



Monterey County

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Board Order

Upon motion of Supervisor Salinas, seconded by Supervisor Potter and carried by those members present, the Board of Supervisors hereby:

Held a Public Hearing to:

- a. Adopt Resolution No. 14-304 approving fifteen (15) County-initiated Notices of Non-Renewal for portions of fifteen (15) Williamson Act Agricultural Preserve Land Conservation Contracts due to not meeting Williamson Act Program and County Land Conservation Contract requirements and/or with the Property Owner's consent; and
- b. Direct the Clerk of the Board of Supervisors to record fifteen (15) County-initiated Notices of Non-Renewal for portions of fifteen (15) Contracts with the County Recorder on or before November 1, 2014 and to provide a copy of the recorded Notices of Non-Renewal to the Department of Conservation, Williamson Act Program.

(REF140054 - County initiated Notices of Non-Renewal 2014 - Portions of Williamson Act Agricultural Preserve Land Conservation Contracts)


PASSED AND ADOPTED on this 14th day of October 2014, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker and Potter
 NOES: None
 ABSENT: None

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 77 for the meeting on October 14, 2014.

Dated: October 17, 2014
File Number: RES 14-098

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

By  Deputy

**Before the Monterey County Board of Supervisors
County of Monterey, State of California**

Resolution No. 14-304

Resolution of the Monterey County Board of Supervisors)
to:)
Consider County initiated Notices of Non-Renewal of)
Williamson Act Land Conservation Contracts effective)
January 1, 2015)
a. Consider adoption of Resolution approving County-)
initiated Notices of Non-Renewal for portions of fifteen)
(15) Williamson Act Agricultural Preserve Land)
Conservation Contracts due to not meeting Williamson Act)
Program and County Land Conservation Contract)
requirements and/or with the Property Owner’s consent.)
b. Direct the Clerk of the Board of Supervisors to record)
County-initiated Notices of Non-Renewal for portions of)
fifteen (15) Contracts with the County Recorder on or)
before November 1, 2014 and to provide a copy of the)
recorded Notices of Non-Renewal to the Department of)
Conservation, Williamson Act Program.)
(REF140054 – County initiated Notices of Non-Renewal)
2015 – Portions of Williamson Act Agricultural Preserve)
Land Conservation Contracts).....)

County initiated Notices of Non-Renewal of Williamson Act Land Conservation Contracts effective January 1, 2015 came on for public hearing before the Monterey County Board of Supervisors on October 14, 2015. 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, Staff has received completed Questionnaires where Property Owners have clearly stated that the subject property is not in commercial agricultural production in accordance with the Williamson Act Program and corresponding Contract requirements. Additionally, Questionnaires were not returned by numerous property owners and subsequent investigation by the Assessor’s Office indicates that some of the related properties are no longer being utilized for the commercial production of food and/or fiber; and

WHEREAS, on September 5, 2014, Staff sent each of these property owners a letter to inform them of the County’s intent to initiate Notice of Non-Renewal of their respective Land Conservation Contract for the subject property and to notify the respective property owner of the October 14, 2014 Public Hearing for the Board of Supervisor’s consideration of this matter, as

well as their right to request reconsideration of the County's intent to initiate a Notice of Non-Renewal pursuant to Government Code Section 51245; and

WHEREAS, the Agricultural Preserve Review Committee is recommending County Initiated Notice of Non-Renewal for portions of fifteen (15) Williamson Act Agricultural Preserve Land Conservation Contracts due to not meeting Williamson Act Program and County Land Conservation Contract requirements and/or with the Property Owner's consent, for the following Contracts:

- 1) Peter Afterman – Land Conservation Contract No. 81-005
- 2) Harold D. Andersen and Margie Andersen - Land Conservation Contract No. 89-004
- 3) Patricia Lynne Bickel - Land Conservation Contract No. 71-056
- 4) Douglas Bradburn and Liselotte Bradburn, as Trustees of the D. Bradburn 1986 Family Trust (created by a Declaration of Trust dated July 9, 1986) - Land Conservation Contract No. 71-040
- 5) Cal-West Land and Livestock Company, a California Corporation - Land Conservation Contract No. 82-002
- 6) Ira Franklin, Trustee of The Ira Franklin 2003 Trust, dated June 25, 2003 - Land Conservation Contract No. 71-050
- 7) Nancy Geary - Land Conservation Contract No. 69-031
- 8) Antonio R. Hernandez, Jose A. Pizano, and Nicolas C; Pizano and Emma de Pizano - Land Conservation Contract No. 71-046
- 9) Morgantini Ranches NO 1, a California General Partnership - Land Conservation Contract No. 68-082
- 10) Nine Mile Properties LLC, a California limited liability company - Land Conservation Contract No. 96-004
- 11) Peree Geffen Corporation - Land Conservation Contract No. 68-006
- 12) Miguel A. Pizano and Guadalupe G Pizano and Carlos Lopez and Yolanda Lopez - Land Conservation Contract No. 71-046
- 13) Maurillo Serrano and Ofelia Serrano - Land Conservation Contract No. 71-047
- 14) The Nature Conservancy, a District of Columbia non-profit corporation - Land Conservation Contract No. 00-006B
- 15) Juan Velasquez and Maria Velasquez - Land Conservation Contract No. 71-046

DECISION

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

- a. Approve County-initiated Notices of Non-Renewal for portions of fifteen (15) Williamson Act Agricultural Preserve Land Conservation Contracts due to not meeting Williamson Act Program and County Land Conservation Contract requirements and/or with the Property Owner's consent.
- b. Authorize the Chair to execute fifteen (15) Notices of Non-Renewal for the following Contracts:
 - 1) Peter Afterman – Land Conservation Contract No. 81-005

- 2) Harold D. Andersen and Margie Andersen - Land Conservation Contract No. 89-004
- 3) Patricia Lynne Bickel - Land Conservation Contract No.71-056
- 4) Douglas Bradburn and Liselotte Bradburn, as Trustees of the D. Bradburn 1986 Family Trust (created by a Declaration of Trust dated July 9, 1986) - Land Conservation Contract No.71-040
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- 15) Juan Velasquez and Maria Velasquez - Land Conservation Contract No. 71-046

- c. Direct the Clerk of the Board to record fifteen (15) County-initiated Notices of Non-Renewal with the County Recorder on or before November 1, 2014 and to provide a copy of the recorded Notices of Non-Renewal to the Department of Conservation, Williamson Act Program.


PASSED AND ADOPTED upon motion of Supervisor Salinas, seconded by Supervisor Potter and carried this 14th day of October 2014, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker and Potter
NOES: None
ABSENT: None

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 77 for the meeting on October 14, 2014.

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