

Capitola Denies Claim, Reviews Cliff Erosion

The cliff underneath the
Crest Apartments on Depot

PUBLIC NOTICE

Hill in Capitola will continue to erode, at least for a while, as the Capitola City Council referred the matter back to its planners Monday night in order for the apartment's owners to get the proper use permit to fill the undercut.

Dick DaPont, one of the apartment's general partners, was seeking permission from the council to fill the undercut at the base of the cliff with concrete. The problem concerned DaPont's current use permit which does not specify concrete as being the fill material and only mentions rip-rap (large stones).

DaPont said the concrete would prevent further ocean erosion and would extend "a maximum of five to 10 feet into the beach area and probably three feet up the cliff."

In addition to a new use permit, the council asked for a re-hearing at which time it be provided with drawings showing exactly how and where the concrete would be used.

On another matter concerning the ocean, the council unanimously denied the \$725,000 claim by the Pot Belly Beach Club against the city of Capitola and referred the matter to its insurance carriers.

The claim concerns a stone sea wall built in 1970 by the city and the Army Corps of Engineers to protect Capitola's beach. The 16-homeowners in the club are claiming the wall caused the demise of their beach during the storms in January 1978. The city had, in fact, signed an agreement in 1970 saying it would compensate the club for any damages caused by the wall.

City Attorney Richard Manning noted it is going to take a "very, very long time before anything is

done to resolve this claim."

The city, just in the past three years, has had nine different insurance carriers, he added, and the companies may have to fight it out to determine who is responsible.

In other business, an underground telephone cable will disrupt Capitola Village businesses Feb. 15 through March 15. Councilman Ron Graves was adamant in "spelling out the conditions of construction," which were ultimately approved by the council 5-0.

Pacific Telephone will be allowed two weeks to complete work from the southwest corner of Capitola Avenue to the corner of Monterey Avenue, and then an additional two weeks to go up Monterey Avenue. Trenches must be covered nightly, existing trees protected and replaced if damaged, sidewalks will be replaced, pedestrian pathways are to be maintained into businesses and one lane of traffic shall also remain open.

The council also voted 4-1 to approve Police Chief Bob Allen's re-organization of the Police Department. The commander positions will be eliminated and reclassified to sergeants which will give the department six sergeants instead of the present five.

Allen had explained at a previous study session, "Administrative personnel will be reduced by one-third while field personnel are increased by one-fifth. The organization will become more manageable and reduce the number of job specialties within classifications."

Graves was the lone dissenting vote. "My only objection is that I feel it's a negotiable item at budget time. I don't feel we should add a position at mid-year."

A \$6,850 bid for preparing an environmental impact report on a proposal to annex the Porter-Sesnon property also was submitted to the council. Geary T. Coats, land planning and environmental consultant, explained his bid would conform to the requirements of the California Environmental Quality Act as it relates to general plan revision, rezoning, sphere of influence revision and annexation. The council accepted the bid 4-1 with Graves dissenting.

In other business, the council designated Crystal Street between 47th and 45th avenues as one-way going west, and designated no parking areas on the south side of Capitola Road from 41st to 45th avenues and on the north side of Capitola Road from 41st to 42nd avenues.

A final subdivision map for the conversion of 11 apartments to condominiums at 4350 Clares St. also was approved 3-0 with Mayor Mick Routh and Graves abstaining.