

Capitola City Council

Agenda Report



Meeting: May 28, 2026

From: Public Works Department

Subject: License and Right of Entry Agreement for Monterey Avenue Park Pathway Improvements

Recommended Action: Authorize the City Manager to execute the License and Right of Entry Agreement between the City of Capitola and the Soquel Union Elementary School District for pathway improvements connecting Monterey Avenue Park and New Brighton Middle School.

Background: In 2024, the City and the Soquel Union Elementary School District completed a property exchange associated with the New Brighton Middle School redevelopment project and future improvements at Monterey Avenue Park. The exchange included portions of Monterey Avenue Park and District property intended to improve recreational facilities and maintain pedestrian connectivity between the school campus and surrounding neighborhoods.

As part of the New Brighton Middle School field redevelopment project, grading activities impacted an existing pedestrian connection between Monterey Avenue Park, Orchid Avenue, and the school campus. The route had historically been used by students for walkable access to the school and by community members accessing Monterey Avenue Park.

The District subsequently prepared a pathway reconstruction and decomposed granite pathway improvement project. Improvements generally include minor grading, decomposed granite surfacing, localized drainage improvements, retaining features, accessibility improvements, and related appurtenant work.

Discussion: The proposed License and Right of Entry Agreement grants the District a temporary non-exclusive license to access City property within Monterey Avenue Park to construct the pathway improvements. Under the agreement, the District will fund and construct the improvements at no cost to the City. Following completion, the City will maintain the pathway and continue allowing public and student access.

The agreement formalizes continued pedestrian access between the school campus and Monterey Avenue Park following the New Brighton Middle School redevelopment project. The reconstructed pathway is intended to restore and improve a longstanding pedestrian connection serving nearby neighborhoods, park users, and students accessing the school campus.

The Soquel Union Elementary School District Board approved the agreement at their May 20, 2026, meeting. If approved by the Council, construction is anticipated to begin in June 2026.

The pathway improvements will be constructed under a City encroachment permit and subject to City inspection during construction.

Staff has been in contact with an adjacent property owner and offered to discuss potential options to address their privacy concerns.

California Environmental Quality Act: The pathway improvements are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 and 15304, which exempt minor alterations to existing public facilities and minor grading or land alteration activities.

Fiscal Impact: The District will fund construction of pathway improvements. The City will assume ongoing maintenance responsibilities following project completion. Maintenance impacts are expected to be minor and accommodated within existing maintenance operations.

Attachments:

1. License and Right of Entry Agreement
2. Pathway Improvement Plans

Alignment with 2025-2029 Strategic Plan Priority: Economic Opportunity; Healthy Families, Community, and Environment; Sustainable Infrastructure

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Reviewed By: Julia Gautho, City Clerk; Marc Tran, City Attorney

Approved By: Jamie Goldstein, City Manager