

City of Capitola

Special City Council Meeting Minutes

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 – *The meeting was called to order at 5:15 PM. In attendance: Council Members Jensen, Morgan, Orbach, Vice Mayor Pedersen, and Mayor Clarke.*

2. Additional Materials

- A. *Item 3A – 77 emails received after publication of the agenda packet.*
- B. *Item 3B - 120 emails received after publication of the agenda packet.*

3. General Government / Public Hearings

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

City Attorney Zutler and City Manager Goldstein provided a staff report. In the staff presentation, staff outlined four potential interpretations of CMC Chapter 8.72:

Option 1:

- 1. RTC/County may build a trail in the corridor within City of Capitola***
- 2. RTC/County can not build a trail on City property or right of way***
- 3. 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***

Option 2:

- 1. RTC/County may build a trail in the corridor within City of Capitola***
- 2. RTC/County cannot build a trail on City property or right of way***
- 3. 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.***

Option 3:

- 1. Same as Option 2 plus:***
- 2. Section 8.72.040 requires City to “take all steps necessary to preserve and utilize the Corridor and Trestle for active transportation and recreation.”***
- 3. 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.***

4. ***“All steps necessary” thus means City must pursue railbanking or adverse abandonment of tracks on Trestle.***

Option 4:

1. ***RTC/County cannot now, or in the future, build a “detour” of trail onto City street or sidewalks***
2. ***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’***
3. ***Improvements through Village are not a “detour,” they are the mapped route of trail.***

Public Comments (Speaker cards accepted until 6:02 PM):

- ***Elisabeth Bertrand***
- ***Mary Beth Cahalen***
- ***TJ***
- ***Teresa M.***
- ***Mike Morrissey***
- ***Chris Amsden***
- ***Kevin M.***
- ***Leslie Nielsen***
- ***Marie Martorella***
- ***Rafa Sonnenfeld***
- ***Lucinda Eubanks***
- ***Gayle Ortiz***
- ***Rodney Wartzok***
- ***David Dean***
- ***Tom McGlashen***
- ***Scott Rohlf***
- ***Brad Todd***
- ***Mary Odegard***
- ***Daniel Castagnola***
- ***Ed Spurr***
- ***David Casterson***
- ***Margaret Campodonico***
- ***Kyle H.***
- ***Beatrice Campbell***
- ***Lani Faulkner***
- ***Brian Peoples***
- ***Cheryl Ban***
- ***Lynn Jackson***
- ***John***
- ***Veronica Elsea***
- ***Ryan Sarnataro***
- ***Mike Sherman***
- ***Jack Brown***
- ***Matt Arthur***
- ***Mick Routh***
- ***Mark Crain***
- ***Steven Woodside***

- **Kevin Menninger**
- **Tory Del Favero**

The Council took a recess at 6:55 PM and reconvened at 7:05 PM.

The City Council thanked the public for their commentary; discussed the importance of the Council's oath of office; voiced concerns about Municipal Code Chapter 8.72 in the context of the County-wide Rail Trail Project and lack of control over aspects of the project outside of the City's jurisdiction.

***Motion to direct staff to follow Municipal Code Chapter 8.72 to the fullest extent possible:
Council Member Jensen***

Second: Council Member Morgan

Vice Mayor Pedersen requested clarification as to which interpretation of Chapter 8.72 (as outlined in the staff presentation) Council Member Jensen intended.

Council Member Jensen amended his motion to clarify that the interpretation for staff to follow is Option 2 (as outlined in the staff presentation) with the modification that the City can construct and maintain its streets, sidewalks, and bike paths as the City Council sees fit and striking the phrase "provided City does not affirmatively promote a detour of the trail."

Council Member Morgan accepted the motion amendment.

Voting Yea: Council Members Jensen, Morgan, Orbach, Vice Mayor Pedersen, Mayor Clarke

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.

Public Works Director Kahn provided a staff report.

Public Comments (Speaker cards accepted until 7:55 PM):

- **Peggy**
- **Leslie Nielsen**
- **Rafa Sonnenfeld**
- **Coni Welch**
- **Scott Rohlf**
- **Kaki Rusmore**
- **Brenda Garcia**
- **Nico**
- **Veronica Elsea**
- **Liz McDade**
- **Tom Brady**
- **Mark Crain**
- **Ariel Gray**
- **Kitty Hansen**
- **Elliott Campbell**
- **Mel Vento**
- **Valerie Mishkin**
- **Brian Peoples**
- **Jacques Bertrand**
- **Lynn Jackson**

- **Cheryl Ban**
- **Laurie Hill**
- **Mike Sherman**
- **David Steinman**
- **Christine McBroom**
- **Matt Arthur**
- **Mackenzie Cameron**
- **Stephanie Auld**
- **Jessica Guild**
- **Jonah Henry**
- **TJ Welch**
- **Mary Beth Cahalen**
- **Lani Faulkner**
- **Aiden Hosler**
- **Lowell Hurst**
- **Mary Odegaard**
- **Jocelyn Wolf**
- **Elizabeth Bertrand**
- **Speaker**
- **Stacey Croft**
- **David Casterson**
- **Mike Morrissey**
- **David Dean**
- **Keith Cahalen**
- **Alan Edgar**
- **Barry Scott**
- **Steven Woodside**
- **Chris Amsden**

The Council took a recess at 9:12 PM and reconvened at 9:16 PM.

The City Council thanked the public for their commentary, addressed Capitola's values of inclusivity as outlined in the recently adopted Strategic Plan,

Based on the Council action taken in Item 3A, the City Council directed staff to work with the SCCRTC to discuss that the Park Avenue alignment proposed was not consistent with Capitola Municipal Code Chapter 8.72.

- 4. Adjournment** - *The meeting adjourned at 9:31 PM. The next regularly scheduled City Council meeting is on April 24, 2025, at 6:00 PM.*

ATTEST:

Joe Clarke, Mayor

Julia Gautho, City Clerk

