



County of Monterey

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

Legislation Details (With Board Report)

File #:	EGCSD 17-004	Name:	EGCSD Lincoln Park Agreement
Type:	East Garrison CSD General	Status:	Consent Agenda
File created:	8/28/2017	In control:	East Garrison Community Services District
On agenda:	9/12/2017	Final action:	9/12/2017

Title: The Board of Supervisors, acting as the Board of Directors of the East Garrison Community Services District:

- a. Approves and accepts as complete the public park improvements for Lincoln Park at East Garrison; and
- b. Approves the release of Security Bond for Faithful Performance No. 0202164 and Security Bond for Laborers and Materialmen No. 0202164, each in the amount of \$2,067,827, after the passage of time for recording claims or liens; and
- c. Accepts from UCP East Garrison, LLC, a Grant Deed for ownership of the completed 6.8-acre park known as Lincoln Park at East Garrison (APN 031-161-027, Parcel P1.4) for the purpose of owning and operating a regional public park; and
- d. Authorizes the Chair to execute the Certificate of Acceptance and Consent to Recordation of the Grant Deed; and
- e. Authorizes and directs the Clerk of the Board to submit the executed Grant Deed to the County Recorder.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment 1 - Grant Deed Lincoln Park, 3. Completed Board Order, 4. Recorded Grant Deed

Date	Ver.	Action By	Action	Result
9/12/2017	1	East Garrison Community Services District		

The Board of Supervisors, acting as the Board of Directors of the East Garrison Community Services District:

- a. Approves and accepts as complete the public park improvements for Lincoln Park at East Garrison; and
- b. Approves the release of Security Bond for Faithful Performance No. 0202164 and Security Bond for Laborers and Materialmen No. 0202164, each in the amount of \$2,067,827, after the passage of time for recording claims or liens; and
- c. Accepts from UCP East Garrison, LLC, a Grant Deed for ownership of the completed 6.8-acre park known as Lincoln Park at East Garrison (APN 031-161-027, Parcel P1.4) for the purpose of owning and operating a regional public park; and
- d. Authorizes the Chair to execute the Certificate of Acceptance and Consent to Recordation of the Grant Deed; and
- e. Authorizes and directs the Clerk of the Board to submit the executed Grant Deed to the County Recorder.

RECOMMENDATION:

It is recommended that the Board of Supervisors, acting as the Board of Directors of the East Garrison Community Services District, take the following actions:

- a. Approve and accepts as complete the public park improvements for Lincoln Park at East Garrison; and
- b. Approve the release of Security Bond for Faithful Performance No. 0202164 and Security Bond for Laborers and Materialmen No. 0202164, each in the amount of \$2,067,827, after the passage of time for

- recording claims or liens; and
- c. Accept from UCP East Garrison, LLC, a Grant Deed for ownership of the completed 6.8-acre park known as Lincoln Park at East Garrison (APN 031-161-027, Parcel P1.4) for the purpose of owning and operating a regional public park; and
- d. Authorize the Chair to execute the Certificate of Acceptance and Consent to Recordation of the Grant Deed; and
- e. Authorize and directs the Clerk of the Board to submit the executed Grant Deed to the County Recorder.

SUMMARY:

The recommended actions will complete the acceptance of improvements and transfer of ownership of the completed Lincoln Park from the East Garrison developer to the East Garrison Community Services District (EGCSO) in accordance with the approved Final Subdivision Map for East Garrison Phase 1, the *Urban Services Agreement* as amended, and the approved *Operation and Maintenance Plan*.

DISCUSSION:

On June 12, 2007, the Board of Supervisors approved the Final Subdivision Map for Tract 1489, East Garrison Phase 1, which was recorded on June 28, 2007 at Page 7 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 35 of said Final Map states:

The area designated as Parcels P1.4 and Z1.1 are hereby reserved for the East Garrison Community Services District or its designee and to the public for open space purposes and storm water detention, and will be granted by separate instrument. The undersigned reserves an easement to access said parcels in the future for the construction and temporary maintenance of the required East Garrison improvements.

On August 3, 2017, a Final Inspection was performed wherein Community Services District staff determined that all park improvements have been completed in accordance with the approved plans and specifications, and recommends that the improvements be accepted by the EGCSO for ownership and maintenance in accordance with the approved Final Subdivision Map for East Garrison Phase 1, the *Urban Services Agreement* as amended, and the approved *Operation and Maintenance Plan*.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel, acting as Counsel for the East Garrison Community Services District, has reviewed and approved the proposed Grant Deed as to form and legality.

The East Garrison Project is a collaboration of many departments, including RMA-Planning, Public Works, Building Services, and the Office of the County Administrator.

Pursuant to Section 106 of the East Garrison *Disposition and Development Agreement*, the designee of the Executive Director of the Successor Agency has reviewed this action as it affects the Successor Agency.

FINANCING:

Funding for the East Garrison Community Services District is budgeted in Fund 181, Appropriations Unit DEO027 and is derived from the special tax imposed upon residential properties within East Garrison. The adopted FY 2017-18 budget does not have sufficient appropriations to fund expenditures related to the Temporary Maintenance Agreement and the proposed Amendment, which crosses fiscal year. The FY 17-18 approved budget includes \$530,000 for the maintenance and \$100,000 for property management administration of the EGCSO. Estimated costs for FY17-18 include the \$80,000 for March 1-June 30, 2017 plus \$699,300 anticipated in the Temporary Maintenance Agreement for work between July 1, 2017-June 30, 2018 (for a total

FY17-18 costs of \$779,300), in addition to the anticipated \$100,000 for EGCSO administration. Staff plans to meet with UCP in November to evaluate actual maintenance costs of Lincoln Park and other EGCSO facilities compared to estimated costs, and will return to the Budget Committee and Board of Directors to request additional appropriations following that meeting. There is sufficient fund balance in Fund 181, Appropriations Unit DEO027 to cover any increase in appropriations. There is no impact to the County General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action complies with the Board of Supervisors' FY 2015-16 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 quality of life of County residents through management of parks and open spaces within the East Garrison development.

Check the related BOS Strategic Initiatives:

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

Prepared by: G.H. Nichols, P.E., Special Programs Section, RMA-Land Use & Community Development Division

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

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

The following attachments are on file with the Clerk of the Board:

Attachment 1 - Grant Deed