

**Santa Barbara County Parks Department's Response to the 2005-06
Santa Barbara County Civil Grand Jury Report on: "*Jalama Beach
County Park*"**

FINDINGS

Finding 1: The current concession contract is an exclusive contract for a long-term concessionaire. It provides for operation of a general store and the sale of food, supplies, and the rental of trailers.

Response: Agree with the finding.

Finding 2: The current concession contract provides for a fixed concession fee for all sales and services.

Response: Agree with the finding.

Finding 3: The County Parks Department renewed the concession contract 10 years ago, apparently without open bidding.

Response: Agree with the finding.

Finding 4: The current concession contract, which expires in 2006, does not reflect how the park actually operates.

Response: Disagree partially with the finding, with respect to the current concession contract not reflecting how the park actually operates. The concession contract relates specifically to the guidelines and criteria for the concession operation and does not reflect or mandate park operations.

Finding 5: The current concession contract does not control the number of trailers that the concessionaire may rent.

Response: Agree with the finding. The current concession contract does not specifically limit the number of trailers that the concessionaire may rent. However, the contract alludes to the concessionaire purchasing "a number of vacation trailers" for rental, which presumes there will be a limited or manageable number of trailers available from this operation. This provision will be reviewed more closely when this concession comes up for renewal in October 2006.

Finding 6: Although the current concession contract prohibits storage of trailers on parklands or implementation of a reservation system, the concessionaire stores trailers on parkland and does take reservations for trailers.

Response: Disagree partially with the finding. There is no restriction in the

concession contract regarding the concessionaire's ability to allow reservation of its travel trailers. If trailers were stored at the park, it was for intermittent periods and the concessionaire was informed that trailers should not be left in the park if they had not been rented out.

Finding 7: The County Parks Department has no reservation system.

Response: Disagree partially with the finding. The Parks Department does not currently have an advance reservation system for individual campsites at Jalama Beach. However, group area campsites can be reserved in advance.

Finding 8: The County derives no revenue from business activities at the park that are conducted by businesses other than the concessionaire.

Response: Disagree wholly with the finding. Whenever an activity or request for an event at the park is received, a determination is made as to whether it is a commercial event or whether it falls within normal park operations. If the activity or event is determined to be a commercial venture, the appropriate fees are charged.

Finding 9: There has been little progress with respect to implementation of the Jalama Beach Park Master Plan.

Response: Disagree partially with the finding. Although progress has been delayed with respect to implementation of the Jalama Beach Park Master Plan, there has been some progress made in implementing the plan. Implementation of the Master Plan was envisioned to occur over a 20-year period, with improvements within the existing park anticipated to occur as existing facilities reached the end of their depreciated life and/or became necessary to replace. The Master Plan proposes phased development, as some aspects of reorganization and expansion of the park are contingent on other phases occurring first – e.g., ranger residences must be relocated and reconstructed prior to any expansion of camping within the existing ranger residence area. Private property negotiations that impact implementation of portions of the Master Plan have been delayed due to the current private property owner's (Bixby Ranch Company) desire to place the property for sale on the open market.

Other improvements that have occurred at the park, in preparation of the Master Plan implementation, include negotiations with Vandenberg Air Force Base for a secondary water supply that would provide a stable and reliable water source for existing and proposed improvements at the park. On May 2, 2006, the Board of Supervisors approved the expenditure of \$60,000 in Chevron mitigation fee funds toward this effort. The Master Plan includes improvements to the existing Jalama Beach store and snack bar area. These improvements will be subject to any new lease negotiations for the Jalama Beach store concession.

RECOMMENDATIONS

Recommendation 1: The 2006 concession contract should provide for RV rentals in addition to trailer rentals with consideration given to a new concession fee arrangement for RV and trailer rentals.

Response: The recommendation has not yet been implemented, but will be implemented in the future. The Parks Department has already taken steps to address this recommendation. The Department's new Concession Solicitation and Selection Policy, which was approved by the Board of Supervisors on June 6, 2006, responds to this recommendation by providing a means by which the County can receive competitive proposals for a variety of services provided by the Jalama Beach store concessionaire, when this concession comes up for renewal in October 2006, including RV and travel trailer rentals. Prospective concessionaires will have an opportunity, through the bid process contained in this new policy, to propose if and how they would provide RV and/or trailer rentals as part of the concession, as well as the proposed fee arrangement with the County.

Recommendation 2: Award of the concession should be open, based on a Request for Proposals (RFP), or bid process, with concession fees based on market rates.

Response: The recommendation has not yet been implemented, but will be implemented in the future. The Parks Department's new Concession Solicitation and Selection Policy, which was approved by the Board of Supervisors on June 6, 2006, responds to this recommendation. Through the open, competitive bid process contained in this policy, the County will be able to select concessionaires for *all* of its concessions, including the Jalama Beach store concession. The concession fees will be based on market rates, among other factors that will be considered as part of the bid process for this concession when it comes up for renewal in October 2006.

Recommendation 3: Off-park-site equipment providers should be required to pay concession fees if such providers deliver equipment to the park.

Response: The recommendation will not be implemented because it is not warranted. The Parks Department is unaware of any outside providers delivering equipment to the park on a routine basis. Jalama Beach campers arrive from various locations throughout the state and utilize many different means by which to camp. For example, should a camper rent a motor home in Los Angeles and drive to Jalama Beach, the County cannot be expected to receive compensation from the motor home operator, nor would the County even be aware of the transaction. The rental arrangement between an outside operator and a camper prior to arriving at the park is not within the County's purview, whereas, a concessionaire doing business within the park and offering trailer rentals as part of its services would be subject to the terms of the concession contract.

Recommendation 4: The Parks Department should implement a reservation system.

Response: The recommendation has not yet been implemented, but will be implemented in the future. The Parks Department is currently working on developing an advance reservation system for its two camping parks: Jalama Beach and Cachuma Lake. The Department is in the process of collecting demographic information to assist in the development and design of the system. Development of an advance reservation system for the camping parks was identified as a key action item for implementation during FY 2006-07, as part of the Department's strategic planning process.

Recommendation 5: The County should enforce its concession agreements.

Response: The recommendation has been implemented. The County does (and will continue to) enforce its concession agreements. Whenever the Parks Department becomes aware of an inconsistency or deviation from the terms of a concession agreement, staff takes the appropriate action to ensure the concessionaire is in full compliance with the agreement. As a case in point, the Department actually became aware through a complaint (prior to the Grand Jury's inquiry) that the concessionaire may have been acting outside the parameters of the agreement with regard to the travel trailer rentals. The Department immediately investigated the complaint and informed the concessionaire, in writing, that he was out of compliance and must take action to remedy the situation. Staff observation and/or public complaints are the usual means by which the Department becomes aware of violations of concession agreements.

Recommendation 6: The concessionaire should be limited to a specific number of trailers that can be rented.

Response: The recommendation has not yet been implemented, but will be implemented in the future. The Parks Department agrees that this recommendation should be implemented as part of the terms of the next concession agreement for the Jalama store when it comes up for renewal in October 2006 should the concessionaire wish to offer trailer rental services.

Recommendation 7: The Board of Supervisors should give priority to the implementation of the Jalama Beach Park Master Plan.

Response: The recommendation has been implemented. In 1999, the Board of Supervisors approved the Preliminary Master Plan for Jalama Beach County Park for purposes of commencing review of the plan under the California Environmental Quality Act (CEQA). The Master Plan includes improvements to the main park area as well as other improvements on private lands that were envisioned to come under County ownership at some future date. The private property owner, the Bixby Ranch Company, worked cooperatively with the Parks Department in the development of new uses proposed on Bixby Ranch property. The development envisioned in the

Master Plan was to occur over a 20-year period, with improvements within the existing park anticipated to occur as existing facilities reached the end of their depreciated life and/or became necessary to replace. The Master Plan proposes phased development, as some aspects of reorganization and expansion of the park are contingent on other phases occurring first – e.g., the ranger residences must be relocated and reconstructed prior to any expansion of camping within the existing ranger residence area.

During the preparation of the Negative Declaration for the Master Plan, the Parks Department was advised by the County's Planning & Development Department that certain aspects of the project description, primarily the development of a new day use parking area, a beach access trail, relocation of the entrance kiosk, and creation of short-term parking on private lands, would require their removal from Agricultural Preserve/Williamson Act contract status. Negotiations then began between Bixby Ranch and the County to determine how this would occur. Several meetings took place between Bixby and County representatives between 2000 and 2004. In mid-2005, the Bixby Ranch Company placed a portion of its lands on the market for sale. At the same time, the County was informed by Bixby representatives that negotiations for acquisition and development of park improvements would cease until such time as the County could discuss land negotiations with the new property owner. It is the Parks Department's understanding that the property is still on the market for sale at this time.

Other improvements that have occurred at the park, in preparation of the Master Plan implementation, include negotiations with Vandenberg Air Force Base for a secondary water supply that would provide a stable and reliable water source for existing and proposed improvements at the park. On May 2, 2006, the Board of Supervisors approved the expenditure of \$60,000 in Chevron mitigation fee funds towards this effort.

The Master Plan includes improvements to the existing Jalama Beach store and snack bar area. These improvements will be subject to any new lease negotiations for the Jalama Beach store concession.

