

Agenda Report



MEETING DATE: Tuesday, May 23, 2023

TO: City Council

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

THROUGH: CITY MANAGER MENDEZ

SUBJECT: AUTHORIZE THE CITY MANAGER TO EXECUTE CERTIFICATE OF
ACCEPTANCE OF IRREVOCABLE OFFER TO DEDICATE
AGRICULTURAL BUFFER ZONE (NORTH END) CONSERVATION
EASEMENT AND DECLARATION OF RESTRICTIONS AT PÁJARO
VALLEY HIGH SCHOOL

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 (North End) Conservation Easement and Declaration of Restrictions at Pájaro Valley High School (APN 18-281-69).

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 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 200-foot agricultural buffer along the southern side of Assessor Parcel Number 18-281-69 (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, 2022, and recorded on August 21, 2002 as instrument number 2002-0059100 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 documents by CCC will be done after the City.

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

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 (North Zone) Conservation Easement and Declaration of Restrictions
- 2) APN Map 18-28 with notes