



Board Report

File #: 18-1176, Version: 1

- a. Accept as complete a portion of the East Garrison Subdivision Phase 3 Infrastructure Improvements, including road, drainage, and infrastructure improvements; and
- b. Accept the completed road improvements on Watkins Gate Road, Watkins Gate Road/Reservation Road Intersection and Reservation Road paving, traffic improvements, and signalization into the County's maintained road system; and
- c. Approve the release of Phase 3 On-site and Off-site infrastructure improvements Performance Bond in the amount of \$4,674,000 and Labor and Materials Bond in the amount of \$2,336,800, Bond Number SUR0043482, related to said improvements in accordance with Government Code section 66499.7; and
- d. Approve the release of Phase 3 Performance Bond for Grading and Erosion Control in the amount of \$658,000 and Labor and Materials Bond for Grading and Erosion Control in the amount of \$329,000, Bond Number SUR0043481, related to said improvements in accordance with Government Code section 66499.7; and
- e. Approve the release of Phase 3 Monumentation Bond in the amount of \$75,000, Bond Number SUR0043484, related to said improvements in accordance with Government Code section 66499.7; and
- f. Approve the acceptance of Phase 3 Maintenance Bond in the amount of \$934,720.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Accept as complete a portion of the East Garrison Subdivision Phase 3 Infrastructure Improvements, including road, drainage, and infrastructure improvements; and
- b. Accept the completed road improvements on Watkins Gate Road, Watkins Gate Road/Reservation Road Intersection and Reservation Road paving, traffic improvements, and signalization into the County's maintained road system; and
- c. Approve the release of Phase 3 On-site and Off-site infrastructure improvements Performance Bond in the amount of \$4,674,000 and Laborer and Materials Bond in the amount of \$2,336,800, Bond Number SUR0043482, related to said improvements in accordance with Government Code section 66497; and
- d. Approve the release of Phase 3 Performance Bond for Grading and Erosion Control in the amount of \$658,000 and Labor and Materials Bond for Grading and Erosion Control in the amount of \$329,000, Bond Number SUR0043481, related to said improvements in accordance with Government Code section 66499.7; and
- e. Approve the release of Phase 3 Monumentation Bond in the amount of \$75,000, Bond Number SUR0043484, related to said improvements in accordance with Government Code section 66497; and
- f. Approve the acceptance of Phase 3 Maintenance Bond in the amount of \$934,720.

SUMMARY

The recommended actions will allow the County to accept as complete the East Garrison Phase 3 infrastructure improvements, Watkins Gate Road, the improvements to Watkins Gate Road/Reservation Road Intersection, and Reservation Road paving, traffic improvements, and signalization into the County's maintained road system as required as conditions of the project, and authorize release of the Subdivider's bonds for these improvements. The East Garrison Phase 3 is the last of the phases of the project for roadway and drainage improvements and will complete the infrastructure for the project. The construction of the homes and Town Center for the East Garrison Phase 3 will complete the East Garrison project.

DISCUSSION:

On December 12, 2017, the Board of Supervisors approved a Subdivision Improvement Agreement for East Garrison Phase 3 between the County of Monterey and UCP East Garrison, LLC. The Agreement was recorded with the County Recorder on December 26, 2017 at Document No. 2017071040. In accordance with this Agreement, the Subdivider prepared Improvement Plans which included street, sidewalk, storm drain, sewer, and water system improvements necessary for the development. These Improvement Plans were approved by the RMA Development Engineering and the Subdivider provided the financial securities and bonds required therefore.

The Subdivider's Engineer's Letter of Completion submitted on November 16, 2018 indicated that the East Garrison Phase 3 project was completed according to the approved plans. The RMA-Development Engineering determined the street, sidewalk, storm drain, sewer, and water system infrastructure improvements for Phase 3 were constructed in accordance with the Improvement Plans and as specified in the implementation agreements. The traffic signals at Watkins Gate Road and Reservation intersection have been tested for acceptance and are complete. The signals will be turned on for traffic after the acceptance of the project and the inclusion of Watkins Gate Road into the County's maintained road system. The RMA-Development Engineering recommends the acceptance of the completed improvements, and the release of the subdivision improvement bonds associated with construction.

A Warranty Security for East Garrison Phase 3 is provided for the street, sidewalk, storm drain, sewer, and water system infrastructure improvements that are completed and accepted by the County. The Warranty Security is provided by the developer in accordance with the Subdivision Improvement Agreement. It is required for the continued maintenance and repair of the improvements after acceptance of the East Garrison Phase 3 Improvements. The Warranty Security will be released after the period of one (1) year from the date of acceptance of the improvements if the improvements continue to function satisfactorily.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed the recommendation as to form. The RMA-Development Engineering, RMA-Planning, RMA-Building Services, Water Resources Agency, Environmental Health Bureau, and Monterey County Regional Fire District have all verified that the subject improvements have been completed in accordance with the approved construction drawings and associated conditions of approval.

On September 13, 2011, the Marina Coast Water District (MCWD) approved a Water and Sewer Infrastructure Agreement with the developer for design, bonding, and construction of the subdivision water and sewer systems, including a reclaimed water irrigation system. On September 17, 2018, the MCWD Board of Directors approved and accepted the Infrastructure Improvements under a water, sewer, and recycled water Infrastructure Agreement between Marina Coast Water District, UCP East Garrison, LLC, and the East Garrison Public Finance Authority for the East Garrison - Phase 3 Development Project.

FINANCING:

All costs for construction of the improvements and the County's review thereof have been funded by the Subdivider. In accordance with the Board of Supervisors' approval of the Phase 3 Final Map, Improvement Plans, and Subdivision Improvement Agreement, the County is obligated to accept the completed road improvements on Watkins Gate Road, Watkins Gate Road/Reservation Road Intersection, and Reservation Road paving, traffic improvements, and signalization into the County's maintained road system.

Watkins Gate Road within the East Garrison Community Services District (EGCSD) will be owned by the

County of Monterey and maintained by EGCSO after acceptance of the East Garrison Phase 3 project by Monterey County. Currently, public street maintenance is provided by UCP East Garrison, LLC through a Temporary Maintenance Agreement between UCP East Garrison, LLC and EGCSO. EGCSO reimburses UCP East Garrison, LLC for the maintenance work which includes, but is not limited to, landscaping, sidewalks, drainage, pavement, striping, signage, and lighting.

The County is responsible for the inspection and maintenance of the traffic signal system at Watkins Gate Road and Reservation Road Intersection. The EGCSO will be responsible for funding road maintenance and signal maintenance. In accordance with the *Urban Services Agreement* dated July 18, 2006 (as amended March 12, 2013), the RMA-Public Works costs to maintain Watkins Gate Road/Intersection and signals will be reimbursed by the East Garrison Community Services District. Therefore, no impact to the General Fund or Road Fund for maintenance of East Garrison public streets within the EGCSO boundary.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The project will accept the infrastructure of the East Garrison Phase 3 subdivision and traffic signal and improvements at Watkins Gate Road and Watkins Gate Road/Reservation Road Intersection. The recommended action supports the following Board of Supervisors' Strategic Initiative:

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

Prepared by: Douglas Poochigian, P.E., Civil Engineer

Approved by: Neville Pereira, P.E., C.B.O., RMA - Interim Deputy Director of Public Works, Parks, and Facilities

Approved by: Carl P. Holm, AICP, Director of Resource Management

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

- Attachment A - Location Map
- Attachment B - Bond Summary
- Attachment C - Final Map
- Attachment D - East Garrison Phase Three Tract No. 1532
- Attachment E - MCWD Resolution No. 2018-53
- Attachment F - Faithful Performance Security Bond
- Attachment G - Laborers and Materialmen Security Bond (SUR0043481)
- Attachment H - Grading and Erosion Control Security Bond
- Attachment I - Laborers and Materialmen Security Bond
- Attachment J - Monumentation Security Bond
- Attachment K - Maintenance Security Bond
- Attachment L - Subdivision Improvement Agreement East Garrison Phase 3
- Attachment M - Urban Services Agreement
- Attachment N - Amendment to Urban Services Agreement
- Attachment O - Temporary Maintenance Agreement
- Attachment P - Operation and Maintenance Plan

Attachment Q - Whitson Engineers Letter of Completion November 16, 2018