



County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS PARKS, OPEN SPACE, AND CULTURAL SERVICES DIVISION

979 17TH AVENUE, SANTA CRUZ, CA 95062

(831) 454-7901 FAX: (831) 454-7940 TDD: (831) 454-7978

JOHN J. PRESLEIGH
INTERIM DIRECTOR

PARKS AND RECREATION COMMISSION AGENDA

Monday, November 19, 2012 7:00 p.m. Regular Meeting	Simpkins Family Swim Center 979 17th Avenue Santa Cruz, CA 95062
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I. CALL TO ORDER / ROLL CALL

II. AGENDA MODIFICATIONS OR LATE ADDITIONS

III. CONSENT AGENDA

- A. Minutes from June 18, 2012 (Approve) Page 1
- B. Information and Reports (Accept and File)
 - 1. Maintenance Section – Status Report Pages 2-3
 - 2. Facilities Section – Status Report Page 4-5
 - 3. Planning Section – Status Report..... Handout
 - 4. Recreation Section – Status Report Handout

ORAL COMMUNICATIONS

Opportunity for persons to address the Commission on matters which are within the scope of responsibility of the Commission but not on today's agenda. Presentations must not exceed three (3) minutes in length, and individuals may speak only once during Oral Communications.

IV. DIRECTOR'S REPORT

V. REGULAR AGENDA

A. ACTION ITEMS (Pages 6-23)

- 1. Approve 2013 Parks Commission Meeting Schedule.
- 2. Consider nominations to the non-profit Supporters & Helper of Arts, Recreation, and Parks (SHARP).

B. INFORMATION ITEMS (Pages 24-40)

- 1. South County Parks – Review and discussion of existing facilities and General Plan and Zoning Designations for Parks and Open Space.
- 2. Status of State parks closures.

VII. WRITTEN CORRESPONDENCE LISTING

VIII. ADJOURNMENT



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JOHN J. PRESLEIGH
DIRECTOR OF PUBLIC WORKS

PARKS & RECREATION COMMISSION Minutes of June 18, 2012, 7:00 p.m. meeting 979 17th Avenue, Room B Santa Cruz, California

I. ROLL CALL

Present: Jim Lang, Katharine Minott, Steven Bennett, Michael Rosenberg

Staff: Betsey Lynberg, Bob Olson, Melissa Henderson

Excused Absence:

Unexcused Absence: Dave Mercer

II. AGENDA MODIFICATIONS: None

III. CONSENT AGENDA

Approved Minutes from May 21, 2012, meeting.

Motion/Second: Minott/Bennett

AYES: 4
NOES: 0
ABSTAIN: 0
ABSENT: 1

IV. REGULAR AGENDA

INFORMATION ITEMS

1. Presentation on Brown Act given by Chris Cheleden, Assistant County Counsel.
2. Update provided on Supporters & Helper of Arts, Recreation, and Parks (SHARP), with direction by Commissioner Minott to return at next meeting with nominations for SHARPS members.
3. Discussion of parks and park site designations in south County, with direction from Commission that staff provide a list of existing parks and identify possible available land for future park sites in south County at the next meeting.

ACTION ITEMS

Approved placement of a plaque in Pleasure Point Park marking the dedication of the Santa Cruz World Surfing Reserve.

Motion/Second: Rosenberg/Minott

AYES: 4
NOES: 0
ABSTAIN: 0
ABSENT: 1

V. ADJOURNMENT: The meeting was adjourned at 9:53 p.m.



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JOHN J. PRESLEIGH
DIRECTOR OF PUBLIC WORKS

DATE: NOVEMBER 14, 2012

TO: PARKS & RECREATION COMMISSION
ARTS COMMISSION

FROM: GRETCHEN ILIFF, MAINTENANCE DIVISION

SUBJECT: STATUS REPORT ON CURRENT PROJECTS

PARKS, BUILDING, AND GROUNDS MAINTENANCE

NORTH COUNTY PARKS (Highlands, Ben Lomond, Felton Covered Bridge, Probation, Michael Gray Field, Quail Hollow Ranch and the North Coast)

- ❖ New memorial benches were installed at 12th Avenue beach and Winkle Farm Park.
- ❖ The group picnic area at Highlands Park was rebuilt by staff. A large oak tree fell on the deck and the tables in May. Staff was able to repair the tables and install some base rock material to re- create a group picnic area near the playground.

MID-COUNTY PARKS (Government Center, Emeline Complex, Twin Lakes, Brommer, Felt, Floral, Coffee Lane, Soquel Lyons, Jose Avenue, Winkle Farm, Willowbrook Lane, Moran Lake, Maplethorpe, Santa Cruz Gardens, Mid-County beach access areas)

- ❖ Staff worked in conjunction with the Sheriff's Office to removed dumped trash and vacant homeless camps near the Emeline Complex. The site has been an area of illegal camping and dumping.
- ❖ Staff began turf renovation of the south lawn at the Governmental Center on Ocean Street.
- ❖ Staff reinstalled several memorial benches and picnic tables along East Cliff Parkway. They had been removed for construction and have now been returned.

SOUTH COUNTY PARKS (Polo Grounds, Valencia Hall, Hidden Beach, Seascape, Aptos Village, South County Beach access areas, Scott Park, Scott Estate, Aldridge Lane, Mesa Village, Pinto Lake, Freedom Government Annex)

- ❖ Staff installed a weather based irrigation control system at the Polo Grounds Park. The new system adjusts irrigation run times based on an on-site weather station. Additionally, the irrigation system will shut itself off in high flow (water main breaks) situations.
- ❖ Staff has begun turf renovations at the smaller parks this month.

SIMPKINS FAMILY SWIM CENTER

- ❖ The Variable Frequency drive controls were added to the Simpkins pool pumps this month. This allows for reduced flows and energy savings during non-operational hours.
- ❖ Staff received Swimming Pool Operator certification, blood borne pathogens training, and one staff was certified to test backflow devices.



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JOHN J. PRESLEIGH
DIRECTOR OF PUBLIC WORKS

DATE: November 14, 2012
TO: Parks & Recreation Commission, Arts Commission
FROM: Gretchen Iliff, Facilities Management Division
RE: Status Report on Current Projects

Summary for reservations in the Parks for the months of May through October 2012, (excluding SFSC):

Attendance at Reserved Facilities:

Another very busy season has taken place in the area of facility rentals and special event administration. The public continues to enjoy the resources available within the County Parks system. There were hundreds of picnics, meetings, weddings, special events and athletic field rentals. Staff estimates that over 250,000 park visitors attended events in reserved facilities between the months of May through October.

Center and Meeting Room Rentals in May through October 2012:

During this time period there were 115 weddings, receptions and events held at our various Park Centers with rental revenues totaling \$98,000. The season was extremely successful, thanks to the hard work by the Facilities office staff, on-site Park Services Officers, and Parks Maintenance staff. There were also 150 meeting room rentals totaling \$4,750.

Picnic Rentals in May through October 2012:

There were 260 picnics in the reservable picnic areas with rental revenues totaling \$31,850. Non-profit organizations and some local businesses scheduled approximately 50 of these picnics (about 20%).

Athletic Fields:

Sports season has been in full swing and baseball, and soccer seasons have been very successful in serving thousands of county residents, both youth and adult. The Facilities section works with approximately 25 youth and adult leagues annually, and rental revenues continue to be an important source of revenue for County Parks. Rental revenues totaled \$95,850 during these six months.

Commemorative Tree, Bench and Picnic Table Program:

The East Cliff Parkway Project has neared completion, which included the installation of 15 benches and 7 picnic tables between Pleasure Point Park and 41st Avenue (the Hook). Improvements to the area have been enjoyed by the community at large, and families have had a very special opportunity to commemorate their loved ones along this unique, scenic path.

Dog Station Sponsorship Program:

County Parks staff implemented the Dog Station Sponsorship Program, allowing community members to sponsor a dog station in an effort to continue to provide access to free dog waste bags at County Parks and designated beach areas. The annual sponsorship is \$400.00 and covers costs to maintain and supply one box for one year. The sponsoring person or organization will receive recognition on the dog station.

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Special Events:

The public at large, as well as non-profit organizations, have benefited from the wide variety of special events in County Parks. The month of May hosted the **SLV Chili Cook Off** (Glen Arbor School) and **Felton Remembers** (Felton Business Association) at Felton Covered Bridge Park, as well as the annual **Blues Fest** at Aptos Park. June races at Aptos Park included the **Nisene Marks Run** (Santa Cruz Host Lions) and the **Women's 5-Miler** (Santa Cruz Track Club). In July, the **4th of July Celebration** (Aptos Chamber of Commerce) and **CA Beer Festival** (Gen Giammanco Foundation) took place at Aptos Park, along with the **White Hawk Dancers** at Pinto Lake County Park and **HHH Ultimate Frisbee tournament** (Ultimate Players Association) at Highlands Park. August events included the **Jim Walters Memorial Tournament** (SV Boosters) at Highlands Park, and the **Nisene Marks Run** (Finish Line Productions) at Aptos Park. September hosted the delectable **Grazing on the Green** (SC Cancer Benefit Group) at Aptos Park, **Walk to End Alzheimers** (Alzheimer's Assoc. of SC County) at Seascaper Park, **SLV Fellowship Picnic** at Felton Covered Bridge Park, and **Coastal Clean Up Day** (CA Coastal Commission/ Save Our Shores) in countywide beaches and rivers. October events included the **Ben Lomond Firefighter's Association Celebration** at Ben Lomond Park and **Surf City AIDS Ride** (Santa Cruz AIDS Project) at the Government Center.



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PARKS & RECREATION COMMISSION MEETINGS

PARKS DEPARTMENT OFFICES
979 17TH AVENUE, SANTA CRUZ

Proposed YEAR 2013 Schedule

MONDAY	February 11, 2013	7:00 p.m. to 9:00 p.m.
MONDAY	April 15, 2013	7:00 p.m. to 9:00 p.m.
MONDAY	June 10, 2013	7:00 p.m. to 9:00 p.m.
MONDAY	August 19, 2013	7:00 p.m. to 9:00 p.m.
MONDAY	October 21, 2013	7:00 p.m. to 9:00 p.m.
MONDAY	December 16, 2013	7:00 p.m. to 9:00 p.m.

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JOHN J. PRESLEIGH
DIRECTOR OF PUBLIC WORKS

November 15, 2012

SUBJECT: APPOINTMENT OF BOARD MEMBERS TO THE NON-PROFIT
SUPPORTERS AND HELPERS OF ARTS, PARKS AND RECREATION
(SHARP)

Members of the Parks and Recreation Commission:

As your Commission may recall, Supporters and Helpers of Arts, Parks and Recreation (SHARP) is a non-profit organization which helps to further park and recreation services by linking community donors and County Parks. For example, throughout 2012 SHARP provided 36 different scholarships to local area youth for swimming lessons, summer camps, renaissance camp, and pool junior guards.

Article III of the SHARP by-laws (attached) states that the board of directors shall consist of at least five (5) but no more than fifteen (15) directors, and that directors shall be appointed by the Parks and Recreation Commission. Currently the SHARP board of directors consists of the following three members:

President – Kate Minott
Treasurer – Kirk Adams
Secretary – Martel Douglas.

It is recommended that Commissioners present nominations for members of the SHARP board of directors and approve appointments of nominees.

Yours truly,

JOHN J. PRESLEIGH
Director of Public Works

By:


Betsey Lynberg
Assistant Public Works Director-Parks Division

BAL:mh

Attachment

SHARP nom.doc

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BY-LAWS OF
SUPPORTERS AND HELPERS OF ARTS, RECREATION AND PARKS
A California Non-Profit Corporation

ARTICLE I. OFFICES.

1.01. Principal Offices. The principal offices of the corporation for the transaction of its business is located in Santa Cruz County, California.

1.02. Change of Address. The Board of Directors may by resolution designate the specific address for the principal office of the corporation in Santa Cruz County.

1.03. Other Offices. The corporation may also have offices at such other places, within or without the State of California, where it is qualified to do business, as its business may require and as the Board of Directors may from time to time designate.

ARTICLE II. MEMBERS.

2.01. Determination of Members. The corporation shall make no provision for members except, however, pursuant to Section 5310 of the Corporations Code of the State of California, for the purpose of any statutory provision or rule of law relating to non-profit corporations, the persons constituting its Board of Directors shall be considered the members of the corporation and shall exercise all of the rights and powers of members.

ARTICLE III. DIRECTORS.

3.01. Number. The board of directors shall consist of at least five (5) but no more than fifteen (15) directors until changed by amendment to these bylaws. The exact number of

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directors shall be fixed, within those limits, by a resolution adopted by the board.

3.02. Selection of Directors. The directors shall be appointed by the Parks and Recreation Commission, a commission of the County of Santa Cruz.

3.03. Term of Office.

(a) Each director shall hold offices for a term of three (3) years, beginning July 1 and expiring on June 30, three years later; provided, that if upon expiration of such term a successor has not yet been selected and qualified, then the director shall continue in office until a successor has been selected and qualified.

(b) The terms of the various directors shall be staggered, so that, to the maximum extent possible, an equal number of directors' terms expire each year. The initial directors shall classify themselves by lot, and shall so assign one-, two-, and three-year terms, so as to provide for staggered terms.

3.03. Vacancies.

(a) Vacancies on the Board of Directors shall exist on the death or resignation of any director and whenever the number of authorized directors is increased.

(b) The Board of Directors may declare vacant the office of a director if he or she is declared of unsound mind by an order of court, or, if within sixty (60) days after notice of his or her selection to fill a vacancy, he or she does not accept the office either in writing or by attending a meeting of the Board of Directors.

(c) All vacancies shall be filled in the same manner as provided for the original selection of directors.

(d) A person selected to fill a vacancy in an office for which a term has already been established shall hold office until the expiration of that term. A person selected to fill a vacancy in a newly created position shall hold office until the expiration of the term provided for that position.

3.05. Powers. The directors shall exercise the powers of the corporation, control its property, and conduct its affairs, except as otherwise prohibited by law.

3.06. Duties. It shall be the duty of the directors to:

(a) Perform any and all duties imposed on them collectively or individually by law, by the Articles of Incorporation of this corporation, or by these By-Laws;

(b) Appoint and remove, employ and discharge, and except as otherwise provided in these By-Laws, prescribe the duties and fix the compensation, if any, of all officers, agents and employees of the corporation;

(c) Supervise all officers, agents and employees of the corporation to assure their duties are performed properly;

(d) Meet at such times and places as required by these By-Laws;

(e) Register their address with the Secretary of the corporation, and notice of meetings mailed or telegraphed to them at such addresses shall be valid notices thereof.

3.07. Place of Meeting. Meetings shall be held at the principal office of the corporation unless otherwise provided by the Board or at such place within or without the State of California that has been designated from time to time by resolution of the Board of Directors. In absence of such designation, meetings shall be held at the principal office of the corporation, provided that

any such meeting held elsewhere shall be valid if held on the written consent of all Directors given either before or after the meeting and filed with the secretary of the corporation.

3.08. Regular and Annual Meetings.

(a) Regular meetings of the Directors shall be held on such day, at such time and place as the Board may specify by resolution.

(b) The annual meeting of Directors shall be held on such day, at such time and place, as the Directors shall specify by resolution. At the annual meeting, the Directors shall conduct such business as may be appropriate or as may be required by law.

3.09. Special Meetings. Special meetings of the Board of Directors may be called by the President, or, if he or she is absent or is unable or refuses to act, by the First Vice-President or by any two Directors, and such meetings shall be held at the place, within or without the State of California, designated by the person or persons calling the meeting, or in the absence of such designation, at the principal office of the corporation.

3.10. Notice of Meetings. The secretary of the corporation or other person designated by the President, shall deliver notice of the time and place of meetings of the Board of Directors to each Director personally or by telegram at least three (3) days or by United States mail at least seven (7) days prior to the day of the meeting, except that notice of all regular meetings of the Directors other than the annual meeting is hereby dispensed with, and except as otherwise provided in these By-laws or under law. If sent by mail or telegram, the notice shall be deemed to be delivered on its deposit in the United States mail or on its delivery to the telegraph company. Such notice shall be addressed to each Director at his or her address as shown on the books of the corporation. If the address of a Director is not so shown and is not readily

ascertainable, the notice shall be addressed to him or her at the city of place in which the meetings of the Directors are regularly held. Notice of time and place of holding of an adjourned meeting need not be given to absent Directors if the time and place are fixed at the meeting adjourned.

3.11. Contents of Notice. Notices of meetings, when required herein, shall specify the place, day, and hour of the meeting and the general nature of the business to be transacted.

3.12. Waiver of Notice and Consent to Hold Meetings. The transactions of any meeting of the Board, however called and noticed and wherever held, are as valid as though the meeting had been duly held after proper call and notice, provided a quorum as hereinafter defined is present and provided that either before or after the meeting each Director not present signs a waiver of notice, a consent to holding the meeting, or an approval of the minute thereof. All such waivers, consents or approvals shall be filed with the corporate records or made part of the minutes of the meetings.

3.13. Quorum of Meetings.

(a) A quorum shall consist of a majority of the currently filled positions on the Board of Directors.

(b) Except as otherwise provided in these By-laws or in the Articles of Incorporation, or by law, no business shall be considered by the Board at any meeting at which a quorum, as herein defined, is not present, and the only motion which the Chair shall entertain at such a meeting is a motion to adjourn. However, a majority of Directors present at such meeting may adjourn from time to time until the term fixed for the next regular meeting of the board.

(c) When a meeting is adjourned for lack of a quorum, it shall not be necessary to give any notice of the time and place of the adjourned meeting or of the business to be transacted at the adjourned meeting.

(d) The Directors present at a duly called and held meeting at which a quorum is initially present may continue to do business notwithstanding the loss of a quorum at the meeting due to a withdrawal of Directors from the meeting.

3.14. Conduct of Meetings.

(a) Meetings of the Board of Directors shall be presided over by the President of the corporation or, in his or her absence, by the First Vice-President of the corporation, or in the absence of both, by a chairman chosen by a majority of the Directors present at the meeting. The secretary of the corporation shall act as secretary of all meetings of the Board, provided that in his or her absence, the presiding officer shall appoint another person to act as secretary of the meeting.

(b) Meetings shall be governed by Robert's Rule of Order as such rules may be revised from time to time, insofar as such rules are not inconsistent with or conflict with these By-laws, with the Articles of Incorporation of this corporation, or with the law.

3.15. Majority Action as Board Action. Every act or decision done or made by a majority of the Directors present at a meeting duly held at which a quorum is present is the act of the Board of Directors, unless the law, the Articles of Incorporation of the corporation, or these By-laws require a greater number.

3.16. Action by Unanimous Written Consent Without Meeting. Any action required or permitted to be taken by the Board of Directors under any provision of law may be taken without a meeting, if all members of the Board shall consent in writing to such action. Such action by written consent shall be filed with the minutes of the proceedings of the Board. Such written consent or consents shall have the same force and effect as the unanimous vote of the Directors. Any certificate or other documents filed under and provision of law which relates to action so taken shall state that the action was taken by unanimous written consent of the Board of Directors without a meeting and that the Articles of Incorporation and the By-laws of this corporation authorize the Directors to so act, and such statement shall be prima facie evidence of such authority.

3.17. Compensation. Directors shall serve without compensation, except that, subject to approval of the Board of Directors, they may be allowed reasonable advancement or reimbursement for expenses incurred in the performance of their regular duties as specified in paragraph 3.06. For purposes of this paragraph, approval by the Board of Directors means approval by a vote of at least three Directors; not including the Director to be paid. As used herein "extraordinary duties" refers to the performance of duties not specified in paragraph 3.06 which are performed in furtherance of the primary purposes and powers of this corporation.

3.18. Non-Liability of Directors. The Directors shall not be personally liable for any debts, liabilities, or other obligations of the corporation.

ARTICLE IV. OFFICERS.

4.01. Number of Officers. The officers of the corporation shall be a President, a First Vice-President, a Second Vice-President, a Secretary, and a Treasurer. The corporation may also

have, as determined by the Board of Directors, one or more additional Vice Presidents, Assistant Secretaries, Assistant Treasurers, or other such officers.

4.02. Qualification, Election, and Term of Office. Any person may serve as an officer of this corporation. Officers shall be elected by the Board of Directors, at any time, and each officer shall hold office until he or she resigns or is removed or is otherwise disqualified to serve or until his or her successor shall be elected and qualified, whichever occurs first.

4.03. Subordinate Officers. The Board of Directors may appoint such other officers or agents as it may deem desirable, and such officers shall serve such terms, have such authority, and perform such duties as may be prescribed to them from time to time by the Board of Directors.

4.04. Removal and Resignation. Any officer may be removed, either with or without cause, by the Board of Directors, at any time. Any officer may resign at any time by giving written notice to the Board of Directors or to the President or Secretary of the corporation. Any such resignation shall take effect at the date of the receipt of such notice or at any later date specified therein, and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. The above provision of this section shall be superseded by any conflicting terms of a contract which has been approved or ratified by the Board of Directors relating to the employment of any officer of the corporation.

4.05. Vacancies. Any vacancy in the office of any officer shall be filled by the Board of Directors. A vacancy in any office other than that of the President may be filled temporarily by appointment by the President until such time as the Board shall fill the vacancy. Vacancies

occurring in the offices of officers appointed at the discretion of the Board may or may not be filled as the Board shall determine.

4.06. Duties of President. The president shall be the chief executive officer of the corporation and shall, subject to the control of the Board of Directors, supervise and control the affairs of the corporation. He or she shall perform all duties incident to his or her office and such other duties as may be required by law, by the Articles of Incorporation of this corporation or by these By-laws, or which may be prescribed from time to time by the Board of Directors. He or she shall preside at all meetings of the Board of Directors and, if applicable, of the members of the corporation. Except as otherwise expressly provided by law, by the Articles of Incorporation, or by these By-laws, he or she shall, in the same of the corporation, execute any deeds, mortgages, bonds, contracts, checks, or other instruments which may from time to time be authorized by the Board of Directors.

4.07. Duties of the First Vice-President. In the absence of the President, or in event of his or her inability or refusal to act, the First Vice-President shall perform all the duties of the President, and when so acting shall have all the powers of, subject to all the restrictions on, the President. The First Vice-President shall have other such powers and perform other duties as may be prescribed by law, by the Articles of Incorporation, or by these By-laws, or as may be prescribed by the Board of Directors.

4.08. Duties of the Second Vice-President. The Second Vice-President shall have such powers and duties as are incident to the office of this corporation and such other duties as may be required by law, by the Articles of Incorporation of this corporation, or by these By-laws, or which may be assigned to him or her from time to time by the Board of Directors.

4.09. Duties of Secretary. The Secretary shall:

(a) Certify and keep at the principal office of the corporation the original or a copy of these By-laws as amended or otherwise altered to date;

(b) Keep at the principal office of the corporation or at such other place as the Board may determine, a book of minutes of all meetings of the Directors, recording therein the time and place of meetings held, whether the meeting was regular or special, the names of those present at the meeting, and the proceedings thereof, and for special meetings, how the meeting was called and how notice thereof was given.

(c) See that all notices are duly given in accordance with the provisions of these By-laws or as prescribed by law.

(d) Be custodian of records and of the seal of the corporation and see that the seal is affixed to duly executed documents whenever necessary or appropriate.

(e) Keep at the principal office of the corporation a membership book containing the name and address of every member, if any, and, in the case where any membership has been terminated he or she shall record such fact in the membership book together with the date on which such membership ceased.

(f) Exhibit at all reasonable times to any Director of the corporation, or to his or her agent or attorney, on request thereof, the By-laws, the membership book, and the minutes of the proceedings of the Directors of the corporation.

(g) In general, perform all duties incident to the office of Secretary and such other duties as may be required by law, by the Articles of Incorporation of this corporation, or by these By-laws, or which may be assigned to him or her from time to time by the Board of Directors.

4.10. Duties of Treasurer. Subject to the provisions of Article IV of these By-laws, the Treasurer shall:

(a) Have charge and custody of, and be responsible for, all funds and securities of the corporation, and deposit all such funds in the name of the corporation in such banks, trust companies, or other depositories as shall be selected by the Board of Directors.

(b) Receive, and give receipt for, monies due and payable to the corporation from any source whatsoever.

(c) Disburse or cause to be disbursed the funds of the corporation as may be directed by the Board of Directors, taking proper vouchers for such disbursements.

(d) Keep and maintain adequate and correct accounts of the corporation's properties and business transactions, including accounts of its assets, liabilities, receipts, disbursements, gains and losses.

(e) Exhibit at all reasonable times the books of account and financial records to any Director of the corporation, or to his or her agent or attorney, on request thereof.

(f) Render to the President and Directors, whenever requested, an account of any or all of his or her transactions as Treasurer and of the financial condition of the corporation.

(g) Prepare, or cause to be prepared, and certify, or cause to be certified, the financial statements to be included in any required reports.

(h) In general, perform all duties incident to the office of Treasurer and such other duties as may be required by law, by the Articles of Incorporation, by these By-laws, or which may be assigned to him or her from time to time by the Board of Directors.

4.11. Compensation. The officers of this Corporation shall serve without salaries.

ARTICLE V. COMMITTEES.

5.01. Executive Committees. The Board of Directors may by a majority vote of its members, designate two (2) or more of its members to constitute the Executive Committee and delegate to such Committee any of the powers and authority of the corporation, except the power to adopt, amend, or repeal the By-laws, provided that such delegation of authority shall not operate to relieve the Board of Directors or any individual Director of any responsibility imposed on it or him or her by law, by the Articles of Incorporation of this corporation, or by these By-laws. By a majority vote of its members, the Board may at any time revoke or modify any or all of the authority so delegated, increase or decrease, but not below two (2), the number of the Executive Committee's members, and fill vacancies therein from the members of the Board. The Committee shall establish rules and regulations for its meetings and meet at such times as it deems necessary, provided that a reasonable notice of all meetings of the Committee shall be given to its members, and no act of the Committee shall be valid unless approved by a vote or written consent of a majority of its members. The Committee shall keep regular minutes of its proceedings and report the same to the Board from time to time as the Board may require.

5.02. Standing and Ad Hoc Committees. The corporation shall have such Standing and Ad Hoc Committees as may from time to time be designated by resolution of the Board of Directors.

ARTICLE VI. EXECUTION OF INSTRUMENTS, DEPOSITS AND FUNDS.

6.01. Execution of Instruments. The Board of Directors, except as otherwise provided in these By-laws, may by resolution authorize any officer or agent of the corporation to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances. Unless so authorized, no officer, agent, or employee shall have any power or authority to bind the corporation by any contract or engagement or to pledge its credit or to render it liable monetarily for any purpose or in any amount.

6.02. Checks and Notes. Except as otherwise specifically determined by resolution of the Board of Directors, or as otherwise required by law, checks, drafts, promissory notes, orders for the payment of money, and other evidence of indebtedness of the corporation shall be signed by the Treasurer and countersigned by the President of the corporation.

6.03. Deposits. All funds of the corporation shall be deposited from time to time to the credit of the corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

6.04. Gifts. The Board of Directors may accept on behalf of the corporation any contribution, gift, bequest, or devise for the general purposes or any specific purpose of the corporation.

ARTICLE VII. CORPORATE RECORDS, REPORTS, AND SEAL.

7.01. Minutes of Meetings. The corporation shall keep at its principal office, or at any such other place as the Board of Directors may order, a book of minutes of all meetings of

Directors and a book of minutes of all meetings of Directors and a book of all meetings of members, if any. The minutes shall indicate the time and place of holding the meeting, whether the meeting is regular or special, the names of those present, and the proceedings thereof; and, if for a special meeting, the minutes shall show how the meeting was called and notice given.

7.02. Books of Account. The corporation shall keep and maintain adequate and correct accounts of its properties and business transactions, including accounts of its assets, liabilities, receipts, disbursements, gains, and losses.

7.03. Inspection by Directors. Every Director shall have the absolute right at any reasonable time to inspect all books, records, documents of every kind, and physical properties of the corporation.

7.04. Corporate Seal. The Board of Directors may adopt, use, and at will alter, a corporate seal. Such seal shall be affixed to any corporate instruments, whenever necessary or appropriate, but failure to affix it shall not affect the validity of any such instrument.

ARTICLE VIII. FISCAL YEAR.

8.01. Fiscal Year of the Corporation. The Board of Directors shall adopt by resolution a fiscal year for the corporation, which may be a calendar year or any other year.

ARTICLE IX. BY-LAWS.

9.01 Amendment. These By-laws may, from time to time and at any time, be amended or repealed, and new or additional bylaws adopted, by approval of the board, provided, however, that such bylaws may not contain any provision in conflict with law or with the Articles and,

provided further, that section 3.02 providing for the selection of directors may be amended or repealed only with the consent of the commission entitled to appoint the directors.

ARTICLE X. AMENDMENT OF ARTICLES.

10.01. Amendment of Articles Before Selection of Directors. Before any Directors have been selected, the Articles of Incorporation may be amended by a writing signed by the sole incorporation.

10.02 Amendment of Articles After Selection of Directors. After Directors of the corporation have been selected, the Articles of Incorporation may be amended in the manner provided by law. In this regard, reference is made to the California Corporations Code, Section 5810, et. seq., and in particular Section 5812.

ARTICLE XI. PROHIBITION AGAINST SHARING CORPORATE PROFITS AND ASSETS.

11.01. Prohibition Against Sharing Corporate Profits and Assets. No member, Director, officer, employee, or other person connected with this corporation, or any private individual, shall receive at any time any of the net earnings or pecuniary profit from the operations of the corporation, provided, however, that this provision shall not prevent payment to any such person of reasonable compensation for services performed for the corporation in effecting any of its purposes as shall be affixed by resolution of the Board of Directors; and no such person or persons shall be entitled to share in the distribution of, and shall not receive, any of the corporate assets on dissolution of the corporation. All members, if any, of the corporations shall be deemed to have expressly consented and agreed that on such dissolution or winding up of the affairs of the corporation, whether voluntarily or involuntarily, the assets of the corporation, after all debts

have been satisfied, then remaining in the hands of the Board of Directors shall be distributed as required by the Articles of Incorporation of this corporation and not otherwise.

ARTICLE XII. INDEMNIFICATION OF CORPORATE AGENTS.

12.01. Indemnification. The corporation shall indemnify each agent of the corporation against any loss, claim, liability or demand arising out of or in connection with such person's service as an agent of this corporation under the circumstances and to the extent allowed by law. As used in this section, "agent" means any person who is or was a Director, officer, employee or other agent of the corporation. With respect to indemnification allowed by law, reference is made to California Corporations Code Section 5238, as that section now exists or may hereafter be amended.

CERTIFICATE OF SECRETARY

OF

I hereby certify that I am the fully elected and acting Secretary of the above-mentioned corporation and that the foregoing By-laws consisting of 19 pages, constitute the By-laws of this corporation as duly adopted at a meeting of the Board of Directors thereof held on _____, 20____.

DATED: _____, 20____

SECRETARY



County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS PARKS, OPEN SPACE & CULTURAL SERVICES DIVISION

979 17TH AVENUE, SANTA CRUZ, CA 95062

(831) 454-7901 FAX: (831) 454-7940 TDD: (831) 454-7978

JOHN PRESLEIGH
DIRECTOR OF PUBLIC WORKS

November 15, 2012

SUBJECT: SOUTH COUNTY PARKS UPDATE

Members of the Parks and Recreation Commission:

On June 18, 2012, your Commission directed staff to provide a list of existing parks and identify possible available land for future park sites in the south county area. Parks staff has been working with County GIS to refine the park inventory data for south county. This report includes an update on this project. Information will include a power point presentation on the existing south county parks by park dedication district. The presentation will include a facility inventory for each park and the proposed projects within each park dedication district and funding program. The presentation will also include the methodology on how park dedication funds are calculated for each of the park dedication districts.

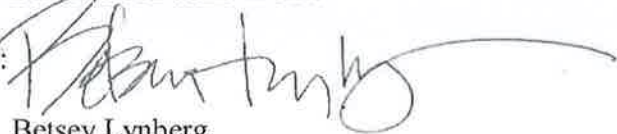
Parks staff and County GIS have refined the zoning designation map of the south county area to include a better definition of other reference points, and labeling areas of interest. During the initial research it became clear to Parks staff that the south county area contains vast areas designated as open space. Many of these areas are utilized for agriculture and contain water bodies. County GIS has performed a specific search for land that has been given a "D" designation or park site designation, in the south county area. The search for the "D" designation has come up with a few scattered sites located next to Hidden Beach, Aptos High School, and The Forest of Nisene Marks State Park.

The initial research has led us to believe that the most prudent way to move forward would be to initiate a needs and facility assessment in the south county area for which the methodology and identification of necessary resources to complete an assessment has yet to be determined. The needs and facility assessment would provide information on where the south county area stands on park acreage, what the demand is for recreational activities, and what type and where facilities are needed.

Once a needs and facility assessment is complete, the search could begin for potential park acreage in the right locations, that could ultimately be assigned a "D" park site designation through amending the County General Plan and zoning. Parks staff recommends the next step would be to create the scope and methodology of initiating a needs assessment and facility inventory and estimate the cost for funding the project. The next task would then be to secure the necessary funding.

Yours truly,
JOHN J. PRESLEIGH
Director of Public Works

By:



Betsey Lynberg
Assistant Public Works Director – Parks Division



County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS PARKS, OPEN SPACE, AND CULTURAL SERVICES DIVISION

979 17TH AVENUE, SANTA CRUZ, CA 95062

(831) 454-7901 FAX: (831) 454-7940 TDD: (831) 454-7978

JOHN J. PRESLEIGH
DIRECTOR OF PUBLIC WORKS

November 15, 2012

SUBJECT: STATE PARKS CLOSURES UPDATE

Members of the Parks and Recreation Commission:

At the June 18, 2012, Commission meeting, staff was requested to return with an update on State park closures in Santa Cruz County. As your Commission is aware, as part of the State's budget proposal, State Parks had proposed closing 70 State parks in California. This list included three parks in Santa Cruz County: Castle Rock State Park, Twin Lakes State Beach, and Santa Cruz Mission. On September 25, 2012, Governor Brown signed into law AB 1478. This bill, among other things, prohibits the Department of Parks and Recreation from closing or proposing the closure of a State park in the 2012-13 and 2013-14 fiscal years. As the result of these actions, the three state parks proposed for closure remain open. Attached for your information are AB 1478 and two articles regarding State park closures.

Yours truly,

JOHN J. PRESLEIGH
Director of Public Works

By:


Betsey Lynberg
Assistant Public Works Director-Parks Division

BAL:mh

Attachments

state park closures.doc

Assembly Bill No. 1478

Passed the Assembly August 30, 2012

Chief Clerk of the Assembly

Passed the Senate August 30, 2012

Secretary of the Senate

This bill was received by the Governor this ____ day
of _____, 2012, at ____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 530 and 5010.7 of, and to add Sections 535.5, 541.5, and 541.6 to, the Public Resources Code, relating to public resources, and making an appropriation therefor, to take effect immediately, bill related to the budget.

LEGISLATIVE COUNSEL'S DIGEST

AB 1478, Blumenfield. State Parks: finances.

(1) Existing law establishes, in the Department of Parks and Recreation, the State Park and Recreation Commission consisting of 9 members appointed by the Governor, subject to confirmation by the Senate. Existing law requires the commission, among other things, to establish general policies for the guidance of the Director of Parks and Recreation in the administration, protection, and development of the state park system.

This bill would establish qualification criteria for the members of the commission, including requiring one member to have demonstrated expertise in cultural or historical resources management. The bill would require the Speaker of the Assembly and the Senate Committee on Rules to each appoint one ex officio legislative member. The bill would require the commission to evaluate and assess the department's deferred obligations. The bill would also authorize the commission to, among other things, conduct an annual workshop to review the department's annual operating budget and proposed capital improvement projects. The bill would appropriate \$120,000 annually in the 2012-13 and 2013-14 fiscal years from the State Parks and Recreation Fund to the commission to perform these activities. The bill would appropriate \$20,500,000 from the State Parks and Recreation Fund to the department for expenditure as specified. The bill would prohibit the department from closing or proposing the closure of a state park in the 2012-13 and 2013-14 fiscal years. The bill would also appropriate \$10,000,000 from the Safe Drinking Water, Water Quality and Water Supply, Flood Control, River and Coastal Protection Bond Act of 2006, to be expended as specified, including for purposes of capital outlay and support for capital outlay projects of a state park.

(2) Existing law requires the department to develop a revenue generation program as an essential component of a long-term sustainable park funding strategy. Existing law requires all revenues generated by the program to be deposited into the California State Park Enterprise Fund, as provided, and spent in a specified way, including allocating 40% of the total amount of revenues generated by a park district to that district, as specified. Existing law requires the department to provide an annual accounting to the Department of Finance and relevant legislative committees of the use of funds from a revolving loan program established by the department. Existing law requires the department to rank proposals and awards for loans based on specified criteria.

This bill would require the program revenue to be available for encumbrance and expenditure until June 30, 2014, and for liquidation until June 30, 2016. The bill would require the incremental revenue generated by the program to be deposited into the State Parks and Recreation Fund, and revenue identified as being in excess of revenue targets established by the department shall be transferred to the California State Park Enterprise Fund, as provided. Among other things, this bill would require that 50% of the total amount of revenues deposited into the California State Park Enterprise Fund generated by a park district be allocated to that district, as specified. This bill would require the department to provide the annual accounting to the Department of Finance and the relevant legislative committees of the use of the revolving loan funds in accordance with the purpose outlined in specified voter-approved bond acts. This bill would include capacity of a project to improve services, park experiences, or both, for park visitors as one of the criteria for ranking a proposal or award of a loan.

(3) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares the following:

(a) The failure of the Department of Parks and Recreation to accurately account for its revenues and its failure to disclose balances in special funds has had numerous negative consequences.

It has undermined public confidence in the department, it has threatened relationships with donors, local governments, and nonprofits that entered or are considering entering into agreements with the department to help keep parks open during this time of decreased General Fund support for the department, and it could make it more difficult to enter into revenue generation activities that depend on increased public support and visitation at California's state parks.

(b) It is the intent of the Legislature to ensure that the appropriate recommendations from all internal and independent audits and investigations are implemented in order to help restore public confidence in the department.

(c) It is further the intent of the Legislature to acknowledge that, despite the failure to disclose balances in special funds, the department is embarking on a new revenue generation program to help alleviate its decreased General Fund support. To that end, the revenues that were collected by the department but which were not disclosed should be used exclusively to help keep parks open and, where appropriate and necessary, to match moneys from third-party donors and partners that entered into agreements with the department to help keep one or more state parks open. These funds should be used to help establish a sustainable, long-term funding strategy. A preference for such funds should be established at parks where donors have contributed nonstate financial resources.

(d) The department has demonstrated that greater public and legislative oversight is necessary. Adjusting the membership of the State Park and Recreation Commission to provide opportunities for experienced and professional experts from qualified organizations with expertise and interest in improving the management and programming within the department is essential. It is equally important to add ex officio legislative members to the commission.

(e) It is further the intent of the Legislature to encourage formation of a multidisciplinary advisory council, including, but not limited to, members of the public, persons with park management expertise, representatives of nonprofit park organizations, and representatives of the private philanthropic community, to conduct an independent assessment and make recommendations to the Legislature and the Governor on future

management, planning, and funding proposals that will ensure the long-term sustainability of the state park system.

(f) It is further the intent of the Legislature that any funding in excess of current fund balances reported in the Governor's Budget within the Off-Highway Vehicle Trust Fund shall be spent according to current law.

SEC. 2. Section 530 of the Public Resources Code is amended to read:

530. (a) There is in the department the State Park and Recreation Commission. The members shall be selected as follows:

(1) Nine members, as follows, shall be appointed by the Governor, subject to confirmation by the Senate.

(A) Three members shall represent the public.

(B) One member shall have demonstrated expertise in cultural or historic resources management.

(C) One member shall have background as a parks professional with experience in local, regional, or national parks or may be a retired state parks employee from the department.

(D) One member shall represent nonprofit or other organizations with statewide policy expertise with the state park system or in operating one or more state parks through operating agreements or other arrangements.

(E) One member shall represent a statewide conservation organization with expertise in the administration or programs of the department.

(F) One member shall have a background in the recreational industry.

(G) One member shall represent a local business community that has significant and beneficial relationships with one or more state parks.

(2) The Speaker of the Assembly and the Senate Committee on Rules shall each appoint one ex officio legislative member.

(b) As appointments are made to the commission after the effective date of the act that amended this section during the 2011-12 Regular Session, the Governor shall ensure that appointments are made in conformance with this section.

(c) If a reference is made to the State Park Commission or Recreation Commission pertaining to a duty, power, purpose, responsibility, or jurisdiction of the State Park Commission or the

Recreation Commission, it shall be deemed to be a reference to and to mean the State Park and Recreation Commission.

(d) The commission chair may appoint committees composed of commission members and the duties of the committees shall include, but not be limited to, those duties set forth in Sections 539 and 540. Findings and recommendations of the committees shall be presented to the commission for consideration and action.

SEC. 3. Section 535.5 is added to the Public Resources Code, to read:

535.5. (a) The commission shall evaluate and assess the department's deferred maintenance obligations. After public notice and at a public hearing, following a presentation by the relevant district superintendent, it may consider the nature and extent, and establish the relative priority, of prospective deferred maintenance projects of the department.

(b) The commission may provide advice to the Governor, the Legislature, and the department on policies, projects, and other matters pertaining to parks, recreation, and public access affecting the state park system.

(c) The commission may conduct an annual workshop or series of workshops to review the department's annual operating budget and proposed capital improvement projects.

(d) The commission may make recommendations to improve visitor services and visitor satisfaction in parks, assess the progress and challenges with regard to the protection of natural, cultural, and historical resources within the state park system, and enhance revenue opportunities across the state park system.

(e) The commission may assist in promoting the state park system and parks and recreational facilities and programs.

(f) The sum of one hundred twenty thousands dollars (\$120,000) annually in the 2012–13 and 2013–14 fiscal years is hereby appropriated from the State Parks and Recreation Fund to the State Park and Recreation Commission for the purpose of funding those activities authorized under this section.

SEC. 4. Section 541.5 is added to the Public Resources Code, to read:

541.5. (a) The department shall not close, or propose to close, a state park in the 2012–13 or 2013–14 fiscal year. The commission and the department shall recommend all necessary steps to establish

a sustainable funding strategy for the department to the Legislature on or before January 1, 2015.

(b) There is hereby appropriated twenty million five hundred thousand dollars (\$20,500,000) to the department from the State Parks and Recreation Fund, which shall be available for encumbrance for the 2012–13 and 2013–14 fiscal years, to be expended as follows:

(1) Ten million dollars (\$10,000,000) shall be available to provide for matching funds pursuant to subdivision (c).

(2) Ten million dollars (\$10,000,000) shall be available for the department to direct funds to parks that remain at risk of closure or that will keep parks open during the 2012–13 and 2013–14 fiscal years. Priority may be given to parks subject to a donor or operating agreement or other contractual arrangement with the department.

(3) Up to five hundred thousand dollars (\$500,000) shall be available for the department to pay for ongoing audits and investigations as directed by the Joint Legislative Audit Committee, the office of the Attorney General, the Department of Finance, or other state agency.

(c) The department shall match on a dollar-for-dollar basis all financial contributions contributed by a donor pursuant to an agreement for the 2012–13 fiscal year for which the department received funds as of July 31, 2013, and for agreements entered into in the 2013–14 fiscal year. These matching funds shall be used exclusively in the park unit subject to those agreements.

(d) The department shall notify the Joint Legislative Budget Committee in writing not less than 30 days prior to the expenditure of funds under this section of the funding that shall be expended, the manner of the expenditure, and the recipient of the expenditure.

SEC. 5. Section 541.6 is added to the Public Resources Code, to read:

541.6. (a) There is hereby appropriated ten million dollars (\$10,000,000) from the Safe Drinking Water, Water Quality and Water Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001)) to be expended as follows:

(1) The amount appropriated in this item is available for expenditures for capital outlay and support for capital outlay projects of a state park.

(2) No commitment of funds from this item shall be authorized prior to 30 days after the Department of Parks and Recreation notifies the Joint Legislative Budget Committee and the Department of Finance of the projects to be funded from this section. No funds shall be expended for capital outlay projects without prior approval of the State Public Works Board.

(3) The amount appropriated in this section shall be available for expenditure until June 30, 2015.

SEC. 6. Section 5010.7 of the Public Resources Code is amended to read:

5010.7. (a) The department shall develop a revenue generation program as an essential component of a long-term sustainable park funding strategy. On or before October 1, 2012, the department shall assign a two-year revenue generation target to each district under the control of the department. The revenue target may be amended annually for subsequent years, beginning in the 2015–16 fiscal year. The department shall develop guidelines for districts to report the use of funds generated by the revenue generation program, and shall post information and copies of the reports on its Internet Web site.

(b) The California State Park Enterprise Fund is hereby created in the State Treasury as a working capital fund, and the revenue shall be available to the department upon appropriation by the Legislature, for the expenditures for the purposes specified in this section and shall be available for encumbrance and expenditure until June 30, 2014, and for liquidation until June 30, 2016.

(c) The incremental revenue generated by the revenue generation program developed pursuant to subdivision (a) shall be deposited into the State Parks and Recreation Fund. Revenue identified as being in excess of the revenue targets shall be transferred to the California State Park Enterprise Fund on or before June 1, annually.

(d) Moneys appropriated to the department pursuant to subdivision (b) and Section 5010.6 shall be expended as follows:

(1) (A) The department shall allocate 50 percent of the total amount of revenues deposited into the California State Park Enterprise Fund pursuant to subdivision (c), generated by a park district to that district if the amount of revenues generated exceeds the targeted revenue amount prescribed in the revenue generation program. The revenues to be allocated to a park district that fails to achieve the revenue target shall remain in the fund.

(B) With the approval of the director, each district shall use the funds it receives from the department from the revenue generation program to improve the parks in that district through revenue generation programs and projects and other activities that will assist in the district's revenue generation activities, and the programs, projects, and other activities shall be consistent with the mission and purpose of each unit and with the plan developed for the unit pursuant to subdivision (a) of Section 5002.2.

(2) The department shall use 50 percent of the funds deposited into the California State Park Enterprise Fund pursuant to subdivision (c) for the following purposes:

(A) To fund the capital costs of construction and installation of new revenue and fee collection equipment and technologies and other physical upgrades to existing state park system lands and facilities.

(B) For costs of restoration, rehabilitation, and improvement of the state park system and its natural, historical, and visitor-serving resources that enhance visitation and are designed to create opportunities to increase revenues.

(C) For costs to the department to implement the action plan required to be developed by the department pursuant to Section 5019.92 of the Public Resources Code.

(D) To establish a revolving loan program pursuant to subdivision (e).

(e) (1) The department shall establish a revolving loan program and prepare guidelines establishing a process for those districts that receive moneys under paragraph (1) of subdivision (d) to apply for funds that exceed the amount of funds provided to the districts pursuant to paragraph (1) of subdivision (d). It is the intent of the Legislature that the revolving loan program fund only those projects that will contribute to the success of the department's revenue generation program and the continual growth of the fund over time. Districts may apply for funds for capital projects, personnel, and operations that are consistent with this subdivision, including the costs of preparing an application. The department shall provide an annual accounting to the Department of Finance and the relevant legislative committees of the use of those funds in accordance with the purposes outlined in Proposition 40 (the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond Act of 2002 (Chapter 1.696 (commencing

with Section 5096.600) of Division 5) and Proposition 84 (the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001)), voter-approved bond acts.

(2) The guidelines prepared pursuant to paragraph (1) shall require that applications for funding include all of the following:

(A) A clear description of the proposed use of funds, including maps and other drawings, as applicable.

(B) A market analysis demonstrating demand for the project or service.

(C) The projected lifespan of the project, which must be at least 20 years for a proposed capital project.

(D) A projection of revenues, including the specific assumptions for annual income, fees, occupancy rates, pricing, and other relevant criteria upon which the projection is based.

(E) A projection of costs, including, but not limited to, design, planning, construction, operation, staff, maintenance, marketing, and information technology.

(F) The timeframe for implementation, including all necessary reviews and permitting.

(G) The projected net return on investment of the life of the project.

(H) Provisions providing for mandatory reporting on the project by districts to the department.

(f) The department shall rank all of the proposals and award loans for projects or other activities to districts based on the following criteria, as well as other considerations that the department considers relevant:

(1) Return on investment.

(2) Length of time for implementation.

(3) Length of time for the project debt to be retired.

(4) Percentage of total project costs paid by the district or by a source of matching funds.

(5) Annual operating costs.

(6) Capacity of project to improve services or park experiences, or both, for park visitors.

(g) The funds generated by the revenue generation program shall not be used by the department to expand the park system, unless there is significant revenue generation potential from such an expansion.

(h) Notwithstanding Section 5009, moneys received by the department from private contributions and other public funding sources may also be deposited into the California State Park Enterprise Fund for use for the purposes of subdivision (c) and subdivision (d).

(i) The department shall provide all relevant information on its Internet Web site concerning how the working capital funds are spent, including the guidelines and the department's ranking criteria for each funded loan agreement.

(j) A project agreement shall be negotiated between the department and a park unit and the total amount of requested project costs shall be allocated to the district as soon as is feasible when the agreement is finalized.

(k) The department may recoup its costs for implementing and administering the working capital from the fund.

SEC. 7. This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.

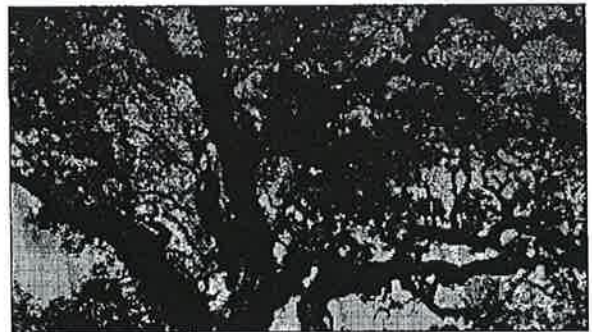


Influenced by Scandal, State Parks Legislation Lands on Governor's Desk

September 4, 2012, 5:59 pm • Posted by [Rachael Myrow](#)

Now that we're all back from Labor Day weekend and nursing sunburns, this seems like a good time to review two key bills related to the future of state parks: [AB 1589](#) and [AB 1478](#).

Bear in mind everything parks-related moving through Sacramento now references the summer scandal that exploded when the [Sacramento Bee](#) reported that the Parks Department kept millions of dollars off the books when they filed annual reports with the Department of Finance, giving the impression a big deficit existed when that was not actually the case. Parks director Ruth Coleman resigned as a result of the scandal.



Gazing into a beautiful oak tree at Henry Coe State Park. If we shake it, will money roll down? (Credit: KQED/Rachael Myrow)

AB 1589, by Assemblymember Jared Huffman (D-San Rafael), requires that the Department of Parks & Recreation develop an "action plan" for generating revenue, as well as for collecting unpaid user fees at state parks. A lot of people are anticipating, to offer one example, a [special-interest license plate](#).

AB 1589 also allows taxpayers to redirect portions of their tax refunds to the California State Parks Protection Fund in exchange for an annual state park day-use access pass. AB 1478, by Bob Bloomenfield (D-Woodland Hills) appropriates \$10 million from the fund for park maintenance projects and \$10 million as matching funds for private grants for parks.

AB 1478 is the more interesting bill for Bob Patrie of the Coe Park Preservation Fund. You may recall that organization wrangled a whopping \$1 million of private money to keep their beloved local park open another three years.

"AB1478 directly impacts our relationship with the DPR," Patrie writes. He notes that half of the unreported \$20.5 million in the State Parks and Recreation Fund will go towards the \$1 billion deferred maintenance backlog, "rather than being entirely spent on keeping the threatened 70 parks open - a bad idea. The smell of money in the water."

In late July, the Fund and its sister non-profit, the [Pine Ridge Association](#), issued a [press release](#) that more-or-less demanded the state not use the "found" money for purposes other than state parks...a temptation in these budget-strapped times.

"There is no doubt, that many of these funds were collected by the DPR from California citizens visiting and enjoying our beautiful state parks," writes Daniel McCranie, CPPF treasurer and board member (and also the guy who wrote the biggest check to keep Coe open.) "It is both logical and morally correct that these discovered funds be allocated to the department from which they were collected - the California State Parks."

AB 1478 also prohibits the Department of Parks and Recreation from closing or even proposing the closure of a state park until mid-2014.

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It takes a team to keep a state park like Henry Coe open. Ranger Cameron Bowers and non-profit advocate Bob Patrie (Credit: KQED/Rachael Myrow)

"For over a year, we were told that there was no alternative [to park closures]," Blumenfeld writes KQED. "We were told park closures were a necessary sacrifice as the state faces tough budget challenges. Californians responded by rallying to raise funds to keep them open. This inspiring accomplishment cannot be soiled by the isolated acts of rogue bureaucrats who concealed over \$50 million."

About that figure...could be more, could be less. Over the weekend, the Sacramento Bee's [Matthew Weiser](#) wrote that the figure most everybody is bandying about (\$54 million) ... may not be so correct.

About \$20 million was in the State Parks and Recreation Fund, as previously mentioned; the rest in "a dedicated pot of money known as

the Off Highway Vehicle Trust Fund."

Well, Finance Department chief deputy director Michael Cohen says his agency is no longer sure how much money was hidden in the OHV fund, and that answer will have to wait on three separate investigations by the attorney general, the state auditor and the Legislature. Those could take the rest of the year.

The OHV fund serves the state's eight parks dedicated to off-roaders, among other things. The OHV fund has routinely maintained a large balance. Parks officials have said this was to keep money in reserve to acquire land for new off-roading parks. "Yet the department has not opened a new off-roading park in 15 years," Reiser notes dryly.

Off-roading groups are understandably bitter about this state of affairs - not to mention the \$34 million - if that's what it is.

"Is that all?" asks John Stewart, a consultant for the California Association of Four Wheel Drive Clubs.

The Governor's office hasn't taken a position yet on either bill, or indicated whether he plans to sign one or both, sometime in September.

Related posts:

1. [What's Next for the \\$54 Million California State Parks Surplus?](#)
2. [The Private Solution for State Parks](#)
3. [Scandal Spurs Plan to Keep Closer Eye on State Parks Budget](#)
4. [State Parks Chief Resigns - Department Found Sitting on \\$54 Million Surplus](#)
5. [Two More State Parks Reprieved From Closure](#)

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Brown OKs state parks funding, prevents closures

Associated Press

Posted: 09/26/2012 06:01:04 AM PDT

Updated: 09/26/2012 06:01:21 AM PDT

SACRAMENTO -- Gov. Jerry Brown announced Tuesday that he had signed several bills to keep California's state parks open and ensure greater spending oversight after a scandal in which parks officials hid \$54 million.

Together, the bills establish a two-year moratorium on park closures, provide about \$30 million in funding and give the department that manages California's 278 state parks new fundraising tools.

AB1478 by Assemblyman Bob Blumenfield, D-Woodland Hills, splits \$30 million to help state parks at risk of closure stay open, complete overdue maintenance, and provide \$10 million to match donations from private groups and local governments.

Department of Parks and Recreation Director Ruth Coleman resigned and a senior parks official was terminated this summer after it was revealed that some employees kept \$54 million hidden in two special funds for more than a decade, even as dozens of parks were threatened with closure.

Brown's signature on the bills was a first step toward restoring public confidence in the management of parks, said Elizabeth Goldstein, president of the nonprofit California State Parks Foundation, which had rallied to save some of the sites. Nonprofit groups and local governments helped raise money and in some cases assumed responsibility for keeping the 70 state parks operating past a July 1 closure deadline.

Before the discovery of a \$20 million surplus in the Parks and Recreation Fund and nearly \$34

million in a separate off-highway vehicle fund, the Democratic governor had proposed closing 70 state parks to save \$33 million over two years.

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Among the sites slated to close were the Governor's and Leland Stanford mansions in Sacramento, the Antelope Valley Indian Museum, and the Del Norte Coast Redwoods State Park. The closings were to have spanned the state and include popular recreation spots near cities, such as China Camp State Park north of San Francisco, and isolated nature spots including Plumas-Eureka and South Yuba River state parks.

The new laws also give the State Park and Recreation Commission more authority to oversee the Department of Parks and Recreation.



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WRITTEN CORRESPONDENCE LISTING:

The Written Correspondence Listing is established to act as a report of materials received by the Commission as a whole, but may also include items requested for inclusion by individual Commissioners.

The Parks and Recreation Commission has received the following items of correspondence which require no official action by the Commission at this time:

1. Email from Lisa Sheridan for Friends of AJC Park dated November 8, 2012, regarding Pinto Lake disc golf course.
2. Email from Marion Morris dated October 16, 2012, in support of off-leash hours for the 20th Avenue beach area.
3. Email from Maryanne Rehberg dated October 3, 2012, regarding dogs on Live Oak beaches.
4. Letter from Hollye Hurst dated September 10, 2012, regarding dogs on Live Oak beaches.
5. Email from brignolo@pacbell.net dated August 30, 2012, regarding support of dogs off leash at 26th Avenue.
6. Email from David Steinbruner dated August 30, 2012, regarding dogs off leash at Corcoran Lagoon Beach and other beaches in the County of Santa Cruz.
7. Email from Connie Gardner dated August 24, 2012, regarding the need for field space to play with off-leash dogs in our county.
8. Email from Giancarlo Brignolo dated August 23, 2012, regarding off leash hours for dogs at the Live Oak beach.
9. Email from Connie Gardner dated August 16, 2012, regarding off leash access to certain areas of the regional parks in our county.
10. Copy of letter dated August 16, 2012, to Bill and Brigid Simpkins from the County of Santa Cruz Department of Public Works, Parks, Open Space, and Cultural Services Division thanking them for their community swim donation.
11. Letter and report dated June 30, 2012, submitted on behalf of Friends of Anna Jean Cummings Park regarding Pinto Lake disc golf course concerns.
12. Letter from Robert Malbon dated June 22, 2012, regarding dogs on Santa Cruz County beaches.
13. Email from Catherine Larrick dated June 20, 2012, in support of funding the easement for a public trail linking Cabrillo College and the western entrance of the Forest of Nisene Marks State Park.