



# County of Monterey

**Item No.**

## Board Report

Board of Supervisors  
Chambers

168 W. Alisal St., 1st Floor  
Salinas, CA 93901

**Legistar File Number: RES 24-019**

January 30, 2024

**Introduced:** 1/22/2024

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** BoS Resolution

Adopt a Resolution to:

- a. Find that the subject property transfer is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines California Code of Regulations (CCR) section 15061; and
- b. Approve the Agreement for Purchase and Sale of Real Property and Joint Escrow Instructions (Agreement) between the County and the Carmel Unified School District to acquire one (1) parcel totaling approximately 1,800 square feet including one (1) structure totaling approximately 1,187 square feet located at 27885 Robinson Canyon Road, Carmel Valley, California, also identified as Assessor's Parcel Number 169-131-005, for the amount of \$100,000 for use by the Public Works, Facilities, and Parks Department, pursuant to Government Code Section 25350.60; and
- c. Authorize the Public Works, Facilities, and Parks Director to execute the Agreement for Purchase and Sale of Real Property and Joint Escrow Instructions and any related documents needed to complete the transaction, including, but not limited to, a Grant Deed and any future amendments to the Agreement subject to review and approval by the Office of the County Counsel; and
- d. Authorize the Auditor-Controller to amend the Fiscal Year 2023-24 Adopted Budget, Fund 001, Facility Services Appropriation Unit PFP054, to increase appropriations by \$115,000, for acquisition and due diligence costs, financed by a decrease in appropriations in General Fund Contingencies, Fund 001, Appropriation Unit CAO020 (4/5ths vote required).

**RECOMMENDATION:**

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

- a. Find that the subject property transfer is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines California Code of Regulations (CCR) section 15061; and
- b. Approve the Agreement for Purchase and Sale of Real Property and Joint Escrow Instructions (Agreement) between the County and the Carmel Unified School District to acquire one (1) parcel totaling approximately 1,800 square feet including one (1) structure totaling approximately 1,187 square feet located at 27885 Robinson Canyon Road, Carmel Valley, California, also identified as Assessor's Parcel Number 169-131-005, for the amount of \$100,000 for use by the Public Works, Facilities, and Parks Department, pursuant to Government Code Section 25350.60; and
- c. Authorize the Public Works, Facilities, and Parks Director to execute the Agreement for Purchase and Sale of Real Property and Joint Escrow Instructions and any related documents needed to complete the transaction, including, but not limited to, a Grant Deed and any future amendments to the Agreement subject to review and approval by the Office of the County Counsel; and
- d. Authorize the Auditor-Controller to amend the Fiscal Year 2023-24 Adopted Budget, Fund 001, Facility Services Appropriation Unit PFP054, to increase appropriations by \$115,000, for acquisition

and due diligence costs, financed by a decrease in appropriations in General Fund Contingencies, Fund 001, Appropriation Unit CAO020 (4/5ths vote required).

SUMMARY:

Pursuant to the Board of Supervisors' (Board) authorization on October 10, 2023, the Director of Public Works, Facilities, and Parks (PWFP) executed a letter of intent to purchase certain real property and improvements commonly referred to as Accessor's Parcel Number (APN) 169-131-005, totaling approximately 1,800 square feet of land, located at 27885 Robinson Canyon Road in Carmel Valley, County of Monterey, State of California (the "Property"), presently owned by the Carmel Unified School District (CUSD). The Property contains an approximate 1,187 square foot structure, commonly referred to as the Carmelo Athletic and Social Club Building (the "Building") appurtenant to the land. This Board item presents a unique opportunity for the County to open escrow towards completing the purchase of the Property for potential future road expansion and to keep the locally significant Building within its local community.

DISCUSSION:

In March 2023, PWFP-Facilities-Real Property Unit staff received a surplus property availability notice from CUSD declaring the Property as surplus property to be sold. Pursuant to the California Surplus Lands Act, the County received the notice of availability letter from CUSD prior to the Property being made available for purchase by the public.

The Property consists of one (1) parcel of land totaling approximately 1,800 square feet, including the 1,187 square foot Building appurtenant to the land, located in the unincorporated Carmel Valley area of the County of Monterey. The Building was built in 1895 and was used primarily as the Carmelo Athletic and Social Club up until the 1960s and was donated to CUSD in 2002. The Property does not have onsite parking, lacks the benefit of a cross walk, and contains overgrown vegetation. The Building is in poor condition and is currently used by CUSD for storage. The Building holds local significance; however, it is not listed on any national or state historical building registry.

In April 2023, PWFP staff submitted a letter of interest on behalf of the County following analysis of the Property and discovery of potential future use for County Road expansion purposes and local significance of the Building. PWFP staff subsequently reached out to the Carmel Valley Historical Society (CVHS) regarding the local significance of the Building. CVHS has verbally committed to partnering with the County to caretake the Building both at its current location and at a future (to be determined) relocation site with the intent to keep the Building within its local community. The 2019 CVHS Newsletter article regarding the Carmelo Athletic and Social Club is included as Attachment C.

The purchase of the Property is contingent upon completion and approval of the County's due diligence reports and inspections including a property condition report, phase 1 report, preliminary title report, execution of a memorandum of understanding with a partnering agency or organization regarding relocation, renovation, and caretaking efforts of the Building, and review of seller disclosures, all of which will be completed during the County's ninety (90) day due diligence period during escrow. County's due diligence costs are estimated at \$15,000. The close of escrow is tentatively scheduled to occur thirty (30) days following the removal of all the County's due diligence

contingencies.

On October 10, 2023, as authorized pursuant to California Government Code sections 7922.000 and 54956.9, the Board approved PWF staff's recommendation to offer an "up to" purchase price of \$100,000 for the Property. PWF staff consulted with PWF management regarding potential PWF department funding sources; however, because the area in which the Property is situated is not included on a current CIP plan for road improvements or expansion, the Road Fund and other PWF funds cannot be used to support acquisition costs for the Property. There are available funds in General Fund Contingencies and Cannabis Assignment to fund the acquisition costs of approximately \$115,000.

On October 12, 2023, PWF-Real Property Unit staff submitted the County's letter of intent to purchase the Property for \$100,000, which CUSD fully executed on November 2, 2023. The County has ninety (90) days from execution of the letter of intent to go back to the Board for approval of a purchase agreement and funding source. Approval of staff's recommendation would approve a funding source and approve and authorize the Director of PWF to execute the Agreement for Purchase and Sale of Real Property and Joint Escrow Instructions between the County and CUSD and any other related documents needed to complete the transaction.

**OTHER AGENCY INVOLVEMENT:**

The Office of the County Counsel and the County Administration Office (CAO) - Budget and Analysis Division have been working with PWF staff on this matter involving CUSD. To meet CUSD timeframe requirements, PWF Staff bypassed the Budget Committee (BC), with the BC Committee's authorization. As indicated above, as authorized pursuant to California Government Code sections 7922.000 and 54956.9, on October 10, 2023, the Board approved PWF staff's recommendation to offer an "up to" purchase price of \$100,000 for the Property and return to the Board in open session; therefore, in consultation with the Office of the County Counsel and the CAO - Budget and Analysis Division, this item is being returned to the Board for approval of the proposed Agreement and funding source.

In March 2023, PWF-Facilities-Real Property Unit staff received a surplus property availability notice from CUSD declaring the Property as surplus property which was available to be sold to the County. On September 13, 2023, CUSD submitted a 30-Day notice to PWF staff to submit a Letter of Intent to purchase, with terms and conditions included, by October 13, 2023, in order to continue negotiations regarding the purchase of the Property. On October 12, 2023, PWF-Real Property Unit staff submitted the County's letter of intent to purchase the Property, which CUSD fully executed on November 2, 2023.

**FINANCING:**

Funding for the proposed purchase, due diligence, and escrow costs are recommended to be funded from General Fund Contingencies, as recommended by the CAO Budget and Analysis Division and PWF Staff. The proposed purchase price is \$100,000. Additional due diligence costs consisting of property condition reports, and surveys are estimated at \$15,000.

General Fund Contingencies has a balance of \$1,050,758, as of the date this report was written.

**BOARD OF SUPERVISORS STRATEGIC INITIATIVES:**

This action supports the Board of Supervisors strategic initiative to promote sustainable, physical infrastructure that improves the quality of life for County residents and visitors and supports public safety by ensuring proper road infrastructure is sufficient for the Communities safety needs.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Reviewed by: Lindsay Lerable, Assistant Director of Public Works, Facilities and Parks

Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities and Parks

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The following attachments are on file with the Clerk of the Board:

Attachment A - Location Map

Attachment B - Draft Purchase Agreement & Joint Escrow Instructions

Attachment C - Executed Letter of Intent

Attachment D - 2019 CVHS Newsletter Article

Attachment E - Proposed Resolution