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MEETING  
STATE OF CALIFORNIA  
STATE LANDS COMMISSION

State Capitol  
Room 113  
Sacramento, California

Monday, October 28, 1996  
2:15 p.m.

Janet H. Nicol  
Certified Shorthand Reporter  
License Number 9764

APPEARANCES

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COMMISSION MEMBERS PRESENT

Kathleen Connell  
State Controller  
Chair

Gray Davis  
Lieutenant Governor

Theresa Parker  
for Craig L. Brown  
Director of Finance

STAFF PRESENT

Robert Hight, Executive Officer  
Bill Morrison, Assistant Executive Officer  
Jack Rump, Chief Counsel  
Sharon Shaw, Legal Support Supervisor

PUBLIC SPEAKERS

Pat O'Brien, East Bay Regional Park District  
David Walrath, Murdoch, Walrath & Holmes

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CHAIR CONNELL: We'll bring this meeting to order.  
It's a rare occasion in Sacramento when the three members of  
a board are here ahead of the official noticed time.

The first item of business today is the adoption  
of the minutes from our last meeting.

May I have a motion to approve the minutes,  
please?

COMMISSIONER DAVIS: So moved.

ACTING COMMISSIONER PARKER: Second.

CHAIR CONNELL: It's voted. The minutes have been  
adopted.

Let's move on. The next order of business will be  
the adoption of the consent calendar and I call on our  
executive officer, Bob Hight, to tell us which items have  
been removed from the consent calendar.

EXECUTIVE OFFICER HIGHT: Madam Chair, Item C32,  
C42, C50 and C66 have been removed and will be heard at a  
later date.

Of interest to, I know all of the commissioners,  
will be Items 29 and 30, which at last resolves the issue of  
the marina at Lake Tahoe. And everybody at this moment is  
happy and the resolution was agreeable to all parties. And  
so we have that on the consent calendar at this time.

CHAIR CONNELL: Great. Do I have a motion to move

1 the consent calendar?

2 COMMISSIONER DAVIS: So moved.

3 ACTING COMMISSIONER PARKER: Seconded.

4 CHAIR CONNELL: It's been voted.

5 That takes us now to the regular calendar. And I  
6 believe we go to Item No. 69, and this is a proposed  
7 acquisition of a 168-acre parcel located in the City of  
8 Richmond. The commission will be acting as the Kapiloff  
9 Land Bank trustee on this item, so I'll call on Mr. Hight to  
10 brief us.

11 EXECUTIVE OFFICER HIGHT: Thank you, Madam Chair.

12 In this item staff is requesting the authorization  
13 to expend \$1.5 million from the Kapiloff Land Bank Fund, and  
14 \$288,000, which is currently held in trust by East Bay  
15 Regional Parks, for the acquisition of 168 acres adjacent to  
16 the existing Point Pinole Regional Park.

17 And it is the area shown, the area we will  
18 purchase is the area shown in red on the air photo.

19 The area outlined in green is an area already  
20 leased by East Bay Regional Parks from the commission.

21 And this parcel will connect five miles of  
22 shoreline along San Pablo Bay, which will eventually have a  
23 shore access around the entire bay. It's currently about 50  
24 percent built.

25 We have letters of support from the City of

1 Richmond, from the East Bay California Legislature, and from  
2 Jeff Smith, supervisor from Contra Costa County, and from  
3 Congressman George Miller.

4 This is a very unique acquisition and the  
5 commission staff is excited about the potential to acquire  
6 this parcel, and we recommend approval.

7 CHAIR CONNELL: Anyone wishing to speak on this  
8 item in the audience?

9 Please come up and join us and if you would  
10 identify yourself for the record.

11 MR. O'BRIEN: Good afternoon. My name is Pat  
12 O'Brien. I'm general manager of East Bay Regional Park  
13 District.

14 On behalf of our board of directors and many  
15 residents of the East Bay, we strongly recommend your  
16 favorable consideration.

17 CHAIR CONNELL: That is the shortest statement,  
18 Mr. O'Brien, we've ever had. We want to thank you. I was  
19 thinking it was your Irish background that enables you to be  
20 so succinct.

21 Thank you.

22 MR. O'BRIEN: Clearly.

23 CHAIR CONNELL: Thank you. Did you wish to --

24 FROM THE AUDIENCE: I work for Pat.

25 CHAIR CONNELL: Are there any comments from the

1 members of the commission?

2 COMMISSIONER DAVIS: Just that I think this is a  
3 remarkable achievement and I'm delighted we can accomplish  
4 it without any controversy and do some good work.

5 ACTING COMMISSIONER PARKER: Madam Chair, I'd like  
6 to echo the Lieutenant Governor's comments.

7 I've actually visited this area and visited some  
8 of the schools that are adjacent to this area and obviously  
9 this is a significant acquisition and achievement. It's,  
10 again, nice to see the cooperation among many agencies at  
11 different levels of the local government to come to fruition  
12 here.

13 CHAIR CONNELL: Thank you.

14 May I have a motion?

15 COMMISSIONER DAVIS: So moved.

16 ACTING COMMISSIONER PARKER: Second.

17 CHAIR CONNELL: It's been voted.

18 Are there any other items to come before the  
19 commission?

20 I see Mr. Dave Walrath is in the audience.

21 Would you like to address the commission?

22 MR. WALRATH: Chair Connell, Lieutenant Governor  
23 Davis, Chief Deputy Director Parker, Dave Walrath,  
24 representing California Retired Teachers' Association.

25 It's always a pleasure to come before you and say

1 thank you and it's a pleasure to say it once again.

2           The Elk Hills settlement agreement, the leadership  
3 that your staff and you provided in reaching a settlement  
4 agreement was instrumental in ensuring that there would be  
5 the allocation of funds to the Teachers' Retirement System  
6 for retirees out of the sale of Elk Hills.

7           I deeply appreciate it, and the Governor signing  
8 the settlement, which will bring us to the next step where  
9 when the sale is completed we will be able to go before the  
10 federal government for the appropriation to protect retired  
11 teachers' pensions.

12           So it's always a pleasure to say thank you.

13           I wish we could have come here a little bit sooner  
14 to say it, but it dragged out as long as was, but it is a  
15 pleasure to do it now, rather than never.

16           It was your leadership and I thank, Bob, Bill and  
17 the other staff for all the work that they did. Thank you  
18 very much.

19           CHAIR CONNELL: Thank you very much.

20           As a member, as Ms. Parker is as well, of the  
21 California State Teachers' Retirement System, I feel doubly  
22 pleased that we have been able to accomplish this, because  
23 both STRS and the Lands Commission worked hand in hand to  
24 try to make this transfer possible.

25           It is a tremendous advantage to the retired

1 teachers. It's something that has been long in the waiting.

2 I want to thank the teachers for activating  
3 themselves as powerfully as you did at key moments in the  
4 negotiation to indicate your concern that it move forward to  
5 fruition. I think that was helpful. And it was also  
6 helpful to be silent at the right moments so that we could  
7 conclude the agreement. And it's certainly a tremendous win  
8 for all sides.

9 MR. WALRATH: Thank you.

10 COMMISSIONER DAVIS: I'd just like to add that  
11 I've been on this commission now, this is my tenth year, and  
12 we filed this suit back in 1987 when I happened to be chair  
13 of the commission. I realize this was a long time in  
14 coming. So I am particularly grateful to see the resolution  
15 and it being resolved in such a positive fashion.

16 ACTING COMMISSIONER PARKER: I just want to add  
17 one comment, because I think, as the chair has recognized  
18 the staff of the State Lands and STRS, I also would like to  
19 recognize the Attorney General's office, because they were  
20 also a big part in this. And really seeing those sort of  
21 three groups of people come together and work and have the  
22 retired teachers with them, obviously a compliment  
23 accomplished, and overwhelming against, I think, sometimes  
24 overwhelming odds of this ever being successful for the  
25 State. It was a sweet moment for all of us.

1 CHAIR CONNELL: Thank you.

2 MR. WALRATH: Thank you.

3 CHAIR CONNELL: Are there any other items in the  
4 open session today?

5 EXECUTIVE OFFICER HIGHT: That concludes the  
6 agenda.

7 CHAIR CONNELL: Fine. If not, we will close the  
8 open session and we will adjourn for a period of about four  
9 to five minutes to allow us to clear the room and then we  
10 will convene in closed session.

11 (Thereupon the open session of the  
12 State Lands Commission was adjourned  
13 at 2:23 p.m.)

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CERTIFICATE OF SHORTHAND REPORTER

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I, JANET H. NICOL, a Certified Shorthand Reporter of the State of California, do hereby certify that I am a disinterested person herein; that I reported the foregoing meeting in shorthand writing; that I thereafter caused my shorthand writing to be transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said meeting, or in any way interested in the outcome of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand this 9th day of November 1996.

  
\_\_\_\_\_  
Janet H. Nicol  
Certified Shorthand Reporter  
License Number 9764