

Capitola Council To Protest Any Diversion Of Soquel Creek Waters

Capitola will continue to protest all diversion of waters from Soquel Creek, the city council decided at its Monday night meeting.

The vote was the result of copies of two more applications for diversion forwarded to the city by the State Water Resources Control Board.

Along with the application copies was the copy of a letter from Mr. and Mrs. Melvin Fitzgerald of Los Gatos, who began the original furor over creek water diversion when they made an application to take water several weeks ago.

The Fitzgeralds claimed in their letter the water they were taking comes from a tributary which does not flow directly to Soquel Creek.

But Councilman Ronald Graves said, "Whether they're taking water from on top of the ground or from springs, it all depletes a stream that enhances the whole area, not just Capitola. I think the city should continue to protest." The council agreed.

City Manager Ryder Ray reminded that at a hearing on the Fitzgerald application, several other residents of the mountainous area of the creek admitted they already were taking tributary waters, and were informed they would have to make application to continue to do so. Thus, Ray said, he expects a rash of additional applications.

Other items before the council included:

PARKING COMMITTEE — Ray reported he is having a tough time finding people to serve on a proposed committee to form a parking district in downtown Capitola.

Graves said the reason for appointing downtown property owners and renters to the committee was to stir interest in the commission among the downtowners. He thought the committee should get underway, even with a skinny membership, and when it begins to function its actions will create the necessary interest.

Named to the committee were Gary Geyer, Mrs. George Ward, Dorothy Walrath, Jack Wilson and Andrew Antonetti. Graves and Mayor Phillip Walker will be the council members of the group, and John Battistini and Tom Mason will represent the city planning commission.

Battistini commented this will be the fourth committee he has served on in the attempt to solve downtown's parking problem.

CABLE TV — Sept. 28 was set as the date for a proposed hearing on a cable television rate increase in Capitola. The proposed increase is from \$4.50 to \$5.50 per month.

DAMAGE CLAIM — Council denied a \$51,000 damage claim filed against the city by Frederick L. Langhorst for injuries he allegedly suffered in a fall from an elevated sidewalk on Monterey Street. The matter was turned over to the city attorney.

LITTER — Mrs. George Bayer complained in writing of litter at the 7-Up Co. on Kennedy Drive. Ray said the city staff would take care of the situation.

ALLEY SALE — The city agreed to have appraised a public alley adjacent to an apartment building at 207 San Jose St. for possible sale to the building owner. The owner needs the open land to meet city codes in improving the substandard building.

Councilman John Lappin commented the city should work with the owner because the building fits the unique character of Capitola, and he would hate to see the building removed and replaced with a "misfit."

DRAINAGE — 41st Avenue may be widened and repaved by this winter, but it's going to flood again the same as always.

Graves asked about the construction of the Sears store at 41st and Capitola Road and whether the cleared land could be made to drain into Rodeo Gulch instead of the avenue.

Ray explained, however, that the topography of the land would require a ditch some 20 feet deep to drain the land toward the gulch.

He added that the best hope for curing 41st drainage problems is the Zone 5 drainage district created jointly by the city and county to drain the whole basin of the 41st Avenue vicinity.

He said the city has done its part toward forming the district and now is awaiting action from the county. There is no hope, however, the drainage system can be installed in time to avoid flooding of the avenue this winter.