



County of Monterey

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

Board Report

File #: EGCSO 19-006, **Version:** 1

Acting as the Board of Directors of the East Garrison Community Services District:

- a. Approve as complete and accept from UCP East Garrison, LLC, a Grant Deed for ownership of the completed Phase One open space area (APN 031-162-130-000, Parcel Z1.9);
- b. Approve as complete and accept from UCP East Garrison, LLC, a Grant Deed for ownership of the completed Phase One open space area (APN 031-161-020-000, Parcel Z1.10);
- c. Approve as complete and accept from UCP East Garrison, LLC, a Grant Deed for ownership of the completed Phase Three open space areas (APN 031-301-034-000/Parcel Z3.6, APN 031-301-035-000/Parcel Z3.7, APN 031-301-036-000/Parcel Z3.8, and APN 031-301-037-000/Parcel Z3.9);
- d. Approve as complete and accepts from UCP East Garrison, LLC, a Grant Deed for ownership of the completed Phase 3 Neighborhood Parks (APN 031-301-016-000, Parcel P3.1 and APN 031-301-017-000, Parcel P3.2);
- e. Authorize the Chair to execute the Certificates of Acceptance and Consent to Recordation of the Grant Deeds; and
- f. Authorize and direct the Clerk of the Board to submit the executed Grant Deeds 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:

- a. Approve as complete and accept from UCP East Garrison, LLC, a Grant Deed for ownership of the completed Phase One open space area (APN 031-162-130-000, Parcel Z1.9);
- b. Approve as complete and accept from UCP East Garrison, LLC, a Grant Deed for ownership of the completed Phase One open space area (APN 031-161-020-000, Parcel Z1.10);
- c. Approve as complete and accept from UCP East Garrison, LLC, a Grant Deed for ownership of the completed Phase Three open space areas (APN 031-301-034-000/Parcel Z3.6, APN 031-301-035-000/Parcel Z3.7, APN 031-301-036-000/Parcel Z3.8, and APN 031-301-037-000/Parcel Z3.9);
- d. Approve as complete and accept from UCP East Garrison, LLC, a Grant Deed for ownership of the completed Phase 3 Neighborhood Parks (APN 031-301-016-000, Parcel P3.1 and APN 031-301-017-000, Parcel P3.2);
- e. Authorize the Chair to execute the Certificates of Acceptance and Consent to Recordation of the Grant Deeds; and
- f. Authorize and direct the Clerk of the Board to submit the executed Grant Deeds to the County Recorder.

SUMMARY:

The recommended actions will complete the acceptance of improvements and transfer of ownership of Phase One open space area Z1.10, Phase Three open space areas Z3.6-Z3.9 and Phase Three Neighborhood Parks from the East Garrison Developer to the East Garrison Community Services District (EGCSD) in accordance with the approved Final Subdivision Maps for East Garrison Phase One and Three, *Urban Services Agreement* as amended, *East Garrison Parks and Recreation Plan*, and approved *Operation and Maintenance Plan*.

DISCUSSION:

PHASE ONE OPEN SPACE PARCEL Z1.9, is a 1.10-acre landscaped open space area that is located along Reservation Road, from Inter-Garrison to the area directly behind Warren Avenue.

On June 12, 2007, the Board of Supervisors approved the Final Subdivision Map for Tract 1489, East Garrison Phase One, 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 Z1.3, Z1.9 and Z1.11 are hereby reserved for the East Garrison Community Services District or its designee and to the public for open space purposes, and will be granted by separate instrument.

PHASE ONE OPEN SPACE PARCEL Z1.10, is a 6.23-acre open space area adjacent to the western boundary of Lincoln Park and runs parallel between Sherman Boulevard and Lee Avenue to the intersection of West Camp Street. Open Space Parcel Z1.10 also contains storm water Detention Basin 2A.

On June 12, 2007, the Board of Supervisors approved the Final Subdivision Map for Tract 1489, East Garrison Phase One, 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 **Z1.10** 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 March 26, 2013, the Board of Supervisors accepted Detention Basin 2A as part of the Phase One Subdivision Infrastructure Improvements for on-site drainage improvements. On the same date, the Board of Supervisors, acting as the Board of Directors of the East Garrison Community Services District, accepted the East Garrison Phase One on-site storm drain improvements into the Community Services District maintenance system.

On October 22, 2018, a Final Inspection was performed wherein Resource Management Agency (RMA) staff determined that all open space 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 One, *Urban Services Agreement* as amended, *East Garrison Parks and Recreation Plan*, and approved *Operation and Maintenance Plan*.

PHASE THREE OPEN SPACE PARCELS Z3.6 THROUGH Z3.9, surround the perimeter of East Garrison Phase Three, specifics for each parcel are as follows:

Parcel Z3.6, is 1.77-acres, located on Ord Avenue and is adjacent to the western boundary of Detention Basin 3, about Reservation Road. In addition to open space, the parcel also contains two (2) fenced dog parks; one area for small and one for large breed dogs.

Parcel Z3.7, is 9.7-acres, located along Sloat Street, Ord Avenue, Watkins Gate Road and Reservation Road. Parcel Z3.7 contains a majority of the bluff trail, historic Whitcher Family

Cemetery and Detention Basin 4.

Parcel Z3.8, is 0.57-acres, located at Sloat Street and running parallel along the southern boundary of Watkins Gate Road, terminating at the Marina Coast Water District well property which is located adjacent to the Watkins Gate Road and Reservation Road intersection.

Parcel Z3.9, is 4.92-acres, located along Ord Avenue, to the rear of Detention Basin 3 and the Bluff Courts Parks and abuts Parcel Z3.7. The parcel contains a small portion of the bluff trail.

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 areas designated as parcels Z3.1, Z3.2, Z3.3, Z3.4, Z3.6, Z3.7, Z3.8, Z3.9 and Z3.11 are hereby reserved for the East Garrison Community Services District or its designee and to the public for open space purposes and storm water facilities, and will be granted by separate instrument. The undersigned reserves an easement to access said parcels in the future for construction and temporary maintenance of the required East Garrison Improvement.

On December 11, 2018, the Board of Supervisors accepted Detention Basin 4, which is situated in Parcel Z3.7, as part of the Phase Three Subdivision Infrastructure Improvements for drainage improvements.

On May 29, 2019, a Final Inspection was performed wherein RMA staff determined that all open space 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 One, *Urban Services Agreement* as amended, *East Garrison Parks and Recreation Plan*, and approved *Operation and Maintenance Plan*.

PHASE THREE NEIGHBORHOOD PARKS, are the two public parks in East Garrison Phase Three. The Arts Park, Parcel P3.1, is 1.10- acres and is located between Burnside Avenue and Sherman Boulevard and is a passive use area. The Bluff Courts Park, Parcel P3.2, is 1.02-acres and is located along Ord Avenue; it contains four regulation basketball courts, a half-court basketball area, two bocce courts, two horseshoe pits, and a large two-story playground structure.

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 areas designated as parcels P3.1 & P3.2 will be dedicated to the East Garrison Community Services District and the public by separate instrument for park purposes. The undersigned reserves an easement to access said parcels in the future for the construction and temporary maintenance of the required East Garrison park improvements.

On June 6, 2019, a Final Inspection was performed wherein RMA staff determined that all open space

improvements have been completed in accordance with the approved plans, specifications, and labor compliance including prevailing wage 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 One, *Urban Services Agreement* as amended, *East Garrison Parks and Recreation Plan*, and approved *Operation and Maintenance Plan*.

TEMPORARY MAINTENANCE AGREEMENT

Upon acceptance of these parcels, the Developer will maintain and be reimbursed by EGCSO as outlined in the *Temporary Maintenance Agreement*, until the hiring of staff or a long-term maintenance vendor is selected through a public Request for Proposal process. Until a vendor can be selected and brought under contract, the *Temporary Maintenance Agreement* provides for the continued proper, efficient, and cost-effective maintenance of the East Garrison Project, in a manner that promotes the continued development of the Project. There are terms in the agreement that allow for review and monitoring of such costs by EGCSO.

PARK RULES AND REGULATIONS

As has been done with Phase One and Two Neighborhood Parks, RMA Staff will continue to work with the East Garrison Community and the EGCSO Advisory Committee to develop park-specific rules for the Phase Three Neighborhood and Dog Parks, which will be forthcoming at a future date.

OTHER AGENCY INVOLVEMENT:

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

FINANCING:

Funding for EGCSO is budgeted in Fund 181, Budget Unit 8522, Appropriation Unit RMA106, and is derived from the special tax imposed upon residential properties within East Garrison. The adopted FY 2019-20 budget has sufficient appropriations to fund expenditures related to the *Temporary Maintenance Agreement* and the proposed Amendment.

For the next two years, staff will meet monthly with the Developer to evaluate actual maintenance costs of the EGCSO parks, open space areas, and facilities compared to estimated costs, and should the appropriation of additional funds be required, staff will return to the Budget Committee and Board of Directors to request additional appropriations. There is sufficient fund balance in Fund 181, Budget Unit 8522, Appropriation Unit RMA106, to cover any foreseeable increase in appropriations.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action complies with the Board of Supervisors' FY 2015-16 Strategic Initiative for Economic Development, Infrastructure, and Health and Human Services, "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.

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

Prepared by: Bryan Flores, Management Analyst II, RMA Special Districts (831)796-6425
Reviewed by: Melanie Beretti, Property Administration/Special Programs Manager
Approved by: Shawne Ellerbee, RMA Deputy Director of Administrative Services
Approved by: Carl P. Holm, AICP, RMA Director

Attachments:

Attachment 1 - Grant Deed, Parcel Z1.9
Attachment 2 - Grant Deed, Parcel Z1.10
Attachment 3 - Grant Deed, Parcels Z3.6-Z3.9
Attachment 4 - Grant Deed, Phase Three Neighborhood Parks
(Attachments on file with the Clerk of the Board)