

The Cedar-Vine Link Is On Its Final Lap

By Alan Jones
Sentinel Staff Writer

In a year or a year and a half, or two years, a two-block section of street will be built in downtown Santa Cruz. Construction of the street will cost just \$55,000.

That little two-block project has roiled commercial Santa Cruz more than any local topic since the general plan was adopted. It has been ruffling tempers, inciting lawsuits and producing oratory for more than three years already, and may lead to more trouble before the pavement is poured.

Talk of a Cedar-Vine street link probably goes back to the time when the city streets were first laid out. It seems natural that a street one block away from the main stem should be continuous. But early efforts to put the street through, whatever they amounted to, came to nothing.

The present effort, which was capped last week by the city council's 6-1 vote to proceed with the project, started in March of 1963.

The street link was shown then on a preliminary sketch plan which was to become part of the city's general plan. Syd Williams, partner in Williams and Mocine, consultant firm which midwived the general plan, told city officials and businessmen that the link was essential to the traffic flow needed for a healthy downtown.

The street route is pretty simple. Cedar and Vine are slightly out of line with each other, so the link will have a slight curve in it. The street will take out The Sentinel building, the vacant Salinas Valley Savings building, the county office annex (formerly the telephone building), and four other parcels, breaking out at Cedar street west of the former Purity Stores grocery.

The price tag was an estimated \$600,000. The bulk of that, \$455,000, was for acquisition of land and improvements along the right of way.

That estimate is still pretty close, although cheese-paring by an ad hoc committee has cut the figure to \$550,000.

The off-street parking commission took Williams' proposal

to heart, and recommended that the money be raised by downtown property owners in an assessment district. Such districts are the common means of financing local street projects, although tax money is used for routes of city-wide or general benefit.

The Downtown association, a business-professional group, took over from there and started circulating petitions for the project in September, 1963. With the petitions went a map showing the assessment spread. The district, embracing most of downtown, was split into five benefit zones, based on access to the new street. Property fronting the link was tagged for 100 per cent benefit, with spreading concentric rings of 65 per cent, 50 per cent, 25, and 10 per cent. The outer boundaries of the district which still stand, were the San Lorenzo river, property fronting Spruce street, (both sides), property on Center street and approximately half a block west of Center up to Chestnut street, property on Chestnut, property in the Chestnut-Vine-Mission area, property along the north line of Mission and Water at the plaza, and back to the river on a line that included the post office, the new County Bank Front-River branch (which wasn't there at the time), and part of the Title Insurance and Trust company lot.

All, so far, was calm. Estimated assessment rates for the project were 52 cents per \$100 assessed valuation in the 100 per cent zone; 35 cents in the 65 per cent zone; 26 cents in the 50 per cent zone; 13 cents in the 25 per cent zone; and 5 cents in the 10 per cent zone.

The storm started about then. The petition campaign got marching, but as the notices went out the protest campaign began following in its tracks. In early December, 41.3 per cent of the district land was signed up in favor of the project, with only 8.4 per cent signed in opposition.

The price tag proved too steep for several property owners, including — of all things — the off-street parking commission which launched the petition drive. The commission, faced with an estimated \$37,000 bill for its share of the project, cried for

By the time the June hearing opened, several property owner had withdrawn their support, bringing the sign-up below 50 per cent. Charges were aired that boycott threats had led some merchants to withdraw their support.

The June 17 hearing produced three hours of pro and con debate, but an error in the officially mailed assessments forced a holdover to July, and then to September. At the June hearing, Murphy expanded on his objections.

The project by itself would be incomplete, Murphy said. The council should adopt an over-all street improvement program, he said, and implied he would support such a plan.

Since the project failed to get a 60 per cent sign-up on the petitions, a 6/7ths vote of the council was needed to approve it. In September, the council heard more protest and support — four hours worth, with charges of fraud and irresponsibility thrown in — and then voted 5-2 for the project on a motion to overrule the protests. After a brief, stunned pause, like the silence right after an artillery barrage, the council threw up its hands and dropped the subject.

But attorneys pointed out the next day that the 6/7 vote was needed not on the motion to overrule, but on the third motion, ordering work to proceed. The council had never voted on that motion.

On that slender thread, the Cedar-Vine backers built their second campaign. A seemingly endless series of postponements followed: from October to November, and on into 1965, the Cedar-Vine hearing was held over from agenda to agenda.

The project was considered in early 1965 by a committee sketching out the city's capital improvements program for the next six years. But the committee only backed the project in general terms and avoided the subject of financing.

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owners, including — of all things—the off-street parking commission which launched the petition drive. The commission, faced with an estimated \$37,000 bill for its share of the project, cried for help and asked that the sum come out of city general funds.

For one thing, the district couldn't legally spend its money for the district. The district was financed by revenue bonds, and the bonds have first call on district income. A tax could be laid on the parking district only to pay off the bonds, as things stood then.

(The city council solved that problem about a year later. While the bonds still have first call, an ordinance was passed allowing the parking district to levy taxes for assessments levied against it for city street projects.)

In February, the city council took up the petition, which then had a sign-up percentage of 53 per cent in favor, with 11 per cent opposed. The council passed a resolution of intent, ordering engineering studies and cost estimates to be prepared for council consideration. A public hearing on the project was set for June, 1964.

The shooting started a little earlier than that. In April, attorney J. Frank Murphy fired off a round, charging that the project was "fatally defective" in the proposed assessment spread, and attacked the theory that the street would relieve traffic congestion. The Palomar hotel, Murphy said, wouldn't get 15 cents worth of benefit. "And we won't pay 15 cents in assessments until the Supreme Court has heard our case," Murphy vowed.

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The committee also appraised the properties in the projected right of way and negotiated again with property owners, to bring estimated acquisition costs down to about \$415,000.

In its final report to the council, the committee said it had brought the cost estimate down to \$544,000, and offered a new financing formula. The assessment district could pay half the original estimated cost, or \$303,500. The city could put up the rest, a total of \$241,000, out of revenues over the next two fiscal years.

Three weeks ago, the council balked at the sum proposed, but agreed informally to the concept of city participation.

Last Tuesday, the council set \$100,000 as its total contribution, and voted to order the work to proceed. The vote margin was 6 to 1, exactly what was needed.

The project itself is about the same, but there have been some significant changes in the sums of money involved.

The estimate cut, coupled with city participation, brings the assessment district costs down to about 2/3 of the original estimates. The new cost estimates: construction, \$54,400; acquisition, \$415,000; demolition, \$30,000; incidentals, \$33,760; contingencies and miscellaneous, \$26,000. The total is somewhat higher than the committee's estimate.

A sample of how the assessments will come out is shown by the sum to be levied against the off-street parking lots. In the original proposal, the lots would have been hit for \$37,000. Under the new formula, the parking lots' share will be \$29,100. City-owned property—city hall, the library, and auditorium—were to be tapped for about \$12,000. The new bill figures out to \$8870. The city's total contribution includes that figure, which means another \$91,130 will be produced from gas tax or general funds.

Still hanging over the project is the threat of litigation. Murphy, who did not appear at Tuesday's hearing, did submit a letter detailing his legal and other objections to the project. They were substantially the same as before, but Murphy also claimed that the 1964 hearings had killed the project and said it would be illegal to proceed further.

A lawsuit could conceivably delay construction. But other than that, the die is cast and the Cedar-Vine project is set to become reality in a year or two more. The city plans to budget its share in the 1967-68 fiscal year, which would make the money available in July, 1967.

It will be at least a year before the buildings in the right of way will be vacated and available for demolition.

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