

Voters to get a say on Wingspread

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Aptos-Capitola Supervisor Robley Levy surprised and pleased both sides of the Wingspread controversy last night by requesting the development proposal go before the voters for approval.

The request for an "advisory" vote won unanimous approval from the Board of Supervisors, which is sharply divided over the plan to turn 66 acres of oceanfront meadow and bluffs into a conference center, performing arts complex and 468-unit hotel.

The seven-year-long battle over the development of the Porter Sesnon property has environmentalists and neighbors who want a state park on the senic meadow pitted against sports and culture enthusiasts who prefer the public benefits of playing fields and theater space promised by the development.

In addition to making an unexpected call for an advisory vote, Levy, the swing vote on

the project, did what she was expected to do. She led the board toward the supervisors' final approval of the development proposal, which still faces hurdles at the election, at the Coastal Commission and possibly in the courts.

The board approved Wingspread in a 3-2 vote and is scheduled to cast its final approval in three weeks. At that time County Counsel Dwight Herr is expected to return with wording for a proposed Wingspread ballot measure. The issue could appear on the June 1988 ballot, at the earliest.

Levy, who faces re-election next year, said she called for the advisory vote because emotional public debate continued to rage over Wingspread.

The issue would go before the voters in any event, Levy said. She explained that if the board approved the project, as expected, diehard Wingspread opponents would likely fulfill their vow to place a Wingspread referendum on the ballot.

Proponents of the project embraced the idea of an advisory vote, while a spokeswoman for Wingspread opponents said she would reserve judgment until she learned what weight the vote would carry and who would be allowed to participate in the election.

"There are just too many questions," said Celia Scott Von Der Muhll, an attorney for Friends of Porter Sesnon, a group organized to fight Wingspread.

Opponents would still consider a Wingspread referendum, she said, if the supervisors failed to give the people the power to decide the fate of the development. If the vote were purely advisory, she explained, the supervisors could ignore it.

Until the group gets more information, she said, it won't rule out any action, including possible lawsuits to stop the project.

In a phone interview this morning, Levy explained what she had in mind when requesting the advisory vote.

"My intent is to have the people make a determination," she said, but said she was not prepared to comment further on the details of the ballot measure, including questions on whether the board would include the entire county or just the unincorporated areas in the election. The latter approach would exclude the cities of Santa Cruz and Capitola, where Wingspread opposition is strong.

Santa Cruz-area Supervisor Gary Patton, a longstanding Wingspread opponent, this morning said it would be a great political mistake for Levy to exclude Capitola from the election because many of her constituents live in the city.

Others had more positive reactions to the advisory vote proposal.

"I'm proud of her. I see it as a very wise decision. I prefer to give the people a chance to vote on it because it's such an emotional issue. It has torn the

community apart," said Pat Manning, a representative of the Aptos Neighbors Association. Earlier in yesterday's hearing on Wingspread, Manning had emotionally criticized Levy for betraying her constituents in casting the key vote to approve Wingspread and renegotiating on promises to force stiff conditions on the development.

Manning was one of several speakers who personally attacked Levy for supporting Wingspread. Levy's critics, including environmentalists and neighborhood residents, called her everything from a disappointment to an out-and-out liar.

Tim Welch, a spokesman for developer Ryland Kelley, said the proposed ballot measure was a "great" idea since the matter was headed for a vote anyway.

Welch said he was confident Wingspread would stand the test of an election because phone surveys conducted a year and a half ago showed widespread support for the project. Rowland Rebele, president of the Wingspread Arts Foundation, a private, non-profit organization holding special contracts to manage the performing arts center, also enthusiastically supported the proposed advisory vote.

"If the best public support for the project is won through a vote, let's do it," Rebele said. "It means more work for us, more getting out and hustling, but that's good. With an issue as controversial as this one, I think a vote makes sense."

Before casting their final vote on Wingspread in three weeks, the supervisors will review the numerous and complicated findings, conditions



Chip Scheuer
Anne Wightman sits through the lengthy hearing.

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Wingspread opponents Celia Scott Von Der Muhll, left, Mitchell Page and Vicki Powell Murray.

Chip Scheuer

and legal agreements attached to the project.

Key to Wingspread is a real-estate deal between the county and developer Kelley, of the Palo Alto firm Hare, Brewer and Kelley.

According to a gift-lease agreement negotiated by attorneys for Kelley and the county, the developer would hand the county his long-term lease on the Porter Sesnon property.

Kelley acquired the 99-year lease from the University of California for \$1.75 million in 1979.

In exchange for the lease, the county would allow Kelley to rent the property for millions of dollars over the 75-year life of the gift-lease agreement and to build Wingspread.

At yesterday's meeting, the board asked Herr to tighten the agreement to better protect the county in case Conference Associates — the limited part-

nership Kelley formed to develop Wingspread — went bankrupt.

The board also gave Herr permission to hire a lawyer with a specialty in real estate to review the gift-lease agreement.

The supervisors also asked Herr to recommend a way to increase the public participation on the Wingspread Arts Foundation board. Live Oak-Soquel Supervisor Dan Forbus had suggested that public agencies, such as the county Cultural Council and Arts Commission, and the four cities in the county be able to make appointments to the board.

At the request of Patton, the supervisors asked Caltrans to study a redesign of the Park Avenue freeway interchange to provide a direct route from the freeway to Wingspread. A requirement for direct freeway access had been originally proposed, then later rejected by Levy's swing vote.

The supervisors also requested a study on whether Wingspread would be able to stay afloat financially. The study is due before Kelley completes his application with the county.