

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. 20-

Resolution of the Monterey County Board of Supervisors to:)
a. Find that the proposed transfer of ownership and conveyance of the subject property (Assessor’s Parcel Number [APN] 117-322-006-000) by Quitclaim Deed to Pajaro/Sunny Mesa Community Services District is: 1) categorically exempt pursuant to the California Environmental Quality Act (CEQA), California Code of Regulations (CCR) CEQA Guidelines Section 15319, and 2) conveyance of said interest is in the public interest and will not substantially conflict or interfere with the use of the property by the County;)
b. Approve and authorize the Resource Management Agency Director to execute a Quitclaim Deed conveying a 5,000-square-foot parcel (APN 117-322-006-000) located on the corner of Florence and Cayetano streets in the unincorporated community of Pajaro, California (commonly known as Cayetano Park) “as is” to the Pajaro/Sunny Mesa Community Services District, for the continued use and maintenance as a community park pursuant to Government Code Section 25526.6.)

Having considered all the written and documentary evidence, the administrative record, the staff report, and other evidence presented, the Monterey County Board of Supervisors hereby finds and decides as follows:

RECITALS

WHEREAS, the County of Monterey, a political subdivision of the State of California (hereinafter referred to as “County”), does hereby remise, release, and forever quitclaim “as is” to the Pajaro/Sunny Mesa Community Services District (District), a community services district of Monterey County formed pursuant to Title 6, Division 3 of the Government Code, all its rights, title, and interests in the real property situated in the County of Monterey, State of California.

WHEREAS, approval of this conveyance will provide District ownership of Cayetano Park, Lot # 6 (Assessor's Parcel Number 117-322-006-000), as shown and designated on the Map entitled, "Fanny G. Porter Subdivision No. 3, Recorded on the 17th day of February 1941, in Volume 4, Cities and Towns, Page 53, Official Records of the County of Monterey, California.

WHEREAS, Cayetano Park is a benefit to the community at large, and the District is experienced, capable, equipped and committed to providing ongoing park maintenance services for the subject property and park facilities to provide a safe and clean environment for the enjoyment of the Pajaro community.

WHEREAS, the action to transfer ownership of the subject property is categorically exempt pursuant to the California Environmental Quality Act (CEQA), California Code of Regulations (CCR) CEQA Guidelines Section 15319.

WHEREAS, Government Code Section 25526.6. provides that the Board may authorize a County officer to convey an interest in real property to a public agency upon a finding that the conveyance of said interest is in the public interest and will not substantially conflict or interfere with the use of the property by the County.

Government Code Section 25526.6 states,

Notwithstanding any other provision of law, the board may grant or otherwise convey, or by ordinance, may authorize such county officer or officers as are deemed appropriate, to grant or otherwise convey an easement, license, or permit for use of any real property of the county to the state, or to any county, city, district, or public agency or corporation, or to any public utility corporation in the manner and upon the terms and conditions as the board or authorized county officer determines or prescribes, upon a finding by the board or authorized county officer that the conveyance is in the public interest and that the interest in land conveyed will not substantially conflict or interfere with the use of the property by the county.

WHEREAS, the property was donated to the County in 1941. The 2018 renovation project, at a cost of \$256,000, was fully funded by a Community Development Block Grant through the Resource Management Agency; and, there is no cost to the General Fund for execution of the Quitclaim Deed.

WHEREAS, should the District fail to occupy, maintain, or use Cayetano Park for a period of one fiscal year, July 1 through June 30, then said real property shall revert to and vest in the County and its successors and assigns in fee.

WHEREAS, the proposed conveyance of Cayetano Park to the District "as is" is in the public interest of the community of Pajaro and the interest in the land conveyed will not conflict or interfere with the use of the property by the County. Therefore, it is recommended that the Board find that the proposed conveyance of Cayetano Park is in the public interest and that said

conveyance will not conflict or interfere with the use of the property by the County pursuant to Government Code Section 25526.6.

WHEREAS, this action supports the Board of Supervisors' Health & Human Services and Infrastructure Strategic Initiatives by ensuring the ongoing maintenance and upkeep of a tot lot/park to afford recreational opportunities in the unincorporated community of Pajaro.

DECISION

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors does hereby adopt a resolution to:

- a. Find that the proposed transfer of ownership and conveyance of the subject property (Assessor's Parcel Number [APN] 117-322-006-000) by Quitclaim Deed to Pajaro/Sunny Mesa Community Services District is: 1) categorically exempt pursuant to the California Environmental Quality Act (CEQA), California Code of Regulations (CCR) CEQA Guidelines Section 15319, and 2) conveyance of said interest is in the public interest and will not substantially conflict or interfere with the use of the property by the County;
- b. Approve and authorize the Resource Management Agency Director to execute a Quitclaim Deed conveying a 5,000-square-foot parcel (APN 117-322-006-000) located on the corner of Florence and Cayetano streets in the unincorporated community of Pajaro, California (commonly known as Cayetano Park) "as is" to the Pajaro/Sunny Mesa Community Services District, for the continued use and maintenance as a community park pursuant to Government Code Section 25526.6

PASSED AND ADOPTED upon motion of Supervisor _____,
seconded by _____ carried this 7th day of January 2020, by the following
vote, to wit:

AYES:

NOES:

ABSENT:

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book ____ for the meeting on January 7, 2020.

Dated:

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy