

THE LOCAL AGENCY FORMATION COMMISSION
OF MONTEREY COUNTY

RESOLUTION NO. 05-20

**RESOLUTION OF THE MONTEREY COUNTY LOCAL AGENCY FORMATION
COMMISSION MAKING DETERMINATIONS AND APPROVING THE PROPOSED
EAST GARRISON COMMUNITY SERVICES DISTRICT FORMATION**

RESOLVED, by the Local Agency Formation Commission of the County of Monterey,
State of California, that

WHEREAS, a registered voter petition for the proposed "East Garrison Community Service District Formation", in the County of Monterey, was heretofore filed and accepted for filing by the Executive Officer of this Local Agency Formation Commission, pursuant to Title 6, Division 1, commencing with Section 56000, et seq. of the Government Code; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56828, set September 26, 2005 as the hearing date on this proposal and gave the required notice of hearing; and

WHEREAS, the public hearing by this Commission was held upon the date and at the time and place specified in said notice of hearing and in any order or orders continuing such hearing; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56833, has reviewed this proposal and prepared a report, including recommendations thereon, and has furnished a copy of this report to each person entitled to a copy; and

WHEREAS, this Commission, on September 26, 2005 and October 10, 2005, heard from interested parties, considered the proposal and the report of the Executive Officer and considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to, factors specified in Government Code Section 56841; and

WHEREAS, pursuant to the California Environmental Quality Act, the Commission, acting as a responsible agency under the law, has read and considered the East Garrison Specific Plan Subsequent Environmental Impact Report certified by the County of Monterey on October 4, 2005 and determined that, upon implementation of the mitigation measures and excepting the significant and unavoidable impacts addressed in the Statement of Overriding Considerations adopted by Monterey County, no significant impacts would result from the project implementation; and

WHEREAS, the affected territory is uninhabited, the property owners have consented to the proposed annexation and a waiver of protest proceedings; and

WHEREAS, the regular County assessment roll will be used by East Garrison to carry taxes and assessments that may be levied within the formation area; and.

NOW, THEREFORE, the Local Agency Formation Commission of the County of Monterey does HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

Section 1. The affected territory contains no registered voters and no landowners that are not public agencies.

Section 2. The Commission considered the impacts presented in the environmental documents and found that, upon implementation of the mitigation measures and excepting the significant and unavoidable impacts addressed in the Statement of Overriding Considerations adopted by Monterey County, all the significant impacts presented in the documents resulting from the project implementation could be reduced to less than significant levels.

Section 3. The boundaries of the territory proposed to be formed are hereby approved as described in Exhibit "A" attached hereto and made a part hereof. Said territory is said to be uninhabited, and is assigned the following distinctive short form designation: "East Garrison Community Service District Formation".

Section 4. The "East Garrison Community Services District Formation" is approved subject to the following terms and conditions:

- a. The District is authorized to provide the following maintenance and services:
 1. private roads,
 2. street lighting,
 3. transit facilities,
 4. recreation programs,
 5. library,
 6. parks and open space, and
 7. such additional services as are allowed by applicable law and as may from time to time be necessary or appropriated for the inhabitants of the district.
- b. No property tax revenues will be transferred from the County of Monterey, or any other agency, to the District as a result of this action.
- c. The District's Initial Appropriations Limit is set at \$2,500,000 a preliminary estimate to be refined prior to conveyance of the property.
- d. A Sphere of Influence that is coterminous with the District boundaries is approved and the Commission determines that:
 1. Land Use and Future Development Plans
The East Garrison Specific Plan area is currently a vacant military facility. The Specific Plan establishes new zoning designations, which include residential, commercial, public, and open space. The approved development consists of 1,400 residential units plus up to 70 accessory (carriage house) units, 75,000 square feet of commercial use, 11,000 square feet of public use, 100,000 square feet of artist, cultural and educational space in renovated historic structures, and approximately 50 acres of open space (including approximately 12 acres of improved parks and trails).
 2. Present and Probable Need for Public Facilities and Services in the Area
The approved development will require the provision of water, sewer, road maintenance, fire protection, storm drainage, transportation and security services.
 3. Present Capacity of Public Facilities and Adequacy of Public Services Which the Agency Provides or is Authorized to Provide
Community Services District law allows for the provision of all of the requested services, plus additional services. The proposed CSD will oversee the private roads within the Specific Plan area, street lighting, transit facility maintenance, recreation program funding, library construction and maintenance, and open space/park maintenance. No other agency currently exists which could provide these services required by the approved development.

The Marina Coast Water District (MCWD) will provide water and sewer services. The Salinas Rural Fire Protection District will provide fire protection services. The Monterey County Free Library system will operate a branch of the Monterey County Free Library system, which will be located within the Town Square. The County Sheriff's office will operate community field office within the Town Center, possibly within the Library, for deputies to work on reports and have an address in the community.

- e. Pursuant to special legislation, the County Board of Supervisors will initially govern the East Garrison Community Services District until such time as there are enough residents within the CSD to warrant an election of individuals to an independent CSD Board. Also, the legislation allows LAFCO to waive the requirement for voter approval because the affected territory contains no registered voters and no landowners that are not public agencies.

Section 4. The Local Agency Formation Commission is designated as the conducting authority and the legislative body is hereby directed to initiate formation proceedings without notice, hearing or election.

Section 5. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner and as provided in Section 56853 of the Government Code.


Section 6. The applicant agrees as a condition of the approval of this application to defend at its sole expense any action brought against LAFCO, the Commission and its staff, because of the approval of this application. The applicant will reimburse LAFCO for any court costs and attorneys' fees which may be required by a court to pay as a result of such action. LAFCO may, at its sole discretion, participate in the defense of any such action; but such participation shall not relieve applicant of its obligations under this condition. An indemnification agreement shall be entered into by the applicant and the Executive Officer prior to the issuance of this Resolution.

UPON MOTION OF Commissioner Gourley, seconded by Commissioner Costello, the foregoing resolution is adopted this 10th day of October, 2005 by the following vote:

AYES:	Commissioners Gourley, Costello, Calcagno, McGowan, Perkins, and Smith
NOES:	None
ABSENT:	Commissioners Caballero and DiMaggio
ABSTAIN:	None

ATTEST: I certify that the within instrument is a true and complete copy of the original resolution of said Commission on file within this office.

Witness my hand this 10th day of October, 2005

By: 
Kate McKenna, Executive Officer

JUNE 29, 2005
JOB NO.: 1208-00

EXHIBIT 'A'

LEGAL DESCRIPTION
BEING A PORTION OF THE EAST GARRISON
OF FORT ORD MILITARY RESERVATION
MONTEREY COUNTY, CALIFORNIA

CERTAIN REAL PROPERTY SITUATE IN MONTEREY CITY LANDS TRACT NO. 1, COUNTY OF MONTEREY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCEL 1, AS SAID PARCEL 1 IS SHOWN AND SO DESIGNATED ON THAT CERTAIN RECORD OF SURVEY RECORDED JUNE 26, 2000, IN VOLUME 23 OF SURVEYS AT PAGE 104, IN THE OFFICE OF THE COUNTY RECORDER OF MONTEREY COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERN LINE OF SAID PARCEL 1, SAID POINT BEING THE SOUTHEASTERN TERMINUS OF THAT CERTAIN COURSE DESIGNATED AS "(SOUTH 57°53'16" EAST) (1,442.38 FEET)" ON SAID RECORD OF SURVEY:

THENCE, FROM SAID POINT OF BEGINNING, ALONG SAID NORTHEASTERN LINE AND SOUTHEASTERN LINE OF SAID PARCEL 1, THE FOLLOWING NINE (9) COURSES:

- (1) NORTH 86°10'27" EAST 647.59 FEET,
- (2) SOUTH 50°06'58" EAST 317.97 FEET,
- (3) SOUTH 74°46'08" EAST 287.64 FEET,
- (4) SOUTH 58°35'42" EAST 324.17 FEET,
- (5) SOUTH 40°05'11" EAST 697.82 FEET,
- (6) SOUTH 27°33'51" EAST 478.75 FEET,
- (7) SOUTH 09°43'24" EAST 277.22 FEET,
- (8) SOUTH 38°47'16" WEST 464.82 FEET AND
- (9) SOUTH 36°27'16" WEST 553.37 FEET;
- (10) THENCE, LEAVING SAID SOUTHEASTERN LINE, SOUTH 73°07'44" WEST 50.80 FEET;
- (11) THENCE, NORTH 08°08'06" EAST 62.52 FEET;

- (12) THENCE, NORTH 05°15'27" WEST 94.71 FEET;
- (13) THENCE, ALONG THE ARC OF A TANGENT 115.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 73°21'05", AN ARC DISTANCE OF 147.23 FEET;
- (14) THENCE, NORTH 78°36'32" WEST 632.84 FEET; THENCE
- (15) THENCE, SOUTH 86°20'31" WEST 521.93 FEET;
- (16) THENCE, ALONG THE ARC OF A TANGENT 150.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 71°15'51", AN ARC DISTANCE OF 186.57 FEET;
- (17) THENCE, NORTH 22°23'38" WEST 71.92 FEET TO A POINT ON THE WESTERN LINE OF PARCEL 17, AS SAID PARCEL 17 IS SHOWN AND SO DESIGNATED ON THAT CERTAIN RECORD OF SURVEY, RECORDED JANUARY 31, 1997, IN VOLUME 20 OF SURVEY MAPS AT PAGE 110, IN SAID OFFICE OF THE COUNTY RECORDER OF MONTEREY COUNTY; THENCE, ALONG SAID WESTERN LINE, THE FOLLOWING THREE (3) COURSES:
 - (18) ALONG THE ARC OF NON-TANGENT 230.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 54°30'22" EAST, THROUGH A CENTRAL ANGLE OF 10°28'32", AN ARC DISTANCE OF 42.05 FEET,
 - (19) NORTH 45°58'10" EAST 276.86 FEET, AND
 - (20) ALONG THE ARC OF A TANGENT 970.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 00°32'15", AN ARC DISTANCE OF 9.10 FEET TO A POINT ON THE SOUTHERN LINE OF PARCEL 11, AS SAID PARCEL 11 IS SHOWN AND SO DESIGNATED ON SAID RECORD OF SURVEY (20 SURVEYS 110); THENCE, ALONG SAID SOUTHERN LINE AND WESTERN AND NORTHERN LINES OF SAID PARCEL 11 (20 SURVEYS 110) THE FOLLOWING SEVENTEEN (17) COURSES:
 - (21) NORTH 47°43'00" WEST 58.68 FEET,
 - (22) ALONG THE ARC OF A TANGENT 45.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE 38°38'00", AN ARC DISTANCE OF 30.34 FEET,

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- (23) ALONG THE ARC OF A COMPOUND 570.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 03°39'00" WEST, THROUGH A CENTRAL ANGLE OF 14°16'00", AN ARC DISTANCE OF 141.93 FEET,
- (24) ALONG THE ARC OF A REVERSE 580.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 10°37'00" WEST, THROUGH A CENTRAL ANGLE OF 19°59'30", AN ARC DISTANCE OF 202.37 FEET,
- (25) ALONG THE ARC OF A REVERSE 1,220.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 09°22'30" WEST, THROUGH A CENTRAL ANGLE OF 03°42'40", AN ARC DISTANCE OF 79.02 FEET,
- (26) NORTH 84°20'10" WEST 842.92 FEET,
- (27) ALONG THE ARC A TANGENT 1,970.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 08°42'50", AN ARC DISTANCE OF 299.61 FEET,
- (28) SOUTH 86°57'00" WEST 212.93 FEET,
- (29) ALONG THE ARC OF A TANGENT 355.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 29°19'10", AN ARC DISTANCE OF 181.66 FEET,
- (30) NORTH 63°43'50" WEST 166.36 FEET,
- (31) ALONG THE ARC OF A TANGENT 320.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 44°56'30", AN ARC DISTANCE OF 251.00 FEET,
- (32) ALONG THE ARC OF A REVERSE 1,030.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 18°40'20" WEST, THROUGH A CENTRAL ANGLE OF 06°03'10", AN ARC DISTANCE OF 108.81 FEET,
- (33) SOUTH 77°22'50" WEST 292.82 FEET,
- (34) ALONG THE ARC OF A TANGENT 370.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 09°50'40", AN ARC DISTANCE OF 63.57 FEET,

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- (35) ALONG THE ARC OF A REVERSE 445.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 22°27'50" WEST, THROUGH A CENTRAL ANGLE OF 33°08'00", AN ARC DISTANCE OF 257.34 FEET,
- (36) NORTH 10°40'10" EAST 60.00 FEET, AND
- (37) ALONG THE ARC OF A NON-TANGENT 385.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 10°40'10" EAST, THROUGH A CENTRAL ANGLE OF 13°57'59", AN ARC DISTANCE OF 93.85 FEET TO A POINT ON THE WESTERN LINE OF SAID PARCEL 12, AS SAID PARCEL 12 IS SHOWN AND SO DESIGNATED ON SAID RECORD OF SURVEY (20 SURVEYS 110); THENCE, ALONG SAID WESTERN LINE, THE FOLLOWING ELEVEN (11) COURSES:
 - (38) NORTH 05°46'10" WEST 243.25 FEET,
 - (39) ALONG THE ARC OF A TANGENT 530.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 06°12'50", AN ARC DISTANCE OF 57.48 FEET,
 - (40) NORTH 00°26'40" EAST 123.80 FEET,
 - (41) ALONG THE ARC OF A TANGENT 5,030.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 00°40'40", AN ARC DISTANCE OF 59.50 FEET,
 - (42) NORTH 01°07'20" EAST 371.18 FEET,
 - (43) ALONG THE ARC OF A TANGENT 90.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 53°27'20", AN ARC DISTANCE OF 83.97 FEET,
 - (44) NORTH 52°20'00" WEST 57.65 FEET,
 - (45) ALONG THE ARC OF A TANGENT 140.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 82°47'00", AN ARC DISTANCE OF 202.28 FEET,
 - (46) NORTH 30°27'00" EAST 134.37 FEET,
 - (47) ALONG THE ARC OF A TANGENT 170.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 89°07'10", AN ARC DISTANCE OF 264.42 FEET, AND
 - (48) NORTH 58°40'10" WEST 70.02 FEET TO A POINT ON THE SOUTHERN LINE OF PARCEL 10, AS SAID PARCEL 10 IS SHOWN AND SO DESIGNATED

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ON SAID RECORD OF SURVEY (20 SURVEYS 110);

- (49) THENCE, ALONG SAID SOUTHERN LINE, NORTH 85°01'10" WEST 480.03 FEET;
- (50) THENCE, LEAVING SAID SOUTHERN LINE, NORTH 32°14'08" EAST 1,772.68 FEET TO A POINT ON SAID NORTHEASTERN LINE OF PARCEL 1 (23 SURVEYS 104); THENCE, ALONG SAID NORTHEASTERN LINE, THE FOLLOWING SEVEN (7) COURSES:
 - (51) SOUTH 57°45'52" EAST 40.03 FEET,
 - (52) NORTH 00°40'37" WEST 73.68 FEET,
 - (53) SOUTH 56°04'56" EAST 225.68 FEET,
 - (54) SOUTH 36°20'16" EAST 39.45 FEET,
 - (55) SOUTH 57°36'50" EAST 1,135.76 FEET,
 - (56) SOUTH 21°35'29" WEST 41.64 FEET, AND
 - (57) SOUTH 57°53'16" EAST 1442.38 FEET TO SAID POINT OF BEGINNING.

CONTAINING 244.43 ACRES MORE OR LESS.

ATTACHED HERETO IS A PLAT TO ACCOMPANY LEGAL DESCRIPTION, AND BY THIS REFERENCE MADE A PART HEREOF.

END OF DESCRIPTION

EXHIBIT 'A' PROPOSED FORMATION

FOR THE FORMATION
OF THE COMMUNITY SERVICES DISTRICT
INCLUDING EAST GARRISON
MONTEREY COUNTY, CALIFORNIA
CARLSON, BARBEE & GIBSON, INC.
CIVIL ENGINEERS SURVEYORS PLANNERS
SAN RAMON, CALIFORNIA
JUNE 2005

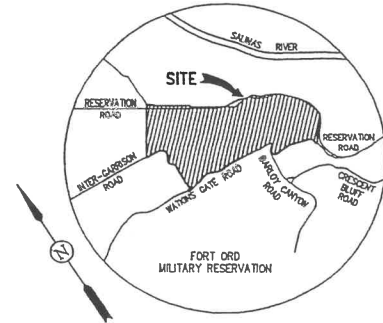
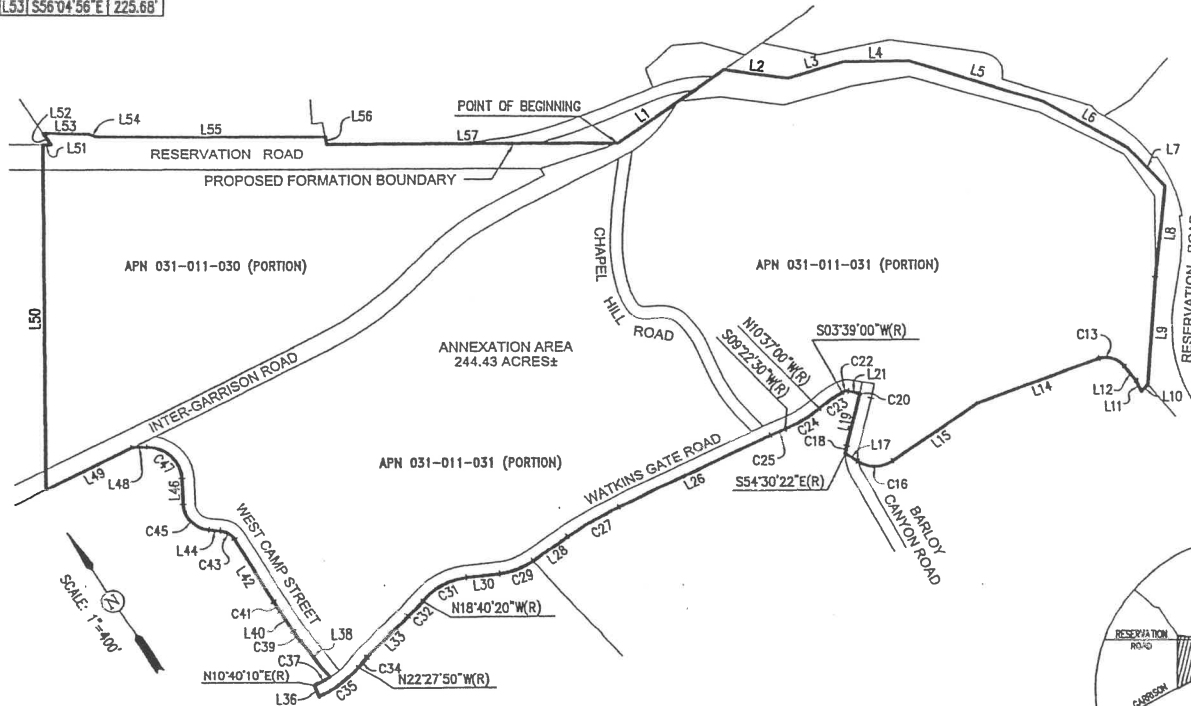
TANGENT TABLE		
NO.	BEARING	LENGTH
L1	N86°10'27"E	647.59'
L2	S50°06'58"E	317.97'
L3	S74°46'08"E	287.64'
L4	S58°35'42"E	324.17'
L5	S40°05'11"E	697.82'
L6	S27°33'51"E	478.75'
L7	S09°43'24"E	277.22'
L8	S38°47'16"W	464.82'
L9	S36°27'16"W	553.37'
L10	S73°07'44"W	50.80'
L11	N08°08'06"E	62.52'

TANGENT TABLE		
NO.	BEARING	LENGTH
L12	N05°15'27"W	94.71'
L14	N78°36'32"W	632.84'
L15	N86°20'31"E	521.93'
L17	N22°23'38"W	71.92'
L19	N45°58'10"E	276.86'
L21	N47°43'00"W	58.68'
L26	N84°20'10"W	842.92'
L28	S86°57'00"W	212.93'
L30	N63°43'50"W	166.36'
L33	S77°22'50"W	292.82'
L36	N10°40'10"E(R)	60.00'

TANGENT TABLE		
NO.	BEARING	LENGTH
L38	N05°46'10"W	243.25'
L40	N00°26'40"E	123.80'
L42	N01°07'20"E	371.18'
L44	N52°20'00"W	57.65'
L46	N30°27'00"E	134.37'
L48	N58°40'10"W	70.02'
L49	N85°01'10"W	480.03'
L50	N32°14'08"E	1772.68'
L51	S57°45'52"E	40.03'
L52	N00°40'37"W	73.68'
L53	S56°04'56"E	225.68'

TANGENT TABLE		
NO.	BEARING	LENGTH
L54	S36°20'16"E	39.45'
L55	S57°36'50"E	1135.76'
L56	S21°35'29"W	41.64'
L57	S57°53'16"E	1442.38'

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C13	115.00'	73°21'05"	147.23'
C16	150.00'	71°15'51"	186.57'
C18	230.00'	10°28'32"	42.05'
C20	970.00'	00°32'15"	9.10'
C22	45.00'	38°38'00"	30.34'
C23	570.00'	14°16'00"	141.93'
C24	580.00'	19°59'30"	202.37'
C25	1220.00'	03°42'40"	79.02'
C27	1970.00'	08°42'50"	299.61'
C29	355.00'	29°19'10"	181.66'
C31	320.00'	44°56'30"	251.00'
C32	1030.00'	06°03'10"	108.81'
C34	370.00'	09°50'40"	63.57'
C35	445.00'	33°08'00"	257.34'
C37	385.00'	13°57'59"	93.85'
C39	530.00'	06°12'50"	57.48'
C41	5030.00'	00°40'40"	59.50'
C43	99.00'	53°27'20"	83.97'
C45	140.00'	82°47'00"	202.28'
C47	170.00'	89°07'10"	284.42'



VICINITY MAP
NOT TO SCALE

