

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

