

CALIFORNIA STATE PARK and RECREATION COMMISSION

MEETING CONDUCTED VIA TELECONFERENCE

Teleconference Location: California State Parks Russian River District Office
25831 Steelhead Boulevard
Duncans Mills, California

Minutes of the Meeting - Monday, September 13, 2010

COMMISSIONERS PRESENT AT THE TELECONFERENCE LOCATION

Caryl Hart, CHAIR

COMMISSIONERS PARTICIPATING VIA TELECONFERENCE AS PERMITTED BY CALIFORNIA GOVERNMENT CODE SECTION 11123

Linda Briskman

Lindy DeKoven

Maureen Gorsen

Alice Huffman

K. Maurice Johannessen

William "Bill" Kogerman

Mario Santoyo

Paul Junger Witt, *acting as chair for the purposes of conducting an election of officers*

CALIFORNIA STATE PARKS STAFF

Ruth Coleman, DIRECTOR

Ann Malcolm, CHIEF COUNSEL

Louis Nastro, ASSISTANT TO THE STATE PARK AND RECREATION COMMISSION

Roy Stearns, DEPUTY DIRECTOR, COMMUNICATIONS

SPEAKERS REGISTERED/REPRESENTING

None

AGENDA ITEM 1:

CALL TO ORDER

Legal notice having been given, this meeting of the California State Park and Recreation Commission was called to order at 1:06 p.m. by Commission Chair Caryl Hart. Chair Hart called the roll of the commissioners and introduced the California State Parks staff who were present. Commissioners at each of the teleconference locations reported that no members of the public were present.

AGENDA ITEM 2:

REPORT OF THE COMMISSION EXECUTIVE COMMITTEE AND ELECTION OF COMMISSION OFFICERS

Chair Hart explained that at the Commission's August 17th, 2010 meeting in Cambria, the commissioners voted to conduct a teleconference meeting for the election of officers on the earliest date possible. The Chair further explained that at the Commission's May 12th, 2010 meeting in Fresno she appointed Commissioners Maureen Gorsen and Paul Witt to serve on the Commission Executive Committee, which is responsible for nominating candidates for Commission chair and vice chair.

Chair Hart then introduced Commissioner Paul Witt to explain the activities and recommendations of the Executive Committee and to act as chair during the election process.

Acting Chair Witt expressed his admiration for Commissioner Maureen Gorsen, who had endured considerable physical hardship over the past several weeks. Acting Chair Witt thanked Commissioner Gorsen for her efforts and noted that the entire Commission owed Commissioner Gorsen a great debt of gratitude for her dedication to the committee and the Commission.

Acting Chair Witt then briefly explained the process by which the Executive Committee arrived at its recommendations. The Commissioner explained that in addition to criteria developed by the committee members, commissioners had submitted comments and suggestions which were incorporated into the process. Acting Chair Witt added that the committee considered their process and criteria to be a “work in progress,” and he suggested that the Commission establish a new committee to formalize the process for election of officers once the current election had taken place. Acting Chair Witt announced the committee’s recommendation for officers as Caryl Hart for chair and Mario Santoyo for vice chair.

Executive Committee members Maureen Gorsen and Paul Witt also each provided a brief explanation of the process by which they arrived at their recommendation.

Chair Caryl Hart reiterated that given she would be a candidate for chair she wished to have Commissioner Paul Witt continue to act as chair throughout the election process.

Acting Chair Witt asked for a motion to adopt the recommendations of the Executive Committee.

Commissioner Bill Kogerman called for a point of order, noting that prior to accepting and voting on the candidates as recommended by the committee the Commission should accept nominations from the floor.

A discussion took place during which Commissioner Alice Huffman, Commissioner Bill Kogerman, and State Parks Chief Counsel Ann Malcolm conducted a dialogue regarding the appropriate criteria for consideration of a candidate for office and the process for accepting nominations from the floor. Commissioner Bill Kogerman made a nomination from the floor of himself for chair and Alice Huffman for vice chair, after which it was stated that nominations were now closed.

Acting Chair Paul Witt announced that he would conduct an election by calling for a separate vote for each candidate rather than assuming commissioners would prefer to adopt a single “slate” of one chair and vice chair over the other. Acting Chair Witt recognized Commissioner Bill Kogerman, who addressed the Commission.

Commissioner Bill Kogerman described what he believed should be the criteria for selecting Commission officers, including his concern that the two candidates recommended by the committee may not be able to serve an entire year in office. The Commissioner explained that this was his reason for suggesting himself and Commissioner Alice Huffman as chair and vice chair.

Commissioner Mario Santoyo explained his support for Caryl Hart as chair.

Commissioner Alice Huffman asked staff to clarify whether or not the commissioners should be concerned about candidates that may have expiring or unconfirmed appointments.

California State Parks Director Ruth Coleman replied that she had spoken with the governor’s appointments secretary, and that she had been informed that no assumptions should be made regarding confirmation of appointments. The Director also stated that the issue of whether or not commissioners with expiring appointments would continue to serve would be a matter for the next governor.

Commissioner Kogerman stated that he had spoken with the Director of Senate Rules & Appointments, and that he had been informed that no appointments would be confirmed before the end of 2010.

A discussion took place during which Chair Caryl Hart, Commissioner Kogerman, and Commissioner Huffman assessed the appropriateness of considering a commissioner’s appointment status when develop-

ing criteria for serving as a Commission officer.

Commissioner Alice Huffman called for a point of information. Commissioner Huffman asked staff to explain what would take place should the Commission elect a chair whose appointment expired in January of 2011. The Commissioner asked specifically if the vice chair could then serve as chair.

Acting Chair Paul Witt recognized Commissioner K. Maurice Johannessen. Commissioner Johannessen, who had previously served on the California senate, stated that the State Park and Recreation Commission was for the most part an advisory body, not a decision-making body, and that as such the Commission should not focus on matters such as the confirmation of individual members' appointments. Commissioner Johannessen noted that the commissioners should endeavor to work with the department director and the Commission chair to make their jobs easier.

Director Ruth Coleman noted that Commissioner Huffman's question had not been addressed. Chief Counsel Ann Malcolm responded. Ms. Malcolm stated that the Commission vice chair served as chair in the absence of the chair, and that it should follow that the vice chair could serve until a chair is elected.

Commissioner Linda Briskman stated that in her experience serving on many boards and commissions members often served as chair on a rotational basis. The Commissioner also suggested that as an alternative to holding an election the Commission consider allowing Caryl Hart to continue serving as chair until a time in 2011 that the matter of the expiration of appointments or lack of confirmation could be resolved.

Chief Counsel Ann Malcolm clarified that state law required election of a Commission chair, though that chair may "...serve as chairman for one year and until his successor is elected."

Commissioner Huffman, Ann Malcolm, and Chair Hart discussed the alternative of conducting an election at this time versus an election at a later date. Chair Hart suggested the election take place at this time.

Commissioner Huffman called the question on this debate.

Acting Chair Paul Witt asked if there was a motion to elect Caryl Hart as chair. Commissioner Maureen Gorsen moved that Commissioner Caryl Hart be elected chair. The motion was seconded by Commissioner Lindy DeKoven. Acting Chair Witt asked the Commission assistant to conduct a roll call vote.

Commissioner Huffman requested an explanation of what became of the nominations from the floor. Acting Chair Witt explained that a second vote would be conducted for the nominations from the floor should the first motion fail.

Commissioners Briskman, DeKoven, Gorsen, Hart, Johannessen, Santoyo, and Witt voted in favor of the motion to elect Commissioner Caryl Hart as chair. Commissioners Huffman and Kogerman voted against the motion. Acting Chair Witt announced that the motion passed with a vote of seven to two.

Acting Chair Witt asked if there was a motion to elect Commissioner Mario Santoyo as vice chair.

Commissioner Bill Kogerman called for a point of order and stated that he wished to nominate himself as vice chair. Acting Chair Witt explained that actions would proceed in the same manner as for the election for chair: Should the motion to elect Mario Santoyo as vice chair fail the Commission would then consider Commissioner Kogerman as vice chair.

Commissioner K. Maurice Johannessen moved that Commissioner Mario Santoyo be elected Commission vice chair. The motion was seconded by Commissioner Linda Briskman. Acting Chair Witt asked the Commission assistant to conduct a roll call vote.

Commissioners Briskman, DeKoven, Gorsen, Hart, Johannessen, Santoyo, and Witt voted in favor of the motion to elect Commissioner Mario Santoyo as vice chair. Commissioner Huffman abstained, and Commissioner Kogerman voted against the motion. Acting Chair Witt announced that the motion passed with a vote of seven to one, with one abstention.

Acting Chair Paul Witt announced that he was handing the gavel back to Chair Caryl Hart.

Chair Hart thanked Commissioners Gorsen and Witt for their efforts on the Executive Committee, and she thanked the commissioners for their vote of confidence in her as chair. The Chair added that it was her hope that the Commission could now focus its attention on working with Director Coleman and California State Parks staff to assist the department through the current difficult times.

Commissioner Bill Kogerman stated that the election was fair. He pledged to support the results of the election, and stated that he would continue to work aggressively for the Commission as he had in the past. Chair Hart thanked the Commissioner for his comments.

Commissioner Paul Witt suggested once again that Commissioner Linda Briskman's recommendation to form a committee to examine the process for election of officers should be given serious consideration.

Commissioner Alice Huffman moved that the Commission form such a committee. After confirming through legal counsel that it was appropriate to take such action at this meeting, Chair Caryl Hart asked for a second to the motion. The motion was seconded by Commissioner Linda Briskman. The commissioners voted unanimously to form a committee to examine the process for election of officers.

Chair Hart asked for volunteers from the Commission to serve on the ad-hoc elections committee. The Chair appointed Commissioners Linda Briskman, K. Maurice Johannessen, and Bill Kogerman to the committee. Chair Hart then asked Chief Counsel Ann Malcolm to confirm whether or not this three-member committee would be required to publicly notice its meetings. Ms. Malcolm stated that she would conduct research on the subject and communicate the results to the committee members.

Commissioner Linda Briskman suggested that the committee could meet during the Commission's upcoming trip to Crescent City. Commissioner Alice Huffman asked that any comments on the nomination and election process that had been previously provided to the Executive Committee be also provided to the ad-hoc Elections Committee.

Chair Hart asked if there were any other comments or questions from the Commission.

Commissioner Mario Santoyo expressed his thanks to his fellow commissioners for enduring a somewhat difficult process to conduct elections, and added that he would do his very best to serve the Commission.

Chair Hart stated that she believed the commissioners were in agreement that with the election over, the Commission could now focus on issues that were of the greatest importance to California State Parks.

**AGENDA ITEM 3:
PUBLIC COMMENT**

There were no members of the public present at the teleconference locations.

**AGENDA ITEM 7:
ADJOURNMENT**

Commissioner Alice Huffman made a motion to adjourn. Second Commissioner Witt. Chair Hart adjourned the meeting at 2:04 p.m.

ATTEST: These minutes were approved by the California State Park and Recreation Commission on October 8, 2010, at its duly-noticed public meeting in Crescent City, California.

By: _____ ORIGINAL SIGNED BY _____ Date: 10-8-10

Louis Nastro
Assistant to the Commission
For Ruth Coleman, Director
California Department of Parks and Recreation
Secretary to the Commission