

City of Capitola Agenda

Mayor: Ed Bottorff
Vice Mayor: Stephanie Harlan
Council Members: Jacques Bertrand
Dennis Norton
Michael Termini
Treasurer: Christine McBroom



REVISED

CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, JUNE 23, 2016

7:00 PM

**CITY COUNCIL CHAMBERS
420 CAPITOLA AVENUE, CAPITOLA, CA 95010**

**CLOSED SESSION - 6:00 PM
CITY MANAGER'S OFFICE**

An announcement regarding the items to be discussed in Closed Session will be made in the City Hall Council Chambers prior to the Closed Session. Members of the public may, at this time, address the City Council on closed session items only. There will be a report of any final decisions in City Council Chambers during the Open Session Meeting.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

[Govt. Code §54956.9(d)(1)]

(Two cases)

1. Friends of Monterey Park v. the City of Capitola
[Santa Cruz Superior Court Case No. CV 16CV01091]
2. City of Capitola v. D'Angelo
[Santa Cruz County Superior Court Case No. CV 181659]

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

[Govt. Code §54956.8]

Property: 2091 Wharf Road, APN 034-241-05, Capitola, CA
City Negotiator: Jamie Goldstein, City Manager
Negotiating Parties: Joseph K. and Debbie A. Genge
Under Negotiation: Terms for potential purchase of property by City

REGULAR MEETING OF THE CAPITOLA CITY COUNCIL - 7:00 PM

All correspondences 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.

All matters listed on the Regular Meeting of the Capitola City Council Agenda shall be considered as Public Hearings.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Members Dennis Norton, Stephanie Harlan, Jacques Bertrand, Michael Termini and Mayor Ed Bottorff

2. PRESENTATIONS

A. Proclamation honoring Amateur Radio Week - June 20 thru June 26, 2016

3. REPORT ON CLOSED SESSION

4. ADDITIONAL MATERIALS

Additional information submitted to the City after distribution of the agenda packet.

A. Item 8.E. Additional Materials regarding the Repair of Tennis Courts at Jade Street Park

B. Item 9.A. Defense-Indemnification Agreement regarding Monterey Avenue Skate Park

C. Item 9.A. Public Communications regarding Monterey Avenue Skate Park

5. ADDITIONS AND DELETIONS TO AGENDA

6. PUBLIC COMMENTS

Oral Communications allows time for members of the Public to address the City Council on any item not on the Agenda. Presentations will be limited to three minutes per speaker. Individuals may not speak more than once during Oral Communications. All speakers must address the entire legislative body and will not be permitted to engage in dialogue. All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the minutes. A MAXIMUM of 30 MINUTES is set aside for Oral Communications at this time.

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

City Council Members/City Treasurer/Staff may comment on matters of a general nature or identify issues for staff response or future council consideration.

8. CONSENT CALENDAR

All items listed in the "Consent Calendar" will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Council votes on the action unless members of the public or the City Council request specific items to be discussed for separate review. Items pulled for separate discussion will be considered following General Government.

Note that all Ordinances which appear on the public agenda shall be determined to have been read by title and further reading waived.

- A. Consider the June 9, 2016, Regular City Council Minutes
RECOMMENDED ACTION: Approve Minutes.
- B. Approval of City Check Registers dated May 6, May 13, May 20 and May 27, 2016
RECOMMENDED ACTION: Approve Check Register Reports.
- C. Consider a Resolution Ordering an Election, Requesting County Elections to Conduct the Election, and Requesting Consolidation of the Presidential General Election in the City of Capitola on Tuesday, November 8, 2016
RECOMMENDED ACTION: Adopt Resolution.
- D. Approval of the 38th Avenue Paving Project Notice of Completion
RECOMMENDED ACTION: Approve a contract change order for the 38th Avenue Paving Project in the amount of \$53,506 to correct two pay items in the contract that had incorrect quantity amounts and accept the 38th Avenue Paving Project as constructed by the Don Chapin Company as complete at a final cost of \$298,111.58; and authorize the Public Works Department to release the contract retention of \$14,905.58 in 35 days following the recordation of the Notice of Completion.
- E. Consider Proposals to Repair the Tennis Courts at Jade Street Park
RECOMMENDED ACTION: Receive report on proposals to repair or reconstruct the tennis courts at Jade Street Park; and based on staff review of the proposals, award a contract to the recommended contractor.

9. GENERAL GOVERNMENT / PUBLIC HEARINGS

All items listed in "General Government" 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. Appeal of the Planning Commission's Decision to Certify an Environmental Impact Report and Approve a Conditional Use Permit, Design Permit, and Coastal Development Permit for the Monterey Avenue Skate Park
RECOMMENDED ACTION: Staff recommends the City Council uphold the Planning Commission's decisions by taking the following actions:
 - 1. Adopt the attached Resolution certifying the Environmental Impact Report (EIR) and adopting the Mitigation, Monitoring, and Reporting Program (MMRP);

CAPITOLA CITY COUNCIL REGULAR MEETING AGENDA
June 23, 2016

2. Adopt the attached Resolution approving a Conditional Use Permit, Design Permit, and Coastal Development Permit for a modified project as described as Alternative 1 of the EIR;
3. Approve related agreements for access and indemnity and authorize the City Manager to execute said agreements.

10. ADJOURNMENT

Note: Any person seeking to challenge a City Council decision made as a result of a proceeding in which, by law, a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the City Council, shall be required to commence that court action within ninety (90) days following the date on which the decision becomes final as provided in Code of Civil Procedure §1094.6. Please refer to code of Civil Procedure §1094.6 to determine how to calculate when a decision becomes “final.” Please be advised that in most instances the decision become “final” upon the City Council’s announcement of its decision at the completion of the public hearing. Failure to comply with this 90-day rule will preclude any person from challenging the City Council decision in court.

Notice regarding City Council: The City Council meets on the 2nd and 4th Thursday of each month at 7:00 p.m. (or in no event earlier than 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: www.cityofcapitola.org and at Capitola City Hall and at the Capitola Branch Library, 2005 Wharf Road, Capitola, prior to the meeting. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola. 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.

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 at www.cityofcapitola.org by clicking on the Home Page link “**Meeting Video.**” Archived meetings can be viewed from the website at anytime.



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF JUNE 23, 2016

FROM: City Manager Department

SUBJECT: Proclamation honoring Amateur Radio Week - June 20 thru June 26, 2016

DISCUSSION: Amateur Radio operators from Santa Cruz County play a vital role in disaster response and relief for the citizens of Santa Cruz and Santa Cruz County. Recent activities include the 2011 Tsunami, phone system outages, wildfires and of course the disaster response to the Loma Prieta earthquake in 1989.

ATTACHMENTS:

1. Amateur Radio Week Proclamation

Report Prepared By: Susan Sneddon
City Clerk

Reviewed and Forwarded by:

A handwritten signature in blue ink, appearing to be "JG", is written over a horizontal line.

Jamie Goldstein, City Manager

6/17/2016

City of Capitola Mayor's Proclamation

Designating June 20 – 26, 2016, as Amateur Radio Week

WHEREAS, the Federal Communications Commission licenses all amateur radio operators to provide public and emergency communications, develop and maintain a pool of radio operators, and promote domestic and international goodwill; and

WHEREAS, Santa Cruz County amateur radio operators are known throughout the county, state and nation for their outstanding dedication and commitment to safety and preparedness; and

WHEREAS, amateur radio operators in Capitola and Santa Cruz County provide thousands of hours of volunteer support to several agencies including; CAL Fire, Santa Cruz Sheriff's Office, Santa Cruz Police Department, the American Red Cross, the Department of Homeland Security, the National Weather Service and the Salvation Army. They also provide invaluable assistance during parades, charity bike rides, running and walking events; and

WHEREAS, local amateur radio operators work closely with federal, state, city and county emergency service organizations to provide volunteer communication services during wild fires, severe weather, natural disasters, communications and power outages, accidents and other emergencies; and

WHEREAS, the amateur radio community represented by the Santa Cruz County Amateur Radio Club, San Lorenzo Valley Amateur Radio Club and UCSC Amateur Radio Club, and the Santa Cruz County Amateur Radio Emergency Service (A.R.E.S.) have been active support to the Emergency Operations Center, CAL Fire, the Sheriff's Department, California Highway Patrol, Search & Rescue, Large Animal Rescue Team, groups and volunteer agencies in their contributions of service to the community; and

WHEREAS, this year's Amateur Radio Relay League Field Day exercise will take place at the CAL Fire Training Facility in Ben Lomond on Saturday, June 25 and Sunday, June 26.

NOW, THEREFORE, I, Ed Bottorff, Mayor of the City of Capitola, do hereby proclaim June 20-26, 2016, as Amateur Radio Week in Capitola, California, and call on all residents to support this very important emergency preparedness exercise, and recognize the tremendous contributions Santa Cruz County amateur radio operators have made to our community.

Ed Bottorff, Mayor

Signed and sealed this 23rd day of June 2016



ADDITIONAL MATERIAL ITEM NO 8.E.

CITY COUNCIL AGENDA REPORT

MEETING OF JUNE 23 2016

FROM: DEPARTMENT OF PUBLIC WORKS

SUBJECT: Report on Proposals Received for Repairs to Tennis Courts at Jade Street Park

RECOMMENDED ACTION: Award a contract to Vintage Contractors, Inc in the amount of \$113,560 for repairs to the Jade Street Tennis Courts and approve a budget adjustment in the amount of \$25,560 transferring funds from the General Fund fund balance to the Tennis Court Repair project in the Capital Improvement Program.

BACKGROUND: On Friday June 17, 2016 the City received proposals from four contractors for repairs to the tennis courts at Jade Street Park. The proposals were in response to a request for proposals issued by the Department of Public Works on May 18, 2016. The request for proposals allowed the contractor to propose various repair methods and products so the City could review and compare differing solutions. A summary of the proposals is included as Attachment 1.

DISCUSSION: The proposals were reviewed by Public Works staff, Recreation Department staff, a Recreation Department tennis instructor, and a United States Tennis Association representative who works with the Recreation Department. The consensus of the review panel was that the crack repair and asphalt overlay options, while providing the most economical solutions, would likely result in the reappearance of cracking within 3-5 years. The Merit Floor Herculan system was deemed to be too expensive to warrant consideration. Of the two remaining proposals, the Plexipave Slipsheet overlay and Nova Pro cushioned overlay, the Recreation Department staff and tennis instructor recommended the Plexipave Slipsheet overlay repair by Vintage Contractors due to its 5-year crack warranty and preferred playing surface.

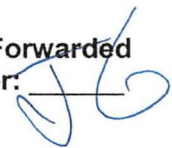
Vintage Contractors is based out of San Francisco and has been in business for over 30 years. They specialize in outdoor sport and recreational surfacing. They have indicated to Public Works staff that they are prepared to begin work in mid-August and the work will take approximately 5 weeks to complete. The tennis courts will be completely closed during construction.

FISCAL IMPACT:: The Capital Improvement Program includes \$88,000 for this project. This funding includes a \$38,000 donation from the Rudolf F. Monte Foundation. To complete the funding for this contract, staff is recommending transferring and additional \$25,560 from the General Fund.

ATTACHMENTS:

1. Proposal Summary
2. Vintage Contractors, Inc proposal
3. Budget adjustment

Report Prepared By: **Steven Jesberg**
Public Works Director

Reviewed and Forwarded
By City Manager: 

Communication: Item 8.E. Additional Materials regarding the Repair of Tennis Courts at Jade Street Park (ADDITIONAL MATERIALS)

Jade Street Park Tennis Court Repairs

Proposal Summary (listed in order of cost)

Proposals Received June 17, 2016

Contactor	Product/Repair Plan	Notes	Cost
First Serve Productions	RiteWay Crack Repair System	Spot repair of cracks and repainting 2 year warranty	\$60,274
First Serve Productions	2-inch asphalt overlay over Petromat pavement fabric	1 year warranty for materials and workmanship, does not include future cracking	\$87,120
Saviano Company	1 ½-inch asphalt overlay over Mirafi pavement fabric	1 year warranty for materials and workmanship, does not include future cracking	\$96,000
Vintage Contractors	Plexipave Slipsheet Overlay System	Flexible floating system 5 year warranty on cracking, materials, workmanship	\$113,560
First Serve Productions	Nova Pro Extreme Custom Cushion Floating Court	Urethane cushioning with fabric and acrylic overlay. 1 year basic warranty, may be extended	\$118,000
Merit Floor	Herculan TC Tennis Court Systems	Urethane elastic surface	\$235,000 - \$245,000

Communication: Item 8.E. Additional Materials regarding the Repair of Tennis Courts at Jade Street Park

SAN FRANCISCO
 2367 OCEAN AVENUE
 SAN FRANCISCO, CA 94127-2605
 P: 415.282.1602
 F: 415.282.1603



VINTAGE
 Contractors, Inc.

LICENSE NO. 416130
 NAPA
 1500 GREEN ISLAND ROAD
 AMERICAN CANYON, CA 94503
 P: 707.253.1841
 MONTEREY: 831.658.0225

PROPOSAL & CONTRACT

General Information

Created Date 6/17/2016 Quote Number 1179
 Opportunity Owner Tony Edwards

Client

Contact Name Steven Jesberg
 Quote To Name Jade Street Park Tennis Court Repair Project
 Email sjesberb@capitola.ca.us

Project

Quote Name Jade Street Park Tennis Court Repair
 Project-Slipsheet Overlay

Unit Description	Price
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TENNIS COURT - PLEXIPAVE SLIPSHEET OVERLAY SYSTEM + ACRYLIC PLAY SURFACE :
<http://www.fraseredwards.com/pages/tennis-courts#slipsheet-overlay-process>
 (5 year warranty against cracking of the Slipsheet)

Procedure:

1. Wash and scrape surface to clean and remove loose coatings.
2. Jet lance and fill cracks & gauges with Plexipave Crack Filler (solid filler, crack retardant) & Court Patch Binder (acrylic latex bonding liquid).
3. Install Plexipave Slipsheet system with 2 reinforcement membranes (requires 3-5 days curing).
4. Install by screed 1/2" Carpet Coat Topping (requires 3-5 days curing)
5. Hot roll and apply 3 refinement and smoothing coats
6. Apply 1 coat of Plexipave Acrylic Resurfacer.
7. Apply Plexipave Acrylic Surfacing
8. Tennis court lines per USTA/ITF standards

\$113,560.00

SLIPSHEET NOTES: Permanent solution to cracking. Free floating system allows cracks to move without reflecting through play surface. Staging area required. Proposal assumes substrate is sound with a slope of 1% for drainage. Our work will follow contours of existing substrate. Water puddles can be remediated if there is sufficient slope. Access for pick-up trucks directly to work area. Electricity and water to be provided at all times within 50' of work area. All work and material guaranteed for a period of five years.

Vintage is non-union paying prevailing wages. Payment terms to be 30 days upon completion. Retention will follow pay when paid clause but will not exceed 90 days after completion. Completion is defined as walkthrough with owner and approval for usage/occupancy by the owner.

Subtotal \$113,560.00

We hereby propose to furnish labor and materials—complete in accordance with the above specifications, for the sum of:

Grand Total \$113,560.00

Signature

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance.

Our workers are fully covered by Workmen's Compensation Insurance. Vintage is non-union paying prevailing wages. Note: This proposal may be withdrawn by us if not accepted within 30 days. In the event legal action is instituted by either party hereto, the prevailing party shall be entitled to reasonable attorney's fees and costs.

Communication: Item 8.E. Additional Materials regarding the Repair of Tennis Courts at Jade Street Park (ADDITIONAL MATERIALS)

City of Capitola Budget Adjustment Form



Date 6/23/2016

Requesting Department Public Works

Administrative Council

Item # _____ 8.E.
Council Date 6/23/2016
Council Approval _____

Revenues		
Account #	Account Description	Increase/Decrease
1200-00-00-000-3910.100	Interfund transfer in from General Fund	25,560
Total		25,560

Expenditures		
Account #	Account Description	Increase/Decrease
1000-99-99-000-4910.200	Gen Fund Interfund transfer out to CIP	\$ 25,560
Total		25,560

Net Impact -

Purpose: Tennis Court repairs

Department Head Approval _____

Finance Department Approval _____

City Manager Approval _____

Communication: Item 8.E. Additional Materials regarding the Repair of Tennis Courts at Jade Street Park (ADDITIONAL MATERIALS)

DEFENSE AND INDEMNIFICATION AGREEMENT
BETWEEN THE CITY OF CAPITOLA AND
MARIE MARTORELLA, TRICIA PROCTOR, AND NHS, INC.

This Defense and Indemnification Agreement (hereinafter “Agreement”) is made and entered into between the City of Capitola, 420 Capitola Road, Capitola, CA 95010 (“City”), on the one hand, and Marie Martorella (“Martorella”), Tricia Proctor (“Proctor”) and NHS, Inc. a California Corporation (“NHS”), jointly and severally, on the other (Martorella, Proctor and NHS are referred to hereinafter collectively as “Applicant”).

WHEREAS, Applicant has requested that the City process the application described in Attachment A to this Agreement (hereafter referred to as the “Project”);

WHEREAS, on March 31, 2016 the City Planning Commission approved a Design Permit, Conditional Use Permit and voted to certify and approve an Environmental Impact Report (EIR) to allow Applicant to develop an approximately 6,000 square foot skate park on City-owned land located at Monterey Avenue and designated in the records of the County Assessor as APN 036-151-01 (the “Project”); and

WHEREAS, the Project has been appealed to City’s City Council and a hearing on the appeal is pending and tentatively scheduled to be heard on June 23, 2016; and

WHEREAS, notwithstanding said appeal, on or about May 5, 2016, Friends of Monterey Park, an unincorporated association, filed a legal action in the Santa Cruz County Superior Court, Case No. 16CV01091 (the “FOMP lawsuit”), challenging the Planning Commission’s certification of the EIR and approval of the Project and alleging, *inter alia*, that certification of the EIR and approval of the Project did not comply with the requirements of the California Environmental Quality Act (“CEQA”) (Cal. Public Resources Code §21000, *et seq.*); and

WHEREAS, it is in the public interest for City and Applicant to enter into this Agreement since Applicant and the City will benefit from the City’s processing of the application and continued review of the Project on appeal.

NOW, THEREFORE, the City and Applicant agree as follows:

1. Applicant agrees to indemnify, release, and hold harmless the City, its agents, officers, attorneys, employees, contractors, boards, and commissions (collectively, “Indemnified Parties”) from any claim, action or proceeding, including but not limited to the FOMP lawsuit, brought against any of the Indemnified Parties to attack, set aside, void or annul the Project or any of the proceedings, acts or determinations taken, done or made as a result of the City’s processing and/or approval of the Project, including, but not limited to, the adoption of environmental documents.

2. Applicant’s obligation to defend and indemnify under this Agreement shall include, but not be limited to, damages, court costs, expenses, settlement costs, attorney or witness fees that may be asserted against or incurred by the Applicant and/or the Indemnified Parties arising out of, or in connection with the FOMP lawsuit or the processing and/or approval of Applicant’s Project, whether or not there is concurrent, passive, or active negligence on the part of the Indemnified Parties. The

Applicant also agrees to indemnify the Indemnified Parties for all costs incurred in any additional investigation or study, or for supplementing, redrafting, revising or amending any document (e.g., an Environmental Impact Report, Specific Plan, Zoning Plan, etc.) if made necessary by the claim, action or proceeding.

3. The City shall notify the Applicant promptly of any claim, action or proceeding brought against the Indemnified Parties related to the Project and/or the processing of the Project application. Upon receipt of such notification, Applicant shall assume the defense of the claim, action, or proceeding, including the employment of counsel reasonably satisfactory to the City and Applicant, and the prompt payment of the attorneys' fees and costs of such counsel. The City shall have the right to not participate in said defense, except that the City agrees to cooperate in good faith with the Applicant in the defense of any claim, action, or proceeding that is subject to this indemnity obligation.

4. In the event of a disagreement between the City and Applicant over litigation issues, City shall have the authority to control the litigation and make litigation decisions, including but not limited to settlement or other disposition of the matter. In such an event, at its sole discretion, the City may choose to have counsel of its own defend any claim, action or proceeding in which the Applicant has already retained counsel to defend the City in such matters. In that event, the fees and expenses of the counsel separately retained by the City shall be paid by the City.

5. This Agreement and the indemnity obligations stated herein shall terminate upon completion of construction of the Project.

6. Failure to promptly defend or indemnify the City is a material breach of this Agreement which shall entitle the City to all available legal and equitable remedies, including but not limited to specific performance and damages.

7. Nothing contained herein shall be deemed to alter the City's complete discretion to approve or disapprove, or to make any other decision or determination with respect to the approval or disapproval of, or otherwise in connection with or relation to the approval or disapproval of the Project.

8. Nothing contained herein shall be deemed to prohibit Applicant to withdraw the application, abandon the Project and terminate this Agreement prior to the commencement of construction provided, however, that Applicants' obligations pursuant to Paragraphs 1-3, above, shall survive and remain in full force and effect following such termination.

9. All notices required under this Agreement shall be in writing and delivered by either the United States Postal Service, any commercially available letter or package delivery service, or by fax, addressed to the following:

To City:

Community Development Director
City of Capitola
420 Capitola Ave.
Capitola, CA 95010

To Applicant:

NHS, Inc.
C/O Benjamin Leibrock
Attention Nathan Benjamin
340 Soquel Avenue # 205
Santa Cruz, CA 95062

10. Each party executing this Agreement represents and warrants that it has been duly authorized to enter into this Agreement, and has full and complete authority to do so. Each party expressly waives any defense to this Agreement based on any lack of authority to enter into and be bound by the terms of this Agreement.

11. This Agreement shall constitute the complete understanding of the parties with respect to the matters set forth herein. Neither party is relying on any other representation, oral or written. This Agreement may not be changed except by a written amendment signed by both parties.

IN WITNESS HEREOF, the parties do hereby agree to the terms of this Agreement.

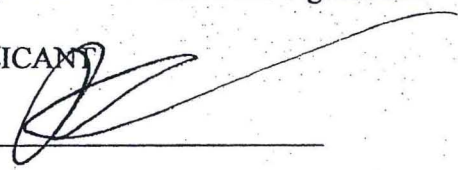
CITY

By: _____

Rich Grunow
Community Development Director

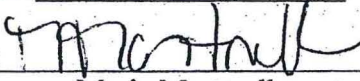
Dated: _____

APPLICANT

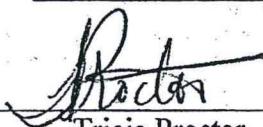
By:  _____

Name: NHS, Inc., by Richard Novak,
Chairman

Dated: 6-22-16

By:  _____
Marie Martorella

Dated: 6-22-16

By:  _____
Tricia Proctor

Dated: 6-22-16

Communication: Item 9.A. Defense-Indemnification Agreement regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Deb Abbott <debabbott.lmft@gmail.com>
Sent: Wednesday, June 15, 2016 4:14 PM
To: City Council; Bottorff, Ed (ebottorff167@yahoo.com); dennis@dennisnortondesign.com
Subject: RE: skatepark at Monterey Park

Dear City Council members, Mayor Bottorff, and Dennis Norton,

I am a resident of Brookvale Terrace and live directly across the street (separated by a home and fence) from Monterey Park. My quality of life and that of my neighbors due to ongoing noise would be greatly negatively impacted by locating a skatepark in Monterey Park.

It is mind boggling to me that this skatepark is being proposed when a brand new one (Monte Family Skatepark) is less than a mile (a 3-5 minute ride on a skateboard) from Monterey Park.

Skateboard parks are nearly exclusively used by adolescent boys. It would more equitable that the city use this land for activities that include people of all ages, genders, and abilities.

For these reasons, I am strongly opposed to a Monterey Skatepark being installed.

Please keep me apprised of your decision on this matter.

Sincerely,

Deb Abbott

--
"Give light and people will find the way." ~ Ella Baker

Deb Abbott, M.A., L.M.F.T.
Licensed psychotherapist in private practice
Phone: 831.345.1925
Email: debabbott.lmft@gmail.com

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date: June 13, 2016

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
2. INCREASED traffic introduced to an already highly impacted Monterey Avenue. There are already times when residents on Monterey Avenue can barely back out of their driveways;
3. There will be more people whether driving, or walking, or biking, or skateboarding in this already highly intensified area.

As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,

Sandra Allen

Other Remarks: *Sandra Allen*

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: petra alt <petraalt@yahoo.com>
Sent: Wednesday, April 27, 2016 6:43 AM
To: City Council
Subject: Skate Park

Hello,

I would like to express my concern for using the peaceful , quiet space that is the park as a skate park.

This park is just about the only quiet green space that we have in that vicinity.

Research and studies have proven that we as city people need more quiet time and less noisy activity , in order to avoid road rage , high blood pressure and other stress related disorders. I am very concerned about the future of the city, if we do not have a quiet place to relax. This concern is not only for me because since I have a couple of small dogs and I am renting I may need to relocate to a more friendly pet area.

However , anybody walking and driving in Capitola can clearly recognize that people drive too fast and impatient. Anybody trying to cross the cross walk can also contest to that! Many drivers can not wait until a pedestrian is all the way across before starting to drive ! This may be very well due to stress , we need to have one green space were we can walk and relax after school or work. Anybody who lives here and has children walking anywhere should be concerned because the stress levels of drivers will only get higher and higher. At least there are some who instinctually know that relaxing around green spaces can do wonders for their stress.

If the skatepark does get built it will be sad indeed ,more noise, more stress more dangerous driving and other behavior.

Thank you so much and is there no other area where this can be built , a place that is already busy and noisy?

Petra

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Hello Mayor and City Council Members,

My name is Chris Amsden, and I am a resident of Kennedy Dr. in Capitola (2 blocks down from Monterey Ave. Park). I am writing to you regarding the location of the proposed skateboard park, and request that you consider the Monterey Ave. Park location as a much more suitable place for this than the New Brighton State Park location proposed by some.

As you probably know, the Cliffwood Heights neighborhood in Capitola has been a predominantly family-inhabited neighborhood for decades now. This was a large part of the reason Kennedy Ave. Park was established in the first place - as a place for families to enjoy outdoor activities in their neighborhood park.

Providing an in-ground cement skate park for children at this location is a natural addition to this park's original development - a safe place for children to play in their own neighborhood. The proposed New Brighton location poses two major problems for children: 1). Kids would be required to negotiate the busy intersection of Park Ave. and Kennedy Dr. in order to get there, and 2). Access to this location is much more limited than the Monterey Ave. Park location.

As a father of 4 kids under age 9, I am always seeking fun activities for the family to do together outdoors, and was thrilled to hear the proposal of the skate park at the Monterey Ave. Park location. Unfortunately, there are a few residents in our neighborhood (most of which do not have young children) that oppose this location for our skate park, and have voiced their opinions loudly.

My response to their argument is this: most of the grounds at Monterey Ave. Park are seldom used on a regular basis. I coach soccer and baseball there every year, play with my kids there every week, and am amazed at the huge expanses of field that are always open. The proposal for the skate park would use less than 4% of this open space - a very small request for the amount of joy this would bring to our neighborhood children.

I think its important to ask who we are building this skate park for, and what we hope to achieve by providing this for our community. If its a safe place for children to have easy access to, where parents can easily supervise and enjoy the surrounding areas, then I believe the Monterey Ave. Park location is clearly the best choice for this.

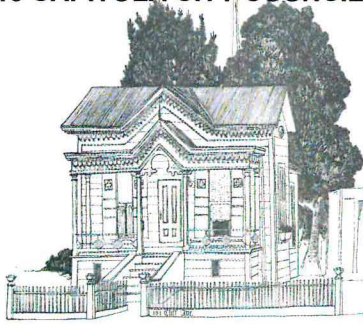
I sincerely hope you will take this into consideration when making your final decision.

Sincerely,

Chris Amsden
NMLS # 280606
Golden State Lending
4601 W. Walnut St. #7
Soquel, CA 95073
office: [\(831\) 431-6192](tel:8314316192)
fax: [\(408\) 384-5204](tel:4083845204)
chris@gslhomeloans.com

JUN 15 2016
CITY OF CAPITOLA
CITY CLERK

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)



Capitola City Council

JUN 15 2016
CITY OF CAPITOLA
CITY CLERK

June 15, 2016

Dear Councilmembers,

In 2000 I participated in a national campaign to promote organ and tissue donation. It was called the "Millennium Mayorathon". I was given the honor of being one of the Special Teams Mayors. I took the torch from town to town starting in San Francisco and finishing in Solvang. From there it passed to another Special Team's Mayor and so on across the country. At the time this was happening Dennis Norton and I were working at locating a place to put a skate park and how we were going to fund it. I thought that this campaign gave me a wonderful opportunity to see what other cities might be doing toward that same goal. The first real "hit" I got was in Atascadero CA. After the speeches and ceremony I asked the Mayor if they had a skate park or were thinking about one. He said that they had one and would I like to see it? We walked a block and a half from City Hall to an old tennis court which they had converted into a skate park. They had tasked the local High School woodshop students to build ramps and other structures that would challenge the skaters. It wasn't rocket science but it served its purpose and was well received by the community.

The next day we were in Grover Beach CA and the same scenario, but this time the Mayor was over the moon about their skate park. He hollered to the Police Chief to get a car and drive us about 12 blocks from City Hall to a residential neighborhood where they had developed a state of the art park on about 2 residential sized lots. This park had concrete bowls, ramps, rails, and jumps. In many other small towns there were plans to look into parks, but no progress had been made.

6 months later I was called to anchor the last leg of the Mayorathon from Providence RI to Washington DC. There were many towns where the same interest in providing a park was on their radar. In a couple in Connecticut and New Jersey they had built parks from professional to tennis court conversions. All the parks were near downtown or a school and some were in residential neighborhoods.

I hope you see the trend that seems to have been flushed out here. All the parks I visited had sidewalk access and were near homes or businesses. I point that out because the majority of the users of the parks weren't old enough to have a driver's license.

104 Cliff Avenue, Capitola, CA 95010

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

They had to walk (or skate) to the parks. The location of the proposed park on McGregor Dr. has no sidewalks leading to it. Only a bike lane. I have ridden on that bike lane many times and to say it is scary, is understating the condition. Cars cut the tangent of the turns leading to New Brighton Park all the time and can't see around all the bushes. The same is true for our community; the majority of the users aren't old enough to have a driver's license. They are going to have to walk (or skate) to the park. This is an accident just waiting to happen, and when it does I hope it isn't fatal.

Thanks to the efforts of two young women in the community, you have an opportunity to have built (they have the funds in hand to do so) a skate park which is in a walkable neighborhood, near a school, and near City Hall and the Police Station. I can't for the life of me see anything wrong with this proposal. Noise shouldn't be anything more than soccer, baseball, or the school playground. The hours can be limited to keep noise in the neighborhood to a minimum, and most of the users also realize they have to have some skin in the game and self-discipline the people who would disrupt the norm.

I don't envy your decision. Political pressures can be overwhelming at times, but if you give the proposal a real look I'm sure the safest and best located area is Monterey Park.

Thanks for your attention to this important matter,

Sincerely,

Bruce Arthur

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Cheryl Ban <cherylban@sbcglobal.net>
Sent: Monday, June 13, 2016 1:55 PM
To: City Council
Subject: The Monterey Skate Park

June 13, 2016

Dear Council Members,

Wanted to add our voices again in regards to

The Monterey Skate Park in Capitola.

I have written to each of you in the past and want to update and make sure it is known of our strong support in absolute favor of moving forward with the Monterey Skate Park.

In The Santa Cruz Sentinel on Sunday June 12, 2016 there is an excellent article in the opinion section supporting the Monterey Skate Park. We are in complete agreement with this commentary.

Thank-you for all you do for Capitola,

Mark and Cheryl Ban

Below Past letter:

Dear Capitola City Council Members,

We are excited and completely support the creation and location of new skate park at Monterey Park in Capitola. We have lived in the neighborhood where this skate park will be built for over 30 years.

The skate park will be built in the middle of what is more than a residential neighborhood.

This has long been an area of mixed public uses for our community.

There is the New Brighton Middle school, Soquel District School offices, St Joseph's Catholic Church, Shoreline community Church, the Performing Arts Center and the Monterey Park area.

The skate park will be built in the middle area of the Monterey Park.

We value children's availability to places where they can play and explore their talents. Our baseball fields, our ocean, soccer fields, skate parks are places that our children can grow and develop. Eventually becoming contributing adults in our communities.

It is our responsibility and joy to create, provide, and sustain resources that foster the health and well being of the children and adolescents of our community for now and future generations.

The Monterey Park location for a skate park is a natural extension of the uses there now, the baseball field, the athletic course, the school. This area is easily accessible and already used by the children of our City.

Having the Monterey Skate Park will be a great addition to Capitola.

Thank-you, Capitola City Council for the vision to approve this area for a skate park.

Cheryl Ban and Mark Ban

321 McCormick Ave.

Capitola

831 479-0250

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Monday, June 20, 2016 11:20 AM
To: City Council
Subject: Support Capitola Skatepark

Thank you,

From: Sheri Baxter [mailto:smdfbaxter@yahoo.com]
Sent: Tuesday, March 29, 2016 8:36 PM
To: planningcommission@ci.capitola.ca.us; citycouncil@ci.capitola.ca.us
Subject: Capitola Skatepark

To Whom It May Concern,

We are a long time local family that lives on the Westside near Derby Skatepark. Our children have enjoyed having Derby Skatepark near enough to bike to. We have hosted quite a few birthday parties at Derby over the years, it is family friendly and a lot of fun. We appreciate it's neighborhood location, compared to the Santa Cruz Skatepark because we feel safer letting our 12 year old bike to Derby to skateboard. The Santa Cruz Skatepark is near some very busy streets and it would be scary to let him manage to get there without our help. We are happy to report that Derby Skatepark is a great outlet for kids. We hope that you will consider having the Capitola Skatepark in a neighborhood as well, I might be more willing to drive my child over to the Capitola Skatepark if it is in a safe location for kids to come and go as needed. Please keep this in mind when choosing location.

Derby is well loved by the Westside parents and neighbors. Thank you.
Sincerely, Sheri Baxter and family

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Ann Benvenuti <annanana1956@gmail.com>
Sent: Sunday, April 03, 2016 5:58 AM
To: PLANNING COMMISSION
Subject: Monterey skate park

As a homeowner in area I just would like to express my total disappointment in your recent approval of this project. Not only did you approve an ill fated plan but you opened up areas for change with no specific requirements . You had a chance to be a responsible voice but you turned your back on the citizens of this community and sided with our inept city council .

Sent from my iPhone

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Dan <dbt33@hotmail.com>
Sent: Wednesday, June 15, 2016 7:26 PM
To: City Council
Subject: McGregor skate park

Dear council

Today was my first visit to new park and to some degree it was a pleasure to see the 35 to 45 young males having a good time as well as people using the dog park. I am compelled to let the council know that the title park does not truly describe the atmosphere. The constant highway noise drowned out the already loud noise of the skate boarders. Making the environment less than relaxing. There were times when smaller children were in danger of serious collisions with the more aggressive older teens. What is most disturbing is I witnessed open use of Marijuana as well as a youth making purchases of Marijuana from vehicle at park. Absolutely no security not a environment I would subject my children to. So knowing that this goes on daily I am asking the council just what they plan to do to secure a safe drug free atmosphere for the children of our community? My last two employers had a drug free work environment and it was enforced. How do you plan to address this issue? Sincerely Daniel Benvenuti

Sent from my iPhone

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Don Betterley <donbetterley@gmail.com>
Sent: Wednesday, June 15, 2016 6:57 PM
To: City Council
Subject: Not another skatepark

Capitola City Council:

I am writing once again to strongly oppose another skate park for Capitola at the Monterey Park site.

The Capitola City Council & Planning Commission should be responsible guardians of the so little open green space in this small community.

Several thousand square feet of concrete and a skate park simply do not belong in a residential neighborhood, and many communities wiser apparently than here have appropriately placed skate parks in more appropriate venues. None of the three proposed skate park options at Monterey park make any sense.

The fact that a skate park has opened at the McGregor site leaves one to question how the city can waste so much time and money on this privately funded buy out of rare green space !!!

Those private concerns and others have made unfair claims against many in the community, including in public meetings and on local radio, and many of their suggestions are simply incorrect, including one that the resident caretaker in the mobile house adjoining can assist in monitoring . . . this among other suggestions are at best far-fetched fantasy, as well as other ongoing costs, maintenance, policing, parking & noise issues.

Despite the recent claim apparently from certain planning commission members that this area is a "mixed use" neighborhood, this cannot be an excuse to therefore disrupt this residential and school neighborhood!!

I am all for youth sports & activities, and have been involved over many years in numerous local efforts, sports & artistic, but a well designed skate park is already available a few blocks away.

Thank you,

D. Betterley, long time resident of Capitola

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

February 9, 2015

Capitola City Council
Capitola, CA
citycouncil@ci.capitola.ca.us

RE: Citizen Support of Skate Park at Monterey Avenue Park Capitola

To Whom It May Concern:

I am writing this letter in support of plans to build arecreational Skate Park at Monterey Avenue Park in Capitola.

My husband and I have lived and worked in this Capitola community since our son was born. He is now 13 and is in his second year at New Brighton Middle School.

One reason we love this area is because of the defined surf and skate culture both of which have numerous positive characteristics and benefits that my family puts great value on.

Monterey Ave. Park is an ideal location for the skate park. It will further foster our strong sense of community, build camaraderie among the kids and families and help keep our children active and healthy in a safe, secure environment.

My family and I thank your serious consideration of this as the very best option.

Sincerely,
Narina Munn Bomango
518 Oak Dr.
Capitola, CA 95010
831-462-3967

RECEIVED

JUN 20 2016

CITY OF CAPITOLA

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Paula Bortz <pgbortz@gmail.com>
Sent: Friday, June 17, 2016 5:45 PM
To: City Council
Subject: OPPOSED to Monterey Skateboard Park

Dear Capitola City Council Members,

My name is Paula Bortz, and I am adamantly **opposed to the proposed skateboard park** at Monterey Park. I live less than 2 miles from Monterey Park. I am a homeowner, a voter, and I enjoy daily the open, expansive, and quiet beauty of Monterey Park with my family.

My vote is: Please don't pave paradise and put up a skating park.

Thank you,
Paula Bortz and Family

JUN 20 2016
CITY OF CAPITOLA
CITY CLERK

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date:

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
2. INCREASED traffic introduced to an already highly impacted Monterey Avenue. There are already times when residents on Monterey Avenue can barely back out of their driveways;
3. There will be more people whether driving, or walking, or biking, or skateboarding in this already highly intensified area.

As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,



Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: The Bowmans <dbow-man@pacbell.net>
Sent: Monday, May 16, 2016 8:45 PM
To: City Council; PLANNING COMMISSION
Subject: McGregor Park Opening and Pedestrian Access

Dear Capitola City Council and Planning Commission members;

With McGregor Park opening in a couple of weeks **I am wondering will there be improvements for pedestrian access to the park before it opens?**

I have included photos of some of the Santa Clara Valley more innovative green bicycle striping (photo taken at Stevens Creek and Bubb in Cupertino), and rather intense vehicle/bicycle separators (photo taken on Plumeria/River Oaks in San Jose) and the bright yellow crosswalk striping (photo taken in Palo Alto).

Today we walked to McGregor Park at 5pm (rush hour) from Cliffwood Heights. We walked to it along McGregor, which was not ideal with the traffic. On the return we took the gravel path from the park, which extends almost to the New Brighton State Beach access road, and then went up to the McGregor/Park Ave. crosswalk via the New Brighton State Beach access path at that intersection. This was much better, much safer, and quicker. It looks like a simple foot path along the McGregor Park side of the New Brighton State Beach access road could keep pedestrians off the access road pretty handily and the path could go directly up to the park along the back side of the building at the park, avoiding McGregor completely.

Are we, or is the city, allowed to direct people that way?

We also asked some skaters who were using the park what they thought of it. They said it was amazing! We are very excited about the new park. So is our dog!

We look forward to hearing any of your thoughts about access solutions and improvements and needs.

Our sincere thanks,
Christine and Douglas Bowman
714 Orchid Ave
Capitola, CA 95010



Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)



Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: The Bowmans <dbow-man@pacbell.net>
Sent: Monday, May 30, 2016 6:38 PM
To: City Council; PLANNING COMMISSION
Cc: Grunow, Rich (rgrunow@ci.capitola.ca.us); Jesberg, Steve (sjesberg@ci.capitola.ca.us)
Subject: Monterey Park and Monte Park

Dear Members of the Capitola City Council, Planning Commission, and Staff;

I believe a skate park for younger skaters at Monterey Park would need to be limited to the 2000 square foot size.

A.) 2000 square feet might fit without cutting down trees or losing a playing field.

B.) Adult skaters use the 4000 square foot, 4 foot deep Derby Skate Park all the time!

Derby Park is far away from the school and bordered on one side by warehouse, cinder block type buildings. **Photos attached.**



Derby Skate Park is set almost completely below ground level like a shallow, 4 foot deep swimming pool and has no metal rails or noisy features. Photos attached.

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)



I can't find another skatepark that is squeezed in as close to a school and so many houses like this one being proposed at Monterey Park. I still do not understand why a second skate park would be wanted or needed here within a short skate of the first one (people do indeed skate to get there), especially since Monterey Park is not a fit with the sports field, district offices, the middle school, and the neighbors so close and unsupportive.

It just seems wasteful, unwise, and inconsiderate. It is alienating a whole group around the park and many who use Monterey Park.

People are having a great time at Monte Skate Park. The skaters say it is awesome. It is very good to see dads there. The parking lot has been fairly full when I have been there which worries me a bit about parking at Monterey Park especially during league play. It looks like there has already been some graffiti covered up at Monte. No surprise there I guess.

Visiting the completed - and really very cool - new skate park in Capitola has given me a better visual idea of how very tall and obtrusive the current proposed Monterey Park design would be.

A 2000 square foot bowl that is, like Derby, sunken and without noisy features would be a more appropriate design for a potential proposal to serve young skaters at Monterey Park.

These are legitimate, practical, sensical concerns and objections, and earnest feedback. They are based on experience. This isn't over-reaction, this isn't name calling, this isn't bullying, this isn't disingenuous spin. We have seen too much of that leveled at those who have pointed out valid issues with this current Monterey Park

proposal.

It saddens and confuses me that the Monterey skate park proposers tried to block Monte Skate Park. It saddens me that our resources - money, time, emotional energy, political good will - are spent on this Monterey Park misfit proposal. Our resources could be focused on improvements for everyone who wants to use the new Capitola City Park.

Now the Monterey skatepark proposers are calling for 3+ skateparks in Capitola making sure theirs would be branded with our city's name. This current Monterey Park design proposal is perfectly attractive to adult skaters, not just younger skaters, and it creates a "mega skatepark" that would be a huge draw for adult visiting skaters from far and wide since they could easily skate from one park to the other. A huge draw. Right to the middle school.

You could probably pave the whole city of Capitola and make it one big parking lot and skatepark and it would still fill up with visitors.

This current obtrusive design doesn't fit at Monterey Park. It is wedged virtually on the campus of a middle school. It is not a good fit for the neighborhood. It is too close to too many homes. Even the Tony Hawk Foundation advises locating skateparks... "preferably not directly adjacent to homes".

I learned from a new Capitola resident that he was advised by his local realtor not to purchase a home near Monterey Park due to the skate park proposal. He followed that advice. I hope we can save Monterey Park from this detrimental development proposal. As you are aware, it has already had a profoundly detrimental and divisive social impact in our community and on our peace of mind.

Thank you,
Christine Bowman
714 Orchid Ave.
Capitola

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: bbratbo <bbratbo@aol.com>
Sent: Saturday, May 21, 2016 1:57 PM
To: City Council
Subject: Skatepark

Please reconsider placing another skate park in Capitola. Isn't one enough? I have played softball for the last 20 years at various parks in the greater Santa Cruz/Capitola area and bit by bit, open spaces to practice and simply just play in general is evaporating. Here is yet another example of not considering all of us in the community. Why another skatepark? Noise is relentless. I used to play pickleball in Santa Cruz next to skatepark. I no longer do because the noise was non stop. The area being considered for skatepark #2 is a great place to picnic and just enjoy the peaceful space. That will end with the addition of the proposed park. Who is getting paid off to push this park down our throats? The neighborhood does not want it. It sounds like one person is pushing this in accordance for his business to prosper. I challenge the City Council to really examine the true motivation behind this skatepark and to represent the ENTIRE community. Thank you, sincerely, Debbie Bratby.

Sent from my Verizon Wireless 4G LTE smartphone

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED
JUN 16 2016
CITY OF CAPITOLA

June 16, 2016

Capitola City Council Members
420 Capitola Ave.
Capitola, CA 95010

Attention: Su Sneddon, City Clerk

Reference: Proposed 6,811sf Skatepark at Monterey Ave Park

Subject: Submission of Petition and Letters in Opposition to the Proposed Skatepark

Dear City Council Members,

Over the period of approximately 2 weeks I have had the opportunity to meet with, and talk to, some of your constituents about the referenced project. In this experience, there was an overwhelming opposition to the prospect of building a second public skatepark within Monterey Park. There were several reasons for the opposition but, in general, those opposed to this idea felt that a skatepark at Monterey Park would:

- NOT fit the character of the neighbor;
- NOT fit the character of Monterey Park;
- NOT be a good use of Park space;
- NOT be good for New Brighton Middle School students or teachers.

Attached please find 2 pages of a Petition to Stop the Installation of the Proposed Skatepark at Monterey Park with 28 signatures in opposition.

Also attached, please find 19 pre-printed letters (with personal remarks) in opposition to the proposed skatepark at Monterey Park signed by the following:

Norman Lane, Trevor Bryce, Russell Stephens, Anita Gwin, Glenda Gwin, Ed Schweifler, Michael Hendricks, Lenore Hindin, David Chavez, Nick Shult, Shirley Ginzberg, Barbara Litsky, Dominick Dellacqua, Edie House, Glenn MacDonald, Deryn Harris, Chris Huggins, Doug Huggins, William Firestone, Catherine Pickerrell and Sandra Allen.

Please reject the proposal for a second public skatepark in Capitola targeted for Monterey Ave Park.

Sincerely,

Helen Bryce
PO Box 1305
Capitola, CA 95010

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Helen Bryce <helen.s.bryce@gmail.com>
Sent: Thursday, June 16, 2016 4:49 PM
To: City Council; Fridy, Linda (lfridy@ci.capitola.ca.us); Grunow, Rich (rgrunow@ci.capitola.ca.us); Jesberg, Steve (sjesberg@ci.capitola.ca.us); Sneddon, Su (ssneddon@ci.capitola.ca.us)
Subject: Skatepark in Monterey Park is a bad fit
Attachments: Chanticleer Park.pdf; Chanticleer Park.jpg

Dear City Council Members and Staff,

I am writing again to express my opposition to the proposed skatepark in Monterey Avenue Park.

The proposal is just a bad fit for the neighborhood -- for the people who live here and for the children who go to school here -- and for all the people of Capitola. Capitolsans deserve better. Capitolsans want and need other amenities in our city parks.

And skatepark in Monterey Park is a poor use of limited city parks. We already a brand new skatepark on McGregor.

Capitolsans need this green space. Capitolsans need the beautiful trees.

If you feel Capitola needs anything additional in Monterey Park, please consider an area of Nature Play (information about which I have already sent you) and/or a park that is suitable for children of ALL abilities, rather than a skatepark. I have attached drawings of Chanticleer Park. Capitola could certainly use a smaller version of either, or both, type of facility, and I know that that many of us would be eager to do fundraising for such projects.

I am especially sad that the city council has not considered the learning environment of the children at NBMS. Please also consider the special ed students who need the trees and the green space of Monterey Park. These kids are not skaters; they are the most fragile of the school population, and, yes, they deserve special consideration.

See Sentinel article on Chanticleer Park:

<http://www.santacruzsentinel.com/social-affairs/20160612/sensory-universally-accessible-playground-designed-for-chanticleer-park>

Please keep ALL of our children in mind.

Thanks you!

Helen Bryce

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)



Date: 6/15/2016

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
2. INCREASED traffic introduced to an already highly impacted Monterey Avenue. There are already times when residents on Monterey Avenue can barely back out of their driveways;
3. There will be more people whether driving, or walking, or biking, or skateboarding in this already highly intensified area.

As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,



Other Remarks:

(Trevor Bryce)

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Wednesday, June 15, 2016 12:34 PM
To: City Council
Subject: FW: Proposed Capitola Skate Park in Monterey Park

Thank you,

From: Maureen Burnham [mailto:moburnham1@gmail.com]
Sent: Tuesday, February 03, 2015 9:05 PM
To: citycouncil@ci.capitola.ca.us
Cc: tricia proctor <t.proctor@nhs-inc.com>; jmarto@pacbell.net
Subject: Proposed Capitola Skate Park in Monterey Park

To whom it may concern, (Capitola City Council)

We are residents and homeowners in Capitola. We believe that the city of Capitola would greatly benefit by having a Skate Park for the children.

Unlike Jade Street Park which is owned by the School District, which causes limits to it's use, Monterey park is the only park owned by the City of Capitola. The addition of a skate park would give children a safe and healthy recreational activity.

It is our understanding that the park will be completely Privately Funded with no cost to the City or the taxpayers, which is one more reason why we wholeheartedly support the creation of the Capitola Skate Park. We hope that the City Council will also support the Skate Park too. Thank you for your consideration on this very important project.

Sincerely,
Jeff and Maureen Burnham

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Cindi Busenhart
2811 Mission Street
Santa Cruz, CA 95073

January 21, 2015

Dear Capitola City Mayor, Council Members and Staff,
My name is Cindi Busenhart, I am the President of Sessions and the Chair and Founder of the Tim Brauch Foundation, a nonprofit that holds skateboard contests, assists in skateboard park development and sends kids to skateboard camp. I was also one of the people that cut the ribbon at the Scotts Valley Skateboard Park because of my involvement in getting the park moved from an idea to an actual 20,000 square foot park enjoyed by many.

There are too many benefits of a skateboard park to list. The main point is the positive aspect of providing children and at risk children who cannot afford conventional sports the ability to pursue an activity that keeps them active, healthy and safely away from the streets.

There is always questions regarding the element and noise that will be brought in by skateboarders during park development. Hopefully the Scotts Valley Skateboard Park has put some of those questions to rest. What I have found in both a skateboard contest and general park environment is that skateboarders need to be focused to pull off the tricks that they do. With that said, it is a very non drug atmosphere. Kids get together, enjoy the park elements and the older more experienced skateboarders are incredibly kind to the other kids. There is camaraderie where the older look after the younger or less experienced offering assistance from everything from getting out of a pool to help with pulling off a trick. This is a place where there is mentorship and no bullying.

If you keep the rules regarding noise or riff raff at an enforceable level like Scotts Valley has, you'll find that the park has a positive effect on many. If you post rules that participants know that if the rules are broken the part will be closed for a week, you'll find that the park atmosphere is very respectable.

Thank you Capitola for taking the time, resources and planning to consider having a skateboard park in this community. I know once the park is completed, you won't be disappointed!

Kindest regards,
Cindi Busenhart

JUN 15 2016
CITY OF CAPITOLA
CITY CLERK

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Scott Carson <sec123abc@yahoo.com>
Sent: Tuesday, May 17, 2016 11:48 AM
To: City Council
Subject: Monterey Avenue Skate Park

Hello City Council,

Although it will not effect me directly, I believe the city should give the highest priority to the concerns of the neighbors to the proposed skate park at Monterey Avenue. After all, they are the citizens that will be most effected by changes to the park over the long term. I remember when the park was designed, these neighbors were given a high level of input and respect in the process. I am concerned that the City Council may be taking a different approach now and not protecting our neighborhoods as they all have promised. In my view, if you are going to make changes to the park now, it would be appropriate to perform a thorough review of all possibilities and options to determine the best fit for the community and especially the neighborhood. Just because one thing might be free, does not mean it is an appropriate fit.

Thank you,

Scott Carson
928 Columbus Drive

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date:

6/8/16

To the City Council Members of Capitola:


I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

- 1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
- 2. INCREASED traffic introduced to an already highly impacted Monterey Avenue. There are already times when residents on Monterey Avenue can barely back out of their driveways;
- 3. There will be more people whether driving, or walking, or biking, or skateboarding in this already highly intensified area.

As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,

David Chavez 6-7-2016


Other Remarks:

We have one Close By.

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Kelly Clark <kclark95062@icloud.com>
Sent: Monday, June 20, 2016 7:56 PM
To: City Council
Subject: Monterey Park

Hello,

I would like to say I am opposed to the building of the skate park.

There is a skate park near by. Why do they need another one???

Sent from my iPad

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date: *June 7, 2016*

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

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signed,

Eleanor Colawke

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Wednesday, June 15, 2016 11:38 AM
To: City Council
Subject: FW: Monterey Skate Park

Thank you,

From: Mark Conley [mailto:mconley@mercurynews.com]
Sent: Friday, January 23, 2015 3:30 PM
To: citycouncil@ci.capitola.ca.us; jbertrand@ci.capitola.ca.us; slharlan@ci.capitola.ca.us; michael@triadelectric.com; ebottorff167@yahoo.com; dnortondesigns@msn.com
Cc: tricia proctor <t.proctor@nhs-inc.com>; Marie Martorella <jmarto@pacbell.net>
Subject: Monterey Skate Park

Council members -

Monterey Park is a community hub for families like mine. We use it for baseball, softball, soccer, football, bike riding, walking, frisbee and more. One of the only things missing is a skate park for my 10-year-old daughter to begin following in the footsteps of her 13-year-old brother. That we've had to drive our son to all other parts of the county to find adequate places for he and his friends to skate is one of our few big disappointments with Capitola.

Our community deserves a safe place for young ones to learn a sport that is so built into the fiber of this county. McGregor Park is not a good option from a safety standpoint. Traffic issues are very real, as are concerns with potential crime in that area.

The families of Cliffwood Heights - and those from other parts of mid-county - deserve a safe, centrally located, well-viewed community skate park for our beginning and intermediate skateboarders. There is no better location in my opinion than Monterey Park.

Best Regards,

Mark Conley
900 Kennedy Dr
831.713.9220

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Monday, June 20, 2016 11:13 AM
To: City Council
Subject: FW: Skatepark

Thank you,

From: Mark Conley [mailto:mconley@mercurynews.com]
Sent: Thursday, March 24, 2016 6:34 AM
To: planningcommission@ci.capitola.ca.us; citycouncil@ci.capitola.ca.us; Tricia Proctor <t.proctor@nhs-inc.com>; Marie Martorella <jmarto@pacbell.net>; Nicole Conley <Nicole@conleycompr.com>
Subject: Skatepark

Dear, Council & Planning Commission -

I can't tell you how excited we are about the skatepark nudging closer to reality at Monterey Park. Our son Jake is an 8th grader at New Brighton Middle School and our daughter Ava will be a 6th grader there in the fall. Jake, 14, regularly skates at parks all across the county and beyond. Ava, 11, who is still dabbling on the quarter-pipe ramp in our driveway, will be able to confidently up her skill level at a small park like the one Rich Novak has graciously offered to build at Monterey.

As residents and homeowners in close proximity to the park, we have watched an influx of young families move into the neighborhood the past four years. It's clear that the time is right to provide more immediate outlets for those kids and the parents who want to support their passions. Monterey Park is safely accessible by foot and bike and situated in the middle of an active multi-use area. Adding a small, enclosed skatepark for young kids seems like a natural fit and a great way to meet the needs of the area's shifting demographics.

Capitola is a big part of the beach and board culture that make Santa Cruz County such an iconic destination — and a special place to live. Our kids play team sports like baseball and soccer, but they're also drawn to the unique individualism that plays out while riding a wave or carving across a concrete canvas. These sports are an important part of the community fabric and should be embraced just as fervently as more traditional ones. To have the founder of one of our most unique community brands (Santa Cruz Skateboards) offering to build a park in the neighborhood where he grew up ... it doesn't get any cooler or more apropos than that!

Thanks for thoughtfully guiding this project through. The kids of Capitola deserve it, and will very much appreciate it.

Sincerely,

Mark & Nicole Conley
(Jake, 14 + Ava, 11)
900 Kennedy Dr

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Coppel, Gabrielle <gabrielle.coppel@cbnorcal.com>
Sent: Monday, May 23, 2016 2:02 PM
To: City Council
Subject: Skate Park..

I live at 405 Monterey which is on the other side of the church. I have been there for about 9 years and have lived in Santa Cruz for about 35 years. I am completely opposed to the skate park being put in down the street. It is already an issue dealing with constant skateboarders going by on Monterey,..and all the kids getting out of school and all the other not so great types of people that walk up and down Monterey Avenue as a thoroughfare from the freeway towards Noble Gulch Park. My car has been broken into before and I moved to Capitola because of the quiet and the safety factors. I know that skateboarding itself is obviously not a crime but what type of normal person in any type of neighborhood wants all of the extra activity and noise and types of issues that come along with skateboarding?, ..Isn't there already places for these kids to go? Who in their right mind is going to want to hear constant slamming of skateboards and have the chances of even more not so great stuff happening in a quiet neighborhood. What is the thinking on this?..this is an already highly impacted area with the church and the Middle School,..why would anyone in their right mind throw a skatepark in here?..It just doesn't make sense...because someone wants to skateboard?..there are already other skateparks. You don't put a skatepark in a residential neighborhood like this,..especially in Capitola! I'm not sure whose idea this was in the first place but I can guarantee they don't live on Monterey...Not to mention how the homeowners values could be affected,..If I lived right across the street I would be completley upset about my home values,..Its bad enough that I live down the street. Please reconsider and act like you live across the street or on this street...Make your decision based on that and if you were a homeowner that could be potentially losing a \$100,000 or \$200,000 when they go to sell the house...this is something that these kids can live without!...So the neighborhood suffers because some kids want to skateboard?..it makes no sense at all,..I cannot believe this has even gotten this far. Please do not vote for this,..it will ruin peoples peace of mind, bring elements to a neighborhood that already is impacted,..and it will affect peopoles finances,..money that they have worked hard for and now the value of their house goes down?..that is not fair or reasonable on any level because someones parents want a place for their kids to skateboard,..Please reconsider!

Gabrielle Coppel, Realtor
(831) 359-9826



BR # 01 414 400

COLDWELL BANKER RESIDENTIAL BROKERAGE
7878 Soquel Drive, Aptos, CA 95008
www.gabriellecoppel.com

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Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

additional skatepark at Monterey Park has already brought to our community, and the added negativity that this project would bring. Can it possibly be worth it?

Thank you.

Stephanie Tetter

222 Junipero Ct., Capitola
stephanie.tetter@gmail.com

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Coppel, Gabrielle <gabrielle.coppel@cbnorcal.com>
Sent: Wednesday, May 25, 2016 4:51 PM
To: City Council
Subject: Contacting Residents on Monterey and Vicinity,..

Hi,.I live at 405 Monterey Avenue and have not been notified and did not even know about the proposed skatepark. This is very disturbing to me because if I didn't know I can only imagine what other residents that will be greatly impacted also don't know. It only seems fair to by mail notify ALL the residents of Cliffwood Heights,..Depot Hill,..down by Gayles Bakery and the Village. Can someone please tell me why residents only 300 ft. from the proposed park are the only ones being notified. If you are not going to notify people I would like information on the best way to notify every resident in this neighborhood who will be impacted by extreme constant noise,..extra impacted traffic,..and other possible detrimental issues. Thanks,..Gabrielle Coppel

Gabrielle Coppel, Realtor
(831) 359-9826



REF #0141420

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7575 Sycamore Drive, Aptos, CA 95008
www.gabriellecoppel.com

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Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED
JUN 16 2016
CITY OF CAPITOLA

Date: 6/16/16

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

- 1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
- 2. INCREASED traffic introduced to an already highly impacted Monterey Avenue. There are already times when residents on Monterey Avenue can barely back out of their driveways;
- 3. There will be more people whether driving, or walking, or biking, or skateboarding in this already highly intensified area.

As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed, *Gabrielle Coppel*
405 Monterey Ave, Cap CA

Other Remarks:

It's hard to believe that the City Council / could even remotely consider this. It is beyond me that you would put this 150 ft. from people 7 days a week trying to lead a peaceful life. Not to mention putting it next to a middle school while kids are studying... There is a skatepark 1/2 a mile away where it should be. Not next to 50 homeowners that their quality of life matters. Please think about people's lives. Kids & businesses will survive this.

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED
JUN 16 2016
CITY OF CAPITOLA

Date: 5/28/16

To the City Council Members of Capitola:

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signed, *Lucille Coyne*
Capitola CA
95010

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date:

To the City Council Members of Capitola:


I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

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signed,


Betty S. Costilla
918 Bonselle Ln #21
Capitola, Ca 95010

RECEIVED
JUN 16 2016
CITY OF CAPITOLA

Date: 6.8.16

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

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signed,



Aptos CA

Other Remarks:

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Monday, June 20, 2016 11:06 AM
To: City Council
Subject: FW: In Support of the Skate Park in Capitola

Thank you,

-----Original Message-----

From: Matt Daniel [mailto:matthew.daniel2005@comcast.net]
Sent: Wednesday, March 23, 2016 11:11 AM
To: planningcommission@ci.capitola.ca.us
Cc: Tricia Proctor <t.proctor@nhs-inc.com>
Subject: In Support of the Skate Park in Capitola

Dear Planning Commission & City Council,

I am writing in support of the new skate park in Capitola. I have two children that will be attending New Brighton Middle School. I strongly believe that our community will benefit by providing a safe, healthy place for them to play, exercise and learn the growing sport of skateboarding. Our children need a place where they are allowed and encouraged to go. Thank you for helping our children and our community.

Sincerely,

Matt Daniel

Sent from my iPhone

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date:

6/11/2014

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

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signed,

Cheryl David

3626 Hardin way

Soquel, CA 95073

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Bill <william.delaney@gmail.com>
Sent: Wednesday, June 22, 2016 3:03 PM
To: City Council
Subject: Skate Park

I support the proposed skate park on Monterey Avenue. I think children 10 and under are at risk traveling to the McGregor Drive facility as there are neither bike lanes nor acceptable sidewalks for parents and siblings along Kennedy Drive. I see similar hazards on curvy and much traveled McGregor Drive. I consider the intersection of Kennedy/McGregor/Park similarly unsafe especially during the evening commute time.

I see residents along Monterey Avenue have plots sufficient to shield them from activities they might find disturbing.

I think Noble Gulch Park is sufficient to meet the needs for a quiet place for NBMS students in need who now use the tree near the proposed skate park strip.

I find the opposition of the Phys Ed Department ludicrous, outrageous and inappropriate!

William W Delaney
750 Bay Avenue #1103
22 June 22, 2016

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date:

6/16/16

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

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signed,

Dominick DellAcqua
Dominick DellAcqua

Other Remarks:

114 Wesley

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <triciaproctor@hotmail.com>
Sent: Monday, June 20, 2016 11:41 AM
To: City Council
Subject: Support Capitola Skate Park

Thank you,

From: Kay Denike <clankay@sbcglobal.net>
Sent: Friday, January 23, 2015 9:20 AM
To: citycouncil@ci.capitola.ca.us
Subject: Skate Park

My name is Bob Denike, I am 52 years old, I am a community member and I am in support of this project at the proposed site. A yes vote is clearly a vote in support of youth in our community. This park is designed for kids from 3 to 14 years old; this age group is in an important part of their lives and development. These are kids that may not fit into and follow a traditional team sports path. I should know, as I was one of these kids. I was not good at baseball, football, soccer, basketball. It was not until I discovered skateboarding that I truly begin to feel I belonged and began to build confidence and self-esteem.

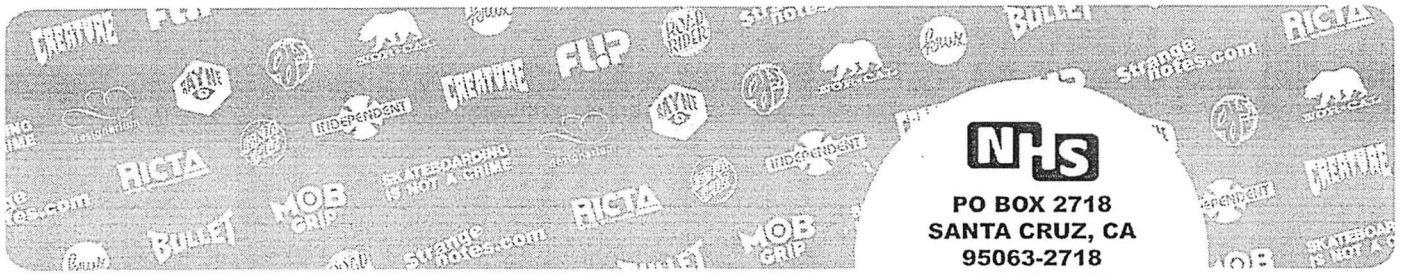
All kids need to be active, they need to be creative, and they need to be able to fit into groups that they feel comfortable with. Skateboarding, much like surfing, mountain biking, BMX, inline skating and other individual sports provide a young child an outlet and release that they may not feel comfortable doing in a team sport environment. Certainly if we can build softball diamonds, soccer fields, tennis and basketball courts, we can build a skate park for the youth in our community. Again, a yes vote here is a show of support for the youth in our community. And how many of those other sports facilities are privately funded?

As I learned more about this project and as I listen to the support for it at meetings, I do not see any reason why anyone would oppose this project. It a nice size; not too big, it's in a centrally located, easily accessible, currently active city park that is safe and easily supervised, its set for daylight hours use, it's more than 300 feet from any living space, it's a quiet in-ground smooth cement design, and again, its fully funded by a private investment with well over 240 signatures from immediate neighbors in favor of it. And the local police, fire and school administrations are also in favor. The clear majority is in favor and I have only been made aware of a very small group of people who oppose this park.

Let's vote in favor of our kids, let's show them that as adults- many of us parents, aunts, uncles, grandparents, and great grandparents- that we want them here and we support their desire for a safe and easily supervised place to enjoy a healthy activity.

Respectfully,
Bob Denike

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)



NHS
PO BOX 2718
SANTA CRUZ, CA
95063-2718
ph 800.543.7979
ph 831.459.7800
fx 831.459.7820
nhs-inc.com
nhsb2b.com

June 23, 2016

Dear Capitola City Mayor, Council Members and Staff,

On behalf of NHS, Inc./Santa Cruz Skateboards I want to thank you for your generous time and support for the Capitola Skatepark project at Monterey Park. My name is Gavin Denike, Talent Manager for Santa Cruz Skateboards, Ricta Wheels and Mob Grip. Not only am I a college graduated respected business man within the Action Sports Industry, I am a well-known participate and citizen in the Skateboarding community here in Santa Cruz County.

Our community has an estimated 1,000 skateboarders, most of whom are under 18 years old, and more are picking up this athletic form of recreation every day. These children share the same passion I have for skateboarding, but have nowhere to do it safely. Despite this phenomenal growth of our sport, our community lacks sufficient facilities to accommodate this growth. We feel that this athletic drive should be supported by a safe, sanctioned place for these kids to exercise, socialize, and develop skills that will be useful throughout their lives. By building the Monterey Ave Park skatepark we are providing our youth with a safe, legal place to skate. Keeping our next generation of leaders out of gangs, and away from violence, drugs, alcohol and off the streets. Many other businesses, as well as community leaders and myself are on board as well as hundreds of individuals dedicated to the process of making this project happen, but we need your help.

The proposed project must meet the safety and standards for the latest skatepark design principles for skateboarders to develop their skills. The design shall be naturally integrated with the surrounding environment and feature a mix of street and transitional-style terrain, with elements designed for all age groups and ability levels. The design of the project should draw and challenge beginner to intermediate users, ages 3-14 as well as engage local neighbors and community members to the skatepark.

The Capitola Skatepark project was established to help raise awareness about the importance of these facilities, to advance the process of creating a new facility for our community's youth. This skatepark will help foster a sense of belonging among those youth, as well as empowerment among those whom have been relegated to recreating in illegal and unsafe places for far too long. We feel the ongoing, positive results of this endeavor will benefit our community for years to come. Our community is clearly excited and eager to see this project succeed and you can be a part of this excitement by supporting our youth and making this dream become a reality.

I would like to personally thank you for considering this opportunity. I am sincerely grateful for your support and please don't hesitate to contact me should you have any further questions, (831) 600-1117 or g.denike@nhs-inc.com.

Respectfully,

Gavin Denike
Talent Manager; Santa Cruz Skateboards, Ricta Wheels and Mob Grip
NHS, Inc.

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Cheryl Devlin <cheryldevlin11@gmail.com>
Sent: Thursday, June 23, 2016 7:45 AM
To: City Council
Subject: Fwd: No on Monterey Park Skate Park

MIME-Version: 1.0
X-Received: by 10.159.41.229 with SMTP id s92mr16598972uas.73.1466692963149;
Thu, 23 Jun 2016 07:42:43 -0700 (PDT)
Received: by 10.103.46.11 with HTTP; Thu, 23 Jun 2016 07:42:43 -0700 (PDT)
Date: Thu, 23 Jun 2016 07:42:43 -0700
Message-ID: <CACHrHMxp3MmVcuUzsuTG0OkenSvGZnvjyg3vvCRQjhUKNSvgmg@mail.gmail.com>
Subject: No on Monterey Park Skate Park
From: Cheryl Devlin <cheryldevlin11@gmail.com>
To: citycouncil@ci.capitolaca.us
Content-Type: multipart/alternative; boundary=001a114b3e4c102d380535f31199

To All Members of the City Council:

I live across the street from the proposed Monterey Skate Park. Monterey is not a safe street. We have commercial trucks going up and down Monterey Ave all day long. I have asked the Council to eliminate Monterey Ave as a thoroughfare. I have recorded the noise level on Monterey Avenue, especially when the beach tractors are in front of my home and Earth Works trucks pass by. The noise is excessive.

In response to Gail Ortiz's comment, Cliffwood Heights Will NEVER be like Riverview Avenue, I disagree! If we eliminate commercial trucks driving on Monterey Avenue, New Brighton Middle School would be a much safer place!

If we put in decorative flowers in cement beds, such as the one on Depot Hill, we could make our neighborhood pretty and safer as well. I suggest that we put these in at All entrances to Cliffwood Heights.

Monterey Park is Not a Suitable place for a neighborhood skate park! The skate park was defeated before. Why are we considering it again?

I find it appalling that the City Council and Planning Commission have even considered placing a Skate Park in a residential neighborhood! It has been defeated in every other proposed sight.

Let's keep the existing sight and be done with it!

Regards,
Cheryl Devlin
Resident on Monterey Avenue

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Walter and Penny Disbrow <wa2pen@pacbell.net>
Sent: Wednesday, June 15, 2016 5:55 PM
To: City Council
Subject: Monterey Park Skate Park

Wednesday June 16, 2016

Dear Council Members,

You have the opportunity on June 23, 2016 to finally approve after all these years, a gift to the City of Capitola in a Skate Park at Monterey Park for the kids. More than 300 Monterey Park neighbors have signed a petition in support of adding a skate park element to the park. The Capitola Planning Commission approved the project unanimously.

Younger generations of families are moving into Capitola. Monterey Park is the perfect location for a family-friendly skate park that will give younger and inexperienced skaters a chance to develop their skills.

Thank you to Tricia Martorella Proctor and Marie Martorella for their endless hours of working on this project to make this dream come true.

This proposed skate park is privately funded, bringing a benefit to Capitola residents at no cost to taxpayers. Thank you to **Richard Novak**, a resident of Capitola since 1945. (**In his words: Why do I do this, it's for the kids.**)

Sincerely,

Walter and Penny Disbrow

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Ashley Edgar <senoredgar@yahoo.com>
Sent: Thursday, June 23, 2016 11:59 AM
To: City Council
Subject: Proposed Skate Park
Attachments: Letter regarding Skatepark.docx

Capitola City Council Members,

My name has come up in the paper a few times regarding the skatepark, so I felt I should write a letter expressing my position regarding the park, while also clearing up the fact that it is not reflective of our SEA membership. I have sent a copy of this letter to parties on both sides of the issue to make sure we are all clear.

Thank you again for your contributions to our community.

Ashley Edgar
senoredgar@yahoo.com

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

To Whom It May Concern:

The proposed skate park at Monterey Park has been a contentious and divisive issue in our community for the last year. I have been, and remain, opposed to the original proposed location between the school campus and Monterey Park. However, I am not against a skate park per se. I oppose putting a massive, costly, concrete skate park in the middle of one of Capitola's last greenspaces. The City of Capitola has not one proper multi-purpose playing field for its residents. Not one. The greenspace of Monterey Park and the adjacent green space at New Brighton Middle school offer a very good opportunity to eventually put a multi-use field in. Putting a skate park in the middle of those two properties would prevent any coordination between the city and the school district to create such a field. That is why I have opposed the original proposed skate park. Location.

In conversations with my fellow PE teachers and administration, other concerns came up regarding the supervision of the park, the location (i.e. proximity to our classes) and hours of operation. Staff members were concerned about foul language, graffiti, and the distraction of having skateboarders using the park while we are trying to maintain the attention of our classes. Other staff members have differing concerns from me and those were outlined in a letter from our superintendent. The letter was sent to inform everyone about concerns of the teachers within our department regarding the proposed skate park.

Since I spoke at the school board meeting, and the subsequent release of the district's letter, my name has been invoked into the conversation a few times by other parties. Although I am the president of the Soquel Educators Association and the head of the New Brighton Middle School Physical Education Department, my opinion regarding the location of the proposed skate park is mine only. I am not speaking for the entire staff of Soquel. **This is not a union issue-nor did we vote on it.** The concerns of the PE department have been brought forth in the letter from our district administration. We do believe a skate park in Monterey Park would not have any positive effect on our working conditions, but the negatives are also speculative.

I do not live in close proximity to the proposed park. In my concerns regarding the park I have been mostly protective of our green space and the learning environment for our PE students. However, I have become attuned to the arguments in opposition of the skate park and in favor of it. It is a crying shame that so many good people in our community are divided over this proposed skate park. I have friends on both sides of the issue and I want to make sure that one thing is clear. ***I am the only one who speaks for me, I speak only for myself, and I would appreciate my name not being used by others in this argument.*** As I have seen the proposed modifications to the plan, I remain adamantly opposed to the original location, I am opposed to the second proposed location, and I have no position on the third location, nearest the ballfield.

Sincerely,

Ashley Edgar

Date: 6-6-16

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
2. INCREASED traffic introduced to an already highly impacted Monterey Avenue. There are already times when residents on Monterey Avenue can barely back out of their driveways;
3. There will be more people whether driving, or walking, or biking, or skateboarding in this already highly intensified area.

As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,


William Erickson

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date:

6/12/16

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

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signed,



Other Remarks: (William Firestone)

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Sneddon, Su (ssneddon@ci.capitola.ca.us)
Sent: Wednesday, June 08, 2016 8:20 AM
To: Sneddon, Su (ssneddon@ci.capitola.ca.us)
Subject: FW: Skate Park - Andy Forget

From: andy.forget@gmail.com [mailto:andy.forget@gmail.com] **On Behalf Of** Andy Forget
Sent: Sunday, June 05, 2016 8:40 AM
To: City Council <citycouncil@ci.capitola.ca.us>
Subject: Skate Park

I am opposed to the skate park in Monterey park.

If this thing does have to happen, stick to to original location on the knoll. Placing it closer to houses on Monterey street is simply a very bad idea.

Andy Forget
Capitola

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Monday, June 20, 2016 11:24 AM
To: City Council
Subject: Support Letter for Skate Park

Thank you,

From: tyfox81@gmail.com [mailto:tyfox81@gmail.com] **On Behalf Of** Tyler Fox
Sent: Thursday, March 31, 2016 1:20 PM
To: Tricia Proctor <t.proctor@nhs-inc.com>
Cc: planningcommission@ci.capitola.ca.us; citycouncil@ci.capitola.ca.us
Subject: Re: Support Letter for Skate Park

Thank you Tricia and yes this letter are my words...

All the best,

Tyler

On Thursday, March 31, 2016, Tricia Proctor <t.proctor@nhs-inc.com> wrote:

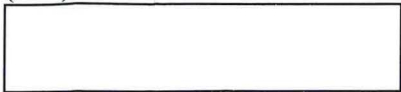
Tyler Fox asked me to forward this letter of support- I've cc'd him on here for verification. Thank you, Tricia

Dear Planning Commissioners and City Council,

Before surfing I grew up skateboarding. It was the foundation for my surf career and an extremely healthy activity for me to get outside, meet new friends and challenge myself mentally and physically. In an age of video games and shiny screens it is important that we give our youngsters outlets like skateboard parks where they don't have to feel like criminals for simply having fun on 4 wheels... I back the Rick Novak skate park a 100% and truly hope the project gets completed for all to enjoy.

- Tyler Fox. CEO/Founder at Santa Cruz Waves

--
Tyler Fox
CEO/Founder
(831) 239-2339



Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Connie Gardner <connie.gardner_sc@yahoo.com>
Sent: Tuesday, June 14, 2016 4:54 PM
To: City Council
Subject: Proposed Skate Park at Monterey Park Site

I am strongly against the proposed skate park at the Monterey Park site.

I love coming to the park from my home in Soquel to walk my dog and play with my Grandkids. It shares space with the sports area of New Brighton Middle School and provides enough room to run and play.

A skate park located next to a middle school and across from lovely middle class homes in a quiet neighborhood is outrageous in itself, but to think it is being sited a stones throw away from a brand new skate park is a real slap in the face to those of us who enjoy the quiet, small town feel of Monterey Park as it is.

My specific concerns:

- ongoing cost of maintenance
- no restroom facilities; this is a neighborhood park
- noise concerns (yes, skate boarding is a much louder and more consistent disturbance than the other sports activities currently enjoyed at the park)
- not necessary to designate more precious park space to one activity when others are not addressed at all.. play structures for children, community garden, bmx biking, bocci ball, dog park etc.
It just isn't right to give so much attention to one sport enjoyed by only a subset of citizens
- proximity to New Brighton Middle School; liability issues, property damage, truancy
- attracts delinquent curb jumping activity and property damage to structures in the adjacent neighborhoods

Most of us who enjoy the park have NO interest in skateboarding.
It appears like this special interest has some money; that shouldn't drive the process

Connie Gardner
2723 Subec Ln
Soquel, CA 95073

831-234-7425

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

I oppose this Skate Park,
we have one already in the area
actually we have enough things going
and coming in the neighborhood. We
dont need the additional Traffic and
especially the noise. Keep in area
quiet and peaceful

Prince Sengul
834 Monterey Ave
Capitola CA 95010

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

NO SECOND PUBLIC SKATEPARK IN CAPITOLA

Did you know that a brand new 9,000 foot skatepark in Capitola just opened 3/4 of a mile from Monterey Park?

The skatepark at that location does not impact neighbors or children attending New Brighton Middle School.

IF YOU ARE OPPOSED TO THIS SECOND PUBLIC SKATEPARK, HERE IS WHAT TO DO:

1. Attend the City of Capitola Council Meeting on **June 23rd at 7:00pm** and voice your concerns.

Being physically present at this meeting is very important.

2. Please SPEAK at the meeting. In as little as 15 seconds your voice can be heard! "I am opposed to the second public skatepark on Monterey Avenue"

3. Email and call the City Council members at:

citycouncil@ci.capitola.ca.us

Mayor Ed Botoroff (831) 247-8111- ebottorff167@yahoo.com

Dennis Norton (831) 476-2616 - dennis@dennisnortondesign.com

4. Tell as many people as possible and have them sign the attached letter and inform others!

Date: 6-8-16

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
2. INCREASED traffic introduced to an already highly impacted Monterey Avenue. There are already times when residents on Monterey Avenue can barely back out of their driveways;
3. There will be more people whether driving, or walking, or biking, or skateboarding in this already highly intensified area.

As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,

Shirley Ginzburg
Other Remarks:

SHIRLEY GINZBURG

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Al Globus <alglobus@gmail.com>
Sent: Friday, April 29, 2016 11:17 AM
To: Termini, Mike (michael@triadelectric.com); City Council; Dennis Norton; Bertrand, Jacques; Jesberg, Steve (sjesberg@ci.capitola.ca.us); Harlan, Stephanie (sharlan@ci.capitola.ca.us)
Subject: Beneficial changes to the proposed Monterey Skatepark

First, the skatepark will significantly reduce the desirability of living nearby regardless, and I do not support any skatepark, but there are things that could be done, particularly in light of the planning commission recommendations, that would make such a skatepark somewhat less obnoxious.

The existing design sits right in the middle of the largest green space in Capitola (the school yard and the park). The planning commission recommended moving the skate park closer to Monetary. I suggest that the park start right next to the parking lot and extend no further than the eucalyptus trees. This would avoid breaking up the green space and significantly reduce the ugliness introduced by the park. There are disadvantages:

- the trees would have to go — including the redwood.
- the caretaker’s mobile home would get a lot of noise

This might also make the park a bit smaller, I haven’t measured, and certainly a different shape. Making it smaller would be fair enough, the park proponents bumped up the size from 6,000 requested by the council to 6,800 sq feet (including the fence) in their actual design. Turn about is fair play.

The noise of the park could be reduce by eliminating the rails. They are the noisiest part of a skatepark, at least the parks I’ve listened to. There are rails at McGregor for those who simply must have them.

I understand that there are no drawings for the planning commission recommendation that the park be moved. I would hope those would be produced (and limited to 6,000 sq ft) before any further action is take.

Finally, to repeat, I do not want a skate park in Monterey Park.

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Al Globus <alglobus@gmail.com>
Sent: Monday, May 30, 2016 4:27 PM
To: Termini, Mike (michael@triadelectric.com); City Council; Dennis Norton; Bertrand, Jacques; Jesberg, Steve (sjesberg@ci.capitola.ca.us); Harlan, Stephanie (sharlan@ci.capitola.ca.us)
Subject: I just walked from Monterey Park to the McGregor Skatepark in perfect safety

At the council meeting that gave the go-ahead for a Monterey Park skatepark the proponents made a big deal about the lack of safe pedestrian access to the McGregor skatepark. They are wrong. There is an excellent pedestrian route.

Here's one, actually two!

From Monterey Park (or NBMS) go through Cliffwood Hights to the intersection of Coronado and Park. There are a number of ways to do this with sidewalks and little traffic the whole way.

There is a stop sign on Park at Coronado so crossing Park is quite safe.

Once across Park, go a few feet to the railroad tracks and turn left. The trains don't run any more and there is no vehicular traffic at all.

A bit past the end of Kennedy Ave you will see a dirt path on the left hand side. Follow it across a small wooden bridge and you will come out at the entrance to New Brighton State Park. There is no vehicular traffic at all.

Turn right on the entrance road. You can walk off road and there is a sidewalk-high berm on the roadway so drivers are very unlikely to drive off the road. There isn't much traffic anyway.

This will take you to McGregor. Turn right and take the gravel path to the side of the road a few feet to the new park. Again, there is a sidewalk-high berm between you and the traffic.

There you have it. A pedestrian access to McGregor Skate Park where people face no more danger from cars than most of Capitola.

There is a simpler way that avoids the rail road track and foot path, just take the footpath from the end of Kennedy, turn left and walk along the park access road to McGregor. There is a bit more traffic on this route, but not much.

By the way, there were dozens of kids happily skateboarding at McGregor. The notion that the kids wouldn't like this park, propagated by the proponents of a Monterey skate park is dead wrong.

There is no need to degrade the livability of the homes around Monterey Park to give the kids of Capitola safe pedestrian access to a skatepark. They've already got that. It is silly and unfair to have two skateparks within a few minutes walk of each other. If you must have a second skatepark, put it on the other side of Soquel Creek so the kids there will have one within easy walking distance.

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Al Globus <alglobus@gmail.com>
Sent: Monday, June 20, 2016 6:32 PM
To: Termini, Mike (michael@triadelectric.com); City Council; Dennis Norton; Bertrand, Jacques; Jesberg, Steve (sjesberg@ci.capitola.ca.us); Harlan, Stephanie (sharlan@ci.capitola.ca.us)
Subject: Monterey Skatepark summary

Skateparks make lousy neighbors, that's why the neighbors fight back no matter where a skatepark is proposed. Unless, like McGregor, there are no neighbors. The city council was wise to put a skatepark there. It's a ten minute safe walk from NBMS, it's a large park, and there are no neighbors. However, rather than be happy with an excellent park the proponents want more regardless of the cost to their neighbors.

Skateparks make lousy neighbors because

- they are noisy
- they are ugly, unless you love concrete
- they attract graffiti, which has already appeared at McGregor.

The Monterey Skatepark push has been particularly obnoxious due to the way development has been conducted, a classic bait and switch.

- The first step was to sell the neighborhood on a 2,000 sq ft kiddy park. That was the bait.
- The switch was to a 6,000 sq ft park with features that will appeal to young men. Note that the largest drop at McGregor is about five feet or so. There is a six foot drop in the Monterey Park proposal.
- Not satisfied with 6,000 sq ft the proponents came out with a 6,800 sq ft (fence to fence) and the council didn't make a peep. This was aggravated by including particularly noisy elements (rails).

The proponents have also made a lot of false claims:

- McGregor is unsafe to walk to. This is simply false. There are two pedestrian routes from Monterey Park to the McGregor skatepark that are quite safe. Both use the state park access road with comes out right next to McGregor skatepark and requires no walking on McGregor Road. I sent you the details last week.
- Monterey Park is a central location. This is a silly claim. Look at a map. Monterey Park is at the edge of Capitola. The center is in the Village.
- It won't be that noisy. Go hang out next to the Scott's Valley park and open your ears.
- it's free — only if you don't count maintenance, liability and (eventually) decommissioning. Don't forget the lawsuit when a good hitter accidentally puts a baseball into some unfortunate kid's head. If the location next to the parking lot is chosen it won't even take a good hitter. The city will lose the lawsuit because we're being negligent with regard to safety (be sure to check your insurance policy wrt negligence). The park will eat tax dollars.

This skatepark is being crammed down the throat of the people who live next to it. Our quality of life will be degraded and property values (and eventually tax revenue) suppressed.

Traditionally the Capitola City Council does not force projects when the neighbors object. This is the case for all the previously contemplated skatepark locations. Why this policy has been reversed when there is a second skatepark right next door is a mystery, but it doesn't reflect well.

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Neil Goldstein <negncg@gmail.com>
Sent: Sunday, June 19, 2016 1:30 PM
To: City Council
Subject: NO skatepark at Monterey Park

Dear City Council Member,

The planned skatepark at Monterey Park is redundant, unnecessary, divisive, in the wrong location and absolutely not in the best interests of Capitola.

It will interfere with the education and safety of our city's children and will be disruptive to the most vulnerable of us, our special-needs children. It will destroy the park and the surrounding neighborhood, creating noise, traffic, disruption, vandalism and the need for greatly increased police presence.

The idea of placing this park within 160 feet of Bryan Stow's bedroom is the ultimate in bullying and is a disgraceful action on the part of the city.

Thank you for your attention, and for your "NO" vote on this very bad idea.

Neil & Nancy Goldstein
Rosedale Ave, Capitola.

JUN 20 2016
CITY OF CAPITOLA
CITY CLERK

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date:

To the City Council Members of Capitola:

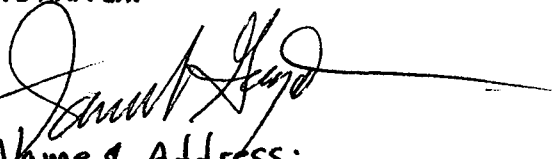
I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

- 1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
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As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,



Print Name & Address:

James W Gonzales
834 Monterey Ave
Capitola, CA 95010

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date: 6/10/16

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

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signed,

Print Name & Address:

Kevin & Carrie Gonzales
833 Monterey Ave
Capitola CA 95010

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Wednesday, June 15, 2016 11:51 AM
To: City Council
Subject: Support Letter FW: Skatepark

Thank you,

From: Graessle Family [mailto:graessles@gmail.com]
Sent: Tuesday, February 03, 2015 10:57 AM
To: citycouncil@ci.capitola.ca.us
Subject: Skatepark

Dear Mayor and City Council,

My name is Brett Graessle, a resident of Capitola and I'm also part of the group that is in support of a skate park at Monterey Ave Community Park. As a former Board Member of the SUESD School Board, co-founder of the Santa Cruz Adventure Guides, Former Board Member of the Junior Lifesaving Parents Club and helped raise \$ for the "Save our Stairs" in Capitola, I strongly support the Children's Skate Park in Capitola at Monterey Park.

As a parent of 5 children (ages 15-4), our children have always enjoyed skateboarding as a past time. In addition, to the many structured sports our children do (competitive baseball, swimming, water polo, soccer etc..) Skateboarding is allows them to participate in a free, unstructured way of being a child. This seems to be increasingly difficult to come by these days. Additionally, this would be a safe place for children to go after school.

There are many examples of towns similar to ours that create accessible skate parks that become a hub of the community. <http://www.concretedisciples.com/index.php/skatepark/usa/idaho/20077-guy-coles-skatepark-sun-valley-ketchum-idaho-usa> if we hide them out of the way, that's when things become a problem. Let's put them front and center so that all children and families can enjoy the park.

I am asking you to please seriously consider Monterey Ave Park as a safe place for a permanent in ground cement Skate Park. We are only asking to use less than 4% (3.52%) of the four acre park and there are endless opportunities to move the dirt around to make landscaping features to surround the skate park attractive, Every town up and down the coast are installing skate parks as a viable alternative for children, please consider looking at your neighboring towns as an example.

Thank you for your consideration,

Regards,

Brett Graessle

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date: 6/11/16

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

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signed, Anita Gwin (noise & car pollution impacting neighborhood)

Other Remarks:

Anita Gwin
Glenda Gwin
113 Wesley St

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Sneddon, Su (ssneddon@ci.capitola.ca.us)
Sent: Wednesday, May 11, 2016 2:53 PM
To: Sneddon, Su (ssneddon@ci.capitola.ca.us)
Subject: Hadland in support of Monterey Park

From: Chris Hadland [mailto:chris_hadland@hotmail.com]
Sent: Wednesday, May 11, 2016 2:02 PM
To: City Council <citycouncil@ci.capitola.ca.us>
Subject: Monterey Park

Dear Council member

I am in support of the skate park at Monterey Park.

I have two boys, ages 8 and 12, and I spend a lot of time with them doing outdoor activities. We look forward to a community skate park. I grew up next to Derby Park in Santa Cruz and the boys grandpa (my dad) still lives there. As it is now, we skate at Derby or drive to Scott's Valley to enjoy the sport and would love to have a skate park to call our own. I might also add that I cannot remember ever witnessing aggressive or bad behavior in all the years that I have skated, and that is because the older skaters take care of the little's.

I would like to add that only 21 people "like" the Friends of Monterey Park Facebook page, whereas the Locals for a Capitola Skate Park has 842 "likes". I think the jury has spoken.

Thank you.

Chris Hadland
1112 Sutherland lane #3
Capitola, CA
831 840-0194

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Chris Hadland <chris_hadland@hotmail.com>
Sent: Wednesday, June 15, 2016 10:13 PM
To: City Council
Subject: In favor of Capitola Skate Park

Dear Capitola City Council member

My two young boys and I are excited that Capitola may soon have a place to ride for the little guys. We think McGregor is great, but it's a little too advanced for my two boys and hope that you will consider voting yes to approve the skate park at Monterey Park.

Thank you

Chris Hadland
1112 Sutherland lane #3
Capitola
831 840-0194

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Carin Hanna <carinhanna@aol.com>
Sent: Tuesday, June 21, 2016 8:21 AM
To: City Council
Subject: June 23rd meeting

Dear Council Members,

I am writing to ask your support for the skatepark on Monterey next to the school.

Not every child in Capitola is water baby, junior guard, surfer or soccer player. Skateboarding is an important sport, which gets children outdoors and aerobically active. It should be encouraged everywhere that is safe and legal. Having two parks, serving two different ages groups and abilities in a town the size of Capitola is appropriate. Having the park for the younger skaters near the largest family residential area and next to the school is ideal. I think some of the anti-skatepark rhetoric is a bit over blown for this type/size park. The fact that the cost will not be born by the city's already stressed budget is just another huge plus to this project.

I will be at the meeting Thursday. It should be a lively one. I hope you look favorably on this project.

Thank you,
Carin Hanna

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Harlan, Stephanie (sharlan@ci.capitola.ca.us)
Sent: Wednesday, June 22, 2016 3:14 PM
To: City Council; Grunow, Rich (rgrunow@ci.capitola.ca.us); Sneddon, Su (ssneddon@ci.capitola.ca.us)
Subject: FW: Monterey Skate Park - delay until we can understand how McGregor is or isn't meeting the community's needs

From: Ariel Braswell Gray [mailto:arielbgray@gmail.com]
Sent: Wednesday, June 22, 2016 11:02 AM
To: Harlan, Stephanie (sharlan@ci.capitola.ca.us) <sharlan@ci.capitola.ca.us>
Subject: Monterey Skate Park - delay until we can understand how McGregor is or isn't meeting the community's needs

Stephanie - I won't be able to attend the City Council meeting tomorrow but I wanted to share my thoughts on the skate park. Thanks for considering!

First I'd like to say I do not have a bias either way on the skate park--I don't live in the immediate proximity of the proposed skate park and I don't have children who skate. I do have an interest in making sure we make the best decisions for our community and have seen how this issue has created an immense amount of conflict among neighbors. Those priorities lead me to urge a delayed vote on the Monterey Park skate park.

A topic this divisive needs to be fully assessed and reviewed to make sure we are making the right choice for the community. We have the perfect opportunity to fully ensure we do that, above and beyond the EIR. With the recent opening of McGregor skate park we can take the time (6 months to 1 year) to experience, observe, and assess McGregor and determine if it meets our community's needs. It may very well meet the needs of our community, even our young skaters. If it doesn't, we can be clear and specific about the gaps and develop a plan to address. That plan might include improving McGregor (improved access for example). Or the gap analysis may tell us that we need a second smaller skate park for ages 5-10, for example.

Considering that both locations at Monterey Park pose challenges, we should be sure that moving forward is in the best interest of the community and will in fact be serving the needs of the skating community above and beyond what McGregor provides.

Some specific comments on the proposed locations:

- Location option 2) This location poses a risk from fly balls from the baseball field as it is immediately adjacent to the foul line. This location is preferred over option 3 so no trees are cut down, but considering the fly ball risk we should really be adamant that the overall project is needed (as a McGregor park assessment and gap analysis would show).

- Location option 3) I cannot support the removal of any trees for this project. That it is even being considered is really shameful.

- Location option 1) Considering the Planning Commission recommended against this location for safety concerns, I'm not sure it's a viable option.

Thank you for your consideration. I hope that we can be thoughtful in making this decision, and not shortsighted in moving ahead with a second skate park before we have a chance to experience and assess the first one.

Thanks!

ps - Thank you for all your help with Measure S! It will be wonderful for Capitola to have a permanent, modern library!

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

To: The Honorable Council of the City of Capitola

This letter is written to you in support of the proposed Skate Park at the Monterey Park location. I am the father of a ten-year-old girl and a long time Capitola resident. I have noticed the reduction of available places for my daughter to ride her skateboard over the last several years. This is a great opportunity for you (the council) to help create a safe place for the children of this city to go for recreation. My daughter participates in many sports including skateboarding. These kids/athletes need a safe place to go to practice their sport. The Monterey Park location is ideal for this for several reasons. The smaller design will enable beginner to intermediate kids to participate equally. The space will be locked and gated for security. As a Firefighter/Paramedic I like the fact that this location is not only safe, but also provides good, safe access for the kids. As a city government employee I am well aware of city budgets and the fact that this park will be 100% privately funded is a win win for both the city and the kids. Please do the right thing and approve this park for both the youth of the city and the parents who want a safe place for them to go.

Chris Harmount

Capitola CA.

JUN 15 2016
CITY OF CAPITOLA
CITY CLERK

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date: 6/16/16

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

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As a City Council Member, please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,



Other Remarks:

Deryn Harris

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED
JUN 16 2016
CITY OF CAPITOLA

Date: 6-13-16

To the City Council Members of Capitola:

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signed,



Other Remarks:

Katy Harrison

Pleasure Point Resident

- We can find a better use for the land in our community. I'd rather see a community park with trees & sitting areas to enjoy our neighborhood peacefully.

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)



Mayor Ed Botorff
City Of Capitola
420 Capitola Ave
Capitola, CA 95010

21 June 2016

Dear Mayor Botorff,

As millions of skaters around the world celebrate international Go Skateboarding Day today, I'm proud to say that the foundation I established fifteen years ago has now helped to open 500 free, public skateparks across the country. I'm sure that the youth in those communities are enjoying this holiday in the safe confines of their own local skatepark.

Earlier this month I was able to attend the grand opening of the new public skatepark in Burlington, Vermont, which happened to be the Tony Hawk Foundation's 500th skatepark to open. It was a great day, with skaters young and old sharing the space, and parents and other passers by stopping to watch and enjoy the scene. Over the years, I've seen how skateparks bring communities together—not just the skaters, but locals who may not skate themselves yet appreciate the skill and determination of these young athletes.

This scenario, of course, depends on a vibrant local skatepark. I established my foundation in 2002 to assist communities like Capitola, providing grassroots organizations and local leaders guidance and other assistance as they pursue their dream of a quality skatepark. Our staff has had the pleasure of working with Tricia Proctor and Marie Martorella for the past three years, and to be honest, we've been impressed by their thorough understanding of the qualities of a successful skatepark project and the challenges that present themselves along the way. The work they and all the supporters of the Capitola skatepark have done is remarkable. The youth of your community owe them a great deal of gratitude for raising the issue of a local skatepark and articulating the necessary conditions for its success.

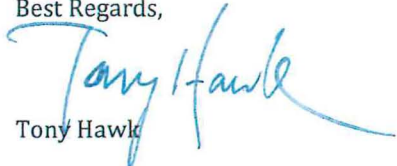
As a young skater in Southern California, I was always very familiar with Capitola and the coastal towns in the region. The many legendary NorCal skaters who came from the area, as well as the iconic spots like Derby Skatepark up in Santa Cruz, Skatepark Soquel, and the hill on Monterey Avenue that hosted the legendary Capitola Classic races in the early 1980s have made the area iconic in the history of our sport. That more than 3,500 communities across the U.S. have thriving public skateparks while skaters in Capitola are still waiting for theirs is, frankly, shocking. Nowhere is skateboarding more embedded in local culture than Capitola; the skaters of Capitola deserve not just a local skatepark, but one worthy of the skate history that lives there.

I'm proud that our foundation has been able to work with the advocates of Locals For A Capitola Skatepark. To play even a small role in establishing the world-class skatepark they've pursued there will be a point of pride for our entire staff. The skatepark at Monterey Avenue Park is not only visionary in design, it's accessible to local skaters and their families, and nestled among other park activities—a formula for success that we've seen work over 500 times (and counting).

In addition to everything Tricia, Marie, and the Locals For A Capitola Skatepark group have done to advance this important project, I also greatly appreciate all the support that you and the entire Capitola City Council have demonstrated throughout the process.

I hope to visit Capitola in the near future and enjoy some time at the great new skatepark at Monterey Avenue Park, as images of the classic races that took place just down the street remind me of the deep history your town has in the sport that's been so central to my life.

Best Regards,



Tony Hawk

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date: 6/8/16

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

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signed, *Bagels Hendricks* Michael Hendricks

Other Remarks:

Put it somewhere else.

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED
JUN 16 2016
CITY OF CAPITOLA

Date: *May 27, 2016*

To the City Council Members of Capitola:

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signed, *Patricia A. Hess - Live Oak, Calif*

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date:

June 8, 2016

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

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signed,

Lenore Hindin - LENORE HINDIN

Other Remarks:

KEEP OUR GREEN AREAS GREEN!

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED

JUN 16 2016

CITY OF CAPITOLA

Date: 5/27/2016

To the City Council Members of Capitola:

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signed,

Jillian Holmberg
Aptos, Ca

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date: 6-11-16

To the City Council Members of Capitola:

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signed,



Other Remarks:

PLEASE DO NOT PROCEED WITH THIS INSANITY!!

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Monday, June 20, 2016 10:46 AM
To: City Council
Subject: FW: Skate Park

Thank you,

From: Kathi Howard [mailto:kathi.hotrod@gmail.com]
Sent: Wednesday, February 11, 2015 9:04 AM
To: tricia proctor <t.proctor@nhs-inc.com>; jmarto@pacbell.net
Subject: Skate Park

Dear council,

I am writing you in favor of the proposed skate park on Monterey St. next to New Brighten Middle School.

When the Elementary school was closed "all" of the play equipment was removed for the neighborhood children.

This proposed element for the park addresses a small portion of what the children of Capitola should have the pleasure of enjoying. It has close easy access which they can safely go to and return to their homes.

Thank you,

Kathi Howard

kathi.hotrod@gmail.com

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date:

6/11/16

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

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signed,



Other Remarks:

Chris Huggins
Doug Huggins

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED
JUN 16 2016
CITY OF CAPITOLA

Date: 5/28/16

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

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signed,

JOHN HUNTER

103 MONTEREY AVE Capitola
Cindy Hunter
Cynthia Hunter
103 Monterey Ave Capitola

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

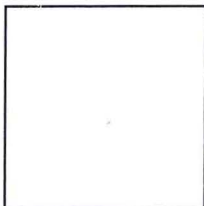
Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Monday, June 20, 2016 11:10 AM
To: City Council
Subject: Support Letter Capitola Skatepark

Thank you,

From: John Hunter [mailto:jhunter@oneillwetsuits.com]
Sent: Wednesday, March 23, 2016 1:43 PM
To: Tricia Proctor <t.proctor@nhs-inc.com>; Marie Martorella <jmarto@pacbell.net>
Subject: Fwd: Capitola Skatepark

John Hunter
Product Designer
O'Neill Wetsuits, LLC



Error! Filename not specified.Error! Filename not specified.

----- Forwarded message -----

From: John Hunter <jhunter@oneillwetsuits.com>
Date: Wed, Mar 23, 2016 at 1:41 PM
Subject: Capitola Skatepark
To: planningcommission@ci.capitola.ca.us

Hello Planning Commissioners and City Council,
I fully support the Capitola Skate park. I grew up in the community at a time when Skate parks were being eliminated this put me and my friends places we shouldn't be. Having children in the Capitola /Soquel district i feel that it would be a great asset to the community to have a place for my kids and others to go when not in school. I feel the New Skate park is in an area that will benefit all.

Thank you

John Hunter
Product Designer
O'Neill Wetsuits, LLC



Error! Filename not specified.Error! Filename not specified.

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

5/27/16

Date:

RECEIVED
JUN 16 2016
CITY OF CAPITOLA

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Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED
JUN 16 2016
CITY OF CAPITOLA

Date: 5/27/2016

To the City Council Members of Capitola:

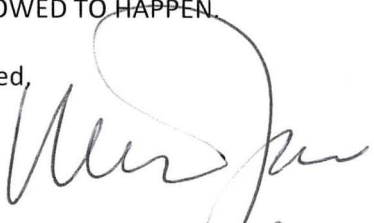
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signed,


APTOS, CA 95003

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

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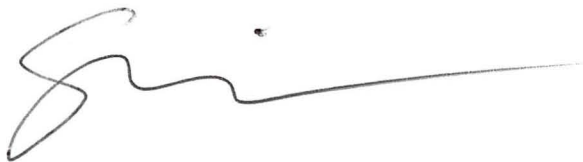
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Aptos, CA

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signed,


 420 Capitola Rd
 Capitola, CA 95010

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED

JUN 16 2016

CITY OF CAPITOLA

Date: 5/27/14

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signed, 
Monterey Ave Capitola

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

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CITY OF CAPITOLA

Date: 6/3/16

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Other Remarks: 

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

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signed,

Shirley Patton
Soquel, ca.

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

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CITY OF CAPITOLA

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signed,

Shia Taylor Soquel CA

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date: June 15, 2016

To the City Council Members of Capitola:

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signed,



Dana Ingersoll
4705 Topaz St
Capitola, CA 95010

Date: 7-9-16

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signed,



Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Linda <lpoeking@gmail.com>
Sent: Saturday, May 21, 2016 1:43 PM
To: City Council
Subject: Mc Gregor park skate park

I am opposed to the plan for a new skate park at mc Gregor park. Please reconsider.

Sincerely,

Linda King

Sent from my iPhone

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date: June 16, 2016

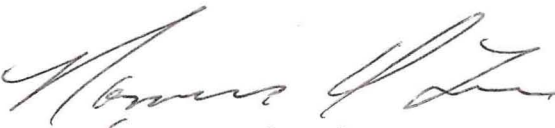
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signed, 
(Norman Lane)

Other Remarks:

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Monday, June 20, 2016 11:22 AM
To: City Council
Subject: FW: Support Letter for Capitola Skate Park

Thank you,

From: Marilyn latorraca [mailto:mrlatorraca@gmail.com]
Sent: Wednesday, March 30, 2016 8:31 PM
To: planningcommission@ci.capitola.ca.us; citycouncil@ci.capitola.ca.us
Subject: Support Letter for Capitola Skate Park

Dear Capitola Planning Commissioners and City Council,

My wife and I have been residents of Capitola for 12+ years and we are also Cliffwood Heights resident's. Unfortunately, we can't make the meeting Thursday night but we wanted to express our support for the proposed skate park at Monterey Ave Park. Having a skate park within a park is an ideal location for the children and families in our community especially with all the new younger families moving into this neighborhood.

Thank you for your consideration.

Richard and Marilyn Latorraca

Cliffwood Heights Residents

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED

JUN 14 2016

CITY OF CAPITOLA

Date:

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signed,

Print Name & Address:
 ALVANO R LEDESMA & DOLORES LEDESMA
 605 MONTEREY AVE.
 CAPITOLA, CA 95010

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Richard Lippi <richard@greatoptions.net>
Sent: Wednesday, June 22, 2016 4:51 PM
To: City Council
Subject: Opposition to the Proposed Skatepark at Monterey Park

Dear City Council Members,

I am still opposed to the design concept of the proposed skatepark at Monterey Park. This skatepark concept is highly inappropriate for Monterey Park for at least the following reasons:

1. **Our scarce public parks, open spaces and inherent habitats should be protected, not exploited. The proposed skatepark does NOT improve the Park experience for everyone.** On the contrary, it lessens the quality of life for the nearby neighbors, the Soquel School District Office personnel, the PE classes, the special needs students and the many park visitors that come to the Park for the peace and quiet.
2. **This skatepark does not fit the character of Monterey Park** because no other structure is this massive, this permanent, this intimidating (especially when located in the front of Monterey Park).
3. **No one needs MORE NOISE.** Not only does the EIR state that this operation will be a permanent noise increase in the Park, the sound study is greatly flawed. The City is likely to be peppered with law suits for the added nuisance noise.
4. Skateboards will be the noisiest equipment used at Monterey Park. Possibly aluminum baseball bats rank a close second, but aluminum bats hitting balls are few and far in between. It's not constant baseball from 8am to sunset.
5. **The proponents were supposed to "soften" the noisy features (in other words, reduce the robust features) so less noise. Instead they are adding noise barriers!** Noise barriers were never a part of the original plan. BTW, the 8 foot high and 12 foot high sound barriers outside my house are nothing more than spite fences. They do absolutely nothing to reduce the nuisance noise to neighbors and they eliminate my ability to voluntarily monitor Monterey Park for the benefit of the community. There are many other unintended consequences of the 8 foot and 12 foot high walls: graffiti, hiding places, limited access for emergency services, blight, reflection of noise from the skatepark and more.
6. **Skateboarding is a hazardous recreational activity and an activity of choice.** McGregor is the appropriate place for this sort of activity---not in the middle of a noise-sensitive neighborhood!

I hope you will see that the proposed skatepark needs a great deal of consideration before proceeding. Send this project back to the Planning Commission without an approval. This project has all of the earmarks of a citizens uprising and a string of never-ending lawsuits, IMO.

Richard Lippi
620 Monterey Ave

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date:

6/8/2016

To the City Council Members of Capitola:

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signed,

Barbara G. Litsky

Other Remarks:

Barbara G. Litsky

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date: 6/15/16

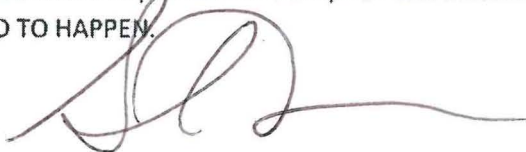
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signed, 

(Glenn MacDonald)
Other Remarks:

I don't have an issue with a small park for young children ~~any~~ perhaps 1000 - 2000 sq ft. But we already have a park for older kids!

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date: June 6, 2016

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signed,



Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Goldstein, Jamie (jgoldstein@ci.capitola.ca.us)
Sent: Thursday, June 23, 2016 10:39 AM
To: Sneddon, Su (ssneddon@ci.capitola.ca.us)
Subject: FW: Capitola Skate Park and Jade Street Park

From: teresa@capitolachildcare.com [mailto:teresa@capitolachildcare.com]
Sent: Thursday, June 23, 2016 8:40 AM
To: Goldstein, Jamie (jgoldstein@ci.capitola.ca.us)
Subject: Capitola Skate Park and Jade Street Park

Jamie i cant attend the meeting tonight. But just wanted to voice our opinion. If you look at the McGregor skate park you will see a lot of older kids. Teens and twenty year olds. Also i have almost hit a few skaters that are leaving the park riding down hill into on coming traffic.

We feel that if a skate park is placed in Monterey Park. Best use would be half the size. And make the park for young kids. 10 and under. 12 and under? This would be designing it to safe and friendly for the younger kids. Not as big and challenging as McGregor.

A smaller park could also help keep the School district office in place. And Save Jade Street park from taken over by the School district.

I have two young boys (4 and 8) And with all the big kids at McGregor Skate park we dont feel its safe for them to be there. They will get run over. A park the size or smaller than Felt Street skating area would be more beneficial for families and not older kids, teenagers, and all the BAD that will come with that.

Also we haven't heard anything more about the Bike Lane proposal. My husband has been doing perioticly counts of cars. And from Park-Kennedy- Monterey. He is counting 30 to 45 cars on average. So way above the numbers reported before. We still stand strong that a bike lane wont make anything safer.

We live right by the Stop sign on Monterey and Kennedy. And cars always speed to the stop sign. We have parents and young children attempting to cross the street and fight traffic. We have a great drop off spot in front of our house that is SAFE! With having to cross the street this puts young children and parents in the line of fire, in harms way. You cant try to make it safe for one group, while making it hazardous to another group. Also 14% of the time if it was only a bike lane. This lane would be blocked by our garbage cans on trash day. So the false sense of a line making things safer would only apply 86% of the time. That is not acceptable or a proper solution. Could We have a 20 MPH While School children are presents signs? Main St. Elementary has Flashing Cross walk signs. That is where the problems are. Crossing the streets and intersections.

We would also like a "SLOW Stop Sign ahead" sign placed around 826-830 Monterey. Or maybe there or Near Elinor St. Another one of those Signs that shows people's speed. Cars are always speeding up to the stop sign and in some cases running the stop sign.

Thank you for your time,

- Teresa L Maguire

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Shirley Manis <shirleymanis97@gmail.com>
Sent: Friday, April 01, 2016 9:16 AM
To: City Council
Subject: Comment RE: Skate Park

Dear Esteemed City Council,

Since I was unable to attend the meeting last night about the skate park, so here is my short comment. I would appreciate the courtesy of an acknowledgement to my message. A simple response of "I read it" will do.

One skate park is enough.

A second skate park does not serve enough of our entire community. We need:

- a media library
- a Rispin park
- a paved boulevard on Clares St.
- a better pedestrian crossing at Bay/Hill Sts.
- a better police presence on the western side of the creek • a different location for the recycle station next to the Bay Ave. CVS

I could go on, but I said my message would be short.

Thank you in advance for reading my message.

Sincerely, y
Your faithful and voting Capitola resident, Shirley Manis

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED
JUN 16 2016
CITY OF CAPITOLA

Date: *Roderick*
May 27, 2016

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

- 1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
- 2. INCREASED traffic introduced to an already highly impacted Monterey Avenue. There are already times when residents on Monterey Avenue can barely back out of their driveways;
- 3. There will be more people whether driving, or walking, or biking, or skateboarding in this already highly intensified area.

As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed, *Richard Marshall*

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

REASONS NOT TO BUILD A SKATEPARK AT MONTEREY PARK

6/20/2016 8:32:00 PM

1. Removal of any trees, much less old growth eucalyptus, in itself should stop a proposal of a skatepark.
2. Has someone told proponents of a second skatepark $\frac{3}{4}$'s of a mile from each other, just how much it costs to build and maintain one?
3. Who is going to pick up the trash and paint over the graffiti?
4. Where are the skaters going to go to the bathroom? They could skate the $\frac{3}{4}$ of a mile to the McGregor Park or maybe go the $\frac{1}{2}$ mile to Gayle's Bakery.
5. Don't forget about the Jewish Synagogue that tried to build on Monterey Park land. It was turned down for lack of enough parking. The existing parking already spills into the street parking during a softball practice game. Speaking of softball, if the proposal #2 site were to be considered, there would be no foul ball area on the first base side for players to enter or fans to sit.
6. Do you know how much noise a skatepark makes? At least the McGregor Park is not in the middle of a residential neighborhood. I would not want to be living on the perimeter of Monterey Park.
7. Capitola Police has enough to do without having to make sure the park is not used after hours.
8. Parks are supposed to grass and trees for playing; baseball, soccer and frizzbie, walking dogs and chasing kids, flying kites and sunbathing or just reading under a shade tree. A skatepark is a huge eyesore of cement and chain link fencing.
9. How will New Brighton Middle School children and public skaters be kept separated during school hours?
10. What about the guy living in the prefab house on the Soquel School District Offices land? His bedroom is less than 15 feet from the edge of skatepark proposal #1. Really!?

From: Robert Mayer <robearmon@aol.com>
Sent: Tuesday, June 21, 2016 4:36 PM

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Joanna McCavitt <jbmccavitt@sbcglobal.net>
Sent: Thursday, June 23, 2016 3:37 PM
To: City Council
Subject: TO CITY COUNCIL MEMBERS OF CAPITOLA

I am completely opposed to the 6,811sq.ft. Skatepark proposal to be put in Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights

Joanna McCavitt
830 Monterey Avenue
Capitola, CA 95010-2332

I VOTE NO, NO, NO.

Phone- 831-476-2050

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Peg Mccollough <mccollough.peg@gmail.com>
Sent: Tuesday, June 14, 2016 4:11 PM
To: City Council
Subject: Skate park Opposition Opinion

June 13, 2016

Capitola City Council Members

Dennis Norton

Ed Bottoroff

Jacques Bertrand

Stephanie Harlan

Michael Termini

I am deeply concerned that consideration is still being given to a large skate park at Monterey Park. I am not able to understand the impetus for this except that a select and small group of vocal individuals have the money to push this agenda. I struggle to see the value of placement of the proposed project in this residential area.

I previously sent a letter in opposition to the proposed skate park and have attended public hearings. The concerns I had at the time continue to be even more pertinent. The skate park presents concerns for those living near it and for any city resident as well since the City of Capitola will need to oversee and finance it for years to come. Specifically:

- Setting and enforcing rules to avoid impact on residents living nearby as well as city liability

Hours, ages intended for, type of use (bikes, skateboards, etc), potential noise, trash cleanup and avoidance of creating an “attractive nuisance” are all considerations. It is repeatedly mentioned in the pro skate park reports that mitigation of these factors is possible but involves effective and ongoing policing and enforcement. I have more recently heard that the skate park in Scotts Valley has not handled these concerns well and I have no reason to believe that the City of Capitola has the ability to address these concerns or carry out enforcement on a consistent and ongoing basis for years to come.

- Oversight for maintenance and general upkeep with ongoing and consistent funding (cost?) seems without a plan.

Maintenance is extensive and daily according to proskate park literature and also involves concerns re: graffiti and bathrooms.

- Altering of the landscape with unknown effect.

Drainage is already a problem in Monterey Park and affects the residents living “downhill”. The drainage culvert already requires regular maintenance and cannot handle large amounts of water.

- Parking
- Capitola has no open space such as this! This is currently a quiet oasis (even with the intermittent use of the field) valued by the many people I meet walking the path or using the field. A 6,000’ slab of cement, 6’ high fence and ongoing activity and noise throughout the day will radically change this space.... a permanent and short sighted change that ignores the input of many Capitola residents. It would make me sad to see such a drastic change to this little gem of Capitola green and quiet space.

I am unable to make the public hearing and feel that even with this letter and previous communications that my voice is not being heard.

In closing it seems shortsighted to consider a skate park in Monterey Park in the context of the uniqueness of Monterey Park, poorly addressed future concerns and an already existing skate park at the McGregor site.

Thanks for the opportunity to share my concerns.

Peg McCollough

726 Orchid Ave,

Capitola , CA 95010

mccollough.peg@gmail.com

Date:

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

- 1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
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- 3. There will be more people whether driving, or walking, or biking, or skateboarding in this already highly intensified area.

As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,

Elizabeth McDougall.

*The cost of maintaining TWO
Skate Parks for a town with a
Population of 10,000 has not been
considered.*

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: ELIZABETH MCDOUGALL <lizrossmcd@yahoo.com>
Sent: Wednesday, June 15, 2016 3:38 PM
To: City Council
Subject: No need for a second skate park

A town with a population of 10,000 does not need two skate parks. Has the cost of maintenance and insurance been considered? Is there a toilet and water fountain available?

I am very much opposed to this proposed skate park

Sincerely, Elizabeth Wilson

Sent from my iPad

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date:

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

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signed,



I ROSS MCDUGALL

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: peanut.mckenzie@gmail.com on behalf of Janet McKenzie <janet@55buick.com>
Sent: Thursday, June 16, 2016 8:59 AM
To: City Council
Subject: Oppose Monterey Skatepark

City council Members of Capitola.

As being a resident of Cliffwood Heights I am completely OPPOSED to the skatepark that is being proposed to be put in @ Monterey Park in the New Brighton School Area.

So many unanswered questions.

- * who will be monitoring this park
- * increased NOISE, oh I have seen the noise report- bullshit- come live on this street for a week and tell me we won't have more increased noise, traffic, etc from this skatepark from what we have now.
- * bathrooms- people already urinating in the bushes, just going to increase more. Outhouses? who will be cleaning those on a regular basis.
- * we already have skateboard park down the street, WTF, how many do we need
- * so tell me, as a heavy taxpayer to the city already, what kind of kick back is the city getting on this, what is the motivation? payoffs,
- * down grade real estate pricing.

I can go ON and ON as I don't want to be repetitious on this as I have been opposed to this project from the very beginning and have voice my opinions, written letters to the city council and will continue to do so.

For the love of the residents who live on MONTEREY AVE, please have Mercy on us and realize how this will affect our beautiful community in every aspect.

Regards,

Current Monterey AVE Resident.

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Pat Megna <pmegnasc@gmail.com>
Sent: Wednesday, June 15, 2016 5:13 PM
To: City Council
Subject: skate park at Monterey Park

Dear Mayor and City Council,

I am writing to provide my utmost support for the Capitola Skate Park which is coming before you next Thursday. I have watched this project from the beginning – I am a retired school resource aid, my children and my grandchildren have been raised and are being raised in this community.

Monterey Park is a family friendly multi use park; It is the perfect place for younger children to skate (or enjoy the other activities currently available there). Its close proximity to both the neighborhood, the middle school and within walking/biking/skating distance to the village and surrounding neighborhoods make it the ideal location for younger children to use.

The applicants have worked tirelessly on this project; they have garnered an entire community behind them who support this – albeit a few folks who do not – the EIR that the City had prepared was done by experts in the field of CEQA regulations and the entire park is being donated – DONATED by a Capitola life long resident. We live in a world where technology is overshadowing good old ‘out door’ fun. We happen to live in a beach community that encourages outdoor sports. We have multiple surf spots, beaches, baseball and soccer fields; we have many sport facilities yet here, in Capitola where outdoor recreation is encouraged, we lack a skate park for younger children. This is a much needed resource. We have the space; we have the reports that show no significant impacts; we have a donor who will foot the bill.

I urge you to vote yes on this – for the children in this community for many generations to come.

Sincerely,
Patricia M. Megna

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date:

To the City Council Members of Capitola:

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signed,



Malinda Mitchell

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Wednesday, June 15, 2016 12:39 PM
To: City Council
Subject: Support FW: Monterey Park Proposed Skate Park

Thank you,

From: "A. Morocco" [mailto:moroccoz@rocketmail.com]
Sent: Wednesday, February 04, 2015 4:51 PM
To: citycouncil@ci.capitola.ca.us
Cc: tricia proctor <t.proctor@nhs-inc.com>; jmarto@pacbell.net
Subject: Monterey Park Proposed Skate Park

Distinguished Council Members -

I am writing to express our interest in favor of the proposed skate park area in Monterey Park.

Our daughter attends New Brighton Middle School and would enjoy having a nearby place to skate freely without fear of traffic. We live in the jewel box area of Capitola, and it also would be wonderful for her to have a safe, secure area nearby to hang out with her friends and enjoy some fresh air and exercise. The fact that the park would be funded by private donors would also be easy on the community coffers.

Thank you for considering our position on this matter. We look forward to learning the outcome of this project.

Sincerely,

Andrew and Anna Morocco
Topaz Street, Capitola

Anna M. Morocco, CSR 8963

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED
JUN 16 2016
CITY OF CAPITOLA

Date: 6/7/2016

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signed



Other Remarks:

1031 Live Oak Ave SC
St Josephs member

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Kailash Mozumder <kkmozumder@gmail.com>
Sent: Thursday, June 02, 2016 10:08 AM
To: City Council
Subject: Lets make McGregor Park Better

Dear Council Members,

Now that McGregor park is up and running, and people are starting to use it I feel that the City should focus efforts on increasing the value of that park rather than creating an additional skate park at Monterey Park. Monterey park already has other uses that many people enjoy. The McGregor site was nothing before the City built the new park. Now we have people from all around enjoying that location. Instead of building another skate park, why doesn't the city put time and effort into enhancing the value of McGregor Park. If McGregor starts to look like it is beyond capacity, then consider adding another skate park. But until then I think Monterey Park should be the grassy field that it is, and McGregor should be the focal point for action sports like skateboarding and bike riding.

As a resident and homeowner in Capitola I would like to see the City use it's funds wisely, and building two of the same thing does not seem like a good use of funds.

Thank you for your consideration,
Kailash

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Kirby Nicol <kirbynicol@gmail.com>
Sent: Thursday, June 02, 2016 3:35 PM
To: City Council
Subject: Monterey Skatepark / Kirby Nicol

CCC.

It has come to my attention that the Planning Commission's recent conditional approval of the current Monterey Skatepark design has been appealed to the City Council for hearing on June 23.

The appellant contends, rightly so, that the current design does not meet the criteria set forth by the 2012 CCC in its response to the design submitted at that time, namely that:

1. The footprint be 6,000 sqft or less.
2. That the design features cater to "beginners"local neighborhood children.

The design currently under consideration is far more robust than what was envisioned by the 2012 CCC. Its features include brick-like areas, jumps and grinds that tend to be noisy and dangerous.....hardly suitable for "beginners" .

When I think of a "beginner" skatepark, I think of something like the facility at Frederick Street Park.....linear, sloping and undulating..... safe for beginners, not a noisy nuisance objectionable by neighboring residences even without sound mitigation fences/barriers.....and not a "destination" facility

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

likely to attract to intermediate/advanced skaters from beyond the neighborhood.

With the recent completion of the McGregor Street skatepark, which does appeal to more advanced skaters, the CCC thinking in 2012 is even more rational. A Frederick Street design-type is appropriate for Monterey Park, would not require costly/unsightly sound buffering, would be safe for beginners and probably acceptable to neighbors.

Kirby Nicol

RECEIVED
JUN 16 2016
CITY OF CAPITOLA

Date: 6/13/16

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As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,

Cheryl Nielsen
303 Younger Ave Capitola

Other Remarks:

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Richard Novak <richn@nhs-inc.com>
Sent: Wednesday, June 15, 2016 2:43 PM
To: Arthur, Bruce (capcouncil@aol.com)
Cc: City Council
Subject: Re: Skate Park Letter

Thank you

Sent from my iPhone

On Jun 15, 2016, at 10:16 PM, "Capcouncil@aol.com" <Capcouncil@aol.com> wrote:

Council,

I'm sending you a letter I sent you a year ago. I still feel the same or maybe even a little stronger after watching the children in the new park. Most of them weren't old enough to drive themselves to the McGregor Park. Unfortunately politics being what they are seem to be getting in the way of what is best for the safety of our youth. Good luck with your decision.

Bruce Arthur

<Skate park letter 2.doc>

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Monday, June 20, 2016 10:49 AM
To: City Council
Subject: FW: Council members

Thank you,

-----Original Message-----

From: Rhnovak [mailto:rhnovak@yahoo.com]
Sent: Thursday, February 12, 2015 1:29 PM
To: citycouncil@ci.capitola.ca.us
Subject: Council members

Council members

I would like to thank the members for allowing us to finally make some progress forward with the monterey ave skate park. This has been a long time coming and you can truly say this is for the children.

Richard Novak

Sent from my iPad

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Brad Oates <oatesbrad@gmail.com>
Sent: Wednesday, June 15, 2016 11:14 AM
To: City Council
Subject: Please approve the Monterey Avenue Community Skatepark.

Hello City Council,

My name is Brad Oates. I am a 35 year old father of two boys. Carter is 5. Greyson is 2. We live at 816 Balboa Avenue in the Cliffwood Heights neighborhood and have done so for the past decade. I moved here to go to UC-Santa Cruz, never left and like many, have decided to raise my kids and start a family in this beautiful community.

We love Capitola. We love the beaches, the great sense of community, the close kinship between neighbors, the way we all look out for each other and obviously our natural beauty is unrivaled.

My family is really into skateboarding and surfing. It's what we do. I have been skateboarding since I was a little boy and both my children already skateboard. We frequent all the local skateparks - Derby, Felt Street, Mike Fox Skatepark, Tim Brauch Memorial and the new Monte Family Skatepark on McGregor. Skateboarding changes lives. It changed my life. I have seen the positive impacts of building skateparks in communities and the addition of proposed park in Monterey Park would be just that. A positive impact for the communities children, young adults and those youthful at heart.

The park is fully funded by a man who has always called Capitola home and helped put skateboarding on the international map. On the East Coast, the Coca Cola Corporation has started awarding grants to local communities to build skateparks. Not ONE has turned down the gracious endowments from the Coca Cola Corporation to build another positive recreational outlet. In an era of decreased sports participation among youth, skateboarding is still a fast growing sport and wonderful outlet. Skateboarding is going to be an olympic sport in 2020. Skateboarders are athletes.

There has been much discussion about already having one skatepark in Capitola. There is no pedestrian friendly way to access the McGregor Skatepark. It's not safe for children under 14 in our community to walk or ride their bikes there. I use the crosswalk on Park Avenue and walk thru New Brighton State Beach and up their entrance to arrive safely next to the McGregor Skatepark. We won't have this issue at Monterey Avenue. It's in a safe setting, next to the School District buildings, accessible by sidewalks and smack dab next to the street, highly visible, well light and it will be a wonderful addition to our community.

The same noise emitted from groups of people playing baseball there, driving their cars by, riding their bikes by, will also be present in the skatepark. These will be in normal daytime hours and with the already regular patrols from Capitola PD's finest, we have absolutely nothing to worry about.

I urge you to vote yes on this wonderful project. We live in one of the countries best communities. This is for the children. This is for the future. Why not make it better? How can we possibly say no to something so positive?

Thanks,
Brad Oates

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Molly Ording <molly.ording@icloud.com>
Sent: Wednesday, May 25, 2016 4:34 PM
To: City Council; Rudy Escalante
Subject: Thanks, thanks!

Good Afternoon City Council Members and Chief Escalante!

Just want to thank you all again...on two fronts...for the very nice, fun and delicious Volunteer Dinner last night and...for the Skateboard Park! It is wonderful to see this project finally come to fruition and how much it is being enjoyed already. Good for ALL of you who worked so hard to make this happen. Your efforts are truly appreciated!

However, a word of caution...I have noticed from my excellent vantage point a very recent increase in kids flying down Monterey Avenue on their skateboards! No helmets, weaving in and out of cars...high speeds, very, very dangerous! Don't know if this is related to the skate park or perhaps Spring and end of school but I recall too well the dire accidents that have occurred in Capitola Village with skateboarders (of whom I am a fan and friend - not a foe!) and I think you all and the Police need to jump on this right away! Maybe work with the Jr.High, put an officer there when school gets out, spread the word, give a citation or two...*anything* to prevent another horrible, heart-breaking accident and mar the beginning or future of this great community gathering place!

Again, our sincere thanks for all and sincerest wishes for a safe and positive Capitola!

Gratefully!

Molly Ording

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED
JUN 16 2016
CITY OF CAPITOLA

Date: 7/16/2016

To the City Council Members of Capitola:

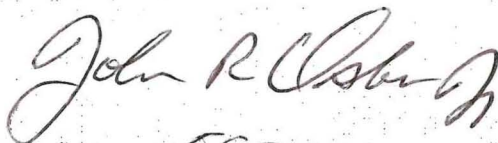
I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
2. INCREASED traffic introduced to an already highly impacted Monterey Avenue. There are already times when residents on Monterey Avenue can barely back out of their driveways;
3. There will be more people whether driving, or walking, or biking, or skateboarding in this already highly intensified area.

As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,



Other Remarks:

587 Mt. View Rd
Santa Cruz Ca 95065

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED
JUN 16 2016
CITY OF CAPITOLA

Date: *June 14 - 2016*

To the City Council Members of Capitola:

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signed, *Re Loris R. Osborn*

Other Remarks:

I am the original owner of my home having lived here 50 years and raised my family here in this peaceful quiet neighborhood.

I am opposed to having a second skateboard park on Monterey Ave especially since one skateboard park is already at

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

McGregor Dr, just a short distance away
Please, No skateboard park on
Monterey Ave. in Capitola. Have you consider
the Anna Jean Cummings park in Soguel ???

Sincerely,
DeLous R Osborn
206 Juniper st
Capitola, Ca 95010



**NOTICE OF PUBLIC HEARING
CITY OF CAPITOLA CITY COUNCIL**

DATE: June 23, 2016

TIME: 7 p.m.

PLACE: City Council Chambers, 420 Capitola Avenue, Capitola, CA

700 MONTEREY AVE.

#15-068

APN: 036-151-02

Appeal of the Planning Commission's approval of a Conditional Use Permit, Design Permit and Coastal Development Permit and Certification of the Environmental Impact Report for a privately initiated proposal to build an approximately 6,000-square-foot skate park in Monterey Park that would be open to the general public. The project also includes a Right-of-Entry Agreement to construct improvements on public property. The project site is designated as Parks and Open Space (P/OS) by the Capitola General Plan and Public Facility - Park (PF-P) by the Zoning Code. The project is in the Coastal Zone, but is not appealable to the California Coastal Commission.

Environmental Determination: Environmental Impact Report

Property Owner: City of Capitola

Applicants: Tricia Proctor & Marie Martorella, filed 4/17/2015

If you require special assistance in order to attend the meeting, including needs addressed by the Americans with Disabilities Act, notify the City at least 3 days prior to the meeting by calling 831-475-7300.

For further information, please contact the Community Development Department at 831-475-7300 during normal business hours, write to the City of Capitola, 420 Capitola Avenue, CA 95010, or by email at citycouncil@ci.capitola.ca.us

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Monday, June 20, 2016 11:03 AM
To: City Council
Subject: FW: Captitola Skate Park

Thank you,

From: Michelle [mailto:mdaveyouse@aol.com]
Sent: Sunday, March 20, 2016 4:05 PM
To: Citycouncil@ci.capitola.ca.US
Cc: Tricia Proctor <t.proctor@nhs-inc.com>
Subject: Captitola Skate Park

Dear Council Members,

I wanted to reach out and thank you for being open minded to the possibility of a skate park in Capitola. Our family is pro skateboarding and am pleased and relieved that our family and friends can skate, not only close to home but also in a safe area.

My family has attended as many meetings as possible to support the park. I attended the Environmental Impact Meeting and was surprised at how many folks felt that the skate park would be more noisy than the baseball and soccer games that they are already tolerant of. The location is ideal: close by but away from homes.

I thank you again for supporting the skate park and look forward to seeing you at the meeting at the end of the month.

Sincerely,

Michelle Ouse
and the Ouse Family

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Richard Ow
P.O. Box 67358
Scotts Valley, California 959067-7358
January 20, 2015

Dear Capitola City Mayor, Council Members and Staff,

My name is Richard Ow, and my family owns the King's Plaza Shopping Center in Capitola and the King's Village Shopping Center in Scotts Valley.

I managed the Scotts Valley Shopping Center for over twenty years and supported and raised funds for the skate board park in Scotts Valley. Every day I would see skate boarders of all ages ride their skate boards in the shopping center. They skated in the parking lot and the walkways of the shopping center.

I supported the skate board park because a place was needed for skate boarders to skate. Skating in the shopping center was unsafe not only to the skate boarders, but also to the shoppers and pedestrians of the shopping center. Since the skate board has been built there has been a minimal amount of skate boarding in the shopping center.

I truly believe the same thing will happen in Capitola if the skate board is built and I fully support it. The skate board park will also give the opportunity to beginners to learn and for families to enjoy skating together. It will take the skate boarders off the street and into a safe park built especially for skate boarding.

I know that one of the opposing arguments is the element that it may bring. There will always be a percentage of negative element in any event or public place. Scotts Valley has not had any major problems since it's existence.

The skate board park will be very useful and enjoyable to all of the families in the city and fully support it.

Thank you very much for your time to read my letter.

Very truly yours,

Richard Ow

JUN 15 2016
CITY OF CAPITOLA
CITY CLERK

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Join POPP in Protecting Our Public Parks <POPP@greatoptions.net>
Sent: Wednesday, June 22, 2016 9:00 PM
To: City Council
Cc: Shona McDougall
Subject: Fwd: Re: Special needs kids need Monterey Park and the trees

Dear City Council Members,

Please notice that Gabby Johnson, from the County Office of Education, is reaching out for compassion for the special needs children that use Monterey Park on a daily basis---even during the summer time when New Brighton Middle School is out of session.

Please save the trees, at the very least, for these special needs children.

Richard Lippi

Founder & Program Director

----- Forwarded Message -----

Hi Richard, here is the info Gabby sent:

Hi Shona,

This is all unfortunate.

I work for Santa Cruz County and teach students with severe disabilities (6 with autism, 3 other disabilities). We use the Park and tree area on a hourly basis. I currently have 9 students and many of my students need sensory breaks which we always head to the Park area. I have students that have self injurious behavior as well as physical behaviors where space is need for that individual. WE always head to the Park due to the noise level of these students.

Our classroom is located in the portables by the Park area and is easy for me to evacuate the class if I need to due to these behaviors.

I am sorry that this is happening to this area. It is a very useful Park for my kids and their sensory needs.

Hope that answers your questions.

Best,

Gabby Johnson

From: shona mcdougall <shonamcdougall@outlook.com>

Sent: Sunday, April 24, 2016 2:08 PM

To: popp@greatoptions.net

Subject: Re: Friends of Monterey Park and POPP will be on KSCO Tuesday, April 26th, 7-8pm!

Hi Richard,

Would you consider mentioning the fact that the Special Ed students at NBB use the grassy, shady area around the trees on an HOURLY basis? Why should healthy kids who get to surf before school, skate in the afternoon, take away the one of the few areas of respite for kids who have not been so lucky in life? Why should our special ed children be any less important than the rest of our kids?

I'm just not able to get over this fact, it seems so selfish to me.

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Join POPP in Protecting Our Public Parks <POPP@greatoptions.net>
Sent: Thursday, June 23, 2016 10:44 AM
To: City Council
Subject: Fwd: Re: Proposed 6,811sf skatepark at Monterey Ave Park

Dear City Council Members,

I am forwarding an email that I received from Mr. Sam Storey relative to the proposed skatepark at Monterey Park. When I met with him, in person, during the week of June 13, 2016, he authorized the release of this information to the public. Please give strong consideration to his statements.

Thank you,
Richard Lippi

----- Forwarded Message -----

Subject: Re: Proposed 6,811sf skatepark at Monterey Ave Park
Date: Tue, 12 Apr 2016 02:59:55 +0000 (UTC)
From: Sam Storey <storeylaw@att.net>
Reply-To: Sam Storey <storeylaw@att.net>
To: popp@greatoptions.net <popp@greatoptions.net>

Dear Richard,

Thank you for reaching out to me to about the proposed skateboard park at Monterey Park and for taking the time to review the Council meeting from 2012. Honestly, I haven't been following the discussion much since I termed out from the Council at the end of 2014, therefore, I can't say I have strong feelings about the project.

However, I havn't changed my opinion expressed in 2012 that Monterey Park is the wrong location for a skateboard park and, frankly, I don't believe that we need two skateboard parks so close together. Fundamentally, I think that this project goes against the commitment made by the City to the neighbors when Monterey Park was first put in.

I am appalled that the Planning Commission would approve removing the eucalyptus trees for the sake of visibility. Another reason why this is not the right location for a skateboard park. I will attempt to discuss this with some of our current sitting council members before this comes up on their agenda. Thanks for keeping the public informed on this topic. Sam

Sam Storey (SBN 79549)
Law Offices of Sam Storey
314 Capitola Avenue
Capitola, CA 95010
Tel: (831) 607-1037
Fax: (831) 607-1036
Email: storeylaw@att.net
www.storeyesq.com

On Sunday, April 10, 2016 11:26 AM, Join POPP in Protecting Our Public Parks <POPP@greatoptions.net> wrote:

Dear Mr. Storey,

I am familiar with your discussion on the 2012 proposed 9,000sf skatepark at Monterey Ave Park because I am one of the few people that was interested enough to get a copy of the January 26, 2012 City Council meeting video. That video is not available on the City website.

On March 31, 2016 the Planning Commission voted to move a proposed 6,811sf skatepark 60-140 feet closer to the parking lot and take out all of the heritage eucalyptus trees! This project is the antithesis of the decision made January 26, 2012 for a smaller, safer skatepark for kids yet it keeps moving forward in the process.

There are many individuals, organizations and groups opposed to this application. I would like to know if you have any strong feelings about this project at this time?

Thank you for your time and I applaud your contribution to the January, 2012 discussion.

Richard Lippi

Founder & Program Director

--

Pls visit us at www.greatoptions.net/POPP

P.O.P.P. is Protecting Our Public Parks



Capitola City Council Members
Attn: Su Sneddon, City Clerk
420 Capitola Avenue
Capitola, CA 95010

RECEIVED
JUN 16 2016
CITY CLERK'S OFFICE

June 16, 2016

Reference: Proposed 6,811sf Skate Park at Monterey Avenue Park
Subject: Petition to Stop the Installation of the Proposed Skatepark at Monterey Park

Dear City Council Members,

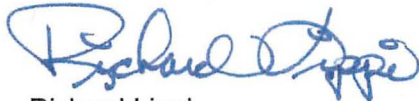
Recently, I took the initiative to gather **signatures from interested parties who oppose the proposed 6,811sf skatepark at Monterey Park**. This petition was only made available for three (3) days from Friday, June 10th until Sunday June 12th. Lining out my own name, there are sixty-eight (68) signatures on the Petition to Stop the Installation of the Proposed 6,811sf Skatepark at Monterey Park.

I feel it is interesting to note that the overwhelming majority of signatures are from Park Visitors coming from all parts of the County---54 in this brief, 3-day sampling. They signed the Petition at Monterey Park. These Park visitors come to Monterey Park because of its tranquil character and general good feeling of nature and open space. The idea of a noisy skatepark at Monterey Park is an appalling concept to these people.

Another group of people that I sampled was people that are neighbors in Cliffwood Heights but are outside the 300 foot Notice to Neighbors range for this project. All of the people that I contacted outside of the 300 foot Notice to Neighbors range were opposed to the proposed skatepark at Monterey Park---10 in this brief sampling.

Attached please find five (5) pages of the Petition to Stop the Installation of the Proposed 6,811sf Skatepark at Monterey Park. **Please keep in mind that this is only a sampling of the opposition to the proposed skatepark, and only samples taken between June 10th and June 12th.** I'm sure there are hundreds more interested parties that are opposed to a skatepark at Monterey Park.

Respectfully submitted,
PROTECTING OUR PUBLIC PARKS



Richard Lippi
Founder and Program Director



Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

We the undersigned nearby citizens of Capitola do hereby request that the City of Capitola halt all proceedings that may contribute to the installation of the proposed 6,811sf (aka 6,000sf) skatepark at Monterey Park as designed by Dreamland Skateparks. This project has been misrepresented and lacks full disclosure.

Over 100 residents, the President of the Teachers Association, the entire PE Staff at New Brighton Middle School, officials at St. Joseph's Church and many visitors to Monterey Park are OPPOSED to this skatepark.

The designed skatepark is not a good fit for Monterey Park or the neighborhood.

#	PRINT NAME	STREET ADDRESS	SIGNATURE
1	RICHARD LIPPI	620 MONTEREY AVE CAPITOLA	[Signature]
No 2	REV. TREVOR LEE	875 MONTEREY AVE CAPITOLA	[Signature]
3	REV. Richard Tennessee	4425 Claves St. #42, Capitola, CA	[Signature]
4	Stephanie Tetter	222 Juniper Ct Capitola	[Signature]
5	Daniel L Steingrube	701 Monterey Ave Capitola Ca	[Signature]
PV 6	Steve Ryland	515 Monterey Ave, Capitola, Ca	[Signature]
PV 7	DEBORAH GAITHER	2805 CENTER ST SOQUEL CA	[Signature]
PV 8	RYAN CARSKADDON	220 San Jose Ave #A Capitola Ca	[Signature]
PV 9	Jacqueline Pabich	821 Columbus Dr., Capitola, CA	[Signature]
PV 10	Philip F. Sabra	821 Columbus Dr., Capitola, CA	[Signature]
PV 11	Melissa Robue	15 Windomere Ln	[Signature]
PV 12	Lisa Dakins	1388 Amesti Rd. Corralitos CA	[Signature]
PV 13	Chris Jones	920 Capitola Ave #55, Capitola, CA	[Signature]
PV 14	Katie Garner	2630 Orchard St 42 Soquel 95013	[Signature]
PV 15	Stephanie Struss	850 Park 3C Capitola CA 95010	[Signature]

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#	PRINT NAME	STREET ADDRESS	SIGNATURE
PV 1	STEVE BELBIN	710 BALTUSZOW DR, APTG	[Signature]
2	Eddie Aguilera	138 WESLEY ST CAPITOLA	[Signature]
3	DANIEL BENVENUTI	105 WESLEY ST CAPITOLA	[Signature]
4	ANN BENVENUTI	105 WESLEY ST CAPITOLA	[Signature]
5	ANDRE BOSSAN	102 WESTLEY ST. CAP.	[Signature]
6	Lois Hardy	600 Parks Ave ^{Cap} Cap 10-A	[Signature]
7	Barrett Cahalan	110 Washburn Ave Capitola	[Signature]
8	KEITH CAHLEN	110 WASHBURN AVE CAPITOLA	[Signature]
9	CRAIG CURTIS	2041 WASHBURN AVE., CAPITOLA	[Signature]
PV 10	Diane Monsson	936 Columbus Dr. Capitola	[Signature]
PV 11	Barbara Euyton	13484 Canyon View Dr, Yucupa, Ca	[Signature]
PV 12	CARMEN C. DUARTE	855 Monterey Ave #B	[Signature]
PV 13	Lillian Barrios	858 Encino Dr. Aptos,	[Signature]
PV 14	Rafael Castro	858 Encino Dr. Aptos	[Signature]
PV 15	ANTHONY B. BRUNO	207 JUNIPERS CT. - CAPITOLA	[Signature]

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#	PRINT NAME	STREET ADDRESS	SIGNATURE
PV 1	Kathy DiBenedetto	1741 Wilha Way, S.C.	Kathy DiBenedetto
PV 2	Ingrid Larsen	3321 Crestline Way, Soquel	Ingrid Larsen
PV 3	WILLIAM LARSEN	3321 CRESTLINE WAY SOQUEL	William E. Larsen
PV 4	Petra Alt	210 Central Avenue Capitola	Petra Alt
PV 5	Brenda Ramirez	218 Moosehead Drive Aptos	Brenda Ramirez
PV 6	Scott Jones	Box 1183 Capitola	Scott Jones
PV 7	John Toni	Box 1216 C	John Toni
PV 8	Nelda Luis	Aptos, CA	Nelda Luis
PV 9	Lauren Spanola	208 Elinor St Capitola	Lauren Spanola
PV 10	Carolyn Fisher	same	Carolyn Fisher
PV 11	Carolyn Duty	920 Capitola Ave #62 Capitola CA	Carolyn Duty
PV 12	JAMES D. DUTY	920 CAPITOLA AVE #62 CAPITOLA 95010	James D. Duty
PV 13	Erica Basen	5410 Entrance Dr Soquel CA 95073	Erica Basen
PV 14	Rich Basen	5410 Entrance Dr Soquel CA 95073	Rich Basen
PV 15	Ben Simon	925 SIR FRANCIS AVE	Ben Simon

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#	PRINT NAME	STREET ADDRESS	SIGNATURE
PV 1	Kelsey Olivier	925 Sir Francis Ave, Capitola	
PV 2	Stephen Gray	212 Magellan St, Capitola	
PV 3	Ca. Monsson	936 Columbus Dr	
PV 4	JONATHAN MARP	3005 Crystal Heights Drive Soquel	
PV 5	TINA ANDREATA	102 Lloyd Court Aptos	
PV 6	Hege Knutson	718 Rosedale Ave, Capitola	
PV 7	Charlotte Icaza	229 Aptos Beach Dr	
PV 8	Luis Icaza	" "	
PV 9	Kelly Wilkins	920 Capitola Ave Capitola	
PV 10	Shannan Morgan	929 Pensello Ln #4 Capitola, CA	
PV 11	Christine Rodriguez U	750 Bay Ave #6704 Capitola CA 95010	
PV 12	Santiago Perez	1770 48th Ave Apt 101 Capitola CA 95010	
PV 13	Nicolo Marra-Biggs	277 Sundance Lane Watsonville CA 95076	
PV 14	Maribel Lomeli	2011 Jose Ave Santa Cruz CA 95002	
PV 15	JESSE BARKER	250 REVERAN AVE SANTA CRUZ 95062	

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#	PRINT NAME	STREET ADDRESS	SIGNATURE
PV 1	Jay Grover	16205 Long Ridge Rd. Los Gatos	
PV 2	Heather Mayugba	3211 Stockbridge Ln SC 95065	
PV 3	Cheri Pedemonte	105 Poplar Ct. Apt 2 95003	
PV 4	Tim Pedemonte	105 Poplar Ct. Apt 2 95003	
PV 5	MICHELLE WATSON	260 RIO DEL MAR BLVD # 31 95003	
PV 6	CONNIE GARDNER	2729 SUBEE LN SQUIRE, CA 95075	
7	Terrence Simon	2866 Lindsay Lane 95073	
No 8	Francine Frome	916 Ponselle Ln #1 95010	
PV 9	AARON WIMER	300 PLUM AVE #78 CAPITOLA 95010	
10			
11			
12			
No 13	N.O. = NEIGHBORS OUTSIDE THE 300' NOTICE TO NEIGHBORS RANGE		
14			
PV 15	P.V. = PARK VISITORS		

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park

PETITON TO STOP THE INSTALLATION OF THE PROPOSED 6.811sf SKATEPARK AT MONTEREY PARK

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#	PRINT NAME	Date	STREET ADDRESS	SIGNATURE
1	Catherine Pickertell	6/12	2276 Juan Pablo Lane, S.C.	Catherine Pickertell
2	Sandra Allen	6/12	1713 Jennifer Drive, Apt 13	Sandra Allen
3	Trevor Bryce	6/15	722 Orchid AVE	Trevor Bryce
4	Cassandra Miller	6/15	722 Orchid Ave	Cassandra Miller
5	Genn MacDonell	6/15	157 Cabrillo St	Genn MacDonell
6	Carolyn Ingersoll	6/15	150 Cabrillo St.	Carolyn Ingersoll
7	Lee Skintie	6/15	141 " "	Lee Skintie
8	Ellen Berger	6/15	129 Cabrillo St.	Ellen Berger
9	LAURENCE ROBER	6/15	" " "	Laurence Rober
10	BETSY ROSE	6/15	117 Cabrillo St.	Betsy Rose
11	Joyce Mullen	6/15	125 Cabrillo St.	Joyce Mullen
12	MARGARET AMOS	6/15	109 Cabrillo St	M. Amos
13	R & MACDONELL	6/15	106 CABRILLO SE	R & MacDonell
14	NORM LAURE	6/15	722 ORCHID AVE	Norm Laure
15	Deryn Harris	6/16	722 Orchid Ave	Deryn Harris

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL)

PETITION TO STOP THE INSTALLATION OF THE PROPOSED 6,811sf SKATEPARK AT MONTEREY PARK

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#	PRINT NAME	DATE	STREET ADDRESS	SIGNATURE
1	Karla Villarreal	6/11/16	706 Orchid Ave, CA 95010	Karla Villarreal
2	Ramon Villarreal	6/11/16	706 ORCHID AVE Capitola	Ramon Villarreal
3	Ed Schweitzer	6/11/16	718 ORCHID AVE Capitola	Ed Schweitzer
4	Doug Hussins	6/11/16	2693 Lafayette St. Sequele CA	Doug Hussins
5	Christy Hussins	6/11/16	2693 Lafayette St. Sequele CA	Christy Hussins
6	Terre Thomas	6/11/16	516 Park Ave	Terre Thomas
7	Dominick DellAcqua	6/11/16	114 Wesley St. Capitola CA	Dominick DellAcqua
8	ANITA GWIN	6/11/16	113 WESLEY ST. CAPITOLA, CA	Anita Gwin
9	Amanda GWIN	6/11/16	113 WESLEY ST. CAPITOLA, CA	Amanda Gwin
10	Andrew Wolf	6/11/16	817 Orchid Avenue Capitola CA	Andrew Wolf
11	Russell C Stephens	6/11/16	204 ELINOR ST Capitola CA	Russell C Stephens
12	EDIE HOUSE	6-11-16	223 ELINOR ST	Edie House
13	Helen Bryce	6/11/16	722 Orchid Ave	Helen Bryce
14				
15				

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Monday, June 20, 2016 11:17 AM
To: City Council
Subject: Support Capitola Skate Park Project - for our children

Thank you,

From: Beth Panero [mailto:spanero@gmail.com]
Sent: Monday, March 28, 2016 3:42 PM
To: citycouncil@ci.capitola.ca.us; planningcommissioners@ci.capitola.ca.us
Subject: Capitola Skate Park Project - for our children

Dear Planning Commissioners and City Council,

We are not able to make it to the meeting Thursday night as we have a schedule conflict but my family and I live in Capitola and we support the skate park project located at Monterey Ave Park. Not only is the location ideal but keeping the youth active and moving is always a great addition to our community.

Thank you,
Beth Panero
Capitola Resident

--

Happy Healing,
Beth Panero, FLT Healthcare Provider

Mobile: 831-428-1997
Email: spanero@gmail.com
Online: www.wellnessbybeth.meta-ehealth.com

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Monday, June 20, 2016 11:19 AM
To: City Council
Subject: FW: Support for Capitola skate park

Thank you,

From: Jeri [mailto:jeriparish@yahoo.com]
Sent: Tuesday, March 29, 2016 8:03 PM
To: Tricia Proctor <t.proctor@nhs-inc.com>
Subject: Fwd: Support for Capitola skate park

Begin forwarded message:

From: "Bertrand, Jacques" <jbertrand@ci.capitola.ca.us>
Date: March 29, 2016 at 3:31:47 PM EDT
To: Jeri Parish <jeriparish@yahoo.com>
Subject: RE: Support for Capitola skate park

Thanks Jeri for your email in support. Jacques Bertrand

From: Jeri Parish [mailto:jeriparish@yahoo.com]
Sent: Monday, March 28, 2016 3:04 PM
To: PLANNING COMMISSION
Cc: City Council
Subject: Support for Capitola skate park

Dear Planning Commissioners and City Council,
My daughter and I are residents of Capitola and we support the skate park at Monterey Ave Park.

Regards,
Jeri Parish

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED

JUN 16 2016

CITY OF CAPITOLA

Date:

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are: *there will be more noise this is a quite neighborhood, can't walk dogs as often no, more sports in park. thats just not fair -*

1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
2. INCREASED traffic introduced to an already highly impacted Monterey Avenue. There are already times when residents on Monterey Avenue can barely back out of their driveways;
3. There will be more people whether driving, or walking, or biking, or skateboarding in this already highly intensified area.

As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,

Barbara + Gary Pasquini We've Lived here 25 yrs. "enough is enough" - TAKE THAT
Print Name & Address: *SKateboarding Somewhere else!*

*809 Monterey Ave
Capitola Ca 95010*

*Property Value goes down you the City can
Buy my home at today's property value (NO EXXYM)*

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Wednesday, June 15, 2016 11:45 AM
To: City Council
Subject: FW: Forward Shane and Julie Pearlman's Letter of Support for Monterey Ave. Skatepark

Thank you,

From: Liz Toshikian [mailto:ltoshikian@yahoo.com]
Sent: Tuesday, January 27, 2015 3:47 PM
To: City Council <citycouncil@ci.capitola.ca.us>
Cc: tricia proctor <t.proctor@nhs-inc.com>; Julie Pearlman <juliemppearlman@gmail.com>; shane@tri.be; The Martorella's <jmarto@pacbell.net>
Subject: Forward Shane and Julie Pearlman's Letter of Support for Monterey Ave. Skatepark

Howdy city council members,

My wife Julie and I wanted to write in about our support and strong desire to see a small skate park built at the park on Monterey ave. Our house is at 211 washburn ave (facing the Jr High). We have a 6yr old and a 1yr old and play at the park nearly every afternoon. The park currently has a lot of space, which is great, but no infrastructure for our kids to cavort. A skate park, some picnic benches, and a small jungle gym / swings would be FANTASTIC. My wife and I would be willing to personal donate some funds should that make a difference.

I currently drive my daughter regularly to the pump track in aptos and the skate park down by the river in santa cruz. You would think the skaters there would resent a young girl on her tinker bell skateboard asking if she can take over the bowl, but we she pretty much gets cheered and encouraged. In a space that is so male dominated, I love seeing her thrive.

- S & J

Shane Pearlman
831.345.7033
Modern Tribe Inc
@justlikeair

PS: Dear City Council I just need to add that there of 16 families (Ettingers, Pearlmans, Horns, Harways, Bellows, Walbridges, Dukes, Santees, Conleys, Costas, Whites, Reeds, Atchleys, Niiyamas, Tuttmans, Hawes,) I know of that live in this neighborhood whom have daughters ranging in ages from 2 to 17 that are excited to let their daughters have a safe place to skateboard close to home. Some of these families live next to the park. This is about 64 people that will benefit from this park's additions and improvements. Thank you Liz Toshikian Ettinger.

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Diana Peters <djp3122@yahoo.com>
Sent: Tuesday, June 14, 2016 8:03 PM
To: City Council
Subject: Skatepark

Please end this now. The little ones need a skatepark of their own so they can learn in a safe environment. This is an amazing gift that Richard Novak is giving to the children, so take it and be thankful to the one who gives back.

Sincerely,
Diana J Peters

Sent from my iPhone

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Diana Peters <djp3122@yahoo.com>
Sent: Wednesday, June 22, 2016 12:37 PM
To: City Council
Cc: PLANNING COMMISSION; Walter Disbrow
Subject: Skatepark in Monterey Park

To all concerned in this issue,

It is a complete shock to me that a gift so freely given for our little ones to small or young to learn at McGregor Park is being questioned once again. They need Monterey Park to be built. What I find most offensive is the comment by Karla Villareal in the Sentinel. She stated, "the skatepark is a business decision intended to promote his (Rich Novak) Santa Cruz Skateboards brand and create a destination for out-of-town skateboarders". My response would be this; First of all, Richard Novak does not need to promote his business, as it is already very successful. Secondly, Unless these out-of-town skateboarders are under the age of 7 or 8, they will not be allowed to skate in this park and would have to go to McGregor Skatepark.

I grew up here and went from Capitola Elementary (now New Brighton Middle School) through Santa Cruz High School, where I serve on the SCHS Alumni Board and also the Scholarship Committee. In all of my years here I have never seen such an attack against someone who has worked very hard to become successful and now wants to give back to the community he grew up in. No one will ever know all that he has done and also given, as most of it is done anonomously. I can honestly say this about my friend of more than sixty years; Richard Novak is a regular, stand-up guy, who cares deeply about friends, family and the welfare of others.

Let us please work together and allow the skatepark be built for the youngest to learn in a safe environment and not on our busy streets.

Sincerely,

Diana Jo Peters

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date: 6-12-16

To the City Council Members of Capitola:

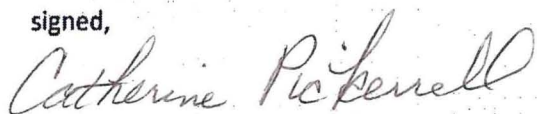
I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
2. INCREASED traffic introduced to an already highly impacted Monterey Avenue. There are already times when residents on Monterey Avenue can barely back out of their driveways;
3. There will be more people whether driving, or walking, or biking, or skateboarding in this already highly intensified area.

As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,



Other Remarks:

Catherine Pickernell

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Monday, June 20, 2016 10:48 AM
To: City Council
Subject: Support Letter For Capitola Skate Park

Thank you,

From: tcpiu@comcast.net [mailto:tcpiu@comcast.net]
Sent: Wednesday, February 11, 2015 1:39 PM
To: tricia proctor <t.proctor@nhs-inc.com>
Cc: jmarto@pacbell.net
Subject: My letter

To the City Council of Capitola

My name is Tim Piumarta, and my wife and I have raised our 3 daughters while living in Capitola.

All three went through the old Cap E, then NBMS and then on to Soquel High.

My wife was president of the Capitola Elementary Home and School club several times, and I was a site council president for a year.

For so many years, we dedicated ourselves to Capitola, the local school and in particular, the youth of the area.

I just turned 56 years old, and I have been a skateboard rider for since I was 10. 2 of my 3 daughters also enjoy riding a skateboard.

When they were young, I would have loved to take them to the community park on Monterey Ave.

How fun and convenient it would have been to have a centrally located skateboard facility, in such a beautiful location,

for the 3 of us to engage in a vigorous, aerobic and healthy activity...

and that is how I consider skateboarding - an enormously healthy sport.

When I learned of the possibility of a skateboard “park” within the confines of Monterey Park,

I was so pleased that Capitola would consider shaking off the old misconceptions of skateboarding,

and begin the process of embracing the enlightened idea that gliding up and down a concrete slope,

using every muscle and coordination skill and sensory awareness, is a fun and healthy activity!

I also know from seeing other communities across the United States, that a skateboard “park within the Park”

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

brings parents and kids together, just as much as parents coming out to watch their kids surf at Capitola jetty, or watch their kids at Junior Lifeguards, or to watch them play soccer or softball, or little league, or volleyball in the gym at NBMS. Note that surfing, junior lifeguards, soccer, softball, little league, indoor volleyball are all considered “acceptable” sports by most in the community....

However, it would appear that there are some in our community who cannot shake off the misconception that skateboard riding is somehow “bad”, or contains a “bad element”. How sorry I am for those who cannot see the benefits of partaking in the physical exercise of gliding around a skateboard park, engaging the muscles, increasing heart rates, breathing fresh air and for goodness sake, being OUTDOORS! In an era of human development where parents struggle to get their kids away from the digital toys, game consoles, TV, computers or texting on their phones, I simply cannot support a minority who can’t see the obvious threat to the health of children that this digital world presents. Children need to spend more time outdoors exercising and playing and having “real fun” versus “virtual fun”!

Some children have the skill sets to excel at throwing a ball or catching a ball, or kicking a ball. Unfortunately, my girls were not so fortunate to have those talents, but they seemed to have been born with the balance, coordination and confidence to step on a skateboard and grow and excel. If I could be there in person, I would ask every one of you on the Council, why should my girls be blocked from participating in an activity they are good at, in a central and safe location, simply because a few residents make the choice to ignore the obvious mental and physical health benefits which can come from playing on a skateboard in a park?

And that is why I would support a City Council decision to permit a skateboard park within the Monterey Park. Getting children out playing, exercising and having fun is a part of a healthy community, a safe community. I urge the City Council to support this park.

Respectfully submitted
Tim and Tami Piumarta

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Terry Plasman <tplasman@pacbell.net>
Sent: Wednesday, June 22, 2016 3:48 PM
To: City Council
Subject: Against skate park at Monterey park

Dear Council member,

I am writing to implore you to vote NO on the proposed skate park in Monterey park. We are already putting up with jet noise and to add the clacking of skate boards on top of that will be intolerable. It will disrupt classes at New Brighton Middle school as students will be more interested in looking at the skate boarders than their teacher. I do not think I need to remind you of the proximity of Bryan Stow's house to the proposed skate park.

It will be a better fit for the community of Capitola to have Mr. Novak use his donation to build a safe way for the kids to get to the existing skate park..Capitola does not need a second skate park especially in Monterey park as that is for the use of the entire community.

Thank you for your NO vote on the skate park.

Cindy Plasman
Rosedale Ave., Capitola

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

6/15/16

Dear Mayor and City Council,

My name is Charles Proctor. I am a resident of Capitola and I am in favor of a skate park at Monterey Ave Community Park.

I am a father of two teen age boys who skateboard. I have also devoted a small portion of my drive way where I have created small wooden ramps. These ramps are used by many of the kids in my neighborhood. I do this with a huge amount of pride and satisfaction because I know how much they appreciate it. And it gives them an area play together.

I have seen the proposed drawings and plans for the park. I have travelled to many skateparks in California. This design is very good! It offers the perfect features for beginners and intermediates. It also has a flow and architecture that has been created by someone who knows what they are doing. A small skatepark like this would be extremely fun for the kids in my neighborhood.

This addition to our Monterrey Ave Community park would be a great way to kick off more additions to our park in the future. With the addition of the restrooms and this proposed skatepark I imagine a very positive area for friends and families to be together. A community park for all!

Sincerely,

Charles Proctor

JUN 15 2016
CITY OF CAPITOLA
CITY CLERK

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date:

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
2. INCREASED traffic introduced to an already highly impacted Monterey Avenue. There are already times when residents on Monterey Avenue can barely back out of their driveways;
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As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,

Janine Keech
914 32nd Ave
Santa Cruz, CA 95062

No skatepark
Give us a break!

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Adam Replogle <adamreplogle@gmail.com>
Sent: Tuesday, June 21, 2016 12:39 PM
To: City Council
Subject: Capitola Skate Park

To whom it my concern,

Hello, my name is Adam, I'm a father of two daughters ages 10 and 12. I'm a life long resident of the city Capitola and a huge supporter of the proposed park on Monterey ave. I'm an ex professional surfer who went all the way to the ASP Surfing World Tour in 1998. I traveled with a skateboard to help me warm up and get my muscles ready for surfing competition for over 10 years. I learned sidewalk surfing (skateboarding) before water surfing. I learned balance, coordination and flow by riding skateboards in Capitola in the 70's and 80's. Skateboarding sets up the foundation for many other board sports such as skim boarding, wake boarding, surfing, SUP, Tow surfing, skiing etc....

For years as a famiy we travel to Scotts Valley, Derby Park and Boulder Creek to give my daughters, nieces and nephews a safe place to ride Razors and skateboards. My daughters are young so we like the beginner to intermediate sections.

The entry level park proposed for Monterey Ave will allow children like my daughters to have a local safe place to exercise, play, develop skills and follow their dreams. They are so excited and looking forward to this new park.

Please see this from the eyes of our local youth and the parents who have been praying for years to make this dream come true.

Sincerely,

Adam Replogle

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date: 6/6/16

To the City Council Members of Capitola:

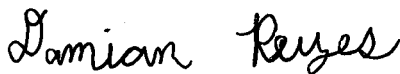
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signed,



Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date: June 6, 2016

To the City Council Members of Capitola:

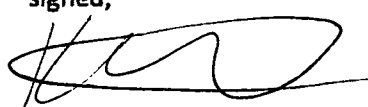
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signed,

 Kashi Reyes

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED
JUN 16 2016
CITY OF CAPITOLA

Date: 6-7-16

To the City Council Members of Capitola:

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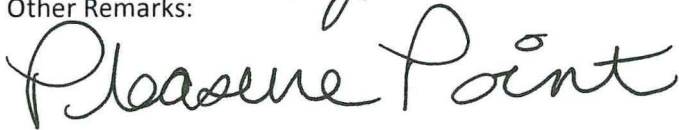
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signed,



Other Remarks:



Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Summer Rhee-Pizano <sumpty2@yahoo.com>
Sent: Monday, May 23, 2016 8:35 AM
To: City Council
Subject: Safety issue, new skate park and Park/McGregor intersection

Good morning,

Wanted to inform you about a safety issue with the new skate park off McGregor. Over the weekend, cars were parked along McGregor on the side of the road from the new park down to the entrance of New Brighton State Park. When exiting New Brighton Park, it was impossible to see cars coming down McGregor from the Aptos direction.

Historically, the cars coming down McGregor from both directions are moving at a fairly high speed, maybe up to 45 miles an hour. The cars exiting the park, coming from a standstill, are moving pretty slowly and cannot get out of the way quickly. It was already a dangerous intersection and now with completely blocked visibility from overflow parking from the skate park, it is now much more dangerous.

Keeping parked cars off the side of McGregor near the skate park is essential to safety. Because of that completely blocked view of the cars coming down McGregor, it is an accident waiting to happen. I was wondering what your plans were to keep overflow parking from causing a dangerous situation there? Maybe a guard rail there would suffice?

Also related, A guard rail would also be useful at the corner of Park and McGregor. Over the last five or so years, I have seen three cars on Park Avenue, coming from the Capitola direction, almost slide down off the hill right before the McGregor stop sign. Usually, trees stop the cars from sliding down but 1-2 months ago, one car actually FULLY slid down the slope there and fell upside down into new Brighton State Park. I believe they were three or four teenagers in that car. Besides risking their own lives, they could've killed anybody driving, walking, or biking where the car landed inside the park! Many years ago in fact, there WAS a death at this exact location. A transient man was walking along Park Avenue at that intersection, slid down that exact slope, broke his neck, and died as a result.

So I wanted to inform you about these 2 safety concerns. I hope you will do something to improve the safety before another accident or tragedy occurs. Thank you,

Summer Rhee-Pizano

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Capitola City Council

RECEIVED

JUN 20 2016

CITY OF CAPITOLA

To the Members of the Capitola City Council;

My name is Linda Rhoads. Our family home address is 713 Monterey Ave., Capitola. It is located directly across the street from the Monterey Park, parking lot exit. My husband and I have been residents of Capitola, in this location since the mid '90s. I am travelling this week, and unable to attend the public meeting. I hope this written message may serve the same purpose as being at the meeting. I will keep my statement brief, as all of my points have been made before, however I never-the-less feel compelled to make a statement before this final decision. *[As a note, there seem to be several naming conventions for the different proposed locations. I am using Option 1 = original site; Option 2 = Kidney or L shaped site, moved forward 500+/- feet, from original site, or Option 1; and Option 3 = the proposal to move the park parallel to the parking lot. This naming convention is found in the Skate Park Location Options graphics included with the agenda for Thursday's meeting.]*

My husband and I support (although we support the project at differing degrees), a small scale skate park. We are opposed, however, to locating the park in sites other than in the one originally proposed, which was broadly discussed by the community over a period of years. (Option 1)

I support the park for several reasons. All of which have been brought up throughout the course of the public process, but my primary reason is: skateboarding is no longer a "fringe" activity, and hasn't been for years. It is a vibrant activity that pushes kids just a bit more than playing on a playground or on a ball field. It requires balance, provides experiential education in physics, and literally, lets kids learn how to pick themselves up and keep going when they fall down. Community's facilities and infrastructures need to change to meet the changing needs of its citizens. In our community, kids today skateboard and many, many parents support their children's early interest in this activity.

I am opposed though to locating the park at Option 2 or and especially to Option 3. I understand (although it may be hearsay) that the reason for moving the park location forward is for better police visibility of the skate park. If this is the reasoning, I am so utterly disappointed with this process.

Monterey Park is a lovely community asset, and while most of us think of it and its use during daylight hours, it is used around the clock. Some of the evidence of use that occurs in this unlit park can be found in the morning...it is not really pleasant to find the remnants of nighttime activity first thing in the morning (or at any point in the day). There is perhaps already an "unsavory" element that frequents the park at night. Please, seriously consider NOT having the skate facility obstruct the view of the rest of the park because nighttime activities occur deeper in the park, further away from the lit areas than at the edge of the parking lot. The entire park should be patrolled, not just the skate facility. (We do occasionally see a police car in the parking lot at night. I honestly do not know how frequently it is patrolled, or if it is done on an as needed or per call/complaint basis. I do assume that *if* the issue with Option 1, is the time it will take to leave the patrol car to check out the skate facility, that the park itself is not currently regularly being patrolled by foot.)

I also am at odds with the process that we are undergoing. It is difficult to speak out on this issue. We all have friends and neighbors on both sides of the decision. Some feel adamantly and at times vehemently that this either IS or ISN'T the right thing for our neighborhood. And this latest salvo – adding the other options into the mix, at the final decision point - adds to community divisiveness.

While the public record has included the additional options of the plan, Option 1 was staked off for months, and while some have been involved in considering the other placement options, the conversations, discussions, debates, and fights in the community and specifically the neighborhood, have been focused on Option 1, not so much on Options 2 or 3. We walked, ran, biked, and lived with that staked off segment of the park for months. Stakes and orange tape would come down, and they would be put back up. This had an impact and created an assumption for many, that this would be the site; that this space was what we were considering. To learn that the City has actually been considering the other options, was staggering.

Years ago, I met with an elected official and walked the site to learn about the general proposal that would have been between options 1 and 2, and discussed the impacts. My initial response was “Not in my backyard”. It took me quite a while to come round to my current thoughts about having a skate facility across the street. I watched kids skating in the neighborhood and community – kids that would be of the age/skill level of those who would use the park. I recognized many of them from school, sports, the beach, etc. They are just kids, doing an activity they really love, and I wanted to support them. That’s what changed my mind. Had I know that Option 3 was in the mix, I don’t believe I would have supported the proposal. I would have actively, adamantly and vehemently opposed the project.

In closing, I believe that public/private partnerships are critically important for municipalities. They do come however, with a price...people who give resources want a say in how and where those resources will be spent. It is something we must become accustomed to, and re-tool civic processes to understand this is part of reality of funding projects for our community. I encourage you, as elected officials, as the voices for our community that balance the bureaucratic needs of the City with the citizens’ wishes, hopes, views of what our town should be, to consider the process that we were led through in both your final decision, and as a way to determine how, in the future, both needs may be better served and balanced.

Sincerely,

Linda Rhoads

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Linda Rhoads <lindarhoads7@gmail.com>
Sent: Monday, June 20, 2016 9:42 AM
To: Bottorff, Ed (ebottorff167@yahoo.com); Harlan, Stephanie (sharlan@ci.capitola.ca.us); Bertrand, Jacques; Norton, Dennis (dnortondesigns@msn.com); Termini, Mike (michael@triadelectric.com); cmbroom@lanaifinancialsolution.com
Cc: lfriday@ci.capitola.ca.us; Sneddon, Su (ssneddon@ci.capitola.ca.us); David Nazareth
Subject: Monterey Park Skate facility proposal
Attachments: skate park 2.docx

Dear Council Members and Staff,

My family lives directly across the street from the park. I believe many of you have been in contact with my husband, David Nazareth. Where the park is concerned, we agree on many things, but also have a different perspective on the issues at hand.

I am travelling this coming week and will not be able to attend the meeting. I hope you are able to add my perspective to the mix as you make your final decision on the park. If able to attend the meeting, David will likely read my letter, and add his own thoughts during the public comments.

Thank you in advance for considering my position on the park.

With Best Regards,
 Linda Rhoads

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Monday, June 20, 2016 11:12 AM
To: City Council
Subject: Support Skate park at Monterey Park

Thank you,

From: Dieter Rothmeier [mailto:dieter@gmail.com]
Sent: Wednesday, March 23, 2016 7:55 PM
To: citycouncil@ci.capitola.ca.us
Subject: Skate park at Monterey Park

To the Capitola City Council:

I am a Capitola resident, and my son goes to New Brighton Middle School. I support a new skate park at Monterey Park.

Dieter Rothmeier

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Lisa Rupp <lisarupp79@hotmail.com>
Sent: Tuesday, June 14, 2016 3:30 PM
To: Sneddon, Su (ssneddon@ci.capitola.ca.us)
Subject: Re: Yes vote for Monterey Park Skate Park

Hello~

I am writing to urge you to vote YES on this week's vote for the Monterey Park Skate Park.

This is an amazing opportunity for the children of our community to have a safe skate park to enjoy. We need to help encourage the youth to participate in outdoor activities that promote physical fitness. The popularity of McGregor Skate park proves the demand and popularity for the skateboarding in our community. We need additional spaces that are easier to access AND not as advanced as McGregor for the younger kids.

The park passes the environmental reviews, the Planning Commission approved the project AND it is a privately funded gift to the community which will continue to provide years of positive activity for the community.

Thank you in advance!
A local Capitola resident
Lisa Rupp

From: Sneddon, Su (ssneddon@ci.capitola.ca.us) <ssneddon@ci.capitola.ca.us>
Sent: Tuesday, June 14, 2016 2:21 PM
To: Lisa Rupp
Subject: RE: Yes vote for Monterey Park Skate Park

I am unable to read this type of font. Please resent.

Thank you,

Susan Sneddon, City Clerk
City of Capitola
420 Capitola Avenue
Capitola, CA 95010
P | 831-475-7300 F | 831-479-8879
www.cityofcapitola.org/

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Phillip Rupp <ruppebay@hotmail.com>
Sent: Tuesday, June 14, 2016 11:51 AM
To: City Council; Bottorff, Ed (ebottorff167@yahoo.com); dennis@dennisondesign.com
Subject: Monterey Park Skatepark

Hello,

We are opposed to building a public skatepark near the New Brighton Middle School in Monterey Park. The new skatepark near New Brighton State Park will provide skate opportunity for all of Capitola, Aptos and nearby community. We request a NO vote at the upcoming council meeting.

Thank you,

Phillip & Janet Rupp
825 Monterey Ave.
Capitola, CA 95010
ruppebay@hotmail.com

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED

JUN 16 2016

CITY OF CAPITOLA

Date: 6/7/16

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
2. INCREASED traffic introduced to an already highly impacted Monterey Avenue. There are already times when residents on Monterey Avenue can barely back out of their driveways;
3. There will be more people whether driving, or walking, or biking, or skateboarding in this already highly intensified area.

As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,



Other Remarks:

1040 38th Ho. #17
95062

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Pat L Saunders <j.saunders@verizon.net>
Sent: Friday, June 17, 2016 7:52 PM
To: City Council
Subject: skate park proposal on Monterrey Avenue

please ... be serious in considering the skate part proposal on Monterrey Ave. There is no need for this type of facility in this location. It is a school area, a residential area... there is already a skate park nearby where it is not bothering anyone. We ask you reject this proposal... it is a self centered proposal by a few who do not live near this site. I do not live near it either but am extremely familiar with the site and empathize with those who are near the site. We ask you reject this proposal

thank you.
Pat Saunders
870 Park Avenue
Capitola

JUN 20 2016
CITY OF CAPITOLA
CITY CLERK

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Wednesday, June 15, 2016 11:31 AM
To: City Council
Subject: Support Letter Capitola Skate Park 6/23/16

Thank you,

-----Original Message-----

From: Richard Schmidt Surf School [mailto:surf@richardschmidt.com]
Sent: Thursday, January 22, 2015 8:28 AM
To: tricia proctor <t.proctor@nhs-inc.com>
Subject: state park

To Whom it may concern,

I purchased a house in 1994 at 236 San Jose Ave. next to Derby Park. Part of the appeal of the house was the skateboard park at Derby. I have 2 boys ages 14 and 17. Having the park to skate next door was great for them. Often times they would skate over and enjoy after school, on weekends or whenever they needed to get out and burn some of their boundless energy. We have also had many of their birthday parties at the park as well.

I am sad to hear there is opposition to the skateboard park proposed next to New Brighton Middle School. Having lived next to Derby for all these years has not been a burden at all for my family but rather a blessing. I know some people have an idea of skateboarders being a rowdy bunch. However the most consistent crowd I see have been lots of young, respectful kids sharing and enjoying the skate park. Next to a school would be a perfect location access wise for kids. These days there is an epidemic of kids spending countless hours in front of a screen. (phone, computer, TV) They need healthy, inspiring opportunities to play outside. I feel that not going forward with this project would be a real disservice to the youth of Santa Cruz. I urge you to make the right decision in approving the park.

Sincerely,
Richard Schmidt

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date: 6/11/16

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

- 1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
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- 3. There will be more people whether driving, or walking, or biking, or skateboarding in this already highly intensified area.

As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,



Other Remarks:

Ed Schweifler
718 Orchid Ave.

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Jennifer Shaw <jshaw@cruzio.com>
Sent: Sunday, April 10, 2016 1:51 PM
To: City Council
Subject: Skate park on Monterey. I live on Plum St. Brookvale #76

Looking at the way it breezed through the planning commission - it really does look like politically motivated behind-the-scenes manipulating. Just how powerful IS Richard Novak and his funds?
It already looks as if negative input from the neighbors, school, police and fire depts. isn't counting for anything. Well, here is my STRONG feeling: I DO NOT want us taxpayers to pay to MAINTAIN and POLICE this SECOND park!

Jennifer Shaw
jshaw@cruzio.com
831-588-7409

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date: 6/8/2016

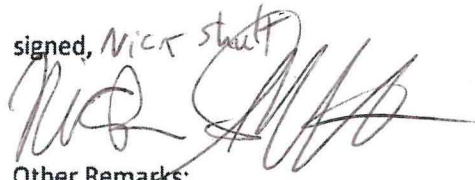
To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

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As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed, Nick Staff


Other Remarks:

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Monday, June 20, 2016 10:45 AM
To: City Council
Subject: FW: Proposed Skate Park at the Monterey Park Location

Thank you,

From: Sheri Siegfried [mailto:sherimsiegfried@gmail.com]
Sent: Tuesday, February 10, 2015 9:47 PM
To: citycouncil@ci.capitola.ca.us
Cc: tricia proctor <t.proctor@nhs-inc.com>; Marie Martorella <jmarto@pacbell.net>
Subject: Proposed Skate Park at the Monterey Park Location

Dear Members of the Capitola City Council:

I am a resident of Capitola. I would like to voice my support for the proposed privately funded skate park in the City owned Monterey Park that will target children and young teens.

Monterey Park is an ideal location as it is adjacent to the New Brighton Middle School. More importantly it's in a neighborhood with sidewalks and people walking around during the skate parks hours of operation. It's much safer than remote location with an entrance on a highway frontage road without sidewalks, not to mention God knows who could be lurking around the abandoned railroad tracks on the back side of the property.

Designated green space is open space not to be developed. Parks are parks. It is my belief that parks are for children to play in and families to enjoy. The in-ground skate park will assume a very small part of a very large public park (4% of a 4 acre area).

It's for the children.

Kind regards,

Sheri

206 Grand Avenue
Capitola, CA 95010

Sheri Siegfried

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: jeanne simari <jeannes@cruzio.com>
Sent: Friday, April 01, 2016 11:28 AM
To: PLANNING COMMISSION
Subject: please do NOT approve the Monterey Park SkatePark

Please do not approve the skatepark to be located at Monterey Park! It will ruin the area for park enthusiasts, walkers, and the neighbors. We don't need two skateparks so close together. There is not enough parking, no bathrooms and no area for friends hanging out there at the skatepark. I think the S.V. skatepark makes so much sense because of it's location in an open space with bathrooms close by and other areas for families to enjoy. Monterey Park is a terrible location for a skatepark and it seems was approved by the planning commission with so many undetermined details. Please do NOT approve this project.

Jeanne Simari
Glenn MacPherson
157 Cabrillo St. Capitola

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Jen Simon <tamje1@gmail.com>
Sent: Sunday, June 12, 2016 1:27 PM
To: City Council; Botorff, Ed (ebottorff167@yahoo.com); dennis@dennisonortondesign.com
Subject: I am opposed to the proposed skatepark at Monterey Park

Hello Mayor Botorff and City Council Members:

I am a resident of Capitola, a few blocks away from Monterey Park. This park is one of the few enjoyable, quiet places where we can walk our dogs to, enjoy some open space and greenery. It's also a great place to watch a baseball or soccer game. Sure, kids who skate need a skatepark to practice and have fun too. I am not against skateboarders. I am a mom of 3 so I understand the need for kids activities. However, the new skatepark down the street just opened. Why must we be in a hurry to build another one?

Give the newly opened skatepark some time, then review the need, if any. I understand that the school and specifically the PE teachers are against this proposed skatepark and I can fully see why. The school has only so much space for outdoor activities, please don't take this space away by adding something that will be a negative distraction.

I won't even go into the noise levels, that no doubt will occur even during "off" hours, as I'm sure it's the most obvious reason **not** to have a skatepark right in the middle of this neighborhood.

Thank you for your attention and adding my email to those who oppose this second skatepark.

--

Jen
Simon

925 Sir Francis Ave.
tamje1@gmail.com
831.332.2642

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED
JUN 16 2016
CITY OF CAPITOLA

Date: 5/27/16

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
2. INCREASED traffic introduced to an already highly impacted Monterey Avenue. There are already times when residents on Monterey Avenue can barely back out of their driveways;
3. There will be more people whether driving, or walking, or biking, or skateboarding in this already highly intensified area.

As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,

Wren Spencer
106 Coronado St
Capitola, CA 95010

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

JUN 15 2016

Capitola City Council
City of Capitola
June 14 2016

Friends of Monterey Park

Now that the City of Capitola has built a skate park on the City owned McGregor site and is designed for all age groups, this may be the time to stand back and see what our community really needs.

In 2011 the neighbors surrounding Monterey Park were asked by the City of Capitola and the Soquel School District to “look at”, the possibility of putting a 2000 sq. ft. skating spot at the Monterey Park site for children, (beginners). I was personally asked by a school board trustee to please consider the proposal. We as a community surrounding the park gave the City Council our approval to look at the project. As we started to leave the council chambers, councilman Termini was heard to say, “Now we can look at 4000, maybe 9000 sq.ft. park. We as a community surrounding Monterey Park were never called again for any input regarding the process. The group called, “Friend of Monterey Park”, was formed to organize a voice in the process.

Capitola does not need two all ages skate parks. Mr. Novak’s very generous donation of 200k from his skateboard co. to further promote his corporation on public land does not consider Capitola’s rare open space issues.

Monterey Park is a gem in the rough. It’s a park being used by the silent majority, parents strolling with children, dog walkers from A.M. to P.M. pick up ball games, organized sports and practices, bicycle riders, and just people looking for a little serenity.

What needs to happen first is community input on permanent bathrooms to be located at the park. We as a community can look at possible changes to Monterey Park. Perhaps a real beginner skate spot such as Fredrick St. where young children can go with parents and learn basic skills skate boarding, razor scooter riding etc. then move on to McGregor and make all the noise they want with the benefit of plenty of exercise without disturbing the serenity of the larger community that wants to use Monterey Park.

In Friend of Monterey Parks opinion the E.I.R. feel short in the noise section of that report, but however did acknowledge the overall noise level will increase.

Friends of Monterey Park are asking the City Council to consider the above recommendations.

Sincerely, Daniel Steingrube
Friends of Monterey Park



JUN 15 2016
CITY OF CAPITOLA
CITY CLERK

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

JUN 15 2016

June 14, 2016

FRIENDS OF MONTEREY PARK

Dear Capitola City Council,

There are several reasons why the proposed Monterey Ave. skate park is not an appropriate use of the land at Monterey Ave Park, nor is it a good fit for the Cliffwood Heights neighborhood. All of these reasons have been stated over and over again by the Cliffwood Heights residents in previous city council meetings, but I will reiterate them once again, highlighting the most important ones.

1. 95% of the residents surrounding the proposed skate park are against a park of this size right next to houses. We, who are affected the most, should have a major say in any project and we have had none. City council members told us we would be listened to and our views would be considered and they were not. Stephanie Harlan said publicly “ This skate park is being shoved down the throats of Monterey Ave residents and that’s not the way a city council is supposed to conduct business”

2. Noise is another issue with the size of the proposed skate park. Skate parks are NOISY, as the EIR pointed out. Even two the main proponents of the park said at a council meeting and I quote, “ We admit that getting to the park from the surface streets will be noisy”. They also said and I quote, “The people who think skate parks are noisy have never been to one.” They couldn’t be more wrong! We have been to all the skate parks in the county and they are all noisy. That’s the nature of the sport and Monterey Ave Skate Park will follow suit, especially with the features that are part of the design. And the closest house is only 53 feet away from the park. Even professional skate park designers agree that “when choosing a great skate park site, make the sure the closest home is at least 500 feet away.”

3. Traffic and parking. Monterey Ave is already a very busy street. We have a school, Soquel Elementary District Office, two churches, and we are a thoroughfare for traffic heading to and from Capitola Village and New Brighton Beach. This is one of busiest residential streets in Capitola. A skate park with probable tourists increases and events will just add congestion, traffic and parking issues.

4. Capitola already has a skate park less than less than 3 blocks from Monterey Ave. The city council voted to build that at the McGregor property. They have spent well over \$100,000.00 on that park. Sam Storey left his seat on the city council with a legacy “of finally finding a site for a skate park in Capitola”. Does a city of less than 10,000 people really need two skate parks? Of course not. It’s ridiculous. Even though the proposed Monterey Ave skate park will be built by private corporate funds, the cost of maintenance, police and emergency personnel will go on into perpetuity and do all Capitola residents mind paying these costs?

JUN 15 2016


CITY OF CAPITOLA
CITY CLERK

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

5. What about the issue of aesthetics?? You take a lovely, green, tree-lined park and replace it with cement, fences, hoards of teens with skateboards and boom boxes and ask about aesthetics? Skate parks do NOT belong in neighborhoods. They belong where young people can have fun and exercise without disrupting the beauty and tranquilly of the folks that have bought homes, raised their families and contributed to the beauty of our town.

6. It would also create an “attractive nuisance” for New Brighton Middle school as older skaters and those teens who are in Alternative Ed Programs would be coming and going to the park during school hours. Having been a high school teacher for 35 years and a frequent substitute teacher currently, I can’t imagine trying to teach a lesson with the noise and visual distraction of a nearby skate park. And what about the employees at the district office, how can they do their job with the constant clickety-clack of skaters all day long?

7. Lastly, I would like you to note that the city council under the Capitola General Plan, and I quote “Has a duty to preserve the character of residential neighborhoods.” A skate park in our front and back yards would not do that. The McGregor Park is already nearing completion and it is an appropriate location for a popular sport that does not affect any neighborhoods. Two skate parks are not necessary in a town of less than 2 square miles with a small skating population.



Lisa Steingrube

Date: 6/11/16

To the City Council Members of Capitola:

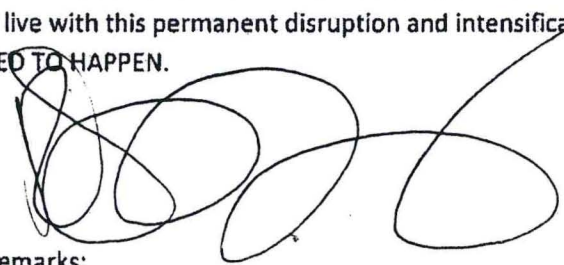
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As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,



(Russell Stephens)

Other Remarks:

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date:

To the City Council Members of Capitola:

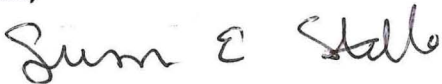
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1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
2. INCREASED traffic introduced to an already highly impacted Monterey Avenue. There are already times when residents on Monterey Avenue can barely back out of their driveways;
3. There will be more people whether driving, or walking, or biking, or skateboarding in this already highly intensified area.

As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,



Date: *June 5, 2016*

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

- 1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
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signed,



Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date: *June 5TH 2016*

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
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As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,

Bryan M. Stow

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Nancy Stucker <nancy93972@gmail.com>
Sent: Wednesday, June 15, 2016 9:28 AM
To: City Council
Subject: Monterey Park & proposed skate park

Dear Capitola City Council:

My family and I have been users of Monterey Park for over 20 years. We have taken part in youth sports practices, New Brighton P.E. classes, Capitola/Soquel Rec softball, walking, running, relaxing, playing. It is clear to me that the proposed skate park is incompatible with the current uses of Monterey Park. More than anything, a skate park would visually and physically degrade this beautiful open green space.

Monterey Park is a haven from the stresses of everyday life. A skate park creates a very high level of constant, abrasive, unpleasant noise. I know: my sons skate and I have often taken them to local skate parks. The current sounds of New Brighton students in P.E. classes or sports teams practicing after school are natural and transitory.

It is misguided to place a skate park within feet of a walking path or a softball field, next to a middle school, precisely where people currently relax and play, walk their dogs, or watch softball and soccer games. It would simply ruin the park for current and future users who are not skaters.

It is disingenuous to suggest that the proposed skate park is for 3 to 14 year-olds, as a recent commentary in the Sentinel inferred. If built, a skate park will be used by whomever feels like it – skaters of all ages – adjacent to the middle school attended by 12- to 14-year-olds. You will draw adults to a spot where middle schoolers start their walk home or wait to be picked up after school.

There is already a skate park down the street. A second skate park in such a small radius is redundant and discounts the needs and wishes of current park users and neighbors.

Because of the negative impact it would have on current land use and the visual character of this stunning and all too unusual open green space, I urge you to vote against replacing trees and turf in Monterey Park with over 6,000 square feet of concrete surrounded by a 6-foot wrought iron fence.

Sincerely,

Nancy Stucker
2707 Lafayette Street
Soquel, California

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)



A great egret in Monterey Park earlier this year.

May 22, 2016

TO: Capitola City Council and Richard Grunow

Dear Council Members and Mr. Grunow,

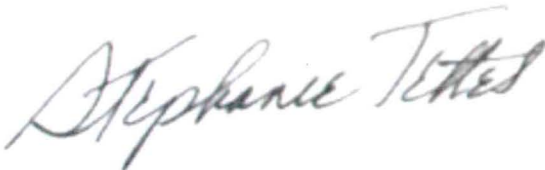
After many years of waiting, we have a Skatepark in Capitola! Thank you to the City and the Monte Family for the work on Capitola's skatepark at McGregor Park.

In the near future, the City will review two appeals of the Planning Commission's decision to move forward with the proposal to build a second Skatepark in Monterey Park. In reviewing the appeals, the Council has options including undoing the Planning Commission's decision, standing by it with all the conditions placed on it, making new conditions for approval, or denying this project completely.

In addition to the appeals, there is a pending legal action related to this project brought by the Friends of Monterey Park. It seems like **an ideal opportunity for the City to allow some time for the Monte Family Skatepark's usage to be evaluated before moving ahead with the proposed project to place a second skatepark at Monterey Park.**

I am asking you to take the opportunity to carefully consider the positive impact achieved with the opening of the Skatepark at McGregor! Then look at the serious division the proposed additional skatepark at Monterey Park has already brought to our community, and the added negativity that this project would bring. Can it possibly be worth it?

Thank you.



222 Junipero Ct., Capitola
stephanie.tetter@gmail.com

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Stephanie Tetter <stephanie.tetter@gmail.com>
Sent: Monday, May 23, 2016 12:07 PM
To: City Council; Grunow, Rich (rgrunow@ci.capitola.ca.us)
Subject: McGregor Park and Monterey Park
Attachments: Council letter 5222016.pdf

Attached is a copy of the letter below. Thank you for your time and attention.

May 22, 2016

TO: Capitola City Council and Richard Grunow

Dear Council Members and Director Grunow,

After many years of waiting, we have a Skatepark in Capitola! Thank you to the City and the Monte Family for the work on Capitola's skatepark at McGregor Park.

In the near future, the City will review two appeals of the Planning Commission's decision to move forward with the proposal to build a second Skatepark in Monterey Park. In reviewing the appeals, the Council has options including undoing the Planning Commission's decision, standing by it with all the conditions placed on it, making new conditions for approval, or denying this project completely.

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Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

June 6, 2016

To: The Capitola City Council
From: Terre Thomas
516 Park Ave

Re: Proposed Monterey Skateboard Park

JUN 13 2016
CITY OF CAPITOLA
CITY CLERK

Dear Council Members,

I am writing you to express my wholehearted opposition to all of the proposed skateboard park locations at Monterey Park. I hope you take my concerns seriously when you consider the appeal on June 23rd, which I will be attending. It is my hope that you will discuss these issues at the meeting for all to hear your views.

My husband and I walk our dog there every afternoon, and appreciate the comfort of the space, chatting with other dog owners, and watching the many sports activities, the baseball games and soccer events. It's nice to see the parents on the sidelines cheering their kids, and the coaches giving their all to teach new skills and build self esteem. That all seems like good use of the limited space.

So I was quite surprised to hear that a small group of parents were pushing for approval to build a second skateboard park within a mile of the one being built on McGregor. I attended the Planning Commission meeting, and was dismayed at how easily they were swayed to approve the request, with so many unanswered questions, and misleading input, not to mention a last minute change of location!

These were the concerns I had then, and still do. Please consider them carefully at your Coucil meeting, before making a decision that will adversely affect a lot of community members.

1. The McGregor skateboard park hadn't even been opened yet, thus not given a chance to succeed before another park was proposed. Who needs two parks within half a mile of each other? It would be much more appropriate, and fair, for any second park to be located on the other side of town near the 41st avenue area.
2. I am not convinced that the majority of Cliffwood Heights residents are in favor of the proposed park location, as espoused by the proponents, especially those who live within earshot. I will probably be able to hear the noise, and nobody asked us.
3. I am not sure whether the first two proposed locations are fully on the park premissis, or whether they encroach on school and/or district property.
4. I am appalled that you would even consider cutting down those mature eucalyptus trees, in favor of concrete, iron fences and sound walls, as they provide the only substantial shade at the park, enjoyed often by visitors.
5. Locating the park right next to the District office would be a noise nightmare for the employees in the building all day, every day. Plus the idea of proposing to build an

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

- ugly and imposing sound wall to mitigate the incessant noise, just confirms the inappropriateness of the location.
6. The third alternative is simply absurd! Right on the first base line!?! Where are the parents going to sit to see their children's game? How can anyone hear the coaching or the cheering with all the scraping of wheels, within a few feet of the field?
 7. This proposed park is right next to New Brighton Middle School. How are the kids going to concentrate on their work with all the distraction? Will they want to skate on their breaks and lunch hour? If the park is open to all, how can you restrict who can use it? What kind of influence might older users have on younger kids?
 8. Which brings me to a most important concern: Who is going to be in charge of the park after it is built? Who is going to open and close it, enforce the hours, regulate the users, cleanup, take out the garbage, sweep up leaves and litter, aid if someone gets hurt? What about bathrooms, (or lack thereof)? Who will build and maintain them? Who is going to patrol the park to be sure the kids are safe, and that there is no one around after hours? Not to mention that it would mean doubling the policing for two parks, not just one.
 9. And what about liability?
 10. Once the park is built, who has to pay to maintain it? The taxpayers? How much will that cost? I heard the demographics that fifteen percent of Capitola residents are children, but how many actually skateboard? For how long in their lives, before they move on to other interests? The population of users simply does not warrant two parks within half a mile of each other. It simply is not a use that can be enjoyed by a large segment of the community, certainly not as large as those who enjoy the park now, and will be driven away.
 11. It was mentioned at the Planning Commission meeting that the skateboard park would be a great place for the middle schoolers to go after classes, but I don't consider that the proposed park should become a babysitter for kids after school. To say that younger skaters would be using it is naïve, and would warrant some type of supervision. How do you discourage older skaters and those from out of town?

To sum up, this is a small park with plenty of activity, enjoyed by a wide variety of residents already. The idea of squeezing in another noisy skateboard park, full of concrete, an intimidating iron fence and an imposing sound wall, on this site is highly inappropriate for the residents, neighbors, middle school students and District office employees, not to mention all the families who come to play and watch baseball and soccer games, hold weekly practices, or walk and play with their dogs. A skateboard facility should be located where the noise it creates doesn't disturb a lot of people, like the new McGregor Park. I think it is important to give that location a chance to succeed before even considering another one anywhere in the city. This proposal is obviously unsuitable for the location. All three proposed layouts are simply too large, and inappropriate for the site, not to mention skatepark overkill. For this side of Capitola, one is quite enough.

I hope you take these concerns to heart, and make the right decision for greatest good.
Thank you,

Terre Thomas

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Wednesday, June 15, 2016 11:28 AM
To: City Council
Subject: Support Letter Capitola Skate Park 6/23/16

Thank you,

From: Liz Toshikian [mailto:ltoshikian@yahoo.com]
Sent: Tuesday, January 20, 2015 7:21 PM
To: ebottorff167@yahoo.com; michael@triadelectric.com; slharlan@ci.capitola.ca.us; dnortondesigns@msn.com
Cc: tricia proctor <t.proctor@nhs-inc.com>; Anthony Ettinger <ettinger@gmail.com>; Scott Harway <scottharway@yahoo.com>; The Martorella's <jmarto@pacbell.net>
Subject: Skatepark at Monterey

Dear Council Member,
I am a resident of Capitola and Cliffwood Heights. Monterey Park is one of the only city own parks and I am in support of a skateboard feature added as well as a bathroom. Please take into consideration the desire of the majority. The parents would like to have a place where our kids are safe and close to home easily watched by our community.
Thank You,
Liz Toshikian Ettinger
145 Magellan st.
Capitola

Communication: Item 9-A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Monday, June 20, 2016 11:21 AM
To: City Council
Subject: Support skate park Monterey Ave.

Thank you,

From: Liz Toshikian [mailto:ltoshikian@yahoo.com]
Sent: Wednesday, March 30, 2016 9:42 AM
To: planningcommission@ci.capitola.ca.us; City Council <citycouncil@ci.capitola.ca.us>
Subject: skate park Monterey Ave.

Dear City Council and Planning Commission,

I thank you for your support for the skatepark at Monterey Ave. city park. It is going to be a wonderful addition to our city's parks and the surrounding neighborhood is very excited. As I have said in the past the residents in this neighborhood have changed with more families moving into our wonderful community. Just since last spring we have had two new families move onto my street alone. Bringing the number of children on Magellan to 26 ranging in age from infancy to 17 years old. All of these families are excited for this tremendous gift to Capitola.

We thank you for creating a youth oriented space on our limited city parks. For every voice against this park there thirty more voices in favor of this addition.

Thank you,

Liz Toshikian Ettinger

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <triciaproctor@hotmail.com>
Sent: Monday, June 20, 2016 11:33 AM
To: City Council
Subject: Support Capitola Skate Park

Thank you,

From: turner1035@comcast.net <turner1035@comcast.net>
Sent: Wednesday, March 23, 2016 8:34 AM
To: triciaproctor@hotmail.com; lilywebber@yahoo.com
Subject: Fwd: Monterey Skate Park

Just sent this.

Sent from XFINITY Connect Mobile App

-----Original Message-----

From: turner1035@comcast.net
To: planningcommission@ci.capitola.ca.us
Cc:
Sent: 2016-03-23 08:33:56 GMT
Subject: Monterey Skate Park

Hello planners and City Council,

I am with most excitement to offer my thanks for the undertaking of this small kid friendly skate park. Our daughter (New Brighton Middle School student), spoke at a prior council meeting, and several of her friends joined, to support this effort.

The location is ideal for kid safety access, and the plans appear in sync with developmental skate performance/skill building.

I am aware there will be near future talks to this agenda, so my family simply wanted to reach out and say thank you. We are hopeful to see this added playground option for our children become a reality.

Molly and Jason Turner

Sent from XFINITY Connect Mobile App

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Wednesday, June 15, 2016 11:33 AM
To: City Council
Subject: Support Letter Capitola Skate Park 6/23/16

Thank you,

----- Forwarded Message -----

From: Tessa Tuttman <tessatuttman@gmail.com>
To: "citycouncil@ci.capitola.ca.us" <citycouncil@ci.capitola.ca.us>
Sent: Thursday, January 22, 2015 4:48 PM
Subject: Monterey Park Skatepark

To Whom It May Concern,

My name is Tessa Tuttman. My family lives in the Cliffwood Heights neighborhood located right behind Monterey Park and New Brighton Middle school. Monterey park is directly behind our house on Orchid Avenue.

I believe that the proposed skate park location of Monterey Park is a a much better location for the children to skate board than the McGregor Park location. I have an 11 year old and a 6 1/2 year old who would be using this skatepark. The Monterey location is much more visible and I believe it would be a safe place for the children to skateboard. Monterey Park is already an "active park" and adding a skatepark would be a great addition to our neighborhood. A skate park would provide a visible area where children can be active and skate in a designated area where skateboarding allowed and legal. Our family uses Monterey Park regularly and we would be thrilled with the addition of a skate park.

The McGregor Park location is out of sight and out of mind - I believe the "off the main street" location of McGregor Park makes it unsafe for children to ride/skate and for parents to walk to with a stroller. I have ridden bikes on McGregor Drive with my family once before and I believe I will not take them on that street again for safety reasons. In addition, I believe that the location of McGregor Park makes is conducive for possible drug use as it is more remote.

I really enjoy living behind the middle school and an active park. We can hear the children playing outside as well as games in the afternoons and on weekend. I do not believe that there will be a noise issue for the skateboarding in the park. When you live near a park and/or school that it is inevitable you will hear children and families. I can tell you right now, that my next door neighbor has been sanding all day long, and that is incredibly more annoying than the sound of children.

There is plenty of parking for the Monterey Park skatepark. I do not believe that it would cause a major increase in traffic on Monterey Avenue. We live in the suburbs in a beautiful area by an active park, a school and a church. I fully support the location of Monterey Park for a skate park. I think it would be a valuable addition to our community and it would provide a clean, safe place for our children to skate.

Sincerely,

Tessa Tuttman

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tessa Tuttman <tessatuttman@gmail.com>
Sent: Sunday, June 19, 2016 3:49 PM
To: City Council
Cc: Martorella, John (jmarto@pacbell.net)
Subject: Capitola Skate Park

Our family lives right behind Monterey Park on Orchid Avenue in Capitola. I am writing to let you know that building the proposed skate park in Monterey Park would be a welcome addition to our neighborhood. There are so many families with children - many of which who skate, including our own. The instant popularity of the new McGregor Skate Park proves that there is a huge demand for safe, responsible places to skate in Capitola. This park is ideal for younger children who are learning the sport. Skateboarding is a healthy outside activity that keeps our kids outside and active. Many families frequent the park for sports activities year round. Adding another feature to the park will only make our neighborhood and city more attractive. This proposed skate park is privately funded, bringing a benefit to Capitola residents at no cost to taxpayers. The City of Capitola has conducted extensive environmental review for the proposed addition of a skate park element to Monterey Park. The EIR showed the skate park will have no significant impacts. The Capitola Planning Commission approved the project unanimously.

Thank you for your consideration.

Sincerely,

Tessa Tuttman
730 Orchid Avenue
Capitola

JUN 20 2016
CITY OF CAPITOLA
CITY CLERK

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Wednesday, June 15, 2016 11:48 AM
To: City Council
Subject: FW: Skate park in Monterey Park - we support

Thank you,

From: Melinda [mailto:melinda.vento@outlook.com]
Sent: Sunday, February 01, 2015 10:53 AM
To: citycouncil@ci.capitola.ca.us
Cc: tricia proctor <t.proctor@nhs-inc.com>; jmarto@pacbell.net
Subject: Skate park in Monterey Park - we support

Dear Council Member,

My name is Melinda Vento and my husband and I live in the Jewel Box on Topaz Street. We feel strongly that the proposal for the addition of the Skate park to Monterey Park is not only a welcome addition but a much needed place for local children.

We think that the proposed size of 6,000 sq ft is appropriate and the fact that it will be fenced, gated & locked and kept in line with current park hours is important. We are also aware that this project has private funding that will pay for the entire project!!

While my husband and I don't have children ourselves, we both skateboarded when we were young. Since skateboarding today is discouraged in most public areas and since we don't have many sidewalks here in capitola, we urge the council to approve this project. Capitola could use more safe places for the children of our community to play.

Best Regards,

Melinda Vento

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

RECEIVED
JUN 16 2016
CITY OF CAPITOLA

Date: 6/16/16

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

- 1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
- 2. INCREASED traffic introduced to an already highly impacted Monterey Avenue. There are already times when residents on Monterey Avenue can barely back out of their driveways;
- 3. There will be more people whether driving, or walking, or biking, or skateboarding in this already highly intensified area.

As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed, *Karla Villarreal*

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: trtceo@aol.com
Sent: Monday, June 20, 2016 12:40 PM
To: City Council; Bottorff, Ed (ebottorff167@yahoo.com); dennis@dennisonortondesign.com
Subject: Opposition to the proposed Skate Park at Monterey Park / New Proposal

Dear City Council Members,

I am writing to express my opposition to the proposed Skate Park at Monterey Park in Capitola. I find it quite upsetting that the voices of the homes closest to the park, the ones who are MOST directly effected by this proposal, are not being taken into consideration much more seriously.

It is my understanding, that the proposed Rispin Park was denied due to immediate neighborhood concerns; the Nobel Gulch proposal was denied due to immediate neighbor concerns; the former mobile home park/now parking lot location was also denied due to immediate neighborhood concerns. Shouldn't the same consideration be given to the concerns of the Monterey Park neighborhood?

When my family purchased our home on Monterey Avenue in 1971, there was NO Saint Joseph Church, NO Capitola Knolls and NO School District Office. Monterey Park used to be a natural open space, with pampas grass, hills and numerous tree's and now it is a groomed city park (which had numerous beautiful tree's removed). With the increase in park usage, Monterey Avenue has become a very busy street with very limited parking throughout the week. It is not fair to impose on the Monterey Park tax-paying citizens an increase in population growth, an increase in traffic and an increase in noise just so skaters can have, in addition to the McGregor facility, one more skate park!

PROPOSAL:

Other locations should still be taken into consideration for the proposed skate-park.

The PERFECT location for an additional Skate Park in Capitola, should be next to the Capitola Mall.

I am referring to the large, empty parking lot, located between the long-time vacant Marie Calendar's building and the Ross building.

- This is a NON-RESIDENTIAL location;
- If the City of Capitola does not own that land, it could always be leased;
- This location could attract much more local business to all of Capitola;
- Someone may actually WANT to rent/purchase the old Marie Calendar building;
- It could be used to sell sandwiches/drinks/snacks to the skate-boarders and provide restroom facilities;
- It could also have a Skate-Shop as part of the services, selling such items as boards, wheels and repair parts;
- This could increase incentive for vendors to actually want to rent space in the currently very empty Capitola Mall;
- People would actually want to shop at the mall if more stores were to come in;
- Parents could drop their kids off at the skate-park, while they enjoy shopping and dining at the mall;
- There is plenty of existing parking;
- There is easy access via the Metro Bus System;
- There are side-walks in all directions and street lights to add extra safety for anyone walking/crossing to the park;
- Since Mr. Novak is planning on funding this project, he could request "event permits" and hold events there;
- There are hotel accommodations right down the street to house any out-of-the-area guests;
- Mr. Novak's store is right down the street also, granting him more business.

I'm guessing parents may say it would be too difficult for kids that live in the Capitola Village to get there. If so, why not run the Capitola Village Parking Shuttle from the Mall to the Village? This would provide kids with a free, safe ride to the facility and potentially result in an increase in shoppers at our very vacant mall. This seems like a win/win situation for all parties involved.

In closing, I would truly appreciate your re-evaluation of the proposed Skate Park at Monterey Park. It truly doesn't belong in the middle of a residential neighborhood.

Thank you for your time and consideration to this matter.

Sincerely,
Heidi Wagner
Representative of the Wagner Family Trust
621 Monterey Ave., Capitola
trtceo@aol.com

June 17, 2016

Via E-mail Only
rgrunow@ci.capitola.ca.us

Mr. Richard Grunow, Community Development Director
CITY OF CAPITOLA
420 Capitola Avenue
Capitola, CA 95010

Re: Proposed Monterey Park Skate Park

Dear Mr. Grunow:

JUN 20 2016
CITY OF CAPITOLA
CITY CLERK

I write in opposition to a skate park at Monterey Park.

It is unthinkable that the City continues to pursue the placement of a skate park at Monterey Park given an existing park in Santa Cruz and a new park at the McGregor location. Were the City to proceed with a skate park the local area would find itself with three skate parks within seven square miles. How many skate parks is enough. How many are needed or warranted?

It is also unthinkable that the City intends to go forward with the placement of a skate park in light of the burden it would impose on the surrounding neighborhood. As it stands today, without the addition of a skate park, traffic and parking along Monterey Avenue is at best a challenge for residents and their visitors.

The neighborhood has two churches, low cost housing units, a softball field, two schools and one school district headquarters. When is enough, enough? Does the City intend to see Monterey Avenue turn into a mini 41st avenue? Would any member of the Council approve of the skate park and the sure headaches it will bring if it were located in their neighborhood?

It is reported that the City recently came up with two additional options for the placement of a skate park at Monterey Park. One of the options actually moves the skate park closer to the homes along Monterey Avenue. How does moving the skate park closer to the homes make any sense?

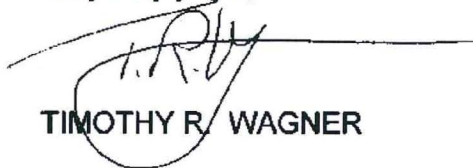
Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Page 2

The Cliffwood Heights subdivision was constructed in the late 60s, early 70s. Many of the homes were not insulated at the time of construction and may not be any better insulated today. Many still contain their original aluminum windows, which are notorious for increased sound transmission. Most have sleeping rooms facing the park where any increase in noise will prove disruptive to homeowners. The two story homes are particularly vulnerable to noise as sound travels up, out and away from the park.

A skate park at Monterey Park was, is and will continue to be a bad idea. Skaters have alternative locations at which to enjoy their hobby. The tax paying residents of Cliffwood Heights are entitled to have the peace and quiet enjoyment of their property protected by the City with their property values upheld. The City should reject the placement of a skate park at Monterey Park as in the best interest of all citizens.

Very truly yours,

A handwritten signature in black ink, appearing to read 'T.R. Wagner', is written over a horizontal line. The signature is stylized and somewhat cursive.

TIMOTHY R. WAGNER

To The Capitola City Council and Members of the Capitola Community;

My wife and I (Annelies and John Walbridge) are writing this letter in complete support of a new skate park at the Monterey Park location. We are not in support of the McGregor site.

We have been residents of the Cliff Wood Heights Neighborhood since 1998 (17 years). Since moving onto Magellan Street we have been fortunate to have 3 children currently ranging in ages from 16 years old to 10 years old. We picked this community for a number of reasons as you have; small town feel, your voice can be heard in the community, excellent services and of course the location. I would like to add that in our tenure as Capitola City residents we have seen a dramatic increase in young families moving into Capitola for all of the reasons stated above plus many more.

Both my wife and I are active in the community from Little League to support of the local schools, the Begonia Festival to the Wharf to Wharf, Sand Castle Building to the Easter Egg Hunt, not to mention the Junior Life Guard Program. Additionally, we are employed by local employers. To summarize our point over the last two paragraphs; we are engaged, passionate and heavily invested in the success of our community.

Certainly being the parents of young teens down to a grade school child we would be in support of a skate park that is closer to the heart of our community and more importantly, safe access. Children in our neighborhood and across the nation are looking for ways to move and experience what it is to be a healthy and active child. With open space on the decline, and developed open areas not legal or safe to skate in, we as adults and supporters of our whole community must consider what we can do to encourage kids to just be kids.

I am aware of a proposal and ongoing development of a dog park, pump track and skate park at the McGregor location. I cannot in good conscious as a citizen of Capitola City support this location for teen aged children let alone young grade school age children. The safety of our children must be paramount and this location is the epitome of danger; from traffic, to being on the outskirts of Capitola and away from the city center where Capitola Police will not have as much of a presence.

The Monterey site is a much more desirable location based on oversight by law enforcement, great traffic controls, sidewalks, not to mention community member presence and oversight. I would be very disappointed to see a skate park be built and not used (McGregor site). The proposed park (Monterey site) will have some great positives: It will serve young children who are just learning to skate. It will be a small park, 6000 ft² (the size of a typical city residential lot). It will be fenced, gated and locked (safety feature). Complete funding by a private donor.

Our community is ready for our own safe accessible skate park. After all, Scotts Valley, Santa Cruz City (3 parks), Live Oak (2 parks) and Ben Lomond already have skate parks. Let's give our community what they support and want for our children's safe, active and healthy lifestyle right here in Capitola.

We appreciate your consideration of the Monterey Skate Park and we look forward to meeting and collaborating.

Sincerely,

John and Annelies Walbridge

153 Magellan Street
Capitola, CA 95010

JUN 15 2016
CITY OF CAPITOLA
CITY CLERK

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <triciaproctor@hotmail.com>
Sent: Monday, June 20, 2016 11:38 AM
To: City Council
Subject: Support Capitola Skate Park

Thank you,

From: lilywebber <lilywebber@yahoo.com>
Sent: Wednesday, March 23, 2016 4:21 PM
To: Tricia Proctor
Subject: Fwd: Capitola Skate Park

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: lilywebber <lilywebber@yahoo.com>
Date: 03/22/2016 10:40 PM (GMT-08:00)
To: planningcommission@ci.capitola.ca.us
Subject: Capitola Skate Park

To Whom It may Concern,

My two sons are avid skateboarders, constantly looking for venues near our home in Capitola to go. I struggle with many of our local parks as they are in neighborhoods not suited for young kids to hang out in (Mike Fox Park is near downtown, enough said). A skate park in Capitola would be a huge asset to our community and a positive, active outlet for our kids. This community is strong, affluent and in need of things like this. Myself and everyone I know is in strong support!

Thank you,
Lily Webber

Sent from my Verizon Wireless 4G LTE smartphone

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

June 15, 2016

County of Santa Cruz
County Administrative Office
701 Ocean Street, Room 520
Santa Cruz, Ca 95060

JUN 15 2016
CITY OF CAPITOLA
CITY CLERK

Dear Santa Cruz County Administrative Office,

The City of Capitola requests to utilize \$372,700 from the Capitola Library Trust Fund held by the County of Santa Cruz for planning and design work in Fiscal Year 2016/17. This request is made pursuant to the Library Trust Fund agreement allowing the City to pay for the cost of planning and design of the new Capitola Library in an amount not to exceed fifteen percent (15) of the total amount of the Agency Assistance obligation. With this request, and the prior request of \$23,300, the City will have requested the full 15 percent for design and planning costs.

Sincerely,

Mark C. Welch
Finance Director

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Nels Westman <nels@bestwestman.com>
Sent: Wednesday, June 22, 2016 10:25 AM
To: City Council
Subject: City Council 6/23/16 Agenda Item 9A

Dear City Council,

As I have listened to the many, many months of debate, unfounded accusations and lawyer's threats from the small but vocal group of neighbors who live adjacent to Monterey Park, a public park with ever growing active recreational uses, two things seem particularly clear to me.

First, the design and location of the proposed Monterey skatepark is ideal for elementary and middle school age children to learn and practice their skating skills. These younger members of the Capitola community should not be denied a suitably designed and appropriately located venue. It is high risk behavior to consider McGregor with its remote location and non-existent sidewalks and pedestrian access a safe place for 8, 10 or 12 year olds to skate.

Second, the small cadre of opponents of the skatepark represent the very essence of negativity and NIMBYism that is so corrosive to a community. They have relentlessly criticized and sued the volunteer proponents on a Monterey skatepark. Yet the generosity of the private donor who is willing to fund the skatepark construction and the hard work of the volunteers who have worked so long and so hard to bring this dream forward represent the best of what is positive and forward-thinking in our Capitola community.

I would urge you to reject all the negativity and reward positive community spirit by letting this much needed skatepark for Capitola's young skaters go forward.

Thank you.

Nels Westman

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Wednesday, June 15, 2016 11:53 AM
To: City Council
Subject: Support Letter FW: Monterey Skate Park

Thank you,

From: "White, Denise" [mailto:dwhite@serenogroup.com]
Sent: Tuesday, February 03, 2015 10:57 AM
To: citycouncil@ci.capitola.ca.us
Cc: Rick White <rick@serenogroup.com>
Subject: Monterey Skate Park

Dear Capitola City Council,

I would like you to consider the importance of the proposed skate park in Capitola located at Monterey Park. While we have the beach at our doorstep, and parks within reach, our community would benefit by having a skate park close to our village. We have implored our children to not to skate in the Capitola Village due to safety, though there is really nowhere else for these kids to go skate close by. To find a skate park it is a drive to Scotts Valley or to the downtown Santa Cruz area. While having a skate park would be wonderful for our full time families with children it would also benefit the visitors who come every year to our Capitola Village area. I have many times seen families visiting on our street with their kids skating in the downtown area only to find it is against the law. We do not offer these families a place in our city to skate either, leaving them in the same situation looking outside our city limits for a safe place to bring their children to skate.

My husband and I decided that this would be the perfect place to raise our family and have been residing in our home for the last 20 years, and we look forward to watching our children one day raise their family here, though I think this town needs to recognize the needs of the young and young at heart.

Thank you for your time,

Denise and Rick White
216 Stockton Ave
Capitola CA 95010
476 0382

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Wednesday, June 15, 2016 11:59 AM
To: City Council
Subject: FW: Monterey Ave Park

Thank you,

From: Shelby White [mailto:swswimski@msn.com]
Sent: Tuesday, February 03, 2015 11:39 AM
To: citycouncil@ci.capitola.ca.us
Subject: Monterey Ave Park

Dear City Council Members,

My name is Shelby White and I have been living in Capitola since I was 2. I am currently in my last semester at Cabrillo with an emphasis in early childhood education. I am writing to you as I feel it is important that our community has a safe skate park within the city limits. I think that the proposed skate park at Monterey Ave would be a perfect site for a skate park.

While growing up here we were never allowed to skate on our streets or sidewalks. We would have friends and family come to visit and would want to skate, we would load the car up to go to either the skate park in Santa Cruz and then later in Scotts Valley. Of course we would have to have a parent drive us, making it an outing to another community.

As a young adult I started baby sitting and working as a nanny for families in our community, again when looking for actives in our area we are left with the Capitola beach or Jade Street Park. The young kids I sit for would love to go to a skate park, though that would mean a drive on the freeway or to the downtown to find a skate park. Of course we all know that most times that would not be an option. If we could walk to a neighborhood skate park it would be an activity that all kids of all ages would like to be a part of.

I would like to ask the City and its council members to think of the young families who live here and also come to visit. It is important to be able to have safe places in Capitola that our young kids would like to go to, that is within walking distance to most residences.

Thank you for your consideration on this matter.

Sincerely,

Shelby White

Shelby White
216 Stockton Ave
Capitola CA, 95010

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Wednesday, June 15, 2016 11:05 AM
To: City Council
Subject: Support Letter Capitola Skate Park 6/23/16

~Tricia Proctor

From: Jennifer Wiens [mailto:jen_wiens@yahoo.com]
Sent: Wednesday, January 21, 2015 5:27 PM
To: citycouncil@ci.capitola.ca.us
Cc: tricia proctor <t.proctor@nhs-inc.com>; Trevor Wiens <trevwiens@hotmail.com>; jmarto@pacbell.net
Subject: Dear Capitola City Council Members - RE: Skate Park at Monterey Park

Dear Council Members,

I am writing this letter in support of the proposed Skate Park at Monterey Park. We live just a few houses down from New Brighton Middle School and have three children in our local schools (one at Soquel High School and two at Main Street). Both my husband and I strongly support this park.

We moved here four and a half years ago from San Jose. Our motivation to move was truly based on giving our children a different kind of life with the outdoors in mind. We knew moving here would provide our kids a strong love for a healthy way of living and a strong community who supported that. We have been beyond happy with the move and hope to see generations of our family settle here as well.

Since moving here, I have joined the Capitola Soquel Little League Board and my husband coaches the Soquel High School boys water polo team. We also volunteer for our kids schools and other sports teams as much as possible. Needless to say we are fully invested in this community and intend to continue that in the years to come.

I am writing in support of this Skate Park for a few reasons. First, there is the obvious selfish reason being our kids are always outdoors and skating is just one of the many activities they love. Living so close to the middle school is great but they cannot skate there, nor can they skate in the village. This leaves us with the only option of frequently driving to other skate parks (especially Scotts Valley) in order for them to enjoy skating.

But, beyond that, I know this community is hungry for this type of park. And it's time. Some of the obvious facts:

- It will serve young kids who are just learning to skate
- A small skate park - 6000 sq ft park
- It will stay safe - fenced (gated and locked)
- It will have regular hours of operation just like the park has now
- 100% funding by a private donor

There are so many restrictions on our kids in the city of Capitola when it comes to skating. I think it's about time to provide a safe place for our kids skate. We have soccer fields, tennis courts, basketball courts, baseball fields...but no skate parks. Doesn't seem right.

I attended neighborhood meeting over a year and a half ago when we were fairly new to the community to support this park. There were many people who had negative things to say, but they were truly unfounded. I hope that you will hear the voices of the community who support this park as we look to our city leaders to see it through.

Thank you for your consideration and I am hopeful that we will see a skate park soon!

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Monday, June 20, 2016 11:23 AM
To: City Council
Subject: Support Capitola Skate Park - Cliffwood Heights Resident

Thank you,

From: The Martorella's [mailto:jmarto@pacbell.net]
Sent: Thursday, March 31, 2016 10:04 AM
To: Tricia Proctor <t.proctor@nhs-inc.com>
Subject: Fw: Capitola Skate Park - Cliffwood Heights Resident

----- Forwarded Message -----

From: Jennifer Wiens <jen_wiens@yahoo.com>
To: "commission@ci.capitola.ca.us" <commission@ci.capitola.ca.us>; "citycouncil@ci.capitola.ca.us" <citycouncil@ci.capitola.ca.us>
Sent: Thursday, March 31, 2016 9:54 AM
Subject: Capitola Skate Park - Cliffwood Heights Resident

Hello,

My name is Jen Wiens and I have been a resident in the Cliffwood Heights neighborhood for almost six years. I have children at NBMS and Main Street and one who graduated from Soquel in 2015. We are very active in the community. I am currently on the Capitola Junior Guards board and have previously sat on the Capitola Soquel Little League board as well. My husband coaches water polo at the high school. Needless to say, once we moved into this community we quickly threw ourselves into the fray of volunteering where are kids showed interest and have had such amazing a rewarding experiences doing so.

I am writing in support of the Capitola Skate Park. We live very close to NBMS and so we absolutely feel the effects of traffic during school drop off and pick up times and we also feel the impact when there are events at the church and school. There are often times where we have to wait to get out of our garage because of kids walking by (or skating or biking by). And yes, it can be annoying sometimes but I always come back to the notion that we knew where we were buying our house. We knew the school and church would pose these challenges. We knew the nearby park would often have people coming in from outside of our neighborhood... And guess what? We would never change a thing. We love where we live.

My point here being, everyone who lives near this park/school/church deals with traffic and noise and people every day. I think the park is a great thing and a central piece of our bustling community. And, I think adding a small skate park to the are is perfect. It give kids a chance to go and skate in a safe place. Not on the street. Not in the Village. Not at the school.

My kids skate a bit here and there. Not huge skaters by any means. But, I am an advocate for any sport or activity where kids are outside, being active. We are a healthy community who should always advocate for activities that provide a place for kids to be outside, healthy and HAPPY.

One question I would ask to all that oppose this project...would they feel the same if this was a tennis court? Or if they were adding a lawn bowling area? I find it sad that people are prejudiced toward the skating community and have decided that they will fight this project.

This park is for the community and kids are part of this community. Kids love to skate. Let's give them a safe place to do it.

Thank you,

Jen and Trevor Wiens

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

LINDA A. WILLIAMS
850 Rosedale Avenue, #51
Capitola, California 95010

June 14, 2016

Ed Botorff, Mayor
City of Capitola
420 Capitola Avenue
Capitola, CA 95010

Via Email and US Mail
ebottorff167@yahoo.com

Re: Capitola Skate Park at Monterey Park.

Dear Mayor Botorff and City Council Members:

I have watched from the side lines as the project for the Capitola Skate Park on Monterey Avenue progressed, though slowly, but steadily through the ranks of the City Administration Process. I have cheered privately as the applicants have maintained enthusiasm, professionalism and most of all, patiently as the process ran its course and now as it is nearing its final stage before your podium later this month, I have decided to share my opinion.

I watched last weeks meeting where a seemingly ‘angry’ man stood before you and complained there were now ‘Chalk lines at MY PARK’. I actually had to pause for a moment - ‘my park’ seemed rather presumptuous given that the ‘park’ is a city owned public space. Truthfully, his remark is why I am writing this letter. While I won’t bore you with the repeated information you have heard ad-nauseam (public park, next to a large middle school, between two churches, along a major artery/heavily traveled road); what I find to be a continued thorn in the side of this project are statements like the one by that gentleman. The younger children in this community need a place they can go, skate safely and without potential issues arising from being shuttered away next to the freeway; they need a place they can get to easily, quickly, meet up with their friends and family, and participate in the sport they love which is Skateboarding. The location at Monterey Park is ideal on every level. The EIR (which I actually took the time to read) offered its expertise and found there are no significant impacts to the location.

I was raised in Capitola and my son and I live near Monterey Park. I welcome the opportunity for the youth of this community to find a place they can call their own, to enjoy a sport they love and in a location that is conducive to providing safe, have easy access and is a friendly enjoyable atmosphere. Monterey Park is beautiful – it has plenty of green space, it has a ‘friendly’ atmosphere and this skate park will be a welcome feature to an already terrific space.

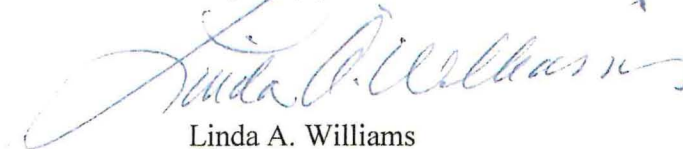
JUN 15 2016
CITY OF CAPITOLA
CITY CLERK

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Page Two.

I hope that on the heels of this exhaustive effort by the applicants and the generous funding from Mr. Novak for this park feature and for the many children, you will continue to support this project and approve it at your next meeting.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Linda A. Williams". The signature is fluid and cursive, with a large initial "L" and "W".

Linda A. Williams

Sneddon, Su (ssneddon@ci.capitola.ca.us)

From: Tricia Proctor <t.proctor@nhs-inc.com>
Sent: Wednesday, June 15, 2016 11:54 AM
To: City Council
Subject: FW: The Skate Park

Thank you,

From: Wingnut [mailto:wingnutsworld@earthlink.net]
Sent: Tuesday, February 03, 2015 11:21 AM
To: citycouncil@ci.capitola.ca.us
Subject: The Skate Park

February 3, 2015

Dear Mayor and City Council,

My name is Robert Weaver aka Wingnut, and i am writting in support of a skate park at Monterey Ave Community Park.

Our family has been living in Opal Cliffs for over 25 yrs. We attend every event Capitola has to offer from the Begonia Festival , Surfing Santa to Wednesday Night concerts on the beach. We not only shop local but eat local as often as we can. Our son is a senior at Soquel High.

My son surfs and skates....and has been hoping for a park like the one proposed for Moneterrey Park....

We really hope this goes forward...overdue for a community with such strong Surf/Skate roots...

thank you for taking the time to read this...

aloha...

Wingnut

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)

Date:

To the City Council Members of Capitola:

I am completely opposed to the 6,811sq.ft. skatepark that is being proposed to be put in at Monterey Park on Monterey Avenue in the residential neighborhood of Cliffwood Heights in Capitola. This is an already highly impacted neighborhood with New Brighton Middle School, the Soquel Union Elementary School District Offices, St. Joseph's Catholic Church and Shorelife Community Church. It makes no sense at all to impact this neighborhood any further with a second public skatepark.

Just some of the reasons are:

1. The PERMANENT increase of noise it will bring 7 DAYS A WEEK, 8am to Sunset, to residents, office staff, teachers, students and parishioners. The expected increase in nuisance noise from skateboarding is a substantial community character issue;
2. INCREASED traffic introduced to an already highly impacted Monterey Avenue. There are already times when residents on Monterey Avenue can barely back out of their driveways;
3. There will be more people whether driving, or walking, or biking, or skateboarding in this already highly intensified area.

As a City Council Member please take into consideration how much the proposed SECOND SKATEPARK will affect the residents who actually live, work, learn and attend church in this neighborhood and will have to live with this permanent disruption and intensification. THIS PROJECT SHOULD NOT BE ALLOWED TO HAPPEN.

signed,



Tom Winsemius
3626 Hardin Way
Soquel, CA 95073

Communication: Item 9.A. Public Communications regarding Monterey Avenue Skate Park (ADDITIONAL MATERIALS)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF JUNE 23, 2016

FROM: City Manager Department

SUBJECT: Consider the June 9, 2016, Regular City Council Minutes

RECOMMENDED ACTION: Approve Minutes.

DISCUSSION: Attached for City Council review and approval are the minutes of the subject meetings.

ATTACHMENTS:

1. Draft June 9, 2016, City Council Minutes

Report Prepared By: Susan Sneddon
City Clerk

Reviewed and Forwarded by:

A handwritten signature in blue ink, appearing to be "JG", is written over a horizontal line.

Jamie Goldstein, City Manager

6/17/2016

**CAPITOLA CITY COUNCIL
REGULAR MEETING ACTION MINUTES
THURSDAY, JUNE 9, 2016**

**CLOSED SESSION – 6:00 PM
CITY MANAGER’S OFFICE**

Mayor Bottorff called the meeting to order at 6:00 PM. He announced the item to be discussed in Closed Session, as follows:

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

[Govt. Code §54956.9(d)(1)]

(Two cases)

1. Friends of Monterey Park v. the City of Capitola
[Santa Cruz Superior Court Case No. CV 16CV01091]
2. GTE Mobilenet of California Limited Partnership, a California limited partnership d/b/a/ Verizon Wireless v. City of Capitola
[United States District Court Case No 16-CV-02495-PSG]

CONFERENCE WITH REAL PROPERTY NEGOTIATOR [Govt. Code §54956.8]

Property: 2091 Wharf Road, APN 034-241-05, Capitola, CA

City Negotiator: Jamie Goldstein, City Manager

Negotiating Parties: Joseph K. and Debbie A. Genge

Under Negotiation: Terms for potential purchase of property by City

LIABILITY CLAIMS [Govt. Code §54956.95]

Claimant: Sandra Wallace

Agency claimed against: City of Capitola

Mayor Bottorff noted that there was no one in the audience; therefore, the City Council recessed at 6:00 p.m. to the Closed Session.

REGULAR MEETING OF THE CAPITOLA CITY COUNCIL - 7:00 PM

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Councilmember Dennis Norton: Present, Mayor Ed Bottorff: Present, Council Member Jacques Bertrand: Present, Vice Mayor Stephanie Harlan: Present, Council Member Michael Termini: Present.

City Treasurer McBroom was absent.

2. PRESENTATIONS

A. Presentation of the 2016 Herb Ross Community Achievement Award for the Capitola Police Officer of the Year

Award presented.

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES
June 9, 2016

3. REPORT ON CLOSED SESSION

Deputy City Attorney Lenhardt stated that the Council discussed the following two cases of existing litigation: (1) Friends of Monterey Park v. the City of Capitola; and (2) GTE Mobilenet of California Limited Partnership, a California limited partnership d/b/a/ Verizon Wireless v. City of Capitola; there was no reportable action. Ms. Lenhardt stated the Council discussed Conference with Real Property Negotiator regarding 2091 Wharf Road, APN 034-241-05, Capitola; there was no reportable action. In addition, the Council discussed the Sandra Wallace tort claim which is listed on the Council's regular meeting Consent Calendar this evening.

4. ADDITIONAL MATERIALS

Community Development Director Grunow requested that Item 11.C. regarding the appeal of Community Development Department's determinations for 519 Oak Drive be continued to he July 28, 2016, City Council meeting.

City Clerk Sneddon stated the following additional materials were received:

- One additional material regarding Item 10.C.: Deny Liability Claim of Sandra Wallace.
- Two additional materials regarding Item 10.E.: Approval of plans, specifications, and construction estimate and authorize advertising for bids for the Rispin Mansion Park Project and the 2016 Street Rehabilitation Project.
- One additional material regarding Item 11.A.: Capitola Wharf presentation by Frank Perry, Capitola Museum Curator.
- One additional material regarding Item 11.B.: Zoning Code Update Progress Report.
- Eight additional materials regarding Item 11.C.: An appeal of Community Development Department's determinations regarding 519 Oak Drive.

5. ADDITIONS AND DELETIONS TO AGENDA

None provided

6. PUBLIC COMMENTS

Richard Lippi, local resident, thanked the Public Works Department for laying out lines on the ground showing boundary options for the proposed Monterey Skate Park.

Devon Lawery, resident, stated concerns regarding vehicles parked in residential areas during special events in the Village. She suggested that the public be encouraged to park in the lower and upper Pacific Cove parking lots, and that the police enforce parking in neighborhoods where parking permits are required.

Dan Steingrube, local resident, stated concerns regarding the Environmental Impact Report for the proposed skate park.

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES
June 9, 2016

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

Council Member Termini stated that locations where the public can park should be added to the City’s website. He announced that the Art and Cultural Commission’s first Wednesday Twilight Concert began on June 8th in Esplanade Park.

Council Member Harlan stated that on June 11th at 10:00 AM will be the grand opening and dedication of Ozzi's Memorial Dog Park at McGregor Multi-Use Park. She also thanked the City Council for their support in the passage of Measure S (Santa Cruz Public Libraries).

City Manager Goldstein provided an update regarding various Capital Improvement Program projects.

8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

A. Consider Appointments to the Historical Museum Board and the Advisory Council to the Area Agency on Aging of Santa Cruz and San Benito County [240-40]

RECOMMENDED ACTION: Accept the recommendation of the Capitola Historical Museum Board (Board) to reappoint four Board members, and accept the Board’s recommendation to fill a vacancy; confirm appointment to the Advisory Council to the Area Agency on Aging of Santa Cruz and San Benito County.

RESULT:	REAPPOINTMENT OF KRISTEN PETERSEN, STEPHANIE TETTER, GORDON VAN ZUIDEN, AND NIELS KISLING TO THE HISTORICAL MUSEUM BOARD (BOARD), AND TO CONTINUE RECRUITMENT TO FILL A VACANCY ON THE BOARD; UNANIMOUS
MOVER:	Michael Termini, Council Member
SECONDER:	Jacques Bertrand, Council Member
AYES:	Norton, Bottorff, Bertrand, Harlan, Termini

RESULT:	APPOINTMENT OF COUNCIL MEMBER HARLAN AS THE CITY’S REPRESENTATIVE ON THE ADVISORY COUNCIL TO THE AREA AGENCY ON AGING OF SANTA CRUZ AND SAN BENITO COUNTY (ADVISORY COUNCIL), AND FOR STAFF TO CONTINUE RECRUITMENT FOR AN ALTERNATE REPRESENTATIVE ON THE ADVISORY COUNCIL; UNANIMOUS
MOVER:	Michael Termini, Council Member
SECONDER:	Ed Bottorff, Mayor
AYES:	Norton, Bottorff, Bertrand, Harlan, Termini

9. REPORT FROM CITY REPRESENTATIVES TO REGIONAL BOARDS / COMMISSIONS

Council Member Termini stated that the Heroes Breakfast will be held on Friday, June 17th at the Twin Lakes Church in Aptos.

Council Member Norton stated that on June 16th the Santa Cruz Regional Transportation Commission will hold a public meeting at 9:00 AM in the Santa Cruz City Council Chambers to discuss enacting a transportation tax measure to be placed on the November 2016 General Election Ballot.

Attachment: Draft June 9, 2016, City Council Minutes (1304 : Approval of City Council Minutes)

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES
June 9, 2016

Council Member Bertrand stated that as the City's Alternate Representative on the Santa Cruz County Libraries Facilities Financing Authority he attended the June 2nd meeting.

10. CONSENT CALENDAR

Richard Lippi, local resident, requested that ***Item 10.D.*** regarding a contract amendment with Strelow Consulting for the Monterey Avenue Skate Park application be pulled for discussion.

Council Member Bertrand requested that ***Item 10.E.*** regarding approving the plans, specifications, and construction estimate and authorize advertising for bids for the Rispin Mansion Park Project and the 2016 Street Rehabilitation Project be pulled for discussion.

RESULT:	ADOPTED <i>ITEMS 10.A., 10.B., 10.C., 10.F., AND 10.G.</i> [UNANIMOUS]
MOVER:	Stephanie Harlan, Vice Mayor
SECONDER:	Dennis Norton, Councilmember
AYES:	Norton, Bottorff, Bertrand, Harlan, Termini

- A. Consider the May 26, 2016, Regular City Council Minutes
RECOMMENDED ACTION: Approve Minutes.
- B. Receive Planning Commission Action Minutes for the Regular Meeting of June 2, 2016
RECOMMENDED ACTION: Receive Minutes.
- C. Deny Liability Claim of Sandra Wallace in the Amount of \$3,468.49[Claims Binder]
RECOMMENDED ACTION: Deny liability claim.
- D. Contract Amendment with Strelow Consulting for the Monterey Avenue Skate Park Application [1040-20/500-10 A/C: Strelow Consulting]
RECOMMENDED ACTION: Authorize the City Manager to sign a Contract Amendment in the amount of \$4,800 with Strelow Consulting.
- E. Approve the Plans, Specifications, and Construction Estimate and Authorize Advertising for Bids for the Following Projects: Rispin Mansion Park Project and the 2016 Street Rehabilitation Project on Portions of Park Avenue, Kennedy Drive, and Monterey Avenue [275-20/940-40]
RECOMMENDED ACTION: Approve the plans, specifications, estimate of costs and authorize advertising for bids.
- F. Consider the Adoption of a Resolution Setting the Fiscal Year 2016-2017 Appropriation Limit [330-05]
RECOMMENDED ACTION: Adopt a Resolution setting the Fiscal Year 2016-2017 Appropriation Limit as required by Article XIII B of the California Constitution.
- G. Consider accepting the City's Investment Policy [100-10/350-10]
RECOMMENDED ACTION: Confirm the City's Administrative Policy Number III-1, Investment Policy, or provide direction to staff regarding any recommended changes.

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES
June 9, 2016

Community Development Director Grunow provided a brief report on Item 10.D. regarding a contract amendment with Strelow Consulting for the Monterey Avenue Skate Park application.

Richard Lippi, local resident, stated that the public should have ample time to analyze the Environmental Impact Report, specifically regarding noise issues. In addition, he stated that the proposed skate park drawings are not the same as were proposed by the Planning Commission at their March 31, 2016, meeting.

Council Member Termini stated that he will recuse himself from this item because his company has done work for Richard Novak, owner of Santa Cruz Skateboards (Mr. Novak is the financial sponsor the proposed Monterey Skate Park).

Council Member Bertrand stated that he will recuse himself from this item because he resides within 500 feet of the subject property.

RESULT: **ADOPTED ITEMS 10.D.**
MOVER: Stephanie Harlan, Vice Mayor
SECONDER: Dennis Norton, Councilmember
ABSTAIN: Termini, Bertrand
AYES: Norton, Bottorff, Harlan

Council Member Bertrand stated that he rescinds pulling Item 10.E. for discussion.

RESULT: **ADOPTED ITEMS 10.E [UNANIMOUS]**
MOVER: Jacques Bertrand, Council Member
SECONDER: Michael Termini, Councilmember
AYES: Norton, Bottorff, Bertrand, Harlan, Termini

11. GENERAL GOVERNMENT / PUBLIC HEARINGS

A. Presentation by Frank Perry, Capitola Museum Curator, regarding the History of the Capitola Wharf [240-10]
RECOMMENDED ACTION: Receive Presentation.

RESULT: **RECEIVED REPORT**

B. Zoning Code Update Progress Report [730-85]
RECOMMENDED ACTION: Accept staff presentation and provide direction on future review of draft zoning code.

Council consensus for staff to move forward with Option 2: “Hybrid – Sequential Significant Changes” for the review of the Zoning Code Update and to schedule a City Council special meeting.

C. Appeal of Community Development Department’s Determinations Regarding 519 Oak Drive [730-10]
RECOMMENDED ACTION: Uphold the Community Development Director’s decision.

Attachment: Draft June 9, 2016, City Council Minutes (1304 : Approval of City Council Minutes)

CAPITOLA CITY COUNCIL REGULAR MEETING MINUTES
June 9, 2016

Council Member Norton and Council Member Termini stated that they will recuse themselves from this item because they resides within 500 feet of the subject property. They both left the dais.

RESULT:	COUNCIL APPROVED TO CONTINUE <u>ITEM 11.C.</u> REGARDING THE APPEAL OF COMMUNITY DEVELOPMENT DEPARTMENT'S DETERMINATIONS REGARDING 519 OAK DRIVE TO THE JULY 28, 2018, CITY COUNCIL MEETING
MOVER:	Stephanie Harlan, Council Member
SECONDER:	Jacques Bertrand, Council Member
ABSTAIN:	Termini, Norton
AYES:	Bertrand, Bottorff, Harlan

12. **ADJOURNMENT**

The meeting was closed at 8:19 PM

Ed Bottorff, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF JUNE 23, 2016

FROM: Finance Department

SUBJECT: Approval of City Check Registers dated May 6, May 13, May 20 and May 27, 2016

RECOMMENDED ACTION: Approve Check Register Reports.

BACKGROUND: Check registers are attached for:

Account: City Main				
Date	Starting Check #	Ending Check #	Check/EFT Count	Amount
5/06/2016	83463	83522	60	\$225,617.81
5/13/2016	83523	83570	47	\$180,479.64
5/20/2016	83571	83635	68	\$213,722.76
5/27/2016	83636	83694	60	\$38,541.70

The check register of April 29, 2016, ended with check #83462.

Account: Payroll				
Date	Starting Check #	Ending Check #	Check/EFT Count	Amount
5/13/2016	4804	4813	102	\$150,607.75
5/27/2016	4814	4822	101	\$200,838.09

Following is a list of checks issued for more than \$10,000.00 and a brief description of each expenditure:

Check	Issued to	Dept.	Description	Amount
83463	J Johnson & Co Inc.	PW	Capitola Ave storm drain repair	\$11,056.74
83508	SCC Environmental Health Services	PW	Pac Cove & McGregor Park site mitigation oversight	\$21,199.25
83520	Weber Hayes and Associates	PW	McGregor Park remediation	\$34,189.03
eft265	CalPERS Member Services Division	FN	PERS contributions	\$45,613.02
eft267	Internal Revenue Service	FN	Federal taxes & Medicare	\$27,101.25
83526	Anderson Pacific Engineering	PW	Stockton Ave. & Esplanade Intersection improvements	\$88,318.65
83548	Michael Arnone	PW	Rispin Park architect services	\$16,638.38
83569	Don Chapin Company	PW	38 th Ave. reconstruction	\$25,521.75
83577	Atchison Barisone Condotti & Kovacevich	CM	April legal services	\$18,648.06

Approval of City Check Registers
June 23, 2016

83602	Michael Greenwald	PW	McGregor Park concrete flatwork	\$36,140.00
83606	PG&E	PW	Monthly utilities	\$13,770.37
83614	SCC Auditor-Controller	PD	April citation processing	\$10,646.00
eft268	CalPERS Member Services Division	FN	PERS contributions	\$46,206.25
eft270	Internal Revenue Service	FN	Federal taxes & Medicare	\$25,653.42

ATTACHMENTS:

1. 05-06-16 City Check Register
2. 05-13-16 City Check Register
3. 05-20-16 City Check Register
4. 05-27-16 City Check Register

Report Prepared By: Maura Herlihy
Account Technician

Reviewed and Forwarded by:

Jamie Goldstein, City Manager

6/3/2016

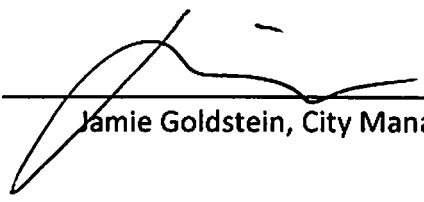
Accounts payable checks dated 5/06/16, numbered 83463 to 83522, totaling \$145,051.88, and 4 eft's totaling \$80,565.93, for a total disbursement of \$225,617.81, have been reviewed and authorized for distribution by the City Manager.

As of 5/06/2016 the unaudited cash balance is \$6,134,031.76.

CASH POSITION - CITY OF CAPITOLA 5/06/2016

	<u>Net Balance</u>
General Fund	\$1,512,137.81
Payroll Payables	\$10,355.32
Contingency Reserve Fund	\$1,848,645.66
PERS Contingency Fund	\$150,000.00
Facilities Reserve Fund	\$154,870.00
Capital Improvement Fund	\$1,944,881.98
Stores Fund	\$25,545.77
Information Technology Fund	\$99,088.12
Equipment Replacement	\$91,308.99
Self Insurance Liability Fund	\$132,526.14
Worker's Comp. Ins. Fund	\$171,601.79
Compensated Absences Fund	(\$6,929.82)
TOTAL UNASSIGNED GENERAL FUNDS	<u><u>\$6,134,031.76</u></u>

The Emergency Reserve Fund Balance is \$1,155,705.54 (not included above).



 Jamie Goldstein, City Manager

5/06/2016
 Date

Attachment: 05-06-16 City Check Register (1286 : Approval of City Check Registers)

City Checks Issued 05/06/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Amount	Transactor
83463	04/29/2016	Open			J JOHNSON & CO INC.		\$11,056.7
	Invoice		Date	Description		Amount	
	04262016 -1 of 2		04/26/2016	Retention release Capitola Ave. storm drain project		\$6,570.34	
	4262016 - 2 of 2		04/26/2016	Retention release Capitola Ave. storm drain repair project 1200 - Capital Improvement Fund		\$4,486.40	
83464	04/29/2016	Open			Santa Cruz County Regional Transportation Comm.		\$529.14
	Invoice		Date	Description		Amount	
	061		04/19/2016	Rail Line annual lease FY16/17 Audit No. 194279		\$529.14	
83465	04/29/2016	Open			SCC ENVIRONMENTAL HEALTH SVC		\$1,379.00
	Invoice		Date	Description		Amount	
	IN0079040		04/27/2016	2016 Health Permit - Corp Yard		\$1,379.00	
83466	04/29/2016	Open			WATSONVILLE BLUEPRINT		\$118.77
	Invoice		Date	Description		Amount	
	60612		04/25/2016	print sets 1200 - Capital Improvement Fund		\$118.77	
83467	05/06/2016	Open			AFLAC		\$1,746.33
	Invoice		Date	Description		Amount	
	978139		04/30/2016	April 2016 supplemental insurance 1001 - Payroll Payables		\$1,746.33	
83468	05/06/2016	Open			ALLIED INSURANCE		\$1,096.00
	Invoice		Date	Description		Amount	
	981851510-16-17		05/01/2016	surety bond May 2016 - Apr 2017 2213 - ISF - Self-Insurance Liability		\$1,096.00	
83469	05/06/2016	Open			ANDREW DALLY		\$630.00
	Invoice		Date	Description		Amount	
	Dally042716		04/27/2016	Education reimbursement - Dally		\$630.00	
83470	05/06/2016	Open			BOBBY'S PIT STOP INC.		\$171.21
	Invoice		Date	Description		Amount	
	0347687		04/07/2016	smog inspection 1987 Ford 350 Econoline		\$40.75	
	0347699		04/08/2016	smog inspection 2002 Ford F-150		\$40.75	
	0347930		04/26/2016	smog inspection 2006 Chevy Impala		\$40.75	
	0347997		04/29/2016	smog inspection 2008 Ford F350		\$49.00	
83471	05/06/2016	Open			CALE AMERICA INC.		\$1,711.00
	Invoice		Date	Description		Amount	
	140220		04/29/2016	April parking meters		\$1,711.00	
83472	05/06/2016	Open			CALIFORNIA COAST UNIFORM COMPANY		\$311.84
	Invoice		Date	Description		Amount	
	5137		04/25/2016	Uniform for Explorer Higgs		\$311.84	

Attachment: 05-06-16 City Check Register (1286 : Approval of City Check Registers)

City Checks Issued 05/06/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83473	05/06/2016	Open			COMMUNITY PRINTERS	\$1,273.7
	Invoice		Date	Description		Amount
	14993011		04/19/2016	special newsletter		\$1,085.99
	15014011		04/25/2016	STOPP forms		\$187.74
83474	05/06/2016	Open			COMPLETE MAILING SERVICE INC	\$682.2
	Invoice		Date	Description		Amount
	67056		04/28/2016	Spring city hall newsletter		\$682.20
83475	05/06/2016	Open			CRESTOR INC.	\$345.3
	Invoice		Date	Description		Amount
	R216019		03/25/2016	Bronze plaques		\$345.32
83476	05/06/2016	Open			D & G SANITATION	\$66.2
	Invoice		Date	Description		Amount
	230654		04/30/2016	Esplanade fence		\$66.28
83477	05/06/2016	Open			DOGHERRA'S INC.	\$375.0
	Invoice		Date	Description		Amount
	324284		04/12/2016	Floating dock ramp		\$375.00
83478	05/06/2016	Open			ED MORRISON	\$3,010.0
	Invoice		Date	Description		Amount
	EM10		05/02/2016	April PW Inspections 15/16 1311 - Wharf Fund		\$3,010.00
83479	05/06/2016	Open			eFolder Systems	\$250.0
	Invoice		Date	Description		Amount
	INV00056045		04/27/2016	March and April monthly record storage fees 2211 - ISF - Information Technology		\$250.00
83480	05/06/2016	Open			EWING IRRIGATION	\$486.8
	Invoice		Date	Description		Amount
	1288192		04/20/2016	Irrigation supplies		\$136.29
	1321965		04/26/2016	Gopher bait, mole bait, latex gloves		\$76.42
	1321966		04/26/2016	Christy box grate		\$129.37
	1337733		04/28/2016	Tree ties		\$14.90
	1345378		04/29/2016	Roundup Promax		\$129.88
83481	05/06/2016	Open			EXTREME TOWING	\$200.0
	Invoice		Date	Description		Amount
	002601		04/04/2016	tow Ford F-150 to North Bay Ford		\$200.00

Attachment: 05-06-16 City Check Register (1286 : Approval of City Check Registers)

City Checks Issued 05/06/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83482	05/06/2016	Open			FLYERS ENERGY LLC	\$7,921.1
	<i>Invoice</i>		<i>Date</i>	<i>Description</i>		<i>Amount</i>
	16-243202		04/21/2016	228 gallons ethanol		\$661.66
	16-243203		04/21/2016	100 gallons diesel		\$237.89
	16-241068		04/18/2016	488 gallons ethanol		\$1,457.88
	16-241070		04/18/2016	gallons diesel ethanol		\$180.30
	16-237140		04/11/2016	120 lbs chevron ultra duty		\$418.00
	16-237346		04/11/2016	472 gallons ethanol		\$1,410.32
	16-237347		04/11/2016	80 gallons diesel		\$191.82
	16-234208		04/04/2016	347 gallons ethanol		\$1,003.08
	16-234210		04/04/2016	100 gallons diesel		\$226.89
	16-250316		05/04/2016	130 gallons diesel		\$331.32
	16-250309		05/04/2016	561 gallons ethanol		\$1,801.97
83483	05/06/2016	Open			GLOBAL ENVIRONMENTAL PRODUCTS INC	\$1,895.7
	<i>Invoice</i>		<i>Date</i>	<i>Description</i>		<i>Amount</i>
	631188		04/12/2016	Sweeper parts		\$1,565.32
	631578		04/28/2016	sweeper guard, plate, flange 1310 - Gas Tax Fund		\$330.38
83484	05/06/2016	Open			HOME DEPOT CREDIT SERVICES	\$566.0
	<i>Invoice</i>		<i>Date</i>	<i>Description</i>		<i>Amount</i>
	3580686		04/15/2016	Gutter repair		\$56.74
	4056680		04/14/2016	Mattock & tarps		\$79.75
	6592167		04/12/2016	velcro straps		\$10.98
	0017828		04/18/2016	lumber		\$66.22
	1011077		04/27/2016	Motion light		\$99.63
	0050681		04/28/2016	Washers & nuts		\$18.40
	6222124		05/02/2016	Hardware		\$150.00
	5583089		05/03/2016	Blinds		\$84.29
				1000 - General Fund	\$340.87	
				1311 - Wharf Fund	\$225.14	
83485	05/06/2016	Open			HOSE SHOP	\$4.1
	<i>Invoice</i>		<i>Date</i>	<i>Description</i>		<i>Amount</i>
	386628		04/21/2016	seal lock union		\$4.11
83486	05/06/2016	Open			ICMA RETIREMENT TRUST 457	\$150.00
	<i>Invoice</i>		<i>Date</i>	<i>Description</i>		<i>Amount</i>
	41167859		04/29/2016	457 contribution Farotte PPE 04-23-16 1001 - Payroll Payables		\$150.00
83487	05/06/2016	Open			INTERSTATE BATTERY SYSTEMS OF SAN JOSE	\$452.11
	<i>Invoice</i>		<i>Date</i>	<i>Description</i>		<i>Amount</i>
	50256282		04/21/2016	car battery		\$118.48
	50256043		04/11/2016	car batteries		\$333.70
83488	05/06/2016	Open			KATHY D'ANGELO	\$397.50
	<i>Invoice</i>		<i>Date</i>	<i>Description</i>		<i>Amount</i>
	000V-03232016		04/15/2016	Steve Lawton interview, storage drives & binder		\$397.50

Attachment: 05-06-16 City Check Register (1286 : Approval of City Check Registers)

City Checks Issued 05/06/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83489	05/06/2016	Open			KIMLEY-HORN AND ASSOCIATES INC.	\$6,586.1
	Invoice		Date	Description		Amount
	7736054		03/31/2016	Rispin-Peery Park ADA Pathway Improvements-Phase II		\$1,581.50
	7736053		03/31/2016	Stockton Avenue Bridge Parkway Design 1200 - Capital Improvement Fund		\$5,005.00
83490	05/06/2016	Open			LABORMAX STAFFING	\$1,986.92
	Invoice		Date	Description		Amount
	26-60695		04/29/2016	Seasonal labor		\$1,986.92
83491	05/06/2016	Open			LEAGUE OF CALIFORNIA CITIES Monterey Bay Divisi	\$4,839.12
	Invoice		Date	Description		Amount
	158483		01/04/2016	2016 membership dues		\$4,839.12
83492	05/06/2016	Open			LEWIS TREE SERVICE INC.	\$1,025.00
	Invoice		Date	Description		Amount
	24883		04/29/2016	Oak removal		\$1,025.00
83493	05/06/2016	Open			LIUNA PENSION FUND	\$1,029.60
	Invoice		Date	Description		Amount
	CJ4033		04/30/2016	April 2016 LIUNA Pension Dues 1001 - Payroll Payables		\$1,029.60
83494	05/06/2016	Open			LLOYDS TIRE SERVICE	\$117.07
	Invoice		Date	Description		Amount
	301652		04/14/2016	tire mount, balance, disposal and flat repair		\$92.07
	301836		04/27/2016	flat repair		\$25.00
83495	05/06/2016	Open			MBS BUSINESS SYSTEMS	\$278.33
	Invoice		Date	Description		Amount
	271964		04/25/2016	KonicaMinoltaC35 PD printer		\$278.33
83496	05/06/2016	Open			MESITI-MILLER ENGINEERING INC	\$3,509.60
	Invoice		Date	Description		Amount
	0416009		04/27/2016	Hooper's Beach Stair Engineering Assessment 1200 - Capital Improvement Fund		\$3,509.60
83497	05/06/2016	Open			MISSION LINEN SUPPLY	\$667.65
	Invoice		Date	Description		Amount
	502262867		04/11/2016	Community Center mats & mops		\$63.65
	502237699		04/06/2016	Linen service		\$69.35
	502308961		04/18/2016	PD mat service		\$45.39
	502214681		04/04/2016	mat service for PD		\$84.78
	502315098		04/18/2016	credit for mat service overcharge on invoice 502214681		(\$39.39)
	502355402		04/25/2016	Mats & Mops Community Center		\$63.65
	502282957		04/13/2016	Linen & mat service		\$91.83
	502330771		04/20/2016	Linen service		\$69.35
	502237698		04/06/2016	linen service		\$31.80
	502282956		04/13/2016	linen service		\$31.80
	502330770		04/20/2016	linen service		\$31.80
	502375791		04/27/2016	linen service		\$31.80
	502375792		04/27/2016	Linen service		\$91.83

Attachment: 05-06-16 City Check Register (1286 : Approval of City Check Registers)

City Checks Issued 05/06/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83498	05/06/2016	Open			MUNISERVICES LLC	\$2,043.91
	Invoice		Date	Description		Amount
	0000041458		04/28/2016	Quarterly sales tax reporting		\$1,233.80
	0000041438		04/25/2016	SUTA services for October - December 2015		\$782.18
	0000041439		04/25/2016	District sales tax audit October - December		\$27.98
83499	05/06/2016	Open			NIELS KISLING	\$1,082.91
	Invoice		Date	Description		Amount
	0069		04/15/2016	museum 50th buttons, magnets, and mugs		\$1,082.91
83500	05/06/2016	Open			O'REILLY AUTO PARTS	\$592.17
	Invoice		Date	Description		Amount
	2763-191870		04/07/2016	brake rotor		\$72.01
	2763-191852		04/07/2016	fuel filters, oil filters and air filters		\$491.17
	2763197160		04/29/2016	fluid		\$29.34
83501	05/06/2016	Open			ORCHARD SUPPLY HARDWARE	\$666.67
	Invoice		Date	Description		Amount
	063474		04/07/2016	Supplies for parking meters		\$18.56
	043008		04/04/2016	Drill bit set		\$35.10
	063511		04/07/2016	Sanding disks		\$28.89
	030710		03/16/2016	Batteries		\$12.38
	043972		04/08/2016	Hammer, scrapper, glue, long pin set		\$70.19
	036458		04/08/2016	Batteries, caulking gun		\$18.06
	063563		04/08/2016	Marking chalk		\$23.31
	050959		04/08/2016	Brass pipe nipples		\$10.21
	044699		04/11/2016	Batteries		\$13.42
	044841		04/11/2016	Sanding disks		\$51.60
	028137		04/15/2016	6-outlet strip, cleaning supplies		\$15.18
	045240		04/13/2016	master lock key copies		\$5.14
	037932		04/13/2016	Tape measure		\$15.49
	038187		04/14/2016	Battery and caulking		\$10.42
	045620		04/15/2016	tarps and zip ties		\$60.75
	046676		04/19/2016	Respirator and sanding disks		\$67.10
	046907		04/21/2016	Blank key		\$4.12
	047804		04/25/2016	Paint		\$3.09
	054081		04/26/2016	Spray paint		\$6.18
	037286		04/11/2016	steel		\$34.28
	051932		04/15/2016	compression nut and sleeve		\$3.50
	046310		04/18/2016	hammer tack, staples, tack cut		\$25.62
	020544		04/25/2016	Graffiti supplies		\$32.93
	033796		05/03/2016	Chalk		\$4.12
	055307		05/03/2016	Pipe wrap and tape		\$16.51
	033506		05/02/2016	bits and hole saw attachments		\$80.53
				1000 - General Fund	\$508.67	
				1311 - Wharf Fund	\$158.01	

Attachment: 05-06-16 City Check Register (1286 : Approval of City Check Registers)

City Checks Issued 05/06/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transactio Amount
83502	05/06/2016	Open			PALACE OFFICE SUPPLIES	\$381.3
	Invoice		Date	Description		Amount
	368732-0		04/28/2016	office supplies		\$86.01
	368779-0		04/29/2016	wall clock, binders		\$26.69
	368805-0		04/29/2016	tissues		\$39.29
	368240-0		04/26/2016	binders		\$14.75
	368990-0		05/02/2016	office supplies		\$170.20
	369206-0		05/03/2016	office supplies		\$44.36
				1000 - General Fund	\$315.32	
				2210 - ISF - Stores Fund	\$65.98	
83503	05/06/2016	Open			PAPE MACHINERY	\$224.1
	Invoice		Date	Description		Amount
	9910980		04/26/2016	fuel pump and seal		\$132.54
	9913108		04/27/2016	fuel filters		\$91.61
83504	05/06/2016	Open			PRAXAIR DISTRIBUTION INC.	\$116.5
	Invoice		Date	Description		Amount
	55089221		04/20/2016	industrial high pressure acetylene		\$116.57
83505	05/06/2016	Open			PREFERRED BENEFIT INSURANCE ADMIN.	\$5,799.1
	Invoice		Date	Description		Amount
	2016-00000785		05/01/2016	May dental & vision insurance		\$5,799.10
				1001 - Payroll Payables		
83506	05/06/2016	Open			SAN LORENZO LUMBER	\$501.6
	Invoice		Date	Description		Amount
	55-0160074-2		03/24/2016	pipe and chain		\$31.15
	55-0166407		04/19/2016	Wood		\$79.64
	55-0167392		04/22/2016	Chalk, drill bits, replacement handle, adapters		\$28.55
	55-0168265		04/26/2016	Nail stops		\$6.62
	55-0166697		04/20/2016	Drill and drill bits		\$261.73
	55-0168495		04/27/2016	Rod, nuts		\$93.95
				1000 - General Fund	\$328.05	
				1311 - Wharf Fund	\$173.59	
83507	05/06/2016	Open			SANTA CRUZ COUNTY DEPT OF PUBLIC WORKS	\$201.3
	Invoice		Date	Description		Amount
	29583		03/31/2016	wood waste removal		\$201.37
83508	05/06/2016	Open			SCC ENVIRONMENTAL HEALTH SVC	\$21,199.2
	Invoice		Date	Description		Amount
	IN0078793		04/12/2016	Pacific Cove Parking Lot-Document review, correspondence		\$1,000.00
	IN0076098		10/23/2015	McGregor Park remediation		\$6,461.75
	IN0077849		01/14/2016	McGregor Park-remediation		\$5,974.50
	IN0078784		04/12/2016	McGregor Park-remediation		\$7,763.00
				1200 - Capital Improvement Fund	\$20,199.25	
				1421 - Pac Cove Park	\$1,000.00	

Attachment: 05-06-16 City Check Register (1286 : Approval of City Check Registers)

City Checks Issued 05/06/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83509	05/06/2016	Open			SERVPRO OF SANTA CRUZ	\$143.1
	Invoice		Date	Description		Amount
	4439		05/03/2016	bio-hazard vehicle cleaning		\$143.18
83510	05/06/2016	Open			SOQUEL CREEK WATER DISTRICT	\$6,059.1
	Invoice		Date	Description		Amount
	SCWD041916		04/19/2016	Monthly water usage and irrigation fees		\$6,059.13
				1000 - General Fund	\$5,529.41	
				1311 - Wharf Fund	\$529.72	
83511	05/06/2016	Open			SPORT ABOUT GRAPHICS	\$6,625.8
	Invoice		Date	Description		Amount
	7240		04/29/2016	Camp Capitola junior leaders t-shirts		\$646.47
	7236		04/27/2016	Camp Capitola participant t-shirts		\$1,374.78
	7237		04/27/2016	Camp Capitola staff shirts		\$676.13
	7238		04/27/2016	Junior guard captains corps t-shirts		\$487.67
	7235		04/27/2016	Junior guard participant shirts		\$3,350.51
	7231		04/25/2016	Work shirts - Thomas		\$90.28
83512	05/06/2016	Open			STAPLES ADVANTAGE	\$17.9
	Invoice		Date	Description		Amount
	8038973304		04/23/2016	office supplies		\$17.98
83513	05/06/2016	Open			T MOBILE	\$3,373.8
	Invoice		Date	Description		Amount
	TM041316		04/27/2016	Monthly cell phone usage		\$3,373.81
83514	05/06/2016	Open			T&T PAVEMENT MARKINGS	\$2,363.1
	Invoice		Date	Description		Amount
	2016280		04/29/2016	Traffic paint		\$2,363.10
				1310 - Gas Tax Fund		
83515	05/06/2016	Open			TELECOM LAW FIRM PC	\$1,850.0
	Invoice		Date	Description		Amount
	328		02/08/2016	#15-198 231 Esplanade drafting documents		\$1,850.00
83516	05/06/2016	Open			UNITED PARCEL SERVICE	\$6.9
	Invoice		Date	Description		Amount
	0000954791186		04/30/2016	shipping		\$6.98
83517	05/06/2016	Open			UNITED WAY OF SANTA CRUZ COUNTY	\$25.0
	Invoice		Date	Description		Amount
	UW050316		04/29/2016	April 2016 United Way contributions		\$25.00
				1001 - Payroll Payables		
83518	05/06/2016	Open			US BANK PARS	\$370.4
	Invoice		Date	Description		Amount
	PARS050316		04/29/2016	PARS contributions PPE 04-23-16		\$370.47
				1001 - Payroll Payables		

Attachment: 05-06-16 City Check Register (1286 : Approval of City Check Registers)

City Checks Issued 05/06/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83519	05/06/2016	Open			WE ALL RIDE SANTA CRUZ	\$306.00
	Invoice		Date	Description		Amount
	4144726		04/25/2016	2013 Honda MC31 brake repair		\$96.16
	4144723		04/25/2016	2015 Honday MC51 Brake repair		\$209.88
83520	05/06/2016	Open			WEBER HAYES & ASSOCIATES INC.	\$34,189.00
	Invoice		Date	Description		Amount
	10647		12/07/2015	McGregor Park-remediation work		\$20,068.93
	10648		12/07/2015	McGregor Park-remediation work		\$2,794.20
	10723		03/16/2016	McGregor Park-remediation work 1200 - Capital Improvement Fund		\$11,325.90
83521	05/06/2016	Open			Abbie Blevins	\$36.00
	Invoice		Date	Description		Amount
	188123647		05/02/2016	refund cite 188123647		\$36.00
83522	05/06/2016	Open			Jill Kirby	\$10.00
	Invoice		Date	Description		Amount
	155127803		04/26/2016	refund cite 155127803		\$10.00
Type Check Totals:						\$145,051.80
<u>EFT</u>						
264	05/02/2016	Open			STATE DISBURSEMENT UNIT	\$1,117.80
	Invoice		Date	Description		Amount
	NA93WLY6657		05/02/2016	garnishments PPE 04-23-16 1001 - Payroll Payables		\$1,117.84
265	05/03/2016	Open			CalPERS Member Services Division	\$45,613.00
	Invoice		Date	Description		Amount
	1000694240-3		05/03/2016	PERS contributions PPE 04-23-16 1000 - General Fund 1001 - Payroll Payables	(\$0.16) \$45,613.18	\$45,613.02
266	05/03/2016	Open			EMPLOYMENT DEVELOPMENT DEPT	\$6,733.80
	Invoice		Date	Description		Amount
	1-928-692-352		05/03/2016	state tax deposit PPE 04-23-16 1001 - Payroll Payables		\$6,733.82
267	05/03/2016	Open			INTERNAL REVENUE SERVICE	\$27,101.20
	Invoice		Date	Description		Amount
	270652493769696		05/03/2016	Federal tax deposit PPE 04-23-16 1001 - Payroll Payables		\$27,101.25
Type EFT Totals:						\$80,565.90

Attachment: 05-06-16 City Check Register (1286 : Approval of City Check Registers)

CITY - Main City Totals	Counts:	Total:
Checks	56	\$145,051.80
EFTs	4	\$80,565.90
All	60	\$225,617.80


Accounts payable checks dated 5/13/16, numbered 83523 to 83570, totaling \$180,479.64, plus 10 payroll checks and 92 payroll efts totaling \$150,607.75, for a total disbursement of \$331,087.39, have been reviewed and authorized for distribution by the City Manager.

As of 5/13/2016 the unaudited cash balance is \$5,821,379.04.

CASH POSITION - CITY OF CAPITOLA 5/13/2016

	<u>Net Balance</u>
General Fund	\$1,214,613.53
Payroll Payables	\$130,519.92
Contingency Reserve Fund	\$1,848,645.66
PERS Contingency Fund	\$150,000.00
Facilities Reserve Fund	\$154,870.00
Capital Improvement Fund	\$1,810,503.20
Stores Fund	\$24,631.51
Information Technology Fund	\$99,088.12
Equipment Replacement	\$91,308.99
Self Insurance Liability Fund	\$132,526.14
Worker's Comp. Ins. Fund	\$171,601.79
Compensated Absences Fund	(\$6,929.82)
TOTAL UNASSIGNED GENERAL FUNDS	<u><u>\$5,821,379.04</u></u>

The Emergency Reserve Fund Balance is \$1,155,705.54 (not included above).



 Jamie Goldstein, City Manager

5/13/2016

 Date

Attachment: 05-13-16 City Check Register (1286 : Approval of City Check Registers)

City Checks Issued 05/13/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83523	05/09/2016	Open			LEAGUE OF CALIFORNIA CITIES Monterey Bay Division	\$26.00
	Invoice		Date	Description		Amount
	LOCC050916		05/06/2016	Health benefits marketplace meeting - Laurent		\$26.00
83524	05/13/2016	Open			ADT SECURITY SERVICES INC.	\$128.23
	Invoice		Date	Description		Amount
	4282016		04/28/2016	Corp. yard alarm services May - June		\$128.23
83525	05/13/2016	Open			AMY FERRASCI-HARP	\$1,226.62
	Invoice		Date	Description		Amount
	59		05/02/2016	April BIA website maintenance, consulting and office supplies 1321 - BIA - Capitola Village-Wharf BIA		\$1,226.62
83526	05/13/2016	Open			ANDERSON PACIFIC ENGINEERING CONSTRUCTION	\$88,318.65
	Invoice		Date	Description		Amount
	1604-01		04/22/2016	Stockton Ave. improvements pymt #1 1200 - Capital Improvement Fund		\$88,318.65
83527	05/13/2016	Open			ARACELLY BIBL	\$74.10
	Invoice		Date	Description		Amount
	Bib051016		05/10/2016	Instructor payment late spring 2016		\$74.10
83528	05/13/2016	Open			CA DEPARTMENT OF JUSTICE	\$64.00
	Invoice		Date	Description		Amount
	164032		05/04/2016	April fingerprinting		\$64.00
83529	05/13/2016	Open			CALIFORNIA COAST UNIFORM COMPANY	\$73.90
	Invoice		Date	Description		Amount
	5146		04/30/2016	Duty belt for Gabriel Rankin		\$73.90
83530	05/13/2016	Open			CALIFORNIA POLICE CHIEFS ASSOCIATION	\$419.00
	Invoice		Date	Description		Amount
	4863		05/04/2016	Membership dues for Chief		\$419.00
83531	05/13/2016	Open			CAROLYN FLYNN	\$4,042.50
	Invoice		Date	Description		Amount
	CBF-4-2016-HRPP		04/30/2016	April CDBG program management		\$315.00
	CBF-4-2016		04/30/2016	April affordable housing program management		\$3,727.50
				1000 - General Fund	\$3,727.50	
				1350 - CDBG Grants	\$315.00	
83532	05/13/2016	Open			CASEY PRINTING	\$4,699.85
	Invoice		Date	Description		Amount
	30914011		05/05/2016	Summer Brochure Printing		\$4,699.85
83533	05/13/2016	Open			CENTRAL MEDICAL LABORATORY INC	\$60.00
	Invoice		Date	Description		Amount
	17115		04/30/2016	blood draw for a DUI case16c-00877		\$60.00

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City Checks Issued 05/13/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83534	05/13/2016	Open			COASTAL WATERSHED COUNCIL	\$2,876.67
	Invoice		Date	Description		Amount
	1481		05/08/2016	April NPDES Public Education & Outreach 15/16		\$2,876.67
83535	05/13/2016	Open			COORDINATED WIRE ROPE OF NO. CA INC.	\$598.52
	Invoice		Date	Description		Amount
	16040138		04/25/2016	Slings		\$598.52
83536	05/13/2016	Open			DAVE JOHNSTON	\$161.20
	Invoice		Date	Description		Amount
	johnston051016		05/10/2016	Instructor Payment		\$161.20
83537	05/13/2016	Open			DOGHERRA'S INC.	\$585.00
	Invoice		Date	Description		Amount
	324449		04/16/2016	Wharf ramp raising and lowering for repairs		\$375.00
	324501		05/02/2016	Wharf ramp raising and lowering for repairs 1311 - Wharf Fund		\$210.00
83538	05/13/2016	Open			EVANS, KRAIG	\$50.00
	Invoice		Date	Description		Amount
	Evans050516		05/05/2016	cash advance for estimated meal cost for POST training		\$50.00
83539	05/13/2016	Open			FASTENAL COMPANY	\$194.43
	Invoice		Date	Description		Amount
	CASAT36762		04/26/2016	Threaded rod, nuts,washers 1311 - Wharf Fund		\$194.43
83540	05/13/2016	Open			FRED C. BEYERS	\$231.00
	Invoice		Date	Description		Amount
	Beyers050616		05/06/2016	Softball Officials 4/25-5/6/16		\$231.00
83541	05/13/2016	Open			FREEMAN, THELMA	\$500.00
	Invoice		Date	Description		Amount
	0269		05/08/2016	summer events flyer 2016		\$500.00
83542	05/13/2016	Open			GARDAWORLD	\$173.42
	Invoice		Date	Description		Amount
	10204244		05/01/2016	Armored car service May 2016		\$173.42
83543	05/13/2016	Open			GUYS GUTTERS INC	\$495.00
	Invoice		Date	Description		Amount
	29701		05/02/2016	Recreation center gutter repairs		\$495.00
83544	05/13/2016	Open			HUMBOLDT PETROLEUM LLC	\$26.00
	Invoice		Date	Description		Amount
	085509		04/30/2016	car wash for patrol cars		\$26.00
83545	05/13/2016	Open			INTERSTATE BATTERY SYSTEMS OF SAN JOSE	\$39.15
	Invoice		Date	Description		Amount
	457408		05/06/2016	Batteries		\$39.15

Attachment: 05-13-16 City Check Register (1286 : Approval of City Check Registers)

City Checks Issued 05/13/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Amount	Transaction Amount
83546	05/13/2016	Open			LABORMAX STAFFING		\$993.46
	Invoice		Date	Description		Amount	
	26-60985		05/06/2016	Seasonal labor		\$993.46	
83547	05/13/2016	Open			MAR-KEN K-9 TRAINING CENTER		\$480.00
	Invoice		Date	Description		Amount	
	0103-16		05/10/2016	May K-9 training		\$480.00	
83548	05/13/2016	Open			MICHAEL ARNONE		\$16,638.38
	Invoice		Date	Description		Amount	
	201528-5		04/14/2016	Rispin park progress billing 1200 - Capital Improvement Fund		\$16,638.38	
83549	05/13/2016	Open			MILLER'S TRANSFER & STORAGE CO.		\$217.00
	Invoice		Date	Description		Amount	
	87802		05/03/2016	May record storage and April warehouse handling		\$217.00	
83550	05/13/2016	Open			NANCY HOWELLS		\$154.70
	Invoice		Date	Description		Amount	
	Howells051016		05/10/2016	Instructor Payment		\$154.70	
83551	05/13/2016	Open			PACIFIC CREST ENGINEERING INC.		\$3,900.00
	Invoice		Date	Description		Amount	
	2744		04/30/2016	Geotechnical Investigation Esplanade Park Retaining Wall 1200 - Capital Improvement Fund		\$3,900.00	
83552	05/13/2016	Open			PALACE OFFICE SUPPLIES		\$153.80
	Invoice		Date	Description		Amount	
	370121-0		05/09/2016	USB flash drives (4)		\$34.80	
	370132-0		05/09/2016	supplies for parking		\$46.45	
	369907-0		05/06/2016	rubberbands, index markers, paper		\$72.63	
				1000 - General Fund	\$81.25		
				2210 - ISF - Stores Fund	\$72.63		
83553	05/13/2016	Open			Paula Yoshiko Suzuki		\$291.20
	Invoice		Date	Description		Amount	
	Suzuki051016		05/10/2016	Instructor Payment		\$291.20	
83554	05/13/2016	Open			PHIL ALLEGRI ELECTRIC INC.		\$5,545.00
	Invoice		Date	Description		Amount	
	21152		05/04/2016	Wharf LED lights installed		\$2,218.00	
	21153		05/04/2016	Wharf LED lights installed 1311 - Wharf Fund		\$3,327.00	
83555	05/13/2016	Open			PHILLIPS PET FOOD & SUPPLIES		\$142.77
	Invoice		Date	Description		Amount	
	CD12848220		05/03/2016	K-9 supplies		\$142.77	
83556	05/13/2016	Open			PUBLIC ENGINES INC.		\$1,425.60
	Invoice		Date	Description		Amount	
	23271		05/01/2016	Crime reports annual subscription renewal		\$1,425.60	

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City Checks Issued 05/13/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83557	05/13/2016	Open			QUENVOLD'S SAFETY SHOEMOBILES	\$319.00
	Invoice		Date	Description		Amount
	57505		05/02/2016	Boots - Thomas Dixon		\$164.92
	57556		05/09/2016	Boots - Cooper		\$154.44
83558	05/13/2016	Open			SANTA CRUZ COUNTY DEPT OF PUBLIC WORKS	\$67.00
	Invoice		Date	Description		Amount
	29739		04/30/2016	household hazardous waste recycling		\$67.00
83559	05/13/2016	Open			SANTA CRUZ COUNTY INFORMATION SERVICES	\$521.99
	Invoice		Date	Description		Amount
	SCC050216		05/02/2016	May Open Query Scan charges		\$521.99
83560	05/13/2016	Open			STUDIOHOLLADAY	\$6,000.00
	Invoice		Date	Description		Amount
	2		05/05/2016	BIA website redesign 1321 - BIA - Capitola Village-Wharf BIA		\$6,000.00
83561	05/13/2016	Open			SUMMIT UNIFORMS	\$4,696.54
	Invoice		Date	Description		Amount
	31051		04/21/2016	Baton, baton holder for Quolas		\$33.71
	31048		04/21/2016	Yeung uniform		\$313.20
	31018		04/21/2016	Irao uniform		\$383.89
	30991		04/19/2016	Weagle uniform		\$688.39
	30990		04/19/2016	Quolas uniform		\$1,648.65
	31262		04/29/2016	Vazquez vest		\$814.54
	31261		04/29/2016	Currier Vest		\$814.54
83562	05/13/2016	Open			T&T PAVEMENT MARKINGS	\$1,313.80
	Invoice		Date	Description		Amount
	2016319		05/09/2016	Signs 1310 - Gas Tax Fund		\$1,313.80
83563	05/13/2016	Open			TARGET SPECIALTY PRODUCTS	\$913.50
	Invoice		Date	Description		Amount
	PI0419284		04/30/2016	30 bags of fertilizer		\$913.50
83564	05/13/2016	Open			UNITED STATES POSTAL SERVICE	\$1,120.00
	Invoice		Date	Description		Amount
	BTJ3569		04/05/2016	postage for 2016 Twilight Concerts postcard		\$1,120.00
83565	05/13/2016	Open			WELLS FARGO BANK	\$4,174.82
	Invoice		Date	Description		Amount
	WF050316		05/03/2016	April credit card purchases		\$4,174.82
				Transactions over \$500 threshold:		
				SLI POST training Dally	\$507.96	
				folding machine	\$711.24	
				1000 - General Fund	\$3,167.24	
				1300 - SLESF - Supl Law Enfc	\$139.95	
				1313 - General Plan Update and Maint	\$26.00	
				2210 - ISF - Stores Fund	\$841.63	

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City Checks Issued 05/13/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83566	05/13/2016	Open			WESTERN EXTERMINATOR COMPANY	\$104.00
	Invoice		Date	Description		Amount
	4087574		04/30/2016	City Hall - April rodent control		\$52.00
	4069977		04/30/2016	Turnouts - April rodent control		\$52.00
83567	05/13/2016	Open			Diane Kayne	\$37.00
	Invoice		Date	Description		Amount
	2002560.002		05/10/2016	Class refund		\$37.00
83568	05/13/2016	Open			GEORGE McMENAMIN	\$626.56
	Invoice		Date	Description		Amount
	47		05/11/2016	Riparian Restoration 15/16		\$626.56
83569	05/13/2016	Open			THE DON CHAPIN CO INC	\$25,521.75
	Invoice		Date	Description		Amount
	216051*01		04/20/2016	38th Avenue Road Reconstruction Project 1200 - Capital Improvement Fund		\$25,521.75
83570	05/13/2016	Open			WATSONVILLE BLUEPRINT	\$83.71
	Invoice		Date	Description		Amount
	61027		05/11/2016	prints		\$83.71
Type Check Totals:						\$180,479.60

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City Checks Issued 05/13/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amou
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CITY - Main City Totals

	Count	Transaction Amou
Checks	47	\$180,479.
EFTs	0	\$0.
All	47	\$180,479.

WELLS - Payroll Totals

	Count	Transaction Amou
Checks	10	\$4,832.
EFTs	92	\$145,775.
All	102	\$150,607.

Grand Totals:

	Count	Transaction Amou
Checks	57	\$185,312.
EFTs	92	\$145,775.
All	149	\$331,087.

Attachment: 05-13-16 City Check Register (1286 : Approval of City Check Registers)

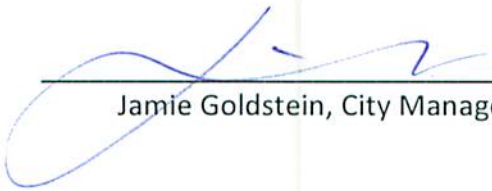
Accounts payable checks dated 5/20/16, numbered 83571 to 83635, totaling \$134,640.62, plus 4 efts totaling \$79,082.14, for a total disbursement of \$213,722.76, have been reviewed and authorized for distribution by the City Manager.

As of 5/20/2016 the unaudited cash balance is \$6,418,285.56.

CASH POSITION - CITY OF CAPITOLA 5/20/2016

	<u>Net Balance</u>
General Fund	\$1,940,808.59
Payroll Payables	\$44,815.24
Contingency Reserve Fund	\$1,848,645.66
PERS Contingency Fund	\$150,000.00
Facilities Reserve Fund	\$154,870.00
Capital Improvement Fund	\$1,774,044.52
Stores Fund	\$15,517.94
Information Technology Fund	\$101,076.51
Equipment Replacement	\$91,308.99
Self-Insurance Liability Fund	\$132,526.14
Workers' Comp. Ins. Fund	\$171,601.79
Compensated Absences Fund	(\$6,929.82)
TOTAL UNASSIGNED GENERAL FUNDS	<u><u>\$6,418,285.56</u></u>

The Emergency Reserve Fund Balance is \$1,155,705.54 (not included above).



Jamie Goldstein, City Manager

5/20/2016
Date

Attachment: 05-20-16 City Check Register (1286 : Approval of City Check Registers)

City Checks Issued 05/20/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83571	05/13/2016	Open			EVANS, KRAIG	\$200.0
	Invoice		Date	Description		Amount
	Evans050516b		05/05/2016	meal advance for POST training		\$200.00
83572	05/20/2016	Open			ADAMS ASHBY GROUP INC	\$840.0
	Invoice		Date	Description		Amount
	1704		05/02/2016	April grant general admin. 1350 - CDBG Grants		\$840.00
83573	05/20/2016	Open			ADRIENNE HARRELL	\$739.0
	Invoice		Date	Description		Amount
	2016-00000816		05/16/2016	Late Spring 2016		\$739.05
83574	05/20/2016	Open			AIMEE FITZGERALD	\$354.9
	Invoice		Date	Description		Amount
	2016-00000810		05/16/2016	Late Spring 2016		\$354.90
83575	05/20/2016	Open			ANDREW PORTER	\$371.8
	Invoice		Date	Description		Amount
	2016-00000826		05/16/2016	Late Spring 2016		\$371.80
83576	05/20/2016	Open			AT&T	\$9.2
	Invoice		Date	Description		Amount
	ATT050116		05/01/2016	May telephone charges		\$9.23
				1000 - General Fund	\$4.53	
				2211 - ISF - Information Tech	\$4.70	
83577	05/20/2016	Open			ATCHISON BARISONE CONDOTTI & KOVACEVICH	\$18,648.0
	Invoice		Date	Description		Amount
	ABC043016		04/30/2016	April legal services		\$18,648.06
83578	05/20/2016	Open			BECKY ADAMS	\$166.4
	Invoice		Date	Description		Amount
	2016-00000799		05/16/2016	Late Spring 2016		\$166.40
83579	05/20/2016	Open			BEN NOBLE URBAN AND REGIONAL PLANNING	\$4,142.8
	Invoice		Date	Description		Amount
	1083		05/03/2016	Attended planning commission meetings, travel expenses 1313 - General Plan Update and Maint		\$4,142.88
83580	05/20/2016	Open			BRUCE INK	\$280.8
	Invoice		Date	Description		Amount
	2016-00000820		05/16/2016	Late Spring 2016		\$280.80
83581	05/20/2016	Open			CADILLAC DESIGNS INC.	\$152.5
	Invoice		Date	Description		Amount
	3604		03/23/2015	Lettering for PD motorcycles		\$152.50

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City Checks Issued 05/20/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83582	05/20/2016	Open			CAPITOLA PEACE OFFICERS ASSOCIATION	\$1,694.7
	Invoice		Date	Description		Amount
	POA051316		05/13/2016	POA and Gym dues PPE 05-07-16 1001 - Payroll Payables		\$1,694.75
83583	05/20/2016	Open			CHARMAINE MONIZ	\$57.2
	Invoice		Date	Description		Amount
	2016-00000825		05/16/2016	Late Spring 2016		\$57.20
83584	05/20/2016	Open			CHUCK DICKS	\$148.2
	Invoice		Date	Description		Amount
	2016-00000806		05/16/2016	Late Spring 2016		\$148.20
83585	05/20/2016	Open			CLAUDIO FRANCA	\$78.0
	Invoice		Date	Description		Amount
	2016-00000814		05/16/2016	Late Spring 2016		\$78.00
83586	05/20/2016	Open			CLEAN BUILDING MAINTENANCE CO.	\$3,719.1
	Invoice		Date	Description		Amount
	16010		04/30/2016	April janitorial services 1000 - General Fund 1311 - Wharf Fund	\$3,501.63 \$217.50	\$3,719.13
83587	05/20/2016	Open			CRYSTAL SPRINGS WATER CO.	\$327.2
	Invoice		Date	Description		Amount
	CSW043016		04/30/2016	April drinking water		\$327.28
83588	05/20/2016	Open			DAVID SCOTT COBABE	\$1,569.8
	Invoice		Date	Description		Amount
	2016-00000804		05/16/2016	Late Spring 2016		\$1,569.80
83589	05/20/2016	Open			DAWN MAC LAUGHLIN	\$904.1
	Invoice		Date	Description		Amount
	2016-00000821		05/16/2016	Late Spring 2016		\$904.15
83590	05/20/2016	Open			FLYERS ENERGY LLC	\$3,144.5
	Invoice		Date	Description		Amount
	16-251299		05/06/2016	auto oil		\$704.70
	16-255052		05/13/2016	535 gallons ethanol		\$1,718.80
	16-255053		05/13/2016	220 gallons diesel		\$555.48
	16-254220		05/12/2016	break off valve for gas pully		\$165.60
83591	05/20/2016	Open			GEORGE H WILSON INC	\$613.7
	Invoice		Date	Description		Amount
	000115928		04/22/2016	Server room air conditioning troubleshoot		\$613.70
83592	05/20/2016	Open			HANYA FOJACO	\$1,111.5
	Invoice		Date	Description		Amount
	2016-00000812		05/16/2016	Late Spring 2016		\$1,111.50

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City Checks Issued 05/20/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83593	05/20/2016	Open			HELENA FOX	\$473.20
	Invoice		Date	Description		Amount
	2016-00000813		05/16/2016	Late Spring 2016		\$473.20
83594	05/20/2016	Open			HO KUK MU SUL CORPORATION	\$50.05
	Invoice		Date	Description		Amount
	2016-00000803		05/16/2016	Late Spring 2016		\$50.05
83595	05/20/2016	Open			HOUSING AUTHORITY OF THE COUNTY OF SANTA CRUZ	\$2,370.50
	Invoice		Date	Description		Amount
	16-10CDBG		05/04/2016	April housing rehab and homeownership assistance 1350 - CDBG Grants		\$2,370.50
83596	05/20/2016	Open			ICMA RETIREMENT TRUST 457	\$4,642.01
	Invoice		Date	Description		Amount
	ICMA051316		05/13/2016	ICMA contributions PPE 05-07-16 1001 - Payroll Payables		\$4,642.01
83597	05/20/2016	Open			ILLINGWORTH & RODKIN INC	\$185.00
	Invoice		Date	Description		Amount
	15-095-8		05/04/2016	Monterey skate park acoustic and air quality consultant services		\$185.00
83598	05/20/2016	Open			KBA Docusys Inc.	\$977.96
	Invoice		Date	Description		Amount
	INV434781		05/09/2016	Recreation copier rental		\$83.48
	INV432528		05/02/2016	City Hall and Recreation printer rental contracts		\$103.96
	INV432531		05/02/2016	Recreation copier rental		\$33.43
	INV432530		05/02/2016	City Hall copier rental		\$110.75
	INV432529		05/02/2016	City Hall copier rental		\$645.90
				1000 - General Fund	\$43.39	
				2210 - ISF - Stores Fund	\$934.13	
83599	05/20/2016	Open			LAW ENFORCEMENT TARGETS INC.	\$22.41
	Invoice		Date	Description		Amount
	0305805-IN		04/09/2016	Action trainer dummy rounds		\$22.41
83600	05/20/2016	Open			LP POLICE	\$450.00
	Invoice		Date	Description		Amount
	516LP31150		04/30/2016	Semi-annual plan fee		\$450.00
83601	05/20/2016	Open			MARQUART MUSEUM CONSULTING	\$405.00
	Invoice		Date	Description		Amount
	05-01-20160504		05/04/2016	museum history archiving		\$405.00
83602	05/20/2016	Open			MICHAEL GREENWALD	\$36,140.00
	Invoice		Date	Description		Amount
	39		05/13/2016	McGregor skate park flatwork concrete pumping		\$3,040.00
	38		05/13/2016	Flatwork for McGregor skatepark 1200 - Capital Improvement Fund		\$33,100.00

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City Checks Issued 05/20/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83603	05/20/2016	Open			MICHELE FAIA	\$682.50
	Invoice		Date	Description		Amount
	2016-00000809		05/16/2016	Late Spring 2016		\$682.50
83604	05/20/2016	Open			MITCHELL A. MILES JR.	\$1,127.10
	Invoice		Date	Description		Amount
	2016-00000833		05/16/2016	Late Spring 2016		\$1,127.10
83605	05/20/2016	Open			NORTH BAY FORD	\$18.16
	Invoice		Date	Description		Amount
	255130		05/04/2016	door handle assembly		\$18.16
83606	05/20/2016	Open			PACIFIC GAS & ELECTRIC	\$13,770.37
	Invoice		Date	Description		Amount
	PGE051316acct9		05/13/2016	Monthly utilities		\$13,770.37
				1000 - General Fund	\$4,429.34	
				1300 - SLESF - Supl Law Enfc	\$93.85	
				1310 - Gas Tax Fund	\$7,224.46	
				1311 - Wharf Fund	\$2,022.72	
83607	05/20/2016	Open			PALACE OFFICE SUPPLIES	\$219.50
	Invoice		Date	Description		Amount
	370921-0		05/12/2016	envelopes, paper, notebooks		\$137.87
	370330-0		05/10/2016	index markers		\$81.66
				2210 - ISF - Stores Fund		
83608	05/20/2016	Open			PAST PERFECT SOFTWARE INC.	\$440.00
	Invoice		Date	Description		Amount
	2016-34339		04/22/2016	museum collections management software annual support fee		\$440.00
				2211 - ISF - Information Technology		
83609	05/20/2016	Open			PAT EVANS	\$148.20
	Invoice		Date	Description		Amount
	2016-00000808		05/16/2016	Late Spring 2016		\$148.20
83610	05/20/2016	Open			PAULA BLISS	\$533.00
	Invoice		Date	Description		Amount
	2016-00000802		05/16/2016	Late Spring 2016		\$533.00
83611	05/20/2016	Open			RAVI KEN LAMB	\$308.10
	Invoice		Date	Description		Amount
	2016-00000834		05/16/2016	Late Spring 2016		\$308.10
83612	05/20/2016	Open			RYAN SAFTY	\$50.76
	Invoice		Date	Description		Amount
	Safty042516		04/25/2016	Project management training mileage reimbursement		\$50.76
83613	05/20/2016	Open			SANDY MARRUJO	\$464.10
	Invoice		Date	Description		Amount
	2016-00000822		05/16/2016	Late Spring 2016		\$464.10

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City Checks Issued 05/20/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83614	05/20/2016	Open			SANTA CRUZ COUNTY AUDITOR-CONTROLLER	\$10,646.0
	Invoice		Date	Description		Amount
	SCC043016		04/30/2016	April citation processing		\$10,646.00
83615	05/20/2016	Open			SANTA CRUZ COUNTY OFFICE OF EDUCATION	\$55.0
	Invoice		Date	Description		Amount
	16341		05/06/2016	Fingerprinting		\$55.00
83616	05/20/2016	Open			SANTA CRUZ SENTINEL	\$1,547.4
	Invoice		Date	Description		Amount
	963475		04/30/2016	advertising for garage sale and bids, legal notices		\$1,547.48
				1000 - General Fund	\$1,293.80	
				1200 - Capital Improvement Fund	\$253.68	
83617	05/20/2016	Open			SHARON BARRETT	\$74.1
	Invoice		Date	Description		Amount
	2016-00000800		05/16/2016	Late Spring 2016		\$74.10
83618	05/20/2016	Open			SHERRI BETZ	\$5,188.1
	Invoice		Date	Description		Amount
	2016-00000838		05/16/2016	Late Spring 2016		\$5,188.10
83619	05/20/2016	Open			SIGN WAVE	\$606.2
	Invoice		Date	Description		Amount
	2765		05/11/2016	signs for McGregor skate park		\$606.20
83620	05/20/2016	Open			STEPFORD INC	\$5,000.0
	Invoice		Date	Description		Amount
	1601356		04/20/2016	June contract IT services		\$5,000.00
				2211 - ISF - Information Technology		
83621	05/20/2016	Open			TRENISE POT	\$2,039.7
	Invoice		Date	Description		Amount
	2016-00000827		05/16/2016	Late Spring 2016		\$2,039.70
83622	05/20/2016	Open			US BANCORP EQUIPMENT FINANCE INC.	\$839.5
	Invoice		Date	Description		Amount
	303980510		05/03/2016	Copier rentals		\$839.54
				1000 - General Fund	\$379.49	
				2210 - ISF - Stores Fund	\$460.05	
83623	05/20/2016	Open			US BANK PARS	\$285.6
	Invoice		Date	Description		Amount
	PARS051316		05/13/2016	PARS contributions PPE 05-7-16		\$285.61
				1001 - Payroll Payables		
83624	05/20/2016	Open			Yolozochitz Hunter	\$58.5
	Invoice		Date	Description		Amount
	2016-00000817		05/16/2016	Late Spring 2016		\$58.50

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City Checks Issued 05/20/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83625	05/20/2016	Open			ZEE MEDICAL SERVICE CO.	\$80.7
	Invoice		Date	Description		Amount
	66606448		05/03/2016	first aid supplies 2210 - ISF - Stores Fund		\$80.70
83626	05/20/2016	Open			Certified Backflow Assembly Testing LLC	\$65.0
	Invoice		Date	Description		Amount
	663		05/11/2016	McGregor Skate Park Annual Backflow Assembly Test 1200 - Capital Improvement Fund		\$65.00
83627	05/20/2016	Open			Jack Kirchner	\$102.6
	Invoice		Date	Description		Amount
	2002561.002		05/10/2016	Private tennis lesson refund		\$102.60
83628	05/20/2016	Open			Jaqui Rice	\$34.5
	Invoice		Date	Description		Amount
	Rice051716		05/10/2016	Refund certified mailing fee for records request 2210 - ISF - Stores Fund		\$34.58
83629	05/20/2016	Open			CHIEF SUPPLY	\$33.2
	Invoice		Date	Description		Amount
	122804		05/11/2016	Sanizide Plus		\$33.23
83630	05/20/2016	Open			GARDAWORLD	\$11.4
	Invoice		Date	Description		Amount
	20151863		04/30/2016	April armored car excess liability, items, premise time		\$11.45
83631	05/20/2016	Open			KING'S CLEANERS	\$413.7
	Invoice		Date	Description		Amount
	Kings050916		05/09/2016	uniform cleaning		\$413.75
83632	05/20/2016	Open			MID COUNTY AUTO SUPPLY	\$747.1
	Invoice		Date	Description		Amount
	461378		04/25/2016	universal post and marine terminals		\$10.64
	461005		04/21/2016	car battery		\$130.02
	459802		04/12/2016	cleaner and protectant		\$23.33
	459991		04/13/2016	relay switch		\$65.15
	460594		04/18/2016	car battery core exchange		\$8.42
	460650		04/19/2016	car battery core exchange		\$5.44
	460749		04/19/2016	pump with reservior		\$95.87
	460915		04/20/2016	idler tension pulley		\$21.90
	460546		04/18/2016	alternator for 2007 Impala		\$311.23
	460490		04/18/2016	air filter and air freshner		\$13.79
	461965		04/29/2016	sealed beams		\$45.24
	462424		05/03/2016	trailer cart		\$25.54
	462327		05/03/2016	bearing		\$20.00
	461819		04/28/2016	filter		\$22.49
	461806		04/28/2016	filter		\$22.49
	461006		04/21/2016	battery core return		(\$16.32)
	462561		05/04/2016	oil filter		\$8.59
	463028		05/09/2016	oxygen sensor		\$41.84
	stmt043016		04/30/2016	Unexplained credit balance per statement		(\$108.48)

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City Checks Issued 05/20/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Amount	Transaction Amount
83633	05/20/2016	Open			MOFFATT AND NICHOL		\$3,967.14
	Invoice		Date	Description		Amount	
	718109		05/16/2016	Wharf condition assesment, pile resiliency, travel expenses 1311 - Wharf Fund		\$3,967.14	
83634	05/20/2016	Open			ZEE MEDICAL SERVICE CO.		\$89.34
	Invoice		Date	Description		Amount	
	66606447		05/03/2016	Medical supplies		\$89.34	
83635	05/20/2016	Open			Timothy or Stacy Hopkins		\$4.00
	Invoice		Date	Description		Amount	
	Hopkins051116		05/11/2016	Refund cite overpayment 155125950		\$4.00	
Type Check Totals:							\$134,640.6
<u>EFT</u>							
268	05/16/2016	Open			CalPERS Member Services Division		\$46,206.25
	Invoice		Date	Description		Amount	
	1000700183-6		05/16/2016	PERS contributions PPE 05-07-16 1000 - General Fund (\$0.17) 1001 - Payroll Payables		\$46,206.25	
269	05/16/2016	Open			EMPLOYMENT DEVELOPMENT DEPT		\$6,104.63
	Invoice		Date	Description		Amount	
	2-023-461-504		05/16/2016	State tax deposit PPE 05-7-16 1001 - Payroll Payables		\$6,104.63	
270	05/16/2016	Open			INTERNAL REVENUE SERVICE		\$25,653.42
	Invoice		Date	Description		Amount	
	270653761903107		05/16/2016	Federal tax deposit & Medicare PPE 05-7-16 1001 - Payroll Payables		\$25,653.42	
271	05/14/2016	Open			STATE DISBURSEMENT UNIT		\$1,117.84
	Invoice		Date	Description		Amount	
	RPO9TKN6657		05/14/2016	garnishments PPE 05-07-16 1001 - Payroll Payables		\$1,117.84	
Type EFT Totals:							\$79,082.1

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CITY - Main City Totals

	Counts:	Totals
Checks	64	\$134,640.6
EFTs	4	\$79,082.1
All	68	\$213,722.7

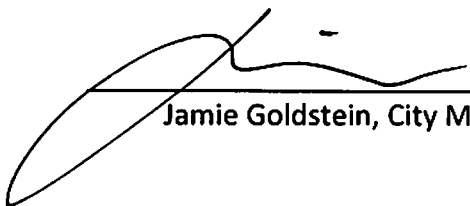
Accounts payable checks dated 5/27/16, numbered 83636 to 83694, totaling \$38,406.70, plus 1 eft totaling \$135.00, 9 payroll checks totaling \$6,102.02 and 82 payroll efts totaling \$194,736.07, for a total disbursement of \$239,379.79, have been reviewed and authorized for distribution by the City Manager.

As of 5/27/2016 the unaudited cash balance is \$6,234,422.34.

CASH POSITION - CITY OF CAPITOLA 5/27/2016

	<u>Net Balance</u>
General Fund	\$1,735,320.72
Payroll Payables	\$204,352.63
Contingency Reserve Fund	\$1,848,645.66
PERS Contingency Fund	\$150,000.00
Facilities Reserve Fund	\$154,870.00
Capital Improvement Fund	\$1,782,715.32
Stores Fund	\$15,400.77
Information Technology Fund	\$101,076.51
Equipment Replacement	\$91,308.99
Self-Insurance Liability Fund	\$132,526.14
Worker's Comp. Ins. Fund	\$171,601.79
Compensated Absences Fund	(\$97,561.41)
TOTAL UNASSIGNED GENERAL FUNDS	<u><u>\$6,290,257.12</u></u>

The Emergency Reserve Fund Balance is \$1,155,705.54 (not included above).



Jamie Goldstein, City Manager

5/27/2016
Date

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City Checks Issued 05/27/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83636 ✓	05/21/2016	Open			Darin C Franzen	\$36.00
	Invoice		Date	Description		Amount
	14139455		06/22/2015	refund cite 14139455		\$36.00
83637	05/27/2016	Open			A TOOL SHED	\$94.00
	Invoice		Date	Description		Amount
	1122680-5		05/20/2016	Saw rental		\$94.00
83638	05/27/2016	Open			AUTOMATION TEST ASSOCIATES	\$40.00
	Invoice		Date	Description		Amount
	43661		05/22/2016	Wharf meter reading and calculation 1311 - Wharf Fund		\$40.00
83639	05/27/2016	Open			B & B SMALL ENGINE REPAIR	\$273.78
	Invoice		Date	Description		Amount
	349895		05/16/2016	Service hedger		\$211.88
	349896		05/16/2016	Sharpen mower blades		\$39.52
	350095		05/18/2016	Tools, air cleaner		\$22.38
83640	05/27/2016	Open			BAY PLUMBING SUPPLY INC.	\$65.92
	Invoice		Date	Description		Amount
	S1364441.001		05/23/2016	Grid drain		\$65.92
83641	05/27/2016	Open			BEAR ELECTRICAL SOLUTIONS INC.	\$1,478.00
	Invoice		Date	Description		Amount
	3346		04/30/2016	April traffic signals maintenance - response		\$862.00
	3347		04/30/2016	April traffic signals maintenance - routine 1310 - Gas Tax Fund		\$616.00
83642	05/27/2016	Open			BILL TASHNICK	\$33.00
	Invoice		Date	Description		Amount
	Tashnick052016		05/20/2016	Softball Officials Payment 5/10-5/20/16		\$33.00
83643	05/27/2016	Open			BIOBAG AMERICAS INC.	\$1,270.96
	Invoice		Date	Description		Amount
	441398		05/23/2016	Dog waste bags		\$1,270.96
83644	05/27/2016	Open			BTJ ENTERPRISES	\$464.63
	Invoice		Date	Description		Amount
	5015		05/20/2016	2016 twilight concert postcards		\$464.63
83645	05/27/2016	Open			CALIFORNIA COAST UNIFORM COMPANY	\$969.01
	Invoice		Date	Description		Amount
	5184		05/18/2016	Explorer Rankin uniform		\$211.95
	5174		05/16/2016	Uniform for Kimura		\$216.36
	5181		05/17/2016	Uniform for Moreno		\$540.70
83646	05/27/2016	Open			CALIFORNIA LAW ENFORCEMENT ASSOCIATION	\$539.00
	Invoice		Date	Description		Amount
	CLEA052016		05/20/2016	June POA long term disability 1001 - Payroll Payables		\$539.00

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City Checks Issued 05/27/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83647	05/27/2016	Open			CANDELARIA	\$1,400.00
	Invoice		Date	Description		Amount
	042616		04/26/2016	twilight concert performers		\$1,400.00
83648	05/27/2016	Open			CARIN HANNA	\$584.31
	Invoice		Date	Description		Amount
	Hanna050216		05/02/2016	Constant contact, postage, envelopes 1321 - BIA - Capitola Village-Wharf BIA		\$584.31
83649	05/27/2016	Open			CHIEF SUPPLY	\$34.32
	Invoice		Date	Description		Amount
	129726		05/20/2016	sanitize plus		\$34.32
83650	05/27/2016	Open			COCKTAIL MONKEYS	\$1,000.00
	Invoice		Date	Description		Amount
	001		06/08/2016	twilight concert performers		\$1,000.00
83651	05/27/2016	Open			CRESTOR INC.	\$172.66
	Invoice		Date	Description		Amount
	R216030		05/14/2016	Bronze plaque - Houk		\$172.66
83652	05/27/2016	Open			DEBORAH WU	\$58.50
	Invoice		Date	Description		Amount
	Wu051616		05/16/2016	Late Spring Instructor Payments 2016		\$58.50
83653	05/27/2016	Open			DOGHERRA'S INC.	\$99.00
	Invoice		Date	Description		Amount
	324608		05/12/2016	Towing services Ford F350 to Corp. yard		\$99.00
83654	05/27/2016	Open			EWING IRRIGATION	\$1,683.09
	Invoice		Date	Description		Amount
	1372261		05/04/2016	Irrigation supplies		\$109.46
	1380499		05/05/2016	Fertilizer		\$306.87
	1424345		05/12/2016	Christy meter box and lid		\$53.22
	1424346		05/12/2016	Mole bait		\$57.81
	1432972		05/13/2016	Tree stakes, PVC adaptor		\$42.83
	1461737		05/18/2016	Patio supplies		\$263.19
	1461738		05/18/2016	Irrigation valve		\$127.41
	1477506		05/20/2016	Polysweep sand		\$546.34
	1477507		05/20/2016	Irrigation supplies		\$175.96
83655	05/27/2016	Open			EXTREME TOWING	\$200.00
	Invoice		Date	Description		Amount
	002934		05/13/2016	Towing services for Ford F250		\$200.00
83656	05/27/2016	Open			FABRICATION EFFECTS INC.	\$675.00
	Invoice		Date	Description		Amount
	051522		04/28/2016	Welding on ramp 1311 - Wharf Fund		\$675.00

Attachment: 05-27-16 City Check Register (1286 : Approval of City Check Registers)

City Checks Issued 05/27/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83657	05/27/2016	Open			FIRST ALARM SECURITY & PATROL INC.	\$496.39
	Invoice		Date	Description		Amount
	923922		05/16/2016	Community Center alarm 6/1-8/31/16		\$208.89
	922372		05/10/2016	Relocated temp sensor in evidence room		\$287.50
83658	05/27/2016	Open			FLYERS ENERGY LLC	\$1,223.70
	Invoice		Date	Description		Amount
	16-258783		05/20/2016	300 gallons ethanol		\$967.11
	16-258794		05/20/2016	100 gallons diesel		\$256.59
83659	05/27/2016	Open			FRED C. BEYERS	\$231.00
	Invoice		Date	Description		Amount
	Beyers052016		05/20/2016	Softball Officials Payment 5/10-5/20/16		\$231.00
83660	05/27/2016	Open			GLOBAL ENVIRONMENTAL PRODUCTS INC	\$1,383.43
	Invoice		Date	Description		Amount
	631928		05/17/2016	Sweeper parts 1310 - Gas Tax Fund		\$1,383.43
83661	05/27/2016	Open			GOVERNMENT FINANCE OFFICERS ASSOCIATION	\$190.00
	Invoice		Date	Description		Amount
	0142001-2016-17		05/02/2016	GFOA annual membership - Welch		\$190.00
83662	05/27/2016	Open			HELD, THOMAS	\$119.04
	Invoice		Date	Description		Amount
	Held051916		05/19/2016	California FBI LEEDS training - Held		\$119.04
83663	05/27/2016	Open			HONEYWELL	\$4,691.55
	Invoice		Date	Description		Amount
	769442		05/18/2016	Envelopes for parking citations (20,000)		\$2,398.31
	769327		05/17/2016	Paper for parking citations		\$2,293.24
83664	05/27/2016	Open			HUMBOLDT PETROLEUM LLC	\$52.00
	Invoice		Date	Description		Amount
	085542		05/15/2016	PD car washes		\$52.00
83665	05/27/2016	Open			INTERWEST CONSULTING GROUP INC.	\$281.97
	Invoice		Date	Description		Amount
	27252		05/24/2016	April plan review services		\$281.97
83666	05/27/2016	Open			JIM CLARK	\$110.00
	Invoice		Date	Description		Amount
	5916		05/09/2016	Backflow testing		\$110.00
83667	05/27/2016	Open			KIMLEY-HORN AND ASSOCIATES INC.	\$1,329.20
	Invoice		Date	Description		Amount
	7796311		04/30/2016	Enhanced Bike Lane @ Highway 1 Crossing 1200 - Capital Improvement Fund		\$1,329.20

Attachment: 05-27-16 City Check Register (1286 : Approval of City Check Registers)

City Checks Issued 05/27/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83668	05/27/2016	Open			LABORMAX STAFFING	\$3,895.09
	Invoice		Date	Description		Amount
	26-61274		05/13/2016	Seasonal labor		\$1,986.92
	26-61550		05/20/2016	Seasonal labor 5/14-5/20/16		\$1,908.17
83669	05/27/2016	Open			MACKAY METERS INC	\$131.78
	Invoice		Date	Description		Amount
	1044140		04/30/2016	April parking meter credit card & monthly fees		\$131.78
83670	05/27/2016	Open			MAR-KEN K-9 TRAINING CENTER	\$585.00
	Invoice		Date	Description		Amount
	0102B-16		05/21/2016	K-9 boarding May 11-19		\$585.00
83671	05/27/2016	Open			MASTER CAR WASH	\$31.99
	Invoice		Date	Description		Amount
	MCW051716		05/17/2016	April PD car washes		\$31.99
83672	05/27/2016	Open			MATRIX CONSULTING GROUP	\$519.00
	Invoice		Date	Description		Amount
	6		12/07/2015	Final invoice fee study		\$519.00
83673	05/27/2016	Open			MICROFLEX CORP	\$778.26
	Invoice		Date	Description		Amount
	IN1663279		05/11/2016	Gloves		\$778.26
83674	05/27/2016	Open			NANCY HOWELLS	\$31.85
	Invoice		Date	Description		Amount
	Howells052316		05/23/2016	Late Spring Instructor Payments 2016		\$31.85
83675	05/27/2016	Open			NORTH BAY FORD	\$176.71
	Invoice		Date	Description		Amount
	255339		05/17/2016	Ford F350 grill assembly radiator		\$176.71
83676	05/27/2016	Open			PALACE OFFICE SUPPLIES	\$137.85
	Invoice		Date	Description		Amount
	9270475-0		05/18/2016	Office Supplies		\$20.68
	371440-0		05/17/2016	paper, pens		\$34.68
	371452-0		05/17/2016	address labels		\$24.33
	371858-0		05/19/2016	envelopes, note pads, post its		\$47.08
	372410-0		05/24/2016	Letter wallet		\$11.08
				1000 - General Fund	\$20.68	
				2210 - ISF - Stores Fund	\$117.17	
83677	05/27/2016	Open			PHOENIX GROUP INFORMATION SYSTEMS	\$1,622.47
	Invoice		Date	Description		Amount
	042016070		05/16/2016	April citation processing		\$1,622.47
83678	05/27/2016	Open			PRAXAIR DISTRIBUTION INC.	\$113.24
	Invoice		Date	Description		Amount
	55216093		05/20/2016	Acetylene		\$113.24

Attachment: 05-27-16 City Check Register (1286 : Approval of City Check Registers)

City Checks Issued 05/27/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83679	05/27/2016	Open			PROSTAR	\$1,040.00
	Invoice		Date	Description		Amount
	ProStar052316		05/23/2016	Late Spring Instructor Payments 2016		\$1,040.00
83680	05/27/2016	Open			QUILL CORPORATION	\$21.72
	Invoice		Date	Description		Amount
	5632376		05/06/2016	Name plate for Detective Evans		\$21.72
83681	05/27/2016	Open			ROBERT IVERS	\$375.00
	Invoice		Date	Description		Amount
	4030		05/08/2016	2008 Ford F450 opacity test		\$75.00
	4031		05/08/2016	2007 Cummins opacity test		\$75.00
	4032		05/08/2016	2000 John Deere 544H opacity test		\$75.00
	4033		05/08/2016	1991 Ford F800 opacity test		\$75.00
	4034		05/08/2016	2013 Cummins opacity test		\$75.00
83682	05/27/2016	Open			SANTA CRUZ COUNTY ANIMAL SHELTER	\$363.00
	Invoice		Date	Description		Amount
	4137		05/23/2016	Quarterly billing for animal services		\$363.00
83683	05/27/2016	Open			SANTA CRUZ OCCUPATIONAL MEDICAL CENTER	\$209.00
	Invoice		Date	Description		Amount
	I-15891		04/30/2016	Pre-employment physical - Dixon		\$209.00
83684	05/27/2016	Open			SCC ENVIRONMENTAL HEALTH SVC	\$1,260.00
	Invoice		Date	Description		Amount
	SCC051216		05/12/2016	Stream Habitat and Juvenile Salmonid Monitoring 2015-16		\$1,260.00
83685	05/27/2016	Open			SIRCHIE	\$293.71
	Invoice		Date	Description		Amount
	0253867-IN		05/11/2016	Supplies for evidence		\$293.71
83686	05/27/2016	Open			SOUTH BAY REGIONAL TRAINING	\$3,265.00
	Invoice		Date	Description		Amount
	216475		05/12/2016	Aron Quolas basic academy 4/25 - 10/4/16		\$3,265.00
83687	05/27/2016	Open			SPORT ABOUT GRAPHICS	\$181.86
	Invoice		Date	Description		Amount
	7257		05/16/2016	Hats (12)		\$181.86
83688	05/27/2016	Open			SPRING VALLEY WHOLESALE NURSERY	\$162.42
	Invoice		Date	Description		Amount
	5937		05/12/2016	Trees		\$162.42
83689	05/27/2016	Open			STAPLES ADVANTAGE	\$28.47
	Invoice		Date	Description		Amount
	8039274008		05/14/2016	office supplies		\$28.47
83690	05/27/2016	Open			SUPPLYWORKS	\$1,304.14
	Invoice		Date	Description		Amount
	366370963		05/06/2016	Cleaning supplies		\$1,304.14

Attachment: 05-27-16 City Check Register (1286 : Approval of City Check Registers)

City Checks Issued 05/27/2016

Check #	Invoice #	Status	Invoice Date	Description	Payee Name	Transaction Amount
83691	05/27/2016	Open			UNITED PARCEL SERVICE	\$5.90
	Invoice		Date	Description		Amount
	0000954791206		05/14/2016	shipping		\$5.90
83692	05/27/2016	Open			WATSONVILLE BLUEPRINT	\$16.90
	Invoice		Date	Description		Amount
	61213		05/18/2016	scan of plans		\$16.90
83693	05/27/2016	Open			WEAGLE, DAN	\$572.11
	Invoice		Date	Description		Amount
	Weagle031816		03/18/2016	Basic motor patrol school week 1 - Weagle		\$278.37
	Weagle032516		03/25/2016	Basic motor patrol school week 2 - Weagle		\$293.81
83694	05/27/2016	Open			Tom Pugh	\$4.70
	Invoice		Date	Description		Amount
	Pugh051716		05/17/2016	Parking refund		\$4.70
Type Check Totals:						\$38,406.70
<u>EFT</u>						
273	05/25/2016	Open			DISCOVERY BENEFITS	\$135.00
	Invoice		Date	Description		Amount
	0000644668-IN		05/25/2016	April COBRA and FSA admin.		\$135.00
Type EFT Totals:						\$135.00

Attachment: 05-27-16 City Check Register (1286 : Approval of City Check Registers)

CITY - Main City Totals	Counts:	Totals:
Checks	59	\$38,406.70
EFTs	1	\$135.00
All	60	\$38,541.70
WELLS - Pavroll Totals		
Checks	9	\$6,102.02
EFTs	92	\$194,736.07
All	101	\$200,838.09
Grand Totals:		
Checks	68	\$44,508.72
EFTs	93	\$194,871.07
All	161	\$239,379.79



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF JUNE 23, 2016

FROM: City Manager Department

SUBJECT: Consider a Resolution Ordering an Election, Requesting County Elections to Conduct the Election, and Requesting Consolidation of the Presidential General Election in the City of Capitola on Tuesday, November 8, 2016

RECOMMENDED ACTION: Adopt Resolution.

DISCUSSION: Pursuant to provisions of Chapter 1.30 of the Capitola Municipal Code, General Municipal Elections are to be held on the same day as statewide general elections; i.e., the first Tuesday after the first Monday in November in each even-numbered year. The 2016 election will be held in Capitola on Tuesday, November 8, 2016.

The County Election Department has provided the City with important deadlines and estimated costs for consolidating the City's election with the November Presidential General Election. The first action is for the City Council to adopt a Resolution ordering an election, requesting consolidation, and requesting County Elections to conduct the election. The purpose of the 2016 General Municipal Election will be to elect two (2) Members of the City Council for the full term of four (4) years, and to elect one (1) City Treasurer for the full term of four (4) years.

An information sheet regarding the offices to be filled and nomination procedure is attached (Attachment 1). The County Elections Department will be conducting "Candidate Information Night" on June 29, 2016, at 6:00 p.m. in the Community Room. This is a great opportunity for individuals who are thinking about running for office to find out more about what is required for candidacy.

Elections Code §12101 requires cities to publish a Notice of Election between July 4 and July 18 providing the time of the election and offices to be filled. A copy of the notice that will be published in Santa Cruz Sentinel on Monday, July 11, 2016 is attached (Attachment 2).

At the June 16, 2016, budget hearing the Council directed staff to add to the July 28, 2016, Council agenda the consideration of a Resolution adding a measure to the November 8, 2016 ballot. The proposed measure would extend the Measure D sales tax for ten years. In addition, Council directed staff to add to the July 28, 2016, Council agenda a Resolution of Intent regarding the proposed measure.

FISCAL IMPACT: The estimated cost for the consolidated election is \$10,000.

Calling the November 8, 2016, Election
June 23, 2016

ATTACHMENTS:

1. Election Informational Sheet (DOC)
2. Election Consolidation 2016 Notice (DOC)

Report Prepared By: Susan Sneddon
City Clerk

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

6/17/2016

Calling the November 8, 2016, Election
June 23, 2016

DRAFT RESOLUTION

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA ORDERING AN ELECTION, REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTIONS, AND REQUESTING CONSOLIDATION OF THE PRESIDENTIAL GENERAL MUNICIPAL ELECTION IN THE CITY OF CAPITOLA ON TUESDAY, NOVEMBER 8, 2016

WHEREAS, pursuant to Elections Code Section 10002, the governing body of any City may by Resolution request the Board of Supervisors of the County to permit the County Elections Official to render specified services to the City relating to the conduct of an election; and

WHEREAS, the Resolution of the governing body of the City shall specify the services requested; and

WHEREAS, pursuant to Elections Code Section 10002, the City shall reimburse the County in full for the services performed upon presentation of a bill to the City; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional District, Public District, City, County, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections Code Section 10400, such election for cities may be either completely or partially consolidated; and

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot, acknowledging that the consolidation election will be held and conducted in the manner prescribed in Section 10418. Upon such request, the Board of Supervisors may order the consolidation; and

WHEREAS, pursuant to Elections Code Section 10418, if consolidated, the consolidated election shall be held and conducted, election boards appointed, voting precincts designated, candidates nominated, ballots printed, polls opened and closed, voter challenges determined, ballots counted and returned, returns canvassed, results declared, certificates of election issued, recounts conducted, election contests presented, and all other proceedings incidental to and connected with the election shall be regulated and done in accordance with the provisions of law regulating the statewide or special election, or the election held pursuant to Section 1302 or 1303, as applicable.

WHEREAS, the Resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the Ordinance, Resolution, or order calling the election; and

WHEREAS, various District, County, State and other political subdivision elections may be or have been called to be held on November 8, 2016; and

Calling the November 8, 2016, Election
June 23, 2016

WHEREAS, that the City Clerk is directed to forward without delay to the Board of Supervisors and to the County Election Department, each a certified copy of this Resolution; and

WHEREAS, that the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED that the City Council of the City of Capitola hereby orders an election be called and consolidated with any and all elections also called to be held on November 8, 2016 insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the City of Capitola and requests the Board of Supervisors of the County of Santa Cruz to order such consolidation under Elections Code Sections 10401, 10403 and 10418.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED that the City Council of the City of Capitola hereby requests the Board of Supervisors to permit the Santa Cruz County Elections Department to provide any and all services necessary for conducting the election and agrees to pay for said services; and

NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED that the Santa Cruz County Elections Department conduct the election for the following offices to be voted on at the November 8, 2016, election:

<u>Seats Open</u>	<u>Office</u>	<u>Term</u>
Two (2)	Member of the City Council	Four (4) Years
One (2)	City Treasurer	Four (4) Years

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the City Council of the City of Capitola on the 23rd day of June, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ed Bottorff, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk



CITY OF CAPITOLA

2016 GENERAL MUNICIPAL ELECTION INFORMATION

The City of Capitola will be holding its General Municipal Election on **Tuesday, November 8, 2016**, to be consolidated with the Statewide Presidential Election. The following information is provided to answer general questions you might have regarding the City's election. Additional information can be obtained from the City Clerk at Capitola City Hall, 420 Capitola Avenue, Capitola, CA 95010, by calling (831) 475-7300, or by email at ssneddon@ci.capitola.ca.us.

OFFICES TO BE FILLED BY ELECTION

Two (2) Members of the City Council (4-year terms)
One (1) City Treasurer (4-year term)

INCUMBENTS PRESENTLY HOLDING OFFICE

Dennis Norton, Council Member (*Unable to seek re-election pursuant to term limit ordinance*)
Ed Bottorff, Council Member
Christine McBroom, City Treasurer

SALARIES FOR ELECTED OFFICIALS

Member of the City Council	\$500.00 per month
City Treasurer	\$250.00 per month

QUALIFICATIONS FOR CANDIDATES

A person is eligible to hold office if he/she is a United States citizen, 18 years of age or older, and is a registered voter residing within the City of Capitola city limits at the time the nomination papers are issued. Verification will be required prior to issuing nomination papers.

FILING FEES

There will be no filing fees for taking out nomination papers.

DATES AND PROCEDURES FOR TAKING OUT, CIRCULATING AND FILING NOMINATION PAPERS

Nomination papers shall be filed with the Capitola City Clerk. The filing period for Nomination Papers for an incumbent is from Monday, July 18, 2016, through Friday, August 12, 2016, at 5:00 p.m. Since one of the incumbents will not be filling due to term limits, the nomination period for all other candidates will be extended to Wednesday, August 17, 2016, at 5:00 p.m.

Nomination papers may be taken out and filed during this period. Not less than 20 or more than 30 valid signatures are required for nomination to elected office in the City of Capitola.

A nomination paper may be circulated and subsequently filed by the candidate or by any other person registered to vote at the election. The circulator is required to indicate by affidavit the dates between which all signatures were obtained.

PROCEDURES FOR FILING CANDIDATES' STATEMENTS, FINANCIAL DISCLOSURE STATEMENTS, AND CAMPAIGN EXPENDITURE FORMS

Candidates' Statements, if desired, must be filed with the nomination papers and shall remain confidential until expiration of the filing period. The candidate is responsible for printing costs of the statement in the Sample Ballot.

The Santa Cruz County Clerk/Elections Department has determined the cost for including a 200-word statement in the sample ballot for a Capitola candidate will be \$260. The Capitola City Clerk will collect a deposit of \$260 at the time a candidate files his/her Candidate's Statement. Should a candidate also desire his/her statement to appear in the sample ballot in Spanish, a deposit of \$520 would be required. Checks shall be made payable to the "City of Capitola." The County Elections Department will charge \$100 if a candidate does not submit their Candidate Statement on a CD to the City Clerk or it may be emailed to the Capitola City Clerk at ssneddon@ci.capitola.ca.us prior to filing their nomination papers. One signed hard copy must be filed with the City Clerk by the filing deadline.

Statements of Economic Interest – A Candidates' Statement of Economic Interest (Fair Political Practices Commission Form 700) is required to be filed at the time nomination papers are filed. Candidates can access this form and instructions on line at:

<http://www.fppc.ca.gov/>

Campaign Statements – Every candidate for any elective office and every committee must file campaign statements. A candidate for local office must file a **Form 501, Candidate Intention Statement**, BEFORE solicitation or receipt of any contribution, or expenditure of any personal funds used for the election. A **Form 410, Statement of Organization-Recipient Committee**, must be filed within 10 days of receiving \$2,000 in contributions and after the City Clerk publishes the notice of the election. Form 410 is filed with the Secretary of State, with a copy to the City Clerk. A \$50 fee payable to the Secretary of State is requested at this time but is not legally required until the group qualifies as a committee. Forms and instructions are available in the City Clerk's Office and on the Fair Political Practices Commission website at www.fppc.ca.gov

BALLOT ORDER FOR CANDIDATES NAMES

On Thursday, August 18, 2016, at 11:00 A.M., the Secretary of State draws the randomized alphabet to determine the order of candidates' names on the ballot for the election.

THE LAST DAY TO REGISTER TO VOTE IN THE NOVEMBER 8, 2016, MUNICIPAL ELECTION IN ORDER TO RECEIVE A SAMPLE BALLOT IS: TUESDAY, OCTOBER 11, 2016.



NOTICE OF ELECTION

NOTICE IS HEREBY GIVEN that a General Municipal Election will be held in the City of Capitola on Tuesday, November 8, 2016, for the following officers:

For two (2) Members of the City Council
(Full term of four years)

For a City Treasurer
(Full term of four years)

Pursuant to California Elections Code §12112, the following information pertinent to candidacy is hereby provided:

Qualifications for Office: A person is eligible to hold office if he/she is a United States citizen, 18 years of age or older, and is a registered voter residing within the City of Capitola city limits at the time the nomination papers are issued.

Where to obtain and file official declarations of candidacy: Eligible candidates desiring to file for elective office in the City of Capitola may obtain official forms from the City Clerk at Capitola City Hall, 420 Capitola Avenue, Capitola, CA 95010. Completed forms must also be filed with the City Clerk.

Filing period for Nomination Papers: The filing period for Nomination Papers for an incumbent is from Monday, July 18, 2016, through Friday, August 12, 2016, at 5:00 p.m. Since one of the incumbents will not be filling due to term limits, the nomination period for all other candidates will be extended to Wednesday, August 17, 2016, at 5:00 p.m.

Appointment to elective office: In the event there are no nominees or an insufficient number of nominees for the office and a petition for an election is not filed with the elections official within the time period prescribed by California Elections Code §10515 (i.e. by 5:00 p.m. on the 83rd day prior to the day fixed for the election – August 17, 2016), then appointment to each elective office will be made as prescribed by Elections Code §10515.

The polls will be open between the hours of 7:00 a.m. and 8:00 p.m. on Tuesday, November 8, 2016.

ABOVE NOTICE GIVEN this 11th day of July, 2016.

Susan Sneddon, CMC
Capitola City Clerk/Elections Official



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF JUNE 23, 2016

FROM: Public Works Department

SUBJECT: Approval of the 38th Avenue Paving Project Notice of Completion

RECOMMENDED ACTION: Approve a contract change order for the 38th Avenue Paving Project in the amount of \$53,506 to correct two pay items in the contract that had incorrect quantity amounts and accept the 38th Avenue Paving Project as constructed by the Don Chapin Company as complete at a final cost of \$298,111.58; and authorize the Public Works Department to release the contract retention of \$14,905.58 in 35 days following the recordation of the Notice of Completion.

BACKGROUND: A contract was awarded to Don Chapin Company on February 18, 2016, for the construction of the 38th Avenue Paving Project. The original contract was in the amount of \$256,348.20. Upon start of construction in April it became apparent that two bid quantities listed in the contract were substantially in error. The Director of Public Works was made aware of the errors and the attached Contract Change Order was prepared. The paving of 38th Avenue was completed on May 13, 2016, and the final invoices have been submitted by the contractor.

DISCUSSION: Approval of Contract Change Orders over \$25,000 requires approval of the City Council. The final cost of the project was \$298,111.58 which was \$41,763.38 over the original contract amount. A final cost summary for the project is attached. The Contract Change Order estimated an increase in quantities with a total cost of \$53,506, but the actual increase in those items was only \$44,902.40.

FISCAL IMPACT: The construction budget for this project was \$366,000. The remaining \$67,888 will be used to complete in-fill sidewalk along 38th Avenue south of Capitola Road which was omitted from the project scope due cost and right of way concerns.

ATTACHMENTS:

1. 38th Avenue Paving Notice of Completion
2. Contract Change Order No. 1
3. Final Cost Summary

Report Prepared By: Steve Jesberg
Public Works Director

Reviewed and Forwarded by:

Jamie Goldstein, City Manager

RECORDED AT THE REQUEST OF:

STEVEN JESBERG
DIRECTOR OF PUBLIC WORKS

WHEN RECORDED MAIL TO:

Attn: Director of Public Works
City of Capitola
420 Capitola Avenue
Capitola CA 95010

(SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY)

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN that the City of Capitola, owner of the property hereinafter described, whose address is 420 Capitola Avenue, Capitola, California, has caused a work of improvements more particularly described as follows:

PROJECT NAME: 38th Avenue Paving Project

PROJECT DESCRIPTION: Repaving of 38th Avenue from Capitola Road to Brommer Street

to be constructed on property more particularly described as follows:

DESCRIPTION: 38th Avenue

ADDRESS: N/A

APN: N/A

The work of the improvement was completed by:

CONTRACTOR: Don Chapin Company

ADDRESS: 560 Crazy Horse Canyon Road, Salinas CA 93907

The work of the improvements was actually completed on the 13th day of May, 2016 and accepted by the City Council of said City on the 23rd day of June 2016.

Signature of City Official: _____

The undersigned certifies that he is an officer of the City of Capitola, that he has read the foregoing Notice of Completion and knows the contents thereof; and that the same is true of his own knowledge, except as to those matters which are therein stated on information or belief, and as to those matters that he believes to be true. I certify under penalty of perjury that the foregoing is true and correct. Executed at the City of Capitola, County of Santa Cruz, State of California.

DIRECTOR OF PUBLIC WORKS

Signed: _____

Date: _____

Attachment: 38th Avenue Paving Notice of Completion (1509 : 38th Avenue Notice of Completion)

CITY OF CAPITOLA
DEPARTMENT OF PUBLIC WORKS
CONTRACT CHANGE ORDER

Project: 38th Avenue Paving Project Change Order No. 1

Contractor: Don Chapin Company Date: April 1, 2015

Scope of Work or Change: Increase in the following bid items due to errors in the estimated amounts in the contract documents

Item 5. Cold Mill increase 1969 sf @ \$1.40/sf = \$2756.60

Item 7, Full Depth AC increase 203 tons @ 250/ton = \$50,750

Total increase = \$53,506

This Change Order will increase the contract amount by \$ 53,506
 decrease
 not change

and is based on Agreed lump sum/unit price proposal.
 Contract unit prices.
 Cost plus 15 percent (Force Account)

NOTE: Approval of this Change Order by the Contractor constitutes agreement as to the final compensation for the scope of work listed in accordance with the Standard Specifications.

Approved for By: _____ Date: _____

Don Chapin Co. Title: _____

Approved for By: _____ Date: _____

City of Capitola Title: Public Works Director

Special District _____

Summary of Amounts Payable Under Contract

Net effect of previous Change Orders	\$ <u>0</u>
This Change Order	\$ <u>53,506.00</u>
Net effect of all Change Orders	\$ <u>53,506.00</u>
Original contract amount	\$ <u>256,348.20</u>
New contract amount	\$ <u>309,854.20</u>

Attachment: Contract Change Order No. 1 (1509 : 38th Avenue Notice of Completion)

City of Capitola
Final Cost Summary

Project: 38th Avenue Paving

Item No.	Item Description	Unit	Bid Quantity	Actual Final Quantity	Diff	Unit Cost	Final Cost	Difference
1	Mobilization	LS	1	1	-	\$ 4,500.00	\$ 4,500.00	\$ -
2	Traffic Control and Construction Area Signs	LS	1	1	-	\$ 12,600.00	\$ 12,600.00	\$ -
3	Temporary Water Pollution Control and Erosion Control	LS	1	1	-	\$ 500.00	\$ 500.00	\$ -
4	2" Deep Cold Mill Pavement Removal	SF	49,730	49,730	-	\$ 0.60	\$ 29,838.00	\$ -
5	4" Deep Cold Mill Pavement Removal	SF	12,315	13,156	841	\$ 1.40	\$ 18,418.40	\$ 1,177.
6	Demolition	LS	1	1	-	\$ 7,500.00	\$ 7,500.00	\$ -
7	Full Depth AC Pavement Repair (4" Thick AC)	TONS	154	329	175	\$ 250.00	\$ 82,225.00	\$ 43,725.
8	New AC Pavement Section	SF	370	-	(370)	\$ 8.00	\$ -	\$ (2,960.
9	Reinforcing Fabric/Paving Mat	SY	5526	5,050	(476)	\$ 2.70	\$ 13,635.00	\$ (1,285.
10	2" Asphalt Concrete Overlay	TONS	622	630	8	\$ 142.00	\$ 89,430.18	\$ 1,106.
11	Concrete Sidewalk	SF	41	41	-	\$ 25.00	\$ 1,025.00	\$ -
12	Concrete Curb and Gutter (Detail S-1)	LF	122	122	-	\$ 70.00	\$ 8,540.00	\$ -
13	Case "C" Curb Ramp	EA	5	5	-	\$ 1,700.00	\$ 8,500.00	\$ -
14	Thermoplastic Traffic Stripes and Pavement Markers	LS	1	1	-	\$ 12,500.00	\$ 12,500.00	\$ -
15	Roadside signs	EA	15	15	-	\$ 260.00	\$ 3,900.00	\$ -
16	Traffic Loops	EA	4	4	-	\$ 1,250.00	\$ 5,000.00	\$ -

Summary

Original Bid: \$ 256,348.20
 Changes: \$ 41,763.38
 Final Cost: \$ 298,111.58

Attachment: Final Cost Summary (1509 : 38th Avenue Notice of Completion)



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF JUNE 23, 2016

FROM: Public Works Department

SUBJECT: Consider Proposals to Repair the Tennis Courts at Jade Street Park

RECOMMENDED ACTION: Receive report on proposals to repair or reconstruct the tennis courts at Jade Street Park; and based on staff review of the proposals, award a contract to the recommended contractor.

BACKGROUND: On June 17, 2016, the City will receive proposals to repair or reconstruct the Jade Street Tennis Courts. Staff will review the proposals with stakeholders and make a report to Council on a recommendation for awarding a contract at the hearing.

DISCUSSION: The Capitola Recreation Department has cleared the calendar for the tennis courts beginning in mid-August to facilitate this project. In order to begin the project on this timeline it is necessary to award the contract at this time.

FISCAL IMPACT: The Capital Improvement Program budget includes \$88,000 for this work. \$38,000 of this funding was donated by the Rudolph F Monte Foundation, with the balance coming from the City General Fund.

Report Prepared By: Steve Jesberg
Public Works Director

Reviewed and Forwarded by:

A handwritten signature in blue ink, appearing to be "JG", is written over a horizontal line.

Jamie Goldstein, City Manager

6/17/2016



CAPITOLA CITY COUNCIL AGENDA REPORT

MEETING OF JUNE 23, 2016

FROM: Community Development

SUBJECT: Appeal of the Planning Commission's Decision to Certify an Environmental Impact Report and Approve a Conditional Use Permit, Design Permit, and Coastal Development Permit for the Monterey Avenue Skate Park

RECOMMENDED ACTION: Staff recommends the City Council uphold the Planning Commission's decisions by taking the following actions:

1. Adopt the attached Resolution certifying the Environmental Impact Report (EIR) and adopting the Mitigation, Monitoring, and Reporting Program (MMRP);
2. Adopt the attached Resolution approving a Conditional Use Permit, Design Permit, and Coastal Development Permit for a modified project as described as Alternative 1 of the EIR;
3. Approve related agreements for access and indemnity and authorize the City Manager to execute said agreements.

BACKGROUND: This is a privately initiated request for a Design Permit, Conditional Use Permit (CUP), Coastal Development Permit, and Right-of-Entry Agreement to allow construction and operation of an approximately 6,000 square-foot public skateboard park in City-owned Monterey Park. Monterey Park is zoned PF-P (Public Facility – Park) and is designated as P/OS (Parks/Open Space) by the Capitola General Plan. The proposed skate park would be financed and constructed by the applicants. The project also requires approval of a right-of-entry agreement (Attachment 6) to allow the applicants to construct the skate park on City property.

The Planning Commission held a public hearing on March 31, 2016, to consider the project and the EIR. After considering extensive public testimony, the Planning Commission voted unanimously to certify the EIR and approve a modified project as described as Alternative 1 in the EIR. Two appeals of the Planning Commission decisions were subsequently filed which request that the City Council overturn the Commission's certification of the EIR and project approval (Attachments 11 and 12). In addition, on May 5, 2016, the "Friends of Monterey Park" filed a lawsuit in Superior court challenging the Planning Commission's certification of the EIR and approval of the project. A copy of the Planning Commission staff report which provides additional details about the project is included as Attachment 8.

DISCUSSION: The skate park proposed by the applicants would be located along the southwestern boundary of Monterey Park near the New Brighton Middle School property line. Monterey Park is designated as an active park by the Capitola General Plan and features a multi-use grass play area used for baseball, softball, soccer, and informal recreation; an

Monterey Avenue Skate Park
June 23, 2016

approximately six- to eight-foot wide walking path; a 26-space surface parking lot, a drinking fountain, benches, and landscaping. The park is separated from adjacent residences to the east and south by trees, bushes, and an approximately six-foot high wood fence. Surrounding land uses include single-family residences to the north, south, and east, and a middle school to the west. Other nearby land uses include St. Joseph's Catholic Church approximately 600-feet to the west and the Shorelife Community Church approximately 800-feet to the east. Multi-family residences are also located in the general project vicinity.

The proposed skate park would be constructed with poured-in-place concrete with edges finished in a metal coping. The facility consists of a concrete bowl with undulating slopes and a variety of challenge elements, including a quarter-pipe, curbs, ramps, railings, jump features, and a concrete deck. The facility would be enclosed with a six-foot wrought iron fence. The total footprint of the facility within the enclosed fenced area would be approximately 6,811 square-feet and the skate park would be approximately 6,028 square-feet. Construction is anticipated to take six to eight weeks.

The skate park has been designed to serve beginner to intermediate riders generally in the 5-14 year age range, although it could be used by anyone over the age of five. It is estimated the facility could safely accommodate up to 25 skaters at any one time. No special events are included in this application and a condition of approval has been included to prohibit special events and competitions. The facility would be subject to existing Municipal Code rules and regulations pertaining to public parks, skate parks, and noise.

Monterey Park is classified as an active park and has a land use designation of P/OS (Parks/Open Space) by the Capitola General Plan. General Plan Policy LU-13.13 calls for the City to "Develop Monterey Park as an active park site with neighborhood-serving recreational facilities and amenities". Development of a skate park at an unspecified location is referenced in General Plan Policy LU-13.9 which states "Support and encourage the location of special use recreation facilities, such as organic community gardens, dog parks, and skate parks on available park or other public lands, where compatible with the existing and planned uses of surrounding properties". The proposed skate park would be an active recreation facility consistent with the P/OS land use designation.

Monterey Park is zoned PF-P (Public Facility – Park). The purpose of the PF-P zone is to set aside areas for public parks, scenic easements, riparian corridors, beach areas and similar public use areas. The PF-P zone does not establish development standards for height, setbacks, parking, floor area ratio, or other standards typically applied to residential and commercial zoning districts.

A draft EIR was prepared and circulated for a 52-day public review and comment period. The EIR found the project would result in significant environmental effects to/from noise, hazards/hazardous materials and biological resources. Mitigation measures have been incorporated into the EIR and project conditions which would reduce impacts to a less than significant level. A Final EIR was released to the public on March 21, 2016. Staff and the City Attorney reviewed all comments received and provided written responses which are included in the Final EIR. The EIR and supporting documents can be obtained on the City website at <http://www.cityofcapitola.org/communitydevelopment/page/proposed-monterey-avenue-skate-park>

Monterey Avenue Skate Park
June 23, 2016

Additional analysis and information was provided in the Final EIR based on two optional site locations which would implement Alternative 1 of the EIR. The additional information and supporting documentation was released on June 13, 2016.

Skate Park Location Options

Consistent with staff's recommendation, the Planning Commission approved a modified project as described in Alternative 1 of the EIR, shifting the proposed skate park closer to Monterey Avenue to improve visibility and public safety. Following the Planning Commission hearing, staff worked with the applicants to refine the Alternative and developed two locations consistent with Alternative 1 (Attachment 3). Additional information was added to the EIR which confirms that the two optional locations would result in a reduced noise impact to Orchid Avenue residents without creating any new or more severe environmental effects. Descriptions of these two options are provided below:

Option 1. Under this option, the skate park location would be shifted approximately 100 feet to the north and reoriented so that it is sited adjacent to and parallel with the existing parking lot. This option would reorient the softball field approximately 10-feet to the south of its current location and would include an expanded backstop and dugout to minimize the potential for foul balls entering the skate park. The walking path from the parking lot would also be repositioned to the east of its current alignment. An approximate 3.5-foot tall block retaining wall would be installed along both sides of the realigned pathway for a distance of approximately 75 feet, although the wall on the east may be a foot shorter (2.5 feet) in height. Another 3.5-foot tall retaining wall is shown on the south side of the skate park for a distance of approximately 60 feet. An 8-foot high, approximately 115-foot long noise wall would be required along the school district property line to mitigate noise impacts. This option is not expected to require the removal of any mature trees; however, two immature seedlings would need to be relocated. It is also possible the relocated walking path could impact a mature alder tree. A condition of approval has been included to require a pre-construction inspection and construction monitoring by a certified arborist to prevent loss of this tree to the extent possible.

This option maximizes the views into the park, and includes the enhancement to the softball diamond to add dug outs and a better backstop. In addition, this option would avoid impacts to the mature eucalyptus mature trees. The size of left field would decrease by ten feet in this option.

Option 2. Under this option, the skate park would be shifted north from the proposed project and would be located immediately to the east of the existing school district office and private residence, approximately 5 feet from the property line. The facility would be slightly reconfigured from a rectangular shape to an inverted "L", or kidney shape. The walking path from the parking lot would also be repositioned to the east of its current alignment. Two approximately 3.5-foot tall retaining walls would be located for a short distance on both the northern and western sides of the property line. This option would require a 12-foot high noise attenuation wall for a distance of approximately 140-feet along the school district property line to mitigate noise impacts. This option would require the removal of two mature eucalyptus trees and a mature alder tree. The skate park would also be located at the outer edge of the dripline of a large redwood tree. A condition of approval has been included to require a pre-construction inspection and construction monitoring by a certified arborist to prevent loss of this tree to the extent possible.

This option leaves the softball diamond in its current configuration, but does not allow as much visibility into the skate park as recommended in the Crime Prevention through Environmental

Monterey Avenue Skate Park
June 23, 2016

Design study prepared by MacAdam Protection Strategies (Attachment 7). This option is the furthest from privately owned property, though it is directly adjacent to the School District's offices and mobile home.

Project Issues

Staff received numerous public comments which express a variety of concerns with the proposal. A summary of the issues with staff responses can be found in the Planning Commission staff report (Attachment 8).

Defense and Indemnity Agreement

Staff and the City Attorney have been negotiating with the applicants to draft a defense and indemnity agreement to insulate the City from exposure to legal liability and associated litigation costs. To date, staff has been unable to reach an agreement with the applicants. Staff will continue to negotiate with the applicants; however, staff and the City Attorney would recommend the City Council deny the project if an agreement to fully indemnify the City is not reached prior to the hearing.

FISCAL IMPACT: The applicant would fund construction of the project as conditioned, including all mitigation measures. The City would be responsible for ongoing maintenance costs of the facility, including costs associated with monitoring and enforcement. Staff estimates the skate park would require daily Public Works maintenance for trash removal, landscaping, and other issues could require four hours per week of the Public Works crew's time. Additionally, if the park requires one police call for service per week, this could account for approximately one additional hour of time for police work.

While these increases in workload would not necessarily require hiring additional staff, the combined staffing cost could be estimated at approximately \$15,000 annually. Finally, contracting with a private firm to lock the facility nightly would cost approximately \$3,500 a year.

ATTACHMENTS:

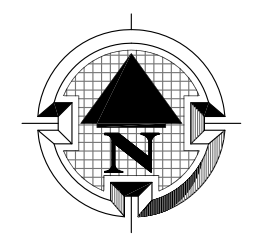
1. Monterey Avenue Skate Park Plans
2. Monterey Avenue Skate Park 3D Model
3. Skate Park Location Options
4. Monterey Ave Skatepark EIR Additions
5. Resolution to Certify EIR and Approve Project
6. Right-of-Entry Agreement
7. Crime Prevention through Environmental Design Study
8. March 31, 2016, Planning Commission Staff Report
9. March 31, 2016, Planning Commission Minutes
10. Architecture and Site Review Committee Minutes
11. Staff Responses to Witwer/Parkin Appeal
12. Staff Responses to Lippi Appeal

Report Prepared By: Rich Grunow
Community Development Director

Reviewed and Forwarded by:

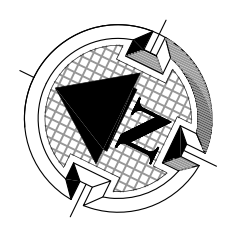
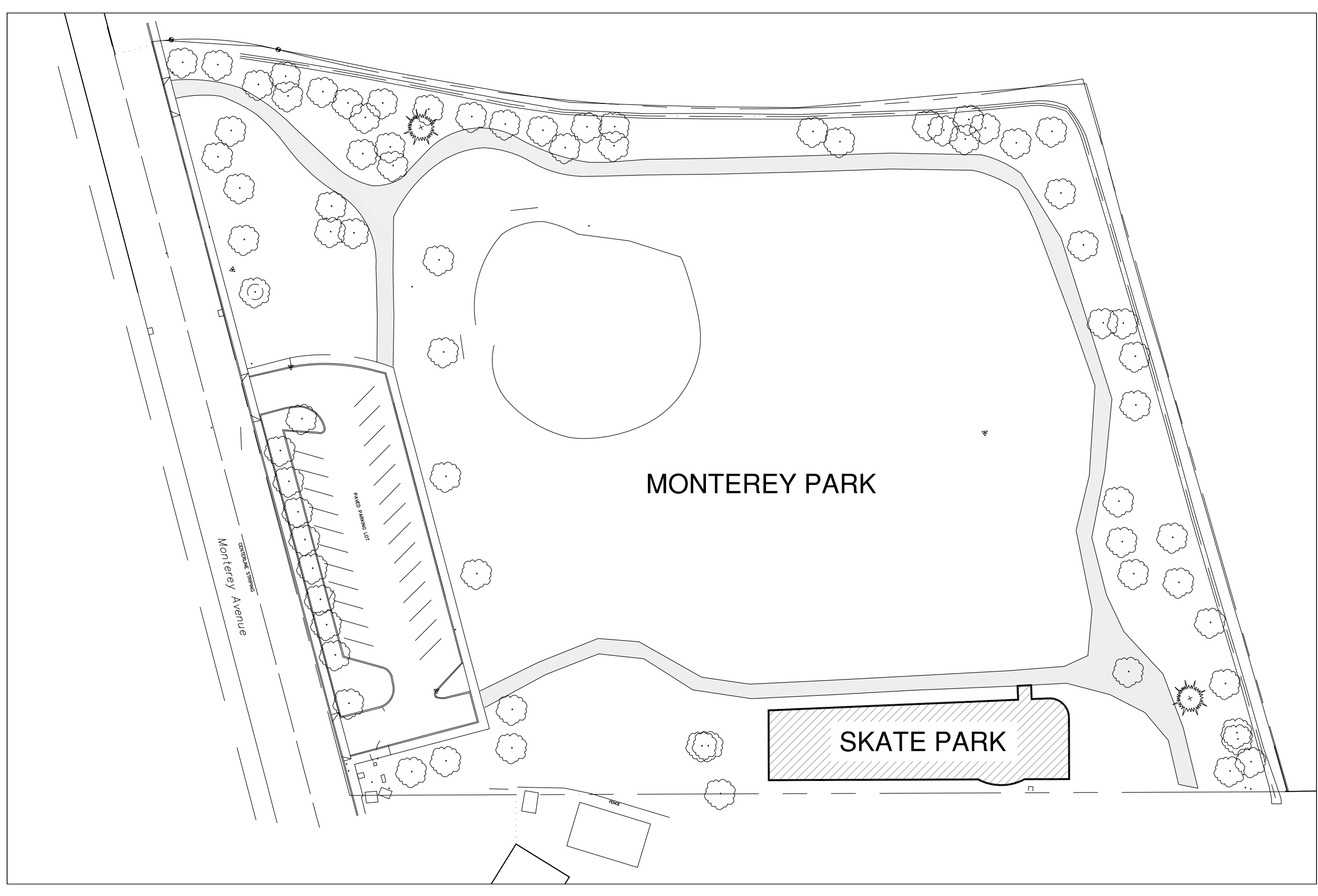
Jamie Goldstein, City Manager

6/17/2016



LOCATION MAP

N.T.S.



AREA OF WORK MAP

N.T.S.

PROJECT TEAM

OWNER'S REPRESENTATIVES
 STEVE JESBERG - PUBLIC WORKS DIRECTOR
 CITY OF CAPITOLA
 420 CAPITOLA AVENUE
 CAPITOLA, CA 95010
 (831) 475-7300
 (831) 479-8979 FAX

LANDSCAPE ARCHITECT
 TROY MEARS, RLA
 MEARS DESIGN GROUP, LLC
 PO BOX 23338
 PORTLAND, OR 97281
 (503) 601-4516
 (503) 924-4688 FAX

SKATE PARK CONTRACTOR
 MARK SCOTT
 DREAMLAND SKATEPARKS, LLC
 2150 SE HWY 101, PMB 384
 LINCOLN CITY, OR 97367-2622
 (503) 577-9277

GENERAL NOTES

1. BLEND CUT AND FILL SLOPES TO CONFORM TO THE ADJACENT NATURAL GROUND.
2. DO NOT OBTAIN DIMENSIONS BY SCALING DRAWINGS. USE WRITTEN DIMENSIONS AND ANY DISCREPANCY SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER'S REPRESENTATIVE PRIOR TO THE COMMENCEMENT OF WORK.
3. ADVISE THE OWNER'S REPRESENTATIVE OF ANY CONFLICTS OR DISCREPANCIES 5 (FIVE) WORKING DAYS PRIOR TO STARTING WORK.
4. VERIFY LOCATION OF ALL UTILITIES PRIOR TO COMMENCEMENT OF WORK FOR LOCATIONS CONTACT UTILITIES NOTIFICATION CENTER (811) AND CITY OF CAPITOLA PUBLIC WORKS (831) 475-7300 NOT LESS THAN 72 HOURS PRIOR TO BEGINNING WORK.
5. CONTRACTOR TO COORDINATE WITH CITY OF CAPITOLA REPRESENTATIVE REGARDING CONSTRUCTION COORDINATION, SCHEDULING, ETC. SEE SPECIAL PROVISIONS FOR ADDITIONAL INFORMATION.
6. NO LIGHTING IS PROPOSED.

DRAWING INDEX

SHEET TITLE	SHEET NUMBER
COVER SHEET	SP1
EXISTING CONDITIONS/DEMOLITION/EROSION CONTROL PLAN	SP2
EROSION & SEDIMENT CONTROL DETAILS & NOTES	SP3
LAYOUT PLAN	SP4
GRADING & DRAINAGE PLAN	SP5
DRAINAGE DETAILS	SP6
REFERENCE PLAN	SP7
CONSTRUCTION DETAIL SHEET	SP8
CONSTRUCTION DETAIL SHEET	SP9
CONSTRUCTION DETAIL SHEET	SP10

MEARS DESIGN GROUP
 LANDSCAPE ARCHITECTURE & PLANNING
 PO BOX 23338 | PORTLAND, OREGON | 97281
 PHONE: 503.601.4516 | FAX: 503.924.4688

LICENSED LANDSCAPE ARCHITECT
 TROY MEARS, RLA
 No. 10000
 Issue Date 4/15/15
 Date
PRELIMINARY
 STATE OF CALIFORNIA

MONTEREY AVENUE SKATEPARK
 MONTEREY PARK
 POURED-IN-PLACE CONCRETE
 CAPITOLA, CALIFORNIA

REVISIONS

REV.	DATE	DESCRIPTION

SHEET NAME:
COVER SHEET

DRAWN BY: TAM
 CHECKED BY: TAM
 ISSUE DATE: 04/15/2015
 JOB NO.: 1522

SHEET:
SP1
 OF 10
 PERMIT SET

ASSESSOR PARCEL NUMBER: 036-151-01 & 02

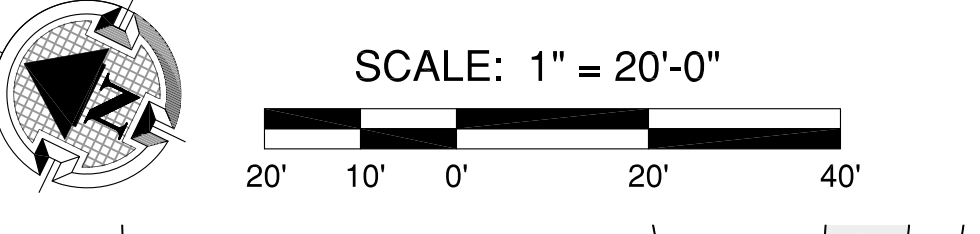


GENERAL NOTES

1. CONTRACTOR TO FENCE CONSTRUCTION LIMITS
2. SEE SHEET L3 FOR LAYOUT INFORMATION
3. TREE PROTECTION REQUIRED FOR ALL EXISTING TREES THAT ARE DETERMINED BY CITY OF CAPITOLA REPRESENTATIVE TO REMAIN.
4. INSTALL EROSION CONTROL, TREE PROTECTION AND CONSTRUCTION FENCING PRIOR TO ANY SITE WORK. EROSION CONTROL FENCING MUST BE REVIEWED AND APPROVED BY CITY OF CAPITOLA INSPECTOR.
5. CONTRACTOR TO BE SENSITIVE TO ALL UNDERGROUND UTILITIES EXISTING IN CONSTRUCTION AREA. CONTRACTOR TO NOTIFY CITY OF CAPITOLA REPRESENTATIVE BEFORE START OF CONSTRUCTION.
6. CONTRACTOR TO NOTIFY CITY OF CAPITOLA PUBLIC WORKS DEPT. REP. OF ANY EXISTING IRRIGATION LINES UNCOVERED OR DAMAGED DURING CONSTRUCTION BEFORE COVERED SO IT CAN BE FIXED OR ABANDONED.
7. CONTRACTOR TO MAINTAIN CONSTRUCTION FENCING THROUGHOUT PROJECT UNTIL NOTIFIED TO REMOVE UPON COMPLETENESS.
8. ALL TREES IDENTIFIED ON DRAWINGS ARE TO REMAIN AS NOTED

SURVEY PROVIDED BY:

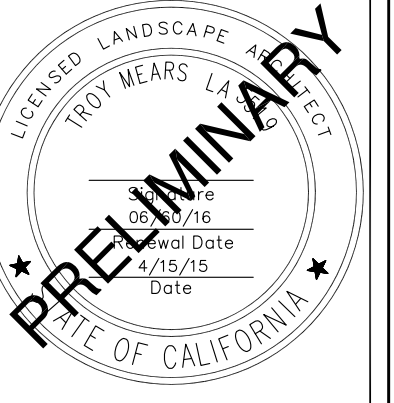
EDMUNDSON & ASSOCIATES LAND SURVEYING
 1512 SEABRIGHT AVENUE SANTA CRUZ, CA 95062
 PHONE (831) 425-1796 FAX (831) 425-1795



LEGEND

SYM	DESCRIPTION
	SURVEY CONTROL POINT FOUND AS NOTED
	SURVEY CONTROL POINT SET AS NOTED
I.C.V.	DENOTES IRRIGATION CONTROL VALVE
	DENOTES EXISTING DECIDUOUS TREE
	DENOTES EXISTING CONIFER TREE
---	PROPERTY LINE, LANDS OF APN 036-151-02
---	EDGE OF RIGHT OF WAY
---	STRUCTURE LINE
	DENOTES EXISTING STORM GRATE INLET
—STM—	DENOTES EXISTING STORM LINE
---	DENOTES EXISTING FENCE
—105—	DENOTES EXISTING INDEX CONTOUR
---	DENOTES EXISTING INTERMEDIATE CONTOUR
+702.32	DENOTES EXISTING SPOT ELEVATION
	CONSTRUCTION FENCE LIMITS - 4 FT. ORANGE FENCE
—XX—	EROSION CONTROL FENCE - REFER TO DETAIL B/SP3
	DENOTES EXISTING CONCRETE SURFACE
	CONSTRUCTION ENTRANCE - REFER TO DETAIL A/SP3
	CONSTRUCTION STAGING AREA
	PROPOSED SKATE PARK LIMITS

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 LANDSCAPE ARCHITECTURE & PLANNING
 PO BOX 23338 | PORTLAND, OREGON | 97281
 PHONE: 503.601.4516 | FAX: 503.924.4688



MONTEREY AVENUE SKATEPARK
 MONTEREY PARK
 POURED-IN-PLACE CONCRETE
 CAPITOLA, CALIFORNIA

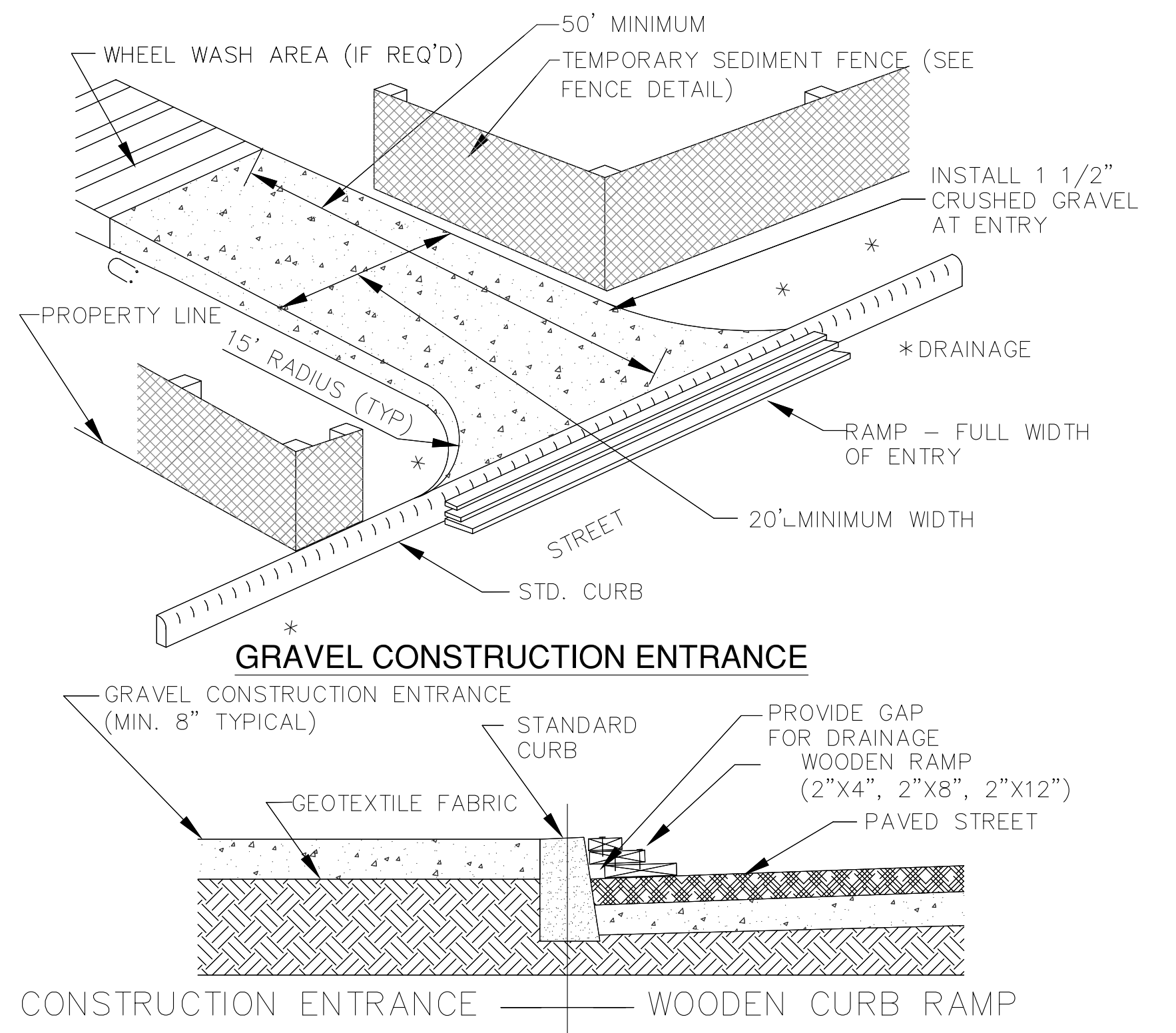
REVISIONS

REV.	DATE	DESCRIPTION
5/5/2015	City Comments	
2/18/2016	City Comments	
2/23/2016	City Comments	

SHEET NAME:
EXISTING CONDITION EROSION CONTROL

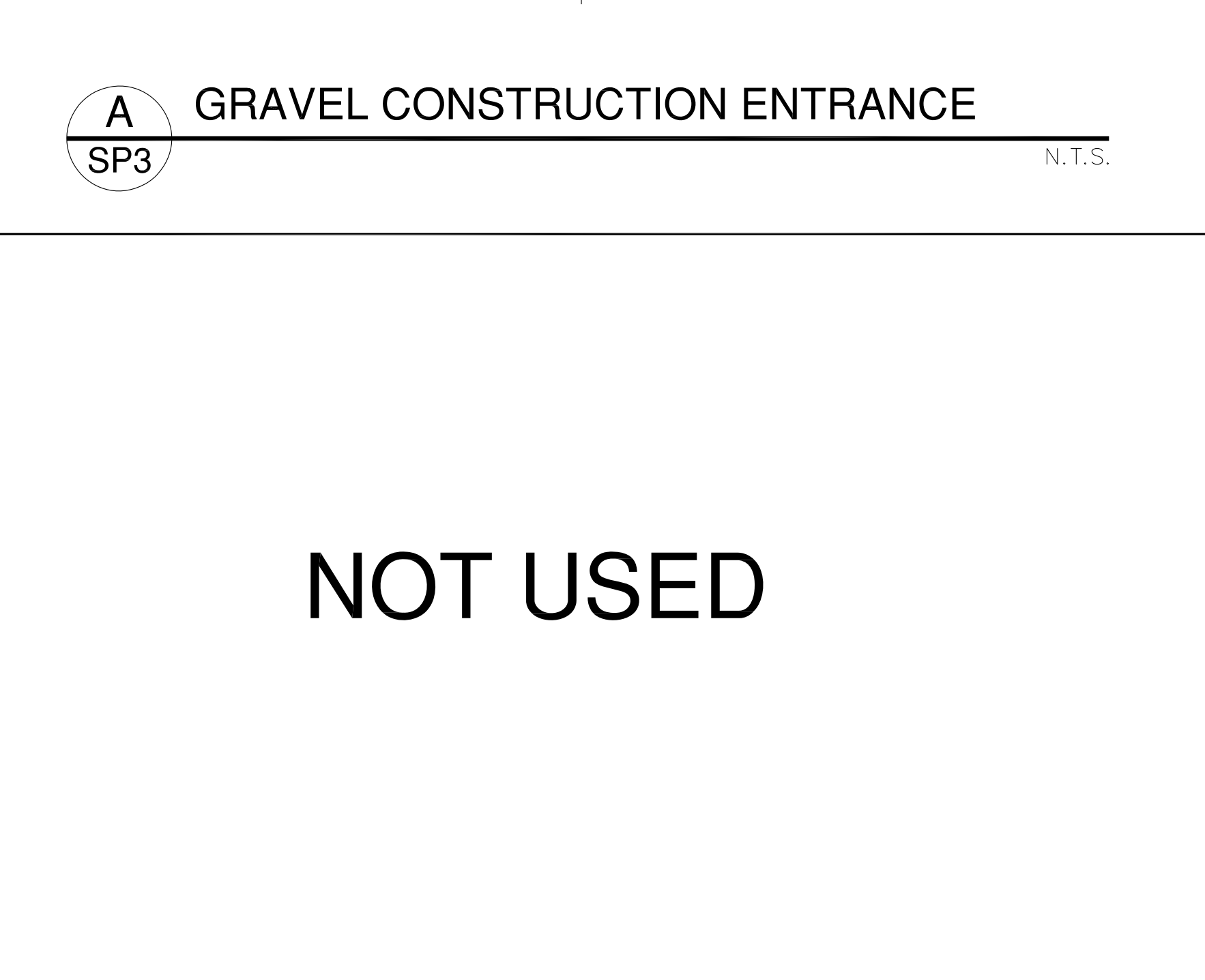
DRAWN BY: TAM
 CHECKED BY: TAM
 ISSUE DATE: 04/15/2015
 JOB NO.: 1522

SHEET:
SP2
 OF 10 PERMIT SET



A GRAVEL CONSTRUCTION ENTRANCE
SP3 N.T.S.

NOT USED

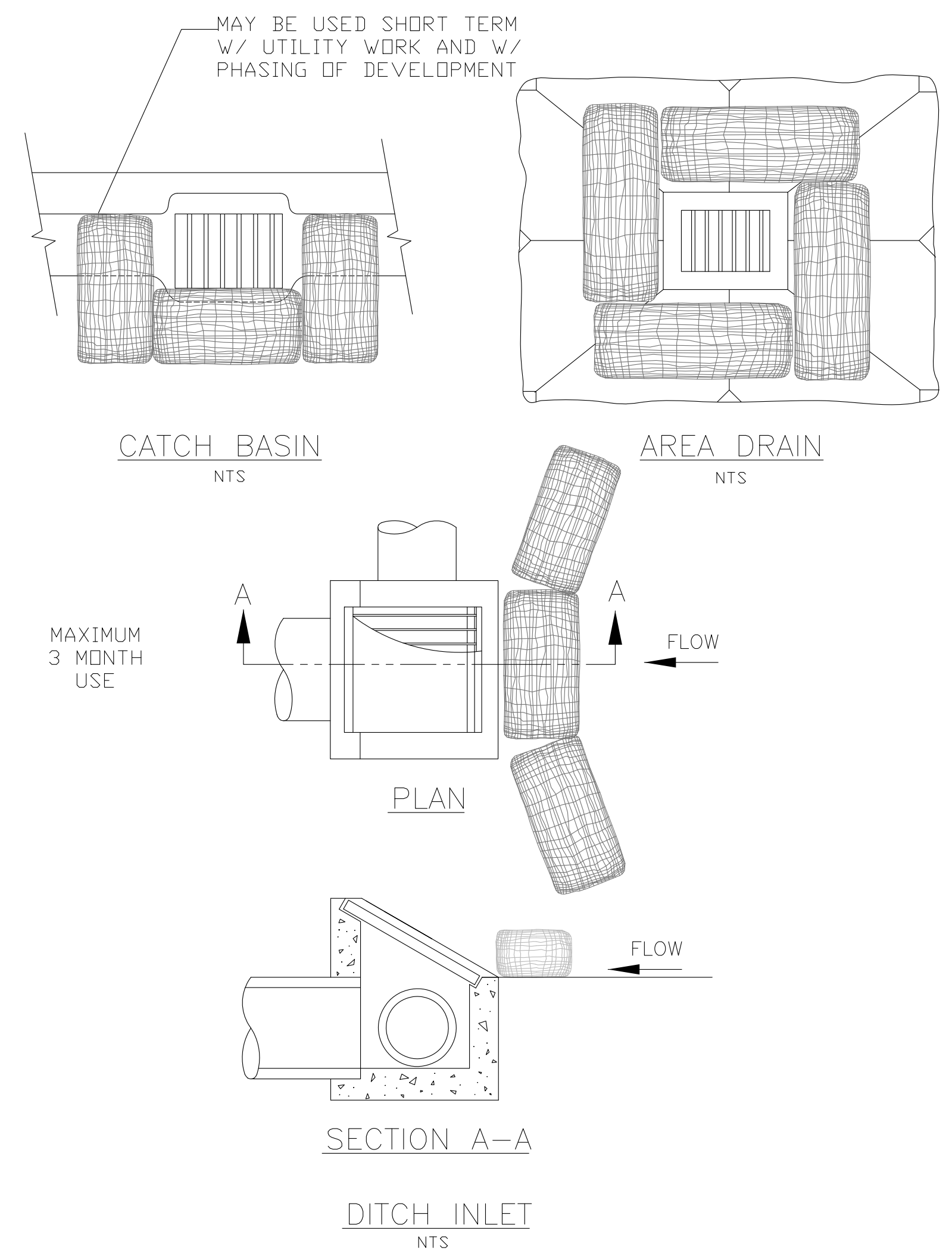


B TEMPORARY SEDIMENT FENCE
SP3 N.T.S.

SEDIMENT FENCE NOTES:

1. The filter fabric shall be purchased in a continuous roll cut to the length of the barrier to avoid use of joints. When joints are necessary, filter cloth shall be spliced together only at a support post, with a minimum 6-inch overlap, and both ends securely fastened to the post, or overlap 2 inch x 2 inch posts and attach as shown on detail sheet SP3.
2. The filter fabric fence shall be installed to follow the contours where feasible. The fence posts shall be spaced a maximum of 6 feet apart and driven securely into the ground a minimum of 24 inches.
3. The filter fabric shall have a minimum vertical burial of 6 inches. All excavated material from filter fabric fence installation, shall be backfilled and compacted, along the entire disturbed area.
4. Standard or heavy duty filter fabric fence shall have manufactured stitched loops for 2 inch x 2 inch post installation. Stitched loops shall be installed on the up hill side of the sloped area.
5. Filter fabric fences shall be removed when they have served their useful purpose, but not before the upslope area has been permanently protected and stabilized.
6. Filter fabric fences shall be inspected by contractor immediately after each rainfall and at least daily during prolonged rainfall. Any required repairs shall be made immediately.

NOT USED



C BIO-FILTER BAGS FOR TEMPORARY INLET PROTECTION
SP3 N.T.S.

EROSION CONTROL NOTES:

- A. Approval of this erosion, sediment and pollution control plan (ESPCP) does not constitute an approval of permanent road or drainage design (e.g., size and location of roads, pipes, restrictors, channels, retention facilities, utilities, etc.)
- B. The implementation of this ESPCP and the construction, maintenance, replacement, and upgrading of these ESPCP facilities is the responsibility of the contractor until all construction is completed and approved and vegetation/landscaping is established.
- C. The boundaries of the clearing limits shown on this plan shall be clearly flagged in the field prior to construction. During the construction period, no disturbance beyond the flagged clearing limits shall be permitted. The flagging shall be maintained by the contractor for the duration of construction.
- D. The ESPCP facilities shown on this plan must be constructed in conjunction with all clearing and grading activities, and in such a manner as to insure that sediment and sediment laden water do not enter the drainage system, roadways, or violate applicable water standards.
- E. The ESPCP facilities shown on this plan are the minimum requirements for anticipated site conditions. During the construction period, these ESPCP facilities shall be upgraded as needed for unexpected storm events and to ensure that sediment and sediment-laden water do not leave the site.
- F. The ESPCP facilities shall be inspected daily by the contractor and maintained as necessary to ensure their continued functioning.
- G. The ESPCP facilities on inactive sites shall be inspected and maintained a minimum of once a month or within the 24 hours following a storm event.
- H. Stabilized construction entrances shall be installed at the beginning of construction and maintained for the duration of the project. Additional measures may be required to insure that all paved areas are kept clean for the duration of the project.



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LANDSCAPE ARCHITECTURE & PLANNING
PO BOX 23338 | PORTLAND, OREGON | 97281
PHONE: 503.601.4516 | FAX: 503.924.4688

LICENSED LANDSCAPE ARCHITECT
TROY MEARS, LICENSE NO. 16000
DATE: 4/15/15
PRELIMINARY
STATE OF CALIFORNIA

MONTEREY AVENUE SKATEPARK
MONTEREY PARK
POURED-IN-PLACE CONCRETE
CAPITOLA, CALIFORNIA

REV.	DATE	DESCRIPTION

SHEET NAME:
EROSION CONTROL DETAILS & NOTES

DRAWN BY: TAM
CHECKED BY: TAM
ISSUE DATE: 04/15/2015
JOB NO.: 1522

SHEET:
SP3
OF 10 PERMIT SET

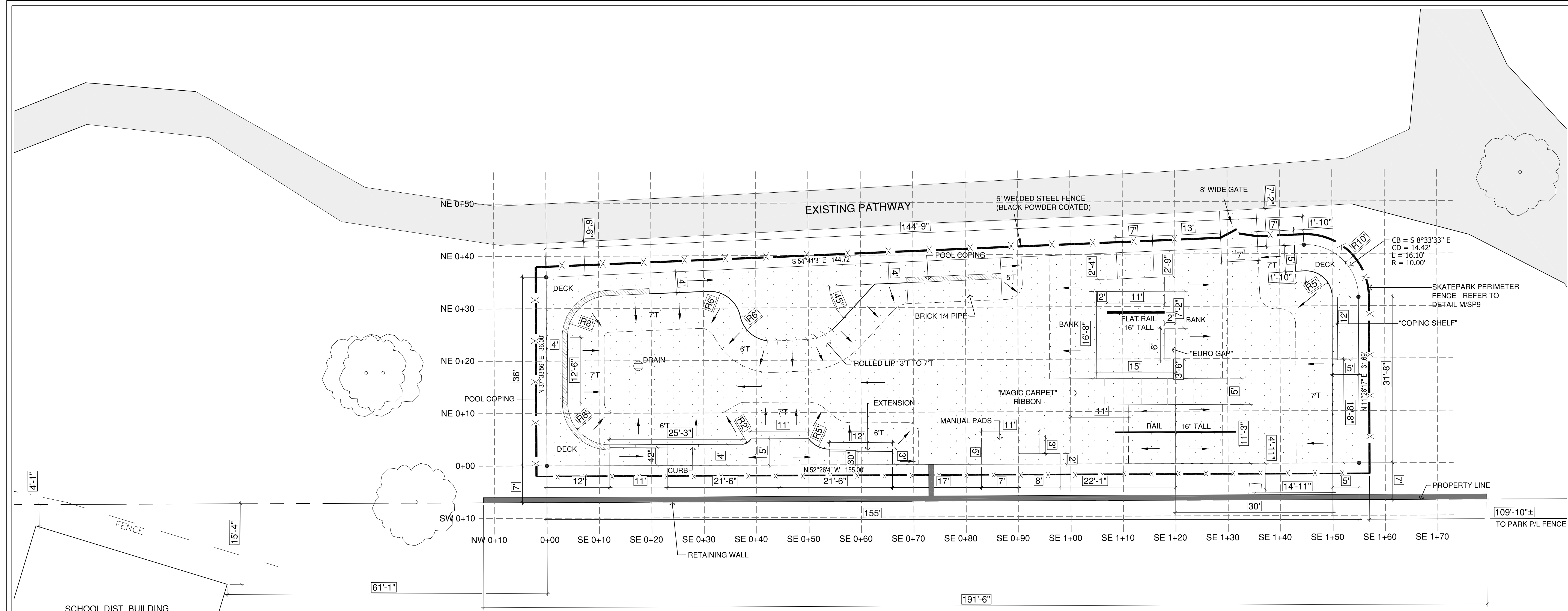
REVISIONS

REV.	DATE	DESCRIPTION

SHEET NAME:
SKATEPARK LAYOUT PLAN

DRAWN BY: TAM
CHECKED BY: TAM
ISSUE DATE: 04/15/2015
JOB NO.: 1522

SHEET:
SP4
OF 10
PERMIT SET



SKATEPARK SQUARE FOOTAGE AREAS:

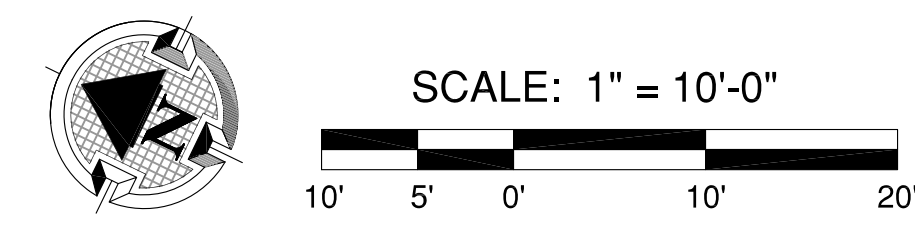
DECK AREA:	1,181 SF
FLAT AREA:	2,224 SF
TRANSITION AREA:	1,560 SF
BANK AREA:	688 SF
LEDGE AREA:	375 SF
TOTAL SKATEPARK AREA:	6,028 SF
BUFFER BETWEEN SKATEPARK FENCE & CONCRETE SKATEPARK:	783 SF
TOTAL AREA (INSIDE SKATEPARK FENCE):	6,811 SF

LAYOUT LEGEND

SYM	DESCRIPTION
	SKATEPARK LIMITS OF CONSTRUCTION
R	RADIUS AS INDICATED
T	TRANSITION AS INDICATED
L	LENGTH AS INDICATED
CB	CHORD BEARING AS INDICATED
CD	CHORD DISTANCE AS INDICATED
	STEEL FLAT RAIL / RAILING AS INDICATED
	PROPOSED FLOOR DRAIN
	BOTTOM OF TRANSITION RAMP
	STEEL COPING
	6 FT. BLACK POWDER COATED WELDED STEEL FENCE - REFER TO DETAIL M/SP9

- LAYOUT NOTES**
- ALL TRANSITIONS OF WALKS AND CURBS SHALL BE CONSTRUCTED TO A SMOOTH CURVE. ALL ADJUSTMENTS OF THE "LAYOUT" SHALL BE APPROVED BY CITY OF CAPITOLA PRIOR TO CONSTRUCTION.
 - SKATEPARK CONTRACTOR RESPONSIBLE FOR SKATEPARK LAYOUT. FINAL APPROVAL REQUIRED BY CITY OF CAPITOLA REPRESENTATIVE.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE VERIFICATION OF THE LOCATIONS OF ALL UTILITIES IN THE FIELD. LOCATIONS SHOWN ON THE PLAN ARE APPROXIMATE AND FOR GENERAL INFORMATION ONLY.
 - ALL "LAYOUT" WORK SHALL BE APPROVED BY CITY OF CAPITOLA PRIOR TO THE START OF ANY EXCAVATION.
 - DIMENSIONS FOR WALKS, CURB WALLS AND CURBS ARE AT CENTER LINE OR ON THE SIDE SHOWN ON THE PLAN.

THE CONTRACTOR SHALL BE RESPONSIBLE TO CONSTRUCT ALL CONCRETE WORK USING FORM LUMBER AND STAKES STRONG ENOUGH AND AT INTERVALS FREQUENT ENOUGH TO ASSURE ACCURATE ANGLES & SMOOTH CONTINUOUS RADII.
 - CONTRACTOR IS REQUIRED TO RE-SEED ALL SCARRED AREAS DUE TO CONSTRUCTION WITH CITY APPROVED SEED MIX.
 - CONTRACTOR TO REPAIR AND ADJUST ALL EXISTING IRRIGATION DAMAGED OR REMOVED DUE TO SKATEPARK CONSTRUCTION. FINISHED IRRIGATION PRODUCT IS TO BE INSTALLED TO COVER ALL EXISTING AND NEWLY PLANTED/SEEDED AREAS WITH MINIMAL THROUGH ON HARD SURFACES. FINAL PRODUCT IS TO BE APPROVED BY OWNER'S REPRESENTATIVE. CONTRACTOR TO ABIDE BY CITY OF CAPITOLA STANDARDS.
 - NO LIGHTING IS PROPOSED.
 - ALL EXCAVATED MATERIAL(S) TO BE TRANSPORTED OFF-SITE TO AN ACCEPTABLE DISPOSAL SITE DUE TO ARSENIC CONTAMINATION.

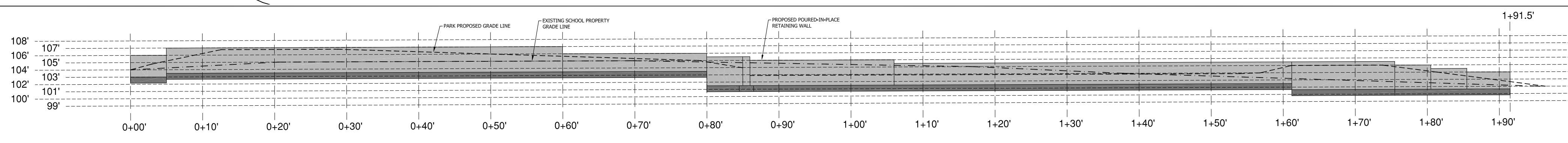
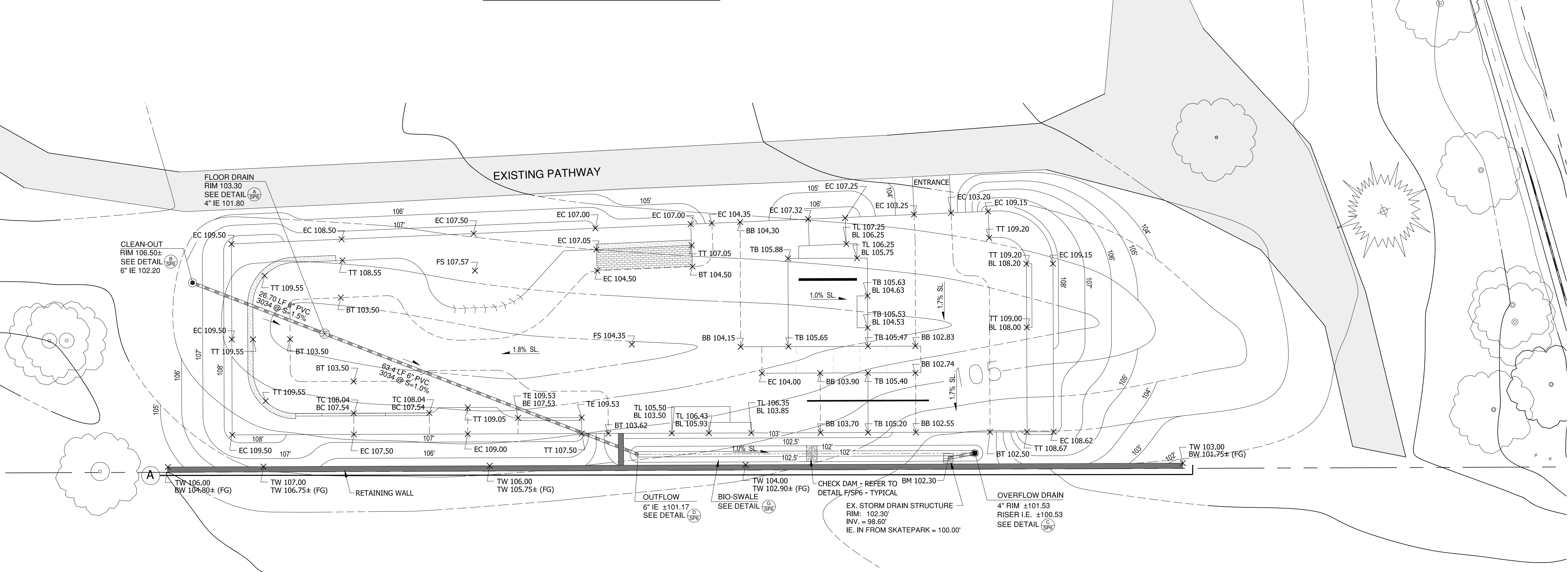
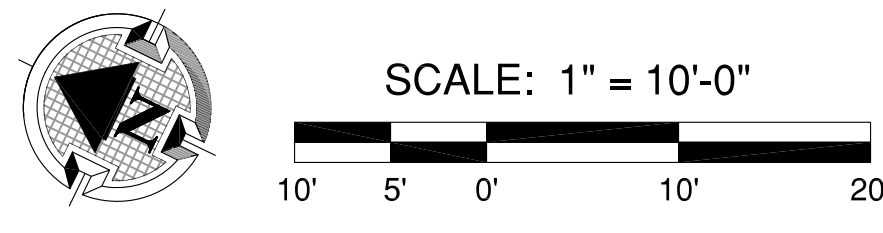


GRADING/DRAINAGE LEGEND

SYM	DESCRIPTION	SYM	DESCRIPTION
FS 103.25	PROPOSED ELEVATION AT FINISH GRADE	RIM	RIM ELEVATION
105	EXISTING CONTOURS	IE	INVERT ELEVATION
105	PROPOSED CONTOURS	HP	HIGH POINT
FS	FINISH SURFACE ELEVATION	BM	BENCH MARK - AS NOTED
FG	FINNISH GRADE	EC	EDGE OF CONCRETE
TB	TOP OF BANK AT FINISH GRADE	TW	TOP OF WALL
BB	BOTTOM OF BANK AT FINISH GRADE	BW	BOTTOM OF WALL
BL	BOTTOM OF LEDGE AT FINISH GRADE	←	SLOPE DIRECTION
TL	TOP OF LEDGE AT FINISH GRADE	⊙	6" CLEAN-OUT - SEE DETAIL B/SP6
TT	TOP OF TRANSITION AT FINISH GRADE	⊙	6" FLOOR DRAIN - SEE DETAIL A/SP6
BT	BOTTOM OF TRANSITION AT FINISH GRADE	▨	EXISTING STORM DRAIN STRUCTURE
FG	FINISH GRADE	▬	STORM DRAIN LINE - (3034) - SIZE AS NOTED

GRADING/DRAINAGE NOTES

- THIS PLAN PROVIDES GENERAL GRADING INFORMATION. ALL SURVEYING SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- EXPORTATION OF SOIL, WHICH MAY BE NECESSARY TO MEET THE GRADES SHOWN ON THIS PLAN, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL BE PART OF THIS CONTRACT.
- CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF THE LOCATION OF ALL EXISTING UTILITIES IN THE FIELD. LOCATIONS SHOWN ON THE PLANS ARE APPROXIMATE AND FOR GENERAL INFORMATION ONLY.
- ALL HIGH POINTS, LOW POINTS, OR GRADE BREAKS ON CONCRETE SURFACES SHALL HAVE A SMOOTH CURVE. CONCRETE SHALL NOT BE BUILT TO A POINT.
- THE CONTRACTOR SHALL MATCH THE NEW GRADES WITHIN THE LIMITS OF WORK TO THE EXISTING GRADES.
- CONTRACTOR SHALL PROVIDE SECURITY BARRIER DURING CONSTRUCTION & UNTIL ACCEPTED.
- EROSION CONTROL FENCING REQUIRED TO BE IN PLACE PRIOR TO ANY SITE WORK.
- ALL WORK SHALL BE COMPLETED IN CONFORMANCE WITH THE PHASE III ENVIRONMENTAL SITE ASSESSMENT (WEBER, HAYES, AND ASSOCIATES, 9/23/15).
- ALL EXCAVATED MATERIAL SHALL EITHER BE HAULED OFF-SITE AND DISPOSED OF AT AN APPROPRIATE LOCATION OR ENCAPSULATED TO THE SATISFACTION OF THE COUNTY OF SANTA CRUZ DEPARTMENT OF ENVIRONMENTAL HEALTH.



A RETAINING WALL ELEVATION

SCALE: 1" = 10'-0"

MEARS DESIGN+GROUP
 LANDSCAPE ARCHITECTURE & PLANNING
 PO BOX 23338 | PORTLAND, OREGON | 97281
 PHONE: 503.601.4516 | FAX: 503.924.4688

LICENSED LANDSCAPE ARCHITECT
 TROY MEARS, L.A.S. No. 16627
 Date: 4/15/15
PRELIMINARY
 STATE OF CALIFORNIA

MONTEREY AVENUE SKATEPARK
 MONTEREY PARK
 POURED-IN-PLACE CONCRETE
 CAPITOLA, CALIFORNIA

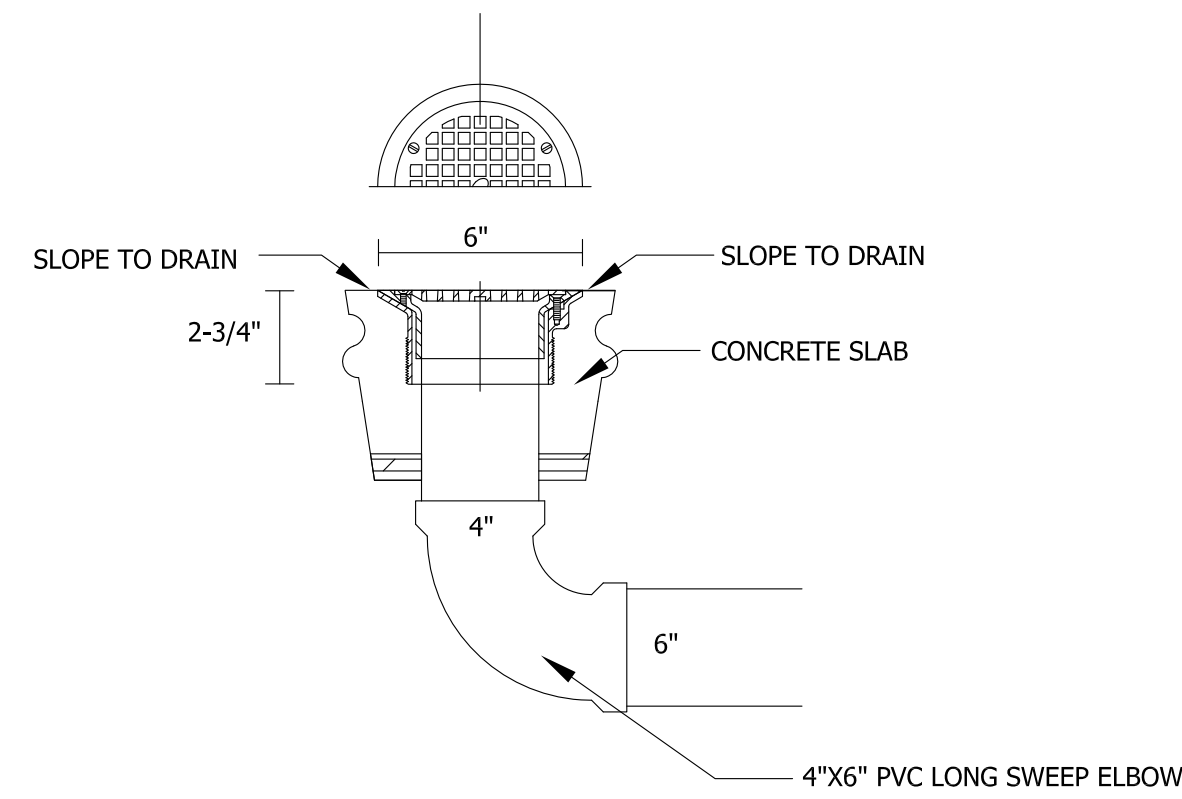
REVISIONS

REV.	DATE	DESCRIPTION
1	5/5/2015	City Comments
2	2/18/2016	City Comments
3	2/23/2016	City Comments

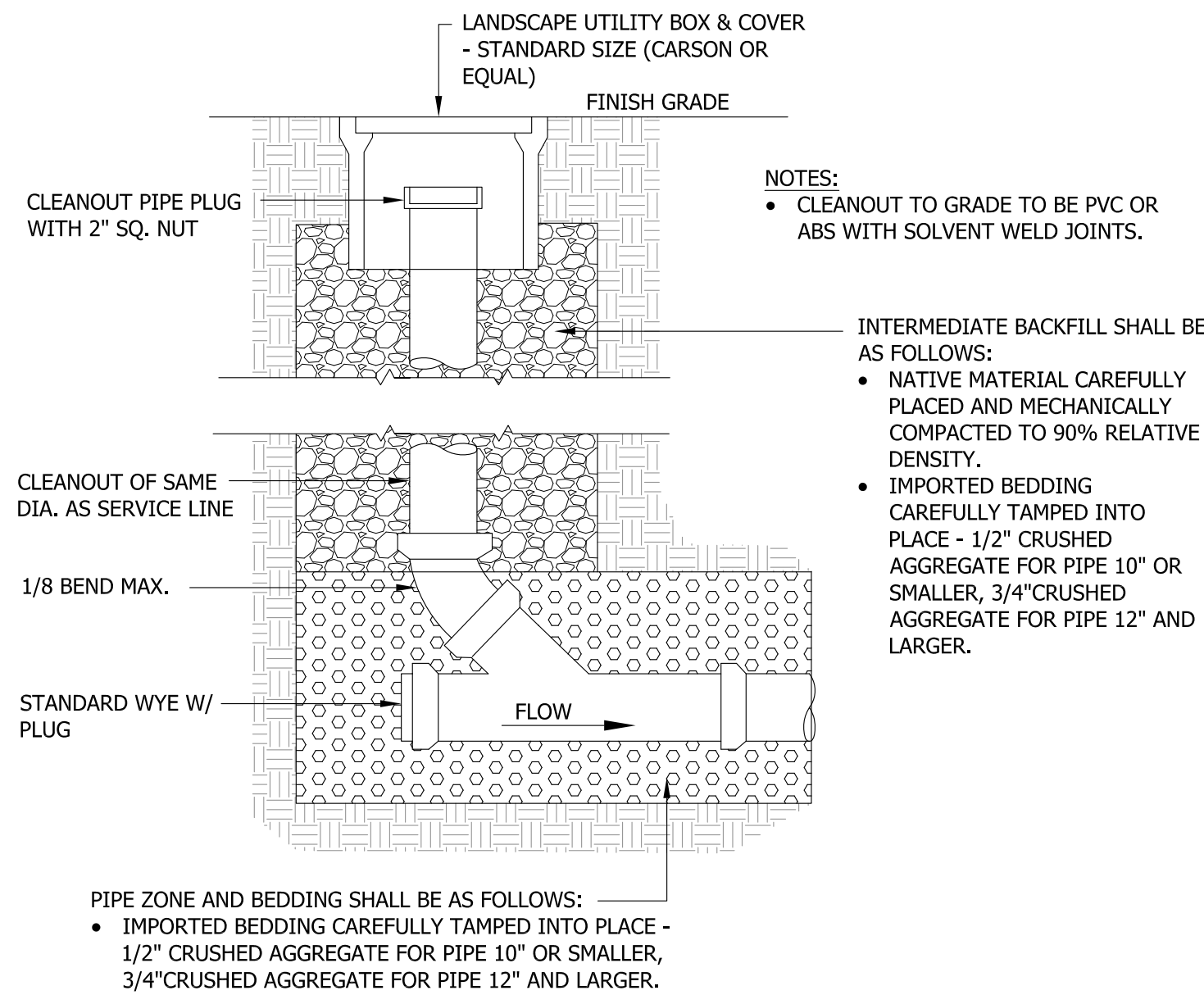
SHEET NAME:
SKATEPARK GRADING/DRAINAGE

DRAWN BY: TAM
 CHECKED BY: TAM
 ISSUE DATE: 04/15/2015
 JOB NO.: 1522

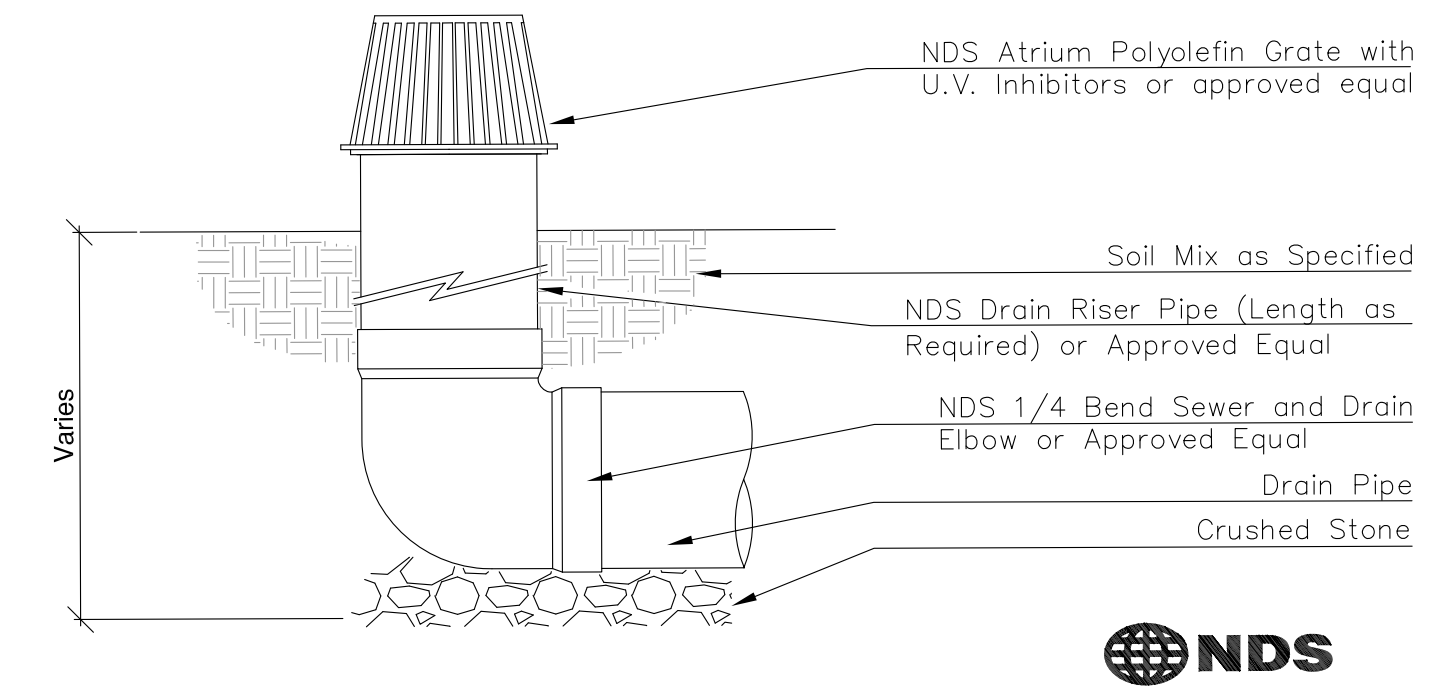
SHEET:
SP5
 OF 10
 PERMIT SET



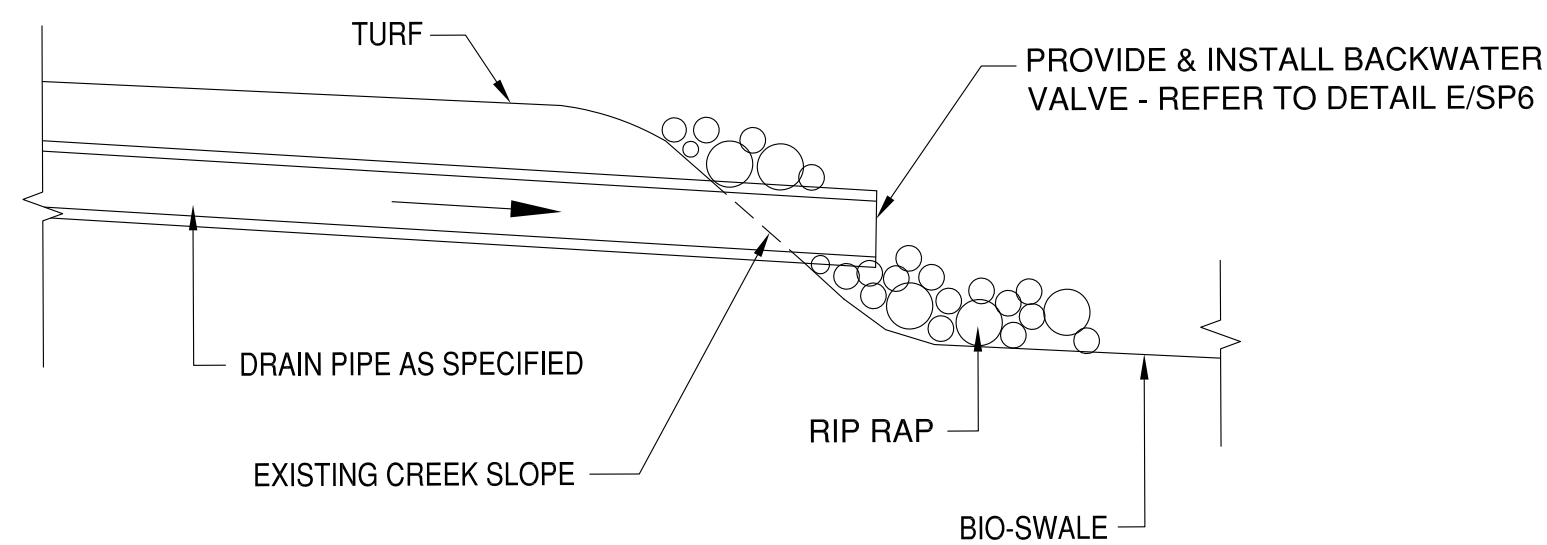
A
SP6 **JSC FLOOR DRAIN (D53072)**
 JONES STEPHENS CORP. (OR EQUAL) N.T.S.



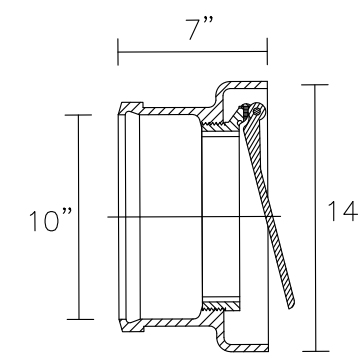
B
SP6 **CLEAN OUT DETAIL**
 N.T.S.



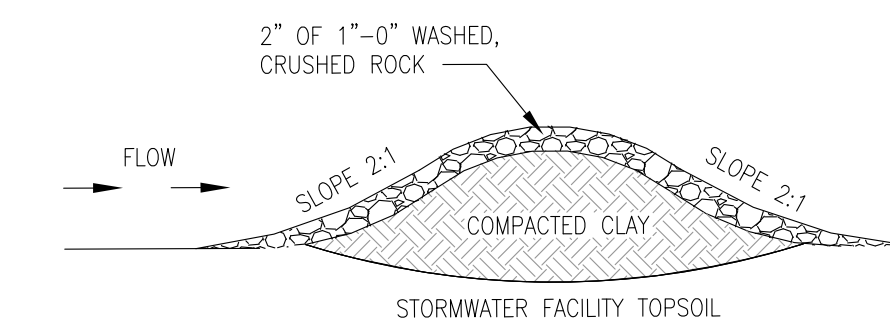
C
SP6 **NDS ATRIUM GRATE SWALE OUTLET**
 (OR APPROVED EQUAL) N.T.S.



D
SP6 **INCOMING FLOW TO CREEK**
 N.T.S.



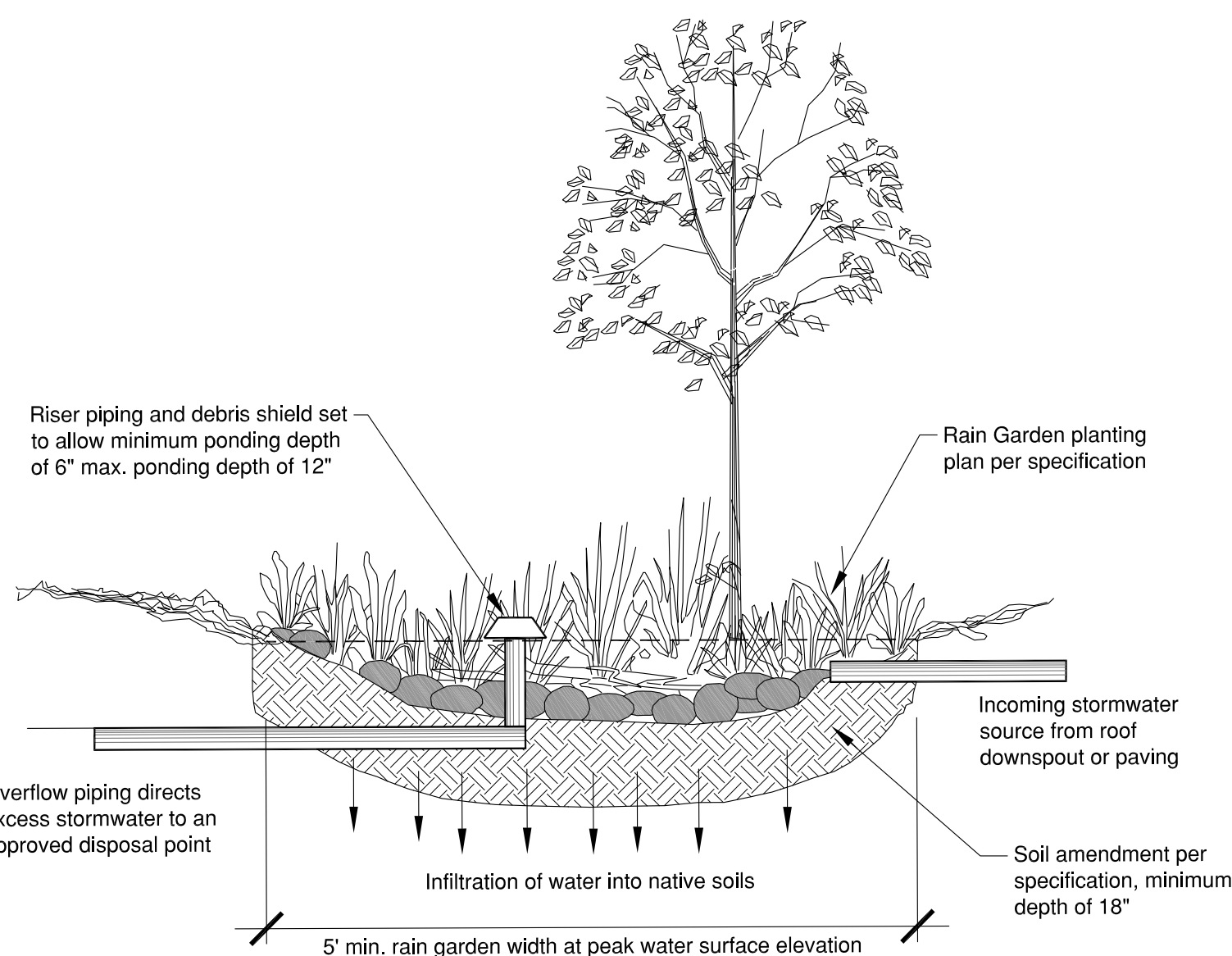
E
SP6 **ZURN BACKWATER VALVE**
FLAPPER TYPE (Z1091) N.T.S.



CHECK DAM NOTES:

- CHECK DAMS TO BE EVENLY SPACED BETWEEN INLET AND OUTLET. ADDITIONAL REQUIREMENTS MAYBE NECESSARY ON STEEP SLOPES.
- ADDITIONAL INLETS TO BE PLACED DOWNSTREAM OF CHECK DAMS.
- HEIGHT OF CHECK DAM 2" LESS THAN DEPTH OF FACILITY TYPICAL.

F
SP6 **SOIL & CHECK DAM DETAIL**
 N.T.S.



G
SP6 **BIO-SWALE DETAIL**
 N.T.S.

NOT USED

NOT USED

MEARS DESIGN GROUP
 LANDSCAPE ARCHITECTURE & PLANNING
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 PHONE: 503.601.4516 | FAX: 503.924.4688

LICENSED LANDSCAPE ARCHITECT
 TROY MEARS, L.A.S.
PRELIMINARY
 DATE: 4/15/15
 STATE OF CALIFORNIA

MONTEREY AVENUE SKATEPARK
 MONTEREY PARK
 POURED-IN-PLACE CONCRETE
 CAPITOLA, CALIFORNIA

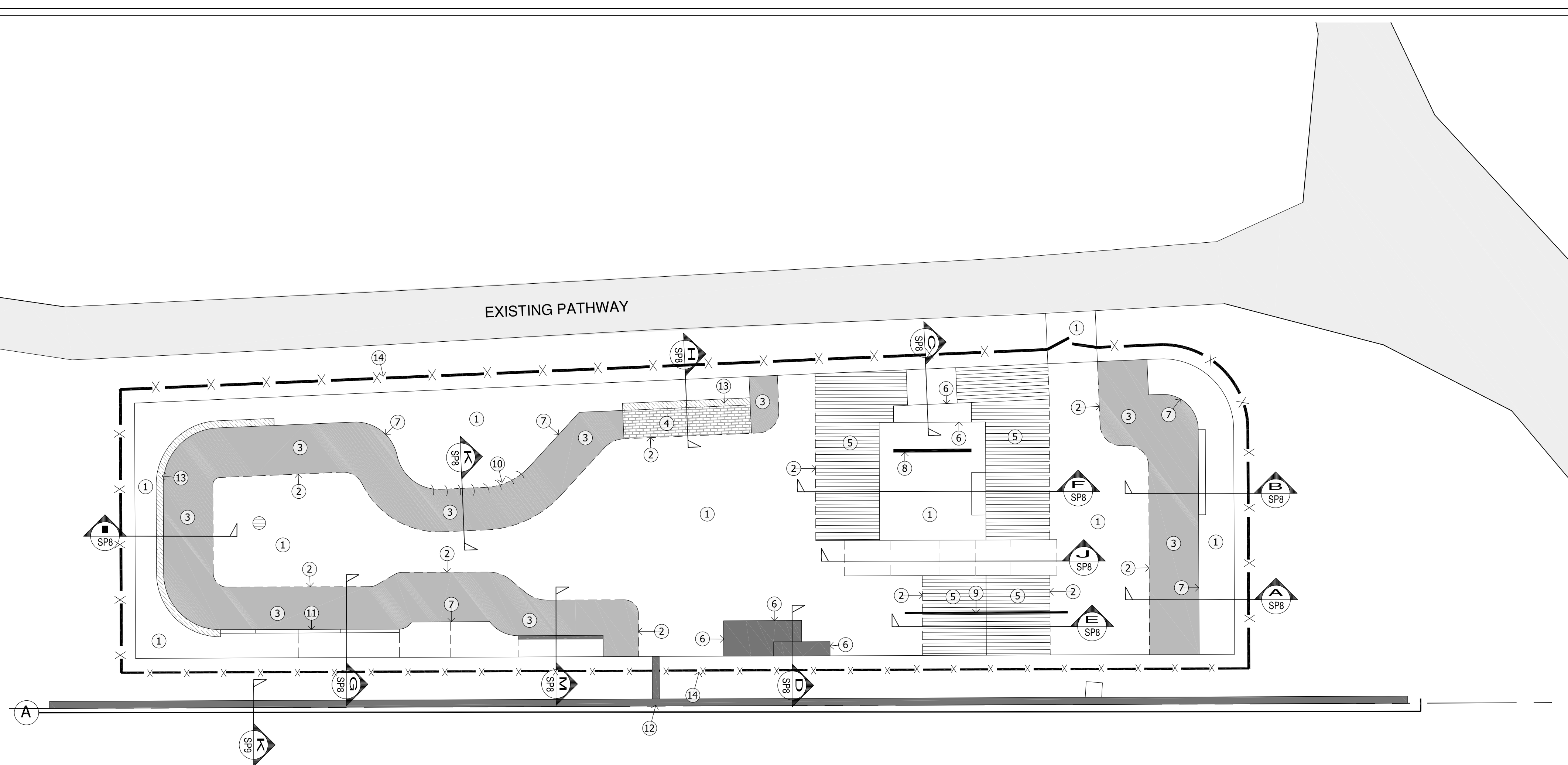
REV.	DATE	DESCRIPTION
	5/5/2015	City Comments
	2/18/2016	City Comments
	2/23/2016	City Comments

SHEET NAME:
DRAINAGE
DETAILS & NOTES

DRAWN BY: TAM
 CHECKED BY: TAM
 ISSUE DATE: 04/15/2015
 JOB NO.: 1522

SHEET:
SP6
 OF 10
 PERMIT SET

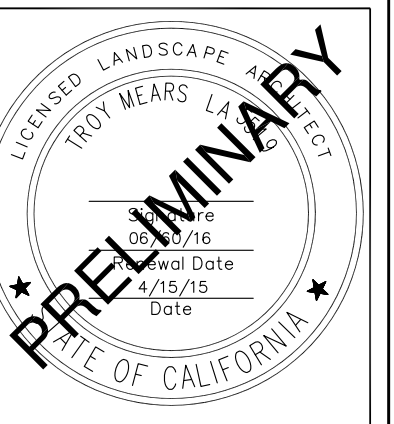
MATCH LINE - SEE LOWER RIGHT THIS SHEET



REFERENCE LEGEND	
SYM	DESCRIPTION
	INDICATES "BANK" INSTALLATION
	INDICATES "TRANSITIONAL" INSTALLATION
	INDICATES "LEDGE" INSTALLATION
	INDICATES EXISTING PARK WALKWAY TO REMAIN

- REFERENCE NOTES**
- 1 CONCRETE PAVING (POURED-IN-PLACE) - SEE DETAIL A/SP9
 - 2 TOE CONNECTION - SEE DETAIL D/SP9
 - 3 TRANSITION RAMP (SHOTCRETE) - SEE DETAIL A/SP8, B/SP8, G/SP8, H/SP8, I/SP8, K/SP8, M/SP8 & G/SP9
 - 4 BRICK BANK (STAMPED) - SEE DETAIL H/SP8
 - 5 CONCRETE BANK - SEE DETAILS E/SP8 & F/SP8
 - 6 STEEL EDGING - SEE DETAIL F/SP9
 - 7 STEEL COPING - SEE DETAIL E/SP9
 - 8 FLAT RAIL - SEE DETAIL H/SP9
 - 9 A-FRAME RAILING - SEE DETAIL E/SP8
 - 10 ROLL-IN TRANSITION - SEE DETAILS K/SP9
 - 11 "HELL" CURB - SEE DETAIL G/SP8
 - 12 POURED-IN-PLACE RETAINING WALL - SEE DETAIL K/SP9
 - 13 POOL COPING - SEE DETAIL I/SP9
 - 14 6'-0" HT. PERIMETER FENCE - SEE DETAIL M/SP9
- ALL SKATEPARK CONTROL JOINTS, EXPANSION JOINTS & CONSTRUCTION JOINTS WITHIN THE SKATE PARK ARE AT THE DISCRETION OF THE DESIGN/BUILD CONTRACTOR.

MEARS DESIGN+GROUP
 LANDSCAPE ARCHITECTURE & PLANNING
 PO BOX 23338 | PORTLAND, OREGON | 97281
 PHONE: 503.601.4516 | FAX: 503.924.4688



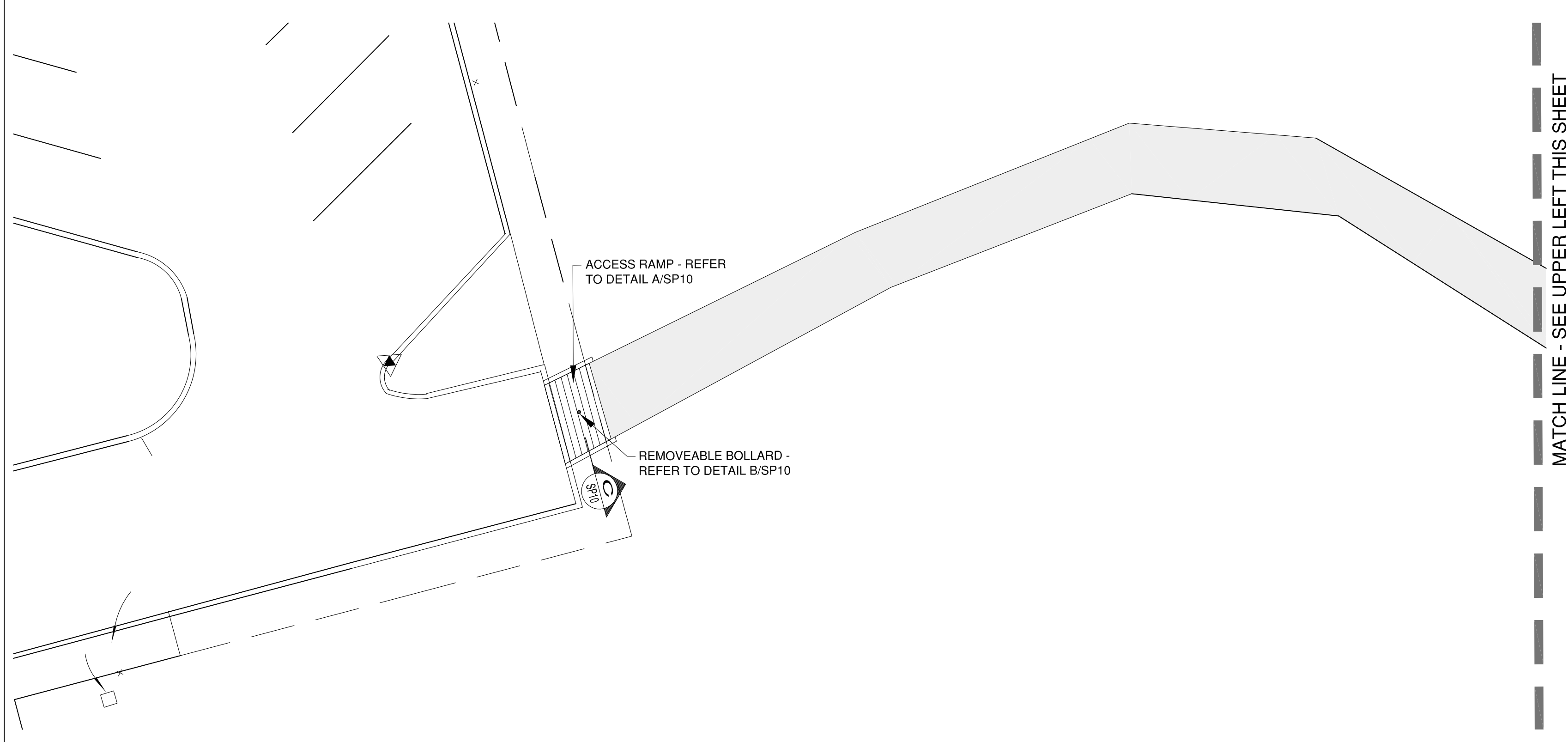
MONTEREY AVENUE SKATEPARK
 MONTEREY PARK
 POURED-IN-PLACE CONCRETE
 CAPITOLA, CALIFORNIA

REVISIONS		
REV.	DATE	DESCRIPTION

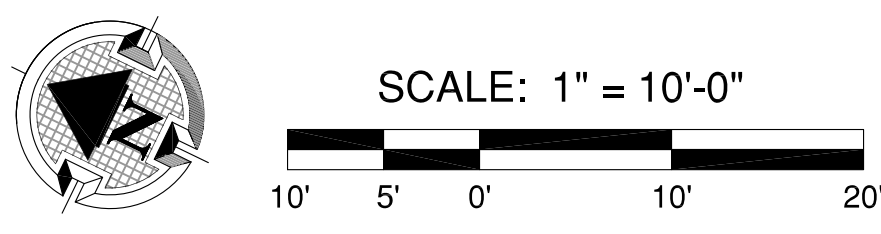
SHEET NAME:
SKATEPARK REFERENCE PLAN

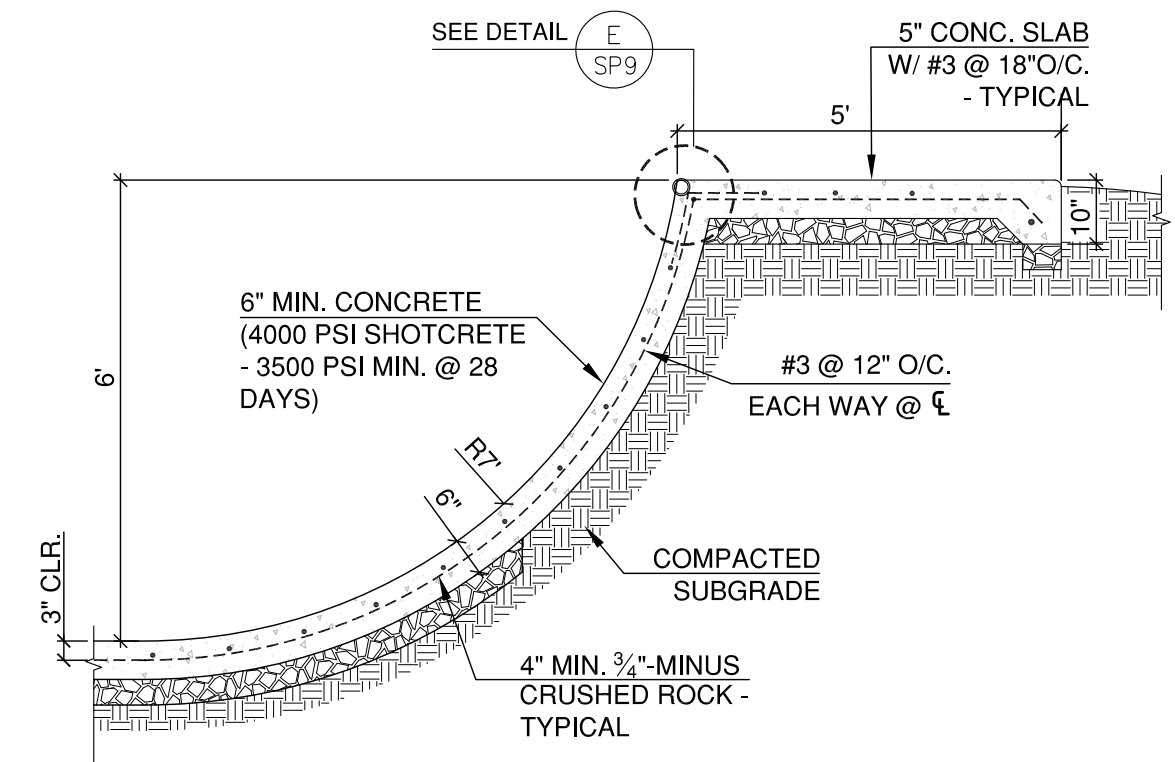
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 CHECKED BY: TAM
 ISSUE DATE: 04/15/2015
 JOB NO.: 1522

SHEET:
SP7
 OF 10
 PERMIT SET

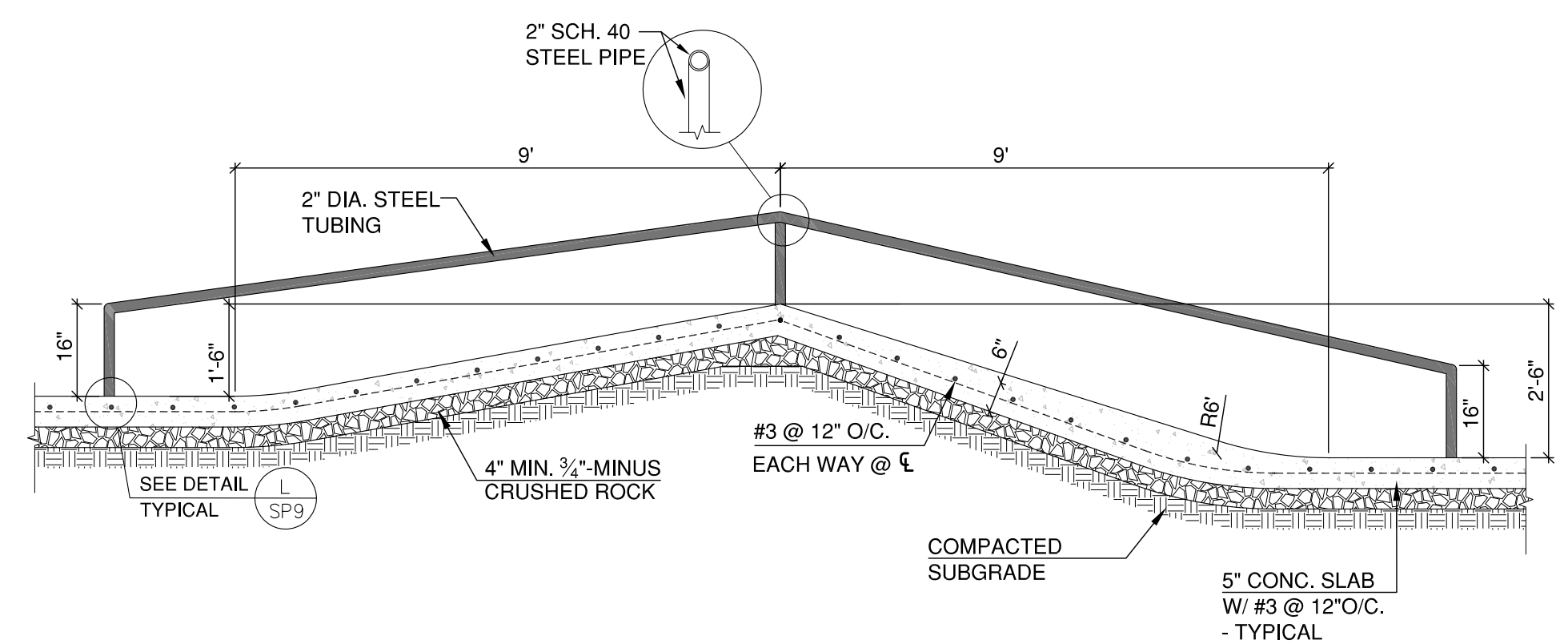


MATCH LINE - SEE UPPER LEFT THIS SHEET

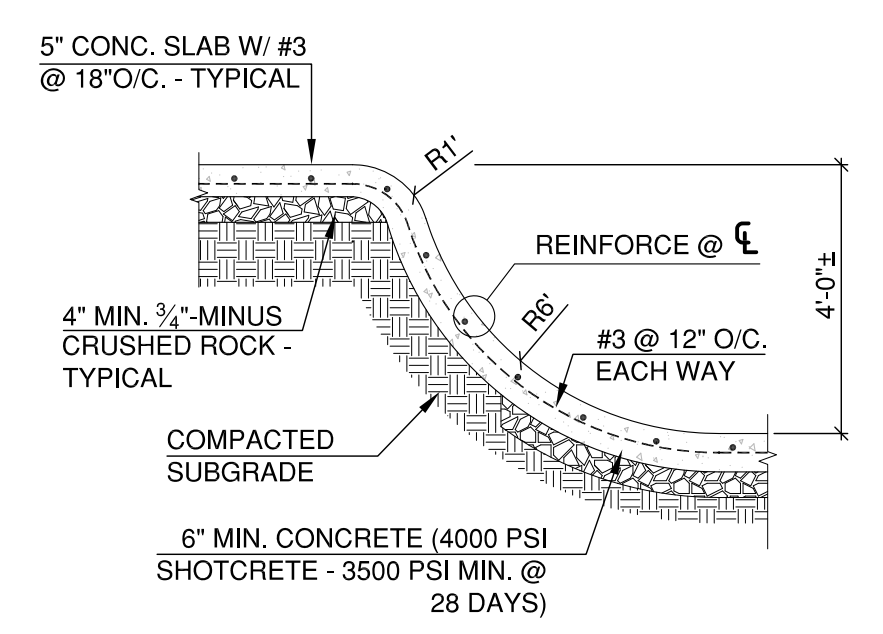




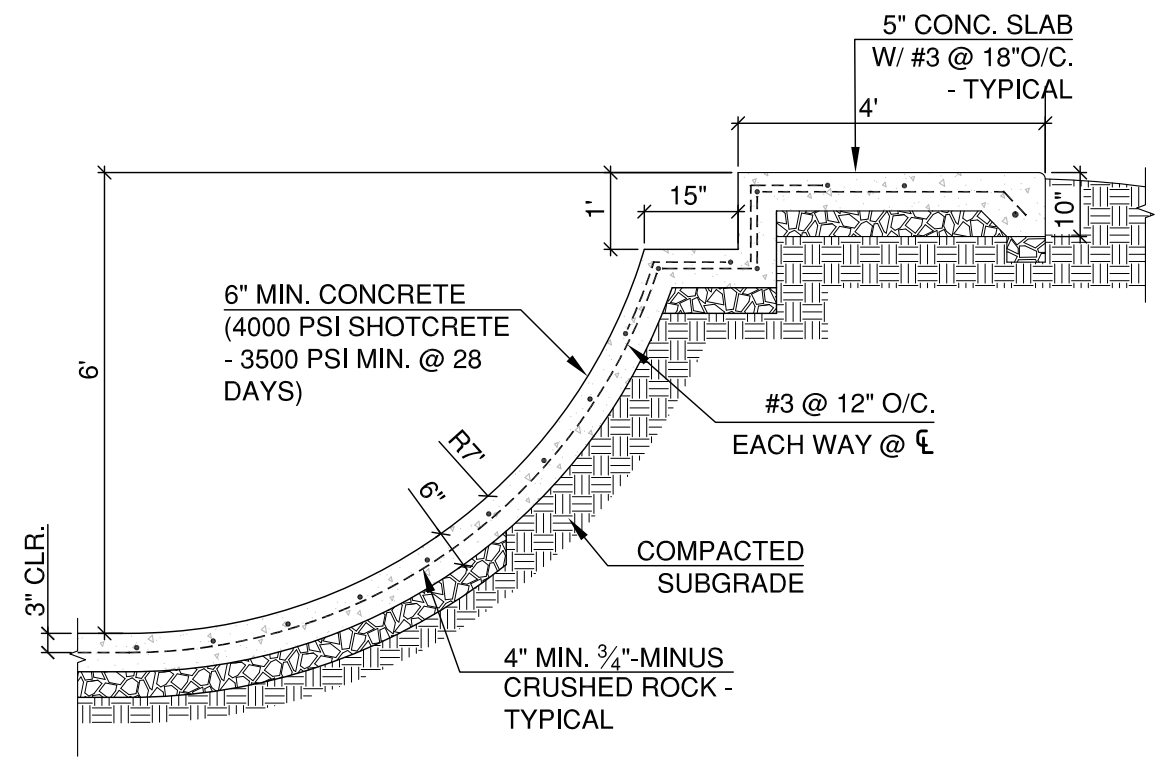
A SECTION 'A'
SP8 N.T.S.



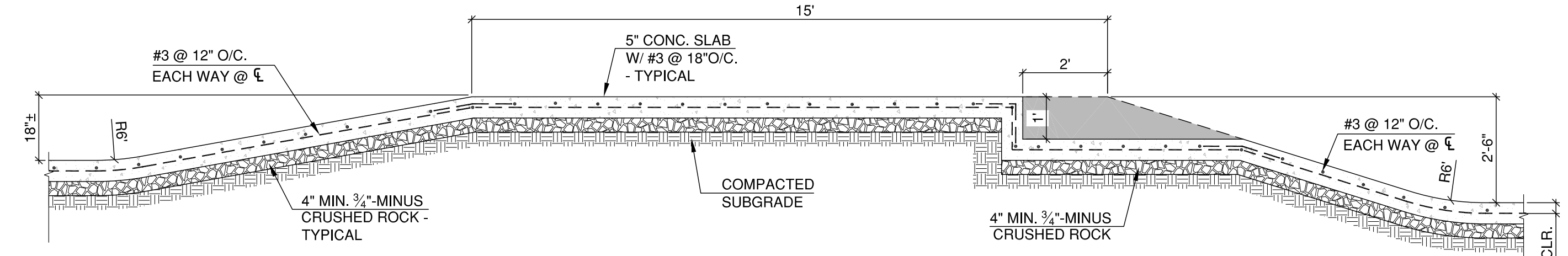
E SECTION 'E'
SP8 N.T.S.



K SECTION 'K'
SP9 N.T.S.

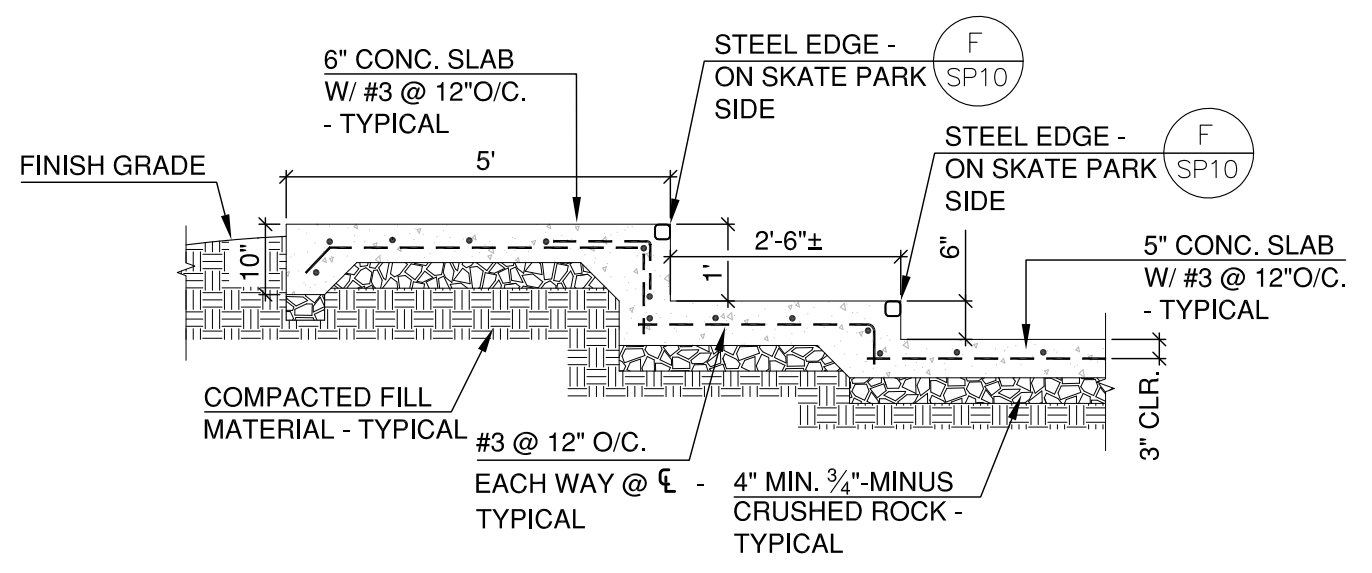


B SECTION 'B'
SP8 N.T.S.

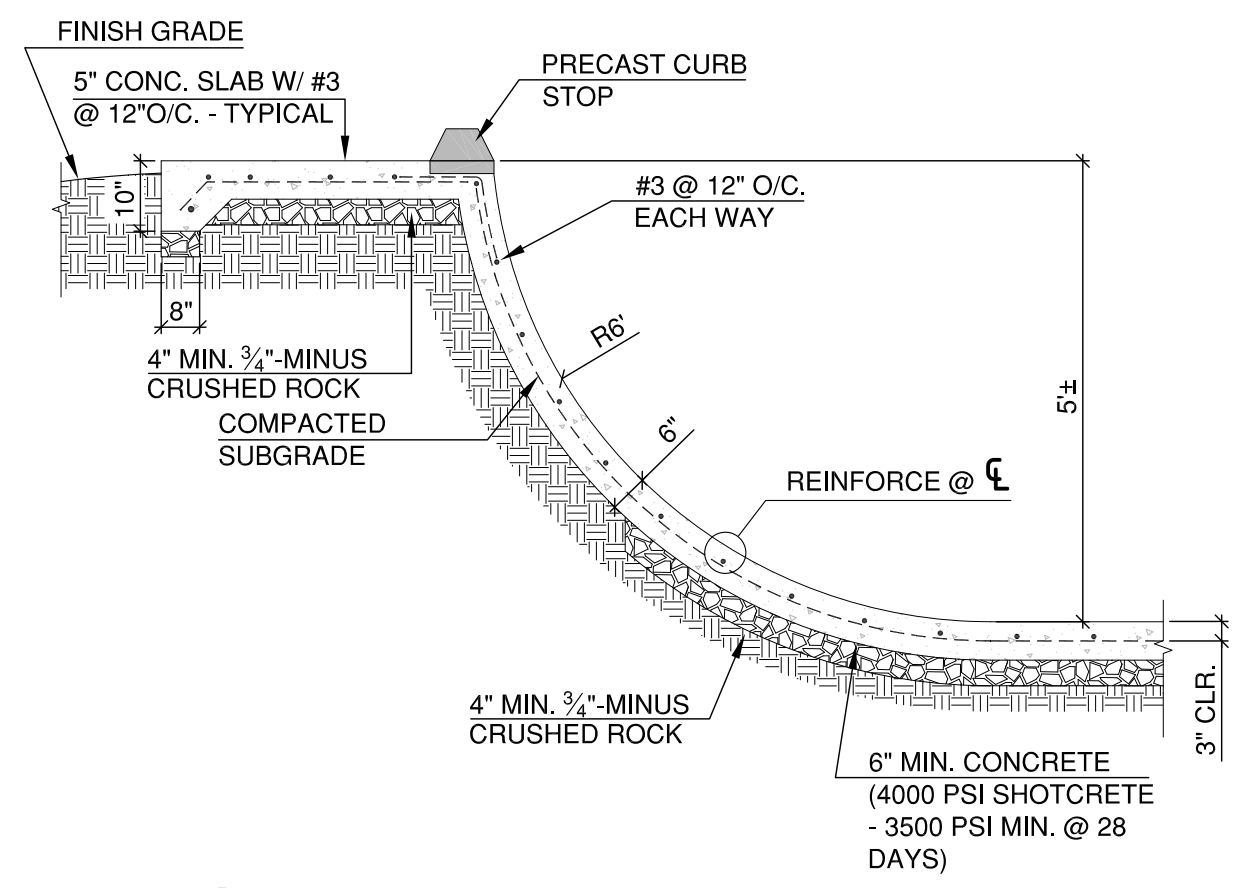


F SECTION 'F'
SP8 N.T.S.

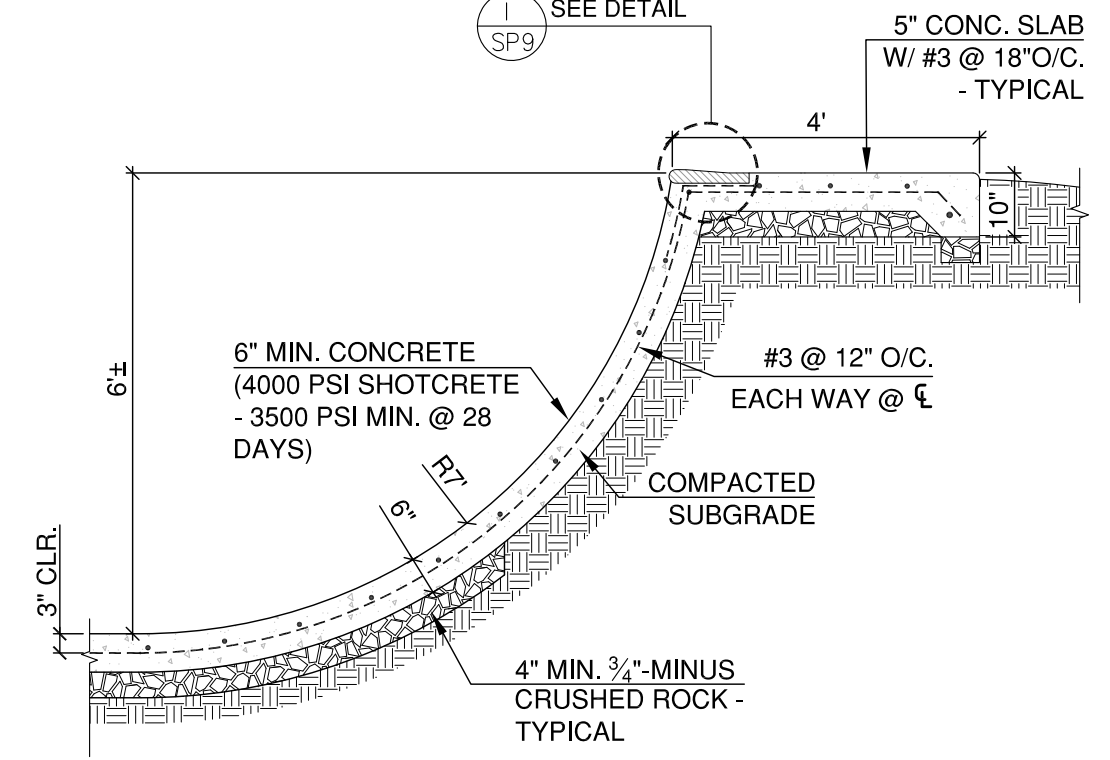
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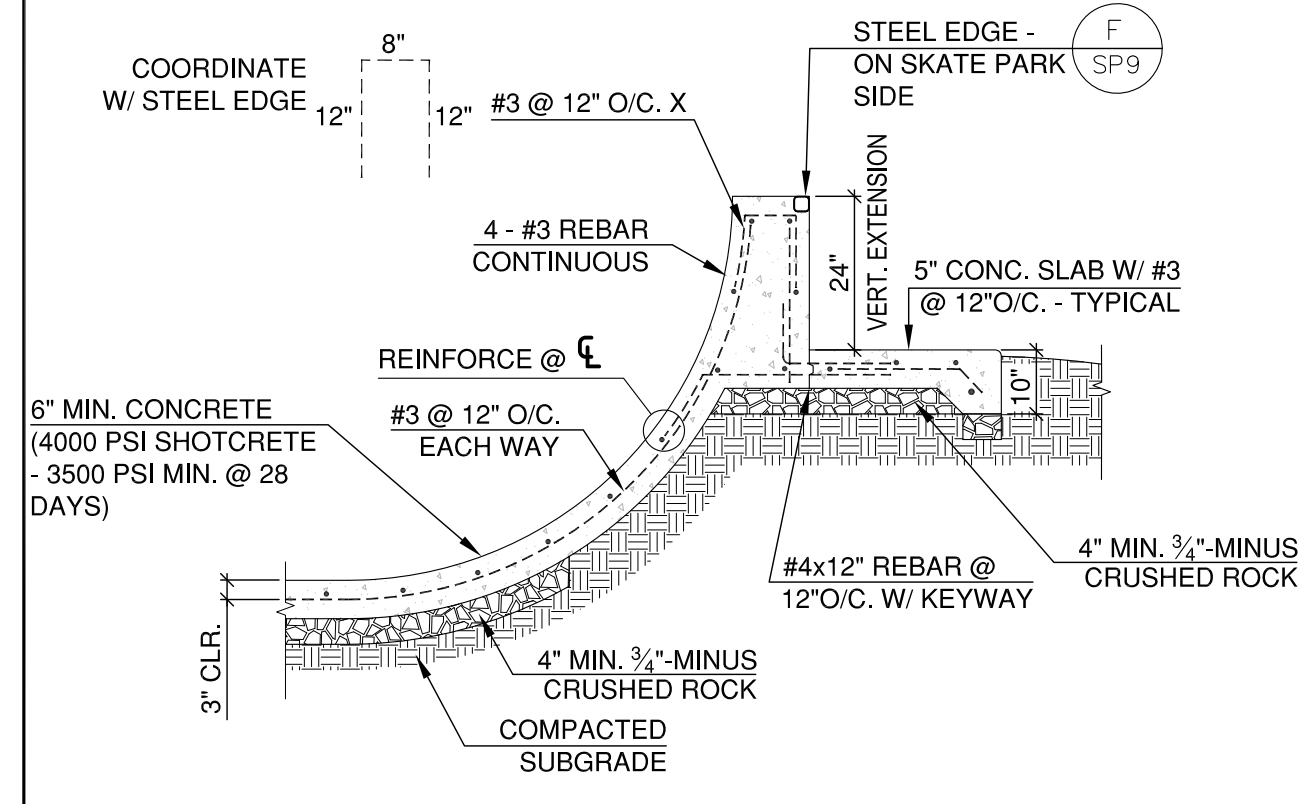
C SECTION 'C'
SP8 N.T.S.



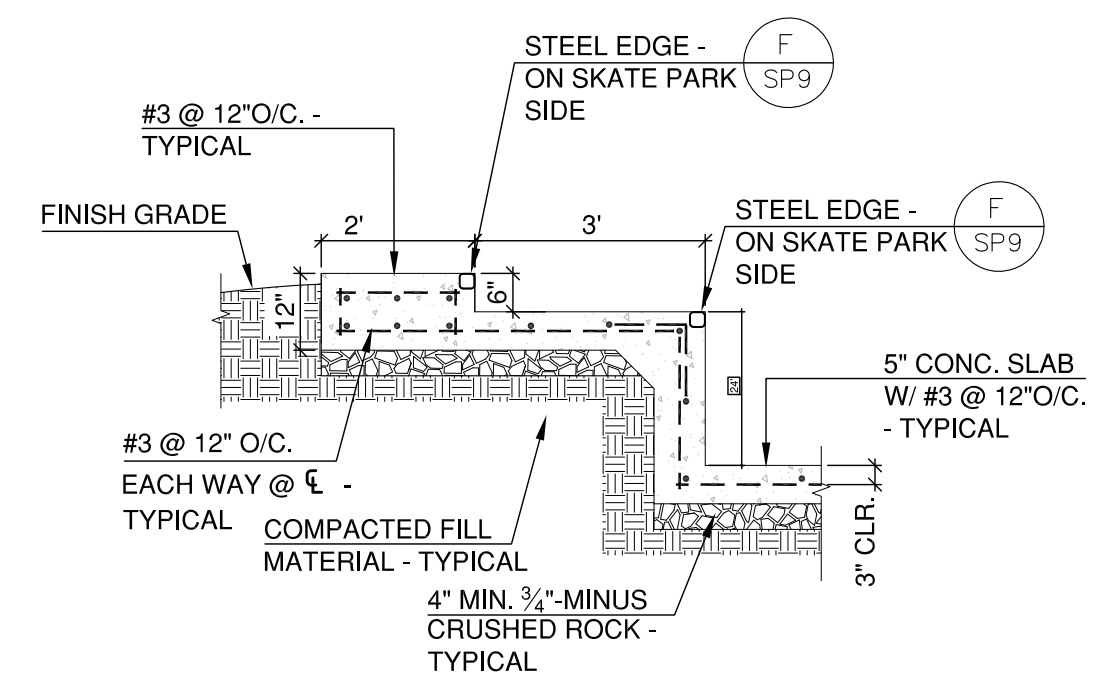
G SECTION 'G'
SP8 N.T.S.



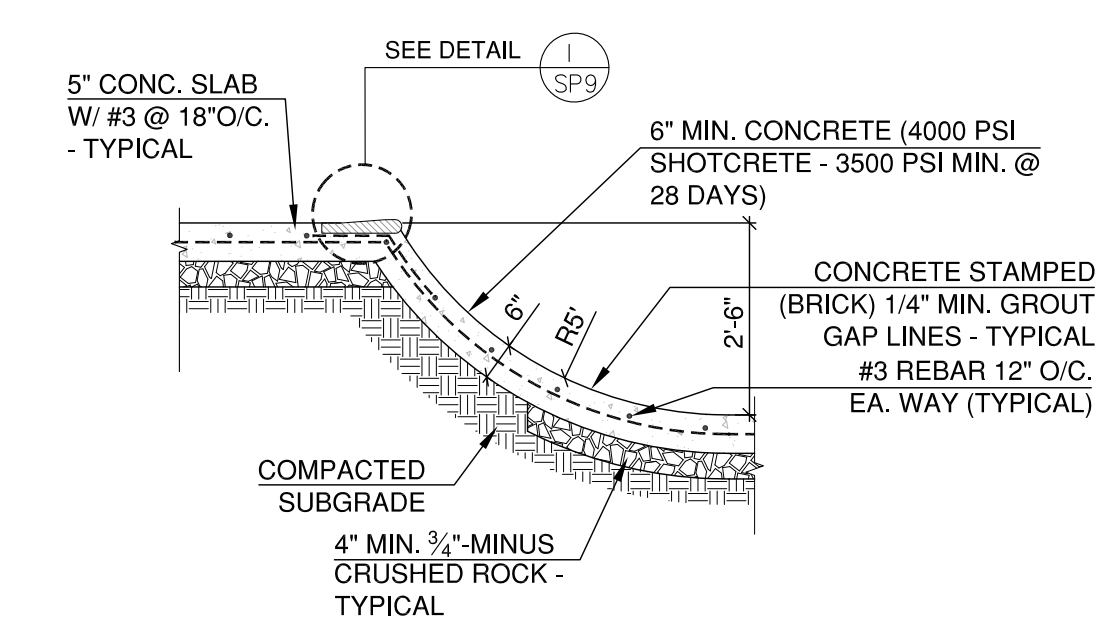
I SECTION 'I'
SP8 N.T.S.



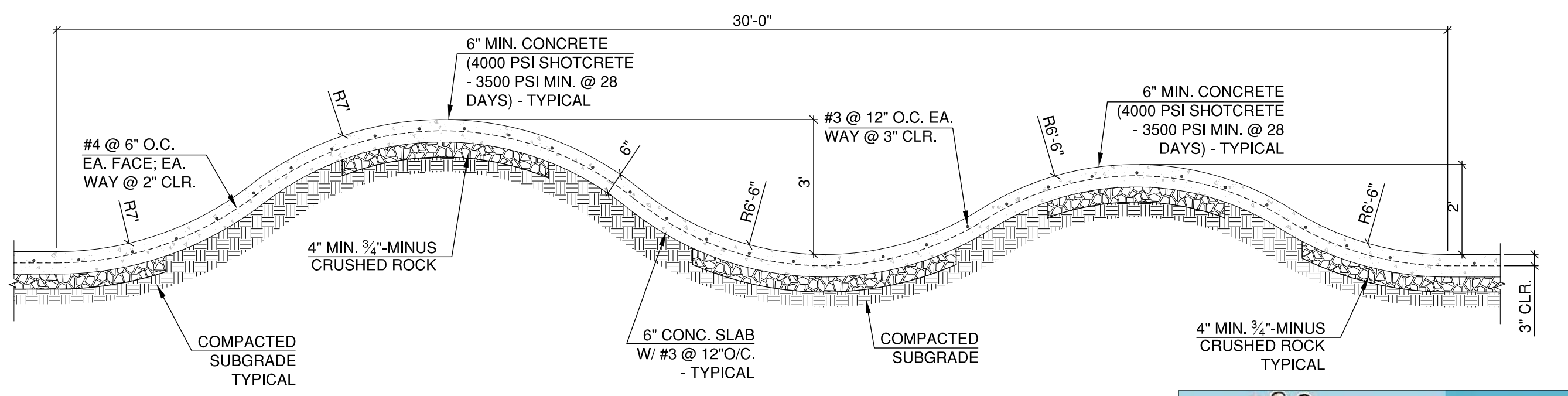
M SECTION 'M'
SP8 N.T.S.



D SECTION 'D'
SP8 N.T.S.



H SECTION 'H'
SP8 N.T.S.



J STAIR DETAIL 'J'
SP8 N.T.S.

MEARS DESIGN+GROUP
LANDSCAPE ARCHITECTURE & PLANNING
PO BOX 23338 | PORTLAND, OREGON | 97281
PHONE: 503.601.4516 | FAX: 503.924.4688

LICENSED LANDSCAPE ARCHITECT
TROY MEARS, LICENSE # 10000
DATE: 4/15/15
PRELIMINARY
STATE OF CALIFORNIA

MONTEREY AVENUE SKATEPARK
MONTEREY PARK
POURED-IN-PLACE CONCRETE
CAPITOLA, CALIFORNIA

REVISIONS

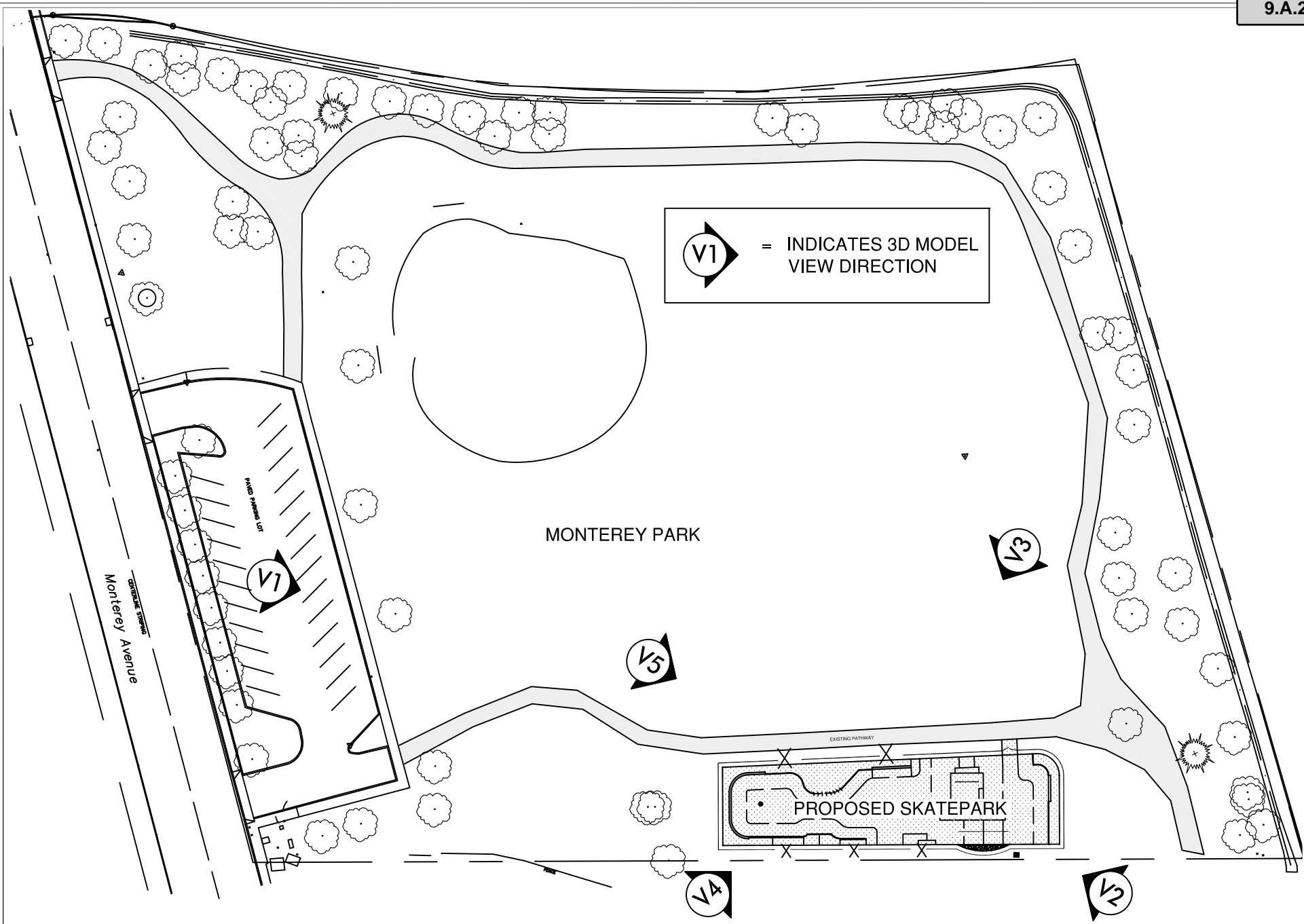
REV.	DATE	DESCRIPTION
5/5/2015	City Comments	
2/18/2016	City Comments	
2/23/2016	City Comments	

SHEET NAME:
**SKATEPARK
DETAILS & NOTES**

DRAWN BY: TAM
CHECKED BY: TAM
ISSUE DATE: 04/15/2015
JOB NO.: 1522

SHEET:
SP8
OF 10 PERMIT SET





Attachment: Monterey Avenue Skate Park 3D Model (1466 : Monterey Avenue Skate Park)

A	SHEET:
	DRAWN: TAM
	CHECKED: TAM
	DATE: 6/2/2015
JOB NO.: 1522	

MONTEREY AVENUE SKATEPARK
 COVER SHEET
 MONTEREY PARK
 CAPITOLA, CALIFORNIA

SCALE: 1" = 60'-0"

MEARS
 DESIGN+GROUP.
 LANDSCAPE ARCHITECTURE & PLANNING
 PO Box 23338 | PORTLAND, OREGON | 97281
 PHONE: 503.601.4



Attachment: Monterey Avenue Skate Park 3D Model (1466 : Monterey Avenue Skate Park)

SHEET:

B

DRAWN: TAM

CHECKED: TAM

DATE: 6/2/2015

JOB NO.: 1522

MONTEREY AVENUE SKATEPARK
 3D MODEL VIEWS

MONTEREY PARK
 CAPITOLA, CALIFORNIA

V1: 3D VIEW #1

- VIEW LOOKING SOUTH FROM PARKING LOT TOWARD PROPOSED SKATE PARK.

MEARS
 DESIGN+GROUP.
 LANDSCAPE ARCHITECTURE & PLANNING
 PO Box 23338 | PORTLAND, OREGON | 97281
 PHONE: 503.601.4



Attachment: Monterey Avenue Skate Park 3D Model (1466 : Monterey Avenue Skate Park)

SHEET:

C

DRAWN: TAM

CHECKED: TAM

DATE: 6/2/2015

JOB NO.: 1522

MONTEREY AVENUE SKATEPARK
 3D MODEL VIEWS

MONTEREY PARK
 CAPITOLA, CALIFORNIA

V2: 3D VIEW #2

- VIEW LOOKING NORTH TOWARD PROPOSED SKATE PARK.



LANDSCAPE ARCHITECTURE & PLANNING
 PO Box 23338 | PORTLAND, OREGON | 97281
 PHONE: 503.601.4



Attachment: Monterey Avenue Skate Park 3D Model (1466 : Monterey Avenue Skate Park)

SHEET:

D

DRAWN: TAM

CHECKED: TAM

DATE: 6/2/2015

JOB NO.: 1522

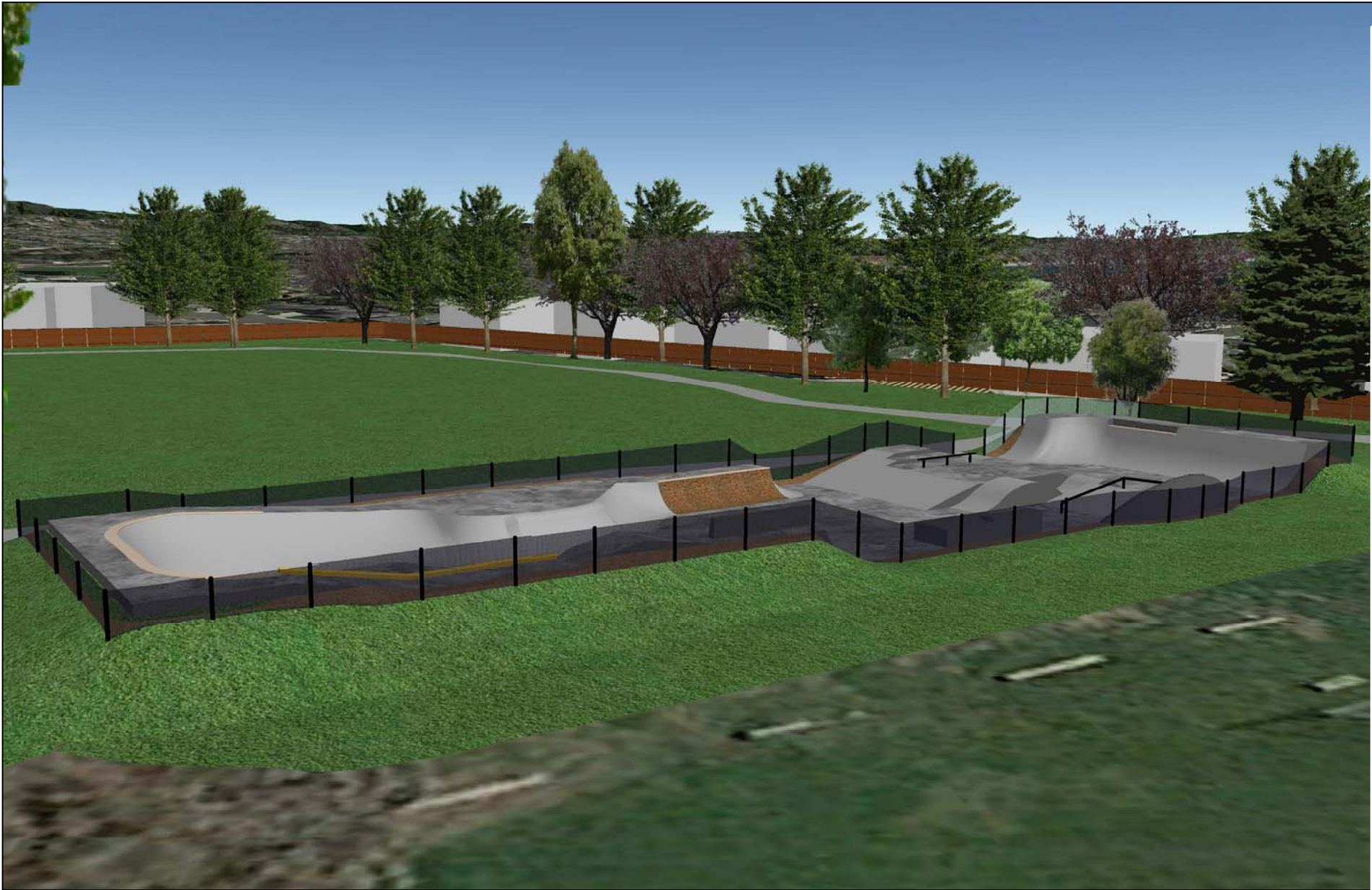
MONTEREY AVENUE SKATEPARK
 3D MODEL VIEWS

MONTEREY PARK
 CAPITOLA, CALIFORNIA

V3: 3D VIEW #3

- VIEW LOOKING WEST TOWARD PROPOSED SKATE PARK.

MEARS
 DESIGN+GROUP.
 LANDSCAPE ARCHITECTURE & PLANNING
 PO Box 23338 | PORTLAND, OREGON | 97281
 PHONE: 503.601.4



Attachment: Monterey Avenue Skate Park 3D Model (1466 : Monterey Avenue Skate Park)

SHEET:

E

DRAWN: TAM

CHECKED: TAM

DATE: 6/2/2015

JOB NO.: 1522

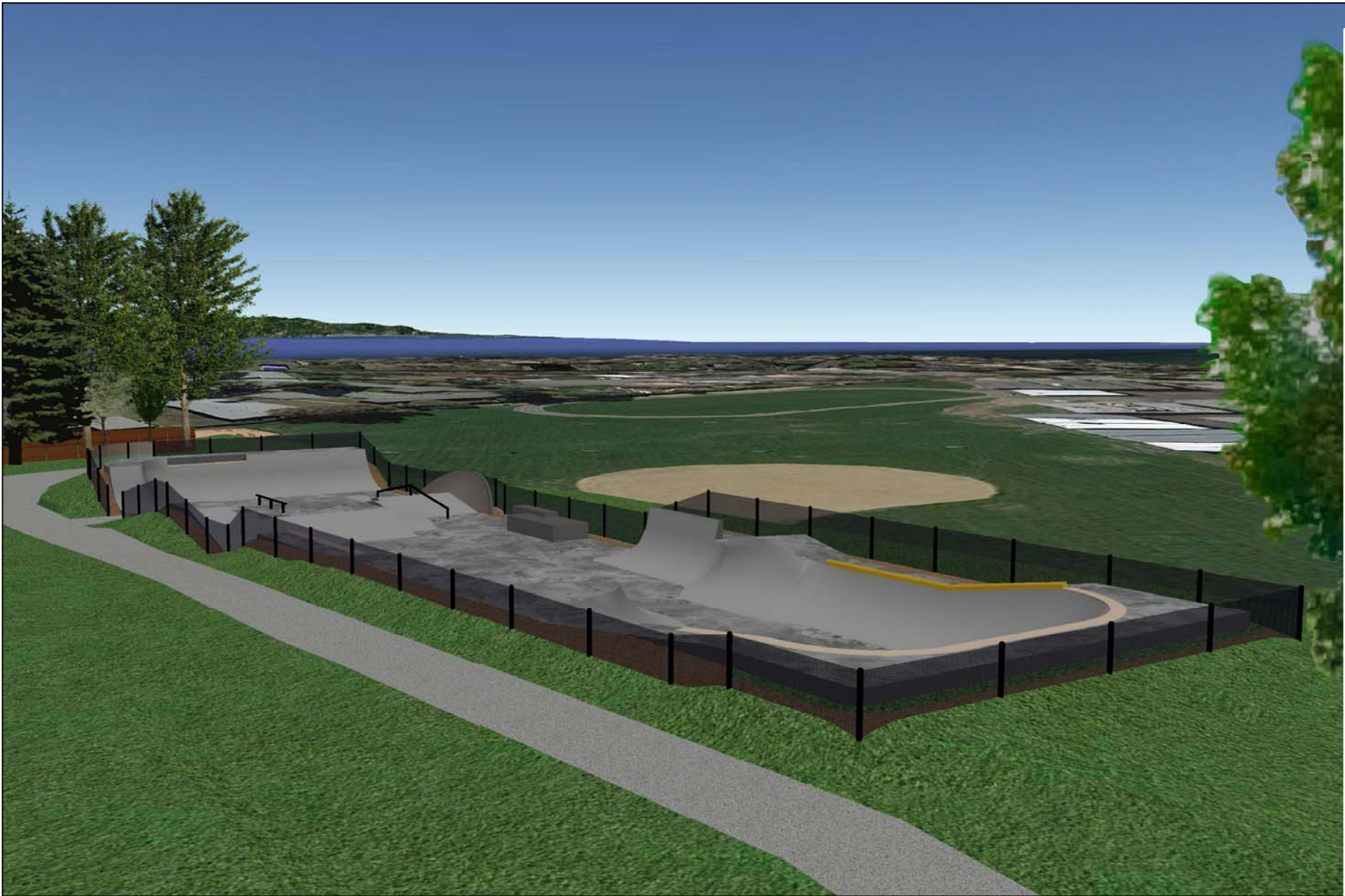
MONTEREY AVENUE SKATEPARK
 3D MODEL VIEWS

MONTEREY PARK
 CAPITOLA, CALIFORNIA

V4: 3D VIEW #4

- VIEW LOOKING EAST TOWARD PROPOSED SKATE PARK.

MEARS
 DESIGN+GROUP.
 LANDSCAPE ARCHITECTURE & PLANNING
 PO Box 23338 | PORTLAND, OREGON | 97281
 PHONE: 503.601.4



Attachment: Monterey Avenue Skate Park 3D Model (1466 : Monterey Avenue Skate Park)

SHEET:

F

DRAWN: TAM

CHECKED: TAM

DATE: 6/2/2015

JOB NO.: 1522

MONTEREY AVENUE SKATEPARK
 3D MODEL VIEWS

MONTEREY PARK
 CAPITOLA, CALIFORNIA

V5: 3D VIEW #5

- VIEW LOOKING SOUTH TOWARD PROPOSED SKATE PARK.



LANDSCAPE ARCHITECTURE & PLANNING
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 PHONE: 503.601.4



LEGEND

SYM	DESCRIPTION
	SKATEPARK LIMITS OF CONSTRUCTION
	STEEL FLAT RAIL / RAILING AS INDICATED
	8 FT. BLACK VINYL COATED CHAIN LINK FENCE - REFER TO DETAIL M/SP9
	INDICATES EXISTING TREE TO REMAIN
	INDICATES EXISTING PARK PATHWAY
	INDICATES PROPERTY LINE (LANDS OF 036-151-02)
	INDICATES EXISTING PARK FENCE

MEARS
 DESIGN+GROUP
 LANDSCAPE ARCHITECTURE & PLANNING
 PO Box 23338 | PORTLAND, OREGON | 97281
 PHONE: 503.601.4516 | FAX: 503.924.4688

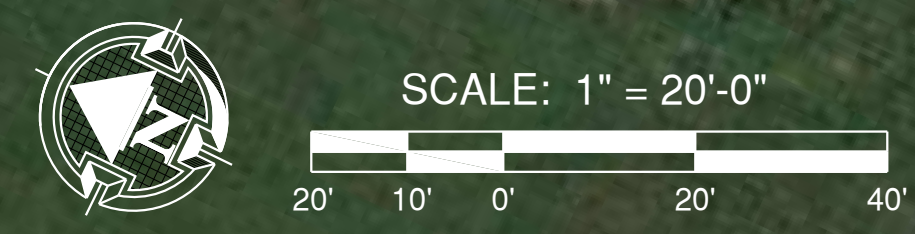
MONTEREY AVENUE SKATEPARK
 MONTEREY PARK
 POURED-IN-PLACE CONCRETE
 CAPITOLA, CALIFORNIA

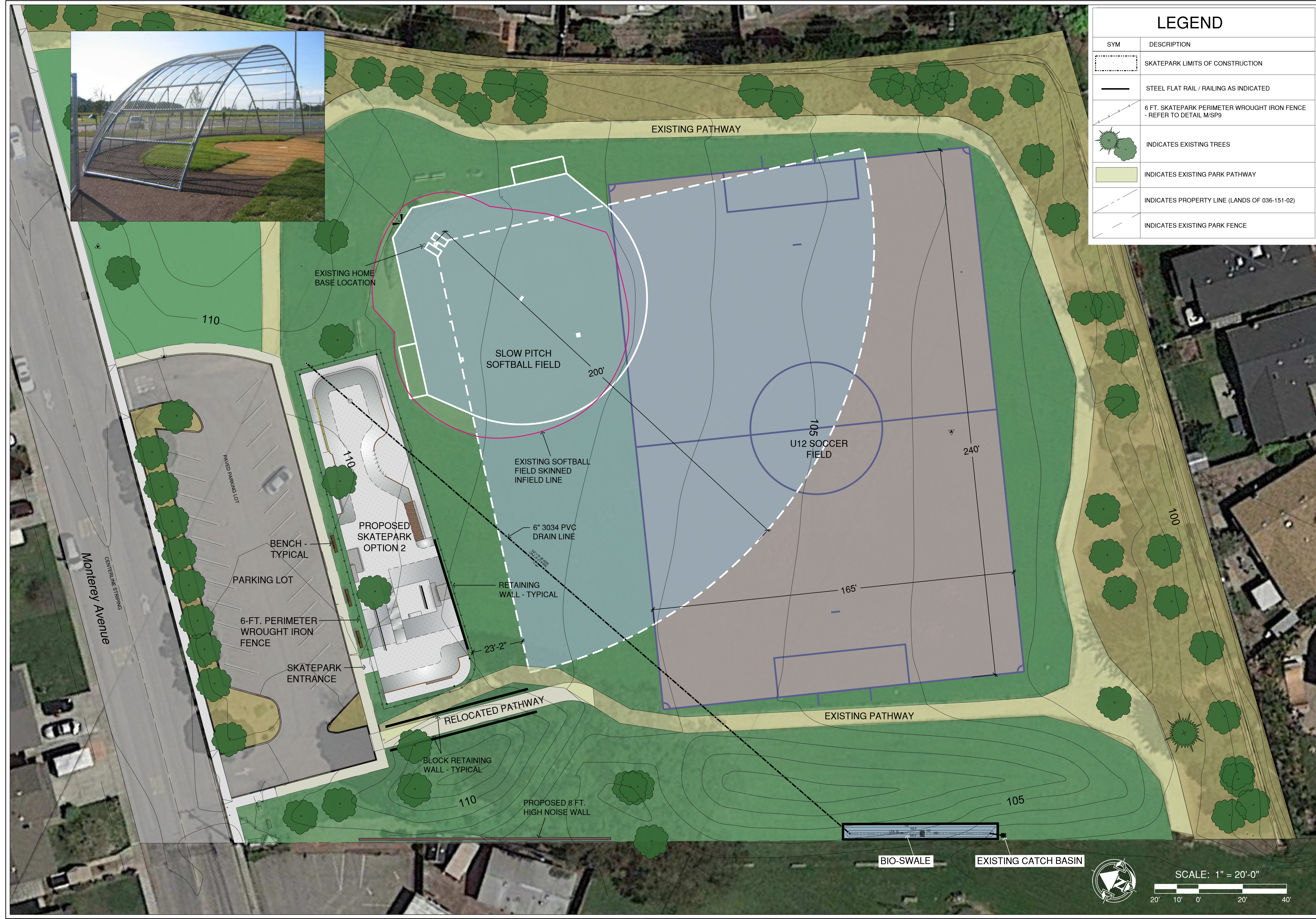
REVISIONS		
REV.	DATE	DESCRIPTION

SHEET NAME:
SKATEPARK SITE PLAN

DRAWN BY: TAM
 CHECKED BY: TAM
 ISSUE DATE: 05/15/2016
 JOB NO.: 1522

SHEET:
OPT1
 OF 3





LEGEND

SYM	DESCRIPTION
	SKATEPARK LIMITS OF CONSTRUCTION
	STEEL FLAT RAIL / RAILING AS INDICATED
	6 FT. SKATEPARK PERIMETER WROUGHT IRON FENCE - REFER TO DETAIL M/SP9
	INDICATES EXISTING TREES
	INDICATES EXISTING PARK PATHWAY
	INDICATES PROPERTY LINE (LANDS OF 036-151-02)
	INDICATES EXISTING PARK FENCE

MEARS
 DESIGN+GROUP
 LANDSCAPE ARCHITECTURE & PLANNING
 PO Box 23338 | PORTLAND, OREGON | 97281
 PHONE: 503.601.4516 | FAX: 503.924.4688

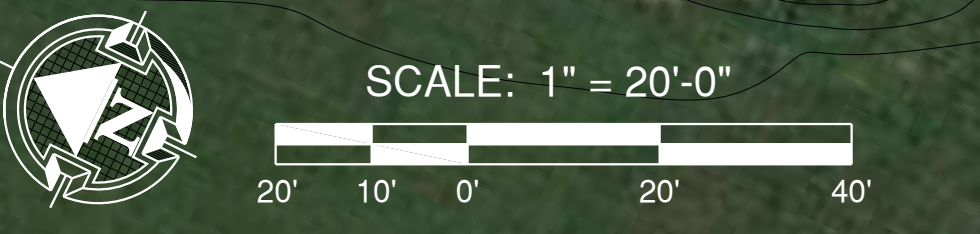
MONTEREY AVENUE SKATEPARK
 MONTEREY PARK
 POURED-IN-PLACE CONCRETE
 CAPITOLA, CALIFORNIA

REVISIONS		
REV.	DATE	DESCRIPTION

SHEET NAME:
SKATEPARK SITE PLAN

DRAWN BY: TAM
 CHECKED BY: TAM
 ISSUE DATE: 06/10/2015
 JOB NO.: 1522

SHEET:
OPT2
 OF 3
 PERMIT SET





LEGEND

SYM	DESCRIPTION
	SKATEPARK LIMITS OF CONSTRUCTION
	STEEL FLAT RAIL / RAILING AS INDICATED
	6 FT. SKATEPARK PERIMETER WROUGHT IRON FENCE - REFER TO DETAIL M/SP9
	INDICATES EXISTING TREES
	INDICATES EXISTING PARK PATHWAY
	INDICATES PROPERTY LINE (LANDS OF 036-151-02)
	INDICATES EXISTING PARK FENCE

MEARS DESIGN+GROUP
 LANDSCAPE ARCHITECTURE & PLANNING
 PO Box 23338 | PORTLAND, OREGON | 97281
 PHONE: 503.601.4516 | FAX: 503.924.4688

MONTEREY AVENUE SKATEPARK

MONTEREY PARK

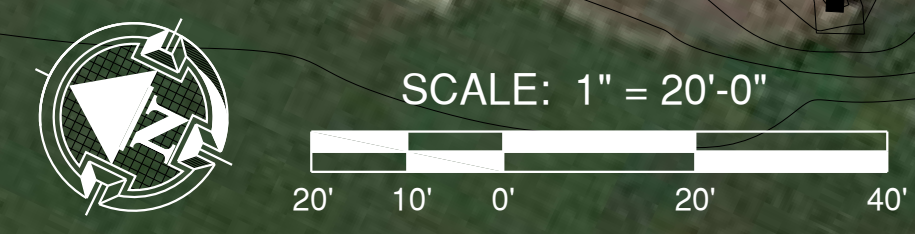
POURED-IN-PLACE CONCRETE
 CAPITOLA, CALIFORNIA

REVISIONS		
REV.	DATE	DESCRIPTION

SHEET NAME:
SKATEPARK SITE PLAN

DRAWN BY: TAM
 CHECKED BY: TAM
 ISSUE DATE: 05/15/2016
 JOB NO.: 1522

SHEET:
OPT3
 OF 3



ADDITIONS TO EIR

MONTEREY AVENUE SKATE PARK STATE CLEARINGHOUSE #2015062067

- IN THIS SECTION:**
- Introduction
 - Summary of Revisions
 - EIR Alternative 1 Expanded Text
 - New Figures
 - ATTACHMENT 1 - Noise Study for Alternative 1 Site Options

INTRODUCTION

A Draft Environmental Impact Report (DEIR) for the proposed Monterey Avenue Skate Park was completed in November 2015 and circulated for a 52-day public review and comment period. A Final EIR (FEIR) was completed in March 2016, which includes public comments on the DEIR, staff responses to comments, and changes to the DEIR analyses as result of the comments and responses. The EIR consists of both documents: the Draft EIR, dated November 2015 and the Final EIR document, dated March 2016.

On March 31, 2016, the Capitola Planning Commission certified the EIR for the proposed Monterey Avenue SkatePark project and approved a project based on a relocated skate park within Monterey Park as described and evaluated as Alternative 1 in the EIR. Two appeals to the Planning Commission’s decision were filed with the City, challenging the Planning Commission’s decision on the EIR and the project approval. The EIR will be considered for re-certification by the City Council.

In June 2016, two site concept plans were developed by the applicant to depict a skate park layout consistent with the Alternative 1 description included in the EIR in response to Planning Commission direction given with approval of the project. The two options shift the facility closer to the Monterey Avenue to improve visibility, public safety, and to reduce noise impacts. The first option would move the skate park immediately adjacent to the existing parking lot. The second would shift the facility north along the school district property line to an area presently occupied by eucalyptus trees. For purposes of clarification, these options are further described below, and the text on the following pages expands upon the discussion of Alternative 1 provided on pages 5-9 to 5-11 of the Draft EIR as corrected on page 3-7 of the Final EIR document (see FEIR page 3-7) by providing a more detailed review of impacts that could result from implementation of either of these options under Alternative 1.

Attachment: Monterey Ave Skatepark EIR Additions (1466 : Monterey Avenue Skate Park)

The State CEQA Guidelines section 15088.5 requires a lead agency to recirculate an EIR when “significant new information” is added to an EIR after public review but before certification. New information is not significant unless the “EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect.” “Significant new information” that would require circulation according to this section of the State CEQA Guidelines include:

- A new significant environmental effect resulting from the project or from a new mitigation measures.
- A substantial increase in the severity of an environmental impact unless mitigation measures are adopted to reduce the impact to a level of insignificance.
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impact of the project, but the project proponents decline to adopt it.
- The DEIR was so fundamentally inadequate that meaningful public review and comment were precluded.

The expanded text provided in this document does not result in any of the above conditions that would warrant recirculation. As demonstrated below, none of the additions to the DEIR text regarding Alternative 1 would result in or indicate a new significant impact or a substantial increase in the severity of an impact associated with the proposed project.¹ “There are also no feasible project alternatives or mitigation measures that are considerably different from others previously analyzed that would clearly lessen the environmental impact of the project that the applicant has declined to adopt.

SUMMARY OF EIR ADDITIONS

This document provides the following revisions to the Monterey Avenue Skate Park EIR:

- Expanded discussion of the Draft EIR Alternative 1 impacts based on review of two site layout options developed after the March 31, 2016 Planning Commission meeting and review of a noise assessment;
- Noise Assessment of the two Alternative 1 options that was prepared for the City by Illingworth & Rodkin; and
- Additional graphics to illustrative the Alternative 1 options and resulting noise contours.

¹ “Proposed project” as used in this document refers to the project proposed by the applicant that was evaluated in the EIR as shown on EIR revised Figure 2-1 and Figure 2-1A on pages 3-9 and 3-10 of the Final EIR.

EIR ALTERNATIVE 1 EXPANDED TEXT

As indicated in the EIR, in accordance with CEQA and the State CEQA Guidelines (section 15126.6), an EIR shall describe a range of reasonable alternatives to the project or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. As discussed in the EIR, under Alternative 1, the proposed project would be relocated in the existing Monterey Park to be sited closer to the existing parking lot and Monterey Avenue; the EIR estimated that the skate park would be moved approximately 60-140 feet northeast of the proposed location under this alternative. Two conceptual site layouts were developed by the applicant to illustrate this alternative after the March 31, 2016 Planning Commission meeting. The internal layout and elements of the skate park would essentially be the same as the proposed project design; the only difference would be the location and orientation of the skate park. Each option is described below and is consistent with what was described and reviewed as Alternative 1 in the EIR. The skate park would be enclosed by a six-foot tall perimeter wrought iron fence as reviewed in the EIR. For each option, storm drainage would be collected and conveyed to a bioswale in the location for the proposed project as shown on Figure 2-1A in the in the FEIR document (page 3-10). As indicated in the EIR, the use of the skate park would be limited to the hours of between 8:00 AM and dusk, per the allowable hours of operation specified in the City's Municipal Code.

Description of Alternative 1 Options

- ❑ **Option 1.** Under this option, the skate park location would be shifted approximately 100 feet to the north and reoriented so that it is sited adjacent to and parallel with the existing parking lot as shown on Figure 5-3². Storm drainage would be collected and conveyed to a bioswale in the general location for the proposed project as also shown on Figure 5-3. The skate park would be located north of the softball field with relocation of the softball field approximately 10 feet south of its current location. The walking path from the parking lot would also be repositioned. An approximate 3.5-foot tall block retaining wall would be installed along both sides of the realigned pathway for a distance of approximately 75 feet, although the wall on the east may be a foot shorter (2.5 feet) in height. Another 3.5-foot tall retaining wall is shown on the south side of the skate park for a distance of approximately 60 feet.
- ❑ **Option 2.** Under this option, the skate park location would be shifted north from the proposed project location so that the southern edge of the skate park would be at the northern edge of the proposed project location. The facility would be slightly reconfigured from a rectangular shape to an inverted "L" shape as shown on Figure 5-4. Under this option, the skate park would be located immediately to the east of the

² The figures are provided at the end of this chapter and follow the numerical order in the EIR.

existing school district office and private residence, approximately 5 feet from the property line. Two approximately 3.5-foot tall retaining walls would be located for a short distance on both the northern and western sides of the property line as shown on Figure 5-4.

Assessment of Impacts

The environmental effects of each option considered under Alternative 1 are discussed below. The focus is on discussion of whether and how the option could eliminate or substantially reduce significant impacts identified for the proposed project or result in new significant impacts.

Noise. A noise assessment, including modeling, was conducted for the City of Capitola by Illingworth & Rodkin (May 2016) to determine noise levels with operation of a skate park as sited under each option. For the purpose of modeling, the skate park layout and design would essentially be the same as the proposed project design for each option except for the change in location and orientation of the skate park. The number of skate park users and time of use would not change from what was described in the EIR, and project traffic volumes would not change under either option. Other noise-generating sources at the Monterey Park (e.g., baseball/softball fields, track) would remain unchanged. Noise generated from use of the play fields would not change since the slight reorientation of the field would not change the overall intensity of use or sounds from activities at the play field.

The nearest sensitive receptors include the Soquel Union Elementary School District office and private residence; nearby classrooms of the New Brighton Middle School; and single-family residences along Monterey Avenue, Junipero Court and Orchid Avenue. The table below compares the distance of the proposed skate park and the two Alternative 1 options to sensitive receptors.

Sensitive Receptor Location	Approximate Distance From Skate Park		
	Proposed Skate Park	Alternative 1- Option 1	Alternative 1 – Option 2
Residential-Nearest to Site			
▪ Residence to northeast adjacent to School District Office	80 feet	74 feet	6 feet
▪ Residences to north on Monterey Avenue	250-300+ feet	155 feet	160 feet
▪ Residences to east on Junipero Court	300 feet	165 feet	290 feet
▪ Residences to south on Orchid Avenue	80-100+ feet	380 feet	265 feet
New Brighton Middle School			
▪ Nearest Classrooms	140 feet	210 feet	130 feet
▪ School District Offices	60 feet	90 feet	32 feet

Attachment: Monterey Ave Skatepark EIR Additions (1466 : Monterey Avenue Skate Park)

As indicated in the EIR (Draft EIR, November 2015), noise generated by the skate park would be considered significant if levels would exceed 60 dBA Ldn/CNEL (the normally acceptable noise and land use compatibility standard for residential land uses) or substantially exceed existing ambient noise levels (in terms of hourly average noise level or maximum instantaneous noise level, L_{eq} or L_{max} , respectively). A substantial exceedance of existing ambient noise levels generally is considered an increase of 5 dBA or more because such an increase in noise level is clearly perceptible by most people. A substantial permanent noise increase would occur if: the noise level increase is 5 dBA Ldn/CNEL or greater where a future noise level is less than 60 dBA Ldn/CNEL or a noise level increase of 3 dBA CNEL or greater where a future noise level is 60 dBA Ldn/CNEL or greater. Increases of 3 dBA L_{dn} /CNEL or greater typically are considered significant where exterior noise levels would exceed the normally acceptable noise level standard (60 dBA L_{dn} /CNEL for residential land uses). Capitola's General Plan also indicates that a change of 3 dB is generally considered to be the threshold for a perceptible change in sound, although a specific noise measure descriptor is not given. Where noise levels would remain at or below the normally acceptable noise level standard with the project, noise level increases of 5 dBA L_{dn} /CNEL or greater would be considered significant because such an increase in noise level is clearly perceptible by most persons.

The noise modeling for the Alternative 1 options used the same methodology as used in the EIR. Noise measurement results from the Sunnyvale skate park, which were presented in the noise report in the DEIR and summarized in the Noise section of the DEIR, were utilized in the SoundPLAN noise modeling for the proposed skate park to represent a credible worst-case scenario. The noise assessment report is included as Attachment 1 of this document. The results of the noise modeling for the two Alternative 1 options are summarized on Table 5-0, and L_{eq} and L_{max} noise contours are shown on Figures 5-5 and 5-7 for Option 1 and Option 2, respectively.

Noise impacts resulting from the proposed skate park and the Alternative 1 options were evaluated using four acoustical descriptors: L_{max} , L_{eq} , L_{dn} and CNEL. The L_{max} is the maximum instantaneous noise level resulting from activities and would likely result from shouting, the slapping of the skateboard or "grinds." The L_{eq} is the average noise level resulting from skateboarding activities and is defined as the logarithmic average of all sounds measured during the period. This measurement would be highly influenced by maximum instantaneous noise events. The L_{dn} is the day-night average noise levels resulting from the use of the skate park on a daily basis. The CNEL is similar to the L_{dn} but applies an additional 5 dBA penalty to noises occurring during the evening. For both Alternative 1 options, two models were generated: 1) maximum instantaneous noise level calculations for point-sources and line-sources modeled throughout the skate park to represent shouting, slapping of the skateboard, or "grinds;" and 2) hourly average noise level calculations, assuming 25 to 30 skateboarders were present and approximately 5 to 12 skateboarders were actively skating at any given moment (Illingworth & Rodkin, May 2016).

As indicated in the EIR, the noise modeling and analysis represents a conservative, worst-case analysis in which the model used to calculate noise levels with the skate park assumes maximum use during the entire period of operation and is based on use at a larger facility. However, hourly and daily use will vary depending on the time of day and year. For example, it would be expected that there would be less use during school days during the school year since the targeted users would be in school. Additionally, the L_{max} standard accounts for full use of the proposed skate park and includes the highest level of sounds that could occur as result of skateboard jumps and shouting.

TABLE 5-0: Predicted Noise Levels with Proposed Skate Park and Alternative 1 Options (dBA)

Location	Distance From Project Site (Feet)	Daytime Hourly Average L _{eq}	Daytime Maximum Hourly L _{max}	Average Day-Night Noise Level	
				L _{dn}	CNEL
Soquel Union Elementary School District Office / Adjacent Residence					
▪ Proposed Project	60 / 80	50-55 dBA	65-70 dBA 50-55* dBA	47-52 dBA	48-53 dBA
▪ Alternative 1 – Option 1	90 / 74	55 dBA	70 dBA 55*	52 dBA	53 dBA
▪ Alternative 1 – Option 2	32 / 6	65 dBA	>70 dBA	62 dBA	63 dBA
New Brighton Middle School nearest Classrooms					
▪ Proposed Project	140	50 dBA	60-65 dBA 45-50*	47 dBA	48 dBA
▪ Alternative 1 – Option 1	210	<50 dBA	60-65 dBA	47 dBA	48 dBA
▪ Alternative 1 – Option 2	130	50 dBA	65 dBA	47 dBA	48 dBA
Monterey Avenue Residences					
▪ Proposed Project – east boundary near Junipero Court	300	50 dBA or less	60 dBA 45* dBA		48
▪ Alternative 1 – Option 1	155	<50 dBA	60-65 dBA	47 dBA	48 dBA
▪ Alternative 1 – Option 2	160	50 dBA	65 dBA	47 dBA	48 dBA
Junipero Court Residences					
▪ Proposed Project – east boundary near Junipero Court	300 feet	50 dBA or less	60 dBA 45* dBA		48
▪ Alternative 1 – Option 1	165	<50 dBA	<65 dBA	47 dBA	48 dBA
▪ Alternative 1 – Option 2	290	<50 dBA	<60 dBA	47 dBA	48 dBA
Orchid Avenue Residences					
▪ Proposed Project	80-100 feet		65-70 dBA 50-55* dBA	47 dBA	
▪ Alternative 1 – Option 1	380	<50 dBA	<60 dBA	47 dBA	48 dBA
▪ Alternative 1 – Option 2	265	<50 dBA	<60 dBA	47 dBA	48 dBA
Sound levels are exterior except as noted below.					
* Interior sound levels with windows partially open					

SOURCE: Illingworth & Rodkin, September 2015 and May 2016

Attachment: Monterey Ave Skatepark EIR Additions (1466 : Monterey Avenue Skate Park)

The EIR analyses concluded that operation of the proposed skate park would result in ambient noise levels below 60 dBA L_{dn} /CNEL and would not result in a substantial permanent increase in ambient noise levels as measured on a daily (24-hour) basis. The predicted L_{eq} and L_{max} noise levels resulting from the use of the skate park would fall within the existing range of L_{eq} and L_{max} noise levels currently generated by Monterey Avenue Park activities. However, noise levels would exceed the arithmetic average L_{eq} by up to 7 dBA L_{eq} and the arithmetic average L_{max} by up to 5 dBA L_{max} at the nearest Soquel Union Elementary School District Office and residence and at some residences on Orchid Avenue. Therefore, the EIR concluded that the impact was significant at these locations as the noise increases exceed the 3-5 decibel noise increase threshold.

Implementation of either Option 1 or Option 2 would not result in the significant impacts at the Orchid Avenue residences with regards to increases in L_{eq} and L_{max} noise levels that were identified in the EIR because under either option, the skate park will be located further away from these residences.

The potential significant impact identified in the EIR at the school district office and adjacent residence would remain significant, as the L_{eq} and L_{max} noise levels would be at the upper range reported in the EIR for the proposed project impacts. Both Options 1 and 2 would result in L_{max} and L_{eq} noise level increases of 5 dBA or more at the School District office and adjacent residence. Furthermore, under Option 2, the day-night average noise levels and the community noise equivalent levels attributable to skate park operations would be 62 dBA L_{dn} and 63 dBA CNEL at the school district office and adjacent residence, respectively. In the original noise report, the short-term measurement ST-1, which was made 45 feet from the centerline of Monterey Avenue, had a day-night average noise level of 60 dBA L_{dn} , and this was used to estimate existing ambient conditions at the Soquel Union Elementary School District Offices. Since the adjacent residence is set back further from Monterey Avenue than ST-1, the more conservative day-night average measured at LT-1 and LT-2 was used to represent existing ambient conditions. Therefore, the predicted L_{dn} /CNEL noise levels at the school district office and adjacent residence would exceed existing ambient conditions, which were measured to range from 50 to 55 dBA L_{dn} at LT-1 and LT-2, by more than 5 dBA and would exceed the 60 dBA L_{dn} /CNEL threshold.

The predicted noise level increases at the adjacent office and residence would exceed ambient conditions by more than 5 dBA for the L_{eq} and L_{max} noise levels under both options and also for the L_{dn} /CNEL level under Option 2, which also would exceed the 60 dBA L_{dn} /CNEL threshold. Thus, a significant impact would continue to occur at the School District office and adjacent residence with a slightly increased exposure under Option 2. Under Option 1, the skate park would be located slightly further from these structures than with the proposed project. This finding is consistent with the EIR conclusion, which reported that noise impacts to these sensitive receptors could increase, remain the same or be slightly reduced, but the significant impact would not be eliminated under Alternative 1, and as indicated in

the EIR, acoustical mitigation would be required. Assuming open windows, interior noise levels at the School District Office and adjacent residence would be greater than 55 dBA L_{max} .

The EIR found no significant impacts resulting from the proposed skate park at New Brighton Middle School classrooms or to residences along Junipero Court and Monterey Avenue. Both options would move the skate park closer to residences along Monterey Avenue and Junipero Court, but a minimum distance of 155 feet would be maintained. As a result, L_{eq} and L_{max} noise levels would increase at these locations compared to noise levels generated by the proposed project as discussed in the EIR. However, the noise levels generated under either Option 1 or Option 2 would be within the range of existing noise levels and would not result in a noise increase that would exceed 5 decibels, the threshold of significance at any location. There would be no change in the 24-hour L_{dn} or CNEL ambient noise levels under either Option 1 or Option 2 at these locations. Assuming open windows, interior noise levels at the surrounding single-family residences would be at or below 50 dBA L_{max} . Thus, neither Option 1 nor 2 would result in new significant impacts to residences along Junipero Court or Monterey Avenue. These findings are consistent with the EIR conclusion that no significant noise impacts would be expected at these locations, although the skate park facility would be closer to these residences than proposed by the project evaluated in the EIR.

Option 1 would move the skate park further from the New Brighton Middle School classrooms, and no new impacts would result. However, under Option 2, the skate park would be located approximately 10 feet closer to the nearest classroom. Under this option, the maximum L_{max} noise level would be between the 65 and 70 dBA, slightly higher than 65 dBA, the high level of the range reported in the EIR. While maximum levels may reach 68 dBA L_{max} , they are not expected to be 70 dBA L_{max} or more; therefore, Option 2 is not expected to increase ambient levels by 5 dBA or more, and noise exposure would be a less-than-significant impact. Assuming open windows, interior noise levels at the nearest New Brighton Middle School classrooms would be below 55 dBA L_{max} .

Mitigation measures identified in the EIR would continue to be required to reduce noise impacts to a less-than-significant level at the School District office and adjacent residence for either Alternative 1 Option 1 or Option 2. The recommended mitigation also would reduce L_{eq} and L_{max} noise levels at the nearest classroom to below 60 decibels. No mitigation would be required for other surrounding residential uses as no significant impacts were found to result from either Option 1 or Option 2. With the reduction in the identified significant impact to less than significant at the nearest Orchid Avenue residences, no mitigation would be required.

With Option 1, an eight-foot noise barrier is recommended for a distance of about 115 feet that would be constructed along the western Monterey Park property line to reduce maximum instantaneous and average hourly noise levels by approximately 8 dBA at the adjacent residence and School District office. The height would be two feet higher than

recommended for the proposed project mitigation, but would be constructed of the same recommended materials as identified in the EIR, which would be from materials having a minimum surface weight of three lbs/ft², such as one-inch thick wood fence boards, masonry block, or concrete and be constructed in a manner free of any cracks or gaps between barrier materials and between the barrier and the ground. Alternately, as indicated in the EIR, suitable barrier materials such as Acoustifence by Acoustiblok or ¼-in. plexiglass could be used to provide an equivalent noise level reduction. A 12-foot noise barrier is recommended in the same location for a distance of approximately 185 feet under Option 2 to reduce maximum instantaneous and average hourly noise levels by a minimum of 12 dBA. Figures 5-6 and 5-8 show the approximate location of the proposed noise barrier and resulting noise levels under Options 1 and 2, respectively.

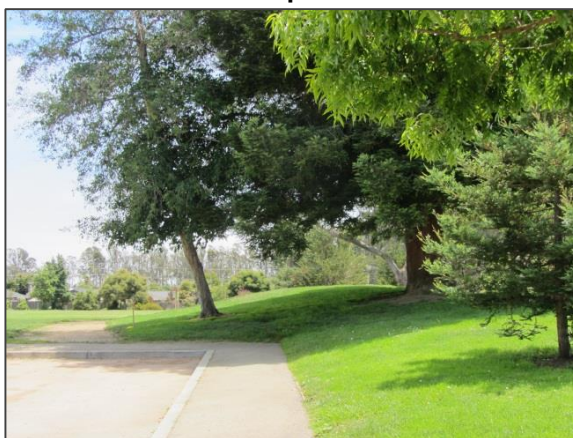
With the additional acoustical shielding provided by the eight-foot noise barrier for Option 1, predicted L_{max} noise levels resulting from the use of the skate park would be reduced to approximately 65 dBA L_{max} , and the hourly average L_{eq} would be reduced to 50 dBA L_{eq} or less at the nearest sensitive receptor, the school district office and residence. With the implementation of this mitigation measure, development of a skate park under Option 1 would not result in a substantial noise increase, in terms of L_{max} or L_{eq} at the adjacent land uses. With the additional acoustical shielding provided by the 12-foot noise barrier under Option 2, noise levels would be reduced to 65 dBA L_{max} , and the hourly average noise level would be reduced to 50 dBA L_{eq} . The day-night average noise level and the community noise equivalent level would be reduced to 47 dBA L_{dn} and 48 dBA CNEL, respectively. With the implementation of this mitigation measure, the a skate park project under Option 2 would not result in a substantial noise increase, in terms of L_{max} , L_{eq} , and $L_{dn}/CNEL$, at the adjacent land uses, and the impact would be reduced to less-than-significant level.

Aesthetics. Under either Option 1 or Option 2, the skate park design generally would be the same as the proposed project, but the facility would be located closer to Monterey Avenue. The alternative site layout options do not show include creation of berms at the ends of the facility. The facility would be more visible from Monterey Avenue, but the bowl-shaped design with wrought iron fencing would have a low-profile appearance similar to other recreational facilities typically found at a park, i.e., play equipment, parking areas. Additionally, the existing Monterey Park site slopes gently to the south away from Monterey Avenue, and the visibility of the site under Option 1 would be partially screened by trees along Monterey Avenue. Under Option 2, the facility would be oriented in a mostly north-south configuration and partially screened by trees as viewed from Monterey Avenue. Photos of each site are shown on the next page.

Alternative 1 Option 1 Site



Alternative 1 Option 2 Site



As indicated in the EIR, Monterey Park is not located within or adjacent to a designated scenic vista, and therefore, the proposed skate park would not have a substantial adverse impact on any scenic vista. Monterey Park also does not support any designated scenic resources, such as trees, rock outcroppings, or historic structures and is not located within or near a state scenic highway. The addition of a new recreational facility in the form of a skate park would also not substantially degrade the existing visual character or quality of the site and its surroundings because Monterey Park is an existing active park which supports common park uses and structures. The skate park design would be a low-profile recreational feature, which is visually consistent with active park settings. Additionally, the City of Capitola’s adopted General Plan calls for Monterey Park to be developed with additional active park uses. The skate park as originally proposed or under either Alternative 1 option would, therefore, be consistent with the existing visual setting of Monterey Park and would fulfill General Plan goals to further develop the park with active recreational uses.

Based on recommendations from the City’s Architecture and Site Review Committee, the applicant has agreed to use a decorative, wrought-iron fence design. The fence would be approximately 6-feet tall and would not be of a solid material. The fence would be similar to other decorative fences throughout the City as discussed in the Final EIR. It is also noted that fencing at the school baseball diamond is adjacent to the proposed site and also is visible from various viewpoints, but it is not a prominent visual feature. In the same manner, a wrought-iron fence installed for either Option 1 or Option 2 would not be visually prominent within the surrounding area, which is developed and contains fences of different types and materials. This type of fencing and would not result in a substantial alteration of the visual quality of the surrounding area. Furthermore, neither the existing Monterey Park nor the proposed skate park site is visible from a wide area.

Proposed block retaining walls are of a low height of approximately 3.5 feet. The retaining wall would appear as a low-profile feature under Option 1. The height of the existing berm

along the western property boundary would partially screen the wall under Option 2 and would be approximately 1.5 to 2 feet taller than the highest portion of the retaining wall. These elements would be installed for a short distance and would not be prominently visible due to the short height. Therefore, for these reasons, the added retaining wall features would not result in significant degradation of the visual character of the surrounding area or a significant impact under either option.

The project would not create a new source of substantial light or glare as no lighting has been proposed as part of the project. A condition of project approval required security lighting to illuminate the skate park and the path leading to the facility, which was discussed in the EIR (see Final EIR page 3-3). This type of lighting would be restricted to low pressure bulbs affixed to downward casting fixtures to prevent light trespass onto adjacent properties. This type of lighting would be similar to lighting commonly found on residential and commercial properties to softly illuminate a confined area for safety and security purposes, and thus, would not result in light trespass or create a new source of substantial light or glare which would adversely affect nighttime views in the area.

As discussed in the Draft EIR (page 4.3-22), installation of an acoustical barrier has been identified as a mitigation measure. The barrier could be constructed of wood, masonry block or concrete, all of which would have a limited thickness. This type of barrier would resemble fences and walls surrounding the park and in the surrounding area. Visually, the barrier would appear as typical fence section under Option 1. The barrier would be longer and slightly taller under Option 2 (about 12 feet tall), but the visual appearance would be similar to that of a side of a short building. Under either option, the visual appearance of the barrier would be similar to other fences and wall planes present in the area and also would not be visible to a larger area, but only from a short segment of Monterey Avenue and nearby properties.

Thus, there would be no new significant impact related to aesthetics or degradation of the visual character of the surrounding area as a result of development of a skate park under either Option 1 or Option 2.

Biological Resources. The EIR identified a potentially significant impact related to disturbance to nesting birds as a result of construction activities or removal of trees. As indicated in the EIR (both Draft and Final EIR documents), the project does not propose removal of trees. However, it was indicated that the City may require removal for the proposed project, and thus, potential removal of eight trees was evaluated in the Initial Study and applicable EIR analyses.

Under Option 1, the skate park siting and reconfiguration would not require removal of the existing eucalyptus and redwood trees along the western property line due to improved visibility with relocation of the facility closer to Monterey Avenue. Two small horticultural trees would be relocated or replaced if replanting is not viable. It is also possible that a mature alder tree could be impacted by the relocated pathway under Option 1. A condition

of project approval requires a pre-construction survey by a certified arborist to evaluate design options and tree protection strategies to avoid impacts to the alder tree. If impacts cannot be avoided, the alder tree may be removed per the City's Community Tree and Forest Management Ordinance, including the requirement for a 2:1 tree replacement within Monterey Park.

Under Option 2, two eucalyptus trees and an alder tree would be removed for the physical siting the skate park. The facility would be located at the outer edge of the dripline of an existing large redwood tree. To minimize the potential for the facility to significantly damage the redwood, a condition of approval has been incorporated to require a pre-construction inspection by a certified arborist to minimize impacts to the tree and its roots. If necessary, the facility could be slightly shifted to the east to prevent the loss of the redwood.

Therefore, no or fewer trees would be required for removal under either Option 1 and Option 2, respectively, than was considered in the EIR, which assumed a worst-case removal of eight trees as might have been required by the City. Thus, development under either Option 1 or Option 2 would substantially lessen potential significant impact to nesting birds due to potential tree removal. However, due to the skate park proximity to the trees, potential disturbance to nesting birds in retain trees during construction could occur. Thus, mitigation to protect nesting birds would continue to be required, consistent with the conclusions of the EIR.

Exposure to Hazards. Under either Option 1 or Option 2, it is expected that arsenic-contaminated soils are present given their presence on the proposed project site and at other nearby locations. Therefore, neither option would change the significant impact related to exposure to arsenic-contaminated soils. It is possible that this contaminant would also be found at the relocated site, which would require additional soil testing and potential implementation of remediation measures as with the proposed project.

Other Impacts. Due to the same project size, there would be no change to other identified less-than-significant impacts related to drainage, water quality, traffic or public services. There would be potentially less grading under Option 1 than the proposed project due to a more level location with the Option 1 site. Grading under Option 2 would likely be similar as the proposed project due to the existing berm in this location. City staff has indicated that relocation of the proposed skate park closer to Monterey Avenue could improve visibility and public safety.

Project Objectives. Either Option 1 or Option 2 would meet all the project objectives, and would better meet the City's objective of developing park improvements in areas that are safe and highly visible.

Conclusions

Under either option, significant impacts identified in the EIR could be eliminated or substantially lessened under either Alternative 1 option as explained above and summarized below. These findings are consistent with the conclusions for Alternative 1 in the EIR. The significant noise impact identified in the EIR (Draft and Final documents together) would be reduced. Either of the two options would reduce a reported significant impact at Orchid Street residences to a less-than-significant level, although the significant impact identified at school district office and adjacent residence would still result, but could be mitigated to a less-than-significant level same as the proposed project. No new significant impacts would occur at the nearest classroom under Options 1 or 2. Although neither option would result in new significant impacts to residences along Monterey Avenue and Junipero Court, the overall sound level would be slightly higher than with the proposed project.

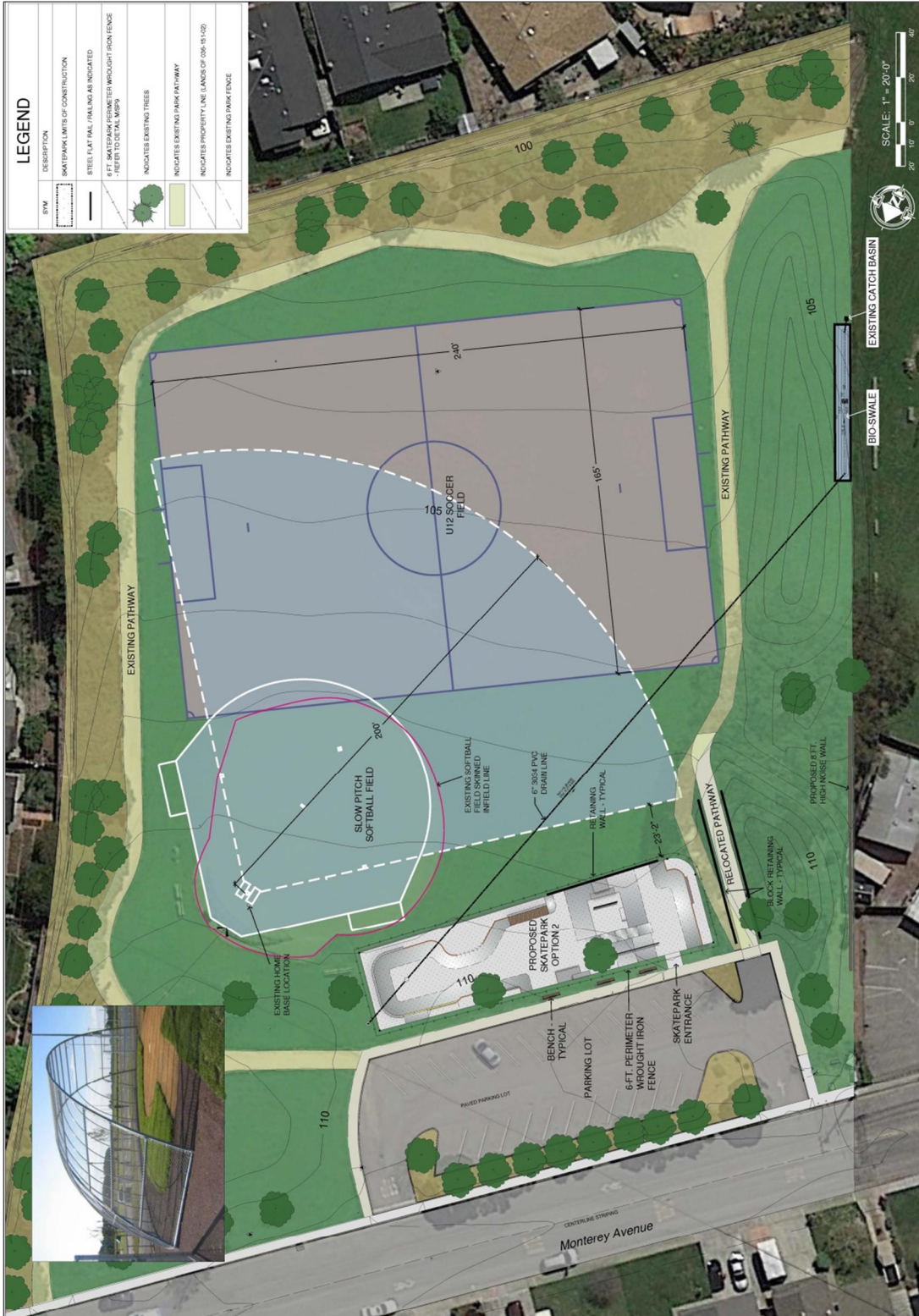
Under either option, the significant biological resource impact related to disturbance to nesting birds due to construction activities and potential tree removal would be lessened due to removal of fewer trees. Under Option 1, no mature trees would be removed, although two small recently planted trees would be relocated or replaced is re-planting is not viable. Under Option 2, three trees would be removed, which is less than up to eight trees addressed in the EIR. Required mitigation would reduce construction-related impacts to nesting birds to a less-than-significant level.

Potentially significant impacts related to exposure to contaminated soils would remain unchanged. No new significant impacts would occur as discussed above. Other identified less-than-significant impacts would remain less than significant.

Attachment: Monterey Ave Skatepark EIR Additions (1466 : Monterey Avenue Skate Park)

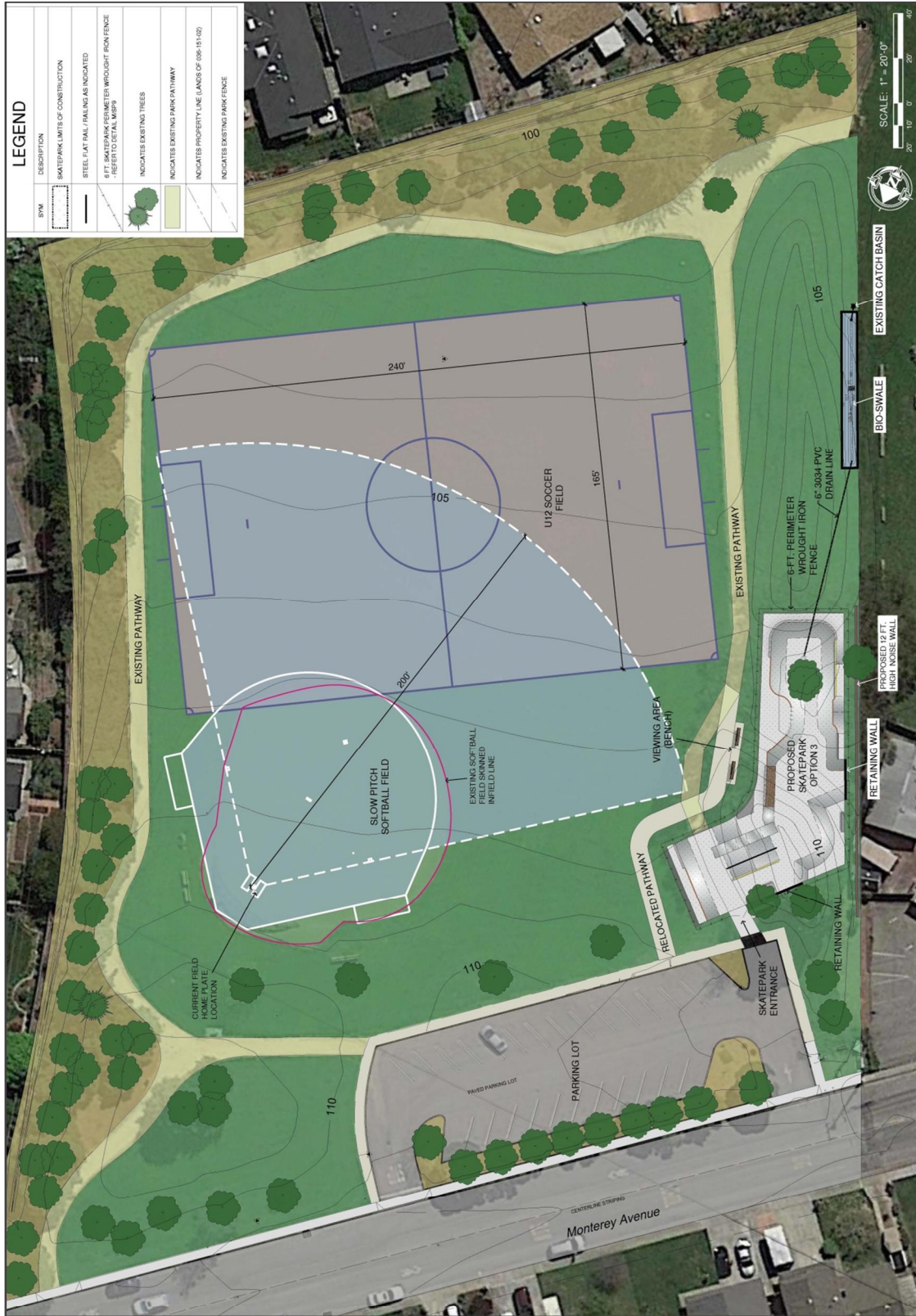
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FIGURE 5-3: Alternative 1, Option 1 Skate Park Layout



Attachment: Monterey Ave Skatepark EIR Additions (1466 : Monterey Avenue Skate Park)

FIGURE 5-4: Alternative 1, Option 2 Skate Park Layout



Attachment: Monterey Ave Skatepark EIR Additions (1466 : Monterey Avenue Skate Park)

FIGURE 5-5: Noise Generated by Skate Park

Alternative 1, Option 1



Leq in dBA
Average Hourly

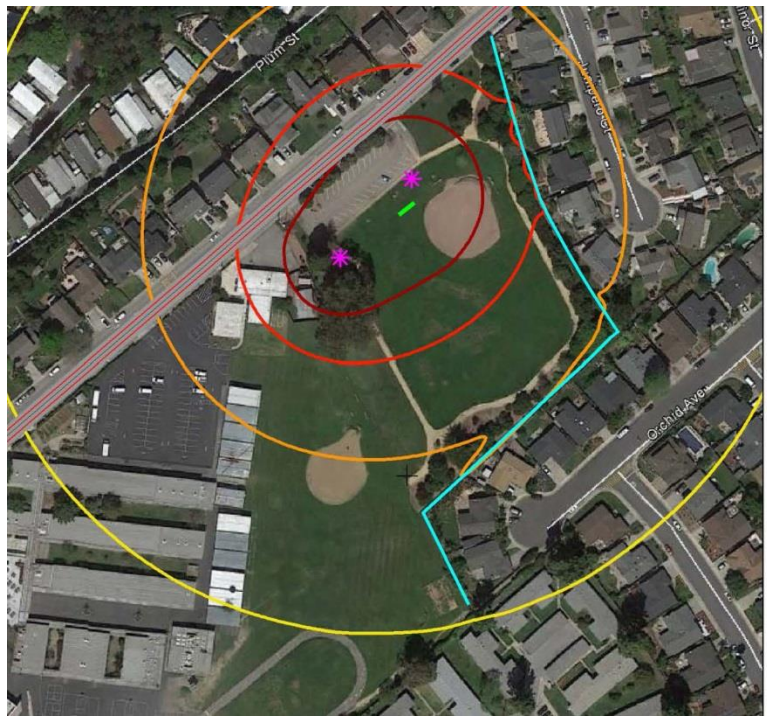
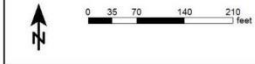
Average Noise Generated Throughout Proposed Monterey Avenue Skate Park

Calculated at 5 feet above ground

Created: 5/26/2016
Processed with SoundPLAN 7.4, Update 4/13/2016

Skate Park Noise
in dB(A) Leq

	= 70		Area Source
	= 65		Barriers
	= 60		
	= 55		
	= 50		
	= 45		



Lmax in dBA
Maximum Instantaneous

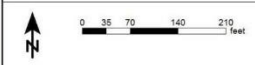
Maximum Noise Generated at Locations near Proposed Monterey Avenue Skate Park

Calculated at 5 feet above ground

Created: 5/26/2016
Processed with SoundPLAN 7.4, Update 4/13/2016

Skate Park Noise
in dB(A) Lmax:

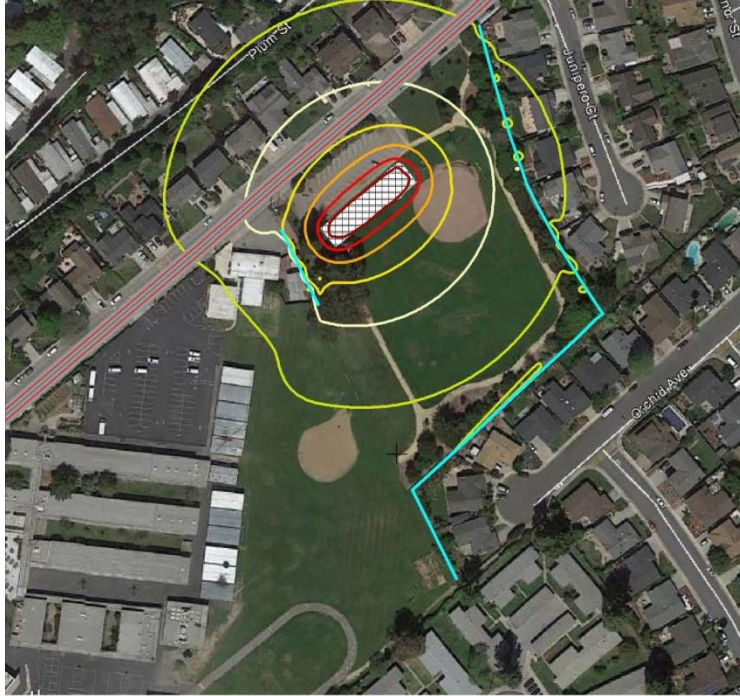
	= 70		Point Source
	= 65		Barriers
	= 60		
	= 55		
	= 50		



SOURCE: Illingworth & Rodkin

FIGURE 5-6: Noise Generated by Skate Park

Alternative 1, Option 1 with Barrier



Leq in dBA
Average Hourly

Average Noise Generated Throughout Proposed Monterey Avenue Skate Park
Calculated at 5 feet above ground

Created: 5/26/2016
Processed with SoundPLAN 7.4, Update 4/13/2016

Skate Park Noise in dB(A) Leq

 = 70	Area Source
 = 65	
 = 60	
 = 55	
 = 50	

Barriers



Lmax in dBA
Maximum Instantaneous

Maximum Noise Generated at Locations near Proposed Monterey Avenue Skate Park
Calculated at 5 feet above ground

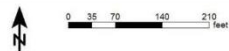
Created: 5/26/2016
Processed with SoundPLAN 7.4, Update 4/13/2016

Skate Park Noise in dB(A) Lmax

 = 70	Point Source
 = 65	
 = 60	
 = 55	
 = 50	

Barriers

Line Source

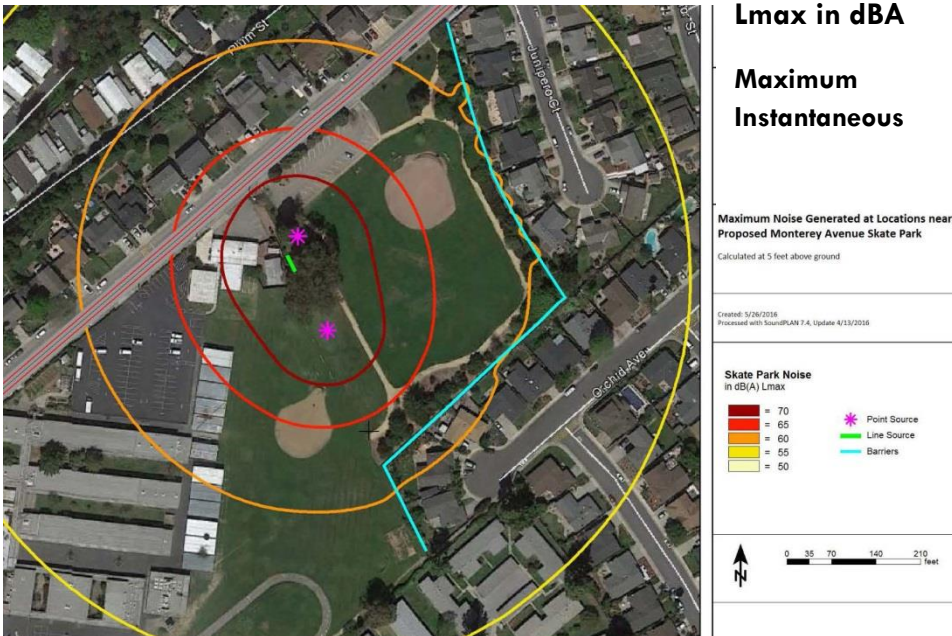


Attachment: Monterey Ave Skatepark EIR Additions (1466 : Monterey Avenue Skate Park)

SOURCE: Illingworth & Rodkin

FIGURE 5-7: Noise Generated by Skate Park

Alternative 1, Option 2

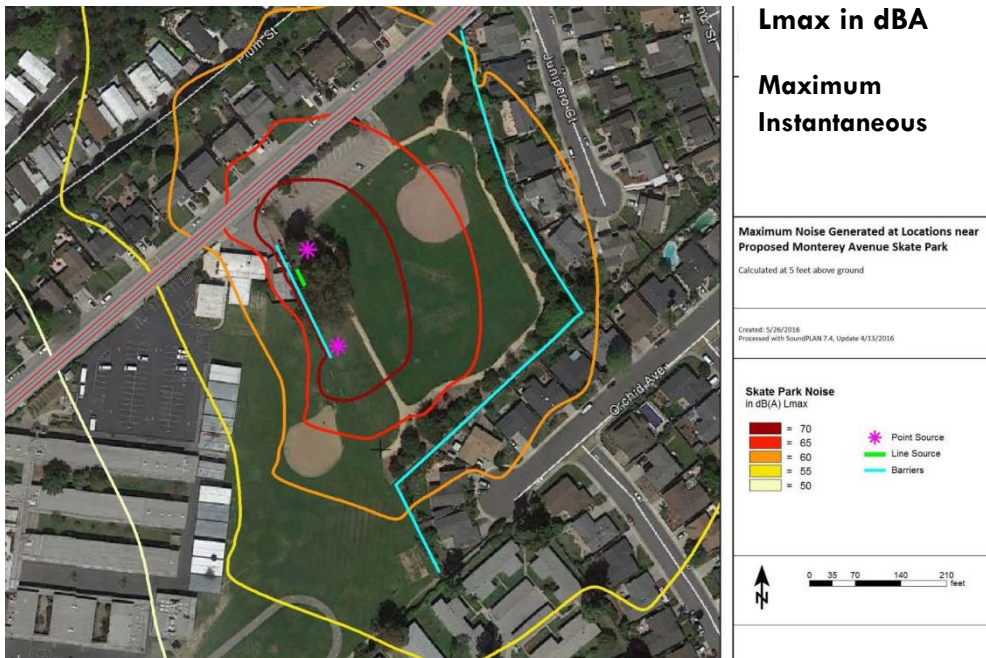
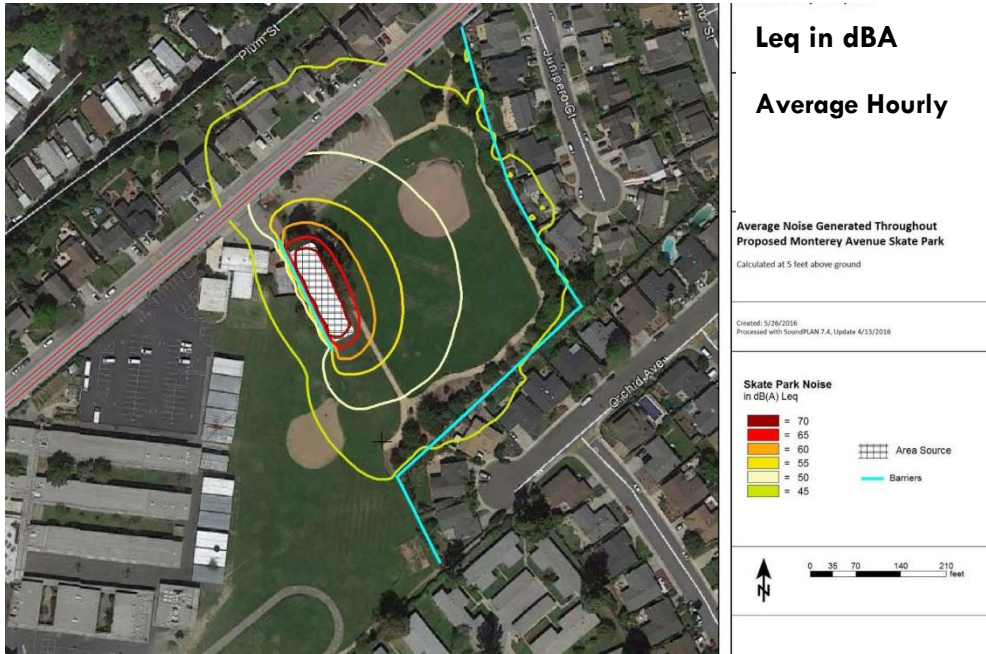


SOURCE: Illingworth & Rodkin

Attachment: Monterey Ave Skatepark EIR Additions (1466 : Monterey Avenue Skate Park)

FIGURE 5-8: Noise Generated by Skate Park

Alternative 1, Option 2 with Barrier



SOURCE: Illingworth & Rodkin

Attachment: Monterey Ave Skatepark EIR Additions (1466 : Monterey Avenue Skate Park)

ILLINGWORTH & RODKIN, INC.
Acoustics • Air Quality

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June 9, 2016

Mr. Richard Grunow
Community Development Director
City of Capitola
420 Capitola Avenue
Capitola, California 95010

Dear Mr. Grunow:

The Monterey Avenue Skatepark Project proposed at the Monterey Avenue Park would include a 6,000 square foot skatepark designed to serve beginner to intermediate riders, typically aimed at children between the ages of five and 14; however, the facility would be available for use by anyone over the age of five. The use of the skatepark would occur between the hours of 8:00 a.m. and dusk, and it is estimated that approximately one to 25 skateboarders would potentially be using the facility at the same time.

In addition to the initial proposed skatepark location evaluated in the EIR, two optional locations have been evaluated, which are consistent with Alternative 1 in the EIR. Option 1 consists of the skatepark being adjacent to the Monterey Avenue Park parking lot, located north of the softball field. This option would include the relocation of the softball field approximately 10 feet south of its current location. The walking path from the parking lot would also be repositioned. For Option 2, the skatepark would be located east of the school offices and caretaker residence. For the purposes of these analyses, the project traffic volumes estimated for the original skatepark design would not vary under either Option 1 or 2. Therefore, the following addendum focuses solely on project-generated noise from skatepark activities.

For the purpose of modeling these two alternative scenarios, the layout of the skatepark would essentially be the same as the initial design; the only difference would be the location and orientation of the skatepark. This analysis assumes that the use of the skatepark would be limited to the hours of between 8:00 a.m. and dusk, per the allowable hours of operation specified in the City's Municipal Code. The noise measurement results from the Sunnyvale skatepark, which were presented in the initial noise report, were utilized in the SoundPLAN noise modeling for the proposed skatepark, to represent a credible worst-case scenario.

Skatepark use would vary, depending on the day (weekday versus weekend or school-year versus summer), the time of day, and the popularity of the park. As observed from similar existing parks, such as the park located near New Brighton Middle School, use of the skatepark would vary on a daily basis. Typically, there would be 5 to 12 skaters using the skatepark during busy periods; however, there are also periods where the skatepark would not be used by more than 1 to 2 skaters at a time. Additionally, there are periods of time where no activity occurs at the skatepark.

Under all design options, the skatepark would replace an existing grass-covered area in Monterey Avenue Park. Other noise-generating sources at the park (e.g., baseball/softball fields, track) would remain unchanged in terms of noise generation. The nearest sensitive receptors include the Soquel Union Elementary School District Offices and caretaker residence; single-family residences along Orchid Avenue, Junipero Court, and opposite Monterey Avenue; and the nearby classrooms of the New Brighton Middle School.

Skatepark-generated noise would be considered significant if levels would exceed 60 dBA $L_{dn}/CNEL$ (the normally acceptable noise and land use compatibility standard for residential land uses) or substantially exceed existing ambient noise levels (in terms of hourly average noise level or maximum instantaneous noise level, L_{eq} or L_{max}). A substantial exceedance of existing ambient noise levels is defined as 5 dBA or more because such an increase in noise level is clearly perceptible by most persons. A substantial permanent noise increase would occur if: a) the noise level increase is 5 dBA $L_{dn}/CNEL$ or greater, with a future noise level of less than 60 dBA $L_{dn}/CNEL$, or b) the noise level increase is 3 dBA CNEL or greater, with a future noise level of 60 dBA $L_{dn}/CNEL$ or greater.

Noise impacts resulting from the proposed skatepark are evaluated in this analysis using four separate acoustical descriptors: L_{max} , L_{eq} , L_{dn} and CNEL. The L_{max} is the maximum instantaneous noise level resulting from activities and would likely result from shouting, the slapping of the skateboard, or "grinds." The L_{eq} is the average noise level resulting from skateboarding activities and is defined as the logarithmic average of all sounds measured during the period. This measurement would be highly influenced by maximum instantaneous noise events. The L_{dn} is the day-night average noise levels resulting from the use of the skatepark on a daily basis. The CNEL is similar to the L_{dn} but applies an additional 5 dBA penalty to noises occurring during the evening. For both design options, two models were generated: 1) maximum instantaneous noise

level calculations for point-sources and line-sources modeled throughout the skatepark to represent shouting, slapping of the skateboard, or “grinds;” and 2) hourly average noise level calculations, assuming 25 to 30 skateboarders were present and approximately 5 to 12 skateboarders were actively skating at any given moment.

Option 1: Adjacent to the Existing Monterey Park Parking Lot

Figure 1 shows the results of the maximum instantaneous noise level model generated for Option 1, and the predicted maximum instantaneous noise levels calculated at the surrounding sensitive land uses are summarized in Table 1. As shown in the figure and the table, the surrounding single-family residences and the nearest New Brighton Middle School classrooms would have maximum instantaneous noise levels ranging from 60 to 65 dBA L_{max} , and the Soquel Union Elementary School District Offices and caretaker residence would have maximum instantaneous noise levels of 70 dBA L_{max} .

Noise levels attributable to exterior noise sources are approximately 15 dBA lower inside a building of standard construction, assuming the windows to be partially open for ventilation. With the windows closed, interior noise levels are approximately 20 to 25 dBA less than the noise levels received at the building’s façade. Assuming open windows, maximum instantaneous noise levels on the interior of the Soquel Union Elementary School District Offices and caretaker residence would be 55 dBA L_{max} , while the surrounding residences and classrooms would have interior levels ranging from 45 to 50 dBA L_{max} .

To determine whether these predicted levels would cause a significant permanent noise level increase at the surrounding land uses, these levels are compared to the measured ambient results collected at LT-1 and LT-2 between June 5 and June 9, 2015. This comparison is conservative because ambient noise levels are higher in areas near Monterey Avenue, as compared to the data collected in the quietest locations of the park. According to the measurements, maximum instantaneous noise levels at the quietest locations surrounding the proposed skatepark ranged from 53 to 87 dBA L_{max} between the hours of 8:00 a.m. and dusk, with an arithmetic average of 65 dBA L_{max} . Due to the existing six-foot wooden fence located at the rear yard property lines of residences bordering the site, the average maximum noise level would be reduced by approximately 5 dBA. Therefore, the average maximum measured at the backyards would be 60 dBA L_{max} . As shown in Table 1, Option 1 for the proposed skatepark would cause a permanent noise level increase of 5 dBA or more at the Soquel Union Elementary School District Offices and caretaker residence. This would be a significant impact.

School Offices & Caretaker Res.	70 dBA L _{max}	55 dBA L _{eq}	52 dBA L _{dn} / 53 dBA CNEL	Yes	Yes	No
Orchid Ave. Res.	<60 dBA L _{max}	<50 dBA L _{eq}	47 dBA L _{dn} / 48 dBA CNEL	No	No	No
Junipero Ct. Res.	<65 dBA L _{max}	<50 dBA L _{eq}	47 dBA L _{dn} / 48 dBA CNEL	No	No	No
Monterey Ave. Res.	65 dBA L _{max}	50 dBA L _{eq}	47 dBA L _{dn} / 48 dBA CNEL	No	No	No
Nearest Classrooms	60 to 65 dBA L _{max}	<50 dBA L _{eq}	47 dBA L _{dn} / 48 dBA CNEL	No	No	No

^a The average maximum instantaneous noise level measured at LT-1 and LT-2 was 65 dBA L_{max}

^b The hourly average noise level measured at LT-1 and LT-2 was 48 dBA L_{eq}

^c The day-night average noise level and community noise equivalent level measured at LT-1 and LT-2 ranged from 50 to 55 dBA L_{dn}/CNEL

In addition to maximum instantaneous noise level calculations, SoundPLAN was also used to model the hourly average noise levels generated by skatepark activities, under the assumptions discussed above. The predicted hourly average noise levels are summarized in Table 1 for Option 1, and the contours for this scenario are shown in Figure 2. While the predicted hourly average noise levels for the surrounding single-family residences and the nearest classrooms would be at or below 50 dBA L_{eq}, the hourly average noise levels at the Soquel Union Elementary School District Offices and caretaker residence would be 55 dBA L_{eq}.

Existing hourly average noise levels measured at LT-1 and LT-2 between the hours of 8:00 a.m. and dusk ranged from 43 to 65 dBA L_{eq}, with an arithmetic average of 48 dBA L_{eq}. As discussed above, the existing six-foot wooden fence located along the rear yard property lines of residences bordering the site would provide approximately 5 dBA reduction; therefore, the average hourly noise levels in the backyards of these residences would be 43 dBA L_{eq}. The predicted hourly average noise levels at the surrounding single-family residences and at the nearest classrooms would not exceed the ambient levels by 5 dBA or more; however, the predicted levels at the Soquel Union Elementary School District Offices and caretaker residence would exceed the ambient levels by more than 5 dBA. This would be a significant impact.

Assuming that the skatepark operated at full occupancy for the entire operational period between 8:00 a.m. and dusk, the day-night average noise level (L_{dn}) and community noise equivalent level (CNEL) can be calculated by subtracting 3 dBA and 2 dBA, respectively, from the hourly

average noise level results. Day-night average noise levels and the community noise equivalent levels attributable to skatepark operations would be 47 dBA L_{dn} and 48 dBA CNEL, respectively, at the surrounding single-family residences and the nearest classrooms. At the Soquel Union Elementary School District Offices and caretaker residence, the day-night average noise level would be 52 dBA L_{dn} , and the community noise equivalent level would be 53 dBA CNEL. None of these levels would exceed ambient levels or exceed 60 dBA L_{dn} /CNEL, which is the City's land use compatibility threshold. This is a less-than-significant impact.

Mitigation Measures for Option 1

To reduce noise levels generated by the proposed skatepark at the Soquel Union Elementary School District Offices and caretaker residence, the following mitigation measures are recommended:

- An eight-foot noise barrier shall be constructed along the eastern property line of the Soquel Union Elementary School District Offices and caretaker residence to reduce maximum instantaneous and average hourly noise levels by approximately 8 dBA at these adjacent land uses. The noise barrier shall be constructed from materials having a minimum surface weight of three lbs/ft², such as one-inch thick wood fence boards, masonry block, or concrete and be constructed in a manner free of any cracks or gaps between barrier materials and between the barrier and the ground. Alternately, suitable barrier materials such as Acoustifence by Acoustiblok or ¼-in. plexiglass could be used to provide an equivalent noise level reduction.

Figures 3 and 4 show the approximate location of the proposed noise barrier along the property line of the offices and caretaker residence and the resultant noise levels with the construction of the eight-foot barrier. With the additional acoustical shielding provided by the eight-foot noise barrier, predicted L_{max} noise levels resulting from the use of the skatepark located at the Option 1 location would be reduced to approximately 65 dBA L_{max} , and the hourly average L_{eq} would reduce to 50 dBA L_{eq} or less. With the implementation of this mitigation measure, the proposed project would not result in a substantial noise increase, in terms of L_{max} or L_{eq} , at the adjacent land uses. This impact would be reduced to less-than-significant with the implementation of mitigation.

Option 2: Adjacent to the Soquel Union Elementary School District Offices and Caretaker Residence

Similar to the analysis for Option 1, Figures 5 and 6 show the results of the maximum instantaneous and the hourly average noise level models, respectively, generated for Option 2, and Table 2 summarizes the predicted levels measured at the surrounding land uses. The maximum instantaneous noise levels would be greater than 70 dBA L_{max} at the Soquel Union Elementary School District Offices and caretaker residence. Since this would exceed ambient conditions by 5 dBA or more, this is a significant impact. At the surrounding single-family residences, the maximum instantaneous noise levels would be at or below 65 dBA L_{max} , which would not exceed ambient levels by 5 dBA or more. This would be a less-than-significant impact.

At the nearest New Brighton Middle School classrooms, the maximum instantaneous noise levels would fall between the 65 and 70 dBA L_{max} contours, as shown in Figure 5. While maximum levels may reach 68 dBA L_{max} , they are not expected to be 70 dBA L_{max} or more; therefore, Option 2 is not expected to increase ambient levels by 5 dBA or more. This would be a less-than-significant impact. Assuming open windows, interior noise levels at the Soquel Union Elementary School District Offices and caretaker residence would be greater than 55 dBA L_{max} , at the surrounding single-family residences would be at or below 50 dBA L_{max} , and at the nearest New Brighton Middle School classrooms would be below 55 dBA L_{max} .

Predicted hourly average noise levels generated by skatepark activities for Option 2 would be 65 dBA L_{eq} at the Soquel Union Elementary School District Offices and caretaker residence and would be at or below 50 dBA L_{eq} at the surrounding residences and at the nearest New Brighton Middle School classrooms. Since the predicted hourly average noise levels at the adjacent offices and caretaker residence would exceed ambient levels by more than 5 dBA, this is a significant impact.

School Offices & Caretaker Res.	>70 dBA L_{max}	65 dBA L_{eq}	62 dBA L_{dn} / 63 dBA CNEL	Yes	Yes	Yes
Orchid Ave. Res.	<60 dBA L_{max}	<50 dBA L_{eq}	47 dBA L_{dn} / 48 dBA CNEL	No	No	No
Junipero Ct. Res.	<60 dBA L_{max}	<50 dBA L_{eq}	47 dBA L_{dn} / 48 dBA CNEL	No	No	No
Monterey Ave. Res.	65 dBA L_{max}	50 dBA L_{eq}	47 dBA L_{dn} / 48 dBA CNEL	No	No	No
Nearest Classrooms	<70 dBA L_{max}	50 dBA L_{eq}	47 dBA L_{dn} / 48 dBA CNEL	No	No	No

^a The average maximum instantaneous noise level measured at LT-1 and LT-2 was 65 dBA L_{max}

^b The hourly average noise level measured at LT-1 and LT-2 was 48 dBA L_{eq}

^c The day-night average noise level and community noise equivalent level measured at LT-1 and LT-2 ranged from 50 to 55 dBA L_{dn} /CNEL

Under the same assumptions described above for calculating L_{dn} and CNEL, the day-night average noise levels and the community noise equivalent levels attributable to skatepark operations would be 62 dBA L_{dn} and 63 dBA CNEL, respectively, at the Soquel Union Elementary School District Offices and caretaker residence and would be at or below 47 dBA L_{dn} and at or below 48 dBA CNEL, respectively, at the surrounding residences and at the nearest

New Brighton Middle School classrooms. In the original noise report, the short-term measurement ST-1, which was made 45 feet from the centerline of Monterey Avenue, had a day-night average noise level of 60 dBA L_{dn} , and this was used to estimate existing ambient conditions at the Soquel Union Elementary School District Offices. Since the caretaker residence would be adjacent to the proposed Option 2 skatepark location and the residence is setback further from Monterey Avenue than ST-1, the more conservative day-night average measured at LT-1 and LT-2 was used to represent existing ambient conditions. Therefore, the predicted noise levels at the adjacent offices and caretaker residence would exceed ambient conditions, which were measured to range from 50 to 55 dBA L_{dn} at LT-1 and LT-2, by more than 5 dBA and would exceed the 60 dBA L_{dn} /CNEL threshold. This would result in a substantial permanent noise increase and would be a significant impact.

Mitigation Measures for Option 2

To reduce noise levels generated by the proposed skatepark at the Soquel Union Elementary School District Offices and caretaker residence, the following mitigation measures are recommended:

- A 12-foot noise barrier shall be constructed along the eastern property line of the Soquel Union Elementary School District Offices and caretaker residence to reduce maximum instantaneous and average hourly noise levels by approximately 12 dBA at these adjacent land uses. The noise barrier shall be constructed from materials having a minimum surface weight of three lbs/ft², such as one-inch thick wood fence boards, masonry block, or concrete and be constructed in a manner free of any cracks or gaps between barrier materials and between the barrier and the ground. Alternately, suitable barrier materials such as Acoustifence by Acoustiblok or ¼-in. plexiglass could be used to provide an equivalent noise level reduction.

Figures 7 and 8 show the approximate location of the proposed noise barrier and the resultant noise levels, assuming mitigation. With the additional acoustical shielding provided by the 12-foot noise barrier, predicted L_{max} noise levels resulting from the use of the skatepark located at the Option 2 location would be reduced to 65 dBA L_{max} , and the hourly average noise level would be reduced to 50 dBA L_{eq} . Therefore, the day-night average noise level and the community noise equivalent level would be reduced to 47 dBA L_{dn} and 48 dBA CNEL, respectively. With the implementation of this mitigation measure, the proposed project would not result in a substantial noise increase, in terms of L_{max} , L_{eq} , and L_{dn} /CNEL, at the adjacent land uses. This impact would be reduced to less-than-significant with the implementation of mitigation.

Mr. Richard Grunow, City of Capitola
Monterey Avenue Skatepark Project, Capitola, California
June 9, 2016



This concludes our noise assessment. If you have any questions or comments regarding this analysis, please do not hesitate to call.

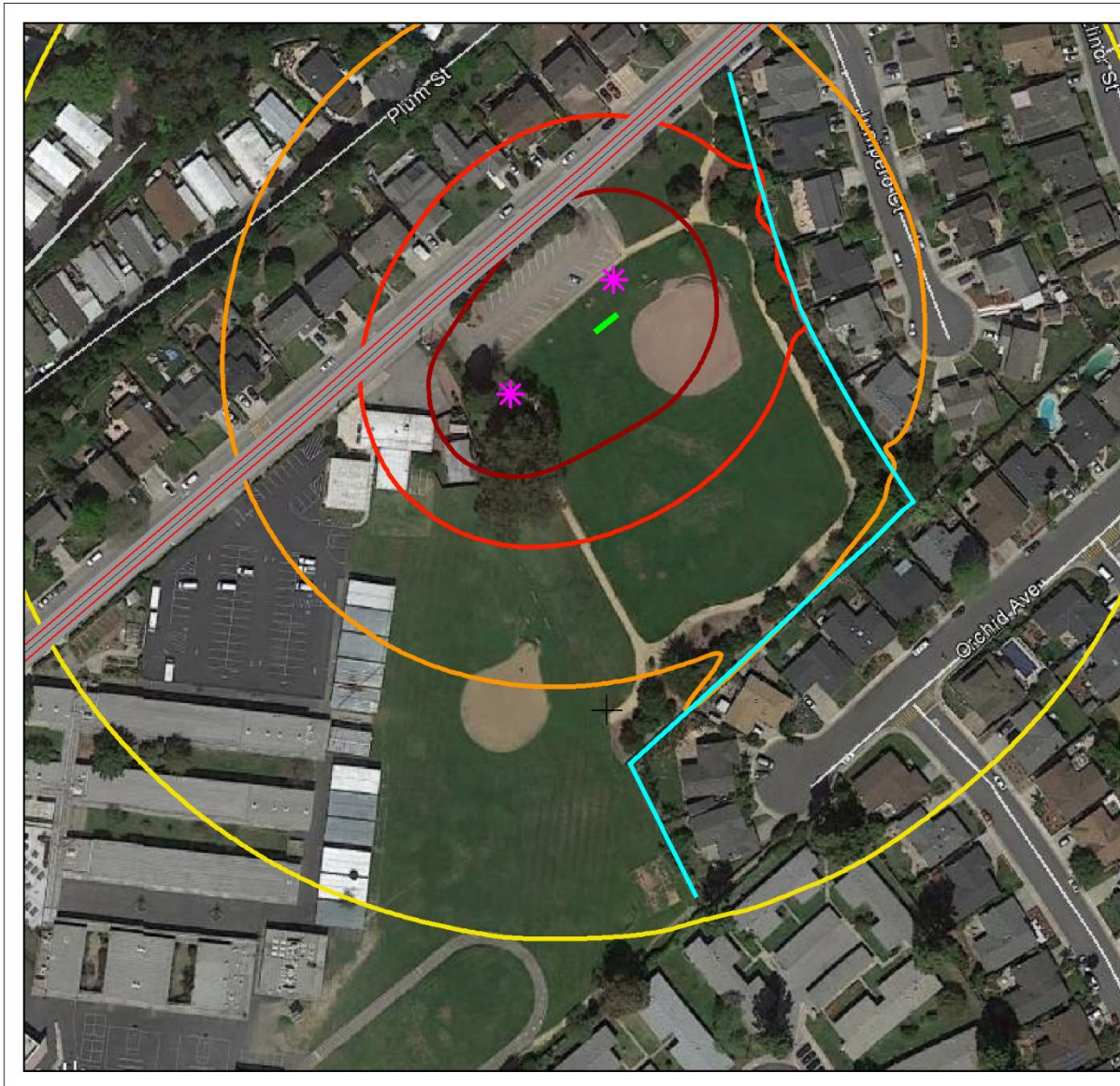
Sincerely,



Carrie J. Janello
Consultant
Illingworth & Rodkin, Inc.

(15-095)

Mr. Richard Grunow, City of Capitola
Monterey Avenue Skatepark Project, Capitola, California
June 9, 2016



Customer: City of Capitola

Project: Monterey Avenue Skatepark Project
Project-No. 15-095

Figure 1

Maximum Noise Generated at Locations near Proposed Monterey Avenue Skate Park

Calculated at 5 feet above ground

Created: 5/26/2016
Processed with SoundPLAN 7.4, Update 4/13/2016

Skate Park Noise
in dB(A) Lmax

■ = 70	✱ Point Source
■ = 65	— Line Source
■ = 60	— Barriers
■ = 55	
■ = 50	

0 35 70 140 210 feet

Attachment: Monterey Ave Skatepark EIR Additions (1466 : Monterey Avenue Skate Park)

Mr. Richard Grunow, City of Capitola
Monterey Avenue Skatepark Project, Capitola, California
June 9, 2016



Customer: City of Capitola

Project: Monterey Avenue Skatepark Project
Project-No. 15-095

Figure
2

Average Noise Generated Throughout Proposed Monterey Avenue Skate Park
Calculated at 5 feet above ground

Created: 5/26/2016
Processed with SoundPLAN 7.4, Update 4/13/2016

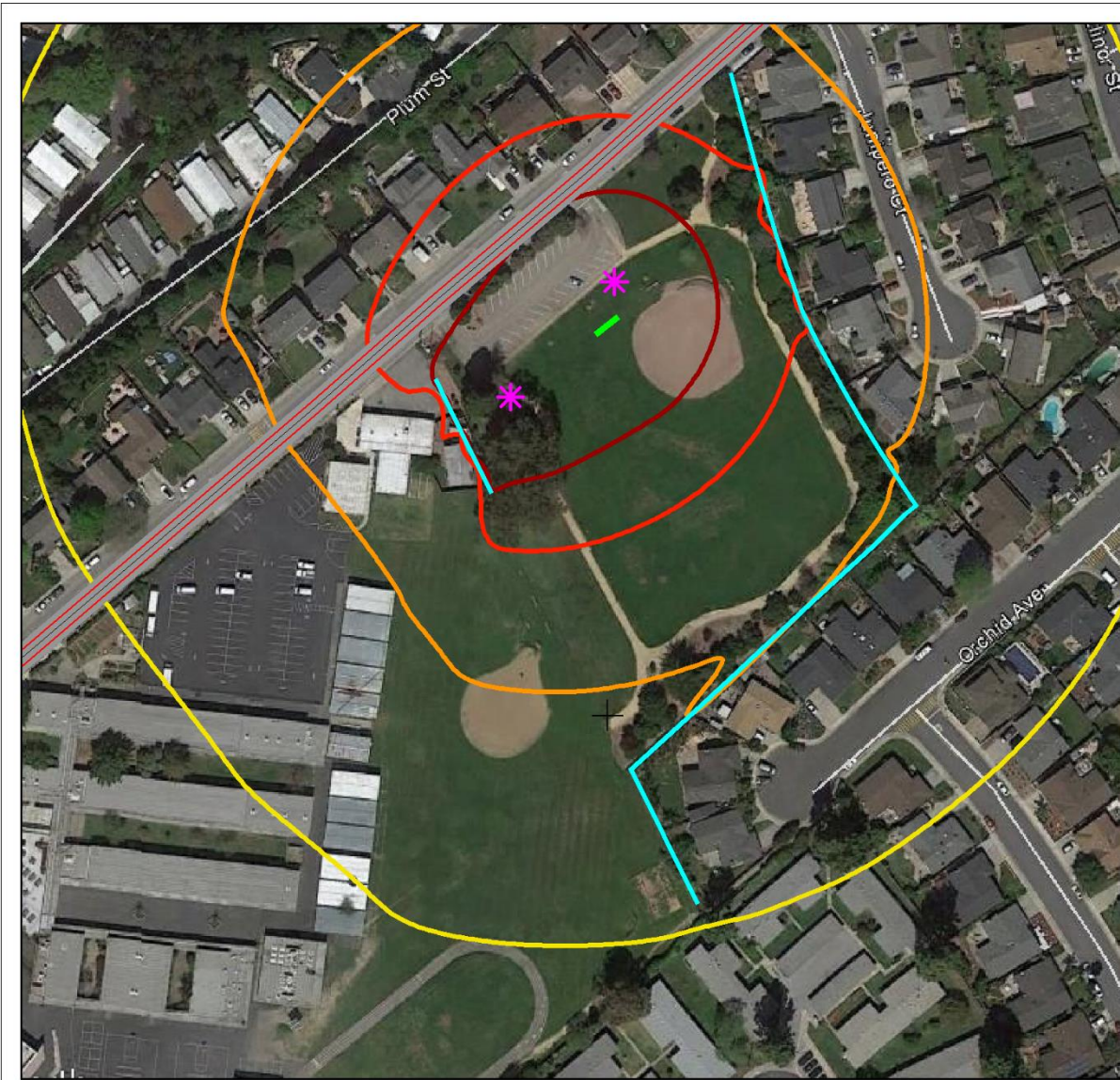
Skate Park Noise
in dB(A) Leq

	= 70	Area Source
	= 65	
	= 60	
	= 55	
	= 50	
	= 45	

Barriers

Attachment: Monterey Ave Skatepark EIR Additions (1466 : Monterey Avenue Skate Park)

Mr. Richard Grunow, City of Capitola
Monterey Avenue Skatepark Project, Capitola, California
June 9, 2016











Customer: City of Capitola
 Project: Monterey Avenue Skatepark Project
 Project-No. 15-095

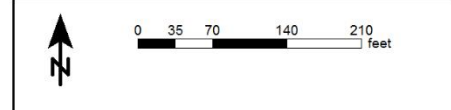
Figure
3

**Maximum Noise Generated at Locations near
 Proposed Monterey Avenue Skate Park**
 Calculated at 5 feet above ground

Created: 5/26/2016
 Processed with SoundPLAN 7.4, Update 4/13/2016

**Skate Park Noise
 in dB(A) Lmax**

	= 70		Point Source
	= 65		Line Source
	= 60		Barriers
	= 55		
	= 50		



Attachment: Monterey Ave Skatepark EIR Additions (1466 : Monterey Avenue Skate Park)

Mr. Richard Grunow, City of Capitola
Monterey Avenue Skatepark Project, Capitola, California
June 9, 2016










Customer: City of Capitola
 Project: Monterey Avenue Skatepark Project
 Project-No. 15-095


Figure
4

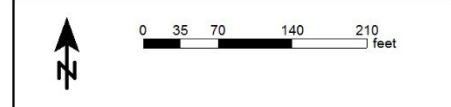
Average Noise Generated Throughout Proposed Monterey Avenue Skate Park
 Calculated at 5 feet above ground

Created: 5/26/2016
 Processed with SoundPLAN 7.4, Update 4/13/2016

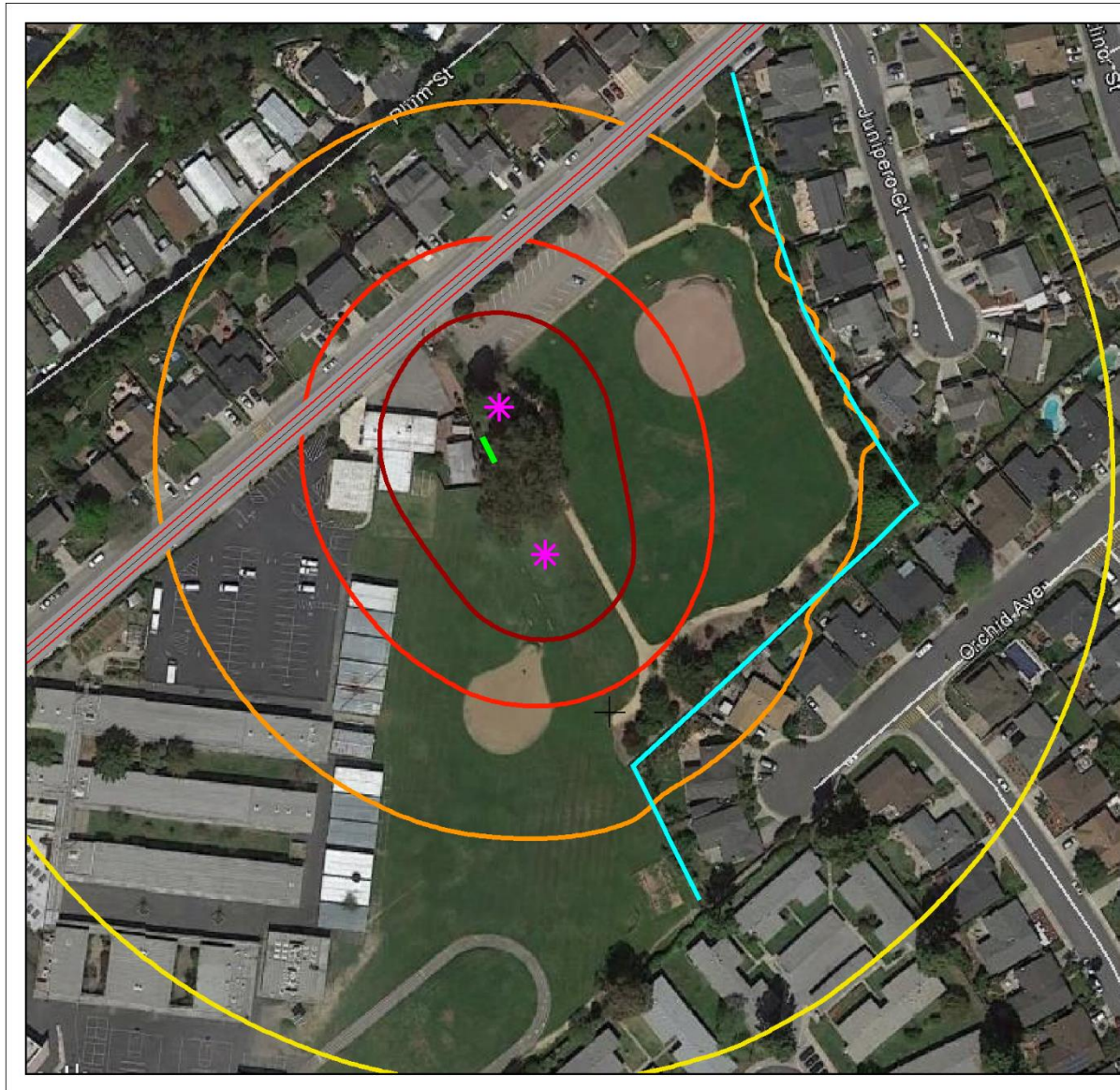
Skate Park Noise
 in dB(A) Leq

	= 70	 Area Source
	= 65	
	= 60	
	= 55	
	= 50	
	= 45	

 Barriers



Mr. Richard Grunow, City of Capitola
Monterey Avenue Skatepark Project, Capitola, California
June 9, 2016











Customer: City of Capitola
 Project: Monterey Avenue Skatepark Project
 Project-No. 15-095

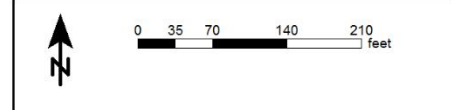
Figure
5

**Maximum Noise Generated at Locations near
 Proposed Monterey Avenue Skate Park**
 Calculated at 5 feet above ground

Created: 5/26/2016
 Processed with SoundPLAN 7.4, Update 4/13/2016

**Skate Park Noise
 in dB(A) Lmax**

	= 70		Point Source
	= 65		Line Source
	= 60		Barriers
	= 55		
	= 50		



Attachment: Monterey Ave Skatepark EIR Additions (1466 : Monterey Avenue Skate Park)

Mr. Richard Grunow, City of Capitola
Monterey Avenue Skatepark Project, Capitola, California
June 9, 2016



Customer: City of Capitola
 Project: Monterey Avenue Skatepark Project
 Project-No. 15-095

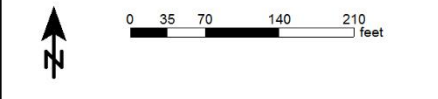
Figure
6

**Average Noise Generated Throughout
 Proposed Monterey Avenue Skate Park**
 Calculated at 5 feet above ground

Created: 5/26/2016
 Processed with SoundPLAN 7.4, Update 4/13/2016

**Skate Park Noise
 in dB(A) Leq**

	= 70	Area Source
	= 65	
	= 60	
	= 55	
	= 50	
	= 45	
	Barriers	



Attachment: Monterey Ave Skatepark EIR Additions (1466 : Monterey Avenue Skate Park)

Mr. Richard Grunow, City of Capitola
Monterey Avenue Skatepark Project, Capitola, California
June 9, 2016











Customer: City of Capitola
 Project: Monterey Avenue Skatepark Project
 Project-No. 15-095

Figure
7

**Maximum Noise Generated at Locations near
 Proposed Monterey Avenue Skate Park**
 Calculated at 5 feet above ground

Created: 5/26/2016
 Processed with SoundPLAN 7.4, Update 4/13/2016

**Skate Park Noise
 in dB(A) Lmax**

	= 70		Point Source
	= 65		Line Source
	= 60		Barriers
	= 55		
	= 50		



Attachment: Monterey Ave Skatepark EIR Additions (1466 : Monterey Avenue Skate Park)

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM AND ASSOCIATED ENVIRONMENTAL IMPACT FINDINGS, AND APPROVING A CONDITIONAL USE PERMIT, DESIGN PERMIT, COASTAL DEVELOPMENT PERMIT, AND RIGHT-OF-ENTRY AGREEMENT FOR THE MONTEREY AVENUE SKATE PARK LOCATED AT 700 MONTEREY AVENUE

WHEREAS, an application for a Conditional Use Permit, Design Permit, Coastal Development Permit, and Right-of-Entry Agreement to construct and operate an approximately 6,028 square-foot public skate park in Monterey Park was submitted by applicants Marie Martorella and Tricia Proctor on April 17, 2015 (Project);

WHEREAS, a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the Project was issued by the City of Capitola Community Development Department on June 22, 2015 (SCH# 2015062067); and

WHEREAS, a Public Scoping Meeting was held on June 30, 2015, to receive comments regarding the scope of issues to be addressed in the EIR; and

WHEREAS, a Draft EIR was prepared and issued for agency and public review and comment on November 18, 2015, for a 52-day review period that ended on January 8, 2016; and

WHEREAS, 53 comment letters were received on the Draft EIR from private individuals and public entities, and a written response was prepared for all comments, which response employed a good faith, reasoned analysis to describe and address the disposition of environmental issues raised by the comments; and

WHEREAS, a Final EIR incorporating all comments received on the Draft EIR and responses to comments was issued on March 17, 2016 and distributed to commenting agencies and made available to other agencies and to members of the public; and

WHEREAS, the Final EIR has been completed in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., the Guidelines for implementation of the California Environmental Quality Act (14 Cal. Code Regs. Section 15000 et seq.) (the "State CEQA Guidelines") and local procedures adopted pursuant thereto; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing concerning the certification of the Final EIR and approval of the Project on March 31, 2016, heard evidence from all persons interested in testifying concerning the certification of the Final EIR and approval of the Project, and voted unanimously to certify the Final EIR and approve a modified Project as described in Alternative 1 of the EIR; and

WHEREAS, two appeals challenging the Planning Commission's decisions to certify the Final EIR and approve the Project as modified were subsequently filed; and

WHEREAS, Final EIR Additions to clarify information regarding Alternative 1, which was identified as the environmentally superior alternative in the EIR, were incorporated into the EIR and released for public review on June 13, 2016; and

WHEREAS, the Final EIR consists of the November 18, 2015, Draft EIR, comments received on the document, and responses to comments contained in the March 17, 2016 Final EIR, modifications made to the text of the Draft EIR that are also included in the Final EIR, Final EIR Additions released on June 13, 2016, appendices to the Draft and Final EIRs, items included in attachments to this Resolution, and all documents and resources referenced and incorporated by reference in the EIR; and

RESOLUTION NO. _____

WHEREAS, the Final EIR identified certain significant and potentially significant adverse environmental impacts that would be caused by implementation of the Project; and

WHEREAS, the Final EIR outlined various mitigation measures that would substantially lessen or avoid the Project's significant effects on the environment, as well as alternatives to the Project which would provide some environmental advantages; and

WHEREAS, the City of Capitola is required, pursuant to CEQA, to adopt all feasible mitigation measures or feasible project alternatives that can substantially lessen or avoid any significant environmental effects of a proposed project while simultaneously fulfilling project objectives; and

WHEREAS, Public Resource Code section 21081, subdivision (a), requires a public agency, before approving a project for which an EIR has been prepared and certified, to adopt findings specifying whether mitigation measures and, in some instances, alternatives discussed in the EIR, have been adopted or rejected as infeasible; and

WHEREAS, the Final EIR demonstrates that all of the identified significant and potentially significant environmental effects associated with the Project, as modified by the Planning Commission, can be either substantially reduced or avoided through the inclusion of mitigation measures proposed in the Final EIR; and

WHEREAS, the Final EIR demonstrates that some of the significant environmental effects of the Project, as modified by the Planning Commission, can be fully avoided (i.e., rendered less than significant by the adoption of feasible mitigation measures); and

WHEREAS, the City Council recognizes the City's obligation, pursuant to Public Resources Code section 21081.6, subdivision (a), to ensure the monitoring of all adopted mitigation measures necessary to substantially lessen or avoid the significant effects of the project; and

WHEREAS, on June 23, 2016, the City Council conducted a duly noticed public hearing concerning the certification of the Final EIR and approval of the Project, as modified by the Planning Commission, and heard evidence from all persons interested in testifying concerning the certification of the Final EIR and approval of the modified Project; and

WHEREAS, the City Council has determined based on the record that the Project, as modified by the Planning Commission to be consistent with Alternative 1 of the EIR, would substantially reduce the environmental effects of the Project while also fulfilling the Project objectives; and

WHEREAS, the City Council has reviewed and considered the Final EIR and has considered the oral and written comments on the EIR and the responses thereto.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Capitola that:

- The foregoing recitals are true and correct.
- The Final EIR has been completed in compliance with CEQA, the State CEQA Guidelines and local procedures adopted pursuant thereto.
- The Final EIR reflects the independent judgment and analysis of the City Council, as required by Public Resources Code Section 21082.1.
- The City Council has independently reviewed and analyzed the Final EIR and considered the information contained therein and all comments, written and oral, received prior to approving this Resolution.
- The City Council hereby certifies the Final Environmental Impact Report for the Monterey Avenue Skate Park.

RESOLUTION NO. _____

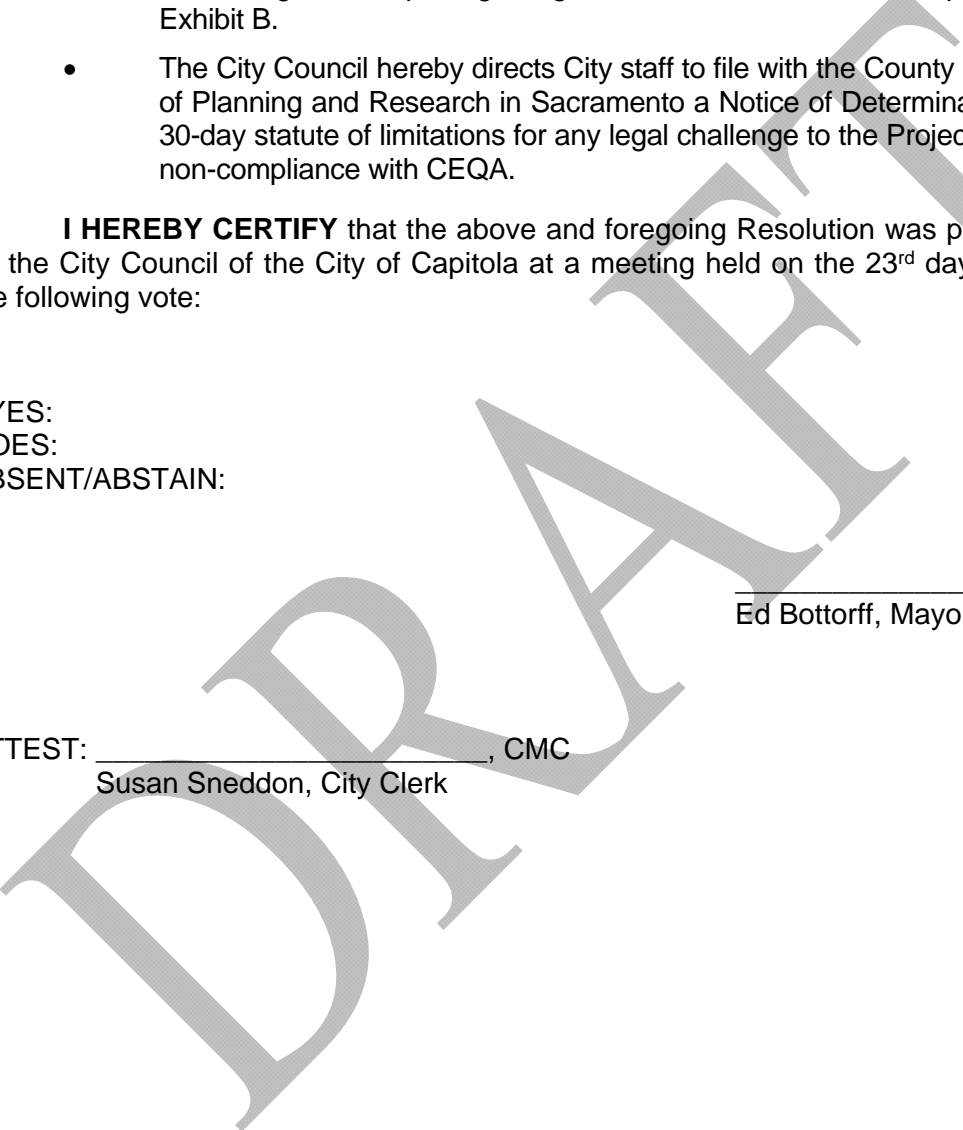
- The City Council hereby adopts the Mitigation Monitoring and Reporting Program, attached hereto as Exhibit A, in order to satisfy its obligations under Public Resources Code section 21081.6 subdivision (a).
- The City Council hereby further adopts the Findings and Conditions of Approval, attached hereto as Exhibit B and incorporated herein by reference.
- Based on the findings made in this resolution and Exhibit B, the City Council hereby approves the Project, as modified by the Planning Commission on March 31, 2016, subject to the mitigation measures described in the Final EIR and Mitigation Monitoring and Reporting Program and the conditions of approval described in Exhibit B.
- The City Council hereby directs City staff to file with the County Clerk and the Office of Planning and Research in Sacramento a Notice of Determination commencing a 30-day statute of limitations for any legal challenge to the Projects based on alleged non-compliance with CEQA.

I HEREBY CERTIFY that the above and foregoing Resolution was passed and adopted by the City Council of the City of Capitola at a meeting held on the 23rd day of June, 2016, by the following vote:

AYES:
NOES:
ABSENT/ABSTAIN:

Ed Botorff, Mayor

ATTEST: _____, CMC
Susan Sneddon, City Clerk



Attachment: Resolution to Certify EIR and Approve Project (1466 : Monterey Avenue Skate Park)

MITIGATION MONITORING AND REPORTING PROGRAM

Application No: 15-068
Address: 700 Monterey Avenue, Capitola, CA
Applicant: Tricia Proctor and Marie Martorella

This Mitigation Monitoring and Reporting Program (MMRP) for Application No. 15-068 located at Monterey Park at 700 Monterey Avenue, Capitola, CA, has been prepared pursuant to the California Environmental Quality Act (CEQA – Public Resources Code, Section 21000 *et seq.*) and the State CEQA Guidelines (Cal. Code Regs., Title 14, Chapter 3, Sections 15074 and 15097). A master copy of this MMRP shall be kept in the office of the Community Development Department and shall be available for viewing upon request.

Project Description: The project consists of a Conditional Use Permit, Coastal Development Permit, Design Permit, and a right-of-entry agreement for construction and use of an approximate 6,000 square foot skate park within the city-owned Monterey Park. The proposed skateboard facility consists of a concrete bowl-shaped center with ramps and jump features. The facility will be enclosed by a wrought iron fence. The park would be open to the public during daylight hours only as no lighting is proposed.

Mitigation Monitoring and Reporting Program: This MMRP includes mitigation measures in the Mitigation Monitoring and Reporting Matrix on the following pages that correspond to the Final EIR for the project. The matrix lists each mitigation measure or series of mitigation measures by environmental topic. For each mitigation measure, the frequency of monitoring and the responsible monitoring entity is identified. Mitigation measures may be shown in submittals and may be checked only once, or they may require monitoring periodically during and/or after construction. Once a mitigation measure is complete, the responsible monitoring entity shall date and initial the corresponding cell, and indicate how effective the mitigation measure was.

If any mitigation measures are not being implemented, the City may pursue corrective action. Penalties that may be applied include, but are not limited to, the following: (1) a written notification and request for compliance; (2) withholding of permits; (3) administrative fines; (4) a stop-work order; (5) forfeiture of security bonds or other guarantees; (6) revocation of permits or other entitlements.

Attachment: Resolution to Certify EIR and Approve Project (1466 : Monterey Avenue Skate Park)

EXHIBIT A

Project: Monterey Skate Park

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Actions	Monitoring / Reporting Responsibility	Timing Requirements	Reporting Requirements & Verification of Compliance
Noise				
<p>NOISE-1: Require construction of six-foot noise barriers at the north and south boundaries of the skate park, along the proposed fence line, to reduce maximum instantaneous and hourly average noise levels by a minimum of 5 dBA at the Soquel Union Elementary School District Offices and single-family residences at the west end of Orchid Avenue. Noise barriers shall be constructed from materials having a minimum surface weight of 3 lbs/sf, such as one-inch thick wood fence boards, masonry block, or concrete, and be constructed in a manner free of any cracks or gaps between barrier materials and between the barrier and the ground. Alternately, suitable barrier materials such as Acoustifence by Acoustiblok or ¼-in. plexiglass could be attached to the proposed metal fence surrounding the skate park to provide an equivalent noise level reduction.</p>	<ul style="list-style-type: none"> ▪ Include measure as Condition of Approval. ▪ Implementation actions are outlined in the mitigation measure. 	<ul style="list-style-type: none"> ▪ The applicant is responsible for including measure on building plans. ▪ The Community Development Department is responsible for plans to ensure the measure has been included on the final building plans. 	<ul style="list-style-type: none"> ▪ Prior to issuance of building permit for including measure on plans to be installed during construction. 	
<p>NOISE-2: Prior to issuance of building permits, require a detailed inspection by a qualified acoustician of wood fences on the rear property line of residences along Orchid Avenue that are within 165 feet of the skate park to ensure the fences are adequate to attenuate noise as predicted, and if not, implement repairs and /or replacement, as necessary and with permission of the property owner, to ensure an acoustically effective six-foot noise barrier for existing fences.</p>	<ul style="list-style-type: none"> ▪ Include measure as Condition of Approval. ▪ Implementation actions are outlined in the mitigation measure. 	<ul style="list-style-type: none"> ▪ The applicant is responsible for obtaining property owner permission, performing inspections, and providing report on inspections and repairs to the Community Development. 	<p>Prior to opening of skate park.</p>	

Attachment: Resolution to Certify EIR and Approve Project (1466 : Monterey Avenue Skate Park)

EXHIBIT A

Project: Monterey Skate Park

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Actions	Monitoring / Reporting Responsibility	Timing Requirements	Reporting Requirements & Verification of Compliance
Hazardous Materials				
<p>HAZMAT-1: Prepare and implement a Soil Management Report for <u>Require soil removal</u> with proper disposal and/or encapsulation of contaminated soils at the project site to prevent exposure to arsenic found in the soils, and require proof of final signoff from the County of Santa Cruz Environmental Health Services.</p>	<ul style="list-style-type: none"> Prepare a Soil Management Plan for removal and disposal of contaminated soils. Submit to County of Santa Cruz for approval. Submit proof of final signoff to City of Capitola. 	<ul style="list-style-type: none"> The City of Capitola or the applicant, in coordination with the City of Capitola, is responsible for having the soil management plans prepared. The City of Capitola is responsible for overseeing remediation program. 	<p>Remediation to be completed prior to issuance of building permit.</p>	
<p>HAZMAT-2: Prepare and implement a Safety Plan to ensure that appropriate worker health and safety measures are in place during grading and construction activities.</p>	<ul style="list-style-type: none"> Implementation actions are specified in the mitigation measure. 	<ul style="list-style-type: none"> The City of Capitola or the applicant, in coordination with the City of Capitola, is responsible for preparing Plan. The City of Capitola is responsible for overseeing remediation program. 	<p>Prior to issuance of grading permit.</p>	
Biological Resources				
<p>IS BIO-1: If construction or tree removal is scheduled to begin between February 1 and August 15, require that a pre-construction nesting survey be conducted by a qualified wildlife biologist to determine if migratory birds are nesting in the trees adjacent to the project site. If nesting birds are found, schedule construction to begin after fledging of young is completed (usually by August) or after a qualified biologist has determined that the nest is no longer in use or unless a suitable construction zone buffer can be identified by a qualified biologist.</p>	<ul style="list-style-type: none"> Include measure as Condition of Approval. Implementation actions are outlined in the mitigation measure. 	<ul style="list-style-type: none"> The applicant, in coordination with the City of Capitola, is responsible for having a pre-construction survey conducted by a qualified biologist if construction proceeds during the nesting season, and submitting the report to the Planning & Community Development Department. The Community Development Department is responsible for review of the report to ensure compliance with the mitigation measure. 	<ul style="list-style-type: none"> Prior to tree removal, grading and/or construction during the times specified in the mitigation measure. 	

Attachment: Resolution to Certify EIR and Approve Project (1466 : Monterey Avenue Skate Park)

EXHIBIT B

FINDINGS AND CONDITIONS OF APPROVAL FOR APPLICATION NO. 15-068, MONTEREY AVENUE SKATE PARK

FINDING: The proposed project design and improvements, as conditioned by the attached Conditions of Approval, are substantially in conformance with the City of Capitola's General Plan and Zoning Ordinance and other Municipal Code requirements.

- (a) The proposed project, including the design and improvements, is consistent with the City's General Plan goals to provide parks which cater to the diverse needs and interests of Capitola residents and visitors (Goal LU-13), encouraging special use recreation facilities including skate parks (Policy LU-13.9), and developing Monterey Park as an active park site with neighborhood-serving recreational facilities and amenities (Policy LU-13.13).
- (b) The proposed project, including the design and improvements, is consistent with the P/OS (Parks/Open Space) designation of the General Plan because it would provide an active recreational facility in a designated active public park.
- (c) The proposed project, including the design and improvements, is consistent with the PF-P (Public Facility – Park) zoning district because it would provide an active recreational facility in a designated active public park.

FINDING: That the site is physically suitable for the type and density of development proposed.

- (a) The developable area of the site is within an existing designated active park and the site is flat, located outside the floodplain, and adequate infrastructure already exists to serve the proposed use.
- (b) The proposed development of the site with a public skate park is consistent with General Plan goals and policies.
- (c) Monterey Park is approximately 4-acres in size and is large enough to accommodate the proposed skate park and necessary parking to serve the use.
- (d) No significant, unmitigated environmental impacts would result from construction and operation of the facility as documented by the EIR prepared for the project. Mitigation measures and conditions of approval have been incorporated to avoid, minimize, or mitigate all environmental impacts to a less than significant level.

FINDING: The establishment, maintenance and operation of the proposed skate park, as conditioned, will not be detrimental to health, safety, peace, morals, comfort and general welfare of the persons residing or working in the neighborhood of the proposed development, or to its future residents, or to the general welfare of the City. The project application, subject to the conditions imposed, will secure the

purposes of the Zoning Ordinance and General Plan, and will maintain the character and integrity of the neighborhood.

- (a) Community Development Department staff, the Architectural and Site Review Committee, Planning Commission, and City Council have reviewed the project and determined that the project, subject to the attached conditions and mitigation measures is consistent with the development standards of the PF-P (Public Facility-Park) zoning district. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance and the General Plan.
- (b) This project has been or will be, reviewed by all responsible City, County, and Regional agencies, and conditions of approval have been applied as deemed necessary by the Community Development and Public Works Department staff to ensure the continuing public health, safety and orderly development of the surrounding area.
- (c) A determination has been made that the site can and will be served by nearby municipal services and utilities.

COASTAL FINDINGS: The California Coastal Act, at Public Resources Code Section 30106, defines the term “development” to include “change in the density or intensity of use of land, including but not limited to, subdivisions, and any other division of land.” Similarly, the City of Capitola’s Local Coastal Program, at Capitola Municipal Code Section 17.46.030.I.4 defines “development” to include “subdivisions, and any other division of land...”.

The California Coastal Act, at Public Resources Code Section 30600, provides that any person wishing to perform or undertake any development in the coastal zone shall obtain a coastal development permit. Public Resources Code Section 30600 further provides that after certification of a local coastal program by the California Coastal Commission, the local government for the jurisdiction covered by the certified local coastal program shall be responsible for the issuance or denial of coastal development permits within that jurisdiction. The City of Capitola has a certified local coastal program and, accordingly, it, rather than the California Coastal Commission, is legally responsible for processing and considering applications for coastal development permits relative to coastal zone development in the City of Capitola.

Pursuant to the City of Capitola’s Local Coastal Program, certified by the California Coastal Commission in December, 1981, the City must find, in accordance with Capitola Municipal Code Section 17.46.090.D “A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program ...” before it can issue a Coastal Development Permit for that project.

The project entails an approximately 6,028 square-foot public skate park to be developed within Monterey Park, an existing designated active park, which is located in the coastal zone of the City of Capitola. Accordingly, the project constitutes “development” for purposes of the California Coastal Act and the City’s certified Local Coastal Program and, in turn, requires a coastal development permit from the City of Capitola. Findings can be made that the project conforms to all applicable polices of the City’s Local Coastal Program and associated implementing

ordinances, including all applicable provisions of Capitola Municipal Code Section 17.46.090 as noted below:

D. Findings Required. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:

- The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090 (D) are as follows:

(D) (2) Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D) (2) (a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.

(D) (2) (a) Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative build-out. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;

- The proposed project is located in Monterey Park at 700 Monterey Avenue. Monterey Park is not located in an area with coastal access. The proposed skate park would not have an effect on public trails or beach access.

(D) (2) (b) Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline

processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;

- The proposed project is located in Monterey Park at 700 Monterey Avenue. No portion of the project is located along the shoreline or beach.

(D) (2) (c) Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);

- The project site is a City-owned active park which is open to the public. The City of Capitola is responsible for park maintenance. There is no history of the City to prohibit or restrict public access to the park.

(D) (2) (d) Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;

- The proposed project is located in Monterey Park at 700 Monterey Avenue. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

(D) (2) (e) Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.

- The proposed project is located on public property which is approximately 1,400 feet north of the coast. There are no direct access paths (aside from public streets) between Monterey Park and the coast. The proposed skate park would not diminish public access to the coast or adversely alter the

aesthetic, visual or recreational value of public use areas.

(D) (3) (a – c) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F) (2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:

a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;

b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;

c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an access way on the subject land.

- The project is not requesting a Public Access Exception, therefore these findings do not apply

(D) (4) (a – f) Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:

a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;

- The project is located in an existing public park. There are no sensitive habitat areas on the property.

b. Topographic constraints of the development site;

- Monterey Park is a generally flat lot with no steep slopes.

c. Recreational needs of the public;

- The project would increase the public's access to recreational opportunities by adding a new skate park to an existing public park.

d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;

- The project is located in an existing public park. There are no sensitive habitat areas on the property.

e. *The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;*

- The project is located in an existing public park. There are no sensitive habitat areas on the property.

f. *Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.*

- The project is located in an existing public park. There are no sensitive habitat areas on the property.

(D) (5) *Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);*

- The project would be located in a public park which is accessible to any citizen. No legal documents to ensure public access rights are required for the proposed project.

(D) (6) *Project complies with visitor-serving and recreational use policies;*

- The project would be located in a public park which is accessible to any citizen, including visitors.

SEC. 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- The project involves a recreational use on City-owned property used as an active public park.

SEC. 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

- The project involves a recreational use in a developed City-owned park. The project would not adversely affect any coastal recreational uses.

c) *Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.*

- The project involves a recreational use in a developed City-owned park which would be available to visitors.

(D) (7) *Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;*

- The project would provide adequate on-site parking and would not result in any significant direct traffic impacts. The project is conditioned to make a fair share contribution to a future traffic signal at Kennedy Drive/Park Avenue as required by the General Plan Update EIR.

(D) (8) Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;

- The project complies with standards established by the Municipal Code.

(D) (9) Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;

- The coastline is not visible from the project site.

(D) (10) Demonstrated availability and adequacy of water and sewer services;

- The project is located in a developed City-owned park which has water services and has access to wastewater infrastructure to service a future restroom.

(D) (11) Provisions of minimum water flow rates and fire response times;

- The project is located within close proximity of the Central Fire District. Water is available at the location.

(D) (12) Project complies with water and energy conservation standards;

- The project would require minimal water and energy.

(D) (13) Provision of park dedication, school impact, and other fees as may be required;

- The project would not impact the provision of park and recreation services and it does not involve new housing which would generate an increased demand for school facilities.

(D) (14) Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;

- The project does not involve a condo conversion or mobile homes.

(D) (15) Project complies with natural resource, habitat, and archaeological protection policies;

- The project site is a developed City-owned park. No sensitive biological and archaeological resources exist on the project site.

(D) (16) Project complies with Monarch butterfly habitat protection policies;

- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.

(D) (17) Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;

- The project meets federal, state, and local requirements for drainage, stormwater management, and erosion control.

(D) (18) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;

- The project does not involve the development of new habitable structures and does not propose to locate facilities near a coastal bluff or other geologic hazard area.

(D) (19) All other geological, flood and fire hazards are accounted for and mitigated in the project design;

- The project is not located in a flood zone or a high fire risk area.

(D) (20) Project complies with shoreline structure policies;

- The proposed project is not located along a shoreline.

(D) (21) The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;

- This use is an allowed use consistent with the Public Facility – Park (PF/P) zoning district.

(D) (22) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures;

- The project conforms to the requirements of all city ordinances, zoning requirements and project development review and development procedures.

(D) (23) Project complies with the Capitola parking permit program as follows:

- The project would not rely on the City's parking permit program.

CONDITIONS OF APPROVAL

1. The project approval consists of an approximately 6,000 square-foot skate park located in Monterey Park in the PF-P (Public Facility – Park) zoning district. Improvements consist of a skate park facility, fencing, noise attenuation walls, ADA

- improvements, and stormwater treatment. No special events or skateboarding competitions are authorized by this permit. The proposed project is approved as indicated on the plans reviewed and approved by the City Council on June 23, 2016, except as modified through conditions imposed by the City Council.
2. Consistent with EIR Alternative 1, the applicant shall submit revised plans which shift the skate park closer to the existing Monterey Park parking lot to improve visibility and public safety. The applicant shall be responsible for preparing and submitting revised plans for the relocated facility. The relocated facility should be designed to avoid impacts to trees to the maximum extent possible. If the ultimate location and orientation of the skate park presents any conflict with other existing park uses, the applicant shall prepare and submit plans which show how adjustments to the park layout could accommodate all uses to the satisfaction of the Community Development Director and Public Works Director. The applicant shall be responsible for any costs associated with design and construction of the skate park facility and any modifications to other park facilities which are necessary to accommodate the skate park.
 3. The modified design shall include noise attenuation walls as specified in the approved noise study prepared by Illingworth and Rodkin, Inc. to reduce maximum instantaneous and hourly average noise levels by a minimum of five dBA at the Soquel Union Elementary School District Offices and single-family residences. Noise barriers shall be constructed from materials having a minimum surface weight of 3 lbs/sf, such as one-inch thick wood fence boards, masonry block, or concrete, and be constructed in a manner free of any cracks or gaps between barrier materials and between the barrier and the ground. Alternately, suitable barrier materials such as Acoustifence by Acoustiblok or ¼-in. plexiglass could be attached to the proposed metal fence surrounding the skate park to provide an equivalent noise level reduction if approved by the City Council. Proposed noise attenuation walls shall be reviewed by a qualified acoustician and approved by the Community Development Director.
 4. The modified design shall include security lighting to softly illuminate the skate park and path leading to the facility. Security lighting shall be restricted to low pressure bulbs affixed to downward casting fixtures to prevent light trespass. Security lighting shall be reviewed and approved by the Community Development Director.
 5. The modified design shall include a minimum of two conspicuous rules and regulations signs to the satisfaction of the Public Works Director.
 6. The modified design shall include sufficient benches and/or cube style seating outside the facility for parents and spectator use. The number of benches/seating shall be determined based on best practices for public park facilities and to the satisfaction of the Community Development and Public Works Directors.
 7. The modified design shall include a skate board rack and a bicycle rack to the satisfaction of the Community Development and Public Works Directors.
 8. The modified design shall include an emergency phone to the satisfaction of the Police Chief and Public Works Director.

9. The modified design shall include a double pedestrian gated entrance to the satisfaction of the Police Chief and Community Development Director.
10. The modified design shall include wood bark chips, or other non-turf/hardscape materials between the skate park and the fence to the satisfaction of the Community Development Director.
11. The modified design shall include a wrought-iron fence with a curved top to deter unauthorized entry when the facility is closed.
12. The skate park shall be sited to avoid impacts to mature redwood trees.
13. Prior to issuance of a Right-of-Entry Permit, the applicant shall execute a defense and indemnity agreement with the City to the City Attorney's satisfaction.
14. Prior to issuance of a building and/or grading permits, the applicant shall obtain a right-of-entry permit or equivalent form of permission from the City to construct improvements on public property.
15. Prior to issuance of a building permit or grading permit, all planning fees shall be paid in full.
16. Prior to issuance of building or grading permits, the City shall contract with a certified arborist to perform a pre-construction inspection to evaluate the proposed skate park location to determine if construction could endanger the health and vitality of mature redwood and alder trees. The certified arborist shall present their findings in a written report with recommendations to prevent impacts to the redwood and alder trees. The skate park location shall be shifted as necessary to prevent impacts to mature redwood trees. The certified arborist shall be retained to perform construction monitoring, as necessary, to ensure grading and construction activities are carried out per the arborist's recommendations. The applicant shall be responsible for funding the arborist contract.
17. Prior issuance of building or grading permits, the applicant shall prepare and implement a Soil Management Report which requires all excavated soils to be removed with proper disposal and/or encapsulation to prevent exposure to contaminants found in the soil. The report shall be submitted to the Community Development Department and the County of Santa Cruz Department of Environmental Health. No grading shall occur until the report is approved by the County of Santa Cruz.
18. Prior to issuance of building or grading permits, the applicant shall prepare a Safety Plan to ensure that appropriate worker health and safety measures are in place during grading and construction activities. The plan shall be submitted to the Community Development Department and County of Santa Cruz Department of Environmental Health. No grading shall occur until the plan is approved by the County of Santa Cruz.
19. Prior to issuance of building or grading permits, the applicant shall post a bond, letter of credit, or other acceptable form of construction security with a minimum value of

- 150% of the construction cost to the satisfaction of the City Attorney and Public Works Director.
20. Prior to issuance of building or grading permits, the applicants shall be responsible for funding a detailed inspection by a qualified acoustician of wood fences on the rear property line along Orchid Avenue within 165 feet of the skate park to ensure fences are adequate to attenuate noise as predicted. If the acoustician finds defects in fences, the applicant shall be responsible for funding necessary repairs and/or replacement, and with permission of the property owner, to ensure an acoustically effective six-foot noise barrier.
 21. Prior to issuance of building or grading permits, the applicant shall make a fair share contribution in the amount of \$1,507 for the installation of a future traffic signal at the Kennedy Drive/Park Avenue intersection. The City shall deposit the funds into an account designated solely for the installation of a future traffic signal.
 22. Prior issuance of a building or grading permits, final building plans shall be submitted consistent with the plans and conditions approved by the City Council. All construction and site improvements shall be completed according to the approved plans.
 23. Prior issuance of a building or grading permits, conditions of approval and mitigation measures shall be conspicuously shown on the title sheet of building and grading plans and construction contract specifications.
 24. Prior issuance of a building or grading permits, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
 25. Prior issuance of a building or grading permits, the applicant shall submit a drainage plan, grading, sediment and erosion control plan to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
 26. Prior issuance of a building or grading permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
 27. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
 28. Pursuant to the federal Migratory Bird Treaty Act, no construction shall occur between February 1 and August 15 unless the site is first surveyed by a qualified biologist who determines that no nesting birds are present.
 29. During construction, all worker safety measures identified in a Safety Plan approved by the County of Santa Cruz shall be implemented and followed at all times.

30. Construction activities shall be limited to 8:00 a.m. to 5:00 p.m. on weekdays and 9:00 a.m. to 4:00 p.m. on Saturdays. No Sunday construction is allowed. No grading or use of heavy equipment shall take place when school is in session.
31. Any trees removed or damaged by the project shall be replaced within Monterey Park at a 2:1 ratio. All replacement trees shall be irrigated until trees have become successfully established.
32. Prior to issuance of a certificate of occupancy, the applicant shall fund an inspection by a qualified acoustician to verify the six-foot noise walls have been appropriately constructed to ensure effective noise attenuation.
33. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director.
34. Prior to issuance of a certificate of occupancy, any and all damage to the parking lot or other park facilities caused by construction activities shall be repaired per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall comply with Accessibility Standards.
35. Prior to issuance of a certificate of occupancy, the applicant shall post a bond, letter of credit, or alternative form of financial security to the satisfaction of the Community Development Director to fund a post-operation noise study to be conducted approximately 6-months following the opening of the skate park and to pay for any remedial measures necessary to achieve acceptable noise attenuation. Noise attenuation shall be considered acceptable if post-operation noise is less than 5 dB(A) from pre-operation measurements.
36. This permit shall be reviewed by the Planning Commission approximately 6-months following the opening of the skate park to evaluate the effectiveness of conditions and to determine if any changes or new conditions are necessary to minimize impacts to neighboring properties.
37. No special events permits shall be issued to authorize competitions or other events at the facility.
38. The City Council, on recommendation from the Planning Commission, may revoke the Conditional Use Permit for evidence of repeated non-compliance with the conditions of approval.
39. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160

**RIGHT OF ENTRY AGREEMENT FOR
SKATEPARK PROJECT BETWEEN THE CITY OF CAPITOLA
AND NHS, INC.**

THIS RIGHT OF ENTRY AGREEMENT FOR SKATEPARK PROJECT (“Agreement”) is entered into this ___ day of _____, 2016 (the “Effective Date”), by and between the City of Capitola (“City”) and NHS, Inc. a California Corporation (“Applicant”).

RECITALS

WHEREAS, Applicant wishes develop a skate park at the Monterey Avenue Park (the “Project”), as shown in Exhibit A, attached hereto and incorporated herein by reference (“Project Area”); and

WHEREAS, Applicant is providing funding for the Project and has applied for and received funds and offers of volunteer assistance from various individuals, organizations and contractors for the Project; and

WHEREAS, portions of the skatepark will be fabricated and/or constructed by other contractors and individuals both paid and volunteer.

NOW, THEREFORE, it is agreed between the parties hereto that:

1. DEFINITION OF APPLICANT.

For purposes of this Agreement, all references in this Agreement to the Applicant shall include Applicant's contractors, subcontractors, officers, agents, employees, volunteers, and others acting under its or their authority.

2. RIGHT GRANTED; PURPOSE.

The City hereby grants to the Applicant the right, during the term hereinafter stated and upon and subject to each and all of the terms, provisions, and conditions herein, to enter upon and have ingress to and egress from Monterey Avenue Park, located at 700 Monterey Avenue, Capitola, California 95010 ("Premises"), to build a new skatepark, and for such other incidental purposes as may be required to perform such work (the “Work”). Upon final completion of the Work and acceptance of the improvements by the City, ownership of all improvements made by Applicant on the Premises shall unconditionally vest in the City, and Applicant shall have no further ownership interest in, or liability or maintenance obligation with respect to, such improvements.

A. As security for and proof of the Applicant's ability to complete the Work, Applicant shall also provide bonds for faithful performance and labor and materials (or assign Applicant’s rights to the City under such bonds for the Project) to the City for the full cost of the Project prior to any work being performed on the Project site. Furthermore, Applicant will provide the City written weekly progress reports on the status of the project.

3. NO INTERFERENCE.

Except as is necessary to carry out the Work, (i) no work performed by Applicant shall cause any interference with the constant, continuous and uninterrupted use of the Premises by City, its officers, agents, contractors, lessees, Applicants or others, including the public use of the park and school district use of the facility for school purposes, interference with any existing City improvements or utility infrastructure, including sewer, water, telephone, or other telecommunications or network facilities; and (ii) nothing shall be done or suffered to be done by Applicant at any time that would cause damage or destruction of the facilities, equipment, utility infrastructure or other property or appurtenances of City, its lessees or licensees. Applicant agrees to reimburse City for any such damage or destruction, or upon mutual agreement, to replace or restore said facilities, equipment, or other property, to City's satisfaction.

4. PRIOR NOTIFICATION.

Applicant shall notify the following Department of Public Works representative a minimum of 7 calendar days in advance of the entry and commencement of work in order to coordinate the best point-of-entry and path of travel to and through the Premises and any other pertinent coordination requirements

5. ALL EXPENSES TO BE BORNE BY APPLICANT.

Applicant shall bear any and all costs and expenses associated with any work performed by the Applicant, including the cost of relocating any utility infrastructure necessitated by the Project. Any such relocation shall be subject to the requirements of Paragraph 3. All work performed by Applicant on the Premises shall be performed in a manner consistent with plans and specifications approved by the City as set forth in Exhibit B of this Agreement and as conditioned or modified as part of the project approval by the City, attached hereto and incorporated herein by reference.

6. RECORDS.

Applicant shall maintain inventory records which clearly identify materials purchased or received as donations as well as records of all expenditures, including contract and subcontract costs, expenses, etc., during the Agreement period and three (3) years after the termination. All Applicant records with respect to any matters covered by this Agreement shall be made available to the City, at any time during normal business hours, as often as the City deems necessary, to audit, examine, and make excerpts or transcripts of all relevant data. Applicant shall be responsible for record compliance with the terms and conditions of state law governing the use and provision of voluntary labor to cities and the payment of prevailing wages.

7. HOURS OF OPERATION.

The hours of operation that Applicant shall be permitted to conduct work in the Premises shall be between 8 am and 5 pm, Monday through Friday, and between 9 am and 5 pm on Saturday. No grading or use of heavy equipment shall take place while school is in session.

8. TERM; TERMINATION.

- a. The grant of rights herein made to Applicant shall be effective from the Effective Date and shall continue until August 11, 2017, unless sooner terminated as herein provided, or at such time as Applicant has completed its work, whichever is earlier. Applicant agrees to notify the City Representative in writing when it has completed its work. The City Manager may grant a 12-month extension if the project is delayed due to circumstances outside the Applicant's control.
- b. This Agreement may be terminated by the City for cause on thirty (30) days written notice to the Applicant. In the event of termination, the City shall refund any unexpended funds in full within thirty (30) days of the effective date of termination.

9. RESTORATION.

Applicant agrees to restore the Premises to the condition it was in prior to Applicant entry onto the Premises, except for the work of improvements as referenced herein.

10. LIABILITY; INDEMNIFICATION.

- a. No City Liability for Loss or Damage. In the event of damage to any equipment or materials installed or stored by Applicant on the Premises, irrespective of the cause, City shall not be liable therefore and Applicant shall have no claim or right against City for the costs of repair or replacement. This clause is intended as a complete release of liability in favor of City, including without limitation all claims whether known or unknown, liquidated or unliquidated, contingent or absolute. Applicant has knowledge of and understands the term and effect of California Civil Code Section 1542, and voluntarily waives the benefit of the terms of that statute.
- b. Indemnification and Defense of City. Applicant shall indemnify, defend and hold harmless City and its officers, employees and agents, from and against any and all claims, losses, liabilities, judgments, penalties, costs and expenses of every type and description, including, but not limited to, payment of attorney's fees, whether

for personal injury or property damage, to the extent arising out of or in any way directly or indirectly related to or resulting from any act or omission of Applicant during the term of this Agreement, its contractors, subcontractors, officers, agents, employees, volunteers, and others acting under its or their authority on the Premises or relating to the performance of the terms of this Agreement, irrespective of whether or not caused in part by City, its officers, agents, or employees. The provisions of this paragraph 11(b) shall survive the expiration or earlier termination of this Agreement.

- c. **Liability for Skatepark Operation.** After final completion of the Work and acceptance of the improvements by the City, the parties hereby agree and acknowledge that the City shall be the owner or operator of the skatepark for purposes of Health and Safety Code § 115800.
- d. **Design and Defect Warranties:** The Applicant hereby warrants and guarantees to the City that the materials and equipment used for the Project will be new and of good quality unless otherwise required, that the Work will be performed in a workmanlike manner, that the Work and Project will be free from design and construction defects, and that the Work and Project will be free of patent and latent defects. Applicant shall repair any such defects to the satisfaction of the City. This warranty shall terminate five years from the completion of the Work and acceptance of the improvements by the City.

11. INSURANCE.

During the term of this Agreement, and until Applicant vacates from and restores the Premises and the improvements are accepted by City, Applicant shall maintain in full force and effect at its own cost and expense the following insurance coverage described below. It is understood and agreed by Applicant that its liability to the City shall not in any way be limited to or affected by the amount of insurance coverage required or carried by Applicant in connection with this Agreement.

- a. Minimum Scope & Limits of Insurance Coverage
 - i. Commercial General Liability Insurance, providing coverage at least as broad as ISO CGL Form 00 01 on an occurrence basis for bodily injury, including death, of one or more persons, property damage and personal injury, with limits of not less than one million dollars (\$1,000,000) per occurrence. The policy shall provide contractual liability and products and completed operations coverage for the term of the policy.

- ii. Workers' Compensation Insurance within statutory limits, and Employers' Liability Insurance with limits of not less than one million dollars (\$1,000,000). The Worker's Compensation policy shall include a waiver of subrogation for contracts if required by the City by selecting the option below:
- iii. Automobile Liability Insurance providing coverage at least as broad as ISO Form CA 00 01 on an occurrence basis for bodily injury, including death, of one or more persons, property damage and personal injury, with limits of not less than one million dollars (\$1,000,000) per occurrence. The policy shall provide coverage for owned, non-owned and/or hired autos as appropriate to the operations of Applicant.

b. Additional Insured Coverage

- i. Commercial General Liability Insurance: The City and its officials, employees and volunteers shall be covered by policy terms or endorsement as additional insured as respects to general liability related to, or arising from, this Agreement.
- ii. If the policy includes a blanket additional insured endorsement or contractual additional insured coverage, the above signature requirement may be fulfilled by submitting that document with a signed declaration page referencing the blanket endorsement or policy form.

c. Other Insurance Provisions

The policies are to contain, or be endorsed to contain, the following provisions:

- i. Applicant's insurance coverage shall be primary insurance as respects the City and its officials, employees and volunteers. Any insurance or self-insurance maintained by the City or its officials, employees or volunteers, shall be in excess of Applicant's insurance and shall not contribute with it.
- ii. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City or its officials, employees or volunteers.
- iii. Coverage shall state that Applicant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

- iv. The City will be provided with thirty (30) days written notice of cancellation or material change in the policy language or terms.

d. Acceptability of Insurance

Insurance shall be placed with insurers with an AM Best's rating of not less than A:V. Self-insured retentions, policy terms or other variations that do not comply with the requirements of this Section 10 must be declared to and approved by the City's Risk Management Division in writing prior to execution of this Agreement.

e. Verification of Coverage

- i. Applicant shall provide initial insurance documents to the City Representative upon request, prior to execution of the final Agreement.
- ii. Failure to provide insurance certificates and endorsements and keep such certificates and endorsements current will be considered a material breach by Applicant of this Agreement. The City may cancel the Agreement if the insurance is canceled or Applicant otherwise ceases to be insured as required herein.

f. Subcontractors.

Applicant shall request and verify that its contractors, and all subcontractors, maintain insurance coverage that meets the minimum scope and limits of insurance coverage specified in subsection A, above.

12. PERMITS.

Prior to beginning any work, the Applicant, at its sole expense, shall obtain all necessary permits to perform any work contemplated by this Agreement.

13. MECHANICS' LIENS.

The Applicant shall pay in full all persons who perform labor or provide materials for the work to be performed by Applicant. The Applicant shall not permit or suffer any mechanics' or materialmen's liens of any kind or nature to be enforced against any property of the City for such work performed. The Applicant shall indemnify and hold harmless the City from and against any and all liens, claims, demands, costs or expenses of whatsoever nature in any way connected with or growing out of such work done, labor performed, or materials furnished.

14. PREVAILING WAGES; OVERTIME

- a. Prevailing Wages. Applicant shall require any contractor or subcontractor performing any portion of the work under this Agreement to fully comply with the prevailing wage requirements of Article 2, Chapter 1, Part 7, Division 2, commencing with Section 1770 of the Labor Code and particularly Section 1775 thereof.
 - i. No contractor or subcontractor may work on a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.
 - ii. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.
- b. Hours of Labor: Applicant shall not require or permit any worker employed in the construction of the Project by Applicant or by any contractor or subcontractor, for each calendar day during which any worker is required or permitted to labor more than eight (8) hours in any one calendar day or more than forty (40) hours in any one calendar week, in violation of the provisions of Article 3, Chapter 1, Part 7, Division 2, commencing with Section 1810 of the Labor Code of the State of California, except that work may be performed by employees of Applicant or any contractor or subcontractor in excess of eight (8) hours in one day, or 40 hours during any one week, without penalty or forfeiture upon compensation of said employees for hours worked in excess of 8 hours per day or 40 hours per week at not less than 1 and ½ times the basic rate of pay.

15. COMPLIANCE WITH LAWS.

Applicant shall comply with all applicable federal, state, and local laws, regulations, and enactments affecting the work to be performed on the Premises. Applicant (without limiting the generality of the foregoing) shall comply with all applicable state and federal occupational safety and health acts and regulations. Applicant shall require any contractor or subcontractor performing any portion of the work to comply with all of the requirements of this paragraph. If any failure by Applicant to comply with any such laws, regulations, and enactments, or otherwise to require the same of any contractor or subcontractor, shall result in any fine, penalty, cost or charge being assessed, imposed or charged against the City, Applicant shall reimburse and indemnify the City for any such fine, penalty, cost or charge, including without limitation, attorney's fees, court costs and expenses.

16. VOLUNTEERS—WAIVER.

Prior to entering the Project area, all volunteers shall be required to execute either the Volunteer Waiver and Release Agreement for Adult Volunteers, attached hereto as Exhibit C, or the Volunteer Waiver and Release Agreement for Minor Volunteers attached hereto as Exhibit D, as applicable.

17. WAIVER OF BREACH.

The waiver by the City of the breach of any condition, covenant or agreement herein contained to be kept, observed and performed by the Applicant shall not be considered a waiver of any other breach or default.

18. ASSIGNMENT — SUBCONTRACTING.

Except as provided in this paragraph, the Applicant shall not assign, sublet or subcontract this Agreement, or any interest therein, without the written consent of City and any attempt to so assign, sublet or subcontract without the written consent of City shall be void. Such consent shall not be unreasonably withheld or delayed. If City gives the Applicant permission to subcontract all or any portion of the work herein described, the Applicant is and shall remain responsible for all work of subcontractors and all work of subcontractors shall be governed by the terms of this Agreement. This Agreement shall bind the successors of either party in the same manner as if they were expressly named.

19. HAZARDOUS MATERIALS.

Applicant shall not use, store, release or otherwise introduce on the Premises any substance, chemical, waste or other material that is identified as hazardous, toxic or dangerous on any Federal, State or local law or regulation (“Hazardous Material”), nor shall Applicant damage, alter or otherwise affect any Hazardous Material containment system, cap or other facility present on the Premises, if any. Applicant shall be solely responsible for the complete cost of removal and/or remediation of any Hazardous Material so used, stored, released or otherwise introduced on the Premises, and shall defend and indemnify City, its officers and employees from and against all claims or other liabilities therefore to the extent allowed by law.

20. ENFORCEABILITY: CHOICE OF LAW: CHOICE OF FORUM.

This Agreement shall be governed, construed, and enforced in accordance with the laws of the State of California. Litigation arising out of or connected with this Agreement may be instituted and maintained in state or federal courts located in the State of California only, and the venue for any such litigation shall be in Santa Cruz County. The parties consent to jurisdiction over their person and over the subject matter of any such litigation, in those courts, and consent to service of process issued by such courts.

21. NOTICES.

Any and all notices or demands by or from either party shall be in writing, and shall be served either personally or by mail. If served personally, service shall be conclusively deemed made' at the time of service. If served by mail, service of notices or demands shall be conclusively deemed made as of the time of deposit in the United States mail, postage paid.

Any notice or demand may be given to:

CITY:

APPLICANT:

City of Capitola
420 Capitola Avenue
Capitola, CA 95010
Attn.: Jamie Goldstein, City Manager

NHS, INC.
C/O Benjamin | Leibrock
340 Soquel Ave. # 205
Santa Cruz, CA 95062

22. ATTORNEY'S FEES AND COSTS.

Any party may bring a suit or proceeding to enforce or require performance of the terms of this Agreement, and the prevailing party in such suit or proceeding shall be entitled to recover from the other parties reasonable costs and expenses, including attorney's fees.

23. COUNTERPARTS.

This Agreement may be executed in any number of counterparts and by different parties hereto on separate counterparts; each of which, when so executed and delivered, shall be an original, but all such counterparts shall together constitute but one and the same instrument.

IN WITNESS WHEREOF, City and Applicant have executed this Agreement on the date herein above first written.

APPLICANT

CITY OF CAPITOLA

By: _____
NHS, INC.
By Robert A. Denike, President

By: _____
JAMIE GOLDSTEIN
City Manager

APPROVED AS TO FORM:
City of Capitola

Tony Condotti, City Attorney

Attachment: Right-of-Entry Agreement (1466 : Monterey Avenue Skate Park)



Report Number: 09032015-3
Report Date: 11-05-15
Report Location: Monterey Avenue (proposed) Skate Park
 Capitola, CA
Reported To: Richard Grunow
 Community Development Director
 City of Capitola
Performed By: Wade MacAdam, CPD
 Advanced CPTED Consultant
 MacAdam Protection Strategies

PURPOSE:

This architectural plan review was initiated by the City of Capitola as part of the public review process for a proposed skate park within the Monterey Avenue Park of the City of Capitola. The purpose of this architectural plan review is to examine the proposal drawings for the skate park and provide MacAdam Protection Strategies (MPS) considerations, as well as other options to consider, to hopefully reduce the risk of criminal crimes/incidents and potentially enhance the safety at the Monterey Avenue Skate Park.

The considerations are based on three types of countermeasure approaches:

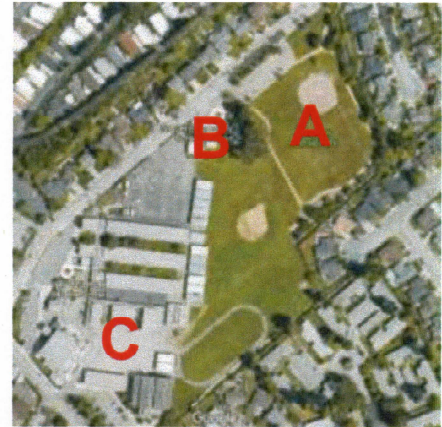
- **Natural Security:** consisting of CPTED (Crime Prevention Through Environmental Design) approaches relating to natural surveillance (allowing authorized users to see out and deterring suspects because they feel that they will be seen), natural access control (define private from public spaces), territorial reinforcement (showing that the property is not up for grabs), and maintenance (addressing overgrown vegetation, fence repairs, and graffiti removal).
- **Mechanical Security:** consisting of physical security systems (such as metal keys and hardware) and physical security technologies (such as access control systems, intrusion alarms, video systems, and emergency phones).
- **Organized Security:** consisting of a human presence and response (such as trusted allies nearby, authorized staff, and first responders).

Below is an overview of the options to consider that are identified within this report:

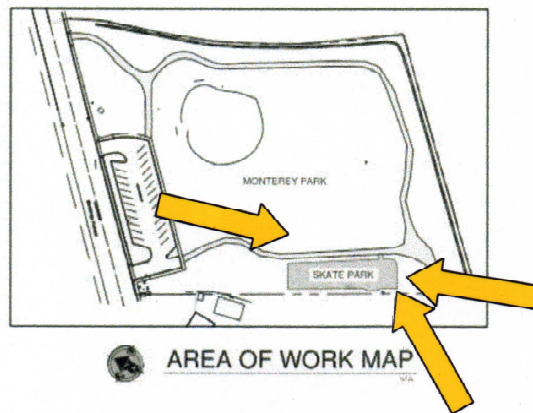
- Provide access to Law Enforcement
- Provide access to Fire Department(s)
- Redesign of the celebrated entrance (or main entrance into the skate park)
- Redesign of the orientation of the skate park (increasing the visibility to the sunken portions)
- Redesign of the skate park fencing (replacing chain-link with ornamental iron)
- Design a transparent sound wall or noise barrier (inside and outside the skate park)
- Design and creating signage (depending on procedures/rules approved by the City)
- Redesign the set-back of the park (from Monterey Avenue)
- Design activity generators (shade devices, water fountain, benches, cube seating)
- Design infrastructure for future lighting
- Design or installing an emergency phone
- Design infrastructure for future video cameras
- Design a trash receptacle
- Design vegetation
- Design traffic calming devices

NARRATIVE:

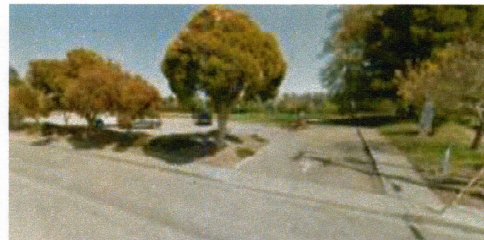
The Monterey Avenue Park (identified via a red "A") is located adjacent to the Soquel Elementary School District Office (identified via a red "B"), in Capitola, California. The Soquel Elementary School District Office has an address of 620 Monterey Avenue, Capitola. The park contains one parking lot, one softball field, and pathways. The park is adjacent to private residences and the New Brighton Middle School (identified via a red "C").



The proposed site for the Skate Park is shown below. Access to the Skate Park is anticipated to be from the Monterey Park Parking Lot, pedestrian pathways from the Middle School, or a pathway from the nearby residences (as shown via the yellow arrows).



From the west, Monterey Park is relatively flat and possesses good natural surveillance across the park. From Monterey Avenue, the proposed Skate Park site can be seen.

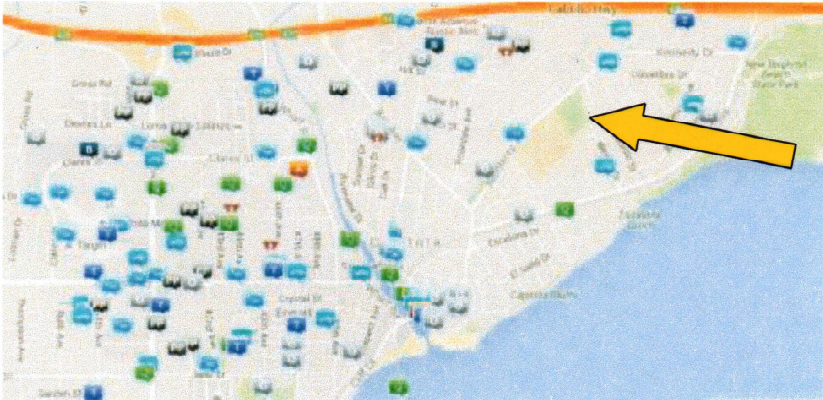


From the east, trees, a small hill, and school district buildings/fence largely obstruct views of the proposed skate park location from eastbound traffic on Monterey Ave.



Fire services fall under the jurisdiction of two entities: the Central Fire Protection District and the Aptos La Selva Fire District. I conversed with Central Fire Chief Jeff Maxwell and the office of Central Fire Marshal Sandy French. We discussed fire and medical response to the park.

Law Enforcement services fall under the jurisdiction of the Capitola Police Department. I conversed with Police Chief Rudy Escalante and Sergeant Mark Gonzalez. We discussed police response and crime trends. Via the Police Department website, I obtained the below reported crime analysis for the past six months around the park:



I did not see any crime trend concerns that pose an active threat or disruption to Monterey Park.

I talked to Rich Grunow. He asked me for a CPTED (Crime Prevention Through Environmental Design) analysis on the proposed skate park. He also emailed me drawings for the proposed skate park. I told him that I would provide him with options to consider for natural security, mechanical security, and organized security. The options are outlined in the Considerations portions on the following pages. Below is a list of the resulting considerations, based on priority:

- Provide access to Law Enforcement
- Provide access to Fire Department(s)
- Redesign of the celebrated entrance (or main entrance into the skate park)
- Redesign of the orientation of the skate park (increasing the visibility to the sunken portions)
- Redesign of the skate park fencing (replacing chain-link with ornamental iron)
- Design a transparent sound wall or noise barrier (inside and outside the skate park)
- Design and creating signage (depending on procedures/rules approved by the City)
- Redesign the set-back of the park (from Monterey Avenue)
- Design activity generators (shade devices, water fountain, benches, cube seating)
- Design infrastructure for future lighting
- Design or installing an emergency phone
- Design infrastructure for future video cameras
- Design a trash receptacle
- Design vegetation
- Design traffic calming devices

I viewed the documents that Rich Grunow shared with me: proposed Monterey Avenue Skate Park Plans, Proposed Monterey Avenue Skate Park 3D Model, and a Skate Park Noise Study.

I also visited and viewed a community Facebook page for skate parks in the City of Capitola.

Consultant Initials

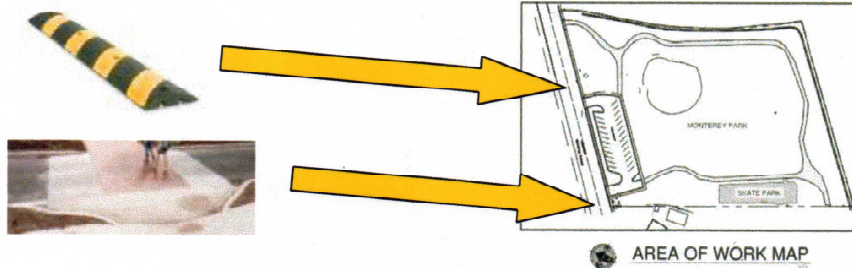
Attachment: Crime Prevention through Environmental Design Study (1466 : Monterey Avenue Skate Park)

CONSIDERATIONS:

I utilized standard CPTED (Crime Prevention Through Environmental Design) strategies and identified the below possible concerns. I suggest that you consider the following for Natural Security:

1. Traffic Calming:

- Due to an increase in pedestrian activity at the park, **install speed bumps or a speed table** on Monterey Avenue, near the two entrances into the parking lot. This can aid in pedestrian safety and promote reduced vehicle speeds.



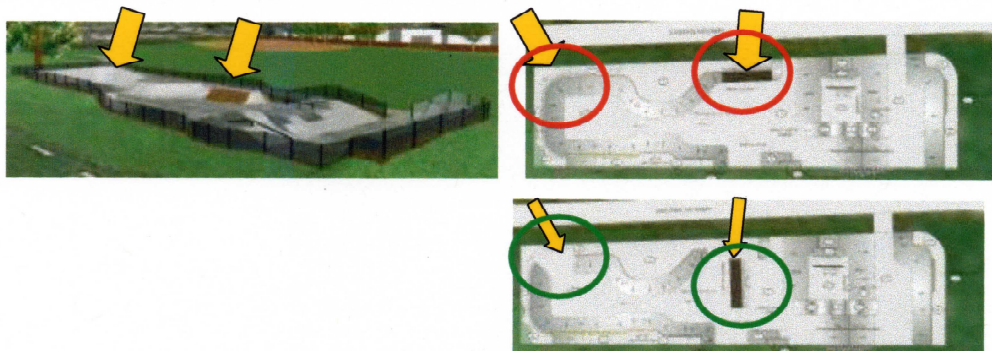
2. Setback:

- The proposed site is far from the parking lot and from Monterey Avenue. It lacks ideal natural surveillance from law enforcement and trusted allies. It also allows for suspects to see law enforcement at a distance and have time to conceal their activities. **Consider moving the site closer to the parking lot.**



3. Orientation:

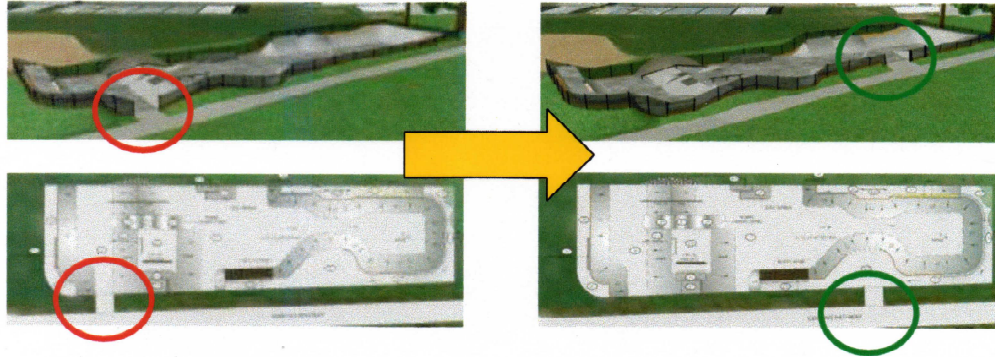
- The proposed design contains a sunken portion that can conceal unlawful activities, as well as a high wall. To maximize natural surveillance (as shown from a view point of the yellow arrows) to aid law enforcement and to deter suspects, consider **redesigning the bowl** with an opening that is at ground level and **change the orientation of the wall.**



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4. Celebrated Entrance:

- Based on the proposed design, the celebrated entrance (or main entrance that is advertised for entry) should be a **double pedestrian gate** along the existing pathway, but it should be **closer to the parking lot**. This will allow first responders quicker access into the site.






5. Signage:

- Create a parking stall with associated signage** in the parking lot for first responders. Erect a sign that advertises the stall for emergency vehicles only. This will aid in first responder access to the site.











- Assign a city address to the Skate Park**, such as 700 Monterey Avenue. This will aid in cellular phone callers that are not aware of their surroundings while they are looking at park signage and talking to emergency dispatchers. This will also aid in court stay-away orders assigned to suspects, where an address "to stay away from" is needed. Monterey Avenue Skate Park could be renamed at any time due to donor influence or due to a celebratory figure, but the address will remain the same.
- Create skate park rules/regulations signage** for the exterior and interior of the skate park. The signage should utilize color and pictograms that appeal to the youth users of the space. It should be at both sides of the celebrated entrance. It should be positioned frequently, every 50-feet, inside the fence. The next page contains an example of language and pictograms. The final operational procedures/rules shall be dependant on City approval.

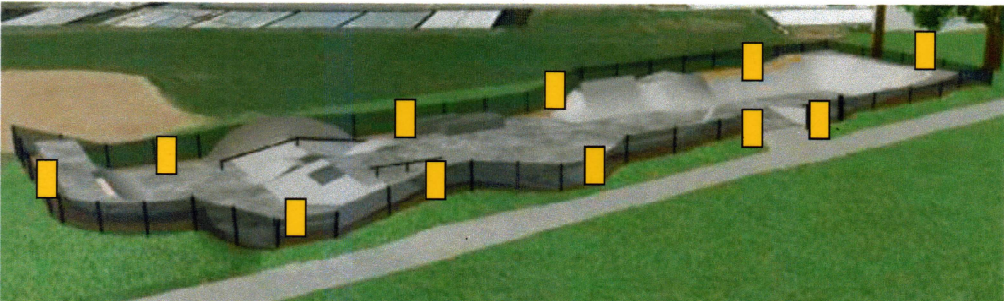




Monterey Avenue Skate Park

City of Capitola Property
790 Monterey Avenue, Capitola, California

**Private Property – No Trespassing per California Penal Code 602
Rules and Regulations Enforceable per Capitola Municipal Chapter 12.40**

	WARNING	Skate at your own risk
	Park Hours	Closed Sunset to 6am
	Yes	Skateboards and rollerblades <u>ONLY</u>
	No	<u>NO</u> bikes, scooters, motorized vehicles
	SAFETY	Helmets, gloves, and pads are strongly recommended. Skating has inherent danger of injury or death. The City is not responsible for these dangers. ** Make sure surface is dry before skating. **
	RULES	No Food or Drink (water is permitted) No Animals (except Service Animals and Police Canine) No Glass objects, Alcohol, Smoking, or Tobacco products No additional obstacles or materials allowed No loud music or offensive language No organized events without written approval from City
	RESPECT	<i>"The fence is necessary for closing the park if things get out of hand." "The fence is needed to prevent after-hours skating." "The fence will allow us to close the park for cleaning and maintenance." "The fence will keep toddlers from accidentally stumbling into the space." "The fence is necessary to keep prohibited users, like BMX, out." "The fence will prevent skateboards from flying out of the area."</i>
	EMERGENCY	For police-fire-medical assistance, call 9-1-1 or from a cellular phone: 831-471-1141 City of Capitola Police Department



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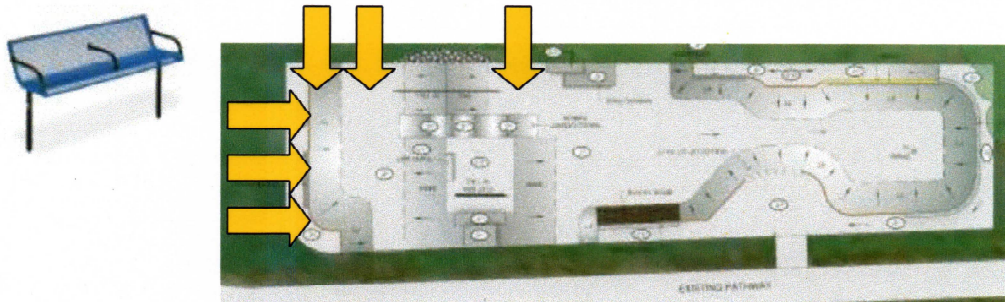
Attachment: Crime Prevention through Environmental Design Study (1466 : Monterey Avenue Skate Park)

6. Vegetation:

- For the non-skating areas within the fence, consider an alternative to grass, such as **bark**. This can deter abnormal users from lying on the ground and unlawfully watching children, and it will aid in animal waste removal, if the rules are violated.
- Any bushes shall follow CPTED guidelines and not exceed a mature height of 2-feet above grade.
- Tree canopies shall also follow CPTED guidelines and not fall below 6-feet above grade. If the east tree canopies cannot be raised, consider removing the trees.

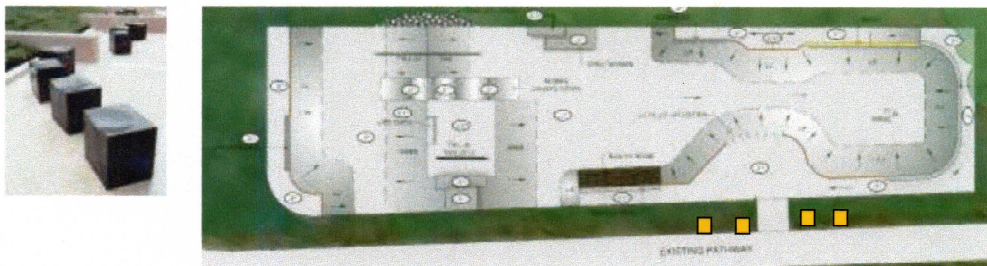
7. Benches:

- Consider **benches with a center arm-rest**. The benches can be an activity generator for authorized users that can aid in the enforcement of the rules. Having a center arm-rest can deter abnormal users from sleeping on the benches. Benches should be positioned in such a manner to maximize natural surveillance into the park and beyond to the parking lot. Authorized users should not have their backs to the parking lot so that they can assist in auto burglary deterrence.



8. Cube Seating:

- Consider **cube seating outside of the celebrated entrance**. This can aid in allowing parents or spectators to be near the park, at a safe distance (especially with a stroller). Cube seating allows authorized guests to sit and look toward a variety of directions, or allow them to maneuver a stroller away from the sun.



9. Shade / Activity Generator Support:

- Consider multiple **shading devices**, similar to sun sails, over authorized sitting locations (over benches and cube seating). The device should be high enough to not obstruct natural surveillance and should be inviting to promote positive activity in and around the space.



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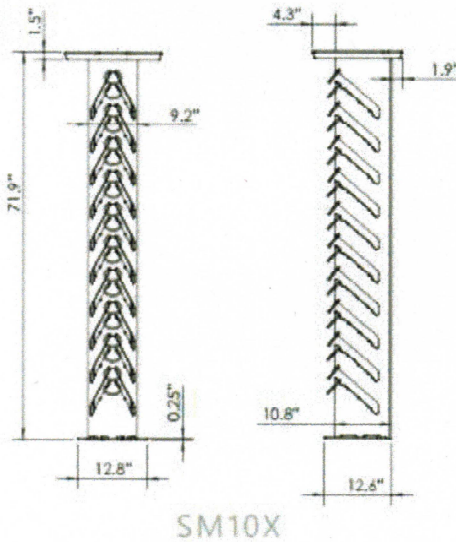
10. Bicycle Racks:

- **Install bicycle racks** outside of the celebrated entrance so that bicycles are ridden to the park and then left outside the fence. The ideal bike rack is the inverted-U design.



11. Skate Board Racks:

- To combat the theft of unattended skateboards, **install a skateboard locking device**, similar to the Park-A-Bike Surface Mounted Skatedeck. I further suggest that two 10-skateboard racks should be installed outside of the fenced celebrated entrance. A skateboarder would need to bring their own padlock.



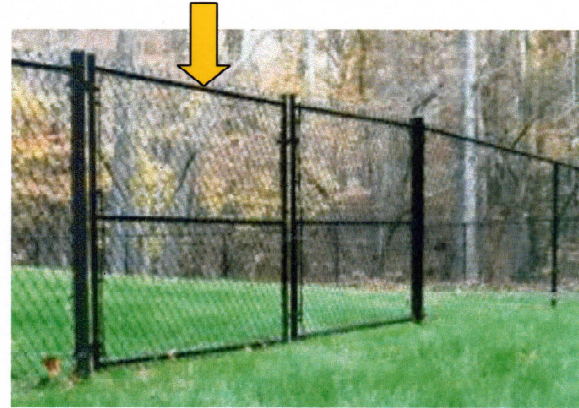
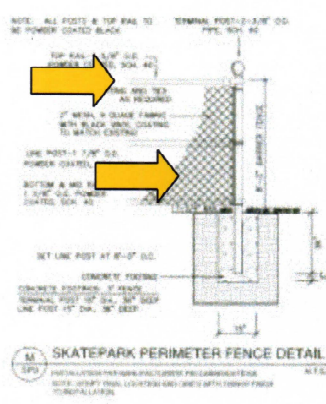
12. Trash Receptacles:

- **Provide a trash receptacle** that possesses natural surveillance, without a transcan insert. This can aid in detecting contraband or in locating personal property that was unattended, stolen, ransacked, and then discarded in the trash. Authorized users typically carry backpacks to the park and then place them on the ground while skating. Suspects can covertly take the backpacks away from the owner, rummage through them for valuables, and then discard the backpack in the trash. Below is an example of a semi-transparent/mesh receptacle which allows a view of its contents.



13. Fencing:

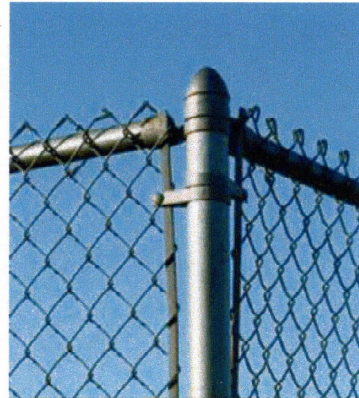
- Consider redesigning the proposed perimeter fencing. **Replace the chain-link with ornamental iron.** If a redesign is not approved, replace the top horizontal member with a cable; this can aid in deterring or delaying unauthorized climbing of the fence. Consider replacing the 2-inch mesh with a 1-inch mesh to further aid in unauthorized climbing.



An ornamental iron fence is shown below as an example. The top horizontal bar should not be flat, to accommodate unauthorized climbing. The top should have protrusions.



A chain-link fence with a top cable is shown below (preferred), versus a chain-link with horizontal tubular members (not recommended).



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14. Lighting:

- Eventhough no lighting is proposed for this design, I suggest pathways and conduit be installed for future lighting needs.
- Lighting shall comply with CPTED guidelines: pedestrian sale, white light source, full cut-off design.

15. Sound Wall:

- For the proposed 6-foot noise barriers identified via light-blue colored lines on the drawing below (and highlighted with light-blue arrows), investigate into a transparent material in order to maintain natural surveilance and to not create any areas of concealment. For continuous walls exceeding 25-feet, create a break in the wall for a path of egress or escape.



Transparency example



Fence Opening example



If a transparent noise wall is not selected due to necessary noise attenuation or design considerations, noise walls should be designed and located in such a manner that they do not obstruct visibility into the facility.

Based on my training and experience, I suggest you consider the following for Mechanical Security:

1. Access Control along the Skate Park fence:

- To provide access to the facility for police-fire-medical calls for service, as well as for City Maintenance related incidents. I suggest two chains and two padlocks (one City and one Fire, as further described below in the Organized Security section) be used as the means for access control.
- The chains should be permanently affixed to the fence gates so that they are not misplaced.



2. E911 Concerns:

- Although the intended users of the skate park will most likely possess cellular phones, law enforcement dispatchers have a difficult time obtaining the precise location of a cellular 911 call. **Consider an emergency phone**, without a dial pad, but with an emergency button that directly dials to the Capitola Police Department. The landline for the emergency phone will have a programmed location that will be shared with first responders. Consider an emergency phone similar to a Ramtel 926 RR733, that is distinctive in color (in safety yellow), and that is clearly marked (with side vertical script: Emergency).



3. Video Systems:

- Talk to City of Capitola employee Larry Laurent regarding the logistics for a city-managed video system around or near the skate park. Video systems should comply with chain-of-custody and District Attorney requirements. Even if a video system is not funded or decided upon, consider running any infrastructure (such as cat-5 cabling) during the construction, versus after construction.
- Remember that video systems are a recall tool and can only be monitored live if staffing is available.
- Dummy cameras should be avoided since they advertise a false sense of security.



4. Video Signage:

- If video cameras are installed, **post signage** that advertises: "Video Systems In Use." This will aid in deterring criminal behavior.

Based on my training and experience, I suggest you consider the following for Organized Security:

1. Capitola Police Response:

- The fence shall be secured via **metal chain and daisy-locked padlocks**. Since the City of Capitola Public Works Department and the City of Capitola Police Department possess a common key (#007), I suggest a padlock for this keyway be obtained for the skate park. Contact Sergeant Gonzalez for coordination.

2. Fire/Medical Response:

- Connecting to the chain and City padlock described above, I further suggest that a Fire padlock be daisy-chained to the pedestrian opening of the fence. According to Fire Marshal French, both fire districts possess a key to a **fire padlock** for the area. Contact Fire Marshal French for coordination.

3. Community Recruitment/Presence:

- As an activity generator, **install a water fountain** outside the celebrated entrance of the skate park. Consider a fountain that provides water for **both a human and canine**. Dog Walkers and trusted adults might visit the fountain and potentially aid in deterring criminal activity or assist in medical aid requests. An example is shown to the right:
- Consider limiting the Skate Park population by **prohibiting the use of bicycles**. Although skaters might collide with one another, the collision between a skater and bicyclist can be more severe.



CLOSING COMMENTS:

I hope this report has been helpful in addressing potential safety issues and has given you some direction for possibly improving the safety of this proposed skate park. I cannot guarantee that I can address all safety concerns that might occur. It is the intent of this architectural plan review to identify possible security deficiencies and make positive and viable suggestions to reduce the opportunity of criminal activities.

Importantly, although the suggestions made in this architectural plan review have been carefully evaluated and have been proven effective in the past, MacAdam Protection Strategies wishes to emphasize that these measures in no way guarantee that you will never become a victim of a crime. If implemented, these suggestions are intended to deter, delay, detect, or deny the potential criminal by making the effort and risk of victimizing the skate park greater than he/she is willing to accept. There is no guarantee, however, that someone will not take such risk.

If you have any questions about this report, please call me at 510-306-4218. You may also contact me via e-mail at: wade@macadam-protection-strategies.com. I will be happy to assist you however I can.

Wade MacAdam, CPD
Consultant / Advanced CPTED-Specialist
MacAdam Protection Strategies
www.macadam-protection-strategies.com

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STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: MARCH 31, 2016

SUBJECT: **Monterey Avenue Skate Park #15-068 APN: 036-151-01**

Design Permit, Conditional Use Permit, and consideration of an Environmental Impact Report for an approximately 6,000 square-foot skate park at Monterey Park.

The project is within the Coastal Zone and requires a Coastal Development Permit which is not appealable to the Coastal Commission.

Environmental Determination: Environmental Impact Report

Property Owner: City of Capitola

Applicants: Marie Martorella and Tricia Proctor

APPLICANT PROPOSAL

This is a privately initiated request for a Design Permit, Conditional Use Permit (CUP), and a Coastal Development Permit to allow construction and operation of an approximately 6,000 square-foot skateboard park at Monterey Park. Monterey Park is zoned PF-P (Public Facility – Park) and is designated as P/OS (Parks/Open Space) by the Capitola General Plan. The proposed skate park would be financed and constructed by the applicants pursuant to a right-of-entry agreement, which will be considered by the City Council at a future hearing.

BACKGROUND

Development of a public skate park in Capitola has been considered by City officials and residents on multiple occasions over the past several years. Many sites throughout the City have been considered for a skate park, but were rejected largely due to noise, traffic, parking, and community character concerns.

In 2011, the City Council held public hearings to discuss the possibility of developing a privately-funded 9,000 square-foot skate park in Monterey Park. The Council ultimately declined to proceed with the proposal, but indicated an interest in developing a smaller facility if the applicants would agree to fund the project. The applicants did not pursue a reduced project at that time.

In 2013, the City Council approved plans for a multi-use public park on McGregor Drive which includes a dog park, bike pump track, and an approximately 9,000 square-foot skate park. Construction of the park commenced in 2014, but was later delayed due to soil contamination issues which have since been resolved. Construction resumed in March 2016 and the park is expected to open by summer 2016.

During public hearings on the McGregor Park project, some residents expressed concerns that the proposed location was too remote and lacked adequate access for pedestrians, cyclists, and skateboarders. These concerns prompted the applicants to reinstate discussions of a more centrally located facility in Monterey Park.

On February 11, 2015, the City Council authorized a request by the applicants to allow submission of an application for an approximately 6,000 square-foot skate park in Monterey Park. Their application was subsequently submitted on April 17, 2015.

Following review of the application, the staff determined an Environmental Impact Report (EIR) was required pursuant to the California Environmental Quality Act (CEQA). A public scoping meeting was held on June 30, 2015 to solicit input from residents on the potential environmental effects of the project. A summary of comments received during the scoping meeting can be found in Appendix B of the EIR. The Draft EIR was circulated for public review and comment between November 18, 2015 and January 8, 2016. A copy of all public comments and staff responses is included in Section 4.0 of the Final EIR.

On July 22, 2015 the Architectural and Site Review Committee reviewed the application and provided recommendations for plan revisions and design considerations (Attachment 6).

DISCUSSION

The proposed skate park would be located along the southwestern boundary of Monterey Park near the New Brighton Middle School property line. Monterey Park is designated as an active park by the Capitola General Plan and features a multi-use grass play area used for baseball, softball, soccer, and informal recreation; an approximately six- to eight-foot wide walking path; a 26-space surface parking lot, a water fountain, benches, and landscaping. The park is separated from adjacent residences to the east and south by trees, bushes, and an approximately six-foot high wood fence. Surrounding land uses include single-family residences to the north, south, and east, and a middle school to the west. Other nearby land uses include St. Joseph's Catholic Church approximately 600-feet to the west and the Shorelife Community Church approximately 800-feet to the east. Multi-family residences are also located in the general project vicinity.

The proposed skate park would be constructed with poured-in-place concrete with edges finished in a metal coping. The facility consists of a concrete bowl with undulating slopes and a variety of challenge elements, including a quarter-pipe, curbs, ramps, railings, jump features, and a concrete deck. The facility would be enclosed with a six-foot wrought iron fence. The total footprint of the facility within the enclosed fenced area would be approximately 6,811 square-feet and the skate park would be approximately 6,028 square-feet. Construction is anticipated to take 6-8 weeks.

The skate park has been designed to serve beginner to intermediate riders generally in the 5-14 year age range, although it could be used by anyone over the age of five. It is estimated the facility could safely accommodate up to 25 skaters at any one time. No special events or competitions are included in this application. The facility would be subject to existing Municipal Code rules and regulations pertaining to public parks, skate parks, and noise.

General Plan and Zoning

Monterey Park is classified as an active park and has a land use designation of P/OS (Parks/Open Space) by the Capitola General Plan. General Plan Policy LU-13.13 calls for the City to "Develop Monterey Park as an active park site with neighborhood-serving recreational

facilities and amenities”. Development of a skate park is referenced in General Plan Policy LU-13.9 which states “Support and encourage the location of special use recreation facilities, such as organic community gardens, dog parks, and skate parks on available park or other public lands, where compatible with the existing and planned uses of surrounding properties”. The proposed skate park would be an active recreation facility consistent with the P/OS land use designation.

Monterey Park is zoned PF-P (Public Facility – Park). The purpose of the PF-P zone is to set aside areas for public parks, scenic easements, riparian corridors, beach areas and similar public use areas. The PF-P zone does not establish development standards for height, setbacks, parking, floor area ratio, or other standards typically applied to residential and commercial zoning districts.

CEQA

A draft EIR was prepared and circulated for a 52-day public review and comment period. The EIR found the project would result in significant environmental effects to/from noise, hazards/hazardous materials and biological resources. Mitigation measures have been incorporated into the EIR and project conditions which would reduce impacts to a less than significant level. Staff and the City Attorney reviewed all comments received and provided written responses which are included in the Final EIR.

Project Issues

Staff received numerous public comments which express a variety of concerns with the proposal. The following sections outline the primary topics of concern with a staff analysis of the issues.

Noise

The proposed skate park would introduce a new source of noise to the adjacent middle school campus and neighboring residents. Noise would be generated by skaters arriving and departing the skate park along neighboring streets, skateboards slapping and grinding on hard surfaces, and skate park users talking and occasionally shouting. Noise is reviewed for consistency with the City’s General Plan Safety and Noise Element (Noise Element), Noise Ordinance, and CEQA. Noise can also be an important consideration when evaluating community character issues.

The City contracted with Illingworth and Rodkin, Inc. to assess noise generated by the skate park and to evaluate the project for consistency with the Noise Element, Noise Ordinance, and CEQA. Their analysis, findings, and recommendations are documented in the *Monterey Avenue Skate Park Project Noise and Vibration Assessment* (September 2, 2015) and is included as Appendix C of the EIR. The noise assessment included measurements of existing ambient noise levels in and around the project site, a review and analysis of actual noise generated by other skate parks, and modeling predicted changes in noise levels resulting from the project.

The noise consultant applied a conservative approach to their analysis to ensure predicted project noise would not be understated. For example, the noise model used a worst-case scenario which assumed the skate park would be used at full capacity throughout an entire day, a scenario which is unlikely to occur with any regularity. The modeling also relied on actual noise measurements from larger skate parks which would be expected to produce higher noise levels than the proposed facility.

In addition, the study also includes an L_{max} analysis to account for maximum instantaneous noise events created by momentary grinding and slapping of skateboards and shouting. Noise

generation for common land uses is typically evaluated through daily and/or hourly average noise measurements, such as CNEL, L_{dn} , and/or L_{eq} standards. Although the L_{max} standard is generally only applied to uses which involve more impulsive, penetrating noise events such as a shooting range, it was used for this project to account for peak noise events and to provide a conservative evaluation. A brief description of noise standards evaluated in the study is provided below:

NOISE MEASUREMENT STANDARD	DESCRIPTION
CNEL (Community Noise Equivalent Level)	Average noise level during a 24-hour day, including a 5 decibel addition for evening hours (7-10 pm) and 10 decibel addition for night hours (10 pm – 7 am)
L_{dn} (Day/Night Noise Level)	Same as CNEL, except evening hour decibel addition not applied. Includes night addition of 10 decibels
L_{eq} (Equivalent Noise Level)	Average noise levels during a measurement period
L_{max} (Maximum Noise Level)	Maximum noise levels during a measurement period

Safety and Noise Element Consistency

The City’s Noise Element establishes compatibility guidelines for common land uses based on criteria developed by the State of California and published by the Office of Planning and Research. The guidelines set a “normally acceptable” noise level of 60 dBA CNEL/ L_{dn} for low density residential areas and 70 dBA CNEL/ L_{dn} for schools and neighborhood parks.

Assuming a worst-case scenario in which the proposed skate park operates at full capacity for the entire daily operation period, the L_{dn} noise level with the proposed skate park would be approximately 47 to 52 dBA L_{dn} at the School District offices and 47 dBA L_{dn} or less at nearby single-family residences on Orchid Avenue and the New Brighton Middle School classrooms. This is below the most-restrictive threshold used to evaluate noise impacts (60 dBA L_{dn}). CNEL noise levels attributable to skate park operations would be approximately 48 to 53 dBA CNEL at School District offices and 48 dBA CNEL or less at nearby single-family residences and classrooms, which are also substantially below the 60 dBA CNEL standard. Accordingly, noise generated by the proposed skate park would not exceed the most restrictive Noise Element standard of 60 dBA CNEL/ L_{dn} .

Noise Ordinance Consistency

The City’s Noise Ordinance provides standards for types of noise (leaf blowers, amplified music, etc.) and allowable hours of construction, but does not establish any quantitative noise thresholds. The skate park proposal does not include the use of amplified music, loudspeakers, or public address systems and construction activities would be limited in accordance with the Noise Ordinance. The project would therefore be consistent with the City Noise Ordinance.

CEQA Consistency

CEQA requires potential noise impacts be identified and avoided or mitigated, but does not establish any quantitative standards or thresholds. Consequently, the EIR applied the following thresholds of significance to determine if the project would result in a significant noise impact: 1) if the project would conflict with the Noise Element; 2) if the project would conflict with the Noise Ordinance; and 3) if the project would result in a 5 dBA increase in noise, as such an increase would be clearly perceptible by most persons.

As previously noted, the project would not conflict with the Noise Element or Noise Ordinance. However, the noise study concluded that skate park noise levels would exceed the arithmetic average L_{eq} by up to 7 dBA and the arithmetic average L_{max} by up to 5 dBA at the school district

Attachment: March 31, 2016, Planning Commission Staff Report (1466 : Monterey Avenue Skate Park)

offices and residences on Orchid Avenue; therefore, the project would result in a significant noise impact.

To reduce noise impacts to a less-than-significant level, mitigation in the form of six-foot high noise barriers at the north and south boundaries of the skate park would be required to reduce maximum instantaneous and hourly average noise levels by a minimum of 5 dBA at the school district offices and single-family residences at the west end of Orchid Avenue. Noise barriers would be constructed from materials such as one-inch thick wood fence boards, masonry block, concrete, or a transparent plexiglass material. Through the incorporation of noise barriers, noise impacts from the project would be reduced to a less-than-significant level as defined by CEQA.

Traffic and Parking

The City commissioned Kimley-Horn and Associates to evaluate traffic and parking impacts from the proposed skate park. Their analysis and findings are presented in a *Traffic Impact Study for Monterey Avenue Skate Park* (August 28, 2015) and can be found as Appendix D of the EIR. The study evaluated current traffic conditions along Monterey Avenue and the surrounding road network and developed trip generation rates based on available information from similar skate parks and professional judgment of the traffic engineer.

The traffic study concluded the project would result in eight new weekday PM peak hour trips and 11 new weekend peak hour trips. This additional traffic would not result in a noticeable change to traffic volumes along Monterey Avenue and would have no effect on existing Levels of Service (LOS). Accordingly, the project would not result in a significant direct traffic impact as defined by CEQA.

The project would, however, contribute four cumulative trips to a failing intersection at Kennedy Drive and Park Avenue which currently operates at an unacceptable LOS "E" during the weekday PM peak period. The Kennedy Drive/Park Avenue intersection was identified as a failing intersection in the General Plan Update EIR which includes a mitigation measure to install a future traffic signal to improve traffic flow to LOS "C". Therefore, a condition of approval is included to require the applicant to make a fair share contribution to fund the future installation of a traffic signal at this intersection.

Parking

Parking for Monterey Park users is provided by an existing 26-space public parking lot and on-street spaces along either side of Monterey Avenue. Based on the Kimley-Horn's parking analysis, six parking spaces would be needed to accommodate skate park users during peak use periods. The remaining 20 spaces would be available to serve baseball players, which would provide adequate capacity for 20 individual players if they each drove a separate vehicle to the park.

Community Character/Land Use Compatibility

Many residents have expressed concerns about the effect the proposed skate park would have on existing community character, citing issues with noise, traffic, parking, and aesthetics. Although the project would not result in any significant unmitigated CEQA impacts, it would introduce new sources of noise and traffic, an increased parking demand, and a new visual feature to Monterey Park which some may consider to be undesirable changes to existing community character.

As a designated active park site, Monterey Park accommodates existing recreational activities which produce noise, traffic, and parking demand. It is expected that any new or expanded

active park uses would likewise involve some additional nuisance impacts which may be objectionable to neighboring residents. Notwithstanding, it is staff's opinion that the proposed skate park would not result in a substantial degradation of the existing visual character of the area nor would it generate significant volumes of new traffic which would adversely affect safety of traffic flow along Monterey Avenue. The additional parking demand generated by the project is also not expected to substantially affect the availability of on-street parking along Monterey Avenue.

The expected increase in nuisance noise from skateboarding, however, could be considered a substantial community character issue. Although noise barriers would reduce noise below a level of CEQA significance, it is recognized that skateboarding activity will create audible noise which may be disturbing to neighboring residents and faculty and students at the school campus.

Active park uses often present land use compatibility issues with surrounding residential areas. Skate parks, basketball courts, tennis courts, swim clubs, and similar uses can all produce nuisance impacts which may be objectionable to neighbors. Conversely, there are also people who appreciate living near parks for ease of accessing recreational opportunities for themselves and their children.

The General Plan includes high level guidance on community character and land use compatibility issues, including policies to ensure new development is compatible with neighboring land uses and protects neighborhood character. The General Plan also includes policies which promote increased recreational opportunities in City parks and development of active park uses in Monterey Park. The community character issues are therefore highly subjective and reasonable people may have very different views on the project's compatibility. In this regard, the Planning Commission has broad discretion to determine whether the proposed skate park would be consistent with competing General Plan policies relating to community character, land use compatibility, and the provision of expanded recreational opportunities.

Design and Public Safety

Concerns have been raised that the proposed skate park location would not provide adequate visibility for neighbors and law enforcement officials which could lead to increased vandalism, unlawful activities, and skaters using the facility at night when the park is closed. In addition, some residents have expressed concern that errant softballs could be hit into the skate park creating a hazard for skaters.

To help evaluate the proposed design in light of public safety issues, the City contracted with MacAdam Protection Strategies to review the skate park plans and develop design and operational recommendations to enhance public safety. Their analysis and recommendations are documented in a Crime Prevention through Environmental Design (CPTED) report (Attachment 5). Community Development staff also worked closely with the Police Department to review the proposed design and the CPTED recommendations and suggest the following modifications **if the Planning Commission moves to approve the project:**

- **Modified Skate Park Location:** It is recommended that the skate park be moved closer to the existing parking lot to improve visibility and public safety. The proposed skate park location is substantially hidden behind a knoll, trees and school district buildings. Moving the facility closer to the parking lot would allow people using Monterey Avenue, neighboring residents, and the police to better observe activities within and around the skate park and improved visibility would deter users from committing unlawful activities.

Staff additionally recommends the skate park be sited in a manner which avoids trees impacts to the extent possible, particularly the two redwood trees. It should be noted that this option was evaluated by the EIR as Alternative 1 which was found to be the environmentally superior alternative because it would reduce significant noise impacts to residents along Orchid Avenue.

- **Security lighting:** It is recommended that security lighting be added to illuminate the skate park and the path leading to the facility. Security lighting should be restricted to low pressure bulbs affixed to downward casting fixtures to prevent light trespass onto adjacent properties.
- **Netting:** It is recommended that netting, or an equivalent design measure, be added to prevent errant softballs from entering the skate park and creating a hazard to skaters.
- **Noise Wall Design:** The noises study and EIR found that noise attenuation walls are necessary to reduce noise impacts to a less than significant level. It should be noted that the incorporation of noise barriers has the potential to increase non-CEQA management issues at the proposed skate park. Noise walls may increase the City's long term maintenance liability through the need to maintain the walls and potentially remove graffiti. Although a plexiglass material may improve visibility into the skate park, it would likely require additional maintenance. Therefore, staff suggests noise walls be constructed of wood or masonry materials.

In addition, and as noted in the CPTED study, best practice for skate parks is to site them in locations which maximize opportunities to view the facility from public vantage points. Accordingly, noise walls must be sited in a manner which achieves necessary sound attenuation while also preserving views into the skate park.

- **Double Pedestrian Gate:** It is recommended that the entrance to the facility be modified to a double pedestrian gate to facilitate emergency and medical access.
- **Benches:** It is recommended that benches and/or cube style seating be added to allow parents and spectators to comfortably sit outside the facility. This would encourage additional parental and resident monitoring to deter unauthorized activities.
- **Emergency Phone:** An emergency phone should be added near the facility to allow quick communication access in the event of an emergency.
- **Other Features:** Additional recommended design features include the addition of rules/regulations signage, skate board and bicycle racks, bark/wood ground cover in-lieu of turf, and trash receptacles.

Soil Contamination

A Phase I/Phase II Environmental Site Assessment (ESA) was performed by Weber, Hayes, & Associates to review the historical uses of Monterey Park and potential sources of contamination. Their assessment included soil testing which found the project site, like many areas in Santa Cruz County, has elevated levels of naturally occurring arsenic in the soil. Additionally, trace amounts of Dieldrin, a pesticide commonly used between 1950 and the early 1970's was discovered which slightly exceeds the leachable screening level, but does not exceed human health (ingestion) screening levels.

To mitigate potential impacts to/from hazardous materials, mitigation measures have been incorporated which requires preparation and implementation of a soil management plan approved by the County of Santa Cruz Department of Environmental Health and excavated soils to be capped or transported to an appropriate off-site disposal facility. The County of Santa Cruz has reviewed the ESA and has determined these mitigation measures are appropriate to address contaminated soils.

Biology

Some members of the public have expressed concerns regarding the loss of grassy open space at Monterey Park and resultant impacts to wildlife. Monterey Park supports non-native, ornamental turf grass and a variety of native and non-native tree species. The proposed skate park would displace approximately 6,800 square-feet of non-native turf, and depending on its chosen location, could result in the removal of up to six mature trees.

There are no documented records of federal, state, or locally listed sensitive plant or animal species in Monterey Park. The City does not have any regulations or policies which protect non-native vegetation, unless it provides habitat or wind protection for Monarch butterflies or other sensitive wildlife. Similarly, CEQA only protects non-native vegetation if it provides habitat or foraging areas for designated rare, threatened, or endangered species.

Although a variety of urban wildlife can be found in Monterey Park and surrounding neighborhoods, none of these species are considered rare or have any special protections. Moreover, these species are highly adaptive to urban settings and are unlikely to be significantly impacted by increased daytime park activity or the displacement of non-native turf. Raptors (hawks, falcons, and other birds of prey) use Monterey Park for foraging; however, the loss of approximately 6,800 square-feet of non-native turf would not represent a significant loss of feeding area for raptors which use large expanses of territory for foraging.

The skate park location proposed by the applicants would not impact any trees; however, the Planning Commission could require the facility to be shifted closer to the parking lot to improve visibility and public safety. Depending on the chosen location, it is possible that up to six mature trees could be affected, comprised of four non-native eucalyptus and two native California redwoods, neither of which is listed as a threatened or endangered species. If the skate park is approved and shifted to a location which requires tree removal, the project would be required to comply with the City's Community Tree and Forest Management Ordinance, including requirements for tree replacement.

Pursuant with the federal Migratory Bird Treaty Act, a mitigation measure has been incorporated to prohibit construction during the migratory bird nesting season between February 1 and August 15, unless a qualified biologist surveys the area and determines that no nesting birds are present.

Operating Rules and Regulations

The proposed skate park would be subject to existing City regulations, including Municipal Code section 12.54 which establishes rules and regulations for skate parks on public property. Notable rules and regulations include:

- Skaters must wear a properly fitted helmet;
- Skaters under the age of ten must be accompanied by a parent or adult guardian;
- The use of devices other than a skateboard or skates is prohibited;
- No food, beverages, glass, or other breakable items are allowed in the skate park;

- No additional obstacles may be placed in the skate park;
- Reckless behavior which could endanger other users is prohibited;
- Signage containing rules and regulations must be posted and maintained;
- Violators may be issued an infraction and fined;
- The City may immediately close the skate park for up to 72 hours in response to vandalism or graffiti.

In addition, the skate park would be subject to Municipal Code section 9.12 (Noise) and 12.40 (Park Regulations). Section 9.12 prohibits the use of loudspeakers, amplified music, and public address systems unless a special events permit is issued by the City. It also prohibits any loud, boisterous, irritating, or unusual noise between 8:00 am and 10:00 pm. Section 12.40 establishes that public parks shall be closed from sunset until 6:00 am. Because the skate park would involve noise generating activities, its hours of operation would be limited from 8:00 am to dusk under current code provisions. The Planning Commission may adopt additional rules, regulations, or restrictions as necessary to minimize impacts to neighboring land uses.

Park and Recreation Facility Issues

Several issues have been raised related to park facilities, including whether the City needs two skate parks located less than a mile apart; the lack of restrooms at Monterey Park; the desire for a comprehensive park and recreation master plan; increased maintenance costs; and the loss of open space area necessary to support a soccer field.

If the Planning Commission approves the project, staff's recommended project modification to shift the skate park location closer to the street will preserve the potential for a future soccer field. Nevertheless, the other park facility issues are primarily City policy and/or budget related issues which are not addressed by the City's General Plan, Zoning Code, or CEQA. The types of recreational facilities and amenities provided in City parks is a policy issue generally considered by the City Council.

The Planning Commission may consider these policy issues as part of their decision on the project, but they may also choose to base their decision solely on the project's consistency with the General Plan, Zoning Code, and CEQA as park facility policy issues will ultimately be decided by the City Council when they consider the request for a right-of-entry agreement.

CEQA

An Environmental Impact Report (EIR) has been prepared pursuant to the California Environmental Quality Act (CEQA). The Planning Commission must consider the EIR prior to making a decision, make CEQA findings, and adopt the Mitigation, Monitoring, and Reporting Program (MMRP) if they choose to approve the project.

RECOMMENDATION

Staff finds that the proposed skate park use would be consistent with the PF-P zoning district, the P/OS land use designation, applicable General Plan goals and policies, and that all environmental impacts can be mitigated below a level of significance pursuant to CEQA. Therefore, staff recommends the Planning Commission:

1. Adopt the attached Resolution Certifying the Environmental Impact Report and Adopting the Mitigation, Monitoring, and Reporting Program; and

2. Approve a Conditional Use Permit, Design Permit, and Coastal Development Permit to allow construction and operation of a modified project as described as Alternative 1 in the EIR subject to the following conditions and based upon the following findings:

CONDITIONS OF APPROVAL

1. The project approval consists of an approximately 6,000 square-foot skate park located in Monterey Park in the PF-P (Public Facility – Park) zoning district. Improvements consist of a skate park facility, fencing, noise attenuation walls, ADA improvements, and stormwater treatment. No special events or skateboarding competitions are authorized by this permit. The proposed project is approved as indicated on the plans reviewed and approved by the Planning Commission on March 31, 2016, except as modified through conditions imposed by the Planning Commission.
2. Consistent with EIR Alternative 1, the applicant shall submit revised plans which shift the skate park closer to the existing Monterey Park parking lot to improve visibility and public safety. The applicant shall be responsible for preparing and submitting revised plans for the relocated facility. The relocated facility should be designed to avoid impacts to trees to the maximum extent possible. If the ultimate location and orientation of the skate park presents any conflict with other existing park uses, the applicant shall prepare and submit plans which show how adjustments to the park layout could accommodate all uses to the satisfaction of the Community Development Director and Public Works Director. The applicant shall be responsible for any costs associated with design and construction of the skate park facility and any modifications to other park facilities which are necessary to accommodate the skate park.
3. The modified design shall include minimum six-foot high noise attenuation walls along the north and south boundaries of the skate park along the proposed fence line to reduce maximum instantaneous and hourly average noise levels by a minimum of five dBA at the Soquel Union Elementary School District Offices and single-family residences at the west end of Orchid Avenue. Noise barriers shall be constructed from materials having a minimum surface weight of 3 lbs/sf, such as one-inch thick wood fence boards, masonry block, or concrete, and be constructed in a manner free of any cracks or gaps between barrier materials and between the barrier and the ground. Alternately, suitable barrier materials such as Acoustifence by Acoustiblok or ¼-in. plexiglass could be attached to the proposed metal fence surrounding the skate park to provide an equivalent noise level reduction if approved by the Planning Commission or City Council. Proposed noise attenuation walls shall be reviewed by a qualified acoustician and approved by the Community Development Director.
4. The modified design shall include security lighting to softly illuminate the skate park and path leading to the facility. Security lighting shall be restricted to low pressure bulbs affixed to downward casting fixtures to prevent light trespass. Security lighting shall be reviewed and approved by the Community Development Director.
5. The modified design shall include two conspicuous rules and regulations signs to the satisfaction of the Public Works Director.
6. The modified design shall include a minimum of two benches and/or cube style seating outside the facility for parents and spectator use to the satisfaction of the Community Development and Public Works Directors.

7. The modified design shall include a skate board rack and a bicycle rack to the satisfaction of the Community Development and Public Works Directors.
8. The modified design shall include an emergency phone to the satisfaction of the Police Chief and Public Works Director.
9. The modified design shall include a double pedestrian gated entrance to the satisfaction of the Police Chief and Community Development Director.
10. The modified design shall include wood bark chips, or other non-turf/hardscape materials between the skate park and the fence to the satisfaction of the Community Development Director.
11. Prior to issuance of a building and/or grading permits, the applicant shall obtain a right-of-entry permit or equivalent form of permission from the City to construct improvements on public property.
12. Prior to issuance of a building permit or grading permit, all planning fees shall be paid in full.
13. Prior issuance of a building or grading permits, the applicant shall prepare and implement a Soil Management Report which requires all excavated soils to be removed with proper disposal and/or encapsulation to prevent exposure to contaminants found in the soil. The report shall be submitted to the Community Development Department and the County of Santa Cruz Department of Environmental Health. No grading shall occur until the report is approved by the County of Santa Cruz.
14. Prior to issuance of building or grading permits, the applicant shall prepare a Safety Plan to ensure that appropriate worker health and safety measures are in place during grading and construction activities. The plan shall be submitted to the Community Development Department and County of Santa Cruz Department of Environmental Health. No grading shall occur until the plan is approved by the County of Santa Cruz.
15. Prior to issuance of building or grading permits, the applicant shall post a bond, letter of credit, or other acceptable form of construction security to the satisfaction of the City Attorney and Public Works Director.
16. Prior to issuance of building or grading permits, the applicants shall be responsible for funding a detailed inspection by a qualified acoustician of wood fences on the rear property line along Orchid Avenue within 165 feet of the skate park to ensure fences are adequate to attenuate noise as predicted. If the acoustician finds defects in fences, the applicant shall be responsible for funding necessary repairs and/or replacement, and with permission of the property owner, to ensure an acoustically effective six-foot noise barrier.
17. Prior to issuance of building or grading permits, the applicant shall make a fair share contribution in the amount of \$1,507 for the installation of a future traffic signal at the Kennedy Drive/Park Avenue intersection. The City shall deposit the funds into an account designated solely for the installation of a future traffic signal.

18. Prior issuance of a building or grading permits, final building plans shall be submitted consistent with the plans and conditions approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
19. Prior issuance of a building or grading permits, conditions of approval and mitigation measures shall be conspicuously shown on the title sheet of building and grading plans and construction contract specifications.
20. Prior issuance of a building or grading permits, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
21. Prior issuance of a building or grading permits, the applicant shall submit a drainage plan, grading, sediment and erosion control plan to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
22. Prior issuance of a building or grading permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
23. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
24. Pursuant to the federal Migratory Bird Treaty Act, no construction shall occur between February 1 and August 15 unless the site is first surveyed by a qualified biologist who determines that no nesting birds are present.
25. During construction, all worker safety measures identified in a Safety Plan approved by the County of Santa Cruz shall be implemented and followed at all times.
26. Construction activities shall be limited to 8:00 a.m. to 5:00 p.m. on weekdays and 9:00 a.m. to 4:00 p.m. on Saturdays. No Sunday construction is allowed. No grading or use of heavy equipment shall take place when school is in session.
27. Any trees removed or damaged by the project shall be replaced within Monterey Park at a 2:1 ratio. If replacement trees cannot be accommodated within Monterey Park, as determined by the Community Development and Public Works Directors, the applicants may pay in-lieu fees in accordance with the City's Community Tree and Forest Management Ordinance.
28. Prior to issuance of a certificate of occupancy, the applicant shall fund an inspection by a qualified acoustician to verify the six-foot noise walls have been appropriately constructed to ensure effective noise attenuation.
29. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director.

30. Prior to issuance of a certificate of occupancy, any and all damage to the parking lot or other park facilities caused by construction activities shall be repaired per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall comply with Accessibility Standards.
31. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160

FINDINGS

- A. The proposed public skate park, subject to the conditions imposed, is consistent with the P/OS (Parks/Open Space) designation of the General Plan and the PF-P (Public Facility – Park) zoning district.
- B. The proposed public skate park would be consistent with the active park designation of Monterey Park and through incorporation of mitigation measures and conditions of approval, would maintain the character and integrity of the neighborhood.
- C. An Environmental Impact Report (EIR) has been prepared for the project in accordance with the California Environmental Quality Act (CEQA). CEQA findings are included in the Resolution Certifying the EIR and Adopting a Mitigation, Monitoring, and Reporting Program (Attachment 3).

ATTACHMENTS:

1. Monterey Avenue Skate Park Plans
2. Monterey Avenue Skate Park 3D Model
3. Resolution to Certify the EIR and Adopt the MMRP
4. Coastal Development Permit Findings
5. Crime Prevention through Environmental Design (CPTED) Study
6. Arch and Site Minutes 7.22.2015
7. Public Comments

Prepared By: Rich Grunow
Community Development Director



**FINAL MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, MARCH 31, 2016
6 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

**1. ROLL CALL
AND PLEDGE OF ALLEGIANCE**

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

There are no changes to the agenda, but staff noted the commission received numerous public comment correspondence items after packet distribution that are available for review.

B. Public Comments

None

C. Commission Comments

Commissioner Smith requested that parent supporters of the application indicate, if they wish, whether they would accompany their children to the park.

D. Staff Comments

None

3. PUBLIC HEARINGS

A. Monterey Avenue Skate Park #15-068 APN: 036-151-01

Design Permit, Conditional Use Permit, and consideration of an Environmental Impact Report for an approximately 6,000 square-foot skate park at Monterey Park.

The project is within the Coastal Zone and requires a Coastal Development Permit which is not appealable to the Coastal Commission.

Environmental Determination: Environmental Impact Report

Property Owner: City of Capitola

Applicants: Marie Martorella and Tricia Proctor

Chairperson Welch opened with a statement thanking the community for its participation and asked for respect of all speakers.

Commissioner Westman acknowledged that she lives next door to the applicants and based on a discussion with the city attorney she will participate in the decision.

Community Development Director Rich Grunow presented the staff report. He gave an overview of current uses by sports leagues and the adjacent middle school, and of neighboring land uses. He outlined the location and size of the proposed skate park, and noted it is designed to accommodate up to 25 beginner to intermediate skaters. He offered images from a request to recommend a different style of fencing to further deter access when the skate park is not open.

He walked through the EIR process, which identified potentially significant impacts of noise, of hazardous materials, and to biological resources. A noise study was conducted, including Lmax levels, which is not standard for most land use proposals. It concluded noise could be 5

to 7 decibels above recommended levels, so a mitigation condition of a six-foot noise wall was included in the EIR. Based on a traffic study which identified a failing intersection at Kennedy and Monterey, a condition requiring a fair-share contribution toward a future signal at that location is recommended. The parking study shows it is adequate for the additional use.

Director Grunow acknowledged the potential conflict with this application between General Plan goals of maintaining residential neighborhoods and expanding recreational opportunities. The policy question will be whether the use is compatible with the surrounding residences and middle school. The review process did not support concerns about visual degradation or increases in traffic and parking. Noise concerns are challenging and somewhat subjective. The other issue raised by the community is public safety. A crime prevention study resulted in suggested changes including moving the location closer to the street to improve visibility, security lighting, netting to catch softballs, solid noise barriers and earthen berms, better emergency access, an emergency phone and more spectator seating. These suggestions have been incorporated in the conditions.

There are elevated arsenic levels and a formerly used pesticide in the soil, so any disturbed soil will be capped and/or hauled off-site. Although comments expressed biological concerns, no threatened or endangered species are identified. Any removed trees will be replaced two to one according to code, and the City has regulations guiding skate parks.

Other concerns raised fall under City Council purview. These include whether there is a need for two skate parks, whether the City can afford ongoing maintenance costs, lack of restroom facilities, lack of comprehensive parks master plan, and loss of the chance to expand the soccer field. The adjacent school has concerns about impacts on its bathrooms, PE classes, and loss of shade.

Staff recommends approval of a modified project as identified as Alternative 1 in the EIR, which would place the skate park closer to the existing parking lot.

Commissioners deferred their questions until after public comments, and Chairperson Welch opened the public hearing.

Applicants Tricia Proctor and Marie Martorella spoke on behalf of the project. They noted they had previously submitted 240 letters of support and it is privately funded project. It incorporates changes from the draft EIR. They believe it will be a benefit to the community and a successful addition to the park. In response to public comments, the project does stay within the 6000K skateable area, and concerns about restrooms, boom box noise, and patrols are not issues for the EIR or included in the application. Representative from the design firm Dreamland and the Tony Hawk Foundation are also available to answer questions.

Commissioner Newman asked about whether the applicants would support the alternative location and was told they would move the feature but are not open to reducing the size.

Commissioner Smith confirmed that the project includes a stamped bank and asked about the netting. It is supported by used power poles and can be raised and lowered by a pulley system. They are common in multi-field ballparks.

Henry Castenada, superintendent of the Soquel Union Elementary School District, addressed concerns regarding student safety. He explained the school board did not wish to take action because the land is public property, but the district does not know what the noise impact will be on the middle school and the project's effect on programs. Harley Robertson, district facilities, expressed concern about lack of bathrooms that can result in park users coming onto the campus to use its facilities. He acknowledged these are not CEQA issues. He noted the district is responsible for student safety until a student returns home.

Lisa Steingrube, Friends of Monterey Park, opposed the application. She and her group do not believe it is appropriate because surrounding property owners are opposed to the size and do not feel their concerns regarding noise, traffic, and parking have been addressed. She also said the City has invested in a nearby skate park and ongoing maintenance costs fall to the City.

Richard Lippi, Protecting Our Public Parks, spoke on behalf of 60 households that oppose the project. He said the original concept of a skate park at Monterey Park, as expressed in 2010 by Councilman Dennis Norton, was a skate facility for young, beginner skaters of 2,000 to 4,000 square feet like the Fredrick Street Park in Santa Cruz. Mr. Lippi does not believe this application meets the directive of the 2012 City Council in size and softening of features. He also wants to preserve the trees that could be lost in the alternative location.

Brittney Barrios, local native and avid skater, spoke in support. She has found skating is a sport she can enjoy in spite of a heart condition and has personally experienced a supportive community in contrast to negative stereotypes.

Marilyn Warter, resident, did not oppose a small, beginner park but does not support the application as currently proposed. The impact on immediate neighbors should be considered.

Danielle Scott, Dreamland designer, has spent six years on the project. It complements a multi-use park. The bowl is open and visible, and the opportunity to have a park like this privately funded is unprecedented. In response to a question about the “age” level, she noted it is more appropriately described by skill, which is beginner to intermediate.

Jim Curly spoke in support of project. He built Monterey Park with Granite Construction and acknowledged it should have included bathrooms when built. He added that skateboards are often louder on sidewalks because they cause the click while most of a skate feature is smooth.

Dylan Williams and Jake spoke in support of the project, noting many other skate parks have homes nearby and a good walking location.

Karla Villareal, adjacent neighbor, parent, and teacher, spoke in opposition. It is too close to her home and she does not want it moved close to others. She has safety concerns about loitering.

Cynthia Rothmeier, parent and teacher, spoke in support. She feels the location is safe, and as a parent who accompanies children to skate parks, she noted it creates less traffic to have a local resource.

Penny Novak Disbrow spoke in support. She feels the studies support the project.

Micky Bocavich, Tony Hawk Foundation, said the nonprofit has helped create 500 skateboard parks across country. This project is fairly small and in a typical location. Its features complement the style of the McGregor skate park.

Brad Oaks, neighbor, spoke in support. He said skating is a growing sport and the City would be fortunate to have a world-class facility.

Terre Thomas, neighbor, opposes the application. She often walks dogs at Monterey and worries they will be frightened. She feels the McGregor park is adequate or the application should compromise with a smaller and softer proposal.

Joey Miller and Benjamin, Depot Hill residents, spoke in support. He is a parent who will skate with his child and says such parks build a positive community. As a probation officer, he does not feel it attracts a dangerous element.

Jessica Krause supports the project.

Sarah Fitzgerald said as a parent she does accompany kids and supports the park.

Noah Fox, adjacent neighbor and parent, spoke in support.

Shona McDongall, neighbor, spoke in opposition based on concern about negative outside influences.

Gabriel Garcia, neighbor, echoed his wife's concerns about outside influences and noise near the school.

Tim Piumarta, Cabrillo Host Lions Club, supports the project. He noted the group is currently working to get bathrooms built at Polo Grounds Park in Aptos and he will ask it to support bathrooms at Monterey.

Terry Champion, resident, spoke in support of local skateboarders' character and noted that as someone living next to another local park, parks are inherently noisy.

Neil P., resident, spoke in support of the project and noted when he lived near the Felt Street skate park he did not experience increased noise.

Kim Novak, resident and Tony Hawk Foundation, spoke to the benefits communities see when adding a skate park.

Cecelia Hall Novak spoke in support.

John Hunter spoke in support, saying skate parks are preferable to kids roaming neighborhoods to look for a place to skate.

David Stow, neighbor, opposes the project for noise and safety reasons.

Katherine Sweet, Soquel, supports the project.

Dan Steingrube, neighbor, opposes the project for noise concerns.

Helen Bryce, resident, opposes the project. She would like to see other active uses that emphasize nature and expressed concern that this use does not support opportunities for the disabled.

Elizabeth Russell, resident, challenged the EIR noise findings because she believes the park will be used during prohibited hours. She distributed information about a park in Vancouver, Canada, that had such a problem.

Cooper Wiens, student, spoke in support, saying he believes younger people will be aware of and avoid those who wish to cause problems.

Rich Novak, resident and donor of the project's costs, said he is pleased to support positive opportunities for kids, citing the example of the ball field Harry Hooper built when Novak was growing up in Capitola.

Andrew Collin spoke in support of the application. He countered earlier comments about the park not serving disabled populations, noting he personally knows a deaf skater, and both the blind and wheelchair users also use skate parks.

Chairperson Welch closed public comment and asked for the commission's questions.

Commissioner Ortiz asked about wiring for security cameras, which was suggested by not incorporated. Police Chief Rudy Escalante explained that the city currently has no cameras on public property. The cost, storage of video, and public records requests are concerns that need to be addressed and a policy established before implementing. Commissioner Smith asked the chief about safety concerns. He said visibility is key. When asked about how to address concerns about outside influences, he said the department would continue to partner with the community and respond to calls. Commissioner Westman noted that other communities have closed their skate parks temporarily when there has been an increase in loitering or vandalism and asked if that would be an option. Chief Escalante agreed it would be. He also supports the alternative fence design as a better deterrent to after-hours access. Chairperson Welch asked about balancing levels of security lighting but not enough to encourage night skating. Chief Escalante said directional security lighting is used in all City parks.

Commissioner Westman confirmed the alternative fence design would need to be added to the conditions.

Commissioner Ortiz asked if there was a different noise impact for second stories. Director Grunow said it is the same. Michael Well, consultant for the noise study, said it did review homes surrounding the park but outside the impact zone. He explained that indoors, noise is 15 decibels lower than what is heard outdoors with the windows open and 20 decibels lower when closed.

Commissioner Smith confirmed the proposed additional benches are outside the fence and asked what is required to hold an event. There is a permit process through the Police Department. She also asked whether the applicant has considered the recommended alternate location. Ms. Proctor said they have started a tentative drawing for the other location.

Commissioner Smith gave an overview of her approach and research ahead of this hearing, including reading all comments and visiting area skate parks. She praised ongoing community interest. She believes that skating, like surfing, is outgrowing a "bad" reputation and believes a strong community must support youth. She sees a need to define neighborhood and community parks in the zoning update. She does not want to put staff in the position of approving the changed location. She favors continuing the hearing and further discussion of security lighting and construction timing for biological resources. She would like to require a noise study after open hours, supports the alternative fence, and favors all smooth surfaces, requiring replacement trees in the park rather than in-lieu fees, and closing the skate park during school hours.

Commissioner Westman thanked participants for civility. She suspects the final decision will go to City Council, and the Planning Commission's task is to focus on land use decisions. She sees the need for a skate park and likes a younger, beginner option. She agrees there's a need for bathrooms, but that is a decision for City Council. She supports moving the application forward and would sacrifice the eucalyptus trees and replace them. She supports a follow up noise study and recommends changing the condition timing for one until the park is truly in use and add a condition for further sound mitigation as promised.

Commissioner Ortiz agrees with previous comments. She has always been an advocate for preserving neighborhood character, but said the middle school and churches on Monterey Avenue create a more active mix of uses. She also noted that Noble Gulch Park just down

the street also offers open space. As part of her research she looked at 2014 census figures and realized that 15 percent of the community population is age 14 and under. She would recommend that the City Council add bathrooms and garbage cans, and supports additional conditions including a revised review period and money for noise abatement, prohibit special events, closed during school hours, preserve redwood trees, establish a specific a number of benches and size, and assure irrigation of replacement trees.

Commissioner Newman complemented staff and the applicants on the reports and application. As chair of the recent General Plan advisory committee, he feels very comfortable that this project is consistent with the new General Plan. He would favor certifying the EIR independent of project approval but also supports the previously suggested additional conditions that would allow the project to move forward.

Chairperson Welch also thanked staff and the community. He is sensitive to the noise concerns, but research, visits to area parks, and his personal experience as a firefighter working and sleeping by a skate park led him to conclude that it is not likely to be an issue. He noted the Cliffwood Heights neighborhood has three parks with different characteristics: Monterey, Noble Gulch, and Cortez (Hidden). The neighborhood has long been popular with families with children. He also added the neighborhood around the park in Vancouver referenced by a speaker rallied to preserve the skate park.

Commissioners discussed the pros and cons of closing the park during school hours. While it may help with noise and concerns about loitering, it does not address differing school schedules or allow the youngest park users time without older skaters. They compromised by establishing a condition to review the use six months after the park has opened and reevaluate the impact and hours. They added this item to a list of additional conditions.

Commissioners also supported communicating to the City Council that they feel bathrooms should be constructed at the park and adequate garbage receptacles provided.

Motion: Certify the Environmental Impact Report and Mitigation Monitoring Reporting Program

RESULT:	CERTIFIED [UNANIMOUS]
MOVER:	Edward Newman, Commissioner
SECONDER:	Susan Westman, Commissioner
AYES:	Smith, Ortiz, Newman, Welch, Westman

Motion: Approve a Design Permit, Conditional Use Permit, and Coastal Development Permit with the following conditions and findings:

CONDITIONS OF APPROVAL

1. The project approval consists of an approximately 6,000 square-foot skate park located in Monterey Park in the PF-P (Public Facility – Park) zoning district. Improvements consist of a skate park facility, fencing, noise attenuation walls, ADA improvements, and stormwater treatment. No special events or skateboarding competitions are authorized by this permit. The proposed project is approved as indicated on the plans reviewed and approved by the Planning Commission on March 31, 2016, except as modified through conditions imposed by the Planning Commission.
2. Consistent with EIR Alternative 1, the applicant shall submit revised plans which shift the skate park closer to the existing Monterey Park parking lot to improve visibility and public safety. The applicant shall be responsible for preparing and submitting revised plans for

the relocated facility. The relocated facility should be designed to avoid impacts to trees to the maximum extent possible. If the ultimate location and orientation of the skate park presents any conflict with other existing park uses, the applicant shall prepare and submit plans which show how adjustments to the park layout could accommodate all uses to the satisfaction of the Community Development Director and Public Works Director. The applicant shall be responsible for any costs associated with design and construction of the skate park facility and any modifications to other park facilities which are necessary to accommodate the skate park.

3. The modified design shall include minimum six-foot high noise attenuation walls along the north and south boundaries of the skate park along the proposed fence line to reduce maximum instantaneous and hourly average noise levels by a minimum of five dBA at the Soquel Union Elementary School District Offices and single-family residences at the west end of Orchid Avenue. Noise barriers shall be constructed from materials having a minimum surface weight of 3 lbs/sf, such as one-inch thick wood fence boards, masonry block, or concrete, and be constructed in a manner free of any cracks or gaps between barrier materials and between the barrier and the ground. Alternately, suitable barrier materials such as Acoustifence by Acoustiblok or ¼-in. plexiglass could be attached to the proposed metal fence surrounding the skate park to provide an equivalent noise level reduction if approved by the Planning Commission or City Council. Proposed noise attenuation walls shall be reviewed by a qualified acoustician and approved by the Community Development Director.
4. The modified design shall include security lighting to softly illuminate the skate park and path leading to the facility. Security lighting shall be restricted to low pressure bulbs affixed to downward casting fixtures to prevent light trespass. Security lighting shall be reviewed and approved by the Community Development Director.
5. The modified design shall include two conspicuous rules and regulations signs to the satisfaction of the Public Works Director.
6. The modified design shall include ~~a minimum of two~~ sufficient benches and/or cube style seating outside the facility for parents and spectator use. The number of benches/seating shall be determined based on best practices for public park facilities and to the satisfaction of the Community Development and Public Works Directors.
7. The modified design shall include a skate board rack and a bicycle rack to the satisfaction of the Community Development and Public Works Directors.
8. The modified design shall include an emergency phone to the satisfaction of the Police Chief and Public Works Director.
9. The modified design shall include a double pedestrian gated entrance to the satisfaction of the Police Chief and Community Development Director.
10. The modified design shall include wood bark chips, or other non-turf/hardscape materials between the skate park and the fence to the satisfaction of the Community Development Director.
11. The modified design shall include a wrought-iron fence with a curved top to deter unauthorized entry when the facility is closed.
12. The skate park shall be sited to avoid impacts to mature redwood trees.

13. Prior to issuance of a Right-of-Entry Permit, the applicant shall execute a defense and indemnity agreement with the City to the City Attorney's satisfaction.
14. Prior to issuance of a building and/or grading permits, the applicant shall obtain a right-of-entry permit or equivalent form of permission from the City to construct improvements on public property.
15. Prior to issuance of a building permit or grading permit, all planning fees shall be paid in full.
16. Prior issuance of a building or grading permits, the applicant shall prepare and implement a Soil Management Report which requires all excavated soils to be removed with proper disposal and/or encapsulation to prevent exposure to contaminants found in the soil. The report shall be submitted to the Community Development Department and the County of Santa Cruz Department of Environmental Health. No grading shall occur until the report is approved by the County of Santa Cruz.
17. Prior to issuance of building or grading permits, the applicant shall prepare a Safety Plan to ensure that appropriate worker health and safety measures are in place during grading and construction activities. The plan shall be submitted to the Community Development Department and County of Santa Cruz Department of Environmental Health. No grading shall occur until the plan is approved by the County of Santa Cruz.
18. Prior to issuance of building or grading permits, the applicant shall post a bond, letter of credit, or other acceptable form of construction security to the satisfaction of the City Attorney and Public Works Director.
19. Prior to issuance of building or grading permits, the applicants shall be responsible for funding a detailed inspection by a qualified acoustician of wood fences on the rear property line along Orchid Avenue within 165 feet of the skate park to ensure fences are adequate to attenuate noise as predicted. If the acoustician finds defects in fences, the applicant shall be responsible for funding necessary repairs and/or replacement, and with permission of the property owner, to ensure an acoustically effective six-foot noise barrier.
20. Prior to issuance of building or grading permits, the applicant shall make a fair share contribution in the amount of \$1,507 for the installation of a future traffic signal at the Kennedy Drive/Park Avenue intersection. The City shall deposit the funds into an account designated solely for the installation of a future traffic signal.
21. Prior issuance of a building or grading permits, final building plans shall be submitted consistent with the plans and conditions approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
22. Prior issuance of a building or grading permits, conditions of approval and mitigation measures shall be conspicuously shown on the title sheet of building and grading plans and construction contract specifications.
23. Prior issuance of a building or grading permits, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.

24. Prior issuance of a building or grading permits, the applicant shall submit a drainage plan, grading, sediment and erosion control plan to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
25. Prior issuance of a building or grading permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
26. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
27. Pursuant to the federal Migratory Bird Treaty Act, no construction shall occur between February 1 and August 15 unless the site is first surveyed by a qualified biologist who determines that no nesting birds are present.
28. During construction, all worker safety measures identified in a Safety Plan approved by the County of Santa Cruz shall be implemented and followed at all times.
29. Construction activities shall be limited to 8:00 a.m. to 5:00 p.m. on weekdays and 9:00 a.m. to 4:00 p.m. on Saturdays. No Sunday construction is allowed. No grading or use of heavy equipment shall take place when school is in session.
30. Any trees removed or damaged by the project shall be replaced within Monterey Park at a 2:1 ratio. All replacement trees shall be irrigated until trees have become successfully established. ~~If replacement trees cannot be accommodated within Monterey Park, as determined by the Community Development and Public Works Directors, the applicants may pay in-lieu fees in accordance with the City's Community Tree and Forest Management Ordinance.~~
31. Prior to issuance of a certificate of occupancy, the applicant shall fund an inspection by a qualified acoustician to verify the six-foot noise walls have been appropriately constructed to ensure effective noise attenuation.
32. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director.
33. Prior to issuance of a certificate of occupancy, any and all damage to the parking lot or other park facilities caused by construction activities shall be repaired per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall comply with Accessibility Standards.
34. Prior to issuance of a certificate of occupancy, the applicant shall post a bond, letter of credit, or alternative form of financial security to the satisfaction of the Community Development Director to fund a post-operation noise study to be conducted approximately six months following the opening of the skate park and to pay for any remedial measures necessary to achieve acceptable noise attenuation. Noise attenuation shall be considered acceptable if post-operation noise is less than 5 dB(A) from pre-operation measurements.

35. This permit shall be reviewed by the Planning Commission approximately six months following the opening of the skate park to evaluate the effectiveness of conditions and to determine if any changes or new conditions are necessary to minimize impacts to neighboring properties.
36. No special events permits shall be issued to authorize competitions or other events at the facility.
37. The City Council, on recommendation from the Planning Commission, may revoke the Conditional Use Permit for evidence of repeated non-compliance with the conditions of approval.
38. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160

FINDINGS

- A. The proposed public skate park, subject to the conditions imposed, is consistent with the P/OS (Parks/Open Space) designation of the General Plan and the PF-P (Public Facility – Park) zoning district.
- B. The proposed public skate park would be consistent with the active park designation of Monterey Park and through incorporation of mitigation measures and conditions of approval, would maintain the character and integrity of the neighborhood.
- C. An Environmental Impact Report (EIR) has been prepared for the project in accordance with the California Environmental Quality Act (CEQA). CEQA findings are included in the Resolution Certifying the EIR and Adopting a Mitigation, Monitoring, and Reporting Program.

COASTAL FINDINGS

D. Findings Required. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:

- The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090 (D) are as follows:

(D) (2) Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D) (2) (a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with

the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.

(D) (2) (a) Project Effects on Demand for Access and Recreation. *Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative build-out. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;*

- The proposed project is located in Monterey Park at 700 Monterey Avenue. Monterey Park is not located in an area with coastal access. The proposed skate park would not have an effect on public trails or beach access.

(D) (2) (b) Shoreline Processes. *Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;*

- The proposed project is located in Monterey Park at 700 Monterey Avenue. No portion of the project is located along the shoreline or beach.

(D) (2) (c) Historic Public Use. *Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the*

potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);

- The project site is a City-owned active park which is open to the public. The City of Capitola is responsible for park maintenance. There is no history of the City to prohibit or restrict public access to the park.

(D) (2) (d) Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;

- The proposed project is located in Monterey Park at 700 Monterey Avenue. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

(D) (2) (e) Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.

- The proposed project is located on public property which is approximately 1,400 feet north of the coast. There are no direct access paths (aside from public streets) between Monterey Park and the coast. The proposed skate park would not diminish public access to the coast or adversely alter the aesthetic, visual or recreational value of public use areas.

(D) (3) (a – c) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F) (2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:

a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;

b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;

c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an access way on the subject land.

- The project is not requesting a Public Access Exception, therefore these findings do not apply

(D) (4) (a – f) Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:

a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;

- The project is located in an existing public park. There are no sensitive habitat areas on the property.

b. Topographic constraints of the development site;

- Monterey Park is a generally flat lot with no steep slopes.

c. Recreational needs of the public;

- The project would increase the public's access to recreational opportunities by adding a new skate park to an existing public park.

d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;

e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;

f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.

(D) (5) Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);

- No legal documents to ensure public access rights are required for the proposed project

(D) (6) Project complies with visitor-serving and recreational use policies;

SEC. 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- The project involves a recreational use on City-owned property used as an active public park.

SEC. 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

- The project involves a recreational use in a developed City-owned park. The project would not adversely affect any coastal recreational uses.

c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

- The project involves a recreational use in a developed City-owned park which would be available to visitors.

(D) (7) Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;

- The project would provide adequate on-site parking and would not result in any significant direct traffic impacts. The project is conditioned to make a fair share contribution to a future traffic signal at Kennedy Drive/Park Avenue as required by the General Plan Update EIR.

(D) (8) Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;

- The project complies with standards established by the Municipal Code.

(D) (9) Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;

- The coastline is not visible from the project site.

(D) (10) Demonstrated availability and adequacy of water and sewer services;

- The project is located in a developed City-owned park which has water services and has access to wastewater infrastructure to service a future restroom.

(D) (11) Provisions of minimum water flow rates and fire response times;

- The project is located within close proximity of the Central Fire District. Water is available at the location.

(D) (12) Project complies with water and energy conservation standards;

- The project would require minimal water and energy.

(D) (13) Provision of park dedication, school impact, and other fees as may be required;

- The project would not impact the provision of park and recreation services and it does not involve new housing which would generate an increased demand for school facilities.

(D) (14) Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;

- The project does not involve a condo conversion or mobile homes.

(D) (15) Project complies with natural resource, habitat, and archaeological protection policies;

- The project site is a developed City-owned park. No sensitive biological and archaeological resources exist on the project site.

(D) (16) Project complies with Monarch butterfly habitat protection policies;

- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.

(D) (17) Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;

- The project meets federal, state, and local requirements for drainage, stormwater management, and erosion control.

(D) (18) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;

- The project does not involve the development of new habitable structures and does not propose to locate facilities near a coastal bluff or other geologic hazard area.

(D) (19) All other geological, flood and fire hazards are accounted for and mitigated in the project design;

- The project is not located in a flood zone or a high fire risk area.

(D) (20) Project complies with shoreline structure policies;

- The proposed project is not located along a shoreline.

(D) (21) The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;

- This use is an allowed use consistent with the Public Facility – Park (PF/P) zoning district.

(D) (22) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures;

- The project conforms to the requirements of all city ordinances, zoning requirements and project development review and development procedures.

(D) (23) Project complies with the Capitola parking permit program as follows:

- The project would not rely on the City's parking permit program.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Edward Newman, Commissioner
SECONDER:	Susan Westman, Commissioner
AYES:	Smith, Ortiz, Newman, Welch, Westman

5. DIRECTOR'S REPORT

None

6. COMMISSION COMMUNICATIONS

None

7. ADJOURNMENT

Approved by the Planning Commission at the May 5, 2016, meeting.

 Linda Fridy, Minutes Clerk

Architectural and Site Committee

July 22, 2015

700 Monterey Avenue proposed Skateboard Park

Brian Van Son, Chief Building Official:

All walls retaining 4 feet or more of soil require engineering.

Project must comply with accessibility standards both federal and state for parking lot and access to park.

A guard rail may be required improvements above 30 inches in height from final grade.

Moving 10 or more cubic yards of dirt will require a separate grading permit.

Craig Waltz, Landscape Designer:

Fence could be set outside the limit of skate improvements to create area for parents to watch. Could put grass and/or benches in this area.

The design could be mirrored onto itself to make the bowl more visible to the street.

Materials are good.

Place the street skating features closer to street as they can produce more noise.

Carolyn Swift, Historian:

There were buildings on this site for Camp McQuade up until WWII, but the property has since been redeveloped and it is unlikely that the project would have any effect on historic resources

Steve Jesberg, Public Works:

Storm Water Requirements

1. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).

2. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.

3. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID). (Disconnect direct discharge of drainage).

4. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan. Erosion and sediment control shall be maintained throughout the duration of the construction project.

5. Grading and all construction must be occur only on park property.

Public Comment

Terry Tetter

- Reviewed goal of arch and site committee. Proposed park not in line with goal.
- Vandalism and spray paint at Derby Skate park. Many older skaters use Derby park.
- Skate park use would disrupt classroom and school activities

Richard Lippi

- Closest resident.
- Neighbors have not had a voice in project.
- Formed Protecting Our Public Parks (POPP) to protect and enhance public parks for the enjoyment of all citizens
- Experience in business management and development
- Master Plan absent for public Parks to consider all possible park uses
- Wrong location for a skate park. There are better uses that could go at Monterey Park. The proposed skate park location is the last vestige of unused space in Monterey Park.
- 3-D model is deceptive because surrounding images are not in 3D.
- Request that stakes are placed on the corners of the park.
- Questioned City noticing procedures

Elisabeth Russell

- Arch and Site: Encourage the most appropriate development. Emphasis on “most”
- Reviewed details of submitted GIS images and history of soccer use at Monterey Park.

- Discussed requirements for a legal sized soccer field. Monterey Park is the only public park that can meet the size requirements. City should consider all uses.
- A community meeting is needed to better engage residents. Process to date has lacked transparency.

Lisa Steingrube

- 95% of neighbors against size of skate park
- Residents need to be heard.
- Proposal to close to residential.
- Noise is #1 issue
- Parking and traffic issues
- Bicycle lane on Monterey will add to the parking issue.
- Aesthetics
- City does not need 2 skate parks in such close proximity

Helen Bryce

- Skate park not appropriate for residential neighborhood
- Open space will be converted to pavement. Need for green space
- Already building a skate park at McGregor
- Scenic vista
- Fence is ugly
- Damage to trees
- Loitering, school children, graffiti, after hour activity, noise from music
- Impacts to wildlife and birds who use the property
- Need to consider construction impacts
- Skate park would negatively impact school
- Traffic and parking will be impacted
- Noise from skaters travelling to/from the park will create additional noise along Monterey
- Cost of maintenance and police
- Groundwater and underground stream impacts should be studied
- State Law for children under 14.
- Drainage

Staff Responses to Wittwer/Parkin Appeal Letter

1. City Council must independently certify the EIR regardless of the appeal because the City Council must approve a right-of-entry agreement

RESPONSE: It is agreed that the City Council must certify the EIR because the project has been appealed and as a result, the Planning Commission's previous certification has been vacated.

2. The City Council should deny the project because the EIR objectives are fulfilled by a larger skate park (McGregor) which is located less than a mile away.

RESPONSE: The City Council has the policy discretion to approve or deny the project for a variety of reasons; however, staff disagrees that the City Council is obligated to deny the project merely because another skate park facility is located within a mile.

Furthermore, one of the applicant's project objectives in the EIR is to "develop an approximate 6,000 square-foot public skate park in Capitola that is *centrally located and easily accessible to children, teens, and young adults*" (emphasis added). The McGregor skate park is located at the easternmost edge of the City and therefore does not satisfy the applicant's objective to develop a centrally located facility.

3. The EIR lacks reasonable range of feasible project alternatives

RESPONSE: The EIR included four project alternatives, including the "no project" alternative. Pursuant to CEQA, the lead agency must consider a reasonable range of alternatives applying the rule of reason:

An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553 and Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 376).

As described in the EIR, the City considered the "no project" alternative, a modified location alternative, a reduced project alternative, and an off-site alternative at another City-owned park in the Cliffwood Heights neighborhood. City staff believes these four selected alternatives provides a reasonable range of alternatives as required by CEQA.

3(a) Alternative 1 is not an environmentally superior alternative because the EIR concluded that the alternative could potentially reduce significant noise and biological impacts.

RESPONSE: The Draft EIR (pages 2-2 and 5-13) states that Alternative 1 would reduce in severity noise impacts and potential biological impacts to nesting birds and would best meet project objectives.

Analysis of the revised project, which implements Alternative 1, shows that the project would in fact avoid significant noise impacts to residences along Orchid Avenue and depending on its ultimate location, may not require the removal of trees. As shown on the revised site layouts, both options 1 and 2 would avoid significant noise impacts to residents along Orchid Avenue, consistent with the analysis in the draft EIR. Option 2 would also not require the removal of any mature trees used by nesting birds. Although option 1 would require removal of mature trees, it would require removal of less than the 8 trees evaluated for removal in the draft EIR. Accordingly, Alternative 1 reduces a previously identified significant noise impact and is therefore correctly characterized as the environmentally superior alternative.

3(b) Additional privately-owned sites should have been evaluated under the EIR alternatives, including the Capitola Mall or other commercially zoned properties because lack of development rights does not preclude site consideration and Community Commercial zone allows commercial entertainment establishments such as theaters, bowling alleys, billiard and pool parlors, dancehalls and skating rinks, and amusement centers”

RESPONSE: The commenter is incorrect that a skate park facility fits within the Community Commercial zone district. The proposed skate park would be open to the public free of charge and therefore would not be a commercial entertainment establishment. Moreover, the listed types of commercial entertainment establishments are all indoor facilities, unlike the skate park which would be an open air, outdoor facility. Indoor commercial entertainment uses are conditionally compatible in commercially zoned properties. Outdoor park and recreation facilities are not listed as either a principally or conditionally permitted use in the Community Commercial zone.

Additionally, CEQA § 15126.6(f) provides for a rule of reason:

The range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen an of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basin objectives of the project.

CEQA §15126.6(f)(1) outlines the factors that may be considered to determine the feasibility of alternatives, including whether a project proponent can reasonably acquire, control or otherwise have access to an alternative site:

Feasibility. Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives. (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553; see Save Our Residential Environment v. City of West Hollywood (1992) 9 Cal.App.4th 1745, 1753, fn. 1).

CEQA is concerned with concrete alternatives that will actually provide an alternative means of carrying out the project; it is not concerned with unrealistic, hypothetical alternatives. An EIR need not consider an alternative whose implementation is remote and speculative because unrealistic alternatives do not contribute to a useful analysis. § 15126.6(f)(3).

In this case, the project proponents do not own and cannot reasonably acquire, control, or access the Capitola Mall property as suggested by the commenter. The property is also not zoned to permit recreational uses; therefore, this alternative was considered infeasible and unreasonable and not evaluated in the EIR. Alternative sites owned by the City and zoned for recreational uses were considered because the City Council could authorize development of a public skate park on City-owned properties zoned for active park uses.

4. EIR should have been recirculated because significant new information was added

RESPONSE: A lead agency is required to recirculate an EIR when significant new information is added to the EIR after the draft EIR is circulated. CEQA § 15088.5(a) provides that new information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project’s proponents have declined to implement. Staff disagrees that significant new information was added to the EIR. New information added to the Final EIR (as outlined in chapter 3.0) merely clarified details included in the public review Draft EIR and did not identify any substantial adverse environmental effect of the project. Specifically:

- The addition of a 2-foot retaining wall along the southern site boundary is a minor modification to previously described grading. The retaining wall would be a low-profile feature and would not create any new or more severe environmental impacts.
- The draft EIR noted the inclusion of a bioswale to treat stormwater. The Final EIR clarified the exact location and design of the bioswale. The bioswale would be located in an existing developed park which is landscaped with non-native turf grass. The bioswale would not result in any new or more severe environmental impacts.
- The inclusion of square-footage breakdowns of various skate park components simply clarified information that was shown on the plans circulated with the draft EIR. The size and features of the proposed skate park facility did not change; the information was merely presented in a simplified, more user-friendly format.
- Removal of the rock slant bank feature did not alter the size or nature of the facility. The rock slant bank was not a mitigation measure or a feature intended or needed to reduce any environmental effect. Removal of this feature therefore does not result in any new or more severe impacts.

These changes do not present a “shifting description of the project,” but instead clarify details of the project consistent with the information presented for public review in the draft EIR.

5. Improper deferral of analysis of environmental impacts through an unstable project description including imprecise project boundaries, uncertain tree removal, and unspecified replacement tree locations

RESPONSE: Staff disagrees that the environmental analysis has been improperly deferred. Alternative 1 provided a modified on-site location which would reduce significant noise impacts to residents on Orchid Avenue. As described in the EIR, the proposed skate park under Alternative 1 would be the same

size, include the same features, and be located on the same existing active recreational park property as the proposed project. As described in the EIR, Alternative 1 is considered the environmentally superior alternative and would not result in any new or more severe impacts than the proposed project. CEQA does not prevent a lead agency from modifying a proposed project in a manner which reduces impacts.

The EIR also evaluated biological impacts resulting from tree removal and concluded that no significant impacts would occur because 1) the trees are not designated as rare, threatened, or endangered tree species; 2) the trees are not a constituent of a protected native habitat; and 3) the trees and its non-native turf grass habitat do not support any designated rare, threatened, or endangered animals.

The EIR identified a potential environmental impact from tree removal would be to nesting birds protected under the federal Migratory Bird Treaty Act. The EIR appropriately includes a mitigation measure to ensure tree removal and/or construction activities to avoid impacts to nesting birds.

The EIR also evaluated visual impacts resulting from tree removal and found that impacts would be less than significant because the trees are not designated as Heritage Trees under the City's Community Tree and Forest Protection Ordinance, are not located in a designated visual corridor, and are not visually distinctive from other mature tree specimens in the City.

The location of replacement trees would similarly not result in any significant environmental impacts. As noted in the EIR, the property does not support any protected habitat which would be displaced by planting replacement trees and the introduction of replacement trees within an existing park would not create a significant visual impact. There are no other reasonable foreseeable environmental effects which could be created by planting replacement trees in Monterey Park.

6. City failed to adequately respond to comments on the EIR because the EIR includes responses that illegal nighttime use of the skate park is not an environmental issue and because impacts from temporary special events was not evaluated.

RESPONSE: Staff disagrees that the EIR failed to adequately respond to comments submitted on the draft EIR. CEQA requires an analysis of the reasonable foreseeable environmental effects caused by a proposed project. It does not require an analysis of speculative impacts. In this case, comments were received from individuals who speculated that the proposed skate park would be illegally used at night when the skate park is closed. As noted in the responses to comments, the skate park would be secured by a 6-foot wrought iron fence and a locked gate and would be monitored and patrolled. It is speculative to assume that the skate park would be subject to regular, recurring illegal use by multiple violators when the facility is closed, locked, and monitored by police, passers-by, and neighbors. Accordingly, staff does not believe it is reasonably foreseeable that illegal trespassing and nighttime use would become a common, ongoing circumstance resulting in a significant noise impact.

As noted in the EIR project description, the project does not propose any special events or competitions. The environmental effects of speculative special events with an unknown scope or duration which could occur in Monterey Park with or without the skate park were therefore not evaluated in the EIR. In addition, the Planning Commission added a permit condition to prohibit any special events or skating competitions in the proposed skate park. Therefore, it would be inappropriate to evaluate the environmental effects of prohibited special events.

Staff Responses to POPP (Richard Lippi) Appeal Letter

1. **The revised proximity of the skatepark to my residence was NOT discussed at the meeting. I should have been given advanced notice of anything that would bring the proposed skatepark closer than 63 feet from my sleeping quarters as was the advertised design layout. Worse yet, no one knew after the March 31, 2016 meeting where the relocated skatepark would end up.**

RESPONSE: Staff disagrees that there was no advance notice of where the relocated skate park could be located. The EIR included an analysis of a Revised Onsite Location Alternative (Alternative 1). Alternative 1 would relocate the proposed skate park north of the currently proposed location to reduce identified significant noise impacts to residents on Orchid Avenue and to improve visibility and public safety. Additionally, page 5-10, second paragraph of the EIR describes the revised onsite location and states *"If the facility were moved north to the edge of the existing parking lot in its current configuration, the skate park would be closer to the school district office and residence than currently proposed"*.

The ultimate location of the skate park would be determined by the City Council, and as described in the EIR, could be located closer, further, or at the same distance from the school district property.

2. **The revised location of the proposed skatepark was NOT laid out prior to the PC meeting so the general public could not offer feedback on that location. In fact, the layout for the proposed skatepark was staked out on-or-about November 20, 2015 at the south end of Monterey Park and that staking remained in place until April 5, 2016. I request that a staked layout be provided the general public for at least 30 days prior to a public meeting. I also request that open netting be installed indicating the location and finished height of the wrought iron fencing. Where the sound barriers will be there should be solid material so the general public can assess sound attenuation and visual access. This netting and solid material is also critical for the users of the park so they can "feel" the loss of space in Monterey Park.**

RESPONSE: The commenter is correct that the alternative location was not staked prior to the Planning Commission hearing. Possible alternative locations shall be marked in advance of the City Council meeting to allow interested members of the public to see the sites. As a matter of practice, the City does not require installation of story poles or netting for low profile structures, fences, or walls. Accordingly, staff does not intend to install netting as requested.

3. **The 80 foot wide x 100 foot long x 115 high eucalyptus grove of shade trees was to be protected and preserved. The sudden and unexpected relocation of the skatepark gave rise to the complete elimination of the eucalyptus trees which was NOT submitted by the applicant in their drawings or specifications. Here's what is very wrong about that:**
- a. **Staff is supposed to be impartial about this project. Why are they recommending a relocation of the project that would cause the removal of the**

- only usable shade trees at Monterey Park when the applicant did not request that in their drawings or specifications?
- b. The EIR certainly did not address the environmental impact of removing the eucalyptus trees as noted in items # 14 and # 15 of the Wittwer/Parkin letter of January 8, 2016.
 - c. The EIR did not address the environmental impact of removing the large grove of eucalyptus trees with respect to:
 - i. Increased watering needs for the lawn area left unprotected from the sun;
 - ii. Loss of hunting perches for the birds of prey;
 - iii. Loss of the visual beauty,
 - iv. Loss of life-giving oxygen offered by the large canopy
 - d. There was NO landscape drawing offered for the relocated skatepark. How many trees would be planted in the place of the eucalyptus grove and how will new trees ever replace the shade that was provided for the majority of the baseball field?

RESPONSE: As described in the Planning Commission staff report and during the Planning Commission hearing, staff recommended the skate park be relocated closer to the existing parking lot to improve visibility and public safety. Staff disagrees that the EIR did not address the environmental impacts of removing eucalyptus trees. Pages 21-23 of the Initial Study includes an analysis of the project's effects on biological resources including impacts resulting from tree removal. As indicated in the Initial Study, removal of up to 8 mature trees is not considered significant from a CEQA perspective because 1) Monterey Park is a fully developed active park site located in an urban setting; 2) Monterey Park does not support any known special status species or sensitive habitats; 3) Monterey Park is not mapped as being located within or adjacent to a riparian habitat, monarch butterfly habitat, or other Environmentally Sensitive Habitat Area; 4) the trees are not designated as Heritage Trees under the City's Community Tree and Forest Protection Ordinance; and 5) removal of any trees would require replacement trees at a 2:1 ratio in accordance with the City's Community Tree and Forest Protection Ordinance.

The EIR also evaluated potential impacts to nesting birds protected under the federal Migratory Bird Treaty Act and included the following mitigation measure:

IS-BIO-1: Disturbance to Nesting Birds. If construction or tree removal is scheduled to begin between February and August, require that a pre-construction nesting survey be conducted by a qualified wildlife biologist to determine if migratory birds are nesting in the trees adjacent to the project site. If nesting birds are found, schedule construction to begin after fledging of young is completed (usually by August) or after a qualified biologist has determined that the nest is no longer in use or unless a suitable construction zone buffer can be identified by a qualified biologist.

The Final EIR (page 4-9) also considers impacts to raptors and other birds of prey who could use trees for foraging. As described in the EIR, the loss of non-native turf grass and trees in Monterey Park would not have a significant effect for raptors because these species forage over wide expanses of territory. The displacement of non-native turf and trees would therefore not substantially reduce habitat or cause bird populations to drop below self-sustaining levels.

The Initial Study (pages 14-16) also evaluated the potential aesthetic/visual impacts resulting from tree removal. The EIR concludes that tree removal would not result in a significant visual impact because: 1) Monterey Park is located in an existing developed neighborhood; 2)

Monterey Park is not located within an officially designated scenic vista or view corridor; 3) Monterey Park is not visible from an officially designated scenic highway; 4) is not designated as a significant scenic resource by the Capitola General Plan; and 5) trees which could potentially be removed are not visually distinctive, unusual, or prominent from designated public viewpoints.

The project's impacts on groundwater supplies was also evaluated in the Initial Study (page 29) which concludes that the project would not have a significant effect because the limited area of development within an existing 4-acre park in a developed residential area will not use or deplete groundwater supplies and would not substantially interfere with groundwater recharge due to the limited area of construction. Furthermore, the proposed skate park would displace approximately 6,000 square-feet of existing turf grass which would no longer require irrigation, thereby reducing the amount of water currently needed to maintain the turf at Monterey Park.

The EIR did not evaluate the loss of oxygen provided by trees which could be removed if the skate park were relocated because this is a speculative impact and therefore not a CEQA issue. Although it is acknowledged that trees produce oxygen, the amount provided by 4-5 trees would be indistinguishable.

The commenter is correct that a landscape plan was not provided for Alternative 1. Staff also acknowledges that replacement trees would not immediately provide an equal amount of shade; however, it is expected that replacement trees provided at a 2:1 ratio would provide an equivalent or greater amount of shade at maturity.

4. **The skatepark project that was represented to the City Council (and to the general public) on February 11, 2015 was for a skatepark of 6,000 square feet. The project submitted, and subsequently approved by the PC was for a 6,811 square foot enclosure.**

RESPONSE: The staff report and EIR all correctly identified the size of the proposed skate park as approximately 6,000 square feet. The project plans considered by the Planning Commission also correctly noted the skate park as being 6,028 square-feet. The skate park as proposed would include fencing for security purposes which must be installed on the exterior of the skate park. Fencing is shown on the project plans, is included in the EIR project description, and was considered within the environmental analysis documented in the EIR.

The total area within the fencing would be approximately 6,811 square-feet, which would include the 6,028 square-foot skate park plus approximately 783 square-feet between the skate park and fence line (generally a 1-3 foot area of separation).

5. **The skatepark project that was represented to the City Council (and to the general public) on February 11, 2015 was for a skatepark that had softened features (from the 9,000 square foot 2012 design) to make it less noisy. The project submitted, and subsequently approved by the PC, was a simple scaled down" version of the potentially noisy, multifeatured skatepark that was rejected in 2012.**

RESPONSE: During their 2012 hearing, the City Council indicated they would consider a redesigned, approximately 6,000 square-foot skate park. The Council also expressed their desire to protect the eucalyptus grove if a redesigned project were submitted; however, the Council action did not include direction to redesign the project with softened features.

The City Council subsequently considered a redesigned, approximately 6,000 square-foot skate park in 2015 and voted to allow the applicants to submit an application for the redesigned project. The current City Council has the discretion to make its own decisions regarding the skate park, including whether or not it should be built, and if so, where it should be located. The current City Council is not bound by the direction of the former, 2012 City Council. It's also worth noting that a skate park as contemplated by Alternative 1 in the EIR could be sited in a manner which avoids the eucalyptus grove.

The current skate park proposal has been reduced in size from approximately 9,000 square-feet as shown in the 2012 design to 6,028 square-feet. The reduced size of the proposed facility has also necessitated the elimination of some of the interior challenge elements and features previously proposed in 2012. In addition, a smaller skate park can accommodate fewer skaters at any one time, thereby reducing the noise generation potential of the facility. The City Council will review the application and determine if the proposed features are appropriate.

- 6. The skatepark project that was represented to the City Council (and to the general public) on February 11, 2015 was for a skatepark that would be safer for younger, beginner skaters. The project submitted, and subsequently approved by the PC was for a skatepark that would be MORE hazardous for younger, beginner skateboarders as there was no separation provided between beginner and more advanced skaters in the project drawings.**

RESPONSE: The currently proposed skate park has been reduced in size and has smaller challenge elements and features than the 2012 proposal. The commenter's opinion that the current proposal is more hazardous than the 2012 design is noted; however, no evidence has been provided to support the opinion. While it is correct that the current proposal does not provide separation between beginner and more advanced skaters, the 2012 proposal also did not include any features to separate beginner from advanced skaters.

- 7. There was NO public notice given that the skatepark that would be discussed by the PC would be relocated 60-140 feet to the north, and the eucalyptus trees would be removed.**

RESPONSE: As noted in response to comment number one above, the EIR included a revised onsite location alternative which evaluated a design option to shift the location of the skate park closer to the existing parking lot. The EIR noted that this alternative could require removal of the eucalyptus trees. The draft EIR was circulated for a 52-day public review period. This alternative was also described in the Planning Commission staff report which was available to the public 10 days prior to the Planning Commission hearing.

- 8. Monterey Park is surrounded by a noise-sensitive residential neighborhood, the noise sensitive offices of the Soquel Union Elementary School District, the noise-sensitive school at New Brighton Middle School and the noise-sensitive St. Joseph's Catholic Church. To permanently increase the noise level 5-7sdB in this area is unthinkable.**
- a. The PC considered reducing the hours of operation so as not to conflict with the activities at the SUESD or New Brighton Middle School. The PC opted to do nothing. I submit that there should be a reduction of hours until**

it can be shown that extended hours from 8AM to Sunset will not be a significant impact to all sensitive receptors.

- b. The PC voted to have the noise output of the skatepark checked 6 months after being put in operation and make any necessary modifications to the noise barriers, if needed. I submit that sound studies should be conducted immediately as sensitive receptors will be impacted immediately. It's not the PC can un-ring a bell. Once the damage is done, it cannot be undone.**
- c. The PC never discussed removing noise-producing features of the skatepark, as was requested back in 2012, to lessen the impact on the neighborhood.**

RESPONSE: As described in section 4.3-1 of the EIR, noise generated by the proposed skate park would be less than a 5 dB(A) increase at the nearest residences, on school district property and along Orchid Avenue through incorporation of mitigation in the form of a noise attenuation wall. Because noise dissipates the farther away it travels from its source, the noise impact on other residential areas, school classrooms, and the church would be further reduced and substantially less than 5 dB(A).

The commenter's request for more restrictive hours of operation and an earlier noise monitoring inspection is acknowledged. The City Council has the discretion to set the allowable hours of operation and to change the timing of noise monitoring. Similarly, the City Council may require modification of the challenge elements and features inside the skate park.

- 9. The PC did not address my concern that skateboard noise can be heard 700 feet from the Performing Arts Center to Monterey Park. The reverse is likely to be true affecting the educational environment of New Brighton Middle School.**

RESPONSE: There was considerable discussion and debate regarding noise at the Planning Commission hearing. Staff acknowledged in their staff report and presentation that the proposed skate park, while not producing a significant unmitigated noise impact from a CEQA perspective, would generate noise which could be objectionable to some neighbors. It is recognized that most active recreational activities, including skateboarding, softball, tennis, basketball, football, swimming, and tot lot use produce audible noise which can often be heard by neighbors.

As discussed at the Planning Commission hearing and described on page 4.3-19, interior noise levels are approximately 15 dBA lower inside a building of standard construction with windows partially open. Therefore, noise inside classrooms would be significantly lower than outside the structure.

Interior noise levels in classrooms are also evaluated in noise study and presented in table 4.3-6 of the EIR (page 4.3-18) which shows noise levels with partially open windows ranging from 45-50 dBA L_{max} . The EIR also explains on page 4.3-20 that interior noise in classrooms with the proposed skate park would fall within the existing range of L_{max} noise level and the arithmetic average L_{max} generated by existing Monterey Avenue Park activities, and thus, is a less-than-significant impact.