



# Monterey County

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## Board Report

Legistar File Number: 16-538

May 17, 2016

**Introduced:** 4/29/2016

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** General Agenda Item

- a. Accept transfer of ownership of Assessor's Parcel No. 031-161-032 (L23.3.3.1 and L23.3.3.2) and Assessor's Parcel No. 031-161-040 (L23.3.2.2) (the "East Garrison II non-HMA parcels") located in the former Fort Ord to the County of Monterey;
- b. Authorize the Chair of the Board to sign the certificate of acceptance and consent to record the Quitclaim Deed;
- c. Find the action to be categorically exempt from CEQA; and
- d. Direct the Clerk of the Board to record the deed.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Accept transfer of ownership of Assessor's Parcel No. 031-161-032 (L23.3.3.1 and L23.3.3.2) and Assessor's Parcel No. 031-161-040 (L23.3.2.2) (the "East Garrison II non-HMA parcels") located in the former Fort Ord to the County of Monterey;
- b. Authorize the Chair of the Board to sign the certificate of acceptance and consent to record the Quitclaim Deed;
- c. Find the action to be categorically exempt from CEQA; and
- d. Direct the Clerk of the Board to record the deed.

### SUMMARY:

The recommended action will transfer ownership of two Successor Agency-owned properties in the former Fort Ord (APN 031-161-032 and APN 031-161-040) to the County of Monterey in accordance with the provisions of the Successor Agency's Long-Range Property Management Plan.

### DISCUSSION:

The "East Garrison II" properties total approximately 152 acres in size and are located southwest of Reservation Road, south of the 1,400-unit housing development under construction at East Garrison I, and north of the BLM lands, now a National Monument. The properties were transferred to the Redevelopment Agency by FORA in 2010. The properties are undeveloped.

California Assembly Bill 1X 26, enacted on June 28, 2011 and upheld by the California Supreme Court on December 29, 2011, dissolved all California redevelopment agencies effective February 1, 2011 through amendments to the California Health and Safety Code (the "Amended Code"). Pursuant to Sections 34173, 34175, and 34176 of the Amended Code, and by operation of law, the Successor Agency to the Redevelopment Agency of the County of Monterey has assumed the rights, duties, and obligations pertaining to all functions of the Original Agency, and as such has assumed the rights, duties, and obligations pertaining to the

Property. Under the Amended Code, all property owned by (now former) redevelopment agencies must be disposed of, either through sale or other disposition, in accordance with a Long Range Property Management Plan (LRPMP) to be approved by the California Department of Finance (“DOF”).

On April 18, 2014 the Oversight Board of the Successor Agency to the Redevelopment Agency of the County of Monterey submitted its LRPMP to the DOF. The LRPMP states that these properties are proposed to be transferred to the County to be managed in accordance with the Base Reuse Plan and habitat plans.

On December 31, 2015 the DOF approved the disposition of the properties listed in the LRPMP in accordance with the Successor Agency’s recommendations.

The properties are designated as “Planned Development Mixed Use” in the County General Plan and the FORA Base Reuse Plan. Originally, the East Garrison II Parcels were contemplated to be developed as an expansion to the East Garrison I Project, which is currently under construction. Future development of these parcels is severely constrained by the lack of water and residential unit allocation and other limitations related to the Reuse Plan. The parcels are also subject to certain requirements under the adopted HMP and the draft HCP related to habitat. In addition, the parcels are located adjacent to the new Fort Ord National Monument lands, and are subject to transfer restrictions in the deeds requiring prior approval by the USFWS.

The recommended action is categorically exempt from CEQA in accordance with *CEQA Guidelines* Section 15325, Transfers of Ownership of Interest in Land to Preserve Existing Natural Conditions and Historical Resources.

By separate action on this date, the Board of Directors of the Successor Agency to the Redevelopment Agency of the County of Monterey approved the Quitclaim Deed for the property.

OTHER AGENCY INVOLVEMENT:

County RMA has been involved in all discussions relating to the potential transfer of properties owned by the Successor Agency.

FINANCING:

This action will have a financial impact to the General Fund. Costs associated with maintaining the subject 152-acre property were not incorporated into the RMA’s FY 2016-17 Baseline Budget request.

On July 29, 2014 the Board of Supervisors received a comprehensive analysis of the potential cost implications to own and maintain up to 2,800 acres of property in the former Fort Ord the County has or will receive in accordance with the 2001 *Implementation Agreement* (as amended). The analysis provided estimates of annual cost for successive levels of operational and maintenance activity. The detailed cost estimate for the subject 152-acre property is provided as Attachment 2 to this report, and is summarized here:

- Base-level requirements and initial investments assuming minimal liability for County (administration, illegal dumping, initial signage): \$10,600/yr
- Second-tier management (basic level habitat management, signage upkeep, minimal trail maintenance): \$18,700/yr
- Potential additional management needs (biologist, maintenance staff, rangers, administrative staff): \$35,800/yr
- Potential additional infrastructure improvements (road crossings, minor staging area): \$97,820

RMA will assess what the actual maintenance needs are for the 152-acre property and will return to the Board of Supervisor's through the Budget Committee should additional funding be required during FY 2016-17. The maintenance of this 152-acre property will be managed out of RMA's Facilities Grounds Unit 001-3000-8181-RMA006.

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Benny J. Young, PE, Interim Director of Public Works & Facilities

Approved by: Carl P. Holm, AICP, Director of Resource Management

Attachments: Attachment 1 - Vicinity Map  
Attachment 2 - Property Maintenance Budget  
Attachment 3 - Quitclaim Deed