

# CALIFORNIA EXPOSITION & STATE FAIR

## BOARD OF DIRECTOR'S POLICY AND PROCEDURE MANUAL

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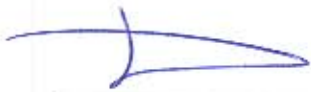
Senator Doug LaMalfa, Chair of the Joint Fairs Committee

Assembly Member Roger Dickinson, Vice Chair, Joint Fairs Committee

Norbert J. Bartosik, General Manager/CEO

## POLICY MANUAL RATIFICATION

This Policy Manual has been reviewed and ratified by the Board of Directors of the California State Fair.



Chair

12/9/11

Date



Vice Chair

12-9-11

Date



General Manager/CEO

12-9-11

Date

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## **SECTION**

### **1.0 INTRODUCTION**

This Policy and Procedure Manual is established as a consistent means of serving the needs of the people of the State of California and the California Exposition & State Fair (Cal Expo).

It reflects the goals of Cal Expo, brings consistency to its operation, provides fair treatment for all concerned, increases staff efficiency, cuts down on wasted effort, and relieves the Board and management of the burden of making repetitive decisions.

The guidelines offered here are the bases upon which management and staff is to conduct the business of Cal Expo. The Board of Directors, as a policy-setting body, has the ultimate responsibility for this Policy Manual's content. Its collective decisions will be the impetus for any changes.

Such changes in this Policy Manual shall be made only as an attempt to further improve the Cal Expo's service to the community, and will be kept sufficiently broad and practical so as to not place undue limits or burdens on the Board or management.

Furthermore, any changes in, or exceptions to, the policies established in this Policy Manual shall be performed only by authority of a two-thirds majority vote of the full Board unless otherwise stated. Neither management nor Directors will take any actions contrary to established policy without such authority.

In some cases procedures and goals are included to help insure consistent interpretation of policy. This Policy Manual should serve as a constant tool of management, a reminder to present Directors of policies currently in effect, and an introduction to the operation of Cal Expo for new Directors. This Policy Manual can be reviewed and ratified at any regular and duly noticed meeting. This Policy Manual shall be available at all Board meetings.

**SECTION**

**2.0 DEFINITIONS**

**2.1 GENERAL TERMS USED WITHIN POLICY MANUAL**

Cal Expo:	California Exposition & State Fair
Board:	The policy-making body for Cal Expo, consisting of 11 Directors and 4 Ex Officio Members
Directors:	Nine (9) individual members of the Board, appointed by the Governor, one (1) by the Assembly Speaker and one (1) by the Senate Rules Committee, to fill four-year terms.
Division:	The Division of Fairs and Expositions, a branch of the California Department of Food and Agriculture.
General Manager:	The Secretary/Treasurer of the Board of Directors and the CEO of the California Exposition & State Fair.
Policy:	A statement of a course of action to be consistently followed under stated conditions without reference to higher authority.
Procedure:	A system of organization and/or action developed to achieve the policy goals of Cal Expo.
Staff:	Those employees (both civil service and non-civil service) hired by the General Manager/CEO.
§	Section of Government Code
Open Meeting Laws:	Bagley-Keene Open Meeting Act

## **SECTION**

### **3.0 BYLAWS**

The following rules are adopted by the California Exposition & State Fair (Cal Expo) for the governing of its meetings and official affairs.

#### **3.1 ARTICLE I - GENERAL INFORMATION**

##### **3.1.1 NAME**

The name of this Organization is the name established by law, to-wit:

California Exposition & State Fair, an agency of the State of California.

##### **3.1.2 OFFICE**

The office for the transaction of the business of Cal Expo is hereby fixed and located at:

1600 Exposition Boulevard  
Sacramento, California 95815

The Board of Directors may change the location of said office.

##### **3.1.3 POWERS**

Subject to the limitations by these bylaws and of the statutes of the State of California, including the approval of the Department of Food and Agriculture as required by law, all powers shall be exercised by or under the authority of, and the business and affairs of Cal Expo shall be controlled by, the Board of Directors, pursuant to Food & Agriculture Code Section 3312.

#### **3.2 ARTICLE II - MEETINGS**

##### **3.2.1 POLICY STATEMENT**

It is public policy of this State that public agencies exist to aid in the conduct of the people's business and the proceedings of public agencies be conducted openly so that the public may remain informed. The conduct and actions of the Board of Directors are conducted in accordance with the Bagley-Keene Open Meeting Act.

##### **3.2.2 NOTICE OF MEETINGS**

In compliance with the open meeting laws, all regular and annual meetings shall be held with a ten-day notice, including a binding agenda with descriptions of items to be covered.

**3.2.3 QUORUM**

Six Directors shall be necessary to constitute a quorum for the transaction of business. Every act and/or decision done or made by a majority of the Directors present at a meeting duly held at which a quorum is present shall be regarded as the act of the Board, except as hereinafter provided regarding removal of an officer or amending the bylaws.

**3.2.4 ANNUAL MEETINGS**

Regular annual meetings of the Board shall be held, with a ten-day notice, at the office of Cal Expo, in open forum, at a time to be determined, on the second Friday of December of each year, if not a legal holiday; if it is a legal holiday, then on the preceding business day.

If this schedule is unable to be met, the Board will meet as soon as possible thereafter. (Adopted by the Board of Directors on February 25, 2011).

**3.2.5 BOARD MEETINGS**

Other regular meetings of the Board (herein referred to as Board meetings) shall be held on the last Friday of the month, with a ten-day notice at the office of Cal Expo, in open forum, at a time designated by public notice. Regular meetings shall be held at a minimum of 6 meetings per year as set at the annual meeting of the Board. Additional Regular meetings shall be held at the call of the Board Chair.

If the last Friday is a legal holiday, then the meeting shall be on the preceding business day, or a noticed date that is mutually agreeable to a quorum of the Directors present at the preceding meeting (Other meetings of the Board for any purpose(s) may be called, with a ten-day notice, by the Chair, or, if he or she is absent or unable, or refuses to act, by the Vice Chair or six Directors, and may be held either at a place designated or at the office of Cal Expo.) (Adopted by the Board of Directors on February 25, 2011).

**3.2.5 (a) WORKING COMMITTEES OF THE BOARD**

Within the framework of the Board's authority, and pursuant to Section 7 of this policy manual, working committees of the Board shall have the option to meet on call or a monthly basis at the discretion of the Committee Chair, in consultation with the General Manager/CEO.

In the event that the Committee Chair is absent or unable, or refuses to act, the meeting may be called by the Chair of the Board of Directors, and may be held either at a place designated or at the office of Cal Expo). (Adopted by the Board of Directors on February 25, 2011).

**3.2.6 SPECIAL MEETINGS**

A special meeting, pursuant to one of the purposes specified in §11125.4.(a), of the open meeting laws may be called as noted above where compliance with the ten-day notice provision would

impose a substantial hardship or where immediate action is required to protect the public interest. Notice of any special meeting must be provided in accordance with §11125.4 at least 48 hours before the time of the special meeting specified in the notice.

**3.2.7 EMERGENCY MEETINGS**

In the case of an emergency involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, a State body may hold an emergency meeting with a one-hour-minimum notice for purposes described in §11125.5.

**3.2.8 CLOSED SESSIONS**

Closed sessions shall be noticed like all Board meetings and will include a specific agenda, reason(s) for the session and the statutory authorization justifying the reasons.

**3.2.9 RECESSED MEETINGS**

Any meeting may be recessed/adjourned until a stated day and hour. In the absence of a quorum, a majority of the Directors present at the meeting may so adjourn any meeting. Notice of the holding of the adjourned meeting need not be given to absent Directors.

**3.2.10 WAIVER OF NOTICE**

The transaction of any meeting of the Board, however called and noticed, and wherever held, shall be valid if the meeting was duly held after call and notice, if a quorum was present, and if, either before or after the meeting, each of the Directors not present signs a written waiver of notice or a consent to the holding of such meeting. All such waivers or consents shall be filed with Cal Expo's records.

**3.3 ARTICLE III - OFFICERS**

**3.3.1 OFFICERS**

The officers of Cal Expo shall be the Chair, Vice Chair, Secretary, and Treasurer. The Secretary and Treasurer shall not be selected from the Board, and one person may be both Secretary and Treasurer (herein recognized as the General Manager/CEO). The Board shall fix the term of office, bond, salary, and duties of the General Manager/CEO, with the approval of the State of California.

The officers of Cal Expo shall be elected by the Board at the annual meeting and each shall hold his/her office for a period of one (1) year and until his/her successor is elected, unless he/she shall resign or shall be removed or otherwise disqualified to serve. Both Chair and Vice Chair shall be eligible to only one (1) term in each elected office. The following procedures shall apply to the election of officers.

1. The election of officers shall be held annually at the December Board meeting.
2. Directors, officers, staff, agents, and representatives acting on behalf of nominees are restricted from soliciting support for their candidacy or others, unless conducted at a publicly noticed meeting and in compliance with applicable law.
3. Each candidate shall make his/her interest in serving as an officer known to the General Manager/CEO (Secretary/Treasurer) no later than the October Board meeting. The names of all candidates and the office being sought shall be noticed for the December Board meeting.
4. To be elected, a candidate must receive majority of the votes (a quorum of voting members of the Board).
5. In consideration candidates for office, the Board of Directors should take the following factors into consideration.
  - a. Seniority, experience and time remaining on the Board.
  - b. Compliance with all required ethics training.
  - c. Knowledge of the Board's bylaws, procedures and state laws governing the Cal Expo Board of Directors.
  - d. Availability and dedication needed to fulfill the duties.
  - e. Ability to communicate and work with other Directors and Staff.

### **3.3.2 REMOVAL AND RESIGNATION**

Any officer may be removed with or without cause by an affirmative vote of two-thirds majority vote of the full Board at any Board or special meeting, except the General Manager/CEO. Dismissal of the individual holding the confidential-exempt position of General Manager/CEO must be in accordance with the provisions of Government Code §11126.

Any officer may resign at any time by giving written notice to the Board or to the Chair of the Board of Cal Expo. Any such resignation shall take effect at the date of receipt of such notice or at any later date specified therein. The acceptance of such resignation shall not be necessary to make it effective.

### **3.3.3 VACANCIES**

1. Except for the position of Chair, a vacancy in any office chair because of death, resignation, removal, disqualification, or for any other cause, shall be filled by the Board for the unexpired portion of the term.
2. The Vice Chair shall automatically become Chair should that office become vacant before the conclusion of the regular term.

### **3.3.4 CHAIR**

The Chair shall preside at all meetings of the Board and the Executive Committee and shall be an Ex Officio member of all other committees. Should the Chair not be present at any meeting of the Board, the Vice Chair shall preside thereat. In the absence of the Chair and Vice Chair, the Senior Director with the greatest tenure shall preside. In the absence of the Chair, Vice Chair,

and/or Senior Director, a Chair pro tem may be chosen to preside at such meeting. The Chair is a voting member of the Board on all actions taken by the Board. The Chair may also serve as a voting member of any committee when a quorum is needed to conduct its business.

**3.3.5 VICE CHAIR**

Acts on Chair's behalf in his/her absence.

**3.3.6 SECRETARY/TREASURER - GENERAL MANAGER/CEO**

The General Manager/CEO as Secretary shall keep or cause to be kept at the office of Cal Expo a book of minutes of all meetings of the Directors with the time and place of holdings, whether Board, special or emergency meeting, and if special or emergency meeting, how authorized and the notice thereof, giving the names of those present at the Directors' meetings and the proceedings thereof.

As Secretary, the General Manager/CEO shall give or cause to be given the required notice for all special and emergency meetings of the Board and shall mail copies of all minutes to all Directors.

The General Manager/CEO as Treasurer shall keep and maintain or cause to be kept and maintained adequate and correct accounts or properties and business transactions of Cal Expo, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, and capital. Any surplus shall be classified according to source and shown in a separate account.

As Treasurer, the General Manager/CEO shall deposit or cause to be deposited all monies and other valuables in the name of and to the credit of Cal Expo with such depositories as may be designated by the Board and approved by the Department of Finance. He/she shall disburse the funds of Cal Expo as he/she may be ordered by the Board and shall render to the Chair and Directors whenever requested, an account of all transactions as Treasurer and an account of the financial condition of Cal Expo.

**3.4 ARTICLE IV - COMMITTEES**

*The Board may appoint committees as the Board deems necessary. The Board may delegate to the Chair the responsibility of appointing committee members.*

At the time of this writing, Cal Expo recognizes the following standing committees:

- Executive Committee
- Finance & Audit Committee
- Operations & Planning Committee
- Horse Racing Committee
- State Fair, Agriculture and Marketing Committee
- Legislative Committee

Real Estate Committee  
Developer Selection Committee

The Chair may also appoint ad hoc committees. Responsibilities of the standing and ad hoc committees can be found in Sections 8 and 9, respectively.

### **3.5           ARTICLE V - TRANSACTION OF BUSINESS**

#### **3.5.1.       ACCOUNTS RECEIVABLE POLICY & PROCEDURES**

In order to minimize accounts receivable, Cal Expo collects payment before an event occurs whenever possible.

Cal Expo follows state rules and regulations, including the State Administrative Manual and Government Code.

For all items that are billed the standard terms for payment for Cal Expo are Net 30 days or the terms of the agreement, if they are different. Any terms different than the standard or agreed upon terms must be approved by the Chief Financial Officer (CFO). All receivables collections as well as returned checks are handled by the cashier's office in the Accounting department. They are traced using our computerized accounting system. Collection efforts (specifically detailed below) include letters, phone calls and the use of various collection agencies. Collection efforts will be the same for all accounts unless specified otherwise by the General Manager/CEO or the General Manager/CEO designee. (Adopted by the Board of Directors on March 27, 2009).

##### **3.5.1.1      ACCOUNTS PAYABLE**

Checks made payable to an employee for payment other than travel reimbursement, shall be signed by two of the following three persons:

General Manager/CEO (GM)  
Deputy General Manager (DGM)  
Assistant General Manager, Chief Financial Officer (AGM-CFO)

Should the check be payable to the (GM), (DGM) or the (AGM-CFO), then the other two shall sign. (Adopted by the Board of Directors on October 31, 2008).

The Accounts Payable desk pays all bills incurred in the daily business of Cal Expo, including all interim events, California State Fair, and the Sacramento County Fair. Cal Expo's pays all invoices within the vendor's terms. Except in special cases, Cal Expo will not pay invoices any earlier so that it can maximize interest earning. On a monthly basis each manager will receive a budget report for the appropriate unit/units under their supervision. The report is to be reviewed for accuracy, especially for all payroll expenses. The managerial review of this report acknowledges that all expenses and commitments recorded are accurate and appropriate. After completing the review, the form that accompanies the report must be completed and returned to

the Senior Accounting Officer. This monthly response is **required** as part of the internal control procedures and must be completed by the 20<sup>th</sup> of every month.

### **3.5.1.2 ACCOUNTS RECEIVABLE**

An invoice is prepared and mailed at the time the transaction occurs. Invoice shall provide detail of item or service being billed and shall include terms of payment.

Monthly statements are prepared and mailed for all amounts outstanding.

Bi-weekly a detailed accounts receivable report is produced and sent to the Executive Staff. At this time, the Executive Staff, or their designee, will contact those on the list relating to their operations that are past due to begin collection efforts.

If payment is not received after the three letters of collection have been sent (the original invoice and 2 monthly statements), the Agency will make a determination on how to proceed. Based on a cost/benefit analysis, the Agency can initiate one of the following:

- 1) Offset procedure against tax refunds: an offset is the interception and collection from amounts owed by other State departments to the debtor. Possible departments are the Franchise Tax Board, Board of Equalization, Employment Development Department, Lottery Commission and State Controller's Office.
- 2) Collection Agency: turning over the receivable to a collection agency which requires notification to the debtor that the debt is being turned over to a private agency unless paid within a specific period of time.
- 3) Court Settlements: In some cases, small claims court may be the best cost/benefit choice. For larger claims, counsel will be consulted.
- 4) Sale of Accounts Receivable: the Agency is authorized to sell Accounts Receivable to private persons or entities. Prior to sale, law requires notice to the debtor in writing that the alleged debt will be turned over for private collection unless the debt is paid or appealed within a specific period of time. (Adopted by the Board of Directors on October 29, 2010).

A charge of **1/5%** per month will be added to the outstanding amount. If the accounts receivable is paid in full and the **1/5%** late fee is not, the late fee may be forgiven at the discretion of the Assistant General Manager, Chief Financial Officer (AGM-CFO). (Adopted by the Board of Directors on March 27, 2009).

### **3.5.1.3 DISHONORED CHECKS**

Once a check has been returned from the bank, a letter requesting payment will be sent within 2 days. A second letter will be sent at 15 days, a third and final letter at 30 days indicating that the matter will be turned over to a collection agency if payment is not received within 10 days. If payment is not received 10 days after the third letter the item will be sent to collections, including a returned check fee of \$25.00.

If full payment is received for the dishonored check and the returned check fee is not, the return check fee may be forgiven at the discretion of the Assistant General Manager, Chief Financial Officer (AGM-CFO).

On a monthly basis, the total of all accounts receivable over 120 days will be calculated and the balance of the allowance for doubtful accounts will be adjusted (up or down) to reflect the amount of all items over 120 days as of the end of the month. This amount will be shown as an Allowance for Doubtful Accounts on the monthly Balance Sheet.

Quarterly, beginning in March, items deemed uncollectible will be written off, removed from the financial statements, after approval by the General Manager/CEO and the Board of Directors. Items will be deemed uncollectible based on the specific instance of each item and if all reasonable collection efforts do not result in payment. All items written off will be tracked and maintained on a list for collection in case any of the debtors return to participate in any Cal Expo events.

A Discharge of Accountability (Std.27) will be completed and presented to the Board of Directors for approval. Amounts under \$250.00 are written off after Board approval. Amounts over \$250.00 are sent to the State Controller's Office for final approval before being written off. (Adopted by the Board of Directors on March 27, 2009).

#### **3.5.1.4 ALL OTHER ACCOUNTS RECEIVABLE**

A first letter will be sent out at 30 days past the invoice date. Additional letters will be sent at 60 and 90 days past due.

Additionally, an accounts receivable report is produced and sent to the executive staff every two weeks. At this time, the Executive Staff, or their designee, will contact those on the list relating to their operations and try to collect.

If payment is not received 120 days after the date of the invoice the account is assigned to a collection agency.

A charge of **1.5%** per month will be added to the outstanding amount. If the accounts receivable is paid in full and the **1.5%** late fee is not, the late fee will be forgiven.

Collection efforts will be the same for all accounts unless specified otherwise by the General Manager/CEO or the General Manager's designee.

#### **3.5.2 CHECKS, DRAFTS, ETC.**

All checks, drafts, or other orders for the payment of money, notes, or other evidences of indebtedness issued in the name of or payable to Cal Expo shall be signed or endorsed by such person(s), and in such manner as from time-to-time shall be determined by resolution of the Board. All incoming cash and checks are to be turned into the cashier or to the Box Office as

required on the same day it is received. Cash and checks are not to be left unattended or kept in a person's work space.

### 3.5.3 OVER/SHORT PROCEDURES

The following Over/Short procedures for cash handling personnel are presented to the Board of Directors for their adoption.

These recommendations were prepared in consultation with our auditors to accomplish the following goals:

- Create standardization.
- Eliminate risk of loss exposure.

## State Fair

### CASH HANDLING PERCENTAGE STANDARDS

The recommended error standard for gate, midway and parking sellers is: .25% allowable error for total sales.

*Example: For every \$1,000.00 in sales, the seller is permitted a \$2.50 margin of error, either over or short. Errors are not calculated on a net basis, they are accumulated in an absolute value to determine their total error at the conclusion of the Fair.*

- If a seller exceeds a .25% error rate during the Fair, they will no longer be eligible for a State Fair selling position unless otherwise approved by Chief Financial Officer.
- Sellers are given a one-time error allowance of \$40.00. This amount will not be calculated into their cumulative error totals for the Fair selling period.
- Seller performance will be tracked daily. All sellers not meeting the error standard who reach a cumulative error total (net of the one-time \$40 error allowance) of \$300.00 will be removed from a selling position prior to the end of the Fair unless otherwise approved by Chief Financial Officer. The cumulative error total will increase in proportion to fair admission rates.

## Interim

Interim is defined as the period outside the State Fair. Seller Over/Short report is reviewed weekly with formal evaluations will be performed no less than semi-annually as follows:

January 1 – June 30

July 1 – December 31 (not including the State Fair period)

## CASH HANDLING PERCENTAGE STANDARDS

The recommended error standard for gate and parking sellers is: .25% allowable error for total sales.

*Example: For every \$1,000.00 in sales, the seller is permitted a \$2.50 margin of error, either over or short. Errors are not calculated on a net basis, they are accumulated in an absolute value to determine their total error at the conclusion of the evaluation period.*

- If a seller exceeds a .25% error rate during any evaluation period, they will no longer be eligible for a cash handling position unless otherwise approved by Chief Financial Officer.
- Sellers are given a one-time error allowance of \$40.00 per period. This amount will not be calculated into their cumulative error totals for the selling period.

A seller which becomes ineligible for a cash handling position during Interim will not be permitted to sell during the State Fair and vice versa.

### ADDITIONAL CRITERIA:

- If cash handling or ticket control staff loses tickets or cash, they are not eligible to continue in a cash handling or ticket control position.
- If cash or tickets are left in a booth/apron or taken off the grounds, employees will be given a reprimand for the first occurrence; the second like incident will result in termination of future employment in a cash-handling capacity unless otherwise approved by the Interim Financial Officer.
- All cashiers, parking sellers, ticket control staff and those supervising cash handling and ticket control positions are required to meet the Cal Expo Live Scan standards prior to employment. Any applicant who does not successfully meet the standards is not considered for employment.
- Any employee placed in a cash handling or ticket control position at any point during the Fair must meet Live Scan and error standard requirements prior to performing cash handling or ticket control functions. (Adopted by the Board of Directors on February 23, 2007).

### **3.5.4 BUSINESS TRANSACTION REPORTS**

The Board shall make such reports to the Department of Food and Agriculture as such Department may direct.

### 3.5.5 CONTRACTS, ETC.

The Board may authorize any officer or officers to enter into any contract or execute any instrument in the name of and upon behalf of Cal Expo, and such authority may be general or confined to specific instances. Unless so authorized by the Board, no Director, officer, agent, or employee shall have any power or authority to bind Cal Expo by any contract or engagement, to pledge its credit, or to render it liable for any purpose or in any amount.

#### 3.5.5.1 DELEGATION OF AUTHORITY

It is the policy of Cal Expo to purchase budgeted items essential to the operation consistent with State policy, and in conformance with State Administrative Manual (S.A.M.) Section 3500 et seq. and the requirements of the Office of Procurement, including the Purchasing Authority Manual (PAM) and P.C.C. Sections, and 10331-10333. These procedures are intended to manage and control an efficient, cost effective purchasing process in accordance with all procurement regulations. Cal Expo applies annually to the State Department of General Services (DGS) for delegated purchasing authority. Cal Expo must comply with all regulations, terms and conditions of the Delegated Program as established by the Office of Procurement. The DGS Procurement Compliance Review Division performs compliance audits every three years to ensure all standards are met and procedures are followed. Every effort is made to ensure the best procurement value is received if the commodity to be purchased is not available through State Contract, California Multiple Award Schedule (CMAS), or Prison Industry Authority (PIA).

**Expenditure Contracts** Board approval is required for all contracted expenditures over \$100,000. The Board is notified monthly of all such contracted expenditures over \$15,000.

**Revenue Contracts** Board approval is required for all revenue contracts (sponsorship, interim events, lease agreements, etc.) over \$100,000 per year and those revenue contracts in which terms exceed four (4) years.

**Capital Outlay Projects** All capital outlay projects are approved by the Board during the budget approval process. Board approval is required for any capital outlay project when the cost of the project exceeds the total budget allocation for capital outlay approved by the Board. A capital outlay project is defined as the purchase of land and/or construction projects. Construction projects include new construction, alteration, and extension or betterment of existing structures.

**Bank Line of Credit** Assistant General Manager, Chief Financial Officer will be required to provide 72 hours written notice to General Manager/CEO or Deputy General Manager, in absence of General Manager/CEO, when Bank Line of Credit will be needed.

General Manager/CEO or Deputy General Manager will contact the Chair of the Finance & Audit Committee and/or the Board Chair and obtain final written approval on forms required.  
(Adopted by the Board of Directors on October 30, 2009).

### **3.5.6 INTERNAL BUDGET CONTROLS**

- Reduce signature authority from \$10,000 to \$ 5,000 for Assistant General Managers. Signature authority of Mid-Level Managers to be revised by each Unit Manager.
- Monthly budget reviews to be held between the Accounting Department and Unit Managers. Participation by the General Manager/CEO and Deputy General Manager in these meetings as requested by the Accounting Department.
- Approval by the General Manager/CEO or Deputy General Manager of any work order that is not being paid for by the originating Unit unless it's reimbursable by the Event Promoter.
- Improved budget detail for reimbursables to justify budget overruns.
- Requests for approval of unbudgeted expenditures must be accompanied by a corresponding reduction(s).
- No seasonal or part-time employees may be hired without the prior approval of the General Manager/CEO or Deputy General Manager.
- Purchases and Contracts exceeding \$5,000 must first be approved by the General Manager/CEO or Deputy General Manager.
- The Board shall be notified monthly of any transfer of funds between units of the budget up to amount of \$100,000. Board approval is required for all amounts over \$100,000.

### **3.5.7 INSPECTION OF BYLAWS**

Cal Expo shall keep in its office the original or a copy of the bylaws, as amended or otherwise altered to date, certified by the Secretary, which shall be open to the inspection of the public during office hours.

## **3.6 ARTICLE VI - AMENDMENTS**

### **3.6.1 POWERS OF DIRECTORS**

These bylaws may be altered, amended, or repealed, and new and additional bylaws adopted at any time by an affirmative vote of two-thirds vote of the full Board.

**SECTION**

**4.0 REPRESENTATIVES OF THE BOARD**

**4.1 GENERAL MANAGER/CEO OR HIS DESIGNEE IS THE REPRESENTATIVE TO THE FOLLOWING ORGANIZATIONS:  
INTERNATIONAL ASSOCIATION FAIRS & EXPO (IAFE)/WESTERN FAIRS ASSOCIATION (WFA)/CALIFORNIA FAIR ALLIANCE (CFA)/CALIFORNIA FAIR SERVICES AUTHORITY (CFSA)/ CALIFORNIA CONSTRUCTION AUTHORITY (CCA)/CALIFORNIA AUTHORITY OF RACING FAIRS (CARF)**

*Function: To be the voting representative of the Board at the above affiliate membership elections.*

## **SECTION**

### **5.0 PUBLIC STATEMENTS**

A unified voice is beneficial to Cal Expo when controversial situations call for public statements from the Board. The designated spokesperson for Cal Expo shall be the General Manager/CEO or an authorized designee, unless he/she is unavailable or the Board appoints another person. Directors should refer questions concerning controversial Board matters to the spokesperson.

In matters of extreme importance, the General Manager/CEO may choose to consult with the Executive Committee prior to issuing a statement.

Disagreements among Board members will occur, and the open discussion of issues is vital in any progressive organization. This policy is not meant in any way to limit the freedom of speech of individual Board members. There may be occasions when it is impossible or impractical to refer questions to the Board's spokesperson. There are also times when a Director may be the only person holding a minority position on a given issue.

In making public statements regarding sensitive issues, Directors should stress that their opinion is not necessarily that of the majority and attempt to present a positive image of Cal Expo.

## **SECTION**

### **6.0 BOARD MEETINGS**

It is this Board's policy that, above all else, its meetings be conducted:

- With the best interest of Cal Expo always considered of foremost importance;
- With fairness for all concerned;
- With sufficient attention to detail as to be responsible for the direction of Cal Expo;
- In as expeditious a manner as possible; and
- With attention paid to the discussion and determination of matters of policy only, leaving the day-to-day operation of Cal Expo in the hands of the General Manager/CEO.
- Openly so that the public may remain informed.

### **6.1 NOTIFICATION**

In order to assure compliance with State regulations, public notice of all Board meetings (in the form of a complete agenda) will be mailed to the local media no later than ten days prior to each meeting and also made available on the Internet at [www.calexpo.com](http://www.calexpo.com). Notice can also be sent by email upon request. The written notice shall additionally include the address of the Internet site. Such notice shall be mailed to each Director and anyone who requests to be notified. Persons requesting notification must renew requests annually.

### **6.2 AGENDAS**

The Board meeting agendas will be prepared for each Director and will include the minutes of all committees for the past meeting (if they have not already been mailed), updated financial reports, and any pertinent correspondence.

#### **6.2.1 AGENDA NOTEBOOK LIBRARY**

Master Board meeting notebooks containing the past years' agendas will be maintained, for reference purposes, in the office of Cal Expo.

### **6.3 DIRECTORS' ATTENDANCE/ABSENCE**

#### **6.3.1 QUORUM**

The presence of six Directors constitutes a quorum and is necessary for the transaction of business. Action may result when a simple majority of a quorum votes "yes" on a motion.

The acts or decisions listed below must be made by a two-thirds majority vote of the full Board of Directors at a meeting duly held:

- Removal of an officer; and
- Amendment of the bylaws

#### **6.3.1.1 CHAIR'S VOTE**

The Chair is a voting member and should vote on all motions.

#### **6.3.2 ABSENCES**

Food and Agricultural Code §3315 authorizes the Board to grant excused absences for Directors who miss meetings. Absences for reasons of health or acts of nature are excusable. It is the Director's responsibility to notify management by telephone or in writing of the reason for any absence. Action on absences (to excuse is implied); not to excuse should be taken and shall be reflected in the minutes. If a Director misses three consecutive meetings, such Director is presumed to have resigned, unless the Board excuses the absences. The Appointment Secretary of the Governor must be notified by letter when the provisions of §3967 are to be applied.

#### **6.4 PROCEDURES**

##### **6.4.1 GUIDELINES**

The control and management of Cal Expo is the responsibility of the Directors. The following guidelines are furnished as a guide to fair management.

- The official minute record should be maintained in book form, either bound or loose leaf, in perpetuity and pages should be numbered.
- Meetings are normally to be held bi-monthly, and more often near or during Fair time. Minutes should specify if the meeting was regular, special, or emergency.
- The General Manager/CEO must mail to each Director, at least ten days prior the meeting, an agenda of the business to be considered at that meeting.
- A copy of the minutes is to be sent to each Director. Should a Director be unable to attend a meeting, he/she will be informed of what took place during the absence. Any necessary corrections for errors or emissions, which may occur in the minutes, will accordingly be recorded in the minutes of the subsequent meeting.
- The minutes of the previous meeting should be read and approved. This approval should be recorded in the minutes with a reference to the date of the previous meeting.
- All official actions of the Board are to be recorded accurately in the minutes. The minutes should include no resolution or recordation of a motion not actually acted upon by the Board in official session.

- The Board may act only as a body and in an official meeting. They may not act individually, except as specifically directed and authorized by the Board.
- The Board is to establish policies to be followed by the General Manager/CEO, and authorize and approve all expenditures to be incurred by him/her outside of the approved levels of delegated authority, which should be set forth in the minutes.

#### **6.4.2 CONDUCT OF MEETINGS**

All meetings, with the exception of Board policies or any State required procedures, will be conducted in accordance with Robert's Rules of Order.

#### **6.4.3 CHECK LIST**

The following checklist will serve as a guideline to be used at all Board meetings:

- The date, time, place, and city in which the meeting is held.
- Directors present and absent, others present, and the motion made stating whether the absence of a Director is excused or not excused.
- Approval of minutes of previous meeting, making specific reference to the date of the meeting.
- Reading and acknowledgment of correspondence.
- Adoption of budget.
- Approval of requests to augment the budget.
- Program of events and types of attractions.
- Rates of admissions, exhibit space, and all other charges.
- Approval of Capital Outlay Program.
- Layout and plan of any building construction.
- All purchases of equipment costing in excess of \$15,000.
- Action taken on audit report recommendations.
- Acknowledgment of receipt of any State apportionments and/or receipt of donations.
- Certification by General Manager/CEO and Chair after formal approval.

**6.4.4 MATTERS NOT APPEARING ON THE AGENDA - §11125**

The Board or any members of the public may discuss matters not noticed; however, the Board cannot act on any matter not appearing in that meeting's notice. Notwithstanding §11125, The Board may take action on items of business not appearing on the agenda if the item(s) comply with §11125.3 and §11125.5. (Open meeting laws)

**6.4.5 CONSENT AGENDA**

Items for Board approval that are routine and adhere to current Board policy, or are covered by standard State regulations, will be designated under the agenda heading "Consent Agenda". They will be approved as a group with one motion. Prior to their approval, any Board member may request either an explanation of any item contained therein or its removal from the consent agenda for separate consideration.

**6.4.6 BOARD REQUIRED APPROVALS**

**6.4.6.1 CONTRACTS**

The Board may authorize the Assistant General Manager, Marketing to enter into agreements on the Board's behalf up to \$25,000 to secure donations, memberships, sponsorships, and marketing and licensing agreements for the receipt of money, or services or products in lieu of money. The Board may also authorize the Assistant General Manager, Marketing, to employ or enter into an agreement with an entity or person to develop, solicit, sell and service these agreements. The compensation for the entity or person shall be established by the General Manager/CEO. Unless so authorized by the Board, no Director, officer, agent, or employee shall have any power or authority to bind Cal Expo by any contract or engagement, to pledge its credit, or to render it liable for any purpose or in any amount for these types of agreements.

The Assistant General Manager, Marketing, shall be required to provide, at minimum and at the Board's request, an annual report of these activities.

**6.4.7 REQUESTS TO APPEAR BEFORE THE BOARD**

Any item requiring action (including individuals wishing to appear before the Board to request action) must be presented to the General Manager/CEO by 5:00 p.m., 12-calendar days prior to the regularly scheduled Board meeting.

**6.4.8 QUESTIONS FROM THE AUDIENCE REGARDING COMMUNITY RELATIONS**

Questions asked from the audience involving the community or any other activities should be responded to by the General Manager/CEO or Board Chair rather than individual Board members.

## **6.5 CLOSED SESSIONS**

A Closed Session may be called as a part of the agenda of any Board or special meeting to discuss any matter as authorized in the Open meeting laws under the guidelines authorized.

A closed session may be called by the Chair, or in the Chair's absence, the Vice Chair, at the request of the General Manager/CEO or any Director.

Immediately following a closed session, an announcement detailing the action taken (but not the discussion leading up to the action) will be made by the Chair.

Minutes of all closed sessions will be kept by the General Manager/CEO or a Director selected by the Board. These records are not public documents, but must be made available to Directors and/or the Courts if necessary.

### **6.5.1 NOTIFICATION OF AUTHORITY - §11126.3**

Prior to holding a closed session, the Board must notice its authority to hold such a session and the general reason for the session. This notice is to appear at the end of the notice of a meeting. An example of such notice is:

*"A closed session may be held for the purposes of receiving advice of counsel, considering pending litigation, and reaching decisions as to employees as authorized by Government Code §11126."*

### **6.5.2 MEETING CONTINUATION - §11129**

To continue a meeting, a notice must immediately be posted near the door of the meeting place.

## **6.6 NOVEMBER/DECEMBER BOARD MEETINGS**

November and December Board meetings may be combined.

## **SECTION**

### **7.0 COMMITTEE MEETINGS**

#### **7.1 OPEN MEETING REQUIREMENTS**

The following Government Code sections are the requirements for open meetings under the Bagley-Keene Open Meeting Act. The Bagley-Keene Open Meeting Act pertains to State agencies. The following requirements are summarized with citations to the pertinent code section:

- §11121.8. Any Board created committee must comply with all the provisions of the law if that committee has three or more Board members.
- §11123. All meetings of the Board or a Board created committee of three or more must be open to the public.
- §11124.1. The public has a right to record the meetings.
- §11125. The notice should include a contact person and information sufficient to inform a person of the major items to be discussed at the meeting.
- §11125. No matter may be added to the notice subsequent to the notice.

#### **7.2 COMMITTEE MEETING POLICIES**

The following policies were adopted for committee meetings:

- The time and place of all committee meetings will be reviewed with management in order to prevent conflicts of time for committee members and to provide adequate staff for the meeting.
- Committee chairpersons are recommended to assist in developing, with the General Manager/CEO, an agenda for each committee meeting.
- If food is served at Board and Committee meetings, the fairgrounds' caterer is to be notified upon meeting notice of date and time of meeting, appropriate food to be served and number of persons attending.

## **SECTION**

### **8.0 STANDING COMMITTEES**

The Chair of the Board shall appoint standing committees no later than the first regular Board meeting after taking office. Existing committees shall remain in effect until the appointments are made. These committees shall be assigned policy considerations deemed too cumbersome for full Board consideration and requiring expertise or knowledge possessed by the members of the committee.

To the extent that it is possible, the Chair should attempt to keep the make-up of committees intact, thereby better utilizing the knowledge and experience of committee members. Also, the Chair should attempt to appoint chair to committees with at least one year of experience on the Board. Additional committees shall be appointed only when areas of concern arise that are clearly outside the jurisdiction of existing committees.

Committees should consist of a minimum of three Directors, with one designated by the Chair to chair the meetings. The General Manager/CEO or the General Manager's/CEO's designated representative shall be in attendance at all committee meetings.

Committees shall act only to bring recommendations before the full Board, unless given specific authority to act on behalf of the Board. Committee meetings shall be called by the committee chair. Committee meetings should be held once a month or at least quarterly. In the absence of the committee chair, the Chair may call a committee meeting. Brief minutes of all committee meetings shall be kept along with minutes of all regular meetings.

## **SECTION**

### **9.0 AD HOC AND OTHER COMMITTEES**

The Chair of the Board shall appoint ad hoc and other committees no later than the first regular Board meeting after taking office. Existing ad hoc committees shall remain in effect until the appointments are made. These committees shall be assigned policy considerations deemed too cumbersome for full committee consideration and requiring expertise or knowledge possessed by the members of the particular committee. The Chair will determine the number of Directors that will serve on ad hoc and other committees. One Director will be designated, by the Chair, to chair the meetings.

Committees shall act only to bring recommendations before the full Board, unless given specific authority to act on behalf of the Board, at which time their closed committee meetings shall become public meetings. Ad hoc committee meetings shall be called by the committee chair. Committees should meet once a month or at least quarterly. In the absence of the committee chair, the Chair may call a meeting. Brief minutes of ad hoc meetings shall be kept and submitted to Cal Expo.

### **9.1 CULTURAL ADVISORY COUNCIL**

#### **9.1.1 MISSION STATEMENT**

California State Law, Food and Agriculture Code Sect. 3316 provides that... “The Board may appoint advisory committees. Advisory committees may provide information and advice to the Board with respect to the operations and management of the California Exposition & State Fair or such other matters as the Board deems appropriate.”

The Cultural Advisory Council is established by the Board of Directors to enhance the outreach efforts of the Board and staff in the cultural communities throughout the State; to advise the Board on matters pertaining to multi-cultural programs related to education, entertainment and other activities at the annual California State Fair, and to support Board objectives to showcase a broad range of multi-cultural activities during the annual State Fair as well as throughout the year at Cal Expo.

#### **9.1.2 SELECTION, CRITERIA & TERM**

Cultural Advisory Council Members will be leaders from key segments of all interested Cultural Communities and will serve at the pleasure of the Cal Expo Board of Directors. Members will complete an application form and upon selection by the Board will serve a two (2) year term. Upon completion of the first term, members will have the option to be reappointed by the Board for up to two (2) additional terms of three (3) years each. At the end of those additional two (2) terms, a member may reapply to serve on the Council, but only after a break of one (1) calendar year. The returning member would be subject to the same application process as any potential new member. To request reappointment, the returning member must submit a letter and updated

resume or CV to the Cal Expo Board by the application deadline established for any potential new members. Any existing member may continue to serve in an active capacity beyond his or her term until such time as he or she is reappointed or the vacant position is filled by a new member.

### **9.1.3 NEW MEMBER APPOINTMENT**

All potential new members shall fill out an application form and follow all procedures established by the State Fair, Agriculture & Marketing Committee of the Cal Expo Board of Directors. The State Fair, Agriculture & Marketing Committee may recommend to the Board new members/alternates to serve on the Cultural Advisory Council based on candidate's variety of interests and expertise in the areas including, but not limited to; agriculture, arts, education, entertainment, financial, health, government, law enforcement, legal, media, public relations/marketing, small business, and social services/community services/youth.

The maximum number of members on the Cultural Advisory Council shall be no more than 21 which includes two alternates.

Upon member term limit or resignation, alternate(s) will be seated on the Council due to previous Board approval. Chair will notify alternate(s) when vacancies arise.

In the event of a member departure, an alternate in good standing will be given first consideration to fulfill the remaining term of any departing Council member. At the end of that term, alternate will have the option to continue with the departing member's term, or begin a new member term of two (2) years. Alternates will be appointed in numerical order and will fill any vacancies in that order.

If there are no departures during the scheduled term, alternate(s) in good standing will receive first consideration for appointment to the Council during the next term.

### **9.1.4 MEMBER RESPONSIBILITIES**

#### **The Member is Expected To:**

1. Attend orientation meeting scheduled for incoming/alternate(s) members.
2. Attend at least three of the quarterly Council meetings in addition to the other assigned committee meetings, as needed, at Cal Expo.\* (Additional details provided below).
3. Participate in at least one (1) State Fair activity relating to multicultural activities, outreach or entertainment.
4. Review, recommend, participate and advise the Cal Expo Board and Staff on programs relating to multicultural activities at the annual State Fair as well as make recommendations on year-round multi-cultural programming and event opportunities.

5. Provide advocacy on behalf of Cal Expo and the California State Fair.
6. Comply with Bagley-Keene Open Meeting Act and Cal Expo's Incompatible Activities Policy.
7. Conduct all meetings utilizing Roberts Rules of Order.
8. Work diligently to recruit potential members when vacancies arise, especially those representing diverse and underrepresented communities.

**The Alternate is Expected To:**

1. Attend at least two of the quarterly Council meetings in addition to the other assigned committee meetings, as needed, at Cal Expo. (Alternate(s) do(es) not have voting privileges).
2. Provide advocacy on behalf of Cal Expo and the California State Fair.
3. Comply with Bagley-Keene Open Meeting Act and Cal Expo's Incompatible Activities Policy.
4. Adhere to Robert Rules of Order during all meetings.

**Attendance Requirements:**

1. If a Council member misses a meeting and fails to contact Cal Expo with a request to be excused, that matter will be marked with an unexcused absence.
2. Anyone with one (1) or more unexcused absences in a single calendar year will first be given a warning and then be asked by the Chair to resign their appointment if the pattern persists.
3. The Council understands that emergencies and other scheduling conflicts may prevent members from attending some meetings. However, members are asked to make every attempt to join the meetings remotely by conference call if possible. (All conference calls must be noticed in accordance with the Open Meeting Laws, at least 10 days in advance, and take place in a public place).
4. If a conference call cannot be arranged, members should either 1) provide a written report to the Council Chair in advance of the meeting or 2) "make up" their absence by attending one of the many State Fair planning meetings.

**9.1.5 COUNCIL DUTIES**

All duties of the Council will be coordinated through the General Manager/CEO of Cal Expo or his designee who will assist the Council in achieving its mission and assure all meetings are in compliance with any open meeting law requirements.

**The Council is Expected To:**

1. Elect a Chair, Vice Chair.
  - a. Election to be conducted at the last meeting of the year. Nominees must have served at least one year as an active member to be nominated. Chair and Vice Chair terms will begin the first day of the calendar year and will end the last day of the calendar year, unless reappointed to serve.
2. Establish an annual meeting calendar and timeline at the beginning of the calendar year.
3. Establish annual goals for the Council at the first meeting of the calendar year, and present those goals to the Cal Expo Board for review.
4. Report all proceedings in writing to the State Fair, Agriculture & Marketing Committee of the Board and make verbal report as needed at regular Board meetings.
5. Provide an "end of the year" report for the State Fair Agriculture & Marketing Committee of the Board to include recommendations for the following year. (Adopted by the Board of Directors on December 12, 2008).

**9.1.6 STATE FAIR, AGRICULTURE & MARKETING COMMITTEE OF THE CAL EXPO BOARD**

**Duties:**

1. This Committee shall oversee and direct the activities of the Cultural Advisory Council, recommend policy changes and provide regular reports to the Board of Directors of the California Exposition & State Fair, and manage the specific responsibilities of all Cultural Advisory Council members.
2. The Committee shall establish current and future activities of the Cultural Advisory Council and coordinate any and all reports.

**Attendance Requirements:\***

1. If a Council member misses a meeting and fails to contact Cal Expo with a request to be excused, that member will be marked with an unexcused absence.
2. Anyone with one (1) unexcused absence in a single calendar year will first be given a warning and then be asked to resign their appointment if the pattern persists.
3. The Council understands that emergencies and other scheduling conflicts may prevent members from attending some meetings. However, members are asked to make every attempt to join the meetings remotely by conference call if possible.

4. If a conference call cannot be arranged, members should either 1) provide a written or oral report (if appropriate) to the Council Chair in advance of the meeting or 2) “make up” their absence by attending one of the many State Fair planning meetings.

#### **9.1.7 SUB-COMMITTEE MEMBER RESPONSIBILITIES**

Sub-Committees of the Cultural Advisory Council may be established by the Board of Directors to enhance the outreach efforts of Cal Expo in cultural communities throughout the State. Selection criteria, term and appointment shall be subject to the same provisions as the Cultural Advisory Council. Sub-Committees will operate and conduct their meetings and business in accordance with the duties and procedures set forth for the Cultural Advisory Council. Sub-Committees will advise the Cultural Advisory Council on matters pertaining to cultural programming in their cultural community for community education, exhibits, entertainment, and other activities, and to support Board objectives to showcase a broad range of multi-cultural activities during at the annual State Fair.

A Sub-Committee may be formed when there is more than three interested and qualified individuals from a particular cultural population. The minimum number of members on a Sub-Committee will be 3; the maximum number shall be no more than 8.

#### **The Sub-Committee Member is Expected To:**

1. Attend Sub-Committee meetings of which they are a member. Members with three (3) unexcused absences in a calendar year will no longer serve on the advisory committee.
2. Review, recommend, and advise the Cultural Advisory Council on programs relating to multicultural activities for their community as well as make recommendations on year-round multi-cultural programming and event opportunities.
3. Provide advocacy on behalf of the State Fair.
4. Comply with Bagley-Keene Open Meeting Act and Cal Expo’s Incompatible Activities Policy.
5. Conduct all meetings utilizing Roberts Rules of Order.

#### **9.1.8 RELATIONSHIP OF THE CULTURAL ADVISORY COUNCIL TO THE SUB-COMMITTEES**

There may be Sub-Committees of the Cultural Advisory Council. The Board shall take responsibility for appointing Cultural Advisory Council members and Sub-Committee members. Sub-Committees are not legally recognized according to Board policy.

A Cultural Advisory Council member of a specific cultural or community group shall Chair the Sub-Committee of their community and report to the Cultural Advisory Council and Cal Expo

staff the recommendations made by the Sub-Committee for fair programming, entertainment and exhibits.

The Sub-Committees are the conduit between the Cultural Advisory Council and their community to assist the Cultural Advisory Council and Cal Expo in its outreach efforts in marketing and promoting the fair to all groups in California.

### **9.1.9 MEETING PROCEDURES**

1. There shall be four (4) regular meetings per year as follows:

Two spring meetings, as necessary

One post-Fair meeting, as necessary

"Special Meetings" -- special meetings may be called by staff, Cal Expo Board Members or the Chair of the Cultural Advisory Council.

2. Cultural Advisory Council meetings shall be run by the Chair of the Council and in their absence, the Vice Chair. The Chair and Vice Chair shall be elected/confirmed at the post-Fair meeting each year.
3. All Cultural Advisory Council meeting minutes shall be recorded and produced by State Fair staff.
4. Minutes and correspondence shall be mailed through the offices of the California State Fair.
5. The State Fair staff shall maintain a record of the list of Cultural Advisory Council members and their attendance records.
6. The agenda shall be determined by State Fair staff and the Chair of the Cultural Advisory Council.
7. State Fair staff will provide a courtesy credential so members will have admission to the Fair.
8. The State Fair, Agriculture & Marketing Committee of the Cal Expo Board shall act as the official liaison to the Cultural Advisory Council.
9. The Chair of the Cultural Advisory Council and/or the Cal Expo Board liaison shall report the activities of the Cultural Advisory Council at the monthly meetings of the Board of Directors. (Adopted by the Board of Directors on December 12, 2008).

### **9.2 AGRICULTURAL ADVISORY COUNCIL**

### **9.2.1 MISSION STATEMENT**

The Board of Directors of the California Exposition & State Fair has established its Agricultural Advisory Council to enhance the outreach efforts of the Board in the Agricultural community, to advise the Board on matters pertaining to Agriculture at the annual State Fair and interim programs. Agricultural Advisory Council Members will be leaders from key segments of the Agriculture Community and will serve at the pleasure of the Board of Directors.

To assist the California Exposition & State Fair Board of Directors in showcasing California Agriculture.

The mission shall be accomplished by:

- Celebrating California’s world class agricultural producers, processors, educators, their service industries and its cultural diversity.
- Supporting facility, exhibit, special event and youth/educational programming.
- Strengthening the critical link between the California Exposition & State Fair and the Counties.
- Encouraging the support of the agricultural community for the California Exposition & State Fair.

### **9.2.2 SELECTION, CRITERIA & TERM**

Agricultural Advisory Council Members will be leaders from key segments of the Agriculture Community and will serve at the pleasure of the Board of Directors. Members will complete an application form and upon selection by the Board will serve a two (2) year term, with the option of the Board to be reappointed for up to two (2) additional terms upon completion of each successful term.

### **9.2.3 NEW MEMBER APPOINTMENT**

All potential new members shall fill out an application form and follow all procedures established by the State Fair, Agriculture & Marketing Committee of the Cal Expo Board of Directors. The State Fair, Agriculture & Marketing Committee may recommend to the Board new members to serve on the Agricultural Advisory Council or a Sub-Committee based on candidate’s variety of interests and expertise in the areas including, but not limited to agriculture, arts, education, entertainment, financial, health, government, law enforcement, legal, media, public relations/marketing, small business and social services/community services/youth.

The maximum number of members on the Agricultural Advisory Council shall be no more than 75.

### **9.2.4 MEMBER RESPONSIBILITIES**

#### **The Member is Expected To:**

1. Participate in Council and Committee meetings of which he/she is a member.
2. Agree to serve on task force and/or committees established by the California Exposition & State Fair Board of Directors.
3. Review and evaluate annual California State Fair Programs relating to agriculture.
4. Nominate the “Agriculturist of the Year”, Agricultural Progress Award, Lifetime Achievement Award and Vineyard of the Year Award finalists.
5. Provide advocacy on behalf of the State Fair.
6. Provide support and participation in the annual California State Fair, Gala, Sale of Champions, California Foodstyle, Farm, California Grape & Gourmet, Agriculture Education Exhibits and activities.
7. Provide guidance and direction for fulfillment of the Mission Statement.
8. Comply with Bagley-Keene Open Meeting Act and complete Cal Expo’s Incompatible Activities Statement on an annual basis.
9. Conduct all meetings utilizing Roberts Rules of Order.
10. Each member shall donate \$125 to the Sale of Champions Agricultural Advisory Council fund annually.
11. Agree to participate in the California State Fair Speakers Bureau if asked.

**9.2.5 COUNCIL DUTIES**

All duties of the Council will be coordinated through the General Manager/CEO of Cal Expo or his designee who will assist the council in achieving its mission and assure all meetings are in compliance with any open meeting law requirements.

**The Council is Expected To:**

General duties of every committee Chair:

1. Establish an annual meeting calendar and timeline with staff liaison.
2. Report all proceedings to the Agricultural Advisory Council Executive Committee and make reports at regular council meetings (verbal or written).
3. Accomplish a minimum of one goal for each year.

4. Provide one “end of the year” report for the committee to include recommendations for the following year.
5. All committee assignments are for three year terms and may be extended or amended by the Executive Committee of the Agricultural Advisory Council.
6. Each committee shall also be responsible for reporting as required for the function of the committee. All committees and subcommittees must comply with Bagley-Keene Open Meeting Act.

**9.2.6 SUB-COMMITTEE MEMBER RESPONSIBILITIES**

Sub-Committees of the Agricultural Advisory Council may be established by the Board of Directors to enhance the outreach efforts of Cal Expo in agricultural communities throughout the State. Selection criteria, term and appointment shall be subject to the same provisions as the Agricultural Advisory Council. Sub-Committees will operate and conduct their meetings and business in accordance with the duties and procedures set forth for the Agricultural Advisory Council. Sub-Committees will advise the Agricultural Advisory Council on matters pertaining to agricultural programming in their agricultural community for community education, exhibits, entertainment, and other activities, and to support Board objectives to showcase a broad range of agricultural activities during at the annual State Fair.

**The Sub-Committee Member is Expected To:**

1. Attend Sub-Committee meetings of which they are a member. Members with three (3) unexcused absences in a calendar year will no longer serve on the advisory committee.
2. Review, recommend and advise the Agricultural Advisory Council on programs relating to Agricultural activities for their community as well as make recommendations on your round agricultural programming and event opportunities.
3. Provide advocacy on behalf of the State Fair.
4. Comply with Bagley-Keene Open Meeting Act and Cal Expo’s Incompatible Activities Policy.
5. Conduct all meetings utilizing Roberts Rules of Order.

**9.2.7 RELATIONSHIP OF THE AGRICULTURAL ADVISORY COUNCIL TO THE SUB-COMMITTEES**

There may be Sub-Committees of the Agricultural Advisory Council. The Board shall take responsibility for appointing Agricultural Advisory Council members and Sub-Committee members. Sub-Committees are not legally recognized according to Board policy.

An Agricultural Advisory Council member of a specific cultural or community group shall Chair the Sub-Committee of their community and report to the Agricultural Advisory Council and Cal Expo staff the recommendations made by the Sub-Committee for fair programming, entertainment and exhibits.

The Sub-Committees are the conduit between the Agricultural Advisory Council and their community to assist the Agricultural Advisory Council and Cal Expo in its outreach efforts in marketing and promoting the fair to all groups in California.

### **9.2.8 MEETING PROCEDURES**

1. All Agricultural Advisory Council general meetings should be held the afternoon before Cal Expo Board Meetings and be held at the Cal Expo facility unless otherwise agreed upon by the Council Executive Committee and Fair staff.
2. There shall be four (4) regular meetings per year as follows:
  - a. Two "Pre Fair" - one meeting during the month of April or May (Selection of Agriculturalist of the Year and other awards) and one meeting in June or July.
  - b. One "During Fair" - to be held one day during the Fair (State Fair evaluations to be completed at this time).
  - c. One "Post Fair" - within 90 days of Labor Day (Officer elections and Committee appointments).
  - d. "Special Meetings" - special meetings may be called by staff, Cal Expo Board Members or the Chair of the Agricultural Advisory Council.
3. Agricultural Advisory Council meetings shall be conducted by the Chair of the Council and in his/her absence, the Vice Chair. The Chair and Vice Chair shall be elected/confirmed at the Post Fair meeting each year. Staff shall coordinate conference calls as deemed appropriate.
4. All Agricultural Advisory Council meeting minutes shall be recorded and produced by staff and approved by the Agricultural Advisory Council.
5. Minutes and correspondence shall be mailed through the offices of the California State Fair.
6. The State Fair staff shall maintain a record of the list of Agricultural Advisory Council members and their attendance records.
7. The agenda shall be determined by State Fair staff and the Chair of the Agricultural Advisory Council.

8. Fair staff will provide a credential system so members will have admission to the Fair to complete their assignments.
9. The Chair of the Cal Expo Board shall name not less than one and not more than five Board Members to serve as the Board's representative(s) to the Agricultural Advisory Council. All Board members are encouraged to attend Agricultural Advisory Council meetings. All Board Members serve in an Ex Officio capacity to the Council.
10. The liaison of the Executive Committee shall report the activities of the Agricultural Advisory Council to the Cal Expo Board at regularly scheduled Board of Directors Meetings.

### **9.3 ADVISORY COMMITTEES**

The Board may appoint advisory committees and their members in accordance with §3316. Advisory committees may provide information and advice to the Board on such matters that the Board deems appropriate. When three or more members of an advisory committee meet, the requirements of the Bagley-Keene Open Meeting Act apply.

#### **9.3.1 MEMBERSHIP**

The Board shall appoint Committee members that represent individuals and organizations within their specific cultures. Committee members shall be selected to represent a wide variety of interest and expertise, including, but not limited to social services, law enforcement, community services, media, business, education, agriculture and entertainment. A minimum of seven (7) and a maximum of fifteen (15) members shall be appointed annually to each Advisory Committee by the Board. Members may be re-appointed annually and serve at the pleasure of the Board.

#### **9.3.2 MEETINGS**

Members of their respective committees shall meet at the request of the Advisory Council and with staff. A Chair and Vice Chair may be elected annually by the Committee members at their first regular meeting of the calendar year.

Staff shall, to the extent possible, attend all meetings of the committees; post meeting notices, maintain committee minutes; maintain a current roster of members; and advise the Board at least annually, as to the activities and recommendations of the advisory committees.

#### **9.3.3 BOARD LIAISON**

The Board may appoint a member of its body to act as liaison with one or more of the cultural advisory committees.

#### **9.3.4 PUBLIC MEETINGS**

*Meetings of the advisory committees shall adhere to The Bagley-Keene Open Meetings Act.*

**SECTION**

**10.0 GENERAL POLICIES, PROCEDURES & RECOMMENDATIONS**

**10.1 MISSION STATEMENT**

The California Exposition & State Fair mission is to:

Create a State Fair experience reflecting California including its industries, agriculture, diversity of its people, traditions and trends shaping its future-supported by year-round events

**10.1.1 VISION**

- Become the premier event facility in Northern California

**10.1.2 PRINCIPALS**

The California Exposition & State Fair's principals are:

- Provide a clean environment
- Provide excellent customer service, value and wholesome quality programming
- Nurture tradition, innovation, education and creativity with an eye to the future
- Remain fiscally responsible
- Continuous facility improvement
- Have fun!

**10.1.3 OBJECTIVE**

1. 1 million satisfied paid customers
2. Have what's needed in place to develop a new conference and exposition center by December 31, 2012 and generate additional revenues for continuous facility improvements.

**10.2 MANAGEMENT OF ORGANIZATION FUNDS**

**10.2.1 INVESTMENT OF ORGANIZATION FUNDS**

Banks and savings and loan associations are required to deposit with the State Treasurer securities valued at least ten percent in excess of the uninsured funds deposited with the bank or savings and loan association. Security is not required for that portion of deposited funds insured by a United States law, such as FDIC and FSLIC. Cal Expo will direct any & all of its investment funds to duly authorized entities approved by the State of California and approved by the Board.

**10.2.2 EXPENDITURE OF ORGANIZATION FUNDS**

Per Government Code §13324, every person who incurs any expenditure in excess of the allotments or other provisions of the fiscal year budget as approved by Cal Expo or as subsequently changed by or with the approval of Cal Expo, is liable both personally and on his/her official bond for the amount of the excess expenditures.

**10.2.3 EXECUTION OF AGREEMENTS**

The General Manager/CEO is authorized to execute all expenditure agreements up to \$100,000 and all revenue agreements up to \$100,000 with a term of four years or less without further authorization from the Board of Directors. On a monthly basis, staff will provide for the Board's information notification of all expenditure agreements over \$15,000 and revenue agreements over \$100,000 per year and agreements which exceed four years. Staff may enter into an agreement with the lowest responsible bidder for any capital outlay project if that project is part of the approved capital outlay plan and the cost of the project does not exceed the total budget allocation for capital outlay approved by the Board.

The General Manager is delegated the authority, in the event that a duly appointed quorum of the Board does not exist or is unable to meet, to enter into contracts that exceed \$100,000 for the orderly management and operation of Cal Expo. (Adopted by the Board of Directors on December 10, 1999).

With the approval of the General Manager/CEO, authorization is delegated to the Assistant General Managers to execute agreements within their area of responsibility for budgeted items up to \$5,000 and sponsorship agreements up to \$25,000. With the approval of the General Manager/CEO, authorization is delegated to the Contracts Manager to execute agreements for budgeted items up to \$5,000 (Adopted by the Board of Directors on December 10, 2010).

**10.2.4 DEPUTY GENERAL MANAGER'S AUTHORITY TO EXECUTE DOCUMENTS**

The Deputy General Manager is authorized to sign all agreements in the absence of the General Manager/CEO.

**10.2.5 SIGNATURE REQUIREMENTS FOR CHECKS**

Authorized signers on the account are the General Manager/CEO, Deputy General Manager, Assistant General Manager, Chief Financial Officer, Chair and/or Vice-Chair as check signatories on all accounts for checks requiring dual signatures - those in excess of \$15,000.

**10.3 ENVIRONMENT POLICIES**

It is the policy of Cal Expo, when feasible, to utilize the latest environmental technology in its maintenance, operations, and construction. Cal Expo shall take reasonable precautions to protect the environment in all its operations.

Storm Water, Ground Water Solar Energy

**10.3.1            SOUND AND NOISE**

All activities conducted at Cal Expo are subject to the noise control ordinance, Chapter 66 (commencing with Section 66.101) of the Sacramento City Code, adopted by the City of Sacramento and in effect on December 31, 1983. Amendments to the ordinance made after December 1, 1983, are not applicable to Cal Expo.

**10.3.2            TRAFFIC**

It is the intent of Cal Expo to monitor traffic on and around the fairgrounds and provide for the orderly flow of traffic. The City and County of Sacramento, and the California Highway Patrol shall be contacted when events on the fairgrounds are likely to cause traffic congestion on the public streets around the fairgrounds.

The Board of Directors shall establish speed limits and parking regulations and ordinances for the facility, upon recommendation of the Cal Expo Chief of Police.

**10.4                SMOKING POLICY**

The California Exposition & State Fair (Cal Expo) as a facility shall be designated as a smoke-free facility. Smoking will be allowed in designated areas throughout the grounds and identified in a manner for Cal Expo employees and the public to utilize.

This policy extends to entities that lease, rent or otherwise utilize the facility to hold events on various parts of the property. (Adopted by the Board of Directors on June 26, 2008).

**10.5                POLICY LIMITING TOBACCO ADVERTISEMENTS AND SPONSORSHIP**

No Tobacco product advertising shall be allowed in any state-owned and state-occupied building except advertising contained in a program, leaflet, newspaper, magazine, or other written material lawfully sold, brought, or distributed within a state building (Government Code section 19994.35).

Furthermore, it is the policy of California Exposition & State Fair (Cal Expo) not to directly solicit or accept any tobacco-related corporate or brand name sponsorship, including monies or other collateral, of activities or events located on the Cal Expo premises.

The foregoing policy is not intended to prohibit a tobacco-sponsored event from occurring on California Exposition & State Fair property, so long as that sponsorship is neither directly solicited nor directly accepted by Cal Expo.

**10.6                REPROGRAPHIC CHARGES**

Charges for reproduction of records of Cal Expo are to include materials and staff time. The reproduction charge is determined by the State's guidelines.

## **10.7 FIRST AMENDMENT EXPRESSION GUIDELINES**

First Amendment Expression Guidelines are:

### **10.7.1 FINDINGS**

The California Exposition & State Fair (Cal Expo) hereby finds that these guidelines are intended to set forth in writing Cal Expo's long-standing policy governing the conduct of Cal Expo employees as well as members of the public; under the First Amendment to the United States Constitution and Article 1 of the California Constitution, on Cal Expo's grounds.

These guidelines are not intended to enlarge upon nor create any rights guaranteed by existing law nor waive any defenses or rights available to Cal Expo, nor do they represent any admission that the facilities of Cal Expo are open as a public forum. It is the policy of Cal Expo to allow within the parameters set forth herein, reasonable access to its grounds and designated free speech expression zones for demonstrations for free speech activity as allowed by the First Amendment to the United States Constitution and article I to the California Constitution.

These provisions are intended to act as guidelines for reasonable regulation of time, place and manner and not content of speech.

### **10.7.2 DEFINITIONS**

1. "Public Forum" – A public forum is an event wherein the facilities are available to members of the public for a free and open discussion or debate of political or social issues.
2. "Limited Public Forum" – A limited public forum is an event wherein the public is allowed access to a facility of facilities for specific purposes and where any public debate or discussion on political or social issues is focused on a particular subject or subjects. A limited public forum is not intended by Cal Expo to generate a "public forum" as that term is defined herein.
3. "On-site" – On-site means any activities occurring within the grounds or parking lot of Cal Expo.
4. "Enclosed Facility" – An enclosed facility means any structure contained on the grounds of Cal Expo and/or any other enclosed or semi-enclosed building or structure of any nature whatsoever located on-site.
5. "Free Expression Zone" – A free expression zone is a designated area located on-site as established by the Cal Expo Board of Directors at which members of the public may be

provided reasonable access in accordance with these guidelines for purposes of conducting free speech activities.

6. “Free Speech Activities” – For purposes of these guidelines, “free speech activities” mean individual or group display of signs other than specifically allowed herein; picketing, leafleting, collection of signatures or marching and any group activity involving the communication or expression, either orally or by conduct of views and/or grievances, and which has the effect and intent or propensity to express that view or grievance to others. As used in these guidelines, neither the definition of or limitations on “free speech activities” includes one-on-one voluntary discussions or individual wearing of buttons or symbolic clothing.
7. “Fighting Words” – Fighting words are those words which when addressed to the ordinary person are, as a matter of common knowledge, inherently likely to provoke an immediate violent reaction.
8. “Obscene” – Obscene means any sexually explicit material or communication which appeals to prurient interests and is patently offensive or abhorrent to the prevailing concepts of morality or decency in the community in which Cal Expo exists.
9. “Sound Devices” – Sound devices include any loudspeakers, megaphones or other devices, electrical or mechanical, which amplify or transmit sound waves. Included in this definition are forms of sounds which are not mechanically amplified such as group chanting or singing.
10. “Paid Gate” – A paid gate is that area of the grounds of Cal Expo on-site, the entry to which is restricted and predicated upon purchase of, either paid parking and/or an admission ticket or other form of entitlement prior to entry. This can include the general area of Cal Expo enclosed by a fence, and/or any particular building within the Cal Expo grounds.

### **10.7.3 ON-SITE FREE SPEECH ACTIVITIES**

1. Findings: Cal Expo finds that, with the exception of the annual State Fair, no public forum events are sponsored or take place upon grounds of Cal Expo. It is the policy of Cal Expo nevertheless, to allow free speech activity wherever said activity is not inconsistent with the normal operations or activities of Cal Expo. Cal Expo finds, however, that due to the unique nature of the grounds of Cal Expo, there is limited access necessitating creation of free expression zones. Cal Expo specifically finds that the buildings and grounds comprising Cal Expo’s grounds are generally surrounded by parking areas under the control of Cal Expo, but which areas become congested with numerous vehicles during events. Cal Expo further finds that pedestrian traffic is generally confined to narrow walkways to and from these parking areas to the various gates of the fairgrounds and that the designated free expression zones are designed to balance the interests of those engaged in free speech activity and being given reasonable access to the patrons of events of Cal Expo, and the safety of the patrons and prevention of accidents or congestion which could lead to injury.

Further, Cal Expo finds that these guidelines in the providing of free expression zones are balanced to protect the interests of patrons attending events upon Cal Expo's fairgrounds from inappropriate activity or conduct by those engaged in free speech activity, with the interest of those engaged in such free speech activities. Cal Expo's solution to this balancing of interests is designation of free expression zones and restrictions on time, place and manner of said expressions to ensure reasonable access by those engaged in free expression activity to those attending the fairgrounds, while protecting the overall safety of the public. In addition, Cal Expo finds that for the annual State Fair, for-rent booths are provided to anyone on a first-come, first-serve basis in addition to free expression zones.

2. **Free Expression Zones:** Cal Expo shall designate free expression zones on site for the purpose of providing access for free speech activity. These zones shall be selected by Cal Expo and shall be designated on the map of the fairgrounds. The area selected by Cal Expo shall be selected to provide maximum reasonable access by those involved in First Amendment activities to patrons of the Fair, commensurate with public safety as well as the safety of those individuals engaged in such activity, and shall interfere to the minimal extent possible with the free flow and passage of patrons to and from the parking areas and Cal Expo's fairground. The zones shall be clearly marked and shall have a sign posted by Cal Expo, which sign shall state that the views expressed by those utilizing the free expression zones are not necessarily the views of Cal Expo.
3. **On-site Registration:** Organizations or individuals desiring to engage in free speech activity on-site which is provided on a "first-come, first serve basis", need to register with Cal Expo prior to the event. The purpose of registration is not to censor in any way or review discretionarily the content of the speech involved, but to allow sufficient opportunity for Cal Expo to assign space for free speech activities and to provide the participants with copies of those rules governing the use of free expression zones. Registration will be granted on a first-come, first-serve basis. A request for registration may be made 72 hours prior to the planned event, but not more than 30 days prior to the planned event at the offices of Cal Expo. Interested parties should apply at the Administration office Monday through Friday from 8 a.m. to 5 p.m. Information to be provided shall include:
  - (a) The time of the planned event;
  - (b) The nature of the planned activity;
  - (c) The approximate number of persons proposed to be involved provided that no more than 10 shall be assigned to a zone from each group or organization; and
  - (d) A designated contact person, including a means of communication of said person such as an address or phone number.
  - (e) If funds are solicited, how will the voluntary contributions be used?

In evaluating the registration, Cal Expo will not discriminate on the basis of content of ideas or beliefs. Cal Expo may, however, require certain individuals or organizations to engage in free speech activities in different areas of the fairgrounds or to maintain a reasonable distance from other individuals or associations, if there is reasonable belief in the minds of the employees of Cal Expo that there may be conflict among or between various individuals or

groups, or if groups with competing views or incompatible philosophies have requested the use of the same general area on the same date and during the same hours. In order to accommodate the maximum number of people in groups within the free expression zone, commensurate with safety, the number of individuals in a group will be limited. In addition, an exclusive area within the zone, six feet by six feet, will be assigned for use by an individual or a group.

4. Any organizations or individuals seeking to engage in First Amendment activities shall ensure their conduct and the use of any signs, banners, or other devices do not result in injuries to patrons or property; persons engaged in First Amendment activities shall comply with the following restrictions on time, place and manner:
  - (a) No signs or banners may be used which exceed 30 inches by 30 inches in order to protect the safety of the patrons and those engaged in free speech activity;
  - (b) No individual or group, sign or banner or individual activity shall block the free movement of patrons, concessionaires, employees, lessees or those providing emergency services or obstruct freedom of passage to and from the fairgrounds;
  - (c) No individual or group engaged in free expression activity shall represent to anyone that the views they express are necessarily the views of Cal Expo or that Cal Expo in any way condones or supports said views;
  - (d) Patrons declining to listen, converse or provide a donation or signature or accept any item offered by those engaged in free speech activities shall not be pursued or touched once that patron has clearly indicated he or she wishes to be left alone;
  - (e) No one using free expression zone shall leave said zone for purposes of engaging in free expression activity or conducting any such activity originated in the free expression zone;
  - (f) No more than 10 individuals from any one group shall be assigned space within any one free expression zone;
  - (g) Those individuals or groups engaged in free expression activities shall provide their own card table and chairs, but no more than one card table, or portable table with fold-up legs, such table shall be no longer than six feet by three feet, and one shade structure as defined more specifically in Section 10.7.3.5 (b) herein, and four chairs shall be used in any free expression zone by any one group, and the one table shall be no bigger than six feet by three feet; shade structures shall be flame retardant (and so designated) and no lawn, beach or patio umbrellas will be permitted.
  - (h) No one shall use signs or displays, or pass out or show literature which employ fighting words, obscenities, or gruesome, grisly or repulsive exhibits or pictures;
  - (i) No one shall use any sound devices without special prior written approval of Cal Expo, and the use of any permitted sound device shall not create a nuisance or noise of sufficient volume to impinge upon the hearing of patrons more than a few feet away from the free expression zone, nor shall be used to broadcast any fighting words or obscenities;
  - (j) Individuals or groups utilizing free expression zones outside of the paid gate shall occupy such areas no earlier than one hour prior to the event or no later than 30 minutes after the closing of the event. In order to give everyone an opportunity to

- have free speech access, please claim your spot within one hour after the start time of the event to ensure space, if not, your space can be given to another interested party. Individuals or groups utilizing free expression zones inside of the paid gates shall only occupy the area during the hours the grounds are open to the public. All equipment and articles brought into the zone must be removed daily;
- (k) If funds are solicited, they will not be demanded nor required in return for any materials. This prohibition shall not be construed as preventing all solicitations of voluntary contributions;
  - (l) Any vehicles brought on the fairgrounds by those persons engaged in free expression activities shall be parked in the public pay lots and regular parking fees shall be paid;
  - (m) The violation of any of the terms of these conditions shall be reasonable grounds for the discontinuance by Cal Expo of such activity and/or expulsion off the grounds of Cal Expo; and
  - (n) Individuals or groups utilizing the free expression zones shall not themselves, nor shall they allow any of their employees, agents, or representatives, while using an assigned free expression zone, be under the influence of alcohol or any illegal substance.
5. The following equipment may be brought onto the fairground for use in free expression activities within the designated free expression zone:
- (a) A six foot table (maximum length) and four chairs;
  - (b) Shade structures (Pop-up tents) shall be limited to one per space, shall be no larger than ten by ten; shall be flame retardant and so designated, must fit within the designated space and anchored so as not to unreasonably obstruct visibility or create a safety issue; otherwise they will be removed. No lawn, beach, or patio-styled umbrellas will be permitted.
  - (c) Signs may be placed on the table or directly in front of the table only. The maximum size of the signs shall be 30 inches by 30 inches. No signs, posters, placards or banners shall be affixed, fastened or leaned against any wall, partition, any part of a building or structure, poles, planters, automobile or animal;
  - (d) Any necessary pens, pencils, paper clips or clip boards and leaflets, provided, however, that any leaflets shall be weighted so that they are secured and not subject to being blown off the table; and
  - (e) There shall be no sale or offer to sell of any merchandise or services of any kind, including the taking of orders for merchandise or services, at any free expression zone. These prohibitions shall not be construed as preventing individuals utilizing free expression zones from soliciting voluntary contributions.

#### **10.7.4 FREE SPEECH ACTIVITIES WITHIN AN ENCLOSED FACILITY**

1. Findings: Cal Expo finds that the congested nature of the enclosed facilities located on the fairgrounds of Cal Expo are such that with congested public access, limited ingress and egress, the historic numbers of patrons at various events, and the general practice of Cal Expo

to rent an enclosed facility or enclosed facilities entirely to lessee, no free speech activities can be allowed within an enclosed facility.

2. As an alternative, Cal Expo has provided on-site free expression zones and it is the intent of Cal Expo that these zones act to provide reasonable access to patrons utilizing the enclosed facilities, rendering the need for expression activities within the enclosed facility unnecessary.
3. Anyone desiring to engage in free speech activities in an enclosed facility or within a paid gate should do so under an agreement for exhibit space if the event is one under the sponsorship or control of Cal Expo. If the event is sponsored or controlled by a lessee or contractor of Cal Expo, then free speech activity shall be allowed only if that activity is allowed by the terms of the agreement. Cal Expo recognizes that it acts as a leasing agent under certain circumstances leasing the facility and that the utilization of the space is subject to reasonable control by the lessee and is dictated by the terms of the lease.
4. Anyone desiring to engage in free speech activities in an enclosed facility in an event controlled or sponsored by Cal Expo, and where Cal Expo finds such free speech activities are inconsistent with the event, shall execute the appropriate agreement or lease for exhibit space, subject to the terms and conditions generally applicable to anyone entering into such agreements, and such other reasonable conditions as may be imposed. Cal Expo maintains the right to assign space within its enclosed facilities or paid gate pursuant to an agreement for exhibit space based upon a first-come, first-serve basis.
5. If exhibit space is not available to those wishing to obtain such space in a Cal Expo controlled sponsored event, Cal Expo shall make reasonable efforts to provide on-site space in a free expression zone, subject to the provisions in these guidelines governing such free expression zones.

#### **10.7.5 VIOLATION OF GUIDELINES**

Any person or persons engaged in free speech activity who violates these guidelines shall be subject to the following administrative remedies:

- (a) If no registration has been obtained, Cal Expo's agent may require that such person or group register and obtain a space allocation. Refusal to provide the information requested or abide by the space allocation may be cause for ejection from the grounds;
- (b) If an organization or individual is engaged in activity in violation of these guidelines, an initial warning shall be issued where possible. If the activity in violation continues, the activity shall be stopped and the violation shall be cause for immediate ejection from the grounds by Cal Expo or its authorized agent;
- (c) Anyone engaged in any violence or who provokes any violence shall be immediately ejected from the grounds;
- (d) Anyone displaying fighting words, obscene material or grisly, gruesome or repulsive displays may be subject to having said materials or displays seized by Cal Expo and its agents. Upon

demand said material or displays may be returned to said organization or individuals after the event is over and/or after the free speech activities are concluded, or upon departure;

- (e) Anyone using any sound devices without prior written approval of Cal Expo shall immediately cease using said sound device upon demand and/or may have said sound device confiscated by Cal Expo or its agent. Upon request, said sound device shall be returned to the individual or organization upon conclusion of the event or free speech activities, or upon departure;
- (f) Nothing in these provisions regarding violations of guidelines shall require Cal Expo to exhaust any remedies, to necessarily give any oral warnings, or to compromise or limit in any way, any remedies provided by law. (Adopted by the Board of Directors October 30, 2009).

## **SECTION**

### **11.0 SAFETY POLICIES**

A copy of Cal Expo's Injury and Illness Prevention Program is on file in the Personnel Office at Cal Expo.

#### **11.1 DISASTER PLAN**

Cal Expo employees have been trained in the use of the State's Incident Command System. Copies of the Incident Command Procedures relative to Cal Expo are available at the Law Enforcement & Security Office at Cal Expo.

#### **11.2 AMERICANS WITH DISABILITIES ACT**

A copy of Cal Expo's Facility Self-Evaluation and Transition Plan is on file in the Administration building.

#### **11.3 SEXUAL HARRASSMENT POLICY**

It is the policy of the State of California that all employees have a working environment free of any type of discrimination. Sexual harassment is a form of discrimination that is in violation of both State and Federal laws and guidelines published by the Equal Employment Opportunity Commission. This department will maintain a workplace and working environment that is free of sexual harassment. Disciplinary action will be taken if any form of discrimination occurs within the Department.

##### **11.3.1 POLICY**

The California Exposition & State Fair (Cal Expo) is committed to providing a work environment where all individuals are treated with respect, dignity and that is free from all types of discrimination, including sexual harassment. In compliance with Federal, State and Local laws, and consistent with the Cal Expo Equal Employment Opportunity Policy, Cal Expo strictly prohibits harassment of any employee, applicant for employment, volunteer, guest/visitor, contractor, stakeholder, etc., in any form based on race, color, religion, national origin, sex, age, disability, pregnancy, childbirth or related medical conditions, marital status, sexual orientation, or any other basis protected by Federal, State or Local law or ordinance. This policy applies to all employees regardless of job title. Further, this policy applies to the work place and any location that can be reasonably regarded as an extension of the workplace such as any off-site social or business function, or any location where Cal Expo business is being conducted or represented.

To the extent that non-Cal Expo employees, including, but not limited to, volunteers, applicants for employment, contractors, guests/visitors, and third parties, engage in the prohibited behavior, Cal Expo will enforce the principles of this policy and, to the extent possible, take necessary action to implement consequences for violation of this policy.

This policy may be violated even if the conduct is limited to one act, does not rise to the level of violation of State or Federal law, and/or may or may not contribute to a hostile work environment. An employee found to have violated the provisions of this policy may be subject to appropriate corrective and/or disciplinary action, up to and including termination.

**11.3.2 AUTHORITY**

- Section 703 of Title VII of the Civil Rights Act of 1964;
- Guidelines of the Equal Employment Opportunity Commission (EEOC);
- California Department of Fair Employment and Housing (DFEH) Act (Government Code Section 12940, subdivision [i]); and
- State Personnel Board Rules and Policy.

**11.3.3 DEFINITION**

The EEOC defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

The California DFEH defines sexual harassment as unwanted sexual advances, or visual, verbal or physical conduct of a sexual nature.

These definitions include many forms of offensive behavior and include gender-based harassment of a person of the same sex as the harasser. The following is a partial list of violations:

- Unwanted sexual advances
- Offering employment benefits in exchange for sexual favors
- Making or threatening reprisals after a negative response to sexual advances
- Visual conduct: leering, making sexual gestures, displaying of suggestive objects or pictures, emails, cartoon, posters, etc.
- Verbal conduct: making or using derogatory comments, epithets, slurs, and jokes
- Verbal sexual advances or propositions
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations
- Physical conduct: touching, assault, impeding or blocking movements

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.

- The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct (third party sexual harassment/discrimination).
- The harasser's conduct must be unwelcome.

#### **11.3.4 EMPLOYEE RESPONSIBILITIES**

Each Cal Expo employee has an obligation to assist in creating a professional and respectful work environment. All employees are required to:

1. Adhere to this policy;
2. Refrain from engaging in, condoning or tolerating conduct that violates this policy;
3. Cooperate in an investigation or proceeding regarding an alleged violation of this policy;
4. Attend sexual harassment training as mandated by the General Manager or his/her designee;
5. Review this policy and seek assistance from a supervisor or the EEO/HR Manager if the employee does not understand any of the provisions in this policy;
6. Maintain confidentiality and not discuss any information involving an alleged violation of this policy except with a personal representative, an individual who is authorized to inquire about or investigate the allegations, or individuals on a "need-to-know" basis;
7. Refrain from engaging in any retaliatory conduct against an individual who has reported an incident or behavior that may be in violation of this policy or has participated as a witness in an investigation or administrative proceeding.

Employees should report known or observed incidents or behavior that may be in violation of this policy to their supervisor, to any other supervisory or managerial employee, or the EEO/HR Manager.

#### **11.3.5 CONSEQUENCES FOR EMPLOYEES**

An employee may be subject to corrective or disciplinary action, up to and including termination, when it has been determined that an employee has violated this policy whether or not the conduct violates State or Federal law. In addition, an employee determined by a court of law to have violated State or Federal law may be held personally liable for his/her conduct. An employee found to have violated this policy may not receive legal representation at Cal Expo's expense if named as an individual defendant in a lawsuit.

An employee will not be disciplined or retaliated against for reporting information, participating in an investigation or administrative proceeding, or filing a complaint in good faith.

#### **11.3.6 SUPERVISOR MANAGER RESPONSIBILITIES**

For purposes of this policy, "supervisor/manager" includes employees in designated supervisory, managerial and exempt positions.

Supervisors and managers are responsible for maintaining professional standards that promote a work environment free from sexual discrimination, harassment, unprofessional, inappropriate and/or disrespectful conduct of a sexual nature. This includes closely scrutinizing their individual actions to ensure compliance with this policy. Further, supervisors and managers must make themselves available and create a work environment that provides employees with opportunities for open communication to discuss potential violations of this policy. No influence may be used to dissuade an employee from airing a complaint.

Supervisors and Managers shall:

1. Know, adhere to, and enforce this policy;
2. Exhibit professional conduct on a daily basis consistent with the intent of this policy to provide a work environment free from sexual harassment;
3. Take proactive measures to prevent conduct in violation of this policy;
4. Be considered “on notice” of conduct that may violate this policy by personal observation of the conduct or verbal or written notification from an individual of the conduct;
5. Take prompt and appropriate action to stop the conduct regardless of how, when, or where the information is presented to the supervisor/manager, and report known or observed incidents or behavior that may be in violation of this policy to his or her supervisor/manager, to another supervisor, or to the EEO/HR Manager;
6. Monitor the workplace to ensure that an individual who has reported an incident or behavior or has participated as a witness in an investigation or administrative inquiry is not subject to any retaliation;
7. Ensure that employees under his or her supervision have attended mandated training, received a copy of this policy, and understand the contents of this policy; and
8. Review the contents of this policy with his or her employees as directed by the General Manager or his or her designee.

### **11.3.7 CONSEQUENCES FOR SUPERVISORS AND MANAGERS**

Supervisors, managers and exempt employees may be held personally liable and subject to corrective or disciplinary action if he or she knew or should have known of conduct that may violate this policy and do nothing to stop, prevent and/or report such conduct. Ignorance of such conduct is not necessarily an acceptable defense for inaction.

Supervisors and managers may be subject to appropriate corrective or disciplinary action, up to and including dismissal, for his or her conduct that has been determined by Cal Expo to violate this policy whether or not the alleged conduct violates State or Federal law. In addition, a supervisor or manager determined by a court of law to have violated State or Federal law may be held personally liable for his or her conduct. Supervisors and managers found to have violated this policy may not receive legal representation at Cal Expo’s expense if named as an individual defendant in a lawsuit.

### **11.3.8 ALL EMPLOYEES RESPONSIBILITIES**

1. It is helpful, but not required, for the recipient of the offensive conduct to inform the harasser directly that the conduct is unwelcome, offensive and/or inappropriate, and that the behavior must stop. Once that is done and if the harassment continues, or if the recipient of the offensive conduct does not wish to confront the harasser, the recipient should notify his or her supervisor, management, or the EEO/HR Manager of the conduct.
2. Employees who believe they have been sexually harassed should not be frightened or intimidated by the offender's title, gender, power, or personality.
3. Employees must consider whether their conduct is being perceived as harassment. Employees who are informed that their conduct is perceived by others to be harassment must, whether or not they consider it to be so, immediately cease the offensive behavior or conduct and ensure that it does not occur again.

### **11.3.9 EMPLOYEE RIGHTS**

All Employees are entitled to the following:

1. The right to a discrimination and sexual harassment-free work environment;
2. The right to an informal, confidential presentation of a complaint;
3. The right to a full, impartial and prompt investigation;
4. The right to a timely decision from the appointing power after full consideration of all relevant facts and circumstances;
5. The right to be represented by a person of their choosing at all steps of the process;
6. The right to seek review of the appointing power's decision with the State Personnel Board;
7. The right to be free from reprisals after filing a complaint.

### **11.3.10 REPORTING SEXUAL HARASSMENT**

Individuals who believe they have been sexually harassed are encouraged to bring the matter to the attention of their supervisor, any other Cal Expo supervisor or manager, or the EEO/HR Manager.

Supervisors/managers receiving complaints or observing incidents of sexual harassment must immediately take appropriate action and are encouraged to seek assistance from the EEO/HR Manager. Employees, managers and supervisors are strongly encouraged to seek early assistance with any situation that they perceive has the potential of becoming a sexual harassment case.

In addition to filing a complaint with Cal Expo, employees, applicants for employment, visitors/guests, contractors, volunteers, etc., may file a complaint, either separately or concurrently, with the Equal Employment Opportunity Commission (EEOC) and/or the Department of Fair Employment and Housing (DFEH). If the employee disagrees with Cal Expo's response to their complaint the complainant may then file a complaint with the State Personnel Board.

Complaints must be filed within the time frames identified below:

- Cal Expo – within 365 days of the alleged incident(s);
- EEOC – within 300 days of the last alleged incident(s) ([www.eeoc.gov](http://www.eeoc.gov));
- DFEH – within 365 days of the last alleged incident(s) ([www.dfeh.ca.gov](http://www.dfeh.ca.gov));
- SPB - within 30 days after Cal Expo’s response ([www.spb.ca.gov](http://www.spb.ca.gov)).

**11.3.11 RETALIATION REPRISAL PROHIBITION**

This policy prohibits retaliation of any kind against individuals who file discrimination or sexual harassment charges or who assist or otherwise participate in an investigation. An employee bringing a sexual harassment complaint, or assisting or participating in the investigation of such a complaint will not be adversely affected in the terms and conditions of employment, nor discriminated against or discharged because of the complaint. If after a thorough investigation, retaliation is found to have occurred, appropriate formal disciplinary action will be taken.

**11.3.12 CONFIDENTIALITY**

Cal Expo recognizes that confidentiality is important, but cannot guarantee confidentiality where it conflicts with the obligation to conduct a prompt and thorough investigation, take corrective action, etc. Cal Expo will act with discretion during the investigatory process and confidentiality will be maintained to the extent practical and appropriate under the circumstances. Further, any individual taking part in any of the procedures under this policy will not reveal any information that they learn, discuss, or otherwise contribute during the course of the investigation or administrative inquiry with anyone unless sharing information has been cleared by the EEO/HR Manager.

**11.3.13 EMPLOYEE ASSISTANCE PROGRAM**

The Employee Assistance Program (EAP) is available to all employees. The EAP offers valuable assistance in dealing with issues related to discrimination, inappropriate conduct, sexual harassment, personal issues, etc., that might adversely impact their work and personal lives. Interested employees should contact the EAP at (866) 327-4762; TDD (800) 327-0801.

**11.3.14 POLICY IMPLEMENTATION**

This policy is effective immediately. It will be available on Cal Expo’s website and Intranet, from supervisors and managers, and from the Personnel Office.

The Personnel Office will provide a copy of the policy to each new employee at the time he or she completes employment documents.

Supervisors and managers are to provide a copy to each employee annually and review the policy with staff regularly throughout the year.

Each employee who receives a copy of the policy must complete, and supervisors/managers must ensure completion of, the Certification of Understanding – Sexual Harassment Policy. The

certification form will be maintained in the employees' Official Personnel Files in the Personnel Office.

Questions regarding this policy should be directed to the EEO/HR Manager in the Personnel Office, (916) 263-3029. (Adopted by the Board of Directors on October 31, 2008).

#### **11.4 INCOMPATIBLE ACTIVITIES**

A copy of Cal Expo's Incompatible Activities policy is on file in the Administration Building.

## **SECTION**

### **12.0 INTERIM USE OF THE FACILITIES**

The Board policy regarding the interim use of the fairgrounds' facilities and equipment is as follows.

#### **12.1 MAIN PURPOSE OF ORGANIZATION**

The main purpose of Cal Expo is the sponsoring of the annual State Fair. Interim use of the facilities and equipment of Cal Expo is undertaken as a means of defraying the costs involved in the year-round operation of Cal Expo and the improvement of the facilities for that purpose.

#### **12.2 CONFLICTING EVENTS**

Cal Expo recognizes the value of long-term renters, with traditional established events. In an effort to protect the interests of such renters and Cal Expo, staff is directed not to rent the fairgrounds for an event of a competing nature that would adversely affect the renter with traditional dates of an established event, so long as that renter remains in good standing.

#### **12.3 ADVERSE IMPACT TO NEIGHBORHOOD**

Management may choose not to rent the facilities for any activities that it determines may adversely impact the local neighborhood.

#### **12.4 ADVERSE IMPACT TO ANNUAL SHOWS OR FAIRS**

Management will not schedule any rentals on the fairgrounds that will adversely impact the annual shows or fairs sponsored by Cal Expo. This may require establishment of a designated period of time during which no rentals will be permitted. Management will keep the Board apprised of the existence of any such "non-rental" periods.

#### **12.5 ADEQUATE SECURITY**

No event will be held without adequate security. The Cal Expo Chief of Police will be responsible for determining the appropriate level of Cal Expo Security for each event.

#### **12.6 RENTAL AGREEMENT**

All use of the facilities and/or its equipment shall be covered by a rental agreement duly entered into by staff.

## **12.7 RENTAL RATES**

Rental rates shall be competitive with the market, but also that all interim use of the fairgrounds shall be profitable to Cal Expo except for approved charitable events.

## **12.8 EQUIPMENT USAGE**

Cal Expo equipment may be loaned to other public agencies or non-profit organizations for use outside the fairgrounds when, in the opinion of the General Manager/CEO, the loan will create goodwill in the community and/or provide recognition and marketing opportunities for State Fair and other Cal Expo events. The General Manager/CEO or the General Manager's/CEO's designee must approve all Cal Expo equipment used outside the fairgrounds and such approval will be made in writing and a copy kept on file in Cal Expo's Administration Office.

## **12.9 FACILITY RENTALS**

The information detailing facility rental is on file in Cal Expo's Administration Office.

## **12.10 CHARITABLE USE OF FACILITIES**

Criteria for applicants are:

- Valid non-profit (501c3) organizations who serve California in one or more of the areas of education, arts, agriculture, or community and social services are eligible to submit an application.
- Cal Expo will grant two awards each calendar year.
- Recipients will be eligible for a waiver of building rental for the approved event and will pay standard rates for all additional associated expense.
- All requests must be submitted by October 1 of each calendar year.
- Staff will review the applications and make a recommendation to the Board for final selection at its December meeting.
- Applicants will be notified of decisions in December.

(Adopted by the Board of Directors on December 1, 2004)

All out-of-pocket expenses (reimbursable expenses) will be passed on to the organization applying for charitable use.

## **SECTION**

### **13.0 FAIR TIME OR SPECIAL EVENT POLICIES**

#### **13.1 ANNUAL FAIR**

##### **13.1.2 PRESS CREDENTIALS**

All persons representing media organizations that request official press credentials and privileges during the annual State Fair and other events sponsored by Cal Expo must show the following identification or credentials before press passes will be issued.

- A current "working press" identification, with a photo I. D. from the media organization they represent. Identification must indicate position with media organization, i.e., reporter, staff writer, news director, editor; or
- A valid Highway Patrol Press Credential.

Freelance reporters/photographers may not be issued press credentials unless they can produce the above-mentioned items.

If neither of these can be produced, a letter from the news director or editor must be sent in advance of the event indicating the name(s) of staff planning to cover the event. This letter will be kept on file for one year. Mail to: Media Relations Department, California Exposition & State Fair, P.O. Box 15649, Sacramento, CA 95852.

It is the intentions of Cal Expo to continue to accommodate the media as in the past, while at the same time protect our fair guests from being approached by photographers and/or writers that are working on "commercial" projects or other ventures. Efforts are to be focused on media representatives who legitimately cover events.

### **13.2 HORSE RACING POLICIES**

#### **13.2.1 STATE FAIR RACING**

The General Manager/CEO is authorized to handle all administrative responsibilities including agreements of the State Fair on behalf of the Board of Directors. This delegation is to be reviewed annually.

#### **13.2.2 CALIFORNIA FAIRS SERVICES AUTHORITY (CFSA)**

Authorized representatives to the membership of CFSA are to be the General Manager/CEO, or in the absence of the General Manager/CEO, the Deputy General Manager, or in the absence of the Deputy General Manager, any Assistant General Managers.

### **13.2.3 CALIFORNIA CONSTRUCTION AUTHORITY (CCA)**

Authorized representatives to the membership of CCA are to be the General Manager/CEO, or in the absence of the General Manager/CEO, the Deputy General Manager, or in the absence of the Deputy General Manager, any Assistant General Managers.

### **13.2.4 CALIFORNIA AUTHORITY OF RACING FAIRS (CARF)**

Authorized representatives to the membership of the CARF are to be the General Manager/CEO, as represented by Assistant General Manager, Racing, as first alternate; and Chair of the Board, as second alternate, or in the absence of the Chair of the Board, the Satellite Wagering Facility Supervisor. (Adopted by the Board of Directors on June 26, 2008).

## **13.3 ANIMAL WELFARE PRACTICES**

### **13.3.1 MISSION STATEMENT**

The California State Fair (State Fair) is dedicated to establishing and maintaining a professional and responsible approach regarding the health, care and welfare of all animals housed within its facilities.

### **13.3.2 PURPOSE**

All animal contractors/vendors of the fair must adhere to the Fair's Animal Welfare Practices (and this document be made a part of any and all animal contracts) and that this policy document of the Board be updated annually with advisory suggestions being provided by the Board's Agricultural Advisory Council with annual input from members of the public at a Agricultural Advisory Council sub-committee meeting held at least once during the year. (Adopted by the Board of Directors on October 31, 2008).

The State's animal agricultural industry is a primary showcase of the State Fair. Animals are one of the Fair's main attractions and educating the fairgoers about animals and their care is a primary focus of the Fair. The State Fair is a leader in the field of animal health and welfare and is involved in the research and implementation of animal programs. The State Fair works with the following organizations and agencies to facilitate a responsible approach for the health, care and welfare of all animals.

- American Veterinary Medical Association
- California Department of Food and Agriculture
- California Department of Fish and Game
- International Association of Fairs and Expositions
- North America Livestock Show and Rodeo Managers Association
- Professional Rodeo Cowboy Association
- United States Department of Food and Agriculture
- University of California, Davis

- Western Fairs Association
- California Horse Racing Board
- California Cattlemen's Association
- California Pork Producers Association
- California Wool Growers
- California Exposition & State Fair Agricultural Advisory Council
- California Farm Bureau Federation
- Other animal related organizations/institutions

The practices of animal welfare during the State Fair provides for a monitoring system for securing the best practices for care, transportation, housing, health and welfare of all livestock, equine, poultry and other animal species showcased at the Fair.

### **13.3.3 HORSERACING**

Horseracing is conducted during the State Fair and on a year round basis at Cal Expo and is governed by the California Horse Racing Board (CHRB). Currently, all racing is conducted by California Exposition & State Fair. The CHRB has complete jurisdiction and supervision over all racing activities and enforcement of laws, rules and regulations pertaining to horse racing and animal welfare. Information on animal welfare for race horses can be obtained by contacting the CHRB. (Adopted by the Board of Directors on October 31, 2008).

### **13.3.4 PETTING EXHIBIT ANIMALS**

Petting Zoos at the Fair are provided for the enjoyment of the public and to share a hands-on experience to inspire greater care for animals. The State Fair contracts with petting zoo operators who are well trained in animal husbandry and basic veterinary care to give the best attention available to animals. The Fair requires that the petting zoo operator provide the Fair with a plan that demonstrates and carries out the proper handling and maintenance of the zoo animals.

### **13.3.5 RODEO ANIMALS**

The State Fair produces rodeo events with rodeo contractors sanctioned by the Professional Rodeo Cowboys Association (PRCA) who practice proper handling and maintenance of rodeo stock. The Fair requires that the rodeo producer comply with the PRCA Animal Welfare Handbook, Rules and Policies, for rodeo type events.

### **13.3.6 EXOTIC ANIMALS**

The State Fair periodically contracts with exotic animal exhibitors. Exhibitors shall be subject to all laws and licensing requirements for wild and exotic species. When the State Fair contracts with an exhibitor, the exhibitor will be required to submit a plan that demonstrates the proper care, housing, health and welfare of the animal(s).

### **13.3.7 CALIFORNIA STATE FAIR LIVESTOCK DEPARTMENT**

The goal of the State Fair Livestock Competition is to ensure a safe, residue free product and provide education programming for the public.

The Livestock Department is under the direction of the Livestock Supervisor and the Barn Superintendent. Both are accessible by phone 24 hours a day during the State Fair. The Livestock Department will utilize staff, livestock industry professionals, and animal science educators to implement educational programs and enforce procedures to ensure humane and proper treatment of all animals at the Fair. Areas will be inspected prior to animals arriving on site for potential hazards both to humans and animals, especially electrical hazards, water supply and hazardous conditions. Periodic checks throughout the Fair will also be conducted.

Veterinarians are on duty to ensure the safety and health of all animals throughout the duration of the State Fair. The State Fair contracts with the Veterinary Medical Teaching Hospital (VMTH), School of Veterinary Medicine, University of California, Davis to provide all veterinary services for animal exhibits and attractions at the Fair. The University will provide a staff of veterinarians to inspect all livestock upon arrival for signs of contagious diseases, external or internal parasites, open sores and any other unhealthy conditions. Additionally, they will verify correctness of required health certificates upon unloading of animals. VMTH will enforce health rules as listed in the California State Fair Livestock Competition Handbooks. Copies of all Competition Handbooks can be obtained at [www.bigfun.org](http://www.bigfun.org) or by contacting the State Fair at (916) 263-3010. All matters of noncompliance will be reported to the Livestock Superintendent.

A veterinarian will be on call throughout the Fair to respond to any animal emergencies including sick or injured animals.

A veterinarian will be on-site for major events that involve animals.

A veterinarian can be contacted through the Livestock Office. During non-office hours, the veterinarian's number will be posted at the Livestock Office. Any animal emergency that occurs after 10:00 p.m. will be reported to Security, who will notify the Livestock Department Supervisor.

Veterinarians will check all livestock upon arrival and before unloading for proper health certificates; signs of communicable diseases including external parasites; unsightly disease conditions; and open and closed wounds. Veterinarians have the right to enter any pen or tie area to inspect an animal.

Any animal found to be in an unsafe or in an unsightly condition will be quarantined in a designated area and then dismissed from the grounds as soon as possible. The decision of the State Fair veterinarian will be final.

Specific health conditions that warrant quarantine and/or dismissal include: active ringworm, warts, sore mouth, infectious scours or dysentery, pinkeye, lice, mites, foot rot, infectious

pneumonia and abscesses which are balding, showing hair separation, open, draining or still scabbed. Animals having surgical sites resulting from abscess removal are unacceptable if they have sutures (stitches), scabs, or are draining. Animals that are lame or injured will also be dismissed at the direction of the veterinarian.

### **13.3.8 PUBLIC HEALTH ISSUES RELATED TO ANIMAL EXHIBITS**

One of the important missions of the State Fair is to educate the public about public health issues related to animals.

In cooperation with the California Department of Food and Agriculture (CDFA), the State Fair has set out to increase awareness and to reduce the risk of disease transmission from animals to humans.

Information will be provided at animal venues including signage and personnel to inform visitors of any animal related risks. One such is the risk of transmission of enteric pathogens (including *Escherichia coli* 0157-H7 also known as *E. coli*) from farm animals to humans.

Venues will be designed to minimize risk. Farm animal contact is not appropriate at food service establishments and infant care settings. At venues where farm animal contact is desired, layout will provide a separate area for humans where animals are not allowed, as well as an interactive area. Animal petting will occur only in the interactive area to facilitate close supervision and coaching of visitors.

Hand sanitizers will be provided in appropriate animal holding areas. Hand to mouth activities will be discouraged in interactive areas.

Hand to mouth activities such as eating and drinking, smoking, and carrying toys and pacifiers will be discouraged in interactive areas.

The State Fair is happy to answer any questions regarding these animal welfare practices. You may contact the Fair's official spokesperson for further information. (Adopted by the Board of Directors on June 23, 2006).

## **13.4 CONCESSIONS AUDITS POLICY**

### **13.4.1 AUDITS**

Throughout the California State Fair, auditors will do spot checks (audits) which will test any of the following: use of P.L.U. registers, starting cash, paid out receipts, money drops, cashier practices, over rings, daily sales, and all other transactions which denote appropriate cash control systems.

If an audit turns up financial discrepancies you will be notified with a written violation.

- *The California State Fair management reserves the right to immediately collect any commissions owed due to any discrepancies found.*
- *Failure to cease the discrepancies and correct them will result in punitive actions as deemed appropriate by the California State Fair management (see Schedule). This may include an order to discontinue operations and vacate the premises.*

**13.4.2 SCHEDULE**

1. First Violation – written notification and a \$150.00 fine (payable on demand)\*
2. Second Violation - written notification and a \$250.00 fine (payable on demand)\*
3. Third Violation – written notification and a \$500.00 fine (payable on demand)\*\*

\* Failure to pay the fine on demand will result in immediate removal from the premises.

\*\* When a third violation has been recorded, the stand will be closed and may be removed from the Fair premises before the opening of the next business day or towed at the owner's sole expense. The California State Fair staff or agents are not liable for any damages that may occur during this action.

**13.4.3 APPEAL PROCESS**

The owner/operator is entitled to an appeal of the infraction with the General Manager/CEO within a twenty-four hour period following the violation. (Adopted by the Board of Directors on January 25, 2008).

## **SECTION**

### **14.0 COMPETITIVE EXHIBITS**

#### **14.1 COMPETITIVE EXHIBITS POLICIES**

The policies pertaining to competitive exhibits are included in the "Rules" section of the Competition Handbooks published by Cal Expo. These "Rules" cover both State Rules and Local Rules (determined by Cal Expo).

#### **14.2 COMPETITION HANDBOOKS**

It is Cal Expo's policy that competitive handbooks be available to the public. Competition handbooks can be obtained at the office of Cal Expo or found on the Internet, [www.bigfun.org](http://www.bigfun.org).

## **SECTION**

### **15.0           MARKETING AND SPONSORSHIP POLICIES AND PROCEDURES**

#### **15.1           PURPOSE**

The policies and procedures herewith provide the framework for the California Exposition & State Fair Marketing Department to compete in the sponsorship industry to enhance and promote the financial and marketing opportunities of the California State Fair, California Exposition & State Fair and its associated properties and programs. Event sponsorship is a fluid, fast paced form of mutual marketing and promotion that is not naturally conducive to the conventional bid process.

#### **15.2           SPONSORSHIP DEFINED**

##### **15.2.1       DEFINITIONS**

California Exposition & State Fair (CE&SF): An agency of the State of California, located in Sacramento, California, which operates the annual State Fair and leases its facilities for other events to be conducted. CE&SF also owns and operates a Satellite Wagering Facility and Grandstand/Racetrack. The Racetrack is utilized during the annual State Fair for horse racing and throughout the year for interim events such as Harness and car racing.

Sponsor: Private business, individual, corporation, or public or non-profit entity that exchanges financial and/or other valuable consideration for the privilege of conducting promotional, advertising, educational and/or product services activities in association with CE&SF programs, activities, events, ground and/or facilities.

Sponsorship: A cash and/or in kind fee paid to a property (typically in sports, arts, entertainment or causes) in return for access to the exploitable commercial potential associated with that property.

A contractual relationship between CE&SF and a Sponsor in which the Sponsor provides to CE&SF cash, goods, services and promotional opportunities for which the Sponsor receives the right of association with CE&SF through advertising, sampling, access to patrons/event, and/or the preferential right to conduct business. The relationship must provide a value to CE&SF that exceeds standard or market value that would result from a traditional procurement or is not otherwise available.

Donor/Contributor: A person or company who gives or contributes something (cash and/or in kind fee) without expectation of return.

Cherry picking: The process of breaking down a sponsorship package into various parts and choosing only the most desired benefits.

International Events Group (IEG): IEG, Inc. has been tracking the highly specialized areas of sports, arts, entertainment, event and cause marketing for more than two decades.

IEG founded and publish sponsorship's biweekly newsletter, IEG Sponsorship Report, as well as the IEG Sponsorship Sourcebook and IEG Legal Guide to Sponsorship. They produce the internationally renowned Event Marketing Conference, attended by 1,200 executives each year.

IEG Consulting counsels sponsors on increasing their return on investment and advises organizations selling sponsorship on maximizing sponsorship revenues. Through this IEG department, custom research reports are available to provide information on competitors' sponsorship activities, property analysis, etc. IEG Consulting can also review sponsorship proposals and contracts for content, including key contract points and terms, e.g., performance clauses and ambush protection.

The IEG Valuation Service, endorsed by more than 150 sponsors, objectively measures the value of a sponsorship package, validating that sponsorship fees reflect the value of the benefits being offered.

IEG does not manage or implement any sponsorship programs for corporate marketers, nor do we sell or represent any sponsorship opportunities for properties—an important distinction for clients seeking objective information and counsel.

IEG Sponsorship Audit: A formal document conducted for the CE&SF by IEG to assess its sponsorship program and overall value. The Audit, which is updated yearly, provides strengths and weaknesses to CE&SF current sponsorship strategies as well as packaging and pricing strategies for the property.

Exclusive: Sponsor receives the only sponsorship within its industry and the exclusive right to display, sell or market its products or services during the contractual period.

Value: Assessment of the worth of the benefits to be received by CE&SF from a sponsorship. Worth can be monetary as well as other benefits accruing to the CE&SF; such worth reflects current market prices for such benefits.

In-Kind: Consisting of goods, services, promotional support, advertising or some economic benefit other than cash. Worth will be determined by the International Events Group guidelines and standards.

Budget Relieving In-Kind: Consisting of goods, services or some economic benefit other than cash. Worth will be determined by current market prices for such benefit. An item is budget relieving only if the product and/or service relieve an item that is currently budgeted for or a need for such product and/or service is determined by CE&SF.

Sponsorship Tier: Sponsorship Tiers are sponsorship packages that are generally offered by the CE&SF. Packages may vary from stated benefits, depending upon CE&SF ability, need and

Sponsor marketing strategies and goals. Below are the sponsorship tiers generally offered by the CE&SF:

- Tier I: California Exposition & State Fair Title Sponsor;  
Exclusive Year Round Sponsor, for contract term.
- Tier II: California Exposition & State Fair Major Sponsor;  
Exclusive Year Round Sponsor, for contract term.
- Tier III: California State Fair Presenting Sponsor;  
Exclusive Fairtime Sponsor, for contract term.
- Tier IV: California State Fair Major Sponsor;  
Non-exclusive or exclusive Fairtime sponsor for contract term.
- Tier VI: California Exposition & State Fair-Owned Interim Event Sponsor;  
Non-exclusive or exclusive Fairtime sponsor for contract term.

### **15.3 PROCEDURES**

The manners in which the CE&SF and/or its agent(s) shall generally undertake and implement the sponsorship program are as follows:

#### **15.3.1 NOTIFICATION**

CE&SF will announce potential Sponsorship opportunities annually through public notice and through the year by private invitation. Notification will be accomplished as follows:

- a) CE&SF and/or its agents(s) will prospect for potential sponsors by contacting, meeting, evaluating sponsor goals, presenting and negotiating a tailored program to meet the specific marketing goals of the interested potential Sponsor.
- b) The CE&SF web sites ([www.calexpo.com](http://www.calexpo.com) or [www.bigfun.org](http://www.bigfun.org)) will provide information on the procedures to follow and who to contact to pursue the development of Sponsorship.
- c) Interested parties may, at any time, propose a sponsorship. Such proposals may be verbal or in writing. The proposal will be sent to the Assistant General Manager of Marketing and/or its agent(s) for assessment and follow-up.

#### **15.3.2 SALES PERIOD**

Sponsorships will not be negotiated within 90 days of the start date of a sponsorship opportunity unless it is deemed appropriate by the General Manager/CEO and/or Assistant General Manager of Marketing.

#### **15.3.3 NEGOTIATING PERIOD**

Sponsorship opportunities will be solicited to potential parties until a cash deposit is given and letter of intent has been signed by a potential party, which will provide a final 15 calendar day exclusive negotiating period prior to signature of final sponsorship contract. If at the end of the 15 calendar day period a final contract has not been signed, the negotiating time period may be extended or the sponsorship opportunity may be made available to additional potential sponsors at the sole discretion of the CE&SF.

#### **15.3.4 TAILORED SPONSORSHIP PRESENTATIONS AND NEGOTIATIONS**

The CE&SF and/or its agent(s) will follow-up appropriate potential Sponsorship interests by presenting and negotiating a tailored program to meet the specific concerns and needs of the interested potential Sponsor. The proposals shall fall within the tiers offered by the CE&SF unless deviation is deemed appropriate by the CE&SF.

Criteria. CE&SF and/or its agent(s) will determine if a potential Sponsor is appropriate using the following criteria:

- a) The total cash to be received by CE&SF
- b) The total budget relieving in-kind support to be received by CE&SF. Budget relieving in-kind support will be valued at the current market value of the product and/or service that is received.
- c) The total in-kind support to be received by CE&SF. In kind support shall be valued per IEG standards. All in kind support will be documented in writing by sponsor within 30 days of the conclusion of the event.
- d) Potential Sponsor's marketing objectives and corporate imagery must contribute to the CE&SF's statutory mission and long-term vision. Potential Sponsor's products/services must be congruent with family values, diversity and other values identified as contributing to the quality of life for all Californian's. CE&SF, in its sole discretion shall determine if a potential sponsor qualifies.
- e) Any other consideration, qualification or market influences deemed valuable by CE&SF General Manager.

#### **15.3.5 PROPOSALS/PRESENTATIONS**

The CE&SF and/or its agent(s) will present opportunities to potential Sponsors through proposals tailored to the potential Sponsor's Marketing objectives using the Sponsorship Tier's provided above as a guideline. In general Sponsorship Tier's will be tailored for specific sponsors however, packages will not be broken down into pieces and cherrypicking is not encouraged.

The CE&SF Assistant General Manager of Marketing will design sponsorship proposals based upon IEG's Valuation that include but are not limited to the following:

- a) Written descriptions of the sponsorship tier with assessed values.
- b) Response dates, terms and conditions of a sponsorship

The Assistant General Manager of Marketing, or any member of the marketing/sponsorship staff, and/or its agent(s), may make personalized presentations of sponsorship opportunities to potential sponsors. Presentations may be tailored to the particular market(s) of the potential sponsors using the tiers provided above as a guideline.

**15.3.6 NEGOTIATIONS**

- a) Negotiations will be based on comparisons of the individual needs of the potential Sponsor with the financial, legal, philosophical, promotional, programming, advertising and operational objectives of the CE&SF. Negotiations will revolve around the presented sponsorship package and tier. Terms will be negotiated to achieve maximum value for both parties.
- b) Cherry-picking of sponsorship benefits is not encouraged and solely up to the discretion of the CE&SF. Proposal tiers, including all benefits offered, are meant to be considered as a complete package and they should not be broken down into specific parts.
- c) Sponsor shall provide consideration for the package, which is the subject of the sponsorship. Consideration may consist of cash and budget relieving in-kind as deemed appropriate by the CE&SF and valued at current market value. Additional non-budget relieving in-kind may be considered at current IEG standards as deemed appropriate by the CE&SF.

**15.3.7 FINAL AGREEMENT**

CE&SF will document all Sponsorships in writing on State approved contracts.

- a) Agreements will be committed to in writing using a CE&SF Sponsorship Contract Template. Any deviation from this process will be at the sole discretion of the CE&SF.
- b) Sponsorships will include the Sponsor's and CE&SF's obligations and responsibilities, timelines, deadlines, terms, form of payment and term of Sponsorship.

**15.3.8 FULFILLMENT**

- a) The Marketing Department will monitor agreements to ensure CE&SF fulfills its contractual obligations, acting legally and ethically in its dealings with the Sponsor.
- b) The Marketing Department will monitor agreements to ensure Sponsor fulfills its contract obligation within designated time frame, including any cash, budget relieving in-kind or other in-kind payment.
- c) The Marketing Department will collect and document sponsorship obligations and commitments in a final sponsorship report and provide to sponsor within 60 days of the sponsored event.

**15.4 ADMINISTRATION**

Responsibilities for carrying out these procedures will be delegated as follows:

- Pursuant to Code 6.4.6.1 the CE&SF Board may authorize the General Manager/CEO or designee to enter into sponsorship agreements for the receipt of moneys, services, products or other items of value.
- The Assistant General Manager of Marketing or any members of the marketing/sponsorship staff and/or its agent(s) are responsible for negotiating and administering all sponsorships unless expressly delegated. The Marketing Department will prospect, solicit and secure sponsorships based upon the tiers provided above. Deviation from the tier is at the sole discretion of the CE&SF and may be authorized by the General Manager/CEO or designee.

All Cal Expo Managers and CE&SF employees are encouraged to:

- a) Develop leads for program sponsorship. The leads will be considered and, if appropriate, negotiated by the Marketing Department.
  - b) Solicit and secure cash or in-kind support participation that has direct cost containment benefit to a program budget of no more than \$1000. Any cash or in-kind support lead will be provided to the Marketing Department for review prior to securing an agreement. Benefits offered to such supporters will be as follows. Any deviation must be approved in writing in advance by the General Manager/CEO.
    - Thank you mention in a program or brochure. Logos may not be used.
    - Signage of not more than 8.5 inches by 5.5 inches at the location of support, i.e.: a 3 inch by 8 inch sign on a TV that has been donated for use in a building.
    - Such supporters will be referred to as donors, supporters or contributors not as sponsors.
  - c) Solicit and secure program underwriters, donors, and contributors up to \$2,500 in value, for a direct cost containment benefit to the program budget and/or as an enhancement to the program. The Program Manager representing the benefactor will provide a written report prior to submitting to program underwriters to The Assistant General Manager of Marketing for prior approval. The report will provide the contributor, the benefit received and how it will enhance the program. Benefits offered to such supporters will be as follows. Any deviation must be approved in writing in advance.
    - Thank you mention in a program or brochure with a logo of not more than 3"x 3".
    - Thank you signage of not more than 8.5 x 11 inches at the location of support.
    - Fair tickets as approved by the Deputy General Manager.
    - Such underwriters will be referred to as donors, supporters or contributing partners not as sponsors.
    - All such agreements shall be approved in advance by the General Manager/CEO.
- The CE&SF Marketing Department will establish a system for documenting all phone calls, correspondence and inquiries for sponsorship opportunities.

- The CE&SF Assistant General Manager of Marketing will hold an annual marketing strategic planning session with the Executive Staff to reevaluate the in-kind underwriting program.
- The CE&SF Assistant General Manager of Marketing will keep the Board informed of Sponsorship Procurement progress through reports provided within the Marketing monthly board report.
- The Board will review this document annually, or as needed.

15.5 ATTACHMENT A

**GOVERNMENT CODE**

California Exposition & State Fair Board of Directors Policy & Procedure Manual  
Code 6.4.6.1;

The Board may authorize the General Manager/CEO or designee, to enter into agreements on the Board's behalf to secure donations, memberships, sponsorship and marketing and licensing agreements for the receipt of money, or services or products in lieu of money. The Board may also authorize the General Manager/CEO or designee to employ or enter into an agreement with an entity or person to develop, solicit sell and service these agreements. The compensation for the entity or person shall be established by the General Manager/CEO. Unless so authorized by the Board, no Director, officer, agent or employee shall have any power or authority to bind California Exposition & State Fair by any contract or engagement, to pledge its credit, or to render it liable for any purpose or in any amount for these types of agreement.

At the Board's request, an annual report of these activities shall be made available.

Food & Agriculture Code  
Section 3331-3334

3331.

The Board shall serve as the policymaking body for the California Exposition & State Fair and shall have full responsibility for the year-round management and operation of all facilities of the California Exposition & State Fair.

The Board shall provide for an annual fair in one or more seasonal divisions in Sacramento County of the industries and industrial products of the state and commercial products exported and imported through the ports of the state. The fair shall be designated the California State Fair.

3332.

The Board may do any of the following:

- a. Contract.
- b. Accept funds or gifts of value from the United States or any person to aid in carrying out the purposes of this part.
- c. Conduct or contract for programs, either independently or in cooperation with any individual, public or private organization, or Federal, State, or Local Governmental agency.
- d. Establish and maintain a bank checking account or a savings and loan association account, approved by the Director of Finance in accordance with Sections 16506 and 16605 of the Government Code, for depositing funds received by the California Exposition & State Fair. Notwithstanding Section 13340 of the Government Code, all funds maintained in an account authorized by this subdivision are continuously appropriated to the Board, without regard to fiscal year, to carry out this part.

- e. Establish a program for paying vendors who contract with the California Exposition & State Fair.
- f. Make or adopt all necessary orders, rules, or regulations for governing the activities of the California Exposition & State Fair. Notwithstanding Section 14, any orders, rules, or regulations adopted by the Board are exempt from Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. For informational purposes only, however, any order, rule, or regulation adopted by the Board may be transmitted to the Office of Administrative Law for filing with the Secretary of State pursuant to Section 11343 of the Government Code.
- g. Delegate to the officers and employees of the California Exposition & State Fair the authority to appoint civil service personnel according to state civil service procedures. The Board may also delegate to officers and employees of the California Exposition & State Fair the independent authority to appoint marshals and police as authorized by subdivision (j).
- h. Operate a payroll system for paying employees, and a system for accounting for vacation and sick leave credits of employees.
- i. Delegate to the officers and employees of the California Exposition & State Fair the exercise of powers vested in the Board as the Board may deem desirable for the orderly management and operation of the California Exposition & State Fair.
- j. Appoint all necessary marshals and police to keep order and preserve peace at the California Exposition & State Fair premises on a year-round basis who shall have the powers of peace officers specified in Section 830.2 of the Penal Code. A peace officer of the Department of the California Highway Patrol may be employed as a peace officer while off duty from his or her regular employment, subject to those conditions as may be set forth by the Commissioner of the Department of the California Highway Patrol. At least 75 percent of the persons appointed pursuant to this subdivision shall possess the basic certificate issued by the Commission on Peace Officers Standards and Training. The remaining 25 percent may be appointed if the person has completed a Peace Officer Standards and Training certified academy or possesses a Level One Reserve Certificate (as defined in Section 832.6 of the Penal Code). Of this 25 percent, any portion may be comprised of probation officers certified under Section 832. Nothing in this subdivision shall be construed to give probation officers appointed pursuant to this subdivision peace officer powers pursuant to Section 830.2 of the Penal Code.
- k. With the approval of the Department of General Services, purchase, acquire, or hold real or personal property, and beautify or improve that property. Any acquisition of land or other real property is subject to the approval of the Department of General Services, and in the case of the purchase of real property, is subject to the Property Acquisition Law (Part 11 (commencing with Section 15850) of Division 3 of Title 2 of the Government Code).
- l. With the approval of the Department of General Services, make permanent improvements upon publicly owned real property adjacent to, or near the vicinity of, the real property of the California Exposition & State Fair when the improvements materially benefit the property of the California Exposition & State Fair.

- m. Lease, with the approval of the Department of General Services, any of its property for any purpose for any period of time.
- n. Use or manage any of its property, with the approval of the Department of General Services, jointly or in connection with any lessee or sub-lessee, for any purpose approved by the Board.
- o. With the approval of the Department of General Services, pledge any and all revenues, moneys, accounts, accounts receivable, contract rights, and other rights to payment of whatever kind, pursuant to such terms and conditions as are approved by the Board. Any issuance of bonds, contracts entered into, and debts incurred, settlements, judgments, or liens under this section or pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, shall not directly, indirectly, or contingently obligate the state or any political subdivision thereof to levy or to pledge any form of taxation therefore or to make any appropriation for their payment. Any such bond shall contain on the face thereof a statement to the following effect: "Neither the full faith and credit nor the taxing power of the State of California is pledged to the payment of the principal of, or interest on this bond."

3332.1.

Notwithstanding any other provision of law and in accordance with procedures established by the Board, the Board may enter into agreements to secure donations, memberships, and corporate and individual sponsorships, and may enter into marketing and licensing agreements for the receipt of money, or services or products in lieu of money, and may employ or enter into an agreement with an entity or person to develop, solicit, sell, and service these agreements. The compensation for the entity or person shall be established by the Board.

3332.5.

If the Board at any time sends out a request for proposal that could result in an agreement between the Board and another party on any matter for a term in excess of 20 years, a copy of that request for proposal shall be sent to the Assembly Committee on Rules and the Senate Committee on Rules at the time at which the request is sent to prospective bidders.

3332.6.

The California Exposition & State Fair may enter into a joint powers agreement with a joint powers authority created pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code for the purpose of planning, designing, and constructing real property improvements, including new construction, alteration, extension, betterment, and repair, and the purchase of fixed and movable equipment. The planning, designing, and constructing of these improvements shall be undertaken in accordance only with those restrictions applicable to the joint powers authority.

3333.

The Board shall submit a report to the Legislature and Governor on or before January 30, 1982, and each year thereafter, with respect to the financial condition, present operations, and future planned activities of the California Exposition & State Fair.

3334.

All records of the California Exposition & State Fair for entries in any of its events are public records, except entries in events which are scheduled for future judging or overnight entries in races on which there is parimutuel wagering prior to such events, judging, or races.

## **SECTION**

### **16.0 PERSONNEL POLICIES**

#### **16.1 EMPLOYMENT PRACTICES**

Board policy regarding personnel other than the General Manager/CEO is as follows:

- All vacant permanent positions shall be advertised statewide in accordance with Department of Personnel Administration guidelines.
- Supervisors and Managers have the authority to conduct hiring interviews and make recommendations to the General Manager/CEO for final approval.
- All hiring interview panels must be as diverse as possible. A minimum of two persons must be on the interview panel.
- General Manager/CEO bears ultimate responsibility for all employees. It is the General Manager/CEO's responsibility to ensure employee development, to oversee the Human Resources Office, and to ensure that accurate and complete Official Personnel Files are maintained for all employees.
- All information contained in Official Personnel Files is confidential. An employee and/or his/her authorized representative may review any of his/her personnel files, including those maintained by his/her supervisor, during regular office hours. Information in an employee's personnel files shall also be available for inspection by the General Manager/CEO or his/her designee in connection with the proper administration of the California Exposition & State Fair affairs and the supervision of the employee. Information in an employee's personnel files may be released pursuant to court order or subpoena. The necessary preparation and maintenance of personnel file information may be performed by any employee in the Human Resources Office or any employee designated by the General Manager/CEO.
- California Exposition & State Fair Megan's Law: For more than 50 years California has required sex offenders to register with their local law enforcement agencies. California's Megan Law provides the public with information on the whereabouts of sex offenders. The California Exposition & State Fair is committed to public safety and the safety of young children who attend the California State Fair. Toward that end the California Exposition & State Fair endeavors to process a Megan's Law check for all employees, volunteers, vendors, contractors, and others doing business with or on Cal Expo grounds.
- California Exposition & State Fair background check: The California Exposition & State Fair conducts pre-employment background checks for all applications for seasonal employment. Such checks consist of a review of information provided by the applicant on the Personal History Statement form and compared to an internet search of local law

enforcement databases. Further, applicants for cash-handling positions are fingerprinted and the information received from the California Department of Justice will be compared to information provided by the applicant on the Personal History Statement. (Government Codes § 18930, § 18931. § 18935. and Penal Code § 13300(b) (9).

- Management will not knowingly hire anyone working in this country illegally. (Adopted by the Board of Directors on October 30, 2009).

### **16.1.1 EMPLOYMENT OF PERSONNEL AND SALARY INCREASES**

The following are Cal Expo's policies for the employment of personnel and salary increases.

#### **16.1.1.1 EMPLOYMENT GUIDELINES**

- The hiring manager/supervisor will ensure that the following steps are taken for each and every hire, as outlined in the California Exposition & State Fair Hiring Guidelines:

- Advertise for appropriate length of time
- Gather duty statement and class specification
- Organize Diverse Interview Panel
- Develop job appropriate questions
- Conduct Reference Checks
- Ensure appropriate process has been followed prior to hiring commitment

- The hiring manager/supervisor will select the candidate most qualified for the vacant position begins filled.
- Follow guidelines prescribed by the State Personnel Board and Department of Personnel Administration for permanent positions.

#### **16.1.1.2 HIRING RESPONSIBILITIES**

- For all permanent employees hired, it is the hiring manager/supervisors responsibility to select the most qualified individuals and forward the names of the top three (3) most qualified candidates to the General Manager/CEO or his/her designee for approval.

#### **16.1.1.3 EMPLOYEE SALARIES**

- Salaries for personnel, under civil service, will be as established by the State Personnel Board.
- Salaries for temporary workers, part-time workers, department heads and supervisors will, as much as possible, be set by the General Manager/CEO.

**16.1.1.4 SALARY INCREASES**

- Salary increases for civil service employees will be at the times specified by the State Personnel Board or the Department of Personnel Administration.
- Salary increases for State Fair Workers will, as much as possible, be recommended by the unit manager/supervisor and approved by the General Manager/CEO or his/her designee.

**16.1.1.5 POLICIES**

- SAFETY - Safety of its employees and guests is Cal Expo's highest priority. A large part of achieving a safe and productive environment is maintaining alert, responsive and competent personnel. All employees receive a copy of Cal Expo's Illness and Injury Prevention Plan at the time of hire. The Illness and Injury Prevention Plan is on file in the Human Resources Office.
- WORK SCHEDULE DURING THE FAIR - During busy work periods such as State Fair, employees may work up to a maximum of 6 days per week and up to a maximum of 12 hours per day.
- GOLDEN BEAR AWARD – Any permanent (civil service) employee retiring from Cal Expo with a service record of 20 years or longer will receive a large Golden Bear. Employee with less than 20 years will receive the smaller version.

Any management (executive staff) that retires from Cal Expo, regardless of their years will receive the larger version.

Any State Fair Worker / Seasonal or P. I. employee that has worked 20 or more Fairs will receive the smaller version as well.

Or:

The retiring employee has the option to look at the retirement gifts offered by General Services for a choice of certain items that they offer retiring state employees (at Cal Expo's cost). (Adopted by the Board of Directors on December 09, 2011).

**16.2 CODE OF ETHICS**

**16.2.1 EMPLOYEE ACCEPTANCE OF GIFTS**

Employees of Cal Expo shall comply with the Incompatible Activities Statement as adopted by the Board of Directors. A copy of the Incompatible Activities Statement is on file in the Human Resources Office.

### **16.3 WORKERS' COMPENSATION**

Members of the Board of Directors and any volunteers donating time for the Fair will be covered by Workers' Compensation Insurance while performing their volunteer work. This resolution shall include the annual State Fair and other events as designated by the Board of Directors as officially sponsored events by Cal Expo. (Adopted by the Board of Directors on February 20, 2004).

### **16.4 ORGANIZATION CHARTS**

A current organization chart is on file in the Human Resources Office.

### **16.5 ALCOHOL POLICY**

Cal Expo's policy on employees' use of alcohol in the work environment can be obtained from the office of Cal Expo.

### **16.6 DRUG-FREE WORK ENVIRONMENT**

Cal Expo's policy for a drug-free work environment can be obtained from the office of Cal Expo.

### **16.7 NEPOTISM POLICY**

Nepotism is generally defined as a practice of an employee using his/her personal power or influence to aid or hinder another in the employment setting because of a personal relationship. (Personal relationships include, but are not limited to, associations with individuals by blood, adoption, marriage, and/or cohabitation.) The California Exposition & State Fair recognizes that individuals who have a personal relationship may appropriately work in the same program or activity. However, managers should avoid work situations in which two individuals who have a personal relationship are in a direct/indirect supervisor/subordinate working relationship. (Indirect supervisor, as applied here, means the second level supervisor.) All other potentially sensitive situations should be assessed on a case-by-case basis to be sure that the following are not adversely affected.

- The production of the unit;
- The safety and morale of the employees in the unit; or
- The fair and impartial supervision and evaluation of employees by the supervisor of the unit.

Direct or indirect supervisor/subordinate relationships which may involve personal relationships shall be brought to the attention of the General Manager or Deputy General Manager in writing prior to making any hiring commitments. This policy applies to all hiring.

### **16.8 COMPUTER USAGE POLICY**

The California Exposition & State Fair (Cal Expo) provides, at its discretion, employees with personal computers. Employees' primary use of these systems must be for business use for Cal Expo. Some limited and reasonable personal use may be allowed subject to the guidelines below:

- Employees assigned a personal computer agree to care for the system in a professional and responsible manner to avoid damage and theft.
- Excessive personal use of a Cal Expo computer is prohibited, including but not limited to the use of instant messaging, chat rooms and newsgroups.
- Cal Expo prohibits the conduct of business not directly related or attributable to Cal Expo on any Cal Expo personal Computer.
- Cal Expo absolutely prohibits the use of any Cal Expo personal computer for the storage, viewing, downloading, uploading, or receipt or distribution of pornographic and/or other offensive material as defined in other parts of this Guide.
- Cal Expo requires that employees assigned personal computers follow all security precautions to safeguard the information contained on the computer, including maintaining as strictly confidential all passwords or access codes assigned or used. The assignment or use of passwords or access codes for computer or other information systems use, however, is for Cal Expo security purposes and is not intended and should not be construed as conferring any right to privacy for an employee with respect to information stored on the computer or in Cal Expo's information systems. Cal Expo reserves the right at any time and for any reason to delete, override, or substitute any computer or information systems password or access code assigned to or created by an employee.
- Passwords must be at least 6 characters in length, be alphanumeric and contain at least one non-alphanumeric character. Passwords expire after 30 days. Passwords can be used again after 10 unique new passwords have been associated with a user account. (Adopted by the Board of Directors on October 31, 2008).
- Cal Expo is not required to maintain, copy, or transfer personal information on a Cal Expo computer upon termination of employment.
- This policy applies to all regular full-time and part-time employees, including seasonal employees, temporary agency employees, volunteers and interns.

Violations of any of the above guidelines may result in disciplinary action, up to and including termination.

## **16.9 INTERNET/EMAIL USE POLICY**

### **16.9.1 PURPOSE**

Effective security is a team effort involving the participation and support of every Cal Expo employee and affiliate who deals with information and/or information systems. It is the responsibility of every computer user to know these guidelines, and to conduct their activities accordingly.

Cal Expo's intentions for publishing an Internet/Email Use Policy are not to impose restrictions that are contrary to Cal Expo's established culture of openness, trust and integrity. Cal Expo is committed to protecting employees, partners and Cal Expo from illegal or damaging actions by individuals, either knowingly or unknowingly.

Internet/Intranet/Extranet-related systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, WWW browsing, and FTP, are the property of Cal Expo. These systems are to be used for business purposes in serving the interests of Cal Expo and our clients in the course of normal operations.

This policy applies to all regular full-time and part-time employees, including seasonal employees, temporary agency employees, volunteers, and interns.

### **16.9.2 USE OF INTERNET**

Access to the Internet through Cal Expo's network is a privilege and carries responsibilities reflecting responsible and ethical use. Use of the Internet through Cal Expo's network constitutes the individual's acceptance of this policy.

Employees are expected to be knowledgeable of these and all policies of California Exposition & State Fair. Care must be taken by employees to ensure that accessing the Internet does not jeopardize the interests of Cal Expo. Any questions should be directed to the IT Department. Violations of this or any other Cal Expo policy subjects the employee-user to immediate revocation of system privileges and may result in further disciplinary action, up to and including termination.

### **16.9.3 AUTHENTICATION PROCESS**

The employee must first be authenticated through the Cal Expo-assigned network username and password. The username and password is the responsibility of the individual to whom it is assigned. Any use of an employee's username and password by other individuals (i.e., family members) authorized by the employee to gain access to the Cal Expo network and Internet makes that employee responsible and liable for any and all actions of those individuals. An employee should never allow anyone else to access Cal Expo's network or information systems. Violations of this policy and any other policy through the authorized use of the employee's username and password by another, subjects the employee to disciplinary action, up to and including termination. Although the employee will be given a username and password to access Cal Expo's system, employees should not expect that transmissions made through Cal Expo's network or information systems are confidential or private. Cal Expo reserves the right at any time to monitor and review use of its computers, networks or information systems to ensure adherence to this policy and for any other reason.

### **16.9.4 PERSONAL USE**

It is not the intent of Cal Expo to provide Internet access to employees for personal use. Employees are reminded that use of any and all of Cal Expo's property is primarily for the purpose of Cal Expo business. Any personal use of the Internet is expected to be on the user's own time and is not to interfere with the person's job responsibilities.

#### **16.9.5 ETHICAL AND PROPER USE OF INTERNET**

At any time and without prior notice, Cal Expo management reserves the right to examine email, personal file directories, and other information stored on Cal Expo's computers. This examination helps to ensure compliance with internal policies and supports internal investigations. As such, Cal Expo may monitor access to the Internet.

This policy should be read and interpreted in conjunction with all other Cal Expo policies including but not limited to policies prohibiting harassment, discrimination, offensive conduct or inappropriate behavior. Employees are prohibited from accessing the Internet for any unethical or improper purposes, including pornography, violence, gambling, racism, harassment, or any illegal activity. Employee-users are forbidden from using profanity or vulgarity when posing electronic mail via the Internet at all times.

The employee must abide by all Federal and State laws with regard to information sent through the Internet. Cal Expo strictly prohibits unauthorized release or disclosure of any confidential or proprietary information through the Internet or through any other means. Cal Expo trade secrets and confidential information should not be transmitted over the Internet.

Employees are also prohibited from using Internet access through Cal Expo's systems for any other business or profit-making activities.

#### **16.9.6 DOWNLOADING SOFTWARE**

Employees are prohibited from uploading or downloading software of any kind from the Internet without prior written approval of the Information Technology (IT) Department. Downloading games from the Internet is strictly prohibited. Downloading of executable files or programs, which change the configuration of the Cal Expo system by anyone other than IT personnel, is prohibited.

#### **16.9.7 VIRUS PROTECTION AND RESOLUTION**

In general, the likelihood of Cal Expo obtaining a computer virus infection is no more or less than that of any other state agency. However, factors may make Cal Expo more susceptible and others may make it less so. Reducing Cal Expo's overall exposure to this hazard requires a joint effort on the part of the users and the system administrators.

It is the responsibility of everyone who uses the Cal Expo computer network and related facilities to take reasonable measures to protect the network from virus infections.

This policy outlines how various viruses can infect the Cal Expo network, how Cal Expo tries to prevent and/or minimize infections, and how users should respond to a virus if they suspect one has infected the network or other computing facilities.

#### **16.9.7.1 HOW TO RESPOND AND REPORT A VIRUS**

Even though all files on Cal Expo's servers are scanned, the possibility still exists that a new or well-hidden virus will find its way to an employee's workstation. If not properly handled, such a virus could infect the entire network.

Cal Expo will attempt to notify all users of credible virus threats via direct and clear communication that will appear in the form of a message on employees' monitors.

It is the responsibility of all Cal Expo network users to take reasonable steps to prevent virus outbreaks. Employees should use the guidelines below to aid in preventing virus attacks.

- Employees should not open unexpected or suspicious email attachments, even from co-workers.
- Employees should not open email or instant messaging attachments from unknown or suspicious sources.
- Employees shall not download freeware or shareware from the Internet without first seeking advice or input from the Information Technology (IT) staff.
- Employees should disable macros if the files contain macros that they are unsure about.
- Employees should never delete files from their workstation because an email tells of a virus that uses that specific file. Employees should always ask the IT Department before deleting any files in the main file directories of a computer.

#### **16.9.8 NOTIFYING INFORMATION TECHNOLOGY DEPARTMENT OF SUSPICIOUS FILES**

Employees should not open suspicious files or email attachments. They should call 916-263-3083 or 916-263-3073 and inform IT that they have received a suspicious file.

If the potentially infected file is on disk that an employee has inserted into his or her computer, he or she should eject the disk and contact an IT staff member at 916-263-3083 or 916-263-3073.

If the file is an infected spreadsheet or document that is of critical importance to Cal Expo, IT will attempt to scan and clean the file.

#### **16.9.9 EMAIL AND OTHER INFORMATION SYSTEMS USE**

All electronic communications and stored information transmitted, receive, or archived in Cal Expo's information systems including email, voice mail, telephones, and computers are the property of Cal Expo. Cal Expo reserves the right to access and disclose all messages sent by email.

This policy provides Cal Expo employees with effective, consistent standards in regards to the use of the electronic mail system (email) provided by Cal Expo.

This policy applies to all regular full-time and part-time employees, including all seasonal employees, temporary agency employees and interns.

Following are guidelines in using the email system:

- Emails to clients should follow the same formality as a business letter. It should be treated as a formal document with proper business standards being followed. Spelling, grammar and punctuation should be checked.
- Follow the chain of command.
- Use professional language. Never send abusive, harassing, threatening or ethical oriented messages, even in jest.
- Review messages before they are sent. A sentence that might be clear to someone talking to the employee face to face might come across quite differently without the tone of the person's voice or their facial expressions.
- Practice good housekeeping rules. Storage space on the computer is critical.
- Create folders for received and sent messages. Use folders to save important information but make it a regular habit to review all folders and delete old or out-dated material.
- Keep "in" and "sent" boxes clean. It is recommended that the employees purge their files every 30 days. Delete unimportant messages after they have been read.
- Do not save multiple copies of threads. Do not reply with attachments or use "reply all" unless the response requires it.
- Use professional courtesy and business etiquette.

#### **16.9.10 DISCIPLINARY PROCESS**

It is the responsibility of all employees using Cal Expo Internet and Email systems to adhere to Cal Expo's policies and procedures as outlined in this policy.

Violation of this policy may subject the employee to disciplinary action, up to and including termination. (Adopted by the Board of Directors on October 28, 2005).

#### **16.10 BILINGUAL POLICY**

The objective of the California Exposition & State Fair (Cal Expo) is to provide a medium for the education, commercial interaction, personal interaction and recreation of the citizens of California. The forum for accomplishing this objective is provided by the annual State Fair and various interim events.

It is Cal Expo's policy to eliminate any language barriers that may preclude people from access to the department's services.

Cal Expo is fully committed to providing equal access to departmental programs and services to persons who are Limited English Proficient (LEP) in accordance with the Dymally-Alatorre Bilingual Services Act. All Cal Expo staff is responsible for ensuring that all persons, including those who are LEP, are provided equal access to the available services and information of Cal Expo.

Every effort must be made to identify LEP clients as early as possible during initial contacts. LEP clients must be offered an opportunity to request an interpreter, who will be provided by Cal Expo if at all possible. Additionally, translated written materials must be provided to the clients whenever they are available. Staff must also attempt to ensure that there is no significant delay in service to the client during this translator process.

It is Cal Expo policy to resolve any complaints regarding translation or interpreter services from patrons or employees in a timely and fair fashion. Any complaints will come through the Human Resources Office to Susan Vellutini.

The following efforts are intended to ensure compliance with this policy.

- Staff has been assigned to assist LEP clients. Contact Jose Navarette at 916-263-3139 who has been certified by the State Personnel Board (SPB) to provide Spanish interpreter/translation services to the LEP client. Personnel Office staff, who are responsible for SPB's language assistance coordination needs and resolution of interpreter/translator complaints.
- Implementation of services with Language World to translate written materials into other languages. Contact the personnel office for further information regarding this program. (Adopted by the Board of Directors on December 9, 2005).

## **16.11 CALIFORNIA EXPOSITION & STATE FAIR EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT**

### **16.11.1 POLICY**

It is the policy of the California Exposition & State Fair (Cal Expo) to provide equal employment opportunity to all. Cal Expo strives to maintain a skilled workforce that mirrors the talents and demographics of the region's labor force. The Equal Employment Opportunity (EEO) plan is the foundation to create a workforce that reflects the rich diversity of the public we serve. Cal Expo is committed to providing a workplace where all individuals are treated with respect and professionalism. Consistent with this commitment, it is the policy Cal Expo to provide equal employment opportunity for all employees and applicants for employment, and to hire employees on the basis of merit and other job-related factors without regard to race, color, national origin, ancestry, sex, religion, marital status, age, disability, medical condition, pregnancy, childbirth and related medical conditions, sexual orientation, veteran status, or political affiliation, or any other basis protected by State or federal law or local ordinance (this includes a perception that a person has any of these characteristics or that the person is associated with a person who has or is perceived to have any of these characteristics).

**16.11.2 AUTHORITY**

- Title VII of the Civil Rights Act of 1964
- Americans With Disabilities Act
- Age Discrimination in Employment Act
- Fair Employment and Housing Act
- State Personnel Board Rule and Policies

The above authorities:

- Prohibit discrimination in all aspects of employment including hiring, termination and terms and conditions.
- Prohibit harassment of employees or applicants and requires employers to take all reasonable steps to prevent harassment from occurring.
- Require that all employers provide information to each of their employees describing the forms of discrimination and sexual harassment, its illegality, the internal and external complaint processes and legal remedies.
- Require employers to reasonably accommodate employees or job applicants with disabilities in order to enable them to perform the essential functions of the job.
- Require employers to provide leaves of up to four months to employees disabled because of pregnancy or childbirth.
- Require an employer to provide reasonable accommodations requested by an employee, with the advice of her health care provider, related to her pregnancy, childbirth, or related medical conditions.
- Require employers to allow eligible employees to take up to 12 weeks leave in a calendar year for the birth of a child, the placement of a child for adoption or foster care, for an employee's own serious health condition, or to care for a parent, spouse, or child with a serious health condition.
- Prohibit retaliation against any person who has filed a complaint, participated in an investigation or opposed any prohibited activity.

Conduct that may not rise to the level of unlawful discrimination, harassment or retaliation in violation of Title VII of the Civil Rights Act of 1964 or the California Fair Employment and Housing Act may still constitute discourteous, disrespectful, or inappropriate behavior.

Cal Expo is dedicated to ensuring the fulfillment of this policy with respect to all aspects of employment, including recruiting, hiring, placement, promotion, transfer, adverse action, demotion, termination, pay and other forms of compensation, training, and general treatment during employment.

Because all forms of harassment and discrimination are unprofessional and disrespectful, and may damage an individual's career and well being, Cal Expo will strictly enforce this policy. To the extent that non-Cal Expo employees, including but not limited to volunteers, applicants for employment, contractors, guests/visitors, and other third parties, exhibit the above behaviors, Cal Expo will apply the principles of this policy. In addition, Cal Expo will take whatever action is necessary to implement consequences for violations of this policy by non-Cal Expo employees.

**16.11.3 CONDUCT THAT VIOLATES THE EQUAL EMPLOYMENT OPPORTUNITY POLICY**

An employee can be found to be in violation of this policy if his or her conduct discriminates against or harasses a coworker based on inclusion in a protected group as described above.

Prohibited discriminatory or harassing behaviors that violate this policy include, but are not limited to, the following:

- Verbal conduct, such as using derogatory terms or telling discriminatory jokes.
- Visual conduct such as displaying objects, cartoons, pictures, emails, posters, etc., of a derogatory or discriminatory nature.
- Posting, sending, or downloading derogatory or demeaning materials in any form via electronic mail or the Internet.
- Denial of reasonable accommodation for religious purposes.
- Failure to reasonably accommodate a qualified individual with a disability.
- Treatment of any individual differently including but not limited to, excluding that individual by giving preferential treatment to another, or any basis protected by State, federal, or local ordinances.
- Giving preferential treatment to an individual associated with a particular religious affiliation or any other basis protected by State or federal law or local ordinance.
- Any touching, assault, or battery of a sexual nature (see the California Exposition & State Fair Sexual Harassment Policy).
- Following or stalking a coworker, making harassing telephone calls to a coworker, or sending harassing correspondence to an individual by any means, including, but not limited to, the use of public or private mail, interoffice mail, facsimile, or computer email.
- Prohibited retaliation includes, but is not limited to, taking any negative employment action against or harassment of an employee or applicant, because he or she made a charge, testified, assisted, or participated in an investigation, proceeding or hearing relating to conduct reasonably believed to violate this policy or to constitute discrimination or harassment; or otherwise opposed conduct prohibited by this policy.

**16.11.4 EMPLOYEE AND SUPERVISOR/MANAGER RESPONSIBILITIES AND CONSEQUENCES**

All Cal Expo employees are expected to adhere to the EEO Policy and attend required training. Employees are strongly encouraged to report any violations of the policy so Cal Expo may take appropriate corrective action to remedy the situation. Employees who believe they have witnessed or been the victim of conduct that violates the policy should report the incident immediately. Failure to utilize Cal Expo's internal procedures to report violations of the EEO Policy may defeat an individual's subsequent claims.

Refer to the California Exposition & State Fair Sexual Harassment Policy for more detailed information about employee and supervisor/manager responsibilities and consequences.

**16.11.5 EMPLOYEE RIGHTS**

All employees are assured of the following rights with regard to complaints of discrimination.

1. The right to file a discrimination complaint, freedom from influence to refrain from filing a complaint, and freedom from reprisal for filing a complaint.
2. The right to a reasonable amount of work time to make an informal presentation of a complaint to a supervisor, manager or the EEO/HR Manager. Consistent with immediate needs, this right shall not be reduced or delayed by any supervisor.
3. The right to be assisted by a representative of their own choosing at all stages of the process.
4. The right to keep their complaint confidential until:
  - a. Such time as they give the EEO/HR Manager permission to do otherwise in order to bring the complaint for remedy;
  - b. Such time as a formal written complaint is filed with the EEO/HR Manager;
  - c. Such time as appropriate action must be taken to resolve the situation; or
  - d. In cases of sexual harassment, the complainant should be aware that confidentiality cannot be assured because of the legal obligation to take immediate and corrective action regardless of the employee's wishes (see California Exposition & State Fair Sexual Harassment Policy).
5. The right to a full, impartial, and prompt investigation by a trained departmental discrimination complaint investigator.
6. The right to appeal the Department's decision to the State Personnel Board (SPB).
7. The right to file complaints concurrently with the Equal Employment Opportunity Commission, the Department of Fair Employment and Housing, or other appropriate State and federal compliance agencies, or to file a civil action in the appropriate court.
8. The right to appeal to the SPB if the employee has not received a response from Cal Expo within 180 days from the date they filed their complaint.

**16.11.6 DISCRIMINATION COMPLAINTS**

**16.11.6.1 INFORMAL COMPLAINTS**

If an employee believes that a policy violation has occurred he or she should (unless he or she is filing a formal complaint) make an informal report of the violation to his or her supervisor, any other Cal Expo supervisor or manager, and/or the EEO/HR Manager. The individual to whom the violation is reported will take immediate steps to assist the employee in resolving the immediate need, to prevent any further violations, and to ensure appropriate consequences for the violation(s).

**Note:** Although it may be helpful, an employee is not required to confront the person(s) engaged in the conduct believed to violate this policy at any time before or after filing a complaint.

**16.11.6.2 FORMAL COMPLAINTS**

If an employee is not satisfied with the results of the informal process or chooses to bypass the informal process, a formal discrimination complaint must be filed in writing with or by calling the EEO/HR Manager (916-263-3029).

No employee is required to contact his or her direct supervisor to report conduct believed to be in violation of this policy. An individual seeking to report a violation of this policy may utilize any of the above listed options.

**16.11.7 EMPLOYEE ASSISTANCE PROGRAM**

The Employee Assistance Program (EAP) is available to all employees. The EAP offers valuable assistance in dealing with issues related to discrimination, inappropriate conduct, sexual harassment, personal issues, etc., that might adversely impact their work and personal lives. Interested employees should contact the EAP at (866) 327-4762; TDD 800-327-0801.

**16.11.8 POLICY IMPLEMENTATION**

This policy is effective immediately. It will be available on Cal Expo's website and Intranet, bulletin boards, from supervisors and managers, and from the Personnel Office.

The Personnel Office will provide a copy of the policy to each new employee at the time he or she completes employment documents.

Supervisors and managers are to provide a copy to each employee annually and review the policy with staff regularly throughout the year.

Questions regarding this policy should be directed to the EEO/HR Manager in the Personnel Office, 916-263-3029. (Adopted by the Board of Directors on October 31, 2008).

## **SECTION**

### **17.0 GENERAL MANAGER**

#### **17.1 EMPLOYMENT PRACTICES**

Board policy regarding the General Manager/CEO is as follows:

- The General Manager/CEO is hired by a majority vote of the full Board of Directors. As it is an exempt position, many civil service rules do not apply. The General Manager/CEO serves at the pleasure of the Board. The General Manager/CEO is charged with the responsibility of operating Cal Expo. The Board shall set policy that offers guidelines for that operation, leaving the actual day-to-day decisions to the General Manager/CEO.
- Any Board concerns that may arise regarding the General Manager/CEO should be directed to the Chair. The Chair in a timely manner shall contact the General Manager/CEO so that those concerns may be addressed as part of an ongoing program of management evaluation and improvement.
- In January, the General Manager/CEO will present to the Executive Committee a set of proposed goals for the coming year. These goals will be presented in final form to the full Board in January.
- Also in January, the Board will review the General Manager's/CEO's performance during the previous year, based upon the established criteria, to determine salary. All salary adjustments must fall within the system developed by and receive the approval of the State Personnel Board and Department of Personnel Administration.

#### **17.2 GENERAL MANAGER'S RESPONSIBILITIES**

The General Manager/CEO will:

- Represent Cal Expo at meetings and functions, as requested by the Board.
- Stay well-informed on all organization matters.
- Express his/her opinion at Board meetings on all matters impacting Cal Expo.
- Keep minutes of all Board Meetings and handle Board correspondence.
- Present the Board with sufficient information for its use in making policy decisions.
- Place the good of Cal Expo before that of personal or professional gain.

- Act in accordance with the Policy Manual.
- Abide by the majority decision of the Board.
- Act as an ambassador for Cal Expo, and project a positive image of Cal Expo.
- Work within the framework of the budget approved by the Board, being mindful at all times of approved levels of expenditure and diligent in reminding the Board of the impact their decisions may have on the financial soundness of Cal Expo.
- Manage the affairs of Cal Expo.
- To ensure staff responsibility that they will take the Fair Political Practices Commission (FPPC) and Ethics training.
- All Directors and General Manager/CEO shall comply with a California law that requires state officials to complete an Ethics training course upon appointment and every two years thereafter. Directors shall take the test within 60 days of being newly appointed to the Board and every two years thereafter. A certificate of completion shall be submitted to the General Manager/CEO and noticed at the following Board meeting. The online Ethics training course is available at <http://www.ag.ca.gov/ethics>. (Adopted by the Board of Directors on January 30, 2009).

## SECTION

### 18.0 DIRECTORS

The governing body of the California Exposition & State Fair is an 11-member Board of Directors. The Board serves as the policy-making body. The Board's authority and responsibility for the year-round management and operation of the facilities and programs is outlined in the Food & Agricultural Code § 3301-3334.

AUTHORITY: Food & Agricultural Code, § 3312 (Amended by: Ch. 8 of 1986, AB 2581 – N. Waters); (Created/Amended by: Ch. 1148 of 1980)

APPOINTING POWER: Governor, with Senate confirmation; Senate Rules Committee; Speaker of the Assembly

NUMBER: 11 Members

Governor

5 – Shall be knowledgeable in production, processing or marketing of agricultural products

3 – With knowledge/interest/expertise in one or more of the following; fair management city/county government, horseracing, arts, exhibiting, media, education, youth, commerce & commercial products of the state, agriculture production and forest industries, entertainment, livestock & poultry, sports, recreation, fisheries, oceanography, organized labor and finance & banking

Senate Rules Committee

1 – Public member

1 – Same as Gov. above, with knowledge/interest/expertise  
Speaker of Assembly

1 – Same as Gov. above, with knowledge/interest/expertise

Ex Officio (nonvoting member)

The four members of the Legislature who represent the Assembly, Senate, Chair and Vice Chair Joint Fairs Committee district in which the California Exposition & State Fair facilities are located

QUALIFICATIONS:

TERM: 4 years – terms ending 12/31, with vacancies filled for remainder of term

COMPENSATION: Necessary expenses

PURPOSE: Serves as the policymaking body and has full responsibility for the year-round management and operation of all facilities of the California Exposition & State Fair; provides for an annual fair in Sacramento County of the industries and industrial products of the state and commercial products exported and imported through the ports of the state; submits a report to the Legislature and Governor with respect to the financial condition, present operations, and future planned activities of the California Exposition & State Fair; develops a policy which provides managerial and fiscal responsibility and works towards a goal of fiscal independence from state General Fund support

COMMENT: The Members of the Legislature shall meet with and, except as otherwise provided by the Constitution, advise the Board to the extent that such advisory participation is not incompatible with their duties as Members of the Legislature.

Meets once approximately 10 times a year at Cal Expo.

## **18.1 DIRECTORS RESPONSIBILITIES**

Directors are responsible for:

- Attending all meetings and other functions of the Board.
- Staying well informed on Board matters.
- Expressing opinions at Board meetings concerning policy matters discussed by the Board.
- Refraining from making decisions that impact management's areas of responsibility.
- Placing the good of Cal Expo before that of personal or professional gain.
- Acting in accordance with the Policy Manual.
- Abiding by the majority decision of the Board.
- Assisting management with raising money for Cal Expo.
- Acting as an ambassador for Cal Expo, and projecting a positive image of Cal Expo.
- Upon appointment, Fair Political Practices Commission (FPPC) and Ethics training.
- All Directors and General Manager/CEO shall comply with a California law that requires state officials to complete an Ethics Training course upon appointment and every two years

thereafter. Directors shall take the test within 60 days of being newly appointed to the Board and every two years thereafter. A certificate of completion shall be submitted to the General Manager/CEO and noticed at the following Board meeting. The online Ethics training course is available at <http://www.ag.ca.gov/ethics>. (Adopted by the Board of Directors on January 30, 2009).

- Approving an annual budget that is workable for Cal Expo, staying informed on the levels of expenditure contained in it and always concerned with the impact their decisions may have on the financial soundness of Cal Expo.

## **18.2 VIOLATION OF GOVERNMENT CODE**

Any apparent violation of the Government Code by Directors will be investigated by the appropriate authority.

## **18.3 RESIGNATION**

### **18.3.1 EFFECTIVE DATE OF A DIRECTOR'S RESIGNATION**

The Governor's Appointment Office considers a Director as resigned when action is taken by them upon receipt of a written notice from the Director or the Chair, acting under the direction of the Board.

## **18.4 BADGES/CREDENTIALS**

### **18.4.1 DIRECTORS' BADGES**

Each Director will be issued one "Directors Badge" to be used only by the Director.

### **18.4.2 GUEST BADGES**

Each Director will be issued "Guest Badges". Guest badges may be issued to Fair guests only by the Directors, the General Manager/CEO, or an authorized designee.

Each Director will be responsible for describing the privileges of the guest badge to his/her guests, as described below:

- Gate admission for the badge holder and his/her party of up to two (2) guests.
- Monorail admission.
- Turf Club admission.
- Guests may be invited to keep the badge as a souvenir.

**18.4.3 LIFE-TIME CREDENTIALS**

Past Directors will receive a life-time credential. The Board of Directors, by majority vote, or the General Manager/CEO, may also honor an individual for outstanding achievement with a lifetime credential.

**18.4.4 USE OF FAIRGROUND'S FACILITIES FOR DIRECTORS**

Directors are entitled to utilize the fairground's facilities for personal use on the basis of covering all (out of pocket) direct and indirect expenses of Cal Expo.

Personal use defined:

- All not for profit activities of the immediate family (example: family receptions, private parties, etc.).
- Public booked events will take precedence over Director events.

**APPENDIX A**

*THE STATE AGENCY ACT GOVERNMENT CODE §11120 - §11132*

*§11120. POLICY STATEMENT - REQUIREMENT FOR OPEN MEETINGS*

It is the public policy of this State that public agencies exist to aid in the conduct of the people's business and the proceedings of public agencies is conducted openly so that the public may remain informed.

In enacting this article the Legislature finds and declares that it is the intent of the law that actions of State agencies be taken openly and that their deliberation be conducted openly.

The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

This article shall be known and may be cited as the Bagley-Keene Open Meeting Act.

A copy of the State Agency Act Government Code §11120 - §11132 is on file in Cal Expo's office.