



Monterey County Board of Supervisors

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

Board Order

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

- a. Adopted Resolution No. 15-074 to Rescind Resolution Number 14-285;
- b. Approved and authorized the Chair to sign a Memorandum of Agreement (MOA) between the County of Monterey and the National Steinbeck Center to pay the National Steinbeck Center approximately \$6,102, representing the Agency's share of proceeds from the sale of the Steinbeck Center.

PASSED AND ADOPTED on this 24th day of March 2015, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, 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 March 24, 2015.

Dated: March 26, 2015
File ID: A 15-060

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

By Donise Hancock
Deputy

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

Resolution No. 15-074

A Resolution of the Board of Supervisors of the County)
of Monterey Rescinding Resolution No. 14-285.....)

WHEREAS, on October 7, 2014, the County of Monterey (“County”), as an affected taxing entity, held a public meeting to consider the public benefit and public purpose of the Steinbeck Center and a new campus of the California State University, Monterey Bay in Downtown.

WHEREAS, after said public meeting, the County adopted Resolution 14-285, agreeing to forgive and forgo the receipt of unanticipated revenue that would have come to it from the proceeds of the sale of the National Steinbeck Center to the California State University, Monterey Bay; and

WHEREAS, the Salinas Oversight Board said Resolution to the State Department of Finance (“DOF”); and

WHEREAS, the DOF rejected the concept of “forgiveness” of debt and required that sale proceeds be processed through the procedure laid out in the Dissolution Act (Health and Safety Code §§ 34161 *et seq.*); and

WHEREAS, the County will be entering into a Memorandum of Agreement with the National Steinbeck Center (“NSC”), agreeing to pay to the NSC the County’s share of proceeds from the sale of the NSC to the California State University, Monterey Bay; and

WHEREAS, the Memorandum of Agreement supplants and replaces Resolution 14-285.

NOW THEREFORE, BE IT RESOLVED, that the County of Monterey hereby RESCINDS Resolution 14-285.

This Resolution shall take effect immediately.

PASSED AND ADOPTED upon motion of Supervisor Parker, seconded by Supervisor Armenta and carried this 24th day of March 2015, by the following vote, to wit:

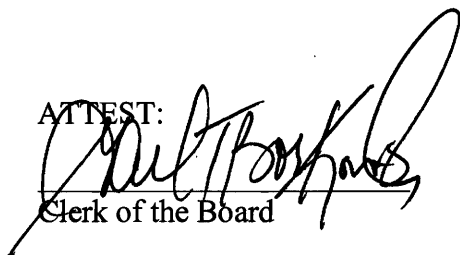
AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter
NOES: None
ABSENT: None

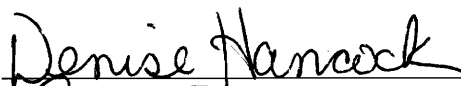

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 77 for the meeting on March 24, 2015.

Dated: March 26, 2015
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Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

ATTEST:


Clerk of the Board

By 
Deputy

Simon Salinas, Chair

**MEMORANDUM OF AGREEMENT
BETWEEN THE NATIONAL STEINBECK CENTER
AND
THE COUNTY OF MONTEREY**

This MEMORANDUM OF AGREEMENT (“AGREEMENT”) is made on March 24, 2015, by and between the National Steinbeck Center (“NSC”), and the County of Monterey (“COUNTY”).

RECITALS

A. The County of Monterey (“County”) is considered an “affected taxing entity” under the Community Redevelopment Law (Health and Safety Code sections 33000, et seq.), with regard to the Project Area; and

B. Effective June 29, 2011, the Community Redevelopment Law was significantly amended by the Dissolution Act (ABX 1 26), which had the effect of dissolving redevelopment agencies and requiring that assets and debts of redevelopment agencies be liquidated and funds transferred to “affected taxing agencies;” and

C. On October 7, 2014, the County adopted Resolution 14-285, to support establishing a California State University of Monterey Bay campus in downtown Salinas and to forgo the receipt of unanticipated tax revenue of approximately \$68,264.00 from the sale of the Steinbeck Center to California State University Monterey Bay; and

D. The County has been informed that the State Department of Finance has required the reallocation of sales proceeds rather than their “forgiveness;” and

E. The County of Monterey wishes to reconfirm its intent to forgo the County’s share of un-anticipated tax revenue, as well as its determination that sale of the Steinbeck Center to California State University Monterey Bay is in the “best interests” of the Steinbeck Center, the City of Salinas’ Downtown Vibrancy Plan and educational interests of California State University, Monterey Bay, and ultimately, the County’s best interests.

**NOW THEREFORE, IT IS MUTUALLY AGREED BETWEEN THE PARTIES
HERETO AS FOLLOWS:**

AGREEMENT

1. Sale Proceeds Collection and Remittance

Within 10 business days of receipt of its share of the proceeds of the sale of the National Steinbeck Center to California State University Monterey Bay, the County shall remit the same

to the National Steinbeck Center, at the following address:

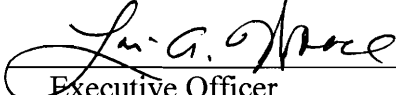
National Steinbeck Center
1 Main Street
Salinas, CA 93901
Attn: Lori Wood

- 2. Amendment by Written Recorded Instrument. This Agreement may be amended or modified in whole or in part, only by written instrument executed by both of the parties.
- 3. Governing Law. This Agreement shall be governed by and interpreted by and in accordance with the laws of the State of California
- 4. Interpretation. It is agreed and understood by the parties hereto that this Agreement has been arrived at through negotiation and the neither party is to be deemed the party which prepared the Agreement within the meaning of Civil Code Section 1654.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and Year set out opposite their respective signatures.

NATIONAL STEINBECK CENTER

Date: 3/30/15

By: 
Executive Officer
Lori Wood

COUNTY OF MONTEREY

Date: 4/1/15

By: 
Chair, Board of Supervisors

APPROVED AS TO FORM:

By: 

Date: 3/30/15