



Agenda Report

MEETING DATE: Tuesday, May 23, 2023

TO: City Council

FROM: INTERIM PUBLIC WORKS & UTILITIES DIRECTOR VIDES
ASST PUBLIC WORKS & UTILITIES DIRECTOR FONTES

THROUGH: CITY MANAGER MENDEZ

SUBJECT: AUTHORIZE THE CITY MANAGER TO EXECUTE CERTIFICATE
OF ACCEPTANCE OF IRREVOCABLE OFFER TO DEDICATE
CALIFORNIA DEPARTMENT OF FISH & GAME BUFFER
HABITAT CONSERVATION EASEMENT AND DECLARATION
OF RESTRICTIONS AT PAJARO VALLEY HIGH SCHOOL (APN
18-281-63)

RECOMMENDED ACTION:

That the City Council adopt a resolution authorizing the City Manager to execute the Acknowledgement of Acceptance of Irrevocable Offer to Dedicate California Department of Fish & Game Buffer Habitat Conservation Easement and Declaration of Restrictions at Pajaro Valley High School (APN 18-281-63).

DISCUSSION:

The California Coastal Commission (CCC) has requested that the City of Watsonville execute an acknowledgment of acceptance of irrevocable offer to dedicate (OTD) an agricultural buffer zone conservation easement and declaration of restrictions on property owned by the Pajaro Valley Unified School District (PVUSD) at Pajaro Valley High School (PVHS).

The OTD was a condition of Coastal Development Permit (CDP) 00-28 issued by the City and the CCC for development of PVHS. The intent of the easement and restrictions is "to prevent the adverse direct and cumulative effects on coastal resources which could occur if the Property were not restricted in accordance therewith."

The CDP calls for the PVUSD (Grantor) to create a California Department of Fish & Game buffer and Habitat Conservation Easement along Harkins Slough Road and the easterly 727 feet of the south side of Assessor Parcel Number 18-281-63 (see attached APN Map 18-28 with notes). The OTD is to be accepted by a Grantee that is a public agency, political subdivision of the State of California, or a private association

acceptable to the City Council. The OTD is binding for a period of 21 years. The CDP also calls for the City to acknowledge that the Grantee is acceptable.

The OTD was signed by Terry McHenry, PVUSD Superintendent, on August 30, 2002, and recorded on August 30, 2002, as instrument number 2002-0061825 of the Official Records in the Office of the Recorder of Santa Cruz County. (See Attachment 1)

Watsonville Wetlands Watch (WWW), under the direction of Executive Director Jonathan Pilch, has agreed to be Grantee. WWW is capable of acting as Grantee. They currently are under contract with PVUSD to maintain other existing conservation easements in and around PVHS.

In order for WWW to become the Grantee, the following will need to be done:

- WWW execute a Certificate of Acceptance of the OTD;(this has been done).
- The City execute an Acknowledgement of Acceptance of WWW as Grantee.
- CCC execute an Acknowledgement of Acceptance of WWW as Grantee.

Execution of the document by CCC will be done after the City.

Staff recommends that Council direct the City Manager to execute and notarize an Acknowledgement of Acceptance of WWW as Grantee.

STRATEGIC PLAN:

The project supports Strategic Plan Priorities:
3 – Infrastructure & Environment

FINANCIAL IMPACT:

Execution of the Acknowledgement of Acceptance will have limited financial impact on the City of Watsonville.

ALTERNATIVE ACTION:

No reasonable alternatives are known at this time.

ATTACHMENTS AND/OR REFERENCES (If any):

- 1) Exhibit A, Irrevocable Offer to Dedicate California Department of Fish & Game Buffer Habitat Conservation Easement and Declaration of Restrictions
- 2) APN Map 18-28 with notes