



Friends of Lighthouse Field



February 19, 2008

Mayor Ryan Coonerty
City of Santa Cruz
809 Center Street, Room 10
Santa Cruz, CA, 95060

Dear Mayor Coonerty,

We'd like to thank you for arranging the February 1 meeting at which we discussed the City's response to FOLF's proposal of January 11, 2008. We are pleased that the City continues to be committed to acquire the park for off-leash recreation and work through the anticipated legal issues such action will no doubt require. We are also pleased to hear that a sum of \$600,000 would move the City to meet the State's asking price for the acquisition of the property. Unfortunately the conditions you outlined under which FOLF would need to perform are unacceptable. It is not practical to require FOLF to close the entire City-State gap up-front, and it is not practical to expect significant donations if the City proposes to expel the donor community for a period of years. (See attached notes of February 1 2008 meeting.)

Our full Board has considered this situation, and given the City's situation, we would like to amend our proposal, specifically to:

1. Reposition FOLF as the vehicle for tax-deductible financial contributions. Options include forming FOLF into to a tax exempt charitable public benefit corporation, utilizing Friends of Parks and Recreation (FOPAR) to pass donations through to FOLF or other alternatives that may be suggested.
2. Develop fundraising and volunteer activities that will result in cash and in-kind revenues to the City in the first three years of \$200,000 and a minimum of \$20,000 per year for a period of 20 years.
3. Fund raising efforts will begin immediately, however funds will not be available to the City until off-leash recreation is legally re-established.
4. Develop activities that promote responsible off-leash dog recreation, an active and engaged community of park users and a safe and delightful park environment.
5. Promote City policies that facilitate the creation of activities at the park to accomplish the purposes set forth in this proposal.
6. Engage the community at large to support FOLF with financial and in-kind contributions that help sustain its operations.
7. Pursue other activities that promote our purposes and position Santa Cruz as a "Dog Friendly City".

Lighthouse Field and Its Beach are a Santa Cruz Tradition

We are deeply concerned that Santa Cruz is losing local community support and management control of this park. Regardless of off-leash recreation, LFSB should be a centerpiece and pride of our City Park system. The rich tradition of this park is part of Santa Cruz's history and reflects the history of many of our families:

- the home of Adna Hecox the first Lighthouse keeper in 1869 and his daughter Laura Hecox, the next keeper and a founder of the Santa Cruz City Museum
- the site of the Phelan estate, in the late 1800s a bohemian retreat for California artists and writers such as Jack London, Ambrose Bierce, Gertrude Atherton, Joaquin Miller and Isadora Duncan
- the home of Louis Doeltz who tended Phelan Gardens in the Field in the 1920s
- the place where Mrs. JC Scott sighted the Lighthouse Sea Monster in 1937
- the training ground of the famous "all-black" 54th Coast Artillery in 1941
- the camp city for temporary City workers building roads in the 1960s
- the community meeting spot for over 50 years for people with their dogs

As a community we cannot afford to allow this jewel to become an insignificant park in the State's huge and bureaucratic portfolio; they clearly do not have the resources, nor the community focus to value this tradition.

We see a dark future for LFSB under State control; local control would ensure proper maintenance, public safety and the possibility of continuing off-leash recreation. We are already seeing the park deteriorating badly under State Parks management. Recently one of our member's son was held up at gun point and beaten on the Field. The perpetrators told him the field was now a battleground between two drug gangs fighting for control of the field.

We Ask the City Council to Take Action

1. We ask that the City Council decide that this park is a vital part of the City's park system. Bringing LFSB back under local control will have lasting benefits for *all* citizens of Santa Cruz. This is a lasting legacy for the people of Santa Cruz, and this is perhaps the last chance to secure that legacy. We believe that driving out the current community of users will only make it worse, but in any scenario City management will be far superior to State Parks management.

2. We ask the City to increase its current offer to the State: The City appears to have decided on a certain amount and the State requirement is somewhat higher. The State is offering the City a once-in-a-lifetime opportunity to secure a legacy for the people of Santa Cruz forever, at a rock bottom price far below the State's original cost. The City should not pass this up. By spreading the payments over time, the long term benefit of this park and this community will make the incremental cost seem insignificant. Further, once off-leash recreation is secured, our funding will commence.

3. We ask the City Council to commit to work toward a solution that enables off-leash recreation to continue under previous times and policies: The preservation of a recreational facility that is deeply important to the daily quality of life of thousands of residents should be a high priority.

4. We ask the City Council to work toward ensuring that this community is supported without disruption: The assumption that the 50+ year off-leash tradition must be terminated during the EIR process seems flawed. As our attorney pointed out in her letter to Mayor Reilly on October 24, 2007, the expulsion of the current park user community clearly has negative consequences that must be studied prior to any such action. Off-leash recreation has continued with no change since the State takeover. An EIR is supposed to study a *change*. The 2005 "Beach Rescue" legal decision merely stated that future *increases* in dog usage needed more study. While such studies are underway, there is no reason to make a radical land use change, and we believe such a change would be contrary to law.

Finally, we suggest that you might ask the State to re-appraise the land to reflect the steep decline in property values that has occurred in the last 6 months.

We continue to be open to other constructive ideas and we look forward to working with you and the other City officials to preserve and protect a treasured local resource.

Sincerely yours,



Bob Campbell
Co-Chair, Board of Directors
Friends of Lighthouse Field

Att: February 1 meeting notes

Cc: Emily Reilly
Dannettee Shoemaker
Martín Bernal
Santa Cruz City Council Members
Assemblyman John Laird

CITY /FOLF MEETING NOTES Feb 1, 2008

City Proposal

1. \$600,000 will come close to working. Note: the \$600,000 does not close the entire gap between the \$1million the City has offered (plus \$250,000 in operating funds and hundreds of thousands in legal fees and environmental analysis) and the State's asking price but it is enough to push the City to close the gap.
2. \$600,000 must be raised in 2 years.
3. FOLF must provide some "legally binding security" that obligates us to the \$600,000.
4. There is no guarantee that if FOLF raised the \$600,000 and the City acquires the property that dogs will be allowed off-leash. City will need to win litigation vs. Beach Rescue as outlined below. The City wants this to be clear to any fundraisers and donors.
5. Ryan Coonerty will be supportive of fundraising efforts (these to be determined)
6. If FOLF decides it is not feasible to raise \$600,000 under such conditions, a gap still remains and it will be difficult to acquire the property.

City Identified Issues/ Problems

1. Litigation process could take up to 6 years and can only begin after City has title of the property
 - a. Process of litigation
 - Initial environmental impact study
 - EIR (10 months +/-) (\$100,000)
 - EIR has to be done because the City expects to be sued by Beach Rescue
 - If City prevails we expect Beach Rescue to appeal; If City loses they appeal (can't guarantee what a future council will do) Legal costs range from \$60,000 to \$150,000)
 - If the city loses, it would have to re-circulate the EIR (more time/money)
 - Potential litigation again
2. In the City Attorney's view, dogs will have to be on leash for the term of the Environmental Impact Report and possibly during the trial. – Fundraisers, donors and activists need to be aware of the necessity of this.

Options Reviewed At Meeting

1. New operating agreement to allow City to operate and State to own was has been discussed with State and the State has expressed no interest if dogs would be off leash.
2. State Parks using discretion to allow dogs off leash at LFSB was discussed and currently the State will not make this exception.
3. Allowing dogs off leash during ongoing negotiations and litigation period discussed with State and currently they are inflexible – as long as they own the park dogs will be on leash.
4. The State is unwilling to extend the "education period" to allow dogs to continue off-leash recreation.