

# Attachment B

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# MONTEREY COUNTY PARKS COMMISSION

Trackview Pavilion, Laguna Seca Recreation Area,  
1025 Monterey-Salinas Highway 68, Salinas, CA,  
February 4, 2016  
3:00 PM - 5:00 PM

## *DRAFT* MINUTES

### I. CALL TO ORDER AND ROLL CALL

The meeting was called to order by Chair Joe Hertlein at 3:00 p.m. There was a full quorum.

<u>Commissioners Present</u>	<u>Commissioners Absent</u>	<u>Staff</u>	<u>Guests</u>
Joe Hertlein, Chair Ruben Zurita Ken Husby	Roger Soell Brian Contreras	Mark Mariscal Lavonne Chin John Akeman Susan Rosales-Nava	Michael Whilden

### II. APPROVAL OF MINUTES – January 7, 2016

Commissioner Joe Hertlein made a motion to approve the January 7, 2016 meeting minutes after minor additions/corrections are made: Commissioner Ken Husby requested that the Parks Commission review the contract for Jacks Peak. His concern is that Jacks Peak contract includes an outreach requirement by Regional Parks to ensure Jacks Peak remains a Monterey County Park and not a Peninsula Park. The public needs to be aware of that and invited to participate in Park activities.

Commissioner Ken Husby moved to approve the minutes and Commissioner Zurita seconded and they were unanimously approved.

### III. PUBLIC COMMENT

Jay Donato mentioned having extra agendas printed for the public's benefit

### IV. ACTION TOPICS

#### 1. **Temporary suspension of County Ordinance 14.12.120.A for Cub Scout Day Camps at both Toro Park and San Lorenzo Park.**

Parks Director Mark Mariscal requested that Commissioners not take action on this item today. Special Events Manager Lavonne Chin will speak about the issue and representatives from Boy Scouts of America are present to speak on this program. Director Mariscal reported that as staff was putting this report together there was a staff misinterpretation of understanding the adjustment to the ordinance. He would like for the committee to hear what is being requested so that if the specific issue at Toro Park can be worked out he will come back to the Parks Committee to report what the request is before attempting to bring it before the Board of Supervisors.

Special Events Manager, Lavonne Chin reported that the Cub Scouts program holds a two day camp: four weeks each, one at Toro Park and the other at San Lorenzo Park. She mentioned that a portion of the program for this age group of boys is the shooting of bb guns and learning archery. She mentioned in the past the Cub Scout program used the

parks but staff noticed the ordinance mentions, no weapons. She also mentioned having a meeting with the Boy Scouts representative to try to offer a solution. They agreed for temporary use of the range at Laguna Seca but it does not solve the problem for San Lorenzo. Lavonne asked the Committee to help find a way for the program to work and be acceptable to the county and parks department.

Parks Commissioner Joe Hertlein asked whether the issue was just the use of the bb guns or if it included the use of archery or both. Parks Commissioner Hertlein clarified a suspension of the ordinance for both of those items: bb guns and archery.

Special Events Manager, Lavonne Chin reported that one way the Cub Scouts can have the use of bb guns would be to have the boys shoot at a contained area such as the back of a truck or storage container.

#### PUBLIC COMMENT

Gary Varano commented on action topic one and mentioned that two hundred children attend this program every summer and the other they attend with their families.

Renee Forrest commented on action topic one and mentioned that the boys are overseen by their Range Safety Officers. She mentioned that the adults go through stringent safety procedures before going out there with the boys and the boys learn the respect for bb guns and archery equipment.

**Motion:** No motion as Director Mariscal will come back to the Parks Commission with an update.

#### DISCUSSION TOPICS

##### 2. Update on Tatum's Garden

Parks Planning Manager, John Akeman reported working with Tatum's Garden to develop an inclusive playground in Toro Park. He mentioned looking at potential Site locations: Buckeye and Oak Meadows. He also mentioned considering the scope of the project and potential impact that the proposal doesn't increase any uses, traffic, parking, environmental concerns and noise. If there are impacts, special evaluations and studies will need to be done to address that. John mentioned maintaining the parks character and that this proposal fits with the existing character, the preservation and enhancement, the natural resources, the character of the park, the cultural resources as well as recreational resources. This project may require review by our county's Design and Lead Committee which consists of all the different involved departments on this proposed project to provide input to better understand the opportunities and strengths of this proposal.

Shawn Bakker, Vice President of Tatum's Garden Foundation reported that they have met with the Parks Staff on the development of a location and came up with a couple of suggestions. All camp sites were considered but Quail Meadows is one of two locations considered. The other location is at the entrance of the parking area taking over where the asphalt drive-in is and changing the entrance: playground benefits, drainage and utilities were considered. Sean mentioned not wanting to take the revenue from Quail Meadows as it is an income generator. Sean mentioned that Parks Director Mariscal suggested another area for possible discussion located at the beginning by guard check. The discussion has been how we could best utilize this location rather than Quail Meadows. Shawn mentioned not having had the opportunity to speak with the other

groups who utilize this area such as the cross country groups to see what this impact might be. Shawn also mentioned that they are looking at all options with staff to determine the best space for usage to reduce the additional use this might bring and tie in the surrounding landscape of Toro.

Chair, Joe Hertlein asked whether Shawn is looking for an area closer to the main road or towards the back of the parking.

Shawn said yes, the discussion has been placing the playground where the parking lot is and move the existing parking lot to the DG parking lot. At some point we hope to be receiving direction from Parks staff or Parks Commission as to what they would like us to see develop a little as part of the plan. They are not sure whether this is the best location but it is of interest to them. It offers great opportunities such as accessibility, its location as it is closer to the gate, more pros than cons, it is visible, there are existing bathrooms, picnic benches, and an existing small playground that can be worked with. He mentioned that once Parks Commission directs them to a place of developing and permission is given to develop a site they will come back to the Parks Commission and present a schematic overlay so that the Commission can see what they are looking at, for whichever site that may be. There are a couple more steps to the process as a full schematic would then be presented and if approved we would present budgets on how we are going to build it and what those costs are with a breakdown. That information would give us a timeline and how much money we are going to be fundraising as a foundation. Assuming all that is approved then we would build it in a short period of time through volunteers and incorporate the design within Toro itself, looking for students of the local community to help us with the theme.

Commissioner Ken Husby asked Shawn what site would be the least expensive.

Shawn unfortunately was not able to give him an answer on that right now.

Commissioner Ken Husby noted that on the budget there was quite a lot of money set aside for Parking Lot and Site work.

Shawn clarified that the budget presented was a sample budget from Tatum's Garden in Salinas and assured Commissioner Ken Husby that he would have a budget specific to the needs of the location selected.

Commissioner Ken Husby asked if either of the sites parking lots would not need to be expected to meet the needs of the budget.

Shawn informed Commissioner Husby that it would be expected that they need to re-slurry and restripe the parking lot. His foundation is prepared to upgrade picnic areas, bathroom buildings, and parking lots or create a new parking lot. Their goal is to bring to the county a gift that is completed on opening day and then after opening day the Parks department would take over.

Parks Director Mark Mariscal commented that Tatum's Garden Foundation would need direction to come through the Board of Supervisors, maybe an agreement. The proposal will need to be brought to the Capitol Improvement Committee since it has a value of \$100 thousand dollars. He mentioned utilizing the Parks Commission meetings to allow some public meeting. We are planning on bringing a request for Approval in Concept for

Tatum's Garden to the next Parks Commission meeting to move forward through more discussion of design. RMA – Resource Management Agency will take it to the CIC – Capitol Improvement Committee to get the appropriate Supervisors of the Committees and the appropriate staff out of our department and give feedback on this project.

County Counsel Michael Whilden will look into whether there is an exception to the CIC – Capitol Improvement Committee as the funds to this project will be donated and is not a capital outlay by the county. Ordinarily a project this size does need to go to the CIC – Capitol Improvement Committee.

Commissioner Ken Husby expressed his concern as this project has gone through several directors and John Akeman has come up with an application for projects with the Parks Department and would like to see on the Agenda if that process is dead in the water, was it a waste of time, should we forget about it or do we need to revive it and go forward with it.

Parks Director Mark Mariscal confirmed that it is not dead and many if not all the things John Akeman said are from that draft. It is the intent of this department to bring that policy or those guidelines to use for these kinds of projects. We are using that template we just don't have it as something we have to come to the Parks Commission for a final blessing but we have been working on that.

John Akeman mentioned that we are pretty close. This particular proposal might be a good project to use as a test to that whole process. Our only concern was that we would lose time and momentum by going forward with the Park policies, Park proposed or review process and we didn't want to see that get lost.

Commissioner Ken Husby asked whether that policy was too early to bring it back on the Agenda.

Parks Director Mark Mariscal mentioned it might be but could be on the April or May Agenda if we need to do the steps internally and have some RMA – Resource Management Agency feedback on this.

Chair Joe Hertlein mentioned that it would be appropriate to try to keep working on that proposed Park review process as it is not meant to hold up anything on Tatum's Garden. You have been using this as a guideline to review this project and perhaps they can proceed forward somewhat simultaneously as we never know when the next project will come forward and want to be reviewed as well. It would be good to bring this back next month or two on the Parks Commission agenda to proceed further on that. Chair Hertlein also mentioned that a question was raised about whether or not we should have a subcommittee. So, that we can spend a little more time between meetings without taking up a lot of time at the Park Commission meetings. Chair Hertlein asked if any Commission present wanted to volunteer for that subcommittee. Commissioner Ruben Zurita accepted. Chair Hertlein volunteered Commissioner Brian Contreras in his absence as he expressed some interest in this project and in the event Commissioner Contreras is not able to volunteer he would volunteer.

PUBLIC COMMENT

Mike Dove commented on discussion topic number two and mentioned his concern would be parking as the buses for cross country and other events park there.

### **3. Update on Request for Proposal - Laguna Seca Recreation Area Concession Agreement**

Parks Director Mark Mariscal reported that on January 26<sup>th</sup> at the Board of Supervisor's meeting he came to them with a report that suggested a request for express interest for beginning a long term concession agreement with an entity for Laguna Seca Recreation Area. The Board approved that document and process. Of February 4<sup>th</sup> we released the request for express interest and have begun emailing this document out to potential bidders. There is a meeting set up for February 25<sup>th</sup> which is an invite only walk through for potential bidders. Our timeline of finding, or making the decision, or bringing it to the Board of Supervisors should be completed by October.

#### **PUBLIC COMMENT**

There was no public comment

### **4. Update on trails in Toro Park**

Parks Director Mark Mariscal reported that the trails in Toro Park and the fire roads in the back county are not as pristine as they were four months ago. The continuation of trying to keep normal trails usable for hikers, equestrians, bikers, and runners continues to be a bit of a challenge on our end. We appreciate the feedback volunteers give us on items in the park that might need some tender, love and care. As an example the EV - Environmental Visitors Center, lost part of that trail called the fire road to erosion. It is not passable by vehicle but is passable by hikers, runners and maybe even bikers. We are working on a plan for repair as that is an important access point. Some of the trails that were created, built or enhanced without the authorization of the Parks Department are the issue. A public comment raised a concern to the Board of Supervisors and triggered a written response that needs to go back to the Board of Supervisors indicating: what has been going on in the trails, what has the Parks Department done, what steps and processes do we think we need to do to go forward. Somewhere in the next 30 days I need to get a report back to the Board Members. The person on social media stated on a phone call that he would like to find a way to discuss what the parks department does for park maintenance of trails in general and how he or others can help. That individual acknowledges as of right now there should not be any unauthorized work on those trails. The direction we go in on how to have an established practice or process so that when people want to come to us and ask for permission to be able to do something that we have an understanding of what it is and give some kind of authorization that doesn't always have to be a written yes.

#### **PUBLIC COMMENT**

Peter Kwiek commented on Discussion Topic 4 and showed an image of Lower Black Mountain Trail in Toro Park on February 1<sup>st</sup>. What is the Parks Department going to do about this problem? There are eight distinct sections of illegal trail building. What are you going to do to stop the rash of illegal trail building at Toro Park that has spread to all these trails? What are you going to do to prevent further damage caused by increased traffic on these damaged trails? What are you planning to do to repair the massively excavated eroding terrain? We need to know how this horrible, destructive activity is going to be stopped. What are you going to do to stop this guy and other unauthorized trail builders who are destroying manzanitas, trees that take a hundred years to grow on the upper Black Mountain Trail?

Commissioner Ken Husby asked how many organized groups use the back country trails either the equestrian or bicycle.

Peter Kwiek reported that back country trails are hiker's only trails. Black Mountain Trail is a hikers only trail although you see mountain bikes trails on it.

Commissioner Ken Husby mentioned that part of our strategic plan is to solicit volunteer groups to help maintain the parks. He suggested if organized users came together and came up with a game plan to patrol and report to the ranger when somebody is modifying the trail that would help. The budget the director is under right now and full blown patrolling a lot of terrain, a little help would be appreciated.

Peter Kwiek reported that they work with an organization that is involved all over the country and is called Park Watch Report. They have a way for members of the public to report directly on things that they see occurring in public parks, it's about data collection.

Parks Director Mariscal offered suggestions such as closing parks for a period of time for revisions. He mentioned that there was a call from a biker who informed the Toll Booth that there were a group of four bikers who took off on a weekend at Toro. There is one ranger on duty for five parks. He gave another example of another hiker that was at the park after 5:30pm where the fire department was called and the Park Ranger goes out to look for that person and that person was cited for being at the Park after 5:30pm. He also suggested having the few rangers we have now and possibly have them work some overtime shifts to do a quick enforcement. He mentioned having a review in the springtime or a plan on what needs to be looked at for restoration and what needs to be closed off. He asked the public to share ideas and mentioned that unfortunately it is not an issue just at Toro but across the state of California. He also mentioned holding a specialized meeting just on trails in the Park or a subcommittee or a community forum to get ideas from the public.

Commissioner Joe Hertlein asked what the outcome was on the bikers in the example he gave.

Parks Director Mariscal reported that unless the ranger is present as it is happening only then can the citation be given. He asked to have a community meeting on that as any person could be cited.

Commissioner Hertlein mentioned that if someone is at the park at 5:45 or 6:00 they should be cited.

#### PUBLIC COMMENT

Keith Defebre commented on Discussion Topic 4. He recommended a committee come together and address these issues: gets grounds work, facts and figures down. Have a community group come together to develop a proper system. It is a very valuable asset as people come to Monterey to ride.

Robin Cohen commented on Discussion Topic 4. She also mentioned that community input is needed with a clear process on: what is maintenance, what is construction, and what is authorized. Vandalism is permanent damage and is not the same infraction as being in the park after 5:30pm.



Joel Trice commented on Discussion Topic 4. He suggested a group meeting with more than one organization. As long as there are multiple users on trails there is going to be conflict, working together to mitigate those conflicts and eliminate them is best for all. This is a county asset and ecotourism is also a financial benefit that the county enjoys and a lot of people doing the ecotourism are mountain bikers. There is a lot of money at stake for the entire county and having more trails available to all users not just mountain bikers. We are associated with a group IMBA International Mountain Biking Association and they provide trail training on how to provide a sustainable trail. Over 200 people have attended those classes and the first half is learning to work with the Land Managers because you can't do this stuff illegally and have it be sustainable in any way. There has to be an aspect of enforcement at the discretion of the agent that is dealing with it. Determining what the intent is as far as how they decide to enforce the trails. As a group we have amassed thousands of hours of trail work at Toro Park and if a trail like this is deemed to be not sustainable or non-desirable at the Land Managers digression there are ways to reclaim it. I can do a presentation on the methods to do that. We have done re-routing of trails

Dave Tucker commented on Discussion Topic 4. He mentioned volunteering thousands of hours through the proper channels dating back to Rangers Bob Larson, Ranger Jason Hayward, Ranger Pierce, Ranger Carlotta, and Madison Johnson to date. We built a trail in the park called pipe line trail that has proved to be sustainable over a four year period of construction that started from 2010 to 2014. Now we maintain it, mitigate water and get water off the trail. He mentioned having a pamphlet of photos that date January 17<sup>th</sup> of Peter and a group of people after his Exploratory Hike slipping and sliding around after one of the largest storms this year. There are commentary dates and there are also photos of hiking trails on East Ridge, East Toyon and unauthorized hiking trails with litter, and numerous problems. He mentioned his ten years of experience on trail work with both IMBA and the US Forest Service in Butte County as well as Ashland, Oregon. He also mentioned battling a social media storm lead by Mr. Kwiek which seems unfair hiding behind a locked Facebook page where one cannot comment or reply thoughtful, scientific knowledge of trail building, or trail use to the other side's story.

Parks Director Mariscal mentioned that this is an issue brought the attention of the Department by many people. The Parks Department is a steward of the natural environment. We want to know your ideas: what we see, the good the bad, and the ugly with it.

Darius Rike commented on Discussion Topic 4. He mentioned his involvement and experience with working on trails for Fort Ord, Toro Park, Meyers Loop and Pipe Line. It is coordinated with and approved by the Land Managers. Last year 600 hours of volunteer trail work, the year before 900 hours, the year before that 400 hours and this year we will probably do a little more since it has been wet. Our main focus is user conflict, erosion control and maintenance. He suggested community meetings lead by the county with all user groups involved to come to some common ground on what the future of these trails are going to be, how the maintenance is going to be done and we as a community can participate.

Parks Director Mariscal announced that on Saturday, February 13<sup>th</sup> he would be going to Toro Park and invited anyone who wanted to participate to be there at 10:00 o'clock and

meet at the entrance to view the trails.

Rich Schwarz commented on Discussion Topic 4. He mentioned Pipe Line to be a model of what hopefully can occur at Toro Park. Pipe Line is 3 miles long all dug by hand with just shovels; it took several years to complete. The website, NTB Project, a mountain bike site rates it as number 154 best trail in the country. On the same website for the California Central Coast it is a featured trail. Under the direction of the Rangers over the last four years we built culverts across creeks and three safe and wide bridges. I have personally spent \$150 dollars of my money and one day along with others to repair one of these bridges. We have also built a cattle gate that is currently functioning now. Cows come into the trails and destroy it making it less safe for all concerned as they traverse through the canyons to forge. There is not another mountain bike group that has to deal with this type of destruction. We are more than willing to help correct some of the damage done by some non-mountain bike riders. There is a demand by mountain bikers for more access to trails.

Commissioner Ken Husby asked how Rich as an individual in an organization could help the Parks Department stop unauthorized trails.

Rich Schwarz answered by maintaining the trails and having open access to all user groups. So, this drudgery does not have to occur.

Commissioner Ken Husby indicated that it has been occurring.

Rich Schwarz answered that is because there has not been sufficient access.

Commissioner Ken Husby indicated that there may be some disagreement on that but even if that were the issue.

Rich Schwarz mentioned that we are talking about one individual, Gus Long who is not part of any mountain biking group that undertook this work. I don't know what you can do about one rogue individual. Any of the other organizations are more than willing to work cooperatively.

Jay Donato mentioned that he would take this information back to the Parks Foundation as he came on his own capacity and requested to act as a conduit between these meeting and perhaps Parks Foundation can benefit all people at their capacity and he will see to that.

Phil Craig commented on Discussion Topic number four. He mentioned that he is a frequent user of Toro Park more as a hiker than a biker. He mentioned the demand for mountain biking that cannot be suppressed and needs to be done correctly. The trails are in horrible shape due to budget constraints. Pipe Line has been done well and it's in huge demand because it is an advanced trail. At Marks Canyon there has been a trail marker there for years for hiking. There have been a number of trails on both sides of the canyon that have been illegally built. There is a trail going down the middle basically following the river line that is not such a problem. He encouraged not closing Marks Canyon but doing it right. He also suggested getting a group together to do this correctly to fix up all multiuse of the trails.

Josh Ezequiel commented on Discussion Topic number four. He mentioned being a

frequent user of Toro Park and Fort Ord mostly hiking. He mentioned what we are talking about is destructive and illegal, vandalous use of the park. He hopes there will be serious consequences for people who vandalize the park. Everyone wants to see a beautiful park, let's see it.

Rick Dodd commented on Discussion Topic number four. He mentioned that John Carr has organized a yearly park pass purchasing program through the Parks Department. In 2011, 36 passes were purchased, in 2013, 49 passes were purchased and 2014-15 45 and this last year we purchased 58 passes which is over eleven thousand dollars for people who live right next to the park that don't need to drive into the park. He suggested a sub council or subcommittee face to face in a room is a lot better communication that going back and forth on Facebook.

Brandon Butler commented on Discussion Topic number four. He mentioned there are hiking opportunities at all over the county and fewer cycling opportunities off-road within the county. Toro Park is one of the few places that provide that. He suggested integration between every user to decide the best use of the park. He also mentioned that having a world class cycling mecca brings the attention of bicyclist.

Commissioner Ken Husby suggested citing people and maybe a committee of users coming up with a way to do that and still have it within the Parks budget.

Chair Joe Hertlein asked Parks Director Mariscal whether he wanted to agendize the meeting he mentioned as part of the Parks Commission or if he wanted it to be separate.

Parks Director Mariscal answered that he would come to the Parks Commission when need be. He mentioned he hasn't heard from the equestrian group but has heard from the other user groups. We need to start holding meetings that will talk about trail use. He also asked everyone who wants to receive information to leave their email.

#### **Update on improvement needs at Laguna Seca Recreation Area**

Parks Director Mark Mariscal reported that in July we received \$499,000 dollars in allocation that comes out of the Laguna Seca Track Fund. He also mentioned that he placed this on the agenda so that the Parks Commission is aware as this is not something that is usually brought to the Commission. He also reported that we have an issue with our water wells and we were cited about a year and a half ago or two with the drinking water quality and are working with Public Works on it and have a capital improvement project that has already been approved this year for next year and is working with Public Works hoping to merge the two together. We have a current concession agreement with SCRAMP and in their agreement we have a board approved agreement that the county is a third party beneficiary to an agreement between SCRAMP and Mazda of which through a five year period a 5.25 million dollars of capital improvement were to go in one of those line items back in 2011 or 2012 that had something to do with helping to improve the water and the sewer system and that has not occurred during their part of the concession agreement. The county has decided that the water quality is too important and that is going to be going to the Budget Committee either February 24<sup>th</sup> or March meeting.

There was no public comment

**5. Strategic Plan Update**

Parks Director Mark Mariscal reported that we have the strategic items number one priority and we are taking them off little by little. We did mention that by the end of this fiscal year you would see all of our progress on those seven main items on there.

**PUBLIC COMMENT**

There was no public comment

**6. Update on Department Issues**

Parks Director Mark Mariscal reported that he, Lavonne Chin and Richard Riddle met with the representatives from Spartan today. We are holding the Spartan event at Toro Park on June 4<sup>th</sup> and will be going to the board in March as we are working on finalizing the agreement. This will be one of the six events that will be televised by NBC.

Currently out of 42 full time positions we have six vacancies, three of them being Public Safety positions.

Park Annual passes for on sales for \$80.

Our budget is due at the CAO's office on March 9<sup>th</sup>. We submitted to the Budget Committee in December 2015 that we projected to be \$175,000 short in our General Fund account and 1.1 million dollars short in the Lake Resorts and the Budget Committee approved that idea to the full Board and will be going to the Board on March 1<sup>st</sup>. Since that time, as we prepared that report in October 2015, our revenues are slightly better from some of the income that we get at Laguna Seca. We think that we might only be \$50,000 to \$75,000 dollars short from the General Fund and we are working on that. It is really the Lakes operation that we want to make sure the Board understands and I share that because it gets to rebuild our budget for 2016-17; if there's water in Lake San Antonio do we open. I don't have that answer for you today but it is something we continue to talk about.

Chair Joe Hertlein asked if Parks Director could give us an idea of what the current level is.

Parks Director Mark Mariscal reported that if we go into the website of the Water Resource Agency it is probably still at three percent. The issue that because the water that is coming from San Antonio they are at what is called a dead pool and no water is filling at all, they still need to put some water at whatever Fish & Wildlife requires them to do. If you go on the website I think Nacimiento has risen since the 1<sup>st</sup> of December. Nacimiento is up six percent, it went from 17 to 23 percent.

**PUBLIC COMMENT**

There was no public comment

**V. ADJOURNMENT**

Chair Hertlein adjourned the meeting at 5:00 p.m.

Prepared by: Susan Rosales-Nava, Secretary