2,868,840	2,843,493	(25,347)	(0.89%)	2,354,333	(514,507)	(21.85%)
Entertainment & Show Expenses	3,854,186	3,347,748	(506,438)	(15.13%)	3,503,155	(351,031)	(10.02%)
Carnival	5,449,633	5,566,000	116,367	2.09%	5,371,068	(78,565)	(1.46%)
Food & Beverage Expense	9,422,219	8,362,867	(1,059,352)	(12.67%)	8,435,557	(986,662)	(11.70%)
Advertising	964,750	1,023,250	58,500	5.72%	1,067,123	102,373	9.59%
Prizes/Premiums	850,987	822,500	(28,487)	(3.46%)	883,378	32,391	3.67%
Supplies	1,652,802	1,651,203	(1,599)	(0.10%)	1,711,193	58,391	3.41%
Printing	533,175	493,102	(40,073)	(8.13%)	511,889	(21,286)	(4.16%)
Parking	1,863	9,000	7,137	79.30%	13	(1,850)	(14,230.77%)
Surf & Turf	748,832	754,511	5,679	0.75%	664,458	(84,374)	(12.70%)
Transportation	400,937	431,000	30,063	6.98%	300,385	(100,552)	(33.47%)
Contract Security & Medical	2,224,428	2,149,000	(75,428)	(3.51%)	2,187,273	(37,155)	(1.70%)
Telephone	81,336	96,061	14,725	15.33%	83,731	2,395	2.86%
Utilities	1,744,969	1,635,672	(109,297)	(6.68%)	1,661,155	(83,814)	(5.05%)
Repairs & Maintenance	625,351	632,851	7,500	1.19%	685,718	60,367	8.80%
Insurance	690,298	740,694	50,396	6.80%	731,595	41,297	5.64%
Equipment Rental	1,295,381	1,120,243	(175,138)	(15.63%)	957,389	(337,992)	(35.30%)
Other Administration	248,312	251,756	3,444	1.37%	226,231	(22,081)	(9.76%)
Merchandise	271,149	274,326	3,177	1.16%	256,932	(14,217)	(5.53%)
Lottery	67,775	41,000	(26,775)	(65.30%)	69,378	1,603	2.31%
Depreciation Expense	854,559	871,500	16,941	1.94%	865,150	10,591	1.22%
Other	912,581	954,743	42,162	4.42%	941,929	29,348	3.12%
Total Operating Expenses	***$54,607,499***	***$52,618,017***	***($1,989,482)***	***(3.78%)***	***$51,601,627***	***($3,005,872)***	***(5.83%)***
Net Operating Income	***$4,512,027***	***$6,752,267***	***($2,240,240)***	***(33.18%)***	***$5,772,993***	***($1,260,966)***	***(21.84%)***
Pledged Revenue Transferred to RTA				0.00%	4,446	4,446	100.00%
Net Income/(Loss)	***$4,512,027***	***$6,752,267***	***($2,240,240)***	***(33.18%)***	***$5,768,547***	***($1,256,520)***	***(21.78%)***

*--In addition to the Pledged Revenues, transfers from the District to RTA as paid-in-capital include $1,525,000 in 2018, $2,630,000 in 2017, $3,145,000 in 2016, $1,278,702 in 2015, $1,165,000 in 2014, $5,240,000 in 2013, $1,090,041 in 2012, $979,874 in 2011, $1,214,625 million in 2010, $4,656,743 million in 2009, $4,078,631 in 2008,, $1million in 2005, $1 million in 2004, $2 million'in 2003, and $2.5 million in 2002 (Total-to-date of $33,503,616 million).

DEL MAR RACE TRACK AUTHORITY
CASH AND INVESTMENTS
July 31, 2018

Cash and Cash Equivalents:

Checking Balance	26,313	
Project Fund Checking Balance	2,174,043	
Local Agency Investment Fund	29,126	
Total Cash and Cash equivalents		2,229,482

Investments:

Restricted

Reserve Fund	3,306,700	
Bond Fund	2,962,773	

Unrestricted

Project Fund	3,733,954	
Total Investments		10,003,428

STATE RACE TRACK LEASING COMMISSION
DEL MAR CAPITAL IMPROVEMENT ACCOUNT
July 31, 2018

Checking Balance	$0
Local Agency Investment Fund	$151
Total Cash and Cash Equivalents	$151