

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING AN AGREEMENT BETWEEN THE CITY OF WATSONVILLE AND LANDCO HILLCREST, LLC., REGARDING A COVENANT RUNNING WITH THE LAND, STORMWATER CONTROL MEASURES, STORMWATER TREATMENT AND DETENTION FACILITY OPERATIONS AND MAINTENANCE AGREEMENT, AND RIGHT OF ENTRY FOR THE HILLCREST ESTATES SUBDIVISION AND AUTHORIZING CITY MANAGER TO EXECUTE SAME

WHEREAS, on June 15, 2017, an application for a Major Subdivision (Tentative Map) to allow construction of 150 dwelling units on individual parcels on a 13± acre site located at 511 Ohlone Parkway, Watsonville, California, was filed by California Sunshine Development LLC, applicant; and

WHEREAS, at its August 28, 2018 meeting, City Council adopted Resolution No. 141- 18 (CM) approving a Tentative Map for Tract No. 1607; and

WHEREAS, at its August 25, 2020 meeting, City Council adopted Resolution No. 161-20 (CM) approving a two-year time extension of the Tentative Map; and

WHEREAS, at its July 6, 2021 meeting, City Council adopted Resolution No. 210-21 (CM) approving a First Amended Tentative Map for the Hillcrest Estates Subdivision. The amended Tentative Map included 144 lots with 5 single-family detached units, 60 duplex townhouse units and 76 row townhouse units; and

WHEREAS, at its May 10, 2022 meeting, City Council adopted Ordinance No. 1431-22 (CM) approving a Development Agreement between Hillcrest Watsonville, LLC and the City; and

WHEREAS, at its December 5, 2022 meeting, City Council adopted Resolution No. 241-22 (CM) approving a Public and On-Site Improvement Agreement and Resolution No. 242-22 (CM) approving the Final Map for the Hillcrest Stage 1 Tract Number 1607; and

WHEREAS, consistent with the Tentative Map Conditions of Approval and the Development Agreement, a Homeowners Association (HOA) shall be formed and shall be responsible, in perpetuity, for the operation, maintenance, repair, and replacement of the access easements, detention facilities and all permanent stormwater control measures included in the City-approved Stormwater Control Plan (SWCP) and the SWCP's Stormwater Treatment Operations and Maintenance Plan; and

WHEREAS, the HOAs maintenance, operations, and inspection obligations with respect to the Stormwater Facilities are identified in the agreement between the city and the owner in the "Covenant Running with the Land, Stormwater Control Measures, Stormwater Treatment and Detention Facility Operations and Maintenance Agreement, and Right of Entry" for the Hillcrest Estates Subdivision.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. This action is not subject to review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et. seq.), including without limitation, Public Resources Code section 21065 and California Code of Regulations 15378 as this is not a "project" that may cause a direct, or reasonably foreseeable indirect, physical change in the environment and because the action constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment. Additionally, even if a "project," the action would be exempt under the "common sense" exception (14 Cal. Code Regs. § 15061(b)(3)) because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment.

2. That the agreement between the City of Watsonville and LANDCO Hillcrest, LLC., regarding the operation, maintenance, repair, and replacement of the access easements, detention facilities and all permanent stormwater control measures for the Hillcrest Estates Subdivision, a copy of which Agreement is attached hereto and incorporated herein by this reference, is hereby approved.

3. The City Manager is hereby authorized and directed to execute said Agreement for and on behalf of the City of Watsonville with minor revisions that may be approved by the City Manager and the City Attorney.
