



# FORT ORD REUSE AUTHORITY

## REGULAR MEETING

### FORT ORD REUSE AUTHORITY (FORA) ADMINISTRATIVE COMMITTEE

Wednesday, October 30, 2019 at 8:30 a.m.

920 2<sup>nd</sup> 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. October 16, 2019 Meeting Minutes

**6. NOVEMBER 8, 2019 BOARD MEETING AGENDA REVIEW**

**ACTION**

**7. BUSINESS ITEMS**

**INFORMATION/ACTION**

a. Overall Capital Improvement Program

i. Habitat Conservation Plan Status and Schedule

ii. Review Building Removal Bond Legal Documents

iii. Review Final Draft Transportation Study

**8. ITEMS FROM MEMBERS**

**INFORMATION**

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

**9. ADJOURNMENT**

**NEXT MEETING: Wednesday, November 13, 2019 at 8:30 a.m.**



**FORT ORD REUSE AUTHORITY**  
**ADMINISTRATIVE COMMITTEE MEETING MINUTES**  
**8:30 a.m., Wednesday October 16, 2019 | FORA Conference Room**  
920<sup>nd</sup> Avenue, Suite A, Marina, CA 93933

**1. CALL TO ORDER**

Co-Chair Michael A. Houlemard, Jr called the meeting to order at 8:30 a.m.

The following were present:

Dino Pick\* (City of Del Rey Oaks)  
David Sargenti (MCRFD)  
Patrick Breen (MCWD)  
Layne Long\* (City of Marina)  
Anya Spear (CSUMB)  
Matt Mogensen (City of Marina)

Jonathan Brinkmann (LAFCO)  
Melanie Beretti\* (County of Monterey)  
Steve Matarazzo (UCSC)  
Vicki Nakamura (MPC)  
Hans Uslar\* (City of Monterey)  
Mike Zeller (TAMC)

\*Voting member

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Harrison Tregenza.

**3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE**

- Assistant Executive Officer Josh Metz announced that the Monterey Bay Opportunity Zone Investment Forum will be held at CSUMB Salinas City Center Friday, November 15, 2019 at 8:00 a.m. For registration and additional information visit [www.mboz.org](http://www.mboz.org).
- CSUMB Associate Director of Campus Planning Anya Spear reported the University kicked off its academic-year-long 25<sup>th</sup> Anniversary Celebration.

**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.*

No public comments were received.

**5. APPROVAL OF MEETING MINUTES**

**ACTION**

- a. October 2, 2019 Special Meeting Minutes

**MOTION:** On motion by Committee member Malin, second by Committee member Long and carried by the following vote, the Administrative Committee moved to approve the October 2, 2019 meeting minutes.

**MOTION PASSED UNANIMOUSLY**

**6. OCTOBER 11, 2019 REGULAR BOARD MEETING FOLLOW-UP**

Executive Officer Michael Houlemard reviewed the discussion topics of the October 11, 2019 Board Meeting. He reported Senior Project Manager Peter Said provided an overview of the Capital Improvement Program (“CIP”). Mr. Metz stated the Board engaged in an intensive discussion with NHA Advisors consultant Mark Northcross regarding the Building Removal Bond. Mr. Houlemard noted the Board heard an action item intended to correct adoption of a health benefits retention incentive program for FORA’s eligible employees. The Board approved payment of these employees’ health insurance costs for a designated time (to be determined) following FORA’s June 30, 2020 sunset date. Regional Government Services (“RGS”) consultant Mi-Ra Park presented the Board with health fund distribution options, including a Health Reimbursement Account (“HRA”) or a single lump sum payment. RGS will prepare further administrative cost comparisons to assist the Board in determining the most efficient benefit distribution method.

**7. BUSINESS ITEMS****INFORMATION/ACTION****a. Habitat Conservation Plan Status and Schedule**

Mr. Houlemard introduced the Habitat Conservation Plan (“HCP”) consultant team consisting of the following: Erin Harwayne of Denise Duffy & Associates, Aaron Gabbe of ICF International, Ellen Martin of Economic and Planning Systems (“EPS”), Kendall Flint of RGS, Kristie Reimer of Reimer Associates, and David Willoughby and Jon Giffen of Kennedy, Archer & Giffen. Mr. Metz also noted in attendance were UCSC Natural Reserves Director Gage Dayton and Bureau of Land Management Fort Ord National Monument Manager Eric Morgan, both of whom have played a large leadership role in HCP formation. Mr. Metz credited Mr. Morgan with organizing the Coordinated Resource Management Plan group, which met last month to discuss HCP and Habitat Management Plan (“HMP”) amongst the region’s resource management agencies.

*\*Item 7.a.ii. was heard prior to item 7.a.i.*

**i. Cost Sensitivity Analysis and Habitat Management Funding**

Ms. Martin began by stating the two main goals of her economic presentation: 1) to update the Committee regarding preliminary outcomes of HCP cost sensitivity analysis and 2) to review HCP cost allocation alternatives. She provided an overview of the draft HCP cost structure and financing strategy, HCP sensitivity analysis scenarios (“What-if Analysis”) and results and the preliminary Cost Allocation Alternatives. Ms. Martin applied the HCP cost sensitivity analysis to the following hypothetical scenarios; Scenario #1: Delayed Revenues showing a slower absorption and delayed revenues, the HCP cost remains the same, Scenario #2: Delayed Revenues + Early Years Cost Reduction showing cost are reduced in the early years by 5%, 10% and 20%, and the cost returns to baseline assumptions once all development is absorbed, and Scenario #3: Delayed Revenues + Overall Cost Reduction, total permit term and post-permit term cost are reduced by 15% and 25%. Ms. Martin noted all scenarios are hypothetical. Ms. Martin stated the other piece of the analysis that EPS was tasked with was evaluating alternative methods to allocate cost amongst the jurisdictions ie the endowment capitalization requirements. Alternative #1 CFD Revenue represents future development at current CFD rates, and Alternative #2 Developable Acreage included entitled HCP dependent and planned development HCP acreage. The Committee discussed the information provided at length and FORA staff and consultants answered questions from members and the public.

## ii. Joint Powers Authority Formation and Schedule

Ms. Harwayne presented a brief background of HCP as it relates to the original HMP agreement between the Army and Fish and Wildlife Services (“FWS”). She summarized the main protections outlined in the HCP public draft, which would cover all base reuse activities within the Plan Area. Ms. Harwayne provided a map indicating the Plan Area’s Borderlands, Habitat Management Areas (“HMA”) and Designated Development Parcels, as well as a map representing HMAs by jurisdiction. Mr. Metz explained several benefits of HCP, namely that it provides Comprehensive and holistic habitat conservation and Incidental Take Permits for local control of state and federal Endangered Species Act compliance. He gave a general overview of the HCP permit process and Mr. Willoughby reviewed the Joint Powers Authority (“JPA”) legal framework and key functions. Mr. Willoughby stated the primary purpose of the JPA is to ensure HCP permit compliance by establishing a governing Board consisting of 14 local and state entity voting members and BLM as an ex-officio member. Mr. Gabbe reviewed the proposed HCP & EIR/EIS schedule and discussed how this schedule will progress alongside the proposed HCP JPA formation schedule. FORA staff and consultants answered questions from the Committee. *Member Long requested more information regarding alternative agreement options to JPA, such as a Memorandum of Understanding (“MOU”). Mrs. Flint agreed to provide the Committee and Board with a comparative analysis of JPA and MOU agreements. Mrs. Flint noted liability issues as the main reason to form a JPA rather than another type of agreement. Mr. Morgan asked whether the JPA would act as FORA’s successor agency regarding California Environmental Quality Act compliance. Staff noted Mr. Morgan’s question and will provide additional information at the next meeting.*

### b. Capital Improvement Program

Senior Project Manager Peter Said explained that per the Community Facilities District (“CFD”), FORA is required to perform a biennial fee study. Mr. Said outlined the multiple steps to complete the study, noting its \$50,000 total cost and FORA’s June 30, 2020 sunset date. He asked the Committee to consider a recommendation to the Board to forego the biennial fee study and use those funds for other projects, such as designating jurisdiction CFD replacements.

**MOTION:** On motion by Committee member Pick, second by Committee member Long and carried by the following vote, the Administrative Committee moved to recommend the Board of Directors not to conduct the biennial fee study.

### **MOTION PASSED UNANIMOUSLY**

*\*Mr. Said stated staff would come back with biennial fee study fund allocation options for the Committee’s consideration.*

The Committee was provided two transportation project lists; the approved Final Year CIP list and the proposed draft CIP list, which will be used to determine the last/mid-year budget. Mr. Said explained the proposed CIP list was informed by the Transportation Study and discussed the biological studies that must be performed in order to complete the NE-SW Connector road. Mr. Said will return to the next Committee meeting with the CIP transportation list and estimated budget expenses. He explained that upon completion of FORA’s audit staff will determine if any additional funding may be received through Development Fee Program. Staff responded to questions from members.

**c. Environmental Services Cooperative Agreement 2020-28 Long Term Obligation Annual Calendar Review and Comment**

Senior Program manager Stan Cook reviewed main functions of the Environmental Services Cooperative Agreement (“ESCA”), primarily public safety through munitions removal. Mr. Cook discussed the proposed ESCA Long Term Obligation (“LTO”) Annual Calendar, which outlines the sequence of ESCA LTO reporting, field inspections and meetings. The objective of the ESCA LTO Annual Calendar is to ensure information flow between the Army, Regulators, ESCA LTO Program Management staff and jurisdictions’ staff in order to meet FORA’s (or ESCA successor entity) Army ESCA contractual requirements. Mr. Cook noted the ESCA LTO Annual Calendar also meets ESCA Land Use Control requirements of regularly informing/updating all parties. With support from the Committee Mr. Cook stated he would begin setting up meetings per the ESCA LTO Annual Calendar beginning in January 2020.

**8. ITEMS FROM MEMBERS**

There were no items from members.

**9. ADJOURNMENT** at: 10:43 a.m.

Minutes Prepared By:  
Natalie Van Fleet  
Administrative Assistant

DRAFT

**- START -**

**DRAFT  
BOARD PACKET**



# FORT ORD REUSE AUTHORITY

## REGULAR MEETING

### FORT ORD REUSE AUTHORITY (FORA) BOARD OF DIRECTORS

Friday, November 8, 2019 at 2:00 p.m. | 910 2<sup>nd</sup> Avenue, Marina, CA 93933 (Carpenters Union Hall)

## AGENDA

**ALL ARE ENCOURAGED TO SUBMIT QUESTIONS/CONCERNS BY NOON NOVEMBER 7, 2019.**

#### 1. CALL TO ORDER

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

#### 3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

#### 4. 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.

#### 5. 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 August 15, 2019 Special Meeting Minutes  
**Recommendation:** Approve August 15, 2019 Special Meeting Minutes.
- b. Approve October 11, 2019 Meeting Minutes  
**Recommendation:** Approve October 11, 2019 Meeting Minutes.
- c. Administrative Committee  
**Recommendation:** Receive a report from the Administrative Committee.
- d. Veterans Issues Advisory Committee  
**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 ("WWOC").
- f. Public Correspondence to the Board  
**Recommendation:** Receive Public Correspondence to the Board.

## 6. 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. **2<sup>nd</sup> Vote** Terminated Employee Health Benefit Options and Retiree Medicare Reimbursement  
**Recommendation:**
  - i. Authorize the Executive Officer to execute liability release terms for retiring staff upon authority counsel recommendation and approval, to include recent retirees.
  - ii. Approve Option A or B to clarify post-FORA employee health benefits for terminated employees is administered.
- b. Review Building Removal Bond Legal Documents  
**Recommendation:** Receive a Building Removal Bond Status Report
- c. Habitat Conservation Plan Status Report and Joint Powers Authority (JPA) Formation Adoption Schedule  
**Recommendation:**
- d. 2018 Transition Plan and Draft Implementing Agreements  
**Recommendation:**
- e. Receive Marina Coast Water District Transition Status Report  
**Recommendation:**
- f. 2020 Transition Transportation Study  
**Recommendation:** Receive a report on the completed 2020 Transition Transportation Study
- g. Resolution to Terminate CalPERS Contract and Agreement  
**Recommendation:** Adopt Resolution 19-xx a Resolution to Terminate the CalPERS contract and agreement.

## 7. 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.*

## 8. ITEMS FROM MEMBERS

## INFORMATION

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

## 9. ADJOURNMENT

**NEXT SPECIAL MEETING: November 21, 2019 AT 10:00 A.M.**

*Persons seeking disability related accommodations should contact FORA 48 hours prior to the meeting. This meeting is recorded by Access Media Productions and televised Sundays at 9 a.m. and 1 p.m. on Marina/Peninsula Channel 25. The video and meeting materials are available online at [www.fora.org](http://www.fora.org)*



# **Placeholder for Item 5a**

**Special Board Meeting Minutes Aug 15, 2019**

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**This item will be included in the final Board packet.**

# **Placeholder for Item 5b**

**Board Meeting Minutes Oct 11, 2019**

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**This item will be included in the final Board packet.**

# FORT ORD REUSE AUTHORITY BOARD REPORT

## CONSENT AGENDA

<b>Subject:</b>	Administrative Committee	
<b>Meeting Date:</b>	November 8, 2019	<b>INFORMATION/ACTION</b>
<b>Agenda Number:</b>	5c	

### **RECOMMENDATION:**

Receive a report from the Administrative Committee.

### **BACKGROUND/DISCUSSION:**

The Administrative Committee held a meeting on October 2, 2019 and October 16, 2019. The approved minutes for these meetings are provided as **Attachment A, and B.**

### **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 \_\_\_\_\_  
Heidi L. Gaddy Michael A. Houlemard, Jr.



APPROVED

**FORT ORD REUSE AUTHORITY**  
**ADMINISTRATIVE COMMITTEE MEETING MINUTES**  
**8:30 a.m., Wednesday October 2, 2019 | FORA Conference Room**  
920<sup>nd</sup> Avenue, Suite A, Marina, CA 93933

**1. CALL TO ORDER**

Chair Dino Pick called the meeting to order at 8:31 a.m.

The following were present:

Dino Pick\* (City of Del Rey Oaks)  
David Sargenti (MCRFD)  
Patrick Breen (MCWD)  
Layne Long\* (City of Marina)  
Anya Spear (CSUMB)  
Matt Mogensen (City of Marina)

Jonathan Brinkmann (LAFCO)  
Melanie Beretti\* (County of Monterey)  
Steve Matarazzo (UCSC)  
Vicki Nakamura (MPC)  
Lisa Reinheimer (MST)  
Mike Zeller (TAMC)  
\*Voting member

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Dino Pick.

**3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE**

- The Monterey Bay Opportunity Zone Forum has been moved to Friday, November 15, 2019
- Committee member Dino Pick thanked Michael A. Houlemard, Jr, Josh Metz, Kriste Reimer, and the FORA team for hosting an amazing 2-day Association of Defense Communities 2019 Base Redevelopment Forum Conference.

**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.*

No public comments were received.

**5. APPROVAL OF MEETING MINUTES**

**ACTION**

- a. September 9, 2019 Special Meeting Minutes & September 18, 2019 Regular Meeting Minutes

**MOTION:** On motion by Committee member Long, second by Committee member Beretti and carried by the following vote, the Administrative Committee moved to approve the September 9, special meeting minutes and September 18, 2019 regular meeting minutes.

**MOTION PASSED UNANIMOUSLY**

**6. OCTOBER 7, 2019 SPECIAL BOARD MEETING AGENDA REVIEW  
OCTOBER 11, 2019 REGULAR BOARD MEETING AGENDA REVIEW**

Executive Officer Michael A. Houlemard, Jr. reviewed the items on the draft Special Board Meeting agenda for October 7, 2019, noting this special meeting is to review the legal documents pertaining to the Building Removal Bond legal documents, and possibly a closed session regarding the ongoing discussion regarding Executive Officer, Assistant Executive Officer goals which the Executive Committee will review and decide upon. Mr. Houlemard also reviewed the items as proposed on the draft agenda for the October 11, 2019 regular Board Meeting. There were no questions or comments from the Committee.

**7. BUSINESS ITEMS**

**INFORMATION/ACTION**

**a. Building Removal**

**i. Legal Documents**

Senior Project Manager Peter Said provided a brief building removal bond update and a schedule for submitting legal documents, Board of Supervisors meetings and public hearings. Mr. Said stated a draft legal document would be sent to Committee members that day and noted the November 8, 2019 Board meeting is the target date for approval of bond issue legal documents. NHA Advisors Principal Consultant Mark Northcross discussed two options for filing post-FORA annual tax increment debt service paperwork as required by the County Auditor Controller and the Department of Finance: 1) Statutory pass-through or 2) Recognized Obligation Payment Schedule (“ROPS”). The Controller and DOF currently treat the bond issue as a statutory pass-through, however, Mr. Northcross warned this may be challenged in court at any time. If legal action no longer permits a statutory pass-through, then a ROPS application must be implemented. Mr. Northcross discussed the actions to be taken by coordinating jurisdictions to prepare a ROPS application and answered questions from members. Member Beretti requested NHA Advisors provide an official memo for legal counsel analyzing these options and the associated legal risks/operational challenges. Mr. Northcross stated the \$40.5M estimated bond issue may be put into an escrow term bond (“speculative bond”) for increased proceeds based on assessed valuation of 2020-2022 future growth. Member Layne Long requested NHA Advisors provide analysis of realistic projected growth by year, so legal counsel may determine speculative bond risk vs. reward. Executive Officer Michael A. Houlemard, Jr. requested NHA Advisors present a graphic at the October 7, 2019 Special Board meeting, detailing how extra funds are acquired through the speculative bond program per unit.

**ii. Monterey County Regional Fire District**

Mr. Northcross provided a review of the potential financial impact to Monterey County Regional Fire District (“MCRFD”). MCRFD Chief Deputy David Sargenti noted the revenue loss in the first seven years following FORA’s dissolution (2020-2027) totals about \$1.8M; \$500,000 in year one, decreasing annually. The Committee was presented with options for ensuring MCRFD’s operational funding needs are met for these first seven years. Option #1: County of Monterey and Cities of Marina and Seaside provide a pro-rata share of their own funds (\$600,000 each). Option #2: County of Monterey and Cities of Marina and Seaside provide an equal share of bond proceeds (\$600,000 each). Committee members discussed the proposed options and agreed to take the information to each jurisdiction’s counsel for review. Jurisdictions will enter into a third-party agreement to address MCRFD revenue impacts, bringing more detail back to the October 16, 2019 Administrative Committee meeting.

### **iii. Review Recommendation to Board**

Mr. Said briefly summarized the Committee's recommendations to the Board from the September 18, 2019 meeting. The Committee recommended the City of Marina as successor entity for FORA building removal bond administration, pending the City's acceptance. Additionally, the Committee recommended allocating bond funds by percentage, allowing each account owner to determine project prioritization. The Committee received an updated bond proceed allocation chart listing each account owner, percentage of bond proceeds allocated and a summary of projects\*. Mr. Said noted the Board will be asked to review these recommendations at the October 7, 2019 special meeting\*\*. Following Board approval, FORA will recommend the Monterey County Board of Supervisors hold a public hearing to determine public benefit of the bond and establish a commitment from the County to direct increment intercept from FORA to the bond trustee. After a robust discussion the Committee agreed to postpone the building removal bond recommendations and bring the item back to the Board for information/action in November.

*\*Committee member Melanie Beretti noted for the record the County of Monterey is considering additional blight removal in the East Garrison development area. These additional parcel numbers will be provided to FORA staff following the special Fort Ord Committee site visit on October 10, 2019.*

*\*\*Member Beretti noted for the record that the October 7, 2019 special Board meeting/workshop agenda should be information only until more information is available.*

### **b. 2018 Transition Plan Progress Report**

Regional Governmental Services ("RGS") Consultant Kendall Flint noted that last month she met with staff and Local Agency Formation Commission of Monterey County to look at all the moving parts, and has been working to schedule meetings with the individual jurisdictions to identify the challenges/concerns. Mrs. Flint noted she has confirmed meetings with all jurisdictions with the exception of the City of Marina, and the City of Seaside. Mrs. Flint stated she will work with FORA's Assistant Executive Officer Josh Metz on a master schedule month by month as these are moving targets. In addition, Mrs. Flint intends to bring an overall schedule broken down by month for review at the October 16, 2019 Administrative Committee Meeting, along with a discussion in greater detail on the 10 additional agreements. As it pertains to the 10 additional agreements, Mrs. Flint is meeting with Authority Counsel to go over their assessment of the agreements, as they believe some are no longer valid/needed, and/or require Board action.

Mrs. Flint advised the Committee she had a discussion with Economic & Planning Systems regarding the approach of looking at the Habitat Conservation Plan ("HCP") implementation cost, and EPS will follow up with Mr. Metz on a 10, 15 and 50% look as requested. RGS will be providing a presentation to LAFCO Board on October 28, 2019, and moving forward to schedule bi-monthly meetings between FORA Staff and LAFCO to ensure everything is proceeding appropriately and on schedule.

Committee Member Dino Pick inquired on the time line for the Joint Powers Authority ("JPA") formation for the HCP. Mrs. Flint noted one of the purposes of the scheduled meetings with the jurisdictions is to identify challenges/issues, prior to working with FORA staff on schedule.

*\*Committee Member Beretti requested that a fund distribution be reviewed and discussed amongst the Administrative Committee prior to dissolution if no JPA is formed.*

Assistant Executive Officer Josh Metz responded to the question and provided an update on the status of the HCP. All required documents have been submitted to the Department of Interior for their internal review on October 10, 2019. Once the internal review has been completed, there should be a better indication whether it will be published as-is or require additional refinements. If the document is ready to be published, there's generally a 10-day period before publication. Once published, a 45-day public review period begins ending late November/early December. Comments received would be incorporated, the final HCP would be published.

**c. "Side-by-Side" CIP/Transition Plan Contrast/Comparison/Linkage**

Mr. Said provided a flow chart to indicate how California Environmental Quality Act regulations, FORA's Capital Improvement Plan ("CIP"), and the Communities Facilities District ("CFD") impact one another. He explained CEQA mitigations determine projects needed, which inform the CIP for annual project identification. The CIP projects cost determines the amount of Special Tax needed to break even. Every two years the Special Tax is readjusted, however, FORA's 50% of land sale revenues have subsidize the fee, keeping it low. Mr. Said reviewed CIP and CFD transition plans, noting that FORA's sunset date of June 30, 2020 marks the end of FORA's 50% land sale and CFD costs. Mr. Said explained the Transition Plan Implementing Agreements ("TPIA") serve to transfer funds from the FORA CIP to the jurisdictions' CIP, and as these CIP projects are reassigned to jurisdictions, the FORA CFD calculation will readjust. A successor must be assigned the remaining base-wide obligations and funding sources must be identified in the TPIA. The Final Year CFD will be the basis for the CFD Replacement TPIA. Committee members discussed the remaining base-wide obligations, specifically transit issues, and requested staff modify the "side-by-side" analysis to include this input. Mr. Said reviewed the upcoming schedule, noting that the Committee will review the CIP list and remaining CIP obligations at the October 16, 2019 meeting, and consider a Final Year CIP List and remaining obligations recommendation to the Board at the Administrative Committee meeting on October 30, 2019. This recommendation will be heard at the November 8, 2019 Board meeting for a first vote. The Committee will review the draft Biennial Fee Study in November and consider a recommendation for the Final Year CFD amount, before presenting this recommendation to the Board on December 13, 2019.

**d. Habitat Conservation Plan Schedule Update**

This item was discussed/covered during the discussion on item 7b - 2018 Transition Plan Progress Report.

**8. ITEMS FROM MEMBERS**

There were no items from members.

**9. ADJOURNMENT** at: 11:03 a.m.

Minutes Prepared By:  
Heidi Gaddy  
Deputy Clerk

# **Attachment B to Item 5c**

**Administrative Committee Meeting Minutes Oct 16, 2019**

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**This item will be included in the final Board packet.**



# FORT ORD REUSE AUTHORITY BOARD REPORT

## CONSENT AGENDA

**Subject:** Veterans Issues Advisory Committee

**Meeting Date:** November 8, 2019

**Agenda Number:** 5d

**INFORMATION/ACTION**

### **RECOMMENDATION:**

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

### **BACKGROUND/DISCUSSION:**

The VIAC met on October 24, 2019 and approved the August 22, 2019 minutes and September 26, 2019. The approved minutes for these meeting is provided as **Attachment A and B.**

### **FISCAL IMPACT:**

Reviewed by FORA Controller \_\_\_\_\_

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

### **COORDINATION:**

VIAC

Prepared by \_\_\_\_\_  
Natalie Van Fleet

Approved by \_\_\_\_\_  
Michael A. Houlemard, Jr.



APPROVED

**FORT ORD REUSE AUTHORITY  
VETERANS ISSUES ADVISORY COMMITTEE (VIAC) MEETING MINUTES  
3:00 p.m. August 22, 2019 | FORA Conference Room  
920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933**

1. **CALL TO ORDER:** Chair, Mayor Ian Oglesby, called the meeting to order at 3:00 p.m.

**Committee Members Present:**

Ian Oglesby, Mayor of Seaside  
Edith Johnsen, Veterans Families/Fundraising  
James Bogan, Disabled American Veterans  
Jason Cameron, Monterey County Office of Military & Veteran Affairs  
Candace Ingram, CCVC Foundation  
Col. Gregory Ford, U.S. Army  
Sid Williams, Monterey County Office of Military & VA Commission

2. **PLEDGE OF ALLEGIANCE** led by Committee member Jason Cameron.

3. **ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE**

- FORA Executive Assistant Heidi Lizarbe, announced that Administrative Coordinator, Shawn Hall, has left FORA for a position at the Local Agency Formation Commission of Monterey (“LAFCO”). She advised the Committee that Administrative Assistant, Natalie Van Fleet, will be providing VIAC meeting support going forward.
- Committee member Jason Cameron distributed an infographic handout summarizing the Monterey County Military and Veterans Affairs Office Annual Activity Report. The reported annual contribution totaled \$12,091,988. Mr. Cameron announced that effective January 1, 2020, all armed forces veterans will have access to the base, regardless of their status, and will be able to shop at the commissary. In addition, Mr. Cameron reported that Blue Water Navy vietnam veterans may now file for presumptive conditions with the Veterans Affairs (“VA”) office.

4. **PUBLIC COMMENT PERIOD**

None.

5. **APPROVAL OF MEETING MINUTES**

- a. July 25, 2019 Regular Meeting Minutes

**MOTION:** On motion by Committee member Johnsen and seconded by Committee Chair Oglesby, the VIAC Committee approved the July 25, 2019 meeting minutes.

**MOTION: PASSED UNANIMOUSLY**

## 6. BUSINESS ITEMS

## INFORMATION/ACTION

### a. Affordable Housing

#### i. *Veterans Transition Center Housing Construction*

Jack Murphy of the Veterans Transition Center ("VTC"), provided an update on the supportive housing programs VTC offers. Mr. Murphy reported that a grant application in the amount of \$4 million has been submitted to the California Health Commission by the developer. The Request for Qualifications window for grant applicants has closed. The VTC Board met on August 21, 2019 approving an agreement between the VTC, the developer, and the contractor in preparation for moving forward with the project should the grant be awarded to the VTC project. Mr. Murphy also announced that the VTC is honored to receive an award for Non-Profit of the Year in the Human Services category from the Non-Profit Alliance of Monterey County. The award ceremony is scheduled for September 13, 2019 from 8:00 a.m.-10:00 a.m. at Embassy Suites in Monterey.

### b. Post-FORA VIAC Committee

Chair Oglesby reported that FORA is continuing to develop a plan, along-side local agencies, to ensure a closely related, liason, or governing entity, is established prior to FORA dissolution.

### c. California Central Coast Veterans Cemetery Status Report

California Central Coast Veterans Cemetery ("CCCVC") Manager, Erica Chaney, provided an update on Phase II. She stated that the bidding period has closed and 4 bids were received and are currently under review. Phase II progress remains on schedule and construction may begin as early as November 2019. Ms. Chaney stated the interment project is estimated to begin in spring or summer of 2021.

### d. Ord Military Community

Committee member Col. Gregory Ford updated the committee on the continuing efforts to transfer the Drill Sergeant Statue to CCCVC.

### e. Fundraising Status

#### i. *Central Coast Veterans Cemetery Foundation Status Report*

Candy Ingram of the CCCVC Foundation provided an events update. A reception will be held at American Legion Post 31 ("Post 31") in Salinas on September 8, 2019 from 1 p.m.-3 p.m. to celebrate the Epic Ride for Dignity and Remembrance. On August 29, 2019, Ms. Chaney, Mr. Cameron, Ms. Ingram and Mr. Garza will be sharing a booth for Seniors' Day at the Monterey County Fair. They hope to provide information and answer questions from local seniors and/or veterans. The Heroes' Open is scheduled for October 26, 2019 and Ms. Ingram noted the need for sponsors and auction items. The Run for the Fallen event is scheduled for October 19, 2019 and remains in need of sponsors, volunteers and runners/walkers. Ms. Ingram informed the Committee that once construction begins on Phase II, the next step will be to organize a Cemetery Advisory Committee to discuss the devolpment of a donor facility.

### f. VA-DOD Clinic

Committee member James Bogan reported on the upcoming meetings at Post 31 in Salinas.

### g. Calendar of Events

A BBQ will held September 25, 2019 from 1 p.m.- 3 p.m. at the Monterey County Veterans Building to celebrate Post 31's 100<sup>th</sup> anniversary.

**7. ITEMS FROM MEMBERS**

Mr. Murphy announced that the 2019 Monterey County Homeless Census is scheduled for press release on September 23, 2019. This comprehensive analysis of the county's homeless population, including veterans, is intended to help policy makers and service providers to better assist the County's homeless.

**8. ADJOURNMENT** at 3:42 p.m.

Minutes Prepared by:  
Natalie Van Fleet



APPROVED

**FORT ORD REUSE AUTHORITY  
VETERANS ISSUES ADVISORY COMMITTEE (VIAC) MEETING MINUTES  
3:00 P.M. September 26, 2019 | FORA Conference Room  
920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933**

- 1. CALL TO ORDER:** Chair, Ian Oglesby, called the meeting to order at 3:00 P.M.

**Committee Members Present:**

Edith Johnsen, Veterans Families/Fundraising  
Ian Oglesby, Mayor of Seaside  
James Bogan, Disabled American Veterans  
Jason Cameron, Monterey County Office of Military & Veteran Affairs  
Richard Garza, CCVC Foundation  
Mary Estrada, United Veterans Council  
Sid Williams, Monterey County Military and Veteran Advisory Commission  
Jack Stewart, Fort Ord Veterans Cemetery Advisory Committee

- 2. PLEDGE OF ALLEGIANCE** led by Sid Williams.

- 3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

- Marina Perepelyuk announced she is leaving her position with Congressman Jimmy Panetta's Office. Ms. Perepelyuk introduced her replacement, Katharine Moon, and expressed her appreciation for the Committee and her gratitude for the opportunity to serve the veterans community.

- 4. PUBLIC COMMENT PERIOD**

There were no comments from the public.

- 5. APPROVAL OF MEETING MINUTES**

- a. August 22, 2019 Regular Meeting Minutes

*\*Staff will bring the minutes back to the Committee with corrections for approval.*

- 6. BUSINESS ITEMS**

**INFORMATION/ACTION**

- a. **Affordable Housing**

- i. **Veterans Transition Center Housing Development**

Marina Veterans Transition Center ("VTC") Deputy Executive Director Jack Murphy provided an update on supportive housing programs VTC offers. Mr. Murphy reported that a Request for Proposal to repurpose the former Veterans Affairs ("VA") Clinic for housing was successfully submitted. An application was also submitted to develop in the Menlo Park area. Mr. Murphy stated that more projects will begin at the beginning of the new fiscal year ("FY").

**b. Post-FORA VIAC Committee**

Committee member Sid Williams reported he attended the August 23, 2019 County Fort Ord Committee meeting and raised concern regarding transition plan implementation. Mr. Williams noted the plan's only reference to Post-FORA veterans issues is the Memorandum of Understanding for a veterans cemetery endowment parcel. Mr. Williams recommended reaching out to the FORA Board to encourage designation of a successor entity to oversee the completion of the California Central Coast Veterans Cemetery ("CCCVC") and several other veterans projects in the region. The Committee discussed how to communicate these concerns to FORA's Board of Directors and County Board of Supervisors. Chair Oglesby stated he would consult with FORA Executive Officer Michael Houlemard and return to the October 24, 2019 meeting to outline issues the Committee intends to present to the Board.

**c. California Central Coast Veterans Cemetery Status Report**

Ms. Perepelyuk noted that CCCVC was awarded a \$6.4M federal grant for construction, memorial plaques, roadways, landscaping and supportive infrastructure. Committee member Bogan asked if the grant applies to FY 2019 or 2020 budgets and Ms. Moon stated she would confirm and report back. As requested by CCCVC Manager Erica Chaney, staff provided a flyer announcing CCCVC will receive the Organizational Excellence Award on October 9, 2019. The ceremony will take place at CCCVC at 9:00 a.m. and features guest speaker Senator Bill Monning. Ms. Ingram requested an update regarding available chapel buildings for the cemetery and Presidio of Monterey ("POM") Retirement Services Officer Kai Yuan stated he will provide more information as it becomes available.

**d. Ord Military Community**

Mr. Yuan answered members' questions regarding the Army Retiring Soldier Commendation Program package. He informed the Committee that the package is generally provided to service members who retired after 2012, but he would gladly provide one to any military retiree. Contact Mr. Yuan to request a package.

**e. Fundraising Status**

***i. Central Coast Veterans Cemetery Foundation Status Report***

Committee member Richard Garza reported on the Epic Ride and is in the process of determining funds raised by the event. Mr. Williams reported the Heroes Open will take place Saturday, October 26, 2019 at Bayonet and Black Horse Golf Club in Seaside. He noted the event still needs volunteers, sponsors, golfers and auction items. Mrs. Ingram stated CCCVC is in development phase two of eleven, with ongoing maintenance and operations costs, therefore continued fundraising efforts and community outreach are essential for the project's completion.

**f. VA-DOD Clinic**

Committee member James Bogan provided an update on VA-DOD events, and noted that on September 18, 2019 the VA hosted a celebration honoring veterans of the Korean War and WWII with around three hundred veterans in attendance. Mr. Bogan reported that the same afternoon at the Salinas Town Hall meeting there were only about five veterans present. The next Town Hall meetings will take place in December at Post 593 in Prunedale and in March at the Seaside VA Clinic, details to come.

**g. Military & Veterans Affairs Office – Monthly Report**

Committee member Jason Cameron provided a Military & Veterans Affairs Office (“MVAO”) Activity Report for the month of August. He informed the Committee that MVAO has coordinated with VTC to expand services and now provides on-site veteran claims assistance on the third Thursday of every month and discharge claims assistance on the first Friday of every month at POM. Mr. Cameron reported MVAO is in early stages of collaboration with local public libraries to introduce video conferencing software for virtual claims assistance in underserved areas of the county. He noted that the Women Veterans Alliance will hold the 2019 unConference at the Hyatt Regency Hotel in Monterey October 11-13 and the 28<sup>th</sup> Annual Veteran of the Year Awards will take place on November 8<sup>th</sup> at Bayonet & Black Horse.

**h. Calendar of Events**

- The Office of Congressman Jimmy Panetta will host a Committal Service honoring World War I Army Veteran Mr. Edward Auton Adams on September 30<sup>th</sup> at the San Francisco National Cemetery.
- The 29<sup>th</sup> Annual Wheelchair Rock Cod Fishing Derby will hold a pre-registration and dinner on October 4<sup>th</sup> at American Legion Post 694 in Marina, with the Derby the following morning, October 5<sup>th</sup> at 6:00 a.m.
- The 7<sup>th</sup> Annual Honor Our Fallen 5k/10k run will take place at Fort Ord Dunes State Park on October 19<sup>th</sup> at 7:00 a.m.
- The 10<sup>th</sup> Annual Heroes Open Golf Tournament will be held at Bayonet and Black Horse Golf Club on October 26<sup>th</sup>.
- The 28<sup>th</sup> Annual Veteran of the Year Awards will be held at Bayonet and Black Horse Golf Club on November 8<sup>th</sup>.

**7. ITEMS FROM MEMBERS**

Chair Oglesby confirmed he would review this meeting’s main points with Mr. Houlemard and return to the next meeting to discuss the status of the VIAC post.

**8. ADJOURNMENT** at 3:58 p.m.

Minutes Prepared by:  
Natalie Van Fleet

# FORT ORD REUSE AUTHORITY BOARD REPORT

## CONSENT AGENDA

**Subject:** Water/Wastewater Oversight Committee

**Meeting Date:** November 8, 2019

**Agenda Number:** 5e

**INFORMATION/ACTION**

### **RECOMMENDATION:**

Receive an update from the Water/Wastewater Oversight Committee.

### **BACKGROUND/DISCUSSION:**

The WWOC approved minutes from September 19, 2019. The approved minutes for the meetings are provided as **Attachment A**. The committee then considered the proposed Marina Coast Water District (MCWD) Draft Master Plans for Water, Wastewater, and Recycled Water. District engineer Mike Wegley reported there were no changes to the Master Plans since the last stakeholder input meeting. A discussion occurred regarding the contingency and soft costs associated with the Master Plan. With the permission of the chair, Jim Brezack gave a quick presentation on the developer community's concerns regarding the master plan during public comment. The WWOC moved to consider final draft water, sewer, and recycled water master plans as the basis for capacity fees with the amendment that MCWD hold a meeting with the developer's engineers before the next WWOC meeting.

The WWOC also considered the MCWD Draft Capacity Fee Report. The WWOC received a presentation from Abigail Seaman regarding the draft capacity fees report. A robust discussion ensued regarding many different aspects of the report, including changes, CFDs, and the report's timeline with regard to FORA's sunset. The WWOC moved to continue the discussion until December 2 so that MCWD can inform the WWOC of the engineers meeting with the intention to vote on recommending the Capacity Fees to the FORA Board.

Chair Rick Reidl also noted that his last day with the City of Seaside will be November 27, and that Vice-Chair McMinn will take over as acting chair until a new chair is voted on.

### **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 \_\_\_\_\_  
Harrison Tregenza

Reviewed by \_\_\_\_\_  
Peter Said

Approved by \_\_\_\_\_  
Michael A. Houlemard, Jr.





APPROVED

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

920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933 | FORA CIC  
10:00 A.M., Thursday, September 19, 2019

**1. CALL TO ORDER**

Co-Chair McMinn called the meeting to order at 10:00 AM

**Committee Members Present:**

Mike Lerch, California State University Monterey Bay (CSUMB)  
Brian McMinn, City of Marina  
Steve Matarrazo, University of California Santa Cruz (UCSC)  
Melanie Beretti, County of Monterey  
Tom Hardy, City of Monterey  
Dino Pick, City of Del Rey Oaks  
Rick Riedl, City of Seaside

**Committee Members Absent:**

Elizabeth Caraker

**Other Attendees:**

Kelly Cadiente, Marina Coast Water District (MCWD)  
Mike Wegley, Marina Coast Water District  
Andre Racz, Marina Coast Water District  
Doug Dove, Bartle Wells Associates  
Abigail Seaman, Bartle Wells Associates  
Tony Akel, Akel Engineering Group  
Kevin Tuttle, Akel Engineering Group  
Ray Pyle, California State University Monterey Bay (CSUMB)

Jeff Cooks, Nathen Castanos Homes  
Mary Kelasen, Shea Homes  
Dennis Martin, Building Industry Association Bay Area

**FORA Staff**

Peter Said, Senior Project Manager  
Amber Watson, Administrative Assistant  
Harrison Tregenza, Administrative Assistant

**2. PLEDGE OF ALLEGIANCE**

The pledge of Allegiance was led by Committee member Tom Hardy from the City of Monterey.

**3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE**

Committee member Mike Lerch from CSUMB, introduced the committee to CSUMB's new representative, Member Ray Pyle.

**4. PUBLIC COMMENT PERIOD**

There were no public comments

**5. APPROVAL OF MEETING MINUTES**

**MOTION:** On motion by Committee member Matarrazo and second by Committee member Lerch the Water/Wastewater Oversight Committee (WWOC) approved the April 25, 2019 meeting minutes subject to replacement of "CSUMB" with "MCWD" in last sentence of item 6a paragraph two.

**MOTION PASSED: UNANIMOUSLY**

**MOTION:** On motion by Committee member Hardy and second by Committee member Lerch, the Water/Wastewater Oversight Committee (WWOC) moved to approve the July 11, 2019 meeting minute.

**MOTION PASSED: UNANIMOUSLY**

6. **BUSINESS ITEMS** **INFORMATION/ACTION**
- a. Consider Final Draft Water, Sewer, and Recycled Water Master Plans as the Basis for Capacity Fees

Tony Akel and Devin Tuttle of Akel Engineering Group gave a presentation on the Draft Master Plans. Mr. Akel, Mr. Tuttle, and the members of the Committee answered questions from the public regarding the draft master plan. A robust discussion took place regarding the timeline of draft master plans, the scheduled public comment period, and MCWD's timeline for implementing the master plan. MCWD addressed comments and questions from the Committee and the public.

**MOTION:** On motion by Committee member Pick and second by Committee member Beretti, the WWOC moved to 1) reschedule the next WWOC meeting date to October 24, 2019; and 2) postpone item 6a, to the October 24, 2019 meeting, in order to give MCWD time to incorporate stakeholder comments.

**MOTION PASSED: UNANIMOUSLY**

- b. Consider Recommending the Draft Capacity Fees Report

Doug Dove and Abigail Seaman of Bartle Wells Associates gave a presentation on the Draft Capacity Fees. Mr. Dove answered questions from the committee and the public centered around implementation of the MCWD capacity fee as a replacement to FORA Community Facilities District fee collection for water augmentation.

**MOTION:** On motion by Committee member Matarrazo and second by Committee member Reidl the WWOC moved to continue item 6b to the next WWOC meeting.

**MOTION PASSED: UNANIMOUSLY**

7. **ITEMS FROM MCWD**  
None.
8. **ITEMS FROM MEMBERS**  
None.
9. **ADJOURNMENT:** Co-Chair McMinn adjourned the meeting at 12:08 PM.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## CONSENT AGENDA

**Subject:** Public Correspondence to the Board

**Meeting Date:** November 8, 2019

**Agenda Number:** 5f

**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](mailto:board@fora.org) or mailed to the address below:

FORA Board of Directors  
920 2<sup>nd</sup> Avenue, Suite A  
Marina, CA 93933

# FORT ORD REUSE AUTHORITY BOARD REPORT

## BUSINESS ITEMS

<b>Subject:</b>	2 <sup>nd</sup> Vote Terminated Employee Health Benefit Options and Retiree Medicare Reimbursement	
<b>Meeting Date:</b>	November 8, 2019	<b>ACTION</b>
<b>Agenda Number:</b>	6a	

### **RECOMMENDATIONS:**

- 1) Authorize the Executive Officer to execute liability release terms for retiring staff upon authority counsel recommendation and approval to include recent retirees.
- 2) Approve Option A or B to clarify post-FORA employment health benefits for terminated employees is administered.

### **BACKGROUND/DISCUSSION:**

With the termination of CalPERS retirement and health plan, employees will not be able to continue with the existing group plan under COBRA. Employees will be eligible for individual plans on the healthcare marketplace. However, these plans will vary in premium cost, deductible, and annual out-of-pocket limit. In order to retain staff through June 30, 2020, the FORA Board has determined several incentives for those that carry through to the sunset date – including one that offers payment of premiums under a COBRA assumption. Since that will no longer be available, this request offers two options for clarifying this component of the retention package. As such, RGS is recommending that the Board provide a comparable level of benefits and flexibility to the CalPERS Cobra and suggests one of two options be considered. Options A & B below are a re-drafting from the ones provided at the October meeting.

#### Option A

At the recommendation of Human Resources consultant and after potential beneficiaries' review, staff recommends setting up a health reimbursement account (HRA). The HRA would be employer funded upfront with full year of premium and employees would use funds to pay premiums and other health expenses. Key considerations for this option are:

- a. Slightly more expensive.
- b. No administrative overhead to successor.
- c. Potentially not meet underwriting requirements based on number of employees remaining.

As an alternative, the Board may select the following option:

#### Option B

Employees accept a cash equivalent to the HRA and individually choose a plan from the healthcare marketplace or elect to use the cash for other family priorities. Key considerations for these options are:

- a. Funds that would be applied to the administration of the HRA would be saved as this cash option eliminates that overhead
- b. Employees would net less funds as this option would be taxable (at differing levels).

The FORA Board debated this question at its October meeting and the vote did not achieve unanimity. Consequently, the Board moved to bring this item back for the November meeting with additional analysis of the options and adding a cash out option to the review. To respond to the multiple Board requests, staff asks that the Board review these two items above individually and consider them separately after deliberations.

**FISCAL IMPACT:**

Reviewed by FORA Controller \_\_\_\_\_

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

**COORDINATION:**

Executive Committee.

Prepared by \_\_\_\_\_

Mi Ra Park RGS

Approved by \_\_\_\_\_

Michael A. Houlemard, Jr.

DRAFT

# FORT ORD REUSE AUTHORITY BOARD REPORT

## BUSINESS ITEM

**Subject:** Review Building Removal Bond Legal Documents

**Meeting Date:** November 8, 2019

**Agenda Number:** 6b

**INFORMATION/ACTION**

### **RECOMMENDATION:**

Receive a Building Removal Bond Status Report

### **BACKGROUND:**

At the October 2018 meeting, the Fort Ord Reuse Authority (FORA) Board directed staff to investigate the legality and feasibility of issuing debt against FORA's statutory share of property tax revenue provided to FORA by the State Legislature as codified in the State of California Health and Safety Code. In January 2019, FORA released a competitive Request for Qualifications and selected NHA Advisors (NHA) to complete the bond feasibility and financial analysis. In July 2019, the Administrative Committee (AC) recommend the Board do the necessary work to prepare a bond package, and in August 2019, the Board approved the Executive Officer (EO) to do so.

### **Successor Agency and Bond Fund Allocation**

At its September 18<sup>th</sup> meeting, the AC unanimously recommended: 1) the FORA Board consider naming the City of Marina as the bond successor agency (SA), pending Marina City Council review and acceptance of SA responsibilities; 2) each stakeholder receive a specific percentage share of the bond funds as follows (Table 1); and 3) fund use be limited to insurance, administration, management, litigation, and construction costs related to removal of existing military buildings within the project area of the former Fort Ord. The fund use includes repairs in kind to useable military structures following the abatement and removal of hazardous materials.

*Table 1. Proposed Bond Fund Allocations by Account Owner*

Account Owner	% of Proceeds	Project List
Marina	50.00%	Park, Arts District, Cypress Knolls, Stockade, Other
Seaside	32.25%	Surplus II, Fast Food, Church, Other
TAMC	6.25%	Transit Center
MCWD	5.25%	Waste Treatment Plant (State Parks), Storage Yard
Monterey County	4.50%	Ammo Supply Point, Other
MST	1.75%	Transit Center, Storage

### **Remaining Actions:**

At the October 11, 2019 FORA Board meeting, the Board's municipal bond consultant, NHA, reported a number of technicalities requiring action prior to the Board authorization to bond.

1. Marks-Roos Public Hearing at the County, to fulfill the authorizing statute requirements.
2. County Commitment to continue FORA fund intercept at FORA sunset.
3. Jurisdictional covenant to place bond on Recognized Obligation Payment Schedule (ROPS) to mitigate risk in future changes to California Law or other Department of Finance changes.

## **Draft Legal Documents**

On October 8<sup>th</sup>, 2019, FORA staff provided the AC the DRAFT Indenture of Trust document for legal counsel review. At its October 22<sup>th</sup> meeting, the Board of Supervisors approved special bond counsel services to provide specialized legal advice to the County regarding the proposed bond issuance and other financing options. On October \_\_\_\_\_ FORA staff provided the AC with an updated draft of the bond indenture for comment. The DRAFT Bond Indenture is included for review (**Attachment A**).

The general terms of the Bond Indenture are as follows:

1. Three series of bonds: 1) rated, 2) unrated, 3) escrow term.
2. Each Account Owner has a separate bond account.
3. Each Account Owner sets the use and priority of their own funds in the bond account.
4. Account Owners can choose to reallocate their funds as they choose.
5. The Bond Administration Successor Agency will be City of Marina.

FORA Staff is currently coordinating with county and city staff to set dates with the Board of Supervisors for a Public Hearing, and with the Cities of Marina and Seaside to obtain the required covenants to place the bond on their ROPS.

Following completion of the legal documents the FORA Board will need to review and approve the document package which will include 1) bond indenture, 2) fiscal consultants report, 3) County and City resolutions and covenants, and 4) official disclosure statement. Staff anticipates FORA Board consideration of the legal document package at its December 13<sup>th</sup>, 2019 meeting.

## **FISCAL IMPACT**

Reviewed by FORA Controller \_\_\_\_\_

Staff time to support the AC is included in the approved annual budget.

## **COORDINATION:**

County of Monterey, the County Fort Ord Committee, Cities of Seaside and Marina, Administrative Committee, Executive Committee, NHA Advisors, Monterey Peninsula College, Monterey County Regional Fire District, California State Parks, Marina Coast Water District, Transportation Agency of Monterey County, Monterey-Salinas Transit.

Prepared by \_\_\_\_\_ Approved by \_\_\_\_\_  
Peter Said Michael A. Houlemard, Jr.

# **Attachment A to Item 6b**

**Draft Bond Indenture**

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**This item will be included in the final Board packet.**



# **Placeholder for Item 6c**

**Habitat Conservation Plan Status Report and Joint Powers  
Authority Formation Adoption Schedule**

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**This item will be included in the final Board packet.**

# **Placeholder for Item 6d**

**2018 Transition Plan and Draft Implementing Agreements**

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**This item will be included in the final Board packet.**

# **Placeholder for Item 6e**

**Receive Marina Coast Water District Transition Status Report**

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**This item will be included in the final Board packet.**

# FORT ORD REUSE AUTHORITY BOARD REPORT

## BUSINESS ITEMS

**Subject:** 2020 Transition Transportation Study

**Meeting Date:** November 8, 2019

**Agenda Number:** 6f

**INFORMATION/ACTION**

### RECOMMENDATION:

Receive a report on the completed 2020 Transition Transportation Study (**Attachment A**)

### BACKGROUND/DISCUSSION:

In December 2018, the FORA Board resolved to implement a Transition Plan by approving Resolution 18-11. Section 2.2.6 of this resolution addresses transportation and transit stating:

*“...With respect to the projects for which FORA is the lead agency and which no jurisdiction has addressed in its Transition Plan Implementing Agreement (TPIA), FORA working in conjunction with Transportation Agency of Monterey County (TAMC) shall prepare a regional traffic modeling analysis showing the inclusion of the FORA lead agency on-site roads as compared to the removal of the FORA lead agency roads on the remaining Fort Ord roads. In particular, off-site, regional and on-site Fort Ord local roads within or adjacent to the City of Marina, City of Seaside, City of Del Rey Oaks, and County of Monterey shall be analyzed to ascertain the impact on the Ord Community, including without limitation, California State University Monterey Bay, University of California Monterey Bay Science and Technology, Monterey Peninsula College, the Veteran’s Cemetery, the Army and the National Monument, and the regional network, so as to inform the last year Capital Improvement Program (CIP).”*

The purpose of the 2020 FORA Transitional Transportation Study is to inform the FORA Board concerning the transfer of “Lead Status” for specific transportation improvements from Fort Ord Reuse Authority (“FORA”) to local agency partners.

The study’s workplan was to evaluate road network requirements in the FORA CIP, as follows:

1. Review/update the FORA Board approved 2018/19 CIP land use assumptions with TAMC;
2. Review the 2018 AMBAG Regional Travel Demand Model for use in this study with TAMC;
3. Review/update future network assumptions with TAMC
4. Create network scenarios for travel forecast analysis and review the following with TAMC:
  - a. C1- Buildout of the 2019/2020 FORA CIP (“Buildout”)
  - b. C2 - Buildout with alternative connector from Eucalyptus Rd to Watkins Gate Rd.
  - c. C3 - Buildout with alternative connector road from Eucalyptus Rd to 8th Ave
  - d. C4 - Buildout not including NE/SW Connector
  - e. C5 - Buildout not including NE/SW Connector or Improving Gigling Rd
5. Complete trigger analysis – to determine when a NE/SW Connector is needed.

The key assumptions driving the analysis are the development projections and land use assumptions. Kimley Horn took care to use the 30 year development forecasts provided by each Jurisdiction for their Fort Ord parcels, as well as the land use assumptions that each Jurisdiction provided. All the assumptions were vetted by TAMC staff.

The key findings of the study show constructing the full FORA CIP, as it is today, provides measurable network improvements and addresses future deficiencies. The trigger analysis demonstrates a need for a NE/SW connector between 2027 and 2032. A comparative analysis of Scenarios C1-C5 shows that removal of a NE/SW connector from the network would result in significant impact to the new Imjin Rd widening, Inter Garrison Rd through CSUMB, and California and Second Avenue's in Marina. Unexpectedly, the study showed that Gigling Road does not need capacity improvements to enable the network to function.

Lastly, the study looked at the impact of additional transit on the roadway network in terms of the number of additional ridership needed to offset the congestion on the network. The analysis showed a need of up to 5,060 new transit users by 2040 to offset congestion on a deficient system.

The 2020 Transition Transportation Study (**Attachment A**) is also available for public access at: <https://www.fora.org>.

**FISCAL IMPACT:**

Reviewed by FORA Controller \_\_\_\_\_

The FORA Board approved up to \$150,000 in funding in the 2018-2019 Mid-Year Budget

**COORDINATION:**

Authority Counsel, Administrative and Executive Committees, and TAMC.

Prepared by \_\_\_\_\_ Approved by \_\_\_\_\_  
Peter Said Michael A. Houlemard, Jr.

# **Attachment A to Item 6f**

**Final Transportation Study**

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**This item will be included in the final Board packet.**

# FORT ORD REUSE AUTHORITY BOARD REPORT

## BUSINESS ITEMS

<b>Subject:</b>	Resolution to Terminate CalPERS contract and Agreement	
<b>Meeting Date:</b>	November 8, 2019	<b>INFORMATION/ACTION</b>
<b>Agenda Number:</b>	6g	

### RECOMMENDATION

Adopt Resolution 19-xx a Resolution to Terminate the CalPERS contract and Agreement

### BACKGROUND/DISCUSSION

On January 11, 2019, the Board adopted a Resolution of Intention to terminate the contract with CalPERS completing the first step in the termination process. The next step required is adoption of the Resolution and Agreement. One of the primary provisions is to ensure that any and all liability to the member agencies pursuant to the CalPERS contract is satisfied. As we noted during the transition planning process, the terminated agency liability is estimated between \$7,793,230 to 9,333,172. Government Code section 20570 provides that not less than ninety days and no more than one year after the adoption of the Resolution of Intention, the governing body must adopt a resolution or ordinance terminating the contract by the affirmative vote of two-thirds of the governing body. The contract termination is effective on the date designated in the resolution or ordinance and may be effective the day following the date of adoption.

This is the next step in finalizing the amount of terminated agency liability.

### FISCAL IMPACT

Reviewed by FORA Controller \_\_\_\_\_

### COORDINATION

Prepared by \_\_\_\_\_  
Heidi Gaddy

Reviewed by \_\_\_\_\_  
Helen Rodriguez

Approved by \_\_\_\_\_  
Michael A. Houlemard, Jr.

### ATTACHMENTS:

Attachment A: Resolution 19-xx

Attachment B: Agreement to Terminate the Contract

**RESOLUTION TO TERMINATE THE CONTRACT**  
**BETWEEN THE**  
**BOARD OF ADMINISTRATION**  
**CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**  
**AND THE**  
**BOARD OF DIRECTORS**  
**FORT ORD REUSE AUTHORITY**

WHEREAS, the Board of Directors of the Fort Ord Reuse Authority entered into a contract with the Board of Administration, Public Employees' Retirement System effective March 16, 1997, providing for the participation of their employees in the Public Employees' Retirement System; and

WHEREAS, the Board of Directors of the Fort Ord Reuse Authority did declare its intent to terminate said contract by executing a Resolution of Intention on January 11, 2019 to terminate the contract between said governing body and the Board of Administration of the Public Employees' Retirement System;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that an Agreement Terminating the Contract between the Board of Directors of the Fort Ord Reuse Authority and the Board of Administration of the Public Employees' Retirement System is hereby authorized, a copy of said agreement being attached hereto, marked "Exhibit A" and by such reference made a part hereof as though herein set out in full.

The Presiding Officer of the Board of Directors of the Fort Ord Reuse Authority is hereby authorized, empowered and directed to execute said agreement for and on behalf of said agency.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Presiding Officer

Attest:

\_\_\_\_\_  
Clerk



**AGREEMENT TO TERMINATE THE CONTRACT  
BETWEEN THE  
BOARD OF ADMINISTRATION  
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
AND THE  
BOARD OF DIRECTORS  
FORT ORD REUSE AUTHORITY**

WHEREAS, the **Board of Directors of the Fort Ord Reuse Authority** and the Board of Administration, Public Employees' Retirement, entered into a contract pursuant to Sections 20460, et seq. of the Government Code, effective March 16, 1997, for the participation of said Public Agency in the Public Employees' Retirement System; and

WHEREAS, Section 20570 of the Government Code provides that a contract between the Board of Administration of the Public Employees' Retirement System and a contracting agency may be terminated by adoption of a resolution by the governing body of the public agency, giving notice of intention to terminate, and by the adoption, not less than ninety days and no more than one year thereafter, by the affirmative vote of two-thirds of the members of the governing body of the public agency, terminating the contract; and

WHEREAS, the **Board of Directors of the Fort Ord Reuse Authority** adopted a Resolution of Intention on January 11, 2019 to withdraw from the Public Employees' Retirement System effective no earlier than ninety days and no later than one year thereafter;

NOW, THEREFORE, BE IT AGREED between the **Board of Directors of the Fort Ord Reuse Authority** and the Board of Administration, Public Employees' Retirement System that the contract entered into effective March 16, 1997 is terminated effective \_\_\_\_\_, and obligations on and after that date of the agency and its employees who are members under the Public Employees' Retirement System, are as provided in Government Code Section 20580 which provides that the final compensation at termination shall be used in the calculation of benefits. Failure to meet such obligation on the part of the **Fort Ord Reuse Authority** shall be subject to the provisions of Government Code Section 20574.

Witness our hands this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF DIRECTORS  
FORT ORD REUSE AUTHORITY

BY \_\_\_\_\_  
ANITA PAIGE, CHIEF  
PENSION CONTRACTS AND PREFUNDING  
PROGRAMS  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY \_\_\_\_\_  
PRESIDING OFFICER

Attest:

**- END -**

**DRAFT  
BOARD PACKET**