



Monterey County

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

Board Report

Legistar File Number: SARDAG 20-001

March 24, 2020

Introduced: 3/6/2020

Version: 1

Current Status: Consent Agenda

Matter Type: Successor General

The Board of Supervisors, acting as the Board of Directors of the Successor Agency to the Redevelopment Agency of the County of Monterey:

- a. Approve a Quitclaim Deed to transfer ownership of the 2,091-square-foot East Garrison Phase 3 Parcel Z3.10 (Assessor's Parcel No. 031-304-067-000) from the Successor Agency to the Redevelopment Agency of the County of Monterey to the East Garrison Community Association;
- b. Authorize the Chair of the Board of Directors to execute the Quitclaim Deed;
- c. Find the action to be categorically exempt from CEQA.

RECOMMENDATION:

It is recommended that the Board of Supervisors, acting as the Board of Directors of the Successor Agency to the Redevelopment Agency of the County of Monterey, take the following actions:

- a. Approve a Quitclaim Deed to transfer ownership of the 2,091-square-foot East Garrison Phase 3 Parcel Z3.10 (Assessor's Parcel No. 031-304-067-000) from the Successor Agency to the Redevelopment Agency of the County of Monterey to the East Garrison Community Association;
- b. Authorize the Chair of the Board of Directors to execute the Quitclaim Deed;
- c. Find the action to be categorically exempt from CEQA.

SUMMARY/DISCUSSION:

The recommended action will implement the transfer of ownership of East Garrison Phase 3 Parcel Z3.10 from the Successor Agency to the Redevelopment Agency of the County of Monterey (Successor Agency) to the East Garrison Community Association (HOA) in accordance with the provisions of the East Garrison Disposition and Development Agreement (EG-DDA), Successor Agency's Long-Range Property Management Plan (LRPMP) and the East Garrison Phase 3 Final Subdivision Map.

DISCUSSION:

In 2005, the EG DDA was entered into between the former Redevelopment Agency (RDA) and East Garrison Partners to outline how the former Fort Ord property in East Garrison would be redeveloped as a multiuse community. In 2007, the Fort Ord Reuse Authority (FORA) transferred five (5) parcels to the former Redevelopment Agency (now Successor Agency) for eventual transfer and development as a Historic District, Town Center, and other public uses. These parcels are known collectively as the "Carve Out Parcels."

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, 2012, 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 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 LRPMP to be approved by the California Department of Finance (DOF).

On April 18, 2014, the Oversight Board of the Successor Agency submitted its LRPMP to DOF. The LRPMP states that these properties are proposed to be transferred to the County to continue the existing uses under the terms of the existing leases. On December 31, 2015, DOF approved the disposition of the properties listed in the LRPMP in accordance with the Successor Agency's recommendations.

The Carve Out Parcels were listed in the LRPMP as properties retained by the Successor Agency to meet an Enforceable Obligation. DOF has recognized that the EG-DDA is an Enforceable Obligation. The recommended action will meet the Enforceable Obligation for Parcel Z3.10, pursuant to the EG-DDA and LRPMP.

Upon completion of the Final Subdivision Map for Tract 1532, East Garrison Phase Three, Carve Out Parcel D, was subdivided in approximately thirty (30) parcels to include residential homes, future Arts Historic District studios, and public facilities.

On December 12, 2017, the Board of Supervisors approved the Final Subdivision Map for Tract 1532, East Garrison Phase Three, which was recorded on December 26, 2017, at Page 54 of Volume 24 of Cities and Towns with the Office of the County Recorder of the County of Monterey. The Owner's Statement on Sheet 1 of 17 of said Final Map states:

The area designated as parcels Z3.5 and Z3.10 is hereby reserved for an owner's association and will be granted by separate instrument.

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

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel, acting as Counsel for the Successor Agency, has reviewed and approved the proposed Quitclaim Deed as to form.

FINANCING:

RMA staff time to process the property transfer is funded as part of the FY 2019-20 Adopted Budget for the RMA, Fund 001, Appropriation Unit RMA100, with reimbursement by Successor Agency, Fund 406, Appropriation Unit RMA109.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action supports the Board of Supervisors' Strategic Initiative for Economic Development by supporting redevelopment on the former Fort Ord.

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

Prepared by: Bryan Flores, Project Manager I, RMA Special Districts (831) 796-6425

Reviewed by: Melanie Beretti, RMA Property Administration/Special Projects Manager

Approved by: Shawne Ellerbee, RMA Deputy Director of Administrative Services

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

Attachment:

Attachment A-Quitclaim Deed APN 031-304-067-000