



Legislation Details (With Board Report)

<b>File #:</b>	A 17-467	<b>Name:</b>	EG 2nd Amendment Urban Services Agreement
<b>Type:</b>	BoS Agreement	<b>Status:</b>	Passed
<b>File created:</b>	11/20/2017	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	12/12/2017	<b>Final action:</b>	12/12/2017

**Title:** Approve Second Amendment to Urban Services Agreement by and between the County of Monterey and the East Garrison Community Services District relating to East Garrison to transfer responsibility for ownership and maintenance of neighborhood parks from the East Garrison Homeowners Association to the East Garrison Community Services District.  
Proposed CEQA Action: Not a project pursuant to CEQA Guidelines section 15378(b)(4)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment 1 - Proposed Second Amendment to Urban Services Agreement, 3. Attachment 2 - First Amendment to Urban Services Agreement, 4. Attachment 3 - Urban Services Agreement, 5. Completed Board Order & Executed Agreement

Date	Ver.	Action By	Action	Result
12/12/2017	1	Board of Supervisors	approved	

Approve Second Amendment to Urban Services Agreement by and between the County of Monterey and the East Garrison Community Services District relating to East Garrison to transfer responsibility for ownership and maintenance of neighborhood parks from the East Garrison Homeowners Association to the East Garrison Community Services District.

Proposed CEQA Action: Not a project pursuant to CEQA Guidelines section 15378(b)(4)

**RECOMMENDATION:**

It is recommended the Board of Supervisors approve the Second Amendment to Urban Services Agreement by and between the County of Monterey and the East Garrison Community Services District to transfer ownership and maintenance responsibility for neighborhood parks within East Garrison from the East Garrison Homeowners Association to the East Garrison Community Services District.

**SUMMARY/ DISCUSSION:**

The East Garrison Specific Plan and Combined Development Permit for the East Garrison development at the former Fort Ord (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 (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 to the requirements of the County Code and the Quimby Act.

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 which allocated responsibility for financing and maintenance of certain public services within East Garrison among the County, the EGCSD, and the Homeowners Association (HOA).

On March 26, 2013, the Board of Supervisors, acting on behalf of both the County and as Board of Directors of

the EGCS D, approved the First Amendment to the Urban Services Agreement to clarify and modify the allocation of infrastructure and maintenance responsibilities. One provision of this amendment was to reassign responsibility for maintenance of the neighborhood parks from the CSD to the HOA.

The CSD, County, and Developer have agreed it is in the best interest of the public, and consistent with intent of the East Garrison Specific Plan and Combined Development Permit, for all the interior neighborhood parks within East Garrison to be maintained by the CSD, rather than the HOA. The Second Amendment accomplishes this reassignment.

The Second Amendment is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(4) because this amendment merely reassigns fiscal responsibilities and does not change the physical development of the East Garrison project.

#### OTHER AGENCY INVOLVEMENT:

On October 26, 2017, the Fort Ord Committee unanimously supported in concept the Board of Supervisors and EGCS D Board of Directors approval of an amendment to the Urban Services Agreement to transfer ownership of existing and future neighborhood parks within East Garrison from the HOA to the EGCS D.

By separate action on the same date, the Board of Supervisors, acting as the Board of Directors of the East Garrison Community Services District, will consider approval of the recommended Second Amendment.

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 EGCS D to maintain the neighborhood parks and open spaces with funding provided by the CFD special tax. EGCS D staff has verified that the CFD special tax provides sufficient annual revenue to fund the operation and maintenance of the seven neighborhood parks in addition to the community park and open space called for in the Agreement.

EGCS D 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

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

Attachments:

1. Proposed Second Amendment to Urban Services Agreement
2. First Amendment to Urban Services Agreement
3. Urban Services Agreement