



FORT ORD REUSE AUTHORITY

REGULAR MEETING

FORT ORD REUSE AUTHORITY (FORA) ADMINISTRATIVE COMMITTEE

Wednesday, February 28, 2018 at 8:30 a.m.

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

AGENDA

1. CALL TO ORDER/ESTABLISHMENT OF QUORUM

2. PLEDGE OF ALLEGIANCE

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

4. PUBLIC COMMENT PERIOD

Members of the public wishing to address the Committee on matters within its jurisdiction, but not on this agenda, may do so for up to 3 minutes and will not receive Committee action. Whenever possible, written correspondence should be submitted to the Committee in advance of the meeting, to provide adequate time for its consideration.

5. APPROVAL OF MEETING MINUTES

ACTION

a. January 31, 2018 Meeting Minutes

6. MARCH 9, 2018 DRAFT BOARD MEETING AGENDA REVIEW

INFORMATION

a. Eastside Parkway Goals and Objectives – 2d Vote

7. BUSINESS ITEMS

INFORMATION/ACTION

a. Capital Improvement Program – Review and Approve Development Forecast Requests

8. ITEMS FROM MEMBERS

INFORMATION

Receive communication from Committee members as it pertains to future agenda items.

9. ADJOURNMENT

NEXT MEETING: Wednesday, April 4, 2018



FORT ORD REUSE AUTHORITY
ADMINISTRATIVE COMMITTEE REGULAR MEETING MINUTES
8:30 a.m., Wednesday, January 31, 2018 | FORA Conference Room
920 2nd Avenue, Suite A, Marina, CA 93933

1. CALL TO ORDER

Co-Chair City of Seaside City Manager Craig Malin called the meeting to order at 8:30 a.m.

The following members were present:

Craig Malin* (City of Seaside)	Steve Matarazzo (UCSC)
Layne Long* (City of Marina)	Michelle Overmeyer (MST)
Hans Uslar* (City of Monterey)	
Todd Bodem* (Sand City)	
Mike Zeller (TAMC)	
Vicki Nakamura (MPC)	

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Malin.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

- Environmental Services Cooperative Agreement Senior Program Manager Stan Cook announced a Land Use Control Implementation Plan training seminar on February 16, 2018 from 9:00 a.m. – 4:00 p.m. at Carpenter’s Union Hall in Marina.
- City of Marina City Manager Layne Long announced the Manager’s Group Meeting is also scheduled on February 16, 2018.
- Executive Officer Michael Houlemard announced a Board of Directors Special meeting scheduled for Friday, February 2, 2018 at 3:00 p.m.

4. PUBLIC COMMENT PERIOD

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

There were no comments received from the public.

5. APPROVAL OF MEETING MINUTES

ACTION

- a. December 13, 2017 Meeting Minutes
- b. January 17, 2018 Meeting Minutes

MOTION: On motion by Committee member Long and second by Committee member Matarazzo and carried by the following vote, the Administrative Committee moved to approve the December 13, 2017 and January 17, 2018 meeting minutes.

6. FEBRUARY 9, 2018 DRAFT BOARD AGENDA REVIEW

INFORMATION

Mr. Houlemard provided an overview of the February 9, 2018 draft Board meeting items and responded to questions and comments from the Committee. Public comment was received. This item was for information only.

7. BUSINESS ITEMS

INFORMATION/ACTION

- a. Capital Improvement Program – Review and Approve Development Forecast Requests

Principal Planner Jonathan Brinkmann introduced the item and reviewed the Fiscal Year 18/19 through Post-FORA Development Forecast for Residential and Non-Residential Annual Land Use Construction (attached). Project Manager Peter Said reviewed the changes in how the information is being presented. Staff responded to questions and comments from the Committee. Public comment was received. The item is scheduled to go to the Board in April 2018 and the jurisdictions were encouraged to continue refining their projections. There was no action taken on the item.

8. ITEMS FROM MEMBERS

- Mr. Malin announced City of Seaside Strategic Planning workshop on January 31, 2018 at 10:00 a.m. at Soper Field on Coe Avenue.
- City of Monterey Interim City Manager Hans Uslar announced the Grand Opening Ceremony for the Monterey Conference on January 31, 2018 at 2:00 p.m.

9. ADJOURNMENT at 9:24 a.m.

Minutes Prepared By:
Dominique Jones
Deputy Clerk

Approved by: _____

Michael A. Houlemard, Jr.
Executive Officer

TABLE 5: LAND SALES REVENUE

In order to better forecast revenues from land sales, jurisdictions estimate when they expect escrow to clear on a lump sum sale of real property.

Estimated Land Sales

Parcel	Acres	Land Use Location & Description	Basis of Value	Forecasted Sale											Forecast Total	
				2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29		
Monterey County				\$ -	-	-	-	-	-	-	-	-	-	-	-	\$ -
E8a.1.2	21.22	Ord Market	per acre	\$ 3,628,620	-	-	-	-	-	-	-	-	-	-	-	-
multiple	152.93	East Garrison 2	per acre	26,151,030	-	-	-	-	-	-	-	-	-	-	-	-
multiple	374.07	Parker Flat Development	per acre	63,965,970	-	-	-	-	-	-	-	-	-	-	-	-
multiple	12.00	Travel Camp - Developable	per acre	2,052,000	-	-	-	-	-	-	-	-	-	-	-	-
E11b.8	67.69	Ammo Supply Point	per acre	11,574,990	-	-	-	-	-	-	-	-	-	-	-	-
Monterey City				-	8,918,813	-	15,855,667	-	-	-	-	-	-	-	-	24,774,480
E29b.2	31.19	Business Park/Recreation	per acre	5,333,490	-	1,920,056	-	3,413,434	-	-	-	-	-	-	-	5,333,490
E29b.3	27.71	Business Park parcel	per acre	4,738,410	-	1,705,828	-	3,032,582	-	-	-	-	-	-	-	4,738,410
E29b.1	33.52	Monterey -Ryan Ranch	per acre	5,731,920	-	2,063,491	-	3,668,429	-	-	-	-	-	-	-	5,731,920
L4.1	18.10	Business Park/ Public Facility	per acre	3,095,100	-	1,114,236	-	1,980,864	-	-	-	-	-	-	-	3,095,100
E29.1	22.48	Business Park parcel	per acre	3,844,080	-	1,383,869	-	2,460,211	-	-	-	-	-	-	-	3,844,080
E29.2	11.88	Business Park parcel	per acre	2,031,480	-	731,333	-	1,300,147	-	-	-	-	-	-	-	2,031,480
Marina				-	19,409,700	-	-	32,379,690	-	-	-	-	-	-	-	51,789,390
multiple		Dunes Phase II	Contract	6,750,000	-	6,750,000	-	-	-	-	-	-	-	-	-	6,750,000
multiple		Dunes Phase III	Contract	12,659,700	-	12,659,700	-	-	-	-	-	-	-	-	-	12,659,700
E4.1.2.2	9.63	Cypress Knolls	Marina Est.	1,444,500	-	-	-	1,444,500	-	-	-	-	-	-	-	1,444,500
E4.1.1	153.50	Cypress Knolls	Marina Est.	22,950,000	-	-	-	22,950,000	-	-	-	-	-	-	-	22,950,000
E4.1.2.2	26.24	Cypress Knolls	Marina Est.	3,900,000	-	-	-	3,900,000	-	-	-	-	-	-	-	3,900,000
E2c.4.2.1	13.39	Stockade	Marina Est.	2,289,690	-	-	-	2,289,690	-	-	-	-	-	-	-	2,289,690
L35.2	1.71	Stockade +	per acre	292,410	-	-	-	292,410	-	-	-	-	-	-	-	292,410
L2.2.1	2.11	Stockade +	per acre	360,810	-	-	-	360,810	-	-	-	-	-	-	-	360,810
L2.2.2	4.54	Stockade corner @ imjin	per acre	776,340	-	-	-	776,340	-	-	-	-	-	-	-	776,340
E2c.4.2.2	2.14	Stockade +	per acre	365,940	-	-	-	365,940	-	-	-	-	-	-	-	365,940
Seaside				-	22,634,310	14,365,864	-	-	-	-	-	32,394,719	32,394,719	25,195,892	126,985,504	
multiple	86.01	Surplus II	fixed	18,000,000	-	9,129,597	-	8,870,403	-	-	-	-	-	-	-	18,000,000
multiple	89.27	Main Gate	per acre	15,265,170	-	9,769,709	-	5,495,461	-	-	-	-	-	-	-	15,265,170
multiple	563.24	Seaside East	per acre	89,985,330	-	-	-	-	-	-	-	32,394,719	32,394,719	25,195,892	-	89,985,330
F2.3.2	26.00	26 Acre Parcel	Seaside Est	3,735,004	-	3,735,004	-	-	-	-	-	-	-	-	-	3,735,004
E18.1.3	40.00	Barracks Parcel	fixed	6,640,000	-	-	-	-	-	-	-	-	-	-	-	-
Del Rey Oaks				-	10,880,000	6,120,000	394,600	1,449,463	1,329,697	-	-	-	-	-	-	20,173,760
E29a	271.60	270 Acres (Parcels A-D)	fixed	17,000,000	-	10,880,000	-	6,120,000	-	-	-	-	-	-	-	17,000,000
E36	6.41	Development Parcel E36	per acre	1,096,110	-	-	-	394,600	-	701,510	-	-	-	-	-	1,096,110
E31a	4.89	Development w/ Reserve	per acre	836,190	-	-	-	-	-	301,028	-	535,162	-	-	-	836,190
E31b	3.34	Development w/ Reserve	per acre	571,140	-	-	-	-	-	205,610	-	365,530	-	-	-	571,140
E31c	3.92	Development w/ Reserve	per acre	\$ 670,320	-	-	-	-	-	241,315	-	429,005	-	-	-	670,320
CSUMB				-	-	-	-	-	-	-	-	-	-	-	-	-
UC MBEST				\$ -	-	-	-	-	-	-	-	-	-	-	-	\$ -
Lump Sum Sale Forecast - Sub-total				\$ -	61,842,823	20,485,864	16,250,267	33,829,153	1,329,697	-	-	32,394,719	32,394,719	25,195,892	-	223,723,134
FORA Share (50% of Lump Sum Sales)				\$ -	30,921,411	10,242,932	8,125,134	16,914,577	664,849	-	-	16,197,360	16,197,360	12,597,946	-	\$ 111,861,567

TABLE 6: FY 2018/2019 THROUGH POST-FORA DEVELOPMENT FORECASTS

Residential Annual Land Use Construction (dwelling units)															
Land Use Location & Description	Jurisdiction	Built To Date	FORECAST YEAR										Forecast	Forecast + Built	
			2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28			2028-29
NEW RESIDENTIAL **6,160 unit cap on new residential until 18,000 new jobs on Fort Ord per BRP 3.11.5.4 (b) 2) & 3.11.5.4 (c)															
Marina															
Seahaven A (Entitled)	MAR	-	-	18	60	60	60	60	60	60	23			401	401
Seahaven B (Entitled)	MAR	-	-	18	60	60	60	60	60	60	23			401	401
Dunes Phase 1 (Entitled)	MAR	391	72	115	-	-	-	-	-	-	-	-	-	187	578
Dunes Phase 2 (Entitled)	MAR	-			90	45	45	45						225	225
Dunes Phase 3 (Entitled)	MAR	-				45	45	45	90	90	90	29		434	434
Cypress Knolls (Entitled)	MAR	-			100	100	100	100	100	100	56	56		712	712
TAMC (Planned)	MAR	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Seaside															
Seaside Resort (Entitled)	SEA	3	4	12	36	36	34	-	-	-	-	-	-	122	125
Surplus II (Planned)		-	-	-	10	100	100	28	-	-	-	-	-	238	238
26 Acre Parcel (Planned)		-	-	10	100	40	-	-	-	-	-	-	-	150	150
Main Gate (Planned)		-	-	10	100	35	-	-	-	-	-	-	-	145	145
Nurses Barracks (Planned)		-	-	40	-	-	-	-	-	-	-	-	-	40	40
Seaside East (Planned)	SEA	-	-	-	-	-	-	10	50	50	100	100	-	310	310
Other															
East Garrison I (Entitled)	MCO	668	120	120	120	120	120	120	82					802	1,470
Del Rey Oaks (Planned)	DRO	-	-	-	20	60	60	60	60	120	120	110	81	691	691
UC Blanco Triangle (Planned)	UC	-	-	-	110	110	20	-	-	-	-	-	-	240	240
Other Residential (Planned)	Various	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL NEW RESIDENTIAL		1,062	196	343	806	811	644	528	502	480	412	295	81	5,098	6160**
EXISTING/REPLACEMENT RESIDENTIAL															
Preston Park (Entitled)	MAR	352	-	-	-	-	-	-	-	-	-	-	-	-	352
Seahaven A (Entitled)		22	60	42										102	124
Seahaven B (Entitled)	MAR	22	60	42	-	-	-	-	-	-	-	-	-	102	124
Abrams B (Entitled)	MAR	192	-	-	-	-	-	-	-	-	-	-	-	-	192
MOCO Housing Authority (Entitled)	MAR	56	-	-	-	-	-	-	-	-	-	-	-	-	56
Shelter Outreach Plus (Entitled)	MAR	39	-	-	-	-	-	-	-	-	-	-	-	-	39
VTC (Entitled)	MAR	13	-	-	-	-	-	-	-	-	-	-	-	-	13
Interim Inc (Entitled)	MAR	11	-	-	-	-	-	-	-	-	-	-	-	-	11
Sunbay (Entitled)	SEA	297	-	-	-	-	-	-	-	-	-	-	-	-	297
Bayview (Entitled)	SEA	225	-	-	-	-	-	-	-	-	-	-	-	-	225
Seaside Highlands (Entitled)	SEA	380	-	-	-	-	-	-	-	-	-	-	-	-	380
TOTAL EXISTING/REPLACE		1,609	120	84	-	-	-	-	-	-	-	-	-	204	1,813
CSUMB (Planned)															
		2,671	316	427	806	811	644	528	502	480	412	295	81	5,302	7,973

TABLE 7: FY 2018/2019 THROUGH POST-FORA DEVELOPMENT FORECAST

Non-Residential Annual Land Use Construction (building square feet or hotel rooms per year)

Land Use Location & Description	Jurisdiction	Land Transfer Type	Built To Date	FORECAST YEAR					Post FORA					Forecast	Forecast + Built	
				2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28			2028-29
NON-RESIDENTIAL																
Office																
Del Rey Oaks RV Park (Entitled)	DRO	EDC	-	-	200,000	200,000	-	-	-	-	-	-	-	-	400,000	400,000
Del Rey Oaks RV Park (Planned)	DRO	EDC	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Monterey (Planned)	MRY	EDC	-	-	-	120,552	120,552	120,552	179,934	179,934	-	-	-	-	721,524	721,524
East Garrison I (Entitled)	MCO	-	-	-	24,000	24,000	20,000	-	-	-	-	-	-	-	68,000	68,000
Dunes Phase 1 (Entitled)	MAR	-	203,000	-	23,000	23,000	23,000	-	-	-	-	-	-	-	69,000	272,000
Dunes Phase 2 (Entitled)	MAR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dunes Phase 3 (Entitled)	MAR	-	-	-	-	75,000	75,000	75,000	75,000	75,000	75,000	-	-	-	450,000	450,000
Interim Inc. (Entitled)	MAR	-	14,000	-	-	-	-	-	-	-	-	-	-	-	-	14,000
Marina (Planned)	MAR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TAMC (Planned)	MAR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Campus Town / Surplus II (Planned)	SEA	-	-	-	-	-	5,000	5,000	-	-	-	-	-	-	10,000	-
Campus Town /26 Acre (Planned)	SEA	-	-	-	-	-	5,000	5,000	-	-	-	-	-	-	-	-
Seaside East (Planned)	SEA	-	14,900	-	-	-	10,000	10,000	10,000	-	-	-	-	-	30,000	44,900
UC (Planned)	UC	EDC	-	-	60,000	80,000	180,000	180,000	180,000	-	-	-	-	-	680,000	680,000
Total Office			259,900	-	307,000	522,552	438,552	395,552	444,934	254,934	75,000	-	-	-	2,428,524	2,678,424
Industrial																
Monterey (Planned)	MRY	EDC	-	-	-	-	-	72,092	72,092	72,092	-	-	-	-	216,276	216,276
Marina CV (Entitled)	MAR	EDC	12,300	-	-	-	-	-	-	-	-	-	-	-	-	12,300
Dunes Phase 1 (Entitled)	MAR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dunes Phase 2 (Entitled)	MAR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dunes Phase 3 (Entitled)	MAR	-	-	-	-	75,000	75,000	75,000	75,000	75,000	75,000	-	-	-	450,000	450,000
Marina Airport (Entitled)	MAR	PBC	250,000	-	-	-	-	-	-	-	-	-	-	-	-	250,000
TAMC (Planned)	MAR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Campus Town / Surplus II (Planned)	SEA	-	-	-	-	40,000	-	-	-	-	-	-	-	-	40,000	40,000
Campus Town /26 Acre (Planned)	SEA	-	-	-	-	30,000	-	-	-	-	-	-	-	-	-	-
Seaside East (Planned)	SEA	-	14,900	-	-	-	10,000	10,000	10,000	-	-	-	-	-	30,000	44,900
UC (Planned)	UC	EDC	38,000	-	20,000	20,000	20,000	20,000	20,000	-	-	-	-	-	100,000	138,000
Total Industrial			315,200	-	20,000	165,000	105,000	177,092	177,092	147,092	75,000	-	-	-	836,276	1,151,476
Retail																
Del Rey Oaks (Planned)	DRO	EDC	-	-	-	-	-	-	-	-	-	-	-	-	-	-
East Garrison I (Entitled)	MCO	-	-	-	12,000	12,000	10,000	-	-	-	-	-	-	-	34,000	34,000
Dunes Phase 1 (Entitled)	MAR	-	418,000	-	20,000	20,000	20,000	20,000	-	-	-	-	-	-	80,000	498,000
Dunes Phase 2 (Entitled)	MAR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dunes Phase 3 (Entitled)	MAR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TAMC (Planned)	MAR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Seaside Resort (Entitled)	SEA	-	-	-	-	-	-	10,000	-	-	-	-	-	-	10,000	10,000
Campus Town / Surplus II (Planned)	SEA	-	-	-	10,000	40,000	-	-	-	-	-	-	-	-	50,000	50,000
Campus Town /26 Acre (Planned)	SEA	-	-	-	10,000	30,000	-	-	-	-	-	-	-	-	40,000	40,000
Main Gate	SEA	-	-	-	25,000	25,000	25,000	25,000	50,000	-	-	-	-	-	150,000	150,000
Seaside East (Planned)	SEA	-	-	-	-	-	10,000	10,000	10,000	-	-	-	-	-	30,000	30,000
UC (Planned)	UC	-	-	-	-	62,500	82,500	82,500	82,500	-	-	-	-	-	310,000	310,000
Total Retail			418,000	-	77,000	189,500	147,500	147,500	142,500	-	-	-	-	-	704,000	1,122,000
TOTAL SF NON-RESIDENTIAL			993,100	-	404,000	877,052	691,052	720,144	764,526	402,026	150,000	-	-	-	3,968,800	4,951,900
HOTEL ROOMS																
Hotel (rooms)																
Del Rey Oaks RV Park (Planned)	DRO	EDC	-	-	-	-	-	-	-	550	-	-	-	-	550	550
Dunes Phase 1 (Entitled)	MAR	-	108	-	-	-	-	-	-	-	-	-	-	-	-	108
Dunes Phase 2 (Entitled)	MAR	-	-	-	-	-	394	-	-	-	-	-	-	-	394	394
Dunes Phase 3 (Entitled)	MAR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Seaside Resort (Entitled)	SEA	Sale	-	-	-	-	-	330	-	-	-	-	-	-	330	330
Seaside Resort TS (Entitled)	SEA	Sale	-	-	68	-	-	-	-	-	-	-	-	-	68	68
Campus Town / Surplus II (Planned)	SEA	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Campus Town /26 Acre (Planned)	SEA	-	-	-	300	-	-	-	-	-	-	-	-	-	300	300
Main Gate	SEA	-	-	-	350	-	-	-	-	-	-	-	-	-	350	350
Seaside East (Planned)	SEA	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
UC (Planned)	UC	EDC	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL HOTEL ROOMS			108	-	718	-	394	330	-	550	-	-	-	-	1,992	2,100

- START -

**DRAFT
BOARD PACKET**



FORT ORD REUSE AUTHORITY

REGULAR MEETING

FORT ORD REUSE AUTHORITY (FORA) BOARD OF DIRECTORS

Friday, March 9, 2018 at 2:00 p.m. | 910 2nd Avenue, Marina, CA 93933 (Carpenters Union Hall)

AGENDA

ALL ARE ENCOURAGED TO SUBMIT QUESTIONS/CONCERNS BY NOON MARCH 8, 2018.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE *(If able, please stand)*

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

4. CLOSED SESSION

- a. Conference with Legal Counsel – Gov. Code 54956.9(d)(2) one matter of significant exposure to litigation. Claimant: Marina Community Partners
- b. Conference with Legal Counsel – Gov. Code 54956.9(a): Keep Fort Ord Wild v. Fort Ord Reuse Authority, Monterey County Superior Court, Case No.:17CV004540

5. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

6. ROLL CALL

FORA is governed by 13 voting members: (a) 1 member appointed by the City of Carmel; (b) 1 member appointed by the City of Del Rey Oaks; (c) 2 members appointed by the City of Marina; (d) 1 member appointed by Sand City; (e) 1 member appointed by the City of Monterey; (f) 1 member appointed by the City of Pacific Grove; (g) 1 member appointed by the City of Salinas; (h) 2 members appointed by the City of Seaside; and (i) 3 members appointed by Monterey County. The Board also includes 12 ex-officio non-voting members.

7. CONSENT AGENDA

INFORMATION/ACTION

CONSENT AGENDA consists of routine information or action items accompanied by staff recommendation. Information has been provided to the FORA Board on all Consent Agenda matters. The Consent Agenda items are normally approved by one motion unless a Board member or the public request discussion or a separate vote. Prior to a motion, any member of the public or the Board may ask a question or make comment about an agenda item and staff will provide a response. If discussion is requested, that item will be removed from the Consent Agenda and be considered separately at the end of the Consent Agenda.

- a. Approve February 9, 2018 Meeting Minutes
Recommendation: Approve February 9, 2018 meeting minutes.
- b. Administrative Committee
Recommendation: Receive a report from the Administrative Committee.
- c. Veterans Issues Advisory
Recommendation: Receive a report from the Veterans Issues Advisory Committee.
- d. Water/Wastewater Oversight Committee
Recommendation: Receive a report from the Water/Wastewater Oversight Committee.
- e. Base Reuse Plan (BRP) Post-Reassessment Category I Report
- f. **Recommendation:** Receive report on BRP Post-Reassessment Category I Report tasks completion.
- g. Prevailing Wage Status Report
Recommendation: Receive Prevailing Wage Status Report.
- h. 2018 Anticipated FORA Board Work Program
Recommendation:

- i. 2018 Committee Appointments
Recommendation: Confirm Chair Rubio's appointments to the Finance Advisory Committee and the Legislative Advisory Committee.
- j. Public Correspondence to the Board

8. BUSINESS ITEMS

INFORMATION/ACTION

*BUSINESS ITEMS are for Board discussion, debate, direction to staff, and/or action. Comments from the public are **not to exceed 3 minutes** or as otherwise determined by the Chair.*

- a. Eastside Parkway Goals and Objectives – 2d Vote
Recommendation:
- b. Fiscal Year 2017-2018 Mid-Year Budget/Section 115 Trust (Continued from 2/9/18 Board meeting)
Recommendation:
 - i. Approve FY 2017-2018 Mid-Year Budget
Authorize participation in the Public Agencies Post – Employment Benefits Section 115 Trust Program (Section 115 Trust) administered by Public Agency Retirement Services (“PARS”) to pre-fund Pension and Other Post-Employment Benefits (OPEB) and authorize the Executive Officer to execute associated contract documents.
- c. Economic Development Report
Recommendation:
- d. Transition Planning Update
Recommendation:
 - i. Receive update on transition planning issues.
 - ii. Receive transition plan summary charts for habitat and transportation.

9. PUBLIC COMMENT PERIOD

INFORMATION

*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 or as otherwise determined by the Chair and will not receive Board action. Whenever possible, written correspondence should be submitted to the Board in advance of the meeting, to provide adequate time for its consideration.*

10. ITEMS FROM MEMBERS

INFORMATION

Receive communication from Board members as it pertains to future agenda items.

11. ADJOURNMENT

NEXT REGULAR MEETING: April 13, 2018 AT 2:00 P.M.

Placeholder for Item 7a

Approve February 9, 2018 Meeting Minutes

This attachment will be included in the final Board packet.

Placeholder for Item 7b

Administrative Committee

This item will be included in the final Board packet.

Placeholder for Item 7b Attachment A

**January 31, 2018 Administrative Committee
Regular Meeting Minutes**

This attachment will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Veterans Issues Advisory Committee

Meeting Date: March 9, 2018

Agenda Number: 7c

INFORMATION/ACTION

RECOMMENDATION:

Receive an update from the Veterans Issues Advisory Committee (VIAC).

BACKGROUND/DISCUSSION:

The Veterans Issues Advisory Committee met on January 25, 2018. The approved minutes for this meeting are attached (**Attachment A**).

FISCAL IMPACT:

Reviewed by FORA Controller _____

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

COORDINATION:

VIAC

Prepared by _____
Heidi L. Lizarbe

Approved by _____
Michael A. Houlemard, Jr.



APPROVED

**FORT ORD REUSE AUTHORITY
VETERANS ISSUES ADVISORY COMMITTEE (VIAC) MEETING MINUTES
3:00 P.M. January 25, 2018 | FORA Conference Room
920 2nd Avenue, Suite A., Marina CA 93933**

1. CALL TO ORDER

Chair, Jerry Edelen called the meeting to order at 3:00 P.M.

Committee Members Present:

Mayor Jerry Edelen, City of Del Rey Oaks (**Chair**)

Sid Williams, Monterey County Military & Veteran Affairs Commission (MCM/VAC)

Mary Estrada, United Veterans Council (UVC)

Wes Morrill, Monterey County California Central Coast Veterans Cemetery Advisory Committee

Richard Garza, Central Coast Veterans Cemetery Foundation (CCVCF)

Colonel Lawrence Brown, US Army

Command Sgt. Major Roberto Marshall, US Army

James Bogan, Disabled American Veterans (DAV)

Jack Stewart, Monterey County California Central Coast Veterans Cemetery Advisory Committee

2. PLEDGE OF ALLEGIANCE led by Principal Analyst Robert Norris.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Executive Officer Michael Houlemard announced the water transfer for the VTC Housing Projects, is being recorded and officially transferred to the VTC.

Wes Morrill from Military Veterans Affairs announced his retirement effective March 1, 2018, Joe Farotte will be replacement. Mr. Morrill will however be available after his retirement to assist in a smooth transition.

4. PUBLIC COMMENT PERIOD

There were no verbal comments from the public.

5. BUSINESS ITEMS

a. California Central Coast Veterans Cemetery (CCCVC) Status Report

i. Cemetery Administrator's Status

Mr. Robert Norris reported the CCCVC has received over 2270 veteran applications, 1693 dependent applications, along with 710 internments last year. In addition, the janitorial services have begun.

ii. Veterans Cemetery Land Use Status

Mr. Norris reported the land use status is pending while the County Fort Ord Committee completes remaining work.

iii. *Fort Ord Committee Verbal Report: Oak Woodlands Mitigation & Endowment MOU*

Mr. Norris advised they have staffed the committee for drafting the proposed changes of the memorandum of understanding, however there has been no movement on it since roughly October of 2017.

b. **Fundraising Status**

i. *CCVCF Status Report*

Richard Garza provided the report and indicated that 2017 was the most successful fund raising year ever and they plan on building on that this year. The budgeted amount of \$750,000 for the Environmental Impact Report (EIR) is insufficient, additional funds will be needed to complete the next phases.

c. **Veterans Transition Center (VTC) Housing Construction**

Jay Fagan provided an update on the current project and reported the estimated cost is 5 million more dollars to complete, however there was only a 5 year time period to spend those funds. The VTC will be seeking an extension to allow the funds to be used when the project is ready to continue, along with seeking additional funding from the state to pay for the entire project. The Demo and Rehab Construction has begun on one more 6 unit duplex on Hayes Circle, applications are in with California Department of Corrections & Rehabilitation and additional partners who are interested in supporting the Veterans Transition Center to do two more duplexes on Hayes Circle. In addition the VTC will be meeting next week with the City of Marina. The City expressed interested in talking about the duplexes at the end of Hayes Circle that they own.

d. **VA-DOD Clinic**

James Bogan provided an update and advised that the pharmacy is still closed. The cafeteria is projected to be open next week.

e. **Historical Preservation Project**

Mr. Guinn received a letter from an elected official that stated that the Historical Preservation Project is written into the master plan and is a designated Museum Area. Public works will clean the area; and a fence maybe installed around the property to secure it.

f. **Calendar of Events**

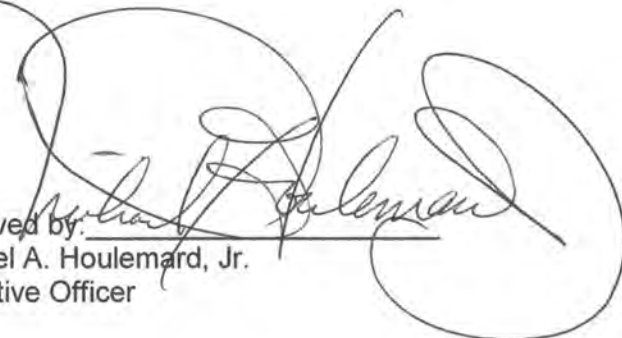
- February 19, 2018 8:00am to 3:00pm: Jack Stewart College Scholarship Fund Golf Tournament Monterey Pines Golf Course
- Veterans Transition Center is seeking volunteers to work the 4 tents at the Pebble Beach Golf Tournament

6. **ITEMS FROM MEMBERS**

None

7. **ADJOURNMENT** at 3:41 P.M.

Minutes Prepared by:
Heidi Lizarbe
Administrative Assistant

Approved by: 
Michael A. Houlemard, Jr.
Executive Officer

Placeholder for Item 7d

Water/Wastewater Oversight Committee

This attachment will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Base Reuse Plan Post-Reassessment Category I Report

Meeting Date: March 9, 2018

Agenda Number: 7e

INFORMATION

RECOMMENDATION(S):

Receive report on Base Reuse Plan Post-Reassessment Category I tasks completion.

BACKGROUND/DISCUSSION:

In June 1997, the FORA Board certified the Base Reuse Plan (BRP or "Reuse Plan") Final Environmental Impact Report (EIR), the April 1997 Response to Comments on the Draft EIR published in May 1996 and corrected by errata. At the same meeting, the Board approved the April 1997 BRP with published changes and modifications and corrected by errata. An accompanying Memo and Board Report (May and June 1997) included specific corrections for the Reuse Plan and the EIR.

In December 2012, the Board accepted the Final Reassessment Report, which identified five categories of work for the Board to consider in implementing the BRP. Category I focused on BRP corrections, and Category II considered prior Board action and regional plan consistency. Category I were termed "errata." These are grammatical and graphical errors and updates to identifying names of known locations within former Fort Ord. The Reassessment Report suggested Category I and II corrections for the Framework for the BRP section of Volume I and the Reuse Plan Elements, or Volume II, and a few edits to the Final EIR, BRP Volume IV.

The Board assigned a review of Category I items to a Post-Reassessment Advisory Committee (PRAC). The PRAC reviewed Category I items and made recommendations about Category I corrections. The PRAC report was accepted by the FORA Board on May 10, 2013.

In October 2015, FORA selected Michael Baker International (MBI) to assess whether Categories I and II required California Environmental Quality Act (CEQA) review. As part of their work, MBI hired Holland & Knight, a reputed law firm, to review MBI's Determination Opinion of Categories I and II. The response, in the form of a letter, was presented at the May 13, 2016 FORA Board meeting. MBI opined that Categories I and II do not meet the definition of "projects" under CEQA that warrant detailed environmental review or are actions that have been previously reviewed by other agencies (**Attachment A**). Holland & Knight concurred that FORA has complied with CEQA for Categories I and II (**Attachment B**).

At the July 8, 2016 Fort Ord Reuse Authority (FORA) Board meeting, the Board voted to accept the Determination Opinion of Categories I and II Report by MBI and requested staff provide a compiled document with tracked changes to the Board as an information item.

FORA staff, working with MBI, completed Category I work tasks as appropriate, including text and figure corrections to Volume I and II. Sources for the task of text and figure corrections came from the Fort Ord Reuse Plan Reassessment Report (2012), the Scoping Report, and Post-Reassessment Advisory Committee (PRAC) comments as presented to the Board May 10, 2013.

Internal consistency was an area of concern during the consistency determination hearing for the Monterey County General Plan (2010). Special Counsel Alan Waltner prepared a memo on December 26, 2013 (**Attachment C**) to respond to the issue. To address internal consistencies, FORA staff compared BRP Volume II: BRP Elements with Volume IV: FEIR, and then traced

each non-conformance back to the 1997 Final EIR and May 1997 Board Report. Internal consistency errata that are corrected are labelled “Volume IV conformance” in a text corrections table, **Attachment D**. All text corrections types are explained at the end of the table.

Since the last Category I Report (April 7, 2017 Board Packet, withdrawn), staff sought additional advice from Holland & Knight and MBI on the appropriateness of internal consistency corrections as Category I errata. These experts and Authority Counsel agree that these corrections clarify the Final EIR and are ministerial. Also, since April 7, 2017, staff reduced a number of BRP corrections that were characterized as:

- 1) should not be legally made, such as edits to the Final EIR,
- 2) suggest erroneous renaming,
- 3) would result in the need to repeat a correction, should conditions change, or
- 4) were BRP corrections that were beyond the scope of Category I.

Category I text corrections are redlined in **Attachment E**.

Attachment F is a table of all corrections to maps and graphical content. Correction types are the same in this table as in **Attachment D**. **Attachment G** is the set of these figure corrections. The original figures are shown before the corrected versions.

Due to the size of **Attachments D** through **G**, they are each available online (**to be activated in final packet**):

Attachment D link

Attachment E link

Attachment F link

Attachment G link

This concludes the Category I process. Category I materials will be available on the FORA website and in a binder at the office Community Information Center.

FISCAL IMPACT:

Reviewed by FORA Controller _____

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

COORDINATION:

Authority Counsel, Michael Baker International, Holland and Knight, Administrative Committee.

Prepared by _____
Mary Israel

Approved by _____
Michael A. Houlemard, Jr.

May 3, 2016

Ted Lopez, Associate Planner
FORT ORD REUSE AUTHORITY
920 2nd Avenue, Suite A
Marina, CA 93933

RE: DETERMINATION OPINION OF CATEGORIES I AND II

Dear Mr. Lopez:

Pursuant to Task 1 of our scope of work, Michael Baker International, in coordination with Holland & Knight LLP, has reviewed all relevant documents and supporting materials related to Category I and II of the Final Reassessment Report (2012). Review of this material was conducted to provide an informed opinion as to whether the Fort Ord Base Reuse Plan (BRP) activities, past and present, as identified and categorized during the reassessment process, constitute a project as defined by California Environmental Quality Act (CEQA) Guidelines Section 15378.

FORA prepared the Fort Ord BRP pursuant to the provisions of Senate Bill 899 to guide the development of the Former Military Reservation. The BRP is a first-tier programmatic policy document that guides all land use decisions for any lands located within the former Fort Ord. Local land use agencies, such as the cities cited below, can refine BRP elements and act as independent lead agencies for environmental review purposes for lands that fall within their planning jurisdiction. Nonetheless, each lead local land use agency that approves projects on land located within the former Fort Ord needs to ensure such changes are consistent with the BRP. These changes can be either related to a specific development project or additional changes in land use designations. The FORA Board of Directors determines the subsequent changes' consistency with the BRP.

The Reassessment Report sorted the prior and pending changes to the BRP into five categories. For the purposes of this determination, our scope focuses only on Categories I and II. Category I, BRP Corrections and Updates, are mainly corrections to bring the BRP text and graphics up to date. These include correction of typographical errors, correction of outdated references, and revisions to the BRP maps to correct inconsistencies.

Category II, Prior Board Actions and Regional Plan Consistency, consists of text and map changes that would bring the BRP into conformance with previous FORA Board actions, particularly "consistency determinations" and other changes that would serve to improve BRP consistency with regional plans that have evolved since 1997. Such changes, taken in whole or in part, would result in modifications to the Land Use Concept map. The map changes are meant to reflect FORA Board decisions and consistency determinations that have already occurred. Category II also includes potential options for new BRP programs or policies and/or revisions to existing programs and policies to ensure the BRP is consistent with regional plans.

Based on our review of the BRP Category I and Category II revisions, it is our opinion that the individual actions and changes that have occurred or are recommended to occur do not, by themselves, meet the definition of “projects” under CEQA that warrant detailed environmental review or are actions that have been previously reviewed by other agencies. Past actions by FORA and local land use agencies that affect the BRP can be compared to amendments to an agency’s General Plan over time. Individual General Plan Amendments may be processed, analyzed and approved over time, but those changes are not always physically incorporated into the body of the General Plan until the text or graphic changes are physically made within document. In this case, the past actions and amendments have been processed, analyzed and approved by several land use agencies, and the need for minor technical corrections have been identified. Updating the BRP at a future date to reflect these past actions is an administrative exercise necessary to memorialize the changes in one place.

CATEGORY I EVALUATION SUMMARY

Table 5, Index of BRP Corrections in the Reassessment Report, lists the identified corrections under Category I, and the text following that table outlines the specific corrections to be considered. During 2013, after the FORA Board received the BRP Reassessment Report, the public and FORA staff identified additional errata not included in the August 2001 Republished BRP, which also fall into Category I. Those corrections have no material effect on the purpose, intent, or guidance provided in the BRP, but are meant solely as BRP “cleanup” items. All of the Category I corrections are minor and incidental, such as typographical, grammar, incorrect references, minor figure changes, and formatting associated with BRP policies, programs, or mitigation measures. In addition, the Post-Reassessment Advisory Committee (PRAC) adopted figure Category I recommendations to reflect land use designation changes, to clarify how boundaries and names have changed, to correct labels and legends, and to properly cite the sources for the various changes on each map. These changes to the BRP would not result in direct or indirect physical impacts on the environment and would be considered administrative activities of governments per CEQA Guidelines Section 15378(b)(5). Therefore, Category I changes do not constitute a distinct “project,” and an errata to the EIR can be prepared to address these changes.

CATEGORY II EVALUATION

Category II addresses two types of possible modifications to the BRP. The first type is based on actions the FORA Board has already taken (labelled II.a). These actions have resulted in draft modifications to BRP Figure 3.3-1, Land Use Concept Ultimate Development, and modifications to BRP transportation-related figures and text. The second type of modification reflects new policies or programs or the expansion of existing BRP policies or programs to ensure BRP consistency with regional and local plans (labelled II.b).

Our evaluation of Category II (II.a and II.b) for CEQA compliance follows.

II.A. MODIFICATIONS OF THE BRP LAND USE CONCEPT MAP

Prior Del Rey Oaks General Plan Consistency Determinations

This is a previously approved project under CEQA. The City of Del Rey Oaks General Plan (1997) included a General Plan designation change of approximately 7 acres of Open Space/Recreation under the BRP to General Commercial–Visitor/Office. In addition, the plan included other minor land use designation changes such as from Visitor Serving to General Commercial–Visitor/Office.

This was a discretionary project undertaken by the City and is considered a project under CEQA. Land use changes in Del Rey Oaks are documented in the General Plan's Land Use Map (see Del Rey Oaks General Plan Figure 2). Environmental impacts from these changes were analyzed in the City's General Plan EIR (State Clearinghouse [SCH] #1996041076) and certified by the City Council in May 1997.

Because the City of Del Rey Oaks reviewed the impacts of this exact change, no additional CEQA review is needed. Public Resources Code (PRC) Section 21080.1(a) requires FORA to rely on the existing document unless substantial evidence shows that there are significant new circumstances surrounding the 7-acre designation (see also 14 California Code of Regulations (CCR) Section 15162(c)). As there are no substantial changes to the circumstances, no new environmental review is required per CEQA Guidelines Section 15162 (see 14 CCR Section 15096(e), (h)). Additionally, no formal finding is necessary to rely on a prior EIR.

The BRP changes to reflect the Del Rey Oaks General Plan are considered administrative. The procedure is intended to update the document and make it consistent with the local agency's approvals and findings.

Prior Marina General Plan Consistency Determinations

This is a previously approved project under CEQA. The City of Marina General Plan (2005) plan included a General Plan designation change of approximately 11 acres of Open Space under the BRP to High Density Residential. The plan also changed approximately 60 acres from Planned Development Mixed Use to Parks and Recreation. In addition, the plan included other minor land use designation changes such as from Regional Retail to Light Industrial/Service Commercial.

This was a discretionary project undertaken by the City and is considered a project under CEQA. Environmental impacts from most of the land use changes in Marina were analyzed in the City's General Plan EIR (SCH #1999031064), certified by the City Council in October 2000 (see Marina General Plan EIR Figure 2.4 and pages 2-13 and 2-14). The change in the city's eastern portion, which corresponds to the Marina Heights development, was analyzed in the Marina Heights Specific Plan EIR (SCH #2003021012), certified in November 2003 (see Marina Heights Specific Plan EIR Table 2.2 and pages ES-4 and ES-5). Therefore, these land use changes have been addressed under CEQA.

Because the City of Marina reviewed the impacts of this exact change, no additional CEQA review is needed. PRC Section 21080.1(a) requires FORA to rely on the existing document unless substantial evidence shows that there are significant new circumstances surrounding the 11-acre designation (see also 14 California CCR Section 15162(c)). As there are no substantial changes to the circumstances, no new environmental review is required per CEQA Guidelines Section 15162 (see 14 CCR Section 15096(e), (h)). Additionally, no formal finding is necessary to rely on a prior EIR.

The BRP changes to reflect the Marina General Plan and the Marina Heights Specific Plan are considered administrative. The procedure is intended to update the document and make it consistent with the local agency's approvals and findings.

Prior Seaside General Plan Consistency Determinations

This is a previously approved project under CEQA. The City of Seaside General Plan (2003) included a General Plan designation change of approximately 43 acres of Open Space/Recreation under the BRP to Regional Commercial and approximately 11 acres of Open Space/Recreation to High Density

Residential. The plan also changed approximately 100 acres from Military Enclave and about 10 acres from Medium Density Residential to Park and Open Space. In addition, the plan included other minor land use designation changes such as from High Density Residential to Medium Density Residential.

This was a discretionary project undertaken by the City and is considered a project under CEQA. Environmental impacts from land use changes in Seaside were analyzed in the City's General Plan EIR (SCH #2003031021), certified by the City Council in August 2003 (see Seaside General Plan EIR Figure 5.8-1 and pages 5.8-3 through 5.8-7).

Because the City of Seaside reviewed the impacts of this exact change, no additional CEQA review is needed. PRC Section 21080.1(a) requires FORA to rely on the existing document unless substantial evidence shows that there are significant new circumstances surrounding the 54-acre designation (see also 14 CCR Section 15162(c)). As there are no substantial changes to the circumstances, no new environmental review is required per CEQA Guidelines Section 15162 (see 14 CCR Section 15096(e), (h)). Additionally, no formal finding is necessary to rely on a prior EIR.

The BRP changes to reflect the Seaside General Plan are considered administrative. The procedure is intended to update the document and make it consistent with the local agency's approvals and findings.

City of Monterey General Plan

This is a previously approved project under CEQA. The City of Monterey General Plan (amended 2013) was a discretionary project undertaken by the City and would be considered a project under CEQA. The plan included General Plan designation changes of approximately 8 acres of Public Facility/Institutional under the BRP to Industrial and approximately 7 acres of Public Facility/Institutional to Parks and Open Space.

Although FORA has not yet analyzed the City of Monterey General Plan for consistency, environmental impacts from land use changes in Monterey were analyzed in the City's General Plan EIR (SCH #2003081011), certified by the City Council in January 2005 (see City of Monterey General Plan EIR Figure 4 and pages S-3, 1-17, 1-18, and 3-3).

Because the City of Monterey reviewed the impacts of this exact change, no additional CEQA review is needed. PRC Section 21080.1(a) requires FORA to rely on the existing document unless substantial evidence shows that there are significant new circumstances surrounding the 15-acre designation (see also 14 CCR Section 15162(c)). As there are no substantial changes to the circumstances, no new environmental review is required per CEQA Guidelines Section 15162 (see 14 CCR Section 15096(e), (h)). Additionally, no formal finding is necessary to rely on a prior EIR.

The BRP changes to reflect the City of Monterey General Plan are considered administrative. The procedure is intended to update the document and make it consistent with the local agency's approvals and findings.

2010 Monterey County General Plan

This is a previously approved project under CEQA. The County of Monterey adopted the Fort Ord Master Plan concurrently with its General Plan (2010). Both were discretionary projects undertaken by the County and would be considered projects under CEQA. The Fort Ord Master Plan land use map

essentially matches the BRP Land Use Concept, with the following exceptions: (1) the Youth Camp site near East Garrison is shown in the BRP as Public Facility/Institutional and in the Fort Ord Master Plan as Habitat Management; and (2) the Fort Ord Master Plan describes the East Garrison/Parker Flats land swap but does not reflect changes on the land use map.

Although FORA has not yet analyzed the Monterey County General Plan for consistency with the BRP, environmental impacts from land use changes in Monterey County were analyzed in the County's General Plan EIR (SCH #2007121001), certified by the Board of Supervisors in October 2010 (see Monterey County General Plan EIR Exhibit 3.2 and pages 4.1-13 and 4.1-14).

Because the County of Monterey reviewed the impacts of this exact change, no additional CEQA review is needed. PRC Section 21080.1(a) requires FORA to rely on the existing document unless substantial evidence shows that there are significant new circumstances surrounding land use designation changes (see also 14 CCR Section 15162(c)). As there are no substantial changes to the circumstances, no new environmental review is required per CEQA Guidelines Section 15162 (see 14 CCR Section 15096(e), (h)). Additionally, no formal finding is necessary to rely on a prior EIR.

The BRP changes to reflect the Monterey County General Plan are considered administrative. The procedure is intended to update the document and make it consistent with the local agency's approvals and findings.

FORA Board-Approved East Garrison/Parker Flats Land Swap

This is a project that was previously approved under CEQA. On December 13, 2002, the FORA Board authorized execution of the Memorandum of Understanding (MOU) Concerning the Proposed East Garrison/Parker Flats Land-Use Modification between the Fort Ord Reuse Authority, Monterey Peninsula College, County of Monterey, US Bureau of Land Management, and US Army as parties to the agreement MOU. The MOU documented several land use modifications to the BRP, primarily the relocation of Monterey Peninsula College public safety training facilities from East Garrison, and amendments to the Habitat Management Plan (approved by the US Fish and Wildlife Service). The five parties signed the MOU between August 3, 2004, and December 20, 2005.

The purpose of the land swap agreement was to resolve land use conflicts stemming from a long history of ordnance and explosives use, as well as competing conveyance requests for surplus property at the former base, and to address impacts associated with potential East Garrison development conflicts. The land swap agreement amended the 1997 Fort Ord Installation-Wide Multispecies Habitat Management Plan (HMP) for Fort Ord and was also signed by the US Fish and Wildlife Service and the California Department of Fish and Game. Although the land swap agreement affected the areas of allowable development, it resulted in a net increase of 246.7 acres in habitat reserve areas. The exchange of lands based on the MOU resulted in a transfer in densities without intensification, consistent with Section 8.02.010 of the Master Resolution. The land swap agreement amended the HMP designations for the territory within the East Garrison Specific Plan from Development with Reserve Areas/Restrictions to Development. Under the original HMP, the East Garrison area was permitted a 200-acre development footprint, 10 acres of development at the site of existing utilities, and a 31-acre road corridor; under the revised HMP, the East Garrison area has 451 acres of Development area with no restrictions (Zander Associates 2002).

At the time it was signed, MOUs were not legally considered a project under CEQA and in 2007 a case specifically found that a land swap agreement was not a project under CEQA (*Friends of the Sierra*

Railroad v. Tuolumne Park and Recreation Dist. (2007) 147 Cal.App.4th 643). Since that time, case law has evolved and an MOU that included wording that commits an agency to an action is now considered a project under CEQA (*Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116). Here, the terms of the MOU could be considered a project. However, since the MOU was entered, it is our understanding that all the parcels subject to the land swap have been legally exchanged and are owned by the entity contemplated under the exchange, or have since been sold to others. Those actions are complete and based on the MOU are valid since the time to challenge the actions has long since passed. FORA's amendments to make the BRP consistent with the land exchange merely restate the exchanges that were previously approved in the MOU and in the contractual land exchanges that already occurred.

Moreover, any subsequent projects or land use designation changes on the land that has been swapped are or were subject to CEQA. For example, Monterey County certified the project-level East Garrison Specific Plan Subsequent EIR (SCH #2003081086) in 2005, which analyzed impacts of the new land uses on that portion of the land swap. As such, all potential impacts associated with the action have been fully analyzed, with appropriate findings made by the County.

The City of Seaside is currently reviewing the Parker Flats portion of the land swap under the Monterey Downs and Horse Park and Central Coast Veteran's Cemetery Specific Plan Subsequent EIR (SCH #2012091056). Similar to East Garrison, any and all impacts will be disclosed and analyzed in the City's Final EIR, and findings will be required by the City Council if the project is ultimately approved. A separate consistency determination will also need to be made for that project.

Designation of the Fort Ord National Monument

This is not a project under CEQA. On April 20, 2012, the President of the United States established the Fort Ord National Monument (Proclamation 8803). Presidential proclamations are not subject to CEQA because CEQA applies to decisions of all California state, regional, or local agencies, but not to federal agencies. Therefore, this designation was not previously analyzed under CEQA and it does not need to be under California environmental law.

Modification of BRP Circulation Maps, Text, and Capital Improvement Program

Part of this is not a project and part is a previously approved project under CEQA. The reassessment plan identifies two potential changes to the circulation maps in the BRP:

1. A Memorandum of Agreement (MOA) adopted by FORA on December 10, 2010, resulted in changing the alignment of the multimodal corridor along Imjin Parkway/Blanco Road.
2. Abandoning planned improvements that would have realigned General Jim Moore Boulevard and 2nd Avenue where they intersect with Lightfighter Drive.

Change 1 is not a project under CEQA. The MOA is an agreement to cooperate. It is not a project under CEQA because it is not a discretionary action undertaken by a public agency per CEQA Section 21080(a). Under the California Supreme Court reasoning in *Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116, the MOU by its terms and circumstances is not a project because it does not commit any agency to any particular action. Also per CCR Section 15004(b)(2)(B), the MOU does not approve a project "in a manner that forecloses alternatives or mitigation measures that would ordinarily be part of CEQA review of that public project." CEQA review would begin when Monterey-Salinas Transit (MST) begins the

process of approving the corridor for construction. MST would be the lead agency at that time, and the MOU does not foreclose or predetermine any part of their analysis.

Change 2 is a previously approved project under CEQA. Realignment of a road would impact the physical environment because it could result in development of land that was not previously analyzed. As such, it would need to be analyzed under CEQA. To that end, environmental impacts from this change were analyzed in the California State University Monterey Bay Campus Master Plan EIR (SCH #1997081036), certified by the California State University Trustees in 2009 (see California State University Monterey Bay Campus Master Plan EIR Figure 11-4 and page 11-2). Therefore, Change 2 has been addressed under CEQA and no further analysis is necessary.

II.B. BRP MODIFICATIONS REGARDING CONSISTENCY WITH REGIONAL AND LOCAL PLANS

Transportation Agency for Monterey County (TAMC) Monterey County Regional Transportation Plan

This is a previously approved project under CEQA. The 2005 Monterey County Regional Transportation Plan (RTP) was prepared under the direction of the California Transportation Commission Regional Transportation Plan Guidelines, pursuant to Government Code Section 14522. This would be considered a project under CEQA. The plan includes many new or expanded policies, including one that directs TAMC to “implement road and highway capacity improvements” that would be subject to CEQA. Other policy changes, such as “identify and prioritize funding for elimination of bicycle network gaps,” would not impact the physical environment and would not be analyzed under CEQA.

Environmental impacts from these changes were analyzed in the RTP Program EIR (SCH #2004061013), certified by the TAMC Board in 2005 (see RTP Program EIR Chapter 3). Subsequently, the TAMC Board adopted an addendum in 2008 that evaluated the environmental impacts of the Investment Plan for Transportation Sales Tax in Monterey County and the Development Impact Fee program. The addendum did not identify any significant environmental impacts that were not previously identified in the program EIR (see Addendum EIR page 5). Therefore, these changes have been addressed under CEQA. Recently, the Association of Monterey Bay Area Governments, in partnership with Council of San Benito County Governments, the Santa Cruz County Regional Transportation Commission and TAMC started preparing the 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy (as an update to the RTP). This most recent update will yet again undergo individual environmental review.

Because TAMC reviewed the impacts of this exact change, no additional CEQA review is needed. PRC Section 21080.1(a) requires FORA to rely on the existing document unless substantial evidence shows that there are significant new circumstances surrounding the policy change (see also 14 CCR Section 15162(c)). As there are no substantial changes to the circumstances, no new environmental review is required per CEQA Guidelines Section 15162 (see 14 CCR Section 15096(e), (h)). Additionally, no formal finding is necessary to rely on a prior EIR.

The BRP changes to reflect the Monterey County RTP are considered administrative. The procedure is intended to update the document and make it consistent with the local agency's approvals and findings.

Monterey Bay Unified Air Pollution Control District (MBUAPCD) Air Quality Management Plan

This is an exempt project under CEQA. The 2008 MBUAPCD Air Quality Management Plan (AQMP) was drafted to comply with the California Clean Air Act, which requires each nonattainment district in the state to adopt a plan showing how the California ambient air quality standard for ozone would be met in its area of jurisdiction. The AQMP is a State-certified regulatory program (PRC Section 21080.5; CCR Section 15251(d)). Under PRC Section 21080(b)(15), there is an applicable statutory exemption for “projects undertaken by a local agency to implement a rule or regulation imposed by a state agency, board, or commission under a certified regulatory program pursuant to Section 21080.5.” As such, no CEQA review is necessary for the addition of policies that implement policies from the Air Quality Management Plan in the BRP. In addition, the MBUAPCD is considered exempt from CEQA under Class 8, Actions by Regulatory Agencies for the Protection of the Environment (CEQA Guidelines Section 15308). Similarly, the amendments to the BRP to be consistent with the AQMP are also exempt.

Regional Water Quality Control Board (RWQCB) Water Quality Control Plan for the Central Coast Basin

This is an exempt project under CEQA. The RWQCB Water Quality Control Plan for the Central Coast Basin (2011, updated 2016) (Basin Plan) was drafted to comply with the state Porter-Cologne Water Quality Control Act (1969) and portions of the federal Clean Water Act (1977). The Basin Plan is a State-certified regulatory program that was reviewed under a Substitute Environmental Document (SED) which was approved by the State Water Resources Control Board on June 19, 2012 (PRC Section 21080.5; CCR Section 15251(g)). Under PRC Section 21080(b)(15), there is an applicable statutory exemption for “projects undertaken by a local agency to implement a rule or regulation imposed by a state agency, board, or commission under a certified regulatory program pursuant to Section 21080.5.” As such, no CEQA review is necessary for the addition of policies that implement policies from the Basin Plan in the BRP.

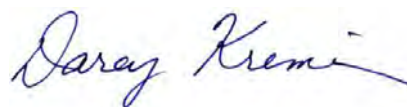
CONCLUSION

Based on our review of the BRP Category I and Category II revisions, it is our opinion that the individual actions and changes that have occurred or are recommended to occur do not, by themselves, meet the definition of “projects” under CEQA that warrant detailed environmental review or are actions that have been previously reviewed by other agencies. Past actions by FORA and local land use agencies that affect the BRP can be compared to amendments to an agency’s General Plan over time. Individual General Plan Amendments may be processed, analyzed and approved over time, but those changes are not always physically incorporated into the body of the General Plan until the text or graphic changes are physically made within document. In this case, the past actions and amendments have been processed, analyzed and approved by several land use agencies, and the need for minor technical corrections have been identified. Updating the BRP at a future date to reflect these past actions is an administrative exercise necessary to memorialize the changes in one place.

Sincerely,



Tad Stearn
Project Director



Darcy Kremin
Project Manager

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May 26, 2016

Ted Lopez, Associate Planner
FORT ORD REUSE AUTHORITY
920 2nd Avenue, Suite A
Marina, CA 93933

RE: RESPONSE TO COMMENTS ON DETERMINATION OPINION OF CATEGORIES I AND II

Dear Mr. Lopez:

Michael Baker International, in coordination with Holland & Knight LLP, has provided responses to the Fort Ord Reuse Authority (FORA) Board of Directors and public comments on the Determination Opinion of Categories I and II Memo, dated May 5, 2016. The comments were received at the May 13, 2016 meeting. For clarification purposes, we want to emphasize that Michael Baker International and Holland & Knight reviewed the land use decisions, which occurred subsequent to the adoption of the Base Reuse Plan in 1997, in light of the California Environmental Quality Act (CEQA). We looked at whether those decisions were adequately covered under CEQA or if they require additional environmental review. Consistent with our scope of work, we did not provide a conclusion as to whether those changes are consistent with the BRP; rather, we focused on the scope direction to determine whether additional CEQA review is needed.

One member of the public mentioned the equal-dignities rule. The equal-dignities rule refers to a legal doctrine related to written contracts whereby an agent must have written authority to enter the contract on the principal's behalf for the contract to be binding. The equal-dignities rule is a corollary to the Statute of Fraud and does not apply to CEQA. Therefore it is not applicable to our determination opinion. Moreover, the point the commenter seemed to be making was that the revisions to the BRP needed by be made through an ordinance amendment. The process for revising the BRP is outside the scope of the Determination Opinion. The Determination Opinion simply addresses whether additional CEQA review is necessary. CEQA review can be satisfied in CEQA documents prepared by other agencies as CEQA seeks to avoid duplicative environmental review (Public Resources Code Section 21080.1(a)).

Another member of the public also inquired about the Monterey County General Plan and the relationship between that plan and the previous Board decisions regarding it. FORA analyzed the Monterey County General Plan in 2012 for consistency with the BRP. The board voted 6 to 6 at that time, thus per the Board rules the General Plan was not found to be consistent or inconsistent with the BRP and was returned to the County "without prejudice." However, the Board's vote does not preclude a finding regarding the adequacy of CEQA analysis for the Monterey County General Plan. The Determination Opinion does not address consistency, rather it found that environmental impacts from land use changes in Monterey County were analyzed in the County's General Plan EIR and therefore, no further environmental analysis would be required.

Lastly, the public inquired about the East Garrison/Parker Flats land swap agreement. The agreement included several conditions that may or may not have been met prior to exchange of the parcels. However, our review focused on whether land use changes were covered under CEQA and if additional environmental review would be needed. Our review determined that, regardless of the conditions, all of the exchanges have occurred. No subsequent environmental review is required to update the BRP.

Sincerely,



Tad Stearn
Project Director



Darcy Kremin
Project Manager

DRAFT

779 DOLORES STREET
SAN FRANCISCO, CALIFORNIA 94110
TEL (415) 641-4641
WALTNERLAW@GMAIL.COM

Memorandum

Date: December 26, 2013
To: Fort Ord Reuse Authority
Board of Directors
Mayor Jerry Edelen, Board Chair
Michael Houlemard, Executive Officer
From: Alan Waltner, Esq.
RE: Response to Certain Comments on the Monterey County General Plan
Consistency Review

This memorandum responds to your request that we address certain comments made in a series of letters submitted to FORA¹ by Jane Haines regarding the Monterey County General Plan Consistency Review that is currently pending before FORA. In general, this response highlights points made in our two previous memoranda that have been overlooked in these letters.

Although the letters are extensive in length, they largely repeat three basic arguments. First, they argue that Section 8.02.010 or the FORA Master Resolution effectively modified the consistency review standards of the FORA Act and Master Resolution to require “strict adherence to the 1997 Reuse Plan” before consistency can be found. Second, they argue that substantial evidence has been provided triggering disapproval of the Monterey County General Plan under one or more of the provisions of Master Resolution Section 8.02.010 – specifically provisions relating to the intensity of land uses, the density of land uses, and substantial conformance with applicable programs in the Reuse Plan. Third, they argue that there is no legal authority supporting a consistency review standard that parallels the standard applying in the local planning context under the Planning and Zoning Law. All three of these arguments were addressed in our previous memoranda, as summarized in this memorandum.

First, there is no support in the FORA Act or Master Resolution for a “strict adherence” standard for consistency reviews. The FORA Act itself simply requires that the FORA Board find that “the portions of the general plan or amended general plan applicable to the territory of the base . . . are consistent with the reuse plan.” Government Code Section 67840.2. As with all statutes, this provision is to be interpreted in accordance with the “plain meaning” of the word chosen by the Legislature, which is “consistent.”

¹ Abbreviations, acronyms and references used in our previous memoranda dated July 3 and September 3, 2013 will be applied in this memorandum.

Regardless of the dictionary chosen, the definition of the word is similar. For example, the Merriam-Webster online dictionary defines the term as: “marked by harmony, regularity, or steady continuity: free from variation or contradiction.” The term does not require that two items be identical or strictly adhere to one another. Instead, it only requires harmony and a lack of conflict. This is the approach taken in extensive case law interpreting the Legislature’s intention in using the same word in the Planning and Zoning Law, as summarized in our previous memoranda.² It is also reflected in various provisions of the Master Resolution. For example, Section 8.02.010(b) clearly allows the “transfer of the intensity of land uses and/or density of development” between specific locations on the base, so long as “the cumulative net density or intensity of the Fort Ord Territory is not increased.” This means that “strict adherence” to the uses on specific parcels is not required so long as a base-wide balance of intensity and density is demonstrated. Regarding compliance with BRP programs, Section 8.02.010(a)(3) of the Master Resolution requires only “substantial conformance” with “applicable” programs. Again, this is much different than the “strict adherence” standard urged in the comment letters. We continue to conclude that the standards being applied by FORA accurately implement the FORA Act and the Master Resolution.

The comment letters argue that language in Master Resolution Section 8.02.010(a) stating that the Board “shall disapprove any legislative land use decision for which there is substantial evidence of [six listed factors]” implicitly modifies the meaning of the word “consistent” or alters the consistency review criteria of the Master Resolution to create a “strict adherence” standard. This implied modification of the applicable standard is unsupported by the structure or language of the provision. Such an interpretation would also conflict with several rules of statutory construction, particularly the rule against rendering language surplusage (the interpretation would effectively read Section 8.02.010(b) and the “substantial conformance” language out of the Master Resolution) and the rule disfavoring implied repeals.³ The plain meaning of the term “consistent” still applies, as do the limitations of the Master Resolution embodied in the “substantial conformance” and “applicable” references.

Second, there is no substantial evidence that any of the six criteria of Master Resolution Section 8.02.010(a) have been triggered.⁴ The comment letters reflect several

² The extensive discussion in the comment letters of differences between the FORA Act and the Planning and Zoning Law does not alter the fact they both use the same term (“consistent”) in a similar context.

³ There are also substantial questions as to whether the 1997 FORA Board could adopt provisions in the Master Resolution that conflict with the FORA Act, establish review standards binding on a reviewing Court, or limit the police power discretion of subsequent FORA Boards. These issues are reserved for subsequent elaboration if needed.

⁴ We note that the six criteria of this section are connected with the word “and.” Literally read, then, there would need to be substantial evidence that all six criteria have been triggered before disapproval is required. The comment letters focus on three of the six criteria and no argument is made regarding the other three. Since there is no substantial evidence that any of the criteria have been triggered, this memorandum does not rely upon the use of the word “and” in this provision, but the argument is reserved. Master Resolution 8.02.010(a)(3) also refers only to substantial conformance with “programs” and does not reference substantial conformance with “policies” of the BRP. Again, this memorandum does not rely

fundamental flaws in making this argument. Most importantly, the comment letters generally do not point to any specific evidence of a lack of consistency, but instead simply reference the Monterey County General Plan and FORA BRP as a whole and urge that within them are unspecified inconsistencies. In other words, the comment letters do not identify the “substantial evidence” upon which they are relying. The comment letters also do not attempt to rebut Monterey County’s analyses of consistency that support the application. The argument further erroneously applies the “strict adherence” standard addressed earlier herein. Thus, for example, regarding the requirement of “substantial conformance” with “applicable” programs of the BRP, there is no specifically identified evidence in any of the comment letters that any particular applicable program has not met the substantial conformance test.

We note in this regard that the entirety of the BRP has been incorporated by reference into the Monterey County General Plan that is the subject of the pending consistency review application. See Monterey County 2010 General Plan, Chapter 9.E (“This plan incorporates all applicable policies and programs contained in the adopted Reuse Plan as they pertain to the subject area.”). The comment letters do not attempt to explain how, despite this incorporation, “substantial conformance” with applicable BRP programs has not been achieved.

Given the general lack of specific objections in the comments, a more detailed response to the commenter’s substantial evidence argument cannot be made. The most specific objection made is to the fact that a natural ecosystem easement has not yet been recorded by Monterey County for the Monterey Downs area. See October 10, 2013 letter from Jane Haines. However, a commitment has been made by Monterey County, through incorporation of the BRP program requiring such an easement. The fact that implementation of this easement obligation is not yet applicable (there is not yet a specific Monterey Downs proposal and adjustments to any protected areas are likely to be made, meaning that the property description in an easement cannot yet be defined and recording such an easement is not yet possible) does not provide any evidence that substantial conformance with this BRP program is not reflected in the Monterey County General Plan. Any specific development entitlements for Monterey Downs will be subject to further review by the FORA Board at which time the easement obligation can be enforced if necessary. The other objections in the comment letters are very cursory and do not describe the substantial evidence purported to demonstrate a lack of substantial conformance with applicable BRP programs.

Third, although no challenge to a FORA consistency determination has ever been brought, and no other challenge to a FORA land use action has ever proceeded to a written judicial opinion, this does not mean that there is no legal authority for the interpretation and application of the consistency standard. As discussed earlier herein, the Legislature’s use of the word “consistent” in the FORA Act, and FORA’s interpretations and implementation of this language in the Master Resolution, are the applicable law, as discussed earlier herein and in our earlier memoranda.

upon this omission, since there is no substantial evidence of applicable BRP policies that have not been substantially complied with, but this argument is likewise reserved.

Placeholder for Item 7e – Attachment D

Category I Text Table

This attachment will be included in the final Board packet.

Placeholder for Item 7e – Attachment E

Category I Text Redline

This attachment will be included in the final Board packet.

Placeholder for Item 7e – Attachment F

Category I Figure Table

This attachment will be included in the final Board packet.

Placeholder for Item 7e – Attachment G

Category I Figures

This attachment will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Prevailing Wage Status Report

Meeting Date: March 9, 2018

Agenda Number: 7f

INFORMATION/ACTION

RECOMMENDATION(S):

Receive Prevailing Wage Status Report

DISCUSSION:

From October 1, 2017 – December 31, 2017, construction workers were employed on multiple Fort Ord reuse projects. From the reported information (California State University Monterey Bay/County of Monterey/FORA/Seahaven-Layia/Villosa/Larkspur/Shops at Dunes), approximately 158,793 worker hours were utilized and approximately 2,547 workers employed. An average of 53% of those workers were from the tri-County area. (Santa Cruz, Monterey and San Benito Counties). In addition, Marina Coast Water District is moving ahead on the Regional Urban Water Augmentation Program (RUWAP) project. Based upon certified payroll records filed with the state, the RUWAP project employed 5 people for a total of approximately 143.25 hours for the period October 1, 2017 through December 31, 2017. The percentage of those workers from the tri-County area was unable to be determined from Department of Industrial Relations records. These reported numbers do not include Dunes on Monterey Bay (Dunes) housing project worker hours.

FISCAL IMPACT:

Reviewed by FORA Controller _____

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

Prepared by _____
Sheri Damon

Approved by _____
Michael A. Houlemard, Jr.

Placeholder for Item 7g

2018 Anticipated FORA Board Work Program

This item will be included in the final Board packet.

Placeholder for Item 7h

2018 Committee Appointments

This item will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT	
CONSENT AGENDA	
Subject:	Public Correspondence to the Board
Meeting Date:	March 9, 2018
Agenda Number:	7i
	INFORMATION/ACTION

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

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	Eastside Parkway Goals and Objectives – 2d Vote	
Meeting Date:	March 9, 2018	INFORMATION/ACTION
Agenda Number:	8a	

RECOMMENDATION(S):

Take a 2nd Vote to approve Eastside Parkway Goals and Objectives (**Attachment A**) for use in future preparation of an Environmental Impact Report (EIR) in compliance with the California Environmental Quality Act (CEQA).

BACKGROUND/DISCUSSION:

At its January 12 and February 9, 2018 meetings, the Fort Ord Reuse Authority (FORA) Board discussed and considered Eastside Parkway Goals and Objectives. For additional background, please see FORA Board agenda item 8c from the regular February 9, 2018 meeting: <http://fora.org/Board/2018/Packet/020918BrdPacket.pdf>

At its January meeting, the Board directed staff to include Board input as updates to the Eastside Parkway Goals and Objectives. At its February meeting, the Board received a presentation by Transportation Agency for Monterey County (TAMC) on traffic-related issues related to goals and objectives and voted on a motion to approve Eastside Parkway Goals and Objectives, incorporating several amendments (**Attachment A**). The vote on the motion was not unanimous. According to FORA's rules, the motion must return for a second vote.

FISCAL IMPACT:

Reviewed by FORA Controller _____

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

COORDINATION:

Authority Counsel, Whitson Engineers, Denise Duffy & Associates, TAMC, Administrative and Executive Committees.

Prepared by _____
Jonathan Brinkmann

Approved by _____
Michael A. Houlemard, Jr.

Eastside Parkway Goals and Objectives

Proposed Project Background/Need:

The 1997 Fort Ord Reuse Plan identified Eastside Road as a facility within the on-site portion of the Fort Ord transportation network for the mitigation of the reuse of Fort Ord. Since FORA's first CIP (2001-2), Eastside Road has been included as a future "on-site" transportation facility. In 2010, Monterey County staff suggested renaming Eastside Road to Eastside Parkway and plan line studies were prepared to avoid impacts to CSUMB circulation.

The most recent 2017 Fee Reallocation Study prepared by TAMC, in coordination with FORA, included Eastside Parkway as an important part of the FORA CIP, modeled to accommodate 18,586 average daily trips. The Study concluded that the transportation network in the FORA CIP would provide sufficient roadway improvements for the approved reuse of Fort Ord. The Study results for a "No Build" scenario shows that, by 2035, if FORA does not complete the FORA CIP transportation projects, seven of the existing roadways in the current FORA project list will operate at deficient levels of service (LOS) E or F. These results demonstrated that the FORA CIP projects provide measurable improvement to the roadway network to address future development-related transportation deficiencies.

Proposed Project Goals and Objectives:

The purpose of the proposed project is to make improvements to the on-site former Fort Ord transportation system necessary to reduce future traffic congestion along Highway 1, 12th Street (now Imjin Parkway), Blanco Road, and the Del Monte/2nd/General Jim Moore Boulevard corridor while maintaining valued recreational, cultural, and natural resources, consistent with the Reuse Plan FEIR and Development and Resource Management Plan (BRP Vol.1, pg. 119, pgs.194-203, BRP Vol.2 pg. 295 and pg. 298). The primary objectives for implementing the proposed project are:

- **Provide a primary southwest-northeast corridor through former Fort Ord, while maintaining an acceptable level of service throughout the FORA CIP and regional roadway network with the implementation of the approved reuse of Fort Ord (BRP Vol.1 pg. 119, BRP Vol.2 pg. 297-298, Attachment C, Summary of December 6, 2017 Spoken Public Comments).**
- **Improve and provide efficient regional travel and access to the former Fort Ord, reducing travel time and distances and associated traffic, fuel consumption, and air pollution emissions (BRP Vol. 2 pg. 298, Commercial Land Use Objective E and program E-1.1, pg. 261, Attachment B, Eastside Parkway Goals and Objectives Written Public Comments pg. 21, 44, Attachment C, Summary of December 6, 2017 Spoken Public Comments).**
- **Serve the area immediately south of CSUMB campus (BRP Vol.2 pg. 295).**
- **Minimize disrupting any community, including its expansion and circulation (FORA Board Meeting, January 12, 2018, BRP Vol.2 Institutional Land Use Program A-1.4 on pg. 278, Attachment B, Eastside Parkway Goals and Objectives Written Public Comments pg. 76).**

- **Recognize Intergarrison Road as a vehicular route while providing the greater accommodation of pedestrian and bicycle traffic**~~De-emphasize Inter-Garrison Road as a major vehicular route with greater emphasis placed on pedestrian and bicycle traffic~~ (BRP Vol.2 pg. 295).
- **Provide direct and efficient linkages from former Fort Ord lands to the regional transportation system** (BRP Vol.2 Objective B, pg. 299, Attachment B, Eastside Parkway Goals and Objectives Written Public Comments pg. 44, Exhibit C, Eastside Parkway Goals and Objectives Emails to the Board of Directors, pg. 8, Attachment C, Summary of December 6, 2017 Spoken Public Comments).
 - **Consider best practices in transportation planning, including regional and systemic improvements such as roundabouts and autonomous vehicles** (FORA Board Meeting January 12, 2018, Exhibit C, Eastside Parkway Goals and Objectives Emails to the Board of Directors, pg. 31, 32).
- **Provide a safe and efficient street system at the former Fort Ord** (BRP Vol.2 Objective C, pg. 299, Attachment B, Eastside Parkway Goals and Objectives Written Public Comments pg. 74, Attachment C, Summary of December 6, 2017 Spoken Public Comments).
- **Connect the Fort Ord National Monument and California Central Coast Veterans Cemetery to regional roadways** (BRP Vol.2 Objective A, pg. 298 and Recreation Policy A-1, pg. 327, Attachment B, Eastside Parkway Goals and Objectives Written Public Comments pg. 7, 44, 53, Attachment C, Summary of December 6, 2017 Spoken Public Comments).
- **Design the project to respect and integrate natural resources by minimizing impacts to coast live oak woodland, special-status species, and wildlife corridors** (BRP Vol.2 Recreational/Open Space Objective A, pg. 263, Biological Resources Objective C, pg. 363, Biological Resources Policy C-2, pg. 383, and Recreation Policy C-1, pg. 328, Attachment B, Eastside Parkway Goals and Objectives Written Public Comments pg. 4, 12, 34, 44, 49, 59, 84, Attachment C, Summary of December 6, 2017 Spoken Public Comments).
- **Maintain the aesthetic character of the area by avoiding or minimizing impacts from grading to major topographical features such as drainages, steep slopes, and scenic viewsheds** (BRP Vol.2 Biological Resources Objective C, pg. 363, and Biological Resources Policy C-1, pg. 383, Attachment B, Eastside Parkway Goals and Objectives Written Public Comments pg. 59, 70, Attachment C, Summary of December 6, 2017 Spoken Public Comments).
- **Minimize noise impacts adjacent to sensitive receptors** (Attachment B, Eastside Parkway Goals and Objectives Written Public Comments pg. 77).
- **Consider the safety of residents, pedestrians, bicyclists, and wildlife through various project design features by:**
 - **Providing dedicated pedestrian and bicycle facilities** (BRP Vol.2 Commercial Land Use Policy E-2 and program E-2.2, pg. 261 and Pedestrian and Bicycles Objectives A and B, pg. 308, Attachment B, Eastside Parkway Goals and Objectives Written Public Comments pg. 8, 21, 77, Attachment C, Summary of December 6, 2017 Spoken Public Comments);
 - **Considering Regional Urban Design Guidelines for complete street design features** (BRP Vol.1 pg. 61, Attachment B, Eastside Parkway Goals and Objectives Written Public Comments pg. 34); and

- **Implementing design features to minimize impacts to wildlife movement** (BRP Vol.1 pg. 128, Attachment B, Eastside Parkway Goals and Objectives Written Public Comments pg. 53, 58, 71, 77, 78, 84, Attachment C, Summary of December 6, 2017 Spoken Public Comments, Exhibit C Eastside Parkway Goals and Objectives Emails to the Board of Directors pg. 17).
- **Protect designated habitat management areas from potential roadway edge effects by applying suitable buffers and project design features** (BRP Vol.2 Biological Resources Objective C, pg. 363, and Biological Resources Policy C-3, pg. 384, Attachment B, Eastside Parkway Goals and Objectives Written Public Comments pg. 71, Attachment C, Summary of December 6, 2017 Spoken Public Comments).
- **Minimize environmental impacts on existing communities, including, but not limited to CSUMB campus, MPC, East Garrison, and the Cities of Seaside, Marina, Del Rey Oaks, and Monterey** (Attachment B, Eastside Parkway Goals and Objectives Written Public Comments pg. 4, 24 49, 58, Attachment C, Summary of December 6, 2017 Spoken Public Comments, Exhibit C Eastside Parkway Goals and Objectives Emails to the Board of Directors pg. 17).
- **Accommodate and maintain existing and proposed trail networks, including, but not limited to, the Fort Ord Recreational Trail and Greenway and other regional trails** (Attachment B, Eastside Parkway Goals and Objectives Written Public Comments, pgs. 3, 8, 44, 47, 50, 53, 59, Attachment C, Summary of December 6, 2017 Spoken Public Comments).
- **Improve mobility of emergency system responders, including, but not limited to, firefighter access** (FORA Board Meeting, January 12, 2018, BRP Vol. 2 Fire, Flood, and Emergency Management Objectives A and C, pg. 435, and Program C-1.1).
- **Improve MPC, CSUMB and other educational institutions' access for student, staff, and faculty** (FORA Board Meeting, January 12, 2018, BRP Vol. 2 Institutional Land Use Objective B, pg. 273).
- **Fully evaluate the utilization ofUtilize existing roadways as the foundation for the future network** (FORA Board Meeting, January 12, 2018, BRP Vol. IV Environmental Setting, Internal Roadway Network description pg. 4-93, Eastside Parkway Goals and Objectives Written Public Comments, pgs. 2, 3, 4, 11, 24, 62, Attachment C, Summary of December 6, 2017 Spoken Public Comments, Exhibit C Eastside Parkway Goals and Objectives Emails to the Board of Directors, pg. 14).
- **Comply with policies and programs of the Reuse Plan** (FORA Board Meeting, January 12, 2018).

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	Fort Ord Reuse Authority Fiscal Year 2017-18 Mid-Year Budget/Section 115 Trust	
Meeting Date:	February 9, 2018	ACTION
Agenda Number:	8d	

RECOMMENDATION:

Adopt 1) the Fort Ord Reuse Authority (FORA) Fiscal Year 2017-18 (FY 17-18) Mid-Year Budget approving additional expenditures, as recommended by the Finance Committee (as specified in the "Coordination" section below), 2) authorize the Executive Officer to negotiate associated contract documents for Board review/approval at a future meeting that would provide for FORA to participate in Public Agencies Post-Employment Benefits Section 115 Trust Program (Section 115 Trust) administered by Public Agency Retirement Services ("PARS") to pre-fund Pension and Other Post-Employment Benefits (OPEB), and 3) adjust FORA Investment Policy for Board review/adoption at a future Board meeting.

BACKGROUND:

The mid-year budget update is typically provided by the March Board meeting. This report covers the status of the FY 17-18 budget approved at the May 12, 2017 Board meetings. The Finance Committee reviewed the mid-year budget and Section 115 Trust at its January 10, 2018 meeting; the Executive Committee (EC) met on January 31, 2018 and reviewed the budget with respect to inclusion in the Board Agenda.

DISCUSSION:

The mid-year budget represents revenues and expenditures based on current estimates through the end of the fiscal year.

REVENUES: No change

EXPENDITURES: Net increase of \$6,286,160

Funding requested:

- Unfunded Actuarial Liability - \$586,160: This will fully fund the unfunded actuarial liability, saving interest cost and further reducing the estimated CalPERS termination liability currently estimated at \$6.3M - \$8.3M.
- Section 115 Trust- \$5.7M: Please review attached staff memo

Other:

- Expense reclassification of Architects and Engineers to the Capital Projects line in keeping with the Capital Project budgeting format.

Attachment A Staff memorandum to FORA EC.

Attachment B illustrates the mid-year budget as compared to the approved budget; corresponding notes offer brief narrative descriptions of budget variances.

Attachment C depicts the mid-year budget by individual funds.

Attachment D itemizes updated expenditures.

FISCAL IMPACT:

As a result of the proposed budget adjustments, the combined fund ending balance at June 30, 2018 is anticipated to be about \$40.8 Million.

COORDINATION:

Finance Committee, Executive Committee

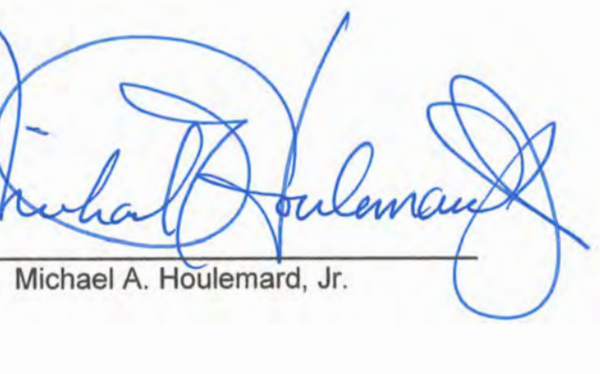
1. Finance Committee (making recommendations on funding availability);
 - i) The budget includes sufficient funding to absorb mid-year adjustments, and
 - ii) Adopt the FY 17-18 mid-year budget.
2. Executive Committee (makes recommendations to the Board regarding staffing/benefits adjustments);
 - i) If the Board concurs with Staff in participating in a Section 115 Trust, the Executive Committee will review a resolution to recommend creation of a Section 115 Trust and adjustment to the FORA Investment Policy at a future Board meeting.

Prepared by



Helen Rodriguez

Approved by



Michael A. Houlemard, Jr.



FORT ORD REUSE AUTHORITY

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MEMORANDUM

TO: Fort Ord Reuse Authority (FORA) Executive Committee (EC)
FROM: FORA Staff (Michael Houlemard, Helen Rodriguez, and Steve Endsley)
RE: Section 115 Trust Investment
DATE: January 26, 2018

RECOMMENDATION

That the Executive Committee recommend to the Fort Ord Reuse Authority (“FORA”) Board that they authorize participation in the Public Agencies Post- Employment Benefits Section 115 Trust Program (Section 115 Trust) administered by Public Agency Retirement Services (“PARS”) to pre-fund Pension and Other Post-Employment Benefits (OPEB) and authorize the Executive Officer to execute associated contract documents.

BACKGROUND

Please review the attached Executive Committee report considered by the EC at the January 3, 2018 regular meeting and Finance Committee (FC) report provided for their January 10 meeting.

As FORA staff described at the January 3, 2018 EC meeting, the FORA Executive Committee makes recommendations to the FORA Board on matters related to compensation and benefits. During the meeting the EC reviewed the potential for a Section 115 Trust and referred the question for consideration by the FC given its financial matters/budgeting role, prior to the EC recommending action to the FORA Board.

In the current FORA budget, upon recommendation by the Finance Committee, the Board set aside a \$7.3M reserve for future California Public Employee Retirement System (CalPERS) associated obligations. Staff noted to both the FC and the EC that CalPERS has concluded that the range of FORA’s post 2020 obligation is currently estimated to be between \$6.3M & \$8.1M.

DISCUSSION

The Section 115 Trust Program, to pre-fund pension and OPEB costs for retirement, is a relatively new mechanism available to California local/regional governments - and a number of Counties, municipalities, and special districts have recently taken the opportunity to enter such arrangements. FORA staff reviewed the options of the two independent retirement plan administrators, that have received the Private Letter Ruling (PLR) from the Internal Revenue Service (IRS) in looking at which would best serve FORA’s needs.

PARS has been the prevailing mechanism adopted by government agencies to access the Section 115 Trust Program to pre-fund pension and OPEB responsibilities. PARS

provides the security of a Private Letter Ruling from the IRS that assures participants of the tax-exempt status of their investments. PARS also allows FORA the flexibility to select investment strategies and portfolios to match our investment policy, providing control on target yield and level of risk. PARS has partnered with U.S. Bank to serve as trustee for this program.

Other Monterey Bay jurisdictions have taken advantage of the better returns from investing their reserves in special accounts/investment pools to address a portion of this type of future obligation. It appears that FORA may be able to take advantage of the Section 115 Trust opportunity to increase the yield of the set aside funds and, thereby, potentially increasing the impact of these funds for retiring the obligation.

After the FC reviewed this potential opportunity, they have unanimously concurred with staff's suggestion to invest with a Section 115 provider. They further have recommended that the EC concur in their recommendation for 1) funding \$586,160 of the CalPERS Unfunded Actuarial Liability, 2) investing \$5.7M in a Section 115 Trust, and 3) retaining \$1M in reserve to potentially add to the investment after reviewing initial results. The FC noted that such investment would be 1) consistent with FORA's investment Policy and 2) a wise action to potentially increase the yield of the set aside funds. FORA Staff and the FORA Finance Committee recommend using PARS as the provider for accessing the Section 115 opportunity and that the FC recommendation to invest \$5.7M be implemented in the near term.

FISCAL IMPACT

Establishing the Section 115 Trust Program to pre-fund pension obligations would require a Board resolution to create the Trust and use funds already designated for that purpose by the Board. Trust funding will restrict the use of funds that are transferred to the irrevocable trust account. \$5.7 million would be transferred to the Section 115 Trust Program to pre-fund Pension obligations. Future contributions to the Section 115 Trust Program would depend on the year end closing results in subsequent fiscal years.

According to the PARS representatives the total combined administrative, trustee and investment management fees for PARS, U.S. Bank and HighMark Capital Management start at 0.50% for assets of \$5-10 million and will become lower as assets in the Trust increase. The fees would be paid from the Trust assets.

Placeholder for Item 8c

Economic Development Report

This attachment will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS AGENDA

Subject:	Transition Planning Update	
Meeting Date:	March 9, 2018	INFORMATION/ACTION
Agenda Number:	8d	

RECOMMENDATION

- i. Receive Update on transition planning issues
- ii. Receive Transition Plan Summary Charts for Habitat and Transportation

BACKGROUND/DISCUSSION

At the January 12, 2018 FORA Board meeting, staff presented the Transition Plan workplan. The first two summary charts of the Transition Plan were presented at that time (Financial and Water). The workplan requires a strict schedule of summary charts in order to meet the Transition Plan submission date prior to December 30, 2018. Accordingly, we are including the draft Transition Plan summary charts for known habitat and transportation components. We expect further discussion and refinements during the Transition Ad Hoc Committee discussions. Since the February board meeting, staff has been unable to successfully schedule a majority of the TAC, but are hopeful to have a meeting in March. Additionally, staff has received notification that TAMC will be unable to participate in the TAC due to workload and their focus on Measure X responsibilities.

FORA staff has contacted LAFCO to pursue receiving their draft Indemnification Agreement. A brief exploration with an environmental consultant has indicated estimated environmental review costs range up to \$200,000 depending upon the required level of environmental review.

Attached this month are the summary charts for habitat and transportation. FORA staff has been working with affected jurisdictions toward the issuance of a base-wide habitat conservation plan, along with its Federal Section 10 permit, and a base-wide 2081 permit from California Department of Fish and Wildlife. It is hoped that implementation and longterm management of those basewide permits and attendant funding will be managed by the Fort Ord Regional Habitat Cooperative (Cooperative) joint powers authority, which has not yet been formed but is in the process of formation. The Cooperative cannot be named as a successor entity, unless it is in legal existence at the time of Local Agency Formation Commission action on the Transition Plan. The HCP requires longterm management and funding well in advance of the Section 10/2081 permit expiration and is projected to be approximately \$46M dollars post 2020, in addition to the approximately \$15M already collected.

Also attached are the contracts affecting transportation projects. There are multiple reimbursement agreements for local road projects that are currently in FORA's Capital Improvement Program (CIP) and will be assigned most likely as a liability to all land use entities. A chart of transportation projects, the anticipated lead agency assignments, priorities and anticipated completion dates to the Transportation Summary Chart. Only FORA lead agency projects, not yet completed by 2020, will be assigned to be completed prior to a date certain.

FISCAL IMPACT

Reviewed by FORA Controller _____

Staff time/legal are generally within the approved annual budget, and have been added to current staff workload. Staff anticipates presenting future transition plan budget items for Board consideration.

COORDINATION

Prepared by _____
Sheri L. Damon

Reviewed by _____
Steve Endsley

Approved by _____
Michael A. Houlemard, Jr.

ATTACHMENTS:

Attachment A: Summary Chart: Habitat **[PLACEHOLDER]**

Attachment B: Summary Chart: Transportation **[PLACEHOLDER]**

DRAFT

Placeholder for Item 8d – Attachment A

Summary Chart: Habitat

This attachment will be included in the final Board packet.

Placeholder for Item 8d – Attachment B

Summary Chart: Transportation

This attachment will be included in the final Board packet.

- END -

**DRAFT
BOARD PACKET**