



# Agenda Report

**MEETING DATE:** Tuesday, May 23, 2023

**TO:** City Council

**FROM:** INTERIM PUBLIC WORKS & UTILITIES DIRECTOR VIDES  
ASSISTANT DIRECTOR PUBLIC WORKS & UTILITIES  
MURRAY FONTES

**THROUGH:** CITY MANAGER MENDEZ

**SUBJECT:** AUTHORIZE THE CITY MANAGER TO EXECUTE CERTIFICATE  
OF ACCEPTANCE AGRICULTURAL BUFFER ZONE (HARKINS  
SLOUGH ROAD) CONSERVATION EASEMENT AND  
DECLARATION OF RESTRICTIONS AT PÁJARO 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 Agricultural Buffer Zone (Harkins Slough Road) Conservation Easement and Declaration of Restrictions at Pájaro 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 Pájaro Valley Unified School District (PVUSD) at Pájaro 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 an agricultural buffer along Harkins Slough Road and the westerly 939 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 20, 2002, and recorded on August 21, 2002, as instrument number 2002-0059101 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 must execute a Certificate of Acceptance of the OTD; (this has been done).
- The City must execute an Acknowledgement of Acceptance of WWW as Grantee.
- CCC must execute an Acknowledgement of Acceptance of WWW as Grantee.

The CCC will execute its Acknowledgement after the City executes the City's Acknowledgement.

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

**STRATEGIC PLAN:**

The project supports Strategic Plan Priorities:

3 – Infrastructure & Environment

**FINANCIAL IMPACT:**

The adoption of the easement 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) Irrevocable Offer to Dedicate Agricultural Buffer Zone (Harkins Slough Road)  
Conservation Easement and Declaration of Restrictions
- 2) APN Map 18-28 with notes