County of Sonoma
State of California

Date: February 11, 2020

Item Number: _____

Resolution Number: _____

☐ 4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, approving acquisition of 0.65 acres of the McAllister Property for Scotty Creek Beach; authorizing the Board Chair to execute a Certificate of Acceptance accepting title to the McAllister Property; directing the filing of a Notice of Exemption; and authorizing the Director of Regional Parks to take all other actions necessary to complete the acquisition of the McAllister Property.

Whereas, the Coastal Development Permit mitigation measures for the Caltrans Gleason Beach Highway 1 Realignment project requires the acquisition of land for a public park and access to Scotty Creek Beach; and

Whereas, the mitigation measures were developed in partnership with Caltrans, California Coastal Commission, and County of Sonoma. In Resolution Number 2018-0133, the Board reaffirmed the Coastal Development Permit mitigation measures which included the acquisition of a public park; and

Whereas, Caltrans has negotiated a purchase price of $144,000 for 0.65 acres of land ("McAllister Property") owned by the McAllister Family Trust. The public has historically used the McAllister Property to access Scotty Creek Beach from Highway 1. To maintain public access to Scotty Creek Beach, the McAllister Property must be acquired into public ownership. The McAllister Property will become a public park; and

Whereas, Caltrans will pay the purchase price, but intends to deduct $64,000 of the purchase price from a payment of $5.2 million dollars to the County to perform mitigation work related to the Gleason Beach Highway 1 Realignment project; and

Now, Therefore, Be It Resolved that this Board of Supervisors hereby finds, determines, and declares and orders as follows:

1. *Truth of Recitals.* The foregoing recitations are true and correct.

2. *Authority to Execute Certificate of Acceptance for a Fee Interest.* The Board Chair is authorized to execute, on behalf of the County of Sonoma, a certificate of acceptance of fee title in the McAllister Property pursuant to Government Code

Section 27281.

3. *Closing Documents.* The Director of Regional Parks is authorized to make any technical and other closing documents prior to recordation with the prior approval of County Counsel. The Director of Regional Parks is further authorized and directed to execute any other documents necessary to complete this transaction as described.

4. *Authorization for Recordation.* The Director of Regional Parks is authorized and directed to record with the Sonoma County Recorder the grant deed and the certificate of acceptance contemplated by this Resolution and to deliver conformed copies of these documents, bearing evidence of recording, to the Clerk of the Board of Supervisors.

5. *California Environmental Quality Act.* This resolution authorizes the acquisition of the McAllister Property for a public park. The purpose of the acquisition is to preserve public access to Scotty Creek Beach. A park management plan has not yet been developed for the property. The Sonoma County Regional Parks Department will develop a park management plan for the recreational use of the McAllister Property at some point in the future and appropriate CEQA analysis will be conducted at that time. In the interim, the McAllister Property will remain in its natural condition. Pursuant to section 15316 of Title 14 of the California Code of Regulations, the acquisition of the McAllister Property is exempt from CEQA because the purpose of the acquisition is to preserve the land for park purposes.

6. *Notice of Exemption.* Immediately upon the adoption of this resolution, the Director of Regional Parks is directed to post and to maintain the posting of a notice of exemption with regard to the acquisition by the County of the McAllister Property pursuant to Public Resources Code 21152.

Supervisors:

Rabbitt: Zane: Gore: Hopkins: Gorin:

Ayes: Noes: Absent: Abstain:

So Ordered.