

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Parks and Recreation

BOARD AGENDA # \*B-9(b)

Urgent  Routine

AGENDA DATE September 14, 2010

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval for Nor-Cal Motorcycle Club, Inc. to have Exclusive Use of Frank Raines Regional Park Deer Creek Campgrounds, Off- Highway Vehicle Area, Deer Creek Day Use, and Recreation Hall Beginning Friday, October 22, 2010, to Monday, October 25, 2010

STAFF RECOMMENDATIONS:

1. Approve the request from Nor-Cal Motorcycle Club, Inc., to have exclusive use of Frank Raines Regional Park including Deer Creek Campgrounds, Off-Highway Vehicle Area, Deer Creek Day Use, and Recreation Hall beginning 12:00 p.m. (Noon), Friday, October 22, 2010, and ending no later than 6:00 a.m., Monday, October 25, 2010.
2. Approve twenty hours of overtime each for a Parks Maintenance Worker III and a Park Aide for this exclusive use.

(Continued on Next Page)

FISCAL IMPACT:

If approved, \$1,985 will be assessed for staffing costs. Additionally, revenue will also be collected from Nor-Cal Motorcycle Club, Inc., at a guaranteed minimum of \$1,780 for camping, off-highway vehicle use, Recreation Hall use, exclusive use, and reservation fees. In the event more than 100 participants compete each day, an additional \$5 per participant will be assessed. Concession revenues sold on-site during the exclusive use by outside commercial-based organizations are assessed at 12 percent of gross revenues. The revenue generated by this event exceeds the average weekend revenue of \$500.

BOARD ACTION AS FOLLOWS:

No. 2010-568

On motion of Supervisor O'Brien, Seconded by Supervisor Chiesa  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

- 1)  Approved as recommended
- 2)  Denied
- 3)  Approved as amended
- 4)  Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval for Nor-Cal Motorcycle Club, Inc., to have Exclusive Use of Frank Raines Regional Park Deer Creek Campgrounds, Off-Highway Vehicle Area, Deer Creek Day Use and Recreation Hall Beginning Friday, October 22, 2010, to Monday, October 25, 2010

**STAFF RECOMMENDATIONS (Continued):**

3. Approve the Department of Parks and Recreation to accept the donation of 600 straw hay bales in the amount of \$8 per bale for a total value of \$4,800.
4. Direct Nor-Cal Motorcycle Club, Inc., to adhere to the requirements set forth by the Department of Parks and Recreation.

**DISCUSSION:**

A request has been received from Nor-Cal Motorcycle Club, Inc., to have exclusive use of Frank Raines Regional Park including the developed and undeveloped sections of Deer Creek Campgrounds, Off-Highway Vehicle Area, Deer Creek Day Use and Recreation Hall (Attachment A) beginning 12:00 p.m. (Noon), Friday, October 22, 2010, and ending no later than 6:00 a.m. Monday, October 25, 2010.

Frank Raines Regional Park is located on Del Puerto Canyon Road in the western part of Stanislaus County approximately eighteen miles west of the City of Patterson. The regional park is functionally divided into two designated areas with more than 2,000 acres of open space. The eastern-most section is known as the Minnear Day Use area, designed for non-motorized recreational uses. The western-most section includes the Deer Creek Campgrounds and Day Use areas, Recreation Hall, and the Off-Highway Vehicle Area.

Nor-Cal Motorcycle Club, Inc. is a sanctioned member of the American Motorcyclist Association (AMA), District 36. As such, the Deer Creek Grand Prix is a sanctioned event of the AMA and is titled Round 11 of the 2010 District 36 MSR Western Regional Cross Country Series and Round 11 of the 2010 District 36 Motion Pro Youth Cross Country Series. Nor-Cal Motorcycle Club, Inc. is the event organizer for this exclusive use.

The Department of Parks and Recreation supports this requests for exclusive use providing that Nor-Cal Motorcycle Club, Inc. adheres to the following requirements:

- Nor-Cal Motorcycle Club, Inc. shall work with all other necessary groups, organizations, or other governmental personnel as determined by applicable codes, laws, and regulations including, but not limited to: Public Works, California Highway Patrol, Sheriff's Office, CalTrans, and the Department of Environmental Resources to ensure a safe event.
- A copy of the approved Outdoor Entertainment Activities License as provided by the Sheriff's Office is due to the Department of Parks and Recreation no later than 5:00 p.m. on October 13, 2010.
- A copy of the approved Encroachment Permit as provided by Public Works is due to the Department of Parks and Recreation no later than 5:00 p.m. on October 13, 2010.

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- It is also understood that local youth and non-profit organization are being asked to participate through vendor booths. A Department of Environmental Resources Community Event Organizer Permit Application may be needed if any booth or retail food vehicles will be serving or selling food.
- The donation of 600 straw hay bales will be given to the park upon conclusion of the event. These hay bales will compliment the trails through use as rail breaks, trail closures, and to define trails when needed.
- Nor-Cal Motorcycle Club, Inc. shall provide the Department of Parks and Recreation a Certificate of Insurance with a minimum \$2 million liability coverage and no less than \$500,000 per occurrence and shall provide an accompanying endorsement naming Stanislaus County as an additional insured. The Certificate of Insurance and accompanying endorsement shall be provided no later than 5:00 p.m. on October 13, 2010.
- An Organizational Hold Harmless is required to be completed by Nor-Cal Motorcycle Club, Inc. The original must be completed and returned to the Department of Parks and Recreation no later than 5:00 p.m. on October 13, 2010.
- Individual Hold Harmless Agreements for each participant shall be completed prior to their participation. If a minor, the agreement must be completed by a parent or guardian. All original agreements are to be given to Department staff on event dates while at Frank Raines Regional Park.
- All volunteer services were taken into account when negotiating this exclusive use. Approximately 130 hours of services will be provided including pre-clean up and post-clean up of the Recreation Hall, Deer Creek Campgrounds, Deer Creek Day Use, and undeveloped camping areas. This includes dust control, weed abatement, mowing of turf, watering of trees, painting, all janitorial and custodial services, small construction repairs, and mitigation efforts of the Off Highway Vehicle Area.
- Posting of signs at the entrance to Del Puerto Canyon Road and within Deer Creek Campgrounds and Day Use Areas will be done at a minimum of thirty calendar days and will continue through event day. The signage will alert the general public that the Campgrounds and Day Use Areas are under exclusive use and that Minnier Day use Area remains open to the public.
- Nor-Cal will be responsible for all litter and debris removal from the entire facility and providing sufficient supplies during the event.
- All portable restrooms, trash receptacles, and trash bins will be provided by Nor-Cal Motorcycle Club, Inc.

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- It is understood that no drinking water is available at Frank Raines Regional Park. It is also understood that the sewer system may not be fully operational during this exclusive use. If such is the case, there will be no available sewer or electrical hook-ups for any recreational vehicle campsite.
- No alcohol shall be sold during this exclusive use event.
- Guaranteed minimum fees shall be paid to Stanislaus County in the amount of \$1,780. Additionally, participation over 100 riders per day is assessed at \$5 per participant. Any onsite commercial vendor including concession revenues will be assessed at 12 percent of gross revenues. Payment in full shall be received no later than 5:00 p.m. on Monday, November 1, 2010. Nor-Cal Motorcycle Club, Inc. will be assessed a \$200 late fee if not paid by 5:00 p.m. on Monday, November 1, 2010. After fifteen calendar days, an additional 5 percent late fee will be assessed on any remaining balance owed. If not paid in full within fifteen calendar days, no future events will be scheduled until all charges are paid in full. A breakdown of income shall accompany payment of fees. Nor-Cal Motorcycle Club, Inc. shall remit fees and/or percentages of gross revenue to Stanislaus County Department of Parks and Recreation, Attn: Exclusive Use, 3800 Cornucopia Way, Ste. C, Modesto, CA 95358.
- A security deposit of \$1,000 is payable to the Department of Parks and Recreation and must be received no later than 5:00 p.m. Wednesday, October 13, 2010. This security deposit is nonrefundable should the event be cancelled for any reason by Nor-Cal Motorcycle Club, Inc. This deposit may be deducted from the total amount owed at the discretion of Nor-Cal Motorcycle Club, Inc.

**POLICY ISSUE:**

Approval of this agenda item supports the Board of Supervisors' priority of Effective Partnerships by partnering with organizations that can provide special interest recreational opportunities within the Stanislaus County park system.

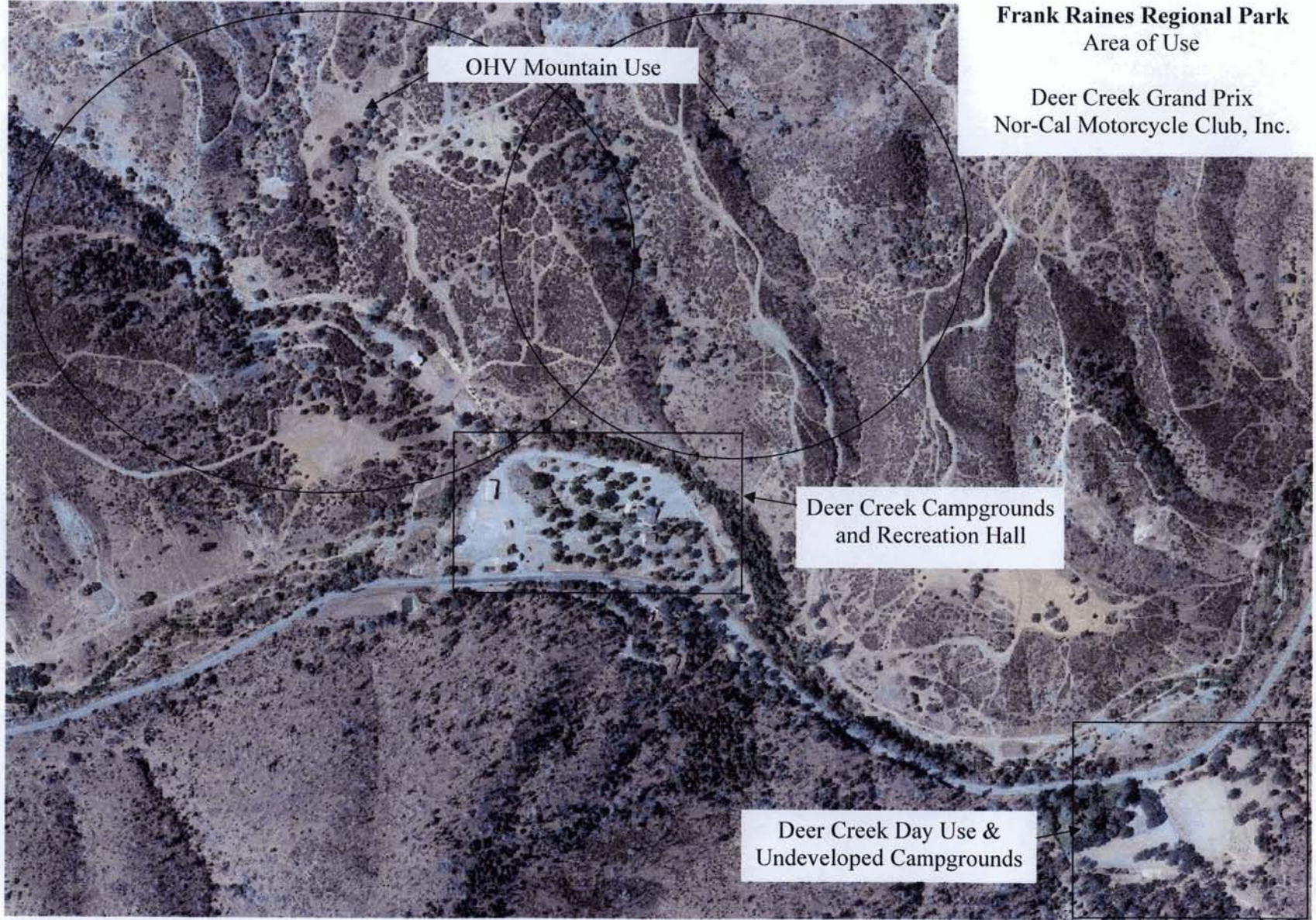
**STAFFING IMPACTS:**

Staffing impacts for this event are for overtime for a Parks Maintenance Worker III and a Park Aide in the amount of twenty hours per position. This additional cost is being borne by Nor-Cal Motorcycle Club, Inc. in the amount of \$1,985.

**CONTACT PERSON:**

Sonya K. Harrigfeld, Director of Parks and Recreation

Telephone: 209-525-6770



OHV Mountain Use

**Frank Raines Regional Park**  
Area of Use

Deer Creek Grand Prix  
Nor-Cal Motorcycle Club, Inc.

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Deer Creek Campgrounds  
and Recreation Hall

Deer Creek Day Use &  
Undeveloped Campgrounds