



County of Monterey

Item No.94

Board Report

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

Legistar File Number: A 26-269

June 23, 2026

Introduced: 6/8/2026

Current Status: Housing & Community
Development - Consent

Version: 1

Matter Type: BoS Agreement

- a. Approve the Fourth Extension to the Memorandum of Agreement Regarding the Habitat Management on Portions of the Parker Flats Reserve at the Former Fort Ord, California, with UCP East Garrison, LLC, for California Tiger Salamander habitat management on County-owned property extending the term two years through June 30, 2028, or until the Habitat Resource Management Plan for former Fort Ord lands owned by the County is adopted, whichever is earlier;
- b. Approve a new Professional Services Agreement with Denise Duffy & Associates, Inc., for a term from July 1, 2026, through June 30, 2028, in an amount not to exceed \$73,500 to incorporate current County standard provisions; and
- c. Authorize the Housing and Community Development Director or designee to execute the Fourth Extension of the Memorandum of Agreement A-12978 with UCP East Garrison, LLC; and
- d. Authorize the Housing and Community Development Director or designee to execute the Professional Services Agreement with Denise Duffy & Associates, Inc.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve the Fourth Extension to the Memorandum of Agreement Regarding the Habitat Management on Portions of the Parker Flats Reserve at the Former Fort Ord, California, with UCP East Garrison, LLC, for California Tiger Salamander habitat management on County-owned property extending the term two years through June 30, 2028, or until the Habitat Resource Management Plan for former Fort Ord lands owned by the County is adopted, whichever is earlier;
- b. Approve a new Professional Services Agreement with Denise Duffy & Associates, Inc., for a term from July 1, 2026, through June 30, 2028, in an amount not to exceed \$73,500 to incorporate current County standard provisions; and
- c. Authorize the Housing and Community Development Director or designee to execute the Fourth Extension of the Memorandum of Agreement A-12978 with UCP East Garrison, LLC; and
- d. Authorize the Housing and Community Development Director or designee to execute the Professional Services Agreement with Denise Duffy & Associates, Inc.

SUMMARY:

The Housing and Community Development (HCD) Department is requesting the Board of Supervisors (Board) approve the Fourth Extension to the Memorandum of Agreement (MOA) Regarding Habitat Management on Portions of the Parker Flats Reserve with UCP East Garrison, LLC (Attachment 1). The proposed action will enable continued habitat management for the California Tiger Salamander (CTS) on a 134-acre County-owned parcel in the former Fort Ord until June 30, 2028, or until a County Habitat Resource Management Plan for former Fort Ord (RMP) is approved, whichever is

earlier.

DISCUSSION:

On February 2, 2015, the County, UCP East Garrison, LLC (Developer), and the Fort Ord Reuse Authority (FORA) entered into a MOA Regarding Habitat Management on Portions of The Parker Flats Reserve at the former Fort Ord, California. The MOA implemented interim habitat management for CTS on a 134-acre County-owned parcel within the former Fort Ord, which was funded by the Developer. The term of the original MOA was five years or until a Fort Ord Habitat Conservation Plan was adopted by FORA. On November 10, 2015, the County entered into Professional Services Agreement (PSA) No. A-12978 with Denise Duffy & Associates (DD&A), following a competitive selection process under Request for Proposals #10519, to perform biological services for interim habitat management.

On June 30, 2020, FORA dissolved by operation of law and without a Fort Ord Habitat Conservation Plan prior to its dissolution. There were remaining funds within the Interim Habitat Management Fund, endowed by the Developer, under the MOA. On July 28, 2020, the Board approved the First Extension to the MOA and Amendment No. 1 to the PSA so the County could utilize these funds and continue habitat management for the CTS Preservation and Habitat Restoration Area while the County planned for long-term habitat management. The First Extension to the MOA and Amendment No. 1 to the PSA expired on June 30, 2021.

The County has been moving forward to develop a site-specific RMP for lands held by the County and Monterey Peninsula College (MPC) in the former Fort Ord as required by the 1997 Installation-Wide Habitat Management Plan for the former Fort Ord as modified by the Memorandum of Understanding Concerning the Proposed East Garrison/Parker Flats Land Use Modification. The RMP is to cover site specific habitat management and preservation within the former Fort Ord, and the County intends to include long term management for CTS Preservation and Habitat Restoration Area on the 134-acre portion of Parker Flats within the RMP.

When the Board approved the First Extension to the MOA, staff advised of a program to cover habitat management generally on the former Fort Ord. The RMP is essentially the program that would identify implementation of the habitat management and preservation areas, with monitoring requirements to follow. The Board approved the PSA with DD&A on April 20, 2021, to complete the RMP; however, as the County moves forward with developing the RMP, habitat management for CTS on the 134-acre parcel still needs to occur, as required by the conditions of the Section 2081 Incidental Take Permit for Phase II of the East Garrison Project. On July 13, 2021, the Board approved the Second Extension to the MOA Regarding Habitat Management on Portions of the Parker Flats Reserve at the former Fort Ord, California (Second Extension) and Amendment No. 2 to the PSA, each with a retroactive term of July 1, 2021, through June 30, 2024, or until a County RMP was approved, whichever was earlier. The Amendment No. 2 to the PSA also increased the Agreement amount by \$112,522 for a not to exceed amount of \$218,172. The MOA and PSA were extended for a third time, to extend their respective terms by two years through June 30, 2026, or until the RMP is approved, whichever is earlier.

An Administrative Draft RMP has been developed and is under review, and additional time is needed

to complete and approve the RMP. Staff recommends the Board approve a Fourth Extension to the MOA through June 30, 2028, or until a RMP is approved, whichever is earlier. Staff also recommends that the Board approve the new PSA with a term of July 1, 2026, to June 30, 2028, or until the RMP is approved, whichever is earlier.

OTHER AGENCY INVOLVEMENT:

The Offices of the County Counsel and Auditor-Controller have reviewed the new PSA and Fourth extension to the MOA as to form and legality, and fiscal provisions, respectively.

FINANCING:

In Fiscal Year (FY) 2015-16, the Developer endowed an Interim Habitat Management Fund in the amount of \$104,155, which covered interim habitat management costs for the original and First Extension of the MOA to implement and fund habitat management for CTS. Additionally, the Developer made payments to the FORA Community Facilities District (CFD) Special Tax through June 30, 2020, when FORA dissolved. The Developer continues to pay the habitat management fee directly to the County since FORA's dissolution. Following FORA's dissolution, the County received \$13.58 million that FORA had collected through its CFD and set aside for habitat management. Due to the significant amount of funds that the Developer has already contributed toward habitat management as identified above, the MOA recognizes that the County and Developer agree that the Developer has no obligation in providing additional funds to replenish the Interim Habitat Management Fund and instead the County utilizes the existing County Habitat Management Funds to pay for CTS habitat management on Parker Flats under the extended MOA.

Funding for the staff time associated with these projects in FY 2026-27 is included in and will be reimbursed to the General Fund from the FY 2026-27 Adopted Budget for Housing and Community Development Fund 1370, FORA Habitat Management Appropriation HCD103, Department 310004. Funding for the Agreement is included in the FORA Habitat Management FY 2026-27 Adopted Budget for Fund 1370.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Extending the MOA and PSA to continue ongoing interim CTS habitat management supports the Board of Supervisors Strategic Plan Goal for *Well-Being and Quality of Life* to create safe and healthy communities where all can thrive (Key Objectives: Housing) and *Dynamic Organization and Employer of Choice* to be engaged by an organization that is financially healthy (Key Objective: Financial Sustainability) by providing required agreements to continue species management pursuant to the regulatory approvals for the East Garrison development, allowing the continued to buildout of East Garrison.

- Well-Being and Quality of Life
- Sustainable Infrastructure for the Present and Future
- Safe and Resilient Communities
- Diverse and Thriving Economy
- Dynamic Organization and Employer of Choice

Link to the Strategic Plan:

<https://www.countyofmonterey.gov/home/showdocument?id=139569>

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

Board Report

Attachment 1 - Draft Fourth Extension of MOA

Attachment 2 - Draft PSA with DD&A

Attachment 3 - MOA Agreement Summary