



# Monterey County

## Fort Ord Committee Legistar File Number: 17-1093

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066

Agenda Item No. 2  
October 26, 2017

**Introduced:** 10/19/2017

**Version:** 1

**Current Status:** Agenda Ready

**Matter Type:** General Agenda Item

Recommend support of an amendment to the East Garrison *Urban Services Agreement* to transfer ownership of existing and future Neighborhood Parks to the East Garrison Community Services District.

### RECOMMENDATION:

It is recommended that the Fort Ord Committee recommend support of an amendment to the East Garrison *Urban Services Agreement* to transfer ownership of existing and future Neighborhood Parks to the East Garrison Community Services District.

### SUMMARY/DISCUSSION:

The East Garrison Specific Plan, approved by the Board of Supervisors on October 4, 2005, provided for park and recreational facilities sufficient in size and topography to meet the requirements of the new community. In addition to a 6.7-acre community park (now named Lincoln Park), the Specific Plan provided for seven “neighborhood” parks (two in each Phase of development plus the Town Center) totaling 6.0 acres to conform with the requirements of the County Code and the Quimby Act. (The Quimby Act required a total of 11.0 acres of parks in East Garrison. The Specific Plan provided for 12.6 acres.)

On July 18, 2006, the Board of Supervisors, acting on behalf of both the County and as Board of Directors of the East Garrison Community Services District (EGCSD), approved an Urban Services Agreement between the two parties in order to delineate the specific properties within East Garrison to be owned and maintained by the EGCSD, and to provide assurance there would be no fiscal impact on the County (i.e. “fiscal neutrality”) pursuant to the terms and conditions of Disposition & Development Agreement. This agreement specified that the EGCSD would own and maintain all parks and public open spaces with funding provided by the CFD special tax. This was understood to include the six proposed Neighborhood Parks and the Town Center park.

On March 26, 2013, the Board of Supervisors, acting on behalf of both the County and as Board of Directors of the EGCSD, approved Amendment No. 1 to the Urban Services Agreement to clarify and modify the allocation of infrastructure maintenance responsibilities to facilitate the continued achievement of the “fiscal neutrality” policy. One provision of this amendment was to reassign responsibility to maintain landscaping in the interior neighborhood parks and common areas from the CSD to the East Garrison Homeowners Association (HOA).

This reassignment had an unforeseen and unintended consequence, in that a perception developed that the HOA, as owner of the neighborhood parks, could restrict the use of these parks solely to members of the HOA, thereby excluding their use by East Garrison residents who are not HOA

members.

In order to resolve this concern, County/EGCSD staff and the developer recommend it would be appropriate for the County and EGCSD to amend the Urban Services Agreement to reassign ownership and maintenance responsibility for the Neighborhood Parks back to the EGCSD.

OTHER AGENCY INVOLVEMENT:

The following agencies continue to participate in review of the East Garrison project:

- RMA-Land Use & Community Development Division (Planning, County Surveyor & Development Services, Environmental Services, Parks, Building Services)
- RMA-Public Works & Facilities Division (Traffic Engineering, Road & Bridge Engineering)
- Water Resources Agency
- Health Department/Environmental Health Bureau
- Monterey County Sheriff's Office
- Monterey County Agricultural Commissioner
- Monterey County Regional Fire District
- Marina Coast Water District
- Fort Ord Reuse Authority
- California Department of Fish & Wildlife

FINANCING:

The Urban Services Agreement provides for the EGCSD to maintain the subject parks and open spaces with funding provided by the CFD special tax. EGCSD staff has verified that the CFD special tax is providing sufficient annual revenue to fund the operation and maintenance of the seven neighborhood parks in addition to the community park and open spaces called for in the Agreement.

EGCSD Fund Balance as of June 30, 2017 is estimated at \$1.2 million. The estimated annual cost to maintain all seven Neighborhood Parks when completed will be approximately \$35,000 per year. There are sufficient appropriations in the FY2017-18 adopted budget in Fund 181, Appropriation Unit DEO027 to fund these costs.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The East Garrison Project achieves the following Board FY15-16 Strategic Initiatives:

- Strategic Initiative for Economic Development, "Through collaboration, strengthen economic development to ensure a diversified and healthy economy", by "Creating better paying jobs... (and) adding to the economic vitality of the County."
- Strategic Initiative for Infrastructure, "Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results", by "Improving the conditions of ...roads...", and by "Providing for adequate...infrastructure."

Check the related Board of Supervisors Strategic Initiatives:

- Economic Development
- Administration

- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: G.H. Nichols, PE, Special Projects Engineer, Special Programs Section, RMA-Land Use and Community Development Division

Reviewed by: Melanie Beretti, Special Programs Manager, RMA-Land Use and Community Development Division

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

The following attachments are on file:

Attachment 1 - Map of EGCSO Maintained Parks and Open Space showing Neighborhood Parks