

CALIFORNIA STATE PARK and RECREATION COMMISSION

MEETING CONDUCTED VIA TELECONFERENCE

Teleconference Location: Sonoma County Regional Parks Office
2300 County Center Drive, Room A120, Regional Parks Conference Room
Santa Rosa, California

Minutes of the Meeting - Tuesday, January 4, 2011

COMMISSIONERS PRESENT AT THE TELECONFERENCE LOCATION

Caryl Hart, CHAIR

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

Alice Huffman
K. Maurice Johannessen
William "Bill" Kogerman
Paul Junger Witt

CALIFORNIA STATE PARKS STAFF

Chet Bardo, SANTA CRUZ DISTRICT SUPERINTENDENT
Ruth Coleman, DIRECTOR
Jim Luscutoff, CHIEF, CONCESSIONS, RESERVATIONS AND FEES DIVISION
Ann Malcolm, CHIEF COUNSEL
Louis Nastro, ASSISTANT TO THE STATE PARK AND RECREATION COMMISSION
Karl Tallman, SANTA CRUZ MOUNTAINS SECTOR SUPERINTENDENT

SPEAKERS REGISTERED/REPRESENTING

Grace Anderson/Washoe Meadows Community
Mike Carr/United Camps, Conferences, and Retreats
Reed Holderman/Executive Director, Sempervirens Fund
Paul Ringgold/Peninsula Open Space Trust (POST)
Donald Stanton/Naturist Action Committee

CALL TO ORDER

Legal notice having been given, this meeting of the California State Park and Recreation Commission was called to order at 3:33 p.m. by Commission Chair Caryl Hart. Chair Hart called the roll of the commissioners and introduced the California State Parks staff and guests who were present at each teleconference location. Five members of the public were present at the Sacramento and Santa Rosa locations.

AGENDA ITEM 1:

CHAIR'S REPORT, COMMISSIONER REPORTS/COMMENTS, RECOGNITIONS

Chair Hart announced that Commissioner Lindy DeKoven had received an appointment to the California Film Commission and therefore had resigned her position on the State Park and Recreation Commission (as DeKoven was also a member of the Commission on the Status of Women). The Chair noted that all of the former members of the Commission who had recently resigned were greatly missed.

Chair Hart asked if any of the commissioners wished to make a report. There being no reports from

commissioners, the Chair introduced California State Parks Director Ruth Coleman to present her Director's Report.

**AGENDA ITEM 2:
DIRECTOR'S REPORT**

Director Ruth Coleman noted that as the Commission had met on December 10, 2010, less than 30 days previously, there was little new information to report. The Director then continued with updates on two recent items:

Inauguration of Governor Edmund G. Brown, Jr. – The Director described the event celebrating the inauguration of California Governor Edmund G. Brown Jr., which took place at the California State Railroad Museum on January 3rd, 2011. Director Coleman stated that the Governor had also hosted a private dinner at Governor's Mansion State Historic Park, and added that it was great to have these California State Park System units both recognized and utilized by the new Governor's office.

California State Parks Budget – Director Coleman noted that the Governor's proposed budget would be released on January 10, 2011, and that all state departments supported by the state's general fund would face significant reductions in their operating budgets. The Director promised to provide an update to the commissioners once budget news became available.

Director Coleman concluded her report. Commission Chair Caryl Hart asked if there were any comments or questions from commissioners.

Commissioner Alice Huffman stated that she had attended Governor Brown's inaugural event and that it had been quite unique and impressive; she complimented State Parks's staff on a job well done. The Commissioner noted that she particularly enjoyed that event attendees received fresh tangerines to take home. Director Coleman explained that the tangerines had been sourced from California Citrus State Historic Park, yet another California State Park System unit. The Director added that State Parks' staff had worked closely with Governor Brown's inaugural team to develop concepts for the event that would incorporate locally-grown and sustainable foods consistent with California State Parks' Healthy Food Initiative. Director Coleman noted that Governor Brown appeared quite pleased with the result. Commission Chair Caryl Hart added that she also had attended the very well organized inaugural event.

**AGENDA ITEM 3A:
DETERMINATION THAT THE PROPOSED CONCESSION CONTRACT
FOR GROUP CAMPGROUND OPERATION AND REPAIR WITHIN THE LITTLE BASIN
PROPERTY ACQUISITION ARE COMPATIBLE WITH THE UNIT CLASSIFICATION OF
BIG BASIN REDWOODS STATE PARK AND THE REQUIREMENTS OF
PUBLIC RESOURCES CODE SECTIONS 5001.9 AND 5080.03, IF APPLICABLE**

Director Ruth Coleman presented an outline of the Little Basin concession proposal to the Commission. The Director explained the time-sensitive nature of the action, as the state Public Works Board would be making a decision whether or not to authorize the purchase of the Little Basin property on January 14th – just 10 days hence. Director Coleman explained that the Public Works Board had required that a compatibility determination be made by the State Park and Recreation Commission prior to their consideration of the acquisition, prompting this teleconference meeting. She also explained that the acquisition of the Little Basin property represented a new paradigm for California State Parks, in that it permitted the State Park System to expand without creating an obligation for taxpayers. Director Coleman noted that the Peninsula Open Space Trust (POST) and Sempervirens Fund had acquired this property, which included ready-to-operate recreational facilities, from Hewlett-Packard Corporation, which had utilized the facility as a corporate retreat. She explained the property's relationship to Big Basin Redwoods State Park and the plans to incorporate the property into Big Basin, and she explained both the planned non-profit concession

operation and the stewardship fund that POST and Sempervirens Fund had established to provide operation and maintenance expenses for the facility. Director Coleman also explained the exhaustive process that had been employed by POST and Sempervirens Fund to ensure the quality of the operation and she praised this arrangement as a model that could be used to provide opportunities for park users – in this case a complete facility with campsites and cabins – without creating additional operating expenses. Director Coleman asked State Parks’ Concessions Chief Jim Luscutoff if he had anything to add.

Mr. Luscutoff added that it was important to note that this decision was being brought to the Commission because it involved over \$500 thousand in facility improvements planned by the concessionaire; he clarified that concession operations that included over \$500 thousand in improvements or in gross revenue required approval of the State Park and Recreation Commission to proceed.

Director Coleman asked the Commission’s Concessions, Reservations, and Fees Committee – Commissioner Bill Kogerman and Commissioner Paul Junger Witt – to provide their report on the proposal.

Commissioner Paul Junger Witt noted that the Committee had participated in an extensive briefing on the proposal with staff and added that the Committee enthusiastically endorsed the project, both in concept and as a new paradigm through which California State Parks could pursue creative partnerships and additions to the State Park System that were self-supporting. Commissioner Witt added that he was prepared to make a motion to adopt the proposal.

Commissioner Bill Kogerman stated that he agreed with Commissioner Witt. He added that while this was a new way of looking at things in that the Commission was being asked to make a compatibility determination for a property that was not owned by California State Parks, the proposal was fully compatible with the “state park” classification and received his full support.

Commissioner Maurice Johannessen noted that he was concerned about the process of making a determination related to a property that was not presently under state ownership. The Commissioner also asked for clarification of the source of the \$6.5 million that would be used to purchase the Little Basin property.

California State Parks Chief Counsel Ann Malcolm responded. Ms. Malcolm explained that State Parks’ legal office had fully evaluated the process being employed to make a determination in this action and had concluded that the process was legal. She added that while the process was unusual in that a request for a determination was being made for a facility on property that the state did not presently own, it was reasonable for the State Department of Finance to wish to ensure that the Little Basin facility could be operated as described before approving acquisition of the property. Ms. Malcolm asked State Parks’ Director Ruth Coleman to explain the source of the funding for the acquisition.

Director Coleman stated that the \$6.5 million Little Basin acquisition, if approved, would be funded through Proposition 84, The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006. Proposition 84 authorized \$5.388 billion in general obligation bonds to fund, among other concerns, natural resource protection, public access to natural resources, and state and local park improvements. The Director explained that the Little Basin property would be acquired at far less than fair market value as it had been appraised at as much as \$9 million, though this had been adjusted with the economy to approximately \$7.7 million. The Director also explained the considerable value the new property would contribute to Big Basin Redwoods State Park, and how acquisition of the Little Basin property would serve to prevent development of that property that could be incompatible with the neighboring park. Director Coleman added that the state Department of Finance had already approved the funding arrangements for the Little Basin acquisition, so that only the requested Commission action and approval of the actual acquisition by the State Public Works Board remained.

Commissioner Johannessen and Director Coleman discussed the plan by which facilities at Little Basin would be operated through a non-profit concessionaire. The Director explained how having a concession agreement ready to implement once the acquisition was final would save State Parks at least 18 months – the time it would ordinarily take to make the necessary arrangements for a concessionaire. Director

Coleman also explained the credentials of facility's concessionaire, United Camps, Conferences, and Retreats, and how this operator had been selected through a competitive process much like that employed by California State Parks. Concessions Chief Jim Luscutoff added that a contract to operate the concession had been prepared and would be finalized if the acquisition was approved. Chair Caryl Hart reminded the teleconference participants that representatives of United Camps, Conferences, and Retreats, Sempervirens Fund, and Peninsula Open Space Trust were present at the Santa Rosa teleconference site and could provide additional information if desired. Reed Holderman of Sempervirens fund provided a brief review of the process by which the project had arrived at its current status.

Commissioner Alice Huffman requested clarification of the action before the Commission.

Commissioner Paul Junger Witt made a motion as follows: The Concessions, Reservations, and Fees Committee recommends and moves that the Commission find that the Little Basin concession contract is consistent with the classification of Big Basin Redwoods State Park and that it enhances the recreational and educational experiences there. The motion was seconded by Commissioner Bill Kogerman.

Chair Hart requested clarification that the motion also included a statement of compatibility with the requirements of Public Resources Code Sections 5001.9 and 5080.03. Commissioner Witt responded that his motion was meant to include this statement, and Chief Counsel Ann Malcolm explained that Commissioner Witt's motion described the requirements of the relevant Public Resources Code sections rather than citing the actual code sections.

Chair Caryl Hart asked for comments from the commissioners.

Commissioner Alice Huffman commended the Commission's Concessions, Enterprise, and Fiscal Committee, State Parks' staff, Peninsula Open Space Trust and Sempervirens Fund for their innovative approach to this project. The Commissioner stated that she completely supported the proposal and added that it was her hope that such creative thinking could lead to further expansion of the State Park System without increased operating costs.

Chair Hart noted that the representatives of United Camps, Conferences, and Retreats, Sempervirens Fund, and Peninsula Open Space Trust who were present at the Santa Rosa teleconference location had expressed their appreciation of Commissioner Huffman's comments. The Chair then asked if there were any additional comments from staff. There were none. The Chair then asked if there were any public comments on this agenda item. There were none.

Chair Hart then conducted a roll call vote on the motion before the Commission. The commissioners voted unanimously to find that the Little Basin concession contract was consistent with the classification of Big Basin Redwoods State Park and that it enhanced the recreational and educational experiences there.

Reed Holderman of Sempervirens Fund thanked the commissioners for their support for this project, and its innovative approach to park operation.

Chair Caryl Hart thanked the representatives of United Camps, Conferences, and Retreats, Sempervirens Fund, and Peninsula Open Space Trust and added that she looked forward to camping at Little Basin.

AGENDA ITEM 3B:

COMPATIBILITY AND OTHER DETERMINATIONS TO ENABLE CALIFORNIA STATE PARKS TO ADVERTISE FOR BID A CONCESSION CONTRACT TO OPERATE VEHICLE DAY USE FEE COLLECTION MACHINES AT VARIOUS PARKING LOTS IN THE CALIFORNIA STATE PARKS SAN DIEGO COAST DISTRICT IN ACCORDANCE WITH PUBLIC RESOURCES CODE SECTIONS 5080.03 AND 5080.20

Commission Chair Caryl Hart introduced this agenda item, noting that the commissioners had received a staff report on the item as well as a recommendation to approve it from the Commission's Concessions, Enterprise and Fiscal Committee. The Chair asked if the commissioners would like to hear a presentation

from staff on this item or if they would prefer to entertain a motion to adopt the item.

Commissioner Alice Huffman noted that she preferred to consider a motion.

Commissioner Bill Kogerman made a motion stating that the Commission's Concessions, Enterprise, and Fiscal Committee recommended that the Commission find that the proposed method to collect fees is compatible with the relevant park unit's purpose and classification and that such collection is consistent with the provisions of Public Resources Code Sections 5080.03 and 5080.20, and that the Commission therefore approve the recommended action to advertise for bid a concession contract to operate vehicle day use fee collection machines at various parking lots in State Parks' San Diego Coast District. The motion was seconded by Commissioner Paul Junger Witt.

Chair Caryl Hart asked if there were any comments from commissioners. There were none. The Chair then asked for public comment on this item. There were no comments from the public.

Chair Hart conducted a roll call vote on the motion. The commissioners voted unanimously to find that the method proposed to collect parking fees was compatible with the relevant park units' purpose and classification and that such collection is consistent with the provisions of Public Resources Code Sections 5080.03 and 5080.20, and the Commission thereby approved the recommended action to advertise for bid a concession contract to operate vehicle day use fee collection machines at various parking lots in park units of State Parks' San Diego Coast District.

Commissioner Bill Kogerman noted that the Commission would like to see a review of this new parking fee program as soon as possible, as similar programs could be employed at many other locations throughout the state. Chair Caryl Hart stated that she was particularly interested in how this new method of collecting day use parking fees could be employed in Sonoma County parks.

**AGENDA ITEM 4:
OPEN PUBLIC COMMENT**

Chair Hart introduced this agenda item by noting that each of the commissioners had received a copy of a letter from the Naturist Action Committee dated January 3rd, 2011, adding that the Naturist Action Committee had requested that this letter be made part of the official record of this day's meeting. The Chair then called the first speaker who had requested to speak during open public comment:

Donald Stanton, representing the Naturist Action Committee, regarding his organization's request that the Commission schedule a hearing for consideration of the matter of designating areas in California State Parks for clothing optional use.

The Chair noted that there were no other members of the public with her at the Santa Rosa teleconference location and asked if there were members of the public who wished to speak at other locations. One speaker was in Sacramento:

Grace Anderson, representing the Washoe Meadows community, regarding the numerous organizations that had submitted comments on the draft environmental impact report (EIR) for the Upper Truckee River restoration project and relocation of the Lake Tahoe golf course. These included comments opposing "Alternative 2," the proposal to develop a new nine-hole golf course in Washoe Meadows State Park, questions related to the adequacy of the project's EIR, a request that the project's EIR be recirculated, and a request that a comprehensive general plan be developed for Washoe Meadows State Park.

Chair Hart thanked the speakers for attending the meeting and making comments. The Chair asked if there would be any discussion from commissioners on the comments.

Commissioner Alice Huffman noted that the subjects of both clothing optional use of State Parks and the golf course project at Washoe Meadows had been raised by speakers at past Commission meetings. The Commissioner asked if staff would be addressing these matters.

Director Ruth Coleman replied that the environmental impact report for the Washoe Meadows State Park project was currently in its formal public comment period, and that once the public comment period had closed State Parks would be responding to comments received. The Director added that at some time in the future this project would be brought to the Commission for consideration.

The Director explained that the question of designating clothing optional use of State Park System units was a user conflict issue, and as such the department's Field Operations Division was working to determine what alternatives could be available, what legal obstacles exist, and what costs could be involved in addressing the matter. Director Coleman emphasized that staff were working to understand the issues relating to clothing optional use and attempting to work cooperatively with clothing optional proponents.

Commissioner Huffman asked if State Parks would respond to the request that had been made for a public hearing on the clothing optional issue.

State Parks Chief Counsel Ann Malcolm explained that the issue of designating clothing optional areas was a department operations issue rather than a matter for the Commission. Ms. Malcolm added that if the commissioners wished to take action on the matter of designating clothing optional areas at park units their actions would be limited to the development of a general policy for the guidance of the Director as permitted by statute, and that staff believed at this time that there was not enough information available to make a recommendation to the Commission regarding the development of such a policy. She stated that staff recommended that the Commission take no action at this time in order to allow the department to better evaluate the alternatives and develop a plan. Ms. Malcolm added that once a plan had been developed the matter would be brought to the Commission if appropriate.

Commission Chair Caryl Hart stated that she appreciated the effort that had been made by constituents to make the commissioners and State Parks aware of their position on designating clothing optional areas in state parks. The Chair added that State Parks staff was working on this matter and that she would like to receive updates on the progress of this work at future Commission meetings.

Director Coleman stated that she would provide updates on the clothing optional matter during her Director's Reports at subsequent Commission meetings.

Donald Stanton of the Naturist Action Committee stated that his organization was available to answer questions and work cooperatively with State Parks staff to address the matter of clothing optional use.

There being no further comments from the public, commissioners, or staff, Chair Hart closed Open Public Comment and asked for a motion to adjourn.

**AGENDA ITEM 5:
ADJOURNMENT**

Commissioner Alice Huffman made a motion to adjourn. Second Commissioner Witt. Chair Hart adjourned the meeting at 4:21 p.m.

ATTEST: These minutes were approved by the California State Park and Recreation Commission on March 2, 2011, at its duly-noticed public meeting in San Jose, California.

By: _____ *ORIGINAL SIGNED BY* _____ Date: 3-2-11

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



Meeting of the
CALIFORNIA STATE PARK AND RECREATION COMMISSION
Via Teleconference as permitted by Government Code Section 11123
Teleconference location: Sonoma County Regional Parks Office
2300 County Center Drive, Room A120, Regional Parks Conference Room
Santa Rosa
Tuesday, January 4, 2011 - 3:30 p.m.

AGENDA OF THE MEETING

1. Chair's Report, Commissioner reports/comments, Recognitions
2. Director's Report
3. Public Hearing

Consideration and possible action on the following California State Parks concessions proposals:

- A. Determination that the proposed concession contract for group campground operation and repair within the Little Basin property acquisition are compatible with the unit classification of Big Basin Redwoods State Park and the requirements of Public Resources Code Sections 5001.9 and 5080.03, if applicable
 - B. Compatibility and other determinations to enable California State Parks to advertise for bid a concession contract to operate vehicle day use fee collection machines at various parking lots in the California State Parks San Diego Coast District in accordance with Public Resources Code Sections 5080.03 and 5080.20
4. Open Public Comment (on subjects other than the above agenda items)
 5. Adjourn

Copies of this agenda and the public notice of the meeting are available on the Internet at www.parks.ca.gov/default.asp?page_id=936