

City of Capitola

Special City Council Meeting Agenda

Thursday, April 17, 2025 – 5:15 PM



City Council Chambers

420 Capitola Avenue, Capitola, CA 95010

Mayor: Joe Clarke

Vice Mayor: Alexander Pedersen

Council Members: Gerry Jensen, Margaux Morgan, Melinda Orbach

Special Meeting of the Capitola City Council – 5:15 PM

1. Roll Call and Pledge of Allegiance

Council Members Gerry Jensen, Margaux Morgan, Melinda Orbach, Alexander Pedersen, and Mayor Joe Clarke

2. Additional Materials

Additional information related to an agenda item on this agenda and submitted to the City after distribution of the agenda packet pursuant to Government Code §54957.5. All correspondence received prior to 5:00 p.m. on the Wednesday preceding a Council Meeting will be distributed to Councilmembers to review prior to the meeting. Information submitted after 5 p.m. on that Wednesday may not have time to reach Councilmembers, nor be read by them prior to consideration of an item.

A. Item 3A - Correspondence Received

B. Item 3B - Correspondence Received

3. General Government / Public Hearings

All items listed in “General Government / Public Hearings” are intended to provide an opportunity for public discussion of each item listed. The following procedure pertains to each General Government item: 1) Staff explanation; 2) Council questions; 3) Public comment; 4) Council deliberation; 5) Decision.

A. Chapter 8.72 of the Capitola Municipal Code
Recommended Action: Provide direction to staff.

B. Park Avenue Alignment of the Coastal Rail Trail (Segments 10 & 11)
Recommended Action: Discuss and provide direction to staff regarding the Park Avenue alignment for the Coastal Rail Trail Segments 10 and 11.

4. Adjournment - *The next regularly scheduled City Council meeting is on April 24, 2025, at 6:00 PM.*

How to View the Meeting

Meetings are open to the public for in-person attendance at the Capitola City Council Chambers located at 420 Capitola Avenue, Capitola, California, 95010.

Other ways to Watch:

Spectrum Cable Television channel 8

City of Capitola, California YouTube Channel

To Join Zoom Application or Call in to Zoom:

Meeting

link: <https://us02web.zoom.us/j/83328173113?pwd=aVRwcWN3RU03Zzc2dkNpQzRWVXAydz09>

Or dial one of these phone numbers: **1 (669) 900 6833, 1 (408) 638 0968, 1 (346) 248 7799**

Meeting ID: **833 2817 3113**

Meeting Passcode: **678550**

How to Provide Comments to the City Council

Members of the public may provide public comments to the City Council in-person during the meeting. If you are unable to attend in-person, please email your comments to citycouncil@ci.capitola.ca.us and they will be included as a part of the record for the meeting. Please be aware that the City Council will not accept comments via Zoom.

Notice regarding City Council: The City Council meets on the 2nd and 4th Thursday of each month at 6:00 p.m. in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The City Council Agenda and the complete Agenda Packet are available for review on the City's website and at Capitola City Hall prior to the meeting. Need more information? Contact the City Clerk's office at 831-475-7300.

Agenda Materials Distributed after Distribution of the Agenda Packet: Pursuant to Government Code §54957.5, materials related to an agenda item submitted after distribution of the agenda packet are available for public inspection at the Reception Office at City Hall, 420 Capitola Avenue, Capitola, California, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the City Clerk's office at least 24 hours in advance of the meeting at 831-475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

Si desea asistir a esta reunión pública y necesita ayuda - como un intérprete de lenguaje de señas americano, español u otro equipo especial - favor de llamar al Departamento de la Secretaría de la Ciudad al 831-475-7300 al menos tres días antes para que podamos coordinar dicha asistencia especial o envíe un correo electrónico a jgautho@ci.capitola.ca.us.

Televised Meetings: City Council meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be rebroadcasted at 8:00 a.m. on the Wednesday following the meetings and at 1:00 p.m. on Saturday following the first rebroadcast on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings are streamed "Live" on the City's website by clicking on the Home Page link "Meeting Agendas/Videos." Archived meetings can be viewed from the website at any time.

Wyatt, Rosie

From: Ari Lessin <arilessin@gmail.com>
Sent: Saturday, April 12, 2025 6:10 AM
To: City Council
Cc: concernedcitizensofcapitola@gmail.com
Subject: Uphold 8.72 — Keep the Trail on the Rail

Dear Councilmembers,

Your first duty is to uphold Capitola law. I urge you to enforce Municipal Code 8.72 and keep the trail in the RTC corridor, not on city streets. The \$67 million in CTC funding is tied to this alignment. Capitola voters supported it — and we still do. Uphold the law, protect public land, and help us build the safe, funded trail we were promised.

Sincerely,
Ari Lessin
Capitola

Wyatt, Rosie

From: Justin Maffia <justin.maffia@gmail.com>
Sent: Saturday, April 12, 2025 6:50 AM
To: City Council
Subject: Listen to Capitola Residents, not the RTC

Dear Capitola City Council Members,

I am writing to urge you to uphold your legal and civic duty by complying with Capitola's Measure L and Section 8.72 of the Municipal Code. As you are aware, these provisions were enacted to preserve and protect the designated rail corridor for the benefit of our community and future generations.

A vote to approve either proposed Option A or Option B, which would redirect the trail onto Park Avenue, not only disregards the will of the voters who supported Measure L but also constitutes a clear violation of the law. Capitola voters made their intentions known – the trail should remain along the rail corridor. Redirecting it to Park Avenue is a capitulation to the RTC's interests at the expense of the community's voice and legal safeguards.

Let me be clear: any member of the council who votes in favor of redirecting the trail will be held accountable by the community. Capitola deserves leaders who stand by the laws that were enacted by and for the people—not those who bend to outside pressure or convenience.

Respectfully,

Justin Maffia

Cliffwood Heights

Wyatt, Rosie

From: Ortiz, Gayle (gayle@gocapitola.com)
Sent: Saturday, April 12, 2025 9:25 AM
To: City Council
Subject: April 17 Agenda item 3A

Dear Council,

Please uphold our current city ordinance 8.72 by stating your agreement at the April 17 meeting.

The intent of this ordinance is clear, any attempt to call it vague will not be tolerated by the majority of your voters.

Measure D and Measure L are not in conflict with one another. Measure D was about whether we want the rail/trail and measure L was about WHERE that trail should be located in Capitola.

Thank you,

Gayle Ortiz

Wyatt, Rosie

From: Bill Lindeke <billlindeke@yahoo.com>
Sent: Saturday, April 12, 2025 10:40 AM
To: City Council
Cc: concernedcitizensofcapitola@gmail.com
Subject: Uphold 8.72 — Keep the Trail on the Rail

Dear Councilmembers,

Your first duty is to uphold Capitola law. I urge you to enforce Municipal Code 8.72 and keep the trail in the RTC corridor, not on city streets. The \$67 million in CTC funding is tied to this alignment. Capitola voters supported it — and we still do. Uphold the law, protect public land, and help us build the safe, funded trail we were promised.

Sincerely,
Bill Lindeke
Soquel

Wyatt, Rosie

From: Kevin Maguire <kmaguire831@gmail.com>
Sent: Saturday, April 12, 2025 12:51 PM
To: City Council; Goldstein, Jamie (jgoldstein@ci.capitola.ca.us); Gautho, Julia
Cc: Concerned Citizens of Capitola
Subject: [PDF] Legal Risk Brief: Park Avenue Trail Detour & Reclassification of Class II Bike Lanes
Attachments: KimleyHorn Tech Memorandaum_5_26_2022_Page1-2
_Maintain_existing_classII_Bike_Lanes.pdf; Ride_ParkAve_BM_Hope02.jpg;
Ride_ParkAve_BM_Hope03_PassingStroller.jpg; IMG_0647.jpg

Dear Mayor, and City Council

With more questions than answers, first and foremost we must abide by our laws. CMC 8.72.

At the very least we need to **pause** any decisions to remove the **Class II bike lanes** on Park Avenue and **downgrade that classification**, due to legal and safety reasons as city staff mentioned as a decision to not create a Class IV bike lane due to street sweepers unable to clear leaf litter and keep the bike lane **safe**.

I Bike on Park Avenue almost everyday, as well as many elite cyclists, E-bikes and commuters. My 12 year old son, my wife, and my puppy also enjoy the safety of the best bike lane we have in the city of Capitola, which is 5-9 feet wide in areas.

Below you will see the risks and questions. Also attached is the 5-26-2022 **KimlyHorn Technical Memorandum** explaining we need to **maintain the existing class II bike lanes**.

Legal Risk Brief: Park Avenue Trail Detour & Reclassification of Class II Bike Lanes

This document outlines legal and regulatory risks associated with rerouting the Rail Trail onto Park Avenue, specifically involving the reclassification of existing Class II bike lanes from a commuter transportation function to a recreational trail detour. These concerns affect funding compliance, policy adherence, and public trust.

1. Conflict with Transportation Designation

- Park Avenue's Class II bike lanes are potentially part of the Pacific Coast Bike Route (PCBR), a designated state and regional transportation corridor.
- Reclassifying this corridor from commuter to recreational use may undermine its regional connectivity function and violate Caltrans Complete Streets policies.

2. ATP & Caltrans Funding Compliance Risk

- If Park Avenue infrastructure was funded using ATP or Caltrans programs intended for active transportation commuting, its reclassification may breach grant conditions.
- This could result in grant clawbacks, project ineligibility for future funds, or formal compliance investigations.

3. Violation of Planning and Environmental Requirements

- Changes to Park Avenue bike infrastructure could conflict with the Metropolitan Transportation Plan (MTP/SCS), Coastal Commission standards, and NEPA/CEQA documentation.

- Loss of commuter infrastructure in favor of a non-corridor recreational trail may reduce mobility equity and accessibility for ADA users.

4. Conflict with Local Law – Measure L

- Capitola Municipal Code 8.72 (Measure L) prohibits trail detours off the rail corridor.
- Repurposing Park Avenue infrastructure for the Rail Trail detour directly violates this ordinance and exposes the city to litigation and public backlash.

Conclusion

Reclassifying Park Avenue's Class II bike lanes as part of a recreational detour conflicts with multiple layers of legal, funding, and policy expectations. The City should seek legal review and public process transparency before pursuing such changes, and fully comply with Capitola Municipal Code 8.72.

Attached the first 2 pages of the 5-26-2022 Technical Memorandum to Kailash Mozumder and Steve Jesberg, City of Capitola

Alternative 1 – Road Diet Striping

Improvements under Alternative 1 consist of striping buffer bike lanes and narrowing the vehicle traffic lanes enhance bicycle accessibility along Park Avenue. The existing Park Avenue roadway cross-section between Monterey and Cabrillo is 30' to 34' wide. **Since this arterial facility needs to maintain Class II bike lanes and one vehicle travel lane in each direction**, there is limited space and opportunities to introduce multiple traffic calming features. However, a road diet striping layout that incorporates green bike markings and buffer bike striping where there is adequate space is feasible. In addition, an electronic speed feedback sign in the westbound direction is proposed at the Washburn intersection

3. Traffic Calming Design Alternatives

Kimley-Horn was tasked to evaluate potential traffic calming alternatives on Park Avenue that would reduce vehicle speeds and improve roadway conditions for bicycle and pedestrian access. Geo-referenced aerial photographs and Santa Cruz County GIS data were used to establish a base map for determining existing topographic features and developing preliminary concepts.

Up to three (3) alternative traffic calming concepts were developed for Park Avenue between Monterey Road and Coronado Street. The layouts of each traffic calming alternative are summarized below and attached in the **Appendix**.

Alternative 1 – Road Diet Striping

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- Road diet striping from Monterey to Coronado
- Buffered Class II bike lanes and green bike striping at conflict zones
- Speed feedback sign at Washburn

Thank you for your time, and for working to keep Capitola Safe and a great place to bike and commute.

Sincerely,

Kevin Maguire

Capitola Resident - Cliffwood Heights - Founder & Director of Blke Capitola Safety and Advocacy Group.

TECHNICAL MEMORANDUM

To: Kailash Mozumder and Steve Jesberg, City of Capitola
From: Derek Wu P.E. and Frederik Venter P.E., Kimley-Horn and Associates, Inc.
Date: May 26, 2022

Re: **Park Avenue Traffic Calming – Corridor Alternatives and Recommended Improvements**

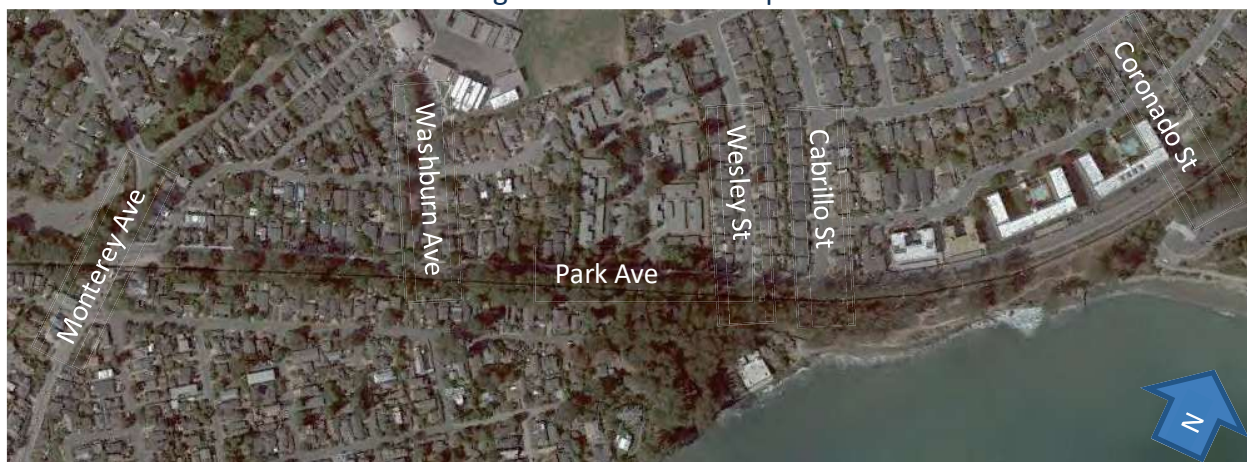
This technical memorandum presents the findings of potential traffic calming impacts to Park Avenue in the City of Capitola. The City of Capitola (City) is planning to construct traffic calming improvements on Park Avenue from Monterey Avenue to Coronado Street to reduce vehicle speeds and improve accessibility for bicyclists and pedestrians along the corridor.

1. Existing Conditions

Park Avenue between Monterey Avenue and Coronado Street is an existing east-west two-lane arterial facility with a curb to curb roadway width between approximately 30 to 40 feet. It is an asphalt paved road with one lane in each direction and provides direct access to single-family homes on the north side, the City's downtown village to the south, and freeway access to Highway 1 to the north. Numerous residential driveways and local streets, such as Washburn and Cabrillo, intersect Park Avenue as stop control on the minor approach. This section of Park Avenue is also part of the Pacific Coast bike route that runs from Half Moon Bay to Watsonville.

The Park Avenue roadway cross-section generally consists of 10.5-foot travel lanes, Class II bike lanes, a 5-foot wide sidewalk on the northside, and a variable wide shoulder on the southside. On-street parking is prohibited along Park Avenue except for signed areas on the southside. The posted speed limit is 25 mph, and an existing electronic speed feedback sign is located east of Cabrillo Street in the eastbound direction. An overview map of the study roadway segment is shown below in **Figure 1**.

Figure 1: Overview Map



2. Speed Survey Review

Speed zones are primarily established to protect the public from the unreasonable behavior of reckless, unreliable, or other dangerous drivers. Typically, speed limits are generally established at or near the 85th percentile speed (critical speed), which is defined as the speed at or below which 85 percent of traffic is moving.

In January 2020, the City conducted an Engineering and Traffic Study to determine vehicle speed limits per the California Vehicle Code and using speed survey data. For Park Avenue, the observed 85th percentile speed was 31 mph in the eastbound and westbound direction. The study recommended that a 25 mph speed limit be implemented in concurrence with the MUTCD. The 25 mph speed limit was obtained by a 5 mph reduction of the critical speed of 30 mph due to the existing number of access points, residential district density, and pedestrian and bicycle safety.

In July 2021, an additional speed survey was conducted. The speed survey collected an average daily traffic of 6,294 using tube counters to calculate vehicle speeds traveling along Park Avenue. The observed 85th percentile speed was 33 mph in the eastbound direction and 35 mph in the westbound direction. These observed 85th percentile speeds exceed the 25-mph posted speed limit on Park Avenue. A copy of the 2020 and 2021 speed surveys are attached in the **Appendix**.

3. Traffic Calming Design Alternatives

Kimley-Horn was tasked to evaluate potential traffic calming alternatives on Park Avenue that would reduce vehicle speeds and improve roadway conditions for bicycle and pedestrian access. Geo-referenced aerial photographs and Santa Cruz County GIS data were used to establish a base map for determining existing topographic features and developing preliminary concepts.

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- Road diet striping from Monterey to Coronado
- Buffered Class II bike lanes and green bike striping at conflict zones
- Speed feedback sign at Washburn







Item 2 A.

Wyatt, Rosie

From: Tex Kahananui <texhayes@yahoo.com>
Sent: Saturday, April 12, 2025 5:13 PM
To: City Council
Cc: concernedcitizensofcapitola@gmail.com
Subject: Uphold 8.72 — Keep the Trail on the Rail

Dear Councilmembers,

Your first duty is to uphold Capitola law. I urge you to enforce Municipal Code 8.72 and keep the trail in the RTC corridor, not on city streets. The \$67 million in CTC funding is tied to this alignment. Capitola voters supported it — and we still do. Uphold the law, protect public land, and help us build the safe, funded trail we were promised.

Sincerely,

[Steven B Hayes]

[Capitola California]

Wyatt, Rosie

From: Routh, Michael <qwakwak@gmail.com>
Sent: Saturday, April 12, 2025 5:50 PM
To: City Council
Cc: Goldstein, Jamie (jgoldstein@ci.capitola.ca.us)
Subject: Item 8A and Item 8B

Mayor and City Council,

It is imperative that you honor your oath of office, enforce Capitola Municipal Code 8.72, and deny the RTC plan to move the bike trail off the rail ROW onto Park Ave.

As a long time public official in Capitola I have never witnessed any city manager have such a blatant disregard for city ordinances, working behind the scenes to push a project that violates city law. After you deny the RTC attempt to move the bike trail onto city streets, the council should seriously consider terminating City Manager Jamie Goldstein. He has violated the trust of the community and city council by attempting to subvert a city ordinance.

You have seen the residents respond negatively to the RTC attempt to take over Capitola's streets. We citizens expect the city council to vote in the best interests of Capitola, not to bow down to the RTC and non-resident train supporters. To fail to do so will lead to recalls of council members who fail to support Ord 8.72.

DO THE RIGHT THING - PUT CAPITOLA FIRST! DENY THE RTC PARK AVE TRAIL!

Mick Routh
Former Mayor and Council member 1972-1996 Former Planning Commissioner 2010-2014, 2016-2020

Sent from my iPad

Wyatt, Rosie

From: Peggy Gallo <marymag4@marybuzz.com>
Sent: Saturday, April 12, 2025 5:51 PM
To: City Council
Cc: concernedcitizensofcapitola@gmail.com
Subject: Uphold 8.72 — Keep the Trail on the Rail

Dear Councilmembers,

Your first duty is to uphold Capitola law. I urge you to enforce Municipal Code 8.72 and keep the trail in the RTC corridor, not on city streets. The \$67 million in CTC funding is tied to this alignment. Capitola voters supported it — and we still do. Uphold the law, protect public land, and help us build the safe, funded trail we were promised.

Sincerely,
[Tom and Peggy Gallo]
[Capitola]

Sent from my iPhone

Wyatt, Rosie

From: Capitola Morrissey <morrisseycapitola@gmail.com>
Sent: Sunday, April 13, 2025 7:54 AM
To: Clarke, Joe; Pedersen, Alexander; Margaux Morgan; Gerry Jensen; Melinda Orbach; Goldstein, Jamie (jgoldstein@ci.capitola.ca.us); Gautho, Julia; City Council
Subject: [PDF] Validity and Enforcement of Capitola Municipal Code Chapter 8.72 (Greenway Capitola Corridor)
Attachments: COURT - 18CV02200 - Memo of P's A's In Opposition to Petition for Writ 8-10-18 (01596202)[58].pdf

Dear Capitola City Council:

As we all heard in the “Oral Communications by Members of the Public” section of the April 10th Capitola City Council meeting, the intent and clarity of Capitola Municipal Code (CMC) Chapter 8.72 is unambiguous and clearly states its purpose, in plain and ordinary language, to preserve the trail within the rail corridor and prohibit its diversion onto Capitola streets, sidewalks, or properties.

Two long-time Capitola residents, Sam Story and Steve Woodside, each with decades of legal training and experience, were absolutely clear in their remarks that CMC Chapter 8.72 is unambiguous, valid and enforceable. Please take the time to watch the replay of this section of the city council meeting so you are fully informed and understand the narrative that’s counter from the one you’ve heard previously from the city staff and attorney.

The Mayor, Council, and City staff must recognize the strong legal foundation that supports the enforceability of CMC Chapter 8.72. The ordinance is unambiguous: the only lawful method for changing it is to bring it back to voters through another election.

The people of Capitola expect you to follow the law—not misinterpret or ignore it. Uphold CMC Chapter 8.72, as written!

In the simplest of terms, upholding CMC Chapter 8.72 means you are accountable for voting against the RTC proposal to move the trail from the rail corridor to the city right-of-way on Park Avenue itself, the sidewalk adjacent to Park Avenue and Park Avenue shoulder.

As Sam Story highlighted in his remarks to the Council, the 2018 court case *City of Capitola v. Linda Fridy et al.* (Case No. 18CV02200) challenged the legality of placing this initiative on the ballot. The legal brief filed by attorneys from Shute, Mihaly & Weinberger LLP (see attached court filing) in defense of Measure L—which passed by an overwhelming margin and was later codified in Capitola Municipal Code Chapter 8.72—makes several key points clear:

1. Measure L is legally valid and legislative in nature: It doesn’t create new laws from scratch—it reaffirms and clarifies existing city policy by directing the city to:

- Use the rail corridor and historic trestle for biking and walking.
- Avoid using public funds to develop a long-term detour through local streets.

2. **It supports existing General Plan and Coastal Act goals:** Contrary to claims that it conflicts with city regional plans, Measure L actually supports long-standing goals of safe, sustainable, and integrated transportation. It also allows flexibility—it doesn’t prohibit other uses of the corridor (such as rail), nor does it stop the city from maintaining bikeways elsewhere.
3. **The initiative process was lawful and strongly supported:** Over 800 Capitola residents signed the petition in just a few weeks. The initiative passed legally and was certified for the ballot before the city attempted to block it in court.
4. **No interference with other agencies:** The initiative respects federal authority over freight rail and doesn’t attempt to stop rail service. It focuses solely on local decisions about recreation and transportation funding and policy.
5. **It does not hinder city operations or budgets:** Legal precedent shows that cities can enact policies through initiatives that guide how funds are used—especially when those policies reinforce existing plans.
6. **The language is legally sound:** Critics claimed it was vague, but the court brief shows its language mirrors many of Capitola’s own city ordinances and legal precedents. Terms like “necessary steps” and “related to” are common and acceptable in municipal law.

The Capitola City Council should thoroughly review the attached brief from Shute and carefully consider the supporting case law, which provides a strong legal foundation for the validity and enforceability of CMC Chapter 8.72. This ordinance is the law, and it must be followed according to its plain and ordinary language—specifically, to keep the trail within the rail corridor and not divert it onto Capitola streets, sidewalks, or other properties.

Any Capitola City Council decision that violates CMC 8.72—which exists solely to preserve the trail within the rail corridor and prohibit its diversion onto Capitola streets, sidewalks, or properties—poses serious legal, financial, and political risks for both the City and the Council..

Thanks - Mike Morrissey
Capitola

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Attorneys for JUAN ESCAMILLA
 Real Party in Interest

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ

CITY OF CAPITOLA,

Petitioner and Plaintiff,

v.

LINDA FRIDY, in her official capacity as
 Capitola City Clerk; GAIL PELLERIN, in her
 official capacity as Santa Cruz County
 Registrar of Voters,

Respondents and Defendants.

JUAN ESCAMILLA,

Real Party in Interest.

Case No. 18CV02200

**Memorandum of Points and Authorities in
 Opposition to Petition for Writ of Mandate;
 Complaint for Judicial Declaration that
 Proposed Initiative Cannot Lawfully Be
 Submitted to Voters; and Request for
 Injunctive Relief to Relieve City/County
 Official from Obligation to Submit Initiative
 to Voters on November 2018 Ballot**

(CCP §§ 1085, 1060 and 526; Elections Code §
 13314)

Hearing Date: August 20, 2018
 Time: 8:30 am

Assigned for All Purposes to
 Hon. John Gallagher (Dept. 4)

Filed Concurrently with Declaration of Robert
 S. Perlmutter and Request for Judicial Notice

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19	<i>Mission Springs Water Dist. v. Verjil</i> (2013)	
20	218 Cal.App.4th 892	19, 20
21	<i>Motorola Commc'n & Elec., Inc. v. Dept. of Gen. Serv.</i> (1997)	
22	55 Cal.App.4th 1340	20
23	<i>Myers v. City Council of Pismo Beach</i> (1966)	
24	241 Cal.App.2d 237	18
25	<i>Orange Citizens for Parks & Recreation v. Superior Court</i> (2016)	
26	2 Cal.5th 141	16
27	<i>Rossi v. Brown</i> (1995)	
28	9 Cal.4th 688	9, 17, 18
	<i>Rutherford v. Cal.</i> (1987)	
	188 Cal.App.3d 1267	19
	<i>San Franciscans Upholding the Downtown Plan v. City and County of San Francisco</i> (2002)	
	102 Cal.App.4th 656	12
	<i>Sequoyah Hills Homeowners Association v. City of Oakland</i> (1993)	
	23 Cal.App.4th 704	15
	<i>Simpson v. Hite</i> (1950)	
	36 Cal.2d 125	18

California Statutes**Government Code**

§ 65474.....	15
§ 65800.....	11
§ 65860.....	15
§ 66474.....	15

Federal Statutes

Interstate Commerce Commission Termination Act of 1995 (49 U.S.C. § 10101 et seq.)	8
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INTRODUCTION

The City of Capitola’s General Plan calls for the future development of a bicycle and pedestrian pathway along the Santa Cruz Branch Rail Line Corridor (“Corridor”), including across the historic Soquel Creek Trestle (“Trestle”). This vision mirrors the Monterey Bay Sanctuary Scenic Trail Master Plan (“Master Plan”), which also promises that a Trestle replacement will include recreational facilities.

Concerned by the City’s lack of action to implement this long-term vision for the Corridor, Real Party in Interest Juan Escamilla prepared an initiative to reaffirm City policy regarding the Trestle. Specifically, the proposed Greenway Capitola Corridor Initiative (“Initiative”) directs the City to work to preserve and utilize the Trestle for recreational use. The Initiative also addresses the concern that short-term use of an existing bicycle and pedestrian path could become a permanent trail “detour” away from the Trestle, through Capitola Village. Accordingly, the Initiative prohibits the City from expending resources to construct or maintain such a detour.

Rather than vote to approve the Initiative outright or place it on the ballot, the City took the drastic step to file a pre-election challenge, alleging a litany of claims. Specifically, the City argues that the Initiative impermissibly directs “administrative action” and that it conflicts with the City’s General Plan. These claims have no basis in fact or law, as the Initiative is a quintessential legislative act that readopts and refines the City’s existing policy. The City also briefly alleges that the Initiative interferes with agency discretion, but it relies on case law now limited by the California Supreme Court. The City’s final claim—that the Initiative is impermissibly vague—is specious, as the City’s own zoning ordinance is replete with the very language that the City now protests.

The power of initiative is a precious right under the California Constitution. *DeVita v. County of Napa* (1995) 9 Cal.4th 774, 776. The City now seeks an extraordinary remedy—pre-election interference in the initiative process—with paltry claims against the Initiative’s validity. Because there is no basis for this action, the writ should be denied.

STATEMENT OF FACTS

In 2013, the Santa Cruz County Regional Transportation Commission (“RTC”) adopted the Master Plan, which established a vision for a bicycle and pedestrian pathway (“Trail”) within the 32-mile Corridor, from Davenport to Watsonville. Petitioner’s Request for Judicial Notice (“Pet. RJN”), Ex. D

1 (“Master Plan”). Within Segment 11, which includes much of Capitola, the Trail would run *over the*
2 *Trestle*. See Master Plan at 4-63 (Segment 11 Proposed Trail Alignment); 1-3 (describing Rail Trail as
3 “spine” or primary alignment). The Master Plan acknowledges that the Trestle must be retrofitted before
4 these plans become a reality; however, it directs that any design plans for a new rail bridge replacement
5 include bike and pedestrian facilities. Master Plan at 4-61. The Plan notes that, in the short-term, “existing
6 surface streets and sidewalks” should be used to cross Soquel Creek. *Id.*

7 In 2014, the City updated its General Plan, which “provides a vision for the future and establishes
8 a framework for maintaining Capitola’s special identity.” General Plan at I-1. The General Plan contains
9 a “Mobility Element,” which provides “a framework for a balanced transportation system in Capitola,”
10 including bicycle and pedestrian facilities. Pet. RJN, Ex. E (“Mobility Element”) at MO-1. In the
11 “Background and Context” section of this document, the City explains that a multi-use trail is planned
12 along the Rail Line, including *a proposed crossing at the Trestle*. *Id.* at MO-10 (“[A] multi-use trail for
13 bicycles and pedestrians is planned along the Santa Cruz Branch rail line corridor. The long term plan is
14 for the multi-use trail to cross Soquel Creek along the Trestle.”), MO-12 (planned uses of Corridor and
15 Trestle include bicycle and pedestrian facilities). However, like the Master Plan, the General Plan
16 contemplates that bicycles and pedestrians will use Stockton Bridge to cross Soquel Creek “in the short
17 term.” *Id.* at MO-10. Stockton Bridge already contains a Class II Bikeway. *Id.* at MO-11.

18 The Initiative’s proponent, Mr. Escamilla, strongly supports the ultimate vision of both the Master
19 Plan and the General Plan: a bike and pedestrian pathway along the Trestle. Indeed, the Initiative’s
20 findings illustrate the many benefits of the Trestle route: including keeping the Trail flat and accessible
21 (Pet. RJN, Ex. A (“Initiative”) § 8.72.030(C)), providing a route for skateboarders, who are barred from
22 other City streets (*id.* § 8.72.030(D)), keeping some bicycle and pedestrian traffic off congested roads (*id.*
23 § 8.72.030(E)), providing safer access to New Brighton Middle School (*id.* § 8.72.030(F)), and allowing
24 access for tourists (*id.* § 8.72.030(I)). He has become increasingly concerned, however, that the City is
25 failing to accomplish this long-term vision.

26 Accordingly, Mr. Escamilla prepared the Initiative to accelerate realization of the City’s long-term
27 vision. His overarching purpose is to enact a policy keeping the Trail within the Corridor, rather than
28 detoured onto public streets. To achieve this public purpose, the Initiative enacts two directives:

1 1. “The City of Capitola, through its constituent departments, shall take all steps necessary
2 to preserve and utilize the Corridor and Trestle for active transportation and recreation.”
§ 8.72.040(A).

3 2. “No City of Capitola department, agency or employee shall expend any funds or
4 resources related to the construction, reconstruction, operation, maintenance, financing,
marketing, or signage for a detour of the Trail onto Capitola streets or sidewalks.”
5 § 8.72.040(B).

6 The Initiative also specifies that its adoption “shall not be construed as amending or rescinding any
7 provisions of the general plan, local coastal program or zoning ordinances, but rather shall be construed
8 and harmonized in a manner to strengthen and define such provisions.” Initiative § 8.72.060.¹

9 On April 2, 2018, Mr. Escamilla filed with the City Clerk a Notice of Intent to Circulate Petition
10 to adopt Chapter 8.72 (“Greenway Capitola Corridor”) into the City’s Municipal Code. After the City
11 prepared the Ballot Title and Summary, the Initiative supporters began circulating petitions. In just over
12 five weeks, volunteer circulators had collected over 800 signatures, more than 10 percent of the City’s
13 registered voters. Petition for Writ of Mandate, ¶ 8. On June 27, 2018, the County Elections Official
14 certified that the petition contained sufficient signatures to qualify for the ballot.

15 Nevertheless, the Initiative became politically contentious. The City Council initially deferred its
16 responsibilities under the Elections Code, instead seeking an impact report. As the City’s deadline for
17 action drew closer, the City filed this last-minute lawsuit. At its August 9, 2018 meeting, the City Council
18 received many public comments regarding the Initiative’s validity and consistency, including from the
19 California Coastal Commission. Real Party’s Request for Judicial Notice and Declaration of Robert S.
20 Perlmutter ¶¶ 4-5, Ex. 3. While the City Council voted 5-0 to place the measure on the ballot, it continues
21 to challenge the Initiative here. *Id.*

22 ARGUMENT

23 I. Petitioner’s Challenge Is Not Appropriate for Pre-Election Review.

24 The California Supreme Court has repeatedly emphasized the duty of the judiciary to “jealously
25

26 ¹ The City’s opening brief (“OB”) speculates that the Initiative’s purpose is to “sever” rail service on the
27 Santa Cruz Branch Line. OB:8, 14. However, neither the City nor its voters may interfere with freight
28 service on the line pursuant to the federal Interstate Commerce Commission Termination Act of 1995 (49
U.S.C. § 10101 et seq.), and the Initiative makes no mention of rail service.

guard” the people’s initiative power.” *Rossi v. Brown* (1995) 9 Cal.4th 688, 695 (citations omitted). Thus, “[i]t has long been our judicial policy to apply a liberal construction to this power wherever it is challenged in order that the right not be improperly annulled.” *Id.* (citations omitted). Courts must “resolve doubts in favor of the exercise of the right whenever possible.” *California Cannabis Coalition v. City of Upland* (2017) 3 Cal.5th 924, 934.

Given the preeminence of the people’s initiative power, courts disfavor, and routinely reject, legal challenges to an initiative’s substantive provisions prior to the election:

[I]t is usually more appropriate to review constitutional and other challenges to ballot propositions or initiative measures after an election rather than disrupt the electoral process by preventing the exercise of the people’s franchise, in the absence of some clear showing of invalidity.

Brosnahan v. Eu (1982) 31 Cal.3d 1, 4. In considering the propriety of pre-election review, courts must exercise “considerable caution” given the “important state interest in protecting the fundamental right of the people to propose statutory or constitutional changes through the initiative process.” *Costa v. Superior Court* (2006) 37 Cal.4th 986, 1007.

The Supreme Court’s ruling in *Independent Energy Producers Association v. McPherson* (2006) 38 Cal.4th 1020 (“*IEPA*”) is instructive. There, the Court warned judges to strongly consider deferring judicial resolution until after the election wherever possible, to allow for “full briefing” and “unrushed deliberation.” *Id.* at 1030. As the Court explained, claims that are not rendered moot by an election provide “good reason for a court to be even more cautious” in granting pre-election review. *Id.* While the Court acknowledged that potential costs incurred in conducting an election may be taken into consideration—as raised by Petitioner (OB:2-3)—it clarified that “deferring judicial resolution until after the election ... often will be the wiser course.” *IEPA*, 38 Cal.4th at 1030.

The Court’s reasoning is directly relevant here, as Petitioner’s legal challenge would be more properly raised *after* the election. None of the four claims—legislative action, plan inconsistency, fiscal discretion, and vagueness—would be affected in any way by the election. At the same time, deferred consideration (in the event the voters adopt the Initiative) would allow both sides to fully litigate the issues.

Courts have recognized three limited exceptions to the broad rule against pre-election review of initiatives, but none is applicable here. First, Petitioner’s claims are not procedural, and therefore present

1 no risk of becoming moot after the election. *See Costa*, 37 Cal.4th at 1006-07. Second, while Petitioner
2 alleges that the Initiative is non-legislative, the allegations do not remotely rise to the level of “clear”
3 invalidity found in cases like *American Federation of Labor v. Eu* (1984) 36 Cal.3d 687, 715 (sustaining
4 pre-election challenge to an initiative purporting to adopt a resolution for a federal constitutional
5 convention) and *City of San Diego v. Dunkl* (2001) 86 Cal.App.4th 384, 402 (sustaining pre-election
6 challenge to initiative that was “an effort to administratively negate the legislative purpose” of *preexisting*
7 legislation). As explained in Section II.A, *infra*, the Initiative is plainly legislative in character. Third,
8 Petitioner has not met the extremely high burden of establishing that the Initiative is so obviously invalid
9 that it should not appear on the ballot. *E.g.*, *Gayle v. Hamm* (1972) 25 Cal.App.3d 250, 258 (pre-election
10 review only warranted where “the invalidity of the proposed measure is clear beyond a doubt”).

11 Because pre-election review is inappropriate here, this Court need not reach the merits of
12 Petitioner’s claims. If the Initiative passes, the issues can be resolved with “unrushed deliberation,”
13 assuming the City or another challenger initiates legal action. *See IEPA*, 38 Cal.4th at 1030.

14 **II. The Initiative Is a Valid Exercise of the People’s Rights Under the Constitution.**

15 **A. Petitioner Erroneously Claims that the Initiative Does Not Enact Legislation.**

16 Petitioner’s primary argument is that the Initiative does not enact legislation, but instead adopts
17 administrative or executive acts. Petitioner misconstrues both the Initiative and the relevant law.

18 The Supreme Court identified a “dichotomy between a governing body’s legislative acts, which
19 are subject to initiative and referendum, and its administrative or executive acts, which are not.” *DeVita*,
20 9 Cal.4th at 776. The form and structure of the initiative do not matter. So long as an initiative “declare[s]
21 a public purpose” or “policy” and “provide[s] the ways and means for its accomplishment,” it is a
22 legislative act. *Hopping v. City of Richmond* (1915) 170 Cal. 605, 613-15; *Dunkl*, 86 Cal.App.4th at 399.

23 Here, the Initiative enacts, into the City’s Municipal Code, a policy choice about how the City
24 should prioritize its resources to complete the Trail as contemplated by the City’s General Plan. The
25 Initiative directs City staff to ensure that all possible resources are used to secure completion of the Trail
26 on the Trestle. Initiative § 8.72.040(A). It then directs City staff to refrain from spending resources on
27 completion of a Trail detour in other parts of the City. *Id.* § 8.72.040(B). Contrary to Petitioner’s argument,
28

1 this is a quintessential legislative act. It declares a public policy (completion of the Trail on the Trestle)
2 and provides the ways and means for its accomplishment (directing the City staff to take certain actions).

3 Numerous cases confirm the Initiative's legislative character. For instance, in *Hopping*, the
4 Supreme Court held that an act to "locate [a] public building [or] public place or institution" is legislative
5 in nature. 170 Cal. at 612. The Court distinguished the act of procuring gas for a public building, which it
6 found to be "merely a thing incidental to the execution of the legislative purpose implied from the
7 acquisition and use of said buildings." *Id.* at 615. The Initiative is similar: it enacts a policy choice about
8 the location of the Trail and establishes the "ways and means" for the City to accomplish that choice. At
9 the same time, it does not direct the City to preserve the Trail in any particular way, an act that, under
10 *Hopping*, could be viewed as "merely a thing incidental."

11 It is of no import that the City's General Plan already includes broad statements about the future
12 of the proposed Trail. *See* OB:5. The Supreme Court has expressly held that the readoption or
13 reaffirmation of a legislative policy is itself legislative. In *DeVita*, for instance, the initiative simply
14 "confirm[ed] and readopt[ed] ... existing portions of the [County General Plan] land use element" and
15 made any future amendment to those portions subject to voter approval. 9 Cal.4th at 770-71. Likewise,
16 zoning ordinances, by definition, implement and must be consistent with policies already enacted by the
17 General Plan. *See* Gov. Code § 65800 ("It is the purpose of [zoning] to implement such general plan as
18 may be in effect in any [] county or city."). Yet, the Supreme Court has categorically held that such
19 ordinances are legislative acts. *Arnel Development Co. v. Costa Mesa* (1980) 28 Cal.3d 511, 523.

20 Here, just as in *DeVita* and the zoning ordinances cases, the Initiative reaffirms and readopts an
21 existing policy of the City: the Trestle should include a bicycle and pedestrian pathway. *Compare* Mobility
22 Element at MO-10 ("The long term plan is for the multi-use trail to cross Soquel Creek along the trestle.")
23 with Initiative § 8.72.040 (The City shall "preserve and utilize the Corridor and Trestle for active
24 transportation and recreation."). And just as in *DeVita*, it also limits the City's ability to change that policy.
25 *DeVita*, 9 Cal.4th at 770-71; Initiative § 8.72.050. That the Initiative readopts and refines General Plan
26 policies does not transmute it into an administrative act.

27 It is also irrelevant that the Initiative focuses on certain aspects of City policy for the Trestle
28 (bicycle/pedestrian facilities) and not others (rail). Courts have routinely recognized that general plans

1 contain many broad policies, some of which may be in tension. *E.g., San Franciscans Upholding the*
2 *Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656, 677-78. In balancing
3 such provisions, both the City and its voters are permitted to enact policy choices favoring one aspect of
4 the plan over the others. For example, in *Chandis Security Company v. City of Dana Point* (1996) 52
5 Cal.App.4th 475, 482, the court upheld referenda against a development plan that conformed to the city's
6 general plan, noting that other development options favoring other plan policies could have been
7 approved. Notably, the Initiative here does not embrace one policy while abandoning the other. It calls
8 upon City staff to *preserve* and utilize the Trestle for active transportation and recreation—not to *restrict*
9 use of the Trestle exclusively for these purposes. It does not preclude use of the Trestle for rail.

10 Petitioner's key case is readily distinguishable. In *Citizens for Jobs and the Economy v. County of*
11 *Orange* (2002) 94 Cal.App.4th 1311, 1331-34 ("*Citizens*"), the initiative did not seek to directly adopt any
12 legislation or any policy choice. Instead, it sought to overturn an existing county policy *indirectly*, by
13 imposing a series of onerous procedural hurdles on the accomplishment of that policy. It is these
14 procedural actions—"defining the project, preparing and processing EIRs, holding hearings for approval
15 of a project, and/or placing an approved project on the ballot"—that the court determined were
16 "administrative or executive acts." *Id.* at 1331-32. In this case, however, the Initiative adopts an
17 affirmative policy choice—to accelerate the long-term vision of placing the Trail on the Trestle—and the
18 mechanisms to achieve that policy. It contains none of the "layers of voter approval and hearing
19 requirements" found offensive in *Citizens*. *Id.* at 1333. And, crucially, as described in Section II.B, *infra*,
20 the Initiative seeks to promote the achievement of existing General Plan policies, not interfere with them.

21 Petitioner also cites *Dunkl*, but that case is inapposite. In *Dunkl*, city voters had previously passed
22 an initiative to enable construction of ballpark; that measure directed the city to prepare an agreement to
23 carry out the construction under certain conditions. 86 Cal.App.4th at 388. When opponents of the ballpark
24 later prepared another initiative to declare that those conditions had not been met, the court found that this
25 second measure "administratively negat[ed] the legislative purpose" of the first initiative. *Id.* at 402. By
26 contrast here, the Initiative does *not* attempt to accomplish specific administrative acts or interfere with a
27 previous initiative. Rather, it promotes, and seeks to realize, long-term policy goals of the City. For this
28 reason, the present measure is a valid exercise of the initiative power and must be allowed on the ballot.

B. The General Plan Consistency Doctrine Does Not Invalidate the Initiative.

1. The Initiative Does Not Conflict with the City's General Plan.

Petitioner asserts that the Initiative conflicts with the General Plan's Mobility Element. The argument is entirely unavailing. The Mobility Element calls for "a balanced multi-modal transportation system that enhances mobility in a safe and sustainable manner." Mobility Element at MO-15 (Goal MO-1). The Initiative is fully consistent with this goal, as it simply directs the City to "preserve and utilize the Corridor and Trestle for active transportation and recreation" and bars funding for a detour of the Trail onto City streets. Initiative § 8.72.040. Further, as set forth below, the Initiative actually *promotes* several key General Plan goals that call for safe, integrated bicycle and pedestrian facilities.

Petitioner first claims that the Initiative conflicts with two paragraphs from the "Mobility Background" section. OB:6-7. Not so. This background section merely describes "the existing transportation system in Capitola" as of 2014, when the General Plan was adopted. Mobility Element at MO-1. It does not set forth General Plan goals and policies. Nevertheless, even if the background section does constitute a General Plan policy, the Initiative does not contradict it.

The initial text cited by Petitioner states that the long-term plan for the Corridor is to have a multi-use trail crossing Soquel Creek along the Trestle. Mobility Element at MO-10; *see* OB:6. The General Plan acknowledges that in the short-term, while funding is unavailable to retrofit the Trestle, pedestrians and cyclists will cross at Stockton Bridge. But it does not require the City to expend resources to detour the Trail onto this existing route. General Plan MO-10. The Initiative does not conflict with these statements. It directs the City to take steps to preserve the Corridor for active transportation and to promote the route on the Trestle—exactly the strategy the General Plan outlines.

Next, Petitioner cites the Mobility Element's background description of the Corridor. OB:7. This passage notes: "Planned transportation uses within this right-of-way include passenger rail service, bicycle and pedestrian facilities, and freight rail service." Mobility Element at MO-12. Notably, the Initiative anticipates accommodating *all three* with an upgraded Trestle. And the Mobility Element explicitly recognizes plans for the Trail along the Corridor, which includes the Trestle. General Plan MO-12.

Petitioner next claims that eleven General Plan policies and two actions "are arguably impeded or frustrated by the Initiative, read literally." OB:7-8. Tellingly, however, Petitioner never attempts to explain

1 how the Initiative would actually impede these policies. *See id.* In fact, the Initiative is entirely harmonious
2 with them. General Plan Policies MO-2.1, MO-2.4, MO-2.5, MO-6.5, MO-6.6, MO-6.7, MO-8.2, MO-
3 8.3, MO-8.4, and Action MO-8.3 all promote safe, accessible, and integrated bicycle and pedestrian
4 networks. Likewise, the Initiative promotes safety by decreasing passthrough bicycle and pedestrian
5 traffic on City streets. Initiative § 8.72.030. It encourages accessibility by keeping the Trail on the Trestle
6 and providing a flat path across the City. *Id.* It promotes an integrated network by providing a direct
7 pathway from one side of the City to the other, as well as to New Brighton Middle School. *Id.*

8 The Initiative also does nothing to prevent the City from working with regional partners to explore
9 the feasibility of passenger rail. *See* OB:7 (citing Policy MO-7.6). The Initiative does not sever the rail
10 connection at the Trestle. *See* OB:8. Instead, it accelerates, or prioritizes, the “plan ... for the multi-use
11 trail to cross Soquel Creek along the trestle,” which both the City and the RTC have planned to
12 accommodate *alongside rail*. *See* Mobility Element at MO-10.

13 Finally, the Initiative does not prevent the City from constructing bikeways shown in the City’s
14 Bicycle Transportation Plan (BTP), as Petitioner asserts. *See* OB:7 (citing Policy MO-8.1, Action MO-
15 8.2). The General Plan recognizes that the Trail, which is the subject of the Initiative, is *additional to and*
16 *separate from* the BTP bikeways. Mobility Element at MO-10. The Initiative’s statements regarding the
17 detour thus can be easily harmonized with the General Plan, as the City is required to do pursuant to the
18 Initiative. Initiative § 8.72.060. While Policy MO-8.1 sets forth a broad goal for constructing and
19 maintaining BTP bikeways throughout the City, it does not mandate any particular expenditure of City
20 funds or other resources. Under the Initiative, the City may still maintain its bikeways as long as it does
21 not affirmatively facilitate the use of these bikeways *as a detour* of the Trail.

22 The Initiative’s approach does not contravene case law on general plan consistency. In fact, courts
23 will find measures to conflict with a general plan only rarely, when the inconsistency is clear and direct.
24 *See, e.g., Families Unafraid to Uphold Rural El Dorado County v. Board of Supervisors* (1998) 62
25 Cal.App.4th 1332, 1338, 1342 (“*FUTURE*”) (inconsistency with general plan found only when case
26 presents clear conflict with “fundamental, mandatory and specific land use policy,” such that no
27 “reasonable person” could find otherwise); *Building Industry Assn. v. City of Oceanside* (1994) 27

1 Cal.App.4th 744, 749-50 (initiative ordinance specifically controlling number and location of housing
2 units conflicted with general plan policy rejecting such direct limits).

3 In particular, courts refuse to find a conflict where the challenged measure actually promotes
4 policies of the general plan, or where the measure merely creates tension with the plan's general policy
5 statements and goals. For example, in *Sequoyah Hills Homeowners Association v. City of Oakland* (1993)
6 23 Cal.App.4th 704, 719, where the challenged project was consistent with 14 of 17 general plan policies,
7 the court rejected plaintiff's claim, reasoning that a "project need not be in perfect conformity with each
8 and every ... policy." See also *Corona-Norco Unified School Dist. v. City of Corona* (1993) 17
9 Cal.App.4th 985, 992, 996-97 & fn. 2 (rejecting plaintiff's "attempts to use general policy statements and
10 goals to argue that General Plan 'requirements' were not complied with").

11 Here, Petitioner can cite no direct conflict with specific General Plan requirements that would
12 warrant invalidation of the Initiative. Instead, it relies upon the Plan's "background" section and various
13 general policies that the Initiative can easily be harmonized with or actually promotes. Given these facts,
14 Petitioner's consistency claim cannot stand. See *id.*; *FUTURE*, 62 Cal.App.4th at 1342.

15 Finally, Petitioner's reliance on *Leshar Communications, Inc. v. City of Walnut Creek* (1990) 52
16 Cal.3d 531, is misplaced. OB:6. In *Leshar*, the general plan specifically called for increased growth in the
17 city, while recognizing that new development would increase traffic. 52 Cal.3d at 536. Because the
18 challenged "traffic control" initiative would have imposed a building moratorium throughout most of the
19 city, it directly contravened the general plan. *Id.* at 536, 544. By contrast here, the Initiative creates no
20 such conflict with core policies and requirements of the City's General Plan.

21 **2. Petitioner Presents No Cognizable Claim that the Initiative Conflicts with the**
22 **RTC's Master Plan.**

23 Petitioner next argues that the Initiative is inconsistent with the RTC's Master Plan. This Court
24 need not tarry long with this claim, as it suffers from two fundamental flaws.

25 First, there is no legal requirement that a land use initiative conform to another jurisdiction's master
26 plans. Under California law, zoning ordinances, specific plans, and other subordinate approvals must be
27 consistent with the city's own *general plan*. Gov. Code §§ 65860 (zoning), 65454 (specific plans), 66474
28 (subdivision maps). However, there is no analogous requirement for consistency with another agency's

1 master plan, even if the City has purported to adopt it²—and Petitioner has cited none. *See A Local and*
2 *Regional Monitor v. City of Los Angeles* (1993) 12 Cal.App.4th 1773, 1814 (“Because consistency is a
3 statutory requirement, no inconsistency can be stated in the absence of a statutory requirement.”).
4 Accordingly, Petitioner’s claim that the Initiative impedes the RTC’s Master Plan is legally irrelevant.

5 Second, even if such a requirement existed, the Initiative is fully consistent with the Master Plan.
6 Describing the City’s section of the Trail, the Master Plan states that the “rail corridor parallels the entire
7 length of the existing [Trail] alignment and could serve as an alternate off-street, multi-use route.” Master
8 Plan 3-10. The Master Plan also recognizes that the Trestle needs to be replaced and requires that “[b]ike
9 and pedestrian facilities be included in any design plans for new rail bridge replacement of the Soquel
10 Creek rail crossing.” Master Plan at 4-61. The Initiative promotes this plan. In particular, it specifically
11 requires the City to “take all steps necessary to preserve and utilize the Corridor and Trestle for active
12 transportation and recreation.” Initiative § 8.72.040.

13 Petitioner claims that the Initiative conflicts with “[Master Plan] policies that call for the
14 continuation of rail service on the Capitola Rail corridor.” OB:9. But this is incorrect. The Initiative does
15 nothing to end or block rail service along the Corridor, and it nowhere designates active transportation
16 and recreation as exclusive uses in the Corridor and Trestle. *See* Initiative § 8.72.040.

17 Petitioner also asserts that the Initiative provision prohibiting the expenditure of funds on a Trail
18 detour conflicts with the Master Plan. OB:10 (claiming Master Plan “unequivocally call[s] for the City to
19 spend funds and resources to construct, enhance, improve and maintain Village bikeways in the City”).
20 Petitioner is wrong. The Master Plan does not mandate funding of the detour or any specific facilities in
21 the City; in fact, the Master Plan does not set funding priorities at all. *See* Master Plan 4-61. Further,
22 contrary to Petitioner’s suggestion (OB:10), the Master Plan *supports* the City adding active transportation
23 and recreation to the Trestle. Master Plan at 4-61 (“Bike and pedestrian facilities to be included in any
24 design plans for new rail bridge replacement of the Soquel Creek rail crossing”).

26 ² In fact, the City did not adopt the Master Plan as part of the City’s General Plan. City Resolution 4019, which
27 “adopted” the Master Plan, nowhere incorporates that document into the General Plan or even references the
28 General Plan. Pet. RJN, Ex. B (Resolution 4019); *see Orange Citizens for Parks & Recreation v. Superior Court* (2016) 2 Cal.5th 141, 158-159 (where general plan did not expressly incorporate “extant documents,” these documents were not properly part of the plan).

1 Last, Petitioner claims that the Initiative somehow prohibits connecting the City’s bikeways to the
2 Trail. *See* OB:8-10. But nothing in the Initiative bars “alignment ‘connection points’” or spur trails. *See*
3 OB:9. Instead, the Initiative prohibits future expenditures to promote *a detour* of the spine Trail and directs
4 the City to take steps to utilize the Trestle for the proposed paved Trail in the Corridor, as shown in the
5 Master Plan’s Proposed Trail Alignment. Master Plan at 4-63 (showing proposed Trail within the
6 Corridor, with connection points/spur trails within existing on-street facilities). The City is free to
7 construct other bikeways in the City and to connect these bikeways to the Trail as long as it is not
8 promoting these bikeways as a detour to the Trail. *See* Perlmutter Dec., Ex. 3 (Coastal Commission
9 concurs with this interpretation of the Initiative).

10 **C. The Initiative Does Not Interfere with Any Essential Governmental Function.**

11 Citing a series of older taxation cases that have since been sharply limited by the Supreme Court,
12 Petitioner invokes the “interference with essential governmental functions” doctrine to argue that the
13 Initiative is invalid, claiming a future City budget *may* provide for unspecified bikeway improvements.
14 Petitioner’s argument is nonsensical, and it finds no support in either the facts or the law.

15 Factually, Petitioner is simply incorrect in two key ways. First, the Initiative *does not* prohibit the
16 City from making most bicycle or pedestrian infrastructure improvements in the City, including the
17 pedestrian safety devices at the Stockton Avenue/Esplanade intersection. OB:11-12. By the plain language
18 of the Initiative, the only thing it prohibits is “a *detour* of the Trail onto Capitola streets or sidewalks.”
19 Initiative § 8.72.040(B) (emphasis added). Petitioner’s strained argument works only if one reads “detour”
20 out of the Initiative. *In re Eddie M.* (2003) 31 Cal.4th 480, 496 (declining to interpret initiative to render
21 language “mere surplusage”); *see also* Section I.B, *supra*. Second, nothing in the City’s existing budget
22 or Measure F commits the City to spending *any* funding on the detour. Petitioner admits as much. OB:11-
23 12 (noting there is no current plan in the Capital Improvement Program for bikeway improvements).

24 Petitioner’s argument also finds no support in the case law. The primary case it relies upon—
25 *Geiger v. Board of Supervisors* (1957) 48 Cal.2d 832; *see* OB:12—has no relevance here. That case simply
26 applied the California Constitution’s express prohibition on using the *referendum* power to challenge “tax
27 levies.” *Id.* at 835. The Supreme Court subsequently held that this limitation does *not* apply to initiatives
28 at all. *Rossi*, 9 Cal.4th at 705-11 (overruling the long line of cases that had applied the so-called “*Myers*

rule” to invalidate initiatives affecting cities’ fiscal affairs). Accordingly, initiatives may be used to affect the fiscal affairs of a city. *Id.*

In expressly declining to follow the other two cases cited by Petitioner—*Myers v. City Council of Pismo Beach* (1966) 241 Cal.App.2d 237 and *City of Atascadero v. Daly* (1982) 135 Cal.App.3d 466—the Supreme Court explained that the proper question to ask is whether the initiative at issue would “impermissibly interfere with fiscal management” by, for instance, “eliminat[ing] a major revenue source [when] no other revenue source is available that may be tapped to offset a resulting budget deficit or to avoid future deficits.” *Rossi*, 9 Cal.4th at 710. Petitioner has not made this showing. Nor could it; the Initiative is unlikely to have any major impact on the City’s budget.³

As for Petitioner’s insistence that *Myers* prohibits initiatives from “‘tying the hands of the city council’” (OB:13 (quoting *Myers*)), the Supreme Court has twice expressly rejected this rationale. See *Rossi*, 9 Cal.4th at 711 (“Our obligation to jealously guard the people’s reserved right of initiative precludes the restriction on its exercise suggested by the *Myers* court.”); *DeVita*, 9 Cal.4th at 798-99 (unlike local elected officials, the voters may properly “circumscribe the power of future governing bodies”).

Finally, Petitioner simply ignores the critical element of the interference with essential government function test. This doctrine provides that the “initiative or referendum is not applicable where ‘the inevitable effect would be greatly to impair or wholly destroy the efficacy of some other governmental power, the practical application of which is essential’” *Simpson v. Hite* (1950) 36 Cal.2d 125, 134 (emphasis added and citation omitted). Petitioner has not even attempted to identify such an impact here.

D. The Initiative Is Not Impermissibly Vague.

Petitioner claims that the Initiative is unconstitutionally vague because it uses the terms “all steps necessary,” “related to,” and “any funds and resources.” OB:13. However, as Petitioner reluctantly concedes (OB:14), the standard for setting aside an initiative or other law on vagueness grounds is exceedingly high. Petitioner must “demonstrate that ‘the law is impermissibly vague in all of its applications.’” *Evangelatos*

³ *Myers*—which is the source of the “*Myers* Rule” the Supreme Court rejected—is further distinguishable because the Legislature had granted the local elected body the exclusive authority to levy the type of tax at issue. 241 Cal.App.2d at 244. Such issues are not presented here.

1 *v. Super. Ct.* (1988) 44 Cal.3d 1188, 1201 (emphasis in original and citation omitted). It has not done so.

2 Applying this standard, the Supreme Court and other courts have expressly rejected vagueness
3 challenges to the terms challenged by Petitioner, which are nearly ubiquitous in state and local laws—
4 including Petitioner’s own. In *County of Nevada v. MacMillen* (1974) 11 Cal.3d 622, 673, for instance, the
5 Court rejected a vagueness challenge to an initiative, holding that terms such as “‘reasonable,’ ‘prudent,’
6 ‘necessary and proper,’ ‘substantial,’ and the like” are entirely permissible “nonmathematical standards”
7 that regulate a “wide spectrum of human activities.” *See also id.* (“[S]tandards of this kind are *not*
8 impermissibly vague.”); *Rutherford v. Cal.* (1987) 188 Cal.App.3d 1267, 1280 (“[T]he phrase ‘emergency
9 work necessary to protect life or property’ is neither vague nor ambiguous”); *Mason v. Office of*
10 *Administrative Hearings* (2001) 89 Cal.App.4th 1119, 1122-23 (“[W]ords such as ‘similar’ and
11 ‘closely related to ... are sufficiently clear so as to avoid a constitutional vagueness challenge”).

12 To hold otherwise here would suggest that hundreds of provisions of Petitioner’s own Municipal
13 Code and General Plan, which collectively use the Initiative’s allegedly unconstitutional terms *at least*
14 *420 times*, must be invalidated. *See* Declaration of Robert S. Perlmutter in Opposition to Petition for Writ
15 of Mandate, ¶¶ 2-3. Courts in analogous circumstances have routinely rejected vagueness challenges for
16 this very reason. *See, e.g., Mission Springs Water Dist. v. Verjil* (2013) 218 Cal.App.4th 892, 915-17
17 (rejecting challenge to allegedly vague term used in numerous other statutes and explaining that the court
18 “would not lightly cast doubt on the validity of all of these statutes”).

19 Moreover, it is immaterial that the Initiative does not identify who will determine what steps are
20 “necessary” or what funds or resources are “related to” the identified items. *See* OB:13. The Supreme
21 Court rejected an identical claim about an initiative’s failure to “specify what agency or person” would
22 make certain determinations, explaining that “by such a test most of the civil and criminal laws of this
23 state would be invalidated.” *Associated Home Builders of the Greater East Bay, Inc. v. City of Livermore*
24 (1976) 18 Cal.3d 582, 597-99.

25 Petitioner also asserts—without any support—that the Initiative would inevitably produce absurd
26 results. OB:14. However, even if Petitioner could prove the possibility of such absurd results—which it
27 cannot—the point is unavailing. Courts are obligated “to give specific content to terms that might
28 otherwise be unconstitutionally vague.” *Associated Home Builders*, 18 Cal.3d at 598; *see also*

1 *Evangelatos*, 44 Cal.3d at 1202 (If initiative requires clarification, courts carry out their “traditional role
2 of interpreting ambiguous statutory language or ‘filling in the gaps’ of statutory schemes.”); *Mission*
3 *Springs*, 218 Cal.App.4th at 915 (“Where more than one statutory construction is arguably possible, [the
4 court’s] ‘policy has long been to favor the construction that leads to the more reasonable result.’”) (citation
5 omitted).

6 Indeed, Petitioner itself retains ample authority (and therefore the duty) to adopt clarifying
7 legislation if needed. *See Creighton v. City of Santa Monica* (1984) 160 Cal.App.3d 1011, 1016, 1019, fn.
8 7 (city properly adopted ordinance clarifying initiative that required rental control board to “finance its
9 reasonable and necessary expenses by charging landlords annual registration fees ... [and] to request and
10 receive funding when [and] if necessary”).

11 Petitioner fails to mention any of the foregoing cases. Instead, it once again relies entirely on a
12 block quote from *Citizens*, 94 Cal.App.4th 131. *See* OB:14-15. However, *Citizens* is readily
13 distinguishable. It involved an initiative that improperly imposed a series of insurmountable procedural
14 barriers to a county’s adopted policy without addressing that policy directly. The court specifically relied
15 on these *other* constitutional defects to find the initiative impermissibly vague. *Citizens*, 94 Cal.App.4th
16 at 1335 (“The uncertainty of the type of instructions imposed on the Board, *in the context of the planning*
17 *process* authorized by Measure A, *interacts in this case with other defects already identified* in the measure
18 to demonstrate its invalidity.”) (emphasis added). More importantly, as just shown, the Supreme Court
19 has expressly *rejected* vagueness challenges to each of the terms and circumstances at issue here.
20 *Associated Home Builders*, 18 Cal.3d at 599; *MacMillen*, 11 Cal.3d at 673. The court’s decision in *Citizens*
21 provides no basis for ignoring these directly on-point Supreme Court holdings.⁴

22 CONCLUSION

23 For the foregoing reasons, this Court should uphold the Mr. Escamilla’s constitutional right to the
24 initiative power and deny Petitioner’s petition for writ of mandate in its entirety.

25
26
27 ⁴ *Citizens* does not even mention, let alone discuss, any of these cases. Instead, it relied on *Motorola*
28 *Comm’n & Elec., Inc. v. Dept. of Gen. Serv.* (1997) 55 Cal.App.4th 1340, 1335, a wholly inapposite case
involving the Public Records Act.

1 DATED: August 10, 2018

SHUTE, MIHALY & WEINBERGER LLP

3 By: /s/ Sara A. Clark

4 SARA A. CLARK

5 Attorneys for JUAN ESCAMILLA
6 Real Party in Interest

7 1028019.7

Wyatt, Rosie

From: roger wyant <haskinshillbilly@gmail.com>
Sent: Sunday, April 13, 2025 9:24 AM
To: City Council
Cc: concernedcitizensofcapitola@gmail.com
Subject: Uphold 8.72 — Keep the Trail on the Rail

Dear Councilmembers,

Your first duty is to uphold Capitola law. I urge you to enforce Municipal Code 8.72 and keep the trail in the RTC corridor, not on city streets. The \$67 million in CTC funding is tied to this alignment. Capitola voters supported it — and we still do. Uphold the law, protect public land, and help us build the safe, funded trail we were promised.

Sincerely,
Roger Wyant
Francesco Circle Capitola

Wyatt, Rosie

From: G L <224glin@gmail.com>
Sent: Sunday, April 13, 2025 9:34 AM
To: City Council
Cc: concernedcitizensofcapitola@gmail.com
Subject: Uphold 8.72 — Keep the Trail on the Rail

Dear Council members,

I've been a residence and business owner of Capitola for 50 + years and have always appreciated the Capitola city council as having the one reasonable and responsible voice of reason from the other jurisdictions in the county.

I'm an avid bike rider that rides throughout the county on a regular basis and without a doubt and by far the worst and scariest part of my ride is through the Village, especially during the summer and weekends. So much so there are plenty of days when I'll avoid going through the village if its exceptionally busy. That you're even thinking of compounding this problem with even more riders (many of whom will be older or younger also in groups) trying to get through the village dodging pedestrians and cars is dangerous. At a minimum I ask and challenge each and every council member to rent an e-bike on this coming Easter weekend and ride loops along the projected path that is being considered so each of you can see for yourselves the hazards that are ever present on a busy weekend. Now add the amount of additional riders that will be using this hazardous corridor once and if this project is complete to get a sense of the congestion and danger it will create.

And one last note, the City is in the process of approval of a very large increase in zoning for 600 Park Ave which, as currently being proposed, if the developer is providing for low or very low income units, minimum parking will be required meaning the only alternative for those residences will be Park Ave. . The reconfiguration for this proposal calls for eliminating the current parking on the track side of Park Ave., with the soon to be increased need for parking along Park Ave the city should be increasing the parking on that side not eliminating it. Please ask yourselves where are these people supposed to park?

Again, I hope the City will be the voice of reason on this important issue, uphold the law passed by voters of Capitola. Policy has consequences and passing this will forever change the Village.

Sincerely,
 Gary Lindeke
 Capitola

Wyatt, Rosie

From: Ann Whitlock <whitlock.as@gmail.com>
Sent: Sunday, April 13, 2025 10:00 AM
To: City Council
Cc: concernedcitizensofcapitola@gmail.com
Subject: Uphold 8.72 — Keep the Trail on the Rail

Dear Councilmembers,

Your first duty is to uphold Capitola law. I urge you to enforce Municipal Code 8.72 and keep the trail in the RTC corridor, not on city streets. The \$67 million in CTC funding is tied to this alignment. Capitola voters supported it — and we still do. Uphold the law, protect public land, and help us build the safe, funded trail we were promised.

I live in Aptos and will never ride the train. But I ride my bike to 41st Ave. We riders need a safe path to commute on. Please preserve the walking/biking trail as it was intended.

Sincerely,
Ann Whitlock
Aptos

Wyatt, Rosie

From: shona mcdougall <mcdougall.shona@icloud.com>
Sent: Sunday, April 13, 2025 12:06 PM
To: City Council
Cc: concernedcitizensofcapitola@gmail.com
Subject: Uphold 8.72 — Keep the Trail on the Rail

Dear Councilmembers,

Your first duty is to uphold Capitola law. I urge you to enforce Municipal Code 8.72 and keep the trail in the RTC corridor, not on city streets. The \$67 million in CTC funding is tied to this alignment. Capitola voters supported it — and we still do. Uphold the law, protect public land, and help us build the safe, funded trail we were promised.

Sincerely,
Shona McDougall
705 Monterey Ave
Capitola

Wyatt, Rosie

From: James Sherman <shermanje05@gmail.com>
Sent: Sunday, April 13, 2025 4:07 PM
To: City Council
Cc: Deb
Subject: Municipal code 8.72

To all concerned my wife and I would like to make you all aware that we as long standing citizens of this great city we support you to only support what we have already voted on (CMC 8.72) if you allow any other option we believe you should put it to a vote of the people.

This project has taken far to long to get off the ground and you need to show some progress soon.

Thank You for your time

Wyatt, Rosie

From: John Glina <jcglina@yahoo.com>
Sent: Monday, April 14, 2025 8:33 AM
To: City Council
Subject: Please vote to keep trail in RTC corridor. Uphold Measure L!

Dear Elected City Council Members,

I voted yes on Measure L. Please uphold Measure L and law 8.72 by voting to keep the trail in the RTC corridor as originally designed.

Thank you your service to our community.

John Glina
Concerned citizen and full time resident of Capitola for 30 years

Wyatt, Rosie

From: Norma Spiegel <fleabit50@yahoo.com>
Sent: Monday, April 14, 2025 8:46 AM
To: City Council
Cc: concernedcitizensofcapitola@gmail.com
Subject: Uphold 8.72 — Keep the Trail on the Rail

Dear Council Members

Your first duty is to uphold Capitola law. I urge you to enforce Municipal Code 8.72 and keep the trail in the RTC corridor, not on city streets. The \$67 million in CTC funding is tied to this alignment. Capitola voters supported it — and we still do. Uphold the law, protect public land, and help us build the safe, funded trail we were promised.

Sincerely,
Norma Spiegel
Capitola CA

Sent from my iPhone

Wyatt, Rosie

From: Christie Donaldson <christieadonaldson@gmail.com>
Sent: Monday, April 14, 2025 8:53 AM
To: City Council
Subject: Rail Trail in Capitola

Hello-

I am writing to urge you to uphold the citizen's of Capitola's desire, as evidenced by the passing of Measure L, law 8.72, in 2018, for the rail trail to be built within the existing rail corridor - NOT ON CITY STREETS! Please vote NO on the Park Avenue and Village project.

Kindly,
Christie Donaldson
Capitola Resident

Wyatt, Rosie

From: Barbara Garrett <barbsberrybest@yahoo.com>
Sent: Monday, April 14, 2025 10:31 AM
To: City Council
Subject: KEEP THE TRAIL ON THE RAIL CORRIDOR

To all council members, and city manager,

Enforce 8.72 MC and please vote NO on the proposal to put the RTC trail on our streets! Keep the trail on the RTC Rail corridor. Measure L was passed by a majority of Capitola citizens. This is Capitola LAW, do not turn your back on the citizens of Capitola!!

Barbara and Vernon Machado
Capitola Residents

Wyatt, Rosie

From: Doug Thom
Sent: Monday, April 14, 2025 10:50 AM
To: City Council
Subject: Municipal Code 8.72

City Council,

I'm writing to set VERY clear expectations that I expect you to fully support and enforce the law we passed to keep the trial in the rail corridor.

If you do not you should expect be held personally accountable by me and all our VERY unhappy neighbors who voted to pass this law.

Doug Thom
117 Central Ave
Capitola, CA.

Wyatt, Rosie

From: Della Davis <delladavis1@gmail.com>
Sent: Monday, April 14, 2025 4:08 PM
To: City Council
Subject: Vote on Park Ave bike lane

Buster Davis
204 Hollister
Capitola, CA 95076

To the City Council:

Please abide by the wishes and legal vote of the Capitola Citizens and make sure that Measure L is adhered to. As a property owner of multiple Capitola properties, and a resident, I do not want the promised trail to be a protected bike path on Park Ave. I do not want the trestle replaced at great cost so some dream of a train that goes to the Boardwalk is then funded. Really. Face reality. Vote no on the RTC idea of a bike and pedestrian path on Park. Keep the trail on the old railroad tracks. Just cover them over or something until you get your train funding.
Thank you

Wyatt, Rosie

From: chris amsden <amsdenfinance@yahoo.com>
Sent: Monday, April 14, 2025 4:16 PM
To: City Council
Subject: CMC 8.72 - Your Obligation

Hello Mayor Clark and Council members,

Measure L was passed by a majority of CAPITOLA voters, and was codified into CMC 8.72. It is not open to interpretation or negotiation - this is our law. It's language and intent is very clear. As duly elected officials representing CAPITOLA citizens, it is your duty to uphold and enforce our laws. You were elected by CAPITOLA residents, and you represent CAPITOLA. The proposed Park Ave. detour would violate CMC 8.72, and therefore must be rejected. Please do not consider outside political agendas, and please do not sacrifice our safety for cost savings. Please vote NO to the proposed Park Ave. detour. The RTC will most definitely find a solution to keep the rail trail in the rail corridor - where it belongs!

Sincerely,

Chris Amsden
Phone: (408) 386-7484
amsdenfinance@yahoo.com

Wyatt, Rosie

From: skip allan <skipallan@sbcglobal.net>
Sent: Monday, April 14, 2025 4:18 PM
To: City Council
Subject: Keep the Trail on the Rail. Uphold CMC 8.72

Dear Councilmembers, As a resident adjacent to Park Ave., and Capitola homeowner for 50 years, I urge you to uphold Capitola law, enforce Municipal Code 8.72 and keep the Trail in the RTC corridor. Running the trail through Capitola Village is madness: dangerous with two steep hills for seniors like myself. As well, I believe the train will likely never happen and our historic trestle should now be used for foot and bike traffic. Using Park Ave is also dangerous..average vehicle speed is

40 mph with 50-60 mph not uncommon on this race track. Please uphold the law, protect our property and lives, and help build the safe, funded trail we were promised and for which I voted. Regards, ~Skip Allan,
310 McCormick Ave., Capitola.

Wyatt, Rosie

From: Colleen Stobbe <colleenstobbe@gmail.com>
Sent: Monday, April 14, 2025 4:46 PM
To: City Council
Cc: concernedcitizensofcapitola@gmail.com
Subject: Uphold 8.72 — Keep the Trail on the Rail

Dear Council Members,

My husband and I have lived in Capitola 55 years and will be living out our lives here. We voted to pass Measure L along with a majority of Capitola voters. As you are well aware Measure L includes Municipal Code 8.72 which clearly stipulates that the trail is to stay in the rail corridor, not to go on city streets. We expect all of you to uphold and enforce Capitola Municipal Code 8.72. It is your duty to do so. It is not your job to fail Capitola voters by ignoring Municipal Code 8.72 and allowing the trail through the Village and along side Park Avenue.

Sincerely,
Colleen and Jeff Stobbe

Wyatt, Rosie

From: Denise White <dwhitehavens@msn.com>
Sent: Monday, April 14, 2025 5:10 PM
To: City Council
Subject: [PDF] UPHOLD MEASURE L
Attachments: Protect Capitola Measure L .pdf

Denise and Rick White

216 Stockton Ave
 Capitola, CA 95010
 dwhitehavens@msn.com
 408-656-8694

Date: 14, April 2025

Capitola City Council
 420 Capitola Ave
 Capitola, CA 95010

citycouncil@ci.capitola.ca.us

Dear Mayor and Esteemed Members of the Capitola City Council,

As 30-year full-time residents and homeowners in Capitola Village, we are writing to express our strong support for the continued preservation and enforcement of Capitola Municipal Code Chapter 8.72, enacted by Measure L in 2018. We urge the City Council to uphold the will of the voters and vote **NO** on any proposal—including the Park Avenue and Village Project—that would reroute the rail trail off the Santa Cruz Branch Line Corridor and onto Capitola streets or sidewalks.

Measure L was approved by a majority of Capitola voters with the intent to preserve the corridor for active transportation and recreational use **on the existing rail line**, including the historic Capitola Trestle. Chapter 8.72 clearly prohibits the use of city funds for detours of the Monterey Bay Scenic Trail onto city streets, a clause that is not only legally binding but morally imperative as it reflects the voice of the community.

Traffic and Safety Concerns

Beyond the legal and environmental issues, the proposed detour would introduce serious negative impacts on our local traffic infrastructure. As longtime residents of Capitola Village, we are acutely aware of the daily congestion on our streets—particularly on Park Avenue, Cliff Drive, and around the Village loop. During peak tourist seasons, our small streets are often overwhelmed, and adding a high-traffic pedestrian and cyclist trail to that mix would only exacerbate the problem.

This kind of rerouting would create unsafe conditions for both residents and visitors, with increased conflicts between cars, pedestrians, and cyclists on already narrow, winding roads. These streets were not designed to accommodate this kind of multi-modal traffic, and doing so would degrade the quality of life for residents while undermining the usability and enjoyment of the trail itself. Rather than enhancing access and safety, the

detour would introduce new hazards, delays, and frustrations—completely contrary to the spirit of the Greenway vision.

Preserve the Corridor

Allowing a detour through our neighborhood streets would compromise safety, accessibility, and the experience of a continuous, scenic trail that unites the region. The rail corridor is a rare and invaluable asset—flat, direct, and ideally situated to serve pedestrians, cyclists, and potentially even transit in the future. Diverting the trail onto Park Avenue or through Village streets undermines these benefits and contradicts both the intent and the letter of Measure L.

As longtime residents, we have witnessed the beauty and value this corridor adds to our community. Capitola must remain committed to forward-thinking, sustainable infrastructure that enhances—not fragments—connectivity. We implore you to respect and enforce Chapter 8.72, and protect the integrity of the Greenway Corridor.

Please vote **NO** on the Park Avenue and Village Project, and continue to stand with the voters and residents of Capitola who believe in a safe, scenic, and sustainable future for our city.

Please feel free to contact me with further input

Sincerely,
Rick and Denise White

Denise White
White Haven Designs
dwhitehavens@msn.com
408 656 8694

Wyatt, Rosie

From: Capitola Morrissey <morrisseycapitola@gmail.com>
Sent: Monday, April 14, 2025 5:40 PM
To: City Council; Clarke, Joe; Pedersen, Alexander; Margaux Morgan; Melinda Orbach; Gerry Jensen; Goldstein, Jamie (jgoldstein@ci.capitola.ca.us); Gautho, Julia
Cc: Meghan Morrissey (mdmorrissey@sbcglobal.net)
Subject: Enforcement of Capitola Municipal Code - Comments on April 17 agenda item 3A

Dear Capitola City Council:

I'm grateful to Mayor Clarke for his courageous move to put a review of Capitola Municipal Code (CMC) Chapter 8.72 on the agenda for the April 17th City Council meeting.

I would like to propose one outcome from this formal agenda item that would go a long way to rebuild our trust in your leadership, motivation and alignment with the residents of Capitola, as both individual and collective city council members.

At the end of the CMC 8.72 review in Agenda Item 3A, please pass a unanimous, unambiguous and binding resolution that the Capitola City Council, all City Council members and Capitola city staff will abide by and enforce all components of the Capitola Municipal Code IN ITS ENTIRETY, including CMC Chapter 8.72.

It's a simple and straightforward way for you to demonstrate your unequivocal commitment to Capitola and our municipal code. You don't have to like the CMC, you can work to change the CMC in the future, but the CMC is the CMC and you're bound to enforce it and not violate it, even if you don't agree with parts of it.

You have an opportunity on April 17 to show the voters in Capitola where you stand in abiding by the laws in the Capitola CMC. The voters will hold you accountable for your actions, now and in the future.

Thanks you for your consideration of this matter.

Mike Morrissey

Capitola

Wyatt, Rosie

From: David Aaron <davidaaron5678@att.net>
Sent: Monday, April 14, 2025 6:39 PM
To: City Council
Cc: concernedcitizensofcapitola@gmail.com
Subject: Uphold 8.72 — Keep the Trail on the Rail

Dear Councilmembers,

I'm pleased that City Council got to hear feedback from the Capitola community about the collective desire to keep the trail in the RTC corridor during the public comment portion of the City Council meeting on April 10. Residents and the Village Business Association were overwhelming against having our bike and pedestrian traffic diverted out of the RTC corridor and down onto our city streets and through the Village. Respectfully, these are your constituents — your neighbors and your friends who put their trust in you by voting for you. You will also be able to tell who are likely not your constituents during the City Council meeting — they will be wearing matching "FORT" t-shirts that they received for this meeting, who haven't participated in anything related to Capitola beyond this issue, and who will not be back for any meetings that don't involve this issue.

Your first duty is to uphold Capitola law. I urge you to enforce Municipal Code 8.72 and keep the trail in the RTC corridor, not on city streets. The \$67 million in CTC funding is tied to this alignment. Capitola voters supported it — and we still do. Uphold the law, protect public land, and help us build the safe, funded trail we were promised.

Sincerely,
David, Deb & Audrey Aaron
Capitola, California

Wyatt, Rosie

From: Kevin Menninger <klm3163@hotmail.com>
Sent: Monday, April 14, 2025 8:09 PM
To: City Council
Cc: concernedcitizensofcapitola@gmail.com
Subject: Uphold 8.72 — Keep the Trail on the Rail

Dear Councilmembers,

Your first duty is to uphold Capitola law. I urge you to enforce Municipal Code 8.72 and keep the trail in the RTC corridor, not on city streets. The \$67 million in CTC funding is tied to this alignment. Capitola voters supported it — and we still do. Uphold the law, protect public land, and help us build the safe, funded trail we were promised.

Thank you
Kim & Kevin Menninger
205 El Salto Drive
Capitola, CA
klm3163@hotmail.com

Wyatt, Rosie

From: Edward Graziani <edgraziani@icloud.com>
Sent: Monday, April 14, 2025 8:38 PM
To: City Council
Subject: Stop by-pass of foot traffic as noted on.

Ed Graziani
 212 Stockton Ave
 Capitola, CA 95010
 ed@sereno.com
 408 828 1579

Date: April 14, 2025

Capitola City Council
 420 Capitola Ave
 Capitola, CA 95010

Dear Mayor and Esteemed Members of the Capitola City Council,

As heritage residents of two homes on Stockton Ave and homeowners in Capitola Village, we are writing to express our strong support for the continued preservation and enforcement of Capitola Municipal Code Chapter 8.72, enacted by Measure L in 2018. We urge the City Council to uphold the will of the voters and vote **NO** on any proposal—including the Park Avenue and Village Project—that would reroute the rail trail off the Santa Cruz Branch Line Corridor and onto Capitola streets or sidewalks.

Measure L was approved by a majority of Capitola voters with the intent to preserve the corridor for active transportation and recreational use **on the existing rail line**, including the historic Capitola Trestle. Chapter 8.72 clearly prohibits the use of city funds for detours of the Monterey Bay Scenic Trail onto city streets, a clause that is not only legally binding but morally imperative as it reflects the voice of the community.

Traffic and Safety Concerns

Beyond the legal and environmental issues, the proposed detour would introduce serious negative impacts on our local traffic infrastructure. As longtime residents of Capitola Village, we are acutely aware of the daily congestion on our streets—particularly on Park Avenue, Cliff Drive, and around the Village loop. During peak tourist seasons, our small streets are often overwhelmed, and adding a high-traffic pedestrian and cyclist trail to that mix would only exacerbate the problem.

This kind of rerouting would create unsafe conditions for both residents and visitors, with increased conflicts between cars, pedestrians, and cyclists on already narrow, winding roads. These streets were not designed to accommodate this kind of multi-modal traffic, and doing so would degrade the quality of life for residents while undermining the usability and enjoyment of the trail itself. Rather than enhancing access and safety, the detour would introduce new hazards, delays, and frustrations—completely contrary to the spirit of the Greenway vision.

Preserve the Corridor

Allowing a detour through our neighborhood streets would compromise safety, accessibility, and the experience of a continuous, scenic trail that unites the region. The rail corridor is a rare and invaluable asset—flat, direct, and ideally situated to serve pedestrians, cyclists, and potentially even transit in the future. Diverting the trail onto Park Avenue or through Village streets undermines these benefits and contradicts both the intent and the letter of Measure L.

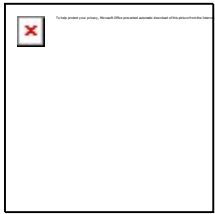
As longtime residents, we have witnessed the beauty and value this corridor adds to our community. Capitola must remain committed to forward-thinking, sustainable infrastructure that enhances—not fragments—connectivity. We implore you to respect and enforce Chapter 8.72, and protect the integrity of the Greenway Corridor.

Please vote **NO** on the Park Avenue and Village Project, and continue to stand with the voters and residents of Capitola who believe in a safe, scenic, and sustainable future for our city.

Sincerely,
Ed Graziani

Edward Graziani

REALTOR® | Concierge Real Estate



t. [408.828.1579](tel:408.828.1579)
w. EdGraziani.com
DRE 01081556



Wyatt, Rosie

From: Anne Mark <annemark99@gmail.com>
Sent: Monday, April 14, 2025 8:59 PM
To: City Council
Cc: concernedcitizensofcapitola@gmail.com
Subject: Uphold 8.72 — Keep the Trail on the Rail

Dear Councilmembers,

I am a concerned citizen of Capitola. Your first duty is to uphold Capitola law. I urge you to enforce Municipal Code 8.72 and keep the trail in the RTC corridor, not on city streets. The \$67 million in CTC funding is tied to this alignment. Capitola voters supported it — and we still do. Uphold the law, protect public land, and help us build the safe, funded trail we all were promised.

Sincerely,
Anne Mark

Capitola resident

Wyatt, Rosie

From: Susana Glina Zubiarte <sglinazubiarte@gmail.com>
Sent: Monday, April 14, 2025 9:14 PM
To: City Council
Subject: Park avenue and village project

Dear City Council Members,

I am writing to urge you to keep the proposed trail within the rail corridor. After attending many meetings regarding this issue and looking into the material that has been discussed (municipal code 8.72, the passing of measure L, the description of the RTC grant), I agree with the many Capitola citizens that have clearly pointed out that moving the trail corridor from where it was originally intended to go (as per the written grant) is both illegal and unethical. It would be a betrayal to the citizens of Capitola to have their voice and choice undermined by you, their elected officials. If you are truly concerned about the safety, profitability, and live-ability within Capitola, I urge you to please vote to keep the trail in the existing measure L supported corridor. Fear tactics should not come into play when making such an important decision. Vote to bank the rail and create trail where we already have one.

Sincerely,

Susana Zubiarte
Home owner and 30 year Capitola Resident

Wyatt, Rosie

From: Jennifer Cosgrove <jcosgrove@interorealestate.com>
Sent: Monday, April 14, 2025 9:44 PM
To: City Council
Cc: Welch, Troy (TJ) (noworries4TJ@mac.com)
Subject: Uphold Capitola Law 8.72 – Keep the Rail Trail in the RTC Rail Corridor
Importance: High

Dear Capitola City Council Members,

I am writing to urge you to uphold Capitola Municipal Code 8.72 and vote **NO** on any proposal that would move the RTC rail trail project off the rail corridor and onto Capitola city streets—specifically Park Avenue and through the Capitola Village.

Measure L passed by a majority vote of Capitola residents to ensure the trail remains within the RTC rail corridor. That directive is now codified into law. Circumventing the will of the voters by allowing development of the trail on our local streets is not only a violation of public trust—it is a **direct violation of Capitola law**.

Let me also remind you: **you were elected by the people of Capitola to serve the people of Capitola**. You were not chosen to reinterpret voter-approved law or push through hidden agendas. Your role is to uphold the law and represent the will of your constituents. **You work for us. Period.**

Taking over Park Avenue and village streets for this project would disrupt vital access, parking, traffic flow, and overall safety in areas that residents and businesses rely on daily. Capitola's unique charm, pedestrian-friendly village, and coastal access are not compatible with this kind of urban street takeover.

The citizens of Capitola have made their voices clear. Our streets are not the place for the RTC bike trail. The proper and legal location is the rail corridor—nothing more, nothing less.

I strongly urge you to protect the integrity of our city, **respect the law**, and honor the vote of the people. **Enforce 8.72 and reject this proposal outright.**

Thank you,

Jennifer Cosgrove
 618 Escalona Dr

JENNIFER COSGROVE | Realtor

Intero, a Berkshire Hathaway affiliate
Presidents Circle Top 5% | Intero Value Award Winner
CFO Intero Foundation
408.930.8425 DRE# 01334273
[my website](#) | [facebook](#) | [twitter](#) | [YouTube](#) | [blog](#)
[interoluxuryinternational](#) | [interofoundation](#)

Wyatt, Rosie

From: H Bryce <helen.s.bryce@gmail.com>
Sent: Monday, April 14, 2025 10:44 PM
To: City Council
Cc: H Bryce
Subject: Just say NO to diverting Capitola Coastal Trail onto Park Ave

Dear City Council Members,

As a long time resident of CAPITOLA, I strongly urge you to obey Capitola law (City Law 8.72). Do not vote to divert the Capitola Coastal Trail onto Park Avenue. Reject both options A & B.

Capitola voters passed Measure L! Do not be swayed from your duty to CAPITOLA by t-shirt wearing meeting-stuffers of non-Capitolans!

I have read the multitude of letters from Capitola residents to the City Council detailing the many reasons why the Council must not divert the trail onto Capitola streets. I agree with them all and will not repeat them here as I believe they have been clearly stated.

However, I will add that it is not only Capitola itself, but the rest of Santa Cruz County that will suffer if you divert the trail. The construction of a continuous trail along the rail corridor must be preserved.

But first and foremost, do your duty to Capitola and your constituents. Thank you!

Helen Bryce

--

(If anyone needs to reach me quickly, please call instead of relying on an email response. Thank you for your patience.)
831-428-8530

Wyatt, Rosie

From: d schillings <d_schillings@yahoo.com>
Sent: Tuesday, April 15, 2025 7:08 AM
To: City Council
Subject: Honor Measure L

Stick to the corridor and off the streets. Do not cave to pressure from RTC. Safety first!!! We voted, now do the hard work and implement. I will not vote to reelect anyone who does not follow through on this action.

-Dina Schillings

-Capitola resident.

Wyatt, Rosie

From: John Mulry
Sent: Tuesday, April 15, 2025 8:15 AM
To: City Council; Goldstein, Jamie (jgoldstein@ci.capitola.ca.us)
Subject: Measure L agenda item

We all know what the law intended and that there will be litigation if we violate it through bad faith interpretation so some of us can get our way. Watching the pouting on the dais recently has been amusing I won't lie.

I have texts between Matt Orbach and I that will be relevant to such a suit and I already have my own litigation against the city and Melinda en route, I'd prefer one suit at a time requiring my involvement.

Plus the planned suit targeting Margaux personally from some of the anti rail folks. Chore all around.

These are my thoughts. People who listen to me become county supervisors, those who don't end up running chambers if they are lucky.

Also let's replace Jamie. He tells everyone what they want to hear even me. He's been here too long. Every job he has applied to to escape us has turned him down.

He's a dud.

Warmly JM

Wyatt, Rosie

From: K Butler <krisgbutler@gmail.com>
Sent: Tuesday, April 15, 2025 11:29 AM
To: Gerry Jensen; City Council; Margaux Morgan; Melinda Orbach; Goldstein, Jamie (jgoldstein@ci.capitola.ca.us)
Subject: GRAVE CONCERN, vote on April 18,2025 regarding access to city streets vs 8.72

Follow Up Flag: Follow up
Flag Status: Completed

Dear City Council members and City Manager,

On Thursday 4/18, you will be voting whether to abide by current Capitola Municipal Code 8.72 or allow this code to be overturned.

I provide the contents of the entire code below, in case the members and manager need a refresher of the contents of what the citizens of Capitola APPROVED.

Please be aware that your votes will be known and if you overturn Capitola Municipal Code 8.72, I and many other voters will be voting in the future with this knowledge.

I urge you to NOT approve overturning 8.72,
as the grass roots concern summarizes

"Keep the trail in the RTC Rail Corridor, Vote NO on the proposal to put the RTC trail on our streets"

Sincerely,
Kristin Butler
4775 Opal Street
Capitola

Chapter 8.72 GREENWAY CAPITOLA CORRIDOR

8.72.010 Purpose.

It is the purpose of this chapter to improve safety and reduce traffic by keeping the Monterey Bay Sanctuary Scenic Trail (Trail) in the Santa Cruz Branch Line Rail Corridor (Corridor) within the city of Capitola while protecting the Capitola Trestle (Trestle). (Ord. [1026](#) § 1 (part), 2018)

8.72.020 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings set forth in this section:

A. “Active transportation” means any form of human-powered transportation including walking, cycling, using a wheelchair or other mobility device, in-line skating or skateboarding. Such forms of transportation may include an electric assistance such as e-bikes, e-skateboards, or motorized wheelchairs.

B. “Greenway” means the space within the Corridor to be used for recreation and active transportation via a continuous pathway. (Ord. [1026](#) § 1 (part), 2018)

8.72.030 Findings.

A. New Public Asset. In 2012, the Santa Cruz County Regional Transportation Commission (SCCRTC) acquired the Corridor from Union Pacific. The Corridor includes the historic Trestle. For the first time, the Corridor and Trestle have the potential to be accessible for bike and pedestrian use. The SCCRTC is planning bike and pedestrian use along the majority of the Corridor.

B. Trestle Detour. The SCCRTC has proposed making the Trestle off-limits to pedestrians, bikes, electric bikes, and skateboarders, detouring pedestrian and bike traffic from the Corridor onto bike lanes and sidewalks in the local Capitola street network and across the Stockton Avenue Bridge.

C. Accessibility. A detour from the Trestle through Capitola Village would require an approximately two-hundred-foot grade change on both ends of the Trail. Keeping the Trail on the Trestle provides a flat path across Capitola, which increases accessibility for people of all ages and abilities.

D. Skateboarding for Transportation. A detour would enter Capitola’s “no skateboarding zone,” inhibiting skateboarding for transportation to New Brighton Middle School and the McGregor Pump Track and Skateboard Park. In contrast, a trail that crosses the Trestle would provide safe access to both locations.

E. Traffic and Safety. Capitola Village streets are often congested, preventing residents and visitors from getting from one side of Capitola to the other quickly and safely. Increasing pass-through bicycle and pedestrian traffic would exacerbate the existing problem.

F. Safe Routes to School. It is the stated goal of Santa Cruz County, California, Transportation Sales Tax Measure D (November 2016) to “provide safe routes to schools.” Walking and biking via the Trestle will provide safe access to New Brighton Middle School. A detour that navigates a significant grade change on narrow, busy streets will not.

G. Stated Preference. Eighty-two percent of residents who provided input regarding Corridor in Vision Capitola 2016 supported using the Corridor for active transportation and recreation rather than a train.

H. Efficient Route. Keeping the Trail in the Corridor as it crosses the Trestle will provide a direct pathway from one side of Capitola to the other.

I. Tourism. The ability to actively use the Trestle will support the local economy by attracting tourists with a safe new way to experience breathtaking views.

J. Healthy Community and Sustainable Transportation. Bicycling and walking are by far the healthiest, most sustainable forms of transportation. Building a safer Trail will encourage more people to choose these options. (Ord. [1026](#) § 1 (part), 2018)

8.72.040 Implementation.

A. The city of Capitola, through its constituent departments, shall take all steps necessary to preserve and utilize the Corridor and Trestle for active transportation and recreation.

B. No city of Capitola department, agency or employee shall expend any funds or resources related to the construction, reconstruction, operation, maintenance, financing, marketing, or signage for a detour of the Trail onto Capitola streets or sidewalks. (Ord. [1026](#) § 1 (part), 2018)

8.72.050 Changes.

This chapter shall not be amended or repealed except by vote of the people. (Ord. [1026](#) § 1 (part), 2018)

8.72.060 Effect of adoption.

Adoption of this chapter by the people shall not be construed as amending or rescinding any provisions of the general plan, local coastal program or zoning ordinances, but rather shall be construed and harmonized in a manner to strengthen and define such provisions. (Ord. [1026](#) § 1 (part), 2018)

8.72.070 Severability.

If any section, sentence, clause, phrase, or part of this chapter is held to be invalid, the remainder of the chapter shall be given full effect consistent with the intent and purpose of the chapter. (Ord. [1026](#) § 1 (part), 2018)

Wyatt, Rosie

From: Tim Matthews <tim@heatherglass.com>
Sent: Tuesday, April 15, 2025 11:48 AM
To: City Council
Cc: Welch, Troy (TJ) (noworries4TJ@mac.com)
Subject: Park Ave Realignment

To all council members,

Please uphold the Law CMC 8.72. The voters of Capitola have overwhelmingly voiced their wishes that the trail remain on the RTC right of way. Please honor their vote!

Thank you

Tim Matthews
300 Plum St spc. 15
Capitola

Wyatt, Rosie

From: John Mulry
Sent: Tuesday, April 15, 2025 11:47 AM
To: City Council; Goldstein, Jamie (jgoldstein@ci.capitola.ca.us); Gautho, Julia
Subject: FORT board member today Saying Capitola Village should be a car free zone regarding Measure L



We know I'm on board for the Esplanade part. The long term plan is car free village. The long term county plan is freight to strip mine the bay. At what point do we just accept that hatred of me will not ever end in me being wrong. I am a long range strategic planner from a generational intelligence family who were also landed military gentry going back to the Norman conquest for the Brits. The world is something I get.

That said the Esplanade is obviously where the trail should go. You can even keep the car lane and the parallel parking. Plenty of room. Solves all the problems minus Stockton bridge. And the Sharrow down Monterey.

Warmly JM

Wyatt, Rosie

From: Ed Spurr <edspurr@yahoo.com>
Sent: Tuesday, April 15, 2025 12:08 PM
To: City Council
Subject: Vote NO on Park Avenue

City Council Members-

It would be a mistake to ignore the intent of Measure L or Ch. 8.72. We citizens of Capitola are frustrated with the flagrant disregard of the needs of our community and the delaying tactics of the RTC over the past 12 years.

- 1) We were promised a wide and safe trail on the right of way which includes the trestle.
- 2) RTC has only considered the "train" agenda and steered public outreach towards that single goal
- 3) Routing the trail through the village is steep, congested and dangerous for bikers
- 4) City of Capitola cannot or does not maintain streets well (Capitola Av. to Bay Av.)
- 5) If Park Avenue vehicle lanes are made narrower, there will be more head-on collisions or vehicles plowing into the boulder topped berm. That is a lot of money for an unpleasant experience.
- 6) Stop the madness. Federal, state and sales tax money is our money. Build the trail across the trestle and keep it on the right of way and DO IT NOW!
- 7) STOP THE RECALL!

Ed Spurr

831.479.1139

300 Plum Street SPC 48

There is only one Earth....

Wyatt, Rosie

From: Bob Hickman <bobster1263@yahoo.com>
Sent: Tuesday, April 15, 2025 1:52 PM
To: City Council
Subject: Thursday April 17 council meeting regarding measure L

To: All members of the City of Capitola Ca. City Council

Fr: Bob Hickman Capitola City Resident since 1999

To all members of the Capitola City Council. I am gravely concerned by the outside interference being run by the group known as the friends of the Rail Trail or more commonly known as FORT.

Measure L is a LAW that was passed by the residents of the City of Capitola to ensure that the Rail Trail Stayed on the Rail and that all of the costs associated with it would not be incurred by the City of Capitola.

Some Highlights from this law

1. Taken from the City Attorney's impartial analysis by then city attorney Anthony Condottii "Second, it prohibits the expenditure of City any "funds or resources related to the construction, reconstruction, operation, maintenance, financing, marketing, or signage for a detour of the Trail onto Capitola streets or sidewalks."

October 26, 2023 Capitola City Council Agenda Report.

Role of the City under Measure L: During the 2018 General Municipal Election, Measure L, a citizen ballot initiative, passed adding Chapter 8.72 Greenway Capitola Corridor to the Capitola Municipal Code. Measure L was drafted to keep the Monterey Bay Sanctuary Scenic Trail within the Santa Cruz Branch Line Rail Corridor, and not allow a detour around the Capital Trestle. The code includes language on implementation stating that the City shall take all steps necessary to preserve and utilize the corridor and trestle for active transportation and recreation; and further states no City of Capitola department, agency, or employee shall expend any funds or resources related to the construction, reconstruction, operation, maintenance, financing, marketing, or signage for a detour of the Trail onto Capitola streets or sidewalks.

Measure L text

Section G.

Stated Preference. 82% of residents who provided input supported using the trail for active transportation rather than a Train.

8.72.050

THIS CHAPTER SHALL NOT BE AMENDED OR REPEALED EXCEPT BY A VOTE OF THE PEOPLE!

We the residents of Capitola are the ones who voted you into office to represent us the citizens of Capitola. Listen to your residents and not the outside influence of FORT or the RTC tell them to stick to their rail corridor and stay off our streets we do not want a trail on Park Ave nor through the village. We want what was promised to us from Day 1. A trail in the Rail corridor not diverting to the streets of Capitola because they did not due their due diligence the beginning by hiring competent engineers and now are trying to come back and correct their mistakes by threatening the City of Capitola.

You must uphold your oath of office to Speak for the residents of the City of Capitola Ca. and our wishes and support Measure L and tell the RTC to Stay on the Rail Trail and not our city Streets

Bob Hickman

207 Washburn Ave Capitola CA.

Wyatt, Rosie

From: Tory Delfavero <tory.delfavero@sbcglobal.net>
Sent: Tuesday, April 15, 2025 1:52 PM
To: City Council
Subject: Measure L & Upholding our Municipal Codes

Dear Mayor and Council,

The RTC put this project at risk when it removed the trail from the rail corridor.

Measure L was not a secret.

City Council members who vote to keep the trail in the rail corridor are not risking the project; they are upholding their oath of office and Capitola's Municipal Code.

We don't get to pick and choose which laws we follow. Voting in favor of this project would undermine City officials' ability to uphold both our civil and municipal codes. The Council would be signaling that these codes are optional or open to interpretation. Is that a rabbit hole we want to go down as a community?

It is the RTC—not the citizens of Capitola opposing the violation of Measure L—that is jeopardizing the ATP grant and timeline when they moved the trail on Capitola city streets.

The will of Capitola voters is very clear with the passage of Measure L.

The Park Avenue RTC project is not a cost-saving measure. It represents a different scope of work and a fundamentally different outcome than keeping the trail in the rail corridor.

There are still many unknowns. Wanting data before making a decision is reasonable and coveted in our elected officials. Who wouldn't want to review an \$8 million report or know whether the city's ATP grant application will be approved, or a true plan for the village is created before proceeding with a project involving such astronomical costs and historic changes to the city?

The argument that Capitola might be overlooked for future funding if we don't accept the Park Avenue project—and instead follow our municipal code—is concerning. I hope our public servants and stewards of taxpayer dollars are not that petty.

Measure L is real, and it is the responsibility of City Staff and Council to follow its intent.

Kindly,
 Tory Del Favero
 Capitola Resident

Wyatt, Rosie

From: KELLY SPENCER <kellyspencer@aol.com>
Sent: Tuesday, April 15, 2025 2:48 PM
To: City Council
Subject: Measure L

Dear Mayor Clarke and City Council,

I supported Susan Westman for the vacant City Council seat, as she has a wealth of knowledge and would have been an asset to the City.

The Council chose to appoint Margaux Morgan, and I respect the will of the Council.

The comments from Council Member Orbach, Council Member Pedersen, and Mayor Clarke indicated their support for Morgan was based on the fact that she put herself on the ballot and was the next highest vote-getter.

I hope you apply that same logic when evaluating Measure L. It was put on the ballot and supported by the majority of the voters.

Sincerely,
Kelly Spencer
Capitola

Wyatt, Rosie

From: Heidi Nilsen <hhhsurfer@gmail.com>
Sent: Tuesday, April 15, 2025 2:13 PM
To: City Council
Subject: Rail Trail in Capitola

Hello-

I am writing to urge you to uphold the citizen's of Capitola's desire, as evidenced by the passing of Measure L, law 8.72, in 2018, for the rail trail to be built within the existing rail corridor - NOT ON CITY STREETS! What has been proposed will be an absolute nightmare for traffic patterns, residents, and tourists.

Please vote NO on the Park Avenue and Village project.

Regards ,
Heidi Nilsen
Capitola Resident

Wyatt, Rosie

From: John Martorella <martorella1115@gmail.com>
Sent: Tuesday, April 15, 2025 2:13 PM
To: City Council
Subject: No trail through the village!

Hello Mayor and members of the council,

Your Capitola residents and business owners have repeatedly told you that they do not want a trail through the village period. Please respect this and do not let the city manager, staff, and RTC try to convince you otherwise.

As you know, Measure L was passed by a majority vote and put into Capitola Law defined as "Capitola Municipal Code 8.72" this needs to be enforced by you as our elected officials.

You are here to represent the Capitola voters and business owners.

John Martorella
Capitola resident since 1990

Wyatt, Rosie

From: Debra Young <youngdeb2@gmail.com>
Sent: Tuesday, April 15, 2025 2:10 PM
To: City Council
Subject: Rail Trail -NOT on Park Avenue!

The Rail Corridor was purchased for the Rail trail, Keep the Trail on the Rail please. CMC 8.72 - 8.72.040 Implementation. 1. The City of Capitola, through its constituent departments, shall take all steps necessary to preserve and utilize the Corridor and Trestle for active transportation and recreation. 2. No City of Capitola department, agency or employee shall expend any funds or resources related to the construction, reconstruction, operation, maintenance, financing, marketing, or signage for a detour of the Trail onto Capitola streets or sidewalks.

--

Debra Young

Wyatt, Rosie

From: reynie lave <renmagfarm@att.net>
Sent: Tuesday, April 15, 2025 3:45 PM
To: City Council
Subject: Diversion of Rail Trail and Measure L

Capitol City Council Members,

I am writing today to express my view on the diversion of the rail trail onto city streets.

As a resident of Capitola I was disheartened to learn that the city was working with the RTC on a plan to divert the trail off the rail right of way down through the village then along Park Avenue. We, the voting residents of Capitola, as you all well know, passed Measure L which was subsequently codified as part of the Capitola Municipal Code 8.72. The clear intent of this Measure was to ensure the trail stays on the RTC owned right of way through the City of Capitola.

It has come to light that the city staff, in bad faith, has been working with the RTC to subvert Measure L. As elected representatives of the voting public of Capitola it is your responsibility to uphold our laws. Capitols spoke, with their vote on Measure L, to keep the trail off of city streets. It is now up to you to carry out your sworn duty.

It is unconscionable that any elected official would directly vote against the will of their constituency. In so doing, they will be breaking a law of the city they have sworn to represent.

Elected representation is the backbone of our society. When those elected subvert the electorate what is left?

Thank you for listening to the Capitola residence that elected you.

Reynolds Lave
310 Fanmar way
Capitola, CA.

Wyatt, Rosie

From: margaret campodonico <margaretcampodonico@gmail.com>
Sent: Tuesday, April 15, 2025 4:06 PM
To: City Council
Subject: Measure L and the rail trail

Dear Capitola City Council Members,

First, thank you for your service to the Capitola community.

At the most recent Town Hall meeting the city attorney was asked her position on the legality of the RTC and Capitola staff diverting the trail through Capitola Village and onto Park Avenue with regards to Measure L, which was codified into law (CMC 8.72). I was shocked to hear her respond that it was up to the "interpretation" of the council. It is not up to the council to "interpret" Measure L how they choose. It is up to the council to remember the INTENTION of Measure L, which was to keep the trail ON the rail line and NOT divert it onto Capitola streets, which includes Park Avenue and Capitola Village.

When you each were sworn in you took an oath to uphold the laws of Capitola. Voting to allow the RTC to divert the trail onto Park Avenue and through Capitola Village is a direct violation of that law (CMC 8.72). Your job is to uphold the laws of Capitola and to represent the majority of Capitola residents and their directives. Measure L and CMC 8.72 is a clear directive to keep the trail on the rail lines.

I hope you listen to the residents of Capitola who voted you onto the council and not the other voices that are pushing their own agenda and who don't have Capitola's best interest at heart.

Thank you for your time and consideration.

Margaret Campodonico
310 Fanmar Way
Capitola, CA 95010

Wyatt, Rosie

From: Westman, Nels (nels@bestwestman.com)
Sent: Tuesday, April 15, 2025 6:14 PM
To: City Council
Subject: April 17 Agenda Item 3 A

Dear City Council,

Now that years of blatant violations of CMC 8.72 (Measure L) have been exposed by careful research and Public Record Requests I am asking myself at what point did the City go off the tracks of legality and who is responsible. Certainly in the early years after 2018 there wasn't much activity regarding diverting the trail off the corridor so the City appears to have followed the law.

And then the RTC came sniffing around. My earliest recollection of when I suspected something was changing was when I attended a Meet and Greet for the ill-fated campaign of Kristen Brown for Second District Supervisor. I don't remember her exact words but it was something along the lines of "8.72 is bad law and we are going to ignore it." Wrong on both counts. As Chair of the RTC and as Mayor of Capitola Brown quickly became the face of the RTC plan to divert the Trail off the Corridor at 47th on to City streets and through Capitola Village with strong support from arguably the then strongest Councilwoman, Yvette Brooks. Subsequently the RTC rushed through their decision to further divert the Trail up on to Park Ave. away from the rails. Public pushback quickly exposed multiple violations of CMC 8.72 to public scrutiny. Concurrently City Manager, Jamie Goldstein (aided by a tortured legal opinion from the City Attorney and subsequently debunked by numerous attorneys well versed in municipal law) also decided that 8.72 was bad law and to ignore it, making the City Manager, the Public Works Director and City Staff complicit in breaking City law. How the finger pointing will turn out in the end is unknown. Undeniably, common sense would say that all parties involved were familiar with 8.72 so the direction to ignore it unquestionably had to come from the City Council, specifically Councilmembers Brown, Brooks and Pedersen. Capitols should feel legitimately betrayed by this behavior.

The current Council must repudiate this choice to ignore and violate CMC 8.72 and state their commitment to obey the laws of the City of Capitola. In order not to complicate the City's legal problems they should vote accordingly

Nels Westman
 Riverview Terrace

Wyatt, Rosie

From: Welch, Troy (TJ) (noworries4TJ@mac.com)
Sent: Tuesday, April 15, 2025 6:38 PM
To: City Council
Cc: Concerned Citizens Of Capitola
Subject: 4/17/25 Agenda items 3A and 3B

Dear Council Members,

There has already been much discussion and information shared with you regarding both CMC 8.72, and the proposed Park Ave project. I am hopeful that by now you understand that this is truly a Capitola issue. Yes, it may affect the county, but the RTC's lack of proper planning is not your responsibility or concern at this point.

Regardless of how the past council perceived or interpreted CMC 8.72, I think it is clear what it means. If you have any doubts, read the "Purpose" statement. The community has made it clear, that past City Council members did not interpret it through the lens of what the community voted for it. The community voted for Measure L put the safety of our kids, cyclists and pedestrians first. Recently, they have voiced their concern that City staff and City Council Members betrayed them by working with the RTC on a project that was and is in clear violation of the code 8.72.

Like the City, you can try twisting words, like realignment, or saying it is not trail, so therefore it's not a detour, or the City is not paying for it. All of these statements are false or misleading and in clear violation of our City Municipal Code.

I urge to support the will of the people, uphold City law and support CMC 8.72 to the fullest extent by voting NO on the Park Ave project. The future of the RTC project is not your responsibility, and I am confident they will find a solution to resolve this issue. Maybe they will even follow through with their original commitment and put the trail on the RTC corridor.

I understand the pressure from the RTC, FORT and others, but I trust you will take the high road and support the community you serve. See you Thursday!

All the Best,
TJ Welch
Concerned Citizens of Capitola

Wyatt, Rosie

From: Kevin Maguire <kmaguire831@gmail.com>
Sent: Tuesday, April 15, 2025 7:12 PM
To: Regional Transportation Commission; City Council
Cc: Concerned Citizens Of Capitola
Subject: [PDF] Current Capitola Municipal code 8.72 violations - for the Record - Immediate Pause Requested on Capitola Rail Trail Realignment – Measure L, CEQA, EIR, and Environmental Concerns
Attachments: RTC-Capitola staff, others 12.24 Meeting (1).pdf

Capitola City Staff and the Rail Trail Project Team violated CMC 8.72, and clearly states these are along the Park Avenue right-of-way. The Agenda report from the Public Works Department: Park Avenue Traffic Calming Improvements with Coastal Rail Trail Options Page 567-568 from the [2/13/25 Agenda](#)

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Coastal Rail Trail Alignment Options

As stated above, during the same time period that the City has been preparing its Traffic Calming Project, the County of Santa Cruz and RTC have been developing the Coastal Rail Trail. Segments 10 and 11 of the Rail Trail, as approved by the Board of Supervisors in April 2024, included a trail alignment that was on the coastal side of the existing tracks between Monterey Avenue and Coronado Street, within the rail right-of-way. This alignment is consistent with the Monterey Bay Sanctuary Scenic Trail Master Plan from 2013. The County and RTC presented this design to the Capitola City Council on October 26, 2023. Due to existing topography and right-of-way constraints, constructing the trail on the coastal side of the tracks between Monterey Avenue and Grove Lane requires the construction of significant infrastructural components, including approximately 1,500 feet of retaining walls up to 16 feet high and a 240 foot long viaduct across Escalona Gulch. Similarly, constructing the trail on the coastal side of the rail between Grove Lane and Coronado Street also requires significant infrastructure, including approximately 950 feet of retaining walls up to 8 feet high, and a 330 foot long viaduct on steep slopes above the New Brighton State Beach parking lot.

Because of the extensive infrastructure required by the original design, the County and RTC are proposing to revise the Coastal Rail Trail Segment 11 alignment between Monterey Avenue and Coronado Street (approximately 0.7 miles) to the Park Avenue right-of-way, in the City of Capitola. The County and RTC are also proposing to coordinate the realigned segment of the trail with Capitola's Park Avenue Traffic Calming Project. Shifting the Coastal Rail Trail alignment to the Park Avenue right-of-way will enhance bicycle and pedestrian safety while improving connectivity between neighborhoods, the Coastal Rail Trail, and Capitola Village. This alignment serves as a cost reduction strategy identified in

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Item 9 C.

the value engineering analysis. Finally, the Park Avenue Coastal Rail Trail alignment is designed to avoid possible conflicts with potential future transportation uses in the rail corridor.

Since the approved designs were developed in 2022-2023, additional information has emerged that should be considered as part of the trail and rail corridor's development.

1. Updated cost estimates for the Coastal Rail Trail Segments 10 & 11 showed significant increases

As a result of this new information, the County and RTC have recommended shifting Coastal Rail Trail Segment 11 from between Monterey Avenue and Coronado Street (approximately 0.7 miles) to the Park Avenue right-of-way. City staff supports this recommendation.

The proposed realignment would include a new 12-foot-wide Class I multi-use path adjacent to Park Avenue on the coastal side of the roadway and includes a minimum 3-foot buffer between the vehicular travel lane and trail. The design includes improvements from Capitola's Park Avenue Traffic Calming Project, such as narrowed travel lanes and speed feedback signs. The Coastal Rail Trail project will also add crosswalks with push-button activated rectangular rapid flashing beacons (RRFB), similar to the newly installed crosswalk at Cabrillo Street, that would connect the trail to the surrounding neighborhood at McCormick Avenue, Washburn Avenue, and the 600 Park Avenue driveway. Intersection lighting will also be upgraded at new crosswalks and trail lighting could also be installed.

In coordination with Capitola staff, the Rail Trail Project team developed two Coastal Rail Trail alignment options along the Park Avenue right-of-way. Option A (Attachment 4) extends the Park Avenue footprint further towards the coast to add the Coastal Rail Trail on the coast side of Park Avenue in order to preserve the existing on-street Class II bike lane on the inland (inbound) side of Park Avenue. Option B (Attachment 5) shifts the Park Avenue roadway alignment inland in order to maximize the use of the existing Park Avenue right-of-way for development of the Coastal Rail Trail and eliminates the Class II bike lane on the inland (inbound) side. Option B is expected to reduce environmental impacts when comparing the two Park Avenue alignments and will reduce project costs. With Option B, cyclists traveling towards Capitola Village would utilize the Class 1 multi-use path on the coast side of Park Avenue instead of the existing Class II bike lane on the inland side of Park Avenue. This would require local bicycle traffic from the Cliffwood Heights neighborhood to cross Park Avenue to access a bike path. Option A would maintain the existing Class II bike lane on the inland side of Park Avenue and allow local users direct access to a bike path for westbound trips without crossing Park Avenue.

Under either option, the existing on-street Class II bike lane on the coastal (eastbound) side of Park Avenue will be eliminated to accommodate the Class I trail. Similarly, from Grove Lane to Coronado

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Subject: Immediate Pause Requested on Capitola Rail Trail Realignment – Measure L, CEQA, EIR, and Environmental Concerns

To: [RTC Project Team], [Santa Cruz County Public Works], [City of Capitola Officials]

Cc: [Relevant legal counsel, environmental consultants, community representatives]

Dear RTC and County Project Leaders,

I am writing to formally request that the Capitola Rail Trail realignment project (Segments 10 and 11) be paused until further environmental, legal, and procedural concerns are addressed. After reviewing the December, 2024 RTC staff meeting transcript and project updates, it is evident that several critical issues—particularly related to Measure L, CMC 8.72 CEQA compliance, biological impacts, and long-term risk—remain unresolved.

1. Violation of Measure L and CMC 8.72 (Protection of Open Space and Community Vote Requirements)

This project appears to threaten protected open space and sensitive areas, triggering Measure L and Capitola Municipal Code 8.72. Yet, there is no reference to a public vote or community process to approve these significant impacts.

Additionally, the realignment's proximity to mobile homes and the proposal to acquire land or pursue eminent domain to build retaining walls raises red flags. As acknowledged in the meeting:

“Would you guys consider allowing us to shift both the relocated track and the trail... to prevent the need for [temporary construction easements]... given the possibility for a contested acquisition...” (p. 271)

These actions conflict with Measure L’s intent to safeguard residential communities and public space from excessive encroachment without broad consent.

2. Monarch Habitat and EIR Inadequacies

The realignment passes through ecologically sensitive zones, including a known monarch butterfly roost at Escalona Gulch. Despite this, the team is treating significant impacts and design changes as eligible for a mere EIR addendum:

“I don’t know if we have tree surveys for that area... I think if it’s handled by an EIR addendum, we can probably accommodate that...” (p. 267)

This downplays CEQA’s requirement to analyze significant new or more severe environmental effects in a Supplemental or Subsequent EIR. Adding retaining walls, modifying alignments, and removing vegetation near critical roosting zones demand formal biological and cumulative impact studies.

3. Critical Windbreak and Tree Removal Risks

The Rodeo Gulch area and adjacent segments serve as vital windbreaks and habitat corridors. Yet, these are subject to realignment or retaining wall construction without adequate study:

“I don’t know if we have that information to make an informed decision.” (p. 267)
“We’re definitely gonna revisit this... moving it has an impact.” (p. 269)

This approach violates CEQA’s requirement for disclosure and mitigation of significant biological impacts, especially where trees support monarch habitat or buffer residential zones.

4. Conflicts with CEQA, Eminent Domain and Construction Risks

The project hinges on right-of-way acquisition and encroachment removal—yet admits high uncertainty about the legal, engineering, and cost feasibility of retaining wall designs:

“How tall are these walls?”
“Like 3–4 feet, I would imagine...” (p. 275)
“There’s usually a drain like a back drain that’s required... some additional work behind the wall as well.” (p. 276)

Pursuing eminent domain or altering alignment designs without confirmed geotechnical feasibility and community outreach is premature and risky.

5. Lack of Alternatives Review

The team discussed off-corridor alternatives (e.g., Brommer, Milton, or Nova alignments), but they are not being carried forward into the final schematic:

“I think it's very likely the RTC is going to want to see an alternative alignment option outside of the right of way...” (p. 280)

CEQA requires that feasible alternatives be studied if they could avoid or lessen significant impacts. Proceeding without this review may result in legal challenge or delay.

Immediate Actions Requested

1. **Pause final design and permitting** until:
 - A supplemental or revised EIR is completed.
 - Updated monarch habitat, tree, and wetland surveys are published.
 - Measure L and CMC 8.72 compliance is confirmed.
 2. **Release** design-specific tree removal, grading, and biological impact maps for public review.
 3. **Provide clear, public justification** for not pursuing alternate routes outside the current right-of-way, particularly in Segment 11.
-

This is a deeply sensitive and high-stakes project. The community deserves a transparent, law-abiding process that protects its natural and residential assets. We urge you to take these concerns seriously and avoid irreversible missteps.

Sincerely,
Kevin Maguire

Capitola

Transcript

December 20, 2024, 5:03PM

□ **Robert Tidmore** started transcription

RT

Robert Tidmore 0:07

Alright, well, I think everyone understands the the purpose of the meeting today.

Essentially, what we're hoping to get out of this meeting is a collective understanding and agreement on the direction that the project's gonna move forward with going into final schematic design and then eventually psns we've we've had a lot of moving parts over the last nine months or.

So and we've resolved some and and many of them.

And that this is a sort of a final effort.

To resolve any remaining things and make sure we have agreement.

On on everything before RM really jumps back into the design and starts moving things around so we don't waste any effort and we can move forward in our in a very efficient manner and and try to to finish PS and E in right of way really as quickly.

As possible, we'll get into the schedule and and some key upcoming dates in a few slides, but that's that's really the goal today.

Any questions or comments?

Before we jump in anything unclear from what I sent out the last couple days.

Did everyone get a chance to look at the blue beam?

Hopefully you had.

You had a chance to.

Note any comments to yourself? I didn't see any any questions or comments in the blue beam itself, so hopefully everyone has at least had a look at it and noting things down to themselves so they can discuss and I just got a text that grace is joining now.

So should see her in just a minute. And I think I think we all know each other.

So I'm gonna skip introductions because we have a lot to cover in this two hours, and I figure we've all met, at least at least one time.

And I'll share my screen.

We'll go through the presentation while we're waiting on grace.

So thank you to Matt Starkey.

I stole his format of his presentation.

We had a similar meeting for segments 8:00 and 9:00. I think it was last Friday.

About this and I just like the way he sort of went through and organized everything.

So I borrowed.

Very heavily from what he did.

So I want to spend.

We have a lot more to cover in terms of design direction for the two segments.

It's longer and there's a lot more to to to cover, so I really want to try to spend the majority of our time focused on going through the blue beam session and and going through the design and making sure we're all on the same page.

But I thought it be worth spending just a few minutes at the beginning talking about where we've been some of the key decisions we've made and and why we're sort of in the in the place we are.

And for those of you who attended the 8-9 meeting last week, this will be very similar.

But there are a number of people on the call who haven't.

So I I felt like it was worth going through and then I wanted to leave a few minutes at the end to sort of go through any outstanding decisions and make sure we're all.

Uh, there's clarity for for the project moving forward.

So just a quick recap of key dates.

Almost a year ago I got a.

Here we go.

Someone let her in.

Thank you.

GB

Grace Blakeslee 3:08

Sorry, I was a little late.

Sorry about that.

RT

Robert Tidmore 3:09

Grace. No problem. That's OK.

We're just going through a similar recap of what we did for 8-9. So in February 23 room completed the refined schematic design and then the all the various agencies and the Coastal Commission finished commenting on that in May of 23.

So we've been sort of pencils down since that point in time.

Separate started in December of 2023. In April of this year, we completed the sequel review and filed our notice of determination for the EIR that was also around the time that the the cost overruns were really widely publicized.

And we started to dig into those and then in May of 2024, as a result, you know, we began the value analysis, value engineering exercise at the RTC funded and and led in June of 2024, we got the the information that the rail clear.

Is for the passenger rail project needed to increase in some cases to 12 feet which started this. Conflict resolution exercise.

Where where we've really been in the last six months trying to figure out how do you fit both the passenger rail and the rail trail on the corridor.

And then in August, we we had sort of a A an analysis of the VA and VE effort that the RTC team put together by the trail design team.

And then had a series of meetings in August to go through and get direction from the group

on on which strategies would be we would be proceeding with.

And so now we're in this last phase of the Zephyrt conflict coordination.

And I'm really hopeful that that process ends here this month and that we're we're, you know, clear in 2025 to move forward.

And then a recap on the value engineering. So again, in early 2024 when the cost issues sort of came to light, a number of us sat down really from RTC City and county, brainstorming ways to save costs.

We even looked at going so far as to rail back the corridor, which would allow us to remove the fencing and signals and explored ways to have relocate the tracks. In April of 2024, bringing to the RTC and the county saying that they would.

You know, relocate the tracks on their dime.

And the savings that we calculated at the time for that work would be roughly 7 to \$8 million that that amount is less if we have to build walls to support the tracks and we'll talk about that in a couple slides. And then the the VAVE study.

Identified roughly \$4 million in savings and that 4 million was corroborated by the design team.

The savings identified by the VE team were considerably higher.

But when our our design team went through and looked at some of the constraints and in a more in depth analysis of the cost savings.

The number was reduced significantly and this primarily comes from changing the wall types to either less expensive options or changing the wall type so we can reduce the number of walls where in some cases we had two walls in in one area and then replacing by ducts with. Retained fill or changing the structure to precast concrete.

And then finally, more recently we looked at the Monterey to Coronado.

I'll say it's a combination of the Vave suggestion as well as reducing conflicts with separate.

And the VE study estimated savings of about \$13 million for that effort.

But I would say that's on the high end and we should expect less.

The zipper coordination side, we have made a couple decisions and I'll just summarize those for each of the the two segments.

So in segment 10, in general, we've agreed that we're gonna build a 12 foot wide trail against the inland edge of the right of way as we know, due to the zephyrt clearances, it's not possible to eliminate all conflicts and Zephyr is going to rebuild and or address.

Those conflicts where needed when that project is built.

One thing I do want to talk about when we get to the bluebium session is.

The right of way impacts and risks with this approach, particularly as we get adjacent to the mobile home parks, understanding that that's already been a contentious issue just with the clearance of encroachments, we also decided that we're gonna relocate lights to the outside edge of the right of.

Way where they would be in conflict with separate so we don't have to rebuild them in the future and then at the Rodeo Gulch bridge, there's been discussions on e-mail and in the last

week's stage gate meeting that the design team needs to verify that there are.

No structural impacts to the existing.

Rail structures from the trail bridges.

In segment 11, one thing I want to talk about today, which I we didn't or I didn't know it before, was that there's a 2 foot clearance conflict along Cliff Dr. moderated Coronado.

We've already discussed that because of the need for a passing siding in this area, we're going to push the trail out to the Park Ave. right of way.

From Coronado to New Brighton Bridge, there's an unknown conflict with Sepert and Riley.

I'm hoping you can speak to that a little bit today.

No, we didn't get an exhibit from from hgr at the New Brighton Bridge. Again, verifying there's no impact to the existing rail structure. And then from New Brighton Bridge to the Oak Trail, there's a 2 foot clearance conflict in that area. And then Marvista State Park again UN.

Conflict with separate. So we'll we'll go through those in more detail, but just wanted to give a high level overview.

And really quickly, since we talked about this again last week, but for for new folks, the RTC and the and camp are going to enter into an MOU which will state that roaring camp will be relocating the tracks on their own dime.

However, there is a need for.

The trail design team to evaluate the need for structures to support the tracks we already have that in the design right now, but the the direction we got in last week's stage gate was that the RRM team would go back and really take a second look at.

The need for walls and try to reduce them where possible.

You know where regrading where we can and then the project will provide the construction stacking of the proposed track center line.

That's a that's sort of a a given.

We know that that's gonna happen.

And then the the next three.

Pieces that have an asterisk with them. We're still trying to figure out the sequence and exactly how that's gonna play out, but the the thought now is that the project will design and construct the retaining walls.

That are needed to support the track, the relocated track and that we will design and construct the rail and road intersections and that then roaring camp will relocate the track to meet the freight standards. And again the sequencing will figure out at 65% to that.

So here's a here's a draft roject schedule.

Draft is emphasized, have not had a chance to work with the room team to understand, you know, their timelines for these various pieces, particularly for the psne part.

I pulled these from our our schedule that we worked through in Paed.

So they're, I would say they're within the ballpark, but a lot of details still need to be figured out.

I would say that the key thing to focus on is this this deadline here April 2027.

This is if we're not going to request an extension. This is when we have to have materials due to CTC both for the completion of the PS and E and right away.

And that sets us up for a construction allocation in June of 2027.

So our critical path really is getting to a place in the final design that 65% or we can start appraisals because right of ways you can see is is really the longest critical path needed to get to a construction so.

We are here in early or late 2024.

We're working through the PS and E contract approval with RRM right now. We expect to go to the board on March 11th with the PS and E contract amendment.

RM again based on the the previous schedule, I'm thinking we'll need about 3 months to do final schematic design.

They'll have to be reviews in there, and then another three months to do 65% design and then the the the remaining portion of the PSNE package will take around 10 months.

And again, the the really the 65% design sets us up for both getting permits from the Coastal Commission and starting the appraisal process.

I'm hoping that after the final schematic design, we'll have a pretty good sense of what our right of way needs are so that we can go out and hire an appraiser and and get that process going. And that really as soon as that 65% design package.

Is done.

We can hit the ground and start doing appraisals.

Obviously, we would all love to have right of way, be uncontested and not have to go into eminent domain. And if that's the case, I think we can save.

A fair amount of time, but we sort of need to plan for that and then utility relocations and coordination will happen.

While we're going through final design.

I see some questions. Riley. Gear first.

RG

Riley Gerbrandt 12:14

Have you vetted the the time period for eminent domain?

If you if we needed to go that route.

RT

Robert Tidmore 12:19

Yeah. Yeah, sort of.

I talked to Kimberly from our real property team and she said, you know, that's sort of a best case scenario.

It's basically you do appraisals, then you need six months of negotiations before you can go to a resolution of necessity. And then it's about 6 months from Iran to an order of possession.

RG **Riley Gerbrandt** 12:43
So if that schedule slips, then what would we do?

RT **Robert Tidmore** 12:48
We would request an extension for both completion of well completion of right of way and then construction allocation.

RG **Riley Gerbrandt** 12:55
OK.

RT **Robert Tidmore** 12:56
Yeah.

RG **Riley Gerbrandt** 12:56
I have a feeling that you probably would have a better chance of.
That being a successful request for that type of a situation.
But that's pretty aggressive timeline for a potential MND domain.

RT **Robert Tidmore** 13:14
Yeah, that's good feedback. Thank you, grace.

GB **Grace Blakeslee** 13:18
My question actually was also related to node domain. Not sure if this is a dumb question, but for like the places where you might need easements for tiebacks for walls does does that like something that can happen under eminent domain?

RT **Robert Tidmore** 13:32
I assume so.

GB **Grace Blakeslee** 13:34
I don't.
I just.
I just don't know 'cause not familiar with that. Usually I think of it as actually like a like acquiring property and fee.
But anyway, just curious because I feel like that's where some of the challenges there's gonna be on the county side. RTC has two property issues that we're working through.
Not sure if we'll go with definite domain. It doesn't have to follow the same timeline related to this project, but I feel like the county's gonna have more of.
The construction easements and the easements for tieback.

RT **Robert Tidmore** 14:01
Yeah.

GB **Grace Blakeslee** 14:03
So thinking about the process for that just 'cause I'm not very familiar and then I thought the funds were use it or lose it if you didn't request an allocation by June 30th.
2027 it sounds like you have.
Your information is different.
I was just wondering if you could just briefly communicate what kind of extensions are allowable. I've been really using the June 30th as a drop dead.

RT **Robert Tidmore** 14:27
Yeah, I can.
I will confirm that with Caltrans, but if you follow the timely use guidelines then we can extend. We have basically another 12 months extension we can extend past that and actually I would say I can I can corroborate that with Caltrans because.
Evelyn, from District 5 local assistance sent the city of a very sort of two two scenarios. One if they followed no extension timeline and then a second one if they used all their possible extensions and that had construction starting in like 20-30.
So there there's a lot of potential there for getting extensions and they had the same construction allocation date.

GB **Grace Blakeslee** 15:03
That's really great information.

RT **Robert Tidmore** 15:05
Obviously, we don't go that way, but if we need to, we can, yeah.

GB **Grace Blakeslee** 15:08
'Cause cost will go up, but I didn't know that applied to ATP, so that's really good information for me. And the reason I'm thinking about it right now is that we just sent out the notices to the mobile homes again, that they're trespassing and we have a we.
Planning on getting a court order in June end of June 2025, based on the required 2027 deadline and one of our negotiating pieces will be schedule for encroachment removal.

RT **Robert Tidmore** 15:23
Mm hmm.
OK.

GB **Grace Blakeslee** 15:29
So that's why that information is important to me right now.

RT **Robert Tidmore** 15:32
Yeah, yeah.
And if you wanna have a separate meeting to go over that, I'm happy to do that.

GB **Grace Blakeslee** 15:35
Wait, yeah, if you just send me the Evelyn's e-mail, that probably would help.

RT **Robert Tidmore** 15:38
OK.
Any other questions about schedule and and and I think we're all familiar, but this is about a year later than we had anticipated and or planned and or told bodies yet.
So I don't know.
I I prefer we keep this close to our chest and then when we go to the board in well actually probably when we go to the RTC in February to request a PSA extension or a psne funding and when we go to the board in March for our.
PS and E Amendment I think that's when we'd probably daylight this information to those to those governing bodies.
Not seeing any other questions.
Yeah, Phil.

PD **Phil Doody (MME)** 16:20
Yeah. I just wanted to note that the Vave report did say that there would be another two months of design time assigned to the precast concrete viaduct.
That was kind of embedded in the report.
So you know the the, the timelines, the 10 month timeline might be more like a 12 month timeline.

RT **Robert Tidmore** 16:44
OK.
That's good to know.
Thank you.
Yeah. And like I said, we haven't gone over this with with you.

PD **Phil Doody (MME)** 16:47
You're welcome.

RT Robert Tidmore 16:49

Well, with RM or or you know any of their Subs?

So right we need.

We need to.

We need to corroborate that, but that's that's a good that's a good heads up to know now.

PD Phil Doody (MME) 16:57

OK.

RT Robert Tidmore 17:02

OK. Just again, quickly moving on to right away approach. So as I said, we'll hopefully have the right of way needs identified in our final schematic package.

Then we'll hire our appraiser and we'll use County Road property team Kimberly and her team to to manage the right of way process. RTC is going to send encroachment, removal letters and it sounds like Gray stills will, at least for the mobile homes, will go out in June. Of 2025.

Do you know yet? Oh, OK.

GB Grace Blakeslee 17:26

We just sent them.

Actually, we sent them last year and then we just sent ones this year.

So my email's blowing up.

Yeah, not good.

RT Robert Tidmore 17:32

OK, I'm sure.

GB Grace Blakeslee 17:33

No fun.

RT Robert Tidmore 17:35

And then remaining encroachments.

When do you know when those plan to go out?

GB Grace Blakeslee 17:41

That was actually, that's a good question for this team. The way that we've been working through with segment 9 is we RTC identified the encroachments and provided the encroachment exhibits.

Then we met with the city and went through the schematic plan on how we were going to

address those encroachments, but that what the city had said, and I'm just giving this as an example, because how it might play with segment 10 and 11 is that then they.

Wanted to do a field visit to look at the encroachments and determine if the solution we've talked about was agreeable before sending the letter.

So that's a little bit unknown because for the city, I would say, you know, we thought we would be out there with the 60% design in the summer ground truthing the encroachment conflicts and the solutions. And we haven't done that.

So we have the letters from our perspective for 9 ready to go.

But we needed that.

So if that's the same process, if the other encroachment removal letters wouldn't happen until after 60% design in a field visit, I'm not sure I'd let people's input on how that process would work.

RT

Robert Tidmore 18:39

Yeah. I think obviously earlier is better just from getting people to to get out of the way. I think it would really depend on the nature of the encroachments in my head.

I'm thinking there are a couple structures along the way that are gonna be bigger, longer lead issues, but in the majority of the encroachments that I'm thinking of are are offenses and other things that can relatively easily be moved, I think.

You know, we'll have to talk to RRM, but you know, if if we have a pretty good idea of what our right of way needs are at the final schematic package, that could be a good place to go out and do that.

GB

Grace Blakeslee 19:16

And at this point for fence encroachments, what we're saying is we're we've done a lot.

So you know, it's got a lot of back and forth in RTC. So it's it's kind of we're grappling with it.

But where we landed is RTC would replace the fence on the property line because it's just.

We're worried if we tell the property owner to do it, they're going to put it in the wrong place or something like that.

So right now we're thinking our approach approach will be to let them know they're encroaching, then a second letter saying what we're going to do about it and then RTC will be responsible, even if at our cost to move the.

Fences and that.

That's just we've been going back and forth internally, but that's where we're at right now.

RG

Riley Gerbrandt 19:51

Hey, Matt. When you when you guys do with encroachments?

Do you guys rebuild the fences if people are encroaching on the county right away?

MM **Matt Machado** 20:02
 We haven't had a practice of of pushing people back, but.
 In general, you don't have to. No, there's no there. No legal obligation. If it's an encroachment, you remove it and you walk away.
 But I think what Grace is saying is it makes sense.
 But she's trying to keep the peace a little bit too, because people are coming.
 So include.

RG **Riley Gerbrandt** 20:21
 Yeah.

MM **Matt Machado** 20:21
 So I think it's a low cost solution that keeps the peace so.

RG **Riley Gerbrandt** 20:23
 Totally. Totally.

MM **Matt Machado** 20:27
 Makes sense to me, but I don't think legally you have to do it, no?

RG **Riley Gerbrandt** 20:31
 No, that that takes total sense.

SW **Steve Wiesner** 20:36
 Yeah, I would just add to that, that that has been our practice.
 Matt, if you look at wholesale widening projects that we've done like in the former RDA area or even just one off projects, if somebody has a well established fence that's in our right away and our project moves it, we we almost 100% of the time, Reb.
 That set and we're doing that even today, like on the Green Valley project and other projects.
 So yeah, we do that. As a matter of just form.

RT **Robert Tidmore** 21:02
 Makes sense?

RG **Riley Gerbrandt** 21:02
 It's Wayne in guys, Kayla.

GB **Grace Blakeslee** 21:04
 And not to put too much energy on it.

Part of it is that the property owner then has to hire a surveyor to get the property's boundary right, and if they don't get a survey, they put in the wrong place.
So just all the complications that go along with that.

RT

Robert Tidmore 21:15

Right. Makes sense.

KS

Kayla Szubielski 21:15

You mentioned the RTC is gonna move the fence, is it?

On this project in the RTC is gonna pay for it or is it happening prior to the project?

PD

Phil Doody (MME) 21:22

Oh.

GB

Grace Blakeslee 21:26

We've got both options.

We'd have to work it out with the team.

KS

Kayla Szubielski 21:29

OK.

GB

Grace Blakeslee 21:29

And I think for segment 7, they made it as part of the project.

RT

Robert Tidmore 21:34

Top my head.

That seems to make sense, particular where we have walls and structure next to the next to the property line.

We'd have to rebuild it twice, potentially.

Mike.

MS

Mike Sherrod 21:46

Yeah. Just to clarify on 2nd 7 that there was a slight slightly different process.

The the catch of the county helped Doug Doug help the city with those encroachments.

So the the owner was offered the option to move the fence and rebuild it to their liking.

You know, we we could stake the line for them.

Or if they took no action, it would just be demolished and replaced with the chain link fence and most a group of the owners moved their their fence and rebuilt it the way they wanted.

But there were a handful of all nighters on a handful.

Two or three properties where we just put chain link back in.

RT

Robert Tidmore 22:27

Like that.

MS

Mike Sherrod 22:27

And that was a project cost.

That was part of the bid pack.

RT

Robert Tidmore 22:35

Sounds like we have some options there.

We can.

We can sort of tweak it as we go along and I'm sure it'll be context dependent too.

OK.

All right, I think that concludes right of way approach.

And now?

Any questions on what I went over?

OK, good. All right, let's jump into the I'll stop sharing.

Oh good.

Let's go to the bluebe.

KS

Kayla Szubielski 23:10

We're starting here in the top portion at 17th Ave. beginning of segment 10.

As we gone through here, Rob has clarified a few of the remarks in this portion. We previously had a 14 foot wide trail, 10 foot from center line of track based on the futures you pert, the direction is to reduce the trail width to 12 feet.

And in this area.

The lighting would remain between the trail and the track.

And that's from 17th to Rodeo Creek Gulch. Once we pass there, then that's when the the blanket comment that Rob shared in in his overview to move the lighting to the right of way switches where the we get more constrained segment 10.

How many of the schematic related comments do you want, Rob?

Do you want me to skim through those and focus more on the Virginia and Zepurt?

RT

Robert Tidmore 24:16

Yeah, I would say.

Let's focus on the bigger issues, which I think are the Virginia and the zeph coordination.

But if you know, I think a lot of them are pretty straightforward like that one right there about, you know, removing the guardrail and just having a fence at the right of way line.

To me, I think that's pretty straightforward, but I I would say if you have questions or

disagree or need direction in order to move forward with some of those comments, then we we should talk about them.

KS

Kayla Szubielski 24:41

OK.

That doesn't seem like a major scope related item to me.

So we could work through that during design.

RT

Robert Tidmore 24:45

Right, agreed.

KS

Kayla Szubielski 24:56

Buffering here.

So on the southern side, this is a location that.

As Rabbi had mentioned, where we are showing the need for a low retaining wall, this one was 1 1/2 to 2 feet tall necessary for the track realignment and so based on the direction of proceeding with similar direction that we're using for 8-9.

The request is for room to revisit the grading in this area to see if there's a way to eliminate the need for this retaining wall.

RT

Robert Tidmore 25:33

Exactly.

KS

Kayla Szubielski 25:43

There was maybe this.

I don't know if you do wanna talk about this one, rob, but there was a comment during schematics about.

Ditch on the coastal side related to the rail line. And so just a high level question of how does that impact the work related to Roaring Camp?

Is roaring camp going to also take on the necessary drainage on the southern side associated with the rail line?

And their track realignment.

RT

Robert Tidmore 26:14

Yeah, I think that would be a question for for grace and Riley.

Just wondering if you you've had that discussion. If so, you have thoughts about how that may be handled or or do we just ignore it since it's gonna be part of the coordination with ronkamp?

GB

Grace Blakeslee 26:31

Were you? I mean previously were you include?

I guess I can answer that.

One what we've asked for in camp to do is to replicate existing condition.

So I think that's an important detail we should continue to work out with them, but it's question is when you are working on the schematic plans, did the design include recreating that ditch on the coastal side of the rail?

That, that, that would be a change, it would be removed from the plans.

RT

Robert Tidmore 27:02

Cool Kayla.

Do you remember?

PD

Phil Doody (MME) 27:03

OK, we're gonna breakdown.

KS

Kayla Szubielski 27:05

I believe we.

I believe we were gonna show it on the southern side.

PD

Phil Doody (MME) 27:12

Hey Cortana.

KS

Kayla Szubielski 27:12

Was.

GB

Grace Blakeslee 27:12

OK.

I'll make a note to to work through that a bit more on our end.

MS

Mike Sherrod 27:16

And just for clarity for the.

Ready for the big package?

We do wanna segregate and identify areas of responsibility for roaring camp versus the contractor.

So if the ditch is associated with anything to do with boring camps work, it should stay with boring camp and not be on the contractor.

We should.

We should separate those two cleanly.

KS **Kayla Szubielski** 27:42
See if I can close a few more apps. This file seems to be.

RG **Riley Gerbrandt** 27:45
To the extent like that, we're looking to separate things geographically as well.
Are we looking to?
Do not have the contractor be working on the rail side of the corridor and doing work.
Over over that area.

RT **Robert Tidmore** 28:09
I I think that remains to be decided.
I think if there if there's a need for retaining walls to accommodate the track relocation, then we're gonna have to have.
The you know the project contractor come in and build those and that's part of that sequencing to be sort of figured out a 65% design because we don't know yet where we're gonna need walls.

RG **Riley Gerbrandt** 28:24
Yeah, yeah.

RT **Robert Tidmore** 28:27
So we'll have to, we'll have to revisit that.
Ideally, brewing camp would just do it all, but I don't think that's gonna be possible, particularly since we have some fill conditions in segment 10.

KS **Kayla Szubielski** 28:48
Was relaunching my blue beam.
Hey.
Continuing on some adjustments, you see these lines, thicker lines here in red.
This is where we are going to make some adjustments to the trail alignment shifting into part of the county property here to the north to allow more offset for that future zpert.
Then coming over to.
The bridge structure.
This is the area where the the latest direction is to look at, not impacting or looking at the setting. The impacts of the proposed structure in relation to the existing rail bridge and making sure the trail bridge abutments are designed to meet any kind of rail loading.
In general, we just need to also get in here and add in the break and bank and ordinary high watermark as we're looking at what the option and and solution is here. If the bridge structure needs to move previously we.

You are rebuilding a portion of the.

Maybe don't be. If we call them abutments, the the upper wing walls of the structure were getting rebuilt with our project. Phil, I see your hand raised.

PD **Phil Doody (MME)** 30:38

I just wanted to ask more about what the interaction is that Riley was discussing.

RG **Riley Gerbrandt** 30:48

The.

You mean the comment that Rob had that as we have these, you know where we have structures and in close proximity that the?

Design concept for the trail team would need to evaluate the impact to the existing structures and foundations.

PD **Phil Doody (MME)** 31:09

Exactly. I mean, you do realize they are pile supported structures?

RG **Riley Gerbrandt** 31:16

Your, your, your piles.

PD **Phil Doody (MME)** 31:18

Did both of them.

RG **Riley Gerbrandt** 31:21

Yeah, they OK.

Yeah. So they what?

What we need is better understanding of.

Your assessment of the existing structures and the impact of the the new structures to to the existing structures.

So as as a blanket comment, a lot of.

What we need to understand is.

Where you guys are in relatively close proximity to existing foundations and and existing walls or abutments, we need to make sure that they're not interacting and affecting one another.

When we looked at the Harbor Bridge, for instance, there's battered piles in in some of those abutments in in the bents and things like that, we want to make sure that, you know, there's there's no.

Effects to the existing structures or foundations.

So generally speaking, a a railroad would just blanket say stay 25 feet away from our existing structures so that we're sure that there's no.

Interaction between new and existing structures, but obviously that's not feasible in our corridor due to the the corridor.

With constraints, so we didn't need more information from you guys.

PD **Phil Doody (MME)** 32:45

I'm just gonna, you know, just say out loud. I think, you know, analyzing the effect of the new structures on the existing structures is gonna, you know, add more Engineering's design scope.

You know, I I certainly don't wanna see interference between piles, but I think, you know, there are some geotechnical rules of thumb where if you have a certain spacing between piles, there's not really pile group interaction or reduction, you know, so depending on the level of of you.

You know what you want us to do.

RG **Riley Gerbrandt** 33:17

Mm hmm.

PD **Phil Doody (MME)** 33:18

You know, this could be a a expensive or inexpensive.

You know, task that you're requesting, so it might.

RG **Riley Gerbrandt** 33:27

Yeah.

PD **Phil Doody (MME)** 33:27

It might.

It might be good to really maybe in a another meeting with you and your team, understand what exactly you're expecting here.

RG **Riley Gerbrandt** 33:37

I agree, and I think the best thing to do would get, you know, the structures, teams together.

PD **Phil Doody (MME)** 33:38

OK.

Thank you.

RG **Riley Gerbrandt** 33:44

And talk about some of the the questions that you just raised and what we're expecting.

PD Phil Doody (MME) 33:48
And geotechnical too.

RG Riley Gerbrandt 33:51
Sure.

PD Phil Doody (MME) 33:51
Yeah. OK.
Let's do that when future date. Thank you.

RG Riley Gerbrandt 33:56
Mm hmm.

RT Robert Tidmore 33:57
Riley, do you? Do you think that's something that you could provide?
Relatively soon and and I ask that because where I'm trying to work through the scope with RRM right now for final design and you know things like this, we're gonna wanna incorporate into the into the PS and E contract amendment and you know to meet that February R.
Meeting. You know, I've told RRM we need to have a ballpark idea of of cost by mid January.
So getting getting this this direction sooner rather than later would would be helpful.

RG Riley Gerbrandt 34:34
Why don't you identify from your team who needs to be part of that conversation? Given what Phil and I just discussed and.
I know from our perspective, our team.
That would need to meet with that is, is relatively small.
It would be our structures lead maybe with you Technical Support as well and our civil lead.
So I think schedules wise.
And I think most of them are working over the holidays, not taking any significant amount of time off, so.
It should be feasible if I get some names from you guys and.
Availability. Then we can look at schedules and calendar that.

RT Robert Tidmore 35:21
OK. Bill, would that would that be yourself and the rest of the MMA team?

PD Phil Doody (MME) 35:27

I think we'd want to have Pacific Crest engineering.

Who's doing the geotechnical engineering in?

In many cases, this is a geotechnical engineering question. You know, based on some preliminary calculations that I did the reactions from the trail bridge are orders of magnitude less than the reactions from the railroad bridge. Just under dead loads at the harbor.

You know, I know that we're not talking about the harbor, but in the live loads are obviously orders of magnitude less as well, so.

Structurally, you know we can quantify loads too.

We can come up by interferences between battered piles, depending on the level of information that we have about the existing bridge. But some of this does need to be and is by virtue of geotechnical question.

Of how soil?

Can be mobilized and share loads or you know, one structure can interact with another structure via the soil. So.

I'm again. I'm envisioning this more than just simple surcharges that you would see as a surcharge acting on a retaining wall.

So it would be a combined Mm. Pce RRM, you know, probably meeting with the RTC to discuss what level of you know, analysis we need to provide.

RT

Robert Tidmore 36:54

OK, so, so Kayla, could I have? Could I have you and Mm reach out to Riley and just try to schedule that meeting with, you know, understanding your guys schedule availability.

KS

Kayla Szubielski 37:05

Yes.

RT

Robert Tidmore 37:05

OK. Thanks.

KS

Kayla Szubielski 37:09

You're gonna be attendance as well, Rob.

RT

Robert Tidmore 37:12

If I can, yes, if I'm not available, then just go ahead and have it without me. And I just.

KS

Kayla Szubielski 37:19

Me.

RT

Robert Tidmore 37:20

I wanna clarify something.
 Oh, I was gonna move on.
 So go ahead. Go ahead Rodney.

RM **Rodney Cahill, MME** 37:26

Could I ask about the right of way on the northwest side of the bridge and?
 Whether.
 That's.
 A.
 An opportunity to to go toward the green line in that location.

RT **Robert Tidmore** 37:46

Yeah, I was actually gonna go there myself.
 And just to clarify what we've talked about previously at the other zipper coordination meeting, that adjustment in red.
 That this project is not proposing to do so that that the the ZEPHRIT project would make that adjustment in red.
 And I I I had understood that we would try to stay within the right of way as part of our project.
 But I see in Green Kayla that that you guys probably coordination with with Mme had made those those recent adjustments.
 So yeah, happy to.
 I think that would be a good thing for us to talk about and get on the same page.
 Right now about what this project is doing versus what zephrit is gonna come back and fix later, because I I the the reason we went with the red being a separate issue was that there was no way for us to get the 12 foot clearance in that area.
 That they were requesting without some additional tree retaining wall right of way impacts.
 And so we decided that should come later, and similarly on the on the east side of the Gulch.
 So maybe, Radi, you could talk about Kayla, whomever that Green Line came from could talk about what you're showing there and why or where that's coming from.

DM **Dale Hendsbee | MME** 39:06

I think I may have generated that early on, but I think part of it was just seeing how much separation we could get to make that problem kind of go away as far as the structure interaction of our structure on the existing and when I saw the red.
 Line I go.
 Well, there's an opportunity to push the bridge out as far as we can to the right of way to the north there, so.
 I I probably instigated that as it.
 Is this possible?

Because it does benefit us in reducing that possibility of interaction.

Substantially so that that was really what that was all about.

It was.

It was kind of just a question.

Can we do this?

Is really what that green line, at least when I did it anyway, that was my intention.

Can we?

Can we do this and and what would it mean if we do it?

MS

Mike Sherrod 39:54

Another piece of the puzzle here is.

We we need to look at the overall length of the structure because we're hitting the maximums to get a clear span structure to stay out of core jurisdiction, which is what was designed with the schemat earlier schematic set.

So we have that challenge too.

We we can only hit a certain length on the bridge.

KS

Kayla Szubielski 40:16

Which is part of why we previously had a bridge structure with the viaduct like the.

Or peer supported as we approach these.

Other abutment sections.

The direction still to proceed with our assuming that we we meet, we look at this with the structures teams and the geotech.

To rebuild these wing walls as we've designed, designed them previously.

DM

Dale Hendsbee | MME 40:56

I think I mean if I can jump in, I think part of that is we hadn't gotten that far.

You know, when those drawings were produced, it was a question that we posed to the geotechnical engineer.

What is the interaction of the peers? And you know what kind of spacing do we need? And so.

You know, we really hadn't gotten beyond that when this image, you know, the original image was created.

We just tried to maximize what we had and and as Mike said, the span, you know keeping the span within reason and staying out of the area.

All of that.

So that's how that was originally done. And so we have not had that deep discussion with the geotech about how far away we need to be to eliminate interaction or to minimize interaction, so.

Yeah, I think I mean something. We know we would revisit obviously, but I think part of this

is, could we just rearrange things enough that we're really far away? And I think that's, you know, and make it go away is part of what this, you know, green line.

Was all about.

So I guess we need some direction, do we?

Do we not wanna cross the right away and and just try and squeeze it in as close as we can and figure out what the what the interaction limits are based on the geotechnical criteria?

RT **Robert Tidmore** 42:18

That area is the is the public works broomer yard on the West side of Rodeo Gulch Bridge. And it looks like just from the the the cloud, that's probably vegetation in that area.

I don't think there's any physical improvements that would be impacted right there. I I think my my bigger question would be if we do move it that far north, what are the additional environmental impacts?

And can we handle those with an addendum cuz we already are planning to do an EIR addendum for some of these changes, particularly as we get into segment 11 around the Escalona Gulch monarch Grove.

So I think if it's handled by an ER addendum, we can probably.

Accommodate that. But I I don't know if we have tree surveys for that area.

I see a couple trees along the the you know, sort of the center line of the of the Gulch there.

But I don't see any other trees surveys to the West or east of that side, I don't know.

Oh, if we have that information to make an informed decision.

DM **Dale Hendsbee | MME** 43:22

Yes.

RT **Robert Tidmore** 43:28

And then I think that the next piece is, are we confident that that sort of green rectangle is the the clear span of the bridge or does that need to be further figured out?

KS **Kayla Szubielski** 43:40

That would have to be further figured out.

RT **Robert Tidmore** 43:42

OK.

DM **Dale Hendsbee | MME** 43:42

Yeah, yeah. I think that was just, yeah.

RT **Robert Tidmore** 43:45

Yeah, that, that's fair.

DM Dale Hendsbee | MME 43:46
An image.
An idea I guess is really what it was at that point. I think so, yeah.

RG Riley Gerbrandt 43:50
OK, my question was are those cyan lines?

DM Dale Hendsbee | MME 43:51
And I think also how far away we need to be.
So yeah, yeah.

RG Riley Gerbrandt 43:57
Those cyan lines aren't that are drawn. There are from a jurisdictional.
They're just shown in their approximating.

RT Robert Tidmore 44:10
It's true.
Yeah, Rodney, I think your hands up.

RG Riley Gerbrandt 44:16
Just to just to let everybody know like what we found from our review of of the.
Current design level plans and information is there was just a, you know, some things in the
bridge concepts that.

DM Dale Hendsbee | MME 44:28
Thank you.

RG Riley Gerbrandt 44:36
When we were reviewing them for impacts to the existing bridges, we didn't have the level of
detail that we needed to to understand what the impacts that there were no impacts.
And so we're looking to the design, the the trail design team to, you know, confirm that there
aren't those impacts.

DM Dale Hendsbee | MME 44:57
Right, I think.
I mean, I think that was our interpretation as well and we were just trying to see. I mean, I
just know the further away we are, the less impact is going to be.
So I push it to the north of the right away.

RG **Riley Gerbrandt** 45:07
Yeah.

DM **Dale Hendsbee | MME** 45:08
I I feel good about it and I have a better feeling as opposed, we have to go back where the original location, you know it.
It's it's more than likely there could be some impact, but we just don't know.
We haven't taken it that far. So I mean it's kind of the difference between.

RG **Riley Gerbrandt** 45:20
Yeah.

DM **Dale Hendsbee | MME** 45:22
The the two images is from 1 extreme to the other so.

RT **Robert Tidmore** 45:26
OK.
So so let me let me try to give some some semblance of direction here.
I think from my perspective and and Matt, I see you join back on. So maybe you can chime in with your thoughts here. But they're talking about needing a little bit of right of way on the West side of Rodeo Gulch from the Broomer yard you can see.
That little triangle piece that's there. I don't think there's any improvements in there. And to me that, that, that that wouldn't seem like an issue. Would you agree?

MM **Matt Machado** 45:54
Yeah, I would agree.
Yeah, I was watching.

RT **Robert Tidmore** 45:55
OK.

MM **Matt Machado** 45:55
I was looking at that as well.

RT **Robert Tidmore** 45:57
OK.
So so I think the right of way is not an issue. I I think what we'd wanna make sure is we don't push our bridge so far north that we run into a a feasibility issue with the prefab structure and the length there and that we don't run.

Into additional environmental impacts that would trigger a need to go beyond an EIR addendum.

DM Dale Hendsbee | MME 46:29

OK, sounds good.

I mean, we're definitely gonna revisit this.

So we'll we'll see. We'll see what we come up with as far as how close we can because obviously moving it has has an impact.

RT Robert Tidmore 46:32

Yeah.

KS Kayla Szubielski 46:55

It's been a long.

Most of the rest of this is still.

Same remarks. Moving the lighting inland, keeping the trail 12 feet width that we have currently and then we can talk about the area here.

Just to the West of 38.

RG Riley Gerbrandt 47:21

Just FYI.

And I know we talked about it in the schematic documents on Thompson Ave.

You just paying back?

KS Kayla Szubielski 47:29

Yes.

RG Riley Gerbrandt 47:30

That's an area where we currently get flooding that water from Thompson comes on to the corridor, and from that lumber yard.

So as you guys are working through how to handle the trail drainage to be aware that that area receives flows from the north also from that kind of a commercial industrial property on the left of Thompson. So heads up.

KS Kayla Szubielski 47:58

Yeah, we we have a note from the schematics about an inlet here near the P.

RG Riley Gerbrandt 48:01

Yeah, I see that in there, yeah.

KS **Kayla Szubielski** 48:03

Another inlet here and then the trail is going to be pitched.
So anything coming from this parking lot's gonna sheetflow.
Cross unless we've received other direction.

RT **Robert Tidmore** 48:17

That's good.
Thanks, Riley.

KS **Kayla Szubielski** 48:18

So a thumbs up from Rob.
To go through in this area just to the West of 38th, the understanding that we have from Rob is that zipr in the RTC direction is to build a 12 foot wide trail along the right of way to leave space for zpert.
Is to to confirm that with the RTC.
This require temporary construction easements to construct the wall.
Or require additional mobile homes to be moved.
The increase right away cost cost and risk be related to the mobile home parks and then given those potential risks, is it worth considering?
Pushing the trail a little bit further from the right away line to allow the necessary construction space needed to.
Reduce the amount of temporary construction easements so this is a conversation that Rob would like to have.
Grace.

RT **Robert Tidmore** 49:26

Yeah, I think, thanks, Kayla.

GB **Grace Blakeslee** 49:29

So once you guys talk about that and then I'll make my my points related, but.
Not specific to the questions you just asked.

RT **Robert Tidmore** 49:37

Yeah, I'll, I'll just add, I so I don't know right now and I think this will be a good thing to get feedback from the structure team on you know if our if our current design, if they think to construct those walls, there will need to be T.
I mean, they're right on the property line. So I was imagining that would be the case, but I think that that would be the first question to answer. And then if so?
What is there a change in mall type that we could do to not require tces?

Or is there a a, a slight say 1 foot, you know, shift inland or inward?

That could be.

That could eliminate the need to put Teas in here. I think that would sort of be a first.

Feasibility question and then if that's the case, then the question would go to the RTC is, is that a worthwhile effort to pursue given the you know the potential for a contested acquisition in here and and the possibility for that to really bog down the project schedule?

KS

Kayla Szubielski 50:38

I think related to that would be that the previous design had soldier pile walls and the VAVE study was recommending MSC Walls except for the portion at the culvert head wall.

So Phil, if you if you wanna talk about the construction space needed in those two different wall types?

RT

Robert Tidmore 50:55

Yeah.

PD

Phil Doody (MME) 50:58

Run.

The covert itself, I think you're gonna need an easement, you know, it's just to to work on that and to get all the grades to work out.

On either side of that, the auction those walls on either side of that. I know closer towards 38th for sure. It the wall that's being proposed there along the inland side of the trail would be a condition where you're filling against the wall.

So for instance, you had the soldier pile wall. You can't.

You want to maintain your peers so that they don't cross the property boundary.

So you're losing.

You know several inches there because the pier, you know.

Extends beyond the face of the soldier pile.

You know in most cases.

There's gonna need to be some allowance for people to operate on.

Both sides of the wall.

Construction, you know, obviously you can build right up against the property boundary.

And only work from one side.

And it's conceivable that you can do that with the soldier pile wall with an MSE wall.

You know it is.

You know you're placing.

You know a base course and you're you're building this this up, there's gonna be some Earth work on the foundation and.

You know about filling operation?

That would be.

Waist and lifts and the facing units installed.

So again, that wall system could virtually be built.

You know, all within the trail right of way too.

So I you know, the MSE wall may have the advantage of being something you could put closer to the property boundary.

Because it doesn't have, you know, the footprint of the peers that you have to maintain on the property boundary.

RT

Robert Tidmore 53:10

Thanks Phil.

PD

Phil Doody (MME) 53:10

That's yeah.

KS

Kayla Szubielski 53:12

Describing Phil like the actual peer for the soldier pile.

PD

Phil Doody (MME) 53:13

Exactly.

Yeah. So that at, you know, 12:00 on that circle, you know, you wanna have that not extend beyond the property boundary.

Run.

RT

Robert Tidmore 53:29

I see your hands up.

MM

Matt Machado 53:30

Yeah. Thanks, rob. I want to point out that that covert that we were just talking about is also the subject of a of a project that Zone 5 is leading right now.

And we were gonna address it as an emergency, but it's probably gonna be designed and go out to bid this winter and that pipeline that runs S goes under a series of mobile homes and.

We'll be working to do some temporary repair, but ultimately we may be looking to.

Either get the mobile homes, move their their as an encroachment or or something we we're haven't come up with an absolute solution, but my comment is that Rob.

Maybe you and the team can work with our drainage group.

It's going to be led by Rodney and Carolyn and so they've been out there quite a bit trying to put together a plan. But I think what we do may have some positive impacts on this project and.

If we know what your constraints are, we might be able to work together and make it even better than than what we're gonna do anyways.

RT **Robert Tidmore** 54:43

That's a great piece of information.

I think at a minimum we were.

We knew that we needed to extend the culvert all the way to the right of way line because right now it it stopped short of that.

I don't know exactly how far.

Yeah, it looks like.

But four feet?

I'm gonna just ballpark right there and so.

KS **Kayla Szubielski** 55:00

This is the existing head wall, but I drew in blue.

RT **Robert Tidmore** 55:02

Yeah.

Thanks Kayla.

Yeah. So we we would need to extend that all the way to the right of way line to fit the trail on top of it.

So if that were something that could be accommodated by, you know, the Zone 5 project that would, that would be fantastic.

MM **Matt Machado** 55:17

Yeah, it's, it's.

I don't know.

You know, we'll have.

Let's talk about it, because our our immediate project was just to rely on the existing pipe 'cause it's failing.

RT **Robert Tidmore** 55:20

Yeah.

MM **Matt Machado** 55:25

But then we do have a a larger plan to to realign and remove some of the encroachments.

It may.

The timing may work, but at a minimum, let's have a conversation.

RT **Robert Tidmore** 55:35

OK.

GB Grace Blakeslee 55:38

So that I understand you correctly that easements would be needed on both mobile home parks.

PD Phil Doody (MME) 55:46

Well, I I was talking mostly about the wall that's on the northern side of the the inland side of the trail there.

GB Grace Blakeslee 55:53

OK.

PD Phil Doody (MME) 55:54

And it I it does appear to me that it it is virtually on the property boundary.

So you know again.

I I in most cases there's access to both sides of, you know, a retaining wall when you're you're working on them, but you know.

Having a temporary construction easement that allows entrance onto that opposite side of the wall, you know, would certainly make the contractor's job easier.

But the culvert itself, however, where we're constructing new head walls that, you know would be, you know, cast in place or formed.

Yeah, you would need to have access and then also just for, you know, grading, getting all the inverts and et cetera. That area is unique.

So I I definitely wouldn't expect that there'd be atce in that area.

MM Matt Machado 56:53

The other point I was trying to make was that we have a drainage easement there, so we we can share that information and that may solve your TCe problems.

PD Phil Doody (MME) 57:01

OK.

RT Robert Tidmore 57:01

Nice.

GB Grace Blakeslee 57:03

Of course, I'm just thinking about it in terms of our work with the mobile home property owners.

RG Riley Gerbrandt 57:09

How tall are these walls?
At least on the northern side.

KS

Kayla Szubielski 57:18

I don't.

I don't recall.

I know it did get taller at the culvert face of wall, but the rest of it they weren't. They weren't significant.

RG

Riley Gerbrandt 57:27

I didn't think so.

KS

Kayla Szubielski 57:29

But maybe.

RT

Robert Tidmore 57:29

Like 3-4 feet, I would imagine.

KS

Kayla Szubielski 57:32

A second. Yep, three or four.

RG

Riley Gerbrandt 57:35

I would think, I mean obviously to to Phil's point and to get a lot easier to construct. If you've got a space on the on the outboard face of the wall.

But something that's like three or four feet high, it's feasible to construct it.

Just from one side, I mean I'm thinking you could maybe do a you know block wall or something like that even.

So I think there's some wall types that could be considered that would if if.

Not able to be obtained. You could construct the walls at the property line without needing to be on on that side.

PD

Phil Doody (MME) 58:18

And especially since it's a fill situation, you're you're it's not like you're cutting the trail below the elevation of those buildings.

RG

Riley Gerbrandt 58:24

Yeah.

Yep.

RT **Robert Tidmore** 58:32
Dusty.

DO **Dusty Osburn** 58:34
I agree with Riley saying about the construction generally being done on both sides of the walls, and I'd like to add that there's usually a drain like a back drain that's required, and also some sort of drain like drainage on top of the wall to allow you know.
Water to move away to some place where it can get off of there.
So you're gonna have, you know, some additional work behind the wall as well for that kind of drainage surface drainage.
So.

RG **Riley Gerbrandt** 59:04
But dusty, these are there's actually fill conditions.
So the wall with the the trail would be on fill that we would.
Yeah.

DO **Dusty Osburn** 59:14
OK.
Well that sorry, I read the plans backwards. Thank you.

RG **Riley Gerbrandt** 59:19
Yeah, correct.
Correct me if I'm wrong, anybody but that that's OK.

RT **Robert Tidmore** 59:22
That's right.

KS **Kayla Szubielski** 59:22
That's correct. I think for sake of time, we should keep moving along. If there's time at the end if people want to come back to this when we can.
Got a lot to cover still.

RT **Robert Tidmore** 59:32
Yeah, yeah, I guess.
I guess the question for for RTC you can Mull on this and what we can revisit at the end is you know given that we we may need space behind the wall or in front of the wall along the property line. Would you guys consider allowing us to?
Shift both the relocated track and the trail. Let's say inland a foot or so.

On or inward a foot or so on each side to prevent the need for TC es. If it looks like getting these tces become, you know, is gonna become a problem.

For the project and schedule.

So we don't need an answer right now, but I think that would be that's the question.

RG

Riley Gerbrandt 1:00:12

What about the? What are the? Where's the lighting going?

Is it gonna be on the the outside part of the trail?

RT

Robert Tidmore 1:00:19

Have to be on the outside.

RG

Riley Gerbrandt 1:00:19

Yeah.

I think that would be a conversation we would like.

It's possible, rob.

RT

Robert Tidmore 1:00:28

Yeah. OK.

RG

Riley Gerbrandt 1:00:29

I.

I the ideal would be to put up on the on the on the edge, and if tces are a challenge, then let's figure out what we can do without needing the TCAS, and an option could be to move the trail.

It would just be with the understanding that when Zeper comes through here, depending on what the final solution is, that we, you know we we would have to.

Redo some of the trail work, maybe all of it.

RT

Robert Tidmore 1:01:05

OK.

Great. That, that, that's helpful.

GB

Grace Blakeslee 1:01:05

I know you want to punt it, but I just wanna make a point that the I think the distance between the center line of track here and the trail as it's currently designed was around 13 feet.

And what we and I think understand is under Zephyr, we'd have to acquire a right of way to even meet all of the passenger rail clearances anyway.

So that would be something for RTC to consider if we're going to have to be acquiring right

away through this area for separate anyways.
How a shift right now may or may not.

RG

Riley Gerbrandt 1:01:34

Yeah, well.

GB

Grace Blakeslee 1:01:35

You know, we might be amenable to a shift that.

Gets more of a minimum for the freight. If we know that there's gonna be right away acquisition for zephard.

RG

Riley Gerbrandt 1:01:43

I think we.

I think we already have that grace looking at the the details here.

So the way it's constructed on the plan here is that we've got the trail and then we've got 11 foot nine between the edge of the fence and the track center line. And then from track center line to the southern boundary, it's 8 foot 10.

Or maybe to the wall.

GB

Grace Blakeslee 1:02:08

Right.

RG

Riley Gerbrandt 1:02:10

So what we're showing here would enable.

Great to operate would enable then in the future.

The tracks did not have to be.

Again adjusted, I know we're going to rebuild the tracks, right?

Rail needs.

So your points.

You know some consideration that your your your point could be.

Considered, but I think what we would end up doing would be acquiring.

A.

Yeah, we'd have to see which which side of the tracks would would acquire from if we're gonna fit both facilities through so.

If we kept the the plan as shown here, then we would just need acquisitions from the southern side to to enable separate.

RT

Robert Tidmore 1:03:04

Or have a narrower trail.

RG **Riley Gerbrandt** 1:03:07
Have a narrow track right?

GB **Grace Blakeslee** 1:03:07

I guess that's where I was coming from with the one mile shift.
What? Really.

The outcome and then I guess my other point, which is kind of maybe for other people to consider, Rob and I discussed when we talk about final design and final design costs is I think for RTC and it's an obvious this is a very, very challenging area for.

A number of reasons and that I think it's very likely the RTC is going to want to see an alternative alignment option outside of the right of way in this area.

And so I I would.

I would recommend that we we include that in the final design.

I know that's not the direction.

The county has said that they were going, but I think the fact that we're dealing with a mobile home encroachment, removals and that if it's a separate project, we're gonna have more impacts to the mobile homes and that are unknown at this point.

I could see the Commission wanting to see an alternative alignment in this location.

RT **Robert Tidmore** 1:03:57

You're saying?

We would need to.

You want us to provide?

You want us to to carry now an alternative to locate the trail outside of the RTC right away.

OK. Yeah.

GB **Grace Blakeslee** 1:04:12

And you and I can talk about that from the cost perspective. But I think from a project risk perspective.

That's that's something that we should be really be considering given the commissions to do projects going forward and the mobile home encroachment, removal location. Even though I think we can accomplish that, I think it's a little hard for this Commission to stomach that we're asking them to remove.

The encroachments that then we may have another project coming forward that's going to further impact on the mobile homes.

That's unknown at this time, so I'm just thinking about how the Commission might react to that.

RG **Riley Gerbrandt** 1:04:43

Was it more the consideration of the the encroachments and the removals as opposed to the cost grace?

GB **Grace Blakeslee** 1:04:49

Yeah. You and I had talked about that.

You had mentioned that there might may not be significant cost savings. I'm thinking more of the political side of things as we interface with both the trail and the Zephyrt project.

RT **Robert Tidmore** 1:05:04

You have an idea of the the East West.

Limitations on where that, yeah.

GB **Grace Blakeslee** 1:05:10

We looked at three different. Oh, sorry.

Yeah, I think we maybe can have a separate conversation because we looked at three different options.

RT **Robert Tidmore** 1:05:17

OK.

MM **Matt Machado** 1:05:19

When you say you looked at three different options, are you talking like a a alignments like Bromer, Portola or Eastcliffe?

Is that what you what you're getting at?

GB **Grace Blakeslee** 1:05:27

It's like the exactly.

So there's the bromer. There's the Milton kind of option and then a cop option that would include Nova as well. That was looked at in the UCS. So I wouldn't say that Rtes has a position on any one of those per SE, although we did get a lot.

Of input from the public as part of Zephyr on those alignments.

Potential alignments.

MM **Matt Machado** 1:05:48

Mm H.

I don't know where the county would stand with that, but I got to tell you that we, and I'm glad Steve's on the call.

GB **Grace Blakeslee** 1:05:54

OK.

MM **Matt Machado** 1:05:58
Steve, maybe chime in here too, but one of our higher priorities for improvement is East Cliff.

We have a lot of PED and bike worries down there, so I mean it's it's a pretty good distance from what we're talking about here. But the further you go South, it's, you know, a little less traffic down there too.

But anyways, Rob, when you guys have this conversation please.
And Steve into it as well.

GB **Grace Blakeslee** 1:06:24
And I'd appreciate everyone's input, you know, from a strategy point of view as we deal with our elected officials around this issues. Is this just trying to to navigate the various inputs? So I'm not trying to direct it, but just giving it a lot of thought how we are we're gonna get to yes on this one in the project risk.

RT **Robert Tidmore** 1:06:40
Mm hmm.
OK.
We're in capital jurisdiction.
There's a funny line in here.
Yeah, we are.

RG **Riley Gerbrandt** 1:06:47
Yeah.

RT **Robert Tidmore** 1:06:47
At least, yeah, so.

MM **Matt Machado** 1:06:48
Yeah.

RT **Robert Tidmore** 1:06:51
Kailash. Jessica. Katie, do you want to be looped into that conversation as well?

KJ **Kahn, Jessica** 1:06:58
Yes, please.
Thank you.

RT **Robert Tidmore** 1:07:00
Yeah.

RG **Riley Gerbrandt** 1:07:04
It depends on where that that cutoff would change, right?

RT **Robert Tidmore** 1:07:04
OK.

RG **Riley Gerbrandt** 1:07:08
I mean, if you're coming down 38, that would be capital. If you're coming down further to the east, the West then that that like at 30th then?
Loop everybody in for for direction.
Rob, with respect to this question about moving the trail.
My direction would be.
Let's find out what is is feasible here with.
A property line wall.
I I just have a a feeling that that would be something that would be able to be done without too many significant challenges.
I I just.
I just have a feeling it it could be done so that would be my initial direction would be. Then let's.
Try to make it work engineering wise. If you were for finding challenges then we would revisit it.

RT **Robert Tidmore** 1:08:09
That makes sense. Thanks Riley. Rodney.

RM **Rodney Cahill, MME** 1:08:17
Is the RTC saying that?
The Zippert project.
Would consider moving the trail.
Outside of the right away? Or is this part of the trail project to consider the zipper's impact on encroachments?

RG **Riley Gerbrandt** 1:08:37
It's both, Rodney.
So what?

RT Robert Tidmore 1:08:41
Yeah, no.

RG Riley Gerbrandt 1:08:42
What Grace just said is because of the challenges of this, the right away encroachments here in the political.
You know, conversation regarding it that.
She's wanting to explore, moving the trail out of the rail corridor as part of segment 10:00 and 11:00.
A separate conversation is being had about, you know, if in the future Zephyr comes along and say the trail is already, it is constructed through here. We're looking at how do we make both facilities work.
And and those options include options of.
Trail diversions off the right away.

RT Robert Tidmore 1:09:29
OK.
Let's move on.
We got all of segment 11 to get through.

GB Grace Blakeslee 1:09:32
But I wanna say something else.
And I'm just kidding.
Go ahead, Robin. Go ahead.

RT Robert Tidmore 1:09:35
Nope.

RG Riley Gerbrandt 1:09:36
You had me.
I was like great.

RT Robert Tidmore 1:09:44
But there's nothing.
I just pan through segment 10 while we're talking.

KS Kayla Szubielski 1:09:47
OK.

RT **Robert Tidmore** 1:09:47
There's nothing else to discuss.

KS **Kayla Szubielski** 1:09:49
OK. Like.
Hold my comment.
Vertical.

RG **Riley Gerbrandt** 1:09:57
OK.
So we're going to sign 11.

KS **Kayla Szubielski** 1:09:59
Yes.

RG **Riley Gerbrandt** 1:10:00
OK.
I'm actually following along in the blue beam separately so that can zoom in more.

RT **Robert Tidmore** 1:10:08
Yeah, so I I.

KS **Kayla Szubielski** 1:10:09
Try not to zoom in and out.
So I've been known to make people.
Oceansic.

RT **Robert Tidmore** 1:10:16
I'll just. I'll just quickly go through this one. We we had a couple areas where we had a little bit of overlap between the separate conflict and where the trail is designed.
I didn't notice this when we did our our walkthrough with the HDR team.
Back in October, there's a.
There's basically a 2 foot overlap, so our options here are having separate slightly. Adjust your alignment to the inland side to avoid the conflict reducing the DG Buffer which is shown by that.
A sand pattern on the drawing between the trail and the parked cars and or reducing lane widths on Cliff Dr. which are currently 11 feet wide, which would actually make it consistent with the lane width reductions that were pursuing east of the crosswalk. To provide that additional space.

On the coastal side to accommodate bikes and PEDs.

So those are our options here to eliminate that conflict, which I I think we would want to try and do given that there is some, there's some walls and some infrastructure in here and it's a it's a tight right of way so I think.

My preference would be can we reduce lane width first? No, it would be a city of Capitola question and then.

Then then I, then before we pursue.

Narrow or getting rid of that DG Buffer, because I think that's that's an important safety issue so that we're not opening car doors into into the trail.

RG

Riley Gerbrandt 1:11:43

On the on the screen here the DG Buffer is between kind of between the the what are curbs maybe?

KS

Kayla Szubielski 1:11:51

Yes, but the the roadway curve along the parallel parking and then we have the retainer curve for the A/C of the trail that you see here.

RG

Riley Gerbrandt 1:12:05

Well, I'll let City win.

See if if they have a comment.

KJ

Kahn, Jessica 1:12:13

So I think you all are aware that we have a shoreline armoring project on this stretch of Cliff Drive that we have currently have under design.

I think we're gonna start constructing probably down with construction of it prior to the construction of this project based on your new timeline.

I gotta be honest, I don't think I could give you an answer about laying list right now.

I'd wanna bring in our consultant to have a more detailed discussion about that, which I think we should probably have anyway.

So I gotta say, I can't really comment on this right now just based on.

Yeah, I I think we're gonna need to have a deeper conversation about it.

RT

Robert Tidmore 1:12:57

OK.

KJ

Kahn, Jessica 1:12:57

And we can do that at the beginning of the year, but.

Yeah, I I couldn't answer if that's a good idea right now we are have just identified what our project's going to be.

So I think we're far enough along to make some informed decisions. I just would like to bring in our consultant.

RT **Robert Tidmore** 1:13:13
OK.

Riley, what's your sense of the ability to to adjust separate slightly here?

RG **Riley Gerbrandt** 1:13:22
I think we can.

RT **Robert Tidmore** 1:13:24
OK.

RG **Riley Gerbrandt** 1:13:24
Just just looking at.
We would tighten up this.
I think we would just, I think it's feasible, Rob.

RT **Robert Tidmore** 1:13:33
OK.

RG **Riley Gerbrandt** 1:13:35
Yeah.

RT **Robert Tidmore** 1:13:35
OK.
I guess that's actually the first preferred option. I should have started there.
OK.
Well, that's great.

RG **Riley Gerbrandt** 1:13:42
I think I mean if you if you wanted let let did you did you want to reduce the lane widths?
I mean, let let us know what you need right?
Like if it's preferable to reduce the lane width because that's what the the city wants to do with the street.
Diet. That's that's one thing that should be considered if it's. If it's not, then.
I'll bring it up with the team.
To confirm, I'll, I'll. I'll bring it up with the team to confirm anyway, but.

RT **Robert Tidmore** 1:14:20

Yeah, no. Understood. Sorry. I should've.

I should've clarified.

We can't accommodate.

We can't eliminate the conflict by just narrowing lane width.

RG

Riley Gerbrandt 1:14:27

Oh OK. Gotcha.

RT

Robert Tidmore 1:14:28

So we we would need both.

RG

Riley Gerbrandt 1:14:30

Got it. OK.

RT

Robert Tidmore 1:14:31

Yeah, we'll we'll follow up with you.

I think the design we I think the the outcome is we won't need any major tweaks in this area which is good.

Trail.

KS

Kayla Szubielski 1:14:56

Yeah.

Rob, we can follow up after about the remarks for the ramp.

RT

Robert Tidmore 1:15:02

Yeah.

KS

Kayla Szubielski 1:15:07

In general, kind of the stretch along E Cliff area we have some environmental challenges that are are requiring us to limit our our improvements. So we we'll have to follow up on that.

RT

Robert Tidmore 1:15:16

All right.

OK.

Thank you.

I've forgotten about that constraint.

KS

Kayla Szubielski 1:15:28

OK.

Now we're over other side of Capitola along Monterey Ave. from Monterey to Coronado.

The design team is working with the city of Capitola and the county to locate the trail up along Park Ave.

We have two different alternatives that we're studying, one that would eliminate both Class 2 bike lanes and one that would eliminate.

The eastbound but would preserve the northern westbound Class 2 bike lane.

Did meet initially with the CPUC have verbal support for a new formal crossing at Coronado?

Which would be required and critical to being able to crossover and switch from inland to coastal at at Coronado.

So we did get that verbal from them.

We have some of the previous.

Va language in here.

It's it's no longer relevant if we're able to get support from City of Capital, a council, we're gonna go to a meeting in January.

With one of those two alternatives to move forward.

RT

Robert Tidmore 1:16:41

Thanks Kyle.

Yeah. And I think we can.

We don't need to go through the vave discussions. I'm, I'm.

I'm optimistic that we'll get City Council to approve one of the two options.

See, I see Jessica shaking her head.

Yes. So I think she agrees with that. OK, great.

I was gonna say something in here and I can't remember what it was.

KS

Kayla Szubielski 1:17:06

Maybe this idea here that we were starting to talk about is?

RT

Robert Tidmore 1:17:08

Oh yeah, thank you. Yes.

KS

Kayla Szubielski 1:17:12

The room and Mme team are gonna meet to look at what alternatives we may have to bring users from Park Ave. back down into the rail corridor.

Previously we had a switch back ramp.

Now that the trail's moving up on Park Ave. we're eliminating that Southern sidewalk. It's getting replaced with the class one trail.

We're gonna see if there's any kind of alternatives through here.

The ramp back down without a switch back to reduce the the footprint through this area.

Since we're switching sides of the track, it becomes a constrained point for the future Zperp

project and the alignment through here we've seen a few different iterations from Zpert, so we're trying to.

The best of our ability leave enough space without.

Shifting further on the southern side, which would trigger taller retaining walls on the steep slope and more environmental impacts to some trees.

RT Robert Tidmore 1:18:17

Great. And there's a note here for me.

So Riley, this is this is one of two areas where we need that final separate alignment from. I know verbally we have talked about the fact that you went in, in your, in your new alignment.

RG Riley Gerbrandt 1:18:27

Mm hmm.

RT Robert Tidmore 1:18:32

You show that you can hit that crossing sort of where it is currently, which is great for the Coronado crossing. So, and I think I got your verbal confirmation there.

RG Riley Gerbrandt 1:18:36

Yes.

RT Robert Tidmore 1:18:43

So that's good.

And then I think the question for us is what happens?

East of there.

Between the Coronado crossing and the New Brighton Bridge because the previous iteration had the the the train pushing towards the coast and requiring us to push our trail out towards the coast.

Which increases impacts to Esha and there's a there's a monarch autumnal roof site out there.

RG Riley Gerbrandt 1:19:09

Yeah.

RT Robert Tidmore 1:19:09

So we're curious if you have updated information for us.

RG Riley Gerbrandt 1:19:14

Let me see if I have anything that's happened in the.

RT **Robert Tidmore** 1:19:18
Your inbox.

RG **Riley Gerbrandt** 1:19:19
In my inbox since.

No, not since the start of the meeting. I know. So I would.

I don't have those in hand. I talked to.

I know that they were preparing them and they have the alignments put together.
From.

There, there's couple options through here, right?

So one one thing we're going to the community with is is.

It is a station location at New Brighton Road or up on McGregor, you know have a considerable difference in preference.

If it's the if we have to. If we're putting it up on McGregor, then there would be alignment changes which would.

Change the conversation.

Some add this particular location.

My understanding is the.

The impacts haven't changed significantly if we keep the alignment on the existing bridge over New Brighton Rd.

So I think we're gonna be for the time being relatively in the same conversation as we were before, Rob, about this location from Coronado to the New Brighton driveway.

RT **Robert Tidmore** 1:20:36
OK.

So, so roughly A2 foot coast would shift.

RG **Riley Gerbrandt** 1:20:41
Yeah.

But I don't. I think the trail.

That the rail is well, so we're we're holding the alignment at the bridge for sure.

And then the alignment over Coronado, we can hit that existing crossing.

So I think the.

The shift is gone, but we still have.

We still have conflict because of the proximity.

RT **Robert Tidmore** 1:21:12
Mm hmm.

KS **Kayla Szubielski** 1:21:13
Because of the new 12 foot offset request.

RG **Riley Gerbrandt** 1:21:16
Yep, Yep.
So this would definitely be one area where because of the nature of this structure.
The viaduct structure.
We want to explore how we can.
Either eliminate or or mitigate that that conflict.

KS **Kayla Szubielski** 1:21:41
So this was an area that was identified in the VA VE 2.
Further review the viaduct structure to see if.
If I retained Phil was an option through here and that was pending some further geotechnical findings through this area.

RG **Riley Gerbrandt** 1:21:54
Mm hmm.

KS **Kayla Szubielski** 1:22:01
In the backup option was to look at.
If the precast slab on pile is enough of a cost savings compared to the FRP decking through here.
Seems if we were on a viaduct.
We could look at what?
What are the impacts to shift over 2 feet?
It would be more feasible, but shifting over 2 feet and doing a retained fill, those walls are gonna be just growing exponentially.

RT **Robert Tidmore** 1:22:32
That was that was my thought as well.
Yeah, I I don't think we're gonna be able to do both of those things.

KS **Kayla Szubielski** 1:22:37
So which of the two would take priority?

RG **Riley Gerbrandt** 1:22:39
Especially you.
Have you have loading conditions too the the loading conditions?

Which obviously make it challenging irrespective.

I'm. I'm just thinking back again to like the the prior questions, Rob, I know I was like is there is there a way just to avoid the Esha somehow?

If we're already up on Park Ave. to Coronado, is that changed the the conversation at all?

Is there ways to?

I think outside the box through here that would avoid the Esha.

RT

Robert Tidmore 1:23:15

I mean by, by staying up on the road for further.

RG

Riley Gerbrandt 1:23:18

Mm hmm yeah.

RT

Robert Tidmore 1:23:20

The problem is, there's not a. There's not a great place to reenter.

So you'd be staying up along McGregor all the way, probably until New Brighton.

RG

Riley Gerbrandt 1:23:32

Yes, we were.

That's we were trying to work through before, right?

RT

Robert Tidmore 1:23:50

She can't.

There's there's streams and other Esha in between the roadway and the the the rail line. This this whole stretch.

RG

Riley Gerbrandt 1:23:57

Mm hmm.

RT

Robert Tidmore 1:23:59

And and no right of way.

RG

Riley Gerbrandt 1:24:03

Mm hmm.

KS

Kayla Szubielski 1:24:08

The priority through here, what is the priority?

Is it to ship?

RT **Robert Tidmore** 1:24:12
It it seems like it's. Yeah. Stay, stay as a viaduct and shift away from from Zippert.

RG **Riley Gerbrandt** 1:24:23
Yeah, I mean, I just the the amount of infrastructure that we're we're talking about within.
This would be 1 area where you wanna minimize the.
The impacts to future infrastructure.

KS **Kayla Szubielski** 1:24:44
Yeah.

RG **Riley Gerbrandt** 1:24:46
If I mean here, here's a thought.
What if you somehow mean?
What if you did? You get over to.
Is there a show that you could avoid that you could maybe like in a conversation with State Park?
Like you know, get in their property somehow and then head back over to the rail line. Like if you went, if you went eastward somehow.
Is the actually just the the wetlands and the riparian in there?

KS **Kayla Szubielski** 1:25:20
I also worry about the.
Is that gonna trigger more than an EIR addendum?
Because we went through the whole 4F process for all of our impacts through this area.

RT **Robert Tidmore** 1:25:24
Right.

KS **Kayla Szubielski** 1:25:32
Could be a timing.

RG **Riley Gerbrandt** 1:25:34
Do you guys have 4 app impacts since your trail?

KS **Kayla Szubielski** 1:25:35
Cost.

RT **Robert Tidmore** 1:25:38

No, we don't currently.

We got them to sign off on it.

I don't know if they would if we were trying to get from McGregor back to the rail line.

KS **Kayla Szubielski** 1:25:48

Listener.

RG **Riley Gerbrandt** 1:25:48

I was actually talking.

Yeah, I was actually talking about going somehow from going from Coronado over to the parking lot and just up that way and then diving back.

Out when you don't impact the Yesha.

PD **Phil Doody (MME)** 1:26:02

2.

RG **Riley Gerbrandt** 1:26:03

On on the north side of the the driveway.

RT **Robert Tidmore** 1:26:13

Yeah, I don't know.

I I think I think we're getting outside of the we're switching gears considerably and I yeah.

RG **Riley Gerbrandt** 1:26:19

Sorry.

RT **Robert Tidmore** 1:26:21

So Riley, ISM.

RG **Riley Gerbrandt** 1:26:23

Yes.

RT **Robert Tidmore** 1:26:24

Yeah, I think I think.

Let's look at this effort alignment.

Hopefully it's still a 2 foot shift and we'll we'll just, you know, there'll be some some additional impacts, but I don't think from what I remember, we could do the VA adjustment and switch to retaining wall without triggering. Uh addendum.

So I'm assuming a 2 foot shift over probably would have similar additional impacts to a retaining wall, maybe less.

And so we could still accommodate that within uh our addendum.
 So let's let's go with that direction.
 Then rally will look for that exhibit whenever you guys have it.

RG **Riley Gerbrandt** 1:26:57

Yeah. I asked again.

RT **Robert Tidmore** 1:27:00

K.

Thank you.

KS **Kayla Szubielski** 1:27:03

Our bridge structure is not well. I guess it depends on outside of fencing, but we're almost to the 25 foot from center line of track for a majority of it.

Through here, shifting the trail 2 feet towards the coast to make more space for the few Jersey Pert alignment.

It's just before this oak trail crossing.

This is kind of rotated.

Through here.

So this stretch there is some wetland that we're we were already previously impacting it, it just might increase a little bit of the mitigation impacts for ratios we can can do that.

RT **Robert Tidmore** 1:27:55

I saw I think I saw Phil's hand go up.

Phil, did you wanna jump in on something?

PD **Phil Doody (MME)** 1:28:00

I just wanted to in that area, if the trail continues to get shifted towards that wetland, you know we.

Depending on how far the shift is, that could potentially be an area where you start looking at a viaduct as well. Since the grades are dropping off.

Further, you get from the center line of the track.

That's all right.

KS **Kayla Szubielski** 1:28:26

Contour signature looks like another two feet, isn't.

PD **Phil Doody (MME)** 1:28:29

Oh.

Maybe not so much there. Yeah.

- RT** **Robert Tidmore** 1:28:32
And then I think it goes back up again.
- KS** **Kayla Szubielski** 1:28:35
Yeah, it does go back up.
- RT** **Robert Tidmore** 1:28:35
I think I think there's a little valley between the the rail line and then the road.
- PD** **Phil Doody (MME)** 1:28:37
Oh.
- KS** **Kayla Szubielski** 1:28:38
Yeah, you could kinda see the. You could see the contour signature here.
- PD** **Phil Doody (MME)** 1:28:41
OK.
So you would literally be pushing that into that flow line then basically.
- RT** **Robert Tidmore** 1:28:46
2nd.
- PD** **Phil Doody (MME)** 1:28:46
OK.
- KS** **Kayla Szubielski** 1:28:47
Correct.
- PD** **Phil Doody (MME)** 1:28:49
I have anything else to add there?
- KS** **Kayla Szubielski** 1:28:58
The VA direction was to maintain a viaduct at Oak Trail.
- RT** **Robert Tidmore** 1:29:09
Yeah, my question here was just looks like there's increased impacts.
I'm. I'm guessing that's just because the peers are bigger and so there's a greater diameter.
OK.
Alright, so it's it's minimal.

KS **Kayla Szubielski** 1:29:18

Yeah, it was in relation to switching from the FRP to the precast lab on pile, we're anticipating.

Larger or deeper, once we get into the study, heavier structure.

PD **Phil Doody (MME)** 1:29:35

Play.

KS **Kayla Szubielski** 1:29:36

But not not significant.

RT **Robert Tidmore** 1:29:36

I think I think, yeah, I think related to to all of the vav thing just so everyone is aware we're gonna, you know, we're gonna reassess as the design team goes into final schematic.

They're gonna reassess the feasibility of these VAVE suggestions and as well as the the potential cost savings and trying to take into account any additional right of way or or mitigation costs that that would that would be increased as part of this.

And if we have time at the end, I I would love to get an update from from grace. From you on the segment 5 mitigation, because I, I've, I've heard from Conservancy that those costs keep going up.

And so I just wanna be mindful that as we're talking about this value engineering process that we don't save costs on to construction only to gain them back during mitigation because it's so hard to do this work.

So hopefully there's time at the end to have that discussion.

GB **Grace Blakeslee** 1:30:34

Sounds good.

KS **Kayla Szubielski** 1:30:36

We've had some really good feedback and dialogue as well with MME and with the county and bringing, making sure in this final schematic phase we're reviewing the direction provided from this meeting that we are consulting and engaging the cost estimator so we don't get too far into a.

Design process on something that.

Ends up costing more.

Buffers.

OK.

Continuing along, we have locations that have been identified to look at lowering the trail to eliminate the surcharge wall.

Potentially having just an upper wall that's a soil nail wall which would need to be reviewed. We would.

This would require the additional geotechnical criteria for design, because that's a new wall type that we don't have parameters for currently.

RT Robert Tidmore 1:31:45

Does MME know right now we have about 25 feet from where the wall would be to the edge of the right of way.

Is that is that enough space for soil nails or we wouldn't need right of way?

PD Phil Doody (MME) 1:32:00

It does vary depending on the height of the wall. 25 feet sounds like a pretty good amount of space. So because soil nails don't have the same length as tiebacks.

It's it's pretty likely that a 25 foot long or 25 foot space is is gonna be adequate without any right of way or encroachments onto their properties.

RT Robert Tidmore 1:32:31

OK, I think my my preference in here would be as you're working through any iterations that we we try to avoid.

Any right of way needs here.

PD Phil Doody (MME) 1:32:47

Kayla this wall does get pretty high in some a couple places, doesn't it?

I can't.

I'd have to go to the wall profiles, but it it's not insignificant, retaining wall so.

KS Kayla Szubielski 1:33:02

It was a two tiered but once if we are implementing the recommendation to lower the trail and make it just a soil nail on one side, yes it is gonna get significantly taller.

So this is an example.

When we start to look at how we implement the different pieces of these comments that there's gonna be some priority and hierarchy of what piece we do first, so.

At first level, we would see well, how tall is a wall here and if we were to do a proceed with a soil net wall, try to first step determine what is that footprint that's needed.

RT Robert Tidmore 1:33:37

Uh huh.

KS Kayla Szubielski 1:33:38

Phil, like, do the first the first level passive. OK, this is now. And we see. Oh, it's gonna be 30

feet, 35 feet then come back to the team and share what we found before. We continue moving on.

PD Phil Doody (MME) 1:33:39

I think so, yeah.

Yeah, I think what Rob was saying too is, is that, that's gonna be one of the long lead time items in the the schedule.

So yeah, getting it advising on that is gonna be our first priority, I think.

KS Kayla Szubielski 1:34:19

The priority would still be to avoid right away needs.

Yeah.

Do you need the geotechnical criteria to be able to determine?

The soil nail.

PD Phil Doody (MME) 1:34:35

Certain, yeah, certainly. All all of the soil nail wall is, you know, suitable given that it the the conditions are are the correct conditions.

DM Dale Hendsbee | MME 1:34:38

Yeah.

Beginning.

PD Phil Doody (MME) 1:34:45

There's certain applications where.

Cylinder walls are not favorable.

Additional geotechnical you know, investigations will be needed in in those areas.

DM Dale Hendsbee | MME 1:35:00

OK.

KS Kayla Szubielski 1:35:03

OK.

DM Dale Hendsbee | MME 1:35:04

Yeah, there's there's design criteria that's unique. And then also is the soil just suitable for soil nail? So those are the two things we'd have to look at as part of this next phase of work with the geotech.

Nical.

KS

Kayla Szubielski 1:35:25

Thank you.

I see a note here about the zipper alignments are shifting north in this area and you made a remark that is it worth looking at roaring camp, locating the track to the north or inland to help reduce costs?

RT

Robert Tidmore 1:35:41

Yeah.

I'll call this my Riley idea outside the box, thinking, I just looking at the topographic signature, it looks like we could.

There's some space to shift the trail without our track without.

Needing any major improvements.

And hard to tell trees.

But it doesn't look like any any trees super close.

I mean, we'd be talking a three or four foot shift, but based on the steepness of those walls or or the those slopes, that could be a you know, a pretty decent reduction in mall height.

I guess this would be a question for grace is do you think?

I mean, they're already offering and proposing to do quite a bit on their dime, and I don't know what's feasible to keep asking for, but.

That was one thought I had.

If you think it's, it's possible.

GB

Grace Blakeslee 1:36:30

Give an idea about how many feet.

Not exact, but just order magnitude.

I think they'd be amenable to it.

Have to I think they probably would have the question, you know, let's go out there and look at it, of course.

But I I don't think it's.

I think it's an option.

RT

Robert Tidmore 1:36:52

That would help with that whole soil nail not needing right away feasibility thing too.

KS

Kayla Szubielski 1:37:20

I should get a new keyboard my my shift key sticks.

This was a schematic design comment that I think is worth discussing since it's related to our alignment.

Comment coming through here.

RG Riley Gerbrandt 1:37:41

What Rd.

What Rd. is that there?

KS Kayla Szubielski 1:37:44

This is New Brighton, yeah.

RG Riley Gerbrandt 1:37:44

New Brighton Dr. Rd. OK yeah.

KS Kayla Szubielski 1:37:47

And so up up to the north, I took a clip of the last iteration of the zephr alignment we've received.

And so I just wanted to check what the direction would be.

Are we gonna stay where we are?

This comment was asking if we could push.

Closer to the coastal right away where possible.

RG Riley Gerbrandt 1:38:05

We're up now.

We're we're we're up.

Oh, should you go closer?

Well, we're gonna have a station in here is, you know what the original design there is that question of whether or not we're gonna push it up to McGregor.

But that's a.

Unresolved at the moment, but for a station to be through here then.

I think you'd wanna stay.

Where you're at.

KS Kayla Szubielski 1:38:39

The direction is we can keep the trail trail alignment at its current location across New Brighton Rd.

RG Riley Gerbrandt 1:38:40

We'll give.

Yep, Yep.

KS Kayla Szubielski 1:39:11

Been along the.

Working again at viaducts globally, whether we can change those from FRP over to the precast slab on pile.

During the schematic phase.

PD **Phil Doody (MME)** 1:39:29

Kayla, I was gonna take a minute to just put this out there again. Is there a preference of the material or is it purely cost driven?

Which?

System is the best suited.

Is it you know the the FRP has advantages over the precast?

And you know the the the if it's a cost based and the VA report is right then the.

Precast has a a cost advantage over the FRP, but is there from the agency's perspective, a preference one way or the other?

You know, if they the costs were the same.

RT **Robert Tidmore** 1:40:18

What we talked about in our 1213 stage gate meeting for 8-9 was that the FRP offers the ability to maintain and remove segmented panels and maintain the slope underneath.

And that the obviously the precast would would reduce that ability or eliminate that that ability and that the RTC team had not fully.

Digested. I guess the the maintenance implications of that switch so.

Right now our current direction is to proceed with the precast because it's cheaper.

And you know, potentially stronger should a tree or something else fall on it.

But that we don't we we haven't gotten RTC confirmation on.

How that impacts maintenance, I think the the bigger issue for maintenance was on segment 9 where there was no right of way adjacent to it.

So you would have to get maintenance easements to maintain that slope. We don't really have that issue on segment 11 as much because there's State Park property.

PD **Phil Doody (MME)** 1:41:14

Yeah.

RT **Robert Tidmore** 1:41:23

But I don't know if RTC you have. You have additional thoughts or direction on that at this point because right now we're proceeding with precast.

RG **Riley Gerbrandt** 1:41:30

No new direction, but you're you're correct, Rob that.

With access on the on the right of way to be able to walk down and go underneath your the

structure.

You know, it's less of an issue than you have it for. Segment 7 for sure or segment 9.

PD **Phil Doody (MME)** 1:41:53

I'm hearing that that you're expressing probably a preference for the precast system based on. Primarily, the cost of it.

RG **Riley Gerbrandt** 1:42:03

Yes.

PD **Phil Doody (MME)** 1:42:04

And that OK.

RG **Riley Gerbrandt** 1:42:05

That's it's primarily posture and.

PD **Phil Doody (MME)** 1:42:08

OK.

DM **Dale Hendsbee | MME** 1:42:08

OK, right.

And I think I know we harp on this over and over throughout that process, but we're not convinced the cost savings are going to be as high as as they were projected just because of the foundation.

Required to support it so you know we're going to study that further obviously and that's why we're asking the question. You know, if we if we do show that the cost come out the same or or higher for the precast due to the weight due to the found.

And other parts of the substructure.

That there is the option to go back for the others if it ends up being more costly.

RT **Robert Tidmore** 1:42:48

Yeah, I I would say just like with that, that wall conversation.

As you guys, as the design team makes these discoveries, just let let me know and I will you know make sure we get give you guys.

Direction on these decisions so that you're not waiting until the final schematic package to get, you know, to get this feedback from us.

DM **Dale Hendsbee | MME** 1:43:10

Right. OK.

No, that's good.

OK. 'cause, that's just that's I mean it does fit into all of it.

The walls and all the other things that we go through because we know the soil is really bad in some areas and that does limit the system that you can use.

RT **Robert Tidmore** 1:43:16

Yeah.

DM **Dale Hendsbee | MME** 1:43:25

And so that's we're gonna discover that in places. We just need to figure out where we can and can't use the VA suggestions as we go through those or at least in our opinion that we can't.

We don't.

We don't recommend them. So. OK, good. Thank you.

I appreciate you guys clearing that up.

KS **Kayla Szubielski** 1:43:52

That there's no longer a formal crossing at the previous.

And New Brighton rail crossing here. This is not one of the ones that we're pursuing with the CPUC.

RT **Robert Tidmore** 1:44:06

That'll be between RTC and state parks.

KS **Kayla Szubielski** 1:44:09

So the trail would just continue along and we won't show any kind of new concrete track panels or ramping through here.

Correct.

RT **Robert Tidmore** 1:44:23

Well, we were.

We needed to make it so that a fire truck can access across the tracks here, and because this is an existing private crossing that does not have public access, I believe the the e-mail conversations we were we had going back and forth were that the we can just.

The RTC can just update an agreement with state parks for them to use this crossing and keep it a private crossing.

Are you?

KS **Kayla Szubielski** 1:44:52

Maybe I wasn't.

RT **Robert Tidmore** 1:44:52
Are you?

KS **Kayla Szubielski** 1:44:52
Maybe I wasn't aware it was a private crossing.
I didn't find a private.

RG **Riley Gerbrandt** 1:44:56
Yeah, it's a private.
It's a private crossing, so private crossing is when it's not at a public right of way, like a public St. and it's only used for, you know, a specific specified individuals and not available for general public to cross so.

KS **Kayla Szubielski** 1:44:59
OK.

RG **Riley Gerbrandt** 1:45:16
Typically you would have like gates, and that's my understanding, right, Rob, is that the, you know, the access would be restricted to State Park personnel and maintenance and emergency vehicles and would be probably gated otherwise.
People wouldn't be able to drive across it.

RT **Robert Tidmore** 1:45:31
I don't know that we'd have a gate there.

RG **Riley Gerbrandt** 1:45:31
Something to that effect.

RT **Robert Tidmore** 1:45:33
There's a gate at New Brighton Road to access the existing fire Rd.
So a a vehicle could not get to the tracks currently and and in the future.

RG **Riley Gerbrandt** 1:45:46
Yeah, so provided the the general public is is not, you know, allowed or permitted to to access a private crossing and it's a private crossing.
And Gates are sometimes, like, not, not arms, like crossing gates, right?
I'm just talking about like, a a swing gate or something or or even some other things.
A chains. It could be employed for keeping the general public off.

Sometimes that's needed, but in a general sense.

Private crossing doesn't need to be designed for public grade crossing.

RT

Robert Tidmore 1:46:19

Right.

KS

Kayla Szubielski 1:46:24

I guess I just never found the private crossing number in my previous research. So OK, thank you.

RT

Robert Tidmore 1:46:27

Yeah, sorry I can send that to you.

Yep.

KS

Kayla Szubielski 1:46:33

After that location, looking at.

RT

Robert Tidmore 1:46:33

Yeah. Quick, quick, quick.

KS

Kayla Szubielski 1:46:36

Says soldier Pilewall with MSE.

It's one or the other.

A replace soldier by wall. Sorry. With MSE, wall through the stretch.

We can study that.

Similar remarks, we need geotechnical parameters to be able to study MSE walls. We also need to look at this in the proximity to the rail line and it be whether or not it's gonna fall within the zone that would be subject to a railroad surcharge.

PD

Phil Doody (MME) 1:47:14

It would also be helpful for.

The agencies to give us direction on, you know which one of the many varieties of MSC Walls they're envisioning here.

Because basically all of them are proprietary so.

You know, it'd nice to have a an idea of which wall system you want to go with.

Run.

RT

Robert Tidmore 1:47:45

Yeah, I don't have.

I do not have familiarity with those.

I guess this would need to come from RTC since you would eventually own these improvements.

Do you have thoughts on that or is that a that can be a follow up action item for RTC to provide?

RG Riley Gerbrandt 1:48:02

We have no thoughts at this point.

We don't know the the the details on it, so we would need to work through that with the design team.

KS Kayla Szubielski 1:48:13

As a starting point, do you have any?

But MSE Wall systems are you using on segment 12 for example?

Is that, would that be a starting point?

You want our team to look at.

RG Riley Gerbrandt 1:48:27

We would need to.

Let's just meet 'cause I I don't.

KS Kayla Szubielski 1:48:29

OK.

RG Riley Gerbrandt 1:48:29

I don't even know where those ones at. I haven't been involved in the segment 12 design so.

MS Mike Sherrod 1:48:35

I think the.

DM Dale Hendsbee | MME 1:48:35

Yeah.

MS Mike Sherrod 1:48:36

Place to start. I think the place to start, Phil.

RG Riley Gerbrandt 1:48:36

Got me flat footed.

MS Mike Sherrod 1:48:39

So there was no product types selected, it was just through the value analysis. A generic MSA

wall would be more cost effective.

I believe it's up to our group to figure out what what makes the most sense.

A starting point for a conversation would go back to the VA team, which was Mark Thomas when they did their cost calculations. What system were they envisioning?

That seems to me the easiest thing to do.

We start there.

DM Dale Hendsbee | MME 1:49:06

Right. I mean.

MS Mike Sherrod 1:49:07

Based on something so they may have that well, we're using this type.

DM Dale Hendsbee | MME 1:49:12

And a lot of it has to do with aesthetics, right?

It's the facing of the wall that's, you know is unique and proprietary because the anchorage and the facing go together and the anchorage systems to go with them.

So it's, you know, in the course the facings can be.

Quite a variety and they all have the cost implication as well.

So in some of these you probably would never see.

So it that that's kind of what we're asking or just there are a lot of different versions out there.

So we just something as a benchmark that's.

If they're using it on segment 12 or whatever that we could have some consistency, which would probably make sense.

I mean to me anyway, through the trail system. But yeah, that would help us to have a baseline to start with.

RG Riley Gerbrandt 1:49:55

Understand Mike and and Dale.

Maybe Phil, too. Could you draft up?

A.

One or two paragraph e-mail that I could send over to to Mark Thomas.

That would encapsulate the question that you have at hand as a starting place.

And we can then get their way in. I mean, I could ask the question, but I might miss something that you're keen on, so.

DM Dale Hendsbee | MME 1:50:16

Yeah. Yes, yeah, absolutely, yeah.

Right now, understood.

Yeah. No, that's fine.

We can do that, yeah.

RG **Riley Gerbrandt** 1:50:25
OK.

KS **Kayla Szubielski** 1:50:27
We got 7 minutes left. Keep going through the alignment, rob, OK.

RT **Robert Tidmore** 1:50:30
Yes, yes, I think I'm trying to look through if there's any critical pieces they could ignore that.

KS **Kayla Szubielski** 1:50:34
This was.
Ignore it.

RT **Robert Tidmore** 1:50:38
Yep.

KS **Kayla Szubielski** 1:50:38
So are we keeping the trail where it is?

RT **Robert Tidmore** 1:50:42
Separate separate's moving inland so that conflict doesn't exist anymore.

KS **Kayla Szubielski** 1:50:45
K.

RT **Robert Tidmore** 1:50:49
Come back to that guardrail question.

KS **Kayla Szubielski** 1:50:55
Similar remarks on viaducts.

RT **Robert Tidmore** 1:50:56
Umm.
Yeah, states drive.
There was request to move US S but Zephrit is clear of our of our trail here so.
I think that's that's an updated comment from schematic design.
So we can we can move on past that.

KS

Kayla Szubielski 1:51:14

Gonna look at this Virginia item at the states.

Reduce overall length of the viaduct.

Use a soldier pile or MSE fill wall on the approaches.

I miss you.

All similar remarks would have to look at.

Surcharge from the rail.

We're looking at the different wall types through here if we can.

How much of that we could reduce from a viaduct if usable?

RT

Robert Tidmore 1:51:46

Right. And there's there's right of way impacts here as well?

KS

Kayla Szubielski 1:52:01

We have a portion from the VA we suggesting to look at an MSC wall pending with the drainage solution would be.

For along with adjacent residence.

PD

Phil Doody (MME) 1:52:12

Play.

I just wanna. Yeah, I just wanna add that when you have utilities behind the MSE walls, it does pose a problem.

KS

Kayla Szubielski 1:52:14

Yep.

PD

Phil Doody (MME) 1:52:22

So that's one of the things that MSE walls, you know, you try to avoid.

So even if we switch to MSE wall for a portion of that, you may not be able to fully depending on on that culvert behind it. You may have to have something different in that one little area.

RT

Robert Tidmore 1:52:44

OK.

I.

I I think my understanding is we do need to accommodate drainage underneath the trail in this area 'cause we would be building the trail on top of an existing pipe so that should be taken into account in the in the design and if it's not feasible to use.

An MSE wall there then. Then we can't.

PD Phil Doody (MME) 1:53:04

K like yeah, I should.

RG Riley Gerbrandt 1:53:04

Unless the county wants to to to redirect drainage in the area.
Be nice.

PD Phil Doody (MME) 1:53:12

Kayla, you should say can't as opposed to can.

It just needs the soil reinforcement that is buried in the soil behind the wall just interferes with utility sometimes, so you know you have to consider that interaction when you're selecting the wall.

KS Kayla Szubielski 1:53:37

OK.

So the priority is the drainage and then the wall type will be.

Secondary, is there any updates that the counter needs to provide us in relation to this property at this time?

RT Robert Tidmore 1:53:50

Started negotiations.

Well, not negotiations.

I started discussions with the property owner. She's potentially open to it, but she she wanted to get an appraisal and we're a long way away from that.

That's one of those ones where I'm hoping we can start.

We can do an early appraisal after our final schematic design because that I think that's gonna be one of our more tricky acquisitions. At least she's supportive of the project.

KS Kayla Szubielski 1:54:15

Yeah.

RG Riley Gerbrandt 1:54:17

I'm just.

KS Kayla Szubielski 1:54:17

For those that don't know, it's a newer property owner.

RT Robert Tidmore 1:54:20

Yes.

RG Riley Gerbrandt 1:54:23

Are there any encroachments that they have with us or on our TC property?

Rob, so you're aware.

I think there's as as it affects drainage through this area.

I think there's some one point. There was county pipes from the north that went through the property to the north and then discharged in there, so.

RT Robert Tidmore 1:54:43

Yeah, yeah, yeah, yeah.

I'm I'm familiar.

Yeah, there's pipes underneath underneath her property.

RG Riley Gerbrandt 1:54:49

The one on the north.

RT Robert Tidmore 1:54:51

On the South.

RG Riley Gerbrandt 1:54:53

Yeah, I'm talking about the one in the north.

There was some Rd. drainage or something like that that came up South and then just charges.

At like Station 116 somewhere around there.

RT Robert Tidmore 1:55:05

That's true, yes, from the adjacent private property, correct.

RG Riley Gerbrandt 1:55:07

And then go then goes underneath the the tracks. If there was, you know, drainage improvements needed there. There might be a way to.

RT Robert Tidmore 1:55:10

Right.

RG Riley Gerbrandt 1:55:17

Look at minimizing the that flow, that that could potentially help the the trail.

RT Robert Tidmore 1:55:26

Right. There's also. Yeah. There's also a storm drain line that connects in from the South too. So we wouldn't be able to fully eliminate it.

RG

Riley Gerbrandt 1:55:32

Got it. OK.

RT

Robert Tidmore 1:55:33

Yep.

All right, so 2 minutes left. I think all those comments along improving the connections at Marvista.

I think we get those are pretty minor.

We can adjust that. I think the big question in here is where where is eppert landed Riley? If you could give us an update.

RG

Riley Gerbrandt 1:55:48

Yeah, I can I have.

I can, yeah.

So we did two analysis, which is is why we have a had a little bit delay in getting these final information to you.

RT

Robert Tidmore 1:55:51

Awesome.

RG

Riley Gerbrandt 1:56:00

I was expecting the exhibits already, so I apologize for that, but.

We we can avoid the impacts to the trail through here.

From marvista.

To State, Park and even even beyond State Park.

What we can do is shift the the track alignment to the to the coast so we can leave the trail as it is from marvista to the State Park.

And then it makes a little bit of a challenge at this that the Marvista crossing for for Zephyr, because then you have to come back in and there'll be some things that we need to resolve, but we'll just resolve those in the future.

If separate goes forward, goes forward.

We did also look at the option of. Yeah, we also did look at the option of could the trail go on the coastal side?

RT

Robert Tidmore 1:56:55

Great news.

RG **Riley Gerbrandt** 1:57:01
Should it desire to do so?
And that could also work as well.
And then we could.
Then we could bring the trail over at State Park.
I have a feeling that's not desired.

RT **Robert Tidmore** 1:57:13
Correct.

RG **Riley Gerbrandt** 1:57:14
We did look at that as well.

RT **Robert Tidmore** 1:57:15
I think we'll keep it as is. Thank you. That's awesome.
Alright. Well, we're at 11.
I know there's a there's a zipper thing or AVAVE thing.
Here, we'll we'll look at that in final design.
Thank you everybody.
That was a lot.
I think that was a a great discussion.
I appreciate everybody's input.
And we'll share this recording and RM will put together meeting minutes, which we'll share out probably after the holidays.

MM **Matt Machado** 1:57:49
Awesome. Thank you all. Great discussion.

KS **Kayla Szubielski** 1:57:50
Thank you.

DM **Dale Hendsbee | MME** 1:57:51
Alright, thank you.

RT **Robert Tidmore** 1:57:51
Yeah. Thank.

RG **Riley Gerbrandt** 1:57:52

Thank you all and and Rob, as soon as I get any additional information, I'm gonna touch base with you.



Matt Machado 1:57:53

Merry Christmas.



Dale Hendsbee | MME 1:57:56

He said, oh, look, I'm not fasting here.



Robert Tidmore 1:57:58

OK, sounds good.

Yeah, happy.



Riley Gerbrandt 1:57:59

Yeah.



Robert Tidmore 1:57:59

Happy holidays everybody.



Phil Doody (MME) 1:58:01

Yeah. Happy holidays.



Kayla Szubielski 1:58:01

Do you have a?



Dale Hendsbee | MME 1:58:02

Mom, this you too?



Kayla Szubielski 1:58:04

Do you have a meeting after this?



Robert Tidmore 1:58:05

Yeah, no.

Can talk.



Morgane Staake 1:58:09

You want me to stay on Kayla?



Kayla Szubielski 1:58:09

Vivi.

RT **Robert Tidmore** 1:58:11
Thanks, Riley.

KS **Kayla Szubielski** 1:58:11
Sure, you can pause the OR end the recording maybe.

MS **Mike Sherrod** 1:58:20
Hmm.

☐ **Robert Tidmore** stopped transcription

Wyatt, Rosie

From: Michael Sherman <sherm1@gmail.com>
Sent: Tuesday, April 15, 2025 7:24 PM
To: City Council
Cc: 'Kathy Sherman'
Subject: (for 4/17 meeting) a win-win deal for Capitola & RTC

Dear Capitola City Council members:

We live on Park Ave near the Village. It seems to us there is a clear win-win deal for Capitola & RTC:
Capitola approves the Park Ave diversion. In exchange, RTC runs the trail over the trestle.

Why this is feasible

RTC has made these points:

- no train will ever run across the existing trestle (a new bridge is required),
- the trail *could* run across the existing trestle with some refurbishment,
- the Park Ave diversion saves them lots of money and time.

Thus railbanking or paving over *just the tracks that cross the trestle* cannot interfere in any way with future rail plans. Any objection must be purely bureaucratic so can be overcome by sufficiently motivated parties.

Why this complies with Measure L

The purpose of Measure L was to stop the trail from going through the Village. This deal gets that done. The legislative history of Measure L, still available online, makes it very clear what the purpose was. No one was thinking about Park Ave then.

Why this is a good deal for everyone

1. RTC saves \$13M by building the trail on Park Ave, though they'll have to spend some of that on refurbishing the trestle. Give them Option B for max savings. They still come out ahead.
2. We get the Park Ave road diet, a beautiful trail now rather than never, and maintenance forever at no cost.
3. The trail doesn't run through the Village (which absolutely no one thinks is a good idea).

There is no need to negotiate this with RTC. They are very resourceful. We believe that if this is the deal they are faced with, they'll make it work.

Sincerely,
 Michael and Kathy Sherman
 312 Park Ave
 Capitola

Wyatt, Rosie

From: Forest, Karl (karlforest1@gmail.com)
Sent: Tuesday, April 15, 2025 8:12 PM
To: City Council
Subject: Extra Thoughts: Please Vote Yes on Rail Trail Option

Esteemed Council Members,

After reading Gayle Ortiz's well-written article in the LookOut, a few more thoughts occurred to me.

I was motivated to read that actual code (8.72). I know you have legal opinions on what you can and cannot do from city lawyers. What I would like to point out is if land contiguous to the current Corridor is made available and/or is transferred to the County to create a trail between Park Avenue and the existing rail line, then it would become part of the Corridor, and thus would not violate municipal code 8.72.

This would also remove what I believe will happen if you vote no: The RTC will continue with the original plan which will need to address adjacent land owners who have encroached on the Corridor, which will most likely land in lawsuits that are not needed and may involve the city.

Let's get this built! Please do what is what I think is best for the community to improve that section of Park Avenue at what looks like no cost to Capitola. Please vote yes!

Thank you for once again indulging my thoughts. I hope you take them into consideration.

Karl Forest

On Mon, Apr 14, 2025 at 9:29 PM Karl Forest <karlforest1@gmail.com> wrote:

Hello,

My name is Karl Forest and I live at 516 Oak Dr in Capitola. I would like to advocate for the City Council to approve the RTC's recommendation to move the trail portion of the trail from the Village along Park Avenue so it is between Park Ave and the existing line. This means changing the original plan to add the trail alongside the tracks on the ocean side.

This would cost less, better connect the Village and Cliffwood Heights, and would impact the butterfly habitat less. The trail will be separated from the road, and of the two options, it seems removing bikes from the road entirely and having them ride the trail seems the safer option.

As I understand it, this option would also lessen encroachment impacts with properties along the right of way.

As I understand Measure L, it was designed to stop Capitola from participating in relocating the trail from the rail on the trestle. This was designed to try to stop the rail at a key point in the path and to force bike traffic onto Village streets. That intent has nothing to do with this portion of the rail/trail.

If the city needs to donate a small bit of land to accomplish this, it seems like a win for our community. We also need to show leadership for the county; time and time again county residents, including Capitola residents, have supported the rail/trail concept. Capitola should do its part to contribute.

Please vote yes on one of the options presented to you on Thursday night. To vote no seems to me to be shirking our community's responsibility to the rest of Santa Cruz County, and to be playing into the hands of a minority of wealthy residents who have one goal in mind: to tear out the rails now.

Thank you for your consideration.

Karl Forest

Wyatt, Rosie

From: Ron Compton <ronjonvonshu@gmail.com>
Sent: Tuesday, April 15, 2025 8:35 PM
To: City Council
Subject: Measure L

I have been a resident of Capitola for 50 years and care very much for this community. I am depending on our city council to Keep the Trail in the Rail, uphold the Law CMC 8.72

John R Compton Jr.

Brookvale Terrace Mobile Home Park

Wyatt, Rosie

From: Mark Stailey <mstailey@sbcglobal.net>
Sent: Tuesday, April 15, 2025 10:07 PM
To: City Council
Cc: concernedcitizensofcapitola@gmail.com
Subject: Uphold 8.72 — Keep the Trail on the Rail

Dear Councilmembers,

When I first heard of this development via Nextdoor I couldn't believe my eyes. Why would the council even consider such a plan to destroy our beautiful homes at a monumental cost and in direct contradiction to the direction outlined in, and in violation of, Measure L?

Two of the condos in our development were actually just purchased by new owners in the last month. I would think that these potential plans were disclosed but who knows. So, complications, lawsuits etc. might be anticipated. The whole thing just makes no sense running train tracks / trails right through our beautiful development. Actually pretty disgusting.

Your first duty is to uphold Capitola law. I urge you to enforce Municipal Code 8.72 and keep the trail in the RTC corridor, not on city streets. The \$67 million in CTC funding is tied to this alignment. Capitola voters supported it — and we still do. Uphold the law, protect public land, and help us build the safe, funded trail we were promised.

Sincerely,
 Mark Stailey
 Cypress Gardens Resident, Aptos

Sent from my iPhone

=====

Mark Stailey
 (925) 389-0668 - cell

=====

Wyatt, Rosie

From: Gina Velez <ldygdvr@gmail.com>
Sent: Tuesday, April 15, 2025 9:37 PM
To: City Council
Subject: Uphold 8.72 — Keep the Trail on the Rail

Dear Councilmembers,

Your first duty is to uphold Capitola law. I urge you to enforce Municipal Code 8.72 and keep the trail in the RTC corridor, not on city streets. The \$67 million in CTC funding is tied to this alignment. Capitola voters supported it — and we still do. Uphold the law, protect public land, and help us build the safe, funded trail we were promised.

Sincerely,
Gina Velez
Capitola

Wyatt, Rosie

From: Leslie Nielsen
Sent: Tuesday, April 15, 2025 11:33 PM
To: City Council
Subject: Item 3A and 3B Comments for 4/17

Capitola City Council,

Item 3A - Provide Direction to Staff on Municipal Code 8.72

There is only ONE direction - Direct staff to follow the municipal code, stop making staff recommendations that violate it, and stop having the city attorney say it's up to us to interpret when we pay her to guide us. PERIOD.

If City staff would like you to take action that contradicts the current unambiguous municipal code, tell staff to follow the code language and have it amended by a vote of the people before they spend any more time, money and resources promoting and recommending actions that violate the current and binding language.

This is not hard, and anything short of properly directing your staff to follow the code would be a clear indication of your bias to a cause that exceeds your ethical obligation to uphold your oath of office and truly represent the people of the City of Capitola that elected you.

Item 3B - Recommended Action - Discuss and provide direction to staff regarding the Park Avenue alignment for the Coastal Rail Trail.

Again, not hard. It doesn't matter what you think personally about the RTC project challenges and threatened risk to funding.

The staff report says until the City confirms its preferred alignment through Capitola, the County is unable to finalize the design scope with it's constituents or begin the next phase of work.

You have 3 choices;

1. Support Staff recommendation of Option A - Based on Item 3A - **a very bad idea**. If you think this will speed things up, think about the fallout from violating the municipal code.. it will wreak havoc on our City financially and culturally.
2. Discuss and DELAY action and give everyone more to do - spend more time, money and resources. This does NOT help the RTC finalize the scope design and manage the funding deadline.
3. **DENY realignment. Stick with the current plan.** The \$67M grant was awarded for Segment 10 and 11 only. It is an ACTIVE TRANSPORTATION GRANT awarded specifically in response to an application offering a full corridor solution ;

This project uses best practices to completely separate bicyclists and pedestrians from motor vehicle traffic by constructing a 12' wide multiuse path in the rail right of way.

The RTC cost overrun does NOT risk the entire Rail Trail project. It just makes the RTC's job of saving \$27M easier, and puts the financial burden of defending lawsuits, running recall elections etc. on the City of Capitola. Rod Tidmore himself said that if Capitola says NO, they would likely go forward with the coastal alignment. The County and Rail Trail advocates have navigated much tougher problems than a \$27M cost overrun. The threats of leaving Capitola out of the full scale project are just that .. threats.

They can put up "trail ends here" signs on both ends of Capitola and watch the entire vision of the trail implode. I would be fine suggesting the CTC keep their grant money that is slated for just the Capitola section over misusing the largest ATP grant awarded in California history in a way that completely contradicts the basis for which it was awarded.

It feels fraudulent to ask for that amount of money to do A .. and then propose B to save \$27M.

We look like unsophisticated small town players being 'handled' by the County.

NOTE, the **current approved plan** for the Park Ave. section is in the corridor, with an approved EIR, and an agreement by the City to engage in a consolidated Coastal Development Permit (CDP) with the County to streamline the process of getting a CDP from the Coastal Commission. What could be faster if TIME is your agenda than staying the course?

The realignment would CHANGE THE SCOPE from the GRANT intent putting the funding at great risk, require a new EIR, and another attempt to get the City of Capitola to approve that EIR and initiate the required Coastal Development Permit. If getting a trail sooner than later matters, seems like staying the course is the best answer.

I would encourage you to be very thoughtful and swift in your decision making on Thursday. DENY the Park Ave. realignment.

Leslie Nielsen
Capitola resident

Wyatt, Rosie

From: Linda Segal <lsegal@icloud.com>
Sent: Wednesday, April 16, 2025 6:43 AM
To: City Council
Subject: Measure L and CMC 8.72

Considering the passage of Measure L by your constituents, leading to Capitola Municipal Code 8.72, it is your duty to keep “the Trail” out of our city streets, including Jade St. and Jade Park. Your constituents have spoken, whether or not you were on Capitola City Council in 2018 or not. We will continue to speak up and vote out.

Linda Segal
Capitola resident~ Jewel Box

Wyatt, Rosie

From: Wiens, Jennifer <jwiens@visa.com>
Sent: Wednesday, April 16, 2025 7:46 AM
To: City Council
Cc: Trevor Wiens; omaby6@gmail.com
Subject: Capitol Resident - Uphold the Law CMC 8.72

Hello City Council members,

I am writing to appeal to your sense and duty as elected officials for our lovely city of Capitola. I have been following and staying up to date on what is happening with the rail/trail issues. At the very least, I would hope that you would adhere to the rule of law and **uphold LAW CMC 8.72**.

Please include my message that you need to REJECT any realignment that doesn't follow LAW CMC 8.72.

Thank you,

Jen Wiens
409 Loma Ave.

Jen Wiens (she/her), Director, Sales Excellence | Visa, Inc. | North America Community Issuers
Mobile: 408.656.9519 | Email: jwiens@visa.com



Wyatt, Rosie

From: Dixie McDaniel <omaby6@gmail.com>
Sent: Wednesday, April 16, 2025 8:12 AM
To: City Council
Subject: LAW CMC 8.72

I am a concerned resident of this community. I am urging our City Council to uphold Law CMC 8.72 and deny rail/trail services through the Capitola Village.

The Village businesses would be further challenged in continuing to offer to community residents/visitors the convenience of all their services. Their proposal would create chaos, inconvenience and confusion to residents and visitors.

Do what is right for Capitola and support Capitola Ordinance Measure L which protects those you are obligated to serve from the RTC using city resources, streets and property. Please do the right thing.

Sent from my iPhone

Wyatt, Rosie

From: Sharon Caredio <sharoncaredio@yahoo.com>
Sent: Wednesday, April 16, 2025 8:34 AM
To: City Council
Subject: CMC 8.72

Please keep the trail in the rail corridor according to CMC 8.72.

1. Cycling through Capitola Village is not safe especially during the busiest times of the year and day. Cycling the rail corridor would be a much safer option.
2. Spending millions of dollars to retrofit the trestle to hold a rail car is a waste of taxpayers' money and more than likely will go way over budget.
3. If the trestle was open to cyclist as well as pedestrians it would become a popular walkway with beautiful views of the bay and the village.
4. Don't let non-Capitola residents determine the outcome listen to the residents!

Thank You,
Sharon Caredio

Wyatt, Rosie

From: Toolmaster 70 <toolmaster70@gmail.com>
Sent: Wednesday, April 16, 2025 8:34 AM
To: City Council
Subject: Code 8.72

Please enforce Capitola Municipal Code 8.72 at the upcoming vote. Our streets and parking are congested enough.

Sincerely,
Cyril Arsenault
701 Gilroy Dr, Capitola, CA 95010

Wyatt, Rosie

From: Wendy Arsenault <wendyarsenault@sbcglobal.net>
Sent: Wednesday, April 16, 2025 8:21 AM
To: City Council
Subject: Capitola Municipal Code 8.72

We passed 8.72 for a reason. Please vote to enforce it. We don't need fewer parking spots in the village, nor one-way streets leading into it.

Wyatt, Rosie

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Wednesday, April 16, 2025 9:34 AM
To: City Council
Subject: NO Trail on City Streets

Dear Capitola City Council,

I am writing to you as a long-time resident of Capitola, having lived here for over 50 years and raised fifth-generation residents in our community. It is with great concern that I address the current discussions surrounding the proposed trail on city streets.

As citizens, we trust the council members we elected to uphold the municipal code outlined in Measure L. It is essential that you adhere to the laws that govern our community; no one is above the law. As a retired law enforcement officer, Council Member Joe Clark should understand that while it may be possible to break the law, such actions will ultimately have consequences.

I do not support the idea of a trail on city streets, and I question the rationale behind this proposal. Is there an underlying benefit to this plan that has not been fully disclosed to the public? It is crucial for transparency that you communicate any potential benefits to the community.

The trail should remain on the rail corridor, where it is both safe and practical. I believe that the council is more than capable of recognizing that this solution is viable, especially given the numerous options that have already been presented.

I urge you to listen to the voices of the residents and business owners of Capitola. Our community deserves a solution that prioritizes safety and adheres to the established guidelines.

Thank you for your attention to this matter. I hope you will take our concerns seriously and work towards a solution that reflects the wishes of the community.

Sincerely,

Tricia Proctor
Riverview Dr. Capitola, CA

Wyatt, Rosie

From: John and Marie Martorella <jmarto@pacbell.net>
Sent: Wednesday, April 16, 2025 9:31 AM
To: City Council
Subject: Keep Rail on Trail

Dear Mayor and City Council

As a Capitola resident for 34+ years and as a parent to two 5th generation Capitola residents, I am writing to strongly urge you to uphold the position you have been elected to – by the people of our City - and that is to abide by the rules, regulations and laws of this great City.

There are numerous letters and public statements that have been shared in recent months around this RTC push to decimate our City by putting a trail through the middle of town instead of up along the rail corridor as intended and **as stated in our Municipal Code** – which as you know, is the law of Capitola and must be followed.

There has been extensive legal review done on the Measure which was passed by a majority of the citizens of Capitola to build this trail. It is not vague, confusing or difficult to understand. It states clearly that no part of the trail is to enter on to the streets of Capitola. Yet, here we are, being pushed into doing just the opposite. What other laws will we (you) be charged with selectively ignoring if we decide to discount parts of the Municipal Code for the benefit of (in this case) the RCT? Opening the Municipal Code for *negotiation* by deciding to not abide by our own Municipal Code cannot possibly be what you are considering, is it?

What the Municipal Code and your position as Council members does not allow for is your personal opinions regarding the subject matter of any meeting. We do not get to decide which laws and rules and regulations we will abide by on a selective basis; This does not seem to be a new concept – abide by laws put into place and under which we operate daily; including those of a City whose Municipal Code is the Law under which the City operates.

There is no room for personal feelings in the chamber when you are seated in the rotunda. Your role is to uphold the oath you took which is to serve the community; your role is to ensure the Municipal Code is adhered to; your role is to validate the peoples trust in electing you to that position that you will, unconditionally uphold those rules and regulations despite what you may otherwise chose to do if not a sitting Council member; your role is to follow the law of the City when enacting decisions for the City and its community members.

I urge you to uphold not only the Oath you took but the laws under which you apply those decisions made by the power that's been vested to you. Do not be reckless with our community by choosing to ignore the rules and regulations of our City and please do not be careless with the decision-making power you have had bestowed on you by the community. Please force the RTC to stand behind the decisions made via election and keep the trail on the rail corridor as intended, as stated in the grant and as the people have VOTED in FAVOR *of*.

Marie Martorella

Wyatt, Rosie

From: Alicia L. Amaro <aamaro@fentonkeller.com>
Sent: Wednesday, April 16, 2025 2:01 PM
To: City Council
Cc: Clarke, Joe; Pedersen, Alexander; Gerry Jensen; Margaux Morgan; Melinda Orbach; Gautho, Julia; Herlihy, Katie (kherlihy@ci.capitola.ca.us); Goldstein, Jamie (jgoldstein@ci.capitola.ca.us); Kahn, Jessica; Mozumder, Kailash; Derric G. Oliver
Subject: [PDF] Letter to Capitola City Council (4-16-25) Morrissey Public Comments on Agenda Items 3(A) & 3(B) (Measure L)
Attachments: LTT Capitola City Council 4-16-25 Morrissey Public Comments on Agenda Items A B (Measure L) (01729963).pdf

Good afternoon,

Please see the attached letter, providing public comments from Mike and Meghan Morrissey, on agenda items 3(A) & 3(B) (Measure L) of the City Council's meeting on April 17, 2025.

Thank you,

Alicia L. Amaro

Alicia L. Amaro
Administrative Assistant to
Alex J. Lorca, Derric G. Oliver &
Rebecca J. Saathoff
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April 16, 2025

VIA EMAIL ONLY (citycouncil@ci.capitola.ca.us)

Capitola City Council
 Capitola City Hall
 420 Capitola Avenue
 Capitola, CA 95010

Re: Public comments on Agenda Items 3(A) & 3(B) (Measure L)
 Capitola City Council meeting 4-17-25
Our File: 35278.34203

Dear Capitola City Councilmembers:

This law office represents Capitola property owners and residents, Michael and Meghan Morrissey, in connection with the above-referenced subject. This letter offers the Morrisseys' position regarding Agenda Item 3(A), Measure L, and Agenda Item 3(B), regarding a proposed relocation of Segments 10 and 11 of the Monterey Bay Sanctuary Scenic Trail (aka Coastal Rail Trail) ("Trail") off the Santa Cruz Line Branch Line Rail Corridor ("Corridor") in violation of Measure L, codified as Capitola Municipal Code ("CMC") Chapter 8.72, entitled "Greenway Capitola Corridor."

1. Agenda Item 3(A): Measure L

Measure L was passed in 2018 pursuant to the initiative power reserved by the People in the California Constitution. As such, the City Council cannot amend or repeal Measure L, absent further voter initiative to do so. (Cal. Const., art. II, § 10, subd. (c).) A statute, once duly enacted, is presumed to be constitutional, and if challenged, unconstitutionality must be clearly shown, with doubts resolved in favor of the statute's validity. (*Lockyer v. City & County of San Francisco* (2004) 33 Cal.4th 1055, 1084.) This is particularly so in the case of statutes passed through voter initiatives, which the courts "jealously guard" and liberally construe so as not to improperly annul the will of the voters. (*California Cannabis Coalition v. City of Upland* (2017) 3 Cal.5th 924, 934.)

{DGO-01729595;2}

Capitola City Council
 April 16, 2025
 Page 2

It is the courts, not this City Council, who have the authority to determine the validity and enforceability of Measure L. (See, *Perry v. Brown* (2011) 52 Cal.4th 1116.) The City had the opportunity to challenge the validity of Measure L after its passage. The City did not do so, nor has Measure L unlawfully invaded the province of the City Council's jurisdiction or essential functions.

While City Staff has correctly acknowledged the validity and enforceability of Measure L in their staff reports, City Staff has misinterpreted the plain and unambiguous language and express purpose of Measure L in several important respects. As outlined in my February 12, 2025 letter to the City Council, contrary to previous City Staff assertions, Measure L establishes directives and limitations, as opposed to abstract "goals," which clearly and plainly require the City to keep the Trail on the Corridor, and refrain from using City funds and resources (including bike lane easements, dedications of land, staff time, attorney time, etc.) to allow the contrary. City Staff, in relying on a dictionary definition of the word "detour," have ignored the statutory context in which the term "detour" is required to be interpreted, which makes clear that any planned, temporary, or permanent diversion of the Trail through City streets is considered a "detour" from the Corridor and expressly prohibited by Measure L.

Measure L is not "vague" or unclear, let alone unconstitutionally so. It provides more than adequate notice of required and prohibited conduct, as the City is well aware of, given its compliance with it for the past six, almost seven, years. Any challenge to Measure L's validity would assuredly fail, as its opponents would be hard-pressed to meet the exacting tests applied by the Courts for such claims. As such, the Morrisseys urge and demand you to direct City Staff to interpret the Measure L consistent with its plain terms, and to conform your votes to its directives and the will of the voters.

2. Agenda Item 3(B): Park Lane Avenue Realignment

The Morrisseys object to the realignment of the Trail on Park Avenue because it violates Measure L. Both Option A and Option B relocate/detour the Trail onto Capitola streets in direct contravention of Measure L's operational provisions prohibiting such diversion. Additionally, both Option A and Option B will require the City to spend funds and resources to support the detouring of the Trail into City streets. While the Staff Report notes there is no "immediate cost" to the City, the City will still have to grant easements and potentially land dedications to allow City-owned streets to be utilized by the RTC and County, in violation of the prohibition of spending "resources" in support of a detour. Further, the Staff Report makes clear the City will be obligated to commit \$16,000 to \$22,000 annually to maintain this detour. This is a plain violation of Measure L and the City Council cannot approve it without violation Measure L.

In contrast, a reexamination of prior plans to maintain the Trail within the Corridor is not only feasible, but appropriately honors both the law and the will of the people. The Morrisseys urge you to vote against both Options A and B, and return to the reexamination of plans which keep the Trail within the Corridor.

Capitola City Council
 April 16, 2025
 Page 3

3. Conclusion

The Morrisseys and the voters who enacted Measure L demand and expect the City to fully comply with its limits, the express “purpose” of which is to “keep” the Trail “in” the Corridor “to improve safety and reduce traffic.” (CMC § 8.72.010.) They expect you to honor its provisions that Measure L “shall not be amended or repealed except by vote of the people.” (CMC § 8.72.050.) Thank you in advance for your review and consideration of the Morrisseys’ public comments on this item of great importance to the safety, welfare, traffic, parking, and aesthetics of their great City.

Very truly yours,
 FENTON & KELLER
 A Professional Corporation



Derric G. Oliver

DGO:rjs

cc:

Joe Clarke, Mayor (jclarke@ci.capitola.ca.us)

Alexander Pedersen, Vice Mayor (apedersen@ci.capitola.ca.us)

Gerry Jensen, Council Member (ghensen@ci.capitola.ca.us)

Margaux Morgan, Council Member (mmorgan@ci.capitola.ca.us)

Melinda Orbach, Council Member (morbach@ci.capitola.ca.us)

Julia Gautho, City Clerk (jgautho@ci.capitola.ca.us)

Katie Herlihy, Community Development Director (kherlihy@ci.capitola.ca.us)

Jamie Goldstein, City Manager (jgoldstein@ci.capitola.ca.us)

Jessica Kahn, Public Works Director (jkahn@ci.capitola.ca.us)

Kailash Mozumder, Public Works Project Manager (kmozumder@ci.capitola.ca.us)

Wyatt, Rosie

From: Renate Silvey <renate.silvey@gmail.com>
Sent: Wednesday, April 16, 2025 2:15 PM
To: City Council
Subject: Fwd: Delivery Status Notification (Failure)

----- Forwarded message -----

From: Mail Delivery Subsystem <mailer-daemon@googlemail.com>
Date: Wed, Apr 16, 2025 at 1:58 PM
Subject: Delivery Status Notification (Failure)
To: <renate.silvey@gmail.com>

**Address not found**

Your message wasn't delivered to **citycouncil@cicapitola.ca.us** because the domain [cicapitola.ca.us](https://www.cicapitola.ca.us) couldn't be found. Check for typos or unnecessary spaces and try again.

LEARN MORE

The response was:

DNS Error: DNS type 'mx' lookup of [cicapitola.ca.us](https://www.cicapitola.ca.us) responded with code NXDOMAIN Domain name not found: [cicapitola.ca.us](https://www.cicapitola.ca.us) For more information, go to <https://support.google.com/mail/?p=BadRcptDomain>

----- Forwarded message -----

From: Renate Silvey <renate.silvey@gmail.com>
To: citycouncil@cicapitola.ca.us

Cc:

Bcc:

Date: Wed, 16 Apr 2025 13:58:32 -0700

Subject: Uphold the Law 8.72 Keeping the Trail on the Rail Corridor
To All City Council Members

We hope that you will take our thoughts into consideration.

A NO decision at present would be a good decision!

What a mess this has become!!

First, Measure L in 2018 was voted on and codified into law and the essence is twofold.

1. The trail is to be located in the rail corridor.
2. No city funds and time were to be used in this endeavor. We understand both have been ignored and a breach of trust has been ensured.

Second, we have a third party RTC/Trail not abiding by measure L and proposing taking three (3) miles of city streets changing them to be used as a trail.

Question: What is the upside to Capitola neighborhoods and its citizens?

Safety should be the number one consideration for the trail. We already have overcrowded and condensed streets and in some cases streets with no sidewalks. How does that work with safety in mind?

So far, we have seen nothing positive in these proposals.

There are many more details that need to be addressed before anyone can make a qualified decision.

In this instance, a no decision is the best decision!

We are a proponent of the trail but not what is being pushed on the council.

Thank You,
Renate & Dunn Silvey
307 Fanmar Way
Capitola, CA 95010

Wyatt, Rosie

From: pacpubs@attglobal.net
Sent: Wednesday, April 16, 2025 4:43 PM
To: City Council
Cc: Lynne Ann DeSpelder; Albert Lee Strickland
Subject: Fwd: Listen to Capitola Residents NOT the RTC

To all Council members, Sorry for the duplication but my earlier email did not show up on emails received for the meeting so Rosie said to use the "all Council" Address

----- Original Message -----

Subject: Listen to Capitola Residents NOT the RTC
Date: Wed, 16 Apr 2025 16:25:15 -0400
From: pacpubs@attglobal.net
To: Gerry Jensen <gejensen@ci.capitola.ca.us>, Melinda Orbach <meorbach@ci.capitola.ca.us>, Margaux Morgan <MaMorgan@ci.capitola.ca.us>, Joe Clarke <jclarke@ci.capitola.ca.us>, Alexander Pedersen <a.pedersen@ci.capitola.ca.us>
Cc: Lynne Ann DeSpelder <pacpubs@attglobal.net>, Albert Lee Strickland <pacpub@attglobal.net>

Dear Capitola City Council,

This email will be among the many already posted in your agenda packet regarding items 3A and 3B. Please read the comments sent to you regarding the RTC's move to put the "trail" on city streets. We urge you to uphold your legal and civic duty to follow Measure L and previously litigated Section 8.72 of our Municipal Code. We all heard in the April 10th section "Oral Communications by Members of the Public", the intent and clarity to preserve the trail within the rail corridor and prohibit its diversion onto Capitola City Streets.

Sincerely, Lynne DeSpelder & Albert Lee Strickland
 Homeowners and 33-year residents of Capitola Village

Wyatt, Rosie

From: Jim MacKenzie <jimmo@cruzio.com>
Sent: Wednesday, April 16, 2025 3:32 PM
To: City Council
Subject: Measure L (Capitola Municipal Code Section 8.72) and MBSST trail alignment

To: Capitola City Council
 From: Jim MacKenzie, resident of Santa Cruz

April 16, 2025

Mayor Clarke, Vice Mayor Pedersen, and Councilmembers Jensen, Morgan, and Ohrbach:

You have my wholehearted support in approving either Park Avenue alignment (Option A or B) of MBSST Segment 11, as proposed by the SCCRTC.

The Capitola City Council's pending decision regarding the county's and RTC's proposed alignment of Segment 11 of the Monterey Bay Sanctuary Scenic Trail (MBSST) along Park Avenue has been characterized as being "controversial." But I believe that the "controversy" surrounding this decision has been manufactured and amplified by a small cadre of trail-only, anti-rail activists bent on ending, forever, the possibility of future passenger rail transit in Santa Cruz County.

Despite the overwhelming countywide 73%-to-27% defeat of Greenway's 2022 anti-rail Measure D, the same well-heeled lobbying group, four years prior to Measure D, concocted, collected signatures for, and provided overwhelming campaign funding to effectuate the narrow 206-vote passage of a Capitola-only ballot initiative, Capitola Measure L (Greenway), in 2018.

Measure L stipulated that any segment of the MBSST designed to run through Capitola Village must be contained completely within the Santa Cruz Branch Rail Line (SCBRL) right-of-way, i.e., the Capitola rail trestle. And saying that Measure L was also designed to make Capitola Village streets safer by routing bicycles off of them left out the very important fact that Village streets already had designated bike lanes and that it would never be unlawful for bicycles to use these streets to traverse the Village. This seems even more ludicrous in light of the fact that the City of Capitola is currently in the process of installing 100 BCycle docking stations and bringing 50 for-rent e-bikes to its streets — including in the Village. And that Capitola Village is also hosting a day-long event that will ban cars and allow only cyclists and pedestrians on the streets..

Following its passage seven years ago, Measure L (Capitola Municipal Code Section 8.72) became a ticking time bomb embedded in Capitola's municipal code, designed to do one thing and one thing only when the right time came: force the trail, as it passed through Capitola Village, onto the rail trestle — which would require removing the rails, thus making it nearly impossible for rail to ever be reinstated there — rather than routing the trail temporarily, through village streets until a new bicycle-pedestrian bridge could be constructed across Soquel Creek.

It should be pointed out that Measure L (Greenway, 2018) was enacted in direct contradiction with the Capitola City Council's unanimous resolution only three years before, in 2015, to adopt the 2013 MBSST Master Plan, which clearly stated, regarding Segment 11:

"The greatest challenge in this segment is the rail trestle crossing of Soquel Creek. The current rail trestle passes through a historic district. There are current discussions about improvements to this bridge trestle due to structural conditions. Coastal trail access through this area will need to continue on existing surface streets and sidewalks to

cross Soquel Creek and navigate through Capitola Village.”

Item 2 A.

It also should be noted, for the record, that the Capitola rail trestle IS NOT OWNED BY the City of Capitola, and that Capitola has no jurisdiction over its use. The rail corridor, right-of-way, and rail infrastructure, including the trestle, were purchased by the Santa Cruz County Regional Transportation Commission (RTC) — a state-established regional transportation planning agency (RTPA) — with state rail bond funds from a 1990 statewide ballot initiative, Proposition 116, which stipulated that the Santa Cruz Branch Rail Line would be used for the development of passenger and other rail uses. So, in essence, the Santa Cruz Branch Rail Line corridor, right-of-way, and rail infrastructure belong to the people of California.

Thank you for your thoughtful consideration.

Jim MacKenzie
Santa Cruz

Wyatt, Rosie

From: Brittney Guadagnoli <brittrealtor@gmail.com>
Sent: Wednesday, April 16, 2025 5:16 PM
To: City Council
Subject: Uphold 8.72 — Keep the Trail on the Rail

Dear Councilmembers,

Your first duty is to uphold Capitola law. I urge you to enforce Municipal Code 8.72 and keep the trail in the RTC corridor, not on city streets. The \$67 million in CTC funding is tied to this alignment. Capitola voters supported it — and we still do. Uphold the law, protect public land, and help us build the safe, funded trail we were promised.

Sincerely,
Brittney Guadagnoli
Capitola

Wyatt, Rosie

From: pacpubs@attglobal.net
Sent: Wednesday, April 16, 2025 5:22 PM
To: City Council
Subject: Fwd: Listen to Capitola Residents NOT the RTC

----- Original Message -----

Subject: Fwd: Listen to Capitola Residents NOT the RTC
 Date: Wed, 16 Apr 2025 19:43:09 -0400
 From: pacpubs@attglobal.net
 To: Capitola City Council <citycouncil@ci.capitola.ca.us>
 Cc: Lynne Ann DeSpelder <pacpubs@attglobal.net>, Albert Lee Strickland <pacpub@attglobal.net>

To all Council members, Sorry for the duplication but my earlier email did not show up on emails received for the meeting so Rosie said to use the "all Council" Address

----- Original Message -----

Subject: Listen to Capitola Residents NOT the RTC
 Date: Wed, 16 Apr 2025 16:25:15 -0400
 From: pacpubs@attglobal.net
 To: Gerry Jensen <gejensen@ci.capitola.ca.us>, Melinda Orbach <meorbach@ci.capitola.ca.us>, Margaux Morgan <MaMorgan@ci.capitola.ca.us>, Joe Clarke <jclarke@ci.capitola.ca.us>, Alexander Pedersen <a.pedersen@ci.capitola.ca.us>
 Cc: Lynne Ann DeSpelder <pacpubs@attglobal.net>, Albert Lee Strickland <pacpub@attglobal.net>

Dear Capitola City Council,

This email will be among the many already posted in your agenda packet regarding items 3A and 3B. Please read the comments sent to you regarding the RTC's move to put the "trail" on city streets. We urge you to uphold your legal and civic duty to follow Measure L and previously litigated Section 8.72 of our Municipal Code. We all heard in the April 10th section "Oral Communications by Members of the Public", the intent and clarity to preserve the trail within the rail corridor and prohibit its diversion onto Capitola City Streets.

Sincerely, Lynne DeSpelder & Albert Lee Strickland
 Homeowners and 33-year residents of Capitola Village

Wyatt, Rosie

From: pacpubs@attglobal.net
Sent: Wednesday, April 16, 2025 5:24 PM
To: City Council
Subject: Fwd: Listen to Capitola Residents NOT the RTC

3A & 3B Special City Council Meeting 17 April 2025

----- Original Message -----

Subject: Listen to Capitola Residents NOT the RTC

Date: Wed, 16 Apr 2025 16:25:15 -0400

From: pacpubs@attglobal.net

To: Gerry Jensen <gejensen@ci.capitola.ca.us>, Melinda Orbach <meorbach@ci.capitola.ca.us>, Margaux Morgan <MaMorgan@ci.capitola.ca.us>, Joe Clarke <jclarke@ci.capitola.ca.us>, Alexander Pedersen <a.pedersen@ci.capitola.ca.us>

Cc: Lynne Ann DeSpelder <pacpubs@attglobal.net>, Albert Lee Strickland <pacpub@attglobal.net>

Dear Capitola City Council,

This email will be among the many already posted in your agenda packet regarding items 3A and 3B. Please read the comments sent to you regarding the RTC's move to put the "trail" on city streets. We urge you to uphold your legal and civic duty to follow Measure L and previously litigated Section 8.72 of our Municipal Code. We all heard in the April 10th section "Oral Communications by Members of the Public", the intent and clarity to preserve the trail within the rail corridor and prohibit its diversion onto Capitola City Streets.

Sincerely, Lynne DeSpelder & Albert Lee Strickland
 Homeowners and 33-year residents of Capitola Village

Wyatt, Rosie

From: Dianne DeRose <dianne.deroses@gmail.com>
Sent: Thursday, April 17, 2025 9:16 AM
To: City Council
Subject: Enforce 8.72

Vote no on Park Avenue & enforce 8.72
The electorate should direct you not special interests

Dianne DeRose
1400 45th Ave, Capitola, CA 95010

Wyatt, Rosie

From: Rich Didday <didday@aol.com>
Sent: Thursday, April 17, 2025 9:54 AM
To: City Council
Subject: Yes on 3A, follow 8.72

In the City Council meeting tonight,

Yes on 3A, please obey Municipal Code 8.72 and keep the trail in the RTC corridor, not on city streets.

Thank you,

Rich Didday
323 Riverview Ave

Wyatt, Rosie

From: Rich Didday <didday@aol.com>
Sent: Thursday, April 17, 2025 10:00 AM
To: City Council
Subject: On 3B, please follow 8.72

In the City Council meeting tonight,

On 3B, please direct the City to plan for keeping the trail in the existing rail corridor

Thank you,

Rich Didday
323 Riverview Ave

Wyatt, Rosie

From: Kinstler, Margaret (mmkinstler@aol.com)
Sent: Thursday, April 17, 2025 10:12 AM
To: City Council
Subject: 3A

Thu, Apr 17 at 9:57 AM
In the City Council meeting tonight,

Yes on 3A, please obey Municipal Code 8.72 and keep the trail in the RTC corridor, not on city streets.

Thank you,

Margaret Kinstler
323 Riverview Ave

Wyatt, Rosie

From: Russell, Elisabeth (ebertrandrussell@hotmail.com)
Sent: Thursday, April 17, 2025 11:10 AM
To: alexander.dean.pedersen@gmail.com; Gerry Jensen; Clarke, Joe; Margaux Morgan; Goldstein, Jamie (jgoldstein@ci.capitola.ca.us); City Council
Cc: info@sccrtc.org
Subject: Will the California Transportation Commission's ATP Grant Funding Award Support Breaking Local Law 8.72 in Capitola?

Dear Capitola City Council Members, and City Manager,

Please include this letter as a submission to the record of comments for the Special Meeting tonight, April 17, 2025. These are comments on the Enforcement of Municipal Code 8.72, (in the voting stages it was referenced as Measure L).

Attached is a letter I, as a Capitola citizen, sent to the Sacramento Bee asking them to investigate. It is also copied to senior officers at the CTC.

Please read this letter as you consider the decisions you will make this evening at the Special City Council meeting.

Thank you for your support of the citizens of Capitola who you represent,

Elisabeth Bertrand

From: Elisabeth Bertrand Russell <ebertrandrussell@hotmail.com>
Sent: Thursday, April 17, 2025 10:41 AM
To: alange@sacbee.com <alange@sacbee.com>
Cc: Tanisha.Taylor@catc.ca.gov <Tanisha.Taylor@catc.ca.gov>; Anja.Aulenbacher@catc.ca.gov <Anja.Aulenbacher@catc.ca.gov>; kara@santacruzlocal.org <kara@santacruzlocal.org>; twright@santacruzsentinel.com <twright@santacruzsentinel.com>; Kimberly.DeSerpa@santacruzcountyca.gov <Kimberly.DeSerpa@santacruzcountyca.gov>
Subject: Will the California Transportation Commission's ATP Grant Funding Award Support Breaking Local Law 8.72 in Capitola?

Dear Ariane,

I am reaching out to you as a Sacramento Bee reporter to hopefully investigate and cover a critical story in transportation funding. In summary:

1.) The County of Santa Cruz working closely with the Santa Cruz County Regional Transportation Commission (SCCRTC) submitted an ATP grant request to the California Transportation Commission (CTC) and was awarded the largest grant ever, in excess of \$67 million. The centerpiece of this grant was to fund a segment of a combined pedestrian/bike trail to be built **in the rail corridor owned by the SCCRTC**. This corridor would also host the train - THAT IS WHAT MADE THIS PROJECT SO VISIONARY - A SHARED CORRIDOR!

2.) Behind closed doors for the last seven months, KEEPING IT A SECRET FROM THE CAPITOLA CITIZENS, it turns out that the SCCRTC, the County of Santa Cruz, and Capitola City management, CAME UP WITH A SECRET PLAN to move the bike trail out onto Capitola city streets out of the SCCRTC owned rail corridor.

3.) It is important to note that they also HID THIS FROM THE CTC, (to our knowledge via requests for public records).

4.) There is a law in Capitola, Municipal Code 8.72 that specifically makes it illegal for Capitola to provide Capitola resources, be it property, rights to streets, staff resources, etc. to support any SCCRTC bike trail on the already congested streets of our little village. (This law was put in place by a voter initiative of Capitola citizens years ago. It was important enough to the citizens to pass this law.) At the same time, we actively encourage 100% the SCCRTC using their corridor to support ATP projects and rail. that is why we supported the original ATP grant that was awarded the over \$67 million BECAUSE IT WAS IN THE RAIL CORRIDOR.

5.) *They are planning to break this law! They are planning to SUBSTITUTE A NON-VISIONARY BIKE PATH ON THE STREET FOR THE VISIONARY PROJECT THAT WAS AWARDED THE OVER \$67 MILLION DOLLARS. (THE SC COUNTY AND THE SCCRTC WANT TO SHORE UP THEIR BUDGET DEFICITS USING THE \$67 MILLION FROM THE ATP GRANT FUNDING. THEY DO NOT PLAN ON DELIVERING THE PROJECT THE \$67 MILLION GRANT FUNDED.*

6.) Not only is this a breaking of a local law, it is also a back-door way of cheating all of the other very worthy ATP projects in the state out of these limited ATP dollars. These other worthy projects supposedly lost out on this funding because of the unique vision of this original project as described in the rail corridor. They NEVER would have lost out for the funding to bike paths on the street. **It the County of Santa Cruz and the SCCRTC cannot complete the project that they got the funding for, then the funding should go back into the CTC ATP funding pool to be awarded to a worthy project elsewhere in the state.**

IT DEFINITELY SHOULD NOT BE AWARDED TO A PROJECT THAT BREAKS THE LAW, (MUNICIAPL CODE 8.72 IN CAPITOLA). TO DATE THE CTC HAS ONLY FUNDED LEGAL PROJECTS.

Thank you for covering this story. This is wrong on so many levels, and it is only with solid investigative reporting bringing this to daylight that we will ever have the opportunity to hopefully correct the course. I can be reached at 831-588-1694 to speak with you about this and to provide contact information with other potential folks you would want to speak to interview.

Best wishes,

Elisabeth Blythe Bertrand

ebertrandrussell@hotmail.com

Capitola Citizen, and former staff at the Director level at Association of Monterey Bay Regional Governments (AMBAG)

Wyatt, Rosie

From: mlbeltramojr@gmail.com
Sent: Thursday, April 17, 2025 1:10 PM
To: City Council
Subject: Stopping the Rail Trail

Dear City Council Members,

My wife (Linda) and I are full time residents of Capitola. We live here, shop here, socialize here, and deeply care about this unique and beautiful city that we call "home." Due to unforeseen circumstances beyond our control we are unable to attend tonight's meeting, but I cannot let that prevent us from expressing our strong opposition to any proposal that the Council push forward with plans to build the so-called "Rail Trail."

First of all, our city needs a rail going through it about as much as we our Village needs a tsunami. Not only would a rail in or around Capitola ruin our jewel of a community, but it will end up costing the city, the county, possibly the state, literally BILLIONS OF DOLLARS (!!!), and FOR WHAT....a few hundreds of people who wish to periodically go from Watsonville to Capitola! Yes, there is no question that traffic congestion, particularly in the early morning and late afternoon is congested going north and then south, respectively, on Hy. 1, HOWEVER, the vast majority (upwards of 80%), is for people commuting from Watsonville "over the hill" on Hy. 17, rather than into and from Capitola or even Santa Cruz.

Moreover, if the so-called "California Bullet Train" has taught us nothing more—and it certainly should have!—it is that NOTHING gets built in California anywhere near on schedule nor anywhere near within budget.

(The bullet train was approved how many years ago, supposedly to go from L.A. to S.F. at "only a few" billion dollars, and is now UNLIKELY to go from Bakersfield to Merced—and how many people want to do that?— before 2033, and at HOW MANY TIMES OVER the initial estimated costs of the ENTIRE route??!!)

Just as important to the absurd cost versus the minuscule amount of need such a rail system would have, however, is the DAMAGE that such a rail system would have to the character, quaintness and quality of our community. We live in one of the most beautiful communities in the country, if not the entire world. You, as our city's representatives, are empowered and expected by us, your constituents, to PRESERVE that beauty and character. We are NOT San Francisco or Los Angeles, nor are we Fresno, Bakersfield, San Jose or San Diego—and we do not want to be those communities. Most of us choose to live here—and tourists choose to come here—BECAUSE we are a small, picturesque, unique haven. Slapping a rail system through our beautiful town would be like using a knife to slash the Mona Lisa.

Finally, from a legal standpoint, we implore you to uphold Measure L as well as Capitola Municipal Code 8.72 which require a PUBLIC VOTE on projects such as this. This is particularly significant when a measure significantly impacts not just our streets, roads and population, but the environment in which we live and which currently constitutes home for countless forms of wildlife, much of which is threatened by forces far beyond it's control—but not beyond ours.

In closing, please do not accede to the wishes of a few outsiders who do not live here, work here, or truly care about Capitola, but rather are only interested in making money and foisting something upon our community which we AND they know will only reek negative consequences to the fabric of the town that some 10,000 people lovingly call home. Instead, please exercise the courage, wisdom, foresight and community-based leadership that brought you to the Council and which, we believe, should cause you to derail the so-called push for a rail trail in Capitola.

Thank you.

Mario & Linda Beltramo
705 Riverview Drive
Capitola
Sent from my iPhone

Item 2 A.

Wyatt, Rosie

From: Vicki Malandra <ocnvuhomes@aol.com>
Sent: Thursday, April 17, 2025 2:41 PM
To: City Council
Subject: Meeting April 17, 2025

Thank you for listening to the citizens of Capitola. Many of us have lived here for years and we love Capitola.

Please adhere to what was put into Municipal Code 8.72. This was a result of citizens voting and people voicing their opinions. I am in support of keeping the rail trail out of Capitola Village and the surrounding streets and neighborhoods. I feel the RTC is advocating for the trail on Park Avenue in order to tie in with a trail going through the Village. I think that is a bad idea. We need parking and access to the stores for the businesses in the Village.

Please don't give priority to the RTC over those of us who voted for you.

Sincerely,

Vicki Malandra
Broker Associate
DRE #00548915
831-818-2337
David Lyng Real Estate

Wyatt, Rosie

From: John Mulry
Sent: Friday, April 11, 2025 8:03 PM
To: Gautho, Julia
Subject: Fwd: Patience and Planning the Park diversion agenda item 4/17 special meeting

Warmly JM

Begin forwarded message:

From: John <jxmuly@gmail.com>
Date: April 11, 2025 at 3:47:17 PM PDT
To: citycouncil@ci.capitola.ca.us, Jamie Goldstein <jgoldstein@ci.capitola.ca.us>
Subject: **Patience and Planning the Park diversion agenda item 4/17 special meeting**

Hey Neighbors

FORT is a pro freight org co-opted by the energy industry to get the freight rail built because the easiest way to strip mine Monterey bay is from our north county as far as the politics long term. They have a genuine political operative on their board. I recognize my own.

This aside, the federal 19M RAISE grant and change funding the overages on segments 9-11 was awarded will 99.9% be redirected at the September Fed meeting. The ZEPRT report is also set to be released in September. Five months at worst we will have the data we need to make informed decisions.

Our grant doesn't expire until 2027. Monterey has had a similar ATP grant extended twice. The first two extensions are rubber stamps. Ask staff. Our grant has only been extended once.

SLO famously took over a decade worth of extensions to get the Bob Jones Trail built. Cost 12M a mile and I've heard their ED lament how disappointing it is it was so expensive. We are at 25M a mile iirc.

<https://www.sanluisobispo.com/news/local/article302536779.html>

As the Bob Jones Trail demonstrates, CTC wants to collaborate with communities and provide extensions while they work through these kind of issues, even if it takes a decade.

The false sense of hurry and pressure is a tactic used to force through projects that are highly likely to be voted down once all the data is released. Hence delaying the report yet again even though it is completed. The delay is solely to guarantee folks like y'all don't

base your decision on the ZEPRT report because it's obvious these diversions are a terrible idea once you've read said report.

Move to postpone this decision 5 months until the RTC has its ducks in a ROW.

Warmly JM

Wyatt, Rosie

From: b29b292000 <b29b292000@yahoo.com>
Sent: Friday, April 11, 2025 8:24 PM
To: City Council; b29b292000@yahoo.com
Subject: Please support and approve the rail trail.

Hello. Please approve the wonderful rail trail system. I hike and bike in Capitola and Santa Cruz. I also can't wait to take light rail across our county. .Thanks Terry Dietz

Wyatt, Rosie

From: Richard Rogers <richardrogers5@icloud.com>
Sent: Saturday, April 12, 2025 6:56 AM
To: City Council
Subject: Rail trail

Hello folks, I believe the crown jewel of the trail is the Capitola trestle and we should do everything we can to make sure it will carry pedestrians over a train. I think the trail should stay within the corridor and if the train won't work out then we need to do something different with it. The train is supposed to be about freight as well and I worry about that aspect in the Village, and I want a fair solution for the folks whose homes are in the right of way! The price tag for this project is through the roof and we need to get it right for the people that have to live along the tracks.

Thanks
Rick Rogers
Corralitos

Wyatt, Rosie

From: Kathy S <katsparrow52@gmail.com>
Sent: Saturday, April 12, 2025 8:53 AM
To: City Council
Subject: A trail between Capitola and New Brighton Beach

Please choose to allow the trail to be built because the cliff is eroding and we need a safe passage. It will also keep it clean and safe.

Many thanks

Kathy Sparrow

Wyatt, Rosie

From: Ortiz, Gayle (gayle@gocapitola.com)
Sent: Saturday, April 12, 2025 9:30 AM
To: City Council
Subject: Comments on April 17 agenda item 3B

Dear Council,

If you cannot find your way clear to deny this RTC trail on city streets at your April 17 meeting (which I hope you will!) at least postpone a decision until after the RTC publishes it's feasibility report due in about 5 months.

With the news of 1 billion for bridges, it's the only sensible decision.

Thank you,

Gayle Ortiz

Wyatt, Rosie

From: Terre Thomas <terra12@cruzio.com>
Sent: Saturday, April 12, 2025 10:14 AM
To: City Council
Subject: April 17th Public Hearing Re. Rail Trail on Park Avenue

Dear Council Members,

It has come to our attention that many For the Ultimate RailTrail advocates are planning to come and speak at this meeting en mass, wearing special Tshirts.

As a resident, I would respectfully suggest that you limit the public comment portion of the hearing to Residents of Capitola only. Your decision pertains to our jurisdiction, so outsiders really shouldn't have a say if they don't live here.

Thank you for considering local comments only.

Terre Thomas

Sent from my iPhone

Wyatt, Rosie

From: iredbiker santacruz <iredbiker@gmail.com>
Sent: Saturday, April 12, 2025 3:05 PM
To: City Council
Subject: Rail Trail

Dear Capitola City Council,

Some people have claimed that if the Rail Trail goes through Capitola the city will be adversely impacted. I am an avid bike rider. When I ride through Capitola I feel very safe, mostly because the auto traffic is moving VERY slowly. Also, I will often stop and buy a snack for a break. Do you really want all those potential customers to avoid your city?

Some of the opponents to preserving the tracks have stated that the best possible use for the corridor is trail only. These people also believe that trail only is the environmentally superior choice. They don't provide any evidence to support these claims! Of course those beliefs ignore the proven environmental benefits of rail transit. Let's face it, Santa Cruz County is only going to grow, so we will need all possible transportation options to avoid total gridlock.

Comparing Santa Cruz to other areas neglects to take into account the geographical constraints in Santa Cruz, the bay on one side and the mountains on the other. All transportation projects cost money. Looks at the \$4.8 M for just one off ramp on Highway 1.

The Rail Trail will be able to include walkers, runners, bikers and rail commuters, so contrary to what the trail only people say, many more people will be able to take advantage of this scenic corridor. The corridor is no less scenic because the trail has been moved 20 or so feet.

Another argument used against keeping the rail is encroachment issues. These issues need to be addressed on an individual basis, whether Rail Trail or just trail.

The decision to approve the Bike Lane redesign on Park Avenue will not unravel the future planning of the Rail Trail. Rather it shows that the people working on getting the Rail Trail built are willing to adjust the planning and design to save money and construct a better trail.

Please do not let the No Rail folks throw another delay tactic at this project that will drive costs up even more. For a group that is always complaining about high costs, their tactics are part of the problem!

Sincerely,

John Cocha
209 Mountain Way
Santa Cruz, CA. 95060

Wyatt, Rosie

From: Lisa Sheridan <trotrider@aol.com>
Sent: Saturday, April 12, 2025 7:52 PM
To: City Council
Subject: Trail corridor decision

Dear Members of the Capitola City Council,

I am writing to express deep concern regarding any potential decision to move the trail project out of its intended rail corridor.

There has been increasing pressure suggesting that if we do not act immediately, we risk losing the trail grant. However, we must not allow this grant — or the fear of its loss — to be used as a threat to rush an ill-considered change. The grant was awarded for a trail **in the corridor**, not on dangerous city streets. We already have that option. It seems that somehow the value of having a safe, scenic, trail is being lost in a “sleight of hand” move!

If the trail plan truly makes sense, the support — financial and otherwise — will follow. But a shift away from the corridor, undermines public trust and compromises a long-term community asset.

Let’s not sacrifice vision and sound planning for short-term pressure.

I strongly urge the council to reaffirm its commitment to placing the trail **in the corridor as originally intended**.

Thank you for your thoughtful leadership and dedication to our community.

Sincerely,

Lisa Sheridan
Resident of Soquel

Wyatt, Rosie

From: rtrubek <rtrubek@aol.com>
Sent: Sunday, April 13, 2025 8:39 AM
To: City Council
Subject: Re: Vote YES on Option A or B

Don't be bamboozled by those still desperately trying to confuse the council and the public!

It is crystal clear when you walk the proposed trail to understand why the RTC and City planners recommend these two options: Better for environment and monarch habitat, less expensive, beautiful views of the ocean for walking, biking, wheelchairs & parents with strollers.

Why would the council not jump on this amazing, no cost to Capitola opportunity???

Ronnie Trubek
831-818-4233

Wyatt, Rosie

From: Sringler <sring@cruzio.com>
Sent: Sunday, April 13, 2025 9:26 AM
To: City Council
Subject: Thanks for listening.....

Dear Capitola, the county is counting on to reduce traffic on the roads by supporting the rail & trail. Vote yes for Option A and B. Thanks for listening, Sarah Ringler 8317627234

Sent from my iPad

Wyatt, Rosie

From: Arthur, Bruce (capcouncil@aol.com) <capcouncil@aol.com>
Sent: Sunday, April 13, 2025 11:15 AM
To: City Council
Subject: Rail Trail
Attachments: Letter to council.docx

Yesterday I read a letter to the editor in the Sentinel. It eluded to how selfish Capitola was for not wanting to allow the RTC to use our streets for their trail diversion through the Village. The city was holding hostage the rail trail segment by sticking to an ordinance that was passed by a majority of the Citizens. Now, I can agree that the RTC owns the rail right-a-way, and can develop it generally as they see fit. But the City has the responsibility to protect the quality of life that the citizens of Capitola have come to expect from their elected officials. The city council was elected to represent the citizens and pledged to uphold the laws of the city. One of those laws was outlined in measure L. It was passed by a majority of voters and codified into law. Fortunately, elected officials can't choose which laws they can overlook. If the majority of the council wants to move the trail through the Village, then they need to change the law. That would require another vote from the public. It seems to me that this whole tempest in a tea pot can be solved easily. The RTC can build the trail across the Trestle now. The right of way isn't going anywhere. They can convert it to rail in the future.

Capitola shouldn't be labeled as selfish or as holding the rest of the county hostage by looking out for our best interest. The RTC doesn't hold sway over our city streets and shouldn't be able to coerce elected officials to act otherwise. As an elected official there are many boards and commissions on which they are required to participate. They are there to represent the city, and by extension the people of Capitola. When the good of the citizenry is being challenged by an action of that board or commission, the councilperson has an obligation to defend the city's interest above all others. Doing so would be disingenuous to their oath of office.

I can only hope that reasonable minds may prevail over an issue that seemed to have been resolved by passing measure L.

Sincerely,

Bruce Arthur

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Sincerely,

Bruce Arthur

Wyatt, Rosie

From: Gail Jack <gailsharon4.5@gmail.com>
Sent: Sunday, April 13, 2025 11:28 AM
To: City Council
Subject: Park Ave. rail and trail vote

I support Option B for the rail and trail and urge the city council to vote for this option.
Thank you,
Gail Jack, resident of the city of Santa Cruz

Wyatt, Rosie

From: Ron Sandidge <ronsandidge@gmail.com>
Sent: Sunday, April 13, 2025 11:54 AM
To: City Council
Subject: Railway: clean, electric, quiet

Vote YES for Option A or Option B.

Ron Sandidge

phone: (831) 251-1950

ronsandidge@gmail.com



Wyatt, Rosie

From: Brett Graessle <graessles@gmail.com>
Sent: Sunday, April 13, 2025 1:23 PM
To: City Council
Cc: Concerned Citizens of Capitola
Subject: Keep Trail on Trestle Please

Dear Capitola Council members,

We ask you to please vote to keep the trail off city streets and on the Trestle our five children have all biked to Main Street, New Brighton and now Soquel High School. We have seen the dangers of riding bikes on city streets. We are so fortunate to have an option already in place that is safe and beautiful and promotes healthy environmental sound choices. We urge you to keep this in mind as well as previous votes, which have clearly illustrated that Capitola residents want the trail on the trestle path.

Our family has been involved with Capitola on many levels for over 27 years. We have been part of the Soquel School Board (Brett), the county's Youth Task Force (Grace), the Capitola Environmental Committee (Tucker), Capitola Junior Guards as JGs and instructors (Ellie, Jake, Nicholas, Tucker & Grace). We have been involved with fundraising for community projects, built floats for the Begonia Festival, attended all Capitola/Soquel schools, taught in the Soquel Union Elementary District (Molly) and volunteered countless hours for Capitola in a myriad of ways.

Please uphold Capitola law. We urge you to enforce Municipal Code 8.72 and keep the trail in the RTC corridor, not on city streets. The \$67 million in CTC funding is tied to this alignment. Capitola voters supported it — and we still do. Uphold the law, protect public land, and help us build the safe, funded trail we can be proud of.

Sincerely,

The Graessle Family
Brett, Molly, Ellie, Jake, Nicholas, Tucker and Grace Capitola residents since 1997

Wyatt, Rosie

From: Arthur, Bruce (capcouncil@aol.com)
Sent: Sunday, April 13, 2025 1:31 PM
To: City Council
Subject: Previous email
Attachments: Letter to council.docx

Unfortunately my proof reading is in need of an overhaul. Please find the corrected e-mail attachment.

Bruce

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Bruce Arthur

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I can only hope that reasonable minds may prevail over an issue that seemed to have been resolved by passing measure L.

Sincerely,

Bruce Arthur

Wyatt, Rosie

From: molly.ording@icloud.com
Sent: Sunday, April 13, 2025 2:17 PM
To: City Council
Subject: Park !Avenue!

Gorgeous Sunday Greetings Valued City Council Members!

I am writing on behalf of my husband, Mickey Ording & myself, long, long residents on Monterey Avenue....just above the village!!!

We also have been long time supporters of “ the rail trail” for much discussed environmental reasons as well as our commitment to improving the daily lives of ALL residents of Santa Cruz County....not just the narrow interests and concerns of Capitola residents!

Without the accompanying confusion and endless attempts to “ muddy the waters” and somehow deter & defeat the progress of the trail and rail, we wish to strongly express our support of the Park Avenue options A or B! Whichever option, according to the consensus of traffic experts and leaders within your Council and the City Administration, is deemed the safest for pedestrians and bikers as well as the “ slowed down” drivers along Park Avenue !! I will leave it to the experts whether the A or B options is the safest! The option along the current tracks is obviously much more costly and not nearly as scenic as creating it above and adjacent to Park Avenue!!! As long as it done with safety for ALL users as the priority goal!

I sincerely hope you will not let yourselves be distracted by all the anti rail noise and false information and innuendos that are flying around! You were elected to follow the FACTS and not be influenced by non community & non residential sources that often stray from reality and truth! Do your jobs for Capitola....not for some county wide voices of negativity and falsehoods!! We are counting on you!!

Most sincerely,
 Molly & Mickey Ording
 218 Monterey Avenue

PS...when and if the subject of bike & pedestrian access on Monterey is on your agenda, myself and our many long suffering neighbors on Monterrey have some creative ideas and solutions to traffic mitigation and slow & safer conditions for all along Monterey to Park! !! Stay tuned!! Cheers & thanks for your thoughtful consideration!

Sent from my iPhone

Wyatt, Rosie

From: Wendy Kelley <wenlaird@gmail.com>
Sent: Sunday, April 13, 2025 8:30 PM
To: City Council
Subject: rail trail

im a local capitola resident and voted for the rail corridor
rec trail to be down the railroad tracks and away from
city streets, neighborhoods and our village. please do not
divert our original path. it is safer and prettier down the
tracks, as promised, thx wendy

--

Wendy Laird

Wyatt, Rosie

From: Renee Flower <renee@reneeflower.com>
Sent: Sunday, April 13, 2025 11:02 PM
To: City Council
Subject: Capitola City Council, Meeting of April 17, 2025: Park Avenue Alignment of the Coastal Rail Trail

To: Capitola City Council
 Mayor: Joe Clarke
 Vice Mayor: Alexander Pedersen
 Council Members: Gerry Jensen, Margaux Morgan, Melinda Orbach

I strongly urge the Capitola City Council to approve the project to construct the section of the Monterey Bay Sanctuary Scenic Trail / California Coastal Trail along Park Avenue ("Park Avenue Alignment of the Coastal Rail Trail, Segments 10 & 11").

The Monterey Bay Sanctuary Scenic Trail along Park Avenue in Capitola will serve residents of Capitola and Santa Cruz County, as well as tourists and visitors to Capitola and other areas of Santa Cruz County. The trail will increase public recreational opportunities by providing an important connection between New Brighton State Beach and the village area of the City of Capitola, in addition to extending connections to other parts of Santa Cruz County located to the north and south of the City of Capitola (including the City of Santa Cruz and the City of Watsonville).

The section of the Monterey Bay Sanctuary Scenic Trail (MBSST) along Park Avenue in Capitola is part of the larger MBSST project in Santa Cruz County — a major public works project. The MBSST is a critical component and central "spine" of the California Coastal Trail (CCT) network in Santa Cruz County. The California Coastal Trail was established by the Coastal Act of 1972, Proposition 20 (the "Save the Coast" initiative). The Park Avenue trail is included in Capitola's Local Coastal Program (LCP). As you know, Capitola is a general law city and is bound by the laws of the State of California. The MBSST/CCT is a project with its roots in California law: the California Coastal Commission (California Public Resources Code §§ 30000-30900), the State Coastal Conservancy (California Public Resources Code §§ 31000 - 31414), the Santa Cruz County Regional Transportation Commission (California Government Code §§ 29535, 67940, 67941), and Santa Cruz County, a legal subdivision of the State (California Government Code §§ 23000 - 33205, § 23144).

Capitola owes its existence to visitors and tourists. In the late 1800s, the train brought tourists from the San Francisco Bay Area to Camp Capitola. Today, Capitola continues to be a destination for visitors from within and outside Santa Cruz County. And, Capitola is closely connected to the greater population of Santa Cruz County through its business district along 41st Avenue, including major auto dealerships. The section of the Monterey Bay Sanctuary Scenic Trail / California Coastal Trail along Park Avenue provides expanded and improved coastal access in the City of Capitola between New Brighton State Beach and the village area of the City of Capitola.

Please keep Capitola connected to all residents of Santa Cruz County and the rest of the State of California through your approval of the section of the Monterey Bay Sanctuary Scenic Trail / California Coastal Trail along Park Avenue.

I live in the City of Santa Cruz near a completed segment of the Monterey Bay Sanctuary Scenic Trail / California Coastal Trail and use the trail several times each week, along with many others, for recreation and errands. I look forward to enjoying the California Coastal Trail in Capitola in the future.

— Renée Flower

Applicable laws, policies and supporting documentation:

- A letter from the California Coastal Commission (dated December 7, 2021) written in response to the Notice of Preparation of the Draft Environmental Impact Report (DEIR) for the proposed Rail Trail Segments 10 and 11 Project states the following:

“ ... we would like to emphasize that we continue to be very supportive of the development of the Monterey Bay Sanctuary Scenic Trail (MBSST) as a critical component and central “spine” of the California Coastal Trail (CCT) network and for expanding multi-modal transportation opportunities in the region. We see this upcoming DEIR as another step in the process of ensuring that the MBSST/CCT are appropriately integrated into the preservation and implementation of a full suite of short- and long-term multi-modal opportunities for Santa Cruz County and the greater Monterey Bay area. The MBSST/CCT are envisioned as key ingredients of a sustainable and interlinked transportation system in the coastal zone, a goal echoed in federal, state, and local policies and programs alike, including the California Coastal Act and the respective Local Coastal Programs (LCPs) that the proposed system crosses.”

- “In 1972, Proposition 20 (the ‘Save the Coast’ initiative) provided that ‘a hiking, bicycle, and equestrian trails system be established along or near the coast’ and that ‘ideally the trails system should be continuous and located near the shoreline.’ The Coastal Act of 1976 requires local jurisdictions to identify an alignment for the California Coastal Trail in their Local Coastal Programs (LCPs).”

Source: <https://www.coastal.ca.gov/access/ca-coastal-trail/coastal-trail.html>

- City of Capitola Local Coastal Program (LCP):

Certified by the California Coastal Commission: June 1981, December 1981 Revised and Updated to Include Amendments: October 2001, January 2005 (CAP-MAJ-2-04)

Excerpts:

“ ... LCP will reflect the coastal issues and concerns of the local jurisdiction and must be consistent with the statewide policies of the Coastal Act. Once adopted, the LCP becomes legally binding on the City and provides a permanent program for coastal protection.”) II. Public Access Component, Policy II-17:

“Designate Park Avenue and the Southern Pacific Railroad right-of-way along the bluff top as the lateral coastal accessway between Capitola Village and New Brighton and develop vista points and connecting pathways in cooperation with Southern Pacific Railroad and State Parks.” “Implementation: Acquire right-of-way easements from Southern Pacific and seek funding from the Transportation Commission, Coastal Conservancy, and private sources for development of bicycle path, improved pedestrian accessways, and vista points which are not hazardous.”

[NOTE: On October 12, 2012, the SCCRTC closed escrow for the acquisition of the Santa Cruz Branch Rail Line from Union Pacific. Source: <https://www.sccrtc.org/projects/rail/rail-line-purchase/>]

- City of Capitola General Plan (Adopted June 26, 2014 — Updated March 13, 2019) “Action LU-14.2: Regional Trails. Cooperate with the Regional Transportation Commission to encourage connections with regional trails such as the Monterey Bay Sanctuary Scenic Trail.”

“Action MO-1.2: Regional Plan Implementation. Participate with Santa Cruz County Regional Transportation Commission (RTC), the Association of Monterey Bay Area Governments (AMBAG), and Santa Cruz County to create and implement programs that coordinate the multi-modal transportation needs and requirements across jurisdictions, including but not limited to the Regional Transportation Plan, the Metropolitan Transportation Plan, and the Monterey Bay Sanctuary Scenic Trail Master Plan.”

- Santa Cruz County Regional Transportation Commission: MBSST Network Master Plan Final EIR — Page 2-4: 2.3 Existing and Planned Trail Networks “The proposed MBSST Network project’s relationship to other existing and planned trail networks is described below.” [...] “California Coastal Trail. The California Coastal Trail is a statewide project that endeavors to create a continuous public right-of-way along the California coastline. Some of the Coastal Trail’s key objectives are to provide a continuous trail as close to the ocean as possible, with connections to the shoreline, to provide sufficient transportation access to encourage public use, to create linkages to other trail systems, and to use the Coastal Trail system to increase accessibility to coastal resources from urban population centers. The Coastal Trail network alignment was developed by the California State Coastal Conservancy in conjunction with the California Coastal Commission, the California Department of Parks and Recreation, and Coastwalk, and segments have been incorporated into the proposed MBSST Network project. The MBSST Network project would also serve as the California Coastal Trail in Santa Cruz County and follow a blufftop alignment wherever feasible.”

Source: <https://sccrtc.org/wp-content/uploads/2013/05/MBSST-Network-Master-Plan-FEIR.pdf>

- The Monterey Bay Sanctuary Scenic Trail Master Plan was adopted by the Santa Cruz County Regional Transportation Commission on November 7, 2013 and was subsequently unanimously adopted by the Capitola City Council, per Resolution No. 4019, on April 9, 2015. With Resolution 4044, adopted unanimously on January 28, 2016, the Capitola City Council endorsed a regional sales tax spending plan calling for the expenditure of 15% of certain sales tax revenues on the development of the county-wide scenic trail called for by the Trail Master Plan.

- “Completing the California Coastal Trail”

This report is prepared pursuant to Chapter 446, Statutes of 2001.

Excerpt: “The Legislature and the Governor directed the Coastal Conservancy, through SB908 of 2001, to report on a proposed trail that would stretch 1,300 miles along the entire California coast, across dozens of political jurisdictions, and to develop that report within a thirteen-month period (by January 31, 2003). To meet this challenge, the Conservancy relied principally on two sources of information: (1) the Local Coastal Programs adopted by 60 local governments, further elaborated through interviews with staff members of these local agencies and the Coastal Commission; and (2) the two-volume Hiking the California Coastal Trail (by Bob Lorentzen and Richard Nichols) developed by the nonprofit organization Coastwalk, Inc., and further elaborated through many site visits conducted by Coastwalk volunteers.”

Source: <https://documents.coastal.ca.gov/assets/access/coastal-trail-report.pdf>

- California Senate Bill No. 908 — Chapter 446 “An act to add Sections 31408 and 31409 to the Public Resources Code, relating to coastal resources.”

[Approved by Governor, October 2, 2001. Filed with Secretary of State, October 3, 2001.] “The people of the State of California do enact as follows:

Section 1. (a) The Legislature finds and declares all of the following:

(1) The California Coastal Trail, which has been designated a Millennium Trail by the Governor of California, should be completed in a timely manner. (2) The California Coastal Trail is a trail that, to the extent feasible, should be constructed along the state’s coastline from the Oregon border to the border with Mexico.”

- California Coastal Commission

Coastal Access Program: the California Coastal Trail [CCT] Role of the California Coastal Commission in the CCT “The Coastal Commission is a state agency responsible for statewide coastal planning and regulation, operating under the Coastal Act of 1976. An important part of this responsibility is the Coastal Commission’s role as the lead agency for CCT planning and permitting for the entire coastline. A primary objective for the Commission is to ensure the selection of a continuous and coordinated trail alignment, which respects and protects natural resources in a manner consistent with the Coastal Act.”

Source: <https://www.coastal.ca.gov/access/ctrail-access.html>

Wyatt, Rosie

From: Alfred carlson <alcarlton@aol.com>
Sent: Monday, April 14, 2025 9:17 AM
To: Alfred Carlson; Arthur, Bruce (capcouncil@aol.com); Kisling, Niels (nkisling@pacbell.net); Susan CAP-Sneddon City Clerk; City Council; GERRY JENSEN; vlsmith@sbcglobal.net; Victor Hanson; Bill Gray
Subject: TRAIL NEEDS TO STAY NEXT TO RAIL



BRUCE, YOUR A LONG TIME CAPITOLA RESIDENT AND YOU KNOW THE KIDS HAVE ALWAYS USED THE RAIL BRIDGE TO CROSS TOWN TO GO TO SCHOOL.
 WE NEED TO DO WHAT SANTA CRUZ DID AND ATTACH THE TRAIL TO RAIL BRIDGE.
 AL CARLSON



[Bruce Arthur](#)
[Depot Hill](#)

21 hr ago

·Edited

Yesterday I read a letter to the editor in the Sentinel. It alluded to how selfish Capitola was for not wanting to allow the RTC to use our streets for their trail diversion through the Village. The city was holding hostage the rail trail segment by sticking to an ordinance that was passed by a majority of the Citizens. Now, I can agree that the RTC owns the rail right-a-way, and can develop it generally as they see fit. But the City has the responsibility to protect the quality of life that the citizens of Capitola have come to expect from their elected officials. The city council was elected to represent the citizens and pledged to uphold the laws of the city. One of those laws was outlined in measure L. It was passed by a majority of voters and codified into law. Fortunately, elected officials can't choose which laws they can overlook. If the majority of the council wants to move the trail through the Village, then they need to change the law. That would require another vote from the

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Wyatt, Rosie

From: Janine Roeth <j9discuss@gmail.com>
Sent: Monday, April 14, 2025 9:51 AM
To: City Council
Subject: Support for Road Level Trail on Park Ave - Agenda #3.B on April 17, 2025

Hello Mayor, Vice Mayor and Councilmembers,

I'm writing as someone who rides a bicycle and has family that lives near Park Ave: I hope you'll support the road-level trail alignment for this segment of the Coastal Rail Trail.

It's the safest and most practical option for people walking and biking—especially kids. It's easier to access, better lit, has real crossings, and actually connects to where people live. Park Ave doesn't feel safe right now for biking, and this project would make a big difference—without any cost to the City to build it.

The road-level route also protects the \$67 million grant, avoids delays, and is more environmentally friendly than the bluff option.

This is a great opportunity to improve safety, access, and the trail network all at once. Please help make it happen.

Thanks,
Janine Roeth

Wyatt, Rosie

From: Frank Rimicci Jr. <frankeej@msn.com>
Sent: Monday, April 14, 2025 10:55 AM
To: City Council
Subject: Rail trail options

Greetings councilmembers. I'm writing to urge the council to please consider all of Santa Cruz County residents and please approve either option A or B in order to continue the construction of this vital link of trail that we have been needing to happen. I am a frequent cyclist in the area and I often cycle along this route and into Santa Cruz and I see the benefits of the completed sections of trail and the many residents that enjoy using it. Some of the reasons for improving Park Ave. for the trail are the lessened environmental impact, cost savings, scenic beauty, safety and the ever important funding presently granted. While considering the wishes of Capitola residents, and hearing their concerns, I can't help to feel that they are being misled regarding railbanking the line and the constant reminders of rights of way, trestle, funding, and other issues. Please have the foresight to vote yes to keep this trail project moving forward so that the trail is built sooner and does not force it down into the rail corridor. The RTC is doing their best to implement the intentions for the county wide trail and with the many obstructions it faces, the best way to move forward and connect us all would be to approve option A or B. Thank you for your time. Frank Rimicci Jr.

Wyatt, Rosie

From: Concerned Citizens of Capitola <ridetola831@gmail.com>
Sent: Monday, April 14, 2025 12:06 PM
To: Robert Tidmore; Regional Transportation Commission; senator.laird@senate.ca.gov; Tanisha.Taylor@catc.ca.go; ctc@catc.ca.gov; samantha_marcum@fws.gov; cat_darst@fws.gov; wildlifemgt@wildlife.ca.gov; askbdr@wildlife.ca.gov; secretary@resources.ca.gov; Scott.Mcfarlin@wildlife.ca.gov; askusda@usda.gov
Cc: Manu.Koenig@santacruzcounty.us; bruce.mcpherson@co.santa-cruz.ca.us; eduardo.montesino@cityofwatsonville.org; openup@cats.ucsc.edu; openup@ucsc.edu; sbrown@cityofsantacruz.com; Brown, Kristen; Justin Cummings; mweiss@sccrtc.org; Matt Machado; Sarah Christensen; felipe.hernandez@santacruzcounty.us; rlj12@comcast.net; mhartman@SantaCruzSentinel.com; 2045rtp@sccrtc.org; fkeeley@santacruzca.gov; Matthew Wetstein; andy.schiffrin@santacruzcountyca.gov; eduardo.montesino@watsonville.gov; Corey Aldridge; vanessa.quiroz@cityofwatsonville.org; Justin Cummings; felipe.hernandez@santacruzcountyca.gov; Kimberly De Serpa; sclark@scottsvally.gov; Monica Martinez; vanessa.quiroz@watsonville.gov; Concerned Citizens Of Capitola; justin.tran@sen.ca.gov; City Council; sfbaynwrc@fws.gov
Subject: [PDF] Dec 2024 RTC Meeting transcript reviewed - ATP Grant potential misuse - Immediate Pause Requested on Capitola Rail Trail Realignment – Measure L, CEQA, EIR, and Environmental Concerns to the Monarch Butterflies
Attachments: RTC-Capitola staff, others 12.24 Meeting (1).pdf; ParkAve_Critical_Windbreak_Trees_Monarch_Impact.jpg; ATP_Application_Page_6.pdf; KimleyHorn_Technical Memorandum Maint Existing Class II bike lanes P1-2.pdf

Dear RTC, City Council and County Team,

I am writing to urgently request a formal pause on the Capitola segments (10 and 11) of the Rail Trail realignment project. Upon reviewing the most recent RTC staff materials and stakeholder discussions from the **December 20, 2024 meeting with the City of Capitola Staff** (see attached PDF **transcript obtained via PRA**), We have identified several major environmental and procedural issues that require resolution before this project can proceed further in its current form.

Park Avenue is an arterial road, a commuter corridor, the class II bike lane needs to be maintained as part of the Pacific Coast Bike Route, a State and federally funded roadway. Also as stated in the **Technical Memorandum** with Kimley Horn Engineering group on **5-26-2022**, we need to maintain Class II bike lanes.(page 2)

Downgrading into a **Class I Recreational corridor**, will impact our status, violate Capitola Law, and increase conflicts between bikes and pedestrians.(Safety Above all else!!) This will not add anything new to the corridor, as we have great separate bike and sidewalk facilities already in place.

ATP Grant page 6, Recreational Trail funding can only fund work **outside** of the **roadway Right-of-way**. The whole premise of the grant is to build the trail in the Rail corridor. There has been no public explanation as to why the Capitola Trestle was excluded from the grant request. Converting the Trestle into a trail is possible and was reviewed in the EIR. The public was led to believe in the "**Ultimate Ultimate Trail**" where this would be converted or replaced in a short period of time.

I am the Director of a group called **Bike Capitola**, we advocate for **Bike Safety**, education, awareness, and Safe route to school. Losing our Class II bike lane will negatively impact this Bike commute corridor, **students going to New Brighton Middle School**, my own 12 years old son who uses the corridor, elite cyclists, and E-Bike, this will endanger pedestrians in the process by combining the bike lane and sidewalk into one 12-foot path.

1. Violation of Measure L and Capitola Municipal Code 8.72

The proposed trail design—including new retaining walls, track relocation, and grading within sensitive areas—directly conflicts with Measure L and **CMC 8.72**, which protect open space and require a public vote for specific development activities. This appears to be a significant legal oversight and may expose the project to litigation risk.

The trail, the buffer extends past the sidewalk, bike lane, and into the vehicle lane. This is not in the rail corridor, as the stipulations of the ATP Grant, Recreational trail funding.

2. Potential Unlawful Impacts to Monarch Habitat and ESHAs

Segment 11 in particular traverses a known autumnal monarch butterfly roost near Escalona Gulch. Any disturbance to this habitat (including increased lighting, structural construction, or trail realignment) could violate state and federal species protections. These impacts do not appear to be fully addressed in the project's current CEQA documentation. Also studying this area in the summer is out of the scope of Migration timing and roosting. With Pending Federal Endangered species protection, we must halt any plans that will add to the destruction of their habitat.

Migration Timing in the Capitola Area

- **Arrival:** Monarchs typically arrive at coastal overwintering sites from mid-September through late November. [Cal Parks](#)
- **Overwintering Period:** They remain clustered in groves from late October through February.
- **Departure:** As temperatures rise, monarchs begin their inland migration from mid-February to early April.

3. Loss of Critical Windbreaks and Vegetation

The project team acknowledges tree removal and grading as likely outcomes of alignment changes. Tree loss—particularly in areas like Escalona Gulch — threatens established windbreaks critical for habitat and slope stability. Yet, a tree survey and corresponding mitigation plan have not been disclosed, or updated for the new realignment proposals.

4. EIR Addendum Scope May Be Inadequate

The planned use of an EIR addendum for such substantial design changes—including new structural elements, alignment shifts, and additional environmental impacts—may not satisfy CEQA's standards for comprehensive environmental review. A Supplemental or Revised EIR should be considered to address new potential significant impacts.

5. Unresolved Right-of-Way and Eminent Domain Risks

The plan includes pursuing temporary construction easements (TCEs) and eminent domain actions—especially in sensitive zones adjacent to mobile home communities—without clear resolution of wall type feasibility or design alternatives. Proceeding without clarity here increases cost, schedule risk, and potential public backlash.

Request for Immediate Actions

1. **Pause final schematic design** and construction planning until:
 - Updated biological surveys are conducted (monarch habitat, wetlands, trees).
 - A public-facing, independently reviewed CEQA compliance assessment is completed.
 - Measure L and CMC 8.72 compliance is validated by legal counsel.
2. **Publicly disclose** plans and studies related to monarch roost impacts, windbreak vegetation removal, and any right-of-way acquisition.
3. **Consider alternatives** outside of the constrained right-of-way in Segment 11 as discussed (e.g., Brommer or Portola alignments), especially given unresolved encroachments and political sensitivities. The Interim trail alternative that was part of the EIR, needs to be studied more as an alternative and released to the public.

I trust RTC and the County share a commitment to lawful, environmentally responsible, and community-supported infrastructure. Let's not rush a project that carries long-term impacts and significant public interest without addressing these critical gaps.

I am happy to meet or support outreach efforts to ensure our community's voice is heard and protected.

Sincerely,

Kevin Maguire

Concerned Citizens of Capitola

RideTola831@gmail.com

Transcript

December 20, 2024, 5:03PM

□ **Robert Tidmore** started transcription

RT

Robert Tidmore 0:07

Alright, well, I think everyone understands the the purpose of the meeting today.

Essentially, what we're hoping to get out of this meeting is a collective understanding and agreement on the direction that the project's gonna move forward with going into final schematic design and then eventually psns we've we've had a lot of moving parts over the last nine months or.

So and we've resolved some and and many of them.

And that this is a sort of a final effort.

To resolve any remaining things and make sure we have agreement.

On on everything before RM really jumps back into the design and starts moving things around so we don't waste any effort and we can move forward in our in a very efficient manner and and try to to finish PS and E in right of way really as quickly.

As possible, we'll get into the schedule and and some key upcoming dates in a few slides, but that's that's really the goal today.

Any questions or comments?

Before we jump in anything unclear from what I sent out the last couple days.

Did everyone get a chance to look at the blue beam?

Hopefully you had.

You had a chance to.

Note any comments to yourself? I didn't see any any questions or comments in the blue beam itself, so hopefully everyone has at least had a look at it and noting things down to themselves so they can discuss and I just got a text that grace is joining now.

So should see her in just a minute. And I think I think we all know each other.

So I'm gonna skip introductions because we have a lot to cover in this two hours, and I figure we've all met, at least at least one time.

And I'll share my screen.

We'll go through the presentation while we're waiting on grace.

So thank you to Matt Starkey.

I stole his format of his presentation.

We had a similar meeting for segments 8:00 and 9:00. I think it was last Friday.

About this and I just like the way he sort of went through and organized everything.

So I borrowed.

Very heavily from what he did.

So I want to spend.

We have a lot more to cover in terms of design direction for the two segments.

It's longer and there's a lot more to to to cover, so I really want to try to spend the majority of our time focused on going through the blue beam session and and going through the design and making sure we're all on the same page.

But I thought it be worth spending just a few minutes at the beginning talking about where we've been some of the key decisions we've made and and why we're sort of in the in the place we are.

And for those of you who attended the 8-9 meeting last week, this will be very similar.

But there are a number of people on the call who haven't.

So I I felt like it was worth going through and then I wanted to leave a few minutes at the end to sort of go through any outstanding decisions and make sure we're all.

Uh, there's clarity for for the project moving forward.

So just a quick recap of key dates.

Almost a year ago I got a.

Here we go.

Someone let her in.

Thank you.

GB

Grace Blakeslee 3:08

Sorry, I was a little late.

Sorry about that.

RT

Robert Tidmore 3:09

Grace. No problem. That's OK.

We're just going through a similar recap of what we did for 8-9. So in February 23 room completed the refined schematic design and then the all the various agencies and the Coastal Commission finished commenting on that in May of 23.

So we've been sort of pencils down since that point in time.

Separate started in December of 2023. In April of this year, we completed the sequel review and filed our notice of determination for the EIR that was also around the time that the the cost overruns were really widely publicized.

And we started to dig into those and then in May of 2024, as a result, you know, we began the value analysis, value engineering exercise at the RTC funded and and led in June of 2024, we got the the information that the rail clear.

Is for the passenger rail project needed to increase in some cases to 12 feet which started this. Conflict resolution exercise.

Where where we've really been in the last six months trying to figure out how do you fit both the passenger rail and the rail trail on the corridor.

And then in August, we we had sort of a A an analysis of the VA and VE effort that the RTC team put together by the trail design team.

And then had a series of meetings in August to go through and get direction from the group

on on which strategies would be we would be proceeding with.

And so now we're in this last phase of the Zephyrt conflict coordination.

And I'm really hopeful that that process ends here this month and that we're we're, you know, clear in 2025 to move forward.

And then a recap on the value engineering. So again, in early 2024 when the cost issues sort of came to light, a number of us sat down really from RTC City and county, brainstorming ways to save costs.

We even looked at going so far as to rail back the corridor, which would allow us to remove the fencing and signals and explored ways to have relocate the tracks. In April of 2024, bringing to the RTC and the county saying that they would.

You know, relocate the tracks on their dime.

And the savings that we calculated at the time for that work would be roughly 7 to \$8 million that that amount is less if we have to build walls to support the tracks and we'll talk about that in a couple slides. And then the the VAVE study.

Identified roughly \$4 million in savings and that 4 million was corroborated by the design team.

The savings identified by the VE team were considerably higher.

But when our our design team went through and looked at some of the constraints and in a more in depth analysis of the cost savings.

The number was reduced significantly and this primarily comes from changing the wall types to either less expensive options or changing the wall type so we can reduce the number of walls where in some cases we had two walls in in one area and then replacing by ducts with. Retained fill or changing the structure to precast concrete.

And then finally, more recently we looked at the Monterey to Coronado.

I'll say it's a combination of the Vave suggestion as well as reducing conflicts with separate.

And the VE study estimated savings of about \$13 million for that effort.

But I would say that's on the high end and we should expect less.

The zipper coordination side, we have made a couple decisions and I'll just summarize those for each of the the two segments.

So in segment 10, in general, we've agreed that we're gonna build a 12 foot wide trail against the inland edge of the right of way as we know, due to the zephyrt clearances, it's not possible to eliminate all conflicts and Zephyr is going to rebuild and or address.

Those conflicts where needed when that project is built.

One thing I do want to talk about when we get to the bluebium session is.

The right of way impacts and risks with this approach, particularly as we get adjacent to the mobile home parks, understanding that that's already been a contentious issue just with the clearance of encroachments, we also decided that we're gonna relocate lights to the outside edge of the right of.

Way where they would be in conflict with separate so we don't have to rebuild them in the future and then at the Rodeo Gulch bridge, there's been discussions on e-mail and in the last

week's stage gate meeting that the design team needs to verify that there are.

No structural impacts to the existing.

Rail structures from the trail bridges.

In segment 11, one thing I want to talk about today, which I we didn't or I didn't know it before, was that there's a 2 foot clearance conflict along Cliff Dr. moderated Coronado.

We've already discussed that because of the need for a passing siding in this area, we're going to push the trail out to the Park Ave. right of way.

From Coronado to New Brighton Bridge, there's an unknown conflict with Sepert and Riley.

I'm hoping you can speak to that a little bit today.

No, we didn't get an exhibit from from hgr at the New Brighton Bridge. Again, verifying there's no impact to the existing rail structure. And then from New Brighton Bridge to the Oak Trail, there's a 2 foot clearance conflict in that area. And then Marvista State Park again UN.

Conflict with separate. So we'll we'll go through those in more detail, but just wanted to give a high level overview.

And really quickly, since we talked about this again last week, but for for new folks, the RTC and the and camp are going to enter into an MOU which will state that roaring camp will be relocating the tracks on their own dime.

However, there is a need for.

The trail design team to evaluate the need for structures to support the tracks we already have that in the design right now, but the the direction we got in last week's stage gate was that the RRM team would go back and really take a second look at.

The need for walls and try to reduce them where possible.

You know where regrading where we can and then the project will provide the construction stacking of the proposed track center line.

That's a that's sort of a a given.

We know that that's gonna happen.

And then the the next three.

Pieces that have an asterisk with them. We're still trying to figure out the sequence and exactly how that's gonna play out, but the the thought now is that the project will design and construct the retaining walls.

That are needed to support the track, the relocated track and that we will design and construct the rail and road intersections and that then roaring camp will relocate the track to meet the freight standards. And again the sequencing will figure out at 65% to that.

So here's a here's a draft roject schedule.

Draft is emphasized, have not had a chance to work with the room team to understand, you know, their timelines for these various pieces, particularly for the psne part.

I pulled these from our our schedule that we worked through in Paed.

So they're, I would say they're within the ballpark, but a lot of details still need to be figured out.

I would say that the key thing to focus on is this this deadline here April 2027.

This is if we're not going to request an extension. This is when we have to have materials due to CTC both for the completion of the PS and E and right away.

And that sets us up for a construction allocation in June of 2027.

So our critical path really is getting to a place in the final design that 65% or we can start appraisals because right of ways you can see is is really the longest critical path needed to get to a construction so.

We are here in early or late 2024.

We're working through the PS and E contract approval with RRM right now. We expect to go to the board on March 11th with the PS and E contract amendment.

RM again based on the the previous schedule, I'm thinking we'll need about 3 months to do final schematic design.

They'll have to be reviews in there, and then another three months to do 65% design and then the the the remaining portion of the PSNE package will take around 10 months.

And again, the the really the 65% design sets us up for both getting permits from the Coastal Commission and starting the appraisal process.

I'm hoping that after the final schematic design, we'll have a pretty good sense of what our right of way needs are so that we can go out and hire an appraiser and and get that process going. And that really as soon as that 65% design package.

Is done.

We can hit the ground and start doing appraisals.

Obviously, we would all love to have right of way, be uncontested and not have to go into eminent domain. And if that's the case, I think we can save.

A fair amount of time, but we sort of need to plan for that and then utility relocations and coordination will happen.

While we're going through final design.

I see some questions. Riley. Gear first.

RG

Riley Gerbrandt 12:14

Have you vetted the the time period for eminent domain?

If you if we needed to go that route.

RT

Robert Tidmore 12:19

Yeah. Yeah, sort of.

I talked to Kimberly from our real property team and she said, you know, that's sort of a best case scenario.

It's basically you do appraisals, then you need six months of negotiations before you can go to a resolution of necessity. And then it's about 6 months from Iran to an order of possession.

RG **Riley Gerbrandt** 12:43
So if that schedule slips, then what would we do?

RT **Robert Tidmore** 12:48
We would request an extension for both completion of well completion of right of way and then construction allocation.

RG **Riley Gerbrandt** 12:55
OK.

RT **Robert Tidmore** 12:56
Yeah.

RG **Riley Gerbrandt** 12:56
I have a feeling that you probably would have a better chance of.
That being a successful request for that type of a situation.
But that's pretty aggressive timeline for a potential MND domain.

RT **Robert Tidmore** 13:14
Yeah, that's good feedback. Thank you, grace.

GB **Grace Blakeslee** 13:18
My question actually was also related to node domain. Not sure if this is a dumb question, but for like the places where you might need easements for tiebacks for walls does does that like something that can happen under eminent domain?

RT **Robert Tidmore** 13:32
I assume so.

GB **Grace Blakeslee** 13:34
I don't.
I just.
I just don't know 'cause not familiar with that. Usually I think of it as actually like a like acquiring property and fee.
But anyway, just curious because I feel like that's where some of the challenges there's gonna be on the county side. RTC has two property issues that we're working through.
Not sure if we'll go with definite domain. It doesn't have to follow the same timeline related to this project, but I feel like the county's gonna have more of.
The construction easements and the easements for tieback.

RT **Robert Tidmore** 14:01
Yeah.

GB **Grace Blakeslee** 14:03
So thinking about the process for that just 'cause I'm not very familiar and then I thought the funds were use it or lose it if you didn't request an allocation by June 30th.
2027 it sounds like you have.
Your information is different.
I was just wondering if you could just briefly communicate what kind of extensions are allowable. I've been really using the June 30th as a drop dead.

RT **Robert Tidmore** 14:27
Yeah, I can.
I will confirm that with Caltrans, but if you follow the timely use guidelines then we can extend. We have basically another 12 months extension we can extend past that and actually I would say I can I can corroborate that with Caltrans because.
Evelyn, from District 5 local assistance sent the city of a very sort of two two scenarios. One if they followed no extension timeline and then a second one if they used all their possible extensions and that had construction starting in like 20-30.
So there there's a lot of potential there for getting extensions and they had the same construction allocation date.

GB **Grace Blakeslee** 15:03
That's really great information.

RT **Robert Tidmore** 15:05
Obviously, we don't go that way, but if we need to, we can, yeah.

GB **Grace Blakeslee** 15:08
'Cause cost will go up, but I didn't know that applied to ATP, so that's really good information for me. And the reason I'm thinking about it right now is that we just sent out the notices to the mobile homes again, that they're trespassing and we have a we.
Planning on getting a court order in June end of June 2025, based on the required 2027 deadline and one of our negotiating pieces will be schedule for encroachment removal.

RT **Robert Tidmore** 15:23
Mm hmm.
OK.

GB **Grace Blakeslee** 15:29
So that's why that information is important to me right now.

RT **Robert Tidmore** 15:32
Yeah, yeah.
And if you wanna have a separate meeting to go over that, I'm happy to do that.

GB **Grace Blakeslee** 15:35
Wait, yeah, if you just send me the Evelyn's e-mail, that probably would help.

RT **Robert Tidmore** 15:38
OK.
Any other questions about schedule and and and I think we're all familiar, but this is about a year later than we had anticipated and or planned and or told bodies yet.
So I don't know.
I I prefer we keep this close to our chest and then when we go to the board in well actually probably when we go to the RTC in February to request a PSA extension or a psne funding and when we go to the board in March for our.
PS and E Amendment I think that's when we'd probably daylight this information to those to those governing bodies.
Not seeing any other questions.
Yeah, Phil.

PD **Phil Doody (MME)** 16:20
Yeah. I just wanted to note that the Vave report did say that there would be another two months of design time assigned to the precast concrete viaduct.
That was kind of embedded in the report.
So you know the the, the timelines, the 10 month timeline might be more like a 12 month timeline.

RT **Robert Tidmore** 16:44
OK.
That's good to know.
Thank you.
Yeah. And like I said, we haven't gone over this with with you.

PD **Phil Doody (MME)** 16:47
You're welcome.

RT Robert Tidmore 16:49

Well, with RM or or you know any of their Subs?

So right we need.

We need to.

We need to corroborate that, but that's that's a good that's a good heads up to know now.

PD Phil Doody (MME) 16:57

OK.

RT Robert Tidmore 17:02

OK. Just again, quickly moving on to right away approach. So as I said, we'll hopefully have the right of way needs identified in our final schematic package.

Then we'll hire our appraiser and we'll use County Road property team Kimberly and her team to to manage the right of way process. RTC is going to send encroachment, removal letters and it sounds like Gray stills will, at least for the mobile homes, will go out in June. Of 2025.

Do you know yet? Oh, OK.

GB Grace Blakeslee 17:26

We just sent them.

Actually, we sent them last year and then we just sent ones this year.

So my email's blowing up.

Yeah, not good.

RT Robert Tidmore 17:32

OK, I'm sure.

GB Grace Blakeslee 17:33

No fun.

RT Robert Tidmore 17:35

And then remaining encroachments.

When do you know when those plan to go out?

GB Grace Blakeslee 17:41

That was actually, that's a good question for this team. The way that we've been working through with segment 9 is we RTC identified the encroachments and provided the encroachment exhibits.

Then we met with the city and went through the schematic plan on how we were going to

address those encroachments, but that what the city had said, and I'm just giving this as an example, because how it might play with segment 10 and 11 is that then they.

Wanted to do a field visit to look at the encroachments and determine if the solution we've talked about was agreeable before sending the letter.

So that's a little bit unknown because for the city, I would say, you know, we thought we would be out there with the 60% design in the summer ground truthing the encroachment conflicts and the solutions. And we haven't done that.

So we have the letters from our perspective for 9 ready to go.

But we needed that.

So if that's the same process, if the other encroachment removal letters wouldn't happen until after 60% design in a field visit, I'm not sure I'd let people's input on how that process would work.

RT

Robert Tidmore 18:39

Yeah. I think obviously earlier is better just from getting people to get out of the way. I think it would really depend on the nature of the encroachments in my head.

I'm thinking there are a couple structures along the way that are gonna be bigger, longer lead issues, but in the majority of the encroachments that I'm thinking of are offenses and other things that can relatively easily be moved, I think.

You know, we'll have to talk to RRM, but you know, if we have a pretty good idea of what our right of way needs are at the final schematic package, that could be a good place to go out and do that.

GB

Grace Blakeslee 19:16

And at this point for fence encroachments, what we're saying is we've done a lot.

So you know, it's got a lot of back and forth in RTC. So it's kind of we're grappling with it.

But where we landed is RTC would replace the fence on the property line because it's just.

We're worried if we tell the property owner to do it, they're going to put it in the wrong place or something like that.

So right now we're thinking our approach will be to let them know they're encroaching, then a second letter saying what we're going to do about it and then RTC will be responsible, even if at our cost to move the.

Fences and that.

That's just we've been going back and forth internally, but that's where we're at right now.

RG

Riley Gerbrandt 19:51

Hey, Matt. When you when you guys do with encroachments?

Do you guys rebuild the fences if people are encroaching on the county right away?

MM **Matt Machado** 20:02
 We haven't had a practice of of pushing people back, but.
 In general, you don't have to. No, there's no there. No legal obligation. If it's an encroachment, you remove it and you walk away.
 But I think what Grace is saying is it makes sense.
 But she's trying to keep the peace a little bit too, because people are coming.
 So include.

RG **Riley Gerbrandt** 20:21
 Yeah.

MM **Matt Machado** 20:21
 So I think it's a low cost solution that keeps the peace so.

RG **Riley Gerbrandt** 20:23
 Totally. Totally.

MM **Matt Machado** 20:27
 Makes sense to me, but I don't think legally you have to do it, no?

RG **Riley Gerbrandt** 20:31
 No, that that takes total sense.

SW **Steve Wiesner** 20:36
 Yeah, I would just add to that, that that has been our practice.
 Matt, if you look at wholesale widening projects that we've done like in the former RDA area or even just one off projects, if somebody has a well established fence that's in our right away and our project moves it, we we almost 100% of the time, Reb.
 That set and we're doing that even today, like on the Green Valley project and other projects.
 So yeah, we do that. As a matter of just form.

RT **Robert Tidmore** 21:02
 Makes sense?

RG **Riley Gerbrandt** 21:02
 It's Wayne in guys, Kayla.

GB **Grace Blakeslee** 21:04
 And not to put too much energy on it.

Part of it is that the property owner then has to hire a surveyor to get the property's boundary right, and if they don't get a survey, they put in the wrong place.

So just all the complications that go along with that.

RT **Robert Tidmore** 21:15

Right. Makes sense.

KS **Kayla Szubielski** 21:15

You mentioned the RTC is gonna move the fence, is it?

On this project in the RTC is gonna pay for it or is it happening prior to the project?

PD **Phil Doody (MME)** 21:22

Oh.

GB **Grace Blakeslee** 21:26

We've got both options.

We'd have to work it out with the team.

KS **Kayla Szubielski** 21:29

OK.

GB **Grace Blakeslee** 21:29

And I think for segment 7, they made it as part of the project.

RT **Robert Tidmore** 21:34

Top my head.

That seems to make sense, particular where we have walls and structure next to the next to the property line.

We'd have to rebuild it twice, potentially.

Mike.

MS **Mike Sherrod** 21:46

Yeah. Just to clarify on 2nd 7 that there was a slight slightly different process.

The the catch of the county helped Doug Doug help the city with those encroachments.

So the the owner was offered the option to move the fence and rebuild it to their liking.

You know, we we could stake the line for them.

Or if they took no action, it would just be demolished and replaced with the chain link fence and most a group of the owners moved their their fence and rebuilt it the way they wanted.

But there were a handful of all nighters on a handful.

Two or three properties where we just put chain link back in.

RT **Robert Tidmore** 22:27
Like that.

MS **Mike Sherrod** 22:27
And that was a project cost.
That was part of the bid pack.

RT **Robert Tidmore** 22:35
Sounds like we have some options there.
We can.
We can sort of tweak it as we go along and I'm sure it'll be context dependent too.
OK.
All right, I think that concludes right of way approach.
And now?
Any questions on what I went over?
OK, good. All right, let's jump into the I'll stop sharing.
Oh good.
Let's go to the bluebe.

KS **Kayla Szubielski** 23:10
We're starting here in the top portion at 17th Ave. beginning of segment 10.
As we gone through here, Rob has clarified a few of the remarks in this portion. We previously had a 14 foot wide trail, 10 foot from center line of track based on the futures you pert, the direction is to reduce the trail width to 12 feet.
And in this area.
The lighting would remain between the trail and the track.
And that's from 17th to Rodeo Creek Gulch. Once we pass there, then that's when the the blanket comment that Rob shared in in his overview to move the lighting to the right of way switches where the we get more constrained segment 10.
How many of the schematic related comments do you want, Rob?
Do you want me to skim through those and focus more on the Virginia and Zepurt?

RT **Robert Tidmore** 24:16
Yeah, I would say.
Let's focus on the bigger issues, which I think are the Virginia and the zeph coordination. But if you know, I think a lot of them are pretty straightforward like that one right there about, you know, removing the guardrail and just having a fence at the right of way line. To me, I think that's pretty straightforward, but I I would say if you have questions or

disagree or need direction in order to move forward with some of those comments, then we we should talk about them.

KS

Kayla Szubielski 24:41

OK.

That doesn't seem like a major scope related item to me.

So we could work through that during design.

RT

Robert Tidmore 24:45

Right, agreed.

KS

Kayla Szubielski 24:56

Buffering here.

So on the southern side, this is a location that.

As Rabbi had mentioned, where we are showing the need for a low retaining wall, this one was 1 1/2 to 2 feet tall necessary for the track realignment and so based on the direction of proceeding with similar direction that we're using for 8-9.

The request is for room to revisit the grading in this area to see if there's a way to eliminate the need for this retaining wall.

RT

Robert Tidmore 25:33

Exactly.

KS

Kayla Szubielski 25:43

There was maybe this.

I don't know if you do wanna talk about this one, rob, but there was a comment during schematics about.

Ditch on the coastal side related to the rail line. And so just a high level question of how does that impact the work related to Roaring Camp?

Is roaring camp going to also take on the necessary drainage on the southern side associated with the rail line?

And their track realignment.

RT

Robert Tidmore 26:14

Yeah, I think that would be a question for for grace and Riley.

Just wondering if you you've had that discussion. If so, you have thoughts about how that may be handled or or do we just ignore it since it's gonna be part of the coordination with ronkamp?

GB

Grace Blakeslee 26:31

Were you? I mean previously were you include?

I guess I can answer that.

One what we've asked for in camp to do is to replicate existing condition.

So I think that's an important detail we should continue to work out with them, but it's question is when you are working on the schematic plans, did the design include recreating that ditch on the coastal side of the rail?

That, that, that would be a change, it would be removed from the plans.

RT

Robert Tidmore 27:02

Cool Kayla.

Do you remember?

PD

Phil Doody (MME) 27:03

OK, we're gonna breakdown.

KS

Kayla Szubielski 27:05

I believe we.

I believe we were gonna show it on the southern side.

PD

Phil Doody (MME) 27:12

Hey Cortana.

KS

Kayla Szubielski 27:12

Was.

GB

Grace Blakeslee 27:12

OK.

I'll make a note to to work through that a bit more on our end.

MS

Mike Sherrod 27:16

And just for clarity for the.

Ready for the big package?

We do wanna segregate and identify areas of responsibility for roaring camp versus the contractor.

So if the ditch is associated with anything to do with boring camps work, it should stay with boring camp and not be on the contractor.

We should.

We should separate those two cleanly.

KS **Kayla Szubielski** 27:42
See if I can close a few more apps. This file seems to be.

RG **Riley Gerbrandt** 27:45
To the extent like that, we're looking to separate things geographically as well.
Are we looking to?
Do not have the contractor be working on the rail side of the corridor and doing work.
Over over that area.

RT **Robert Tidmore** 28:09
I I think that remains to be decided.
I think if there if there's a need for retaining walls to accommodate the track relocation, then we're gonna have to have.
The you know the project contractor come in and build those and that's part of that sequencing to be sort of figured out a 65% design because we don't know yet where we're gonna need walls.

RG **Riley Gerbrandt** 28:24
Yeah, yeah.

RT **Robert Tidmore** 28:27
So we'll have to, we'll have to revisit that.
Ideally, brewing camp would just do it all, but I don't think that's gonna be possible, particularly since we have some fill conditions in segment 10.

KS **Kayla Szubielski** 28:48
Was relaunching my blue beam.
Hey.
Continuing on some adjustments, you see these lines, thicker lines here in red.
This is where we are going to make some adjustments to the trail alignment shifting into part of the county property here to the north to allow more offset for that future zpert.
Then coming over to.
The bridge structure.
This is the area where the the latest direction is to look at, not impacting or looking at the setting. The impacts of the proposed structure in relation to the existing rail bridge and making sure the trail bridge abutments are designed to meet any kind of rail loading.
In general, we just need to also get in here and add in the break and bank and ordinary high watermark as we're looking at what the option and and solution is here. If the bridge structure needs to move previously we.

You are rebuilding a portion of the.

Maybe don't be. If we call them abutments, the the upper wing walls of the structure were getting rebuilt with our project. Phil, I see your hand raised.

PD **Phil Doody (MME)** 30:38

I just wanted to ask more about what the interaction is that Riley was discussing.

RG **Riley Gerbrandt** 30:48

The.

You mean the comment that Rob had that as we have these, you know where we have structures and in close proximity that the?

Design concept for the trail team would need to evaluate the impact to the existing structures and foundations.

PD **Phil Doody (MME)** 31:09

Exactly. I mean, you do realize they are pile supported structures?

RG **Riley Gerbrandt** 31:16

Your, your, your piles.

PD **Phil Doody (MME)** 31:18

Did both of them.

RG **Riley Gerbrandt** 31:21

Yeah, they OK.

Yeah. So they what?

What we need is better understanding of.

Your assessment of the existing structures and the impact of the the new structures to to the existing structures.

So as as a blanket comment, a lot of.

What we need to understand is.

Where you guys are in relatively close proximity to existing foundations and and existing walls or abutments, we need to make sure that they're not interacting and affecting one another.

When we looked at the Harbor Bridge, for instance, there's battered piles in in some of those abutments in in the bents and things like that, we want to make sure that, you know, there's there's no.

Effects to the existing structures or foundations.

So generally speaking, a a railroad would just blanket say stay 25 feet away from our existing structures so that we're sure that there's no.

Interaction between new and existing structures, but obviously that's not feasible in our corridor due to the the corridor.

With constraints, so we didn't need more information from you guys.

PD Phil Doody (MME) 32:45

I'm just gonna, you know, just say out loud. I think, you know, analyzing the effect of the new structures on the existing structures is gonna, you know, add more Engineering's design scope.

You know, I I certainly don't wanna see interference between piles, but I think, you know, there are some geotechnical rules of thumb where if you have a certain spacing between piles, there's not really pile group interaction or reduction, you know, so depending on the level of of you.

You know what you want us to do.

RG Riley Gerbrandt 33:17

Mm hmm.

PD Phil Doody (MME) 33:18

You know, this could be a a expensive or inexpensive.

You know, task that you're requesting, so it might.

RG Riley Gerbrandt 33:27

Yeah.

PD Phil Doody (MME) 33:27

It might.

It might be good to really maybe in a another meeting with you and your team, understand what exactly you're expecting here.

RG Riley Gerbrandt 33:37

I agree, and I think the best thing to do would get, you know, the structures, teams together.

PD Phil Doody (MME) 33:38

OK.

Thank you.

RG Riley Gerbrandt 33:44

And talk about some of the the questions that you just raised and what we're expecting.

PD Phil Doody (MME) 33:48
And geotechnical too.

RG Riley Gerbrandt 33:51
Sure.

PD Phil Doody (MME) 33:51
Yeah. OK.
Let's do that when future date. Thank you.

RG Riley Gerbrandt 33:56
Mm hmm.

RT Robert Tidmore 33:57
Riley, do you? Do you think that's something that you could provide?
Relatively soon and and I ask that because where I'm trying to work through the scope with RRM right now for final design and you know things like this, we're gonna wanna incorporate into the into the PS and E contract amendment and you know to meet that February R.
Meeting. You know, I've told RRM we need to have a ballpark idea of of cost by mid January.
So getting getting this this direction sooner rather than later would would be helpful.

RG Riley Gerbrandt 34:34
Why don't you identify from your team who needs to be part of that conversation? Given what Phil and I just discussed and.
I know from our perspective, our team.
That would need to meet with that is, is relatively small.
It would be our structures lead maybe with you Technical Support as well and our civil lead.
So I think schedules wise.
And I think most of them are working over the holidays, not taking any significant amount of time off, so.
It should be feasible if I get some names from you guys and.
Availability. Then we can look at schedules and calendar that.

RT Robert Tidmore 35:21
OK. Bill, would that would that be yourself and the rest of the MMA team?

PD Phil Doody (MME) 35:27

I think we'd want to have Pacific Crest engineering.

Who's doing the geotechnical engineering in?

In many cases, this is a geotechnical engineering question. You know, based on some preliminary calculations that I did the reactions from the trail bridge are orders of magnitude less than the reactions from the railroad bridge. Just under dead loads at the harbor.

You know, I know that we're not talking about the harbor, but in the live loads are obviously orders of magnitude less as well, so.

Structurally, you know we can quantify loads too.

We can come up by interferences between battered piles, depending on the level of information that we have about the existing bridge. But some of this does need to be and is by virtue of geotechnical question.

Of how soil?

Can be mobilized and share loads or you know, one structure can interact with another structure via the soil. So.

I'm again. I'm envisioning this more than just simple surcharges that you would see as a surcharge acting on a retaining wall.

So it would be a combined Mm. Pce RRM, you know, probably meeting with the RTC to discuss what level of you know, analysis we need to provide.

RT

Robert Tidmore 36:54

OK, so, so Kayla, could I have? Could I have you and Mm reach out to Riley and just try to schedule that meeting with, you know, understanding your guys schedule availability.

KS

Kayla Szubielski 37:05

Yes.

RT

Robert Tidmore 37:05

OK. Thanks.

KS

Kayla Szubielski 37:09

You're gonna be attendance as well, Rob.

RT

Robert Tidmore 37:12

If I can, yes, if I'm not available, then just go ahead and have it without me. And I just.

KS

Kayla Szubielski 37:19

Me.

RT

Robert Tidmore 37:20

I wanna clarify something.
 Oh, I was gonna move on.
 So go ahead. Go ahead Rodney.

RM **Rodney Cahill, MME** 37:26

Could I ask about the right of way on the northwest side of the bridge and?
 Whether.
 That's.
 A.
 An opportunity to to to go toward the green line in that location.

RT **Robert Tidmore** 37:46

Yeah, I was actually gonna go there myself.
 And just to clarify what we've talked about previously at the other zipper coordination meeting, that adjustment in red.
 That this project is not proposing to do so that that the the ZEPHRIT project would make that adjustment in red.
 And I I I had understood that we would try to stay within the right of way as part of our project.
 But I see in Green Kayla that that you guys probably coordination with with Mme had made those those recent adjustments.
 So yeah, happy to.
 I think that would be a good thing for us to talk about and get on the same page.
 Right now about what this project is doing versus what zephrit is gonna come back and fix later, because I I the the reason we went with the red being a separate issue was that there was no way for us to get the 12 foot clearance in that area.
 That they were requesting without some additional tree retaining wall right of way impacts.
 And so we decided that should come later, and similarly on the on the east side of the Gulch.
 So maybe, Radi, you could talk about Kayla, whomever that Green Line came from could talk about what you're showing there and why or where that's coming from.

DM **Dale Hendsbee | MME** 39:06

I think I may have generated that early on, but I think part of it was just seeing how much separation we could get to make that problem kind of go away as far as the structure interaction of our structure on the existing and when I saw the red.
 Line I go.
 Well, there's an opportunity to push the bridge out as far as we can to the right of way to the north there, so.
 I I probably instigated that as it.
 Is this possible?

Because it does benefit us in reducing that possibility of interaction.

Substantially so that that was really what that was all about.

It was.

It was kind of just a question.

Can we do this?

Is really what that green line, at least when I did it anyway, that was my intention.

Can we?

Can we do this and and what would it mean if we do it?

MS

Mike Sherrod 39:54

Another piece of the puzzle here is.

We we need to look at the overall length of the structure because we're hitting the maximums to get a clear span structure to stay out of core jurisdiction, which is what was designed with the schematic earlier schematic set.

So we have that challenge too.

We we can only hit a certain length on the bridge.

KS

Kayla Szubielski 40:16

Which is part of why we previously had a bridge structure with the viaduct like the.

Or peer supported as we approach these.

Other abutment sections.

The direction still to proceed with our assuming that we we meet, we look at this with the structures teams and the geotech.

To rebuild these wing walls as we've designed, designed them previously.

DM

Dale Hendsbee | MME 40:56

I think I mean if I can jump in, I think part of that is we hadn't gotten that far.

You know, when those drawings were produced, it was a question that we posed to the geotechnical engineer.

What is the interaction of the peers? And you know what kind of spacing do we need? And so.

You know, we really hadn't gotten beyond that when this image, you know, the original image was created.

We just tried to maximize what we had and and as Mike said, the span, you know keeping the span within reason and staying out of the area.

All of that.

So that's how that was originally done. And so we have not had that deep discussion with the geotech about how far away we need to be to eliminate interaction or to minimize interaction, so.

Yeah, I think I mean something. We know we would revisit obviously, but I think part of this

is, could we just rearrange things enough that we're really far away? And I think that's, you know, and make it go away is part of what this, you know, green line.

Was all about.

So I guess we need some direction, do we?

Do we not wanna cross the right away and and just try and squeeze it in as close as we can and figure out what the what the interaction limits are based on the geotechnical criteria?

RT **Robert Tidmore** 42:18

That area is the is the public works broomer yard on the West side of Rodeo Gulch Bridge. And it looks like just from the the the cloud, that's probably vegetation in that area.

I don't think there's any physical improvements that would be impacted right there. I I think my my bigger question would be if we do move it that far north, what are the additional environmental impacts?

And can we handle those with an addendum cuz we already are planning to do an EIR addendum for some of these changes, particularly as we get into segment 11 around the Escalona Gulch monarch Grove.

So I think if it's handled by an ER addendum, we can probably.

Accommodate that. But I I don't know if we have tree surveys for that area.

I see a couple trees along the the you know, sort of the center line of the of the Gulch there.

But I don't see any other trees surveys to the West or east of that side, I don't know.

Oh, if we have that information to make an informed decision.

DM **Dale Hendsbee | MME** 43:22

Yes.

RT **Robert Tidmore** 43:28

And then I think that the next piece is, are we confident that that sort of green rectangle is the the clear span of the bridge or does that need to be further figured out?

KS **Kayla Szubielski** 43:40

That would have to be further figured out.

RT **Robert Tidmore** 43:42

OK.

DM **Dale Hendsbee | MME** 43:42

Yeah, yeah. I think that was just, yeah.

RT **Robert Tidmore** 43:45

Yeah, that, that's fair.

DM Dale Hendsbee | MME 43:46
An image.
An idea I guess is really what it was at that point. I think so, yeah.

RG Riley Gerbrandt 43:50
OK, my question was are are those cyan lines?

DM Dale Hendsbee | MME 43:51
And I think also how far away we need to be.
So yeah, yeah.

RG Riley Gerbrandt 43:57
Those cyan lines aren't that are drawn. There are from a jurisdictional.
They're just shown in their approximating.

RT Robert Tidmore 44:10
It's true.
Yeah, Rodney, I think your hands up.

RG Riley Gerbrandt 44:16
Just to just to let everybody know like what we found from our review of of the.
Current design level plans and information is there was just a, you know, some things in the
bridge concepts that.

DM Dale Hendsbee | MME 44:28
Thank you.

RG Riley Gerbrandt 44:36
When we were reviewing them for impacts to the existing bridges, we didn't have the level of
detail that we needed to to understand what the impacts that there were no impacts.
And so we're looking to the design, the the trail design team to, you know, confirm that there
aren't those impacts.

DM Dale Hendsbee | MME 44:57
Right, I think.
I mean, I think that was our interpretation as well and we were just trying to see. I mean, I
just know the further away we are, the less impact is going to be.
So I push it to the north of the right away.

RG Riley Gerbrandt 45:07
Yeah.

DM Dale Hendsbee | MME 45:08
I I feel good about it and I have a better feeling as opposed, we have to go back where the original location, you know it.
It's it's more than likely there could be some impact, but we just don't know.
We haven't taken it that far. So I mean it's kind of the difference between.

RG Riley Gerbrandt 45:20
Yeah.

DM Dale Hendsbee | MME 45:22
The the two images is from 1 extreme to the other so.

RT Robert Tidmore 45:26
OK.
So so let me let me try to give some some semblance of direction here.
I think from my perspective and and Matt, I see you join back on. So maybe you can chime in with your thoughts here. But they're talking about needing a little bit of right of way on the West side of Rodeo Gulch from the Broomer yard you can see.
That little triangle piece that's there. I don't think there's any improvements in there. And to me that, that, that that wouldn't seem like an issue. Would you agree?

MM Matt Machado 45:54
Yeah, I would agree.
Yeah, I was watching.

RT Robert Tidmore 45:55
OK.

MM Matt Machado 45:55
I was looking at that as well.

RT Robert Tidmore 45:57
OK.
So so I think the right of way is not an issue. I I think what we'd wanna make sure is we don't push our bridge so far north that we run into a a feasibility issue with the prefab structure and the length there and that we don't run.

Into additional environmental impacts that would trigger a need to go beyond an EIR addendum.

DM Dale Hendsbee | MME 46:29

OK, sounds good.

I mean, we're definitely gonna revisit this.

So we'll we'll see. We'll see what we come up with as far as how close we can because obviously moving it has has an impact.

RT Robert Tidmore 46:32

Yeah.

KS Kayla Szubielski 46:55

It's been a long.

Most of the rest of this is still.

Same remarks. Moving the lighting inland, keeping the trail 12 feet width that we have currently and then we can talk about the area here.

Just to the West of 38.

RG Riley Gerbrandt 47:21

Just FYI.

And I know we talked about it in the schematic documents on Thompson Ave.

You just paying back?

KS Kayla Szubielski 47:29

Yes.

RG Riley Gerbrandt 47:30

That's an area where we currently get flooding that water from Thompson comes on to the corridor, and from that lumber yard.

So as you guys are working through how to handle the trail drainage to be aware that that area receives flows from the north also from that kind of a commercial industrial property on the left of Thompson. So heads up.

KS Kayla Szubielski 47:58

Yeah, we we have a note from the schematics about an inlet here near the P.

RG Riley Gerbrandt 48:01

Yeah, I see that in there, yeah.

KS **Kayla Szubielski** 48:03

Another inlet here and then the trail is going to be pitched.
So anything coming from this parking lot's gonna sheetflow.
Cross unless we've received other direction.

RT **Robert Tidmore** 48:17

That's good.
Thanks, Riley.

KS **Kayla Szubielski** 48:18

So a thumbs up from Rob.
To go through in this area just to the West of 38th, the understanding that we have from Rob is that zipr in the RTC direction is to build a 12 foot wide trail along the right of way to leave space for zpert.
Is to to confirm that with the RTC.
This require temporary construction easements to construct the wall.
Or require additional mobile homes to be moved.
The increase right away cost cost and risk be related to the mobile home parks and then given those potential risks, is it worth considering?
Pushing the trail a little bit further from the right away line to allow the necessary construction space needed to.
Reduce the amount of temporary construction easements so this is a conversation that Rob would like to have.
Grace.

RT **Robert Tidmore** 49:26

Yeah, I think, thanks, Kayla.

GB **Grace Blakeslee** 49:29

So once you guys talk about that and then I'll make my my points related, but.
Not specific to the questions you just asked.

RT **Robert Tidmore** 49:37

Yeah, I'll, I'll just add, I so I don't know right now and I think this will be a good thing to get feedback from the structure team on you know if our if our current design, if they think to construct those walls, there will need to be T.
I mean, they're right on the property line. So I was imagining that would be the case, but I think that that would be the first question to answer. And then if so?
What is there a change in mall type that we could do to not require tces?

Or is there a a, a slight say 1 foot, you know, shift inland or inward?

That could be.

That could eliminate the need to put Teas in here. I think that would sort of be a first.

Feasibility question and then if that's the case, then the question would go to the RTC is, is that a worthwhile effort to pursue given the you know the potential for a contested acquisition in here and and the possibility for that to really bog down the project schedule?

KS

Kayla Szubielski 50:38

I think related to that would be that the previous design had soldier pile walls and the VAVE study was recommending MSC Walls except for the portion at the culvert head wall.

So Phil, if you if you wanna talk about the construction space needed in those two different wall types?

RT

Robert Tidmore 50:55

Yeah.

PD

Phil Doody (MME) 50:58

Run.

The covert itself, I think you're gonna need an easement, you know, it's just to to work on that and to get all the grades to work out.

On either side of that, the auction those walls on either side of that. I know closer towards 38th for sure. It the wall that's being proposed there along the inland side of the trail would be a condition where you're filling against the wall.

So for instance, you had the soldier pile wall. You can't.

You want to maintain your peers so that they don't cross the property boundary.

So you're losing.

You know several inches there because the pier, you know.

Extends beyond the face of the soldier pile.

You know in most cases.

There's gonna need to be some allowance for people to operate on.

Both sides of the wall.

Construction, you know, obviously you can build right up against the property boundary.

And only work from one side.

And it's conceivable that you can do that with the soldier pile wall with an MSE wall.

You know it is.

You know you're placing.

You know a base course and you're you're building this this up, there's gonna be some Earth work on the foundation and.

You know about filling operation?

That would be.

Waist and lifts and the facing units installed.

So again, that wall system could virtually be built.

You know, all within the trail right of way too.

So I you know, the MSE wall may have the advantage of being something you could put closer to the property boundary.

Because it doesn't have, you know, the footprint of the peers that you have to maintain on the property boundary.

RT

Robert Tidmore 53:10

Thanks Phil.

PD

Phil Doody (MME) 53:10

That's yeah.

KS

Kayla Szubielski 53:12

Describing Phil like the actual peer for the soldier pile.

PD

Phil Doody (MME) 53:13

Exactly.

Yeah. So that at, you know, 12:00 on that circle, you know, you wanna have that not extend beyond the property boundary.

Run.

RT

Robert Tidmore 53:29

I see your hands up.

MM

Matt Machado 53:30

Yeah. Thanks, rob. I want to point out that that covert that we were just talking about is also the subject of a of a project that Zone 5 is leading right now.

And we were gonna address it as an emergency, but it's probably gonna be designed and go out to bid this winter and that pipeline that runs S goes under a series of mobile homes and.

We'll be working to do some temporary repair, but ultimately we may be looking to.

Either get the mobile homes, move their their as an encroachment or or something we we're haven't come up with an absolute solution, but my comment is that Rob.

Maybe you and the team can work with our drainage group.

It's going to be led by Rodney and Carolyn and so they've been out there quite a bit trying to put together a plan. But I think what we do may have some positive impacts on this project and.

If we know what your constraints are, we might be able to work together and make it even better than than what we're gonna do anyways.

RT **Robert Tidmore** 54:43

That's a great piece of information.

I think at a minimum we were.

We knew that we needed to extend the culvert all the way to the right of way line because right now it it stopped short of that.

I don't know exactly how far.

Yeah, it looks like.

But four feet?

I'm gonna just ballpark right there and so.

KS **Kayla Szubielski** 55:00

This is the existing head wall, but I drew in blue.

RT **Robert Tidmore** 55:02

Yeah.

Thanks Kayla.

Yeah. So we we would need to extend that all the way to the right of way line to fit the trail on top of it.

So if that were something that could be accommodated by, you know, the Zone 5 project that would, that would be fantastic.

MM **Matt Machado** 55:17

Yeah, it's, it's.

I don't know.

You know, we'll have.

Let's talk about it, because our our immediate project was just to rely on the existing pipe 'cause it's failing.

RT **Robert Tidmore** 55:20

Yeah.

MM **Matt Machado** 55:25

But then we do have a a larger plan to to realign and remove some of the encroachments.

It may.

The timing may work, but at a minimum, let's have a conversation.

RT **Robert Tidmore** 55:35

OK.

GB Grace Blakeslee 55:38

So that I understand you correctly that easements would be needed on both mobile home parks.

PD Phil Doody (MME) 55:46

Well, I I was talking mostly about the wall that's on the northern side of the the inland side of the trail there.

GB Grace Blakeslee 55:53

OK.

PD Phil Doody (MME) 55:54

And it I it does appear to me that it it is virtually on the property boundary.

So you know again.

I I in most cases there's access to both sides of, you know, a retaining wall when you're you're working on them, but you know.

Having a temporary construction easement that allows entrance onto that opposite side of the wall, you know, would certainly make the contractor's job easier.

But the culvert itself, however, where we're constructing new head walls that, you know would be, you know, cast in place or formed.

Yeah, you would need to have access and then also just for, you know, grading, getting all the inverts and et cetera. That area is unique.

So I I definitely wouldn't expect that there'd be atce in that area.

MM Matt Machado 56:53

The other point I was trying to make was that we have a drainage easement there, so we we can share that information and that may solve your TCe problems.

PD Phil Doody (MME) 57:01

OK.

RT Robert Tidmore 57:01

Nice.

GB Grace Blakeslee 57:03

Of course, I'm just thinking about it in terms of our work with the mobile home property owners.

RG Riley Gerbrandt 57:09

How tall are these walls?
At least on the northern side.

KS

Kayla Szubielski 57:18

I don't.

I don't recall.

I know it did get taller at the culvert face of wall, but the rest of it they weren't. They weren't significant.

RG

Riley Gerbrandt 57:27

I didn't think so.

KS

Kayla Szubielski 57:29

But maybe.

RT

Robert Tidmore 57:29

Like 3-4 feet, I would imagine.

KS

Kayla Szubielski 57:32

A second. Yep, three or four.

RG

Riley Gerbrandt 57:35

I would think, I mean obviously to to Phil's point and to get a lot easier to construct. If you've got a space on the on the outboard face of the wall.

But something that's like three or four feet high, it's feasible to construct it.

Just from one side, I mean I'm thinking you could maybe do a you know block wall or something like that even.

So I think there's some wall types that could be considered that would if if.

Not able to be obtained. You could construct the walls at the property line without needing to be on on that side.

PD

Phil Doody (MME) 58:18

And especially since it's a fill situation, you're you're it's not like you're cutting the trail below the elevation of those buildings.

RG

Riley Gerbrandt 58:24

Yeah.

Yep.

RT **Robert Tidmore** 58:32
Dusty.

DO **Dusty Osburn** 58:34
I agree with Riley saying about the construction generally being done on both sides of the walls, and I'd like to add that there's usually a drain like a back drain that's required, and also some sort of drain like drainage on top of the wall to allow you know.
Water to move away to some place where it can get off of there.
So you're gonna have, you know, some additional work behind the wall as well for that kind of drainage surface drainage.
So.

RG **Riley Gerbrandt** 59:04
But dusty, these are there's actually fill conditions.
So the wall with the the trail would be on fill that we would.
Yeah.

DO **Dusty Osburn** 59:14
OK.
Well that sorry, I read the plans backwards. Thank you.

RG **Riley Gerbrandt** 59:19
Yeah, correct.
Correct me if I'm wrong, anybody but that that's OK.

RT **Robert Tidmore** 59:22
That's right.

KS **Kayla Szubielski** 59:22
That's correct. I think for sake of time, we should keep moving along. If there's time at the end if people want to come back to this when we can.
Got a lot to cover still.

RT **Robert Tidmore** 59:32
Yeah, yeah, I guess.
I guess the question for for RTC you can Mull on this and what we can revisit at the end is you know given that we we may need space behind the wall or in front of the wall along the property line. Would you guys consider allowing us to?
Shift both the relocated track and the trail. Let's say inland a foot or so.

On or inward a foot or so on each side to prevent the need for TC es. If it looks like getting these tces become, you know, is gonna become a problem.

For the project and schedule.

So we don't need an answer right now, but I think that would be that's the question.

RG

Riley Gerbrandt 1:00:12

What about the? What are the? Where's the lighting going?

Is it gonna be on the the outside part of the trail?

RT

Robert Tidmore 1:00:19

Have to be on the outside.

RG

Riley Gerbrandt 1:00:19

Yeah.

I think that would be a conversation we would like.

It's possible, rob.

RT

Robert Tidmore 1:00:28

Yeah. OK.

RG

Riley Gerbrandt 1:00:29

I.

I the ideal would be to put up on the on the on the edge, and if tces are a challenge, then let's figure out what we can do without needing the TCAS, and an option could be to move the trail.

It would just be with the understanding that when Zeper comes through here, depending on what the final solution is, that we, you know we we would have to.

Redo some of the trail work, maybe all of it.

RT

Robert Tidmore 1:01:05

OK.

Great. That, that, that's helpful.

GB

Grace Blakeslee 1:01:05

I know you want to punt it, but I just wanna make a point that the I think the distance between the center line of track here and the trail as it's currently designed was around 13 feet.

And what we and I think understand is under Zephyr, we'd have to acquire a right of way to even meet all of the passenger rail clearances anyway.

So that would be something for RTC to consider if we're going to have to be acquiring right

away through this area for separate anyways.
How a shift right now may or may not.

RG **Riley Gerbrandt** 1:01:34
Yeah, well.

GB **Grace Blakeslee** 1:01:35
You know, we might be amenable to a shift that.
Gets more of a minimum for the freight. If we know that there's gonna be right away
acquisition for zephard.

RG **Riley Gerbrandt** 1:01:43
I think we.
I think we already have that grace looking at the the details here.
So the way it's constructed on the plan here is that we've got the trail and then we've got 11
foot nine between the edge of the fence and the track center line. And then from track center
line to the southern boundary, it's 8 foot 10.
Or maybe to the wall.

GB **Grace Blakeslee** 1:02:08
Right.

RG **Riley Gerbrandt** 1:02:10
So what we're showing here would enable.
Great to operate would enable then in the future.
The tracks did not have to be.
Again adjusted, I know we're going to rebuild the tracks, right?
Rail needs.
So your points.
You know some consideration that your your your point could be.
Considered, but I think what we would end up doing would be acquiring.
A.
Yeah, we'd have to see which which side of the tracks would would acquire from if we're
gonna fit both facilities through so.
If we kept the the plan as shown here, then we would just need acquisitions from the southern
side to to enable separate.

RT **Robert Tidmore** 1:03:04
Or have a narrower trail.

RG **Riley Gerbrandt** 1:03:07
Have a narrow track right?

GB **Grace Blakeslee** 1:03:07

I guess that's where I was coming from with the one mile shift.
What? Really.

The outcome and then I guess my other point, which is kind of maybe for other people to consider, Rob and I discussed when we talk about final design and final design costs is I think for RTC and it's an obvious this is a very, very challenging area for.

A number of reasons and that I think it's very likely the RTC is going to want to see an alternative alignment option outside of the right of way in this area.

And so I I would.

I would recommend that we we include that in the final design.

I know that's not the direction.

The county has said that they were going, but I think the fact that we're dealing with a mobile home encroachment, removals and that if it's a separate project, we're gonna have more impacts to the mobile homes and that are unknown at this point.

I could see the Commission wanting to see an alternative alignment in this location.

RT **Robert Tidmore** 1:03:57

You're saying?

We would need to.

You want us to provide?

You want us to to carry now an alternative to locate the trail outside of the RTC right away.

OK. Yeah.

GB **Grace Blakeslee** 1:04:12

And you and I can talk about that from the cost perspective. But I think from a project risk perspective.

That's that's something that we should be really be considering given the commissions to do projects going forward and the mobile home encroachment, removal location. Even though I think we can accomplish that, I think it's a little hard for this Commission to stomach that we're asking them to remove.

The encroachments that then we may have another project coming forward that's going to further impact on the mobile homes.

That's unknown at this time, so I'm just thinking about how the Commission might react to that.

RG **Riley Gerbrandt** 1:04:43

Was it more the consideration of the the encroachments and the removals as opposed to the cost grace?

GB **Grace Blakeslee** 1:04:49

Yeah. You and I had talked about that.

You had mentioned that there might may not be significant cost savings. I'm thinking more of the political side of things as we interface with both the trail and the Zephyrt project.

RT **Robert Tidmore** 1:05:04

You have an idea of the the East West.

Limitations on where that, yeah.

GB **Grace Blakeslee** 1:05:10

We looked at three different. Oh, sorry.

Yeah, I think we maybe can have a separate conversation because we looked at three different options.

RT **Robert Tidmore** 1:05:17

OK.

MM **Matt Machado** 1:05:19

When you say you looked at three different options, are you talking like a a alignments like Bromer, Portola or Eastcliffe?

Is that what you what you're getting at?

GB **Grace Blakeslee** 1:05:27

It's like the exactly.

So there's the bromer. There's the Milton kind of option and then a cop option that would include Nova as well. That was looked at in the UCS. So I wouldn't say that Rtes has a position on any one of those per SE, although we did get a lot.

Of input from the public as part of Zephyr on those alignments.

Potential alignments.

MM **Matt Machado** 1:05:48

Mm H.

I don't know where the county would stand with that, but I got to tell you that we, and I'm glad Steve's on the call.

GB **Grace Blakeslee** 1:05:54

OK.

MM **Matt Machado** 1:05:58
Steve, maybe chime in here too, but one of our higher priorities for improvement is East Cliff.

We have a lot of PED and bike worries down there, so I mean it's it's a pretty good distance from what we're talking about here. But the further you go South, it's, you know, a little less traffic down there too.

But anyways, Rob, when you guys have this conversation please.
And Steve into it as well.

GB **Grace Blakeslee** 1:06:24
And I'd appreciate everyone's input, you know, from a strategy point of view as we deal with our elected officials around this issues. Is this just trying to to navigate the various inputs? So I'm not trying to direct it, but just giving it a lot of thought how we are we're gonna get to yes on this one in the project risk.

RT **Robert Tidmore** 1:06:40
Mm hmm.
OK.
We're in capital jurisdiction.
There's a funny line in here.
Yeah, we are.

RG **Riley Gerbrandt** 1:06:47
Yeah.

RT **Robert Tidmore** 1:06:47
At least, yeah, so.

MM **Matt Machado** 1:06:48
Yeah.

RT **Robert Tidmore** 1:06:51
Kailash. Jessica. Katie, do you want to be looped into that conversation as well?

KJ **Kahn, Jessica** 1:06:58
Yes, please.
Thank you.

RT **Robert Tidmore** 1:07:00
Yeah.

RG **Riley Gerbrandt** 1:07:04
It depends on where that that cutoff would change, right?

RT **Robert Tidmore** 1:07:04
OK.

RG **Riley Gerbrandt** 1:07:08
I mean, if you're coming down 38, that would be capital. If you're coming down further to the east, the West then that that like at 30th then?
Loop everybody in for for direction.
Rob, with respect to this question about moving the trail.
My direction would be.
Let's find out what is is feasible here with.
A property line wall.
I I just have a a feeling that that would be something that would be able to be done without too many significant challenges.
I I just.
I just have a feeling it it could be done so that would be my initial direction would be. Then let's.
Try to make it work engineering wise. If you were for finding challenges then we would revisit it.

RT **Robert Tidmore** 1:08:09
That makes sense. Thanks Riley. Rodney.

RM **Rodney Cahill, MME** 1:08:17
Is the RTC saying that?
The Zippert project.
Would consider moving the trail.
Outside of the right away? Or is this part of the trail project to consider the zipper's impact on encroachments?

RG **Riley Gerbrandt** 1:08:37
It's both, Rodney.
So what?

RT Robert Tidmore 1:08:41
Yeah, no.

RG Riley Gerbrandt 1:08:42

What Grace just said is because of the challenges of this, the right away encroachments here in the political.

You know, conversation regarding it that.

She's wanting to explore, moving the trail out of the rail corridor as part of segment 10:00 and 11:00.

A separate conversation is being had about, you know, if in the future Zephyr comes along and say the trail is already, it is constructed through here. We're looking at how do we make both facilities work.

And and those options include options of.

Trail diversions off the right away.

RT Robert Tidmore 1:09:29
OK.

Let's move on.

We got all of segment 11 to get through.

GB Grace Blakeslee 1:09:32
But I wanna say something else.
And I'm just kidding.
Go ahead, Robin. Go ahead.

RT Robert Tidmore 1:09:35
Nope.

RG Riley Gerbrandt 1:09:36
You had me.
I was like great.

RT Robert Tidmore 1:09:44
But there's nothing.
I just pan through segment 10 while we're talking.

KS Kayla Szubielski 1:09:47
OK.

RT **Robert Tidmore** 1:09:47
There's nothing else to discuss.

KS **Kayla Szubielski** 1:09:49
OK. Like.
Hold my comment.
Vertical.

RG **Riley Gerbrandt** 1:09:57
OK.
So we're going to sign 11.

KS **Kayla Szubielski** 1:09:59
Yes.

RG **Riley Gerbrandt** 1:10:00
OK.
I'm actually following along in the blue beam separately so that can zoom in more.

RT **Robert Tidmore** 1:10:08
Yeah, so I I.

KS **Kayla Szubielski** 1:10:09
Try not to zoom in and out.
So I've been known to make people.
Oceansic.

RT **Robert Tidmore** 1:10:16
I'll just. I'll just quickly go through this one. We we had a couple areas where we had a little bit of overlap between the separate conflict and where the trail is designed.
I didn't notice this when we did our our walkthrough with the HDR team.
Back in October, there's a.
There's basically a 2 foot overlap, so our options here are having separate slightly. Adjust your alignment to the inland side to avoid the conflict reducing the DG Buffer which is shown by that.
A sand pattern on the drawing between the trail and the parked cars and or reducing lane widths on Cliff Dr. which are currently 11 feet wide, which would actually make it consistent with the lane width reductions that were pursuing east of the crosswalk. To provide that additional space.

On the coastal side to accommodate bikes and PEDs.

So those are our options here to eliminate that conflict, which I I think we would want to try and do given that there is some, there's some walls and some infrastructure in here and it's a it's a tight right of way so I think.

My preference would be can we reduce lane width first? No, it would be a city of Capitola question and then.

Then then I, then before we pursue.

Narrow or getting rid of that DG Buffer, because I think that's that's an important safety issue so that we're not opening car doors into into the trail.

RG **Riley Gerbrandt** 1:11:43

On the on the screen here the DG Buffer is between kind of between the the what are curbs maybe?

KS **Kayla Szubielski** 1:11:51

Yes, but the the roadway curve along the parallel parking and then we have the retainer curve for the A/C of the trail that you see here.

RG **Riley Gerbrandt** 1:12:05

Well, I'll let City win.

See if if they have a comment.

KJ **Kahn, Jessica** 1:12:13

So I think you all are aware that we have a shoreline armoring project on this stretch of Cliff Drive that we have currently have under design.

I think we're gonna start constructing probably down with construction of it prior to the construction of this project based on your new timeline.

I gotta be honest, I don't think I could give you an answer about laying list right now.

I'd wanna bring in our consultant to have a more detailed discussion about that, which I think we should probably have anyway.

So I gotta say, I can't really comment on this right now just based on.

Yeah, I I think we're gonna need to have a deeper conversation about it.

RT **Robert Tidmore** 1:12:57

OK.

KJ **Kahn, Jessica** 1:12:57

And we can do that at the beginning of the year, but.

Yeah, I I couldn't answer if that's a good idea right now we are have just identified what our project's going to be.

So I think we're far enough along to make some informed decisions. I just would like to bring in our consultant.

RT **Robert Tidmore** 1:13:13
OK.

Riley, what's your sense of the ability to to adjust separate slightly here?

RG **Riley Gerbrandt** 1:13:22
I think we can.

RT **Robert Tidmore** 1:13:24
OK.

RG **Riley Gerbrandt** 1:13:24
Just just looking at.
We would tighten up this.
I think we would just, I think it's feasible, Rob.

RT **Robert Tidmore** 1:13:33
OK.

RG **Riley Gerbrandt** 1:13:35
Yeah.

RT **Robert Tidmore** 1:13:35
OK.
I guess that's actually the first preferred option. I should have started there.
OK.
Well, that's great.

RG **Riley Gerbrandt** 1:13:42
I think I mean if you if you wanted let let did you did you want to reduce the lane widths?
I mean, let let us know what you need right?
Like if it's preferable to reduce the lane width because that's what the the city wants to do with the street.
Diet. That's that's one thing that should be considered if it's. If it's not, then.
I'll bring it up with the team.
To confirm, I'll, I'll. I'll bring it up with the team to confirm anyway, but.

RT **Robert Tidmore** 1:14:20

Yeah, no. Understood. Sorry. I should've.

I should've clarified.

We can't accommodate.

We can't eliminate the conflict by just narrowing lane width.

RG

Riley Gerbrandt 1:14:27

Oh OK. Gotcha.

RT

Robert Tidmore 1:14:28

So we we would need both.

RG

Riley Gerbrandt 1:14:30

Got it. OK.

RT

Robert Tidmore 1:14:31

Yeah, we'll we'll follow up with you.

I think the design we I think the the outcome is we won't need any major tweaks in this area which is good.

Trail.

KS

Kayla Szubielski 1:14:56

Yeah.

Rob, we can follow up after about the remarks for the ramp.

RT

Robert Tidmore 1:15:02

Yeah.

KS

Kayla Szubielski 1:15:07

In general, kind of the stretch along E Cliff area we have some environmental challenges that are are requiring us to limit our our improvements. So we we'll have to follow up on that.

RT

Robert Tidmore 1:15:16

All right.

OK.

Thank you.

I've forgotten about that constraint.

KS

Kayla Szubielski 1:15:28

OK.

Now we're over other side of Capitola along Monterey Ave. from Monterey to Coronado.

The design team is working with the city of Capitola and the county to locate the trail up along Park Ave.

We have two different alternatives that we're studying, one that would eliminate both Class 2 bike lanes and one that would eliminate.

The eastbound but would preserve the northern westbound Class 2 bike lane.

Did meet initially with the CPUC have verbal support for a new formal crossing at Coronado?

Which would be required and critical to being able to crossover and switch from inland to coastal at at Coronado.

So we did get that verbal from them.

We have some of the previous.

Va language in here.

It's it's no longer relevant if we're able to get support from City of Capital, a council, we're gonna go to a meeting in January.

With one of those two alternatives to move forward.

RT

Robert Tidmore 1:16:41

Thanks Kyle.

Yeah. And I think we can.

We don't need to go through the vave discussions. I'm, I'm.

I'm optimistic that we'll get City Council to approve one of the two options.

See, I see Jessica shaking her head.

Yes. So I think she agrees with that. OK, great.

I was gonna say something in here and I can't remember what it was.

KS

Kayla Szubielski 1:17:06

Maybe this idea here that we were starting to talk about is?

RT

Robert Tidmore 1:17:08

Oh yeah, thank you. Yes.

KS

Kayla Szubielski 1:17:12

The room and Mme team are gonna meet to look at what alternatives we may have to bring users from Park Ave. back down into the rail corridor.

Previously we had a switch back ramp.

Now that the trail's moving up on Park Ave. we're eliminating that Southern sidewalk. It's getting replaced with the class one trail.

We're gonna see if there's any kind of alternatives through here.

The ramp back down without a switch back to reduce the the footprint through this area.

Since we're switching sides of the track, it becomes a constrained point for the future Zperp

project and the alignment through here we've seen a few different iterations from Zpert, so we're trying to.

The best of our ability leave enough space without.

Shifting further on the southern side, which would trigger taller retaining walls on the steep slope and more environmental impacts to some trees.

RT Robert Tidmore 1:18:17

Great. And there's a note here for me.

So Riley, this is this is one of two areas where we need that final separate alignment from. I know verbally we have talked about the fact that you went in, in your, in your new alignment.

RG Riley Gerbrandt 1:18:27

Mm hmm.

RT Robert Tidmore 1:18:32

You show that you can hit that crossing sort of where it is currently, which is great for the Coronado crossing. So, and I think I got your verbal confirmation there.

RG Riley Gerbrandt 1:18:36

Yes.

RT Robert Tidmore 1:18:43

So that's good.

And then I think the question for us is what happens?

East of there.

Between the Coronado crossing and the New Brighton Bridge because the previous iteration had the the the train pushing towards the coast and requiring us to push our trail out towards the coast.

Which increases impacts to Esha and there's a there's a monarch autumnal roof site out there.

RG Riley Gerbrandt 1:19:09

Yeah.

RT Robert Tidmore 1:19:09

So we're curious if you have updated information for us.

RG Riley Gerbrandt 1:19:14

Let me see if I have anything that's happened in the.

RT **Robert Tidmore** 1:19:18
Your inbox.

RG **Riley Gerbrandt** 1:19:19
In my inbox since.

No, not since the start of the meeting. I know. So I would.

I don't have those in hand. I talked to.

I know that they were preparing them and they have the alignments put together.
From.

There, there's couple options through here, right?

So one one thing we're going to the community with is is.

It is a station location at New Brighton Road or up on McGregor, you know have a considerable difference in preference.

If it's the if we have to. If we're putting it up on McGregor, then there would be alignment changes which would.

Change the conversation.

Some add this particular location.

My understanding is the.

The impacts haven't changed significantly if we keep the alignment on the existing bridge over New Brighton Rd.

So I think we're gonna be for the time being relatively in the same conversation as we were before, Rob, about this location from Coronado to the New Brighton driveway.

RT **Robert Tidmore** 1:20:36
OK.

So, so roughly A2 foot coast would shift.

RG **Riley Gerbrandt** 1:20:41
Yeah.

But I don't. I think the trail.

That the rail is well, so we're we're holding the alignment at the bridge for sure.

And then the alignment over Coronado, we can hit that existing crossing.

So I think the.

The shift is gone, but we still have.

We still have conflict because of the proximity.

RT **Robert Tidmore** 1:21:12
Mm hmm.

KS

Kayla Szubielski 1:21:13

Because of the new 12 foot offset request.

RG

Riley Gerbrandt 1:21:16

Yep, Yep.

So this would definitely be one area where because of the nature of this structure.

The viaduct structure.

We want to explore how we can.

Either eliminate or or mitigate that that conflict.

KS

Kayla Szubielski 1:21:41

So this was an area that was identified in the VA VE 2.

Further review the viaduct structure to see if.

If I retained Phil was an option through here and that was pending some further geotechnical findings through this area.

RG

Riley Gerbrandt 1:21:54

Mm hmm.

KS

Kayla Szubielski 1:22:01

In the backup option was to look at.

If the precast slab on pile is enough of a cost savings compared to the FRP decking through here.

Seems if we were on a viaduct.

We could look at what?

What are the impacts to shift over 2 feet?

It would be more feasible, but shifting over 2 feet and doing a retained fill, those walls are gonna be just growing exponentially.

RT

Robert Tidmore 1:22:32

That was that was my thought as well.

Yeah, I I don't think we're gonna be able to do both of those things.

KS

Kayla Szubielski 1:22:37

So which of the two would take priority?

RG

Riley Gerbrandt 1:22:39

Especially you.

Have you have loading conditions too the the loading conditions?

Which obviously make it challenging irrespective.

I'm. I'm just thinking back again to like the the prior questions, Rob, I know I was like is there is there a way just to avoid the Esha somehow?

If we're already up on Park Ave. to Coronado, is that changed the the conversation at all?

Is there ways to?

I think outside the box through here that would avoid the Esha.

RT **Robert Tidmore** 1:23:15

I mean by, by staying up on the road for further.

RG **Riley Gerbrandt** 1:23:18

Mm hmm yeah.

RT **Robert Tidmore** 1:23:20

The problem is, there's not a. There's not a great place to reenter.

So you'd be staying up along McGregor all the way, probably until New Brighton.

RG **Riley Gerbrandt** 1:23:32

Yes, we were.

That's we were trying to work through before, right?

RT **Robert Tidmore** 1:23:50

She can't.

There's there's streams and other Esha in between the roadway and the the the rail line. This this whole stretch.

RG **Riley Gerbrandt** 1:23:57

Mm hmm.

RT **Robert Tidmore** 1:23:59

And and no right of way.

RG **Riley Gerbrandt** 1:24:03

Mm hmm.

KS **Kayla Szubielski** 1:24:08

The priority through here, what is the priority?

Is it to ship?

RT **Robert Tidmore** 1:24:12
It it seems like it's. Yeah. Stay, stay as a viaduct and shift away from from Zippert.

RG **Riley Gerbrandt** 1:24:23
Yeah, I mean, I just the the amount of infrastructure that we're we're talking about within.
This would be 1 area where you wanna minimize the.
The impacts to future infrastructure.

KS **Kayla Szubielski** 1:24:44
Yeah.

RG **Riley Gerbrandt** 1:24:46
If I mean here, here's a thought.
What if you somehow mean?
What if you did? You get over to.
Is there a show that you could avoid that you could maybe like in a conversation with State Park?
Like you know, get in their property somehow and then head back over to the rail line. Like if you went, if you went eastward somehow.
Is the actually just the the wetlands and the riparian in there?

KS **Kayla Szubielski** 1:25:20
I also worry about the.
Is that gonna trigger more than an EIR addendum?
Because we went through the whole 4F process for all of our impacts through this area.

RT **Robert Tidmore** 1:25:24
Right.

KS **Kayla Szubielski** 1:25:32
Could be a timing.

RG **Riley Gerbrandt** 1:25:34
Do you guys have 4 app impacts since your trail?

KS **Kayla Szubielski** 1:25:35
Cost.

RT **Robert Tidmore** 1:25:38

No, we don't currently.

We got them to sign off on it.

I don't know if they would if we were trying to get from McGregor back to the rail line.

KS **Kayla Szubielski** 1:25:48

Listener.

RG **Riley Gerbrandt** 1:25:48

I was actually talking.

Yeah, I was actually talking about going somehow from going from Coronado over to the parking lot and just up that way and then diving back.

Out when you don't impact the Yesha.

PD **Phil Doody (MME)** 1:26:02

2.

RG **Riley Gerbrandt** 1:26:03

On on the north side of the the driveway.

RT **Robert Tidmore** 1:26:13

Yeah, I don't know.

I I think I think we're getting outside of the we're switching gears considerably and I yeah.

RG **Riley Gerbrandt** 1:26:19

Sorry.

RT **Robert Tidmore** 1:26:21

So Riley, ISM.

RG **Riley Gerbrandt** 1:26:23

Yes.

RT **Robert Tidmore** 1:26:24

Yeah, I think I think.

Let's look at this effort alignment.

Hopefully it's still a 2 foot shift and we'll we'll just, you know, there'll be some some additional impacts, but I don't think from what I remember, we could do the VA adjustment and switch to retaining wall without triggering. Uh addendum.

So I'm assuming a 2 foot shift over probably would have similar additional impacts to a retaining wall, maybe less.

And so we could still accommodate that within uh our addendum.
 So let's let's go with that direction.
 Then rally will look for that exhibit whenever you guys have it.

RG **Riley Gerbrandt** 1:26:57

Yeah. I asked again.

RT **Robert Tidmore** 1:27:00

K.

Thank you.

KS **Kayla Szubielski** 1:27:03

Our bridge structure is not well. I guess it depends on outside of fencing, but we're almost to the 25 foot from center line of track for a majority of it.

Through here, shifting the trail 2 feet towards the coast to make more space for the few Jersey Pert alignment.

It's just before this oak trail crossing.

This is kind of rotated.

Through here.

So this stretch there is some wetland that we're we were already previously impacting it, it just might increase a little bit of the mitigation impacts for ratios we can can do that.

RT **Robert Tidmore** 1:27:55

I saw I think I saw Phil's hand go up.

Phil, did you wanna jump in on something?

PD **Phil Doody (MME)** 1:28:00

I just wanted to in that area, if the trail continues to get shifted towards that wetland, you know we.

Depending on how far the shift is, that could potentially be an area where you start looking at a viaduct as well. Since the grades are dropping off.

Further, you get from the center line of the track.

That's all right.

KS **Kayla Szubielski** 1:28:26

Contour signature looks like another two feet, isn't.

PD **Phil Doody (MME)** 1:28:29

Oh.

Maybe not so much there. Yeah.

RT **Robert Tidmore** 1:28:32
And then I think it goes back up again.

KS **Kayla Szubielski** 1:28:35
Yeah, it does go back up.

RT **Robert Tidmore** 1:28:35
I think I think there's a little valley between the the rail line and then the road.

PD **Phil Doody (MME)** 1:28:37
Oh.

KS **Kayla Szubielski** 1:28:38
Yeah, you could kinda see the. You could see the contour signature here.

PD **Phil Doody (MME)** 1:28:41
OK.
So you would literally be pushing that into that flow line then basically.

RT **Robert Tidmore** 1:28:46
2nd.

PD **Phil Doody (MME)** 1:28:46
OK.

KS **Kayla Szubielski** 1:28:47
Correct.

PD **Phil Doody (MME)** 1:28:49
I have anything else to add there?

KS **Kayla Szubielski** 1:28:58
The VA direction was to maintain a viaduct at Oak Trail.

RT **Robert Tidmore** 1:29:09
Yeah, my question here was just looks like there's increased impacts.
I'm. I'm guessing that's just because the peers are bigger and so there's a greater diameter.
OK.
Alright, so it's it's minimal.

KS **Kayla Szubielski** 1:29:18

Yeah, it was in relation to switching from the FRP to the precast lab on pile, we're anticipating.

Larger or deeper, once we get into the study, heavier structure.

PD **Phil Doody (MME)** 1:29:35

Play.

KS **Kayla Szubielski** 1:29:36

But not not significant.

RT **Robert Tidmore** 1:29:36

I think I think, yeah, I think related to to all of the vav thing just so everyone is aware we're gonna, you know, we're gonna reassess as the design team goes into final schematic.

They're gonna reassess the feasibility of these VAVE suggestions and as well as the the potential cost savings and trying to take into account any additional right of way or or mitigation costs that that would that would be increased as part of this.

And if we have time at the end, I I would love to get an update from from grace. From you on the segment 5 mitigation, because I, I've, I've heard from Conservancy that those costs keep going up.

And so I just wanna be mindful that as we're talking about this value engineering process that we don't save costs on to construction only to gain them back during mitigation because it's so hard to do this work.

So hopefully there's time at the end to have that discussion.

GB **Grace Blakeslee** 1:30:34

Sounds good.

KS **Kayla Szubielski** 1:30:36

We've had some really good feedback and dialogue as well with MME and with the county and bringing, making sure in this final schematic phase we're reviewing the direction provided from this meeting that we are consulting and engaging the cost estimator so we don't get too far into a.

Design process on something that.

Ends up costing more.

Buffers.

OK.

Continuing along, we have locations that have been identified to look at lowering the trail to eliminate the surcharge wall.

Potentially having just an upper wall that's a soil nail wall which would need to be reviewed. We would.

This would require the additional geotechnical criteria for design, because that's a new wall type that we don't have parameters for currently.

RT Robert Tidmore 1:31:45

Does MME know right now we have about 25 feet from where the wall would be to the edge of the right of way.

Is that is that enough space for soil nails or we wouldn't need right of way?

PD Phil Doody (MME) 1:32:00

It does vary depending on the height of the wall. 25 feet sounds like a pretty good amount of space. So because soil nails don't have the same length as tiebacks.

It's it's pretty likely that a 25 foot long or 25 foot space is is gonna be adequate without any right of way or encroachments onto their properties.

RT Robert Tidmore 1:32:31

OK, I think my my preference in here would be as you're working through any iterations that we we try to avoid.

Any right of way needs here.

PD Phil Doody (MME) 1:32:47

Kayla this wall does get pretty high in some a couple places, doesn't it?

I can't.

I'd have to go to the wall profiles, but it it's not insignificant, retaining wall so.

KS Kayla Szubielski 1:33:02

It was a two tiered but once if we are implementing the recommendation to lower the trail and make it just a soil nail on one side, yes it is gonna get significantly taller.

So this is an example.

When we start to look at how we implement the different pieces of these comments that there's gonna be some priority and hierarchy of what piece we do first, so.

At first level, we would see well, how tall is a wall here and if we were to do a proceed with a soil net wall, try to first step determine what is that footprint that's needed.

RT Robert Tidmore 1:33:37

Uh huh.

KS Kayla Szubielski 1:33:38

Phil, like, do the first the first level passive. OK, this is now. And we see. Oh, it's gonna be 30

feet, 35 feet then come back to the team and share what we found before. We continue moving on.

PD Phil Doody (MME) 1:33:39

I think so, yeah.

Yeah, I think what Rob was saying too is, is that, that's gonna be one of the long lead time items in the the schedule.

So yeah, getting it advising on that is gonna be our first priority, I think.

KS Kayla Szubielski 1:34:19

The priority would still be to avoid right away needs.

Yeah.

Do you need the geotechnical criteria to be able to determine?

The soil nail.

PD Phil Doody (MME) 1:34:35

Certain, yeah, certainly. All all of the soil nail wall is, you know, suitable given that it the the conditions are are the correct conditions.

DM Dale Hendsbee | MME 1:34:38

Yeah.

Beginning.

PD Phil Doody (MME) 1:34:45

There's certain applications where.

Cylinder walls are not favorable.

Additional geotechnical you know, investigations will be needed in in those areas.

DM Dale Hendsbee | MME 1:35:00

OK.

KS Kayla Szubielski 1:35:03

OK.

DM Dale Hendsbee | MME 1:35:04

Yeah, there's there's design criteria that's unique. And then also is the soil just suitable for soil nail? So those are the two things we'd have to look at as part of this next phase of work with the geotech.

Nical.

KS

Kayla Szubielski 1:35:25

Thank you.

I see a note here about the zipper alignments are shifting north in this area and you made a remark that is it worth looking at roaring camp, locating the track to the north or inland to help reduce costs?

RT

Robert Tidmore 1:35:41

Yeah.

I'll call this my Riley idea outside the box, thinking, I just looking at the topographic signature, it looks like we could.

There's some space to shift the trail without our track without.

Needing any major improvements.

And hard to tell trees.

But it doesn't look like any any trees super close.

I mean, we'd be talking a three or four foot shift, but based on the steepness of those walls or or the those slopes, that could be a you know, a pretty decent reduction in mall height.

I guess this would be a question for grace is do you think?

I mean, they're already offering and proposing to do quite a bit on their dime, and I don't know what's feasible to keep asking for, but.

That was one thought I had.

If you think it's, it's possible.

GB

Grace Blakeslee 1:36:30

Give an idea about how many feet.

Not exact, but just order magnitude.

I think they'd be amenable to it.

Have to I think they probably would have the question, you know, let's go out there and look at it, of course.

But I I don't think it's.

I think it's an option.

RT

Robert Tidmore 1:36:52

That would help with that whole soil nail not needing right away feasibility thing too.

KS

Kayla Szubielski 1:37:20

I should get a new keyboard my my shift key sticks.

This was a schematic design comment that I think is worth discussing since it's related to our alignment.

Comment coming through here.

RG Riley Gerbrandt 1:37:41

What Rd.

What Rd. is that there?

KS Kayla Szubielski 1:37:44

This is New Brighton, yeah.

RG Riley Gerbrandt 1:37:44

New Brighton Dr. Rd. OK yeah.

KS Kayla Szubielski 1:37:47

And so up up to the north, I took a clip of the last iteration of the zephr alignment we've received.

And so I just wanted to check what the direction would be.

Are we gonna stay where we are?

This comment was asking if we could push.

Closer to the coastal right away where possible.

RG Riley Gerbrandt 1:38:05

We're up now.

We're we're we're up.

Oh, should you go closer?

Well, we're gonna have a station in here is, you know what the original design there is that question of whether or not we're gonna push it up to McGregor.

But that's a.

Unresolved at the moment, but for a station to be through here then.

I think you'd wanna stay.

Where you're at.

KS Kayla Szubielski 1:38:39

The direction is we can keep the trail trail alignment at its current location across New Brighton Rd.

RG Riley Gerbrandt 1:38:40

We'll give.

Yep, Yep.

KS Kayla Szubielski 1:39:11

Been along the.

Working again at viaducts globally, whether we can change those from FRP over to the precast slab on pile.

During the schematic phase.

PD **Phil Doody (MME)** 1:39:29

Kayla, I was gonna take a minute to just put this out there again. Is there a preference of the material or is it purely cost driven?

Which?

System is the best suited.

Is it you know the the FRP has advantages over the precast?

And you know the the the if it's a cost based and the VA report is right then the.

Precast has a a cost advantage over the FRP, but is there from the agency's perspective, a preference one way or the other?

You know, if they the costs were the same.

RT **Robert Tidmore** 1:40:18

What we talked about in our 1213 stage gate meeting for 8-9 was that the FRP offers the ability to maintain and remove segmented panels and maintain the slope underneath.

And that the obviously the precast would would reduce that ability or eliminate that that ability and that the RTC team had not fully.

Digested. I guess the the maintenance implications of that switch so.

Right now our current direction is to proceed with the precast because it's cheaper.

And you know, potentially stronger should a tree or something else fall on it.

But that we don't we we haven't gotten RTC confirmation on.

How that impacts maintenance, I think the the bigger issue for maintenance was on segment 9 where there was no right of way adjacent to it.

So you would have to get maintenance easements to maintain that slope. We don't really have that issue on segment 11 as much because there's State Park property.

PD **Phil Doody (MME)** 1:41:14

Yeah.

RT **Robert Tidmore** 1:41:23

But I don't know if RTC you have. You have additional thoughts or direction on that at this point because right now we're proceeding with precast.

RG **Riley Gerbrandt** 1:41:30

No new direction, but you're you're correct, Rob that.

With access on the on the right of way to be able to walk down and go underneath your the

structure.

You know, it's less of an issue than you have it for. Segment 7 for sure or segment 9.

PD **Phil Doody (MME)** 1:41:53

I'm hearing that that you're expressing probably a preference for the precast system based on. Primarily, the cost of it.

RG **Riley Gerbrandt** 1:42:03

Yes.

PD **Phil Doody (MME)** 1:42:04

And that OK.

RG **Riley Gerbrandt** 1:42:05

That's it's primarily posture and.

PD **Phil Doody (MME)** 1:42:08

OK.

DM **Dale Hendsbee | MME** 1:42:08

OK, right.

And I think I know we harp on this over and over throughout that process, but we're not convinced the cost savings are going to be as high as as they were projected just because of the foundation.

Required to support it so you know we're going to study that further obviously and that's why we're asking the question. You know, if we if we do show that the cost come out the same or or higher for the precast due to the weight due to the found.

And other parts of the substructure.

That there is the option to go back for the others if it ends up being more costly.

RT **Robert Tidmore** 1:42:48

Yeah, I I would say just like with that, that wall conversation.

As you guys, as the design team makes these discoveries, just let let me know and I will you know make sure we get give you guys.

Direction on these decisions so that you're not waiting until the final schematic package to get, you know, to get this feedback from us.

DM **Dale Hendsbee | MME** 1:43:10

Right. OK.

No, that's good.

OK. 'cause, that's just that's I mean it does fit into all of it.

The walls and all the other things that we go through because we know the soil is really bad in some areas and that does limit the system that you can use.

RT **Robert Tidmore** 1:43:16

Yeah.

DM **Dale Hendsbee | MME** 1:43:25

And so that's we're gonna discover that in places. We just need to figure out where we can and can't use the VA suggestions as we go through those or at least in our opinion that we can't.

We don't.

We don't recommend them. So. OK, good. Thank you.

I appreciate you guys clearing that up.

KS **Kayla Szubielski** 1:43:52

That there's no longer a formal crossing at the previous.

And New Brighton rail crossing here. This is not one of the ones that we're pursuing with the CPUC.

RT **Robert Tidmore** 1:44:06

That'll be between RTC and state parks.

KS **Kayla Szubielski** 1:44:09

So the trail would just continue along and we won't show any kind of new concrete track panels or ramping through here.

Correct.

RT **Robert Tidmore** 1:44:23

Well, we were.

We needed to make it so that a fire truck can access across the tracks here, and because this is an existing private crossing that does not have public access, I believe the the e-mail conversations we were we had going back and forth were that the we can just.

The RTC can just update an agreement with state parks for them to use this crossing and keep it a private crossing.

Are you?

KS **Kayla Szubielski** 1:44:52

Maybe I wasn't.

RT **Robert Tidmore** 1:44:52
Are you?

KS **Kayla Szubielski** 1:44:52
Maybe I wasn't aware it was a private crossing.
I didn't find a private.

RG **Riley Gerbrandt** 1:44:56
Yeah, it's a private.
It's a private crossing, so private crossing is when it's not at a public right of way, like a public St. and it's only used for, you know, a specific specified individuals and not available for general public to cross so.

KS **Kayla Szubielski** 1:44:59
OK.

RG **Riley Gerbrandt** 1:45:16
Typically you would have like gates, and that's my understanding, right, Rob, is that the, you know, the access would be restricted to State Park personnel and maintenance and emergency vehicles and would be probably gated otherwise.
People wouldn't be able to drive across it.

RT **Robert Tidmore** 1:45:31
I don't know that we'd have a gate there.

RG **Riley Gerbrandt** 1:45:31
Something to that effect.

RT **Robert Tidmore** 1:45:33
There's a gate at New Brighton Road to access the existing fire Rd.
So a a vehicle could not get to the tracks currently and and in the future.

RG **Riley Gerbrandt** 1:45:46
Yeah, so provided the the general public is is not, you know, allowed or permitted to to access a private crossing and it's a private crossing.
And Gates are sometimes, like, not, not arms, like crossing gates, right?
I'm just talking about like, a a swing gate or something or or even some other things.
A chains. It could be employed for keeping the general public off.

Sometimes that's needed, but in a general sense.

Private crossing doesn't need to be designed for public grade crossing.

RT

Robert Tidmore 1:46:19

Right.

KS

Kayla Szubielski 1:46:24

I guess I just never found the private crossing number in my previous research. So OK, thank you.

RT

Robert Tidmore 1:46:27

Yeah, sorry I can send that to you.
Yep.

KS

Kayla Szubielski 1:46:33

After that location, looking at.

RT

Robert Tidmore 1:46:33

Yeah. Quick, quick, quick.

KS

Kayla Szubielski 1:46:36

Says soldier Pilewall with MSE.

It's one or the other.

A replace soldier by wall. Sorry. With MSE, wall through the stretch.

We can study that.

Similar remarks, we need geotechnical parameters to be able to study MSE walls. We also need to look at this in the proximity to the rail line and it be whether or not it's gonna fall within the zone that would be subject to a railroad surcharge.

PD

Phil Doody (MME) 1:47:14

It would also be helpful for.

The agencies to give us direction on, you know which one of the many varieties of MSC Walls they're envisioning here.

Because basically all of them are proprietary so.

You know, it'd nice to have a an idea of which wall system you want to go with.

Run.

RT

Robert Tidmore 1:47:45

Yeah, I don't have.

I do not have familiarity with those.

I guess this would need to come from RTC since you would eventually own these improvements.

Do you have thoughts on that or is that a that can be a follow up action item for RTC to provide?

RG

Riley Gerbrandt 1:48:02

We have no thoughts at this point.

We don't know the the the details on it, so we would need to work through that with the design team.

KS

Kayla Szubielski 1:48:13

As a starting point, do you have any?

But MSE Wall systems are you using on segment 12 for example?

Is that, would that be a starting point?

You want our team to look at.

RG

Riley Gerbrandt 1:48:27

We would need to.

Let's just meet 'cause I I don't.

KS

Kayla Szubielski 1:48:29

OK.

RG

Riley Gerbrandt 1:48:29

I don't even know where those ones at. I haven't been involved in the segment 12 design so.

MS

Mike Sherrod 1:48:35

I think the.

DM

Dale Hendsbee | MME 1:48:35

Yeah.

MS

Mike Sherrod 1:48:36

Place to start. I think the place to start, Phil.

RG

Riley Gerbrandt 1:48:36

Got me flat footed.

MS

Mike Sherrod 1:48:39

So there was no product types selected, it was just through the value analysis. A generic MSA

wall would be more cost effective.

I believe it's up to our group to figure out what what makes the most sense.

A starting point for a conversation would go back to the VA team, which was Mark Thomas when they did their cost calculations. What system were they envisioning?

That seems to me the easiest thing to do.

We start there.

DM Dale Hendsbee | MME 1:49:06

Right. I mean.

MS Mike Sherrod 1:49:07

Based on something so they may have that well, we're using this type.

DM Dale Hendsbee | MME 1:49:12

And a lot of it has to do with aesthetics, right?

It's the facing of the wall that's, you know is unique and proprietary because the anchorage and the facing go together and the anchorage systems to go with them.

So it's, you know, in the course the facings can be.

Quite a variety and they all have the cost implication as well.

So in some of these you probably would never see.

So it that that's kind of what we're asking or just there are a lot of different versions out there.

So we just something as a benchmark that's.

If they're using it on segment 12 or whatever that we could have some consistency, which would probably make sense.

I mean to me anyway, through the trail system. But yeah, that would help us to have a baseline to start with.

RG Riley Gerbrandt 1:49:55

Understand Mike and and Dale.

Maybe Phil, too. Could you draft up?

A.

One or two paragraph e-mail that I could send over to to Mark Thomas.

That would encapsulate the question that you have at hand as a starting place.

And we can then get their way in. I mean, I could ask the question, but I might miss something that you're keen on, so.

DM Dale Hendsbee | MME 1:50:16

Yeah. Yes, yeah, absolutely, yeah.

Right now, understood.

Yeah. No, that's fine.

We can do that, yeah.

RG **Riley Gerbrandt** 1:50:25
OK.

KS **Kayla Szubielski** 1:50:27
We got 7 minutes left. Keep going through the alignment, rob, OK.

RT **Robert Tidmore** 1:50:30
Yes, yes, I think I'm trying to look through if there's any critical pieces they could ignore that.

KS **Kayla Szubielski** 1:50:34
This was.
Ignore it.

RT **Robert Tidmore** 1:50:38
Yep.

KS **Kayla Szubielski** 1:50:38
So are we keeping the trail where it is?

RT **Robert Tidmore** 1:50:42
Separate separate's moving inland so that conflict doesn't exist anymore.

KS **Kayla Szubielski** 1:50:45
K.

RT **Robert Tidmore** 1:50:49
Come back to that guardrail question.

KS **Kayla Szubielski** 1:50:55
Similar remarks on viaducts.

RT **Robert Tidmore** 1:50:56
Umm.
Yeah, states drive.
There was request to move US S but Zephrit is clear of our of our trail here so.
I think that's that's an updated comment from schematic design.
So we can we can move on past that.

KS **Kayla Szubielski** 1:51:14
 Gonna look at this Virginia item at the states.
 Reduce overall length of the viaduct.
 Use a soldier pile or MSE fill wall on the approaches.
 I miss you.
 All similar remarks would have to look at.
 Surcharge from the rail.
 We're looking at the different wall types through here if we can.
 How much of that we could reduce from a viaduct if usable?

RT **Robert Tidmore** 1:51:46
 Right. And there's there's right of way impacts here as well?

KS **Kayla Szubielski** 1:52:01
 We have a portion from the VA we suggesting to look at an MSC wall pending with the drainage solution would be.
 For along with adjacent residence.

PD **Phil Doody (MME)** 1:52:12
 Play.
 I just wanna. Yeah, I just wanna add that when you have utilities behind the MSE walls, it does pose a problem.

KS **Kayla Szubielski** 1:52:14
 Yep.

PD **Phil Doody (MME)** 1:52:22
 So that's one of the things that MSE walls, you know, you try to avoid.
 So even if we switch to MSE wall for a portion of that, you may not be able to fully depending on on that culvert behind it. You may have to have something different in that one little area.

RT **Robert Tidmore** 1:52:44
 OK.
 I.
 I I think my understanding is we do need to accommodate drainage underneath the trail in this area 'cause we would be building the trail on top of an existing pipe so that should be taken into account in the in the design and if it's not feasible to use.
 An MSE wall there then. Then we can't.

PD Phil Doody (MME) 1:53:04
K like yeah, I should.

RG Riley Gerbrandt 1:53:04
Unless the county wants to to to redirect drainage in the area.
Be nice.

PD Phil Doody (MME) 1:53:12
Kayla, you should say can't as opposed to can.
It just needs the soil reinforcement that is buried in the soil behind the wall just interferes with utility sometimes, so you know you have to consider that interaction when you're selecting the wall.

KS Kayla Szubielski 1:53:37
OK.
So the priority is the drainage and then the wall type will be.
Secondary, is there any updates that the counter needs to provide us in relation to this property at this time?

RT Robert Tidmore 1:53:50
Started negotiations.
Well, not negotiations.
I started discussions with the property owner. She's potentially open to it, but she she wanted to get an appraisal and we're a long way away from that.
That's one of those ones where I'm hoping we can start.
We can do an early appraisal after our final schematic design because that I think that's gonna be one of our more tricky acquisitions. At least she's supportive of the project.

KS Kayla Szubielski 1:54:15
Yeah.

RG Riley Gerbrandt 1:54:17
I'm just.

KS Kayla Szubielski 1:54:17
For those that don't know, it's a newer property owner.

RT Robert Tidmore 1:54:20
Yes.

RG Riley Gerbrandt 1:54:23

Are there any encroachments that they have with us or on our TC property?

Rob, so you're aware.

I think there's as as it affects drainage through this area.

I think there's some one point. There was county pipes from the north that went through the property to the north and then discharged in there, so.

RT Robert Tidmore 1:54:43

Yeah, yeah, yeah, yeah.

I'm I'm familiar.

Yeah, there's pipes underneath underneath her property.

RG Riley Gerbrandt 1:54:49

The one on the north.

RT Robert Tidmore 1:54:51

On the South.

RG Riley Gerbrandt 1:54:53

Yeah, I'm talking about the one in the north.

There was some Rd. drainage or something like that that came up South and then just charges.

At like Station 116 somewhere around there.

RT Robert Tidmore 1:55:05

That's true, yes, from the adjacent private property, correct.

RG Riley Gerbrandt 1:55:07

And then go then goes underneath the the tracks. If there was, you know, drainage improvements needed there. There might be a way to.

RT Robert Tidmore 1:55:10

Right.

RG Riley Gerbrandt 1:55:17

Look at minimizing the that flow, that that could potentially help the the trail.

RT Robert Tidmore 1:55:26

Right. There's also. Yeah. There's also a storm drain line that connects in from the South too. So we wouldn't be able to fully eliminate it.

RG

Riley Gerbrandt 1:55:32

Got it. OK.

RT

Robert Tidmore 1:55:33

Yep.

All right, so 2 minutes left. I think all those comments along improving the connections at Marvista.

I think we get those are pretty minor.

We can adjust that. I think the big question in here is where where is eppert landed Riley? If you could give us an update.

RG

Riley Gerbrandt 1:55:48

Yeah, I can I have.

I can, yeah.

So we did two analysis, which is is why we have a had a little bit delay in getting these final information to you.

RT

Robert Tidmore 1:55:51

Awesome.

RG

Riley Gerbrandt 1:56:00

I was expecting the exhibits already, so I apologize for that, but.

We we can avoid the impacts to the trail through here.

From marvista.

To State, Park and even even beyond State Park.

What we can do is shift the the track alignment to the to the coast so we can leave the trail as it is from marvista to the State Park.

And then it makes a little bit of a challenge at this that the Marvista crossing for for Zephyr, because then you have to come back in and there'll be some things that we need to resolve, but we'll just resolve those in the future.

If separate goes forward, goes forward.

We did also look at the option of. Yeah, we also did look at the option of could the trail go on the coastal side?

RT

Robert Tidmore 1:56:55

Great news.

RG **Riley Gerbrandt** 1:57:01
Should it desire to do so?
And that could also work as well.
And then we could.
Then we could bring the trail over at State Park.
I have a feeling that's not desired.

RT **Robert Tidmore** 1:57:13
Correct.

RG **Riley Gerbrandt** 1:57:14
We did look at that as well.

RT **Robert Tidmore** 1:57:15
I think we'll keep it as is. Thank you. That's awesome.
Alright. Well, we're at 11.
I know there's a there's a zipper thing or AVAVE thing.
Here, we'll we'll look at that in final design.
Thank you everybody.
That was a lot.
I think that was a a great discussion.
I appreciate everybody's input.
And we'll share this recording and RM will put together meeting minutes, which we'll share out probably after the holidays.

MM **Matt Machado** 1:57:49
Awesome. Thank you all. Great discussion.

KS **Kayla Szubielski** 1:57:50
Thank you.

DM **Dale Hendsbee | MME** 1:57:51
Alright, thank you.

RT **Robert Tidmore** 1:57:51
Yeah. Thank.

RG **Riley Gerbrandt** 1:57:52

Thank you all and and Rob, as soon as I get any additional information, I'm gonna touch base with you.



Matt Machado 1:57:53

Merry Christmas.



Dale Hendsbee | MME 1:57:56

He said, oh, look, I'm not fasting here.



Robert Tidmore 1:57:58

OK, sounds good.

Yeah, happy.



Riley Gerbrandt 1:57:59

Yeah.



Robert Tidmore 1:57:59

Happy holidays everybody.



Phil Doody (MME) 1:58:01

Yeah. Happy holidays.



Kayla Szubielski 1:58:01

Do you have a?



Dale Hendsbee | MME 1:58:02

Mom, this you too?



Kayla Szubielski 1:58:04

Do you have a meeting after this?



Robert Tidmore 1:58:05

Yeah, no.

Can talk.



Morgane Staake 1:58:09

You want me to stay on Kayla?



Kayla Szubielski 1:58:09

Vivi.

RT

Robert Tidmore

1:58:11

Thanks, Riley.

KS

Kayla Szubielski

1:58:11

Sure, you can pause the OR end the recording maybe.

MS

Mike Sherrod

1:58:20

Hmm.

☐

Robert Tidmore

stopped transcription

GROVE LANE TO CO

Item 2 B.



Proposed
Crosswalks w/
Beacons for Trail
Access
(red arrows)

Proposed Park Ave
Alignment
(yellow dashed line)



**Part A3: Project Type**

PROJECT TYPE: (Use the drop down menu to select.)

Infrastructure + NI - Large

Will construction funds be requested for this project?

☒ Yes ☐ No

* Large Projects are not required to request construction funds

Explain when and what funds are proposed to fund the construction phase.

Should this project be awarded funding, construction is expected to start in spring/summer 2025 and last approximately 18 months. A combination of ATP Cycle 6 funds and local Measure D Active Transportation funds from the Regional Transportation Commission will fund the construction and noninfrastructure programming included in this application.

Indicate any of the following plans that your agency currently has: (Check all that apply)

☐ Bicycle Plan ☐ Pedestrian Plan ☒ Safe Routes to School Plan ☒ Active Transportation Plan ☐ None☒ Other plans that include Bicycle and/or Pedestrian Improvements RTP, Monterey Bay Sanctuary Scenic Trail Master Plan

Is your project in a current Plan?

☒ Yes ☐ No

PROJECT SUB-TYPE (check all Project Sub-Types that apply):

☒ Bicycle Transportation % of Project 50 %☒ Pedestrian Transportation % of Project 50 %☒ Safe Routes to School (Also fill out Bicycle and Pedestrian Sub-Type information above)

For a project to qualify for Safe Routes to School designation, the project must directly increase safety and convenience for public school students to walk and/or bike to school. Safe Routes to Schools infrastructure projects must be located within two miles of a public school or within the vicinity of a public school bus stop and the students must be the intended beneficiaries of the project. For Safe Routes to School non-infrastructure, the program must benefit school students/parents and primarily be based at the school.

☒ Safe Routes for Seniors

Safe Routes for Seniors projects increase walking, biking, and safety among older adults and create routes that connect to activities that improve quality of life.

☒ Trails (Multi-use and Recreational): (Also fill out Bicycle and Pedestrian Sub-Type information above)Do you feel a portion of your project is eligible for federal Recreational Trail funding? ☒ Yes ☐ No

If yes, estimate the total project costs that are eligible for the Recreational Trail funding: \$67,600,000

If yes, estimate the % of the total project costs that serve "transportation" uses? 100 %

Applicants intending to pursue "Recreational Trails Program funding" **must submit** the required information to the California Department of Parks and Recreation prior to the ATP application submissions deadline. (See the Application Instructions for details)

*Recreational Trail funding can only fund work outside of the roadway Right-of-way.

Fill out the school information only if you selected the Safe Routes to school project sub-type option above.

How many schools does the project impact/serve: 10

For each school benefited by the project: 1) Fill in the school and student information; and 2) Include the required attachment information.

TECHNICAL MEMORANDUM

To: Kailash Mozumder and Steve Jesberg, City of Capitola
From: Derek Wu P.E. and Frederik Venter P.E., Kimley-Horn and Associates, Inc.
Date: May 26, 2022

Re: **Park Avenue Traffic Calming – Corridor Alternatives and Recommended Improvements**

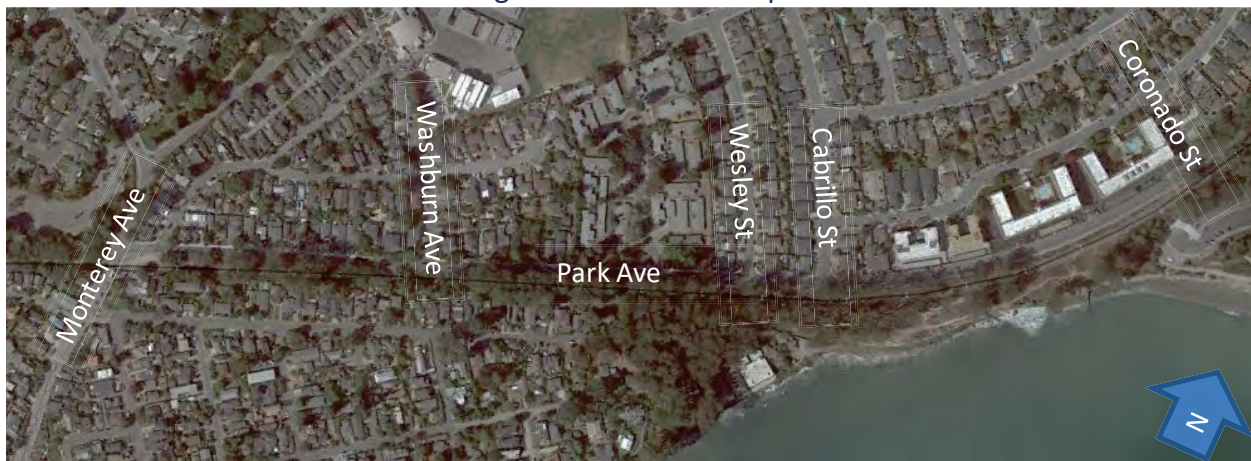
This technical memorandum presents the findings of potential traffic calming impacts to Park Avenue in the City of Capitola. The City of Capitola (City) is planning to construct traffic calming improvements on Park Avenue from Monterey Avenue to Coronado Street to reduce vehicle speeds and improve accessibility for bicyclists and pedestrians along the corridor.

1. Existing Conditions

Park Avenue between Monterey Avenue and Coronado Street is an existing east-west two-lane arterial facility with a curb to curb roadway width between approximately 30 to 40 feet. It is an asphalt paved road with one lane in each direction and provides direct access to single-family homes on the north side, the City's downtown village to the south, and freeway access to Highway 1 to the north. Numerous residential driveways and local streets, such as Washburn and Cabrillo, intersect Park Avenue as stop control on the minor approach. This section of Park Avenue is also part of the Pacific Coast bike route that runs from Half Moon Bay to Watsonville.

The Park Avenue roadway cross-section generally consists of 10.5-foot travel lanes, Class II bike lanes, a 5-foot wide sidewalk on the northside, and a variable wide shoulder on the southside. On-street parking is prohibited along Park Avenue except for signed areas on the southside. The posted speed limit is 25 mph, and an existing electronic speed feedback sign is located east of Cabrillo Street in the eastbound direction. An overview map of the study roadway segment is shown below in **Figure 1**.

Figure 1: Overview Map



2. Speed Survey Review

Speed zones are primarily established to protect the public from the unreasonable behavior of reckless, unreliable, or other dangerous drivers. Typically, speed limits are generally established at or near the 85th percentile speed (critical speed), which is defined as the speed at or below which 85 percent of traffic is moving.

In January 2020, the City conducted an Engineering and Traffic Study to determine vehicle speed limits per the California Vehicle Code and using speed survey data. For Park Avenue, the observed 85th percentile speed was 31 mph in the eastbound and westbound direction. The study recommended that a 25 mph speed limit be implemented in concurrence with the MUTCD. The 25 mph speed limit was obtained by a 5 mph reduction of the critical speed of 30 mph due to the existing number of access points, residential district density, and pedestrian and bicycle safety.

In July 2021, an additional speed survey was conducted. The speed survey collected an average daily traffic of 6,294 using tube counters to calculate vehicle speeds traveling along Park Avenue. The observed 85th percentile speed was 33 mph in the eastbound direction and 35 mph in the westbound direction. These observed 85th percentile speeds exceed the 25-mph posted speed limit on Park Avenue. A copy of the 2020 and 2021 speed surveys are attached in the **Appendix**.

3. Traffic Calming Design Alternatives

Kimley-Horn was tasked to evaluate potential traffic calming alternatives on Park Avenue that would reduce vehicle speeds and improve roadway conditions for bicycle and pedestrian access. Geo-referenced aerial photographs and Santa Cruz County GIS data were used to establish a base map for determining existing topographic features and developing preliminary concepts.

Up to three (3) alternative traffic calming concepts were developed for Park Avenue between Monterey Road and Coronado Street. The layouts of each traffic calming alternative are summarized below and attached in the **Appendix**.

Alternative 1 – Road Diet Striping

Improvements under Alternative 1 consist of striping buffer bike lanes and narrowing the vehicle traffic lanes enhance bicycle accessibility along Park Avenue. The existing Park Avenue roadway cross-section between Monterey and Cabrillo is 30' to 34' wide. **Since this arterial facility needs to maintain Class II bike lanes and one vehicle travel lane in each direction**, there is limited space and opportunities to introduce multiple traffic calming features. However, a road diet striping layout that incorporates green bike markings and buffer bike striping where there is adequate space is feasible. In addition, an electronic speed feedback sign in the westbound direction is proposed at the Washburn intersection.

- Road diet striping from Monterey to Coronado
- Buffered Class II bike lanes and green bike striping at conflict zones
- Speed feedback sign at Washburn

Wyatt, Rosie

From: yarmi74 <yarmi74@netscape.net>
Sent: Monday, April 14, 2025 1:53 PM
To: City Council
Subject: YES on the Rail Trail!!

I support the construction of a wide, safe, separated, protected Rail Trail next to Park Avenue and am looking forward to using it. Please vote YES in support of the Rail Trail to increase alternative transportation connecting Capitola and Santa Cruz.

Thank you for your consideration!
Amy Thompson
Santa Cruz resident

Wyatt, Rosie

From: Moose <mooseis@cruzio.com>
Sent: Monday, April 14, 2025 2:03 PM
To: City Council
Subject: The Rail Trail option B!

Hey city council and the mayor of Capitola. I like option B and A is also pretty good. Please vote for this and get it done so we can move forward. There's a lot of malarkey flying around this Rail Trail we voted for I think twice in this county positively And people keep trying to screw it up!! let's go forward with the Rail Trail thank you very much.

Morris Mitchell.

Wyatt, Rosie

From: Bill Gray <graybil@gmail.com>
Sent: Monday, April 14, 2025 2:30 PM
To: City Council
Subject: UpComing Public Hearing on Park Ave Routing of Trail Traffic

As a longterm Capitola resident, I object to the entire process. As I understand the chronology, it is: the RR tracks, trestle, and road system are pre-existing; the RTC purchased or otherwise gained legal control over the RR; City of Capitola voters passed Measure L forbidding the City to use any resources to relocate trail traffic to City streets - a proxy for keeping trail traffic on the trestle; and the RTC proposes to relocate trail traffic to Park Ave in violation on Measure L.

You may not like the wording of Measure L, but you all know what the will of the people is. End of story.

Should any of you chose to vote contrary to the will of the residents, you will be responsible for tearing this community apart. Please do not do that. Let's work to heal this country, starting here in Capitola, not pit neighbor against neighbor.

Thank you for listening,

Bill Gray
1440 Prospect Ave
Capitola

Wyatt, Rosie

From: Eva Brunner <evasbrunner@gmail.com>
Sent: Monday, April 14, 2025 4:43 PM
To: City Council
Subject: Rail and Trail Project - Choose Option A or B

Hello Capitola City Council Members -

I support the rail and trail project. I understand that the .7 mile segment through Capitola is controversial and confusing to some folks. I fully support Options A and B. I hope that you do too. The fact that neither option A or B will require funding from the City of Capitola. My preference is option B, but I support option A as well.

I look forward to completion of each segment of the trail over time. I look forward to using this section of the trail in the future. I also look forward to using the train when that day comes.

Thank you.

Eva Brunner
Santa Cruz, CA

--

Eva Brunner

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Wyatt, Rosie

From: Joe Williams <resist.jw@gmail.com>
Sent: Monday, April 14, 2025 5:44 PM
To: City Council
Subject: Coastal Rail Trail Segments 10 & 11

Dear City Council Members,

I am a Live Oak resident living near 38th & Brommer on Garden St. The rail corridor is right around the corner from me.

I am employed by Dominican Hospital, a voting delegate on the Monterey Bay Central Labor Council and President of the Board of Directors at the Resource Center for Nonviolence.

I am writing to urge you to accept RTC's Option A at your Thursday 4/17 council meeting as the best solution for this segment of the rail trail.

Thank you for your consideration.

Best regards,

Joe Williams

.

Wyatt, Rosie

From: mj slade <mjsriodel@yahoo.com>
Sent: Monday, April 14, 2025 6:00 PM
To: City Council
Subject: Please move forward with option B or A

Hello,

I am a long time resident of Rio Del Mar and would love to see a rail and trail option, with no rail banking.

Please choose option B or A. Both options provide affordability and will remain within budget. Both options provide a fully seperated raised class 1 trail w a 3 foot buffer offering a safe route between Depot Hill and New Brighton state beach. This will offer spectacular views of Monterey Bay and will beautify the area even more. Option B is shifted further inland , leaving more habitat for the monarch butterfly with no cost to Capitola. This important section links Capitola to Seacliff, Rio Del Mar & Aptos.

I agree w residents of Capitola that do not want ebikes in the village. The trestle bridge will need to be rebuilt, but state and federal funds will be required for such a major transportation asset.

Safe active transportation is critical to our shared future. I greatly appreciate the work of Capitola City Council, city staff, county employees and especially the RTC for their diligence in creating our Coastal Rail Trail.

Please vote to proceed...successful completion of this project is contingent on moving forward with the fully funded plan that will benefit the entire community for generations. Failure to advance will jeopardize funding.

Thank you!

With respect for you and our future,

Maryjane Slade

Rio Del Mar

Wyatt, Rosie

From: Jonah Henry <jonahjacobhenry@gmail.com>
Sent: Monday, April 14, 2025 8:42 PM
To: City Council
Subject: Re: Public comment for meeting on April 17, 2025

Good evening,

Could you please make sure that my comment is entered into the record as received correspondence? I do not see it in the current agenda packet.

Thanks,
Jonah

On Wed, Apr 9, 2025 at 9:22 PM Jonah Henry <jonahjacobhenry@gmail.com> wrote:
Mayor Clarke, Vice Mayor Pederson, and City Council Members Jensen, Morgan, and Orbach,

I was not able to attend the April 2 special meeting in person but I watched the video recording online and have reviewed the February 13 staff report. Thank you for hosting the meeting and for making these materials accessible.

I am emailing to ask that you please vote yes to approve the trail alongside Park Avenue. As someone who relies on the bus and biking to get around Santa Cruz County, protected bike lanes like these make my commute safer, faster, and less stressful. In addition, as other community members have already addressed, I am concerned that the City's failure to approve this segment of the rail trail could potentially threaten the County's eligibility for the \$67.6 million state grant for segments 10-11 of the rail trail. This is a loss that County residents would rue for generations to come. I respect that the City Council wants to examine this issue as carefully as possible before reaching its final conclusion, but I think it is clear now that the benefits outweigh the costs. The delays cannot continue any longer; I ask that you please vote yes today. Thank you for considering my input.

Sincerely,
Jonah Henry (he/him)

Wyatt, Rosie

From: Bennett Williamson <bennett.williamson@gmail.com>
Sent: Monday, April 14, 2025 9:25 PM
To: City Council
Subject: Vote yes on the Rail Trail on the 17th

Dear Capitola City Council -

I urge you to vote to approve the Rail Trail at your special meeting on April 17th.

Capitola has a charming, walkable, and beautiful downtown, and while I live nearby in the County I rarely visit, as the traffic congestion from cars detracts from the experience and makes it frustrating to get in and out. By contrast, I have really enjoyed biking (and taking the bus, and walking, and riding BCycle) into and around Capitola. Those have been the times that I have stayed and spent my money at Mijo's and enjoyed the ocean views.

The Rail Trail will bring more people like me to spend our dollars in Capitola without adding to the car congestion that is in the village today. This unprecedented \$67 million dollar grant - literally the largest Active Transportation Grant ever awarded by California - is an incredible opportunity that you should not refuse, especially given the uncertainty of Federal and State funding under the current administration.

Please vote Yes!

- Bennett Williamson
Santa Cruz County District 5

Wyatt, Rosie

From: Forest, Karl (karlforest1@gmail.com)
Sent: Monday, April 14, 2025 9:30 PM
To: City Council
Subject: Please Vote Yes on Rail Trail Option

Hello,

My name is Karl Forest and I live at 516 Oak Dr in Capitola. I would like to advocate for the City Council to approve the RTC's recommendation to move the trail portion of the trail from the Village along Park Avenue so it is between Park Ave and the existing line. This means changing the original plan to add the trail alongside the tracks on the ocean side.

This would cost less, better connect the Village and Cliffwood Heights, and would impact the butterfly habitat less. The trail will be separated from the road, and of the two options, it seems removing bikes from the road entirely and having them ride the trail seems the safer option.

As I understand it, this option would also lessen encroachment impacts with properties along the right of way.

As I understand Measure L, it was designed to stop Capitola from participating in relocating the trail from the rail on the trestle. This was designed to try to stop the rail at a key point in the path and to force bike traffic onto Village streets. That intent has nothing to do with this portion of the rail/trail.

If the city needs to donate a small bit of land to accomplish this, it seems like a win for our community. We also need to show leadership for the county; time and time again county residents, including Capitola residents, have supported the rail/trail concept. Capitola should do its part to contribute.

Please vote yes on one of the options presented to you on Thursday night. To vote no seems to me to be shirking our community's responsibility to the rest of Santa Cruz County, and to be playing into the hands of a minority of wealthy residents who have one goal in mind: to tear out the rails now.

Thank you for your consideration.

Karl Forest

Wyatt, Rosie

From: Nanou <cnanou@gmail.com>
Sent: Tuesday, April 15, 2025 8:29 AM
To: City Council
Subject: I'm a Capitola resident—Vote YES on the trail and Keep the Rail

Dear Capitola City Council,

As a resident of Capitola, I am writing to strongly encourage you to vote YES on the construction of the trail for our community. This project will provide safe, easy, and accessible recreation and transportation options for residents of all ages.

I also urge the council not to get involved in an expensive and unnecessary legal battle over control of the rail line, which the city does not own. Such a fight would be a waste of Capitola's limited resources—resources that would be far better spent on projects that directly benefit our residents, like the trail.

Please support the trail and keep Capitola's focus on what matters most: improving the quality of life for everyone in our city.

Thank you for your consideration.

Sincerely,

Anne Guionnet

Capitola Resident since 2010

Wyatt, Rosie

From: Alfred carlson <alcarlton@aol.com>
Sent: Tuesday, April 15, 2025 10:53 AM
To: Alfred Carlson; Kahn, Jessica; City Council; GERRY JENSEN
Subject: Re: RAIL/ TRAIL SPECIAL MEETING

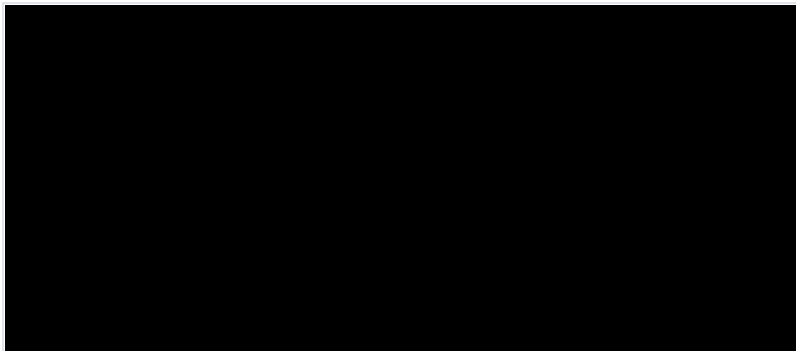


LET'S DO IT RIGHT THE FIRST TIME. GOING THROUGH TOWN AND REPLACE THE STOCKTON BRIDGE WOULD BE MORE EXPRESSIVE THAN DONG IT RIGHT THE FIRST TIME BY UPGRADING THE RAILROAD BRIDGE AND ADDING THE TRAIL TO SIDE OF R/R BRIDGE LIKE SANTA CRUZ DID. AL CARLSON

Capitola City Council to weigh in on contested rail trail design at special meeting



By [PK Hattis](#) | pkhattis@santacruzsentinel.com | Santa Cruz Sentinel



PK Hattis

PK reports on health, transportation and the Santa Cruz County Board of Supervisors for the Sentinel. He was bor...

PUBLISHED: April 14, 2025 at 3:07 PM PDT

CAPITOLA — After a two-month delay, the stage has been set for Capitola leaders to weigh in on the design of a multi-use trail that traverses the cityscape.

At a [special meeting set for 5:15 p.m. Thursday](#), the Capitola City Council will choose where it would like a pair of Coastal Rail Trail segments stretching 4.5 miles across the city to be placed.

Segments 10 and 11 of the rail trail project, spearheaded by Santa Cruz County in partnership with the county Regional Transportation Commission, move from 17th Avenue in Live Oak to State Park Drive in Aptos and are part of a larger trail network that is planned to span the entire county and region.

But for the county to secure a \$67.6 million Active Transportation Program grant it was previously awarded by the California Transportation Commission, it must finalize the design and put in a request for construction funding. And while that request doesn't need to be submitted until April 2027, the final design, permitting, utility coordination and right-of-way agreements are laborious enough to require about 24 months of work.

Two possible alignments for Capitola's trail segments along Park Avenue have been proposed by city staff in consultation with the county and transportation commission, but both would result in a new 12-foot-wide trail along the coastal side of the roadway, separated by a 5-foot buffer.

The recommended first option, referred to in the staff report as "option A," preserves the existing bicycle lane on the inland side of the thoroughfare with a dedicated space for on-street cyclists heading toward Capitola Village, according to the staff report. On the other hand, option **B eliminates the inland bicycle lane to reduce construction costs and minimize tree removals. Either alignment also requires construction of a new pedestrian rail crossing at Coronado Street.**

The video player is currently playing an ad. You can skip the ad in 5 sec with a mouse or keyboard

But there's a third option that has been the subject of much public debate and scrutiny. The City Council reviewed similar Park Avenue designs at a [Feb. 13 meeting](#), but it decided to punt the decision after a contingent of city and county residents arrived at the meeting in protest of the choices. They did so on the basis of Measure L, passed by Capitola voters in 2018.

Capitola City Council takes look at rail trail segments, roundabout along...

Planning at a couple of high-profile transportation corridors in Capitola will be scrutinized this week by city ...

The measure added a section to city code, Chapter 8.72 Greenway Capitola Corridor, encouraging development of the trail within the rail line corridor, [according to city staff](#). But those against the Park Avenue plans contend that it's more than just encouragement, and they demand that the planning involves placement of the trail in the rail corridor.

However, planners say this poses a problem, especially at the aging Capitola Trestle, which is not included in the segment 10 and 11 design or funding plans. A cantilevered pedestrian or bicycle path attached to the trestle is infeasible, according to the staff report, and if a trail was planned on it, it would require an estimated \$7 million investment in repair and construction work previously detailed in a 2021 study.

Any repurposing of the trestle would also require railbanking, an elaborate process managed by the federal Surface Transportation Board with an aim to temporarily repurpose the rail corridor.

If the council declines to approve the Park Avenue alignment, according to the staff report, the county is likely to pursue a previously studied route along a coastal bluff. This will bring with it engineering and construction challenges that carry significantly higher financial burdens and fewer neighborhood connections, among other things.

Still, that is the option that is likeliest to get a serious look because if the section of trail running 0.7 miles through Capitola is removed entirely from planning, it disrupts the broader trail's network — something state authorities have cautioned would jeopardize the \$67.6 million grant that makes the project possible.

After the February delay, the city staff organized a town hall to further engage with the public about the Park Avenue alignments. The event drew a crowd and provoked at least 400 questions from more than 170 community members.

At the request of the council, some kind of discussion or clarification of Measure L has also been agendaized for the Thursday meeting.

If you go

What: Special Capitola City Council meeting.

When: 5:15 p.m. Thursday.

Where: 420 Capitola Ave.

Why: Park Avenue alignment for Coastal Rail Trail segments 10 and 11.

-
-
-

Around the Web

Wyatt, Rosie

From: Mark Block <markablock@gmail.com>
Sent: Tuesday, April 15, 2025 11:05 AM
To: City Council
Subject: Rail Trail Segments 10 & 11

Dear Council Members,

We are writing to let you know of our strong opposition to the RTC's requested changes for segments 10 & 11 of the Coastal Rail Trail. As you know, these changes to the initial plans include diverting the trail off the Capitola trestle, taking pedestrians and bicyclists through the village, and moving the Park Avenue portion away from the rails onto the Park Ave. right of way. We attended the February council meeting as well as the follow up meeting the RTC sponsored at New Brighton Middle School. Unfortunately we were out of town for the April 2nd town hall. We are absolutely convinced there is no real safe way to implement these changes. We are very appreciative that council member Jerry Jensen insisted on more information at the February meeting and council members Margaux Morgan and Joe Clarke supported that. The definite feeling we had was that the RTC and the County were attempting to pressure the council and the whole community to quickly acquiesce and be done with it. I strongly urge you to reject these changes and keep the trail as originally planned. We have lived in Aptos, and now Capitola, for the last 43 years and are committed to keeping our community safe for all.

Thank You,

Gretchen Werner & Mark Block

Mark Block
markablock@gmail.com

Wyatt, Rosie

From: Hil <hilary.hamm@gmail.com>
Sent: Tuesday, April 15, 2025 11:14 AM
To: City Council
Subject: Please consider....

Dear Mayor Clarke, Council members Orbach, Morgan, Jensen and Pedersen,

For the safety and enhancement of the quality of life of county citizens and visitors both current and future, please Vote YES for Option A or Option B to allow the RTC Rail Trail project to proceed.

Thank you very much,
Hil Hamm
Santa Cruz, CA

Wyatt, Rosie

From: Jim MacKenzie <jimmo@cruzio.com>
Sent: Tuesday, April 15, 2025 11:37 AM
To: City Council
Subject: Capitola City Council Meeting, April 17, 2025: Park Avenue Alignment of the Coastal Rail Trail

Follow Up Flag: Follow up
Flag Status: Flagged

Mayor Clarke, Vice Mayor Pedersen, and Councilmembers Jensen, Morgan, and Ohrbach:

I strongly urge you to APPROVE either Option A or Option B of the SCCRTC's proposed alignment of Segment 11 of the Monterey Bay Sanctuary Scenic Trail (MBSST) along Park Avenue, without fear of favor, and notwithstanding the numerous threats, veiled or overt, made by various members of the public during the Oral Communications period of your April 10, 2025, meeting.

These individuals included the principal sponsor of Greenway's Capitola Measure L*, which, following its narrow passage by only 206 votes in 2018 became codified as Section 8.72 of the Capitola Municipal Code.

Threats included:

- Recall proceedings against any Capitola Councilmember who votes YES on the RTC's Park Avenue trail alignment;
- A lawsuit against the City of Capitola for not applying Section 8.72 of the Capitola Municipal Code to reject the RTC's proposed Park Avenue trail alignments;
- Lawsuits by residents of rail-adjacent Pine Tree Lane for something (not sure what).

I would like to add that this is not a vote for or against RTC's passenger rail project. It is solely about approving a proposed alignment of the Monterey Bay Sanctuary Scenic Trail Segment 11 — a section of the California Coastal Trail, as established and codified as a statewide initiative in the California Coastal Act(s) of the 1970s — alongside, and physically separated from, Park Avenue in the City of Capitola.

This is also not a vote having anything to do with the Capitola Rail Trestle.

No "promises" were ever made in the MBSST master plan, adopted by the Capitola City Council on April 9, 2015. to keep the all sections pf the MBSST completely within the Santa Cruz Branch Rail Line right-of-way.

In fact, regarding trail alignment, the MBSST Master Plan (https://sccrtc.org/wp-content/uploads/2012/10/MBSST-NETWORK-FULL_MASTER_PLAN.pdf) stated the following in its Executive Summary (CAPs are mine, for emphasis):

"The spine, or primary alignment, of the MBSST Network will be built parallel to (not in place of) the operational rail line, within the rail right-of-way, TO THE EXTENT POSSIBLE..."

.....

* Measure L was never really about “saving the trestle” — it was about forcing the RTC to route the MBSST onto the trestle, railbanking the rail right-of-way, and putting an end to passenger rail planning in Santa Cruz County.

Wyatt, Rosie

From: Jim MacKenzie <jimmo@cruzio.com>
Sent: Tuesday, April 15, 2025 12:13 PM
To: City Council
Subject: Capitola City Council Meeting, April 17, 2025: Park Avenue Alignment of the Coastal Rail Trail

To: Capitola City Council
 From: Jim MacKenzie, resident of Santa Cruz

Mayor Clarke, Vice Mayor Pedersen, and Councilmembers Jensen, Morgan, and Ohrbach:

I strongly urge you to APPROVE either Option A or Option B of the SCCRTC's proposed alignment of Segment 11 of the Monterey Bay Sanctuary Scenic Trail (MBSST) along Park Avenue, without fear of favor, and notwithstanding the numerous threats, veiled or overt, made by various members of the public during the Oral Communications period of your April 10, 2025, meeting.

These individuals included the principal sponsor of Greenway's Capitola Measure L*, which, following its narrow passage by only 206 votes in 2018 became codified as Section 8.72 of the Capitola Municipal Code.

Threats included:

- Recall proceedings against any Capitola Councilmember who votes YES on the RTC's Park Avenue trail alignment;
- A lawsuit against the City of Capitola for not applying Section 8.72 of the Capitola Municipal Code to reject the RTC's proposed Park Avenue trail alignments;
- Lawsuits by residents of rail-adjacent Pine Tree Lane for something (not sure what).

I would like to add that this is not a vote for or against RTC's passenger rail project. It is solely about approving a proposed alignment of the Monterey Bay Sanctuary Scenic Trail Segment 11 — a section of the California Coastal Trail, as established and codified as a statewide initiative in the California Coastal Act(s) of the 1970s — alongside, and physically separated from, Park Avenue in the City of Capitola.

This is also not a vote having anything to do with the Capitola Rail Trestle.

No "promises" were ever made in the MBSST master plan, adopted by the Capitola City Council on April 9, 2015. to keep the all sections pf the MBSST completely within the Santa Cruz Branch Rail Line right-of-way.

In fact, regarding trail alignment, the MBSST Master Plan (https://sccrtc.org/wp-content/uploads/2012/10/MBSST-NETWORK-FULL_MASTER_PLAN.pdf) stated the following in its Executive Summary (CAPs are mine, for emphasis):

"The spine, or primary alignment, of the MBSST Network will be built parallel to (not in place of) the operational rail line, within the rail right-of-way, TO THE EXTENT POSSIBLE..."

.....

* Measure L was never really about “saving the trestle” — it was about forcing the RTC to route the MBSST onto the trestle, railbanking the rail right-of-way, and putting an end to passenger rail planning in Santa Cruz County.

Wyatt, Rosie

From: Sasha Kramer <sashajane19@gmail.com>
Sent: Tuesday, April 15, 2025 12:53 PM
To: City Council
Subject: vote YES to support rail AND trail!

Hello,

I'm writing as a resident of 38th Ave to express my strongest support for allowing Santa Cruz County to build the already-funded Rail Train from Monterey & Park to New Brighton State Beach. We need a safer way to bike in our community, and a YES vote on this issue will allow residents to get to the beach safely while preserving the existing Rail Trail grant funding.

Please vote YES on this issue! I'm so excited to have a safe bike trail to get to the beach and enjoy our town without worrying about being hit by a car that's speeding and veering into the bike lane!

Sasha Kramer

Wyatt, Rosie

From: dreymerbizvideo2 <dreymerbizvideo2@juno.com>
Sent: Tuesday, April 15, 2025 1:09 PM
To: City Council
Subject: No trail on Park avenue

Keep it on the tracks and do not violate what we, the voters have trusted you with...the law.

D Reymer

Sent from my Galaxy Tab A

Wyatt, Rosie

From: J Lighthill <jjmmlight@comcast.net>
Sent: Tuesday, April 15, 2025 1:19 PM
To: City Council; Clarke, Joe; Pedersen, Alexander; Gerry Jensen; Margaux Morgan; Melinda Orbach
Subject: Path User Safety

Dear Capitola City Council Members,

Thank you for your commitment to keeping your community safe. RTC and County Staff have assured you that the proposed path diversion onto Park Ave would be safe but state and national active transportation planning guides suggest otherwise.

“Bike paths immediately adjacent to streets and highways are not recommended.”
 They “are not a substitute for designing the road to meet bicyclist’s mobility needs....”
 “[M]any bicyclists will perceive these paths as offering a lower level of mobility compared with traveling on the road, particularly for utility trips.”(1) Caltrans Highway Design Manual (HDM)

The width of this proposed shared-use path should be used “in very rare circumstances,” where “bicycle traffic is expected to be low....” and “pedestrian use of the facility is not expected to be more than occasional.” (2) American Association of State Highway Transportation Officials (AASHTO).

“...significant user conflict should be expected.”(3) Federal Highway Administration (FHWA)

Removing existing active transportation infrastructure—one or both bike lanes and a sidewalk—and constructing one deficient shared-use path as a replacement cannot be considered a safety improvement.

Finally, please consider who is to assume responsibility for injuries sustained on a path that does not meet the design standards recommended by most state and national active transportation planning guides.

Thanks for your consideration.

Sincerely,
 Johanna Lighthill

1) <https://dot.ca.gov/-/media/dot-media/programs/design/documents/chp1000-a11y.pdf>
 1003.1-1a, 1003.1-1b, 1003.1-7

2) <https://njdotlocalaidrc.com/perch/resources/aashto-gbf-4-2012-bicycle.pdf>

3) <https://www.fhwa.dot.gov/publications/research/safety/pedbike/05138/05138.pdf>
p. 15

Wyatt, Rosie

From: Jim MacKenzie <jimmo@cruzio.com>
Sent: Tuesday, April 15, 2025 1:34 PM
To: City Council
Subject: Park Avenue alignment of the Monterey Bay Sanctuary Scenic Trail (aka Coastal Rail Trail) Segments 10 and 11

April 15, 2025

City of Capitola Mayor Clarke, Vice Mayor Pedersen, and Councilmembers Jensen, Morgan, and Ohrbach:

As a decades-long resident of the Westside of Santa Cruz and an avid walker, I use and enjoy the completed Segment 7 of the Monterey Bay Sanctuary Scenic Trail/California Coastal Trail (MBSST/CCT) almost every day — both for recreation and for practical errands. This trail has been a real boon to the Westside and is very popular with pedestrians, runners, cyclists, young families with children, as well as tourists and other visitors. I believe that completed Segments 10 and 11 of the MBSST/CCT would be just as beneficial to residents of, and visitors to, the City of Capitola, and I urge you to approve, without delay, the RTC's and the county's proposed plans for the Park Avenue alignment of the trail.

I look forward to using new sections of the MBSST/CCT in Capitola, which will connect New Brighton State Beach to Capitola.

I'm concerned that, if you do not approve the MBSST/CCT Park Avenue alignment, Capitola may lose the opportunity to be connected to the MBSST/CCT, which is the Santa Cruz County spine of the California Coastal Trail, which was established as part of the California Coastal Act of 1972.

Thank you for your consideration.

Jim MacKenzie
Santa Cruz

Wyatt, Rosie

From: Rebecca Raney <raneyrebecca7@gmail.com>
Sent: Tuesday, April 15, 2025 1:48 PM
To: City Council
Subject: Trail Alignment

Dear City Council Members,

I have for 7 years lived & owned a residence in Capitola at Brook Vale Terrace Modular Home Park just a few blocks from Gayle's Bakery, Depot Hill and The Village Esplanade.

I am writing now to register my opposition to moving the proposed bike trail off The Historic Trestle, to proceed down through The Village, already an area congested with vehicles (parked & not), bikes, locals, tourists & . . . dogs (usually leased!?).

****To what outcome would This Council agree to act unlawfully (to refute Measure L/ 8.72)?**

****Secondly, I'm disturbed that The Council also appears to be considering support of a trail reroute along Park Avenue, a narrow option for congruence of vehicular & human-powered transport, even after proposed slaughter of existing wealth of eucalyptus on its water side.**

****Simply put, please refute further time & monetary expenditures to promote, or even further examine, the unlawful, disruptive, unnecessary, & unpopular conclusions being erringly presented as reasonable & beneficial to Our Community,**

Thank You.

Warmly,

Rebecca Raney
300 Plum St. #98
Capitola, CA 95010

Wyatt, Rosie

From: terre thomas <terra12@cruzio.com>
Sent: Tuesday, April 15, 2025 2:09 PM
To: City Council
Subject: Resubmittal of Letter dated April 11th

I am resubmitting my letter so it will show up in the agenda packet for April 17th, as I will not be in town for the meeting.

Thank You, Terre Thomas

April 10, 2025

To: The City Council of Capitola CA

Re: RTC Desire to Have the Trail on Park Avenue

Dear Council Members,

I am Terre Thomas, a 52 year resident living on Park Avenue.

Since we will be out of town for the Special Council meeting on the 17th, I am here to voice my serious concerns about putting the proposed Option A or B RTC Trail on Park Avenue. Not only is Park Avenue a speed corridor, because it is rarely patrolled, but it already has a sidewalk and two bike lanes.

These Options will cause the loss of 26 parking spaces, and removal of nearly all the trees along the street. (They are home to owls, hawks, crows, and other birds, and frequented by osprey, eagles, and various floor dwellers.) That will obviously necessitate installing a retaining wall to keep the compromised hillside in place. So you may as well stick with the original plan of putting the Trail on the Coastal side of the tracks.

The Train proposal is getting more and more expensive, and might become operable maybe 30 years from now. Measure D funds are being eaten up by cost overruns on Highway 1. We don't need more taxes or bond measures to pay these escalating prices, and the current federal government may not be inclined to contribute. I believe that buses would be a more precise alternative to train service to and from Watsonville.

At the April 3rd RTC meeting, which I listened to, it was directed by a board member that the staff come back soon with a full explanation of Rail Banking, hopefully at their next meeting May 1st here in Capitola.

I am asking, no begging, you to postpone any decision regarding placement of the Trail until the issue of Rail Banking is fully disclosed and resolved. It may be possible to Rail Bank the Trestle and Park Avenue, thus saving our town now from over congestion. Don't let the RTC rush you in to making a decision because of their funding and timing issues. If that is the case, then I hope you decide to stick to the original plan of a Coastal Trail that has already been designed, and is in the EIR.

For the RTC to rush you, our representatives, to decide now, is not your problem. You must do what is best for Capitola, and that is to understand ALL the alternatives before you make a permanent decision.

Thank you for your consideration in doing the right thing for us.

Wyatt, Rosie

From: Luann Tommerdahl <tommerdahlluann@yahoo.com>
Sent: Tuesday, April 15, 2025 3:06 PM
To: City Council
Subject: Please Support what we Voted for!

Dear Capitola City Counsel,

My husband and I have been long time residents of this beautiful area. A few years ago, we voted in favor of Prop. 30 so we could walk, ride our bikes and take the rail from Davenport to Monterey. We were excited that so many residents supported the idea and Prop 30 passed with flying colors! However, it saddens us that you continue to discuss alternate plans. What happened to what we voted for? The funds are there! It was agreed upon, correct? We would like to enjoy the rail, the bike path, and walk on it before we die. I teach in Aptos and was hoping I could ride my bike to work or if the weather is bad, ride the train. Is that ever going to happen?
Please support what we voted for.

Thank you very much,
Luann Tommerdahl

Wyatt, Rosie

From: Suzanne Cochran <smb.cochran@gmail.com>
Sent: Tuesday, April 15, 2025 3:09 PM
To: City Council
Subject: DO NOT SUPPORT MOVING TRAIL ON PARK AVE and KEEP ALL TRAIL ON THE CORRIDOR

City Council Members,

We need to take all steps necessary to preserve and utilize the Corridor and Trestle for active transportation and recreation that was voted on in Measure D. Also follow the Measure L law CMC 8.72 - Capitola can't reroute or detour trail onto Capitola streets, including Park Ave and Capitola Village. PLEASE listen to the residence of Capitola and not outside influences including RTC, and FORT that will not be here to live or deal with any trail going through the village or on city streets. KEEP THE RAIL ON THE CORRIDOR AND wait until ZERT/ RTC rail budget study is complete in fall 2025. We do not need RTC taking over city owned property. They own the rail corridor and it should be used for rail and trail, not on our city property. We also need to keep our street safe. Another reason to keep the trail on the rail.

Regards,

Suzanne Cochran
Voter and Property Owner on Garnet Street

Sent from my iPhone

Wyatt, Rosie

From: Vern <byron971sc@yahoo.com>
Sent: Tuesday, April 15, 2025 3:15 PM
To: City Council
Subject: Concerns Regarding Rail Trail

To Whom it May Concern,

I voted for Rail Trail, and it passed by a great majority. It saddens that now a minority is holding up the construction of it. I feel very powerless that vote does not seem to count in this county. I do not understand what and why this is happening and would love to have an answer to this. I am writing this hoping that you will respect the decision of the voters. Please share with me the reason why you will not respect the will of the voters.

Thank you,
Vernon Caron

verncaron.com

Wyatt, Rosie

From: Clark Cochran <clark.e.cochran@gmail.com>
Sent: Tuesday, April 15, 2025 3:39 PM
To: City Council
Subject: Runaway Train

Dear Mayor and Council Members -

The more I learn about the RTC and it's actual agenda the more alarmed and concerned I am for Capitola.

We want and voted for a trail and instead are getting a multi-billion dollar partially defined plan for a rail with trail. The RTC is not our friend and we must not bend our laws to help them achieve their evolving plan if it does not benefit Capitola as agreed in Measure L.

As a reminder, Measure L states we (a) agreed to preserve the RTC rail corridor and trestle over Soquel Creek for bicyclists, foot traffic, and other forms of non-motorized transportation, and (b) prohibit expenditures to reroute pedestrians and bicyclists from the corridor.

Don't let the RTC threats to go over our heads if we don't approve their plans that no longer adhere to Measure L and our city code.

BEFORE we agree on ANY path through our city we must have an agreed plan, especially over Soquel Creek. Otherwise the RTC will wait until everything else is decided and force their village trail plan. They claim a separate trail trestle doesn't have sufficient right of way. They also claim there can't be a rail with trail trestle because of required trestle inspections. Read the railroad inspection laws. It states ONE inspection each year. 364 days of trail use isn't sufficient so the village route is required? Then what about our two rail stations? Riders aren't going to walk to the train. Where will they park? How many spaces will be needed? The RTC has no plans.

We cannot incrementally bend and approve our way into a planned RTC box. Start now by voting NO on everything outside the corridor. Vote NO on both A and B. Don't try to bend to RTC's plans. Support your residents who voted for you to lead us. Tell the RTC to come back with plans that adhere to Measure L and our city law. Is this too much to ask?

The RTC is changing their own plans as they go. What changes will be next?
 STOP this runaway train now before it is too late for us.

Sincerely,

Clark Cochran
 4530 Garnet Street
 Capitola

Wyatt, Rosie

From: Peter Gibson <soquel.dude@comcast.net>
Sent: Tuesday, April 15, 2025 3:52 PM
To: City Council
Subject: Please Make Existing Bike Lanes Safer In Capitola Village And Approve The RTC Option for Park Ave.

On 4/15/25, Gail Ortiz wrote an op-ed in which she opines that “Capitola voters passed Measure L to ensure that the Monterey Bay Sanctuary Scenic Trail (MBSST) would stay in the rail corridor and not be rerouted onto Capitol streets.” This point needs to be clarified.

First, the MBSST, released in 2013, said the following about the Capitola Trestle:

“Coastal trail access through [the rail corridor in Capitola] will need to continue on existing surface streets and sidewalks to cross Soquel Creek and navigate through Capitola Village. Future plans for the rail trestle replacement should include a new bike/pedestrian facility in the bridge design.”

On April 9, 2015, the Capitola City Council voted 4 to 1 in favor to adopt the MBSST Master Plan, especially the part that pertains to Capitola.

Second, on November 6, 2018, 2,526 (52%) of the votes cast that day in Capitola voted for Measure L, which was supported by Greenway Capitola. 2,320 (48%) of the votes were against Measure L. This is hardly an overwhelming mandate. However, Prior to the November election, the Capitola City Attorney issued an impartial legal analysis to the City Council, that said:

“[Measure L] expressly does not amend or rescind the General Plan, Local Coastal Program or Zoning Code, but rather states that it “shall be construed and harmonized in a manner to strengthen and define such provisions.” The measure raises a number of legal concerns, including: First, whether it proposes a legislative act, or merely directs administrative or executive actions, which are generally not subject to initiative or referendum; Second, whether the Measure’s terms are too vaguely defined and ambiguous to be enforceable; Third, whether its restrictions on expenditure of funds improperly interfere with the City Council’s authority over the City’s fiscal affairs. For these reasons the measure may be vulnerable to a legal challenge as to its validity.”

Finally, the realignment of the trail along Park Avenue will come at no cost to the city and will provide a safer alternative for pedestrians and cyclists than what is currently there on that road, or what could be built along the corridor. It offers a consistent 12' wide elevated trail along Park Avenue, where the trail on the corridor would start off as 8.5' wide and then broaden out to 12' feet wide. And even if the RTC trail is built in the corridor, people will use the Park Avenue trail, which is too narrow and too unsafe.

Measure L was and remains a yoke around the neck of the Capitola City Council, which contradicts their earlier commitment to the MBSST. Measure L, which passed by a narrow margin, should not prevent the City Council from approving a common-sense approach to transit.

There are already bike lanes through Capitola Village, why not make them safer?

Wyatt, Rosie

From: Scott Carson <sec123abc@yahoo.com>
Sent: Tuesday, April 15, 2025 3:56 PM
To: City Council
Subject: Rail Trail on Park Ave.

Dear City Council,

I am writing to express my opposition to placing the trail portion of the Rail Trail on Park Avenue. The RTC's current trail proposal on Park Avenue will be an inconvenient, unpleasant, less efficient, and less safe diversion than a trail in the rail corridor, where it belongs. This is not what has been promised by the RTC. How ironic is it that the RTC told us there was room for both rail and trail on the corridor so we voters should support rail plus trail and not just trail, but now they say there may only be room for one or the other in Capitola, so we should support just rail and no trail along the Park Avenue section of corridor. The RTC appears to have had poor planning and budgeting for the Capitola segment of the rail trail. I do not believe that the RTC has even now fully vetted all of the options for this segment of the rail trail. Capitola should not suffer an inferior trail due to the RTC's mismanagement.

At the RTC "townhall", an RTC representative told me that although there is currently room for the trail in the corridor in Capitola, because a train route might possibly be built there in 10 to 20 years, and although they are uncertain on what the train configuration needs will be, they would hate to have to possibly spend additional money then to possibly reroute the trail if necessary. That is a lot of uncertain speculation about possible future needs and costs, to justify an undesirable trail for now and likely forever. If a train is actually ever routed through Capitola in the distant future, we can make adjustments if necessary at that time. Please reject putting the trail portion of the rail-trail on our City streets, and especially on busy and noisy Park Avenue.

Scott Carson
Columbus Drive
Capitola, CA 95010

Wyatt, Rosie

From: Capitola Morrissey <morrisseycapitola@gmail.com>
Sent: Tuesday, April 15, 2025 4:00 PM
To: City Council; Clarke, Joe; Gerry Jensen; Pedersen, Alexander; Margaux Morgan; Melinda Orbach; Goldstein, Jamie (jgoldstein@ci.capitola.ca.us); Gautho, Julia
Subject: Comments for Agenda Item 3B: Opposition to Park Avenue Alignment and Support for Coastal Bluff Alignment of the Coastal Rail Trail (Segments 10 & 11)

Dear Capitola City Council,

This letter outlines the key reasons why the City of Capitola should reaffirm its support for the previously approved Coastal Bluff alignment of the Coastal Rail Trail and formally reject the recently proposed Park Avenue alignment options A and B.

The Coastal Bluff Alignment: The Clear and Compliant Path Forward

The Coastal Bluff alignment remains the only legally, environmentally, and regionally appropriate option for Segment 10/11 of the Rail Trail. It keeps the trail within the designated rail corridor, consistent with Capitola Municipal Code (CMC) Chapter 8.72, which mandates preservation of public pathways within that corridor. Moving the trail out of the rail corridor and onto city streets—such as in the Park Avenue alternatives—is inconsistent with that mandate and unequivocally violates CMC Chapter 8.72.

Importantly, City staff have stated that if the Park Avenue options are rejected, the RTC and County would likely pursue the previously studied Coastal Bluff alignment. Contrary to previous public speculation, rejecting Park Avenue does not kill the project—it returns it to its more appropriate, originally envisioned route.

Further advantages of the Coastal Bluff alignment include:

- **Preservation of ATP grant eligibility:** This original alignment is already the sole focus on the existing grant and has been environmentally cleared, keeping the County on track to meet the April 2027 construction funding deadline and protecting the \$67.6 million ATP grant.
- **Improved safety and experience:** A dedicated, vehicle-free trail ensures a protected, scenic, and serene environment for walkers, cyclists, and families.
- **Enhanced regional connectivity:** The coastal route preserves the trail's scenic value and accessibility for neighborhoods, ensuring continuity across the corridor.
- **Supports rail-trail integration:** The coastal alignment keeps future passenger rail and trail co-location on the table and is a natural location to place the trail if the cost of a train is deemed to be overwhelmingly expensive in the future.
- **Preservation of Capitola's historic trestle:** This alignment allows for long-term plans to repurpose the trestle for public use, maintaining cultural heritage and a visually iconic coastal gateway.

Park Avenue Options A & B: Unsafe, Uncertain, and Misaligned with Capitola's Goals

While framed as lower-impact alternatives, the Park Avenue alignments introduce a number of serious safety, regulatory, and financial issues that undermine the integrity and future of the Rail Trail:

1. Violates Local Law

The Park Avenue options shift the trail out of the rail corridor, a move that violates Capitola Municipal Code Chapter 8.72, which calls for preserving public use within the existing rail corridor.

2. Exposes Trail Users to Traffic Hazards

Both options A and B place trail users, including children and seniors, immediately adjacent to a busy street. With minimal buffers and signage, this creates clear conflict zones at driveways, intersections, and narrow roadway sections. These conditions contradict the Rail Trail's core promise of a safe, separated, family-friendly pathway.

3. Relies on an Unapproved and Risky Rail Crossing

The success of the Park Avenue route depends on building a new pedestrian crossing at Coronado Street—which still lacks final approval from the CPUC. This crossing is not guaranteed. If denied, the Park Avenue route would fail to connect to the rest of the Rail Trail, rendering it incomplete and non-functional.

4. Triggers Costly and Time-Consuming Environmental Review

Adopting the Park Avenue alignment would necessitate a new environmental review, possibly even a Supplemental EIR, introducing significant delay and uncertainty. In contrast, the Coastal Bluff route is already cleared and ready to proceed.

5. Breaks Regional Continuity and Reduces Trail Access

The Park Avenue design deviates from the scenic coastal route and reduces connections to the beach. It sacrifices regional usability and trail identity for a temporary workaround that is disconnected from the rest of the trail system.

6. Undermines Future Use of the Capitola Trestle

Choosing the Park Avenue route deprioritizes the long-term plan to restore the Capitola Trestle for trail use. Without a commitment to the rail corridor, the opportunity to fund and transform the trestle into a public asset could be lost.

7. Offers False Economy at Long-Term Cost

While tree removals may be slightly reduced, this comes at the expense of user safety and long-term efficiency. The Park Avenue options require significant new infrastructure—including curb realignments, signalized crossings, and sidewalk reconstruction—all for an inferior trail experience. These “savings” could ultimately cost more in both dollars and lost value.

Conclusion: Restore the Coastal Bluff Alignment by Rejecting Park Avenue Alignment Options A and B

The Coastal Bluff alignment is not just a preferred route—it is the right route. It is safer, legally compliant, environmentally cleared, and ready to be built. It preserves Capitola’s scenic beauty, historical landmarks, and future mobility options.

By contrast, the Park Avenue alignment introduces safety risks, legal concerns, new delays, and an uncertain future for the Rail Trail. Most importantly, staff have confirmed that rejecting Park Avenue will likely result in a return to the Coastal Bluff route—not a cancellation of the project.

Capitola has a chance to protect its community’s safety, values, and vision. We urge the Council to:

- Reaffirm support for the Coastal Bluff alignment as the correct path forward for Capitola and the region, and,
- Reject Park Avenue options A and B.

Thank you for your attention to this matter.

Mike and Meghan Morrissey

Capitola

Wyatt, Rosie

From: Valerie Mishkin <vmishkin@baileyproperties.com>
Sent: Tuesday, April 15, 2025 5:14 PM
To: City Council
Subject: Rail And Trail Vote

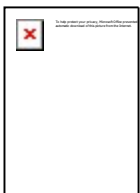
Honorable Concilmembers,

As you discuss this vote amongst yourselves, keep in mind the timeline and projected future growth of our communities. In 20 to 30 years as they say, it takes that long to get any major project done. Local population will continue to grow with younger people becoming adults, families, and community leaders. The lifestyle of today's youth is not what a boomer's life was like. The trends are headed toward less car ownership, fewer licenses, more dependance by choice to use public transportation.

Young people today do not all get a licence and a car at 16. Many do not drive or buy a car till they start a family. 30 is a common age to start driving. These young families often buy one car, not two. I understand some of the concerns of Capitola residents, but I think the greater good should prevail here. Change the plans where we need to not shut them down. An alternative route through town not on the busiest streets could be a change. The Park Ave plan A or B looks good to me. Save the trestles for proper rebuilding looks good to me. Please vote yes to keep Rail a future transportation route through our county.

Valerie

--



Valerie Mishkin

DRE# 02092111 AHWD, C2EX, SFR, ABR
VMishkin@BaileyProperties.com
831 - 238 - 0504
1602 Ocean Street Santa Cruz CA. 95060
Local Government Relations Committee
Smart Coast California Board of Directors
Santa Cruz City Master Recyclers



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Wyatt, Rosie

From: Lynn Jackson <lynn@jacksonlandscapesc.com>
Sent: Tuesday, April 15, 2025 6:01 PM
To: City Council
Subject: keep the trail on the rail!

I'm a resident of Capitola for almost 50 years. I will not stand by and allow the trail to be directed into the streets of the village!!

It's the law! It's dangerous! It will change the character of the village in a negative way! The city will lose revenue! The village will lose parking spaces which are so important to the businesses!

I will be there Thursday night to bare witness that you vote against the detour of the trail through the village!!!

Lynn Jackson

216 Central Ave

Wyatt, Rosie

From: Nancy Ward-McChesney <nancywardmc@yahoo.com>
Sent: Tuesday, April 15, 2025 6:06 PM
To: City Council
Subject: Park Avenue trail

My husband and I are long term homeowners and residents of Capitola. I have lived here since the 70s. We have lived on Sir Francis Avenue for 34 years and use Park Avenue every day. We drive, walk, and bike.

WE ARE STRONGLY OPPOSED TO A TRAIL GOING THROUGH THE VILLAGE AND ALONG PARK AVENUE.

Park Avenue has a sidewalk that goes from Monterey to Cabrillo St, which we use all of the time. We have a crosswalk at Cabrillo to cross over to the other sidewalk that goes all the way to Coronado with beautiful ocean views. We also have the railroad tracks, which many people use as a walking trail. The bike path is functional, although it could use some improvement, from Monterey, all the way to Soquel. We love our town and our neighborhood as is and use all of these features regularly.

LEAVE PARK AVENUE AS IT IS. THE TRACKS ARE AN IDEAL LOCATION FOR A TRAIL.

WE DO NOT NEED A RAIL OF ANY KIND.

Thanks, Nancy and Keevin McChesney
821 Sir Francis Ave

Sent from my iPad

Wyatt, Rosie

From: Westman, Nels (nels@bestwestman.com)
Sent: Tuesday, April 15, 2025 6:25 PM
To: City Council
Subject: April 17th Agenda Item 3 B.

Dear City Council,

In my 40+ years in Capitola I have never seen Capitola citizens so angry. Angry at the RTC, angry at the city staff and most particularly at the City Council, a majority block of whom clearly march to instructions from the RTC, FORT and other outside politicians. They fear for Capitola's identity: the loss of their iconic Trestle, the demolition of its similarly iconic Stockton Street Bridge, the degradation of the "Vibe", safety and flow of the Village as hundreds, possibly even thousands of pedestrians, bicyclers and e-bikers descend into the Village. They feel betrayed to learn that both the spirit of Measure L and letter of that law have been blatantly and repeatedly ignored and violated by both Council and city staff for a year or more. Then finally at the April 2nd Capitola Town Hall its citizens were essentially threatened by RTC staff that if Capitola didn't bend the knee to FORT and the RTC on the Park Ave realignment project that the whole Ultimate Trail project would implode and that it would all be Capitola's fault. There was the clear implication that there would be consequences for Capitola.

It is time for Capitola to say , "enough already." We are not going to be stampeded into an illegal vote to divert the so-called Ultimate Trail off the rail corridor and onto city streets for most of corridor that runs through Capitola. All to help the RTC to reduce the cost of the error in their own their own design and engineering plans. The RTC's bad job of designing and spectacularly underestimating cost projections should not be Capitola's to cure. In desperation the RTC is now proposing to borrow money secured by future revenues from Measure D. So now taxpayers countywide are also being asked to take on the financial consequences of the RTC's sloppy work by mortgaging the County's future transportation revenues while spending much of the proceeds on interest and bonding fees. This is a very dangerous bail-out strategy. But what do you expect considering the RTC's decades long performance on the Rail Corridor? Millions of dollars of expenses and very little to show for it.

Nels Westman
Riverview Terrace, Capitola

Wyatt, Rosie

From: Daniel Spero <danspero@hotmail.com>
Sent: Tuesday, April 15, 2025 6:35 PM
To: City Council
Subject: Build the trail on the rail corridor!

Follow the vote of the people of Capitola!

1. There will never be a train.
2. It is not safe for bikes to put the trail through the village
3. Use the train trestle for a bike path.

[illegible]

၎(၀၀)၎ Daniel Spero

300 Plum St #13
Capitola CA 95010

Wyatt, Rosie

From: Welch, Troy (TJ) (noworries4TJ@mac.com)
Sent: Tuesday, April 15, 2025 6:38 PM
To: City Council
Cc: Concerned Citizens Of Capitola
Subject: 4/17/25 Agenda items 3A and 3B

Dear Council Members,

There has already been much discussion and information shared with you regarding both CMC 8.72, and the proposed Park Ave project. I am hopeful that by now you understand that this is truly a Capitola issue. Yes, it may affect the county, but the RTC's lack of proper planning is not your responsibility or concern at this point.

Regardless of how the past council perceived or interpreted CMC 8.72, I think it is clear what it means. If you have any doubts, read the "Purpose" statement. The community has made it clear, that past City Council members did not interpret it through the lens of what the community voted for it. The community voted for Measure L put the safety of our kids, cyclists and pedestrians first. Recently, they have voiced their concern that City staff and City Council Members betrayed them by working with the RTC on a project that was and is in clear violation of the code 8.72.

Like the City, you can try twisting words, like realignment, or saying it is not trail, so therefore it's not a detour, or the City is not paying for it. All of these statements are false or misleading and in clear violation of our City Municipal Code.

I urge to support the will of the people, uphold City law and support CMC 8.72 to the fullest extent by voting NO on the Park Ave project. The future of the RTC project is not your responsibility, and I am confident they will find a solution to resolve this issue. Maybe they will even follow through with their original commitment and put the trail on the RTC corridor.

I understand the pressure from the RTC, FORT and others, but I trust you will take the high road and support the community you serve. See you Thursday!

All the Best,
TJ Welch
Concerned Citizens of Capitola

Wyatt, Rosie

From: David Pais <pepedavid63@gmail.com>
Sent: Tuesday, April 15, 2025 6:46 PM
To: City Council
Subject: Council Meeting Tomorrow Night

Hello City Council,

Please vote yes to allow Santa Cruz County to build the already-funded Rail Trail from Monterey & Park to New Brighton State Beach. This will give Capitola and Santa Cruz County residents a safer way to travel to New Brighton Beach and preserve existing Rail Trail funding.

--

Thanks,

David Pais

Wyatt, Rosie

From: Michael Sherman <sherm1@gmail.com>
Sent: Tuesday, April 15, 2025 7:24 PM
To: City Council
Cc: 'Kathy Sherman'
Subject: (for 4/17 meeting) a win-win deal for Capitola & RTC

Dear Capitola City Council members:

We live on Park Ave near the Village. It seems to us there is a clear win-win deal for Capitola & RTC:
Capitola approves the Park Ave diversion. In exchange, RTC runs the trail over the trestle.

Why this is feasible

RTC has made these points:

- no train will ever run across the existing trestle (a new bridge is required),
- the trail *could* run across the existing trestle with some refurbishment,
- the Park Ave diversion saves them lots of money and time.

Thus railbanking or paving over *just the tracks that cross the trestle* cannot interfere in any way with future rail plans. Any objection must be purely bureaucratic so can be overcome by sufficiently motivated parties.

Why this complies with Measure L

The purpose of Measure L was to stop the trail from going through the Village. This deal gets that done. The legislative history of Measure L, still available online, makes it very clear what the purpose was. No one was thinking about Park Ave then.

Why this is a good deal for everyone

1. RTC saves \$13M by building the trail on Park Ave, though they'll have to spend some of that on refurbishing the trestle. Give them Option B for max savings. They still come out ahead.
2. We get the Park Ave road diet, a beautiful trail now rather than never, and maintenance forever at no cost.
3. The trail doesn't run through the Village (which absolutely no one thinks is a good idea).

There is no need to negotiate this with RTC. They are very resourceful. We believe that if this is the deal they are faced with, they'll make it work.

Sincerely,
 Michael and Kathy Sherman
 312 Park Ave
 Capitola

Wyatt, Rosie

From: Forest, Karl (karlforest1@gmail.com)
Sent: Tuesday, April 15, 2025 8:12 PM
To: City Council
Subject: Extra Thoughts: Please Vote Yes on Rail Trail Option

Esteemed Council Members,

After reading Gayle Ortiz's well-written article in the LookOut, a few more thoughts occurred to me.

I was motivated to read that actual code (8.72). I know you have legal opinions on what you can and cannot do from city lawyers. What I would like to point out is if land contiguous to the current Corridor is made available and/or is transferred to the County to create a trail between Park Avenue and the existing rail line, then it would become part of the Corridor, and thus would not violate municipal code 8.72.

This would also remove what I believe will happen if you vote no: The RTC will continue with the original plan which will need to address adjacent land owners who have encroached on the Corridor, which will most likely land in lawsuits that are not needed and may involve the city.

Let's get this built! Please do what is what I think is best for the community to improve that section of Park Avenue at what looks like no cost to Capitola. Please vote yes!

Thank you for once again indulging my thoughts. I hope you take them into consideration.

Karl Forest

On Mon, Apr 14, 2025 at 9:29 PM Karl Forest <karlforest1@gmail.com> wrote:

Hello,

My name is Karl Forest and I live at 516 Oak Dr in Capitola. I would like to advocate for the City Council to approve the RTC's recommendation to move the trail portion of the trail from the Village along Park Avenue so it is between Park Ave and the existing line. This means changing the original plan to add the trail alongside the tracks on the ocean side.

This would cost less, better connect the Village and Cliffwood Heights, and would impact the butterfly habitat less. The trail will be separated from the road, and of the two options, it seems removing bikes from the road entirely and having them ride the trail seems the safer option.

As I understand it, this option would also lessen encroachment impacts with properties along the right of way.

As I understand Measure L, it was designed to stop Capitola from participating in relocating the trail from the rail on the trestle. This was designed to try to stop the rail at a key point in the path and to force bike traffic onto Village streets. That intent has nothing to do with this portion of the rail/trail.

If the city needs to donate a small bit of land to accomplish this, it seems like a win for our community. We also need to show leadership for the county; time and time again county residents, including Capitola residents, have supported the rail/trail concept. Capitola should do its part to contribute.

Please vote yes on one of the options presented to you on Thursday night. To vote no seems to me to be shirking our community's responsibility to the rest of Santa Cruz County, and to be playing into the hands of a minority of wealthy residents who have one goal in mind: to tear out the rails now.

Thank you for your consideration.

Karl Forest

Wyatt, Rosie

From: Kerrie McCaffrey <kerrie@cruzio.com>
Sent: Tuesday, April 15, 2025 8:22 PM
To: City Council
Cc: Kerrie McC
Subject: YES on CRT Segments 10 & 11 from Capitola Resident

Dear Capitola Council Members,

Please vote YES on the Coastal Rail Trail Segments 10 & 11.

I prefer Segment 11 Option B, but either Options A or B is ultimately fine with me.

I am a Cliffwood Heights, Capitola Resident and homeowner.

Thanks for supporting the trail improvements along Park Ave to keep cyclists, walkers and kids safe and to provide a safer path for kids to travel back & forth to the skateboard park and through the village.

Kerrie McCaffrey
329 Loma Ave
Capitola, CA 95010

Wyatt, Rosie

From: Bridget Hawkins <bridgethawkins@gmail.com>
Sent: Tuesday, April 15, 2025 8:37 PM
To: City Council
Cc: Michael Gutierrez
Subject: Support for the Park Avenue Trail Segment

Bridget Hawkins Gutierrez & Michael Gutierrez

4320 Clares St. #C
 Capitola, CA 95010
bridgethawkins@gmail.com 831.566.0893
mdgutierrez@gmail.com 831.566.0718

April 15, 2025
 Capitola City Council
 420 Capitola Ave.
 Capitola, CA 95010

Subject: Support for the Park Avenue Trail Segment

Dear Honorable Members of the Capitola City Council,

We are writing to express our strong support for the proposed Park Avenue segment of the Coastal Rail Trail. We urge you to vote in favor of this project, which promises to bring significant benefits to our community.

We attended the recent town hall meeting at New Brighton Middle School regarding the Coastal Rail Trail. While we acknowledge that a large number of attendees expressed opposition to the Park Avenue segment, we believe it's important to recognize that the sentiments expressed at that meeting may not reflect the views of a majority of Capitola residents. It was apparent that many in attendance were aligned with anti-rail, pro-Greenway interests, which made it difficult to gauge the broader community's support for the project. We understand there is concern that some of you may feel undue pressure due to the overwhelming vocal opposition. We urge you to also consider the many residents who support this project but may not have been as vocal at that particular meeting.

The Coastal Rail Trail is a vital project for Capitola, and the Park Avenue segment is a crucial link that will enhance connectivity and accessibility for all residents. We believe that this segment offers several key advantages:

- **Improved Safety:** A separated multi-use trail along Park Avenue will provide a safer route for pedestrians, cyclists, and other non-motorized users, reducing potential conflicts with vehicular traffic.
- **Enhanced Connectivity:** This segment will better connect Capitola Village with the Cliffwood Heights neighborhood, making it easier for residents to access local businesses, parks, and other amenities.
- **Increased Recreational Opportunities:** The trail will provide a beautiful and convenient space for recreation, promoting a healthier and more active lifestyle for our community.
- **Economic Benefits:** The trail can attract visitors and boost local businesses, contributing to the economic vitality of Capitola.
- **Environmental Considerations:** We understand that the Park Avenue alignment has been designed to minimize environmental impacts, including protecting monarch butterfly habitats.

Furthermore, we understand that funding for this project has already been secured. At this stage, the primary obstacle to completion appears to be the opposition from those attempting to stall the broader Coastal Rail Trail project. We urge you not to let the vocal minority derail a project that will bring substantial benefits to Capitola.

We urge you to consider the long-term benefits of this project for our community and vote in favor of the Park Avenue segment of the Coastal Rail Trail. Your support will help create a more connected, vibrant, and healthy Capitola for all.

Thank you for your time and consideration.

Sincerely,

Michael D. Gutierrez & Bridget Hawkins Gutierrez

Wyatt, Rosie

From: Jason Dewberry <jdewb4@gmail.com>
Sent: Tuesday, April 15, 2025 8:39 PM
To: City Council
Subject: Rail Trail Plans

Council Members,

Please put an end to the Rail & Trail discussion. A local rail line does not seem to be in our best interest. So, can we please move forward in a common sense and fiscally responsible way by not supporting the rail and trail option. Please, let us finally move forward with the coastal trail only option and get it going so we can start to enjoy biking and walking on it one day soon.

Thanks for doing good work for our community,

Heather & Jason Dewberry
215 Saxon Ave.

Wyatt, Rosie

From: Jerome <lejerome@gmail.com>
Sent: Tuesday, April 15, 2025 9:30 PM
To: City Council
Subject: I'm a Capitola resident—Vote YES on the trail and Keep the Rail

Dear Capitola City Council,

As a resident of Capitola, I strongly encourage you to vote YES on the construction of the trail for our community. This project will provide safe, easy, and accessible recreation and transportation options for residents of all ages.

I also urge the council not to get involved in an expensive and unnecessary legal battle over control of the rail line, which the city does not own. Such a fight would waste Capitola's limited resources—resources that would be far better spent on projects that directly benefit our residents, like the trail.

Please support the trail and keep Capitola's focus on what matters most: improving quality of life for everyone in our city.

I appreciate your consideration.

Sincerely,

Jerome Guionnet

Capitola Resident since 2010

Wyatt, Rosie

From: Matt Farrell <mattfarrell922@gmail.com>
Sent: Tuesday, April 15, 2025 9:47 PM
To: City Council; Clarke, Joe; Pedersen, Alexander; Gerry Jensen; Margaux Morgan; Melinda Orbach
Subject: [PDF] Please Approve Option A for the Park Avenue Alignment
Attachments: Capitola City Council Park Avenue 04172025.docx.pdf

Mayor Clarke and Councilmembers,

Santa Cruz County Friends of the Rail and Trail supports the efforts of the city of Capitola, Santa Cruz County and Santa Cruz County Regional Transportation Commission (RTC) staff to develop this alternative. It will save the city of Capitola an estimated \$80,500 and provide a multi-use trail serving pedestrians and bicyclists with an estimated value of \$3-\$5 million.

This project represents the county and the RTC contributing resources and staff time to perform safety work (crosswalks and pedestrian activated flashing beacons) to benefit the city's residents and visitors; and does not require a contribution from the city of Capitola.

We have attached a letter outlining our reasons for supporting this alignment and why we urge you to reject the pursuit of railbanking or adverse abandonment. Both county voters and Capitola residents overwhelmingly rejected this proposal in 2022.

Matt Farrell
Chair
Santa Cruz County Friends of the Rail and Trail (FORT)



April 15, 2025

Mayor Clarke and City Councilmembers
Capitola City Hall
420 Capitola Avenue
Capitola, CA 95010

RE: April 17 Agenda Item 3b. Park Avenue Alignment of the Coastal Rail Trail
(Segments 10 and 11)

Mayor Clarke and Councilmembers,

Santa Cruz County Friends of the Rail and Trail (FORT) is a local, non-profit community organization made up of over 12,000 supporters, 200 of whom live in the city of Capitola. These are people who agree with expanding Santa Cruz County's transportation system to include passenger rail service and a 32-mile multi-use trail as detailed in the Monterey Bay Sanctuary Scenic Trail Master Plan. We are excited to see the next segments of the coastal rail trail link more of the County together.

We urge the city council to approve Option A for the proposed Park Avenue Alignment of the Coastal Rail Trail. City, county and Regional Transportation Commission (RTC) staff have worked together to develop a solution which serves both the City Council's identified goals of increasing safety on Park Avenue and improving access for adjacent neighborhoods to the trail, all while reducing trail project costs.

City and County staff estimate that the RTC's offer to install these safety and traffic calming measures (improved crosswalk markings, pedestrian-activated flashing beacons) along with the multi-use trail will save the city \$80,500. These funds can be used for other needed projects in Capitola

We agree with city staff's analysis that this alignment conforms with Measure L. It preserves active transportation and recreation in the rail corridor; it is not a detour; and it does not propose construction on city streets or sidewalks.

Though the staff report offers you the option to hire a Surface Transportation Board (STB) attorney to look into railbanking, we strongly suggest you don't waste city resources on this dead end. The Regional Transportation Commission (RTC) explored this option years ago and determined that the cost in time and resources were excessive in view of the risk and uncertainty of the result.

The decision to reject the "Interim Trail" was ratified by the vote on Measure D in 2022. Countywide, 73% of voters rejected this proposal. In the city of Capitola, 60% of voters rejected Measure D. Clearly the citizens of Capitola and Santa Cruz County want to preserve the opportunity for rail.

Railbanking the trestle effectively railbanks the whole line. Is Capitola prepared to be responsible for maintenance of the whole line? Is Capitola prepared to argue the case for adverse abandonment before the STB without the support of the RTC and against the position of Progressive Rail, Roaring Camp, and the majority vote of the community?

Pursuing adverse abandonment/railbanking will only delay moving forward on the trail for the benefit of the community of Capitola, and may jeopardize the largest Active Transportation grant in the history of the state.

Protect the safety of everyone who lives and visits Capitola. Move forward with the Park Avenue alignment. Please vote yes on moving forward with staff's recommendation: approve Option A for the Park Avenue alignment.

Sincerely,

Matt Farrell
Chair
Santa Cruz County Friends of the Rail and Trail (FORT)

Wyatt, Rosie

From: Natalie Goff <burroalley9@gmail.com>
Sent: Tuesday, April 15, 2025 10:49 PM
To: City Council
Subject: Option A or B, Please vote YES:

April 15, 2025

Dear Mayor Joe Clarke, Councilmember Marguex Morgan, Councilmember Melinda Orbach, Councilmember Gerry Jensen, and Councilmember Alex Pedersen:

I am writing to ask you to accept either Option A or B for the Rail Trail segment currently offered to Capitola by the RTC at no cost to Capitola. It is truly a gift that will increase Public Safety along a busy throughway.

I am for safe pedestrian and bike safety along Park Avenue and through Capitola Village. Both Option A and B separate pedestrians and bikes from vehicles by creating a curb AND a buffer zone between them. Either option will be wonderful and an improvement over what is currently in place

I love that our children will be separated from traffic and will be visible to drivers as they walk or ride along Park Avenue east of the Village. I am a senior and I know that Option A or B will make me feel safer, as well. I feel safer these days when I can see who and what is up ahead when on walks. Also, I will feel safer walking at street level rather than in the gully because other pedestrians and drivers can keep an eye out for my safety, as well.

I attended the Town Hall meeting at New Brighton Middle School a few weeks ago and was dismayed by some of the themes of presenters. We in Santa Cruz County need additional modes of transportation badly. Workers from Watsonville sit in their cars or on buses sometimes 3 hours per day during their daily commute. The RTC is working hard and diligently to provide a fair and safe plan for all of us. I felt that topics such as Railbanking, arguing for 20 parking spaces, arguing against the widening because cars are wider were offered as a tactic to muddy the meeting's purpose - to discuss Safety improvements for pedestrians and bikes along what is currently a rather dangerous roadway.

- Railbanking. During the meeting, it was mentioned that the city council planned to revisit Railbanking. Several years ago, it was decided that this was an expensive and a complicated task. The ground underneath the tracks contains asbestos, tar, and years of oil that had dripped from the trains that passed over the tracks. Experts pointed out that removal of the soil to another location would release the contaminants and carcinogens that are currently encased within the packed soil and coarse gravel. Consensus by the RTC then was that it was safer for all of us to leave those materials in situ. Where would this soil and rubble be discarded? Who would do the work? Who would pay for the removal of the soil?

- Yes, I want for the Rail and Trail project to succeed. And your decision might put the entire 32-mile project in jeopardy. The California Transportation Commission allocated \$70 million towards the development of Segment 10 and 11. More recently, the project received a Federal Grant to help develop these segments, as well. These grantors have recognized our need to connect to the California Passenger Railway System that is being planned for and is being built currently. Capitola sits right in the middle of the county project. The thousands of students who attend Cabrillo College, a short distance from Capitola, will surely use the corridor's bike lanes and train system when built. If you refuse the project, the RTC will be asked to return the largest grant the CTC has ever given to a community our size. Afterwards, would the RTC and the County ever be considered as a contender for another grant?
- Some at the Town Hall meeting argued for 20 parking spaces they deemed important to the community. Another person argued that the bike trail should not become wider because people currently drive SUVs that are wider, These really are not viable arguments against Public Safety.
- Finally, there was a group of people who argued that constructing bridges would prove too costly and therefore the project will never come to pass. However, the RTC design team is excellent – they have found many cost-saving measures for this project and I trust that they will find cost savings as they research bridges. The CTC and the State demonstrated clearly with large grants that they believe the Rail Trail will succeed. The Santa Cruz County voters, 73% of them, said with their votes that they want the Santa Cruz Rail Trail to succeed.

Thank you for your attention,

Natalie Goff, Santa Cruz County Resident for 40 years

Wyatt, Rosie

From: Leslie Nielsen
Sent: Tuesday, April 15, 2025 11:33 PM
To: City Council
Subject: Item 3A and 3B Comments for 4/17

Capitola City Council,

Item 3A - Provide Direction to Staff on Municipal Code 8.72

There is only ONE direction - Direct staff to follow the municipal code, stop making staff recommendations that violate it, and stop having the city attorney say it's up to us to interpret when we pay her to guide us. PERIOD.

If City staff would like you to take action that contradicts the current unambiguous municipal code, tell staff to follow the code language and have it amended by a vote of the people before they spend any more time, money and resources promoting and recommending actions that violate the current and binding language.

This is not hard, and anything short of properly directing your staff to follow the code would be a clear indication of your bias to a cause that exceeds your ethical obligation to uphold your oath of office and truly represent the people of the City of Capitola that elected you.

Item 3B - Recommended Action - Discuss and provide direction to staff regarding the Park Avenue alignment for the Coastal Rail Trail.

Again, not hard. It doesn't matter what you think personally about the RTC project challenges and threatened risk to funding.

The staff report says until the City confirms its preferred alignment through Capitola, the County is unable to finalize the design scope with it's constituents or begin the next phase of work.

You have 3 choices;

1. Support Staff recommendation of Option A - Based on Item 3A - **a very bad idea**. If you think this will speed things up, think about the fallout from violating the municipal code.. it will wreak havoc on our City financially and culturally.
2. Discuss and DELAY action and give everyone more to do - spend more time, money and resources. This does NOT help the RTC finalize the scope design and manage the funding deadline.
3. **DENY realignment. Stick with the current plan.** The \$67M grant was awarded for Segment 10 and 11 only. It is an ACTIVE TRANSPORTATION GRANT awarded specifically in response to an application offering a full corridor solution ;

This project uses best practices to completely separate bicyclists and pedestrians from motor vehicle traffic by constructing a 12' wide multiuse path in the rail right of way.

The RTC cost overrun does NOT risk the entire Rail Trail project. It just makes the RTC's job of saving \$27M easier, and puts the financial burden of defending lawsuits, running recall elections etc. on the City of Capitola. Rod Tidmore himself said that if Capitola says NO, they would likely go forward with the coastal alignment. The County and Rail Trail advocates have navigated much tougher problems than a \$27M cost overrun. The threats of leaving Capitola out of the full scale project are just that .. threats.

They can put up "trail ends here" signs on both ends of Capitola and watch the entire vision of the trail implode. I would be fine suggesting the CTC keep their grant money that is slated for just the Capitola section over misusing the largest ATP grant awarded in California history in a way that completely contradicts the basis for which it was awarded.

It feels fraudulent to ask for that amount of money to do A .. and then propose B to save \$27M.

We look like unsophisticated small town players being 'handled' by the County.

NOTE, the **current approved plan** for the Park Ave. section is in the corridor, with an approved EIR, and an agreement by the City to engage in a consolidated Coastal Development Permit (CDP) with the County to streamline the process of getting a CDP from the Coastal Commission. What could be faster if TIME is your agenda than staying the course?

The realignment would CHANGE THE SCOPE from the GRANT intent putting the funding at great risk, require a new EIR, and another attempt to get the City of Capitola to approve that EIR and initiate the required Coastal Development Permit. If getting a trail sooner than later matters, seems like staying the course is the best answer.

I would encourage you to be very thoughtful and swift in your decision making on Thursday. DENY the Park Ave. realignment.

Leslie Nielsen
Capitola resident

Wyatt, Rosie

From: Malia Horn <maliahorn@yahoo.com>
Sent: Wednesday, April 16, 2025 8:54 AM
To: City Council
Cc: Clarke, Joe
Subject: Park ave detour

Dear Capitola City Council,

I wanted to thank you for your recent out reach to the community in regards to the proposal of rerouting the trail to Park Ave. I appreciate you pausing to get all the information needed to make a decision on this matter as it holds a lot of importance to our family and residences in the Cliffwood heights neighborhood and beyond.

With that said, it is time for the city and RTC to pivot from the idea of a train and trail "Ultimate trail" and to adopt the Interim trail plan. Keeping the trail only on the corridor is the safest, most cost effective, and will benefit our community's transportation needs. It appears that there are too many negatives that will affect Capitola as a whole, that out weigh any positive outcome from having a train coming through our community and rerouting the trail on to Park Ave. and through the village.

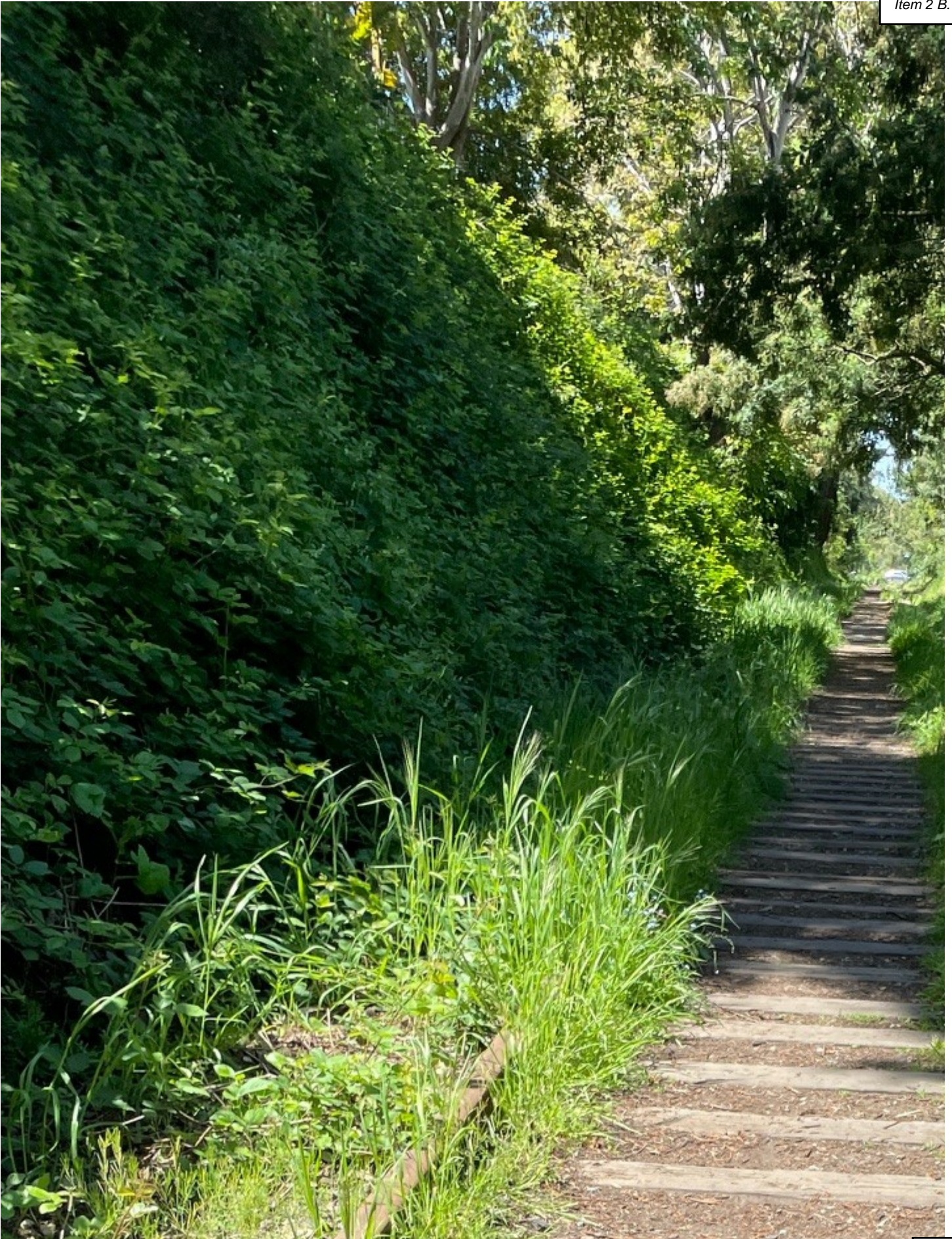
I also feel that you should wait to make a decision on the Park Ave realignment until the new cost estimate analysis for the passenger rail comes out this fall. If a train is not feasible, then why make a plan to disrupt a community and neighborhood without knowing all information and which direction the overall project will go?

Please continue to listen to the residences of Capitola.

Sincerely,

Malia Horn

Here is a photo of our family walking towards the village on the quiet stretch of tracks below Park Ave.. We utilize this path weekly along with other community members.





Wyatt, Rosie

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Wednesday, April 16, 2025 9:34 AM
To: City Council
Subject: NO Trail on City Streets

Dear Capitola City Council,

I am writing to you as a long-time resident of Capitola, having lived here for over 50 years and raised fifth-generation residents in our community. It is with great concern that I address the current discussions surrounding the proposed trail on city streets.

As citizens, we trust the council members we elected to uphold the municipal code outlined in Measure L. It is essential that you adhere to the laws that govern our community; no one is above the law. As a retired law enforcement officer, Council Member Joe Clark should understand that while it may be possible to break the law, such actions will ultimately have consequences.

I do not support the idea of a trail on city streets, and I question the rationale behind this proposal. Is there an underlying benefit to this plan that has not been fully disclosed to the public? It is crucial for transparency that you communicate any potential benefits to the community.

The trail should remain on the rail corridor, where it is both safe and practical. I believe that the council is more than capable of recognizing that this solution is viable, especially given the numerous options that have already been presented.

I urge you to listen to the voices of the residents and business owners of Capitola. Our community deserves a solution that prioritizes safety and adheres to the established guidelines.

Thank you for your attention to this matter. I hope you will take our concerns seriously and work towards a solution that reflects the wishes of the community.

Sincerely,

Tricia Proctor
Riverview Dr. Capitola, CA

Wyatt, Rosie

From: Westman, Nels (nels@bestwestman.com)
Sent: Wednesday, April 16, 2025 9:26 AM
To: City Council
Subject: April 17 Agenda Item 3B - Re-sending

Note: I believe I had a technical issue sending this email yesterday. So I am re-sending to insure it appears in the meeting packet. Thank you.

Dear City Council,

In my 40+ years in Capitola I have never seen Capitola citizens so angry. Angry at the RTC, angry at the city staff and most particularly at the City Council, a majority block of whom clearly march to instructions from the RTC, FORT and other outside politicians. They fear for Capitola's identity: the loss of their iconic Trestle, the demolition of its similarly iconic Stockton Street Bridge, the degradation of the "Vibe", safety and flow of the Village as hundreds, possibly even thousands of pedestrians, bicyclers and e-bikers descend into the Village. They feel betrayed to learn that both the spirit of Measure L and letter of that law have been blatantly and repeatedly ignored and violated by both Council and city staff for a year or more. Then finally at the April 2nd Capitola Town Hall its citizens were essentially threatened by RTC staff that if Capitola didn't bend the knee to FORT and the RTC on the Park Ave realignment project that the whole Ultimate Trail project would implode and that it would all be Capitola's fault. There was the clear implication that there would be consequences for Capitola.

It is time for Capitola to say , "enough already." We are not going to be stampeded into an illegal vote to divert the so-called Ultimate Trail off the rail corridor and onto city streets for most of corridor that runs through Capitola. All to help the RTC to reduce the cost of the error in their own their own design and engineering plans. The RTC's bad job of designing and spectacularly underestimating cost projections should not be Capitola's to cure. In desperation the RTC is now proposing to borrow money secured by future revenues from Measure D. So now taxpayers countywide are also being asked to take on the financial consequences of the RTC's sloppy work by mortgaging the County's future transportation revenues while spending much of the proceeds on interest and bonding fees. This is a very dangerous bail-out strategy. But what do you expect considering the RTC's decades long performance on the Rail Corridor? Millions of dollars of expenses and very little to show for it.

Nels Westman
 Riverview Terrace, Capitola

Wyatt, Rosie

From: donlauritson@icloud.com
Sent: Wednesday, April 16, 2025 12:15 PM
To: City Council
Subject: Park Avenue Trail

City Council Members,

Please support Options A or B for this trail segment. It will be a great improvement to this area and is superior to the option south of the rail line.

The Countywide Rail Trail Project is long-range in nature and various trail segments will be planned and constructed a different times. Future construction of a trail connection bridge across Soquel Creek will give pedestrians and bikes an option to avoid Capitola Village.

Thanks for your consideration,

Don Lauritson
34 year resident of mid County

Wyatt, Rosie

From: Therese Kilpatrick <kilpatricktherese@gmail.com>
Sent: Wednesday, April 16, 2025 11:20 AM
To: City Council
Subject: I live really close to Capitola

Follow Up Flag: Follow up
Flag Status: Flagged

I am writing to urge the Council to move ahead with the rail trail being built on the non-coastal side, i.e. adjacent to Park Avenue so we can get a safe way to bike and walk in this part of town. I would use a route like this to go to classes at Cabrillo College, and to just enjoy riding my bike in a safe place, on a safe route.

Yours sincerely,
Therese Kilpatrick

--

Therese Kilpatrick
"Life is for the living.
Death is for the dead.
Let life be like music.
And death a note unsaid."
— Langston Hughes, The Collected Poems

Wyatt, Rosie

From: ted@woodstransplant.com
Sent: Wednesday, April 16, 2025 10:34 AM
To: City Council
Subject: Rail trail

Follow Up Flag: Follow up
Flag Status: Flagged

I am totally against putting the trail on Capitola streets. It was voted on and passed 8.72 to keep the trail within the rail. We have enough traffic on the streets of Capitola without adding more . Someone is going to get hurt and it will be your fault, and you will be held liable.

Ted Woods
312 Cherry Ave
Capitola ca. 95010

Wyatt, Rosie

From: Bob F <bobfif@hotmail.com>
Sent: Wednesday, April 16, 2025 11:47 AM
To: City Council; Regional Transportation Commission
Cc: Manu.Koenig@santacruzcounty.us; bruce.mcpherson@co.santa-cruz.ca.us; eduardo.montesino@cityofwatsonville.org; openup@cats.ucsc.edu; openup@ucsc.edu; sbrown@cityofsantacruz.com; Brown, Kristen; Justin Cummings; mweiss@sccrtc.org; Matt Machado; Sarah Christensen; felipe.hernandez@santacruzcounty.us; rlj12@comcast.net; mhartman@SantaCruzSentinel.com; 2045rtp@sccrtc.org; fkeeley@santacruzca.gov; Matthew Wetstein; andy.schiffrin@santacruzcountyca.gov; eduardo.montesino@watsonville.gov; Corey Aldridge; vanessa.quiroz@cityofwatsonville.org; Justin Cummings; felipe.hernandez@santacruzcountyca.gov; Kimberly De Serpa; sclark@scottsvally.gov; Monica Martinez; alexander.dean.pedersen@gmail.com; vanessa.quiroz@watsonville.gov
Subject: Purpose of Government / Watsonville <=> Santa Cruz in Less Than 20 Minutes During Rush Hours
Follow Up Flag: Follow up
Flag Status: Flagged

=== Purpose of Government ===

The purpose of our local government (supposedly formed OF the PEOPLE, BY the PEOPLE, and FOR the PEOPLE) is to best serve those within its borders.

To help quality of life, our local governments should include the safe transportation of people from where they are within local borders to where they want to be as safely and expeditiously as possible at reasonable costs. This includes to businesses to bring in revenue to allow this quality of life to be sustained as well as to allow those who only intend to pass through, to not get impeded or to contribute unfavorably to congestion.

A means to accommodate this common sense should be encouraged. No one with an understanding of high school level physics can deny the following truth:

$$\text{per hour} / 50 \text{ miles} \times 15 \text{ miles} \times 60 \text{ minutes} / \text{per hour} = 18 \text{ minutes}$$

This simple calculation proves that once a bus is assured of traveling a steady 50 MPH (but safe in a dedicated lane within the Highway 1 median) between Watsonville and Santa Cruz (15 miles), it can travel that distance in less than 20 minutes during rush hours! (Note that while at 50 MPH it would take 18 minutes, in a 90 MPH future it would take 10 minutes. What can be guaranteed today with commonsense existing safe buses upon Highway 1 (where high speeds belong (not traffic where one can jog faster), would be a challenge for any commuter train system upon our limited non-circular single-track supposed Rail PLUS Trail Corridor environment to even safely exceed 10 MPH! Proponents intending a limited single-track commuter train system over such relatively short distances are playing very, VERY dangerous games with naive passenger lives! What would the inherently safe two-track BART commuter system be if it were downgraded to only a single track? No amount of "magic" sidings could

forever eliminate the possibility of the next 57 passengers losing their lives in another already experienced head-on train collision!

Rather than wait any more years for this billion+ dollar boondoggle to continue to drain taxpayer funds AND further waste resources while delaying more favorable transportation, consider the following which can be implemented for a fraction of the cost while achieving something that will ease traffic on Highway 1!

Squeeze in at least one dedicated bus lane within the median on Highway 1 for at least 15 miles that can accommodate a string of buses (B1-B5). During rush hours, buses B1 & B2 can travel 50 MPH non-stop between Watsonville and Santa Cruz in less than 20 minutes, B3 & B4 can travel non-stop to the halfway points, and B5 can pick up all the in-between stops. (Note that B1 could be a HWY17 bus and focus upon continuing onto Highway 17 and over the hill into Santa Clara County, B2 could focus upon serving UCSC as well as the Boardwalk and locale while B3 & B4 could accommodate Cabrillo College and the 41st locale. Again, safer and more expeditious than any train and at a fraction of the costs!)

This process could continue every 15 minutes during rush hours and tail off as per demand. This is just one possibility that can be tweaked to cost far less than the billion+ dollar single track train system that
<> will be an endless money pit and
<> will default to a slow-moving freight and tourist train as was intended over 100 years ago (but now at naive taxpayer expense) and
<> will be the next "unsinkable" Titanic if it continues upon a path to be a commuter train in our active environment which makes it even more likely to default to a slow-moving train that doesn't exceed 10 MPH.

The advantage of providing such an effective mass transportation system over on Highway 1 is that it opens up what was an unused extremely level transportation corridor to easily be viable to accommodate local traffic limited to 30 MPH. This includes tourists who want to appreciate our county's environment at their own various paces, many traveling upon rented bicycles while spending money in our community.

As an engineer with over 50 years of experience in designing and developing a variety of robust computer systems (now retired) as well as achieving a patent for an All-Express Passenger Train System (so I am pro-train in applications that makes sense but our environment forever limited to a single track in a non-circular configuration is not appropriate), I am 100% certain that implementing the Santa Cruz County version of Trail PLUS Rail would be a mistake.

A VERY concerned resident of Santa Cruz County,
Bob Fifield

Wyatt, Rosie

From: melani.c@roaringcamp.com
Sent: Wednesday, April 16, 2025 1:44 PM
To: City Council
Subject: [PDF] Comment for Special City Council Meeting 4.17.25
Attachments: Capitola City Council 4.17.25.pdf

Thank you for receiving our comments.

Melani Clark
CEO
ROARING CAMP RAILROADS
<http://www.roaringcamp.com>



April 16, 2025

City Council
City of Capitola
420 Capitola Avenue
Capitola, CA 95010

**Re: Agenda Item 3, April 17, 2025: Park Avenue Alignment for Coastal Rail Trail
Segments 10 and 11**

Dear Honorable Council,

Prior to your consideration of the materials provided for your meeting of April 17 on the Park Avenue Alignment of the Coastal Rail Trail, we wanted to provide our thoughts on the issues addressed in the staff report, in particular the concept of "adverse abandonment."

As you know, Roaring Camp, through its subsidiary, the Santa Cruz, Big Trees and Pacific Railway, operates passenger rail service between Felton and the Santa Cruz Boardwalk, utilizing a portion of the Santa Cruz Branch Line (Line). It also assists the freight operator of the Line, Progressive, with freight operations in the segment of the Line that is currently open for service in the Watsonville area. Roaring Camp has a particular interest in the preservation of rail service on the Line, as it represents the only connection between Roaring Camp and the national rail system and is therefore essential to the long-term ability of its business to function. As a rail operator, Roaring Camp is also interested in facilitating the operation of passenger rail service on the Line and fully supports regional efforts to obtain funding and implement such service.

We understand the challenging situation that your Council has been put in due to the passage of Measure L. This measure, which is of uncertain legal validity (see City Attorney's Impartial Analysis of Measure L) places the Council in the uncomfortable position of potentially blocking an important regional project that seeks to construct a desired coastal trail while preserving the community's ability to implement rail transit service in the future. The City is being asked to confirm its preferred alignment of the trail along Park Avenue. The City has been presented with a very workable alternative that minimizes impacts to existing trees and provides needed traffic and safety improvements. As part of the consideration of the Park Avenue alignment, we understand that the City is also considering the long-term future of the Capitola Trestle. One option under consideration is the potential removal of the rails and the installation of a deck for train use. This would effectively prevent the use of the bridge for rail service and would likely forestall the use of the line for future rail service. The report does not clearly note that the City

does not own the bridge and would not have the legal right to make any such changes to it. The Santa Cruz Branch Line, including the Capitola Trestle, is owned by the Santa Cruz County Regional Transportation Commission and is licensed to a private freight rail operator, Progressive.

The staff report, on pages 8 and 9, discusses the prospect of "railbanking" a status that can be imposed under a federal regulatory process that considers abandonment of the rail line. We have frequently stated our objections to railbanking, which, in this context would likely foreclose the prospect of future passenger rail service on the line. Railbanking is only available as part of the federal Surface Transportation Board's consideration of an application to abandon (remove from federal regulatory jurisdiction) a rail line. As the freight rail operator, Progressive would be the party that would normally seek abandonment of the line, which removes the line from federal jurisdictional control. Progressive, however, currently has no intention of filing for abandonment. Therefore, an abandonment could only be pursued by means of an unusual "adverse abandonment" proceeding, brought by a third party to force the abandonment. It is extremely unlikely that such an action would be approved simply to control the use of a single bridge, as it would not only sever the line from Santa Cruz, but would impair the utility of the entire branch line in the future. Therefore, the entire line (at least from Capitola north) would need to be abandoned. And such an action is unlikely to succeed when it is in direct conflict with the clear preference of the county, as shown by the results of Measure D in June of 2022.

Perhaps more importantly, abandonment of the line may create significant practical and legal obstacles to the renewal of rail service on the line in the future. Nationally, although almost 25,000 miles of track have been railbanked, only one eight-mile segment has been returned to service. Any action that substantially impairs future prospects for rail service should only be considered as part of a comprehensive regional process that considers the full implications of such an action. Before embarking on such a course, the City should very carefully consider not only whether such an approach will provide the desired benefits sought, but also the permanent damage such an action would have on prospects to renew service on the line. And given the clear mandate provided by the electorate in 2022, such an action by the City would be in stark contrast to the clear preference of the County as a whole.

We appreciate the opportunity to provide our thoughts to the Council and ask that you reject consideration of any action to seek to abandon the rail line.

Sincerely,

Melani Clark
CEO, Roaring Camp

Wyatt, Rosie

From: Barry Scott <barry_scott@sbcglobal.net>
Sent: Wednesday, April 16, 2025 1:25 PM
To: Goldstein, Jamie (jgoldstein@ci.capitola.ca.us); City Council; Gautho, Julia
Cc: Regional Transportation Commission
Subject: From Barry Scott, Please Approve Park Avenue - Do not wait for the ZEPRT report.
Attachments: Capitola Three Trail Segments.png; Park Ave Ultimate notes copy.jpeg

Dear Capitola City Council, Staff, and others.

The ZEPRT report in September will neither assure rail transit nor end planning for a rail transit project.

The report will inform the RTC on the benefits and challenges of the initial plans and how to proceed with revised plans.

It will not result in a way to build the Coastal Trail on the railbed through railbanking, as many trail-only advocates insist.

Please resist using the ZEPRT report as a reason to take no action at the April 17th meeting.

Park Avenue Options A and B save the City expenditures and expedite City Traffic-Calming plans for Park Avenue without running a trail "onto streets and sidewalks."

This section is entirely disconnected from the trestle and the Village, so claims that CMC 8.72 violations are in play are questionable.

Collaboration between City and County governments has been working well for other parts of the Coastal Trail project, and I hope Capitola will join them now.

Aware of the pressure and intimidation you are being subjected to by a minority of activists, I urge all of you to find the courage and resolve needed to support the City staff recommendation to permit the County to pursue the inclusion of Option A or B as an included alternative so that state funds are not lost and a superior trail is built in this section.

I am sharing with you two documents: one describing how Park Avenue is a separate project from the rest of the trail through your city and a second image showing the new Park Avenue alignment next to the prior "Ultimate Trail" alignment on the coastal side of the tracks.

PS, A trail-only option with raibanking and track removal is not achievable within the timeframe required of grants, if it's attainable at all.

We can't have a California Coastal Trail without Capitola's collaboration.

Please come together with the other cities and approve the Park Avenue Option.

Warm regards,

Barry Scott in Aptos

--

Barry Scott

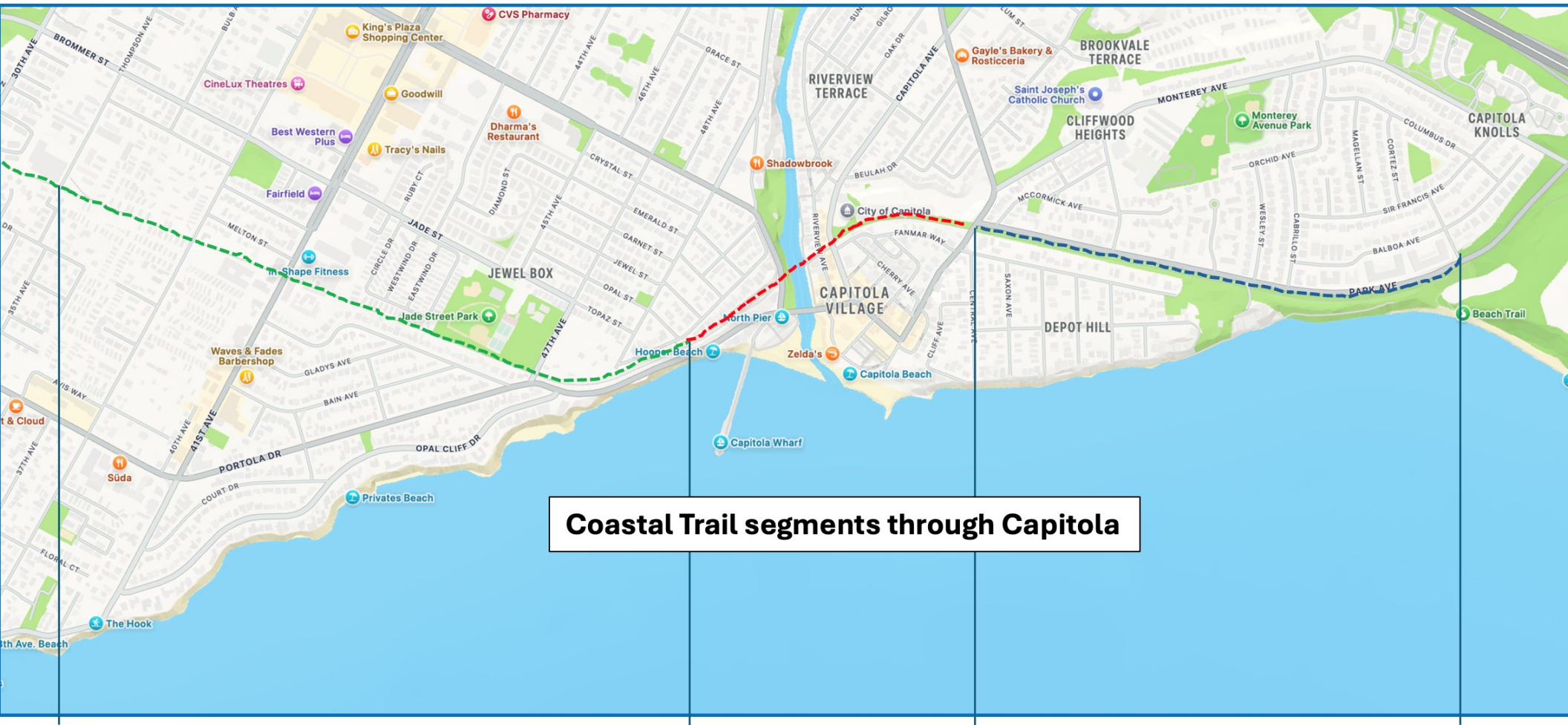
Office: 831.612.6574
Mobile: 209.482.5663

Item 2 B.

Coastal Trail segments through Capitola

Item 2 B.

The RTC and County don't need to solve all three sections to build any one of them. Park Ave. may be the simplest section to build.



Coastal Trail segments through Capitola

Segment 10 Trail Constraints

- Narrow right of way, property encroachments
- Option 1: Trail along Jade St, Brommer, Thompson
- Option 2: Trail along Nova, Melton, Garden, Thompson
- Option 3: Narrower trail adjacent to rail where needed

Segment 11B over Soquel Creek

- Existing bridges are at end of useful life
- MBSST provides for two different trail solutions:
- Option 1: New dedicated trail bridge next to existing
- Option 2: New iconic combined-use bridges

Park Avenue Alternatives

- Original plans are too expensive and impact Monarchs
- Option A: 12-foot separated trail next to Park Ave with 3-ft buffer & additional bike lane on inland side of Park
- Option B: 12-foot separated trail next to Park Ave with wider 5-foot-wide raised buffer between traf trail

Figure 1: Previously Approved Coastal Rail Trail Alignment

Item 2 B.

Capitola Side of Project
Capitola Homes above trail

Park Avenue Side of Project →
Neighborhoods & Schools →

OLD PLAN

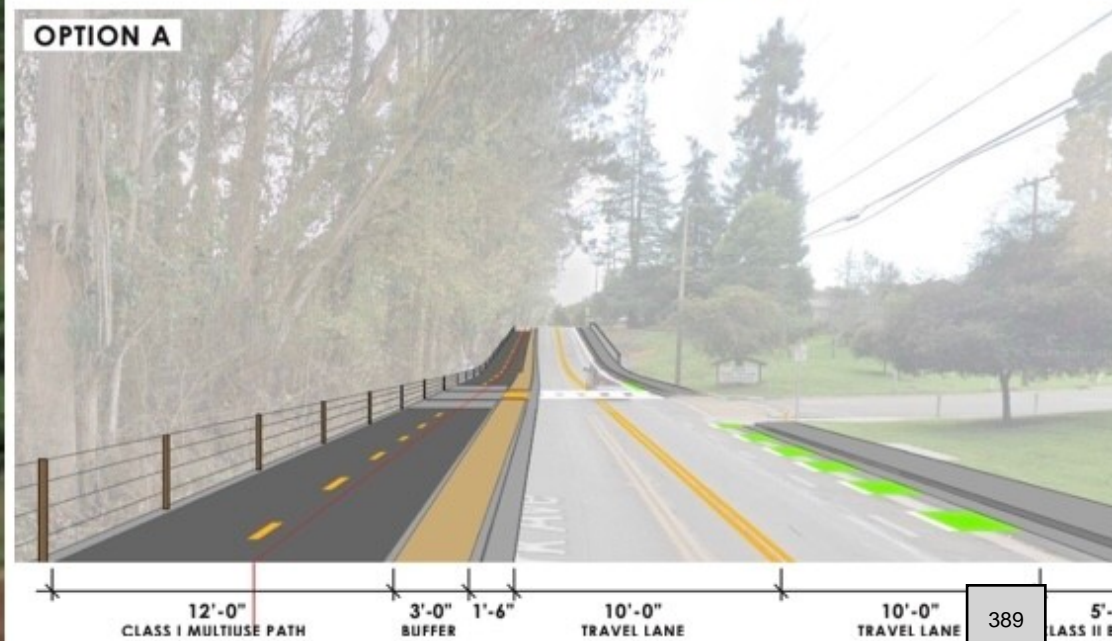


← The former Ultimate Trail would be separated from Park Avenue by the trail and fencing.

City of Capitola and RTC Staff recommend a better and more affordable plan adjacent to Park Avenue but separated from traffic lanes on Park Avenue ↓ ↓ ↓

NEW PLAN!

OPTION A



12'-0"
CLASS I MULTIUSE PATH

3'-0"
BUFFER

1'-6"

10'-0"
TRAVEL LANE

10'-0"
TRAVEL LANE

389

5'-0"
CLASS II PATH

Wyatt, Rosie

From: Scott Miller <scottmiller81@gmail.com>
Sent: Wednesday, April 16, 2025 1:25 PM
To: City Council
Subject: Rail Trail - Park Ave & Monterey Ave

Please approve the rail trail design adjacent to Park Avenue so we can get a safe way to bike and walk in this part of town.

--

Scott Miller
Santa Cruz, CA

Wyatt, Rosie

From: Robert Suess <suesssmiles@sbcglobal.net>
Sent: Wednesday, April 16, 2025 1:21 PM
To: City Council
Subject: Fw: Rail Trail -NOT on Park Avenue!

To the City Council of Capitola:

The Rail Corridor was purchased for the Rail trail, Keep the Trail on the Rail please. CMC 8.72 - 8.72.040 Implementation. 1. The City of Capitola, through its constituent departments, shall take all steps necessary to preserve and utilize the Corridor and Trestle for active transportation and recreation. 2. No City of Capitola department, agency or employee shall expend any funds or resources related to the construction, reconstruction, operation, maintenance, financing, marketing, or signage for a detour of the Trail onto Capitola streets or sidewalks.

Bob Suess

Wyatt, Rosie

From: Jeb Bishop <jeb@baymoon.com>
Sent: Wednesday, April 16, 2025 1:16 PM
To: City Council
Subject: vote YES for rail & trail!

To the Capitola City Council:

At tomorrow's 04/17 City Council meeting, please vote yes to further the aims of the rail and trail. This is a County-wide and regional project that needs all of us to step up and do our part to make it happen. With ever more people and ever more congestion on our roads, it becomes ever more imperative to make the rail and trail a reality. We need a safe trail for all of us to be able to walk and bike on away from traffic. We need the alternative of a train to take us around Monterey Bay and connect to the State system as traffic gets ever heavier.

Please vote tomorrow for the trail in Capitola. Please don't jeopardize grant funds for a successful rail and trail and don't sabotage the long range vision.

Thank you,

Jeb Bishop
Santa Cruz CA 95062

Wyatt, Rosie

From: Matt Miller <matt.miller@ecoact.org>
Sent: Wednesday, April 16, 2025 1:09 PM
To: City Council
Subject: [PDF] Comment on Item B: Park Avenue Alignment
Attachments: City of Capitola - Letter of Support for Park Ave Rail Trail Alignment 4.16.25.pdf

Hello Mayor Clarke and City of Capitola Council,

Please find the attached letter regarding Item B Park Avenue Alignment for tomorrow's special meeting. Thank you for your consideration and leadership on this significant project.

Best,

Matt Miller (he/him)
Director, Mobility Transformation

Office **831.515.1324**
877 Cedar St. Suite 240, Santa Cruz, CA 95060
letsmodo.org | vamosmodo.org





4/16/25

City of Capitola City Council
420 Capitola Avenue
Capitola, CA 95010
RE: Item B Park Avenue Alignment

Dear Mayor Clarke and Capitola City Council,

Ecology Action, a California environmental non-profit headquartered in Santa Cruz, supports the investment in active transportation infrastructure with the **Park Avenue Alignment of the Coastal Rail Trail** to construct a continuous Class I bicycle and pedestrian facility that will enhance safety, equity, reduce vehicle miles traveled (VMT) and greenhouse gas emissions (GHG), and improve access to jobs, housing, and recreational opportunities for community members and visitors. The Coastal Rail Trail is part of the Monterey Bay Sanctuary Scenic Trail Network — envisioned over 20 years ago by then-U.S. Congressman Sam Farr—providing a continuous bicycle/pedestrian path through the most densely populated areas of Santa Cruz County.

Ecology Action's mission is to advance equitable climate solutions in high GHG emitting sectors, including transportation and this paved path will significantly enhance safe, convenient and accessible bike and pedestrian transportation in Capitola and points east and west.

We acknowledge that the Park Avenue Alignment deviates from the ultimate trail configuration and therefore represents a departure from the idea of this project that has been promoted and socialized for years. We also appreciate that in the face of all the variables, funding, and timeline at play, this clarifies the needed direction at this moment. Approving Park Avenue offers the city and surrounding community a much more likely and timely project that can materially improve safety, mobility, and quality of life. A no vote would introduce much more uncertainty, higher costs, and put at risk the funding and completion of a beautiful segment of the county-wide network. We need more high-quality active transportation facilities, and this is the way to get there with available funds. Being able to deliver a project with a historic grant amount from the state of California bodes well for momentum and future funding while not delivering it risks this project and potential opportunities down the road.

The project is particularly important for enhancing safety. Santa Cruz County has unacceptably high, and ultimately avoidable, rates of collisions involving bicyclists and pedestrians. The project will provide separation for people biking and walking from vehicular traffic, which is one of the most effective strategies for reducing bicycle/ pedestrian and vehicle collisions. Previous community engagement in Capitola has indicated a desire for safety and traffic calming measures on Park Avenue.

The project supports mode shift from single-occupancy vehicles to bicycling and walking and reduces VMT and GHG emissions by providing an attractive, direct, comfortable, and convenient alternative to driving. Residents and visitors will especially choose to bicycle and walk during periods of high car congestion on parallel roadways to reduce travel times and achieve personal health benefits.



Ecology Action supports the Park Avenue alignment, with either design. It will provide a new connection for Santa Cruz County's active transportation network and improve the livability, equity, and quality of life for residents and visitors in Capitola and Santa Cruz County. We hope the City of Capitola can help propel this exciting project forward.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Miller".

Matt Miller
Director, Mobility Transformation

Wyatt, Rosie

From: Tina Andreatta <tina.marieotr@gmail.com>
Sent: Wednesday, April 16, 2025 1:05 PM
To: City Council
Subject: Reduce Park Avenue Fire Danger - Approve Option A or Option B for the Park Avenue alignment

Dear Mayor Joe Clarke and City Council-members,

I am a former business owner in Capitola — in fact about 30 years. I lived in the heart of Capitola Village on Cherry Avenue, and Del Monte Avenue, Capitola. Now I live across the street from the Coastal Rail Trail.

I am writing about the issue of fire safety. The large eucalyptus trees on both sides of the Park Avenue and Coastal Rail Trail pose a dangerous fire hazard- similar to Pacific Palisades and Alta Dena.

The RTC and County has offered Capitola a choice of Option A and Option B which saves Capitola from spending needed money on Park Avenue. No cost to Capitola.

Option A and Option B protects MORE Monarch Butterflies habitat.

Leave a legacy for your children, grandchildren and future generations.

Sincerely,

Tina Andreatta
Santa Cruz County Resident

Wyatt, Rosie

From: Mark Ban <markban@sbcglobal.net>
Sent: Wednesday, April 16, 2025 12:29 PM
To: City Council
Subject: Park Avenue rail trail

Riding my bicycle on Bay Avenue in Santa Cruz I can't help wondering why if the RTC needs to save money, they didn't put the trail on Bay Avenue. It appears to me a direct comparison to Park Avenue in Capitola. The RTC is just taking advantage of a small town. City council members please stand up for your constituents and not let the RTC take advantage of us. The rail Corridor is beautiful and it should not be sold out to a busy street. Santa Cruz didn't do it and neither should we.

Mark Ban

I am a long-term Capitola resident on McCormick Avenue

Sent from my iPhone

Wyatt, Rosie

From: Alicia L. Amaro <aamaro@fentonkeller.com>
Sent: Wednesday, April 16, 2025 2:01 PM
To: City Council
Cc: Clarke, Joe; Pedersen, Alexander; Gerry Jensen; Margaux Morgan; Melinda Orbach; Gautho, Julia; Herlihy, Katie (kherlihy@ci.capitola.ca.us); Goldstein, Jamie (jgoldstein@ci.capitola.ca.us); Kahn, Jessica; Mozumder, Kailash; Derric G. Oliver
Subject: [PDF] Letter to Capitola City Council (4-16-25) Morrissey Public Comments on Agenda Items 3(A) & 3(B) (Measure L)
Attachments: LTT Capitola City Council 4-16-25 Morrissey Public Comments on Agenda Items A B (Measure L) (01729963).pdf

Good afternoon,

Please see the attached letter, providing public comments from Mike and Meghan Morrissey, on agenda items 3(A) & 3(B) (Measure L) of the City Council's meeting on April 17, 2025.

Thank you,

Alicia L. Amaro

Alicia L. Amaro
Administrative Assistant to
Alex J. Lorca, Derric G. Oliver &
Rebecca J. Saathoff
FENTON & KELLER
 Post Office Box 791
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 KENNETH S. KLEINKOPF
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 ext. 207

April 16, 2025

VIA EMAIL ONLY (citycouncil@ci.capitola.ca.us)

Capitola City Council
 Capitola City Hall
 420 Capitola Avenue
 Capitola, CA 95010

Re: Public comments on Agenda Items 3(A) & 3(B) (Measure L)
 Capitola City Council meeting 4-17-25
Our File: 35278.34203

Dear Capitola City Councilmembers:

This law office represents Capitola property owners and residents, Michael and Meghan Morrissey, in connection with the above-referenced subject. This letter offers the Morrisseys' position regarding Agenda Item 3(A), Measure L, and Agenda Item 3(B), regarding a proposed relocation of Segments 10 and 11 of the Monterey Bay Sanctuary Scenic Trail (aka Coastal Rail Trail) ("Trail") off the Santa Cruz Line Branch Line Rail Corridor ("Corridor") in violation of Measure L, codified as Capitola Municipal Code ("CMC") Chapter 8.72, entitled "Greenway Capitola Corridor."

1. Agenda Item 3(A): Measure L

Measure L was passed in 2018 pursuant to the initiative power reserved by the People in the California Constitution. As such, the City Council cannot amend or repeal Measure L, absent further voter initiative to do so. (Cal. Const., art. II, § 10, subd. (c).) A statute, once duly enacted, is presumed to be constitutional, and if challenged, unconstitutionality must be clearly shown, with doubts resolved in favor of the statute's validity. (*Lockyer v. City & County of San Francisco* (2004) 33 Cal.4th 1055, 1084.) This is particularly so in the case of statutes passed through voter initiatives, which the courts "jealously guard" and liberally construe so as not to improperly annul the will of the voters. (*California Cannabis Coalition v. City of Upland* (2017) 3 Cal.5th 924, 934.)

{DGO-01729595;2}

Capitola City Council
 April 16, 2025
 Page 2

It is the courts, not this City Council, who have the authority to determine the validity and enforceability of Measure L. (See, *Perry v. Brown* (2011) 52 Cal.4th 1116.) The City had the opportunity to challenge the validity of Measure L after its passage. The City did not do so, nor has Measure L unlawfully invaded the province of the City Council's jurisdiction or essential functions.

While City Staff has correctly acknowledged the validity and enforceability of Measure L in their staff reports, City Staff has misinterpreted the plain and unambiguous language and express purpose of Measure L in several important respects. As outlined in my February 12, 2025 letter to the City Council, contrary to previous City Staff assertions, Measure L establishes directives and limitations, as opposed to abstract "goals," which clearly and plainly require the City to keep the Trail on the Corridor, and refrain from using City funds and resources (including bike lane easements, dedications of land, staff time, attorney time, etc.) to allow the contrary. City Staff, in relying on a dictionary definition of the word "detour," have ignored the statutory context in which the term "detour" is required to be interpreted, which makes clear that any planned, temporary, or permanent diversion of the Trail through City streets is considered a "detour" from the Corridor and expressly prohibited by Measure L.

Measure L is not "vague" or unclear, let alone unconstitutionally so. It provides more than adequate notice of required and prohibited conduct, as the City is well aware of, given its compliance with it for the past six, almost seven, years. Any challenge to Measure L's validity would assuredly fail, as its opponents would be hard-pressed to meet the exacting tests applied by the Courts for such claims. As such, the Morrisseys urge and demand you to direct City Staff to interpret the Measure L consistent with its plain terms, and to conform your votes to its directives and the will of the voters.

2. Agenda Item 3(B): Park Lane Avenue Realignment

The Morrisseys object to the realignment of the Trail on Park Avenue because it violates Measure L. Both Option A and Option B relocate/detour the Trail onto Capitola streets in direct contravention of Measure L's operational provisions prohibiting such diversion. Additionally, both Option A and Option B will require the City to spend funds and resources to support the detouring of the Trail into City streets. While the Staff Report notes there is no "immediate cost" to the City, the City will still have to grant easements and potentially land dedications to allow City-owned streets to be utilized by the RTC and County, in violation of the prohibition of spending "resources" in support of a detour. Further, the Staff Report makes clear the City will be obligated to commit \$16,000 to \$22,000 annually to maintain this detour. This is a plain violation of Measure L and the City Council cannot approve it without violation Measure L.

In contrast, a reexamination of prior plans to maintain the Trail within the Corridor is not only feasible, but appropriately honors both the law and the will of the people. The Morrisseys urge you to vote against both Options A and B, and return to the reexamination of plans which keep the Trail within the Corridor.

Capitola City Council
 April 16, 2025
 Page 3

3. Conclusion

The Morrisseys and the voters who enacted Measure L demand and expect the City to fully comply with its limits, the express “purpose” of which is to “keep” the Trail “in” the Corridor “to improve safety and reduce traffic.” (CMC § 8.72.010.) They expect you to honor its provisions that Measure L “shall not be amended or repealed except by vote of the people.” (CMC § 8.72.050.) Thank you in advance for your review and consideration of the Morrisseys’ public comments on this item of great importance to the safety, welfare, traffic, parking, and aesthetics of their great City.

Very truly yours,
 FENTON & KELLER
 A Professional Corporation



Derric G. Oliver

DGO:rjs

cc:

Joe Clarke, Mayor (jclarke@ci.capitola.ca.us)

Alexander Pedersen, Vice Mayor (apedersen@ci.capitola.ca.us)

Gerry Jensen, Council Member (ghensen@ci.capitola.ca.us)

Margaux Morgan, Council Member (mmorgan@ci.capitola.ca.us)

Melinda Orbach, Council Member (morbach@ci.capitola.ca.us)

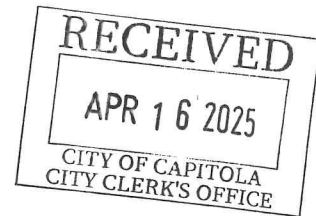
Julia Gautho, City Clerk (jgautho@ci.capitola.ca.us)

Katie Herlihy, Community Development Director (kherlihy@ci.capitola.ca.us)

Jamie Goldstein, City Manager (jgoldstein@ci.capitola.ca.us)

Jessica Kahn, Public Works Director (jkahn@ci.capitola.ca.us)

Kailash Mozumder, Public Works Project Manager (kmozumder@ci.capitola.ca.us)



April 16, 2025

Dear Mayor Joe Clarke and City Council-members,

Earth Day is just around the corner - the 55th year that people will gather to vow their commitment to bringing changes that will protect our planet.

Earth Day 2025 in Santa Cruz County, though, comes with a certain urgency this year, as our remarkably blessed and scenic county has been hard hit in recent years by disasters likely affected by climate change.

It is critical — and doable — to take collective action now and invest in our future.

*Support smart green government investments in infrastructure, jobs, and our communities.

*Support equity and climate justice. The climate crisis impacts everyone differently, and marginalized communities are hit the hardest by environmental consequences. Without this understanding, climate action falls short.

Time is of the essence: Choose Option A or Option B on Park Avenue of the Coastal Rail Trail.

The County and the RTC has offered Capitola a choices, either Option A or Option B.

Please join this partial list of public agencies and nonprofits who support the Coastal Rail and Trail:

- *City of Watsonville City Council;
- *City of Santa Cruz City Council;
- *California Coastal Commission;
- *Caltrans;
- *Department of Transportation: Division of Rail and Mass Transportation;
- *Regeneration Pajaro Valley;
- *Transportation Agency for Monterey County;
- *Elderly & Disabled Technical Advisory Committee, an official advisory body to the RTC;
- *Association for Monterey Bay Governments: San Benito, Santa Cruz & Monterey Counties;
- *Bike Advisory Committee, an official advisory body to the RTC;
- *Land Trust of Santa Cruz County;
- *Democratic Central Committee of Santa Cruz County;

- *Monterey/Santa Cruz Counties Building & Construction Trades Council;
- *Bike Friendly Watsonville;
- *Environmental Committee for the San Lorenzo Valley Women's Club;
- *Santa Cruz County Friends of the Rail & Trail;
- *Youth for Climate Justice;
- *And hundreds of other organizations, businesses and individuals in Santa Cruz County that support opening the Santa Cruz Coastal Rail & Trail for public use.

The decisions made in Capitola will have repercussions for all of us county-wide.

Kind Regards,

Brenda Torres, Capitola resident
Linda Davis, Capitola resident
Jonney Hughes, Capitola resident
Warren Rudder, Capitola resident
Carmen Bernal, Capitola resident
Holly Devine, Capitola resident
Tom Rath, Capitola resident
Amy Rudder, Capitola resident
Betty Williams, Capitola resident
Rick Walker, Capitola resident
Rhea Carriger, Capitola resident
Sue Kaufmann, Capitola resident
Mary Allen, Capitola resident
Colleen Gilmartin, Capitola resident
Susie Stelle, Capitola resident

Wyatt, Rosie

From: Samantha Wildman <samreek@att.net>
Sent: Wednesday, April 16, 2025 2:28 PM
To: City Council
Subject: Coastal Rail Trail

Follow Up Flag: Follow up
Flag Status: Flagged

Hello, regarding the Segments 10 & 11 project:

I live off Park Avenue and walk my dog on the railroad tracks to get exercise safely off the street. I am hoping the project can move forward to help both Capitola residents, nearby Soquel residents (such as myself) and visitors. This new segment can provide a safe way for walkers, bicyclists to travel up and down Park Avenue in a safe manner.

Please move forward with this safety improvement. Thank you! I am unable to make the meeting this Thursday. But I wanted to voice my opinion here.

Sincerely,

Samantha Wildman

2856 Lindsay Lane, Soquel CA 95073

(831) 431-0389

Sent from my iPhone

Wyatt, Rosie

From: Saladin Sale <saladinssale@gmail.com>
Sent: Wednesday, April 16, 2025 2:54 PM
To: City Council
Subject: Please Support Park Avenue Trail Option A or Option B Now

Dear Councilmembers –

Please endorse either Option A or Option B tomorrow evening to take the next steps towards building a better bike and pedestrian trail along Park Avenue.

In this matter, you are looking at a rare opportunity to dramatically improve an obsolete and inferior city asset, the current Park Avenue bike lane, by accepting the offer to build a wider and safer trail paid for entirely by RTC funds. The alternative is to lose this opportunity by bowing to the small number of obstructionists who at every opportunity are still trying to block progress on a funded regional infrastructure project, in this case by promoting an inferior and more costly trail design *below* Park Avenue that would be much more difficult for Capitola residents to access.

I favor Option A because it preserves the existing Class II bike lane on the opposite side of Park Avenue but would also support Option B if the Council prefers. The important thing is to endorse one or the other and move forward with positive action.

Respectfully,

SALADIN SALE
Santa Cruz, CA

Wyatt, Rosie

From: pacpubs@attglobal.net
Sent: Wednesday, April 16, 2025 4:43 PM
To: City Council
Cc: Lynne Ann DeSpelder; Albert Lee Strickland
Subject: Fwd: Listen to Capitola Residents NOT the RTC

To all Council members, Sorry for the duplication but my earlier email did not show up on emails received for the meeting so Rosie said to use the "all Council" Address

----- Original Message -----

Subject: Listen to Capitola Residents NOT the RTC

Date: Wed, 16 Apr 2025 16:25:15 -0400

From: pacpubs@attglobal.net

To: Gerry Jensen <gejensen@ci.capitola.ca.us>, Melinda Orbach <meorbach@ci.capitola.ca.us>, Margaux Morgan <MaMorgan@ci.capitola.ca.us>, Joe Clarke <jclarke@ci.capitola.ca.us>, Alexander Pedersen <a.pedersen@ci.capitola.ca.us>

Cc: Lynne Ann DeSpelder <pacpubs@attglobal.net>, Albert Lee Strickland <pacpub@attglobal.net>

Dear Capitola City Council,

This email will be among the many already posted in your agenda packet regarding items 3A and 3B. Please read the comments sent to you regarding the RTC's move to put the "trail" on city streets. We urge you to uphold your legal and civic duty to follow Measure L and previously litigated Section 8.72 of our Municipal Code. We all heard in the April 10th section "Oral Communications by Members of the Public", the intent and clarity to preserve the trail within the rail corridor and prohibit its diversion onto Capitola City Streets.

Sincerely, Lynne DeSpelder & Albert Lee Strickland
 Homeowners and 33-year residents of Capitola Village

Wyatt, Rosie

From: Michael Ballen <michaelballen@att.net>
Sent: Wednesday, April 16, 2025 4:10 PM
To: City Council
Subject: Support for the Rail Trail

Dear Capitola City Council,

I want to add my voice to the support for completing the Rail Trail from Monterey & Park to New Brighton State Beach.

I am an avid biker, but being a senior citizen, I am restricting myself to ride only on dedicated bicycle trails nowadays. No more off road or sharing the road with cars. It's way too scary for me now.

My sister lives in Capitola, and I visit her often. One activity that we can still do together is ride bikes, like we did when we were kids. It's very meaningful for me to get cardio exercise and maintain my engagement with my family, so riding safely in Santa Cruz County is desirable for me.

Please preserve the existing Rail Trail grant funding, and be a part of a great thing for all Bay Area residents.

Thanks very much,

Respectfully,

Michael Ballen

Wyatt, Rosie

From: Carl A. Seibert <carloncam@gmail.com>
Sent: Wednesday, April 16, 2025 4:08 PM
To: City Council
Subject: Please Approve The Park Avenue Trail Project

Dear Mayor Clark and Capitola City Council Members:

My name is Carl Seibert, I reside in Soquel.
 I've had the privilege of speaking before you several times, thank you.
 I've called our "Mid-County" area home since the late 1950s
 (I'm a proud graduate of Capitola Elementary, Class of 1965 too.)

I encourage you to please vote "Yes" for either "Trail Option A" or "Trail Option B" on Park Avenue from Monterey Avenue to New Brighton. (Personally, I prefer Trail Option A, it is more practical.)
 The consequences of your vote won't just affect the City of Capitola, it will resonate throughout our county.

A grant of 67 million dollars is already in-place for construction of this trail segment. If that isn't getting to "Play With House Money", I don't know what is!
 (I consider it all the more exceptional because our county is the second-smallest in California. How great is that, for us to get that kind of consideration?)
 Please don't pass on this opportunity to fund a beautiful, safe stretch of a county-wide trail.

Since funding and the costs of this project are frequently the focus of this issue, I don't understand why it isn't considered more often in terms of an "Investment".
 Not just an investment in tangibles like bridges, trestles, rail crossings and other much-needed physical improvements, but in our greater community as well.
 The funding will provide for good-paying jobs, employment for local residents; many of them "Green Jobs".
 The money those folks earn will largely be spent here locally, to pay for their families, their homes, their groceries, household needs, etc. - and taxes. Those tax revenues will be put back into our communities as well.
 I believe it creates a "Beneficial Cycle", revenue-wise for the City of Capitola and our county. In the process, Capitola and the greater Santa Cruz County area get a world-class bike and pedestrian trail that many generations of us get to use and enjoy.

Again, please vote "Yes" to move forward on this project, thanks again.

Sincerely,
 Carl Seibert
 Soquel

P.S. Have you seen pictures of the "Westside to Boardwalk" segment of the trail?

It looks terrific - and with your approval we gain an even more beautiful - and safe - street
it on Park Avenue!

Item 2 B.

carloncam@gmail.com

Wyatt, Rosie

From: Klank Diolosa <klank516@yahoo.com>
Sent: Wednesday, April 16, 2025 4:05 PM
To: City Council
Subject: NO on Rail Project.

I love here in Capitola and I'm very much against this project. I strongly vote NO and ask you to as well. We don't need to have all that major construction leading to unnecessary congestion in our small beach town. We don't need the damage to the trees and the current ecosystem.

I cannot stress enough how much I am against this project, and I hope you will hear not only my voice, but the others in our community here who feel the same way as I do.

Thank you

Daren Diolosa

Sent from my iPhone

Wyatt, Rosie

From: rockinrmb <rockinrmb@gmail.com>
Sent: Wednesday, April 16, 2025 3:53 PM
To: City Council
Subject: Rail-Trail Community Input

Dear Mayer and Members of the Capitola City Council,

The rail & trail decisions made in Capitola will have repercussions for all County residents that have already voted in favor of Rail and Trail by a supermajority, in two separate elections. Now, at stake is the loss of the rail/trail grant and then the requirement to return the approximately \$70million, due to incessant obstructionism by a minority of well-funded, property developers and their minions that have a personal greed interest in sabotaging rail. They are a serious public nuisance, fighting with deep pockets the will of the voting majority by causing perpetual delays every step of the way, unnecessary study after study, disinformation and divisiveness, at great cost to our community well being. Enough is enough!

"In 2022, Santa Cruz County received the largest active transportation grant ever awarded to a county by the California Transportation Commission, totaling over \$105 million. Approximately \$70 million of this funding is allocated for the development of the Coastal Rail Trail Segments 10 and 11, including the portion passing through Capitola. More recently, a significant federal grant was awarded for construction of the same project." Can we just be grateful for the State support and assistance and move forward expeditiously? Please just say, "No," to the incessant obstructionists.

Thank you,

R. M. Belkin
Soquel, CA

Sent from my iPhone

Wyatt, Rosie

From: Jim MacKenzie <jimmo@cruzio.com>
Sent: Wednesday, April 16, 2025 3:32 PM
To: City Council
Subject: Measure L (Capitola Municipal Code Section 8.72) and MBSST trail alignment

To: Capitola City Council
 From: Jim MacKenzie, resident of Santa Cruz

April 16, 2025

Mayor Clarke, Vice Mayor Pedersen, and Councilmembers Jensen, Morgan, and Ohrbach:

You have my wholehearted support in approving either Park Avenue alignment (Option A or B) of MBSST Segment 11, as proposed by the SCCRTC.

The Capitola City Council's pending decision regarding the county's and RTC's proposed alignment of Segment 11 of the Monterey Bay Sanctuary Scenic Trail (MBSST) along Park Avenue has been characterized as being "controversial." But I believe that the "controversy" surrounding this decision has been manufactured and amplified by a small cadre of trail-only, anti-rail activists bent on ending, forever, the possibility of future passenger rail transit in Santa Cruz County.

Despite the overwhelming countywide 73%-to-27% defeat of Greenway's 2022 anti-rail Measure D, the same well-heeled lobbying group, four years prior to Measure D, concocted, collected signatures for, and provided overwhelming campaign funding to effectuate the narrow 206-vote passage of a Capitola-only ballot initiative, Capitola Measure L (Greenway), in 2018.

Measure L stipulated that any segment of the MBSST designed to run through Capitola Village must be contained completely within the Santa Cruz Branch Rail Line (SCBRL) right-of-way, i.e., the Capitola rail trestle. And saying that Measure L was also designed to make Capitola Village streets safer by routing bicycles off of them left out the very important fact that Village streets already had designated bike lanes and that it would never be unlawful for bicycles to use these streets to traverse the Village. This seems even more ludicrous in light of the fact that the City of Capitola is currently in the process of installing 100 BCycle docking stations and bringing 50 for-rent e-bikes to its streets — including in the Village. And that Capitola Village is also hosting a day-long event that will ban cars and allow only cyclists and pedestrians on the streets..

Following its passage seven years ago, Measure L (Capitola Municipal Code Section 8.72) became a ticking time bomb embedded in Capitola's municipal code, designed to do one thing and one thing only when the right time came: force the trail, as it passed through Capitola Village, onto the rail trestle — which would require removing the rails, thus making it nearly impossible for rail to ever be reinstated there — rather than routing the trail temporarily, through village streets until a new bicycle-pedestrian bridge could be constructed across Soquel Creek.

It should be pointed out that Measure L (Greenway, 2018) was enacted in direct contradiction with the Capitola City Council's unanimous resolution only three years before, in 2015, to adopt the 2013 MBSST Master Plan, which clearly stated, regarding Segment 11:

"The greatest challenge in this segment is the rail trestle crossing of Soquel Creek. The current rail trestle passes through a historic district. There are current discussions about improvements to this bridge trestle due to structural conditions. Coastal trail access through this area will need to continue on existing surface streets and sidewalks to

cross Soquel Creek and navigate through Capitola Village.”

Item 2 B.

It also should be noted, for the record, that the Capitola rail trestle IS NOT OWNED BY the City of Capitola, and that Capitola has no jurisdiction over its use. The rail corridor, right-of-way, and rail infrastructure, including the trestle, were purchased by the Santa Cruz County Regional Transportation Commission (RTC) — a state-established regional transportation planning agency (RTPA) — with state rail bond funds from a 1990 statewide ballot initiative, Proposition 116, which stipulated that the Santa Cruz Branch Rail Line would be used for the development of passenger and other rail uses. So, in essence, the Santa Cruz Branch Rail Line corridor, right-of-way, and rail infrastructure belong to the people of California.

Thank you for your thoughtful consideration.

Jim MacKenzie
Santa Cruz

Wyatt, Rosie

From: Kieran Horn <kieranehorn@gmail.com>
Sent: Wednesday, April 16, 2025 4:45 PM
To: City Council; Clarke, Joe
Subject: Coastal Rail Trail / Park Ave

Dear Capitola City Council,

I wanted to thank you for your recent outreach to the community in regards to the proposal of rerouting the trail to Park Ave.

I am a supporter of a pedestrian and bike path being completed as soon as possible, but I appreciate you pausing to get all the information needed to make a decision on this matter that holds a lot of importance to us that live in Cliffwood Heights and all of Capitola.

Without the following information, it seems illogical to move the trail of the planned railway:

-Is the budget secured to build and operate a train from Santa Cruz to Watsonville (is the plan fiscally possible? If not, a pedestrian and cycling path should be prioritized) -The estimated passenger costs discussed about 7-8 years ago at a city hall meeting was \$300/month for someone to travel by train from Watsonville to Santa Cruz for work. With inflation, what is that cost today? An electric bike on a bike path would be much more affordable -According to Measure L, will the trail go on the trestle and not send an increased number of cycles to the village?

-If Measure L is ignored and the bicycle trail does not go on the trestle, has there been a traffic study of the impact of an increased number of cyclists riding through the village (as we know pedestrians and cyclists create a lot of traffic in the summer, not just cars)

Best regards,
Kieran Horn

Wyatt, Rosie

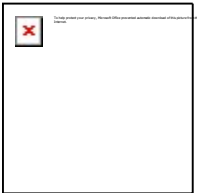
From: Iwalani Faulkner <equitytransitsantacruz@gmail.com>
Sent: Wednesday, April 16, 2025 5:00 PM
To: City Council
Subject: [PDF] City Council Meeting Support for. April 17th Park Ave Alignment
Attachments: 2025-04-16_CapitolaParkAveAlignment_EquityTransit.pdf

Please find attached our letter of support:

--

Best regards,

Lani Faulkner, Director
Equity Transit - Tránsito de Equidad
www.EquityTransit.org
831-278-1007





1840 41st Ave, Ste 102, #227
Capitola, CA 95010
831-278-1007

Capitola City Council Members
420 Capitola Ave
Capitola, CA 95010
April 16, 2025

RE: Approve FULLY FUNDED Monterey Bay Sanctuary Scenic Trail segment along Park Avenue segment

Dear Honorable Capitola Council Members:

Thank you for your work on behalf of Capitola Community. Capitola extends beyond the village along the border of Live Oak near 30th all the way past Park Ave through New Brighton State Beach to Pot Belly Beach Road. Capitola runs adjacent to the beautiful Monterey Bay. Capitola and all county residents have the fortune of being able to access the beautiful parks and beaches and striking vistas in Capitola. The addition of a Coastal Trail for our community will provide families from all over the county with a safe beautiful place to walk, ride and roll.

In November of 2023, 70-year-old **Debra Town was struck and killed** crossing the street at Bay Ave and Crossroads Loop. Her family was devastated just as they were heading into Thanksgiving season. Many residents called for improved infrastructure seeking to calm traffic speeds and ensure safety for people walking and biking in Capitola. Capitola City Council members acted quickly with an investigation, report and implemented temporary infrastructure that slowed traffic and ensure safer passage for pedestrians. A number of local drivers expressed rage and opposition to the changes, despite the fact that the improved infrastructure made the streets safer for everyone.

<https://www.santacruzsentinel.com/2023/11/20/pedestrian-killed-in-capitola-hit-and-run/>

If this were a rare occurrence in Capitola, those complaining might be justified in arguing that being made to slow down is unnecessary. However, in comparison to 76 similarly sized cities across California, **the City of Capitola ranked 1st for the number of pedestrian injuries/fatalities for those ages 65 and older!**

Families are afraid to let their children bike and walk to school, to the parks and beaches, and to local activity. This translates into more cars on the roads transporting kids to and from every activity, more traffic, increased frustration, and reduced safety. Compared to decades past when kids could safely walk or bike to school and activities, most families feel forced into driving their kids everywhere since they do not feel our streets are safe for their families to use outside of the car.



1840 41st Ave, Ste 102, #227
Capitola, CA 95010
831-278-1007

The voices of a relatively small group of loud community members seeking to stop the construction of a 0.7 mile segment of the MBSST along Park Avenue, not all of them residents of Capitola, have overshadowed the greater sentiment of local families and the community at large. They offer misinformation and misdirection, bullying and proclamations which sound certain, but really are forms of posturing to push for their agenda.

The greater community wants a trail! We have been granted millions of dollars to construct a trail! The Capitola staff and RTC have identified an outstanding option to build a completely separated trail along Park Ave, in most respects better than the prior option proposed along the coast side which we cannot afford.

The vociferous opponents to the Park Ave. trail are trying to reopen an issue which has been closed. They want to reopen conversations about building the trail across the trestle and on the tracks. This is neither a feasible or timely solution. In order to build a trail on the tracks, the tracks would have to be railbanked which would require adverse abandonment. Attempts to adversely abandon the rail line would cost HUGE amounts of time and money and would not likely result in the outcome the opponents are seeking. Most of these opponents are retired or self-employed and have time to spend threatening council members, posting misinformation on social media, and expressing their opinions as facts.

Most Capitola families work full time and are extremely busy shuttling kids and commuting to and from work, often over-the-hill, and do not have the time to read Capitola City Council agendas and attend long council meetings. Many elders and people with disabilities are unable to attend the city council meetings in person – which means they can no longer speak publicly on Zoom, which is not equitable.

Capitola has a very high incidence of traffic violence. At the same time, Capitola has a handful of very aggressive outspoken residents who do not want to see changes implemented that would make Capitola safer for everyone.

Equity Transit supports the proposed alignments along Park Avenue for the Rail-Trail, both Choice A or B, as either option will offer a number of benefits; **1**-The newly proposed alignments, either A or B, will result in a 12-foot wide trail, fully separated from traffic by a 3-foot wide physical buffer via a curb as a barrier, **2**-the newly proposed alignments, both A and B, would allow for a faster more affordable implementation of the Rail-Trail making possible for people to have a safe mode of travel along this route months to years sooner than the prior oceanside rail-trail option, **3**- the newly proposed alignments would move the Rail-Trail away from the cliffside which dramatically reduces the costs needed to shore up the cliffside and



1840 41st Ave, Ste 102, #227
Capitola, CA 95010
831-278-1007

reduces the risk of losing the Rail-Trail to erosion over time thus reducing costs over time while still providing a superior quality pedestrian and bike trail, and **4-** the newly proposed alignments, both A and B, would reduce destruction of monarch habitat and also offer improved access to neighborhoods. Both options A and B offer a safe high quality fully separated trail with vista views along the route.

Thank you for your consideration. On behalf of local community members who would like to see a world class trail as soon as possible, we are excited about the proposed staff recommendations.

Sincerely,

Lani Faulkner, Director

Wyatt, Rosie

From: pacpubs@attglobal.net
Sent: Wednesday, April 16, 2025 5:22 PM
To: City Council
Subject: Fwd: Listen to Capitola Residents NOT the RTC

----- Original Message -----

Subject: Fwd: Listen to Capitola Residents NOT the RTC
 Date: Wed, 16 Apr 2025 19:43:09 -0400
 From: pacpubs@attglobal.net
 To: Capitola City Council <citycouncil@ci.capitola.ca.us>
 Cc: Lynne Ann DeSpelder <pacpubs@attglobal.net>, Albert Lee Strickland <pacpub@attglobal.net>

To all Council members, Sorry for the duplication but my earlier email did not show up on emails received for the meeting so Rosie said to use the "all Council" Address

----- Original Message -----

Subject: Listen to Capitola Residents NOT the RTC
 Date: Wed, 16 Apr 2025 16:25:15 -0400
 From: pacpubs@attglobal.net
 To: Gerry Jensen <gejensen@ci.capitola.ca.us>, Melinda Orbach <meorbach@ci.capitola.ca.us>, Margaux Morgan <MaMorgan@ci.capitola.ca.us>, Joe Clarke <jclarke@ci.capitola.ca.us>, Alexander Pedersen <a.pedersen@ci.capitola.ca.us>
 Cc: Lynne Ann DeSpelder <pacpubs@attglobal.net>, Albert Lee Strickland <pacpub@attglobal.net>

Dear Capitola City Council,

This email will be among the many already posted in your agenda packet regarding items 3A and 3B. Please read the comments sent to you regarding the RTC's move to put the "trail" on city streets. We urge you to uphold your legal and civic duty to follow Measure L and previously litigated Section 8.72 of our Municipal Code. We all heard in the April 10th section "Oral Communications by Members of the Public", the intent and clarity to preserve the trail within the rail corridor and prohibit its diversion onto Capitola City Streets.

Sincerely, Lynne DeSpelder & Albert Lee Strickland
 Homeowners and 33-year residents of Capitola Village

Wyatt, Rosie

From: pacpubs@attglobal.net
Sent: Wednesday, April 16, 2025 5:24 PM
To: City Council
Subject: Fwd: Listen to Capitola Residents NOT the RTC

3A & 3B Special City Council Meeting 17 April 2025

----- Original Message -----

Subject: Listen to Capitola Residents NOT the RTC

Date: Wed, 16 Apr 2025 16:25:15 -0400

From: pacpubs@attglobal.net

To: Gerry Jensen <gejensen@ci.capitola.ca.us>, Melinda Orbach <meorbach@ci.capitola.ca.us>, Margaux Morgan <MaMorgan@ci.capitola.ca.us>, Joe Clarke <jclarke@ci.capitola.ca.us>, Alexander Pedersen <a.pedersen@ci.capitola.ca.us>

Cc: Lynne Ann DeSpelder <pacpubs@attglobal.net>, Albert Lee Strickland <pacpub@attglobal.net>

Dear Capitola City Council,

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Sincerely, Lynne DeSpelder & Albert Lee Strickland
Homeowners and 33-year residents of Capitola Village

Wyatt, Rosie

From: Brian Peoples <brian@trailnow.org>
Sent: Wednesday, April 16, 2025 7:11 PM
To: Matt Machado
Cc: Michael Rotkin; Sarah Christensen; Justin Cummings; info@scrtc.org; felipe.hernandez@santacruzcountyca.gov; Corey Aldridge; Kimberly De Serpa; Manu Koenig; fkeeley@santacruzca.gov; andy.schiffrin@santacruzcountyca.gov; sclark@scottsvally.gov; Monica Martinez; City Council; eduardo.montesino@watsonville.gov; alexander.dean.pedersen@gmail.com; rebeccad@transparentseas.com; Vanessa Quiroz; Pedersen, Alexander
Subject: public information request - Capitola City Council - staff misrepresenting information

Matt,

We often get Public Information request reports from our Trail Now supporters. With the big Capitola Trestle repurposing to trail debate, I received a 76-page Public Information Request report from Capitola advocacy group that has you participating in a meeting and making comments.

The issue with the PIR report has county staff making statements to **purposely misguide Capitola City Council members on scheduling requirements**. In short, staff stated that they are intentionally misleading Capitola City Council. They actually make statements "to not disclose information to city council on extension plans for CTC funds".

I am no expert, but I think it is illegal that staff purposely misguided city council on a project scope.

You are part of the conversation (Dec-March/2025), so I think you may be implicated in this misrepresentation to public officials because you didn't recommend to staff that they do not misrepresent information to Capitola City Council. I appreciate your work as Director of Public Works so I am not looking to implicate you or others, but it is really unacceptable that County Staff is dishonest to Capitola City Council about the proposed trail project schedule.

We have more people and AI looking at the public records - but I wanted to express my disappointment in county staff purposely providing false information to the public and council members .

Best regards,

Brian Peoples



Wyatt, Rosie

From: Alfred carlson <alcarlton@aol.com>
Sent: Wednesday, April 16, 2025 7:33 PM
To: City Council; Mick Caph-Routh; Kahn, Jessica; GERRY JENSEN
Subject: Re: SAVE OUR RAIL TRAIL

KEEP THE TRAIL NEXT TO THE RAIL , NOT SPEND MANY BILLIONS REPLACING STOCKTON BRIDGE TO ADD BIKE LANE AND MAKE BIKES GO TROUGH THE VILLAGE. AL



Tomorrow night's city council meeting
 Aol/Old Mail



Gayle Ortiz
 From: gayle@gocapitola.com
 To: Gayle Ortiz
 Wed, Apr 16 at 7:02 PM

Dear Friends and Neighbors,

This is our moment to **stand up and be heard**. Tomorrow night, the Capitola City Council will be making critical decisions that will shape the future of our town—and they need to see that we're paying attention.

Outside agiators (FORT - Friends of the RAIL trail) will be showing up in bus loads handing out Free T-shirts trying to influence our City Council, telling us what to do with our Land, detouring the Trail out of the RTC Purchased Rail Corridor, due to their mismanagement of funds.

They are also ignoring our municipal code 8.72 which states that the trail must remain on the corridor in Capitola

We're calling on **everyone who cares about:**

- **Protecting our neighborhoods** from unjust land grabs and new tax burdens
- **Preserving our trees, monarch habitat, and open space.** The Realignment hasn't been studied and critical Windbreak trees and roosting habitat will be lost.
- **Stopping the Rail Trail boondoggle** until a proper study is done - It will take \$3-5 BILLION dollars before we see a Train. **More Sales Taxes, More Property Taxes**, for a few hundred people to ride it?
- **Upholding Measure L and Capitola Municipal Code 8.72**—which *require a public vote* on projects like this. This states "The City of Capitola, through its constituent departments, shall take all steps necessary to preserve and utilize the Corridor and Trestle for active transportation and recreation."

City officials are **fast-tracking a project** that will cost millions, threaten sensitive areas, and potentially violate the will of the voters. They need to know **we are watching**—and we **will not let this slide without a fight**.

A group of Concerned Citizens will be there at 3:30 holding spots in line! come up get a CONCERNED CITIZENS of CAPITOLA Flyer, and we will save you a seat! Or come at 5-53-6 pm

👉 **Council Meeting:**

📅 **Tuesday, April 17, Capitola City Hall – 420 Capitola Ave**

🕒 **5:15 PM - Public Comment, then Agenda item 3 A CMC 8.72 (Probably about 5:45) Agenda item 3 B: (6 pm ish) B. Park Avenue Alignment of the Coastal Rail Trail (Segments 10 & 11)**

Where:



This is **our Capitola**—not the developers', not the bureaucrats'. Let's make history tomorrow night.

Thanks so much,

G

Wyatt, Rosie

From: Beatrice Campbell <beatriceskyec@gmail.com>
Sent: Wednesday, April 16, 2025 8:35 PM
To: City Council
Subject: Kids opinions about safer bike lanes

Hi my name is Beatrice and I am in 8th grade. I live in capitola and have done Junior Life Guards since I was 6. I interviewed kids at my school to get their opinions on having a bike path through the village. Below are opinions of teenagers who can't make it to a city council meeting because they are so busy.

Theo Gradek - 11th grade

"The roads are very dangerous. One time I was biking to my friend's house and people in cars were honking at me because there was no space for me on the road."

Will Rey-Cenevaz - 10th grade

"When turning into Capitola sometimes cars don't see you and that's dangerous"
 How would you feel if we had a bike path from the east side to the west side?
 "That'd be amazing"

Grace Nicely - 11th grade

"We need to protect our younger people on bikes because they are the future."
 "If we had a bike path there would be a lot less injuries and people wouldn't be as scared to bike, people are careless and will open their doors into the bike lane without looking so its important to keep bike lines out of the door-zone."
 "I think younger kids are not as aware of what's going on on the road and there are bike safety skills that the kids should know but when they are biking with their friends they often forget and the responsibility lies on those who received a license, to keep kids safe."

Sascha Fon - 11th grade

"Having a bike line would promote biking more. We don't have a continuous path from the westside to Capitola so this would promote people biking to work and school , it's better for the environment to bike than to drive a car."

Corissa Johnson Swalve - 8th grade

"It's the only way that kids can get around, they're too young to drive, if you're trying to get a job to save up to get a car you need a bike, so you need a bike lane"
 "The economy of Capitola village is supported by kids. I go there every weekend. The shops are primarily aimed to please kids and teens: candy, ice cream, boba , trendy bathing suits. There are more businesses advertising to adolescents than there are bars meaning kids and teens are bringing in more revenue than adults."
 "If you have to work, as a kid, you're going to have to rely on a bike to get to your job which is important to support your family and you are not legally allowed to drive a car."

Diana Deyhim - 8th grade

"A bike lane would keep kids safe when they bike home through the village."

Olivia Tinkey - 12th grade

“Bike lanes, especially protected bike lanes, are really important for safety, I’ve seen people on bikes being hit by cars before.”

“I’m pro-bike because it’s good for the environment, for the future, it's exercise and recreation.”

Rosa Novembre - 8th grade

“It’s the exact path to my friends house and my school and would be helpful to get anywhere quickly without traffic.”

Natasha Tarbox - 10th grade

“A lot of people bike in this community so it is important to protect bikers.”

Calvin Davis- 7th grade

“There are lots of bumps in the bike lane and sometimes cars go into it so it’s really dangerous. I would really like to have a bike path.”

Julia Guth - 11th grade

“I got hit by a car, so I don’t want to get hit by a car again.”

Mira Stern - 8th grade

“I am stuck in traffic for half an hour on the way to school, and an hour or more after school. I just got an e-bike to make commuting easier on my parents and me. I know that a bike path would help many kids to get to school easier and safely. Biking is good for the environment, community, and way better than cars. Biking is the only way we can get around town because we can’t drive. For families without cars, kids in different schools, or ones with low income parents, having a bike path to get around would make it so much easier for kids to get to school, appointments, food, and friends' houses.”

Vivi Bevirt - 8th grade

“It would be amazing to have a bike path that went all the way through town. It would make it so much easier and safer to see my friends.”

Nola Gordan

“As someone who bikes to school often, a bike path would make me feel much more secure and safe on the road.”

Randy Garrett - parent and teacher

“It would be a dream. If we can have a rail and a bike path that would be nice but if we can’t do the rail the bike path is more essential and needed. I bet with the tenth of the cost it would take to build a rail we could be the dedicated bike path mecca of the west coast.”

Wyatt, Rosie

From: Amy West <bamermaid@yahoo.com>
Sent: Wednesday, April 16, 2025 11:22 PM
To: City Council
Subject: Rail trail approval

Hello Council Members,

Riding my bike through Capitola is the only way I don't lose my mind. I feel relieved every time I pass the long line of cars trying to get through- made worse by all the traffic construction- reroutes and bridge lane shutdown. It's always a mess trying to navigate Capitola village and other side roads leading to and from the tight traffic area, and it's why it's critical for you to move forward with safety improvement for Capitola residents and visitors. Please approve the rail trail design adjacent to Park Avenue so we can get a safe way to bike and walk in this part of town. I am not sure what people are waiting for - it gets worse every year and this issue seems to have gone on for years.

Thank you,
Amy West

Wyatt, Rosie

From: Vicki Miller <b40vicki@yahoo.com>
Sent: Thursday, April 17, 2025 7:23 AM
To: City Council
Cc: Vicki Miller
Subject: Trail through Capitola - yes vote

Council Members,

Please vote yes for the continuation of the Rail Trail segments 10 and 11 today, April 17, 2025. Please do not let the very loud small group of nay sayers sway you from the forward path. (pun intended) Please remember that the majority of the County of Santa Cruz want a continuous trail and rail. This small group of nay sayers have looked for all of the negative and none of the positive that this trail via either option A or B provided by the RTC to Capitola will provide to the City. It is also important to note that the City of Capitola will not be spending any funds to make one of these 2 options happen. Please remember that the decision made by the Capitola City Council will not only affect your City but the entire County.

I realize that the nay sayers have been loud, they have threatened recalls and have compared voting yes to aligning decisions made with what is happening in DC. You have a very important decision to make, the entire County have their eyes on you. Your decision will affect not just the 9,456 residents of Capitola but 262,572 County residents.

Today, please do not continue to kick the path down the road, make a positive decision moving either option A or option B forward.

Respectfully,

Vicki Miller
County Resident

Wyatt, Rosie

From: Katharine Parker <katharinep3@gmail.com>
Sent: Thursday, April 17, 2025 7:59 AM
To: City Council
Subject: Rail/Trail Diversion

To the City Council,

Regarding the proposed rail/trail alignment, this is indeed a complex situation and choices made now will have quite an impact on the city for years to come. Business and resident disruption might be a part of the problem in running a trail through the village, but public safety is foremost in many peoples' minds. Each time I drive or ride a bike through the village I strain to watch other cars, pedestrians (and especially tourists who act unpredictably in crossing streets), and bicyclists. Also it sounds like, according to a reading by a member of the public at last month's meeting the original grant was given for passage along the abandoned rail line, not through other parts of the city. I hope the City Council will encourage the RTC to find a way to direct the trail as it was initially planned.

Respectfully,

Tom and Katharine Parker

Sent from my iPhone

Wyatt, Rosie

From: Margie Way <goldiesbest@gmail.com>
Sent: Thursday, April 17, 2025 8:40 AM
To: City Council
Subject: Rail & Trail

I really don't understand the holdup in Capitola for adding segments 10 & 11 to the rail-trail system being created for our County. We have the money & the plan in place and I hope you will vote Yes on Options A or B to complete the county-wide rail and trail route.

We need more ways to travel not less. As a Sr citizen (75) who has lived in Santa Cruz County since 1971, my days of bicycling long distances are over and I've been very excited watching the progress of the rail and trail in other parts of the county. Please do not block this progress! Vote YES!

Thank you!

Marjorie Way
831-234-0292

Wyatt, Rosie

From: Kisling, Niels (nkisling@pacbell.net)
Sent: Thursday, April 17, 2025 10:00 AM
To: City Council
Subject: Railroad Trestle

Honorable Council Members-

We need to keep our historical train trestle.

Imagine the positive impact to our tourism if bikes and pedestrians can "fly over" Capitola Village.

It also makes good, common sense, to keep the trail on the trestle. Imagine the bad publicity each time a bike or a pedestrian is hit by a car while transiting thru the village.

Sincerely-

Niels Kisling
1820 Wharf Road

Sent via the Samsung Galaxy S22 5G, an AT&T 5G smartphone

Wyatt, Rosie

From: Rich Didday <didday@aol.com>
Sent: Thursday, April 17, 2025 10:00 AM
To: City Council
Subject: On 3B, please follow 8.72

In the City Council meeting tonight,

On 3B, please direct the City to plan for keeping the trail in the existing rail corridor

Thank you,

Rich Didday
323 Riverview Ave

Wyatt, Rosie

From: Kinstler, Margaret (mmkinstler@aol.com)
Sent: Thursday, April 17, 2025 10:11 AM
To: City Council
Subject: Agenda item 3B

In the City Council meeting tonight,

On 3B, please direct the City to plan for keeping the trail in the existing rail corridor

Thank you,

Margaret Kinstler
323 Riverview Ave

Wyatt, Rosie

From: Liz McDade <liz.mcdade@gmail.com>
Sent: Thursday, April 17, 2025 10:12 AM
To: City Council
Subject: Vote YES for option A or B

Dear City Council members,
I am writing to ask you to vote YES for either option A or option B and move forward with a rail trail in Capitola.

I live 2 houses off of Park Avenue in Capitola. I am a small business owner and have an office on 41st Ave. I'm also mom to 2 daughters who both ride their bikes around Capitola. I ride my bike around Capitola as well several times a week and would love for Capitola to move forward with the RTC's plan.

Despite some opposition to the RTC's plan, it is important to consider the greater good when making your decision. The entire community will benefit from safer bike and pedestrian paths, as well as the eventual rail line through our community. Who benefits when we block this plan? A select few individuals with private interests and opposition to change.

You have the opportunity to lead our community forward into the future with a positive vision for sustainability and growth. Your role is to address the larger issues without getting bogged down in the details of how these come to life.

Those who oppose options A and B as well as the RTC plans for moving through the village can't see the forest for the trees. It is your job to help guide us through the confusion and misinformation.

Your responsibility is to make decisions based on facts rather than opinions. In this case, the facts are that measure L, according to the city attorney, does NOT preclude you from approving the RTC's plan. In addition, the idea that moving the bike path into the village would create major issues is also not a fact. The fact is that bikes already travel through the village everyday. The RTC's plan would just make it a safer experience for our bikes and pedestrians.

Please move forward by voting yes for option A or B and approving the RTC's plan to move the trail through the village. It is time to say yes to the rail trail, even if that means it will not be exactly as everyone hoped originally (myself included).

Thank you for your consideration.
Sincerely,
Liz McDade
Resident and business owner in Capitola

Wyatt, Rosie

From: Kevin Maguire <kevin.maguire831@gmail.com>
Sent: Thursday, April 17, 2025 11:12 AM
To: City Council; Regional Transportation Commission; Robert Tidmore; senator.laird@senate.ca.gov; Tanisha.Taylor@catc.ca.gov; ctc@catc.ca.gov; samantha_marcum@fws.gov; cat_darst@fws.gov; wildlifemgt@wildlife.ca.gov; askbdr@wildlife.ca.gov; secretary@resources.ca.gov; Scott.Mcfarlin@wildlife.ca.gov; askusda@usda.gov
Cc: Jaeden.Gales@catc.ca.gov; Monica Martinez; timothy.sobelman@catc.ca.gov; Sarah Christensen; Brown, Kristen; Armando.Quintero@parks.ca.gov; Manu.Koenig@santacruzcounty.us; bruce.mcpherson@co.santa-cruz.ca.us; eduardo.montesino@cityofwatsonville.org; openup@cats.ucsc.edu; openup@ucsc.edu; sbrown@cityofsantacruz.com; Justin Cummings; mweiss@sccrtc.org; Matt Machado; felipe.hernandez@santacruzcounty.us; rlj12@comcast.net; mhartman@SantaCruzSentinel.com; 2045rtp@sccrtc.org; fkeeley@santacruzca.gov; Matthew Wetstein; andy.schiffrin@santacruzcountyca.gov; eduardo.montesino@watsonville.gov; Corey Aldridge; vanessa.quiroz@cityofwatsonville.org; Justin Cummings; felipe.hernandez@santacruzcountyca.gov; Kimberly De Serpa; sclark@scottsvally.gov; vanessa.quiroz@watsonville.gov; Concerned Citizens Of Capitola; justin.tran@sen.ca.gov; Benjamin.Williams@catc.ca.gov; Gina.Horton@catc.ca.gov; rsalazar@alzamedia.com; Justin.Behrens@catc.ca.gov; Destiny.Preston@catc.ca.gov; Erika.Changizi@catc.ca.gov; Anja.Aulenbacher@catc.ca.gov; Viktor.Patino@parks.ca.gov; Barbara.Baker@parks.ca.gov; Sedrick.Mitchell@parks.ca.gov; Cristina.James@parks.ca.gov; Philip.Clements@parks.ca.gov; scott.eades@dot.ca.gov; ohvinfo@parks.ca.gov; Douglas.Remedios@catc.ca.gov; Tanisha.Taylor@catc.ca.gov; Paul.Golaszewski@catc.ca.gov; Ahmed.Ghonim@catc.ca.gov; Alicia.Sequeira@catc.ca.gov; Beverley.Newman-Burckhard@catc.ca.gov; Brandy.Fleming@catc.ca.gov; Brigitte.Driller@catc.ca.gov; Celeste.Aceves@catc.ca.gov; Cherry.Zamora@catc.ca.gov; Denise.Mitchell@catc.ca.gov; Dylan.Jimenez@catc.ca.gov; Frances.Dea-Sanchez@catc.ca.gov; Gwynne.Hunter@catc.ca.gov; Jonathan.Pray@catc.ca.gov; Kacey.Ruggiero@catc.ca.gov; Kenneth.Lopez@catc.ca.gov; Laura.Pennebaker@catc.ca.gov; Laurie.Waters@catc.ca.gov; LeighAnn.Battaion@catc.ca.gov; Leishara.Ward@catc.ca.gov; Naveen.Habib@catc.ca.gov; Rebecca.Light@catc.ca.gov; Sequoia.Erasmus@catc.ca.gov; Natalie.Bee@parks.ca.gov
Subject: E-Bike Kills Pedestrian in Santa Cruz, raises Safety, Liability, and Policy Failures in the Proposed Park Avenue Trail Realignment Design

NOTICE: Silva Injury Law "Road Conditions and Visibility: What were the road and lighting conditions at the time of the accident? It was early morning, and poor visibility or road hazards may have contributed to the crash. Another question is the design of Opal Cliff Drive. **Was it designed to safely accommodate both pedestrians and cyclists? These problems may implicate the city or county responsible for the road's design and maintenance.**

If the **investigation identifies negligence** as the cause of the accident, the family of Helen Hines may consider filing a wrongful death lawsuit. They may be able to recover compensation for their devastating loss and hold the negligent party accountable."

As a concerned resident of Capitola and an advocate for responsible, data-driven public planning, writing to raise serious objections to the proposed realignment of the Coastal Rail Trail along Park Avenue, specifically where it would remove existing Class II bike lanes and sidewalks in favor of a narrow, mixed-use path shared by high-speed e-bikes, pedestrians, strollers, and seniors.

This proposed design is not only **unsafe**, but **legally risky, inconsistent with best practices in active transportation planning**, and a clear violation of **Vision Zero principles**, which aim to eliminate traffic-related deaths and serious injuries.

The largest ATP grant in State history is for the Recreational Trail, inside the Rail Corridor. Are those being **misused and abused** to **downgrade existing safe**, heavily used class II bike facilities in the Roadway, against the rules of Recreational Trail funding by building in the Roadway and not the Rail Corridor?

A Recipe for Tragedy: Mixing E-Bikes and Pedestrians

The realignment would replace our **safe, proven Class II bike lanes and dedicated sidewalks** with a **12-foot-wide shared-use path**. This path will serve all modes—including: (**Design standards** state **2 foot shoulder** on each side, so this is really an **8 foot sidewalk**, 70-90% in the City of Capitola, Park Avenue Roadway)

- **Commuter** and recreational **e-bikes** reaching speeds of 20–28 mph (**classified** as a Commuter Corridor - We must **maintain existing class II bike lanes**)
- **Children walking to school**
- **Seniors on foot or with assistive devices**
- **Parents pushing strollers**
- **Experienced cyclists and local commuters**

This mixture is inherently hazardous. As **documented in Helen “Pookie” Hines’ tragic death on September 29, 2024**, when she was struck and killed by an e-bike during a routine walk along Opal Cliff Drive, even low-traffic residential routes become dangerous when pedestrians and e-bikes are forced into the same space.

This is not a hypothetical risk. It has already happened. And it will happen again if this design is approved.

Legal Liability and Municipal Risk

From a legal standpoint, the proposed design opens the City, County, and partnering agencies to **substantial liability**:

- **Negligent design claims** may arise if the mixed-use path fails to meet safety standards for shared mobility.

- **Failure to separate incompatible travel modes**, especially when existing infrastructure (b lanes and sidewalks) is removed, will be scrutinized in any injury or wrongful death litigation.
- If the plan is approved despite **known safety concerns and expert warnings**, this constitutes **deliberate disregard for public safety**—a major red flag in liability law.

Vision Zero Violation

The proposed realignment flies in the face of **Vision Zero**, a policy adopted by many California jurisdictions—including Santa Cruz County—committed to eliminating traffic deaths through **safe design, equity, and community engagement**.

Vision Zero is not a slogan. It is a promise to prevent loss of life **by design**.
This plan breaks that promise.

Instead of prioritizing safety and mode separation, the current design sacrifices it—pitting speed against vulnerability, in direct opposition to the data-backed goals of Vision Zero and Caltrans’ own Active Transportation Design Guidelines.

We Already Have the Safer Alternative

The irony is: we don’t need to choose this risk.

We already have a **dedicated rail corridor**, legally protected by **Measure L and Capitola Municipal Code 8.72**, and purchased with the intent of becoming a **separated trail and/or future rail system**. This corridor is:

- Off-street and protected from vehicle traffic
- Wide enough to safely separate users
- Already public land, requiring no further property seizure
- Consistent with Class I design guidelines

Why are we sacrificing safety, legal certainty, and public trust to avoid using the very space built for this purpose?

Our Request

We urge all responsible agencies to take the following actions immediately:

1. **Reject the proposed realignment along Park Avenue** in its current form.
2. **Commission a formal safety and liability review** of all proposed shared-use path segments.
3. **Honor Vision Zero commitments** by refusing to approve designs that knowingly mix incompatible speeds and user types.

4. **Preserve and utilize the rail corridor**, consistent with the law, public expectations, and transportation best practices.

Let this be the moment we affirm our commitment to life, law, and logic.

The memory of Helen Hines—and the safety of every child, cyclist, and grandmother in this town—deserves no less.

Sincerely,

Kevin Maguire

Capitola Resident & Bike Safety Advocate

The California Highway Patrol says an 82-year-old woman has died in the hospital after being hit by a man on an electric bicycle Friday morning.

The crash was reported at around 5:50 a.m. on Opal Cliff Drive, east of Court Drive. An 80-year-old man from Santa Cruz was using an e-bike on the right shoulder of Opal Cliff Drive at an unknown speed.

An 82-year-old woman from Santa Cruz was walking east of the bicyclist, said CHP. For an unknown reason, the two crashed. The woman suffered major injuries and was taken via air ambulance to Valley Medical Center.

She later died from her injuries at the hospital, per CHP.

The victim was identified as Helen "Pookie" Hines by her daughter, Cindy Diola. Diola said her mother was on her morning walk when she was hit.

The man was also injured and taken to Dominican Hospital by way of a ground ambulance.

The cause of the crash is under investigation. CHP says drugs and alcohol are not suspected factors at this time.

Diola described her mother as the matriarch of the family, who was a "vibrant, active, fun-loving lady who was a loving mom, grandmother, great-grandmother, aunt, wife, crafter and all-around beautiful person. Not a mean bone in her body. Very giving, had a lot of grace and a huge family."

She added her mother had walked Opal Cliffs for 25 years.



Helen Maureen Hines (Pookie)

OBITUARY

Helen Maureen Hines, affectionately known as Pookie, passed away on September 29, 2024, in San Jose, CA. She was born on October 23, 1941 in Bell, CA.

Share this obituary:



Birth: 1941

Death: 2024

Pookie is survived by her three children: Cindy Diola (Steve), Jeff Hines (Barb), and Greg Hines. She also leaves behind her sister, Marilyn Diola (Ric) and their family, her loving partner Webster Trask and his family, and many cherished

grandchildren and great-grandchildren.

A Celebration of Life will be held on Thursday, November 14th at 2:30pm at Johnny's Harborside, located at 493 Lake Avenue, Santa Cruz, CA 95062.

Flowers are welcome, or in lieu of flowers, donations to the American Cancer Society would be appreciated.

Pookie was an energetic 83 years old who adored her life in Santa Cruz, where she could often be found walking her 4 1/2 -mile loop each early morning, making friends along the way. An active and creative spirit, she enjoyed crafting unique wall hangings from salvaged materials and building birdhouses that adorned the homes of her family and friends. A proud cancer survivor, her strength and resilience were an inspiration to all who knew her.

She will be deeply missed and lovingly remembered.

Wyatt, Rosie

From: mlbeltramojr@gmail.com
Sent: Thursday, April 17, 2025 1:10 PM
To: City Council
Subject: Stopping the Rail Trail

Dear City Council Members,

My wife (Linda) and I are full time residents of Capitola. We live here, shop here, socialize here, and deeply care about this unique and beautiful city that we call "home." Due to unforeseen circumstances beyond our control we are unable to attend tonight's meeting, but I cannot let that prevent us from expressing our strong opposition to any proposal that the Council push forward with plans to build the so-called "Rail Trail."

First of all, our city needs a rail going through it about as much as we our Village needs a tsunami. Not only would a rail in or around Capitola ruin our jewel of a community, but it will end up costing the city, the county, possibly the state, literally BILLIONS OF DOLLARS (!!!), and FOR WHAT....a few hundreds of people who wish to periodically go from Watsonville to Capitola! Yes, there is no question that traffic congestion, particularly in the early morning and late afternoon is congested going north and then south, respectively, on Hy. 1, HOWEVER, the vast majority (upwards of 80%), is for people commuting from Watsonville "over the hill" on Hy. 17, rather than into and from Capitola or even Santa Cruz.

Moreover, if the so-called "California Bullet Train" has taught us nothing more—and it certainly should have!—it is that NOTHING gets built in California anywhere near on schedule nor anywhere near within budget. (The bullet train was approved how many years ago, supposedly to go from L.A. to S.F. at "only a few" billion dollars, and is now UNLIKELY to go from Bakersfield to Merced—and how many people want to do that?— before 2033, and at HOW MANY TIMES OVER the initial estimated costs of the ENTIRE route??!!)

Just as important to the absurd cost versus the minuscule amount of need such a rail system would have, however, is the DAMAGE that such a rail system would have to the character, quaintness and quality of our community. We live in one of the most beautiful communities in the country, if not the entire world. You, as our city's representatives, are empowered and expected by us, your constituents, to PRESERVE that beauty and character. We are NOT San Francisco or Los Angeles, nor are we Fresno, Bakersfield, San Jose or San Diego—and we do not want to be those communities. Most of us choose to live here—and tourists choose to come here—BECAUSE we are a small, picturesque, unique haven. Slapping a rail system through our beautiful town would be like using a knife to slash the Mona Lisa.

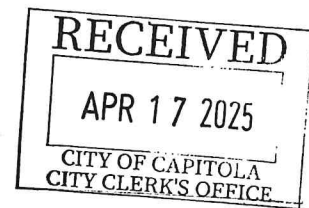
Finally, from a legal standpoint, we implore you to uphold Measure L as well as Capitola Municipal Code 8.72 which require a PUBLIC VOTE on projects such as this. This is particularly significant when a measure significantly impacts not just our streets, roads and population, but the environment in which we live and which currently constitutes home for countless forms of wildlife, much of which is threatened by forces far beyond it's control—but not beyond ours.

In closing, please do not accede to the wishes of a few outsiders who do not live here, work here, or truly care about Capitola, but rather are only interested in making money and foisting something upon our community which we AND they know will only reek negative consequences to the fabric of the town that some 10,000 people lovingly call home. Instead, please exercise the courage, wisdom, foresight and community-based leadership that brought you to the Council and which, we believe, should cause you to derail the so-called push for a rail trail in Capitola.

Thank you.

Mario & Linda Beltramo
705 Riverview Drive
Capitola
Sent from my iPhone

Item 2 B.



April 17, 2025
Capitola City Council
Capitola CA

Council members

My house is on Central Ave in Capitola.

I urge the Council to approve the Park Ave class 1 bike trail along the roadway.

This will create a safe travel path, separated from traffic at no cost to Capitola.

In regards the detour from the trestle through town, I suggest temporary approval with a requirement to rail bank the trestle and for RTC to find the money to convert the trestle to a safe trail within a reasonable time frame, say 3-5 years. Once completed, the trestle trail would connect directly to the Park Avenue path. As a cyclist, riding up either hill out of town is not desirable. A level path across the trestle would be much preferred. Allowing a temporary detour through the village, with conditions, would be a great solution.

Thank you.

A handwritten signature in black ink, appearing to read "Lon Price". The signature is stylized with a large, sweeping "L" and "P".

Lon Price

Wyatt, Rosie

From: Alfred carlson <alcarlton@aol.com>
Sent: Thursday, April 17, 2025 1:33 PM
To: Alfred Carlson; Bill Gray; Pam** SilBaugh; Victor Hanson; Mike Halley ***; Kisling, Niels (nkisling@pacbell.net); Mick Caph-Routh; City Council; Kahn, Jessica
Subject: Re: ROARING CAMP R/R



THEY HAVE IT RIGHT 'WE NEED TO SAVE OUR RAIL

extdoor.com/p/54y2ZRpsJRWJ?post=395337157&utm_s

Q Search for Handyman



April 16, 2025

City Council
City of Capitola
420 Capitola Avenue
Capitola, CA 95010

**Re: Agenda Item 3, April 17, 2025: Park Avenue Alignment
Segments 10 and 11**

Dear Honorable Council,

Prior to your consideration of the materials provided for your
Avenue Alignment of the Coastal Rail Trail, we wanted to pro
addressed in the staff report, in particular the concept of "adv

As you know, Roaring Camp, through its subsidiary, the San
Railway, operates passenger rail service between Felton and
utilizing a portion of the Santa Cruz Branch Line (Line). It als
Line, Progressive, with freight operations in the segment of th
service in the Watsonville area. Roaring Camp has a particu
rail service on the Line, as it represents the only connection l

Wyatt, Rosie

From: jeff anderson <andersonjeff1957@gmail.com>
Sent: Thursday, April 17, 2025 2:09 PM
To: City Council
Cc: concernedcitizensofcapitola@gmail.com
Subject: Rail Line

My wife and I are bike riders and tax payers in Santa Cruz County. We are 100% against the idea of a train on the path. It is a major waste of money, and will not be used by enough people to support it once it is operable. This burden will fall on the taxpayers to subsidize.

STOP THIS FOOLISH PROJECT. BUILD A TRAIL THAT CAN BE SAFELY USED BY PEDESTRIANS AND CYCLISTS!

Jeff and Sandy Anderson
Live Oak

Wyatt, Rosie

From: Lynn Yocum <lynny@cruzio.com>
Sent: Thursday, April 17, 2025 2:20 PM
To: City Council
Cc: Gerry Jensen
Subject: Future Rail/Bike rail

I'm asking each of you to please keep the Rail/Bike Trail in the rail corridor property and do not reroute it onto Capitola village streets.. Our streets are already congested enough, and rerouting it would compound the problem, especially on weekends, and also for long-term Capitola residents who don't bicycle or walk easily and need to drive (8.72.030E).

Also, making Monterey Avenue one-way going into the village would be a further traffic nightmare for people who live in that vicinity.

Even though some people feel that the Trail will support the economy by attracting more tourists, we really don't need more crowds of tourists and traffic in our neighborhoods, or more e-bikes whose operators don't feel the need to obey traffic and speed laws. Our neighborhood is ideal for people walking; not having to compete with more traffic and more parking problems.

Thank you,

Lynn Yocum
208 Oakland Avenue
Capitola, CA

Wyatt, Rosie

From: Tanjie Campbell <tanjiedw@gmail.com>
Sent: Thursday, April 17, 2025 2:20 PM
To: City Council
Subject: Train Bill

Hello,

My name is Tanjie and I live here in Santa Cruz County. I just want to say how badly I want the train to be built. I'm a huge fan of public transportation. Public transportation is the future!! Please build the train. It's the greatest act of public good.

Thank you,

Tanjie Campbell

Wyatt, Rosie

From: Lynn Yocum <lynny@cruzio.com>
Sent: Thursday, April 17, 2025 2:28 PM
To: City Council
Cc: jgensen@ci.capitola.ca.us
Subject: RTC Park Avenue and Village project

I'm asking each of you to please keep the Rail/Bike rail in the rail corridor property and do not reroute it onto Capitola neighborhood or village streets. Our streets are already congested enough, and rerouting the Rail/Bike trail would compound traffic congestion and parking problems that we already have, especially on the weekends , and especially for long-term Capitola residents who don't bicycle or walk easily and who need to drive for errands and appointments (8.72.030E).

Also, making Monterey Avenue one-way going into the village will be a further nightmare, especially for those who live in that vicinity.

Even though it is thought that the Trail will support the economy by attracting more tourists, we really don't need more crowds of tourists in our neighborhoods, especially more traffic and more e-bikes whose operators don't seem to heed traffic laws or the speed limit. Our neighborhood is ideal for people who enjoy walking without competing with more traffic.

So please vote No on the Park Avenue and Village rerouting and enforce Municipal Code 8.72 and keep the trail on the rail corridor property.

Thank you,

Lynn Yocum
208 Oakland Avenue
Capitola

Gautho, Julia

From: Pam Greeninger <pamgreeninger@gmail.com>
Sent: Thursday, April 17, 2025 3:11 PM
To: City Council
Subject: PLEASE Vote NO on Item 3.B. Park Avenue Alignment of the Coastal Rail Trail

Follow Up Flag: Follow up
Flag Status: Flagged

Members of the Capitola City Council:

I understand that as representatives of the Capitola citizenry, you will be considering the above referenced project. As a former Capitola City Clerk and city employee for over 32 years and a resident for 46 years, I have seen many issues come before the City Council; however, the decision before you tonight pertaining to the Rail/Bike Trail through the City of Capitola is particularly critical.

Not following various issues as closely as I did while working for the city, I was not aware of what was happening with the trail until recently. After researching this matter and learning that the RTC wants to put the trail on city streets through Capitola Village and Park Avenue, I felt I should express my concerns to all of you as our elected officials, and ask that you carefully consider the negative impacts such a trail would have on Capitola.

When myself and other Capitola citizens voted for Measure L, it was our understanding that any future Rail/Bike Trail that the RTC would build would **only** be built in the rail corridor. The proposed project does not reflect the voters understanding, nor is it in compliance with Capitola Municipal Code 8.72 that requires the trail to be on the rail corridor, not on the public streets. I can't tell you how many council meetings I attended regarding traffic and parking in the Village! Being a beach destination, traffic and parking will always be at the forefront of issues for Capitola. We cannot afford to lose any more parking in the Village. The RTC is not keeping Capitola in mind in its proposal. Capitola needs to stand up and do what is best for the City.

It is with sincere concern that I ask each and every one of you to carefully review and consider what you are being asked to vote for. I urge you to listen to your constituents and vote for what is BEST for CAPITOLA ~ not for the RTC. Please uphold the city's law codified in Municipal Code Chapter 8.72 to keep the trail in the RTC Rail Corridor and vote NO on the proposal to put the RTC trail on Capitola streets.

Thank you for all the work you do as council members. I know personally from experience as the City Clerk that some decisions are harder than others; this is one of them. There were always two sides to an issue and each felt passionate about their view. As our elected representatives it is important to always remember to keep what's best for Capitola first and foremost in your mind.

Sincerely,

Pam Greeninger

Gautho, Julia

From: STEPHANIE HARLAN <slharlan@sbcglobal.net>
Sent: Thursday, April 17, 2025 3:33 PM
To: City Council
Subject: Proposed Trail

Dear Mayor and Council members, I have followed closely the Trail for a long time . It was first proposed by the Santa Cruz County Interagency Task Force Monterey Bay National Marine Sanctuary many years ago. It was later greatly changed by the RTC to include a train. I do not believe that we can afford to build it, maintain it, or that it will have the ridership to sustain it. I think it has been a huge waste of money, staff time, the public's time. It reminds me of the proposal in the past to study gondolas to UCSC from Harvey West Park because there was grant money for such a project.

Please listen to the community's concerns and vote appropriately.

When this project was first proposed, I was assured by RTC Board Members that there was plenty of money to remodel the Trestle. What happened? Too many studies later, there is no money for that.

Thank you very much for your work for Capitola.

Stephanie Harlan

Former Chairperson Interagency Task Force

Capitola

831 475-7184

Gautho, Julia

From: Anthony Rovai <ARovai@moneyconcepts.com>
Sent: Thursday, April 17, 2025 4:04 PM
To: City Council
Subject: [PDF] RTC- Sept 2,2021 Meeting Highlights
Attachments: RTC 9-12-2021 Highlight.pdf

Council Members,

RTC staff recommended repairing the trestle in 2021 and using it for the interim trail, so why did they not follow through?

Why did they not start the Rail Banking Process?

Why?

The funding is for a Multi-use Trail!

Please let the RTC know tonight build the Trail in the Railway as advertised in Measure D and conform to Measure L

Thanks

Anthony J. Rovai | President
 CA Insurance License #0791019



o: 831.475.3442 **Cell:** 831.273.6639

w: RovaiWealthManagement.com

a: 1715 42nd Ave., Suite C | Capitola, CA 95010

e: arovai@moneyconcepts.com



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*Santa Cruz County Regional Transportation Commission
1523 Pacific Avenue, Santa Cruz, CA 95060
phone: (831) 460-3200 ~ fax: (831) 460-3215
email: info@sccrtc.org; website: www.sccrtc.org*

Item 2 B.

*CONTACTS: Shannon Munz, Communications Specialist (smunz@sccrtc.org)
Guy Preston, Executive Director
Luis Pavel Mendez, Deputy Director*

Santa Cruz County Regional Transportation Commission (RTC) September 2, 2021 Meeting Highlights

Capitola Trestle – Conceptual Study to Repurpose the Bridges to a Multiuse Trail

The Regional Transportation Commission (RTC) authorized staff to update the Measure D Five-Year Plan to allow for the prioritization of the preconstruction activities needed to rehabilitate three of the five existing bridges (two timber and one wrought iron) that make up the Capitola Trestle. Findings from the recent Conceptual Repurposing Study of the Capitola Trestle, which included field inspections and the analysis of the bridge, concluded that the condition of three of the bridges is fair to poor, and rehabilitation of those three bridges is recommended regardless of the future use of the bridge.

The Conceptual Repurposing Study of the Capitola Trestle concluded that conversion to a multiuse trail is feasible. The County of Santa Cruz is the implementing agency for the Coastal Rail Trail Segments 10 & 11 (between 17th Avenue in Live Oak and State Park Drive in Aptos) and expects to release a Notice of Preparation (NOP) for an Environmental Impact Report (EIR) for the project this year. An interim trail is expected to be considered as part of the required project scoping. The Commission authorized staff to work with the County of Santa Cruz Public Works staff to consider including Capitola Trestle work, including deck conversion, in the scoping for the interim trail option.

Preservation of the Santa Cruz Branch Rail Line

The Regional Transportation Commission (RTC) received a report from Executive Director Guy Preston on the preservation of the Santa Cruz Branch Rail Line (SCBRL). Staff continues to preserve the SCBRL as a freight and recreational passenger railroad in accordance with the Administrative Coordination and License Agreement (ACL) with Saint Paul and Pacific Railroad (SPPR), the freight rail operator on the line. Due to limited funding, staff is prioritizing initial repair projects based on safety and potential damage to property. SPPR desires to terminate the ACL agreement, but prefers to do so by assigning the ACL agreement to another freight operator, with a modified ACL agreement. Executive Director Preston outlined three potential strategies for preserving the line: Preserving the corridor with continued freight and recreational rail service; Preserving the corridor with a Public Private Partnership (P3); and Preserving the corridor by railbanking.

Upcoming RTC and Committee Meetings

Due to precautions associated with COVID-19 (coronavirus), **all RTC and committee meetings had been held by video conference.** This platform may need to change, since the governor's executive order is set to expire on September 30, 2021. Please check the RTC website

[<https://sccrtc.org/meetings/calendar/>] or call 460-3200 to confirm meeting and video conference information for future meetings. Agendas are posted to the website at least 3 days before the meeting and will also include attendance information. Meetings may be canceled if there are no action items to be considered by the committee.

The RTC is committed to its compliance with the Americans with Disabilities Act (ADA) during this time of national emergency. Please contact the RTC at least 3 days in advance of a meeting if special accommodations are needed. If any document, webpage, meeting, or recording is inaccessible to you, kindly notify us at info@sccrtc.org or by calling 831-460-3200.

Regional Transportation Commission Meeting

Thursday, October 7, 2021, 9:00 a.m.

Budget & Administration/Personnel Committee

Thursday, September 9, 2021, 3:00 p.m.

Safe on 17/Traffic Operation Systems Committee

Thursday, September 15, 2021, 10:00 a.m.

Interagency Technical Advisory Committee

Thursday, September 16, 2021, 1:30 p.m.

Bicycle Advisory Committee

Monday, October 4, 2021, 6:00 p.m.

Elderly & Disabled Transportation Advisory Committee

Tuesday, October 12, 2021, 1:30 p.m.

Public input on transportation issues is welcomed and encouraged. For more information, visit the SCCRTC website at www.sccrtc.org or call 460-3200. Some Regional Transportation Commission meetings are televised countywide by Community TV of Santa Cruz. Consult www.communitytv.org or call 831-425-8848 for schedule and station information.

Gautho, Julia

From: Julie Williams <careyjulie@sbcglobal.net>
Sent: Thursday, April 17, 2025 4:17 PM
To: City Council
Cc: Carey Williams
Subject: Rail Trail

Dear Council Members,

My husband and I are totally against the proposed project of the rail trail!!!!

There is no need for it in our small county and the expense is already predicted to be staggering, and way over budget!!!

In addition, it would change our beautiful, charming community in ways that can never be undone!!!

We are all for a walking and even a bike trail but adding a rail system makes no sense at all.

Anything proposed that is this expensive, and controversial, should definitely be voted on by our entire community. We are counting on you to make that happen and support a NO stance on the rail trail!!!!

Sincerely,

Julie and Carey Williams

620 Riverview Drive

Capitola, CA 95010

Gautho, Julia

From: Aidan Hosler <jahosler@yahoo.com>
Sent: Thursday, April 17, 2025 4:57 PM
To: City Council
Subject: Please approve of the park avenue alignment

Hi,

I wrote to ask you to please approve of the park avenue alignment.

This will improve bike safety at no cost to the city.

I'm a small business owner, I operate all over the county, but I live just a mile from Capitola.

I'll use this trail regularly.

Thanks!

Aidan Hosler

[Yahoo Mail: Search, Organize, Conquer](#)

Capitola City Council

Agenda Report

Meeting: April 17, 2025

From: City Manager's Department

Subject: Chapter 8.72 of the Capitola Municipal Code



Recommended Action: Provide direction to staff.

Background: On April 10, City Council requested an item on this meeting's agenda concerning Measure L. Measure L is codified in Chapter 8.72 (Greenway Capitola Corridor) of the Capitola Municipal Code. A copy of that code section is attached.

Attachments:

Chapter 8.72 (Greenway Capitola Corridor)

Reviewed By: Julia Gautho, City Clerk

Approved By: Jamie Goldstein, City Manager

Chapter 8.72 GREENWAY CAPITOLA CORRIDOR

Sections:

[8.72.010 Purpose.](#)

[8.72.020 Definitions.](#)

[8.72.030 Findings.](#)

[8.72.040 Implementation.](#)

[8.72.050 Changes.](#)

[8.72.060 Effect of adoption.](#)

[8.72.070 Severability.](#)

8.72.010 Purpose.

It is the purpose of this chapter to improve safety and reduce traffic by keeping the Monterey Bay Sanctuary Scenic Trail (Trail) in the Santa Cruz Branch Line Rail Corridor (Corridor) within the city of Capitola while protecting the Capitola Trestle (Trestle). (Ord. 1026 § 1 (part), 2018)

8.72.020 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings set forth in this section:

A. “Active transportation” means any form of human-powered transportation including walking, cycling, using a wheelchair or other mobility device, in-line skating or skateboarding. Such forms of transportation may include an electric assistance such as e-bikes, e-skateboards, or motorized wheelchairs.

B. “Greenway” means the space within the Corridor to be used for recreation and active transportation via a continuous pathway. (Ord. 1026 § 1 (part), 2018)

8.72.030 Findings.

A. New Public Asset. In 2012, the Santa Cruz County Regional Transportation Commission (SCCRTC) acquired the Corridor from Union Pacific. The Corridor includes the historic Trestle. For the first time, the Corridor and Trestle have the potential to be accessible for bike and pedestrian use. The SCCRTC is planning bike and pedestrian use along the majority of the Corridor.

B. Trestle Detour. The SCCRTC has proposed making the Trestle off-limits to pedestrians, bikes, electric bikes,

and skateboarders, detouring pedestrian and bike traffic from the Corridor onto bike lanes and sidewalks in the local Capitola street network and across the Stockton Avenue Bridge.

C. Accessibility. A detour from the Trestle through Capitola Village would require an approximately two-hundred-foot grade change on both ends of the Trail. Keeping the Trail on the Trestle provides a flat path across Capitola, which increases accessibility for people of all ages and abilities.

D. Skateboarding for Transportation. A detour would enter Capitola's "no skateboarding zone," inhibiting skateboarding for transportation to New Brighton Middle School and the McGregor Pump Track and Skateboard Park. In contrast, a trail that crosses the Trestle would provide safe access to both locations.

E. Traffic and Safety. Capitola Village streets are often congested, preventing residents and visitors from getting from one side of Capitola to the other quickly and safely. Increasing pass-through bicycle and pedestrian traffic would exacerbate the existing problem.

F. Safe Routes to School. It is the stated goal of Santa Cruz County, California, Transportation Sales Tax Measure D (November 2016) to "provide safe routes to schools." Walking and biking via the Trestle will provide safe access to New Brighton Middle School. A detour that navigates a significant grade change on narrow, busy streets will not.

G. Stated Preference. Eighty-two percent of residents who provided input regarding the Corridor in Vision Capitola 2016 supported using the Corridor for active transportation and recreation rather than a train.

H. Efficient Route. Keeping the Trail in the Corridor as it crosses the Trestle will provide a direct pathway from one side of Capitola to the other.

I. Tourism. The ability to actively use the Trestle will support the local economy by attracting tourists with a safe new way to experience breathtaking views.

J. Healthy Community and Sustainable Transportation. Bicycling and walking are by far the healthiest, most sustainable forms of transportation. Building a safer Trail will encourage more people to choose these options. (Ord. 1026 § 1 (part), 2018)

8.72.040 Implementation.

A. The city of Capitola, through its constituent departments, shall take all steps necessary to preserve and utilize the Corridor and Trestle for active transportation and recreation.

B. No city of Capitola department, agency or employee shall expend any funds or resources related to the construction, reconstruction, operation, maintenance, financing, marketing, or signage for a detour of the Trail onto Capitola streets or sidewalks. (Ord. 1026 § 1 (part), 2018)

8.72.050 Changes.

This chapter shall not be amended or repealed except by vote of the people. (Ord. 1026 § 1 (part), 2018)

8.72.060 Effect of adoption.

Adoption of this chapter by the people shall not be construed as amending or rescinding any provisions of the general plan, local coastal program or zoning ordinances, but rather shall be construed and harmonized in a manner to strengthen and define such provisions. (Ord. 1026 § 1 (part), 2018)

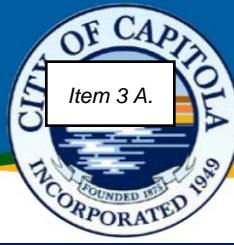
8.72.070 Severability.

If any section, sentence, clause, phrase, or part of this chapter is held to be invalid, the remainder of the chapter shall be given full effect consistent with the intent and purpose of the chapter. (Ord. 1026 § 1 (part), 2018)

Measure L

April 17, 2025

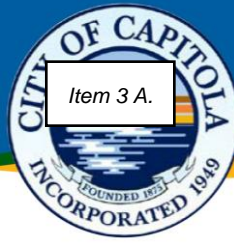
Measure L



- 2018 citizen initiative.
- Passed with 52.13% of the vote.
- Codified at Capitola Municipal Code Chapter 8.72.

Municipal Code Chapter 8.72

GREENWAY CAPITOLA CORRIDOR



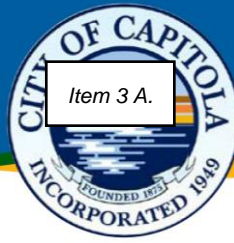
8.72.010 Purpose.

It is the purpose of this chapter to improve safety and reduce traffic by keeping the Monterey Bay Sanctuary Scenic Trail (Trail) in the Santa Cruz Branch Line Rail Corridor (Corridor) within the city of Capitola while protecting the Capitola Trestle (Trestle). (Ord. 1026 § 1 (part), 2018)

8.72.040 Implementation

- A. The City of Capitola, through its constitute departments, shall take all steps necessary to preserve and utilize the Corridor and Trestle for active transportation and recreation
- B. No City of Capitola department, agency or employee shall expend any funds or resources related to the construction, reconstruction, operation, maintenance, financing, marketing, or signage for a detour of the Trail onto Capitola streets or sidewalks

Role of City Attorney



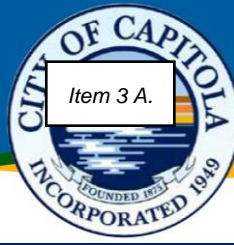
- Advises on the law.
- Advises on various options, including legal risks and potential benefits.
- Supports Council's decision.
- Decision and direction are always up to the Council.

Prior Council Direction



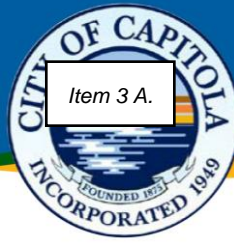
- 2018 Council: directed City Attorney to file pre-election challenge to Measure L.
- 2022 Council: determined the decisions before it at the time were consistent with Measure L, and that the Measure was unconstitutionally vague.

City's Pre-Election Challenge



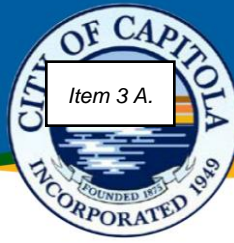
- In 2018, City filed a challenge to Measure L, seeking an injunction preventing Measure L from being placed on the ballot.
- City alleged that Measure L was invalid because it:
 - Called for administrative rather than legislative action;
 - Conflicts with City's General Plan;
 - Interferes with the Council's fiscal discretion; and
 - Is void for vagueness.

City's Pre-Election Challenge



- Court did not permit the pre-election challenge, but did not rule on the merits of Measure L. In its Ruling and Judgment, the Court did not rule on the parties' substantive arguments at all.
- "The Petition is denied in its entirety because, as explained more thoroughly in the Ruling, the claims asserted in the Petition are not appropriate for pre-election review." (Judgment, 9/11/18.)
- "Pursuant to [guidelines and instructions from the Supreme Court, and in light of both (1) the 'rushed atmosphere' created by the shortened time for hearing this petition, and (2) conflicts in the interpretation of the Initiative...this court finds that it is preferable to exercise caution by deferring a judicial resolution of Petitioner's challenge until after the election, when the court will have the benefit of 'full, unhurried briefing, oral argument, and deliberation.'" (Tentative Ruling, issued 8/20/18, adopted 9/11/18.)

Municipal Code Chapter 8.72



8.72.010 Purpose.

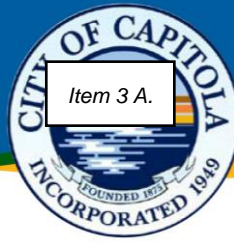
It is the purpose of this chapter to improve safety and reduce traffic by keeping the Monterey Bay Sanctuary Scenic Trail (Trail) in the Santa Cruz Branch Line Rail Corridor (Corridor) within the city of Capitola while protecting the Capitola Trestle (Trestle). (Ord. 1026 § 1 (part), 2018)

8.72.040 Implementation

A. The City of Capitola, through its constitute departments, shall take all steps necessary to preserve and utilize the Corridor and Trestle for active transportation and recreation

B. No City of Capitola department, agency or employee shall expend any funds or resources related to the construction, reconstruction, operation, maintenance, financing, marketing, or signage for a detour of the Trail onto Capitola streets or sidewalks

Interpretation Option 1

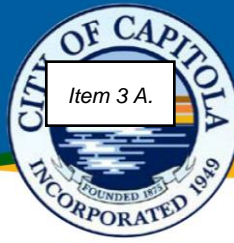


- RTC/County may build a trail in the corridor within City of Capitola
- RTC/County can not build a trail on City property or right of way
- Until a contiguous trail is built in Capitola, City can no longer maintain or improve bike or pedestrian facilities on streets or sidewalks that could be used to connect segments of trail

Implications

- RTC/County can not construct any improvements through Village, or on the Park Ave right of way.
- Many future street, sidewalk, infrastructure maintenance/improvement projects could not be built on routes that allow trail users to detour off corridor

Interpretation Option 2

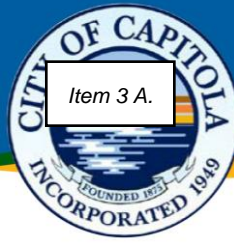


- RTC/County may build a trail in the corridor within City of Capitola
- RTC/County cannot build a trail on City property or right of way
- City can construct and maintain its streets, sidewalks and bike paths as City Council sees fit, provided City does not affirmatively promote a detour of the trail

Implications

- RTC/County can not construct any improvements through Village
- City can not approve Park Ave alignment.
- City can use City funding or apply for grant funding to make bike and ped safety improvements on city streets the City Council determines necessary

Interpretation Option 3



Same as Option 2 plus:

Section 8.72.040 requires City to “take all steps necessary to preserve and utilize the Corridor and Trestle for active transportation and recreation.”

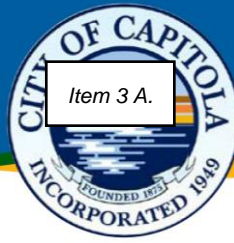
Only way Trestle may be used for anything other than rail is for federal Surface Transportation Board (STB) to approve either a railbanking agreement or adverse abandonment of tracks over Trestle, or construction of new bridge that accommodates both rail and trail.

“All steps necessary” thus means City must pursue railbanking or adverse abandonment of tracks on Trestle.

Implications

- RTC/County may build a trail in corridor within City of Capitola
- Unlikely either railbanking or adverse abandonment could be accomplished within timeline for current County ATP grant, therefore Park Ave alignment and Village improvements would not be completed at this time
- Would require City hire rail legal counsel

Overview Railbanking and Adverse Abandonment



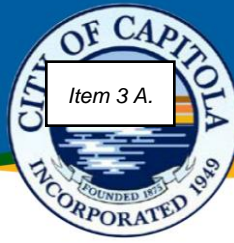
Railbanking

- Formal process to preserve a rail corridor for future use by converting it to trail
 - Public agency maintains railway corridor as trail/park
 - Rail operator retains ownership and future rights to reactivate rail service
- Requires agreement between rail owner and public agency
 - Agreement must be approved by STB
- Timeline and cost depend on negotiations and STB review

Adverse Abandonment

- “Adverse abandonment” when a non-owner (e.g., a public agency) initiates decommissioning of railway
- Requires City application and EIR
- Public comment period: 45 days
- Timing varies by project complexity - 110 days – 5+ years
- Costs: Depends on project complexity and opposition

Interpretation Option 4

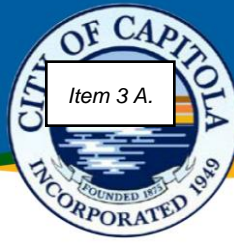


- RTC/County cannot now, or in the future, build a “detour” of trail onto City street or sidewalks
- City can allow RTC/County to build on Park Ave right of way, as it is not a City street or sidewalk, and would be physically separated from City street by a buffer of at least 3’
- Improvements through Village are not a “detour,” they are the mapped route of trail.

Implications

- Park Ave alignment can be approved
- Planned improvements for Village can be approved

Summary



Option	Park Ave Realignment	RTC Village Improvements	City ability to maintain/improve streets and sidewalks	Notes
1	No	No	No	City's legal argument in 2018
2	No	No	Yes	Proponent's legal argument in 2018
3	No	No	Yes	Requires outside counsel and filing with STB
4	Yes	Yes	Yes	

Capitola City Council

Agenda Report

Meeting: April 17, 2025

From: Public Works Department

Subject: Park Avenue Alignment of the Coastal Rail Trail (Segments 10 & 11)



Recommended Action: Discuss and provide direction to staff regarding the Park Avenue alignment for the Coastal Rail Trail Segments 10 and 11.

Background: The Coastal Rail Trail project is a regional initiative led by the County of Santa Cruz in partnership with the Regional Transportation Commission (RTC), with participation from the City of Capitola and other local jurisdictions. Segments 10 and 11 of the trail is planned to span approximately 4.5 miles from 17th Avenue in Live Oak to State Park Drive in Aptos, serving pedestrians and cyclists through a Class I multi-use pathway. The portion of the project within Capitola presents several unique design challenges due to geography, rail corridor limitations, and community priorities.

The project is supported by a combination of state and federal funding sources, including a \$67.6 million Active Transportation Program (ATP) grant awarded by the California Transportation Commission (CTC), \$8.5 million in federal RAISE grant funding, and additional RTC Measure D funding. Together, these represent the largest potential investment in active transportation infrastructure in Santa Cruz County history.

On February 13, 2025, the City Council considered the proposed Park Avenue alignment and directed staff to organize a town hall meeting to further engage the public and gather additional input. That town hall took place on April 2, 2025 at New Brighton Middle School and included presentations from City staff, RTC, and County representatives. The event was well attended and informed by substantial public input collected in advance, including more than 400 questions submitted by over 170 community members. The meeting addressed a range of concerns, including safety, funding, project scope, environmental impacts, and the potential use of the Capitola Trestle.

Discussion: The County of Santa Cruz has indicated it must request construction funding for the Coastal Rail Trail Segments 10 and 11 by April 2027 in order to retain the awarded ATP grant. Although this deadline is two years away, completing the final design, permitting, utility coordination, and right-of-way agreements will require that entire period. County staff advises that, until the City confirms its preferred alignment through Capitola, the County is unable to finalize the design scope with its consultants or begin the next phase of work.

Two alignment options for the Park Avenue segment were developed. Both would construct a new 12-foot-wide multi-use trail along the coastal side of Park Avenue, separated from vehicle traffic by a minimum five-foot buffer and supported by pedestrian enhancements such as new crosswalks, signalized crossings, and lighting. Option A preserves the existing Class II bicycle lane on the inland side of Park Avenue, offering a dedicated space for on-street cyclists heading toward Capitola Village. Option B eliminates the inland bike lane in order to reduce construction costs and minimize tree removals.

Either alignment would require the construction of a new ADA accessible pedestrian rail crossing at Coronado Street in order to connect the Park Avenue trail segment to the coastal-side alignment that continues through New Brighton State Beach to State Park Drive. This crossing must be approved by the California Public Utilities Commission (CPUC). Preliminary discussions with CPUC staff have been positive and the County is optimistic the crossing will be approved, but final approval has not yet been granted.

The County indicates the Park Avenue alignment has been designed to minimize impacts to existing trees, including those that serve as a windbreak near the Escalona Gulch monarch butterfly habitat. The previously-approved "coastal alignment" would have required the removal of 141 trees between Monterey

Avenue and Coronado Street. Option B of the Park Avenue alignment reduces that number to 94 trees, while Option A would require removal of approximately 122. Both alternatives would result in fewer total tree removals than the coastal alignment, although Option A may require more removals along the Monterey to Grove Lane segment. The project team is coordinating with environmental specialists to evaluate potential impacts to the monarch habitat and to identify opportunities for habitat enhancement and mitigation.

If the City approves either the Option A or B Park Avenue alignment, additional environmental review will be required to assess any new impacts. This review will either take the form of an addendum to the previously certified Environmental Impact Report (EIR) or, if the impacts are significant enough, a supplemental EIR. That document will be brought back to the City Council for acceptance before project construction can proceed.

The Park Avenue alignment accomplishes most of the traffic calming goals expressed by community members in past outreach efforts. Elements such as narrower travel lanes, new signage, improved lighting, and safe pedestrian crossings were identified as priorities. If the trail improvements are approved, staff recommends deferring the City's separate traffic calming project on Park Avenue, since many of the desired improvements would be constructed as part of the Rail Trail project using outside funds.

If the Council wishes to move forward with the Park Avenue alignment, Staff recommends the City Council approve Option A due to its preservation of inland bicycle infrastructure and consistency with local transportation goals.

Future Use of the Capitola Trestle, Railbanking, and Adverse Abandonment

Regardless of the Park Avenue alignment, the City is interested in the potential long-term use of the Capitola Trestle as part of the Coastal Rail Trail. A future conversion of the rail bridge for trail use would require significant coordination, regulatory action, and funding and is not currently part of the funded Segment 10 and 11 project.

The Capitola Trestle spans Soquel Creek and includes five distinct bridge segments of varying construction types. Due to the structural characteristics of the bridge—including a wrought iron span and timber trestles—a cantilevered pedestrian or bicycle path (such as used on the San Lorenzo River bridge) is not feasible. There is also limited space within the rail right-of-way to build a new standalone pedestrian bridge adjacent to the trestle.

However, according to the 2021 Capitola Railroad Bridge Repurposing Conceptual Study, the existing trestle could be repurposed as a bicycle and pedestrian bridge if substantial structural repairs are made. These would include replacing the wrought iron bearings, all timber bracing, and approximately 30–40% of the timber piles. Following those repairs, the rails and ballast could be removed and replaced with a new deck suitable for pedestrian and bicycle use. The study estimated this work would cost approximately \$7 million (in 2021 dollars).

Any repurposing of the Capitola Trestle for trail use would require the rail corridor be railbanked through the federal Surface Transportation Board (STB). Railbanking is a formal process by which the owner of a railway and a non-owner (often another public agency) enter into a written agreement in which the non-owner assumes maintenance responsibilities of the former railway and agrees to operate it as a trail or park, while the rail operator maintains ownership of the railway and may choose at a future date to resume railway operations. The agreement must be approved by the STB. While railbanking is legally distinct from full abandonment, it removes the freight service obligation and allows the corridor to be temporarily repurposed.

“Abandonment” refers to decommissioning a railway, meaning the railway can no longer be used for future rail service. A railway may have been unused for many years, but it is not “abandoned” until abandonment proceedings are complete. Typically, abandonment proceedings are initiated by the owner of the railway to be abandoned. “Adverse abandonment” is the process by which a third party, who does not own the railway, initiates abandonment.

A key difference between adverse abandonment and railbanking is that, if the STB approves adverse abandonment, the railway cannot be used for rail service in the future whereas, with railbanking, the railway owner may reactivate the railway in the future.

To initiate the adverse abandonment process, the City would request the STB allow the owner to abandon the railway via a written application. Members of the public and other interested parties would be given 45 days to submit comments on the application. Within 15 days after public comments are due, the applicant must reply to any opposition comments. If there are no requests for extensions or other delays, the STB issues a decision within 110 days of the date the application was submitted. If abandonment applications are opposed, including by the owner of the railway, the process can take longer.

Along with an application the City would need to file an Environmental Report. This report is specific to the abandonment process and is substantively different from either a NEPA or CEQA environmental analysis report. The filing fee for an abandonment application is \$32,600; however, if the rail line has been unused for two or more years, the fee is reduced to \$5,200.

Since railbanking requires a negotiated agreement, the timeline and cost depend on the negotiations between the parties, as well as the time required by the STB to review and rule on the application.

In addition to regulatory steps, an interim trail over the Capitola Trestle would require design, environmental clearance, permitting, and new funding. The current Segment 10 and 11 project does not currently include funding for a bridge crossing at the trestle or structural upgrades to enable such use. However, the project's environmental documents do consider both the "Ultimate Trail" and an "Interim Trail" configuration, which allows for environmental clearance of a future trail over the rail line—including the trestle—if conditions allow.

If the Council wishes to explore railbanking or adverse abandonment, staff recommends that Council direct staff to retain rail counsel to advise the City on preparing an adverse abandonment application or pursuing railbanking.

Reverting to the Coastal Bluff Alignment

Should the Park Avenue alignment not be approved, it is Staff's understanding the County of Santa Cruz would likely pursue funding for the previously studied coastal bluff alignment.

The coastal alignment poses engineering and construction challenges that significantly increase project cost. This route would require bluff stabilization, more extensive retaining structures, impacts to private encroachments, and erosion control measures, complicating both design and permitting. It also provides fewer connections to adjacent neighborhoods, reducing local access.

Initially, the County explored whether eliminating the 0.7-mile trail segment through Capitola entirely might avoid these complications. However, Caltrans staff advised that CTC would not support the removal of this portion of the trail. Eliminating the segment would introduce a significant gap in the trail network and reduce project benefits, which could trigger a reduction—or full revocation—of the ATP grant. As a result, if the Park Avenue alignment is not approved, the County would need to request RTC support to proceed with the coastal alignment despite its drawbacks.

From the RTC's perspective, reverting to the coastal alignment doesn't take advantage of the value engineering strategies the Commission approved in April 2024 to fund Segments 10 and 11. These strategies included realigning portions of the trail, such as the segment in Capitola, to reduce costs and improve feasibility. Pursuing the coastal route would likely require new approval from the Commission. It also raises potential compatibility issues with future passenger rail service.

Caltrans has also indicated that omitting the Capitola segment entirely—such as by skipping the 0.7-mile gap between Monterey Avenue and Coronado Street—is not a viable option, as it would reduce project continuity and jeopardize grant eligibility. If neither alignment is approved, the \$67.6 million ATP grant could be subject to revocation by the CTC, and the County may be unable to deliver the trail segment within the grant deadline.

Fiscal Impact: There is no immediate cost to the City associated with approving the Park Avenue alignment or moving forward with additional environmental review. Construction of the trail, including bicycle and pedestrian improvements along Park Avenue, will be funded by state and federal grants administered by the County and RTC. These improvements have an estimated value between \$3 and \$5 million and would otherwise likely be infeasible for the City to implement on its own.

The City's only potential future obligation would relate to trail maintenance. Ongoing maintenance costs for similar trail segments range between \$32,000 and \$44,000 per mile annually. Based on preliminary discussions and precedent agreements in other jurisdictions, Capitola's share of this cost may range from \$16,000 to \$22,000 annually. Final terms would be subject to negotiation with the RTC.

The City has already allocated \$100,000 in its FY 2024–25 Capital Improvement Plan for a Park Avenue Traffic Calming Project. To date, \$19,500 has been spent. If the Rail Trail project is approved, staff recommends the remaining \$80,500 be redirected to other street priorities or returned to the General Fund.

California Environmental Quality Act (CEQA): The Final EIR for the Coastal Rail Trail Segments 10 and 11 was certified by the County of Santa Cruz on March 26, 2024. Any modification to the trail alignment, including the Park Avenue segment, will require additional environmental analysis. Once that analysis is completed, staff will return to the City Council with the updated environmental documentation for formal acceptance.

Attachments:

1. February 13, 2025 Park Avenue Traffic Calming Improvements with Coastal Rail Trail Options Staff Report and Attachments (Item 9c):
<https://meetings.municode.com/adaHtmlDocument/index?cc=CAPITOLACA&me=22dcaa307be5437dbb1328e7ace00934&ip=True>
2. April 2, 2025 Town Hall Informational Materials:
<https://www.cityofcapitola.org/community/page/town-hall-informational-materials>
3. Correspondence Received as of Agenda Packet Publication, April 11 at 3 PM:
<https://www.dropbox.com/scl/fo/ib6a8jgms0zti4tbs2tsv/AEt3wxo0UZkQtYhUkP6su8k?rlkey=fok6ehue87m7cxme1bayeqp2j&e=1&st=p36sejhv&dl=0>

Report Prepared By: Jessica Kahn, Public Works Director

Reviewed By: Julia Gautho, City Clerk; Samantha Zutler, City Attorney

Approved By: Jamie Goldstein, City Manager

Park Avenue Alignment Coastal Rail Trail Segments 10 & 11

City Council
April 17, 2025

Park Ave Alignment – Coastal Rail Trail

Project Overview: Key Elements

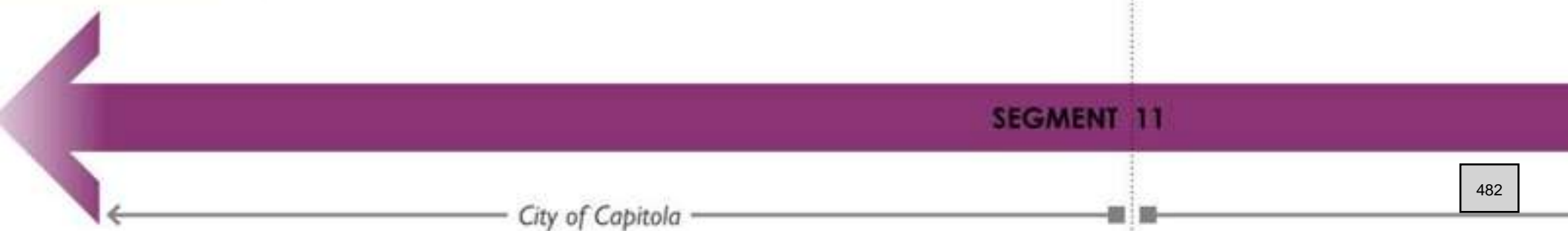


- Regional effort led by the County of Santa Cruz & RTC
- 4.5-mile Class I multi-use trail from 17th Ave (Live Oak) to State Park Dr (Aptos)
- Segment through Capitola faces unique design and permitting challenges



SEGMENT 10

SEGMENT 11



Park Ave Alignment – Coastal Rail Trail

Funding Overview (2023)

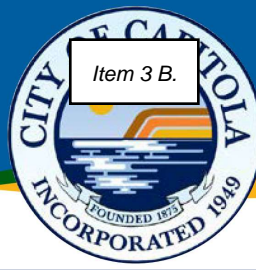


Funding Source	Amount
Measure D (Active Transportation)	\$17.4 million
State ATP Grant	\$67.6 million
Federal RAISE Program Grant	\$8.4 million
Total Funding	\$93.4 million
Total Estimated Costs	\$111.7 million
Funding Need*	\$18.3 million

**Funding need is based on 2023 cost estimates and does not incorporate design changes and savings from the RTC value engineering analysis or the removal of track relocation costs from the project.*

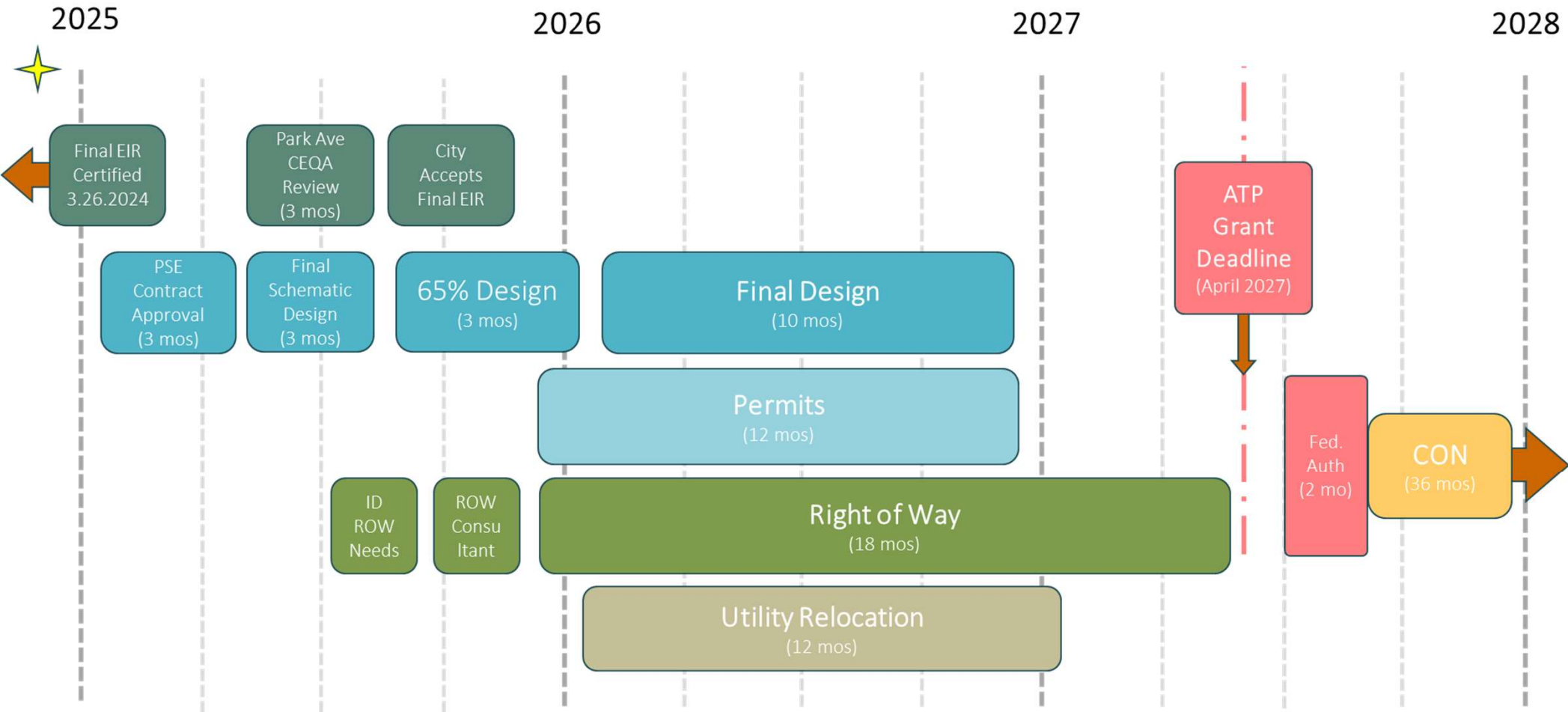
Park Ave Alignment – Coastal Rail Trail

Grant Timeline & Design Coordination



- Grant deadline to request construction funding by **April 2027** for the \$67.6M ATP grant
- Final design, permitting, utility coordination, and ROW require full timeline
 - County cannot proceed with final design scope until an alignment is selected
 - Project delay risks missing the ATP funding window

DRAFT PROJECT SCHEDULE



Park Ave Alignment – Coastal Rail Trail

Prior Meetings

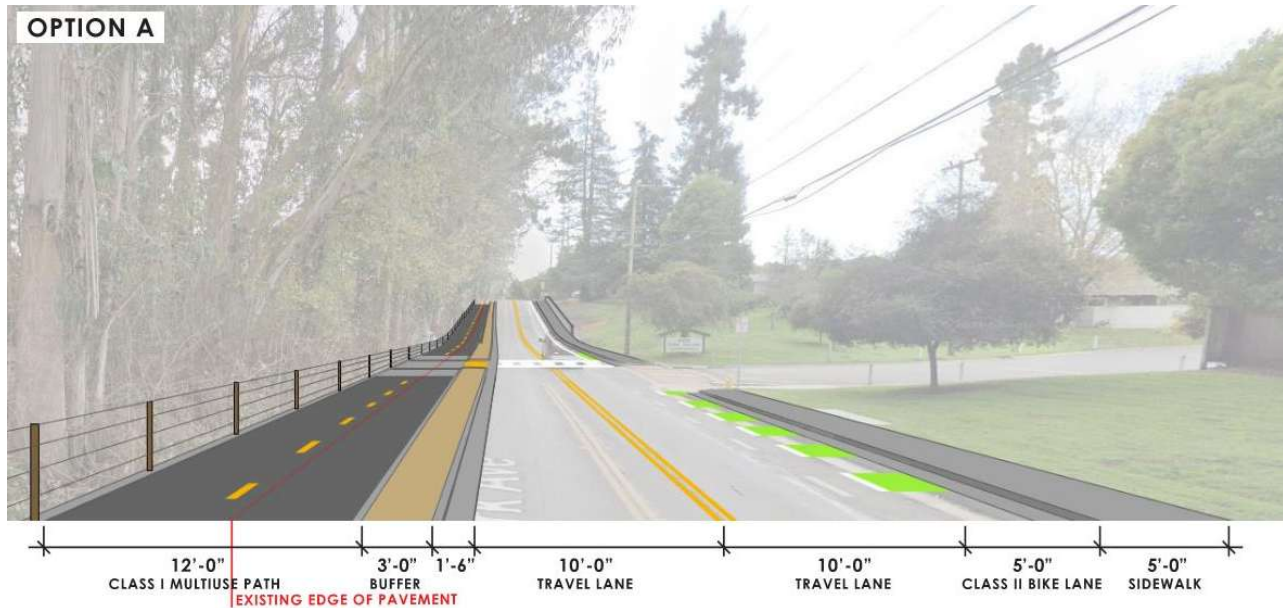


- Feb 13, 2025: Staff presented Park Avenue Alignment
- April 2, 2025: Town hall held at New Brighton Middle School
 - Over 170 attendees and 400+ questions submitted
 - Key topics: safety, funding, environmental impact, trestle use



Park Ave Alignment – Coastal Rail Trail

Park Avenue Alignment Options



- Option A – preserves inland Class II bike lane



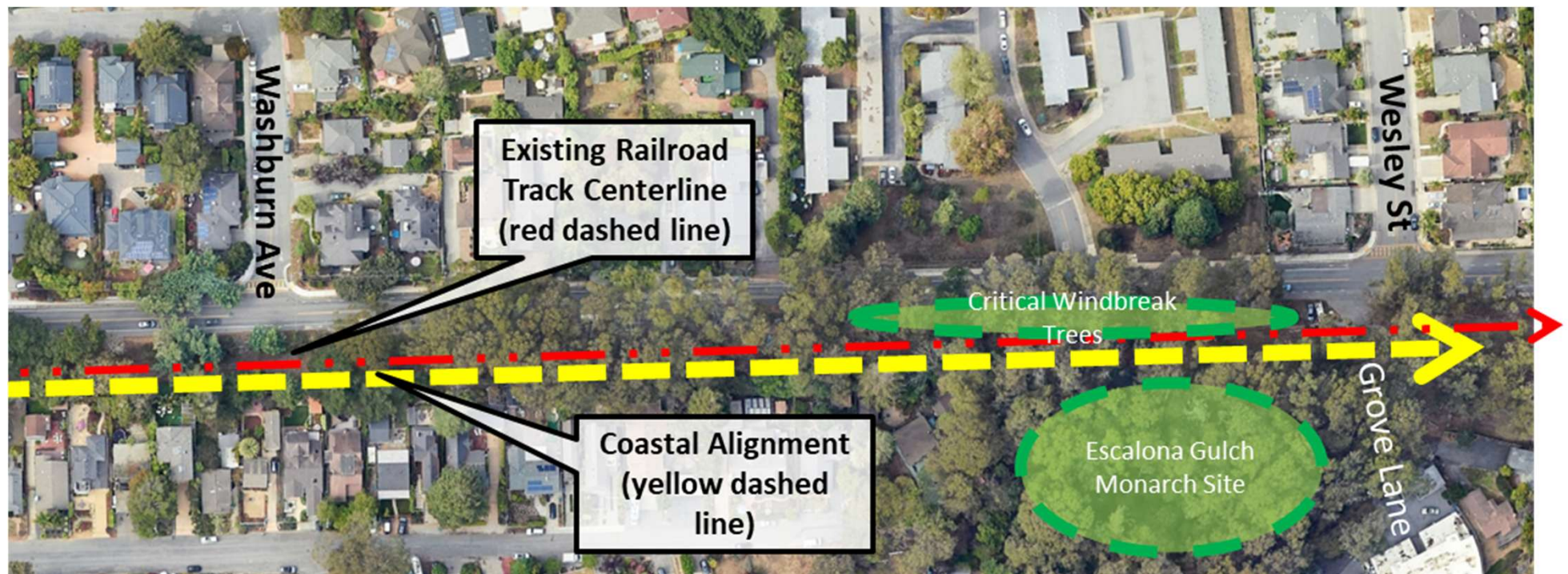
- Option B – maximizes use of ROW for trail (removes bike lane)

Park Ave Alignment – Coastal Rail Trail Environmental Considerations



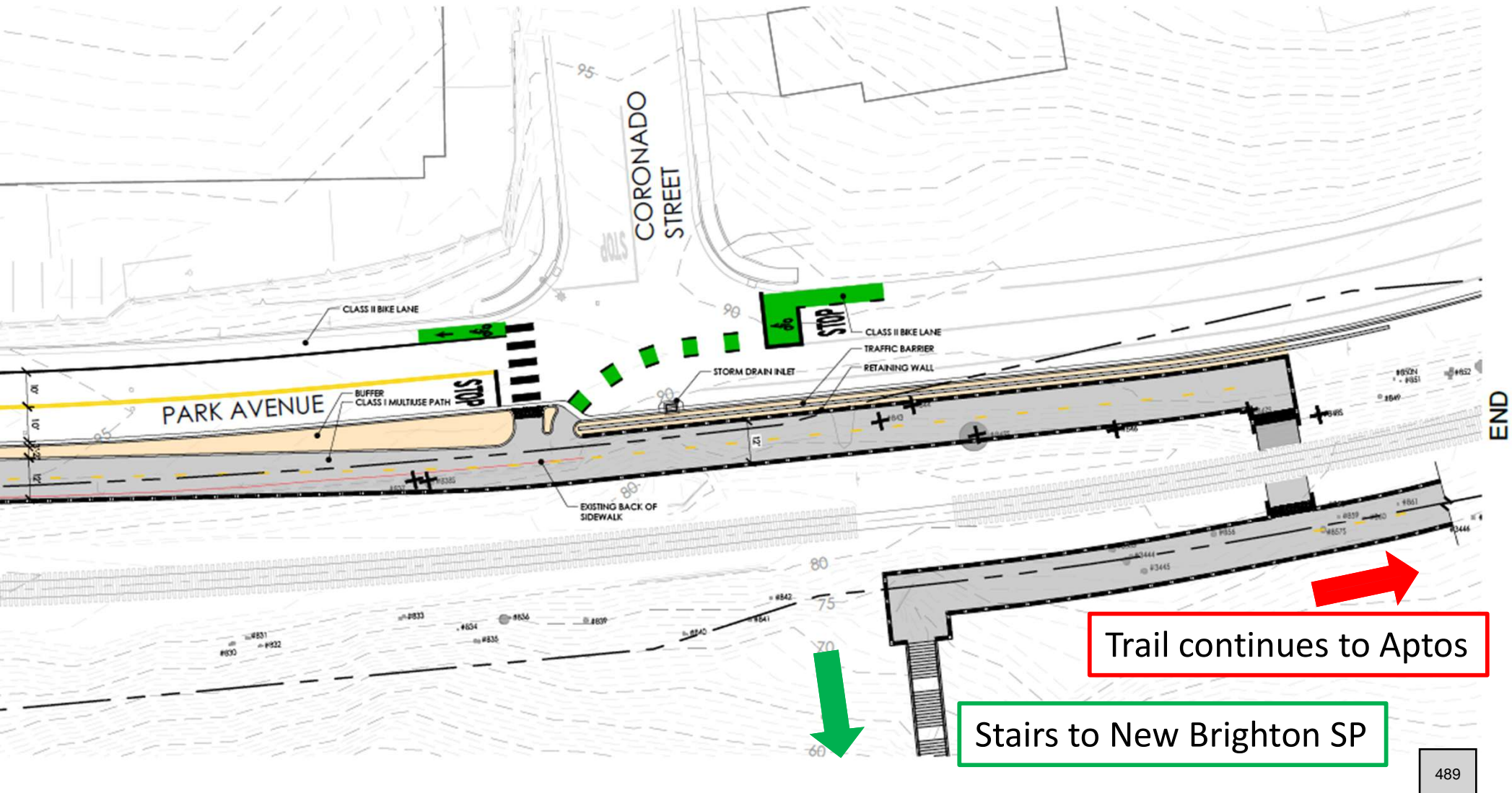
Escalona Gulch (Monarch habitat)

- Coastal alignment: 141 trees removed
- Option A: 122 trees | Option B: 94 trees



Park Ave Alignment – Coastal Rail Trail

Coronado ADA Pedestrian Crossing

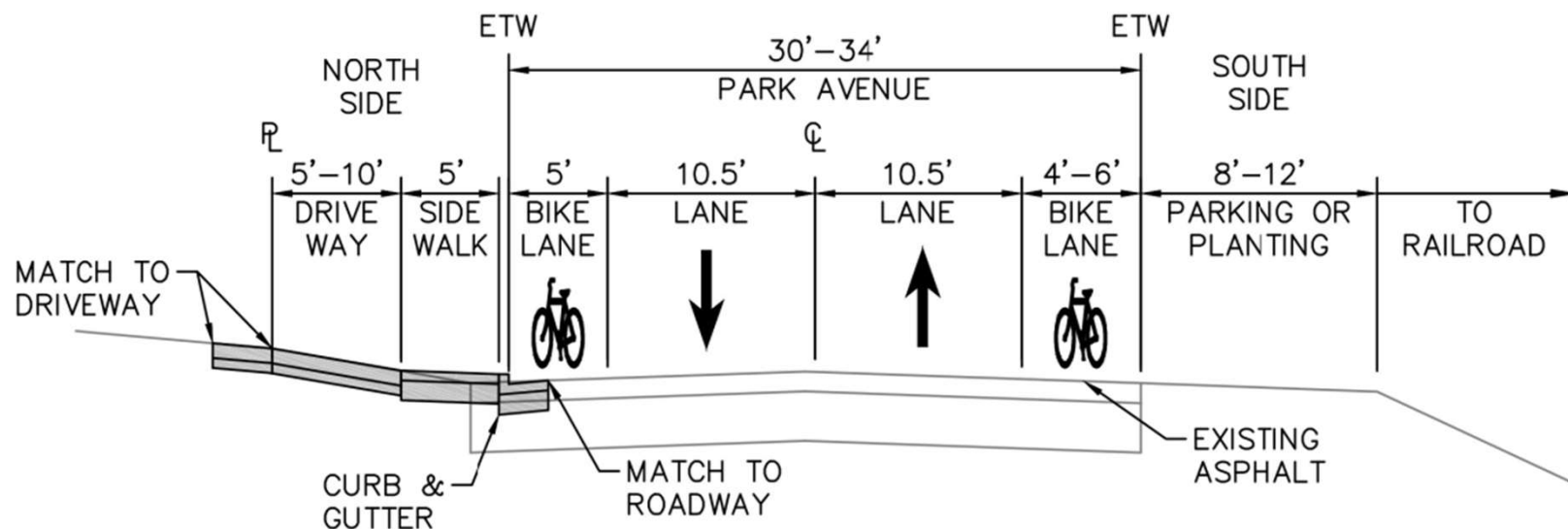


Park Ave Alignment – Coastal Rail Trail

City Traffic Calming Project



- **Existing Conditions – Park Avenue**
 - Sidewalk sections are failing
 - Bike lane width and surface conditions are inconsistent
 - Road edge is undefined
- **2020 Speed Study**
 - Identified community concerns about vehicle speeds



Park Ave Alignment – Coastal Rail Trail

City Traffic Calming Project



Community Outreach (2022–2024): Key Concerns



Traffic Safety: Need for bike separation, radar signs, and speed bumps



Road Diet: Support for wider bike lanes, narrower travel lanes



Traffic Patterns: Unsafe cut-through routes



Community Input: Desire for transparency and engagement



Visual Impact: Concerns about neighborhood character



Parking: Worries about reduced spaces

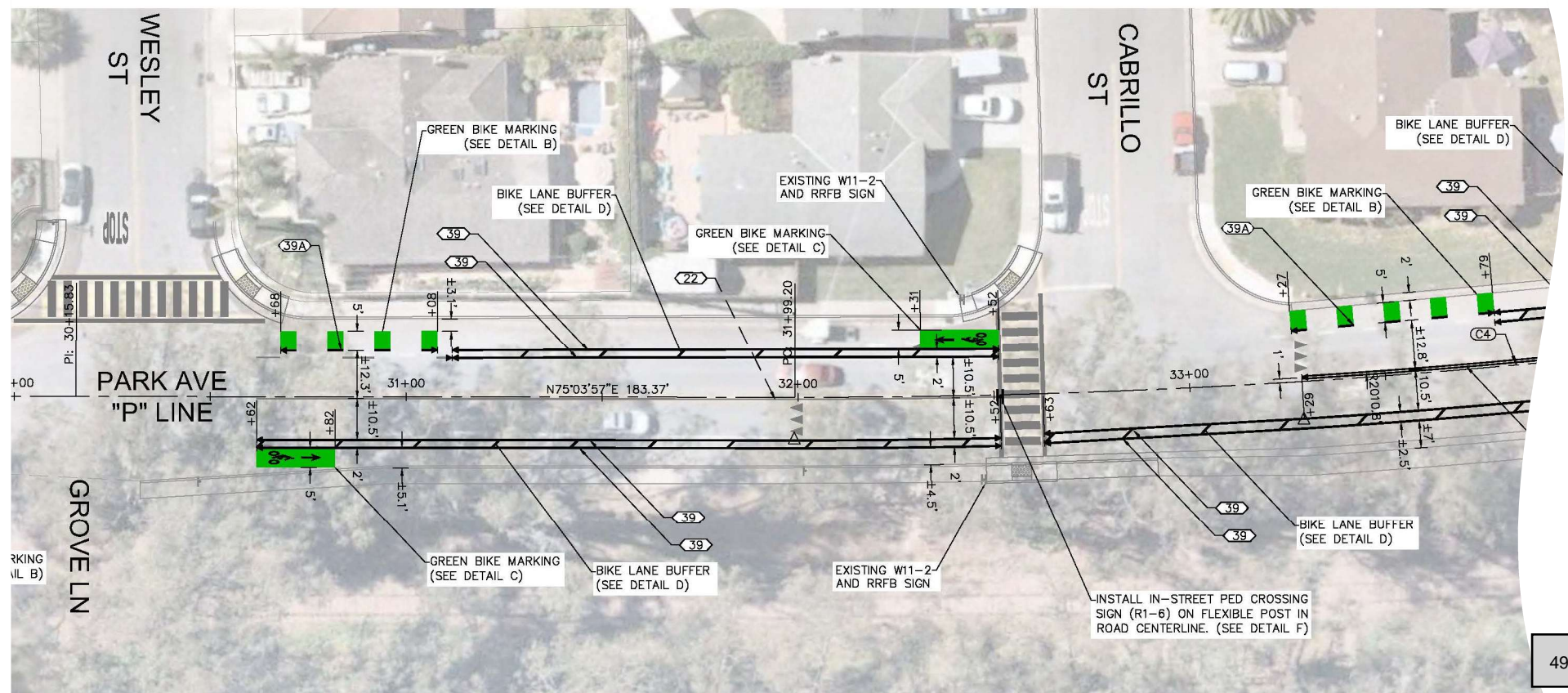
Park Ave Alignment – Coastal Rail Trail

City Traffic Calming Project



Preliminary Plan (Limited Budget)

- Narrow lanes (10.5 ft)
- Pedestrian safety improvements
- Speed feedback signs
- Buffered bike lanes + green markings
- Intersection upgrades (e.g., Park & Monterey)



Park Ave Alignment – Coastal Rail Trail Options A and B Traffic Calming Benefits



12-ft trail on coastal side
with 5-ft buffer

- Trail design includes traffic calming features:
 - Narrower drive lanes
 - Signage, lighting
 - Safer pedestrian crossings
- May eliminate need for separate traffic calming project



Park Ave Alignment – Coastal Rail Trail

Recommendation for Park Ave Alignment



If Council moves forward with the Park Avenue alignment

Option A

- Preserves bike lane and aligns with transportation goals
- Improves connectivity for on-street cyclists accessing Capitola Village

Additional Environmental Review

- Addendum or Supplemental EIR
- Council must accept final EIR

Park Ave Alignment – Coastal Rail Trail

If Park Avenue Alignment is Not Approved



County will likely pursue the trail alignment within the rail corridor

- Requires erosion control and retaining structures
- Private encroachments
- Environmental impacts
- Fewer neighborhood connections



Park Ave Alignment – Coastal Rail Trail Grant Funding Impacts



Caltrans Feedback

- Caltrans advised against eliminating Park Avenue segment
- CTC would likely not support a new trail gap due to:
 - Reduced connectivity
 - Decreased project benefits
 - Risk of ATP grant reduction

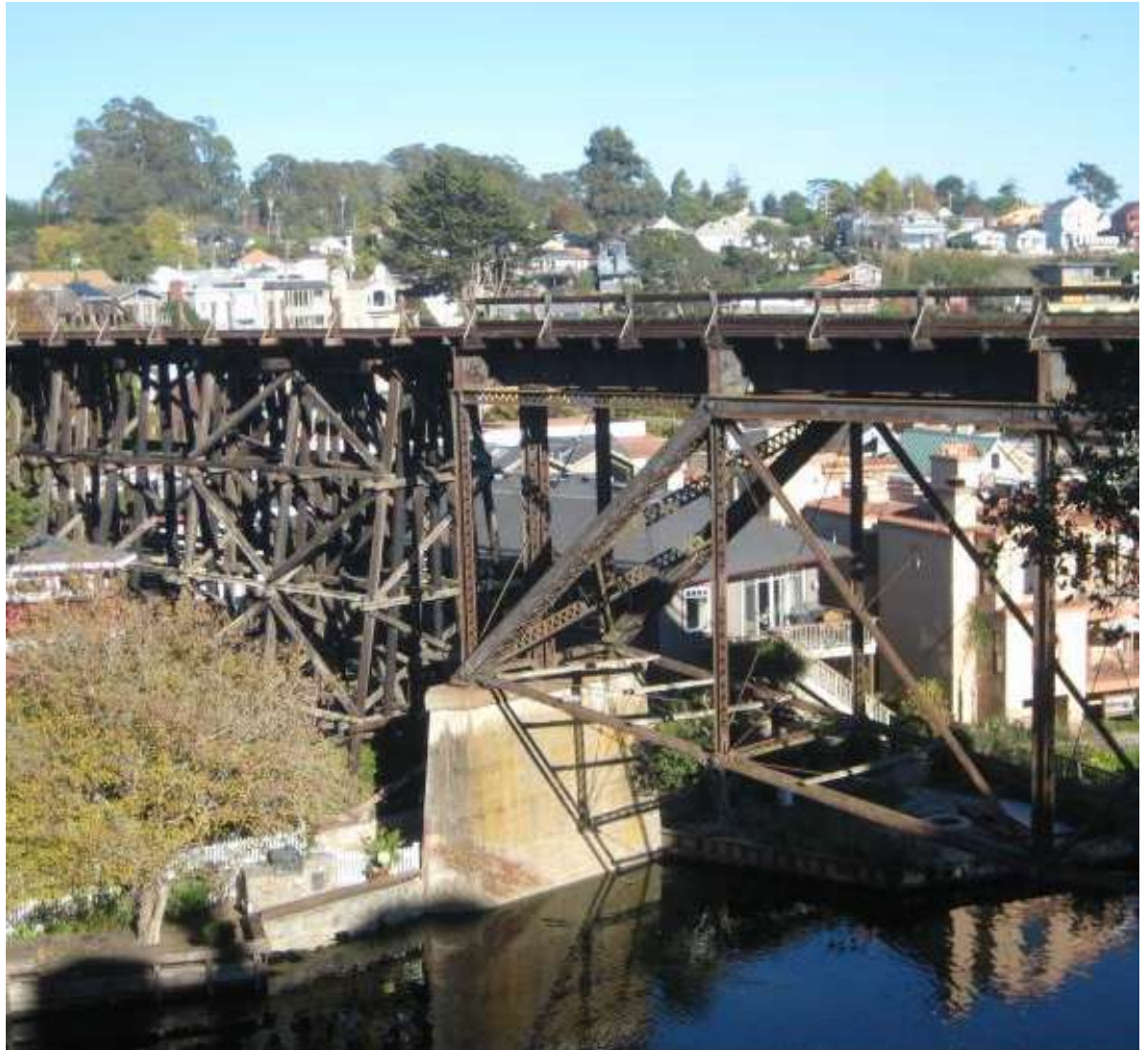
RTC Considerations

- Coastal alignment not included in April 2024 value engineering strategy
- Coastal alignment is more expensive
- Potential conflict with future passenger rail plans

Park Ave Alignment – Coastal Rail Trail Capitola Trestle & Future Trail Use



- Trestle spans Soquel Creek; 5 segments of varied construction
- 2021 study estimated \$7M to retrofit for trail
- Cantilever path infeasible due to limited ROW
- Not part of the currently funded Segment 10 & 11





Park Ave Alignment – Coastal Rail Trail Capitola Trestle & Future Trail Use



Trail use requires:

- Railbanking or abandonment via Surface Transportation Board (STB)
 - Railbanking preserves corridor for potential rail reactivation
 - Abandonment permanently removes railway designation
 - Both require outside Counsel
- Design, environmental clearance, permitting, and new funding
 - Project EIR allow for future trail use if feasible



Park Ave Alignment – Coastal Rail Trail

Fiscal Impact



No immediate cost for approving Park Avenue alignment

- Construction (\$3M–\$5M) funded through grants and RTC
- Improvements would be infeasible for City
- Future obligation: Trail maintenance (\$16K–\$22K annually, est.).

Park Avenue Traffic Calming Funds

- \$100,000 allocated in FY 2024–25
- \$19,500 spent to date
- Remaining \$80,500 may be redirected or returned to General Fund

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AGENDA ITEM #/SUBJECT: 3AName (Optional): Elisabeth BertrandAddress (Optional): 601 Monterey Ave
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Mike Marrissey

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Lucinda Eubanks

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Name (Optional): _____

David Dean

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Email (Optional): _____

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Daniel Castagnola

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Name (Optional): David Peterson

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Kyle H

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Name (Optional): _____

Lani Faulkner

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Capitola #227

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AGENDA ITEM #/SUBJECT: 34 Measure 6

Name (Optional): Brian Peoples

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Email (Optional): _____

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Name (Optional):

Cheryl Bar

Address (Optional):

Email (Optional):

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AGENDA ITEM #/SUBJECT: 3A ~~3B~~

Name (Optional): John

Address (Optional): _____

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3A - maybe

Name (Optional): Veronica Elsea

Address (Optional): _____

Email (Optional): _____

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#31

3A
AGENDA ITEM #/SUBJECT: VISION for the future

Name (Optional): Ryan SANATARD

Address (Optional): LIVE OAK

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3A

Name (Optional): Mike Sherman

Address (Optional): 312 Park Ave

Capitola

Email (Optional): sherm1@gmail.com

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#33

AGENDA ITEM #/SUBJECT: IT En 3A

Name (Optional): JACK BRAW

Address (Optional): _____

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: _____

Item 3A

Name (Optional): _____

Matt Arthur

Address (Optional): _____

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3A

Name (Optional): MICK ROUTH

Address (Optional): CR7 STAL ST

CAPITOLA

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3A

Name (Optional): Mark Crain

Address (Optional): Berry Ave

MARK Crain
Email (Optional): _____

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~~#37~~

#37

AGENDA ITEM #/SUBJECT: 3A

Name (Optional): Steven Woodside

Address (Optional): 317 Riverview Ave

Capitola

Email (Optional): _____

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~~#111~~
#38

AGENDA ITEM #/SUBJECT:

3A

Name (Optional):

Kevin Menninger

Address (Optional):

205 El Salto Dr

CAPITOLA, CA

Email (Optional):

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AGENDA ITEM #/SUBJECT: _____

3A

Name (Optional): _____

Tory Del Favero

Address (Optional): _____

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3A

Name (Optional): Marie Martorella

Address (Optional): River View Dr

Email (Optional): _____

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#1

AGENDA ITEM #/SUBJECT: B (3B)

Name (Optional): Peggy

Address (Optional): _____

Email (Optional): _____

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#2

AGENDA ITEM #/SUBJECT: 3B

Name (Optional): Leslie Nielsen

Address (Optional): 924 Columbus Dr
Capitola CA 95010

Email (Optional): _____

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#3

AGENDA ITEM #/SUBJECT: 3A 3B

Name (Optional): Rafa Sosa

Address (Optional): _____

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3B Park Ave

Name (Optional): Con. Weir

Address (Optional): Capitola

Email (Optional): _____

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#5

AGENDA ITEM #/SUBJECT:

3B

Name (Optional):

Staff R.H.F

Address (Optional):

Email (Optional):

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AGENDA ITEM #/SUBJECT: 3B

Name (Optional): Kaki Rusmore

Address (Optional): _____

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3B

Name (Optional): Brenda Garcia

Address (Optional): _____

Email (Optional): _____

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#8

AGENDA ITEM #/SUBJECT: 3B

Name (Optional): Nico

Address (Optional): _____

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3B

Name (Optional): Veronica Elser

Address (Optional): _____

Email (Optional): _____

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~~10/10~~
#10

AGENDA ITEM #/SUBJECT: 3B

Name (Optional): Liz McDevide

Address (Optional): _____

Email (Optional): _____

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11/10
#11

AGENDA ITEM #/SUBJECT: 3B

Name (Optional): TOM BRADY

Address (Optional): 3884 ALDO ST

SOQUEL, CA 95073

Email (Optional): TOMBINSC@GMAIL.COM

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#12

AGENDA ITEM #/SUBJECT:

3B

Name (Optional):

Mark Grain

Address (Optional):

Bay Ave

Email (Optional):

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#13

AGENDA ITEM #/SUBJECT: 3B

Name (Optional): Ariel Gray

Address (Optional): _____

Email (Optional): _____

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#14

AGENDA ITEM #/SUBJECT: _____

3B

Park Ave

Name (Optional): _____

Kitty Hansen

Address (Optional): _____

Hill St

Capitola

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: Park Ave

Name (Optional): Elliott Campbell

Address (Optional): 421 McCormick

Email (Optional): elliott.campbell@gmail.com

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AGENDA ITEM #/SUBJECT: 3B

Name (Optional): MEL VENTO

Address (Optional): CAPITOLA

Email (Optional): _____

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AGENDA ITEM #/SUBJECT:

3B

Name (Optional):

Valerie Mishkin

Address (Optional):

Email (Optional):

VMishkin@baileyproperties



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AGENDA ITEM #/SUBJECT: 3B

Name (Optional): Brian Proffler

Address (Optional): _____

Email (Optional): _____

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AGENDA ITEM #/SUBJECT:

3B

Name (Optional):

JB

Address (Optional):

Email (Optional):

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AGENDA ITEM #/SUBJECT: 3B

Name (Optional): Lynu Jackson

Address (Optional): 216 Central Ave

Email (Optional): _____

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(21)

AGENDA ITEM #/SUBJECT: _____

3 B

Name (Optional): _____

Cheryl BAN

Address (Optional): _____

321 McCORMICK

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3b Park Ave

Name (Optional): Laurie Hill

Address (Optional): _____

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3B

Name (Optional): Mike Sherman

Address (Optional): 312 Park Avenue

Capitola

Email (Optional): sherm1@gmail.com

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AGENDA ITEM #/SUBJECT: 38

Name (Optional): David Sternman

Address (Optional): _____

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: B

Name (Optional): Christine McBroom

Address (Optional): 503 Oak Dr

Capitola Ca 95010

Email (Optional): _____

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A26

AGENDA ITEM #/SUBJECT: Item 3B

Name (Optional): Matt Arthur

Address (Optional): _____

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 38

Name (Optional): Mackenzie Cameron

Address (Optional): 249 Walnut Ave /
415 McCormick Ave

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3B

Name (Optional): Stephanie Aub

Address (Optional): Clare St CAPITOLA
95010

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3 B

Name (Optional): Jessica Guild

Address (Optional): _____

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3B

Name (Optional): Jonah Henry

Address (Optional): 411 Porter-Kresge Road, PMB #394
Santa Cruz, CA 95064

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3B PARK Ave

Name (Optional): T.J. Welch

Address (Optional): 410 ESCALONA
Capitola

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3B

Name (Optional): Mary Beth Cahalan

Address (Optional): 110 Washburn Ave

Capitola

Email (Optional): hibbythys@aol.com

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AGENDA ITEM #/SUBJECT: 3B

Name (Optional): Lani Faulkner

Address (Optional): 1840 41st Ave Ste 102
#227

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 31B

Name (Optional): Aidan Hosler

Address (Optional): 999 Old San Jose

Email (Optional): Tahosler@yahoo.com

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AGENDA ITEM #/SUBJECT: 3-B

Name (Optional): Lowell Hurst

Address (Optional): 23 Magnolia Court
Watsonville 95070

Email (Optional): Lhurst@baymoon.com

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AGENDA ITEM #/SUBJECT: 3B

Name (Optional): Mary Degeard

Address (Optional): Santa Cruz
County

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: Item #3B

Name (Optional): Jocelyn Wolf

Address (Optional): _____

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3B

Name (Optional): Elisabeth Bertrand

Address (Optional): 601 Monterey Ave
Capitola, CA

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3B

Name (Optional): Stacey Croft

Address (Optional): Ben Lomond

Email (Optional): _____

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#42

AGENDA ITEM #/SUBJECT:

~~3B~~ ~~3A~~ 3B

Name (Optional):

David Castersen

Address (Optional):

1500 Valencia School Rd
Aptos

Email (Optional):

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AGENDA ITEM #/SUBJECT: 3B

Name (Optional): Mike Marrissey

Address (Optional): Capitola

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3B

Name (Optional): David Dean

Address (Optional): _____

Email (Optional): _____

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AGENDA ITEM #/SUBJECT:

3B

Name (Optional):

KEITH CAHLEN

Address (Optional):

CAPITOLA, CA

Email (Optional):

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AGENDA ITEM #/SUBJECT: ITEM 3B

Name (Optional): ALAN EDGAR

Address (Optional): _____

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: _____

B

Name (Optional): _____

BARRY SCOTT

Address (Optional): _____

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: 3 B

Name (Optional): Steven Woodside

Address (Optional): 317 Riverview Ave
Capitola

Email (Optional): _____

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AGENDA ITEM #/SUBJECT: E 3B

Name (Optional): CHRIS AMSDEN

Address (Optional): CAPITOLA

Email (Optional): _____

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