Introduced: 4/21/2025 **Current Status:** Agenda Ready

Version: 1 **Matter Type:** BoS Agreement

a. Find that the transfer of a .60 acre vacant parcel located at 13993 Sherman Boulevard, East Garrison, identified as Assessor's Parcel Number (APN) 031-164-130 ('subject property'), is exempt surplus land pursuant to Government Code section 54221(f)(1)(D);
b. Find that the transfer of the subject property is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061;
c. Accept transfer of ownership from the Successor Agency to the Redevelopment Agency of the County of Monterey (Successor Agency) of the parcel located at 13993 Sherman Boulevard, East Garrison (APN 031-164-130) to the County of Monterey for the proposed East Garrison Library with Sheriff field office;
d. Approve and authorize the Chair of the Board to sign the certificate of acceptance and consent to record the Grant Deed; and
e. Direct the Clerk of the Board to record the Deed.

RECOMMENDATION:

It is recommended that the Board of Supervisors:
a. Find that the transfer of a .60 acre vacant parcel located at 13993 Sherman Boulevard, East Garrison, identified as Assessor's Parcel Number (APN) 031-164-130 ('subject property'), is exempt surplus land pursuant to Government Code section 54221(f)(1)(D);
b. Find that the transfer of the subject property is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061;
c. Accept transfer of ownership from the Successor Agency to the Redevelopment Agency of the County of Monterey (Successor Agency) of the parcel located at 13993 Sherman Boulevard, East Garrison (APN 031-164-130) to the County of Monterey for the proposed East Garrison Library with Sheriff field office;
d. Approve and authorize the Chair of the Board to sign the certificate of acceptance and consent to record the Grant Deed; and
e. Direct the Clerk of the Board to record the Deed.

SUMMARY/DISCUSSION

On October 4, 2005, East Garrison Partners, LLC ("EGP") and the Redevelopment Agency of the County of Monterey, with the consent and agreement of the County of Monterey (Board of Supervisors Resolution No. 05-273), entered into a Disposition and Development Agreement ("DDA"). The DDA identifies the library as a mandatory public facility to be constructed at East Garrison. The developer and Agency have obligations to contribute financially to the library construction, as specified in the DDA, and includes requirements regarding timing of construction during the third (final) phase of development. On September 8, 2009, UCP East Garrison, LLC

("Developer") acquired the fee title to the East Garrison project that was subject to the DDA, and consequently, as successor-in-interest to EGP, assumed certain rights, interests and requirements under the DDA. The Redevelopment Agency of the County of Monterey has been succeeded by the Successor Agency to the Redevelopment Agency of the County of Monterey ("Agency"). On August 30, 2016, the Developer and Agency, with consent and agreement of the County, approved an Amended and Restated First Implementation Agreement to the Disposition and Development Agreement ("First Implementation Agreement").

Approval of this action will transfer ownership of APN 031-164-130 (Property) from the Successor Agency to the County of Monterey (County) in accordance with the provisions of DDA. The County will then construct the future County owned East Garrison Library inclusive of a Sheriff field office on the Property. The current construction schedule is to begin groundbreaking work in February 2026, with construction complete in June 2027.

The 0.6-acre Property is located on the corner of Sherman Boulevard and East Garrison Drive in East Garrison. As part of the dissolution of the former Fort Ord Army base, several parcels at East Garrison (known as East Garrison Track 0) were transferred to the former Redevelopment Agency of the County of Monterey (now the Agency). The Agency, working with the County, negotiated various agreements with the developer to transfer surrounding parcels at East Garrison for the development of residential housing and a commercial town center. The Agency retained the Property as part of the DDA, which establishes the requirement for the construction of a minimum 4,000 square foot Library with Sheriff field office as part of the East Garrison town center area. The East Garrison Specific Plan identifies that the proposed Library/Sheriff substation is to be located at 13993 Sherman Boulevard adjacent to Town Center (see Attachment B).

The Public Works, Facilities and Park Department (PWFP) commenced planning and design of the Library facility in September 2023, and completed the initial site analysis in late 2023. In June 2024, the schematic design was completed and in December 2024 the design development was completed as well, following consultation with Monterey County Free Libraries (MCFL), the Monterey Sheriff's Department and the East Garrison community. The County of Monterey Housing and Community Development Department (HCD) Planning conducted design review for consistency with the East Garrison Specific Plan and Pattern Book. Currently, the project is in the beginning of the design phase, with the intention to apply for a building permit in September 2025. The public bid process is the last step of the design phase of the project and is anticipated to complete by February 2026, with the intention to begin construction in early 2026.

California Surplus Lands Act code section 54221(f)(1)(D) provides an exemption for property transfers in which the Property being transferred is retained for the Agency's use. Therefore, as the Agency is transferring ownership to the County, for the County's use of the subject property for a future Library, the proposed property transfer can be considered exempt. The subject property does not contain any characteristics listed under California Surplus Lands Act code section 54221(f)(2).

The conveyance of the subject parcel from the Agency to the County is required in advance of the completion of the HCD construction permitting process and to commence construction of the proposed East Garrison Library project.

Approval of staff's recommendation would approve and authorize the Director of PWFP to execute the grant deed between the County and the Successor Agency to complete the transfer of ownership of the subject property. By separate action on this date, the Board of Supervisors of the County of Monterey will consider accepting and authorizing the recordation of the grant deed for the conveyance of the subject parcel.

OTHER AGENCY INVOLVEMENT:
The PWFP - Real Property Team assisted in review and development of the Board Report and Grant Deed. Staff consulted with the California Department of Housing and Community Development to and obtained pre-approval of the California Surplus Lands Act exemption. The Office of the County Counsel-Risk Manager has approved the Grant Deed as to form. The Monterey County Free Libraries (MCFL) will operate the East Garrison branch as part of the overall MCFL system with all services that are offered at other small branch libraries from the Library's Operational Budget, currently planning for 18 hours per week of public library service, a meeting room available for reservation under the Library's Policy, and strong wireless internet available outside the building. The Monterey County Sheriff's Office has been included in bi-weekly design review meetings.

ENVIRONMENTAL REVIEW:
CEQA Guidelines 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 and 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 subject property can be considered categorically exempt. A 4,000 square foot Library was contemplated as an allowed use with a less than significant impact in the East Garrison Specific Plan Environmental Impact Report (EIR), approved in 2005.

FINANCING:
There is no budgetary impact by this action. Staff time for preparation of the report is included in the FY2024-25 Adopted Budget for the Agency Fund 406, Appropriation Unit HCD010, Unit 8572. The Library and Sheriff field office will be constructed utilizing funds from the Agency and the Developer. MCFL will fund furniture and equipment for the library, including technology, an opening day materials collection, and supplies for the branch from Library Fund Balance. The subject parcel transfer will have no impact to the Adopted Budget for FY2024-25, Appropriation Unit HCD002, Unit 8543.

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Reviewed by: Melanie Beretti, AICP, Chief of Planning
Approved by: Craig Spencer, HCD Director

The following attachments are on file with the Clerk of the Board:
Attachment A - Draft Resolution
Attachment B - Grant Deed between the County of Monterey and the Successor Agency
Attachment C - Vicinity Map