



## 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 Chris Lopez seconded by Supervisor Luis A. Alejo to:

#### **Adopt Resolution No.: 21-285**

- a. Find that the subject property transfer is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061;
- b. Approve the Commercial Property Purchase Agreement and Escrow Instructions between the County and the Joan Miller Living Trust dated 9/25/96 to acquire two (2) parcels totaling 1.8 acres including two (2) commercial buildings totaling approximately 9,960 square feet located at 1011 Broadway Street in King City, California, identified as Assessor's Parcel Numbers 026-391-022 and 026-391-021, for the amount of \$1,825,000, for use by the Agricultural Commissioner's Office, pursuant to Government Code Section 25350.60;
- c. Authorize the Director of Public Works, Facilities, and Parks to execute the Commercial Property Purchase Agreement and Escrow Instructions and any related documents needed to complete the transaction, including, but not limited to, any future amendments to the Agreement subject to the review and approval of the Office of the County Counsel; and
- d. Authorize and direct the Auditor-Controller to amend the fiscal year 2021-22 Adopted Budget for Capital Projects, Fund 402, Appropriation Unit PFP056, to increase appropriations by \$1,848,000, where the financing source is Capital Project Fund 402 unassigned fund balance (4/5th vote required).

PASSED AND ADOPTED on this 24<sup>th</sup> day of August 2021, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew and Adams

NOES: None

ABSENT: None

(Government Code 54953)

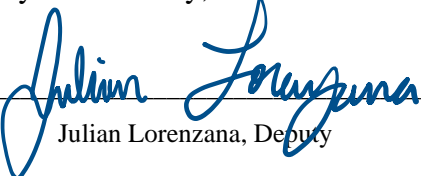
I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting August 24, 2021.

Dated: September 1, 2021

File ID: 21-722

Agenda Item No.: 66

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

  
Julian Lorenzana, Deputy

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

- Resolution No.: 21-285** )  
 a. Finding that the subject property transfer is )  
 categorically exempt from the California )  
 Environmental Quality Act (CEQA) pursuant to )  
 CEQA Guidelines section 15061; and )  
 b. Approving the Commercial Property Purchase )  
 Agreement and Escrow Instructions between the )  
 County and the Joan Miller Living Trust dated )  
 9/25/96 to acquire two (2) parcels totaling 1.8 acres )  
 including two (2) commercial buildings totaling )  
 approximately 9,960 square feet located at 1011 )  
 Broadway Street in King City, California, identified )  
 as Assessor’s Parcel Numbers 026-391-022 and 026- )  
 391-021, for the amount of \$1,825,000, for use by the )  
 Agricultural Commissioner’s Office, pursuant to )  
 Government Code Section 25350.60; and )  
 c. Authorizing the Director of Public Works, )  
 Facilities, and Parks to execute the Commercial )  
 Property Purchase Agreement and Escrow )  
 Instructions and any related documents needed to )  
 complete the transaction, including, but not limited )  
 to, any future amendments to the Agreement subject )  
 to the review and approval of the Office of the )  
 County Counsel; and )  
 d. Authorizing and directing the Auditor-Controller )  
 to amend the fiscal year 2021-22 Adopted Budget for )  
 Capital Projects, Fund 402, Appropriation Unit )  
 PFP056, to increase appropriations by \$1,848,000, )  
 where the financing source is Capital Project Fund )  
 402 unassigned fund balance (4/5<sup>th</sup> vote required). )

**WHEREAS**, the Monterey County Agricultural Commissioner’s Office (MCAC) currently occupies a group of buildings located at 522 North 2<sup>nd</sup> Street in King City, California which was previously occupied by the then Public Works Department (now referred to as the Public Works, Facilities, and Parks Department [PWFP]); and,

**WHEREAS**, in 2010 a Phase 1 Environmental Site Assessment and real estate market analysis was completed and revealed that the existing buildings at 522 North 2<sup>nd</sup> Street are no longer sustainable for PWFP or MCAC functions and operations; and,

**WHEREAS**, PWFP and MCAC have continued to occupy the North 2<sup>nd</sup> Street property, in a limited capacity, pending a more suitable replacement property to be identified to enhance operational efficiencies, customer service, and maintain a much-needed South County presence; and,

**WHEREAS**, on May 25, 2021, the Board approved PWFP staff’s recommendation to authorize MCAC and the Director of PWFP and/or their respective designees to initiate real property negotiations with the Joan Miller Living Trust dated 9/25/96 for two (2) parcels totaling 1.8 acres including two (2)

commercial buildings totaling approximately 9,960 square feet located at 1011 Broadway Street in King City, California, identified as Assessor's Parcel Numbers 026-391-022 and 026-391-021 (the "Property") for future use by MCAC; and,

**WHEREAS**, PWFP staff commenced negotiations in consultation with MCAC and has successfully negotiated a purchase price of \$1,825,000 with mutually acceptable terms and conditions, including \$30,000 from the Seller for any needed repairs or improvements to the Property; and,

**WHEREAS**, the purchase of the Property is contingent on a property appraisal, property condition reports, and surveys, all of which will be completed during the County's due diligence period within escrow; and,

**WHEREAS**, the close of Escrow is tentatively scheduled to occur fifteen (15) days following the removal of all Buyer's due diligence contingencies. The purchase of the Property is also contingent on the Seller successfully completing a 1031 Exchange; and,

**WHEREAS**, in the event the Seller is not successful in completing a 1031 Exchange and cancels Escrow, the County will be reimbursed up to \$20,000 in due diligence costs as well as be refunded the County's earnest money deposit of \$36,500; and,

**WHEREAS**, MCAC and PWFP request that the Board of Supervisors authorize and direct the Auditor-Controller to amend the fiscal year 2021-22 Adopted Budget for Capital Projects, Fund 402, Appropriation Unit PFP056, to increase appropriations by \$1,848,000, where the financing source is Capital Project Fund 402 unassigned fund balance (4/5<sup>th</sup> vote required);

**NOW, THEREFORE**, the Board of Supervisors for the County of Monterey hereby resolves as follows:

- a. The above recitals are true and correct.
- b. The subject property transfer is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061.
- c. The Commercial Property Purchase Agreement and Escrow Instructions between the County and the Joan Miller Living Trust dated 9/25/96 to acquire two (2) parcels totaling 1.8 acres including two (2) commercial buildings totaling approximately 9,960 square feet located at 1011 Broadway Street in King City, California, identified as Assessor's Parcel Numbers 026-391-022 and 026-391-021, for the amount of \$1,825,000, for use by the Agricultural Commissioner's Office, pursuant to Government Code Section 25350.60 is approved.
- d. The Director of Public Works, Facilities, and Parks is authorized and directed to execute the Commercial Property Purchase Agreement and Escrow Instructions and any related documents needed to complete the transaction, including, but not limited to, any future amendments to the Agreement subject to the review and approval of the Office of the County Counsel.
- e. The Auditor-Controller is authorized to amend the fiscal year 2021-22 Adopted Budget for Capital Projects, Fund 402, Appropriation Unit PFP056, to increase appropriations by \$1,848,000, where the financing source is Capital Project Fund 402 unassigned fund balance for the acquisition of the subject property.

PASSED AND ADOPTED on this 24<sup>th</sup> day of August 2021, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew and Adams

NOES: None

ABSENT: None

(Government Code 54953)

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 82 for the meeting August 24, 2021.

Dated: September 1, 2021

File ID: 21-722

Agenda Item No.: 66

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



Julian Lorenzana, Deputy