



Legislation Details (With Board Report)

<b>File #:</b>	12-724	<b>Name:</b>	Grant Landscape Drainage Easement to EGCS
<b>Type:</b>	General Agenda Item	<b>Status:</b>	Passed
<b>File created:</b>	8/2/2012	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	8/28/2012	<b>Final action:</b>	8/28/2012

**Title:** Approve and authorize the Chair to execute a Grant of Easement for Landscape & Drainage (“Basin 1A”) over a portion of APN 031-161-013 to the East Garrison Community Services District for purpose of constructing, operating, and maintaining a storm drainage disposal basin, associated landscaping, and related infrastructure in conjunction with the East Garrison Development Project on the former Fort Ord.

**Sponsors:** Public Works / RMA

**Indexes:**

**Code sections:**

**Attachments:** 1. Grant of Easement for Landscape & Drainage, 2. Vicinity Map, 3. Completed Board Order

Date	Ver.	Action By	Action	Result
8/28/2012	1	Board of Supervisors	approved	

Approve and authorize the Chair to execute a Grant of Easement for Landscape & Drainage (“Basin 1A”) over a portion of APN 031-161-013 to the East Garrison Community Services District for purpose of constructing, operating, and maintaining a storm drainage disposal basin, associated landscaping, and related infrastructure in conjunction with the East Garrison Development Project on the former Fort Ord.

RECOMMENDATION:

It is recommended that the Board of Supervisors approve and authorize the Chair to execute a Grant of Easement for Landscape & Drainage (“Basin 1A”) over a portion of APN 031-161-013 to the East Garrison Community Services District for purpose of constructing, operating, and maintaining a storm drainage disposal basin, associated landscaping, and related infrastructure in conjunction with the East Garrison Development Project on the former Fort Ord.

SUMMARY:

The County of Monterey owns a 7.4-acre parcel of land adjacent to the East Garrison Development Project (APN 031-161-013, formerly COE Parcel No. E11a.1). Approval of the recommended action will formalize the creation of a landscape and drainage easement over a portion of the County-owned parcel to allow the East Garrison Community Services District to construct, operate, and maintain a storm drainage disposal basin, associated landscaping, and related infrastructure in accordance with the requirements of the East Garrison Development Project.

DISCUSSION:

On October 5, 2005, the Board of Supervisors approved the Conditional Use Permit and Tentative Subdivision Map for the East Garrison Development Project (Project). On June 22, 2007, the Board approved the Final Subdivision Map for Phase 1 of the development.

On October 10, 2005, the Local Agency Formation Commission of Monterey County (LAFCO) approved a resolution creating the East Garrison Community Services District (EGCS) to own, operate, and maintain

designated municipal infrastructure within the East Garrison Development Project.

On February 28, 2006, the Board of Supervisors approved a resolution designating the Board of Supervisors to act as the initial Board of Directors of the EGCS D.

On July 18, 2006, the Board of Supervisors approved an *Urban Service Agreement* designating which entity (County, EGCS D, East Garrison Homeowners Association) will be responsible for operating and maintaining specific infrastructure system. This Agreement designates the EGCS D to be responsible for the on-site storm drainage collection and disposal facilities.

On February 13, 2007, the Board of Supervisors approved Resolution No. 07-051 accepting ownership of APN 031-161-013 (formerly COE Parcel No. E11a.1) into the County-maintained road system.

One of the required storm drain basins (Basin 1A) to be maintained by the EGCS D is located on this County-owned property. The recommended Grant of Easement for Landscape & Drainage (Easement) will allow the EGCS D to own, construct, operate, and maintain this storm drainage disposal basin, associated landscaping, and related infrastructure on County-owned property.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed and approved the Easement as to form. The matter of accepting the Easement and authorizing its recordation will be submitted separately to the Board of Supervisors, acting as the Board of Directors of the EGCS D.

FINANCING:

There is no impact to the General Fund. The costs for processing the Easement will be funded by developer fees. Costs associated with operating and maintaining the storm drain basin and related infrastructure will be funded by the EGCS D.

Prepared by: G.H. 'Nick' Nichols, P.E., Civil Engineer, (831) 755-5386

Approved by:

---

Paul H. Greenway, P.E., Acting Director of Public Works

---

Benny J. Young, RMA Director

Attachments: Grant of Easement for Landscape & Drainage; Vicinity Map