

Attachment B



Monterey County Board of Supervisors

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066
www.co.monterey.ca.us

Board Order

A motion was made by Supervisor John Phillips, seconded by Supervisor Luis A. Alejo with Supervisor Wendy Root Askew, voting no, to:

Adopt Resolution No.: 22-313

- i. Approve and authorize the County Administrative Officer or designee to execute Addendum No. 2 to the Agreement for the Operation and Management of the Laguna Seca Recreation Area between the County of Monterey and A&D for "Additional Sponsorship Revenue" in excess of the amount under contract as of the date this Addendum No. 2 is effective in an amount sufficient to provide twenty percent (20%) of the total cost of the Project, estimated at \$1,634,459, but in any event not less than \$1,035,000, by December 31, 2023;
- ii. Authorize advancing the 20% sponsorship match of \$1,634,459, for cash flow purposes, from General Fund 001, Contingencies Appropriation Unit CAO020, as an operating transfer out to Capital Project Fund 404, Appropriation Unit PFP057, to be reimbursed by A&D with additional Sponsorship Revenue no later than December 31, 2023;
- iii. Authorize and direct the Auditor-Controller to amend the fiscal year (FY) 2022-23 Adopted Budget to increase appropriations by \$14,045,797 in Capital Project Fund 404, Appropriation Unit PFP057, financed with Capital Project Fund 404 Restricted Fund Balance (404-3045) of \$8,433,599 and an operating transfer of \$5,612,198 from General Fund 001, Contingencies Appropriation Unit CAO020 (4/5ths vote required);
- iv. Authorize and direct the Auditor-Controller to approve an operating transfer out of \$5,612,198 for FY 2022-23 from General Fund 001, Contingencies Appropriation Unit CAO020, to Capital Project Fund 404, Appropriation Unit PFP057, where General Fund Contingencies has sufficient appropriations available in the adopted budget to cover the transfer (4/5ths vote required);
- b. Award a contract to Granite Construction Company, Inc., the lowest responsible bidder, for the WeatherTech Raceway at Laguna Seca (WRLS) Start-Finish Bridge and Racetrack Resurfacing Project, Project No. 8498, in the total amount of \$12,198,230;
- c. Approve the Performance and Payment Bonds executed and provided by Granite Construction Company, Inc.;
- d. Authorize a project cost estimate contingency, not to exceed ten percent (10%) of the contract amount or \$1,219,823 to provide funding for approved contract change orders;
- e. Authorize the Director of Public Works, Facilities and Parks to execute the contract and, subject to the terms of the Public Contract Code and Board Policies as applicable, approve change orders to the contract that do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work; and



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Board Order

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams to:

Agreement No.: A-16549

Approve and authorize the Monterey County Laguna Seca Representative to execute a five-year, five-month retroactive Sponsorship Agreement, effective August 1, 2023 through December 31, 2028, between Gruma Corporation, dba Mission Foods and the County of Monterey for the 2023-2028 Calendar Years, including sponsorship and marketing specific rights as Title Sponsor of the new Start/Finish Bridge and Official Tortillas and Tortilla Chips of WeatherTech® Raceway Laguna Seca, in the amount of \$225,000 for the remainder of calendar year 2023 and \$355,000 annually for calendar years 2024 to 2028 for an aggregate total of \$2,000,000 of Sponsorship revenue over the term.

PASSED AND ADOPTED on this 22th day of August 2023, by roll call vote:

DocuSign Envelope ID: 27A3C1DA-C47B-4416-8D5C-374AA33DE173

Legistar File Number: A 23-395

FINANCING:

In consideration for County obligations under the proposed Agreement, Mission Foods shall pay the County \$225,000 in 2023, \$355,000 in 2024, 2025, 2026, 2027 and 2028.

The Agreement will provide the Sponsorship revenue that is intended to reimburse the County's General Fund, Contingencies Appropriation unit CAO020 which advanced \$1,634,459 on behalf of A&D Narigi Consulting, LLC (LSRA's Property Management Company) to partially fund the Start-Finish Bridge project. The \$1.6M full refund of this advance was included in the FY2023-24 revenue budget anticipated to be received by December 31, 2023, as well as the corresponding Operating Transfer out from Fund 453, Unit 8579, Appropriation Unit PFP067, to reimburse Fund 001, Appropriation CAO020. However, under the term of this Sponsorship agreement, County will not receive the full amount due in FY2024, instead, full payment will be received over the term of this Agreement. This Agreement will be excluded from the list of agreements to be assumed and assigned by the County to the Friends of Laguna Seca under the recently Board-approved Concession Agreement.

