



County of Monterey

Item No.

Board Report

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

Legistar File Number: 24-766

December 03, 2024

Introduced: 11/19/2024

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Conduct a public hearing to consider thirteen (13) 2025 Williamson Act Applications to Create a Farmland Security Zone (“FSZ”) and Contract or to Establish an Agricultural Preserve (“AGP”) and Land Conservation Contract (“LCC”) (REF240030); and
- b. Adopt a Resolution:
 1. Finding that the consideration of thirteen (13) Williamson Act Applications, consisting of one (1) Application for the Establishment of an Agricultural Preserve (“AGP”) and Land Conservation Contract (“LCC”) and twelve (12) Applications for the Creation of Farmland Security Zones (“FSZ”) and corresponding FSZ Contracts is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to the California Code of Regulations (CCR), Title 14, Chapter 3, Article 19, Categorical Exemptions, CEQA Guidelines CCR Section 15317 for Open Space Contracts or Easements (Class 17 establishment of agricultural preserves) and there are no exceptions pursuant to CEQA Guidelines CCR Section 15300.2; and
 2. Approving nine (9) applications to create nine (9) FSZs and Contracts:
 - a. FSZ Application No. 2025-02 - Berkshire Investments LLC, a California Limited Liability Company; Assessor’s Parcel Numbers (APNs) 267-044-005-000; 267-044-014-000; 267-044-015-000; and 267-044-016-000; Approximately 125 acres in the North County Area Plan;
 - b. FSZ Application No. 2025-05 - Silacci Family Trust dated June 21, 1982, as to a 50% interest, and the Kenneth A. Silacci Separate Property Trust dated November 16, 2010, as to a 50% interest; APN 135-111-005-000; Approximately 105 acres in the Greater Salinas Area Plan;
 - c. FSZ Application No. 2025-06 - Sair Partnership 9 LLC Ranch, a Delaware Limited Liability Company; APNs 223-031-019-000 and 223-071-002-000; Approximately 239 acres in the Central Salinas Valley Area Plan;
 - d. FSZ Application No. No. 2025-07 - Ticino California LLC, a California Limited Liability Company; APN 221-011-016-000; Approximately 130 acres in the Central Salinas Valley Area Plan;
 - e. FSZ Application No. 2025-08 - Riboli Doctor’s Vineyard LLC, a California Limited Liability Company; APN 165-013-003-000; Approximately 339 acres in the Central Salinas Valley Area Plan;
 - f. FSZ Application No. 2025-09 - Irene P. Guidotti and John E. Guidotti, Co-Trustees of the Exemption Trust under the 1995 Guidotti Revocable Trust dated January 12, 1995, John E. Guidotti, a married man as his sole and separate property, Janice Andreotti, an unmarried woman, as her sole and separate property, Ella J. Guidotti, Trustee of the 1997 Ella J. Guidotti Revocable Trust dated February 6, 1997, James E. Guidotti and Paula A. Guidotti, Trustees of the 1998 James & Paula Guidotti Revocable Trust dated March 17, 1998, Roy Anthony Marci and Dorothy Rose Marci, Trustees of the 1992 Marci Revocable Trust dated June 26, 1992,

Milton Guidotti and Rosemary Guidotti, Trustees of the 1995 Milton & Rosemary Guidotti Revocable Trust dated December 28, 1995, and Fred H. Guidotti and Judy P. Guidotti, Trustees of the Guidotti Family Trust dated July 19, 2006; APN 165-072-002-000; Approximately 125 acres in the Central Salinas Valley Area Plan;

g. FSZ Application No. 2025-10 - Ella J. Guidotti, Trustee of the 1997 Ella J. Guidotti Revocable Trust dated February 6, 1997, James E. Guidotti and Paula A. Guidotti, Trustees of the 1998 James & Paula Guidotti Revocable Trust dated March 17, 1998, Roy Anthony Marci and Dorothy Rose Marci, Trustees of the 1992 Marci Revocable Trust dated June 26, 1992, Milton Guidotti and Rosemary Guidotti, Trustees of the 1995 Milton & Rosemary Guidotti Revocable Trust dated December 28, 1995, James E. Guidotti and Paula A. Guidotti, Trustees of the 1998 James & Paula Guidotti Revocable Trust U/D/T dated March 17, 1998, Elmer J. Guidotti and Irene P. Guidotti, Trustees of the 1995 Guidotti Revocable Trust U/D/T dated January 12, 1995, Irene P. Guidotti and John E. Guidotti, Co-Trustees of the Exemption Trust under the 1995 Guidotti Revocable Trust dated January 12, 1995, John E. Guidotti, Janice Andreotti, and Fred H. Guidotti and Judy P. Guidotti, Trustees of The Guidotti Family Trust dated July 18, 2006; APN 183-021-032-000; Approximately 326 acres with +/- 280 farmable acres in the Central Salinas Valley Area Plan;

h. FSZ Application No. 2025-11 - Lisette Moore Allen, Successor Trustee of the Joe S. Moore Trust Agreement dated April 27, 2000 (APN 167-052-005-000); Lisette Moore Allen, Successor Sole Trustee of the Joe S. Moore Trust Agreement dated April 27, 2000 and The Louis and Myrna Moore Family Trust, initially created October 4, 2000, Louis Charles Somavia Moore and Myrna Silvia Zepeda Moore as Trustees (APN 223-011-041-000); Approximately 284 acres in the Central Salinas Valley Area Plan;

i. FSZ Application No. 2025-12 - Arroyo Vineyards LLC, a Delaware Limited Liability Company; APNs 109-391-013-000 and 419-491-007-000; Approximately 186 acres in the Central Salinas Valley Area Plan; and

3. Continuing without prejudice two (2) applications to the 2026 round of applications:

a. FSZ Application No. 2025-03 - R2 Hunter, LLC, a California Limited Liability Company; APNs 177-081-005-000; 177-081-006-000; and 177-081-007-000; Approximately 83 acres in the Greater Salinas Area Plan;

b. FSZ Application No. 2025-04 - The 1996 Morgantini Revocable Trust Under Declaration of Trust dated August 16, 1996, Beverly Joan Morgantini, Trustee; APNs 111-021-005-000 and 111-021-007-000; Approximately 400 acres in the Central Salinas Valley Area Plan; and

4. Denying without prejudice one (1) application:

a. AGP-LCC Application No. 2025-01 - Coker Ellsworth Family Trust dated September 7, 2000, Shawn McNamara, Tom Thompson and Amy Thompson; APNs 423-071-030-000 and 423-071-055-000; Approximately 627 acres in the South County Area Plan; and

5. Accepting one (1) application withdrawal and issuing a partial application fee refund of \$6,755:

a. FSZ Application No. 2025-13 - Arroyo Vineyards LLC, a Delaware Limited Liability Company; APNs 183-021-008-000; 183-021-016-000; 183-021-033-000; and 183-021-034-000; Approximately 318 acres in the Central Salinas Valley Area Plan; and

6. Authorizing the Chair to execute nine (9) FSZ Contracts for the corresponding nine (9) applications recommended for approval to create nine (9) FSZs and Contracts; and

7. Directing the Clerk of the Board of Supervisors to record the FSZ Contracts prior to the January 1, 2025, property tax lien date subject to the submittal of the corresponding recording fees by the property owners of record.

California Environmental Quality Act (CEQA) Action: Find that Open Space Contracts or Easements qualify as a Class 17 Categorical Exemption pursuant to CEQA, California Code of Regulations (CCR) CEQA Guidelines Section 15317 and there are no exceptions pursuant to CEQA Guidelines CCR Section 15300.2.

RECOMMENDATION:

- a. Conduct a public hearing to consider thirteen (13) 2025 Williamson Act Applications to Create a Farmland Security Zone (“FSZ”) and Contract or to Establish an Agricultural Preserve (“AGP”) and Land Conservation Contract (REF240030); and
- b. Adopt a Resolution to:
 1. Find that the consideration of thirteen (13) Williamson Act Applications, consisting of one (1) Application for the establishment of an Agricultural Preserve (“AGP”) and Land Conservation Contract (“LCC”) and twelve (12) Applications for the creation of Farmland Security Zones (“FSZ”) and corresponding FSZ Contracts is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to the California Code of Regulations (CCR), Title 14, Chapter 3, Article 19, Categorical Exemptions, CEQA Guidelines CCR Section 15317 for Open Space Contracts or Easements (Class 17 establishment of agricultural preserves) and there are no exceptions pursuant to CEQA Guidelines CCR Section 15300.2; and
 2. Approve nine (9) applications to create nine (9) FSZs and Contracts:
 - a. FSZ Application No. 2025-02 - Berkshire Investments LLC, a California Limited Liability Company; Assessor’s Parcel Numbers (APNs) 267-044-005-000; 267-044-014-000; 267-044-015-000; and 267-044-016-000; Approximately 125 acres in the North County Area Plan;
 - b. FSZ Application No. 2025-05 - Silacci Family Trust dated June 21, 1982, as to a 50% interest, and the Kenneth A. Silacci Separate Property Trust dated November 16, 2010, as to a 50% interest; APN 135-111-005-000; Approximately 105 acres in the Greater Salinas Area Plan;
 - c. FSZ Application No. 2025-06 - Sair Partnership 9 LLC Ranch, a Delaware Limited Liability Company; APNs 223-031-019-000 and 223-071-002-000; Approximately 239 acres in the Central Salinas Valley Area Plan;
 - d. FSZ Application No. 2025-07 - Ticino California LLC, a California Limited Liability Company; APN 221-011-016-000; Approximately 130 acres in the Central Salinas Valley Area Plan;
 - e. FSZ Application No. 2025-08 - Riboli Doctor’s Vineyard LLC, a California Limited Liability Company; APN 165-013-003-000; Approximately 339 acres in the Central Salinas Valley Area Plan;
 - f. FSZ Application No. 2025-09 - Irene P. Guidotti and John E. Guidotti, Co-Trustees of the Exemption Trust under the 1995 Guidotti Revocable Trust dated January 12, 1995, John E. Guidotti, a married man as his sole and separate property, Janice Andreotti, an unmarried woman, as her sole and separate property, Ella J. Guidotti, Trustee of the 1997 Ella J. Guidotti Revocable Trust dated February 6, 1997, James E. Guidotti and Paula A. Guidotti, Trustees of the 1998 James & Paula Guidotti Revocable Trust dated March 17, 1998, Roy Anthony Marci and Dorothy Rose Marci, Trustees of the 1992 Marci Revocable Trust dated June 26, 1992, Milton Guidotti and Rosemary Guidotti, Trustees of the 1995 Milton & Rosemary Guidotti

Revocable Trust dated December 28, 1995, and Fred H. Guidotti and Judy P. Guidotti, Trustees of the Guidotti Family Trust dated July 19, 2006; APN 165-072-002-000; Approximately 125 acres in the Central Salinas Valley Area Plan;

g. FSZ Application No. 2025-10 - Ella J. Guidotti, Trustee of the 1997 Ella J. Guidotti Revocable Trust dated February 6, 1997, James E. Guidotti and Paula A. Guidotti, Trustees of the 1998 James & Paula Guidotti Revocable Trust dated March 17, 1998, Roy Anthony Marci and Dorothy Rose Marci, Trustees of the 1992 Marci Revocable Trust dated June 26, 1992, Milton Guidotti and Rosemary Guidotti, Trustees of the 1995 Milton & Rosemary Guidotti Revocable Trust dated December 28, 1995, James E. Guidotti and Paula A. Guidotti, Trustees of the 1998 James & Paula Guidotti Revocable Trust U/D/T dated March 17, 1998, Elmer J. Guidotti and Irene P. Guidotti, Trustees of the 1995 Guidotti Revocable Trust U/D/T dated January 12, 1995, Irene P. Guidotti and John E. Guidotti, Co-Trustees of the Exemption Trust under the 1995 Guidotti Revocable Trust dated January 12, 1995, John E. Guidotti, Janice Andreotti, and Fred H. Guidotti and Judy P. Guidotti, Trustees of The Guidotti Family Trust dated July 18, 2006; APN 183-021-032-000; Approximately 326 acres with +/- 280 farmable acres in the Central Salinas Valley Area Plan;

h. FSZ Application No. 2025-11 - Lisette Moore Allen, Successor Trustee of the Joe S. Moore Trust Agreement dated April 27, 2000 (APN 167-052-005-000); Lisette Moore Allen, Successor Sole Trustee of the Joe S. Moore Trust Agreement dated April 27, 2000 and The Louis and Myrna Moore Family Trust, initially created October 4, 2000, Louis Charles Somavia Moore and Myrna Silvia Zepeda Moore as Trustees (APN 223-011-041-000); Approximately 284 acres in the Central Salinas Valley Area Plan;

i. FSZ Application No. 2025-12 - Arroyo Vineyards LLC, a Delaware Limited Liability Company; APNs 109-391-013-000 and 419-491-007-000; Approximately 186 acres in the Central Salinas Valley Area Plan; and

3. Continue without prejudice two (2) applications to the 2026 round of applications:

a. FSZ Application No. 2025-03 - R2 Hunter, LLC, a California Limited Liability Company; APNs 177-081-005-000; 177-081-006-000; and 177-081-007-000; Approximately 83 acres in the Greater Salinas Area Plan;

b. FSZ Application No. 2025-04 - The 1996 Morgantini Revocable Trust Under Declaration of Trust dated August 16, 1996, Beverly Joan Morgantini, Trustee; APNs 111-021-005-000 and 111-021-007-000; Approximately 400 acres in the Central Salinas Valley Area Plan; and

4. Deny without prejudice one (1) application:

a. AGP-LCC Application No. 2025-01 - Coker Ellsworth Family Trust dated September 7, 2000, Shawn McNamara, Tom Thompson and Amy Thompson; APNs 423-071-030-000 and 423-071-055-000; Approximately 627 acres in the South County Area Plan; and

5. Accept one (1) application withdrawal and issue an application fee refund of \$6,755:

a. FSZ Application No. 2025-13 - Arroyo Vineyards LLC, a Delaware Limited Liability Company; APNs 183-021-008-000; 183-021-016-000; 183-021-033-000; and 183-021-034-000; Approximately 318 acres in the Central Salinas Valley Area Plan; and

6. Authorize the Chair to execute nine (9) FSZ Contracts for the corresponding nine (9) applications recommended for approval to create nine (9) FSZs and Contracts; and

7. Direct the Clerk of the Board of Supervisors to record the FSZ Contracts prior to the January 1, 2025, property tax lien date subject to the submittal of the corresponding recording fees by the property owners of record.

SUMMARY:

Each calendar year, the Board of Supervisors must consider Applications to Establish Agricultural Preserves (AGP) and enter into Land Conservation Contracts (LCC) and Applications to Create Farmland Security Zones (FSZ) and enter into FSZ Contracts pursuant to the Land Conservation Act of 1965 (Williamson Act). On November 12, 2024, the Board set December 3, 2024, as the date to hold a public hearing on this matter.

Before the applications are considered by the Board of Supervisors, the applications are reviewed by the Agricultural Preservation Review Committee (APRC) and the Agricultural Advisory Committee (AAC), respectively. These committees review the application materials provided by the applicant against the requirements of both programs. The APRC consists of staff from the Housing and Community Development (HCD) Planning Department, Agricultural Commissioner's Office, Assessor's Office, and the Office of the County Counsel.

Approximately 802,282 acres of land in the unincorporated area of the County of Monterey (sometimes referred to as "County") are presently under a Williamson Act contract. This year, thirteen (13) Williamson Act applications are being considered for 2025, including twelve (12) applications for the creation of FSZs and to enter into FSZ Contracts and one (1) application to establish an AGP and enter into an LCC. See **Attachment C** for the 2025 Williamson Act Applications list and **Attachment D** for a Map of each application location.

The APRC and AAC recommend approval of nine (9) FSZ applications: Applications Nos. 2025-02 (Berkshire Investments LLC, a California Limited Liability Company), 2025-05 (Silacci Family Trust dated June 21, 1982 Et al.), 2025-06 (Sair Partnership 9 LLC, a Delaware Limited Liability Company), 2025-07 (Ticino California LLC, a California Limited Liability Company), 2025-08 (Riboli Doctor's Vineyard LLC, a California Limited Liability Company), 2025-09 (Irene P. Guidotti and John E. Guidotti, Co-Trustees of the Exemption Trust under the 1995 Guidotti Revocable Trust dated January 12, 1995 Et al.), 2025-10 (Ella J. Guidotti, Trustee of the 1997 Ella J. Guidotti Revocable Trust dated February 6, 1997 Et al.), 2025-11 (Lisette Moore Allen, Successor Trustee of the Joe S. Moore Trust Agreement dated April 27, 2000 Et al.), and 2025-12 (Arroyo Vineyards LLC, a Delaware Limited Liability Company) for meeting the minimum requirements for an FSZ Contract.

The APRC and AAC recommend that the Board continue Application Nos. 2025-03 (R2 Hunter, LLC, a California Limited Liability Company) and 2025-04 (The 1996 Morgantini Revocable Trust Under Declaration of Trust dated August 16, 1996 Et al.) to the 2026 round of applications without prejudice to preserve the application fees submitted with these applications and allow the applicants time to work through issues affecting their respective applications. The APRC and AAC also recommend the denial of AGP-LCC Application No. 2025-01 (Coker Ellsworth Family Trust dated September 7, 2000 Et al.) for not meeting the minimum Williamson Act requirements. The APRC and AAC also recommend approval of the request to withdraw FSZ Application No. 2025-13 (Arroyo Vineyards LLC) and that the Board consider the AAC's recommendation to issue a partial refund of the nonrefundable application fee of the \$7,755 in the amount of \$6,755.

DISCUSSION:

See **Attachment B** for an overview of the County's Williamson Act Program and a detailed discussion of the APRC recommendations for the 2025 Williamson Act Applications.

OTHER AGENCY INVOLVEMENT:

The APRC, consisting of staff from the Assessor-Recorder’s Office, the Monterey County Agricultural Commissioner’s Office, the Department of Housing and Community Development-Planning and the Office of the County Counsel and the AAC concur with this recommendation.

FINANCING:

Allowing the subject nine (9) applications to attain FSZ status will reduce the assessed valuation of each property involved. The estimated impact amounts for each of the nine (9) applications to be considered for approval are shown on the Financial Impact Report attached herein (**Attachment H**). However, the Financial Impact Report will not have accurate estimated tax reductions for the two applications recommended for continuance since they have not been correctly assessed due to ownership non-reporting or incorrectly reporting actual site improvements. With this caveat, the Assessor’s Office estimates that the annual net tax loss, if the nine (9) applications are approved would be \$291,019 without subvention payments and \$274,566 with subvention payments. Subvention payments were suspended in Fiscal Year 2009-2010 because of the State’s fiscal constraints. Nevertheless, there is a greater overall economic benefit for agricultural conservation. In June 2020, the Monterey County Agricultural Commissioner’s Office published the “Economic Contributions of Monterey County Agriculture Report” which estimated that agriculture in this County contributed 11.7 billion to the economy in 2018 alone.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The processing of Williamson Act Contract Applications in a timely manner represents the County’s effective and timely response to the Agricultural Commissioner’s and Housing and Community Development Department’s customer requests. Additionally, the ability to maintain a Williamson Act Contract provides an economic benefit to the agricultural industry, which is a major economic driver for the County of Monterey.

Check the related Board of Supervisors Strategic Initiatives:

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

Prepared by: Kayla Nelson, Associate Planner, Housing and Community Development ext. 6408

Reviewed by: Mary Israel, Supervising Planner, Housing and Community Development

Approved by: Craig Spencer, Director of Housing and Community Development

The following attachments are on file with the Clerk of the Board:

- Attachment A - Draft Board Resolution
- Attachment B - Discussion
- Attachment C - List of 2025 Williamson Act Applications
- Attachment D - County-wide Map - Monterey County 2025 Williamson Act
- Attachment E - Board Resolution No. 01-485, as amended by Board Resolution No.

03-383 (Procedures for Agricultural Preserves)

Attachment F - Board Resolution No. 01-486 (Procedure for the Creation of Farmland Security Zones and Contracts)

Attachment G - County Notification Letters to Cities dated November 1, 2024

Attachment H - Financial Impact Report for 2025 Williamson Act Applications

Attachment I - Continuance Request for Application No. 2025-01

Attachment J - Continuance Request for Application No. 2025-04

Attachment K - Withdrawal and Refund Request for Application No. 2025-13

cc: Front Counter Copy; Board of Supervisors; Juan Hidalgo, Agricultural Commissioner/Sealer of Weights and Measures, Agricultural Commissioner's Office; Craig Spencer, Director of Housing and Community Development (HCD); Agricultural Preservation Review Committee - Kayla Nelson, Associate Planner, HCD-Planning - Nadia Ochoa, Ag Resource and Policy Manager, Agricultural Commissioner's Office - Mary Grace Perry, Deputy County Counsel, Office of the County Counsel - Gregg Macfarlane, Assistant Assessor-Valuation, Assessor-Recorder's Office; Applicant/Owners and/or Applicant/Owners' respective Legal Representatives/Agents; The Open Monterey Project; LandWatch; Lozeau Drury LLP; Project File REF240030.