

Wingspread vote set

But that doesn't mean voters have final say

By KATHARINE BALL
STAFF WRITER

Santa Cruz County voters can count on being swamped by a flood of contradictory facts and figures, along with some impassioned rhetoric, between now and the June primary election, when the controversial Wingspread project will be on the ballot.

But no matter how they vote, it won't necessarily be the final word on the proposed project, the focus of bitter political disputes for nine years. The state Coastal Commission has the power either to veto or modify the project even if the voters approve it, and the county Board of Supervisors would also have to approve any modifications.

It was originally the intention of the supervisors to obtain a Coastal Commission decision on the project, and then, if it was approved, to submit it to the voters in June for what would have been a final decision. But the county, in the person of Supervisor Robley Levy, sensing the danger of outright commission rejection of Wingspread at a hearing last Friday, pressured the commission into delaying its decision.

The opponents of Wingspread were infuriated by Friday's events.

Supervisor Gary Patton points out, for example, that the voters could approve a project in June that could then be modified beyond recognition by the Coastal Commission.

"There's a good chance the performing arts complex could be removed, because it's not a priority use for the Coastal Zone," Patton said.

The performing arts complex is for many people the sweetener for the pill of building a 468-unit hotel with conference space, a health spa and some stores on the the 66-acre Porter Sesnon property opposite Cabrillo College.

Patton made his remarks as part of a debate at yesterday's board meeting about how a Wingspread ballot measure should be worded.

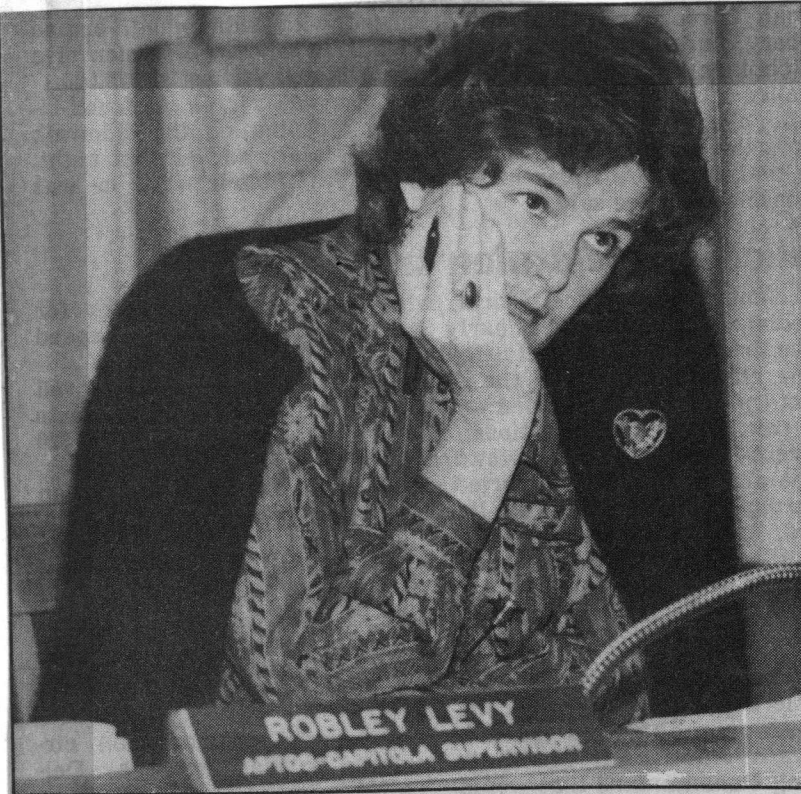
Despite a blistering attack Friday from coastal commissioners outraged by the county's on-again, off-again request for a Wingspread

ruling, Patton suggested the county ask the commission to hear the matter sometime this spring and defer a vote of the people until November.

Patton maintained that the Friday maneuvers by Supervisor Levy to salvage developer Ryland Kelley's project had cast doubt on the integrity of county government generally. This integrity could be restored if the county would let the commission vote the project up or down before it went to the people, he said.

"Integrity is the issue here," Patton said. "For whatever reason, the way it happened down south (in Marina del Rey), tactical maneuvers were used."

See VOTE page 2 ▶



Supervisor Levy listens to critic's attack.

Chip Scheuer

REFERENCE

WATSONVILLE
Register-PAJARONIAN
March 2, 1988



Chip Scheuer

Wingspread opponent Mitchell Page argues for a change in the wording of ballot measure.

He continued, "Let the voters have the final say, not an interim say."

But Levy, who admitted Friday that she had hoped for a favorable commission ruling to boost Wingspread's popularity at the polls, yesterday was upholding the sacred right of citizens of a democracy to guide the actions of their elected officials.

"We need to get this to the people as soon as possible," she said.

Levy, who was berated at length not only by Patton but by several other Wingspread opponents for her actions at the commission, spent most of yesterday morning in the hot seat. She was unusually silent, but made the important motion of the day, to approve the wording of the Wingspread ballot measure.

An outburst of jeers and derogatory chuckles greeted her statement that a fair hearing for Wingspread had not been available Friday because only eight of 12 coastal commissioners were present. It takes seven commission votes for approval of a project; most of the eight commissioners who sat through the Wingspread donnybrook Friday were considered unsympathetic to the project.

In the end, the supervisors voted 3-2 to approve the specific wording of the ballot measure. Patton and Joe Cucchiara said the wording was slanted in favor of the project in a number of ways, and refused to approve it.

Among their complaints: that the ballot measure should not contain the claim that the county will reap "substantial" financial benefits from the project. An agreement between Kelley and the county guarantees the county at least \$1 million in annual rent, unless the project goes bankrupt. Opponents argue that it is likely to go bankrupt because of a glut of hotel space in Califor-

nia generally, and Santa Cruz particularly.

With Levy's support, the board did delete a ballot guarantee that "substantial open space" would be preserved, since disputes loomed over whether parking lots could count as open space.

The board took two votes on the election matter, at Cucchiara's behest, so that he could show his support for the concept of an election, and opposition to the ballot measure's wording.

But Patton voted against even holding the election, still on the grounds of the "misleading" ballot language.

Patton's objections led Supervisor Dan Forbus to crow, "I was sure we'd come to the point where Gary would not support taking this to the people."

Forbus said objections that the people's vote could be overturned by the supervisors if the Coastal Commission ordered modifications to the project were nonsense.

"We promised the people they would be able to vote for (Wingspread), and we have promised to do whatever the people say to do," said Forbus.

But Patton said it was not inconceivable, given that three supervisors (Forbus, Cucchiara and Levy) are up for re-election in June, that a different Board of Supervisors might be ruling on any Coastal Commission modifications.

"Under the history of this project, the unusual seems to be normal," Patton said.

After the meeting, Celia Scott-Von der Muhll, an attorney for a group opposing Wingspread, said the group might consider a court challenge to the wording of the ballot measure, "not with the idea of keeping it off the ballot, but of not misleading the voters," she said.

She said the county also should not call the vote binding, when it clearly could be only advisory, given the subsequent opportunities for changes in the Wingspread plan.