



Legislation Details (With Board Report)

<b>File #:</b>	RES 20-181	<b>Name:</b>	Adopt a resolution approving Certificate of Acceptance/Consent to Recordation accepting Warranty Deed conveying new improvements in public right-of-way located near 5 Hillcrest Rd, Royal Oaks, to existing PCSD sanitary sewer main infrastructure
<b>Type:</b>	BoS Resolution	<b>Status:</b>	Passed - RMA Administration
<b>File created:</b>	10/9/2020	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	11/5/2020	<b>Final action:</b>	11/5/2020

**Title:** Adopt a resolution to:

a. Find that the proposed transfer of ownership and conveyance by Ahmed Saba of new sanitary sewer improvements to existing sanitary sewer main infrastructure to the County of Monterey, on behalf of the Pajaro County Sanitation District, is categorically exempt pursuant to the California Environmental Quality Act (CEQA), California Code of Regulations (CCR) Guidelines section 15319; and

b. Approve and authorize the County Administrative Officer to execute a Certificate of Acceptance and Consent to Recordation, on behalf of the Grantee, Pajaro County Sanitation District, accepting a Warranty Deed conveying the sewer improvements to an existing sanitary sewer main infrastructure near 5 Hillcrest Road in the public right-of-way located in the unincorporated community of Royal Oaks, California.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment A-Location Map, 3. Attachment B-Warranty Deed, 4. Attachment C-Draft Resolution, 5. Item No. 25 Completed Board Order and Resolution

Date	Ver.	Action By	Action	Result
11/5/2020	1	Board of Supervisors		

Adopt a resolution to:

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- b. Approve and authorize the County Administrative Officer to execute a Certificate of Acceptance and Consent to Recordation, on behalf of the Grantee, Pajaro County Sanitation District, accepting a Warranty Deed conveying the sewer improvements to an existing sanitary sewer main infrastructure near 5 Hillcrest Road in the public right-of-way located in the unincorporated community of Royal Oaks, California.

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to:

- a. Find that the proposed transfer of ownership and conveyance by Ahmed Saba of new sanitary sewer improvements to existing sanitary sewer main infrastructure to the County of Monterey, on behalf of the Pajaro County Sanitation District, is categorically exempt pursuant to the California Environmental Quality Act (CEQA), California Code of Regulations (CCR) Guidelines section 15319; and
- b. Approve and authorize the County Administrative Officer to execute a Certificate of Acceptance and

Consent to Recordation, on behalf of the Grantee, Pajaro County Sanitation District, accepting a Warranty Deed conveying the sewer improvements to an existing sanitary sewer main infrastructure near 5 Hillcrest Road in the public right-of-way located in the unincorporated community of Royal Oaks, California.

**SUMMARY/DISCUSSION:**

As a condition of County Building Permits Nos. 19CP02388 & 18CP03320, Ahmed Saba (Grantor), was required to extend a Pajaro County Sanitation District (PCSD) sewer main and install sanitary sewer improvements to serve a new guest home, located at 5 Hillcrest Road, Assessor's Parcel Number 117-081-013-000, in the unincorporated community of Royal Oaks, California.

The extended sewer main improvements are located within County Road right-of-way and were constructed in compliance with current California Building Code standards. PCSD Standards, section 10 Building Sewer Construction, condition 8, states: "Upon completion, all new improvements shall be deeded to the District for acceptance." A Deed from the Grantor to the Grantee (PCSD) is required, and the Grantee must approve and accept the improvements via a Certificate of Acceptance.

The interests being transferred to the Grantee are new improvements to existing sanitary sewer infrastructure, consisting of approximately 70 linear feet of 8-inch-diameter sanitary sewer main line, laterals, tie-ins, and manhole(s) (hereinafter, "property") installed within the public right-of-way and easement as further depicted and described in Attachment A which is attached and incorporated by this reference. The sewer improvements have been completed and inspected by County building officials and were found to have been constructed to applicable code standards for acceptance.

The Grantor agrees to replace, repair, and correct any defect in work or materials in respect to the property arising during a period of two (2) years from the date of recordation, without cost to the Grantee. The Grantor further warrants any potential corrected work completed during the initial two (2) year period for one (1) additional year after acceptance of the corrected work by the Grantee.

This proposed ownership transfer is exempt from the California Environmental Quality Act (CEQA) Guidelines section 15319 as the ownership transfer is an annexation to a special district of an area containing existing public structures developed to the density allowed by the current zoning.

Concurrently today, the Board of Directors of the PCSD adopted a resolution in support of the Acceptance and Consent to Recordation of the Warranty Deed for this property. The Resource Management Agency (RMA) recommends that the Board of Supervisors, on behalf of the Pajaro County Sanitation District, find that the ownership transfer is exempt from CEQA per Section 15319, and approve and authorize the County Administrative Officer to execute the Certificate of Acceptance and Consent to Recordation accepting the Warranty Deed conveying this property to PCSD.

**OTHER AGENCY INVOLVEMENT:**

The Office of County Counsel-Risk Manager has approved the Warranty Deed as to form. PCSD concurs with the terms of the Warranty Deed. Upon approval of the recommended actions and execution of said Warranty Deed, RMA will record the Warranty Deed.

**FINANCING:**

Staff time to prepare the report and record the Warranty Deed is included in the Fiscal Year 2020-21 Adopted Budget for PCSD, Fund 151, Appropriation Unit RMA040.

**BOARD OF SUPERVISORS STRATEGIC INITIATIVES:**

If approved, this action supports the Board of Supervisors' Strategic Initiatives for Health & Human Services and Infrastructure. Oversight of County building permit conditions ensures that sewer infrastructure improvements are constructed to code and transferred as required to PCSD. Acceptance of this property under a Warranty Deed warrants the infrastructure improvements against failure and protects the PCSD from costs related to potential failure. Properly functioning sewer infrastructure protects the health and safety of area residents.

Economic Development  
 Administration  
 Health & Human Services  
 Infrastructure  
 Public Safety

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Reviewed by: Melanie Beretti, Property Administration/Special Programs Manager

Approved by: Shawne Ellerbee, Assistant Director of Resource Management Agency

Approved by: Carl P. Holm, AICP, RMA Director

Attachments:

Attachment A-Location Map

Attachment B-Warranty Deed & Certificate of Acceptance/Consent to Recordation

Attachment C-Draft Resolution

(Attachments are on file with the Clerk of the Board)