



FORT ORD REUSE AUTHORITY

920 2nd Avenue, Suite A, Marina, CA 93933

Phone: (831) 883-3672 | Fax: (831) 883-3675 | www.fora.org

ADMINISTRATIVE COMMITTEE MEETING

8:30 a.m. Wednesday, February 3, 2016

920 2nd Avenue, Suite A, Marina CA 93933 (FORA Conference Room)

AGENDA

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**
4. **PUBLIC COMMENT PERIOD**
Members of the public wishing to address the Board on matters within its jurisdiction, but not on this agenda, may do so for up to 3 minutes. Comments on agenda items are heard under the item.
5. **APPROVAL OF MEETING MINUTES** ACTION
 - a. January 13, 2016 Minutes
6. **FEBRUARY 12, 2016 BOARD MEETING AGENDA REVIEW** INFORMATION/ACTION
 - a. Fort Ord Reuse Authority Prevailing Wage Program INFORMATION
7. **BUSINESS ITEMS**
 - a. Fort Ord Reuse Authority 2020 Sunset / Transition Plan INFORMATION
 - b. CIP 2016 Schedule & Development Forecast INFORMATION/ACTION
 - c. Post-Base Reuse Plan Reassessment Work Plan Update INFORMATION
8. **ADJOURN TO JOINT ADMIN/WWOC COMMITTEE** **Next Scheduled Meeting: February 17, 2016**

JOINT ADMINISTRATIVE AND WATER/WASTEWATER OVERSIGHT COMMITTEE (WWOC) MEETING

Immediately Following the Administrative Committee (FORA Conference Room)

AGENDA

1. **CALL TO ORDER**
2. **BUSINESS ITEMS**
 - a. Water Augmentation Program: Three Party Planning Report INFORMATION
3. **ITEMS FROM MEMBERS**
4. **ADJOURNMENT**

For information regarding items on this agenda or to request disability related modifications and/or accommodations please contact the Deputy Clerk 48 hours prior to the meeting.

Agendas are available on the FORA website at www.fora.org.



FORT ORD REUSE AUTHORITY
ADMINISTRATIVE COMMITTEE REGULAR MEETING MINUTES
8:30 a.m., Wednesday, January 13, 2016 | FORA Conference Room
920 2nd Avenue, Suite A, Marina CA 93933

1. CALL TO ORDER

Co-Chair Houlemard called the meeting to order at 8:30 a.m. A quorum was established at 8:35 a.m. The following were present:

**voting members, AR = arrived after call to order*

Craig Malin, City of Seaside*

Layne Long, City of Marina* AR

Melanie Beretti, Monterey County* AR

Elizabeth Caraker, City of Monterey*AR

Anya Spear, CSUMB

Chris Placco, CSUMB

Steve Matarazzo, UCSC

Vicki Nakamura, MPC

Todd Muck, TAMC

Lisa Reinheimer, MST

Lyle Shurtleff, BRAC

Wendy Elliott, MCP

Tim O'Halbran, City of Seaside

Kristie Runcek, RAC

Patrick Breen, MCWD

Kathleen Lee, Sup. Potter

Andy Sterbenz, Schaat & Wheeler

Brian Boudreau, Monterey Downs

Beth Palmer

Bob Shaffer

FORA Staff:

Michael Houlemard Jr.

Steve Endsley

Jonathan Brinkmann

Robert Norris

Ted Lopez

Peter Said

Maria Buell

Absent: Daniel Dawson, City of Del Rey Oaks

2. PLEDGE OF ALLEGIANCE

Pledge of allegiance was led by Craig Malin.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Mr. Houlemard introduced Craig Malin, new City Manager for City of Seaside and asked for a round of self-introductions from attendees. Jonathan Brinkmann reminded everyone of deadline for receipt of updated development forecasts from the FORA land use jurisdictions is January 15, 2016. Mr. Houlemard said the recruitment for a new Controller is underway as Ivana Bednarik is retiring.

4. PUBLIC COMMENT PERIOD

None.

5. APPROVAL OF MEETING MINUTES (no minutes were approved)

a. December 2, 2015 Administrative Committee Minutes

MOTION: Elizabeth Caraker moved, seconded by Steve Matarazzo to approve the December 2, 2015 Administrative Committee minutes with minor revisions requested. (Abstentions: Craig Malin and Todd Muck)

MOTION PASSED UNANIMOUSLY

The committee received comments from members.

6. JANUARY 8, 2016 BOARD MEETING FOLLOW UP

a. Fort Ord Reuse Authority Prevailing Wage Program Resolution-2d Vote

Mr. Houlemard announced one of the actions taken by Board at its last meeting was the adoption of a resolution for prevailing wage (and handed to each voting member) and it impacts Cities and County in the Fort Ord Reuse jurisdiction. He added Board deferred funding on staff's recommendation of hiring a compliance monitor and 1 FORA staff as needed until the Finance Committee reviews it and makes a recommendation to Board. A second vote will be taken by Board in February. Robert Norris said new prevailing wage requirements went into effect Jan 1st and that "maintenance" items are now requirements from an awarding entity. Mr. Houlemard said a letter was drafted and addressed to all City Managers in FORA's jurisdiction and includes a copy of the resolution. He provided a background to SB 854 and the ongoing changes to its requirements. City of Seaside and Del Rey Oaks have sent status letters to FORA. The administrative committee received comments regarding enforcement and compliance. Mr. Houlemard said no changes were made to enforcement provisions and that they are considering assisting jurisdictions who had problems. (i.e. Marina, County possibly). Mr. Norris said Board's concern is bringing compliance to the prevailing wage issues.

Mr. Houlemard also reminded members of FORA's sunset date of June 30, 2020 and the impact on items not being completed and that Administrative Committee will have a role in advising Board on these transition issues. He also referenced the presentation by Ted Lopez on the oak woodlands, the industrial hygienist work in City of Seaside, and the UC MBEST discussion staff and board member had in December with representatives from University of Santa Cruz.

7. BUSINESS ITEMS

- a. **Water Augmentation Project Planning Memorandum of Understanding**
Steve Endsley provided a brief overview of this planning project. Peter Said gave a power point presentation outlining the history, the current status and the items going before the Board in February and March. He said the cost of building the pipeline is a major factor being addressed in the 3-party planning process and Marina Coast Water District (MCWD) and Marina Regional Water Pollution Control Agency's (MRWPCA) support for this planning project. Mr. Houlemard said this is a planning effort on the future augmentation water needs and that all viable options still include recycled water and Board is not objecting to this approach. The committee received comments regarding Board support, and request for the presentation to include more details on conservation and financing (how the pipeline is connected to all cities). Mr. Houlemard said both MCWD and MRWPCA managers will be invited to attend next meeting, possibly through a joint WWOC meeting and that this item will be brought up as an action item.
- b. **Capital Improvement Program (CIP) Development Forecasts Request**
Jonathan Brinkmann handed to members a copy of the forecast of CIP and added that this forecast looks into what each jurisdiction expects to build in FORA's land and that fees are attached to each as well as MCWD's budget. He reminded that January 15, 2016 is the deadline.
- c. **Fort Ord Reuse Authority Transition Plan/2020 Sunset**
Mr. Houlemard gave a brief presentation on FORA's sunset date and the many items needed for its transition. A DRAFT 5-year vision was handed out to all members. Mr. Houlemard spoke of possibilities for a reconfigured Reuse Authority and that the list of possibilities have been enumerated by Board in 2012. He further added Steve Endsley will take the lead on this role and that Executive Committee wants Administrative Committee involvement in this matter. All issues brought up include munitions and explosives, Base Reuse Plan and Habitat Conservation Plan. Mr. Long agreed with the presentation format of individual pieces be provided one at a time.

8. ITEMS FROM MEMBERS

None.

9. ADJOURNMENT

Meeting adjourned at 9:46 a.m.

- START -

**DRAFT
BOARD PACKET**



FORT ORD REUSE AUTHORITY

920 2nd Avenue, Suite A, Marina, CA 93933

Phone: (831) 883-3672 | Fax: (831) 883-3675 | www.fora.org

REGULAR MEETING FORT ORD REUSE AUTHORITY BOARD OF DIRECTORS

Friday, February 12, 2016 at 2:00 p.m.

910 2nd Avenue, Marina, CA 93933 (Carpenters Union Hall)

AGENDA

THE BOARD AND PUBLIC ARE URGED TO SUBMIT WRITTEN QUESTIONS/CONCERNS BY NOON THE DAY BEFORE MEETING.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. CLOSED SESSION

- a. Conference with Legal Counsel - Existing Litigation, Gov. Code 54956.9(a) – 1 Case
 - i. *Keep Fort Ord Wild v. Fort Ord Reuse Authority (FORA), Case No.: M114961*

4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

5. ROLL CALL

6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

- a. Adopt Resolution Acknowledging John Dunn ACTION

7. CONSENT AGENDA

CONSENT AGENDA consists of those items which are routine and for which a staff recommendation has been prepared.

- a. Approve January 8, 2016 Board Meeting Minutes ACTION
- b. Receive Industrial Hygienist Contract INFORMATION
- c. EPS Contract Amendment #9 for Biennial Formulaic Fee Review ACTION
- d. ICF Contract Amendment #7 INFORMATION/ACTION

8. BUSINESS ITEMS

- a. Chair's 2016 Committee Appointments ACTION
 - i. Confirm Appointments
 - ii. Confirm Committee/Ad-Hoc appointments
- b. Fort Ord Reuse Authority Prevailing Wage Program INFORMATION/ACTION
- c. FORA FY 15-16 Mid-Year Budget ACTION

- d. Water Augmentation Program: Three Party Planning Report INFORMATION/ACTION
 - i. Program Overview: Recycled Project and Secondary Project
 - ii. Recommendation of Pure Water Monterey to California Public Utilities Commission
- e. University of California Monterey Bay Education Science and Technology Status Report INFORMATION

9. PUBLIC COMMENT PERIOD

Members of the public wishing to address the Board on matters within its jurisdiction, but not on this agenda, may do so for up to 3 minutes.

10. EXECUTIVE OFFICER'S REPORT

INFORMATION

The Executive Officer makes brief reports or announcements on FORA's activities or may ask for clarification or direction regarding meeting or study session scheduling.

- a. Habitat Conservation Plan Update
- b. Administrative Committee
- c. Finance Committee
- d. Post Reassessment Advisory Committee
- e. Regional Urban Design Guidelines Task Force
- f. Water/Wastewater Oversight Committee
- g. Veterans Issues Advisory Committee
- h. Travel Report
- i. Public Correspondence to the Board

11. BOARD MEMBER COMMENTS

Board members may make brief activity announcements or request a matter be placed on a future meeting agenda (G.C. 54954.2).

12. ADJOURNMENT

NEXT BOARD MEETING: March 11, 2016

Persons seeking disability related accommodations should contact FORA 48 hrs prior to the meeting. This meeting is recorded by Access Monterey Peninsula and televised Sundays at 9 a.m. and 1 p.m. on Marina/Peninsula Chanel 25. The video and meeting materials are available online at www.fora.org.

A RESOLUTION OF THE GOVERNING BODY OF THE FORT ORD REUSE AUTHORITY

Acknowledging City of Seaside Manager, John Dunn

IT IS HEREBY RESOLVED by the Fort Ord Reuse Authority (FORA) Board of Directors that:

WHEREAS, John Dunn, has served with honor and accolade to the benefit of the Monterey Bay Peninsula in varying executive positions over the past four decades; and,

WHEREAS, Mr. Dunn joined the City of Seaside in 2012 offering instrumental leadership in balancing the City budget and staff reorganization to improve public services; and,

WHEREAS, during Mr. Dunn's service to Seaside he represented the City in many key activities – especially as a consistent sound advisor on the Fort Ord Reuse Authority Administrative Committee and Regional Urban Design Guidelines Task Force providing cogent comments leading to higher quality ion the end products; and,

WHEREAS, Mr. Dunn's public service for over 43 years in city government including as City Manager for Monterey and Seaside, San Luis Obispo and time spent in an Interim City Manager role for Pismo Beach, Grover Beach, Rohnert Park; and,

WHEREAS, John Dunn is known for his gentile, polite, restrained, behind-the-scenes diplomatic style - encouraging broad Councilmember expression of views and opinions; and,

WHEREAS, in 2010, Mr. Dunn was named "Citizen of the Year" by the San Luis Obispo Chamber of Commerce for his service to community organizations and in 2013 he was awarded the Dr. Lou Tedone Humanitarian Award; and,

WHEREAS, Mr. Dunn was forced to delay his retirement date on multiple occasions – demonstrating the difficulty in replacing a legend in his own time; and,

WHEREAS, as Seaside City Manager, Mr. Dunn has been lauded/complimented for his effective use of fountain and quill pens, standard scratch pads, and avoiding trendy technical applications.

NOW, THEREFORE, BE IT RESOLVED for all reasons described above, but not limited thereto, the Fort Ord Reuse Authority Board of Directors hereby expresses its sincere commendation to John Dunn;

BE IT FUTHER RESOLVED, on behalf of the entire Fort Ord Reuse Authority family, the Board of Directors extends its gracious appreciation and deepest gratitude to John Dunn for his leadership and exemplary service to the Monterey Bay Region.

PASSED AND ADOPTED by the Fort Ord Reuse Authority Board of Directors this 12th day of February, 2016.

Upon motion by _____, seconded by _____, the foregoing Resolution was passed on this 12th day of February, 2016, by the following vote:

AYES:
NOES: NONE
ABSTENTIONS: NONE
ABSENT:

Frank O'Connell, Chair

ATTEST:

Michael A. Houlemard, Jr., Secretary

DRAFT

Placeholder for Item 7a

1-8-16 DRAFT Board Minutes

This item will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject:	Receive Industrial Hygienist Contract	
Meeting Date:	February 12, 2016	INFORMATION
Agenda Number:	7b	

RECOMMENDATION(S):

Receive the Surplus II Industrial Hygienist contract with Vista Environmental Engineering.

BACKGROUND/DISCUSSION:

The U.S. Army conveyed real property to the Fort Ord Reuse Authority (FORA) under an Economic Development Conveyance (EDC) Memorandum of Understanding (MOU) that outlines the terms and conditions of a local Base Realignment and Closure (BRAC) recovery program with the restriction that FORA and the Jurisdictions receive the property with the buildings "as-is, where-is." The FORA Board has specific building removal and clearance obligations under State law and Board policy.

Seaside Surplus II area has 27 large, multi-story concrete structures in close proximity to occupied housing, office buildings, schools and the California State University Monterey Bay (CSUMB) campus which have become dilapidated, contain hazardous materials and are sites for vandalism and illegal dumping. FORA and Seaside staff identified the need to survey the hazardous materials in Surplus II. On October 18th, FORA issued a Request for Proposals (RFP) for Industrial Hygienists (IH) hazardous material sampling and testing services. Three qualified IH firms submitted proposals. Vista Environmental Consulting scored the highest in the IH evaluation and interview process.

On January 8 the Board gave the Executive Officer approval to execute a contract with Vista Environmental Consulting for Surplus II hazardous material sampling and testing not to exceed \$175,000. FORA Staff was instructed to provide the FORA Board with a copy of the contract when fully negotiated. As requested, the Industrial Hygienist contract for \$170,000 is attached (**Attachment A**) for the Board's information.

FISCAL IMPACT:

Reviewed by FORA Controller _____

Surplus II building removal funding is included in the approved FY 15-16 CIP budget.

COORDINATION:

Authority Counsel, Administrative Committee

Prepared by _____ Reviewed by _____
Peter Said Stan Cook

Approved by _____
Michael A. Houlemard, Jr.

Placeholder for Attachment A to Item 7b

Industrial Hygienist Contract

This item will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: EPS Contract Amendment #9 for Biennial Formulaic Fee Review

Meeting Date: February 12, 2016

Agenda Number: 7c

ACTION

RECOMMENDATION(S):

Authorize the Executive Officer to execute contract amendment #9 with Economic & Planning Systems, Inc. (EPS) to complete the mandated Biennial Formulaic Fee Review, not to exceed \$XX,XXX (**Attachment A**).

BACKGROUND/DISCUSSION:

The Fort Ord Reuse Authority (FORA) hired EPS to conduct an initial Capital Improvement Program (CIP) Review Study in Fiscal Year (FY) 10-11, resulting in a Board-approved 27% fee reduction. The FORA Board then authorized a CIP Review – Phase II Study in FY 11-12 and FY 12-13. In its Phase II Study, EPS applied the Board-adopted formula to the FORA fee structure, resulting in a subsequent Board-approved 23.6% fee reduction. The Phase III Study resulted in a Board-adopted 17% fee reduction.

Resolution 12-5 and the FORA - Jurisdictions Implementation Agreement amendments state that FORA will apply the formula again in the spring of 2014 and biennially thereafter, unless a material change to the CIP occurs. If contract amendment #9 is approved, EPS will update their economic model and apply the formula for 2016. Staff would note that various agencies are currently developing new data upon which EPS's 2016 economic model relies. Agency data is estimated to be fully compiled by mid-June, making a realistic implementation target of September 2016 for any recommended fee changes resulting from the formula.

FISCAL IMPACT:

Reviewed by FORA Controller _____

Staff time for this item is included in the approved FORA budget. The contract budget of \$XX,XXX is included in the approved FORA budget.

COORDINATION:

EPS, Administrative Committee, and Executive Committee.

Prepared by _____

Peter Said

Reviewed by _____

Jonathan Brinkman

Approved by _____

Michael A. Houlemard, Jr.

Placeholder for Attachment A To Item 7c

**EPS Contract Amendment #9 for Biennial Formulaic
Fee Review**

This item will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: ICF Contract Amendment #7

Meeting Date: February 12, 2016

Agenda Number: 7d

INFORMATION/ACTION

RECOMMENDATION(S):

Authorize the Executive Officer to execute Inner City Fund (ICF) International Contract Amendment #7 to complete the Public Review Draft Habitat Conservation Plan, not to exceed additional budget authority of \$79,960 (**Attachment A**).

BACKGROUND/DISCUSSION:

FORA received comments on the Screencheck Administrative Draft HCP, following its March 2015 release, from future permittees, California Department of Fish and Wildlife (CDFW) representatives, and US Fish and Wildlife (USFWS) representatives. The USFWS solicitor is the only remaining reviewer yet to submit comments. The local USFWS representatives communicated FORA's pressing need to receive solicitor comments immediately to proceed to the Public Review Draft HCP.

FORA received more extensive CDFW and USFWS comments than anticipated during the review period. To produce Public Review Draft and Final HCP documents, FORA staff requests Board authorization for an ICF International Contract Amendment #7. FORA staff and counsel are assuming the following tasks to support completion: meeting coordination, meeting notes preparation, and HCP edits for: Chapter 7 Implementation, Chapter 9 Cost and Funding, Joint Powers Agreement, Implementing Agreement, cost model, and cost flow strategy.

FISCAL IMPACT:

Reviewed by FORA Controller _____

Funding for ICF Contract Amendment #7 additional budget authority of \$79,960 is included in the approved annual budget.

COORDINATION:

Authority Counsel, CDFW, USFWS, ICF, Administrative and Executive Committees.

Prepared by _____
Jonathan Brinkmann

Approved by _____
Michael A. Houlemard, Jr.



January 5, 2016

Mr. Michael Houlemard, Jr.
Executive Officer
Fort Ord Reuse Authority
920 2nd Avenue, Suite A
Marina, California 93933

SUBJECT: Addendum #7 Request for Funding to Complete the Public Review Draft Habitat Conservation Plan

Dear Mr. Houlemard:

ICF Jones & Stokes, Inc. (an ICF International company hereafter "ICF") would like to thank you for the opportunity to continue our work on the Fort Ord Multi-Species Habitat Conservation Plan (Plan). Over the past two years we made significant progress towards resolving the key issues identified in our Addendum #6. Close coordination with the Fort Ord Reuse Authority (FORA), Denise Duffy and Associates (DD&A), members of the Fort Ord HCP Working Group, U.S. Fish and Wildlife Service (USFWS), and California Department of Fish and Wildlife (CDFW) was required to resolve these key issues. ICF developed an aggressive meeting schedule to discuss and resolve the identified key issues. Each of these meetings required advanced preparation of meeting materials, circulation of meeting notes, and clear communication of how each item is resolved in the HCP document. As a result of this intensive work and receiving extensive comments from CDFW, we are requesting additional funds to complete the public review draft HCP in early 2016 and to support FORA during the public review process.

This amendment revises tasks from the original ICF contract (May 30, 2007), and subsequent addendums. The proposed schedule and our cost estimate to complete these tasks are provided at the end of this amendment (Tables 1 and 2). This scope and budget includes tasks through the public draft, assumed to be published in early March, 2016, and includes a community engagement task during the mandatory 90-day public review period. If USFWS is able to publish the draft HCP in early March, 2016, this will allow permits to be issued in late 2016. This budget amendment is designed to fund ICF's work on the HCP from January 1, 2016 through June 30, 2016.

Task 5 Strategic Advice, Project Management, and Meetings (Amended)

Continued coordination and engagement with FORA, DD&A, Permittees, Bureau of Land Management (BLM), and USFWS and CDFW (collectively called the Wildlife Agencies) is integral to maintain the project schedule and ensure Plan completion. As such, regular meetings, close coordination with FORA, and project management are required. Meetings will be used to address any remaining comments and resolve key issues identified before the Public Draft HCP. Conference calls will be held to ensure collaborative issue resolution. ICF will lead weekly conference calls with FORA to ensure close coordination. ICF will coordinate closely with the DD&A regarding EIR/EIS document preparation and impact analysis revisions. ICF will also work with FORA, DD&A, USFWS, and CDFW to coordinate the public review period start date and process. For all in-person meetings and conference calls, meeting materials, agendas, and revised materials will be drafted and circulated to all meeting attendees. FORA staff will be responsible for meeting notes and action item log. ICF may support FORA with meeting coordination, review of meeting minutes, action items, and action logs. ICF also will be responsible for meeting packet distribution for identified FORA-led meetings. Up to 2 meetings by conference call may be held with FORA, USFWS, and CDFW, as-needed, and if authorized by FORA. These two meetings may be needed to resolve any last-minute issues before approval of the public draft HCP.

Deliverables: Meeting agendas, meeting hand-outs, review meeting notes and action items, and monthly budget summaries.

Task 11 Prepare Public Review Draft HCP (Amended)

This task was previously funded in Addendum #4. All funds from this task were then transferred to Task 10, Prepare Screen Check Public Draft HCP, to fund key issue resolution as indicated in Addendum #6, Table 3. Additional funding is required for this task to:

- incorporate the Wildlife Agencies' final revisions on the Screen-Check Draft to prepare the Public Review Draft HCP;
- respond to comments from USFWS, CDFW, Permittees, and FORA, as well as incorporate changes to the HCP in response to the comments. Comment responses will be provided in a single file for each chapter;
- make final, minor revisions to the Public Review Draft HCP after USFWS and CDFW review the screen check of the Public Review Draft in February;
- support USFWS in writing and publishing the Notice of Availability; and
- support FORA with the HCP 10(a)(1)(B) permit application and the transmittal letter to CDFW for the 2081(b) permit application.

Under this task ICF will also respond to USFWS Solicitor's comments after they are received. This addendum also includes funding to be used, if needed, to resolve key issues that may arise from the Solicitor's comments.

It is important to note that preparation of the Public Review Draft will depend on the timing and results of the CEQA/NEPA process. The Wildlife Agencies will not begin formal processing of an HCP until a complete application is submitted. The application package includes the HCP, Implementing Agreement, and EIR/EIS.

Deliverables: Final Screen Check Public Review Draft HCP and Public Review Draft HCP. A digital copy of the Public Review Draft HCP will be transferred to FORA through an FTP site. ICF will also provide 75 CDs to FORA with the Public Review Draft HCP. We assume that FORA will distribute the CDs to the Permittees, Wildlife Agencies, and other relevant parties.

Task 13 Community Engagement

During the public review period the CEQA and NEPA lead agencies (FORA and USFWS) will engage the public and solicit their feedback on the HCP and EIR/EIS. We assume that FORA and DD&A will be leading the community engagement effort through the CEQA and NEPA process. ICF will provide community engagement support to FORA and DD&A during the public review period for the Plan. ICF support will include attending one FORA Board meeting. Handouts for the FORA board meeting will include a printout of a power point presentation and an HCP fact sheet. ICF will also attend one public meeting to staff an expert station or answer questions from the public on the HCP. ICF will prepare a board to display Plan maps, a Plan summary, and an HCP fact sheet. These same materials will be provided as handouts at the event.

Deliverables: One draft and final power point presentations (electronic version and 20 hard copies). One draft and final 2-page summaries of the Plan, map, and fact sheets (electronic version and 100 hard copies). One display board.

Cost Estimate

We estimate that these tasks will require a budget augment of \$79,960 (Table 2). This budget augment is in addition to what remains from budget addendum #6. This cost estimate is based on ICF's 2015 labor rates. Previous amendments were based on older rates dating back to 2007. This cost estimate is valid for thirty (30) days from the date of this proposal. ICF proposes to invoice costs monthly, on a time and materials basis.

Fort Ord Reuse Authority
January 5, 2016
Page 4

ICF shall provide services, as outlined above, under the terms and conditions of its existing contract number FC-052107 with Fort Ord Reuse Authority dated May 21, 2007. Thank you again for the opportunity to work on this important project. If you have any questions about this proposal, please call David Zippin at (415) 677-7179 or Aaron Gabbe at (408) 216-2810.

Sincerely,

A handwritten signature in black ink, appearing to be 'David Zippin', with a large, stylized flourish at the end.

David Zippin, Ph.D.
Vice President and Project Director

A handwritten signature in black ink, appearing to be 'Trina L. Prince', written in a cursive style.

Trina L. Prince
Contracts Administrator

Table 1. Schedule for Installation-Wide Multispecies Habitat Conservation Plan for Former Fort Ord, CA

Key:	Document Preparation																																				
	Meetings																																				
	Review Periods																																				
Notice prep/publish																																					
Final Approval Steps																																					
	Status	2015												2016												2017											
		J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
HCP																																					
1 Draft Pre-Public HCP	Done																																				
2 Key Issue Resolution status updates	Done																																				
3 Wildlife Agency and Working Group Review Period (8 wk)	Done																																				
4 Meetings to Identify Key Issues	Done																																				
5 Bi-weekly meetings (as necessary) with Wildlife Agencies, FORA, and Working Group Members to check-in or resolve outstanding issues																																					
6 Prepare 3rd Admin Draft HCP	Done																																				
7 Review 3rd Admin Draft HCP (Permit Applicants and BLM only)	Done																																				
8 Revise 3rd Admin Draft HCP	Done																																				
9 Review 3rd Admin Draft HCP (Permit Applicants, BLM, Wildlife Agencies)	Done																																				
10 Prepare Screen-check Draft HCP	Done																																				
11 Review Screen-check Draft HCP (Wildlife Agencies)	Done																																				
12 Prepare Public Draft HCP																																					
13 Prepare and publish Notice in Federal Register for HCP, EIS, IA																																					
14 Public/Agencies Review Period (90 days)																																					
15 Conduct Public Outreach																																					
16 Prepare Final HCP																																					
17 See Approval process steps																																					

	Status	2015												2016												2017											
		J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
EIR/EIS																																					
1 Prepare 1st Admin Draft EIS/EIR	Done																																				
2 Review Period	Done																																				
3 Prepare 2nd Admin Draft EIS/EIR	Done																																				
4 Solicitor review (3 weeks)																																					
5 Prepare Public Review EIS/EIR																																					
6 Prepare and publish Notice of Availability in Federal Register (see HCP-7 above)																																					
7 Prepare and publish CEQA Notice of Availability (1 - 2 months)																																					
8 Public/Agencies Review Period (90 days)																																					
9 Respond to public comments/Prepare 1st Admin Draft Final EIS/EIR																																					
10 Review Period																																					
11 Prepare Final Public Draft EIS/EIR - clear for publication																																					
12 Publish Notice of Final EIS, HCP and IA Availability in Federal Register - 30 day comment period																																					
13 Publish CEQA Notice of Determination - Permit Applicants - 30 day challenge period																																					
14 CEQA Notice of Determination--CDFG - 30 day challenge period																																					
15 See Approval Process steps																																					
16 Federal Prep and Pub of <i>Record of Decision (ROD)</i> - 30 day wait period																																					

	Status	2015												2016												2017											
		J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Implementing Agreement																																					
1 Prepare 2nd Admin Draft IA	Done																																				
2 Wildlife Agency and Working Group Review Period	Done																																				
7 Prepare 3rd Admin Draft IA	Done																																				
8 Review 3rd Admin Draft IA (Permit Applicants and BLM only)	Done																																				
9 Respond to comments	Done																																				
10 Review 3rd Admin Draft IA (Permit Applicants, BLM, Wildlife Agencies)	Done																																				
11 Prepare Screen-check Draft IA																																					
12 Review Screen-check Draft IA (Wildlife Agencies)																																					
13 Prepare Public Draft IA																																					
14 Prepare and publish Notice of Availability in Federal Register (see HCP-12 above)																																					
15 Public/Agencies Review period (90 days)																																					
16 Prepare Final IA																																					
17 See Approval Process steps																																					

	Status	2015												2016												2017											
		J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Approval Process																																					
1 Permit Applicants and BLM Approval of Final Plan, Final EIR/EIS and Final IA																																					
2 Establish Implementing Entity																																					
3 Implementing Entity approves Final Plan. EIR/EIS and Implementing Agreement																																					
4 See EIR/EIS steps 11, 12 and 13																																					
5 Local Agencies Adopt Imp Ordinances																																					
6 Wildlife Agencies Approval of Plan, EIR and EIS and IA																																					
7 FG Findings Preparation																																					
8 FWS Findings/Biological Opinion																																					
9 Permits Issued by FWS																																					
10 Permits issued by CDFG																																					

Table 2. Cost Estimate for Addendum #7 Former Fort Ord Habitat Conservation Plan

Task	Employee Name	Consulting Staff							Subtotal	Production Staff				Subtotal	Labor Total	Direct Expenses	Total Price
		Zippin D	Gabbe A	Berkovitz S	Edell T	Mozumder K	Barnard A	Rogers J		Byram S	Giffen T	Ortega C	Fitch S				
		Proj Dir	Proj Man	Cons Planner	Botanist	Wildlife Biologist	Graphics	Public Outreach		Editor	Support Editor	Pub Spec	Invoicing				
Labor Classification	Sr Proj Dir	Sr Consult III	Assoc Consult II	Sr Consult I	Sr Consult I	Sr Consult I	Sr Consult I	Subtotal	Editor	Support Editor	Pub Spec	Invoicing	Subtotal	Labor Total	Direct Expenses	Total Price	
Task 5. Strategic Advice, Project Management, Meetings		24	41	44	6	6		\$21,315					\$0	\$21,315			
Task 11. Prepare Public Draft HCP		17	54	76	36	25	5	\$34,930	60	25	5	5	\$8,900	\$43,830			
Task 13 Community Engagement		7	27	26			4	\$13,330					\$0	\$13,330			
Total hours		48	122	146	42	31	9	15		60	25	5	5				
ICF E&P 2015 Billing Rates		\$230	\$195	\$135	\$155	\$155	\$155	\$155		\$95	\$95	\$95	\$70				
Subtotals		\$11,040	\$23,790	\$19,710	\$6,510	\$4,805	\$1,395	\$2,325	\$69,575	\$5,700	\$2,375	\$475	\$350	\$8,900	\$78,475		
Direct Expenses																	
523.02 Reproductions																\$800	
523.04 Postage and Delivery																\$50	
523.05 Travel, Auto, incld. Mileage at current IRS rate (.575/mile)																\$500	
Mark up on all non-labor costs and subcontractors: 10%																\$135	
Direct expense subtotal																\$1,485	
Total price																\$79,960	

Placeholder for Item 8a

Chair's 2016 Committee Appointments

This item will be included in the final Board packet.

Placeholder for Item 8b

Fort Ord Reuse Authority Prevailing Wage Program

At the January 8, 2016 FORA meeting the following recommendations were approved:

- i. A FORA Master Resolution Amendment requiring contractors to register with California Department of Industrial Relations (“DIR”) and assisting the jurisdictions in their responsibility for monitoring and enforcement of the former Fort Ord prevailing wage requirements, reflecting the two following changes: (1) under the 4th whereas, after “subcontractors” to add “for First Generation Construction projects;” and (2) that subparagraph, section (d) to add a period after the word ‘comply’ and to delete the original text after the word ‘comply.’
- ii. Defer final Board action on staff recommended Option A until it is reviewed by the Finance Committee at its next meeting and further direction on what is the deliverable or what this \$250,000 would be spent on or any other sum can be reviewed by Board.

A copy of the approved Master Resolution Amendment is attached to this placeholder.

The Finance Committee will review the recommended option at its February 1, 2016 meeting. This report will be made final after that review.

This item will be included in the final Board packet.

RESOLUTION NO. 16-01

**A RESOLUTION OF THE GOVERNING BODY OF THE FORT ORD REUSE
AUTHORITY AMENDMENT TO MASTER RESOLUTION SECTION 3.03.090 (b)(c)
PREVAILING WAGE AND REGISTRATION REQUIREMENT WITH
DEPARTMENT OF INDUSTRIAL RELATIONS**

WHEREAS, the Fort Ord Reuse Authority ("FORA") adopted Ordinance No. 95-01 establishing a Procurement Code requiring prevailing wages to be paid to all workers employed on FORA's construction contracts; and,

WHEREAS, the Fort Ord Reuse Authority Master Resolution ("MR") was adopted originally by Ordinance No. 97-01 to establish the "governing code" by which FORA's operation of its powers and authority would be deployed in the Monterey Bay Region's recovery from Fort Ord closure; and,

WHEREAS, the Fort Ord Reuse Authority has adopted an amendment to the Master Resolution requiring the payment of Prevailing wage on former Fort Ord projects; and,

WHEREAS, the FORA Board of Directors ("Board"), at its January 8, 2016 meeting, authorized the inclusion of a requirement that all contractors and subcontractors for First Generation Construction projects on the former Fort Ord register with the California Department of Industrial Relations (DIR) as specified by the California Labor Code 1725.5; and,

WHEREAS, the FORA Board, at its January 8, 2016 meeting, authorized FORA to assist individual jurisdictions with monitoring and enforcement of the FORA prevailing wage policy; and,

WHEREAS, the FORA Board intends this requirement to take effect from and after adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Fort Ord Reuse Authority hereby adopts the amendments to its Master Resolution 3.03.090 adding amendments (a)(b)(c)(d) requiring registration with the California Department of Industrial Relations for:

(a) All contractors performing "First Generation Construction" must be registered and in good standing with the California Department of Industrial Relations (DIR) as defined in California Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a).

(b) Evidence of compliance with this Master Resolution provision and any specific or additional enforcement action must be submitted to the Fort Ord Reuse

Authority when any land use decision is submitted for Base Reuse Plan consistency concurrence/determination.

(c) Member agencies must include language in all of their contracts and deeds for the conveyance, disposition and/or development of former Fort Ord property to give notice of and assure compliance with the policy set forth above in subsections 3.03.090(a) and (b).

(d) FORA staff will assist jurisdictions to monitor and comply.

ADOPTED this 8th day of January, 2016 by the Fort Ord Reuse Authority by the following roll call votes listed by name:

AYES: O'CONNELL, EDELEN, RUBIO, MORTON, PARKER,
PENDERGRASS, HAFFA, GUNTER, OGLESBY

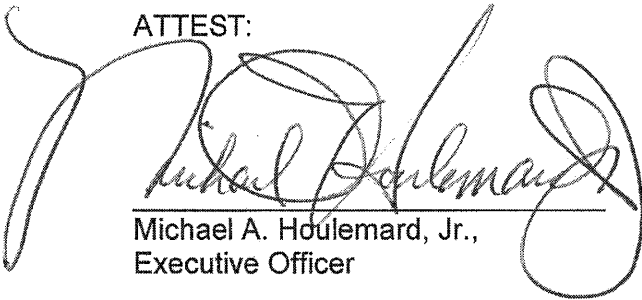
NOES: LUCIUS, PHILLIPS

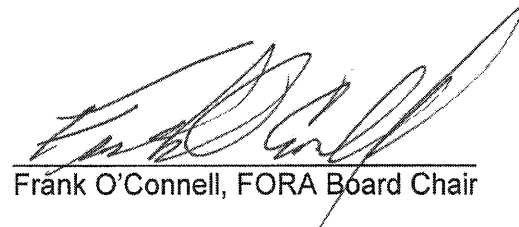
ABSTENTIONS: NONE

ABSENT: BEACH, POTTER

ATTEST:

APPROVED:


Michael A. Houlemard, Jr.,
Executive Officer


Frank O'Connell, FORA Board Chair

Placeholder for Item 8c

FORA FY 15-16 Mid-Year Budget

**This item will be included in the final Board packet,
pending Finance and Executive Committee review.**

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject: Water Augmentation Program: Three Party Planning Report

Meeting Date: February 12, 2016

Agenda Number: 8d

INFORMATION/ACTION

RECOMMENDATION:

- i. Program Overview: Recycled Project and Secondary Project
- ii. Recommendation of Pure Water Monterey to California Public Utilities Commission

EXECUTIVE SUMMARY:

The Fort Ord Reuse Authority (FORA) has identified in its Capital Improvement Plan (CIP) a budget for mitigating the California Environmental Quality Act (CEQA) requirements for Water Augmentation resulting from the Base Reuse Plan's (BRP) Environmental Impact Report (EIR). To date, FORA commitment of these mitigation dollars has been predicated upon a water augmentation project reaching maturation.

The Regional Urban Water Augmentation Plan (RUWAP) Recycled Project has reached this maturation point, showing an ability to meet 2/3 of the CEQA required mitigation of 1,427 acre/feet/year (AFY) of augmented water out of the necessary 2,400 AFY. A detailed discussion of this project is provided below. In October 2015, the FORA Board of Directors approved a joint planning process between FORA, Marina Coast Water District (MCWD), and the MRWPCA to address the remaining mitigation obligation (1/3) unmet by the RUWAP Recycled Project. FORA Staff has met with the Parties and developed a Memorandum of Understanding (MOU) whereby the remaining obligation will be studied and a Secondary Project identified. This MOU is currently being reviewed by each party's counsels.

BACKGROUND/DISCUSSION:

Outline:

- A. FORA Historical Background
 - i. BRP
 - ii. RUWAP
 - iii. Regional Project
 - iv. Current Mitigation Obligations
- B. MCWD Background
 - i. Facilities Agreement
 - ii. New Facilities
- C. MRWPCA Pure Water Monterey Project
 - i. Advanced Water Treatment
 - ii. Pipeline
- D. Water Augmentation Program: Status
 - i. RUWAP Recycled Project
 - ii. RUWAP Secondary Project

A. FORA Historical Background:

- i. BRP: FORA determined in its BRP adopted June 1997 that new additional facilities capable of delivering 2,400 AFY of water for the reuse of the Fort Ord Community are required; and
- ii. RUWAP: The FORA and MCWD Board of Directors approved a recommendation consisting of a hybrid of two projects (Recycled & Desalinization) in order to implement the RUWAP to provide the 2,400 AFY of water, required by the BRP EIR, on June 10, 2005 at a joint meeting of the Boards. The Recycled Component was to provide 1,427 AFY and the Desalinization Component was to meet the remaining balance.
- iii. Regional Project: At the April 2008 FORA Board meeting, the "Regional Plan" was endorsed as the project that would deliver the requisite 2,400 AFY of augmenting water. The "Regional Plan" was designated as the preferred environmental alternative by the CPUC and MCWD entered into an agreement to proceed with Cal-Am. The regional Plan is now defunct. The various parties are pursuing alternative options.
- iv. Current Mitigation Obligations: In lieu of a "Regional Plan" MCWD has defaulted back to the 2005 RUWAP to meet its contractual obligations. FORA has noted this obligation in its adopted Capital Improvement Program (CIP) discussion on water augmentation for Fiscal Year 2015/2016 (and five years prior). The recycled component of the RUWAP has been named the RUWAP Recycled Project and has obtained CEQA approvals to provide for 1,427 AFY of augmented water. There is no identified solution for the remaining obligation, which FORA staff recognize to be a RUWAP Secondary Project (in need of assessment, design, EIR and CEQA).

It is necessary for FORA, MCWD, and MRWPCA to study the remaining obligation in order to identify a project to provide the necessary 973 AFY of remaining augmented water. New technologies, conservation efforts, and policies may take the place of the second component of the RUWAP; however, the most economical, technically efficient alternative cannot be identified without further study. A Three Party Planning MOU will facilitate a study whose outcomes define the RUWAP Secondary Project.

B. MCWD Background

- i. Facilities Agreement: FORA and MCWD entered into a Water/Wastewater Facilities Agreement in 1998 (FA) whereby FORA "plans and arranges for the provision of the facilities" and governs MCWD's ownership and operation of the Ord Community Facilities through the Water/Wastewater Oversight Committee (WWOC). The FA can be found at:

http://www.fora.org/WWOC/2015/Additional/Water_Wastewater_Facilities_Agreement.pdf

- ii. New Facilities: In accordance with Section 1.3 of the 1998 Water/Wastewater Facilities Agreement “FORA and MCWD intend to establish terms and conditions for FORA to plan and arrange for the provision of the facilities, and for MCWD to acquire, construct, operate, and furnish the facilities, to benefit mutually the service area and the area within MCWD’s jurisdictional Boundaries;” and

MCWD will design, and construct new water facilities as FORA, in consultation with MCWD, reasonably determines are necessary for the service area and to support the BRP recovery program, in accordance with Section 3.2.1 of the FA.

FORA and MCWD will cooperate to further the use of recycled, reused and reclaimed water and stormwater, in accordance with Section 5.3.3 of the FA.

C. MRWPCA’s Pure Water Monterey Project

- i. Advanced Water Treatment: Provides a four-step Advanced Water Treatment (AWT) beyond MCWD’s secondary treatment of wastewater and uses reverse osmosis and UV decontamination. AWT is near distilled quality and exceeds water standards and is suitable for Ground Water Recharge and other mitigation uses, such as irrigation.
- ii. Pipeline: Advanced Treated Water must have a transmission line to the Ord Community where mitigation is to occur at a Ground water Recharge site in Seaside and ties into the existing General Jim Moore Pipeline.

D. Water Augmentation Program Status:

The Water Augmentation Program is composed of two major projects: The RUWAP Recycled Project and the RUWAP Secondary Project. The Project schedules are unrelated; however, the program goals are shared.

Regional Urban Water Augmentation Plan (RUWAP) 2400 AFY	
* Numbers are for reference only.	
<u>Recycled Project</u> (1,427 AFY)*	<u>Secondary Project</u> (973 AFY)*

- i. RUWAP Recycled Project: Recycled Water, also known as Advanced Treated Water or Tertiary Water, provides the Ord Community irrigation water, to offset the BRP impacts, without the need for seasonal storage. The project has the potential to meet 2/3 of the Water Augmentation Obligation prior to FORA’s Transition in 2020.

The ‘Pipeline’ is the project’s most relevant component to FORA, conveying treated Water to the Ord Community. Currently, MCWD has proposed in its 5 year CIP a Tertiary pipeline project, and MRWPCA has a pipeline (product conveyance facilities) proposed as a part of its Pure Water Monterey Project. Rather than a two-pipeline situation, FORA, MRWPCA and MCWD consider it more economical, and likely, more politically feasible, to lay one pipe into the former Ft. Ord lands for the RUWAP Recycled Project. The decrease in scope of a single pipeline solution would

save the Ord Community rate payers. To this end, the following resolutions have established a framework by which FORA can support and implement a solution.

- MRWPCA Board approved in its Resolution Number 2015-24 on October 8, 2015 for the Pure Water Monterey Project to include: construction and operation of all source water facilities, Product Water Conveyance Facilities (Pipeline), AWT and other improvements to the Regional Treatment Plant, and other System Improvements described in the EIR for the Pure Water Monterey Project. The Pure Water Monterey Project Facilities is a subset of certain components of the Pure Water Monterey Project and also includes expansion of the Advanced Water Treatment project.
- The FORA Board of Directors unanimously endorsed the MRWPCA Pure Water Monterey Project as a potential supplier of augmented water for mitigation on October 9, 2015.
- In December 2015 MRWPCA and MCWD Boards approved an Advanced Treated Water Supply Project Agreement terms.

Because the new 'Pipeline' would be a new MCWD facility, the planning, provision and eventual construction would fall under the Facilities Agreement. In order for FORA to commit its CIP Water Augmentation dollars to a new Pipeline, MRWPCA Pure Water Project should be approved by the California Public Utilities Commission (CPUC). In April 2016, MRWPCA will present the project case to the CPUC. Therefore, FORA Staff recommends that it be resolved to support the Pure Water Monterey Project to the CPUC.

- ii. RUWAP Secondary Project: In order to meet the remaining obligation of the 2,400 AFY set by the BRP EIR, the obligation assumptions and augmentation alternatives must be studied and a Secondary Project must be identified.

The FORA Board of Directors unanimously endorsed a Three Party Planning effort between FORA, PCA, and MCWD on October 9, 2015. At the meeting, a Board member requested the scope of the planning process be identified. The MOU outlines a simple three party scope to fund a study and identify the most cost-effective and technically efficient Secondary Project. It also establishes a Technical Advisory Group, a consultant selection committee, and enables FORA engagement during project implementation. FORA Staff has met with the Parties and the MOU is being reviewed currently by each party's counsel. Staff expects the MOU to be brought forward for consideration in March.

FISCAL IMPACT:

Reviewed by FORA Controller _____

Staff time for this item is included in the approved FORA budget. Funding for Water Augmentation Project is included in the CFD Special Tax and is approved in the FY 15/16 CIP Budget for Water Augmentation.

COORDINATION:

Administrative Committee, WWOC, Executive Committee, Finance Committee

Prepared by _____ Reviewed by _____
Peter Said Steve Endsley

Approved by _____
Michael A. Houlemard, Jr.

DRAFT

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	University of California Monterey Bay Education Science and Technology Status Report	
Meeting Date:	February 12, 2016	INFORMATION
Agenda Number:	8e	

RECOMMENDATION:

Receive a University of California Monterey Bay Education Science and Technology (UCMBEST) Status Report.

BACKGROUND:

In 1994 the University of California (UC) obtained approximately 1,000 acres of land at Fort Ord, approximately 600 for habitat conservation and 400 acres to support the UCMBEST Center, managed by the UC Santa Cruz (UCSC) campus. Despite high aspirations, market demand for the Center has failed to meet expectations. Over the course of the last fifteen years UC engaged in two unsuccessful attempts to partner with a master developer, and they have owned the property for more than 20 years.

UCSC Chancellor Blumenthal announced in March 2010 that UC intended to shrink the footprint of the Center and consider alternative uses for peripheral lands. In response to a request from Congressman Sam Farr, a group of stakeholders was assembled to discuss and make recommendations regarding a future vision for UCMBEST Center lands. UCSC and the Fort Ord Reuse Authority (FORA) hosted a series of facilitated stakeholder meetings. Stakeholder recommendations from that effort are summarized in the 2011 UCMBEST Center Visioning Process Report (<http://bit.ly/1SBPITt>). Stakeholders agreed on the following intended outcomes:

- UC's presence continues to be valued. Stakeholders recommend that UC retain control of the UCMBEST Center;
- The local institutions of higher education (and potentially others) should be invited to join an advisory group to help guide the UCMBEST Center;
- UC to actively seek new UCMBEST Center tenants and work to streamline the approval process;
- UC peripheral lands may be used in the near term for economic development opportunities; and
- UC may be expected to retain and utilize reasonable revenues for development.

Next steps outlined in the 2011 Report include:

- 1) Convene a special Working Group meeting to explore potential federal initiatives;
- 2) Convene a meeting between UCSC and the CSUMB to explore uses of the Eighth Street parcel;
- 3) Invite local institutions of higher education to collaborate in providing guidance to UC Santa Cruz for future development of the UCMBEST Center and to establish a process for expanding the range of potential research uses;
- 4) Seek funding for entitlements and additional water resources; and
- 5) Complete entitlements.

While many of the recommendations above remain valid, continued stagnation at the UCMBEST project area raised Board and community concerns. Recently, following Board direction, the strengthening of Monterey County Economic Development staffing, and the hiring of a new FORA Economic Development Coordinator, efforts have renewed to catalyze reuse activity at UCMBEST. To this end a series of meetings were held in the fall of 2015 culminating with an Executive-level meeting at UCSC on December 22, 2015 (**Attachment A**). Subsequently, UCSC requested inclusion at the February 12, 2016 FORA Board meeting to present the current UCMBEST project status and clarify their commitments to moving the project forward.

DISCUSSION:

UCSC Vice President for Research, Scott Brandt will provide historical context, describe what has been done to implement the visioning recommendations, and will lay out current and future efforts to catalyze activity at the MBEST Center.

FISCAL IMPACT:

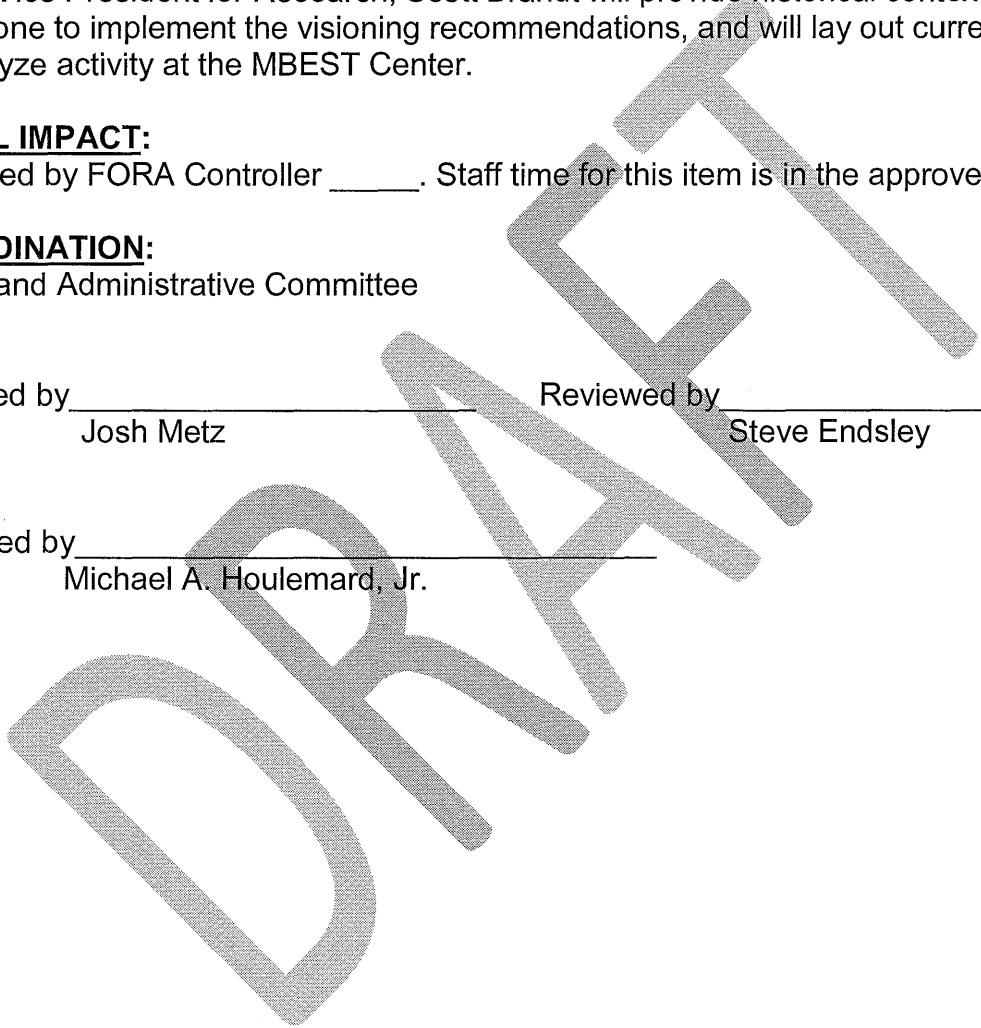
Reviewed by FORA Controller _____. Staff time for this item is in the approved FORA budget.

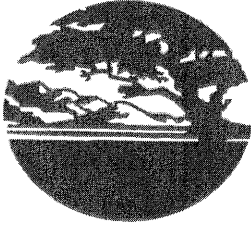
COORDINATION:

UCSC and Administrative Committee

Prepared by _____ Reviewed by _____
Josh Metz Steve Endsley

Approved by _____
Michael A. Houlemard, Jr.





FORT ORD REUSE AUTHORITY

&

University of California Santa Cruz

Notes of December 22, 2015 Meeting

Present: Chancellor George Blumenthal, Vice Chancellor Scott Brandt, Associate Vice Chancellor Donna Blitzer, Director Graham Bice, Executive Officer Houlemard, Assistant Executive Officer Endsley, FORA Board member Edelen.

1. Status of the Visioning Recommendations

Graham Bice Reported on the status of items that were listed in the principles for moving ahead with the UC MBEST Center. He noted the difficulty they had experienced in getting the City of Marina to approve their specific plan that had been in process for more than two years. He further noted their desire to move forward with other projects including the 8th Street parcel. Chancellor Blumenthal noted that they had not met with the educational partners since neither UCSC nor the educational partners had anything to report. It was agreed that would be a good approach if there was nothing to report, but was a losing proposition if UCSC could use support from local entities in processing or other issues.

Progress has been made on all other principles set forth in the 2011 MBEST Visioning report, but this has still not achieved the goal of new development at the MBEST Center.

2. Anticipated UC MBEST Property Implementation/Update

The Specific Plan was at the core of much of the discussion, but the exchange led into a conversation about the potential of selling or conveying the 8th street parcel and for some joint planning with the County of Monterey and FORA on the south of reservation parcel and the Blanco Triangle. The University has sold one former Army building located on the UC MBEST Center West Campus, and still intends to sell the balance of the West Campus in the near future.

3. Barriers to Completing UC MBEST Promise/FORA Funding

UCSC considers limited water availability to be a potential barrier for their development. Processing delays through Marina. Lack of coordination with FORA and Monterey County Economic Development Committee. Need for a designated person from U.C. Santa Cruz with authority to make decisions and securing a skilled economic development professional (champion) and program to spearhead the active reuse of the North, West and South campus sites.

4. County Economic Development Committee Concerns/Impact to Monterey Bay

The County committee has specific concerns and criticisms. It was agreed it would be good idea for U.C. Santa Cruz to make regular reports to the County Economic Development Committee and FORA Economic Development.

5. Alternatives/Options

It was agreed that a palate of sites and approaches for use of U.C. land be explored including, but not limited, to potential sale of 8th Street parcel through discussions collaborations with FORA, sale of property, cooperative projects, donation of land, aggressive marketing, frequent meetings, reports, exchange of information, contracting with FORA for economic development services, making use of County Economic Development manager's expertise.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Habitat Conservation Plan Update

Meeting Date: February 12, 2016

Agenda Number: 10a

INFORMATION

RECOMMENDATION(S):

Receive a Habitat Conservation Plan (HCP) and State of California 2081 Incidental Take Permit (2081 permit) preparation process status report.

BACKGROUND/DISCUSSION:

Item 10b from January 8, 2016 included additional background on this item and is available at the following website: <http://www.fora.org/Board/2016/Agenda/010816BrdAgenda.pdf>

For more than 19 years, the Fort Ord Reuse Authority (FORA) has worked towards completing a Fort Ord HCP that will satisfy U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) criteria for issuing federal and state Incidental Take Permits (ICP). Factors delaying progress, such as listing of additional Endangered Species in the plan area, regulation changes, wildlife agency staff changes, and changes to species impact analyses, have all been addressed with the exception of one factor, USFWS's solicitor review of the Administrative Draft HCP and Environmental Impact Statement/Environmental Impact Report (EIS/EIR). FORA representatives will travel to Washington, D.C., on February 22 & 23 and are scheduling a meeting with Department of Interior representatives to address this remaining hurdle to circulating the Public Review Draft HCP and its Draft EIS/EIR.

FISCAL IMPACT:

Reviewed by FORA Controller _____

Staff time for this item is included in the approved annual budget.

COORDINATION:

ICF, Denise Duffy and Associates, USFWS, CDFW, Authority Counsel, Administrative and Executive Committees

Prepared by _____
Jonathan Brinkmann

Approved by _____
Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Administrative Committee

Meeting Date: February 12, 2016

Agenda Number: 10b

INFORMATION

RECOMMENDATION:

Receive a report from the Administrative Committee.

BACKGROUND/DISCUSSION:

The Administrative Committee met on January 13, 2016. The approved minutes will be included in the final Board packet.

FISCAL IMPACT:

Reviewed by the FORA Controller _____

Staff time for the Administrative Committee is included in the approved annual budget.

COORDINATION:

Administrative Committee

Prepared by _____ Approved by _____
Maria Buell Michael A. Houlemard, Jr.

Placeholder for Item 10c

Finance Committee

This item will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Post Reassessment Advisory Committee

Meeting Date: February 12, 2016

Agenda Number: 10d

INFORMATION

RECOMMENDATION(S):

Receive a report on the Post Reassessment Advisory Committee (PRAC) activity/meeting.

BACKGROUND/DISCUSSION:

The PRAC met on Thursday, January 14, 2016 to receive a presentation on affordable housing from Ms. Linda Mandolini, Executive Director of Eden Housing. The PRAC met again on January 21, 2016 to receive a presentation from Ms. Cathy L. Gallagher and Dr. Lynn Reaser, Ph.D., of the Fermenian Business and Economic Institute at Point Loma Nazarene University, regarding their report, "Opening San Diego's Door to Lower Housing Costs."

At the January 14, 2016 PRAC meeting, Fort Ord Reuse Authority (FORA) staff gave a brief overview FORA's past involvement in affordable housing. Ms. Mandolini then presented her experience developing affordable housing in Northern California. Ms. Mandolini also offered suggestions that FORA jurisdictions could implement to create affordable housing opportunities: revenue bonds, local employer assistance, housing trusts and taking advantage of Prop 63 Mental Health Services Act dollars for affordable housing development. PRAC members requested FORA staff to return at a later date with a map indicating where affordable housing is located on Fort Ord, that staff contact the head of the Santa Clara County Housing Trust regarding extension of their programs to Monterey County, and to request Authority Counsel to perform a legal analysis of Redevelopment Agency phase out to show if 15-20% requirements continue to be in effect.

At the January 21, 2016 PRAC meeting, FORA staff provided a brief presentation on FORA development fees and sample development fees from local jurisdictions. This presentation was a previewed inter-jurisdictional housing development cost comparisons. Then Ms. Gallagher and Dr. Reaser presented their report design and findings. The research design included a survey of development fees and regulations and time costs due to jurisdictions as well as legal challenges during the phases of entitlement, mapping, infrastructure development, and permit review. The analysis included a novel tool to model number of households not priced out of the market for each 1% decrease in overall costs. The study reviewed local best practices as well as in the states of Texas, Arizona and Colorado. The findings suggested ways that public agencies can reduce housing regulatory costs: employee compensation/incentives to process plans, restrictions on when legal challenges can be made, and having a development master plan.

Approved December 10, 2015 minutes and January 14, 2016 minutes (**Attachments A and B**).

FISCAL IMPACT:

Reviewed by FORA Controller _____

Staff time for this item is included in the approved annual budget.

COORDINATION:

PRAC, California State University Monterey Bay, Transportation Agency for Monterey County, Administrative and Executive Committees.

Prepared by _____
Ted Lopez

Approved by _____
Michael A. Houlemard, Jr.



FORT ORD REUSE AUTHORITY
BASE REUSE PLAN POST-REASSESSMENT ADVISORY COMMITTEE (PRAC)
MEETING MINUTES

9:00 a.m., Thursday, December 10, 2015 | FORA Conference Room
920 2nd Avenue, Suite A, Marina CA 93933

1. CALL TO ORDER

Chair Victoria Beach called the meeting to order at 9:06 a.m. The following were present:

Committee Members:

Victoria Beach (Chair), City of Carmel
Gail Morton, City of Marina
Ralph Rubio, City of Seaside

Other Attendees:

Bob Schaffer, member of the public
Jane Haines, member of the public
Tim O'Halloran, City of Seaside
Phyllis Meurer, member of the public
Margaret Davis, member of the public
Graham Bice, UC MBEST Director

FORA Staff:

Michael Houlemard
Steve Endsley
Jonathan Brinkmann
Josh Metz
Ted Lopez
Mary Israel

2. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

None.

3. APPROVAL OF MEETING MINUTES

a) November 12, 2015 Minutes

MOTION: Ralph Rubio moved, seconded by Gail Morton to approve the November 12, 2015 PRAC Committee minutes with changes as noted from email communication from Jane Haines. Motion passed unanimously.

4. PUBLIC COMMENT PERIOD

No comments.

5. BUSINESS ITEMS

a) Affordable Housing

Josh Metz reported on FORA's research into affordable housing speakers who can speak to the PRAC in January, 2016. PRAC members agreed that the January 14th, 2016 meeting FORA staff will present a brief background on affordable housing as it relates to the FORA jurisdictions. Also, Mr. Metz announced that the Executive Director of Eden Housing, Linda Mandolini is available to present an affordable housing strategies report. In addition, Mr. Metz announced that Dr. Lynn Reaser and Cathy L. Gallagher, authors of a comprehensive affordable housing study of San Diego County, are available to speak to PRAC members about conducting a similar study for Monterey County.

PRAC members expressed interest to hear both speaker findings for San Diego County. PRAC members also discussed FORA funding a similar comprehensive countywide Monterey study and requested FORA staff to return on January 14, 2015 with a FORA history and background on affordable housing and development fees and regulations. Further, that FORA staff invite Ms. Mandolini to the January 14, 2016 meeting to deliver an affordable housing strategies presentation. PRAC members also directed staff to schedule another meeting (January 21, 2015) and invite Dr. Reaser and Ms. Gallagher to make a presentation on their comprehensive affordable housing study of San Diego County.

b) Water Symposium

Jonathan Brinkmann delivered a brief presentation on a potential Water Symposium, including best practices, economic development drivers, innovations and new ideas. Mr. Brinkmann commented that CSUMB could possibly be a venue for a one-day event sometime in May of 2016. PRAC members discussed that the event should focus on:

- 1) The local situation and physical resources (watersheds, water flow, sea water intrusion and natural influences).
- 2) The history of legal agreements on water rights (Army-Monterey County Water Resources Agency agreement on water rights, State codes, FORA agreements, jurisdictions' agreements, etc.).
- 3) The roles of all agencies and organizations in local water systems.
- 4) An overview of water conflicts between public agencies, special districts and local organizations.
- 5) A presentation on the implementation of the Base Reuse Plan and future project development.

PRAC Chair Victoria Beach urged FORA and CSUMB partner-up and recommended CSUMB sponsor the symposium. PRAC members directed FORA staff to assemble a list of potential speakers with short biographies and that PRAC begin to assess whether the FORA Board wants to spend money on a water symposium.

6. ITEMS FROM COMMITTEE MEMBERS

- a) Gail Morton said that City of Marina anticipates the Dunes on Monterey Bay retail/restaurant development proposal would be coming back to the City of Marina design review board.

7. ADJOURNMENT

Meeting was adjourned at 11:50 a.m. with next meetings to be scheduled January 14 and 21, 2016.



FORT ORD REUSE AUTHORITY
BASE REUSE PLAN POST-REASSESSMENT ADVISORY COMMITTEE (PRAC)
MEETING MINUTES

9:00 a.m., Thursday, January 14, 2016 | FORA Conference Room
920 2nd Avenue, Suite A, Marina CA 93933

1. CALL TO ORDER

Chair Victoria Beach called the meeting to order at 9:05 a.m. The following were present:

Committee Members:

Victoria Beach (Chair), City of Carmel
Alan Haffa, City of Monterey
Chris Placco, CSUMB
Gail Morton, City of Marina
Jane Parker, Supervisor County of Monterey
Ralph Rubio, Mayor City of Seaside

FORA Staff:

Michael Houlemard
Steve Endsley
Jonathan Brinkmann
Josh Metz
Ted Lopez
Mary Israel

Other Attendees:

Tim O'Halloran, City of Seaside
Linda Mandolini, Eden Housing
Andre Lewis, CSUMB
Steve Matarazzo, UCSC
Jane Haines, member of the public
Bob Schaffer, member of the public

2. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Chris Placco announced a delay in the planning of the campus-wide Master Plan. CSUMB will have an open session on the coming CEQA, then there are more steps until a final draft and scheduled rollout are available.

3. APPROVAL OF MEETING MINUTES

a. December 10, 2015 Minutes

MOTION: Victoria Beach moved, seconded by Gail Morton to approve the December 10, 2015 PRAC Committee minutes with changes as noted by Gail Morton.

MOTION PASSED: Chris Placco abstained.

4. PUBLIC COMMENT PERIOD

No comments.

5. BUSINESS ITEMS

a) Affordable Housing

Steve Endsley gave a presentation on the history of FORA's involvement in affordable housing. Committee members requested that "construction costs" and "prevailing wage" be

added to the slide on Major Issues. Guest speaker and Executive Director of Eden Housing, Linda Mandolini, discussed her background working on affordable housing in Northern California and made some suggestions of possible directions that could be taken by FORA jurisdictions. These suggestions included:

- Housing mitigation fee or tax revenue measure (General Obligation Bonds or Revenue Bond); Air B & B tax is useful if the entity that receives the funds is flexibly structured so it can receive Federal, State, local, non-profit funding and have JPA.
 - If jurisdictions boomerang these fees or taxes, make a trust fund with the money, the State should match that funding. See Alameda County example.
- Take advantage of Prop. 63 Mental Health Services Act dollars with mental health services linked to affordable housing.
- Work with legislators to get Cap & Trade program funding directed to this area by including the mitigation of traffic distances, not just density-based traffic which favors larger cities.
- Get free air space as additional floors above commercial building for units.
- Pass ordinances for 2nd units allowed in development parcels.
- Major local employers can get a trust together and get matching funds from the County, State. These can be formed by employer type, i.e. agriculture, hospitality.
- Follow the example of the Housing Trust of Santa Clara County (Housing Trust) by partnering the major local employers with area jurisdictions, State matching funds and U.S. Treasury grants while acting as a clearinghouse for regional affordable housing questions and issues.
- Invite the Housing Trust to expand services to Monterey County.
- Help get employer assistance programs in place.
- Help foster employee-specific housing, such as teacher housing: examples are San Mateo Community College where teachers own housing and share a fund while the school owns the land.

Some questions that committee members posed are:

1. With HUD terming out, are there mechanisms in place to possibly ensure sponsorship corporations continue?
2. Can PRAC have a map made where all the affordable housing is located on former Fort Ord, giving absolute and relative numbers of units?
3. Can FORA staff meet with the head of the Housing Trust to see what we would need to bring to the table to join?
4. Can there be a strong home ownership program to complement affordable housing programs that are developed in future?
5. Would FORA staff request Authority Counsel to perform a legal analysis of Redevelopment Agency phase out to show if 15-20% requirements still hold? Does FORA's collection of property taxes require that FORA still hold to this? Does it impact current projects (consistency, entitled) and how does that differ from new projects?

6. ITEMS FROM COMMITTEE MEMBERS

- a) Steve Matarrazzo shared that his old home in Redwood City bought in 1978 for \$80,000 now has a Zillow price of \$1.6M.

7. ADJOURNMENT

Meeting was adjourned at 10:58 a.m.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Regional Urban Design Guidelines Task Force

Meeting Date: February 12, 2016

Agenda Number: 10e

INFORMATION

RECOMMENDATION(S):

Receive Regional Urban Design Guidelines (RUDG) Task Force (Task Force) Update.

BACKGROUND/DISCUSSION:

The RUDG process began in Spring 2014 and is nearing completion (**Attachment A**). The Task Force met at 9:30 a.m. Wednesday, December 16, 2015 to review RUDG Administrative drafts incorporating Base Reuse Plan (BRP) direction, existing jurisdiction policies and plans, and community input. Members reviewed revisions to the Administrative DRAFT RUDG in response to Board comments from the November 2nd, Special Board Meeting/RUDG Workshop, Task Force members input from the November 3 meeting, written jurisdictional submittals, and public comments obtained during the November 2nd open house.

Recognizing key progress since the Board Workshop and public open house, members made additional recommendations for refinements including:

- Adding a Prologue to set forth/discuss background and policy context.
- Additional economic impact section strengthening to include regional context and value/benefit of quality design.
- Strengthening "opportunity sites" definition and refining how "centers" are represented.
- Overall map revisions away from color to greater reliance on symbols.
- Expanding Policy Application language to address unique site constraints.

Staff continues working with Task Force members and consultant support to integrate Board, Task Force and public input. Staff has taken the lead on developing an interactive RUDG website to enable efficient access and consumption of the RUDG policies.

The next RUDG Task Force meeting is scheduled for 9:30 a.m. Friday, February 5, 2016. A special Board meeting to present the DRAFT RUDG and new website is scheduled for XX, 2016.

FISCAL IMPACT:

Reviewed by FORA Controller _____

Staff time for this item is included in the approved FORA budget.

COORDINATION:

Administrative Committee and Dover, Kohl & Partners

Prepared by _____
Josh Metz

Approved by _____
Michael A. Houlemard, Jr.



Project History



1	█																
2		█															
3			█														
4				█													
5					█												
6						█											
7							█										
8								█									
9									█								
10										█							
11											█						
12												█					
13													█				
14														█			
15															█		
16																█	
		1994	1997	1999	2005	2012	12/2013	2/2014	5/2014	7/2014	11/2014	2/2015	4/2015	10/2015	12/2015	1/2016	2/2016

1. FORA Act
2. Base Reuse Plan: Design Principle 6
3. Board policy on jurisdictional design implementation
4. Board approves Highway 1 Design Guidelines
5. Reassessment Report – Outstanding RUDG
6. Fort Ord Colloquium
7. 2014 Work Plan – RUDG
8. Task Force – Competitive RFP
9. Board Approves Dover, Kohl (DKP) Selection
10. DKP Site Visit
11. 2015 Design Charrette
12. Task Force – DRAFT RUDG Development
13. DRAFT RUDG for Board Review
- 14. Task Force DRAFT RUDG Review**
- 15. Final Task Force DRAFT RUDG Review**
- 16. RUDG for Board Adoption**

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Water/Wastewater Oversight Committee

Meeting Date: February 12, 2016

Agenda Number: 10f

INFORMATION

RECOMMENDATION:

Receive an update from the Water/Wastewater Oversight Committee (WWOC).

BACKGROUND/DISCUSSION:

The WWOC reviewed FY14/15 Quarter 4 and FY 15/16 Quarter 1 reports in December 2015 and the annual financial audit in January 2016. No issues were identified. Further, at its January 13, 2016 meeting the WWOC reviewed the Fiscal Year 2016/2017 proposed budget schedule (**Attachment A**) and approved the 2016 meeting calendar (**Attachment B**). Two meetings were added by amendment:

- 1) **February 3, 2016.** An Administrative Committee joint meeting to review the Three Party Planning effort approved by the FORA Board October 2015, and to consider FORA commitment to fund new facilities, under the 1998 Facilities Agreement.
- 2) **May 2, 2016.** A tentative meeting to review the proposed budget prior to submitting a FORA board recommendation by May 13, 2016.

The WWOC also approved minutes from:

- a. April 29, 2015 (**Attachment C**)
- b. August 5, 2015 (**Attachment D**)
- c. October 14, 2015 (**Attachment E**)
- d. December 15, 2015, Meeting of the Whole (**Attachment F**)

FISCAL IMPACT:

Reviewed by FORA Controller _____

Staff time for this item is included in the approved FORA budget.

COORDINATION:

WWOC, Administrative Committee, Executive Committee.

Prepared by _____
Mary Israel

Approved by _____
Michael A. Houlemard, Jr.

Marina Coast Water District
 FY 2016/2017 Budget Calendar
 (Includes Marina & Ord Community)
 Draft v2 01/11/2016

Attachment A to Item 10f FORA Board Mtg., 2/12/16
--

DATE	RP	MCWD	WWOC	FORA	DESCRIPTION
01/11/2016	DAS/GM	X			Distribute 2016-2017 Draft Budget Schedule to MCWD Board
01/13/2016	DAS/GM		X		Distribute 2016-2017 Draft Budget Schedule to WWOC
02/09/2016	DAS/DH	X			Distribute 2016-2017 Budget Worksheets to Department Heads
02/16/2016	DAS/GM	X			Present 2015-2016 Mid-Year Report to MCWD Board. PUBLIC MEETING
02/17/2016	DAS/GM	X	X		Present 2015-2016 Mid-Year Report and Draft 5-Year CIP Plan to WWOC. PUBLIC MEETING
02/23/2016	DAS/DH	X			2016-2017 Budget Worksheets due from Department Heads
03/07/2016	DAS/GM	X			Budget Workshop Meeting (Department Heads/Board). PUBLIC MEETING
03/10/2016	DAS/GM		X		Distribute Ord Community Draft Budget to WWOC.
03/16/2016	DAS/GM		X		Q&A with WWOC on Ord Community Draft Budget and provide WWOC with updates from the Budget Workshop. PUBLIC MEETING.
04/04/2016	DAS/GM	X			Present Revised Draft Budget to the Board. PUBLIC MEETING
04/13/2016	DAS/GM		X		Further discussion Ord Community Revised Draft Budget with WWOC. Possible WWOC recommendation to FORA Board. PUBLIC MEETING
04/20/2016	DAS/GM	X			Present Revised Draft Budget to the Board. PUBLIC MEETING
05/02/2016	DAS/GM		X		Ord Community Revised Draft Budget presented to WWOC for recommendation to FORA Board (if necessary). PUBLIC MEETING
05/13/2016	DAS/GM FORAStaff	X		X	FORA Board first vote to adopt Ord Community Budgets. PUBLIC MEETING
05/16/2016	DAS/GM	X			MCWD Discusses Revised Draft Budget (if necessary). PUBLIC MEETING
06/10/2016	DAS/GM FORAStaff			X	FORA Board second vote to adopt Ord Community Budgets (if necessary). PUBLIC MEETING
06/24/2016	DAS//GM	X			MCWD Board adopts District Budget. PUBLIC MEETING

GM= General Manager; DAS= Director of Administrative Services; DH=Department Heads



FORT ORD REUSE AUTHORITY

920 2nd Avenue, Suite A, Marina, CA 93933

Phone: 831.883.3672 | Fax: 831.883.3675 | www.fora.org

2016 WWOC COMMITTEE MEETING SCHEDULE

Wed, January 13

- *Review Audit & Financials*
- *Set Meeting Schedule*

Wed, February 3

- *Joint Admin + WWOC*

Wed, February 17

- *Q2 Report*
- *CIP 5 yr master plan review*

Wed, March 16

- *Preliminary FY 16/17 Budget Review*

Wed, April 13

- *Draft FY 16/17 Budget Review*

Mon, May 2

- *Tentative additional Budget Review*

Wed, May 18

- *Q3 Report*
- *Review Board Response to WWOC Recommendation*

Wed, June 15

Wed, July 13

Wed, August 17

Wed, September 14

Wed, October 19

Wed, November 16

- *Q1 & Q4 Report*

Wed, December 14

Meetings are held at 9:30 or after the close of the Administration meeting (about 9:30 a.m.) in the FORA Conference room, whichever occurs earlier, unless otherwise posted.

Meeting dates and times are subject to change. Agendas and other meeting materials are posted on the FORA website www.fora.org and are available upon request.



**FORT ORD REUSE AUTHORITY
WATER/WASTEWATER OVERSIGHT COMMITTEE
MEETING MINUTES**

Wednesday, April 29, 2015 | FORA Conference Room
920 2nd Avenue, Suite A, Marina CA 93933

1. CALL TO ORDER

FORA Assistant Executive Officer Steve Endsley called the meeting to order at 10:10 a.m. The following were present:

Committee Members:

Mike Lerch, CSUMB
Steve Matarazzo, UCSC
Elizabeth Caraker, City of Monterey
Tim O'Halloran, City of Seaside
Daniel Dawson, City of DRO

Others Present:

Patrick Breen, MCWD
Bill Kocher, MCWD
Kelly Cadiente, MCWD
Bob Schaffer, MCP
Peter Le
Tom Mancini
Brian Boudreau
Kathleen Lee
Andy Sterbenz

FORA Staff:

Steve Endsley
Crissy Maras

2. PLEDGE OF ALLEGIANCE

Elizabeth Caraker led the pledge of allegiance.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

None

4. PUBLIC COMMENT PERIOD

The committee received comments from a member of the public.

5. APPROVAL OF MEETING MINUTES

a. April 15, 2015 WWOC Meeting Minutes

MOTION: Steve Matarazzo moved, seconded by Daniel Dawson, to approve the meeting minutes as presented.

MOTION PASSED: Unanimous

6. BUSINESS ITEMS

a. Draft FY 2015/16 Ord Community Budget

MCWD provided a handout describing previously suggested budget edits and a map outlining the location of proposed capital improvement projects. MCWD is currently interviewing for a district engineer who will be tasked with moving the CIP forward.

MOTION: Mr. Matarazzo moved, seconded by Tim O'Halloran, approval of the budget as presented, suggesting removal of line item 25b (funding the recycled trunk main and RUWAP desal) for separate review by the FORA Board.

MOTION PASSED: Ayes: Matarazzo, O'Halloran, Caraker, Dawson. No: Lerch

Additional comments for FORA Board consideration included that the 10% desal design process should answer questions regarding project cost, brine disposal, interference with ongoing Cal-

Am progress, which aquifer was proposed for use, and how MCWD could cooperate with other agencies without further lawsuits.

b. Quarterly Report – Presentation by MCWD

The quarterly report was not presented at this meeting and will be continued to a future meeting.

c. MCWD Annual Performance Evaluation

Evaluation forms were provided to the committee with the request that members submit feedback to FORA so a compilation of evaluation scores can be provided at a future meeting.

7. ITEMS FROM MCWD

a. Rate Payer Advisory Committee

This item is on the May 15th MCWD Board meeting agenda. MCWD will provide an update to the committee at a future meeting.

b. Ord Community Annexation

There is no update to this item.

c. Seaside County Sanitation District Negotiations

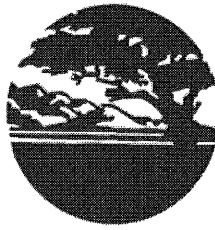
There is no update to this item.

8. ITEMS FROM MEMBERS

None

9. ADJOURNMENT

The meeting was adjourned at 11:05 a.m.



**FORT ORD REUSE AUTHORITY
WATER/WASTEWATER OVERSIGHT COMMITTEE
MEETING MINUTES**

Wednesday, August 5, 2015 | FORA Conference Room
920 2nd Avenue, Suite A, Marina CA 93933

These minutes are formed from the meeting Chair's recollection of events and are prepared since the original digital copy was lost.

1. CALL TO ORDER

Chair Jonathan Garcia called the meeting to order at 9:30 a.m. The following were present:

Committee Members:

Mike Lerch, CSUMB
Steve Matarazzo, UCSC
Rick Riedl, City of Seaside
Daniel Dawson, City of DRO
Elizabeth Caraker, City of Monterey

Others Present:

Patrick Breen, MCWD
Keith Van der Maaten, MCWD
Kelly Cadiente, MCWD
Mike Wegley, MCWD
Chris Placco, CSUMB
Bob Schaffer
Wendy Elliott
Andy Sterbenz

FORA Staff:

Steve Endsley
Crissy Maras
Jonathan Garcia

2. PLEDGE OF ALLEGIANCE

Assistant Executive Officer Steve Endsley led the pledge of allegiance.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

FORA staff noted recent correspondence related the FORA-MCWD dispute resolution.

4. PUBLIC COMMENT PERIOD

The committee received comments from a member of the public.

5. APPROVAL OF MEETING MINUTES

a. April 29, 2015 WWOC Meeting Minutes

Committee members requested that the April 29, 2015 meeting minutes be deferred to the next meeting.

6. BUSINESS ITEMS

a. 1998 Water and Wastewater Facilities Agreement

i. Article 10.1 Dispute Resolution Procedure

Mr. Endsley introduced this business item. He provided an overview of the 1998 Water and Wastewater Facilities Agreement (FA) provision for dispute resolution. On June 17, 2015, the FORA Executive Officer transmitted a letter to the MCWD Interim General Manager, responding to the MCWD FY 15/16 Proposed Ord Community Budget on two disputed elements. On July 13, 2015, the MCWD Interim General Manager notified FORA that MCWD had invoked the FA Article 10.1 Dispute Resolution Procedures.

ii. WWOC Proposed Resolution

On July 30, 2015, the FORA Executive Officer transmitted a letter to the MCWD Interim General Manager proposing a resolution to the dispute. On August 4, 2015, the MCWD General Manager transmitted a letter accepting the proposed resolution to the dispute. Mr. Endsley informed the WWOC that the FA assigns the FA Administrators the task of meeting and conferring to resolve the dispute. If they had not been able to do so, the FA delineates that the WWOC would have 10 days

to resolve the dispute. Because the two administrators were able to resolve the dispute, WWOC action is not required.

7. **ITEMS FROM MEMBERS**

None

8. **ADJOURNMENT**

The meeting was adjourned at 10:05 a.m.



**FORT ORD REUSE AUTHORITY
WATER/WASTEWATER OVERSIGHT COMMITTEE
MEETING MINUTES**

Wednesday, October 14, 2015 | FORA Conference Room
920 2nd Avenue, Suite A, Marina CA 93933

1. CALL TO ORDER

FORA Assistant Executive Officer Steve Endsley called the meeting to order at 9:20 a.m. The following were present:

Committee Members:

Rick Riedl, City of Seaside
Mike Lerch, CSUMB
Graham Bice, UCSC

Others Present:

Chris Placco, CSUMB
Patrick Breen, MCWD
Bill Kocher, MCWD
Mike Wegley, MCWD
Kelly Cadiente, MCWD
Keith Van der Maaten, MCWD
Bob Schaffer
Andy Sterbenz

FORA Staff:

Steve Endsley
Jonathan Garcia
Peter Said

2. PLEDGE OF ALLEGIANCE

Rick Riedl led the pledge of allegiance.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

None.

4. PUBLIC COMMENT PERIOD

None.

5. APPROVAL OF MEETING MINUTES

a. July 15, 2015 WWOC Meeting Minutes

MOTION: Rick Riedl moved to approve, seconded by Chris Placco.

MOTION PASSED: Unanimous. Graham Bice abstained.

6. BUSINESS ITEMS

a. Quarterly Report – Presentation by MCWD

Quarterly Report deferred to November.

b. Water Augmentation Program Planning Update

Mr. Endsley provided a report on the FORA Board's unanimous action to approve endorsement of the Pure Water Monterey Project.

c. Facilities Agreement Dispute Resolution Process Update

Mr. Endsley provided a report on the FORA Board's passing vote (11-2) to authorize FORA to participate in a three-party joint water augmentation planning process. The three-party planning process is to study water augmentation options prior to monies being committed.

7. ITEMS FROM MCWD

a. Rate Payer Advisory Committee

There is no update to this item.

b. Ord Community Annexation/Seaside County Sanitation District Negotiations

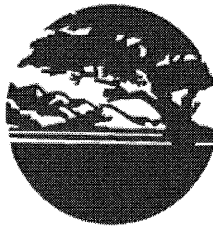
There is no update to this item.

8. ITEMS FROM MEMBERS

None

9. ADJOURNMENT

The meeting was adjourned at 11:00 a.m.



**FORT ORD REUSE AUTHORITY
WATER/WASTEWATER OVERSIGHT COMMITTEE
MEETING OF THE WHOLE NOTES**

1 p.m., Tuesday, December 15, 2015 | FORA Conference Room
920 2nd Avenue, Suite A, Marina CA 93933

1. CALL TO ORDER

FORA Assistant Executive Officer Steve Endsley called the meeting to order at 1:13 a.m.
The following were present:

Committee Members:

Mike Lerch, CSUMB
Rick Riedl, City of Seaside
(NO QUORUM)

FORA Staff:

Jonathan Brinkmann
Steve Endsley
Michael Houlemard
Mary Israel
Peter Said

Other Attendees:

Patrick Breen, MCWD
Keith Van der Maaten, MCWD
Kelly Cadiente, MCWD
Mike Wegley, MCWD
Ken Nishi
Bob Schaffer
Wendy Elliott
Andy Sterbenz
Graham Bice, UCMBEST

2. PLEDGE OF ALLEGIANCE

Peter Said led the pledge of allegiance.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Steve Endsley introduced FORA Project Specialist Peter Said as the staff lead on Water/Wastewater Oversight Committee and Mary Israel as the new recorder of minutes.

4. PUBLIC COMMENT PERIOD

None.

5. APPROVAL OF MEETING MINUTES

Approval of April 29, 2015, August 5, 2015 and October 14, 2015 regular Water/Wastewater Oversight Committee minutes was deferred to the next meeting.

6. BUSINESS ITEMS

a) Elect WWOC Chair

Jonathan Brinkmann said that each year the FORA Board of Directors (Board) chair appoints members in January and this includes the WWOC. Steve Endsley reflected

on the Facilities Agreement (FA) section 4.2.1 and said that customarily jurisdictions (JDs) select appointees so the WWOC members and alternates are informed and reflect the wishes of their JDs. A chair is then appointed by the committee. Voting deferred to the appropriate meeting.

b) Review the Jan-Feb-March WWOC Work Plan Schedule/Budget Review

Steve Endsley presented a roll out for June 2016 completion with a FORA Board item recommended by May. FORA staff will review with the Board the 218 process and the FA process as well. Keith Van der Maaten asked when the FORA CIP will be available. Steve Endsley suggested that CIP processing at FORA is on a parallel track with MCWD's, so responses from JDs are expected in January and February. This year, FORA will conduct its biennial Community Facilities District Special Tax/Development fee formula calculation and potentially adjust its fees. Ken Nishi stated that the WWOC has an obligation to explain the technical aspects of water systems as they relate to FORA to the Board. Steve Endsley replied that the Board has taken its own direction but he will support the WWOC in their ability to make technical points. Mike Lerch asked how the last budget and district promises were delivered, such as replenished reserves and promised maintenance. Mike Wegley responded that the deliverables for quarterly report budgets show what is spent, while projects have cross-year budgets and estimate vs. actuals from previous years to help future projections.

c) Facilities/Systems Operations – Permitting & Development Support

Peter Said said that evaluation of MCWD's customer service orientation and responsiveness falls to FORA. Complaints have come to FORA about the permitting process. Mike Wegley remarked that development grants and obligations must be met as well, so it's a two-way street. He requested to hear the complaints. Bob Schaffer shared concerns about MCWD requiring backflow outlets to be installed in inconvenient locations within the Dunes on Monterey Bay residential project. Mike Wegley responded that there appears to be a discrepancy between the approved development plans and what was actually built by the contractor. Mike Wegley noted that MCWD staff would speak to the developer representative to try to identify a solution. Another point made by Ken Nishi was a difference between putting in water meters in central Marina vs. on former Fort Ord lands, credit is given in the former and not the latter; the committee should help. Rick Reidl said that there were miscommunications about where meters were put in and when they were moved afterward it created a mess of crossed water lines, incorrect billing and incorrect shut offs. Steve Endsley offered that Peter Said will unpack what the facts are and make an impartial report on both the customer service aspect and the design aspect to find where things broke down and how to fix them in the future.

7. ITEMS FROM MCWD

a) Review Q4 FY 2014-2015 and Q1 FY 2015-2016 Quarterly Reports

Kelly Cadiente shared the MCWD Fiscal Year (FY) 2014/15 4th Quarter report, including water consumption data, significant operations and management activities, meter installation updates, quarterly fiscal activity and water conservation. Rick Reidl asked for calendar dates to be added to the headings in the chart. Mike Lerch asked for clarification of water line loss at the intertie, how it changes and what the measurements

are. Andy Sterbenz explained the technical aspects of the intertie. Keith Van der Maaten offered to bring the meter data together to add as a line item instead of a footnote. Ken Nishi said that sewage flows do not show total sewage on former Fort Ord. Keith Van der Maaten offered to footnote the small difference.

Kelly Cadiente then shared meter installation data, which is being unbundled from Army data. Now that MCWD is making accounts for specific uses, some meters had been listed as residential that are now listed properly as non-residential.

Kelly Cadiente shared the FY 2015/16 1st Quarter report. The committee expressed enthusiasm about the impressive low water use through conservation during summer drought.

Mike Wegley presented a FY 2014/15 and FY2015/16 CIP update on water system, wastewater system and water augmentation project to the meeting of the whole. Mike Lerch requested that MCWD show budget and expenditures in the "Ord Water 4th Quarter Fiscal Activity" chart. Kelly Cadiente responded that budget amounts don't show in the account system from which the chart is derived. Keith Van der Maaten offered to make a separate sheet of CIP budgets and expenditures per quarter. Mike Wegley went through the table of projects describing individual project status (page 10-12 in meeting packet). Peter Said asked if MCWD breaks out what has been spent to date. Mike Wegley answered that the expenditure is tracked. Rick Reidl requested that the Capital Budget column be clarified as to total project and FY. He asked MCWD to clarify cost share measure and meaning. Mike Wegley offered that cost share reflects the operating expense for the purchase ownership, such as a water tank divided by usage of water. Incidentally, GW-0212 and GW-0112 have the same cost share. Keith Van der Maaten offered to bring an explanation of the cost share projections to a future WWOC meeting. Steve Endsley reminded MCWD that future expenses on CIP project RD-0101 continue not to cover legal fees, as per FORA Board policy.

b) Ord Community Annexation Report

Mike Wegley presented five maps about MCWD's urban service area expansion. One showed LAFCO-approved sphere of influence to the north of Marina. Another showed the existing service area in Central Marina, Ord Community area and Seaside High School. Another showed maximum sphere of influence projections including Seaside, all Ord development parcel areas and some of Ord habitat/open space/parkland. A last map showed the current service area of Seaside County Sanitation District as Sand City, southern Seaside and Del Rey Oaks. He said that the MCWD Board wants to annex the area, so they are restarting the process. Graham Bice asked about annexation of UC lands now instead of later. Mike Wegley said that the Board still has to approve submitting the application. Michael Houlemard asked that the maps be corrected to show correct areas for development parcels. Steve Endsley offered that FORA can help mediate the Southern portion negotiation. Mike Lerch asked how MCWD Board will have exclusive service representation in areas that are not in their JDs for voting. Mike Wegley said they must discuss this but that residents within the service area should be allowed to vote for MCWD Board after annexation occurs. Graham Bice asked what will happen with FORA's allocations. Michael Houlemard answered that FORA owns the water rights until 2020. LAFCO must approve a FORA transition plan by 2018, which will address water rights and other FORA assets and obligations post June 30, 2020. Possibly water rights will be conveyed to the JDs; possibly they will be transferred to a purveyor for all Fort Ord. Ken Nishi added that

MCWD has wastewater rights and FORA has groundwater rights, so he is unsure about the MOU with PCA.

c) Review the Jan-Feb-March work plan schedule

Kelly Cadiente offered to supply more financials to do the January review at the next WWOC meeting. People can submit questions to her. Steve Endsley offered that Peter Said would compile the Q&A and work with staff.

d) Urban Water Management Plan

Mike Wegley reported that he sent out a letter asking what the plans are for land use, so there would be long-range planning to renew the Water/Sewer Master Plan. He requested committee members talk to their planning and public works departments to get information out. Graham Bice asked if a revision of use follows, and Mike Wegley said yes that 20% reduction of use is expected by 2020 and everyone has more than met it.

ITEMS FROM COMMITTEE MEMBERS

Michael Houlemard said that the Post Reassessment Advisory Committee is discussing a water summit to be held at CSUMB and it will cover the science, economics, politics and currency of water in this area and how Fort Ord's agreements affect the adjacent communities. It will likely have an academic viewpoint. It will also include practical management issues and so Steve Endsley invited the general manager to participate in a panel with other water and sewer agency heads at the event later this spring.

ADJOURNMENT

Meeting was adjourned at 3:15 p.m. Next meeting is January 13th, 2016 at 9:30 am or after Administrative meeting adjourns.

Placeholder for Item 10g

Veterans Issues Advisory Committee

This item will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Travel Report

Meeting Date: February 12, 2016

Agenda Number: 10h

INFORMATION

RECOMMENDATION(S):

Receive a travel report from the Executive Officer.

BACKGROUND/DISCUSSION:

Per the FORA Travel Policy, the Executive Officer (EO) submits travel requests to the Executive Committee on FORA Board/staff travel. The Committee reviews and approves requests for EO, Authority Counsel and board members travel; the EO approves staff travel requests. Travel information is reported to the Board.

COMPLETED TRAVEL

International Economic Development Council (IEDC) 2016 Leadership Summit

Destination: New Orleans, LA

Dates: January 24-26, 2016

Traveler/s: Michael Houlemard

The Executive Officer attended the 2016 Leadership Summit focus on economic equity, a prepared workforce and achievement of economic growth, thereby increasing FORA's opportunities in exploring partnerships our communities must develop.

UPCOMING TRAVEL

Environmental Services Cooperative Agreement/State Agencies Coordination Meetings

Destination: Sacramento CA

Date: February 8-9, 2016

Traveler/s: Michael Houlemard, Stan Cook and 2 Board members

Meetings are being set with the California Departments of Toxic Substances Control, Fish and Wildlife and the Division of Industrial Relations on a number of issues related to the ESCA, the Habitat Conservation Plan, and the enforcement of prevailing wage. The meetings are necessary to establish partnerships and coordination of post FORA sunset projects and funding requirements.

National Coalition of Homeless Veterans (NCHV) - Board of Directors Meeting

Destination: San Diego, CA

Date: February 8-9, 2016

Traveler/s: Robert Norris

In addition to his position as FORA staff liaison for veterans issues, Mr. Norris also serves as an MCHV Board member. The board meeting will cover a review of current policy recommendations on federal funds to end veteran homelessness, programs for supportive housing for veterans and employment opportunities. A tour of a newly-developed housing facility operated by a local veteran organization in San Diego will be conducted. FORA will reimburse mileage costs and the traveler will pay all other expenses.

Environmental Services Cooperative Agreement/Federal Coordination Meetings

Destination: Washington, DC

Date: February 22-23, 2016

Traveler/s: Executive Officer, Authority Counsel, Stan Cook and 2 Board members
Executive Officer Michael Houlemard, Authority Counsel, Stan Cook and 2 Board members
have meetings with representatives of U.S. Army and Congressman Farr pertaining the Base
Realignment Closures (BRAC) and its impact on the Environmental Services Cooperative
Agreement, the Habitat Conservation Plan, and Land Use Conservation.

FISCAL IMPACT:

Reviewed by FORA Controller _____

Travel expenses are paid/reimbursed according to the FORA Travel policy.

COORDINATION:

Executive Committee

Prepared by _____ Approved by _____
Maria Buell Michael A. Houlemard, Jr.

DRAFT

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Public Correspondence to the Board

Meeting Date: February 12, 2016

Agenda Number: 10i

INFORMATION

Public correspondence submitted to the Board is posted to FORA's website on a monthly basis and is available to view at <http://www.fora.org/board.html>

Correspondence may be submitted to the Board via email to board@fora.org or mailed to the address below:

FORA Board of Directors
920 2nd Avenue, Suite A
Marina, CA 93933

DRAFT

- END -

**DRAFT
BOARD PACKET**



FORT ORD REUSE AUTHORITY

920 2nd Avenue, Suite A, Marina, CA 93933

Phone: (831) 883-3672 | Fax: (831) 883-3675 | www.fora.org

MEMORANDUM

TO: Fort Ord Reuse Authority Administrative Committee
FROM: Assistant Executive Officer Steve Endsley
RE: Agenda Item 7a. Fort Ord Reuse Authority 2020 Sunset / Transition Plan
DATE: January 27, 2016

In December of 1993, Senator Henry Mello (1924-2004) proposed legislation [Senate Bill (SB) 899] to create a Fort Ord Reuse Authority (FORA). SB 899 was approved unanimously by the State Assembly Ways and Means Committee in April 1994 and was signed into law by Governor Pete Wilson on May 10, 1994. SB 899, as amended, has been codified as Title 7.85 of the Government Code, sections 76750, et. seq., known as the "Fort Ord Reuse Authority Act." Formally established as a corporation of the State of California on May 20, 1994, FORA's purpose is to prepare, adopt, finance and implement a plan for the land formerly occupied by Fort Ord. FORA's initial sunset was planned for June 30, 2014. In 2012, California State Senator Bill Monning proposed Assembly Bill (AB) 1614, which submitted a ten year extension of FORA. AB 1614 also required FORA's Board of Directors to approve and submit a transition plan to the Monterey County Local Agency Formation Commission (LAFCO) eighteen months before the inoperability date.

The transition plan assigns assets and liabilities, designates responsible successor agencies, and provides a schedule of remaining obligations. Through the LAFCO process, the obligations and responsibilities of FORA would be allocated among FORA's constituent membership and/or successor agency. Also, the bill required a progress report to be delivered to the State Legislature. Although FORA was granted six additional years rather than ten, the other requirements were adopted. Chapter 7. Dissolution of the FORA Act, effective January 1, 2013, states that FORA "shall become inoperative when the board determines that 80 percent of the territory of Fort Ord that is designated for development or reuse in the plan . . . has been developed or reused in a manner consistent with the plan adopted or revised pursuant to Section 67675, or June 30, 2020, whichever occurs first." To meet these requirements, several issues warrant discussion of FORA's dissolution.

This memorandum explores presently identified options to extend the June 30, 2020 dissolution date or create a successor agency or agencies to provide for completing the original FORA mission of converting the former Fort Ord from military to civilian land uses. This memorandum also identifies FORA's surviving post-2020 obligations, describes proposed or existing institutional and policy mechanisms to address them, and evaluates their relative merits. This document will discuss several approaches to addressing the FORA transition and includes specific recommendations.

This memorandum is organized in the following manner:

- I. FORA Obligations that Survive 2020
- II. Assets and Revenues
- III. Post-2020 Organizational Structure Considerations
- IV. Issues Posed by Extending FORA

I. FORA Obligations That Survive 2020

FORA has three broad categories of obligations that survive the FORA scheduled sunset: A. Capital Improvement Program (CIP) /Base Reuse Plan (BRP) California Environmental Quality Act (CEQA) mitigations, B. Board-determined base-wide obligations, and C. Organizational closure obligations. The following outline describes these obligations and their relative completion timeframes.

A. CIP/BRP CEQA mitigations

1. Transportation/Transit

- Description: FORA must fund specific amounts for Transit as well as Regional, Off-site, and On-site roadways. FORA must complete specific on-site roadways for which it is lead agency: South Boundary Road, Gigling Road, Intergarrison Road, and Eastside Parkway.
- Estimated cost: \$120.9 million
- On-site project completion schedule: 2025
- Entire completion schedule: 2035
- This is a CEQA requirement included in the BRP EIR.

2. Water Augmentation

- Description: FORA must fund a Fort Ord water augmentation project to provide 2,400 acre-feet per year (AFY). FORA has contracted Marina Coast Water District (MCWD) to do this project. MCWD's Regional Urban Water Augmentation Project has identified a 1,427 AFY recycled water project. MCWD and FORA have not yet specifically identified a project that would produce the remaining 973 AFY of augmented water.
- Estimated cost: \$24 million (FORA's required mitigation only, project could exceed this cost).
- Completion schedule: 2018-2035, in phases.
- This is a CEQA requirement included in the BRP EIR, approved by the FORA Board June 13, 1997.

3. Habitat Management Plan/Habitat Conservation Plan (HCP)

- Description: the Army's 1997 Habitat Management Plan does not provide Fort Ord jurisdictions with "take" coverage necessary to implement required habitat conservation management on habitat reserves and development/reuse. The jurisdictions and FORA must implement an HCP to receive take coverage from Federal and State wildlife agencies.
- Estimated cost: \$43 million for HCP endowments

- Completion schedule: 2035
- This is a CEQA requirement included in the BRP Environmental Impact Report (EIR).

4. FORA CIP funding replacement

- Description: In 2002, FORA recorded a Special Tax lien on the majority of former Fort Ord property known as the FORA Community Facilities District (CFD) Special Tax. This Special Tax is the primary funding source for the FORA CIP, which includes HCP, Transit, Roads, and Water Augmentation. The Special Tax lien states that it shall not be levied after FORA's termination or later than calendar year 2051. Should FORA dissolve in 2020, entities assigned FORA's CIP mitigations must have a replacement funding mechanism.

B. Board-determined base-wide obligations

1. FORA/US Army Environmental Services Cooperative Agreement (ESCA)

- Description: In 2007, the FORA Board authorized execution of several ESCA agreements. The Administrative Order on Consent (AOC) agreement with United States Environmental Protection Agency (US EPA), California Department of Toxic Substances Control (DTSC) and Regional Water Quality Control Board (RWQCB) was the overarching agreement.
- AOC completion schedule: AOC termination is tied to performance standards (completion of Munitions and Explosives of Concern [MEC] related remedial activities), not a fixed date. According to the AOC, EPA, DTSC and RWQCB must approve a successor to FORA's AOC obligations.
- ESCA completion schedule: Munitions/ explosives remediation regulatory acceptance is anticipated in 2019. Army 5-year review in 2017-18 and FORA Longer Term ESCA Obligations would continue to 2037.

2. Base-wide building removal

- Description: In 2001, the FORA Board approved inclusion of building removal costs as a FORA CIP obligation. FORA's remaining building removal obligations include Seaside Surplus II and the Marina Stockade areas. FORA is implementing plans that will evaluate overall Surplus II building removal costs. Based on current information, Surplus II building removal costs may exceed the underlying land value even after FORA's CIP obligation is met. FORA has met its financial obligations within the City of Marina Dunes on Monterey Bay project area. However, the Board has tasked staff with identifying means to expedite building removal in this project area.
- FORA is designated by US EPA as a Hazardous Waste Generator for World War II contaminated building debris. The City of Marina would have to take on this obligation at the potential cost of several hundred thousand dollars.
- Completion schedule: FORA's building removal financial obligations can be met by 2020. If the FORA Board modifies FORA's building removal obligation or role in Surplus II and/or Dunes on Monterey Bay project areas, such actions may extend the obligation completion schedule.

C. Organizational closure obligations

FORA has been in operation since 1994 and has acquired a number of contractual and legislative responsibilities. Before FORA dissolves in 2020, a number of these obligations must be assigned to another entity or otherwise addressed.

a. FORA-Marina Coast Water District (MCWD) Water/Waste Water Facilities Agreement (Facilities Agreement)

Description: The Facilities Agreement provides for MCWD to annex the Ord Community Service area before FORA's dissolution. MCWD has not yet completed annexation of the Ord Community Service area. If MCWD annexation is not completed by June 30, 2020, FORA must assign its Facilities Agreement role and responsibilities to another entity.

b. Fort Ord Water Allocations

Description: The June 23, 2000 Memorandum of Agreement (MOA) between the US Army and FORA for Sale of Portions of the Former Fort Ord (Economic Development Conveyance Agreement)[EDC]) assigned the majority of US Army groundwater rights to FORA. FORA subsequently allocated groundwater to former Fort Ord jurisdictions and property owners. FORA must assign its EDC role and responsibilities to another entity before its dissolution.

c. Pollution Legal Liability (PLL) Insurance

Description: FORA and participating jurisdictions purchased base-wide PLL insurance coverage in 2014 that terminates in 2024. FORA has not as yet assigned its first named insured status to an entity after June 30, 2020 but is working with the County of Monterey as a potential first-insured.

d. FORA's Powers and BRP Compliance

Description: FORA's oversight, consistency, enforcement and financing powers described in the FORA Act are repealed on July 1, 2020. This includes FORA's financing role through the CFD Special Tax, Property Taxes, and land sales/lease proceeds. FORA's BRP compliance role of performing Consistency Determinations and, potentially, provisions that establish that "[the BRP] shall be the official local plan for the reuse of the base for all public purposes, including all discussions with the Army and other federal agencies, and for purposes of planning, design, and funding by all state agencies" would end as well unless modified by state legislation.

e. Miscellaneous Contract Obligations

Description: FORA has entered into a number of contracts with state, federal, and local agencies since 1994. These contracts must be reviewed and, if FORA's obligations continue past 2020, FORA must assign its obligations to another entity. For example, FORA entered into an agreement with Monterey Peninsula College, Bureau of Land Management (BLM), and County of Monterey in 2002. FORA agreed to assume MPC's habitat management responsibilities for its habitat reserve parcels after MPC makes a specific mitigation payment to FORA. FORA would need to assign these responsibilities to another entity before 2020.

f. Post-FORA Employee Retirement/Health Provisions (2040-2060)

FORA participates in the CalPERS retirement program. Public Agencies participating in CalPERS programs are typically on-going entities, such as a City government or Special District such as a water district. Due to FORA's limited term, FORA's long-term retirement funding obligations with CalPERS may/will extend past 2020. FORA staff have communicated with CalPERS, who has estimated that FORA would need to pay CalPERS a lump sum payment of approximately \$5 million or transfer its long-term CalPERS obligations to another entity.

II. Assets and Revenues

FORA's assets and revenues will be affected by its 2020 dissolution. These changes will affect the financial resources available for Fort Ord Base Reuse. The following section describes each asset or revenue source and its future post 2020.

A. Land sale and lease proceeds

Under State law, FORA currently shares land sale and lease proceeds 50/50 with the underlying jurisdictions. Post 2020, barring legislative action otherwise, jurisdictions would receive 100 percent of sale or lease proceeds paid to them by end-users of the property.

B. Property Taxes

By a special formula included in the State Health and Safety Code, FORA currently receives a portion of property taxes generated from former Fort Ord, approximately \$1.5 million in FY 14/15. Post 2020, and assuming no legislative action otherwise, this revenue source would be reallocated to the State of California, Educational institutions, special districts, and County of Monterey.

C. FORA CFD Special Tax

The Special Tax lien establishing the FORA CFD does not provide for special tax collection after FORA's dissolution. This revenue source would end on June 30, 2020 unless the State legislature and/or LAFCO expressly act to continue it, or a jurisdiction acts to create a new one.

D. Membership dues

The FORA Act provides for membership dues to help fund FORA operations. This revenue source would end on June 30, 2020.

E. MCWD Franchise Fee

FORA receives an MCWD Franchise Fee of \$15,000 annually in accordance with the Facilities Agreement. If FORA assigns its Facilities Agreement roles and responsibilities to another entity, this revenue source would continue past 2020. If MCWD annexes the Ord Community service area before June 30, 2020, this revenue source would end before June 30, 2020.

F. MCWD Revenues

FORA receives a percentage of MCWD's Ord Community revenues annually in accordance with the Facilities Agreement. If FORA assigns its Facilities Agreement

roles and responsibilities to another entity, this revenue source would continue past 2020. If MCWD annexes the Ord Community service area before June 30, 2020, this revenue source would end before June 30, 2020.

G. ESCA grant funds

FORA will likely have sums remaining in ESCA funding in 2020. If FORA assigns its ESCA responsibilities to another entity or entities, this funding would continue past 2020.

III. Post-2020 Organizational Structure Considerations

There are several ways to discharge the above-listed duties. These alternatives raise policy choices. It will take substantial discussion to reach consensus. For this reason, staff urges the Board to initiate this discussion in 2016.

Several suggestions have been made to either assign FORA's functions or to extend FORA in its current form. The following section analyzes options by exploring their advantages and disadvantages.

Options analyzed:

- A. Extend FORA with existing authority for a fixed term.
- B. Assign FORA responsibilities to an existing entity.
- C. Assign responsibilities to FORA's member agencies and regional and state agencies.
- D. Create a Joint Powers Agency (JPA), modify an existing JPA, or create a Community Services Area (CSA) governed by the Board of Supervisors.
- E. Turn the current FORA into a JPA or multiple JPA's.
- F. A la carte program (Any combination of the above.)

A. Extend FORA for a fixed term.

Advantages:

This option has a number of advantages including: efficiency and economy of scale, sustaining current working relationships with external agencies, does not require the cost and time of creating a new entity, and retains FORA staff's institutional memory, expertise and continuity of success. Since many elements of the BRP are not yet complete, such an extension would retain important procedures/practices for financing, mitigation, compliance, and implementation. At the same time, this is the least disruptive to activities known to survive the scheduled sunset date and extends existing grant and other funding accomplishments. For example, in terms of base-wide PLL insurance, FORA has a favorable claims history with PLL carriers and may be the logical entity to negotiate and manage the future policy, including cross boundary coverage.

The AOC requires a close relationship with the State and Federal environmental regulatory community, which FORA has fostered. Introduction of a new structure and or new players from the FORA side risks sacrificing the relationships, trust and confidence FORA has built with these agencies over the last 20 years.

The US Army would not need to amend its FORA property transfer and remediation contracts to substitute another agency. FORA's positive relationship with regulatory agencies would be effectively sustained and the ground water/reclaimed water allocations would continue uninterrupted. The FORA CFD fee, land sales/lease revenue, and property tax would continue to fund FORA obligations without changing FORA's funding strategy. Environmental regulatory oversight and relationships would not be disrupted.

Challenges:

Several jurisdictions have expressed the need to alter FORA membership to more closely reflect former Fort Ord on-base obligations. Several others have indicated they would like out. CA State Legislature expressed little interest in another extension.

Disadvantages:

Extension would require amendment of the FORA Act, which may require local and statewide political support. Non-jurisdiction members would continue to pay membership fees although non-landholding members could be allowed (by statute) to opt out of participation, thereby avoiding the payment of membership fees.

B. Assign FORA responsibilities to an existing entity or entities.

Advantages:

This option would reduce the number of governmental agencies. Some would argue that the net result is positive and maintains certain economies of scale. Consideration should be given by any replacement entity to the provision for stipulated penalties to be paid in the event of noncompliance with the AOC.

Challenges:

Some of FORA's obligations (HCP implementation, ESCA/MEC long-term stewardship) require specialized skill that is not currently in other existing entities. It is unclear whether the staff retirement health benefits and FORA CFD would/could be assigned to the existing entity.

Disadvantages:

This option can work only if an existing regional entity (e.g. County, TAMC, etc.) has the statutory authority to perform FORA's functions and is willing to assume them. It is not clear whether any existing entity has the full range of financial, planning, and oversight authority that has been established in State Law for FORA. If an entity (or entities) were identified, there could be significant debate and action by individual FORA members to define the terms of the transition. Also, the identified agency would be subject to the contractual (i.e. ESCA) rights requiring approval by external agencies and may not carry the benefit of existing staff expertise/experience.

C. Assign responsibilities to FORA's member agencies and regional and state agencies.

Advantages:

This would result in local planning and development decision making, as each jurisdiction would perform independent financial, physical and reporting obligations.

This option addresses the previous concern about external regional involvement in local decisions.

Challenges:

To complete the financial obligations included in the BRP and the related environmental mitigations, there would be individual budget implications to address these obligations, including: staffing and reporting, agency reimbursements, construction, monitoring, regulatory interface, conservation, and project management. It is unclear whether the staff retirement health benefits and FORA CFD would be assigned to multiple agencies.

Disadvantages:

Each jurisdiction would need to re-create taxing districts to fund post-FORA obligations or otherwise support the FORA activities out of general revenue. This approach would result in duplicative efforts to address what are now common/shared tasks. This would also require each agency to be subject to the contractual and regulatory obligations (i.e. ESCA, AOC, CFD) for approval by external agencies if the requirements were not yet complete, and might not retain the benefit of existing staff expertise/experience.

D. Create a Joint Powers Authority (JPA), modify an existing JPA, create a County Service Area (CSA) governed by the Board of Supervisors, or restructure FORA's membership/legislative authority and extend for a fixed term.

Advantages:

A JPA could be an efficient replacement for FORA due to economies of scale and limited duplication. The JPA would be solely focused on a set of reduced obligations post-2020 and would be much more locally controlled – not requiring state legislative approval. (While planning obligations may decrease, the development, financial and environmental obligations may not.)

Challenges:

It is unclear if the staff retirement health benefits and FORA CFD would be assigned to the JPA. For the JPA or CSA to retain existing FORA revenue sources (CFD special tax, land sale proceeds, and property taxes), legislative action would be required.

Disadvantages:

Establishing a JPA requires time, produces political issues, creates expense, and requires that revenue be identified to support financing operations, staffing, projects, field management, and overhead. This also would require that the JPA be subject to the contractual and regulatory (i.e. ESCA, AOC) obligations for approval by external agencies if the requirements were not complete, and might not retain the benefit of existing staff expertise/experience.

E. Turn the current FORA into a JPA.

Advantages:

The advantages are the same as listed under previous option (D). In addition, this option would provide a familiar structure and track record of operations. Sometimes referred to as 'FORA lite' or 'FORA shell,' it could be structured so that FORA retains its state authorized revenue streams while reducing overall scope and size. This would require State legislative action.

Challenges:

The challenges are the same as listed under previous option (D).

Disadvantages:

The disadvantages are the same as listed under previous option (D).

F. Establish an “a la carte” program with recommendations by function.

This option utilizes the strengths from options 1-5 and incorporates them into a customized program. The recommended approach would be to extend FORA by 5 years and, during those five years, assign FORA's remaining obligations to existing entities and/or a JPA. The reason for a five-year extension is to coincide with the expected completion of on-site transportation projects.

- **ESCA/AOC** – FORA would complete its 5-year review in FY 17/18 and have time to transition its role to its successor. This would allow transfer of institutional knowledge and relationships from FORA to its successor. After the 5 year period, ESCA/AOC functions would transition to a JPA specifically designed for that purpose.
- **Pollution Legal Liability (PLL) Insurance** – FORA's status as first-named insured under the \$50 million PLL insurance policy could potentially be assigned to County of Monterey from July 1, 2020 to December 31, 2024.
- **CIP/Basewide mitigations** – FORA would continue CFD Special Tax collection for 5 years and facilitate CFD collection (or replacement fee structure) after FORA's dissolution. This would help fund critical CIP programs and create a seamless fee structure application.
- **Transportation/Transit** – FORA would complete its lead agency on-site road projects and assign its off-site and regional road projects to other entities such as TAMC. On-site road network completion is a crucial step in the base reuse process. After the 5 year period, TAMC would assume responsibility for FORA transit and transportation projects and would incorporate the FORA CFD into its regional transportation fee.
- **Water/Augmentation** – FORA, MCWD and MRWPCA would identify a water augmentation project for the already allocated 1427 acre feet/year (AFY) and the remaining 973 AFY and navigate a project completion strategy. Securing an augmented water supply is necessary to achieve base reuse for all former Fort Ord communities. This is similar to the program already contemplated. FORA's obligations and mitigation funding stream could be subsumed by MCWD/MRWPCA by State legislative action.

- **Habitat Management/HCP** – FORA would continue CFD Special Tax collection for 5 years. A JPA specifically tailored to this function would facilitate CFD collection (or replacement fee structure) after FORA's dissolution. This option would allow FORA to support the JPA's assumption of FORA's responsibilities and retain FORA's revenue stream for that purpose. (This model, already assumed in the program currently being reviewed by the US Fish and Wildlife Service and CA Fish and Wildlife, is recommended by them.)
- **Building Removal** – FORA would be able to complete its remaining building removal obligations in the Marina Stockade and Seaside Surplus II, and support City of Marina building removal efforts. FORA's role as the Hazardous Waste generator could be utilized with potential cost savings to the jurisdictions.
- **BRP/Consistency** – FORA's planning role would be maintained for 5 years allowing projects to come forward for consistency determinations allowing BRP and RUDG visions to be implemented.
- **Prevailing Wage** – FORA's prevailing wage policy ensures prevailing wages are paid for first-generation construction projects on the former Fort Ord. The FORA Board may need to assign FORA's prevailing wage role to another entity before its dissolution.
- **Employee/retiree benefits placement and assumption** – FORA could pay CalPERS a lump sum payment or transfer its long-term CalPERS obligations to another entity with the needed financial resources. FORA currently has 15 positions and a number of retirees. As obligations are completed or assigned to others, current levels of FORA staffing could be reduced.

Establishing an "a la carte" program would allow FORA to transition its functions over time to ensure an orderly dissolution without loss of service to critical base reuse programs. An example of transitioning FORA's form and function over time might look like the following:

- **FORA JPA successor** – Assumed functions: ESCA/AOC, on-site transportation projects, building removal program, BRP/Consistency, Prevailing Wage, Revenue Collection, and Employee/retiree obligations.
- **TAMC** – Assumed functions: Off-site and regional transportation project, Transit Programs, and TAMC Regional development impact fee incorporation of Fort Ord area.
- **MCWD/MRWPCA** – Assumed functions: MCWD/MRWPCA would assume FORA's water augmentation obligations and either receive funding through FORA JPA successor or develop a new funding mechanism to complete obligations.

- **Regional Habitat Cooperative JPA** – Assumed functions: Habitat management/HCP administration and manage HCP endowment established through FORA revenues.
- **County of Monterey** – Assumed function: PLL insurance first named insured role.

IV. Issues Posed by Extending FORA.

A. Choice of New FORA Termination Date

The following factors influence selection of a new FORA termination date:

1. Given current rates of development, the FORA Capital Improvement Program may not be fully funded for 15 years or more. That roughly reflects 80% of the BRP completion, which was an initial target date for FORA to end. Remaining Improvement Projects: South Boundary, Gigling Road and linkage of Eastside Parkway to Eucalyptus Road.
2. The crucial links in the on-base transportation network infrastructure program, including the Eastside Parkway road project, are currently expected to be completed by June 30, 2020.
3. Under the agreement with the US Army, US EPA, and CA DTSC, the five-year ESCA review will occur in 2018, but FORA's Long Term Obligations continue to 2037.
4. HCP endowment funding extends beyond 2020.
5. Fort Ord Water Augmentation funding extends beyond 2020.
6. Funding FORA or successor entity operations and office space past 2020; funding FORA retiree/health benefits past 2020.

Overriding all of these considerations is the inescapable nature of the project: The former Fort Ord is a regional asset, not confined to the jurisdictional boundaries of any one municipality or governmental unit. It is easy to forget why FORA was created. It evolved from the parochial views of disparate communities, each of which considered its own concerns in a vacuum. But as has been demonstrated repeatedly in the last 20 years, progress in the development of the former Fort Ord is best achieved when planning and implementation are addressed from a regional perspective. Protection of open space, job creation and economic development, emplacement of transportation infrastructure, allocation of scarce resources, environmental remediation, and priority setting are but a few of the activities that have been undertaken from a regional, as distinguished from a local perch. There will come a time when FORA will have outlived its usefulness. That time is not temporally driven. Rather, it would be wise to examine the functional, financial and performance requirements remaining and end FORA's role when its mission is assured.

Based on the foregoing presentations and discussion, it is recommended that FORA's life, powers, and revenue streams be extended as it is currently structured, for five years, and/or assigning of FORA functions, assets, and responsibilities in a precise, step-wise format (see option 6).