



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: A 25-086

October 21, 2025

Introduced: 3/26/2025

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- a. Find that the subject property transfer is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines California Code of Regulations (CCR) section 15061; and
- b. Approve the Agreement for Purchase and Sale of Real Property and Joint Escrow Instructions between the County of Monterey and the California-American Water Company (Cal-Am), a California Corporation, to acquire one (1) parcel totaling approximately 12,371 square feet (the Property), located within Jacks Peak Park in the unincorporated area of the County of Monterey, California, for the amount of \$28,000, including estimated escrow related fees, for use by the Public Works, Facilities, and Parks (PWFP) Department, pursuant to Government Code Section 25350.60; and
- c. Authorize the Public Works, Facilities, and Parks Director to execute the Agreement for Purchase and Sale of Real Property and Joint Escrow Instructions, and any related documents needed to complete the transaction, including, but not limited to, a Grant Deed and any future amendments to the Agreement subject to the review and approval as to form by the Office of the County Counsel.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Find that the subject property transfer is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines California Code of Regulations (CCR) section 15061; and
- b. Approve the Agreement for Purchase and Sale of Real Property and Joint Escrow Instructions between the County of Monterey and the California-American Water Company (Cal-Am), a California Corporation, to acquire one (1) parcel totaling approximately 12,371 square feet (the Property), located within Jacks Peak Park in the unincorporated area of the County of Monterey, California, for the amount of \$28,000, including estimated escrow related fees, for use by the Public Works, Facilities, and Parks (PWFP) Department, pursuant to Government Code Section 25350.60; and
- c. Authorize the Public Works, Facilities, and Parks Director to execute the Agreement for Purchase and Sale of Real Property and Joint Escrow Instructions, and any related documents needed to complete the transaction, including, but not limited to, a Grant Deed and any future amendments to the Agreement subject to the review and approval as to form by the Office of the County Counsel.

SUMMARY

The Public Works, Facilities and Parks (PWFP) Department has prepared an Agreement for Purchase and Sale of Real Property and Joint Escrow Instructions (Agreement) between the County

of Monterey and the California-American Water Company (Cal-Am), a California Corporation, to acquire one (1) parcel totaling approximately 12,371 square feet (the Property), located within Jacks Peak Park in the unincorporated area of the County of Monterey, California, for the amount of \$28,000. Approval of the staff recommendation will authorize the PWFP Director to execute the Agreement and any related documents needed to complete the transaction, including, but not limited to, a Grant Deed and any future amendments to the Agreement subject to the review and approval as to form by the Office of the County Counsel.

DISCUSSION:

Cal-Am is a water and wastewater utility company that serves communities throughout California. Cal-Am owns real property in fee title throughout California to administer current and future water related services to local communities. Cal-Am is the current owner of Assessor's Parcel Number (APN) 103-181-002 (the Property) located within Jacks Peak Park in the unincorporated area of the County of Monterey.

In March 2024, Public Works, Facilities, and Parks (PWFP)-Real Property staff received a property for sale notice from Cal-Am declaring the Property as surplus property to be sold, with an asking price of \$56,800. The Property consists of one (1) parcel of land totaling approximately 12,371 square feet, is considered vacant park open space, and does not contain any improvements or appurtenances. The PWFP-Parks Division intends to maintain the Property as vacant park open space within Jacks Peak Park.

In April 2024, PWFP staff provided notice to Cal-Am regarding the County's interest in purchasing the Property for \$25,000. In August 2024, Cal-Am provided notice to the County that the noticing period for Cal-Am to obtain additional interest in purchasing the Property had lapsed. As the County was the only party to submit a notice of interest to purchase the Property during the noticing period, in February 2025, Cal-Am obtained internal approval allowing escrow to be opened to commence the sale of the Property to the County.

The purchase of the Property is contingent upon completion and approval of the County's due diligence activities and inspections, which may include an environmental phase 1 report, preliminary title report, and review of seller disclosures, all of which will be completed during the County's thirty (30) day due diligence period during escrow. County's due diligence and escrow related costs are estimated at \$3,000. The close of escrow is tentatively scheduled to occur thirty (30) days following the removal of all the County's due diligence contingencies. The Property (along with several other real property assets owned by Cal-Am), is subject to a pending eminent domain action (the Action) brought by the Monterey Peninsula Water Management District (MPWMD) which seeks to acquire the Property. Upon close of escrow, Cal-Am assigns any and all rights in the Action -- solely as it relates to the Property -- to the County. PWFP-Real Property team and the Chief of Parks have contacted MPWMD regarding the County's interest in acquiring the Property. MPWMD provided a letter (Attachment C) stating they do not have any concerns with the County moving forward with acquiring the Property.

CEQA Section 15061(b)(3), provides a common-sense categorical exemption for projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant

effect on the environment, the activity is not subject to CEQA. Therefore, as the activity of acquiring real property does not have a significant effect on the environment, the proposed acquisition of the Property can be considered categorically exempt.

Approval of staff's recommendation would authorize the Director of PWFP to execute the Agreement between the County and Cal-Am and any other related documents needed to complete the transaction.

OTHER AGENCY INVOLVEMENT/COMMITTEE ACTIONS:

The Office of the County Counsel and its Risk Management Division have reviewed and approved the proposed Agreement as to form and indemnification/insurance provisions respectively. The Auditor-Controller's Office has reviewed and approved the proposed Agreement as to fiscal provisions. PWFP Real Property staff will facilitate the escrow and due diligence period in consultation with PWFP Parks staff. MPWMD is aware of this Board action and does not have any concerns with the County moving forward with acquiring the Property.

FINANCING:

The Board Report and the Agreement were developed by the PWFP Department staff and funded as part of the Fiscal Year (FY) 2025-26 PWFP Adopted Budget, General Fund 001, Facilities Appropriation Unit PFP054. The Park's General Fund 001, Appropriation Unit PFP058 has sufficient appropriations to fund the proposed purchase price, potential due diligence activities, and escrow cost. The proposed purchase price for the Property is \$25,000. Additional due diligence and escrow related costs are estimated at \$3,000.

BOARD OF SUPERVISORS STRATEGIC PLAN GOALS:

This action supports the Board of Supervisors plan goal for sustainable infrastructure for the present and future by providing for the maintenance, replacement, sustainability, and resilience of infrastructure required for living, working, recreating in, and visiting the County of Monterey.

- ☐ Well-Being and Quality of Life
- ☒ Sustainable Infrastructure for the Present and Future
- ☐ Safe and Resilient Communities
- ☐ Diverse and Thriving Economy
- ☐ Dynamic Organization and Employer of Choice

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Reviewed by: Florence Kabwasa-Green, Chief of Facilities

Reviewed by: Bryan Flores, Chief of Parks

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

Attachments:

Attachment A - Purchase Agreement and Joint Escrow Instructions

Attachment B - Location Map

Attachment C - Letter from MPWMD
(Attachments are on file with the Clerk of the Board)