

MEETING
STATE OF CALIFORNIA
STATE LANDS COMMISSION

CALIFORNIA STATE LANDS COMMISSION
100 HOWE AVENUE
EXECUTIVE CONFERENCE ROOM 220
SACRAMENTO, CALIFORNIA

TUESDAY, SEPTEMBER 9, 2003
11:00 A.M.

JAMES F. PETERS, CSR, RPR
CERTIFIED SHORTHAND REPORTER
LICENSE NUMBER 10063

ORIGINAL

APPEARANCES

BOARD MEMBERS

Mr. Cruz Bustamante, Chairperson, represented by
Ms. Lorena Gonzalez (via teleconference)

Mr. Steve Westly, represented by
Ms. Cindy Aronberg (via teleconference)

Mr. Steve Peace, represented by
Mr. David Takashima (via teleconference)

STAFF

Mr. Paul Thayer, Executive Officer

Mr. Jack Rump, Chief Counsel

Mr. Mary Howe

Ms. Kimberly Korhonen, Executive Assistant

ALSO PRESENT

Alan Hager, Deputy Attorney General (via teleconference)

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1 PROCEEDINGS

2 ACTING CHAIRPERSON GONZALEZ: I'm Lorena Gonzalez
3 representing Lieutenant Governor Cruz Bustamante and I
4 call this meeting of the State Lands Commission to order.

5 Paul, as this is a telephone conference meeting,
6 will you the call the roll of Commissioners and attendance
7 and discuss the purpose of the meeting today.

8 EXECUTIVE OFFICER THAYER: Certainly.
9 Commission Gonzalez.

10 ACTING CHAIRPERSON GONZALEZ: Here.

11 EXECUTIVE OFFICER THAYER: Commissioner Aronberg.

12 ACTING COMMISSIONER ARONBERG: Present.

13 EXECUTIVE OFFICER THAYER: Commissioner
14 Takashima.

15 ACTING COMMISSIONER TAKASHIMA: Present.

16 EXECUTIVE OFFICER THAYER: If I could take just a
17 couple of minutes to explain briefly the two projects that
18 brought about this telephonic meeting and the rules that
19 apply to the meeting. We asked for this special meeting
20 because of the urgency of the two projects involved, and
21 also because of the construction windows that affected
22 when they could be completed.

23 These projects are in Vallejo and have to do with
24 dredging. The Corps of Engineers and several
25 environmental agencies have imposed an August through

1 October 15th construction window on Napa River projects to
2 protect Steelhead and Trout spawning.

3 Even with the proposed extension to that window,
4 Commission action in October, which is when we are next
5 contemplating meeting, would be too late to allow projects
6 to be completed this year. The projects involve dredging
7 a marina and at the ferry terminal in Vallejo. Operations
8 at both facilities could be hampered if the projects can't
9 be completed before next August.

10 Closing the ferry terminal, if the project wasn't
11 completed, and that's a possible result, would halt the
12 mass transit provided by the ferry to San Francisco.

13 Because of this urgency, Vallejo requested a
14 special meeting of the Commission.

15 Staff notes that these meetings are difficult to
16 arrange at the last minute because of prior commitments by
17 the Commissioners, and we certainly appreciate the
18 assistance of the Commissioners' offices in arranging for
19 this meeting. And, of course, it's in keeping with the
20 Commission's policy of expediting Commission matters.

21 The Lieutenant Governor and the Controller have
22 made it their practice to personally attend State Lands
23 Commission meetings. Because of the late notice for this
24 meeting and the apparently routine nature of the items,
25 they are represented as authorized by Section 7.6 of the

1 Government Code.

2 And, of course, representing the Lieutenant
3 Governor today is Ms. Lorena Gonzalez, and for the
4 Controller Ms. Cindy Aronberg. I would note for the
5 record that these individuals are the liaisons for their
6 respective Commissioners with staff and they are well
7 versed in Commission matters and policy. We have letters
8 on file designating them to represent their Commissioners
9 at meetings. I should also note that David Takashima
10 who's with us today is participating for the Director of
11 Finance, and that he is also experienced in Commission
12 matters, based on his prior attendance at meetings and
13 participation in Commission affairs.

14 Section 7.6 of the Government Code also provides
15 that when both Constitutional officers are represented
16 only one can vote at a meeting. I understand that
17 Commissioner Gonzalez will serve in the non-voting
18 capacity, although she will act as chair.

19 Finally, I would like to note that we reviewed
20 other pending applications and found that an applicant for
21 a non-controversial recreational pier is also facing a
22 construction window and so we added that to the calendar
23 for today's meeting as well. We have no known opposition
24 to all three projects and so they've been placed on the
25 consent calendar. I'd be happy to answer any questions.

1 ACTING COMMISSIONER ARONBERG: No questions over
2 here.

3 ACTING CHAIRPERSON GONZALEZ: No questions.

4 ACTING COMMISSIONER TAKASHIMA: Likewise.

5 ACTING CHAIRPERSON GONZALEZ: That did move us
6 along?

7 EXECUTIVE OFFICER THAYER: Yes, it does.

8 ACTING CHAIRPERSON GONZALEZ: The first up on the
9 agenda will be the adoption of the minutes from the
10 Commission's last meeting. May I have a motion to approve
11 the minutes.

12 ACTING COMMISSIONER TAKASHIMA: I make the motion
13 to approve.

14 ACTING COMMISSIONER ARONBERG: Second.

15 ACTING CHAIRPERSON GONZALEZ: And a vote.

16 (Ayes.)

17 ACTING CHAIRPERSON GONZALEZ: The next order of
18 business is the consent calendar. These items will be
19 taken up and voted on as a single action. Is there anyone
20 who wishes to be heard on these items? Is there anybody
21 there with you?

22 ACTING COMMISSIONER ARONBERG: Alan Hager is
23 here. There is nobody here for any of the three matters.

24 ACTING CHAIRPERSON GONZALEZ: He doesn't want to
25 object.

1 ACTING COMMISSIONER ARONBERG: I assure you he
2 doesn't want to stop the ferry from going to San
3 Francisco.

4 (Laughter.)

5 ACTING CHAIRPERSON GONZALEZ: Okay. I assume
6 that there's nobody in any of the other offices.

7 ACTING COMMISSIONER TAKASHIMA: Right. There's
8 no one else here at my end.

9 ACTING CHAIRPERSON GONZALEZ: Okay, great.
10 Hearing no objection, do I hear a motion to approve the
11 items?

12 ACTING COMMISSIONER ARONBERG: Move.

13 ACTING COMMISSIONER TAKASHIMA: I second it.

14 ACTING CHAIRPERSON GONZALEZ: Vote please.

15 (Ayes.)

16 ACTING CHAIRPERSON GONZALEZ: Wonderful. Note
17 that the consent calendar is adopted. I guess it's not
18 unanimous. Note it's 2 to 0.

19 Is there anyone present at the location that
20 wishes to address the Commission during the public comment
21 period? I believe I have already stated that there is
22 nobody there.

23 ACTING COMMISSIONER ARONBERG: Alan said that it
24 is unanimous.

25 ACTING CHAIRPERSON GONZALEZ: Okay, then it is

1 unanimous.

2 CHIEF COUNSEL RUMP: For the two voting members.

3 ACTING CHAIRPERSON GONZALEZ: For the two voting
4 members. Yes, of course. I don't want to deconstruct the
5 English language. It is unanimous.

6 I will again assume that there is nobody that
7 showed up at any office and there's no public comment.

8 Are there any other matters to come before the
9 Commission that need to be addressed today?

10 EXECUTIVE OFFICER THAYER: There are none. I
11 would just note that we're on pretty close agreement at
12 this point for October 20th at 1:00 o'clock in San Diego
13 for our next meeting, and we're just waiting on the final
14 word. I guess Commissioner Gonzalez, you had indicated
15 that that was okay with the Lieutenant Governor but we
16 haven't heard back from the scheduler yet.

17 ACTING CHAIRPERSON GONZALEZ: No, you can. I
18 have talked to her about it, and it is fine.

19 EXECUTIVE OFFICER THAYER: All right. Well, then
20 we're planning for that meeting then at 1:00 o'clock in
21 San Diego.

22 ACTING CHAIRPERSON GONZALEZ: We're adjourned
23 then.

24 EXECUTIVE OFFICER THAYER: Thank you very much.

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1 (Thereupon the California State Lands
2 Commission meeting adjourned at 11:06 a.m.)
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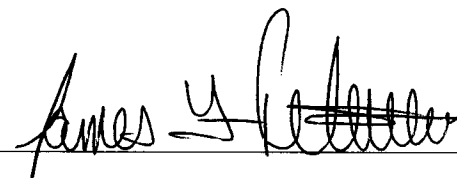
1 CERTIFICATE OF REPORTER

2 I, JAMES F. PETERS, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing California State Lands Commission meeting was
7 reported in shorthand by me, James F. Peters, a Certified
8 Shorthand Reporter of the State of California, and
9 thereafter transcribed into typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said meeting nor in any
12 way interested in the outcome of said meeting.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 11th day of September, 2003.

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23 JAMES F. PETERS, CSR, RPR
24 Certified Shorthand Reporter
25 License No. 10063