

# Attachment F

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

**Resolution No.**

Resolution of the Monterey County Board of Supervisors to: )

- a. Find that the project is for Open Space Contracts or Easements which qualifies as Class 17 Categorical Exemption pursuant to Section 15317 of the CEQA Guidelines, and there are no exemptions pursuant to CEQA Guidelines Section 15300.2 )
- b. Continue the following three (3) applications to the 2019 round of applications: )
  - 1. No. 2018-001 (FSZ) - Clinton F. Miller, Jr. and Karen V. Miller, Trustees of the Miller Family Trust dated December 9, 1999; APNs 117-411-012 and 117-411-024 to establish a Farmland Security Zone and Contract (Continued FSZ Application No. 2017-010); )
  - 2. No. 2018-006 (FSZ) - Linda S. De Santiago Living Trust dated December 21, 1998; APNs 165-101-006 and 165-101-008 to establish a Farmland Security Zone and Contract (Continued FSZ Application No. 2017-011); and )
  - 3. No. 2018-007 (AgP) - George R. Work as Trustee of the WORK FAMILY ESTATE TRUST, George R. Work, Colleen M. Work, Jody L. Birks, Johnita A. Fisher Life Estate; APNs 424-161-020; 424-181-022 and 424-181-002 to establish an Agricultural Preserve and Land Conservation Contract (Continued AgP Application No. 2017-012) upon condition that a title company lot book report is timely submitted by September 15, 2018. )
- c. Approve the following four (4) applications to create three (3) Farmland Security Zones (FSZ) and FSZ Contracts and establish one (1) Agricultural Preserve (AgP) and Land Conservation Contract: )
  - 1. No. 2018-002 (AgP) - Kyler N. Hamann and Jamie Hamann and Kristan A. Hamann; APNs 423-151-059 and 423-151-060 to establish an AgP and approve a Land Conservation Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new AgP Land Conservation Contract No. 2018-002; and )
  - 2. No. 2018-003 (FSZ) - Mechanics Bank, Sole Successor Trustee under and pursuant to the Decree of Distribution in the matter of the Estate of Edie Westphal Herold, deceased; APN 223-061-023-000 to create an FSZ and approve an FSZ Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new FSZ Contract No. 2018-003; and )
  - 3. No. 2018-004 (FSZ) - Blackie Road Holdings, LLC, a California Limited Liability Company; APNs 133- )

013-001; 133-013-002; 133-013-003 to create an FSZ )  
 and approve an FSZ Contract as applicable to the real )  
 property described in Exhibit A “Legal Description” )  
 to proposed new FSZ Contract No. 2018-004 )  
 And )  
 Rescind a portion of Agricultural Preserve and Land )  
 Conservation Contract No. 77-1 and simultaneously )  
 place the property in a new Farmland Security Zone )  
 and Contract as applicable to the real property )  
 described in Exhibit A “Legal Description” to the )  
 proposed new Farmland Security Zone Contract No. )  
 2018-004; and )

4. No. 2018-005 (FSZ) - Thomas M. Borchard, Sr. and )  
 Katherine V. Borchard; APN 253-011-006 to create an )  
 FSZ and approve an FSZ Contract as applicable to the )  
 real property described in Exhibit A “Legal )  
 Description” to proposed new FSZ Contract No. 2018- )  
 005 and/or reconfigured Parcel B which is the subject )  
 of an approved Lot Line Adjustment in PLN160515 )  
 (Borchard Lot Line Adjustment) subject to the )  
 approval and recordation of the Certificates of )  
 Compliance required per PLN160515 (Continued FSZ )  
 Application No. 2017-006)

- d. Authorize the Chair to execute the recommended Farmland Security Zone Contracts and Agricultural Preserve Land Conservation Contract.
- e. Direct the Clerk of the Board to record the Farmland Security Zone and Agricultural Preserve Land Conservation Contracts prior to the January 1, 2018 property tax lien date subject to the submittal of the applicable recording fees by the property owners of record.

(REF170038 – Williamson Act Contract Applications 2018 – County-wide)

A total of seven (7) Williamson Act applications consisting of three (3) applications which are recommended for a continuance to the 2019 round of applications, four (4) applications to create a Farmland Security Zone (FSZ) and approve corresponding FSZ Contracts effective January 1, 2018, and one (1) application to establish an Agricultural Preserve (AgP) and approve a Land Conservation Contract effective January 1, 2018, came on for public hearing before the Monterey County Board of Supervisors on December 5, 2017. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County Board of Supervisors hereby finds and decides as follows:

**RECITALS**

WHEREAS, the Board of Supervisors finds the project qualifies for a Categorical Exemption pursuant to Class 17, Section 15317 (Open Space Contracts or Easements) of the CEQA Guidelines. CEQA Guidelines Section 15317 categorically exempts the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area.

WHEREAS, the Board of Supervisors is continuing three (3) applications to 2019 for two (2) applications for the creation of a Farmland Security Zone and corresponding FSZ Contract and one (1) application for the establishment of an Agricultural Preserve and corresponding LCC:

1. No. 2018-001 (FSZ) - Clinton F. Miller, Jr. and Karen V. Miller, Trustees of the Miller Family Trust dated December 9, 1999; APNs 117-411-012 and 117-411-024 to create a Farmland Security Zone and FSZ Contract (Continued FSZ Application No. 2017-010);
2. No. 2018-006 (FSZ) - Linda S. De Santiago Living Trust dated December 21, 1998; APNs 165-101-006 and 165-101-008 to create a Farmland Security Zone and FSZ Contract (Continued FSZ Application No. 2017-011); and
3. No. 2018-007 (AgP) - George R. Work as Trustee of the WORK FAMILY ESTATE TRUST, George R. Work, Colleen M. Work, Jody L. Birks, Johnita A. Fisher Life Estate; APNs 424-161-020; 424-181-022 and 424-181-002 to establish an Agricultural Preserve and Land Conservation Contract (Continued AgP Application No. 2017-012) upon condition that a title company lot book report is timely submitted by September 15, 2018.

Approval of a continuance for the three (3) applications will preserve the application fees submitted with the corresponding applications.

WHEREAS, the Board of Supervisors finds that the parcels of the following property are consistent with the General Plan of the County of Monterey and are suitable for inclusion in an Agricultural Preserve or Farmland Security Zone, it being the intention to establish an Agricultural Preserve or create a Farmland Security Zone for these parcels, as expressly requested by the property owners of record, the Board hereby approves the following applications and corresponding contracts:

1. Application No. 2018-002 (AgP) - Kyler N. Hamann and Jamie Hamann and Kristan A. Hamann; APNs 423-151-059 and 423-151-060 to add the subject property to an existing Ag P and Land Conservation Contract No. 74-15 and establish an AgP and approve a Land Conservation Contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new AgP Land Conservation Contract No. 2018-002 – 2018 Amendment to Agricultural Preserve No. 74-15 and Land Conservation Contract No. 74-15;
2. Application No. 2018-003 (FSZ) - Mechanics Bank, Sole Successor Trustee under and pursuant to the Decree of Distribution in the matter of the Estate of Edie Westphal Herold, deceased; APN 223-061-023-000 to create an FSZ and approve an FSZ Contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new FSZ Contract No. 2018-003;
3. Application No. 2018-004 (FSZ) - Blackie Road Holdings, LLC, a California Limited Liability Company; APNs 133-013-001; 133-013-002; 133-013-003 to create an FSZ and approve an FSZ Contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new FSZ Contract No. 2018-004;

And

Rescind a portion of Agricultural Preserve and Land Conservation Contract No. 77-1 and simultaneously place the property in a new FSZ and FSZ Contract as applicable to the real property described in Exhibit A "Legal Description" to the proposed new FSZ Contract No. 2018-004; and

4. Application No. 2018-005 (FSZ) - Thomas M. Borchard, Sr. and Katherine V. Borchard; APN 253-011-006 to create an FSZ and approve an FSZ Contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new FSZ Contract No. 2018-005 and/or reconfigured Parcel B which is the subject of an approved Lot Line Adjustment in PLN160515 (Borchard Lot Line Adjustment) subject to the approval and recordation of the Certificates of Compliance

**DECISION**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors does hereby:

- a. Find that the project is for Open Space Contracts or Easements which qualifies as Class 17 Categorical Exemption pursuant to CEQA Guidelines Section 15317, and there are no exemptions pursuant to CEQA Guidelines Section 15300.2;
- b. Continue the following three (3) applications to the 2019 round of applications:
  1. No. 2018-001 (FSZ) - Clinton F. Miller, Jr. and Karen V. Miller, Trustees of the Miller Family Trust dated December 9, 1999; APNs 117-411-012 and 117-411-024 to create a Farmland Security Zone and Contract (Continued FSZ Application No. 2017-010);
  2. No. 2018-006 (FSZ) - Linda S. De Santiago Living Trust dated December 21, 1998; APNs 165-101-006 and 165-101-008 to create a Farmland Security Zone and Contract (Continued FSZ Application No. 2017-011); and
  3. No. 2018-007 (AgP) - George R. Work as Trustee of the WORK FAMILY ESTATE TRUST, George R. Work, Colleen M. Work, Jody L. Birks, Johnita A. Fisher Life Estate; APNs 424-161-020; 424-181-022 and 424-181-002 to establish an Agricultural Preserve and Land Conservation Contract (Continued AgP Application No. 2017-012) upon condition that a title company lot book report is timely submitted by September 15, 2018.
- c. Approve the following four (4) applications to create three (3) Farmland Security Zones (FSZ) and FSZ Contracts and establish one (1) Agricultural Preserve (AgP) and Land Conservation Contract:
  1. No. 2018-002 (AgP) - Kyler N. Hamann and Jamie Hamann and Kristan A. Hamann; APNs 423-151-059 and 423-151-060 to establish an AgP and approve a Land Conservation Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new AgP Land Conservation Contract No. 2018-002;
  2. No. 2018-003 (FSZ) - Mechanics Bank, Sole Successor Trustee under and pursuant to the Decree of Distribution in the matter of the Estate of Edie Westphal Herold, deceased; APN 223-061-023-000 to create an FSZ and approve an FSZ Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new FSZ Contract No. 2018-003;
  3. No. 2018-004 (FSZ) - Blackie Road Holdings, LLC, a California Limited Liability Company; APNs 133-013-001; 133-013-002; 133-013-003 to create an FSZ and approve an FSZ Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new FSZ Contract No. 2018-004;  
And  
Rescind a portion of Agricultural Preserve and Land Conservation Contract No. 77-1 and simultaneously place the property in a new Farmland Security Zone and Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new Farmland Security Zone Contract No. 2018-004; and
  4. No. 2018-005 (FSZ) - Thomas M. Borchard, Sr. and Katherine V. Borchard; APN 253-011-006 to create an FSZ and approve an FSZ Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new FSZ Contract No. 2018-005 and/or the reconfigured Parcel B which is the subject of an approved Lot Line Adjustment in PLN160515 (Borchard Lot Line Adjustment) subject to the approval and recordation of the Certificates of Compliance required per PLN160515 (Continued FSZ Application No. 2017-006).

- d. Authorize the Chair to execute the recommended Farmland Security Zone Contracts and Agricultural Preserve Land Conservation Contract; and
- e. Direct the Clerk of the Board of Supervisors to record the Farmland Security Zone Contracts and Agricultural Preserve Land Conservation Contract prior to the January 1, 2018 property tax lien date subject to the submittal of the applicable recording fees by the property owners of record.

(REF170038 – Williamson Act Contract Applications 2018 – County-wide)

PASSED AND ADOPTED on this 5th day of December, 2017, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

I, Gail T. Borkowski, 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 \_\_\_\_\_.

Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors  
County of Monterey, State of California

By \_\_\_\_\_  
Deputy

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