

MOONEY GROVE PARK

BACKGROUND:

Mooney Grove Park originated from a portion of land that had been settled by an early rancher named Benjamin Willis in 1853. Willis did not cut his trees and the Oaks still were densely populated on the property when Willis sold the land to Michael Mooney in 1878. In 1906, after Mrs. Mooney's death, the five Mooney children wanted to dispose of the forested land and invest their inheritance in more profitable endeavors.

The key figure was John Tuolny, one of the four Tulare County residents who led a campaign to have the county buy the property, and had a long interest in preserving local trees. In August 1909, county supervisors authorized the purchase of 100 acres from the Mooney heirs for a total price of \$15,000.

When sold, the agreement stipulated the land should be maintained as a public park for the enjoyment of everyone. It further held that none of the trees should be cut unless they were in an unhealthy condition, park improvement is needed, or railroad to be constructed or operated.

In December 1923, the Mooney heirs sold another 43 acres along the north edge of the park to the County for \$10,750. This land was purchased with no restrictive clauses.

The park remained the same size until 1963 when several acres of frontage land was sold to Caltrans to expand Highway 63 (Mooney Boulevard).

The Grand Jury has looked into Mooney Grove Park in the past: Interim Report 1981-82, 1985-86, 1992-93, 1993-94, 1997-98, and 2006-07.

REASON FOR INVESTIGATION:

The 2014-2015 Tulare County Grand Jury chose to investigate the state of affairs of Mooney Grove Park. Concerns were noted by the members of the Grand Jury of the condition of the park and the oak trees, and what the long term goals and strategies of the County to bring the health of the park back to its original condition.

METHOD OF INVESTIGATION:

The Grand Jury visited Mooney Grove Park and was met by park department staff. The Grand Jury members were shown the park and asked questions about the 20-year Conceptual Master Plan and park operations.

The Grand Jury interviewed members of the Department of Parks and Recreation and General Services staff.

The Grand Jury reviewed documents; sales documents between Tulare County and the Mooney heirs, 20-year Conceptual Master Plan, Mooney Park Tree Inventory and Species Frequency

Reports, William R. Allen Mooney's Oak Grove 1906-2003 (edition printing June 2003), Valley Voice Newspaper, and other appropriate sources related to Mooney Grove Park.

FACTS:

1. The August 1909 sales document designated the land shall be forever known and designated as Mooney Park, and shall be forever used and maintained as and for a public pleasure ground and park.
2. The park is commonly and widely known as Mooney Grove Park.
3. The August 1909 sales document did not state the land will be an oak preserve.
4. The August 1909 sales document states that, "... in the event of a failure on the part of the said party of the second part to observe or to comply with any of the said conditions or limitations, then the said lands together with all improvements thereon shall revert to and become the property of the said parties of the first part, their heirs and assigns".
5. There is a greater diversity of tree species now as opposed to when the park was sold in 1909.
6. Mooney Grove Park did have a zoo at one time, animals listed were bison, elks, badger, monkeys, bears and numerous birds. The Board of Supervisors agreed to discontinue the zoo in 1967.
7. There were dances in the pavilion until 1923 at which time they were deemed to be sinful and discontinued. Sources of activity then consisted of tossing horseshoes, swimming in the lagoon (also discontinued in 1923) and using the slides and swings.
8. In 1933, pony rides were sold for ten cents per ride. A pony ride and photograph were available for one dollar.
9. There were two statues at one time; The Pioneer and End of the Trail.
10. In 1934, Hugh M. Mooney, bequeathed to the Trustees of Mooney Park, Tulare, California five thousand dollars (\$5,000) to be spent as needed. Tulare County Officials designated the five thousand dollars were to be spent toward a museum.
11. The Tulare County Museum was formally dedicated in 1948.
12. In 1956, Dave Grove bought the ride concession from Doc Gilbert. Mr. Grove established Grove Amusement Rides. The rides went through a number of owners throughout the years. Over time, food concessions and amusement rides were discontinued.
13. Currently, a citizen group is interested in restoring Mooney Grove Park.
14. Due to the current drought, there has been an environmental impact to the park.

15. Tulare County is currently looking at adopting a Mooney Grove Park 20-Year Master Plan.
16. Due to various reasons, the density of the Valley Oak trees in the park is slowly diminishing.
17. The County constructed an amphitheater along the eastern boundary of the park.

FINDINGS:

- F1. There have been a number of activities (e.g. dances, concessions, etc.) tried in the park that have failed to generate adequate funds to continue their operations.
- F2. The current drought has created an environmental impact to the park.
- F3. The tree species diversity has increased. County Officials wish to make the park trees more of an arboretum with species labeled, as opposed to an oak preserve.
- F4. Based on the Mooney Grove Park 20-Year Master Plan, new Valley Oak trees are to be planted away from the heavily used areas. County Officials are concerned about the potential dangers of heavy oak limbs.
- F5. Also addressed in the Mooney Grove Park 20-Year Master Plan, animals pose a problem with respect to the cleanliness of the sidewalks, tables, and benches.
- F6. Park fees, (entrance and arbor) only pay for part of the costs to operate the park; the rest is general funded. Entrance fees are collected only on Fridays, Saturdays, and Sundays.
- F7. There are currently a number of proposals for changes in Mooney Grove Park.
- F8. Presently, there are no food concessions or amusement rides within the park or museums.

RECOMMENDATIONS:

- R1. There should be more emphasis in planting Valley Oaks in the park.
- R2. The County should try to increase public awareness that the park is there and what the park offers.
- R3. The County should establish the optimum number of animals in the park, balancing Federal and State rules and the needs of the public for a healthy park environment.
- R4. Mobile vendors could be contracted to drive through the park to sell wares to give the public an opportunity to buy.
- R5. Increase marketing of the park for special events.

REQUIRED RESPONSES:

1. Board of Supervisors

2. Tulare County General Services
3. Tulare County Department of Parks and Recreation

Disclaimer

Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Section 911, 924.1 (a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Section 924.2 and 929).



County of Tulare

April 14, 2015

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The Honorable Judge Gary Paden
Tulare County Superior Court, Room 303
221 South Mooney Boulevard
Visalia, CA 93291

Dear Judge Paden:

On behalf of the Board of Supervisors, the following are the Board's responses to the findings and recommendations included in the 2014/2015 Tulare County Grand Jury Report titled *Mooney Grove Park*. We have consulted with the Tulare County General Services Department to assist with these responses.

Findings and Board Responses

Finding 1

There have been a number of activities (e.g. dances, concessions, etc.) tried in the park that have failed to generate adequate funds to continue their operations.

Response: The Board agrees with this finding.

Finding 2

The current drought has created an environmental impact to the park.

Response: The Board agrees with this finding.

Finding 3

The tree species diversity has increased. County officials wish to make the park trees more of an arboretum with species labeled, as opposed to an oak preserve.

Response: The Board agrees with this finding.

Finding 4

Based on the Mooney Grove 20-Year Master Plan, new Valley Oak trees are to be planted away from the heavily used areas. County Officials are concerned about the potential dangers of heavy oak limbs.

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Response: The Board agrees with this finding.

Finding 5: *Also addressed in the Mooney Grove Park 20-Year Master Plan, animals pose a problem with respect to the cleanliness of the sidewalks, tables and benches.*

Response: The Board partially agrees with this finding. There is a wide variety of animal species at Mooney Grove Park. Many of these species are native and their presence does not pose a problem or threat to the Park. However, many of these species pose a problem in terms of cleanliness and safety of visitors. The County is exploring a variety of alternative methods of addressing some of the problem species in the park that would allow a humane way of addressing some animals, while maintaining the park environment.

Finding 6: *Park fees (entrance and arbor) only pay for part of the costs to operate the park; the rest is general funded. Entrance fees are collected only on Friday, Saturdays and Sundays.*

Response: The Board agrees with this finding.

Finding 7: *There are currently a number of proposals for changes in Mooney Grove Park.*

Response: The Board partially agrees with this finding. The Board of Supervisors approved the Mooney Grove 20 Year Conceptual Master Plan. This Plan lays out the county's current long term vision for the Park. Staff will be developing the necessary strategies to implement the Board's vision. At this time, this is the only Plan approved by the Board of Supervisors for Mooney Grove Park. The County continuously seeks input from business partners and community partners to explore new activities, events, and educational/recreational features for the park. However, any improvements to Mooney Grove Park are subject to approval by the Board of Supervisors.

Finding 8: *Presently, there are no food concessions or amusement rides within the park or museums.*

Response: The Board partially agrees with this finding. The County currently offers boats rentals during the summer and will begin offering rentals on large event weekends, outside of the summer season.

Recommendations and Board Responses

Recommendation 1:

There should be more emphasis in planting Valley Oaks in the park.

Response: This recommendation has been partially implemented. The County actively plants a wide variety of tree species as part of the tree planting and trimming program. Over the last five years, over 450 Valley Oak trees have been planted in Mooney Grove Park. During the same time frame, 180 trees of other species were planted at the park. There are a total of

1,189 trees over 12 inches in diameter at breast height and 44% of the trees in the park are Valley Oaks, for a total of 523 Valley Oaks. The balance of trees in the park is made up of 40 other species.

Recommendation 2

The County should try to increase public awareness that the park is there and what the park offers.

Response: This recommendation has been partially implemented. The County has relationships with a wide variety of local businesses and community organizations. The County works with non-profit organizations, service clubs, youth organizations, schools, and businesses to provide new features and events for the park. Many of these organizations actively support the marketing of the Park within the community.

There are additional marketing opportunities for Mooney Grove Park that have not been utilized in the past. The County will explore the use of an improved website, local parks newsletter, booths at local events, and increased presentations to local groups in order to provide greater exposure for the park. These new methods of increasing public awareness of the Park and its offerings will be identified by County staff as part of the 2015/16 Fiscal Year budget adoption process.

Recommendation 3

The County should establish the optimum number of animals in the park, balancing Federal and State rules and the needs of the public for a healthy park environment.

Response: This recommendation requires further analysis. As mentioned in the response to Finding No. 5 above, there is a wide variety of animal species at Mooney Grove Park. Many of these species are native and their presence does not pose a threat to the Park's ecology and it may not be possible to legally control their populations. However, many of these species pose a problem in terms of cleanliness and safety of visitors. The same is true for any exotic species which may be present in the park.

The County is exploring a variety of alternative methods of addressing some of the problem species in the park that would allow a humane way of addressing some animals, while maintaining the park environment. One of these methods includes the feasibility of a trap, neuter and release program to address feral cats. Additionally, the County has contacted other local outdoor recreation managers to explore methods of reducing nuisance species, including an excessive number of geese, and will be contacting Federal and State regulators to determine the available methods of species management.

This is a long process that may take over two years to identify appropriate methods, implement those methods, and observe any improvements.

Recommendation 4

Mobile vendors could be contracted to drive through the park to sell wares to give the public an opportunity to buy.

Response: This recommendation has not yet been implemented. During the process of seeking input on the Conceptual Master Plan, this suggestion was also made by several members of the community, and also by the Board of Supervisors. The County will be exploring the regulations and possibilities for additional services of this kind at the park. It is expected that this further research will take a minimum of six months as there are local Ordinances and purchasing regulations that may need to be investigated.

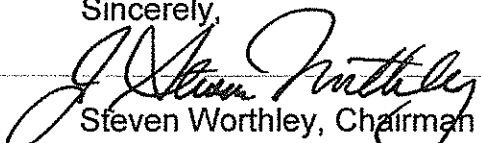
Recommendation 5

Increase marketing of the park for special events.

Response: This recommendation has been partially implemented. In addition to the partners and activities described in the response to Recommendation No. 2 above, the County conducts a wide variety of special events at the Park every year, including historical, educational, athletic, hobby, special interest and social events. Many of these events draw thousands of visitors. Additionally, since the improvements to the Museum complex were completed, the County has had the opportunity to diversify the types of events at the Park.

The County would like to attract further special events to the Park, as these events increase the Park's profile and generate revenue in the local economy. The County will seek to identify future special events for the Museum complex and Park space. Both venues have great potential that we wish to expand. In conjunction with the efforts described in the response to Recommendation No. 2 above, these efforts will be part of the development of the Fiscal Year 2015/16 budget process.

Sincerely,



Steven Worthley, Chairman
Tulare County Board of Supervisors

CC: Tulare County Grand Jury



COUNTY OF TULARE

GENERAL SERVICES

5953 S. Mooney Blvd.
Visalia, CA 93277

Phone: 559-624-7227
Fax: 559-624-1022

March 25, 2015

The Honorable Judge Gary Paden
County Civic Center, Room 303
221 S. Mooney Blvd
Visalia, CA 93291

Dear Judge Paden:

On behalf of the Tulare County General Services Department, this responds to the Tulare County Grand Jury Final Report entitled "Mooney Grove Park."

Finding No. 1: There have been a number of activities (e.g. dances, concessions, etc.) tried in the park that have failed to generate adequate funds to continue their operations.

Response: Agree. The County continues to provide boat rentals during the summer months and will be offering boat rentals on large event weekends during the off season. The County is also working to identify new activities that could be used to generate funds.

Finding No. 2: The current drought has created an environmental impact to the park.

Response: Agree. As with other parks in the Central Valley, Mooney Grove is exhibiting the impacts of extreme drought conditions. County staff is attempting to mitigate the impacts of the drought to the greatest extent possible while maintaining the park environment.

Finding No. 3: The tree species diversity has increased. County officials wish to make the park trees more of an arboretum with species labeled, as opposed to an oak preserve.

Response: Agree. This would increase the interactive and interpretive experience of the park, and allow for an outdoor educational opportunity that could be utilized by local schools and colleges. This is also consistent with the long standing purpose of Mooney Grove Park.

Finding No. 4: Based on the Mooney Grove 20-Year Master Plan, new Valley Oak trees are to be planted away from the heavily used areas. County Officials are concerned about the potential dangers of heavy oak limbs.

Response: Agree. One of the primary objectives of the tree trimming and planting program is to minimize hazards to individuals and property posed by falling tree limbs. This plan would allow for renewal of Oak trees in the park while maintaining safe areas for recreation.

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Finding No. 5: Also addressed in the Mooney Grove Park 20-Year Master Plan, animals pose a problem with respect to the cleanliness of the sidewalks, tables and benches.

Response: Partially Agree. There is a wide variety of animal species at Mooney Grove Park. Many of these species are native and their presence does not pose a problem or threat to the Park. However, many of these species pose a problem in terms of cleanliness and safety of visitors. The County is exploring a variety of alternative methods of addressing some of the problem species in the park that would allow a humane way of addressing some animals, while maintaining the park environment.

Finding No. 6: Park fees (entrance and arbor) only pay for part of the costs to operate the park; the rest is general funded. Entrance fees are collected only on Friday, Saturdays and Sundays.

Response: Agree.

Finding No. 7: There are currently a number of proposals for changes in Mooney Grove Park.

Response: Partially agree. The Tulare County Board of Supervisors has approved the Mooney Grove 20 Year Conceptual Master Plan. This Plan lays out the County's current long term vision for the Park. Staff will be developing the necessary strategies to implement the Board's vision. At this time, this is the only Plan approved by the Board of Supervisors for Mooney Grove Park. The County continuously seeks input from business partners and community partners to explore new activities, events, and educational/recreational features for the park. However, any improvements to Mooney Grove Park are subject to approval by the Board of Supervisors.

Finding No. 8: Presently, there are no food concessions or amusement rides within the park or museums.

Response: Partially agree. The County currently offers boat rentals during the summer and will begin offering rentals on large event weekends, outside of the summer season.

RECOMMENDATIONS AND RESPONSES:

Recommendation No. 1: There should be more emphasis in planting Valley Oaks in the park.

Response: Partially implemented. The County actively plants a wide variety of tree species as part of our tree planting and trimming program. Over the last five years, over 450 Valley Oak trees have been planted in Mooney Grove Park. During the same time frame, 180 trees of other species were planted at the park. There are a total of 1,189 trees over 12 inches in diameter at breast height and 44% of the trees in the park are Valley Oaks, for a total of 523 Valley Oaks. The balance of trees in the Park is made up of 40 other species.

This follows the rich tradition of horticultural diversity in Mooney Grove Park. The California Register of Big Trees records the largest specimen in the state of a given species. In Mooney Grove, there reside two such champions: the largest *Celtis reticulata* (Western Hackberry) and the largest *Morus alba* (White Mulberry). These champions are a tribute to the long-standing practice of emphasizing tree diversity within the Park. The County will continue these practices into the coming fiscal year.

Recommendation No. 2: The County should try to increase public awareness that the park is there and what the park offers.

Response: Partially implemented. The County has relationships with a wide variety of local businesses and community organizations. The County works with non-profit organizations, service clubs, youth organizations, schools, and businesses to provide new features and events for the park. Many of these organizations actively support the marketing of the Park within the community.

The County believes that there are additional marketing opportunities for Mooney Grove Park that have not been utilized in the past. The County will explore the use of an improved website, local parks newsletter, booths at local events, and increased presentations to local groups in order to provide greater exposure for the park. These new methods of increasing public awareness of the Park and its offerings will be identified by County staff as part of the 2015/16 Fiscal Year budget adoption process.

Recommendation No. 3: The County should establish the optimum number of animals in the park, balancing Federal and State rules and the needs of the public for a healthy park environment.

Response: Requires further analysis. As mentioned in the response to Finding No. 5 above, there is a wide variety of animal species at Mooney Grove Park. Many of these species are native and their presence does not pose a threat to the Park's ecology and it may not be possible to legally control their populations. However, many of these species pose a problem in terms of cleanliness and safety of visitors. The same is true for any exotic species which may be present in the park.

The County is exploring a variety of alternative methods of addressing some of the problem species in the park that would allow a humane way of addressing some animals, while maintaining the park environment. One of these methods includes researching the feasibility of a trap, neuter, and release program to address feral cats. Additionally, the County has contacted other local outdoor recreation managers to explore methods of reducing nuisance species, including an excessive number of geese, and will be contacting Federal and State regulators to determine the available methods of species management.

This is a long process that may take over two years to identify appropriate methods, implement those methods, and observe any improvements.

Recommendation No. 4: Mobile vendors could be contracted to drive through the park to sell wares to give the public an opportunity to buy.

Response: Not yet implemented. During the process of seeking input on the Conceptual Master Plan, this suggestion was also made by several members of the community, and also by the Board of Supervisors. The County will be exploring the regulations and possibilities for additional services of this kind at the park. It is expected that this further research will take a minimum of six months as there are local Ordinances and purchasing regulations that may need to be investigated.

Recommendation No. 5: Increase marketing of the park for special events.

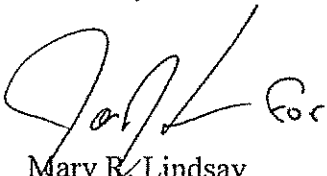
Response: Partially implemented. In addition to the partners and activities described in the response to Recommendation No. 2 above, the County conducts a wide variety of special events at the Park

every year, including historical, educational, athletic, hobby, special interest and social events. Many of these events draw thousands of visitors. Additionally, since the improvements to the Museum complex were completed, the County has had the opportunity to diversify the types of events at the Park.

The County would like to attract further special events to the Park, as these events increase the Park's profile and generate revenue in the local economy. The County will seek to identify future special events for the Museum complex and Park space. Both venues have great potential that we wish to expand. In conjunction with the efforts described in the response to Recommendation No. 2 above, these efforts will be part of the development of the Fiscal Year 2015/16 budget process.

If you have any questions, please do not hesitate to contact me at (559) 636-5005. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mary R. Lindsay', with a stylized flourish at the end.

Mary R. Lindsay
Assistant County Administrative Officer

Cc: Tulare County Grand Jury
Tulare County Board of Supervisors
Tulare County Administrative Office
Tulare County Counsel