



Agenda Report

MEETING DATE: Tuesday, February 7, 2023

TO: City Council

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

THROUGH: CITY MANAGER MENDEZ

SUBJECT: ACCEPTANCE OF OFFER OF DEDICATION IN FEE OF
PARCELS AND EASEMENTS ON BLACKBIRD HOMES FINAL
SUBDIVISION MAP 1585

RECOMMENDED ACTION:

Staff recommends City Council adopt a resolution accepting offer of dedication of Parcels B, C and D for Recreational Trails and Public Utility and Sanitary Sewer Easements as shown on the Blackbird Homes Final Subdivision Map Tract 1585.

BACKGROUND:

On May 6, 2015, the Watsonville Planning Commission approved Resolution No. 12-15 (PC) for a Tentative Subdivision Map, Special use Permit with Design Review and Mitigated Negative Declaration and Resolution No. 13-15 (PC) for approval of the Planned Development Permit Application to construct 48 Townhome Units at 35 Harkins Slough Road.

On June 23, 2015, the Watsonville City Council approved Resolution No. 113-15 (CM) for a Special Use Permit with Design, Resolution No. 121-16 (CM) for a Public and On-Site Improvement Agreement and Resolution No. 122-16 for a Final Subdivision Map for Tract 1585, the Blackbird Homes Subdivision at 35 Harkins Slough Road.

On December 16, 2016, the Final Subdivision Map for Tract 1585, the Blackbird Homes Subdivision at 35 Harkins Slough Road was recorded in Volume 126, page 4 et seq in the Office of the Recorder of Santa Cruz County, State of California.

The Final Map offered for dedication by the owners to the City the following:

- Parcel "A" as a Public Utility Easement;
- Parcels "B", "C" and "D" for new recreation trails; and
- A 10-foot-wide Sanitary Sewer Easement.

It is the City's practice not to accept offers of dedication at the time of Final Map recordation and to wait until after the public improvements are completed to the satisfaction of the City.

When the subdivision was completed, the City did not accept the Offers. This appears to have been an oversight.

DISCUSSION:

Last year, Elite Developments, Inc., the Blackbird Homes developer, notified the City that the Offers of Dedication had not been accepted and requested that it be done and that a Certification of Resolution of Acceptance of Dedication be recorded by the City Clerk with the Records Office. Staff has confirmed that the improvements are complete and in place and that the Offers can be accepted.

Staff recommends that Council approve a resolution accepting the Offers and that the City Clerk record a Certification of Resolution of Acceptance of Dedication. This will ensure that the City and utility companies have legal access to the easements and that the City and the public have legal access to the recreational trails.

CEQA Determination. This item is not subject to review under CEQA as it does not constitute a “project” as defined by CEQA. California Public Resources Code Section 21065 defines a project as an activity that will cause a direct physical change or a reasonably foreseeable indirect physical change in the environment. Accepting offers of dedication will do neither.

STRATEGIC PLAN:

This project is consistent with Strategic Plan Priority:

- 1-Housing
- 3-Infrastructure & Environment

FINANCIAL IMPACT:

There is no cost to the City to accept the Offers of Dedication and record the Certification of Resolution of Acceptance of Dedication.

ALTERNATIVE ACTION:

Not accepting the offers of dedications would leave the land with the Public Utility Easement, Recreational Trails and the Sanitary Sewer Easement in private ownership.

ATTACHMENTS AND/OR REFERENCES (If any):

- 1) Project Location Map Blackbird Homes Subdivision