



Monterey County

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Order

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

- PLN120564 - Conducted a Public Hearing to consider County initiated Notices of Non-Renewal of Williamson Act Land Conservation Contracts effective January 1, 2013
- a. Adopted Resolution 12-273 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. Authorize the Chair to execute three (3) 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)
 - c. Directed 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)

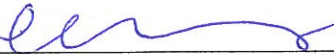
PASSED AND ADOPTED on this 16th day of October 2012, by the following vote, to-wit:

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

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 76 for the meeting on October 16, 2012

Dated: April 16, 2013
File Number: 12-954

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

By 
Deputy

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

Resolution No. 12-273

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)

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 three (3) 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)
- c) Direct the Clerk of the Board to record three (3) 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 upon motion of Supervisor Calcagno, seconded by Supervisor Salinas, and carried this 16th day of October 2012, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas and Parker

NOES: None

ABSENT: Supervisor Potter

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 76 for the meeting on October 16, 2012

Dated: November 21, 2012
Supervisors
File Number: 12-954

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

By  Deputy