

ATTACHMENT C

**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:)
Consider County initiated Notices of Non-Renewal of)
Williamson Act Land Conservation Contracts effective)
January 1, 2013)
 a.) Consider adoption of Resolution approving)
 County-initiated Notices of Non-Renewal for)
 portions of three (3) 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 three (3) Contracts with the County)
 Recorder on or before November 1, 2012 and to)
 provide a copy of the recorded Notices of Non-)
 Renewal to the Department of Conservation,)
 Williamson Act Program.)
(PLN120564 – County initiated Notices of Non-Renewal)
2013 – Portions of Williamson Act Agricultural Preserve)
Land Conservation Contract No. 68-011, No. 69-009 and)
No. 69-017))

County initiated Notices of Non-Renewal of Williamson Act Land Conservation Contracts effective January 1, 2013 came on for public hearing before the Monterey County Board of Supervisors on October 16, 2012. 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 three (3) 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; and

WHEREAS, one (1) Landowner specifically requested Non-Renewal of their respective Contract; and

WHEREAS, on September 7, 2012 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 16, 2012 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, on September 27, 2012, the Agricultural Advisory Committee considered the proposed County Initiated Notices of Non-Renewal and unanimously supported Staff's recommendation; and

WHEREAS, the Agricultural Preserve Review Committee is recommending County Initiated Notice of Non-Renewal for portions of three (3) 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) CAPPURO PROPERTIES LLC (Frank C. Capurro & Son) – Land Conservation Contract No. 68-011 (Partial Non-Renewal)
- 2) FRANK L & BETTY J CAPURRO - Land Conservation Contract No. 68-011 (Partial Non-Renewal)
- 3) JAMES N & TRINA HEARNE - Land Conservation Contract No. 69-009 (Partial Non-Renewal)
- 4) GET AWAY (Samuel Nagai) - Land Conservation Contract No. 69-017 (Partial Non-Renewal)

DECISION

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

- a) Approve County-initiated Notices of Non-Renewal for portions of three (3) 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 four (4) Notices of Non-Renewal for the following Contracts:
 - 1) CAPPURO PROPERTIES LLC (Frank C. Capurro & Son) – Land Conservation Contract No. 68-011 (Partial Non-Renewal)
 - 2) FRANK L & BETTY J CAPURRO - Land Conservation Contract No. 68-011 (Partial Non-Renewal)
 - 3) JAMES N & TRINA HEARNE - Land Conservation Contract No. 69-009 (Partial Non-Renewal)
 - 4) GET AWAY (Samuel Nagai) - Land Conservation Contract No. 69-017 (Partial Non-Renewal)
- c) Direct the Clerk of the Board to record four (4) County-initiated Notices of Non-Renewal with the County Recorder on or before November 1, 2012 and to provide a copy of the recorded Notices of Non-Renewal to the Department of Conservation, Williamson Act Program.

PASSED AND ADOPTED on this 16th day of October, 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