



Legislation Details (With Board Report)

File #:	A 23-122	Name:	BSLT Lease Toro Amendment No.2
Type:	BoS Agreement	Status:	Passed
File created:	4/6/2023	In control:	Board of Supervisors
On agenda:	4/25/2023	Final action:	4/25/2023
Title:	Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to Lease Agreement A-12121 to extend the Cattle Grazing Lease through April 1, 2025, with Big Sur Land Trust for approximately 624 acres of grassland, which is a portion of the former Marks Ranch Property located within Toro Park, at no cost to the County.		

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A- Amendment No.1, 3. Attachment B- Lease Agreement A-12121, 4. Attachment C- Proposed Amendment No.2, 5. Completed Board Order Item No. 41

Date	Ver.	Action By	Action	Result
4/25/2023	1	Board of Supervisors		

Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to Lease Agreement A-12121 to extend the Cattle Grazing Lease through April 1, 2025, with Big Sur Land Trust for approximately 624 acres of grassland, which is a portion of the former Marks Ranch Property located within Toro Park, at no cost to the County.

RECOMMENDATION:

It is recommended that the Board of Supervisors approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to Lease Agreement A-12121 to extend the Cattle Grazing Lease through April 1, 2025, with Big Sur Land Trust for approximately 624 acres of grassland, which is a portion of the former Marks Ranch Property located within Toro Park, at no cost to the County.

SUMMARY/DISCUSSION:

On August 24, 2010, the Board of Supervisors approved a Purchase and Sales Agreement between the Big Sur Land Trust (BSLT) and the County of Monterey (County) (together, "Parties") for the County's acquisition of a 624-acre portion of the Marks Ranch Property (Property). Subsequently, the County negotiated a Cattle Grazing Lease (Lease) for the Property with BSLT for the purpose of restoring and enhancing its natural and ecological value. The Property was added to the Toro Park open space acreage (Park).

On March 24, 2021, the Board of Supervisors approved Amendment No. 1 (Attachment A) to the Lease (Attachment B) to extend the term to April 1, 2023, while the Parties negotiate revised terms and conditions of the Lease.

Public Works, Facilities and Parks (PWWP) requires additional time to negotiate a new lease due to the COVID-19 Pandemic and the Park damage sustained from the River Fire in August 2020. Park staff have been working with Federal Emergency Management Agency (FEMA) on reimbursement of Toro Park damage.

Staff requests the Board of Supervisors authorize and approve the proposed Amendment No. 2 (Attachment C) to the Lease which extends the term to April 1, 2025, while the Parties continue negotiating revised terms and

conditions of the Lease. If approved, this Lease amendment will allow BSLT to continue managing the Property without disruption to operations. Once lease negotiations are complete, staff will return to the Board for approval of the new lease.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed and approved Amendment No. 2 of the Cattle Grazing Lease as to form.

FINANCING:

Approval of Amendment No. 2 to Lease Agreement A-12121 has no additional impact to the General Fund. BSLT pays the County an annual rent of \$4,700. Per the terms of the lease, BSLT is permitted to offset up to one hundred percent (100%) of the rent amount in approved improvement, expense, and additional services costs.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action supports the Board of Supervisors Strategic Initiative(s) for Administration and Infrastructure. The continuation of the Lease provides for ongoing maintenance of County property, including an incentive for BSLT to complete infrastructure improvements.

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

Prepared by: George Salcido, Real Property Specialist (831) 755-4859

Reviewed by: Lindsay Lerable, Chief of Facilities

Reviewed by: Bryan Flores, Chief of Parks

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

Attachment:

Attachment A-Amendment No. 1

Attachment B-Lease Agreement A-12121

Attachment C-Proposed Amendment No. 2

(Attachment is on file with the Clerk of the Board)