

persons to build what is now used as the “Scheu Family YMCA of Upland” building for the lease land rental cost of **\$1.00 per year**. Now you would imagine that since that property belongs to the residents of Upland, local Upland children could use the basketball courts, and swimming pools and other amenities located there for free or reasonable charges.

But the last time I checked, a day pass costs \$8.00 and it costs a family \$74 in monthly fees, after initial membership fee, to be MEMBERS. Of course, if you are an employee of the San Antonio Regional Hospital, special (lesser) fees are allowed. So now, to use that huge chunk of our park for the next 50 to 100 years you have to be a member or pay dearly to even enter.

Moving on to touch on just the high points, without any public input whatsoever, while former police chief, acting city manager Mr. T was calling the shots at city hall, the city entered an agreement to sell 12% of Memorial Park to San Antonio Regional Hospital. The agenda item, when it ultimately came before the council for subsequent approval, **without compliance with the general plan or the Government Code requirements on sale of park land**, failed to even mention that the land to be sold was a large portion of our Upland Memorial Park. Thereafter, to assure that the public could never afterward complain or take legal action, the city brought its “validation action”, forcing members of the public to challenge the illegal sale in court or “forever hold their peace”, i.e., never in the future to bring a petition for writ.

Only after the court threw out the city’s legal action, did the city and the hospital, without requiring the hospital to obtain signatures necessary to place the item on the ballot as an ordinary citizen would have to do, put the sale of the park land on the ballot for the voting residents of the city to decide the issue (as required by law). All of this cost the taxpayers of Upland dearly to pay these crooked attorneys and city staff for all these shenanigans for the benefit of SARH—not the people. As we know the voters rejected the sale at the ballot box. That time.

Over the past few years, the city has placed the animal control facility in the park and built a community center, all taking up precious open-space areas. And the city even charges for the children to use the skate park—paying attendants to sit in the little room and take \$5.00 apiece from area children to be allowed entry inside the gates.

Now, the City of Upland, ignoring the global climate catastrophe facing us, and without recognizing the TREASURE that pocket of green trees and grass provide us, (sucking up carbon from the atmosphere and giving us clean air to breathe, not to mention providing a small space for wildlife and birds), wants to demolish 75-year old oak trees and plant seedling, and tear up park grass land, and substituting plastic, hot, deteriorating, gas-emitting AstroTurf.

But worst of all: this alleged IS/MND is just another prevarication—a way to allow Ralph to construct his castle without ever providing plans, or specifications or drawings for public review and environmental scrutiny when he and his boys go into our public park and demolish the building that was initially a “community center” building, later converted and used for a day care facility. Now he wants to substitute a newer, bigger building for the “tiny tots”, and “Who wouldn’t want to go to a castle?” is Ralph’s question. The problem is that this is not a castle where you or I can just take our grandchildren to climb on it and play and enjoy in the park. No, this is another “amenity” which will be locked and available only for those selected who will pay for the privilege of attending the castle school in our park. When people gathered in the park last year to hear Ralph’s plans, it was admitted that only 9% of the children presently allowed to attend the “tiny tots” day care were residents of Upland. It was suspected, without verification, that many of the children at that facility are offspring of hospital employees.

So what is happening, incrementally, is our park is being **PRIVATIZED AND DEVELOPED**, not as a real park but as a locked, controlled, money-generating (?) series of enterprises, and this current alleged “initial study/mitigated negative declaration” is meant to curtail or circumvent the actual **ENVIRONMENTAL IMPACT REPORT** necessary for the “improvements” listed. In other words, it appears when Ralph gets ready to build his castle, the city wants to be able to claim it has already done the environmental work and Ralph may continue to drive his pickup truck all over the park on the grass whenever he wants, (like he does now), and wherever he wants, and have the key to the storage facilities and demolish the former community meeting building and build his castle without further plans, approval or public scrutiny.

Evidence of this was recently shown in the White Boy Monument that Ralph and his cohorts erected in our park without any plans or prior city council approval. And when called on this by members of the public, Ralph, in his public testimony at the last city council meeting was astonished that he would have to submit plans and drawings to the city before erecting a monument in our public park. In fact, he was outraged saying, “I have done over a dozen projects in this town and I have never been required to first submit plans to the city for approval”. Members of the public, including myself, pointed out that other citizens, even if erecting a structure *on our own property*, would first have to submit our plans and specs to the city for approval and permit, or risk having it demolished by the city. **BUT RALPH WAS BUILDING WHAT EVER HE WISHED ON PUBLIC PROPERTY WITHOUT PRIOR PLANS OR APPROVAL.**

Apparently this all went right over the heads of the Mayor and Council, who instead of removing the monument, bickered about whose names would appear on the plaque and whether it should say District 4, or be a plaque for the whole city. The mayor offered to contribute \$500 of his own money, so perhaps his name could also appear on the plaque, and the council agreed to use our tax payer dollars for a redux of the plaque.

Now if that monument had been presented to the public for review, I might have said I would like a basketball monument with a boy who resembled Wilt Chamberlain, or Magic or Michael Jordan or LeBron or Kobe or Kareem Abdul-Jabar. Indeed, when I went out to inspect the monument, the young men I saw shooting baskets on the new court looked a lot more like my favorite players than that white boy statue does.

But then I heard Ralph's testimony (5/24/21) as to **why** he wanted to use money he got from some of his big-wig friends in town to build a new basketball court there. He said "The kids that got to go to the YMCA had a good basketball court", and he wanted to build a good court in the park so the kids that can't afford to go to the Y would also have a good court, and now they have a better court. No one asked the question: **Why can't Upland children living in this low-income area just have passes to use the indoor basketball court in the YMCA located in our park?** (Seems to me that it is a "separate but equal" rationalization. Rich kids can play at the Y. Poor kids that look like Kareem have to play outside on Ralph's court).

But another issue arose: The first name on the plaque was **SARH—SAN ANTONIO REGIONAL HOSPITAL** (though not spelled out). This made it seem the hospital is trying to take our park, piece by piece and put its name on it. There were other names. Ralph put his name on the plaque twice. But nowhere was the public informed as to how much money was contributed to the city by each of the persons or entities whose names were on the plaque and when they contributed and where that money is, and whether the city was planning to seek reimbursement from the state for the funds or in-kind contributions that went into construction of the court and the monument.

Furthermore, no justification was given for tearing down grown trees in that area (other than they were "too close together"), and for disposing of broken up concrete under trees and never fully removing it, just putting compost over it. Now, after that "project" is done, it appears on the list of projects included in this "IS/MND". A little late?

So I, as a person born and raised in this town, and who has enjoyed the beauty and peace and fellowship and cool shade and green grass this park has afforded for my entire life, object to this Park Master Plan being approved with a IS/MND, and object to the **ENTIRE PROCESS**, being employed by the city with regard to Upland Memorial Park.

No approval should be given to any element in this plan without actual architectural and engineering plans, specifications and drawings being available to analyze and critique.

Furthermore, construction of a Day-Care/Pre-school building in our park (regardless if it looks like a castle on the outside) is against state law, and will invite just another lawsuit against a city already immersed in litigation, by its repeated failure to properly conduct environmental analysis and reports to the public and respect the law.

A splash pad in the southwest portion of the park, will entail removal of beautiful oaks and grass, and will waste valuable water, will likely require monitoring and policing, locked gates (can't let the homeless use it to wash and bathe), will create further potential for injury, with insurance costs, sanitation maintenance, i.e. extra staffing and employee costs, and again will probably be LOCKED, and admission only permitted on payment of fees. So the way this town operates, it will just be another contractor making money off of the people's parkland. And another portion of Upland Memorial Park will be converted from passive, natural growing plants and trees to a concrete private "amenity".

It was extremely alarming to me at the past meeting to hear Ralph and Rudy (who got his name on the plaque for merely hanging out with Ralph) extolling "amenities" as the answer to our "homeless" problem.

So I will end this diatribe with two short stories.

One afternoon, an old friend of mine who was also born and raised in Upland, invited me to come and check out the skate park with him. As we sat there watching the sunset, a man with a backpack walked nearby and we greeted him. He shared that he had just gotten back from the police station (the place I call the Fortress), where he had picked up his backpack. Seems that our police go around the park and pick up anyone who looks like he might be homeless and takes them to West Valley Detention Center, until after midnight, after which they are released. That way the city/county gets to claim state money for having detained the person, without having to feed or house them. Just let them go out on Etiwanda to walk wherever. Next day one has to retrieve all his things from the Fortress. This man said he had to hurry to find a place to be so he would not get picked up again.

Then recently, when I went to the park to inspect the White Boy Statue, shortly after it was put on the stand, I was approached by two elderly women, one carrying a Bible. I thought perhaps she was going to give me her testimony. But no, she told me that she was led to approach me and share her story. She said she just loved this park so much because it had saved her life. She told me that she had been with a very abusive man and had to leave her home with a small daughter. She said she and her daughter had survived by living in this park for a while when she had nowhere else to go. But she managed to have water and a place to be in Memorial Park until she could get back on her feet. She asked to pray with me and I agreed.

One Sunday morning, a few friends and I went to the Band Shell area to play some hymns on my accordion and have a little service. When I arrived I was greeted by a lovely lady who was sweeping out all the leaves and cleaning that area. It was clear that she and her friend had stayed in that area. They were very careful about keeping it nice and left quickly when she saw that we wished to use that facility. The city plans to

demolish that and build a new amphitheater. No plans are shown for this item on which to do an environmental analysis.

But what has been made clear by the language of Ralph is that the city plans to resolve its “homeless problem” by erecting amenities in the park—amenities that are locked and require fees. He, along with others, even asserted at one time that selling the baseball diamond to the Hospital would help the homeless problem.

The city was contemplating letting Lewis build homes on the soccer fields at Cabrillo Park. Was that also a way to deal with the “homeless” problem? I am certain that there are persons in this town who could find better solutions than destroying our beautiful life-giving parks.

SUMMARY:

I object to using this farce of an Initial Study, and claiming because it’s a park that there are no unmitigated damaging impacts by the proposed “improvements”. I object to giving the public only **20 days**, all without actual plans, timetable, costs or real impacts being considered, to review this pile of paper¹, in order to pave the way for favored developers and corporate entities in our community to develop on public land without further public scrutiny and Environmental Impact Report.

Finally, in these days of climate catastrophe, we must preserve our precious open space and living **green** park, not convert it to some locked, paved “amenities”. And no improvements should be done by persons receiving favorable treatment at city hall. We still have a 14th Amendment, guaranteeing equal treatment under the law.

**WHAT IS PROPOSED IS NEITHER AN UPGRADE NOR AN IMPROVEMENT.
Please take care of our park and leave it without further “Amenities”.**

Thank you for your time and consideration.

Sincerely,

Marjorie Musser Mikels

¹ Please note on the first page of the Table of Contents of the Biological Assessment, under 2.3.1, it cites the **City of San Bernardino’s** General Plan and Municipal Code. Is that where our contract planner got this IS/MND?

