



Legislation Details (With Board Report)

File #: A 19-266 **Name:** Amendment and Modification No. 4 to Botts Grazing Lease 2

Type: BoS Agreement **Status:** Passed - RMA Administration

File created: 6/19/2019 **In control:** Board of Supervisors

On agenda: 7/9/2019 **Final action:** 7/9/2019

Title: a. Find that the amendments to Standard Lease Agreement (General: Grazing) San Antonio Lease 2 with Joseph E. Botts and Monterey County Water Resources Agency is a minor expansion of an existing use which is Categoricaly Exempt from the California Environmentally Quality Act pursuant to Section 15301 of the CEQA Guidelines;

b. Approve Amendment and Modification No. 4 to the Standard Lease Agreement (General: Grazing) San Antonio Lease 2 with Joseph E. Botts and Monterey County Water Resources Agency to include the County of Monterey as a co-lessee to the Lease solely for the purposes of and only with respect to the rights and covenants established by Amendment and Modification No. 4; and

c. Authorize the Resource Management Agency Director, or designee, to sign Amendment and Modification No. 4 to Standard Lease Agreement (General: Grazing) San Antonio Lease 2.

Proposed CEQA action: Categoricaly exempt under section 15301 of the California Environmental Quality Act (CEQA) Guidelines.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A-Amendment/Modification 4, 3. Attachment B-Conditional Waiver/Modification 3, 4. Attachment C-Amendment/Conditional Waiver/Modification 2, 5. Attachment D-Amendment/Conditional Waiver/Modification 1, 6. Attachment E-San Antonio (General: Grazing) Lease 2, 7. Completed Board Order No. 30

Date	Ver.	Action By	Action	Result
7/9/2019	1	Board of Supervisors	approved - rma administration	Pass

a. Find that the amendments to Standard Lease Agreement (General: Grazing) San Antonio Lease 2 with Joseph E. Botts and Monterey County Water Resources Agency is a minor expansion of an existing use which is Categoricaly Exempt from the California Environmentally Quality Act pursuant to Section 15301 of the CEQA Guidelines;

b. Approve Amendment and Modification No. 4 to the Standard Lease Agreement (General: Grazing) San Antonio Lease 2 with Joseph E. Botts and Monterey County Water Resources Agency to include the County of Monterey as a co-lessee to the Lease solely for the purposes of and only with respect to the rights and covenants established by Amendment and Modification No. 4; and

c. Authorize the Resource Management Agency Director, or designee, to sign Amendment and Modification No. 4 to Standard Lease Agreement (General: Grazing) San Antonio Lease 2.

Proposed CEQA action: Categoricaly exempt under section 15301 of the California Environmental Quality Act (CEQA) Guidelines.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Find that the amendments to Standard Lease Agreement (General: Grazing) San Antonio Lease 2 with Joseph E. Botts and Monterey County Water Resources Agency is a minor expansion of an existing use which

is Categorically Exempt from the California Environmentally Quality Act pursuant to Section 15301 of the CEQA Guidelines;

- b. Approve Amendment and Modification No. 4 to the Standard Lease Agreement (General: Grazing) San Antonio Lease 2 with Joseph E. Botts and Monterey County Water Resources Agency to include the County of Monterey as a co-lessee to the Lease solely for the purposes of and only with respect to the rights and covenants established by Amendment and Modification No. 4; and
- c. Authorize the Resource Management Agency Director, or designee, to sign Amendment and Modification No. 4 to Standard Lease Agreement (General: Grazing) San Antonio Lease 2.

Proposed CEQA action: Categorically exempt under section 15301 of the California Environmental Quality Act (CEQA) Guidelines.

SUMMARY/DISCUSSION:

The Monterey County Water Resources Agency (MCWRA) and Joseph E. Botts (Botts) are parties to a Lease/Agreement entitled, *Standard Lease Agreement (General: Grazing) San Antonio Lease 2* (Lease). The Lease allows certain portions of real property near Lake San Antonio to be subleased for public use should MCWRA and Botts agree in writing. The County of Monterey through the Resource Management Agency (RMA) has subleased a portion known as the "Long Trail" from Botts for various events, such as the *Monterey Bay Equestrian Members Only Campout* and *Lightning in a Bottle*. For past sublease events, a separate amendment to the Lease has been required. The proposed Amendment and Modification No. 4 (Amendment) adds RMA as a party and co-lessee to the Lease solely for the purpose of and only with respect to the rights and covenants established by this Amendment, permitting access to Long Trail and obviating the need for a separate amendment for each future event.

Equestrian groups and various individuals have long expressed strong interest in having recreational access to the Long Trail. The proposed Amendment will provide increased access to Long Trail, which will broaden County Parks' appeal to residents and tourists by providing them with additional equestrian recreational activities when visiting the County's beautiful lake facilities.

OTHER AGENCY INVOLVEMENT:

County Counsel reviewed Amendment and Modification No. 4 and approved it as to form and legality. Also, MCWRA will consider approval of Amendment and Modification No. 4 this month in open session on its own agenda.

FINANCING:

There is no impact to the General Fund. The estimated \$500 in costs associated with this recommendation will have minimal financial impact on the RMA-Parks budget.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action supports the Board of Supervisors Strategic Initiatives for Administration and Health & Human Services by streamlining RMA's administrative process in providing increased access for both residents and tourists visiting Monterey County to healthy public recreational activities.

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

Prepared by: Dona Luna, RMA-Parks Management Analyst, (831) 755-5455
Approved by: James M. Rodems, Chief of Parks

Approved by: Shawne Ellerbee, RMA Deputy Director of Administrative Services

Approved by: Carl P. Holm, AICP, RMA Director

Attachments:

Attachment A-Amendment & Modification No. 4 to San Antonio Grazing Lease 2

Attachment B-Conditional Waiver & Modification No. 3 to San Antonio Grazing Lease 2

Attachment C-Amendment/Conditional Waiver/Modification No. 2 to San Antonio Grazing Lease 2

Attachment D-Amendment/Conditional Waiver/Modification No. 1 to San Antonio Grazing Lease 2

Attachment E-Standard Lease Agreement (General: Grazing) San Antonio Lease 2

(Attachments are on file with the Clerk of the Board)