



DEPARTMENT OF PARKS AND RECREATION  
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Armando Quintero, Director

February 2, 2022

Tony Elliot, Director  
Santa Cruz Parks & Recreation Dept.  
City of Santa Cruz  
323 Church Street  
Santa Cruz, CA 95060

**Sent via Email Only**

[telliott@cityofsantacruz.com](mailto:telliott@cityofsantacruz.com)

Re: Pogonip Park – Homeless Garden Project Farm and Garden Proposal

Dear Tony Elliot:

On behalf of the California Department of Parks and Recreation (DPR), the Office of Grants and Local Services (OGALS) provides this letter to the City of Santa Cruz (City) in response to your December 7, 2021 letter. Your letter, along with additional documentation provided, outlines the City's proposal to devote an area of Pogonip Park (Park) to farming and gardening.

The garden would be operated and maintained by the non-profit organization called the "Homeless Garden Project". As indicated by your letter and during our December 7, 2021 meeting, the City reached out to OGALS to request a legal review of the City's proposal to determine if the farm and garden proposal is allowable according to the terms of the grant contracts that provided funding to the Park and in accordance with state statute.

Based on the documentation provided by the City, and legal review of the grant contracts and state statute, the DPR Legal Office concluded that the farm and garden proposal does not violate the terms of the grant contracts or statute. The farm and garden proposal falls under the definition of "open space" as defined by CA Government Code sec. 65560(h)(2), and open space land is defined as a way to accomplish acquisition of Pogonip Park in Public Resources Code 5907(3)(L).

If you have questions, or wish to discuss the above information further, please contact me at [Jean.Lacher@parks.ca.gov](mailto:Jean.Lacher@parks.ca.gov)

Sincerely,

Jean Lacher, Chief  
Office of Grants and Local Services

cc: Lee Butterfield, Manager, Office of Grants and Local Services  
Parveen Kasraee, Staff Counsel, Department of Parks and Recreation