

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING: February 28, 2012 – Consent	AGENDA NO.:
SUBJECT: a. Approve a Transfer Agreement with the City of King, a California Charter City, for the conveyance of property described in Exhibits A and B, located at the most easterly 8,216 square feet of King Street in King City, California, pursuant to Government Code Section 25365 (4/5 th vote required); b. Authorize the Contracts/Purchasing Officer to execute the Transfer Agreement, the Quitclaim Deed, and any related documents needed to complete the transaction, including, but not limited to, amendments to the Transfer Agreement; and c. Find that the transfer of the property to King City is exempt from environmental review under the California Environmental Quality Act.	
DEPARTMENT: RMA - Public Works	

RECOMMENDATIONS:

It is recommended that the Board of Supervisors:

- a. Approve a Transfer Agreement with the City of King, a California Charter City, for the conveyance of property described in Exhibits A and B, located at the most easterly 8,216 square feet of King Street in King City, California, pursuant to Government Code Section 25365 (4/5th vote required);
- b. Authorize the Contracts/Purchasing Officer to execute the Transfer Agreement, the Quitclaim Deed, and any related documents needed to complete the transaction, including, but not limited to, amendments to the Transfer Agreement; and
- c. Find that the transfer of the property to King City is exempt from environmental review under the California Environmental Quality Act.

SUMMARY/DISCUSSION:

The property proposed to be transferred from the County of Monterey to King City is a small vacant lot located at the most easterly 8,216 square feet of King Street that was dedicated to the City of King for street right-of-way in the late 1800s. It is adjacent to County-owned property located at 522 North Second Street in King City, currently used as office space by the Agricultural Commissioner and Third District Supervisor, as well as shop space, a staging area, parking area, and a communications tower site.

King City is interested in using this vacant lot on King Street as a public park and has received a State grant for this purpose. Use as a park is not consistent with the dedication to the City as a street, and therefore the City will be vacating the dedication as the development around the subject property never required its use as a street. The underlying ownership is with the adjacent landowners of the lots on the map that dedicated it, in this case, the County of Monterey. Since the subject property is of limited size, and lies outside of the existing fence line of the County-owned parcel located at 522 North Second Street, no future County use is planned or required, and therefore the property is surplus. By quitclaiming any County interests in this property to the City of King, the City would then have the underlying ownership required to develop the proposed pocket park. Any existing utility easements would be retained.

With Board approval of the Transfer Agreement, the proposed pocket park site will be conveyed “as is” to the City of King by Quitclaim Deed under Government Code 25365, which states that the Board of Supervisors may, by four-fifths vote, transfer any real property or interest therein to a city within the respective county with out complying with other provisions of Government Code, if the property is not required for county use. Notice of this proposed transfer of interests

has been published as required. Staff recommends that the Board make a finding that the transfer of the property to King City is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Categorical Exemption, section 15312 (Surplus Government Property Sales).

OTHER AGENCY INVOLVEMENT:

The City of King concurs with the Transfer Agreement and will execute the Transfer Agreement subsequent to the County approving it. The Office of the County Counsel has approved the Transfer Agreement and Quitclaim Deed as to form and legality. Due to the late submission of this Board Report, the CAO Budget and Analysis Division was not provided adequate time to fully review for potential fiscal, organizational policy, or other implications to the County of Monterey.

FINANCING:

There is no financial impact to the General Fund. Article 1(d) of the Transfer Agreement provides that the City will reimburse the County for publication costs associated with the public notice not to exceed \$500.

Prepared by:

Approved by:

Richard P. Sauerwein, Jr., P.E. (831) 796-3071
Architectural Services Manager

Paul H. Greenway, P.E.
Acting Director of Public Works

Benny J. Young
RMA Director

Dated: February 22, 2012

Attachments: Board Order; Transfer Agreement; Public Notice; Location Map