



FORT ORD REUSE AUTHORITY

REGULAR MEETING

FORT ORD REUSE AUTHORITY (FORA) ADMINISTRATIVE COMMITTEE

Wednesday, April 4, 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. March 14, 2018 Meeting Minutes

6. APRIL 13, 2018 DRAFT BOARD AGENDA REVIEW

INFORMATION

7. BUSINESS ITEMS

INFORMATION/ACTION

- a. Prevailing Wage Update

- b. Capital Improvement Program (CIP)
 - i. FY 2018-2019 CIP Schedule
 - ii. Transportation Priority Ranking
 - iii. Building Removal Presentation

8. ITEMS FROM MEMBERS

INFORMATION

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

9. ADJOURNMENT

NEXT MEETING: Wednesday, April 18, 2018



FORT ORD REUSE AUTHORITY
ADMINISTRATIVE COMMITTEE REGULAR MEETING MINUTES
8:30 a.m., Wednesday, March 14, 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 8:32 a.m.

The following members were present:

Craig Malin* (City of Seaside)

Lisa Rheinheimer (MST)

Layne Long* (City of Marina)

Anya Spear (CSUMB)

Hans Uslar* (City of Monterey)

Melanie Beretti* (Monterey County)

Dino Pick* (City of Del Rey Oaks)

Todd Bodem* (City of Sand City)

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Malin.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Executive Officer Michael Houlemard informed the Committee of a power outage FORA experienced on March 13, 2018 that resulted in the office closing early.

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 public comments received.

5. APPROVAL OF MEETING MINUTES

ACTION

a. February 28, 2018 Meeting Minutes

MOTION: On motion by Committee member Pick and second by Committee member Uslar and carried by the following vote, the Administrative Committee moved to approve the February 28, 2018 meeting minutes.

MOTION PASSED UNANIMOUSLY

6. MARCH 9, 2018 BOARD FOLLOW-UP

INFORMATION

FORA staff led the discussion regarding the March 9 Board meeting and reviewed each of actions taken by the Board. Staff responded to questions and comments from the Committee and the public.

This item was for information only.

7. BUSINESS ITEMS

INFORMATION/ACTION

a. Capital Improvement Program

- i. Presentation on Base Reuse Plan Reassessment Report Background
- ii. Review and Approve Development Forecast Requests
- iii. Transportation and Transit Improvements Prioritization Coordination

Mr. Houlemard introduced the item and explained why the presentation was being brought before the Committee. Principal Planner Jonathan Brinkmann presented the item and reviewed the Base Reuse Plan (BRP) Development & Resource Management Plan (DRMP), the process for to amend the BRP, the 2012 Reassessment Report Category IV. The staff recommendation was for the Committee to consider the jurisdictions development forecast and FORA staff would initiate working with jurisdictions staff on transportation and transit prioritizing ranking, and report back progress at the next Administrative Committee meeting. Assistant Executive Officer Steve Endsley provided more information with comments. Staff responded to questions and comments from the Committee and public.

The Committee discussed how the task of revising the limitations for the development forecast can be reviewed in a more focused manner.

MOTION: On motion by Committee member Pick and second by Committee member Uslar and carried by the following vote, the Administrative Committee moved to approve the Development Forecast Requests and to form a task force to look at each Jurisdictions General Plan and recommend reprioritizing the CIP programs and projects to the Board.

MOTION PASSED UNANIMOUSLY

MOTION: On motion by Committee member Pick and second by Committee member Uslar, the Administrative Committee moved to

MOTION PASSED UNANIMOUSLY

8. ITEMS FROM MEMBERS

There were no items from members

9. ADJOURNMENT at 9:29 a.m.

Minutes Prepared By:
Dominique Jones
Deputy Clerk

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

FORT ORD REUSE AUTHORITY ADMINISTRATIVE COMMITTEE**BUSINESS ITEMS****Subject:** Prevailing Wage Update**Meeting Date:** April 4, 2018**Agenda Number:** 7a**INFORMATION/ACTION****RECOMMENDATION:**

Receive an update on prevailing wage.

BACKGROUND/DISCUSSION:

Please see the attached March 9, 2018 Board report "Prevailing Wage Status Report" (**Attachment A**). The attached report covers communications from Senator Monning to the California Department of Industrial Relations (DIR) generated by the Prevailing Wage stakeholders and not fully answered by DIR staff during the most recent local meeting.

The response from Director Baker presents DIR's current posture on Statutory Prevailing Wage Projects and Prevailing Wage requirements as Contractual Obligations. Their position clarifies what their enforcement posture will be for developers and jurisdictions with significant penalties for violations.

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.

During the December 2017 Board update on prevailing wage compliance it was noted that we might need assistance from our legislative offices to clarify some issues related to prevailing wages. To that end on January 12, 2018, Senator Monning directed a letter to Christine Baker, the Director of the California Department of Industrial Relations (DIR) asking for clarification of obligations of contractors, cities and FORA when a project is deemed a public works project and when a project is not deemed a public works project. On February 12, 2018, Director Baker responded as to the DIR position on the obligations for enforcement of prevailing wages on Fort Ord. **A copy of Senator Monning's request letter and Director Baker's response are attached to this report.**

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.

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California State Senate



WILLIAM W. MONNING
MAJORITY LEADER
SEVENTEENTH SENATE DISTRICT

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STATE CAPITOL, ROOM 313
SACRAMENTO, CA 95814
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SANTA CRUZ DISTRICT OFFICE
701 OCEAN STREET, SUITE 318-A
SANTA CRUZ, CA 95060
(831) 425-0401

SANTA CLARA COUNTY
TELEPHONE NUMBER
(408) 847-6101

January 12, 2018

Christine Baker, Director
California Department of Industrial Relations
1515 Clay Street, Suite 1700
Oakland, CA 94612

Dear Director Baker:

This letter is to express my concerns about the enforcement of Prevailing Wage within the boundaries of the former Fort Ord United States Army post, which includes portions of the City of Marina, the City of Seaside, the City of Monterey, the City of Del Rey Oaks, and the County of Monterey. All these jurisdictions are members of the Fort Ord Reuse Authority (FORA), a multi-agency entity that oversees the redevelopment of the former Fort Ord through the implementation of and compliance with the Base Reuse Plan.

It has been brought to my attention that there have been numerous violations of prevailing wage on projects within the boundaries of FORA. Additionally, there seems to be confusion and conflict among the numerous local jurisdictions and FORA about prevailing wage compliance and enforcement.

I would like the California Department of Industrial Relations' clarification on the following questions pertaining to prevailing wage and the former Fort Ord.

1. What are the obligations of the contractors, cities, and FORA when a project is deemed a public works project?
2. When a project is not deemed a public works project, yet is still subject to a prevailing wage written agreement as specified within the Base Reuse Plan, what are the obligations of the contractors, cities, and FORA?

Director Baker
January 12, 2018
Page 2

My concern is that workers on various projects within the former Fort Ord have pursued litigation in order to receive the appropriate prevailing wages they are entitled to and that this is unacceptable. Employees have a right to be paid without engaging in litigation, which is costly and time consuming. Clarification by the California Department of Industrial Relations will help to avoid this problem in the future.

Thank you for your attention to this matter.

Sincerely,

M

WILLIAM W. MONNING
Senator, 17th District

WWM:tuv/jf

cc: Luis Alejo, Supervisor, Chair Monterey County
Jane Parker, Supervisor Monterey County
Mary Adams, Supervisor, Monterey County
Bruce Delgado, Mayor, City of Marina
Ralph Rubio, Mayor, City of Seaside
Jerry Edelen, Mayor, City of Del Rey Oaks
Michael Houlemard, Executive Officer of Fort Ord Reuse Authority
Ron Chesshire, Monterey/Santa Cruz Counties Building & Construction Trades Council

COMMITTEES
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SANTA CLARA COUNTY
TELEPHONE NUMBER
(408) 847-6101

February 26, 2018

Dear FORA Stakeholder:

As you know, in January I sent a letter to the Department of Industrial Relations (DIR) to express my concerns and seek clarification regarding the enforcement of Prevailing Wage within the boundaries of the former Fort Ord. Attached is the letter I received in response from the DIR.

My office will be in touch with you and FORA staff regarding any necessary next steps. In the meantime, please do not hesitate to contact my office with any immediate questions.

Thank you for your attention to this matter.

Sincerely,

WILLIAM W. MONNING
Senator, 17th District

WWM:nh

DEPARTMENT OF INDUSTRIAL RELATIONS

Christine Baker, Director

Office of the Director

1515 Clay Street, 17th Floor

Oakland, CA 94612

Tel: (510) 622-3959 Fax: (510) 622-3265



February 12, 2018

The Honorable William M. Monning
California State Senate
State Capitol, Room 303
Sacramento, California 95814

Re: Fort Ord Prevailing Wage Requirements.

Dear Senator Monning:

I received your letter seeking clarification on the obligations of contractors, cities, and the Fort Ord Reuse Authority on redevelopment projects located on former Fort Ord land.

As the Director of the Department of Industrial Relations (DIR), I share your concerns regarding the prevailing wage violations that are occurring on these projects. As you are aware, it is California's expressly stated public policy "to vigorously enforce minimum labor standards in order to ensure employees are not required or permitted to work under substandard unlawful conditions . . . and to protect employers who comply with the law from those who attempt to gain a competitive advantage at the expense of their workers by failing to comply with minimum labor standards." (Lab. Code, § 90.5.) The California Supreme Court has stated: "Delay of payment or loss of wages results in deprivation of the necessities of life, suffering inability to meet just obligations to others, and, in many cases may make the wage-earner a charge upon the public." (*Kerr's Catering Service v. Department of Industrial Relations* (1962) 57 Cal.2d 319, 326.) California wage earners, law-abiding employers, and the taxpaying public all lose when prevailing wage laws are violated.

Obligations on Statutory Public Works Projects

The overall purpose of the prevailing wage law is to benefit and protect employees on public works projects. "Public works" is generally defined as construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds. (Lab. Code, § 1720.) A public subsidy for the purposes of the prevailing wage law means not only a payment of cash from a public entity, it also includes a public entity's transfer of an asset of value for less than fair market price or a public entity's waiver or reduction of fees or costs normally required in the execution of the project. Once a project is deemed to be public works, all the prevailing wage requirements in the California Labor Code apply.

A contractor must pay at least the prevailing wage to workers on public works projects. To bid or work on a public works project, the contractor must be registered with DIR. For most public works projects, the contractor is also required to send contract award notification to local apprenticeship programs, request dispatch of apprentices, and hire a minimum number of apprentices. Payroll

records that document the work classification, hours worked, and identifying information about apprentice and journeyman workers must be maintained and certified to be true and correct under penalty of perjury. These certified payroll records must also be electronically submitted to DIR. A general contractor must ensure that its subcontractors are complying with prevailing wage requirements, as the general contractor is potentially jointly and severally liable for wages and penalties assessed against a subcontractor that has violated the prevailing wage law.

Cities and other public entities considered awarding bodies “shall take cognizance” of prevailing wage violations and “shall promptly report any suspected violations to the Labor Commissioner.” (Lab. Code, § 1726.) Awarding bodies must include in the contract various provisions notifying the contractor of prevailing wage obligations. Furthermore, upon award of a contract, the awarding body must electronically notify DIR within 30 days, but in no case later than the first day work is performed on the project. Awarding bodies are also required to ensure that all contractors and subcontractors working on the project are properly registered with DIR. Failure to comply with these requirements may result in monetary penalties against the awarding body. Deliberate, repeat offenders may have their state funding for public works projects withdrawn.

The Labor Commissioner’s Office within DIR is authorized to seek wages and penalties against contractors and public entities for violations of the prevailing wage law on public works projects. (See, e.g., Lab. Code, §§ 1741, 1771.1, 1773.3.)

Obligations on Projects in which Prevailing Wage Requirements are Imposed by Contract

If a project does not receive any public subsidies, it may not meet the statutory definition of “public works” in the Labor Code. Such a project, however, may still be subject to prevailing wage requirements as a matter of contract, as explained by the Court of Appeal in *Monterey/Santa Cruz etc. Trades Council v. Cypress Marina Heights LP* (2011) 191 Cal.App.4th 1500. In *Cypress Marina Heights*, the Court held that the FORA Master Resolution is the “originating source of any prevailing wage requirement that applies.” Its provisions clearly state that cities and other agencies that entered into “an Agreement with FORA for the acquisition, disposition, or development of property at Fort Ord” were obligated “to ensure that any other entity employing workers in connection with the development of the property acquired . . . must pay the prevailing wage.” (*Id.* at p. 1515.) Stated differently, cities that acquired land from FORA were required under the Master Resolution to ensure that developers and contractors on those projects paid their workers prevailing wages. The FORA Master Resolution and other associated implementation agreements imposed the obligation to pay prevailing wages on all “First Generation Construction” which was defined as “construction performed during the development of each parcel of real property at the time of transfer from the public agency” to a developer “until issuance of a certificate of occupancy by the initial owners or tenants of each parcel.” (*Id.* at p. 1510.)

The Court further clarified that “FORA’s goal was to ensure that the prevailing wage was paid on all development projects on FORA land so that local contractors would not be displaced by cheaper labor imported from elsewhere. Providing well-paying jobs for local contractors served FORA’s purpose, which was the revitalization of the local economy.” (*Id.* at p. 1522-23.)

Given this judicial precedent, cities that acquired land from FORA are obligated to ensure that the developers and contractors pay prevailing wages to their workers. Contractors themselves are also

Letter to Senator William M. Monning
Re: Fort Ord Prevailing Wage Requirements
Page 3

obligated to make sure their workers are paid prevailing wages on these projects. These requirements effectuate FORA's purpose to revitalize the local economy.

An employee has the option of filing a lawsuit against his or her employer for nonpayment of contractually-agreed upon wages, like those at issue in the development projects on former Fort Ord land. (Lab. Code, § 218; *see also* *Murphy v. Kenneth Cole Productions, Inc.* (2007) 40 Cal.4th 1094, 1115; *Cortez v. Purolator Air Filtration Products Co.* (2000) 23 Cal.4th 163, 177 (employee authorized to recover payment of unlawfully withheld wages as a restitutionary remedy in an action under the Unfair Competition Law) The Labor Commissioner's Office within DIR is also authorized to investigate employee complaints regarding nonpayment of contractually agreed upon wages and, where appropriate, seek penalties and liquidated damages against employers. (Lab. Code, § 98.)

My Department and I look forward to working with you to ensure that full compliance with all of California's wage laws, including the prevailing wage laws on public works projects.

Sincerely,

A handwritten signature in blue ink that reads "Christine Baker". The signature is written in a cursive, flowing style.

Christine Baker
Director

FY 2018/19 Capital Improvement Program Schedule

Jurisdictions' Development Forecasts

FEB	14	Review & Adjust Development Forecasts w/ Admin Committee
MAR	14	Confirm Development Forecasts w/ Admin Committee

Transportation/Transit Priority Ranking

APR	4	Provide background material for priority ranking
APR	18	Review and Recommend Ranking

Building Removal

APR	4	Review Building Removal Program with Admin Committee
APR	18	Review and Recommend Building Removal Program

Water Augmentation

APR	18	Review and Recommend Water Augmentation Program
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FY 2018/19 Capital Improvement Program

APR	18	Review Draft CIP
MAY	2	Review and Recommend Draft CIP
MAY	11	Board Consideration 1
JUN	8	Board Consideration 2

TABLE: 2018-2019 TRANSPORTATION/TRANSIT ELEMENTS BY PROJECT STATUS

Roadway Info				Project Status				
Proj#	Description	BRP	LEAD	CEQA	NEPA	PA&ED	PS&E	BID
FO13B	Eastside Parkway	On-Site	FORA					
FO12	Eucalyptus Road	On-Site	FORA					
FO6	Intergarrison	On-Site	FORA					
FO14	South Boundary Road Upgrade	On-Site	FORA	100%	100%	100%	60%	
FO7	Gigling	On-Site	FORA	100%	100%	100%	60%	
FO9C	GJM Blvd	On-Site	FORA	100%	100%	100%	60%	
10	Del Monte Blvd Extension	Off-Site	Marina					
FO5	8th Street	On-Site	Marina	35%	NA			
FO11	Salinas Ave	On-Site	Marina		0%			
FO2	Abrams	On-Site	Marina	10%	0%	10%		
2B	Davis Rd south of Blanco	Off-Site	MoCo	100%	100%	100%	65%	
4E	Widen Reservation, WG to Davis	Off-Site	MoCo					
4D	Widen Reservation-4 lanes to WG	Off-Site	MoCo					
1	Davis Rd north of Blanco	Off-Site	MoCo					
T22	Intermodal Centers	Transit	MST					
R3a	Hwy 1-Del Monte-Fremont-MBL	Regional	TAMC					
R11	Hwy 156-Freeway Upgrade	Regional	TAMC	75%	75%	75%	75%	
R10	Hwy 1-Monterey Rd. Interchange	Regional	TAMC					

Table 9: Level of Service for Existing Conditions

Roadway	FORA Project Descriptions	Existing Conditions					
		Direction	AM	PM	Direction	AM	PM
Highway 1	4→6 Lanes (Fremont to Del Monte)	SB	C	D	NB	D	E
Monterey Rd Interchange	New Interchange @ Monterey Rd/Hwy 1	SB Off	N/A	N/A	NB Off	N/A	N/A
		SB On	N/A	N/A	NB On	N/A	N/A
Highway 156	4 Lane Freeway	EB	B	C	WB	B	B
Highway 68	Operational Improvements	EB	A	C	WB	B	B
Davis Road	4 Lanes SR-183→Blanco Rd	SB	C	C	NB	C	E
Davis Road	4 Lanes Blanco Rd→Reservation Rd	NB	A	A	SB	A	A
Reservation Road	4 Lanes East Garrison Gate→Watkins Gate	EB	A	A	WB	A	A
Reservation Road	4 Lanes Watkins Gate→Davis Rd	EB	A	A	WB	A	A
8th Street ⁽¹⁾	2 Lanes 2nd Ave→Intergarrison Rd	EB	A	A	WB	B	A
2nd Avenue	2 Lanes Imjin Parkway→Del Monte Blvd	EB	N/A	N/A	WB	N/A	N/A
Inter-Garrison ⁽¹⁾	4 Lanes Eastside Pkwy→Reservation Rd	WB/SB	B	B	EB/NB	B	B
Gigling Road ⁽¹⁾	4 Lanes General Jim Moore Blvd→Eastside Rd	EB	A	A	WB	A	A
General Jim Moore Blvd	2→4 Lanes Normandy Rd→McClure Way ✓	SB	A	A	NB	A	A
General Jim Moore Blvd	2→4 Lanes McClure Way→Coe Ave ✓	SB	A	A	NB	A	A
General Jim Moore Blvd	2→4 Lanes Coe Ave→S Boundary Rd ✓	SB	B	A	NB	A	B
Salinas Avenue	2 Lanes Reservation Rd→Abrams Dr	SB	N/A	N/A	NB	N/A	N/A
Eucalyptus Road ⁽¹⁾	2 Lanes General Jim Moore Blvd→Parker Flats ✓	WB	A	A	EB	A	A
Eastside Parkway	2 Lanes Eucalyptus Rd→Schoonover Dr	WB	N/A	N/A	EB	N/A	N/A
South Boundary ⁽²⁾	2 Lanes General Jim Moore Blvd→York Blvd	EB	C	D	WB	C	D
Imjin Parkway ⁽¹⁾	4 Lane Minor Arterial	WB	D	B	EB	B	D
Del Monte Blvd ⁽¹⁾	4 Lane Principal Arterial	NB	A	A	SB	A	A
Fremont Blvd ⁽¹⁾	4 Lane Minor Arterial	NB	A	A	SB	A	A
(1) LOS based on base year model volumes due to the lack of traffic counts							
(2) LOS based on traffic volumes from the 2005 study due to the lack of traffic counts							
Check mark indicates that the project has been constructed.							

Table 10: Level of Service for No-Build– (at horizon year 2035)

Roadway	FORA Project Descriptions	No-Build					
		Direction	AM	PM	Direction	AM	PM
Highway 1	4→6 Lanes (Fremont to Del Monte)	SB	C	E	NB	E	F
Monterey Rd Interchange	New Interchange @ Monterey Rd/Hwy 1	SB Off	N/A	N/A	NB Off	N/A	N/A
		SB On	N/A	N/A	NB On	N/A	N/A
Highway 156	4 Lane Freeway	EB	C	E	WB	E	C
Highway 68	Operational Improvements	EB	B	D	WB	C	C
Davis Road	4 Lanes SR-183→Blanco Rd	SB	E	D	NB	C	F
Davis Road	4 Lanes Blanco Rd→Reservation Rd	NB	B	C	SB	B	B
Reservation Road	4 Lanes East Garrison Gate→Watkins Gate	EB	A	C	WB	B	B
Reservation Road	4 Lanes Watkins Gate→Davis Rd	EB	B	E	WB	E	C
8th Street	2 Lanes 2nd Ave→Intergarrison Rd	EB	B	C	WB	C	B
2nd Avenue	2 Lanes Imjin Parkway→Del Monte Blvd	EB	N/A	N/A	WB	N/A	N/A
Inter-Garrison	4 Lanes Eastside Pkwy→Reservation Rd	WB/SB	E	C	EB/NB	B	E
Gigling Road	4 Lanes General Jim Moore Blvd→Eastside Rd	EB	C	E	WB	E	C
General Jim Moore Blvd	2→4 Lanes Normandy Rd→McClure Way ✓	SB	A	B	NB	B	A
General Jim Moore Blvd	2→4 Lanes McClure Way→Coe Ave ✓	SB	A	B	NB	A	A
General Jim Moore Blvd	2→4 Lanes Coe Ave→S Boundary Rd ✓	SB	B	B	NB	A	B
Eucalyptus Road	2 Lanes General Jim Moore Blvd→Parker Flats ✓	WB	A	A	EB	A	A
Eastside Parkway	2 Lanes Eucalyptus Rd→Schoonover Dr	WB	N/A	N/A	EB	N/A	N/A
South Boundary	2 Lanes General Jim Moore Blvd→York Blvd	EB	B	E	WB	C	E
Imjin Parkway	4 Lane Minor Arterial	WB	F	D	EB	C	F
Del Monte Blvd	4 Lane Principal Arterial	NB	A	A	SB	A	A
Fremont Blvd	4 Lane Minor Arterial	NB	A	A	SB	A	A

Check mark indicates that the project has been constructed.

Table 11: Level of Service for Future Defeciency Analysis – (at horizon year 2035)

Roadway	FORA Project Descriptions	Future Deficiency Analysis					
		Direction	AM	PM	Direction	AM	PM
Highway 1	4→6 Lanes (Fremont to Del Monte)	SB	C	E	NB	E	F
Monterey Rd Interchange	New Interchange @ Monterey Rd/Hwy 1	SB Off	N/A	N/A	NB Off	N/A	N/A
		SB On	N/A	N/A	NB On	N/A	N/A
Highway 156	4 Lane Freeway	EB	E	C	WB	C	E
Highway 68	Operational Improvements	EB	A	D	WB	C	B
Davis Road	4 Lanes SR-183→Blanco Rd	SB	D	D	NB	C	E
Davis Road	4 Lanes Blanco Rd→Reservation Rd	NB	B	C	SB	B	B
Reservation Road	4 Lanes East Garrison Gate→Watkins Gate	EB	A	C	WB	B	B
Reservation Road	4 Lanes Watkins Gate→Davis Rd	EB	B	E	WB	E	C
8th Street	2 Lanes 2nd Ave→Intergarrison Rd	EB	B	B	WB	B	B
2nd Avenue	2 Lanes Imjin Parkway→Del Monte Blvd	EB	N/A	N/A	WB	N/A	N/A
Inter-Garrison	4 Lanes Eastside Pkwy→Reservation Rd	WB/SB	D	B	EB/NB	B	D
Gigling Road	4 Lanes General Jim Moore Blvd→Eastside Rd	EB	C	E	WB	E	C
General Jim Moore Blvd	2→4 Lanes Normandy Rd→McClure Way ✓	SB	A	C	NB	B	A
General Jim Moore Blvd	2→4 Lanes McClure Way→Coe Ave ✓	SB	A	B	NB	B	A
General Jim Moore Blvd	2→4 Lanes Coe Ave→S Boundary Rd ✓	SB	B	B	NB	A	B
Eucalyptus Road	2 Lanes General Jim Moore Blvd→Parker Flats ✓	WB	A	A	EB	A	A
Eastside Parkway	2 Lanes Eucalyptus Rd→Schoonover Dr	WB	N/A	N/A	EB	N/A	N/A
South Boundary	2 Lanes General Jim Moore Blvd→York Blvd	EB	B	E	WB	C	E

Check mark indicates that the project has been constructed.

Table 12: Level of Service for Build 2015 CIP – (at horizon year 2035)

Roadway	FORA Project Descriptions	Build 2015 CIP					
		Direction	AM	PM	Direction	AM	PM
Highway 1	4→6 Lanes (Fremont to Del Monte)	SB	C	D	NB	D	D
Monterey Rd Interchange	New Interchange @ Monterey Rd/Hwy 1	SB Off	A	A	NB Off	A	A
		SB On	A	A	NB On	A	A
Highway 156	4 Lane Freeway	EB	B	C	WB	C	B
Highway 68	Operational Improvements	EB	A	C	WB	B	B
Davis Road	4 Lanes SR-183→Blanco Rd	SB	D	C	NB	B	D
Davis Road	4 Lanes Blanco Rd→Reservation Rd	NB	B	D	SB	D	B
Reservation Road	4 Lanes East Garrison Gate→Watkins Gate	EB	B	D	WB	D	B
Reservation Road	4 Lanes Watkins Gate→Davis Rd	EB	B	E	WB	E	C
8th Street	2 Lanes 2nd Ave→Intergarrison Rd	EB	A	A	WB	B	A
2nd Avenue	2 Lanes Imjin Parkway→Del Monte Blvd	EB	A	A	WB	A	A
Inter-Garrison	4 Lanes Eastside Pkwy→Reservation Rd	WB/SB	D	C	EB/NB	C	D
Gigling Road	4 Lanes General Jim Moore Blvd→Eastside Rd	EB	C	C	WB	C	C
General Jim Moore Blvd	2→4 Lanes Normandy Rd→McClure Way ✓	SB	A	B	NB	B	A
General Jim Moore Blvd	2→4 Lanes McClure Way→Coe Ave ✓	SB	A	B	NB	A	A
General Jim Moore Blvd	2→4 Lanes Coe Ave→S Boundary Rd ✓	SB	B	C	NB	C	B
Eucalyptus Road	2 Lanes General Jim Moore Blvd→Parker Flats ✓	WB	B	B	EB	B	B
Eastside Parkway	2 Lanes Eucalyptus Rd→Schoonover Dr	WB	E	C	EB	C	D
South Boundary	2 Lanes General Jim Moore Blvd→York Blvd	EB	B	B	WB	B	B
Imjin Parkway	4 Lane Minor Arterial	WB	E	C	EB	C	D
Del Monte Blvd	4 Lane Principal Arterial	NB	A	A	SB	A	A
Fremont Blvd	4 Lane Minor Arterial	NB	A	A	SB	A	A

Check mark indicates that the project has been constructed.

Table 13: Level of Service for Build Alternative CIP – (at horizon year 2035)

Roadway	FORA Project Descriptions	Build Alternative CIP					
		Direction	AM	PM	Direction	AM	PM
Highway 1	4→6 Lanes (Fremont to Del Monte)	SB	C	E	NB	E	F
Monterey Rd Interchange	New Interchange @ Monterey Rd/Hwy 1	SB Off	A	A	NB Off	A	A
		SB On	A	A	NB On	A	A
Highway 156	4 Lane Freeway	EB	B	C	WB	C	B
Highway 68	Operational Improvements	EB	A	C	WB	B	B
Davis Road	4 Lanes SR-183→Blanco Rd	SB	D	C	NB	C	D
Davis Road	4 Lanes Blanco Rd→Reservation Rd	NB	B	C	SB	C	B
Reservation Road	4 Lanes East Garrison Gate→Watkins Gate	EB	B	C	WB	C	B
Reservation Road	4 Lanes Watkins Gate→Davis Rd	EB	B	E	WB	E	C
8th Street	2 Lanes 2nd Ave→Intergarrison Rd	EB	A	A	WB	A	A
2nd Avenue	2 Lanes Imjin Parkway→Del Monte Blvd	EB	C	A	WB	A	A
Inter-Garrison	4 Lanes Eastside Pkwy→Reservation Rd	WB/SB	D	B	EB/NB	B	D
Gigling Road	4 Lanes General Jim Moore Blvd→Eastside Rd	EB	B	B	WB	B	B
General Jim Moore Blvd	2→4 Lanes Normandy Rd→McClure Way ✓	SB	B	B	NB	B	B
General Jim Moore Blvd	2→4 Lanes McClure Way→Coe Ave ✓	SB	A	B	NB	A	B
General Jim Moore Blvd	2→4 Lanes Coe Ave→S Boundary Rd ✓	SB	C	C	NB	B	C
Eucalyptus Road	2 Lanes General Jim Moore Blvd→Parker Flats ✓	WB	B	B	EB	B	B
Eastside Parkway	2 Lanes Eucalyptus Rd→Schoonover Dr	WB	E	C	EB	C	D
South Boundary	2 Lanes General Jim Moore Blvd→York Blvd	EB	C	B	WB	B	C

Check mark indicates that the project has been constructed.



Table 14: Level of Service for Select Non-FORA Roadways

Roadway	Existing Conditions						No-Build					
	Dir	AM	PM	Dir	AM	PM	Dir	AM	PM	Dir	AM	PM
Imjin Parkway ⁽¹⁾	WB	D	B	EB	B	D	WB	F	D	EB	C	F
Del Monte Blvd ⁽¹⁾	NB	A	A	SB	A	A	NB	A	A	SB	A	A
Fremont Blvd ⁽¹⁾	NB	A	A	SB	A	A	NB	A	A	SB	A	A
Roadway	Future Deficiency Analysis						Build Alternative CIP					
	Dir	AM	PM	Dir	AM	PM	Dir	AM	PM	Dir	AM	PM
Imjin Parkway ⁽¹⁾	WB	E	C	EB	C	E	WB	D	C	EB	C	D
Del Monte Blvd ⁽¹⁾	NB	A	A	SB	A	A	NB	A	A	SB	A	A
Fremont Blvd ⁽¹⁾	NB	A	A	SB	A	A	NB	A	A	SB	A	A
(1) LOS based on base year model volumes due to the lack of traffic counts												

Table 15: Comparison: No-Build vs Build Alternative CIP

Roadway	FORA Project Descriptions	Direction	No-Build		Build Alternative CIP		Direction	No-Build		Build Alternative CIP	
			AM	PM	AM	PM		AM	PM	AM	PM
Highway 1	4→6 Lanes (Fremont to Del Monte)	SB	C	E	C	E	NB	E	F	E	F
Monterey Rd Interchange	New Interchange @ Monterey Rd/Hwy 1	SB Off	N/A	N/A	A	A	NB Off	N/A	N/A	A	A
		SB On	N/A	N/A	A	A	NB On	N/A	N/A	A	A
Highway 156	4 Lane Freeway	EB	C	E	B	C	WB	E	C	C	B
Highway 68	Operational Improvements	EB	B	D	A	C	WB	C	C	B	B
Davis Road	4 Lanes SR-183→Blanco Rd	SB	E	D	D	C	NB	C	F	C	D
Davis Road	4 Lanes Blanco Rd→Reservation Rd	NB	B	C	B	C	SB	B	B	C	B
Reservation Road	4 Lanes East Garrison Gate→Watkins Gate	EB	A	C	B	C	WB	B	B	C	B
Reservation Road	4 Lanes Watkins Gate→Davis Rd	EB	B	E	B	E	WB	E	C	E	C
8th Street	2 Lanes 2nd Ave→Intergarrison Rd	EB	B	C	A	A	WB	C	B	A	A
2nd Avenue	2 Lanes Imjin Parkway→Del Monte Blvd	EB	N/A	N/A	C	A	WB	N/A	N/A	A	A
Inter-Garrison	4 Lanes Eastside Pkwy→Reservation Rd	WB/SB	E	C	D	B	EB/NB	B	E	B	D
Gigling Road	4 Lanes General Jim Moore Blvd→Eastside Rd	EB	C	E	B	B	WB	E	C	B	B
General Jim Moore Blvd	2→4 Lanes Normandy Rd→McClure Way ✓	SB	A	B	B	B	NB	B	A	B	B
General Jim Moore Blvd	2→4 Lanes McClure Way→Coe Ave ✓	SB	A	B	A	B	NB	A	A	A	B
General Jim Moore Blvd	2→4 Lanes Coe Ave→S Boundary Rd ✓	SB	B	B	C	C	NB	A	B	B	C
Eucalyptus Road	2 Lanes General Jim Moore Blvd→Parker Flats ✓	WB	A	A	B	B	EB	A	A	B	B
Eastside Parkway	2 Lanes Eucalyptus Rd→Schoonover Dr	WB	N/A	N/A	E	C	EB	N/A	N/A	C	D
South Boundary	2 Lanes General Jim Moore Blvd→York Blvd	EB	B	E	C	B	WB	C	E	B	C

Check mark indicates that the project has been constructed.

Table 16: Comparison: Future Deficiency Analysis vs Build Alternative CIP

Roadway	FORA Project Descriptions	Direction	Future Deficiency Analysis		Build Alternative CIP		Direction	Future Deficiency Analysis		Build Alternative CIP	
			AM	PM	AM	PM		AM	PM	AM	PM
Highway 1	4→6 Lanes (Fremont to Del Monte)	SB	C	E	C	E	NB	E	F	E	F
Monterey Rd Interchange	New Interchange @ Monterey Rd/Hwy 1	SB Off	N/A	N/A	A	A	NB Off	N/A	N/A	A	A
		SB On	N/A	N/A	A	A	NB On	N/A	N/A	A	A
Highway 156	4 Lane Freeway	EB	E	C	B	C	WB	C	E	C	B
Highway 68	Operational Improvements	EB	A	D	A	C	WB	C	B	B	B
Davis Road	4 Lanes SR-183→Blanco Rd	SB	D	D	D	C	NB	C	E	C	D
Davis Road	4 Lanes Blanco Rd→Reservation Rd	NB	B	C	B	C	SB	B	B	C	B
Reservation Road	4 Lanes East Garrison Gate→Watkins Gate	EB	A	C	B	C	WB	B	B	C	B
Reservation Road	4 Lanes Watkins Gate→Davis Rd	EB	B	E	B	E	WB	E	C	E	C
8th Street	2 Lanes 2nd Ave→Intergarrison Rd	EB	B	B	A	A	WB	B	B	A	A
2nd Avenue	2 Lanes Imjin Parkway→Del Monte Blvd	EB	N/A	N/A	C	A	WB	N/A	N/A	A	A
Inter-Garrison	4 Lanes Eastside Pkwy→Reservation Rd	WB/SB	D	B	D	B	EB/NB	B	D	B	D
Gigling Road	4 Lanes General Jim Moore Blvd→Eastside Rd	EB	C	E	B	B	WB	E	C	B	B
General Jim Moore Blvd	2→4 Lanes Normandy Rd→McClure Way ✓	SB	A	C	B	B	NB	B	A	B	B
General Jim Moore Blvd	2→4 Lanes McClure Way→Coe Ave ✓	SB	A	B	A	B	NB	B	A	A	B
General Jim Moore Blvd	2→4 Lanes Coe Ave→S Boundary Rd ✓	SB	B	B	C	C	NB	A	B	B	C
Eucalyptus Road	2 Lanes General Jim Moore Blvd→Parker Flats ✓	WB	A	A	B	B	EB	A	A	B	B
Eastside Parkway	2 Lanes Eucalyptus Rd→Schoonover Dr	WB	N/A	N/A	E	C	EB	N/A	N/A	C	D
South Boundary	2 Lanes General Jim Moore Blvd→York Blvd	EB	B	E	C	B	WB	C	E	B	C

Check mark indicates that the project has been constructed.

- START -

**DRAFT
BOARD PACKET**



FORT ORD REUSE AUTHORITY

REGULAR MEETING

FORT ORD REUSE AUTHORITY (FORA) BOARD OF DIRECTORS

Friday, April 13, 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 APRIL 12, 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 March 7, 2018 Special Meeting Minutes
Recommendation: Approve March 7, 2018 special meeting minutes.
- b. Approve March 9, 2018 Meeting Minutes
Recommendation: Approve March 9, 2018 meeting minutes.
- c. Administrative Committee
Recommendation: Receive a report from the Administrative Committee.
- d. Veterans Issues Advisory
Recommendation: Receive a report from the Veterans Issues Advisory Committee.
- e. Water/Wastewater Oversight Committee
Recommendation: Receive a report from the Water/Wastewater Oversight Committee.
- f. Building Removal Quarterly Report
Recommendation: Receive a quarterly report on Building Removal.
- g. Environmental Services Cooperative Agreement (ESCA) Quarterly Report
Recommendation: Receive a quarterly report on the ESCA.
- h. 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. Fiscal Year 2017-2018 Mid-Year Budget/Section 115 Trust – 2d Vote

Recommendation:

- i. Mid-Year Budget/ Section 115 Trust – 2d Vote
- ii. Resolution

- b. Regional Urban Water Augmentation Project & 3 Party Planning Water Augmentation Study Report
Recommendation: [To be provided in final packet]

- c. Transition Planning Update

Recommendation:

- i. Receive a transition planning issue update
- ii. Receive transition plan updated Water and Financial Summary Charts and a Miscellaneous Contracts Summary Chart

- d. Former Fort Ord Affordable/ Workforce Housing Background and Monterey Bay Economic Partnership (MBEP) Housing Policy Report

Recommendation: Receive a report on the former Fort Ord affordable/ workforce housing and MBEP housing policy.

- e. Executive Committee Report

Recommendation: Receive a report from the Executive Committee and review/ discuss Board member agenda items suggestions process and Executive Committee selection policy.

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: May 11, 2018 AT 2:00 P.M.

Placeholder for Item 7a

**Approve March 7, 2018
Special Meeting Minutes**

This item will be included in the final Board packet.

Placeholder for Item 7b

**Approve March 9, 2018
Meeting Minutes**

This item will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Administrative Committee

Meeting Date: April 13, 2018

Agenda Number: 7c

INFORMATION/ACTION

RECOMMENDATION:

Receive a report from the Administrative Committee.

BACKGROUND/DISCUSSION:

The Administrative Committee met on March 14, 2018. The approved minutes for this meeting are provided as **Attachment A**.

FISCAL IMPACT:

Reviewed by the FORA Controller _____

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

COORDINATION:

Administrative Committee

Prepared by _____ Approved by _____
Dominique L. Jones Michael A. Houlemard, Jr.

Placeholder for Item 7c Attachment A

**March 14, 2018 Administrative Committee
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: April 13, 2018

Agenda Number: 7d

INFORMATION/ACTION

RECOMMENDATION:

Receive a report from the Veterans Issues Advisory Committee (VIAC).

BACKGROUND/DISCUSSION:

The Veterans Issues Advisory Committee met on February 22, 2018. The approved minutes for this meeting are provided as **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
2:00 P.M. February 22, 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 2:00 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 Office of Military & Veterans Advisory Commission

Richard Garza, Central Coast Veterans Cemetery Foundation (CCVCF)

James Bogan, Disabled American Veterans (DAV)

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

2. PLEDGE OF ALLEGIANCE led by Wes Morrill

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Marina Perepelyuk is the newest Congressional Aid for Congressman Jimmy Panetta
office, who will be attending the VIAC meetings.

4. PUBLIC COMMENT PERIOD

There were no comments from the public.

5. APPROVAL OF MEETING MINUTES

a. January 25, 2018 Regular Meeting Minutes

MOTION: by Committee member Jack Stewart and second by Committee member
Sid Williams and carried by the following vote, the VIAC moved to approve the
January 25, 2018 meeting minutes as corrected

MOTION: PASSED UNANIMOUSLY

6. BUSINESS ITEMS

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

i. Cemetery Administrator's Status

Erica Chaney reported the CCCVC has received over 2270 veteran
applications, 1693 dependent applications, along with 710 internments last
year. The janitorial services begun on January 1, 2018. The directions signage

for the Cemetery is in the works, is not expected to be completed until 2019.

The cemetery has a total of 4 golf carts, one recently broke down; however, the Marina Foundation facilitated in having it repaired. The Marina Foundation is also working on a possible maintenance contract to service the golf carts, while also purchasing Bud Vases for the Cemetery.

- ii. *Veterans Cemetery Land Use Status*
No Report.
- iii. *Fort Ord Committee Verbal Report: Oak Woodlands Mitigation & Endowment MOU*

Sid William advised the Board of Supervisors of the Ft. Ord Committee considered the Oak Woodlands Preservation Project and have sent it back to staff for refinement and review.

b. Fundraising Status

i. CCVCF Status Report

Richard Garza provided the report and indicated that the CCVCF has recently received \$20,000 and are continuing the efforts to fund raise.

c. Veterans Transition Center (VTC) Housing Construction

Principal Analyst Robert Norris provided an update on the water deed, it has been signed and is currently in the process of being recorded with Monterey County.

d. VA-DOD Clinic

James Bogan provided an update and advised that the pharmacy is still closed. Mr. Bogan indicated the VA has a hotline, (1-855-948-2311) that is open 24 hrs. a day, 365 days a year, to assist veterans with inquiries, directory assistance, document concerns about VA care, benefits or services, and expedite the referral and resolution of concerns. The cafeteria opening is pending receiving the required operating permits.

e. Historical Preservation Project

No Report.

f. Calendar of Events

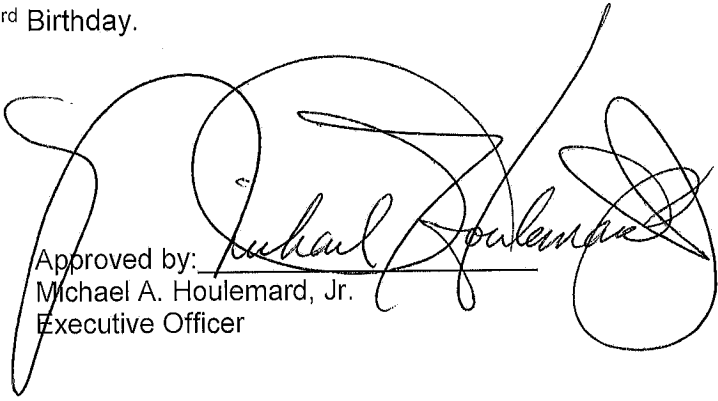
Janet Parks will be celebrating her 93rd Birthday.

7. ITEMS FROM MEMBERS

None

8. ADJOURNMENT at 2:17 P.M.

Minutes Prepared by:
Heidi Lizarbe
Administrative Assistant

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

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Water/Wastewater Oversight Committee

Meeting Date: April 13, 2018

Agenda Number: 7e

INFORMATION/ACTION

RECOMMENDATION:

Receive a report from the Water/Wastewater Oversight Committee (WWOC).

BACKGROUND/DISCUSSION:

The WWOC met on March 28, 2018. A quorum was not established and a "meeting of the whole" was held. The committee reviewed the 2018-19 Ord Community Draft Budget, and the status of the Three Party Planning Water Augmentation Study. The next WWOC meeting is scheduled for April 11, 2018.

FISCAL IMPACT:

Reviewed by FORA Controller _____

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

COORDINATION:

WWOC, Marina Coast Water District

Prepared by _____
Heidi L. Lizarbe

Reviewed by _____
D. Steve Endsley

Approved by _____
Michael A. Houlemard, Jr.

Placeholder for Item 7f

Building Removal Quarterly Report

This attachment will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Environmental Services Cooperative Agreement-Quarterly Report

Meeting Date: April 13, 2018

Agenda Number: 7g

INFORMATION/ACTION

RECOMMENDATION:

Receive an Environmental Services Cooperative Agreement (ESCA) Quarterly Report.

BACKGROUND:

In Spring 2005, the U.S. Army (Army) and the Fort Ord Reuse Authority (FORA) entered negotiations toward an Army-funded Environmental Services Cooperative Agreement (ESCA) for removal of remnant Munitions and Explosives of Concern (MEC) on 3,340 acres of the former Fort Ord. FORA and the Army signed the ESCA agreement in early 2007. Under the ESCA terms, the Army awarded FORA approximately \$98 million to perform the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) MEC cleanup on those parcels. FORA also entered the Administrative Order on Consent (AOC) with U.S. Environmental Protection Agency (EPA) and California Department of Toxic Substance Control (DTSC) (together Regulators) defining FORA's contractual conditions to complete the Army remediation obligations for the "ESCA parcels." FORA received the ESCA parcels after EPA approval and gubernatorial concurrence under a Finding of Suitability for Early Transfer (FOSET), May 8, 2009.

To complete the ESCA & AOC obligations, FORA entered a Remediation Services Agreement (RSA) in 2007 by competitively selecting LFR Inc. (now ARCADIS) to provide MEC remediation services. ARCADIS remediation services are executed under a cost-cap insurance policy through American International Group (AIG) assuring financial resources to complete the work and offer other protections for FORA and the jurisdictions.

DISCUSSION:

The ESCA requires FORA, acting as the Army's contractor, to address safety issues resulting from historic Fort Ord munitions training operations. Through the ESCA, FORA and the ESCA Remediation Program (RP) team have successfully addressed three historic concerns: 1) yearly federal appropriation funding fulgurations that delayed Army cleanup and necessitated costly mobilization and demobilization expenses; 2) Regulator questions about protectiveness of previous actions for sensitive uses; and 3) the local jurisdiction, community and FORA's desire to reduce, MEC property access risks.

Of the \$98 million of ESCA FORA received, FORA paid \$82.1 million upfront, to secure an AIG "cost-cap" insurance policy. AIG controlled the \$82.1 million in a "commutation" account and payed ARCADIS directly as work was performed. AIG provides up to \$128 million assuring additional work (known and unknown) is completed to the Regulators satisfaction (see table below). Under these agreements, AIG pays ARCADIS directly while FORA oversee ARCADIS compliance with the ESCA and AOC requirements. On January 25, 2017, ARCADIS notified FORA that the ESCA commutation account was exhausted and that future ARCADIS work would be paid under the terms of the AIG "cost-cap" insurance policy until March 30, 2019. ARCADIS will continue to provide FORA with quarterly AIG cost-cap insurance invoicing estimates, which FORA staff will continue to report in the ESCA Quarterly Board Report.

ESCA Activity Status:

Data collected during the ESCA field investigations is under Regulator and Army review. The review and documentation process is dependent on Army and Regulator responses and decisions, who will issue written confirmation that CERCLA MEC remediation work is complete (known as Regulatory Site Closure).

The Record of Decision (ROD) records the Regulator and Army decision on the cleanup and what controls are required to continue to protect public health and safety. On November 25, 2014, the Regulators signed the ROD for the ESCA Group 3 properties located in Monterey County (at Laguna Seca); City of Monterey (south of South Boundary Road); Del Rey Oaks (south of South Boundary Road); and Monterey Peninsula College (MPC) Military Operations in Urban Terrain (MOUT) property. On February 26, 2015, the Regulators signed the ROD for the ESCA Group 2 California State University Monterey Bay (CSUMB) property (south of Inter-Garrison Road). The Regulators signed the ESCA Interim Action Ranges (IAR) ROD in December 2016. Currently, Draft Final ESCA Group 1 and 4 RODs await Regulatory and Army approval.

A Land Use Control Implementation Plan/Operation and Maintenance Plan (LUCIP/OMP) document prescribes implementing, operating and maintaining ROD controls tailored to individual site conditions and historic MEC use. The Regulators and Army approve LUCIP OMP documents before issuing regulatory site closure. Final ESCA Group 2, 3 and Interim Action Range LUCIP/OMP documents await Regulatory and Army approval.

ESCA Future Actions:

Until regulatory review, concurrence and site closure is received, the ESCA property is not open to the public. Regulatory approval does not determine end use. When regulatory site closure is received, FORA will transfer land title to the appropriate jurisdiction for reuse programming. Underlying jurisdictions are authorized to impose or limit zoning, decide property density or make related land use decisions in compliance with the FORA Base Reuse Plan.

ESCA Amendment Status

In December 2016, FORA and Army Base Realignment and Closure (BRAC) Headquarters (HQ) staff met to discuss funding ESCA Long-Term Obligations (LTO) and amend FORA ESCA Administrative and Regulatory Oversight costs. The ESCA Amendment LTO request addressed funding Army CERCLA LTO responsibilities anticipated during the 2007 ESCA negotiations, but could not be known until the CERCLA process was implemented, RODs adopted identifying the Army's requirements for Post-Closure MEC-Find Assessments, Long Term Management (LTM) and Land Use Controls (LUC) and defined LUCIP/OMP documents.

FORA staff/Special Counsel and the Army Corps of Engineers negotiated ESCA Amendment terms and conditions from December 2016 to December 2017. On July 13, 2017, the FORA Board authorized the Executive Officer to accept an ESCA Amendment. On December 20, 2017, the FORA Executive Officer signed the ESCA amendment for \$6,846,204. In January 2018 the Army sent FORA the first quarterly installment of ESCA Amendment funds.

Post-ESCA Amendment ESCA fund status as of December 2017:

Item	2017 Amendment Allocations	Accrued through December 2017	Invoiced to AIG Cost Cap-Policy
Line Item 0001 Environmental Services			
FORA Self-Insurance or Policy			
State of California Surplus Lines Tax, Risk Transfer, Mobilization			
Contractor's Pollution Liability Insurance			
ARCADIS/AIG Commutation Account - <i>plus</i> - AIG insurance			
Original FORA Administrative Fees			
<i>Line Item 001: Subtotal</i>			
Line Item 0002 thru 31 Dec 2019: DTSC and EPA Technical Oversight Services			
Line Item 0003 thru 30 June 2020: FORA ESCA Administrative Funds			
Line Item 0004 thru 30 June 2028: Post-Closure MEC Find Assessments			
Line Item 0005 thru 30 June 2028: Long Term/LUC Management			
Total			
	<i>ESCA Remainder</i>		<i>N/A</i>

FISCAL IMPACT:

Reviewed by FORA Controller _____

COORDINATION:

Administrative Committee; Executive Committee; Authority Counsel; Special Counsel, ARCADIS; U.S. Army EPA; and DTSC.

Prepared by _____
Stan Cook

Approved by _____
Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT	
CONSENT AGENDA	
Subject:	Public Correspondence to the Board
Meeting Date:	April 13, 2018
Agenda Number:	7h
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

Placeholder for Item 8a

**Fiscal Year 2017-18 Mid-Year Budget/Section 115
Trust 2d Vote**

This attachment will be included in the final Board packet.

Placeholder for Item 8b

**Regional Urban Water Augmentation Project &
3 Party Planning Water Augmentation Study Report**

This attachment will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	Transition Planning Update	
Meeting Date:	April 13, 2018	INFORMATION/ACTION
Agenda Number:	8c	

RECOMMENDATION

- i. Receive a transition planning issue update
- ii. Receive transition plan updated Water and Financial Summary Charts and a Miscellaneous Contracts Summary Chart

BACKGROUND/DISCUSSION

1. In accordance with the workplan outlined at the beginning of the year, the Board has received multiple draft chapters compiling contractual pledges, liabilities, assets and obligations together with proposed assignments of each of those documents. The Transition Ad Hoc Committee met on March 27, 2018 and has scheduled three upcoming meetings. At the TAC meeting, the draft Joint Powers Authority documentation for the Habitat Cooperative was distributed in addition to updated figures from our financial consultant. The next meetings will be on April 18, 2018 at 12:30p.m., May 9, 2018 at 3:00pm and May 30, 2018 at 12:30 p.m. It is staff's intent to produce a completed draft Transition Plan at the May 30, 2018 TAC meeting.
2. FORA staff remains in communication with the Local Area Formation Commission (LAFCO) on status of the Transition Plan and any additional information LAFCO has become aware of for its analysis. Since environmental review will be required, a brief exploration with an environmental consultant has estimated environmental review costs range up to \$200,000 (depending upon the required level of environmental analysis).
3. Attached this month are updated summary charts water and financial, since they originally were prepared with the single successor entity assignment. They have been updated to reflect multiple successor agencies as appropriate. Additionally, please find the draft Miscellaneous contracts list for contracts which do not fit nicely into other categories.

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.

Prepared by _____
Sheri L. Damon

Reviewed by _____
Steve Endsley

Approved by _____
Michael A. Houlemard, Jr.

ATTACHMENTS:

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

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

Attachment C: Summary Chart: Miscellaneous Contracts **[PLACEHOLDER]**

DRAFT

Placeholder for Item 8c Attachment A

Summary Chart Water

This attachment will be included in the final Board packet.

Placeholder for Item 8c Attachment B

Summary Chart Financial

This attachment will be included in the final Board packet.

Placeholder for Item 8c Attachment C

Summary Chart Miscellaneous Contracts

This attachment will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject: Affordable Housing Report

Meeting Date: April 13, 2018

Agenda Number: 8d

INFORMATION

RECOMMENDATION(S):

Receive an Affordable Housing History and Monterey Bay Economic Partnership “MBEP”) Housing Policy Report.

AFFORDABLE HOUSING

History:

Affordable housing on the former Fort Ord has long been a subject of interest to public policy makers and the Monterey Bay community. Federal, State, FORA Board, and local land use jurisdiction policies have all been part of the policy solutions since base closure. More recently, national economic trends, market forces, and a growing recognition of the critical housing supply shortage have reenergized efforts to develop affordable housing solutions for the Monterey Bay region. This report summarizes key policies that have influenced the Fort Ord reuse process, and sets the stage for a presentation by the Monterey Bay Economic Partnership (“MBEP”) Housing Policy Coordinator.

Upon base closure in 1994, the federal McKinney Act required properties transferred from the US Army under a Public Benefit Conveyance (“PBC”) to be made available to local non-profits with a Federal Sponsor. The Federal Base Realignment and Closure (“BRAC”) process explicitly prioritized veterans and homeless services providers for receipt of these PBC conveyance properties. Organizations that obtained former Fort Ord Land under this program include: Monterey County Housing Authority, Veterans Transition Center, Community Human Services, and Interim, Inc. FORA recently assisted the VTC in securing additional water allocation from the U.S. Army to expand their program.

California State Redevelopment Law under the Health and Safety Code required at least 15% inclusionary (affordable) housing in redevelopment project areas. (Source?). Early on in the FORA process member jurisdictions voted to increase this minimum by 5%, largely in response to housing price increases witnessed in the Seaside Highlands development (Source?). At the behest of Congressman Farr, the FORA Board created a Housing Task Force facilitated by FORA staff and including a diverse range of jurisdictional and regional stakeholders, housing professionals, public and private sector housing developers, the local business community, and the public. As part of this effort, several housing studies were commissioned including The Clark Group Housing Task Force Report (2003) which recommended creation of a housing trust fund to facilitate project construction, and using FORA CIP contingency dollars to produce Affordable Housing. Another study by Bay Area Economics (“BAE”), Economic Analysis of Below Market Rate Housing (2003) suggested that achieving 40% inclusionary housing within new projects would only be possible with extensive project subsidies. Ultimately the Housing Task Force recommended a target 30% inclusionary housing requirement on former Fort Ord projects. The FORA Master Resolution Amendment 8.02.020. (t) was enacted and formally established the minimum 20% inclusionary target for former Fort Ord projects and required ‘Jobs-Housing balance measures to be considered under FORA’s consistency analysis of individual projects. Practically speaking this resulted in a 30% inclusionary target with workforce housing kicking in

at 21-30%. Additional Jobs-Housing Balance provisions were adopted by vote of the members of the Community Facilities District including the establishment of a tiered Community Facility District (“CFD”) structure and incorporated into the Master Resolution by Amendment in 2004. Under this provision developers providing >20% inclusionary housing could take advantage of reduced CFD fees based on a tiered structure. Since 2004, one project (Promontory Student Housing) has qualified for the Tier 1 CFD fee rate. No projects have yet qualified under Tiers 2 & 3.

More recently, the 2008 Great Recession impacted local affordable housing by eliminating the market differential between Workforce Housing and Market Rate Housing (i.e. market rate housing prices decreased). This reduced incentive for both individual below market projects and the hoped for local Housing Trust, which would have relied on contributions from local employers and municipalities. The original Housing Task Force had been impressed with efforts made by the Silicon Valley Housing Trust, and there is now the potential to engage their resources and expertise directly under the auspices of the MBEP whose recent activities in this vein are described below. Since the recession, market rate housing prices have risen to pre-recession levels. The Fort Ord Base Reuse Plan Reassessment - Market & Economic Analysis (EPS 2012) suggested former Fort Ord home prices are too high for younger and less educated consumers, indicating need to reconfigure product types. The Fort Ord Regional Urban Design Guidelines - Market & Economic Update (SE 2014) suggested slow market-rate unit absorption reflected mismatch between Monterey County resident incomes and home prices. The Post-Reassessment Advisory Committee (“PRAC”) took up the housing affordability issue again in 2016. The committee reviewed Fort Ord reuse affordable housing policy actions, and heard from leading authorities on recommendations for achieving more affordable housing realities in California (FI 2014). The committee also explored “affordable by design” concepts including tiny homes, and leveraging public land ownership to reduce housing cost for qualified buyers, and the possibility of building partnerships among area educational institutions for sharing land, water, and other resources to create housing for Teachers. Recognizing that housing affordability is a regional challenge, the FORA Board also supported formation of the Monterey Bay Economic Partnership to bring a regional focus on this critical issue.

Monterey Bay Economic Partnership (“MBEP”) Housing Policy Report

In 2017, MBEP hired Matt Huerta to head up the regional affordable housing initiative. Working with partners at Envision Housing, Matt produced a report titled “What Realistic Policy Changes Could Improve Housing Affordability in the Monterey Bay Region?” (2018), which was presented to the Monterey County Board of Supervisors in March. A follow-up presentation to the FORA Board was recommended by Supervisor Phillips, and Matt is here today to deliver that report.

Appendix 1. Summary of Projects

Table 1.

Project	Jurisdiction	Total Units	Market Rate Units	% Market Rate Units	Affordable Units	% Affordable Units	Workforce Units	% Workforce Units
Entitled New Residential								

Seahaven	Marina	1,050	840	80%	237	23%	159	15%
Dunes on Monterey Bay	Marina	1,237	866	70%	247	20%	124	10%
Cypress Knolls	Marina	712	498	70%	143	20%	71	10%
Seaside Highlands **	Seaside	380	380	100%	0	0%	0	0%
Seaside Resort	Seaside	125	125	100%	0	0%	0	0%
East Garrison	Monterey County	1,470	1,050	71%	294	20%	126	9%
Subtotals		4,974	3,759	76%	921	19%	480	10%
Existing Residential								
Preston Park	Marina	352	301	86%	0	0%	0	0%
Abrams B***	Marina	192	57	30%	0	0%	0	0%
Interim Inc.	Marina	11	0	0%	11	100%	0	0%
MOCO Housing Authority	Marina	56	0	0%	56	100%	0	0%
Shelter Outreach Plus	Marina	39	0	0%	39	100%	0	0%
Veterans Transition Center	Marina	13	0	0%	13	100%	0	0%
Sunbay	Seaside	297	297	100%	0	0%	0	0%
Bayview	Seaside	223	0	0%	0	0%	223	100%
East Campus	CSUMB	1,253	0	0%	1,253	100%	0	0%
POM Annex	U.S. Army	1,590	0	0%	1590	100%	0	0%
Subtotals		2,436	655	26.89 %	1,372	56.32%	223	9.2%
Proposed/Planned Units								
UC	UC/Marina	240	168	70%	48	20%	24	10%
Planned Housing	Seaside	883	618	70%	177	20%	88	10%

Del Rey Oaks Housing	Del Rey Oaks	691	483	70%	138	20%	70	10%
		2,526	1,767	70%	505	20%	254	10%

Totals (Entitled, Existing, Proposed/Planned)								
	Marina	3,662	2,562	70%	746	20%	354	10%
	Seaside	1,908	1,420	73.5%	177	11.5%	311	15.0%
	Monterey County	1,470	1,050	71%	294	20%	126	9%
	Del Rey Oaks	691	483	70%	138	20%	70	10%
	CSUMB	1,253	0	0%	1,253	100%	0	0%
	UCMBES T	240	168	70%	48	20%	24	10%
	U.S. Army	1,590	0	0	1,590	100%	0	0%
	Total	10,814	5,683	54%	4,246	38%	885	8%

*Seahaven (Marina Heights) affordable component includes 186 affordable units from Abrams B and Preston Park.

**City of Seaside intends to comply with State of California redevelopment law and the Fort Ord Reuse Authority Master Resolution by causing the construction of a minimum of 20% low and moderate income housing on a separate site on the former Fort Ord. Note, 'SH Affordable' under proposed residential projects accomplishes a portion of this requirement.

***135 units in Abrams B and 51 units in Preston Park are designated as affordable units for the Marina Heights project.

Additional resources:

FORA Master Resolution 8.02.020. (t) implements BRP policy requiring a minimum of 20% Affordable Housing. [Affordable to Very Low, Low, and Moderate income levels]

FORA Master Resolution Defines Workforce Housing as up to 180% above median area income.

FORA CFD allows for a lower fee for qualified affordable housing projects.

2017 Monterey County rates as published by the State of California: AMI-4 Person-\$68,700.

<http://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits/docs/inc2k17.pdf>

Additional note: HUD has different and lower limits for AMI for Monterey County of 63,100. The low income number is 65,100.***

See <https://www.huduser.gov/portal/datasets/il/il2017/2017summary.odn>

Appendix 2

Key References

Bay Area Economics (2003). Economic Analysis of Below Market Rate Housing.

Clark Group (2003). Fort Ord Reuse Authority Affordable/Workforce Housing Study.

Economic and Planning Systems (2012). Fort Ord Base Reuse Plan Reassessment - Market & Economic Analysis.

Fermerian Institute (2014). Opening San Diego's Door to Lower Housing Costs.

Monterey Bay Economic Partnership (2018). What Realistic Policy Changes Could Improve Housing Affordability in the Monterey Bay Region?

Strategic Economics (2014). Fort Ord Regional Urban Design Guidelines - Market & Economic Update.

FISCAL IMPACT:

Reviewed by FORA Controller _____

Funding for staff time and ED program activities is included in the approved FORA budget.

COORDINATION:

Administrative and Executive Committees

DRAFT

Prepared by _____ Approved by _____
Josh Metz Michael A. Houlemard, Jr.

Placeholder for Item 8e

Executive Committee Report

This attachment will be included in the final Board packet.

- END -

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BOARD PACKET**