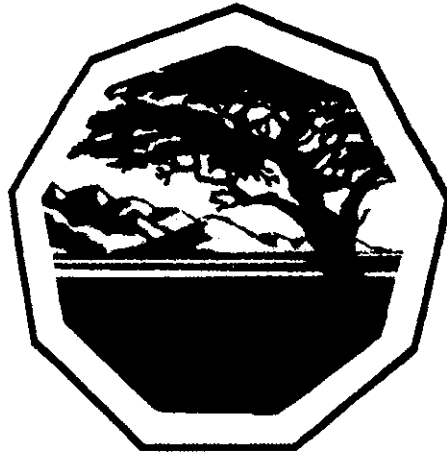


Fort Ord  
Reuse Authority



Board Packet  
For  
November 14, 2008  
FORA Board Meeting



# Fort Ord Reuse Authority

100 12<sup>th</sup> Street, Building 2880, Marina, CA 93933

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

## BOARD OF DIRECTORS MEETING

Friday, November 14, 2008, at 3:30 pm

FORA Conference Facility/Bridge Center

201 13<sup>th</sup> Street, Building 2925, Marina (on the former Fort Ord)

## AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. ACKNOWLEDGEMENTS
5. PUBLIC COMMENT PERIOD: Members of the audience wishing to address the Board on matters within the jurisdiction of the Authority but not on the agenda may do so during the Public Comment Period. You may speak for a maximum of three minutes on any subject. Public comments on specific agenda items will be heard at the time the matter is being considered by the Board.
6. CONSENT AGENDA ACTION
  - a. October 10, 2008 board meeting minutes
  - b. Authorization to open safe deposit box at Rabobank
7. OLD BUSINESS
  - a. Water for Monterey County project
    - (1) Presentations by Marina Coast Water District and Monterey Regional Water Pollution Control Agency INFORMATION
    - (2) Resolution endorsing the project ACTION
  - b. Habitat Conservation Plan approval process – status report INFORMATION
  - c. 2009 Fort Ord Reuse Authority Legislative Agenda–consider adoption ACTION
8. NEW BUSINESS
  - a. 2009 board meeting dates – consider adoption ACTION
9. EXECUTIVE OFFICER'S REPORT
  - a. Administrative Committee report INFORMATION
  - b. Legislative Committee report INFORMATION
  - c. Finance Committee report
    - (1) Draft October 20, 2008 meeting minutes INFORMATION
    - (2) Fort Ord Reuse Authority's financial status INFORMATION
10. ANNOUNCEMENTS AND CORRESPONDENCE
11. ADJOURNMENT

**ACTION MINUTES  
OF THE  
FORT ORD REUSE AUTHORITY  
BOARD OF DIRECTORS' MEETING  
Fort Ord Reuse Authority Conference Facility/Bridge Center  
November 14, 2008**

**APPROVED**

1. CALL TO ORDER

Chair Russell called the meeting to order at 3:33 pm and requested a roll call.

2. ROLL CALL

The following board members were present:

Voting members present:

Chair/Mayor Russell (City of Del Rey Oaks)	Mayor Rubio (City of Seaside)
Mayor McCloud (City of Carmel)	Mayor Wilmot (City of Marina)
Supervisor Calcagno (County of Monterey)	Councilmember Davis (City of Pacific Grove)
Councilmember Mancini (City of Seaside)	Mayor Pendergrass (City of Sand City)
Supervisor Mettee-McCutchon (County of Monterey)	Mayor Della Sala (City of Monterey)

Absent were Councilmember McCall (City of Marina), Supervisor Potter (County of Monterey) and Councilmember Barnes (City of Salinas).

Ex-Officio members present:

Graham Bice (UCSC)	James Main (CSUMB)
Hunter Harvath (Monterey-Salinas Transit)	Dr. Douglas Garrison (MPC)
Gail Youngblood (BRAC)	Kenneth Nishi (MCWD)
Dan Albert, Jr. (MPUSD)	Debbie Hale (TAMC)

Arriving after the roll call was completed was Colleen Freeman (27<sup>th</sup> State Assembly District). Absent were representatives from the 17<sup>th</sup> Congressional District and the 15<sup>th</sup> State Senate District. Also present was COL Darcy Brewer, the new Garrison Commander at the Presidio of Monterey.

With a quorum present, Chair Russell opened the meeting.

3. PLEDGE OF ALLEGIANCE

Chair Russell asked Supervisor Mettee-McCutchon, who agreed, to lead the Pledge of Allegiance.

4. ACKNOWLEDGEMENTS

Chair Russell acknowledged the presence of, and welcomed, COL Darcy Brewer.

5. PUBLIC COMMENT PERIOD

Hy Libby and Kathee McFarland, board members of the non-profit "Car Show for the Vets" (veterans) organization, urged the Board to consider supporting a car show on former Fort Ord, the same weekend as the Concourse. Executive Officer Houlemard offered to meet with them.

6. CONSENT AGENDA

There were two items on the Consent Agenda: Item 6a (October 10, 2008 board meeting minutes) and Item 6b (Authorization to open safe deposit box at Rabobank). In response to Mayor McCloud's request for a list of who would have access to the box, Executive Officer Houlemard explained that the Administrative Order on Consent (AOC) required that FORA retain electronic files associated with the ESCA work provisions in a safe place and Rabobank required a resolution to provide a safe deposit box for this purpose. Mayor Rubio abstained from voting on the minutes due to absence. He and Supervisor Mettee-McCutchon requested several corrections to the minutes. **Motion to approve the two items on the Consent Agenda, including the corrections in the minutes, was made by Supervisor Mettee-McCutchon, seconded by Councilmember Mancini, and carried.**

7. OLD BUSINESS

Item 7a – Water for Monterey County project:

Item 7a(1) – Presentations by Marina Coast Water District ("MCWD") and Monterey Regional Water Pollution Control Agency: The Board heard an update on this project by Lyndel Melton, MCWD's consultant, who used a PowerPoint to illustrate his points, which included the sources of the additional water supplies which totaled 25,600 AFY, the role of the Seaside Basin as a water storage area, the project changes that have occurred since its inception, and CA Public Utilities Commission's role in moving this project forward.

Keith Israel, the general manager of Monterey Regional Water Pollution Control Agency ("MRWPCA"), focused his presentation on the two components of the Groundwater Replenishment Project for the Seaside Aquifer: dilution water options and recycled water. He said this project would supply about 4,000 AFY of advanced treated water for recharging the Seaside Aquifer and supply about 700 AFY of advanced treated water for golf courses in Seaside and Del Rey Oaks. The timeline indicated that this project could be providing the additional water by the fall of 2013.

Chair Russell opened the item to discussion by board members. Mayor Wilmot asked about the status of the MRWPCA/ MCWD negotiations, and MCWD General Manager Jim Heitzman said that without the RUWAP, the regional augmented water projects would be restricted in scope and more costly. He added that his next meeting with Mr. Israel had been scheduled for November 19<sup>th</sup>. Mayor Rubio asked to what degree the removal of pharmaceuticals in the water could be achieved, and Mr. Heitzman replied that the Orange County facility has been highly successful in removing these chemicals with their new technology. There were no public comments.

Item 7a(2) – Resolution endorsing the project: Executive Officer Houlemard pointed out some punctuation corrections and Mayor McCloud suggested several textual changes. Mayor

McCloud indicated her support of the resolution and said a recommendation that the Carmel City Council approve it would be considered at a forthcoming meeting. **Motion to approve Resolution #08-07 endorsing the Water for Monterey County project, with the changes mentioned above, was made by Mayor Rubio and seconded by Councilmember Mancini.** Mayor Pendergrass clarified that the resolution contained text recognizing that other projects might contribute to the regional water augmentation needs. There were no public comments. **The motion carried.**

Item 7b - Habitat Conservation Plan ("HCP") approval process – status report: Director of Planning and Finance Steve Endsley reported that a meeting of the working group and the regulators (the latter by teleconference) had taken place today. He said some concerns had come out of this meeting: (1) a staffing issue had been reported by the CA Department of Fish & Game, namely, that the evaluation of the key remaining chapters had not occurred; and (2) the U.S. Department of Fish and Wildlife ("USFWS") representative had reported a change in the evaluation criteria, which impacted the chapters under evaluation, and the HCP document in general, which appeared to be a change in policy. The USFWS representative said they would send a letter to Jones and Stokes next week detailing their position and concerns. Executive Officer Houlemard said these concerns must be effectively dealt with to keep the final HCP approval moving ahead according to the timeline. He recommended that senior regulatory leadership and FORA's legislative representatives be involved. He said that FORA members need to come together as a team to strategize meetings with these people. Mayor Rubio stated that once again the regulators are not negotiating in good faith and have shown they do not honor their word. Supervisor Mettee-McCutchon agreed and said that the Monterey County Fort Ord subcommittee had recommended that FORA send a letter to Resource Secretary Mike Chrisman. Mayor Wilmot recommended that FORA move forward with a full court press, especially now that the economy is in a downturn. Mayor Della Sala asked if FORA had complied with the agreed-upon points and timelines with the two agencies, and Mr. Houlemard responded with a resounding yes. He also confirmed that there appeared to be no consequences for non-compliant parties. He requested that FORA staff, working with the Executive Committee, be authorized to craft a letter expressing their concerns about the anticipated delays and to schedule any and all necessary meetings to resolve the issues. Several board members recommended that the letter be specific and to the point. Supervisor Mettee-McCutchon suggested attaching the previous letter and Mayor Rubio asked that copies be distributed to our legislative electeds in Sacramento and also the Governor.

Item 7c – 2009 Fort Ord Reuse Authority Legislative Agenda – consider adoption: Executive Officer Houlemard called attention to the one-page summary, added this year to make the Agenda more user friendly, and reported on the meeting with Transportation Agency for Monterey County, Monterey-Salinas Transit, and Monterey County to coordinate their legislative agendas. He said the current draft of FORA's Legislative Agenda had been approved by the Legislative Committee. Mayor McCloud noted that all nine agenda items required funding and questioned whether this was likely, in view of the current economic downturn. Mr. Houlemard acknowledged her comment but said that state funding support is more likely if federal funds are forthcoming. Mayor Rubio noted the stimulus packages under consideration in Sacramento and Washington, DC, particularly those related to infrastructure such as the transportation and water issue bonds. Mayor Della Sala thanked the agencies for their coordination and leveraging efforts and stated that this was a worthy model to use for other items with common objectives. There were no public comments. **Motion to approve the 2009 Fort Ord Reuse Authority Legislative Agenda was made by Mayor Rubio, seconded by Mayor Della Sala, and carried.**

8. NEW BUSINESS

Item 8a - 2009 board meeting dates – consider adoption: Executive Officer Houlemard called attention to the staff-recommended changes for the January and April dates and the Board decided to leave the January 9<sup>th</sup> meeting date unchanged. **Motion to approve the 2009 Fort Ord Reuse Authority board meeting dates, as presented, was made by Mayor Rubio and seconded by Supervisor Mettee-McCutchon.** There were no public comments and the motion carried.

9. EXECUTIVE OFFICER'S REPORT

There were three items in this report: Item 9a (Administrative Committee report), Item 9b (Legislative Committee report) and Item 9c [(1) Draft October 20, 2008 meeting minutes and (2) Fort Ord Reuse Authority's financial status]: Executive Officer Houlemard reported that the audit report would be available sometime in December. He said the Finance Committee agreed that it would be beneficial and useful to provide the Board with a status report on FORA's financial status. He then summarized the board report and noted that the changes would be incorporated in the mid-year budget. He added that some payments have been lagging from the developers, although none have affected FORA's General Fund or staffing. He assured the Board that FORA is moving ahead with its building in the Imjin Office Park project, and most sources of General Fund revenue are secure. Mayor McCloud said the Finance Committee would be addressing FORA's investment policy, which was last revised in 2006.

10. ANNOUNCEMENTS AND CORRESPONDENCE

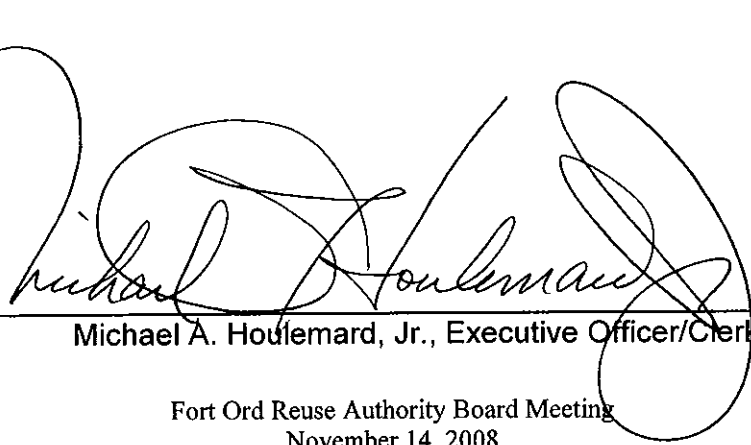
Chair Russell announced that two resolutions had been prepared for two members going off the Board or already departed, neither of whom was present. Executive Officer Houlemard read parts of each resolution, one for Assemblymember John Laird and the other for COL Pamela Martis. **Motion to add these resolutions to the agenda and approve each, with one correction, was made by Supervisor Calcagno, seconded by Mayor Della Sala, and carried.**

11. ADJOURNMENT

There being no further business, Chair Russell adjourned the meeting at 5:32 p.m.

Minutes prepared by Linda Stiehl, Deputy Clerk.

Approved by



Michael A. Houlemard, Jr., Executive Officer/Clerk

# FORT ORD REUSE AUTHORITY BOARD REPORT

## CONSENT AGENDA

<b>Subject:</b>	Authorization to open safe deposit box at Rabobank	
<b>Meeting Date:</b>	November 14, 2008	<b>ACTION</b>
<b>Agenda Number:</b>	6b	

### RECOMMENDATION(S):

Request approval for the acquisition of a safe deposit box for the Environmental Services Cooperative Agreement ("ESCA") Remediation Program from the Board of Directors and authorize the Executive Officer to open a safe deposit box in the Seaside, California Branch of Rabobank.

### BACKGROUND/DISCUSSION:

The Fort Ord Reuse Authority ("FORA") has a need for a safe deposit box to provide off-site storage of electronic media. Under the terms of the ESCA (Sections 4.16 & 5.8), and Administrative Order on Consent (Page 52, Section XXXV, "Retention of Records" subsections 112 & 113), retention of electronic records is required. Consequently, FORA staff is recommending that FORA open a safe deposit box at Rabobank where FORA has other accounts. FORA has active accounts at the Seaside Rabobank branch and the bank has offered FORA use of a safe deposit box at no charge. Rabobank requires that the FORA Board of Directors approve the opening of the safe deposit.

### FISCAL IMPACT:

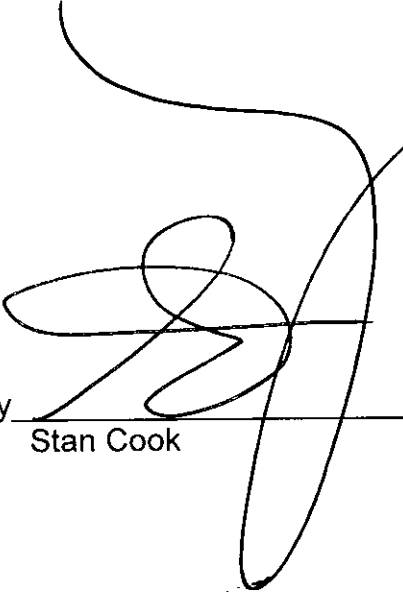
Reviewed by FORA Controller M.F. for I.B.

None. Rabobank has offered the use of the safe deposit box at no charge to FORA.

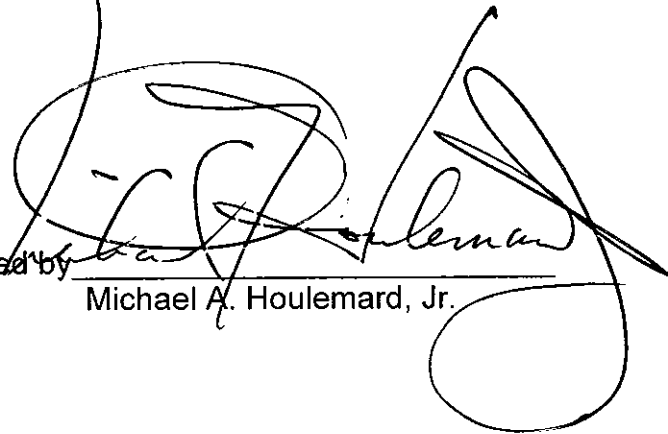
### COORDINATION:

LFR Inc. and FORA Authority Counsel

Prepared by

  
Stan Cook

Approved by

  
Michael A. Houlemard, Jr.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## OLD BUSINESS

<b>Subject:</b>	Water for Monterey County project	
<b>Meeting Date:</b>	November 14, 2008	<b>INFORMATION &amp; ACTION</b>
<b>Agenda Number:</b>	7a	

### RECOMMENDATION(S):

1. Receive a status report and presentation by Marina Coast Water District ("MCWD") and Monterey Regional Water Pollution Control Agency ("MRWPCA"). - **INFORMATION**
2. Approve resolution 08-07 ("**Attachment A**") endorsing the project. - **ACTION**

### BACKGROUND:

The Water for Monterey County Coalition ("WFMCC"), formerly referred to as the Regional Plenary Oversight Group ("REPOG"), was formed during a process begun by the Division of Ratepayer Advocates ("DRA") of the California Public Utilities Commission ("CPUC"), with the assistance of the University of California Santa Cruz ("UCSC"). DRA and UCSC engaged in developing a comprehensive water resource plan for the Monterey Region. To accomplish this goal, DRA facilitated a series of meetings, or dialogues, with all interested parties for almost two years. The objective of the dialogues was to achieve consensus through collaboration among the various interested parties on a solution, or perhaps several complementary solutions, to supplying the water needs of the Monterey Region in a cost-effective and sustainable way.

Lyndel Melton from RMC Water & Environment, a consulting engineering firm, presented the Water for Monterey County project proposal to the Fort Ord Reuse Authority ("FORA") Administrative Committee on January 30, 2008 and to the FORA Board on February 8, 2008. The project's approach depends on regional cooperation among the various water management entities and land use jurisdictions in the Monterey Region to develop a Regional Water Supply Plan that is sustainable, pragmatic, publicly and politically acceptable, and more cost effective than other alternatives.

The Water for Monterey County project is distinct from, but compatible with the Fort Ord Reuse Authority ("FORA") and MCWD Boards of Directors' "Hybrid Alternative" (June 10, 2005) to augment Fort Ord water resources, which directed their respective staff to scope this two-component project. Since that time, MCWD and FORA have proceeded with the Hybrid program, which includes both recycled water and desalinated water. MCWD has completed California Environmental Quality Act ("CEQA") documentation for this augmented water program. The Water for Monterey County project would reduce some of the infrastructure requirements of the hybrid project and therefore has the potential to offer substantial savings to FORA, MCWD, jurisdictional developers, and other users.



**DISCUSSION:**

WFMCC's initial planning goal was to identify a regional solution to Monterey's water supply and environmental problems that satisfied a set of planning criteria. The timeline for the identification of the regional project and its components corresponded to the CEQA evaluation process that was underway for the Coastal Water Project Environmental Impact Project, which had a due date for submission to the California Public Utilities Commission, Energy Division, Environmental Impact Report ("EIR") Project Manager by June 1, 2008. The EIR work on the Water for Monterey County project was completed and submitted on time. The funding for the work came from MCWD, California American Water, and the Monterey Regional Water Pollution Control Agency. The project that was submitted uses 100% of the region's recycled water, meets proposed State Water Resources Control Board ("SWRCB") Ocean Plan regulations, meets urban water needs, meets agricultural water needs and restores the Salinas Basin water quality, protects the National Marine Sanctuary, and provides a carbon neutral energy source.

WFMCC's process is now focused on drafting a strategic implementation plan. The Strategic Implementation Plan will include a series of tasks that both describe a "fast-track" solution to the Monterey Peninsula's regulatory issues as well as the more extensive regional agricultural and north county supply components. On October 15, 2008, Lyndel Melton presented an update on the Water for Monterey County project to the FORA Administrative Committee and will present an update at the November 14, 2008 FORA Board meeting.

The Seaside and Monterey City Councils have both approved resolutions in support of the Water for Monterey County project. Approval of resolution 08-07 would provide FORA's support for this project to achieve regional water supply solutions.

**FISCAL IMPACT:**

Reviewed by FORA Controller M.F. for L.B.

Significant savings could be realized by FORA, jurisdictional developers, and other users should the Water for Monterey County project ultimately be selected as the preferred alternative.

**COORDINATION:**

WFMCC, MCWD, MRWPCA, Executive Committee, and Administrative Committee

Prepared by Jonathan Garcia Jonathan Garcia  
Reviewed by Steve Endsley Steve Endsley  
Approved by Michael A. Houlemard, Jr. Michael A. Houlemard, Jr.

DRAFT

DRAFT

Resolution 08-07

ATTACHMENT A

Item 7a

FORA Board, November 14, 2008

Resolution of the Authority Board )  
In support of the Water for Monterey )  
County project. )

THIS RESOLUTION is adopted with reference to the following facts and circumstances:

**WHEREAS**, the Fort Ord Reuse Authority (“FORA”) has been actively participating in the Division of Rate Payers Advocates (“DRA”), California Public Utilities Commission (“CPUC”) sponsored regional water supply dialogue process. And that process, led by the Center for Integrated Water Research, University of California, Santa Cruz has met monthly for almost two years with citizens, Non-Governmental Organizations (“NGO”), government agencies, consultants, and academics to develop a regional water plan. The regional plan has been formulated to benefit Cities and agricultural operators on the Monterey Peninsula and communities of northern Monterey County (including unincorporated areas of Monterey County, the United States Army, Marina, Seaside, Del Rey Oaks, Monterey, Carmel-by-the-Sea, Pacific Grove, Sand City, and Salinas); and

**WHEREAS**, the regional projects and water management programs from the regional dialogue appear to be cost effective for ratepayers, have great regional benefit and result in an acceptable implementation strategy; and

**WHEREAS**, the regional plan has demonstrated viability acceptability, and worth to be evaluated technically. And, in order to meet the needs of the community and to save planning funds by coordinating with the CPUC Environmental Impact Report (“EIR”) now being evaluated for the Coastal Water Project; and

**WHEREAS**, the undersigned recognize that the water supply issues confronting the Monterey region are significant and require a focused technical and political effort to resolve. There is an urgency to identify, adequately plan, and rapidly implement a supply solution; and

**WHEREAS**, all political and quasi-political entities within Monterey County should engage in water supply planning and jointly analyze the proposed project; and

**WHEREAS**, such collaboration provides the most practical method to expeditiously create a leadership and management framework responsible for developing and implementing a strategy to comprehensively achieve regional water supply solutions.

**NOW, THEREFORE, BE IT RESOLVED** by the FORA Board of Directors that:

1. FORA supports the technical planning, implementation strategy, and public outreach of the Water for Monterey County plan to meet the long-term water supply needs, through publicly-owned sub-regional project(s), regional desalination project(s) or other regional public projects(s), of the Monterey Peninsula and the communities of northern Monterey County (including unincorporated areas of Monterey County, the United States Army, Marina, Seaside, Del Rey Oaks, Monterey, Carmel-by-the-Sea, Pacific Grove, Sand City, and Salinas); and.

2. FORA will actively engage other Monterey County governmental and quasi-governmental agencies to follow through with the steps necessary for the successful planning and public outreach and information processes to assure successful implementation of a regional plan with all due haste.

3. FORA supports the Water for Monterey County Coalition as a planning program that could ensure a safe, reliable, and environmentally sustainable regional water supply.

**DRAFT**

**DRAFT**

**DRAFT**

Upon motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing resolution was passed on this \_\_\_ day of \_\_\_\_\_ 2008, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

I, Mayor Russell, Chair of the Board of Directors of the Fort Ord Reuse Authority of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of the said Board of Directors duly made and entered under Item \_\_\_\_, Page \_\_\_\_, of the board meeting minutes of \_\_\_\_\_, 2008 thereof, which are kept in the Minute Book resident in the offices of the Fort Ord Reuse Authority.

\_\_\_\_\_ 2008

BY \_\_\_\_\_

Joseph Russell  
Chair, Board of Directors  
Fort Ord Reuse Authority

*John  
Chubb, President*

**RESOLUTION # 08-07**

Resolution of the Fort Ord Reuse Authority)  
Board of Directors in support of the Water )  
for Monterey County project )

THIS RESOLUTION is adopted with reference to the following facts and circumstances:

**WHEREAS**, the Fort Ord Reuse Authority ("FORA") has been actively participating in the Division of Rate Payers Advocates, California Public Utilities Commission ("CPUC") sponsored regional water supply dialogue process. And that process, led by the Center for Integrated Water Research, University of California, Santa Cruz, has met monthly for almost two years with citizens, Non-Governmental Organizations, government agencies, consultants, and academics to develop a regional water plan. The regional plan has been formulated to benefit Cities and agricultural operators on the Monterey Peninsula and communities of northern Monterey County (including unincorporated areas of Monterey County, the United States Army, Marina, Seaside, Del Rey Oaks, Monterey, Carmel-by-the-Sea, Pacific Grove, Sand City, and Salinas); and

**WHEREAS**, the regional projects and water management programs from the regional dialogue appear to be cost effective for ratepayers, have great regional benefit and result in an acceptable implementation strategy; and

**WHEREAS**, the regional plan has demonstrated viability and value in moving ahead for technical evaluation; and

**WHEREAS**, in order to meet the needs of the communities and to save planning funds, the local agencies are coordinating with the CPUC Environmental Impact Report now being processed for the Coastal Water Project; and

**WHEREAS**, FORA recognizes that the water supply issues confronting the Monterey region are significant and require a focused technical and political effort to resolve; and

**WHEREAS**, there is an urgency to identify, adequately plan, and effectively implement a water resource supply solution; and

**WHEREAS**, all political and quasi-political entities within Monterey County should engage in water supply planning and jointly analyze the proposed project; and

**WHEREAS**, such collaboration provides the most practical method to expeditiously create a leadership and management framework responsible for developing and implementing a strategy to comprehensively achieve regional water supply solutions.

**NOW, THEREFORE, BE IT RESOLVED** by the FORA Board of Directors that:

1. FORA supports the technical planning, implementation strategy, and public outreach of the Water for Monterey County plan to meet the long-term water supply needs through publicly-owned sub-regional project(s), regional desalination project(s) or other

regional public project(s), of the Monterey Peninsula and the communities of northern Monterey County (including unincorporated areas of Monterey County, the United States Army, Marina, Seaside, Del Rey Oaks, Monterey, Carmel-by-the-Sea, Pacific Grove, Sand City, and Salinas); and

2. FORA will actively engage other Monterey County governmental and quasi-governmental agencies to follow through with the steps necessary for the successful planning and public outreach and information processes to assure successful implementation of a regional plan with all due haste; and

3. FORA supports the Water for Monterey County Coalition as a planning program that could ensure a safe, reliable, and environmentally sustainable regional water supply.

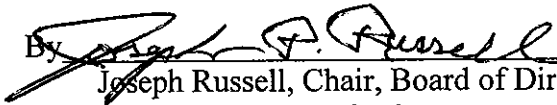
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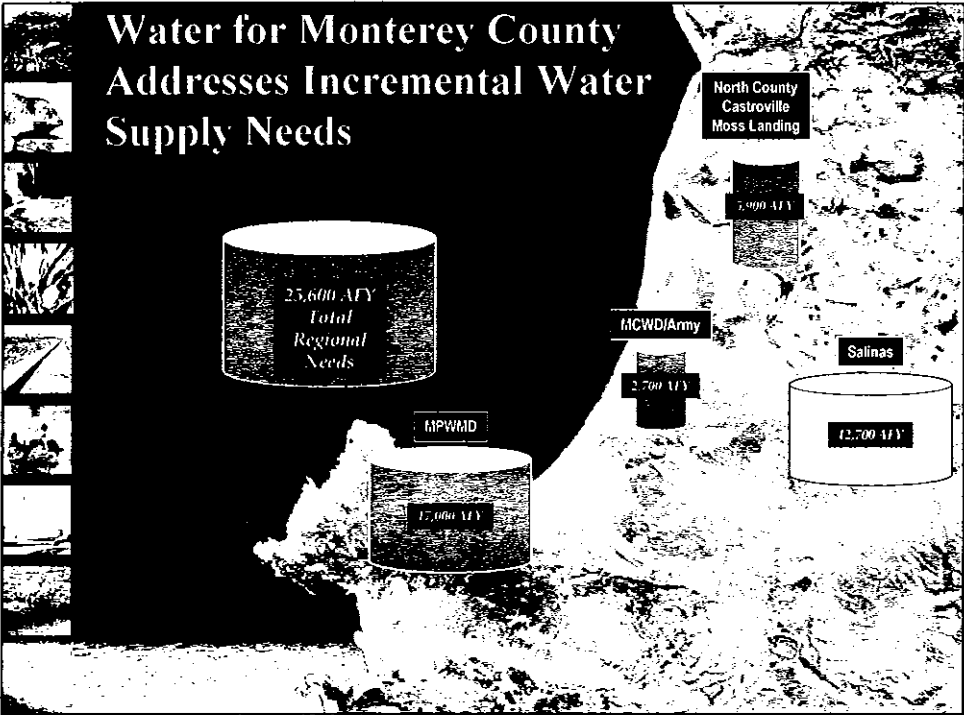
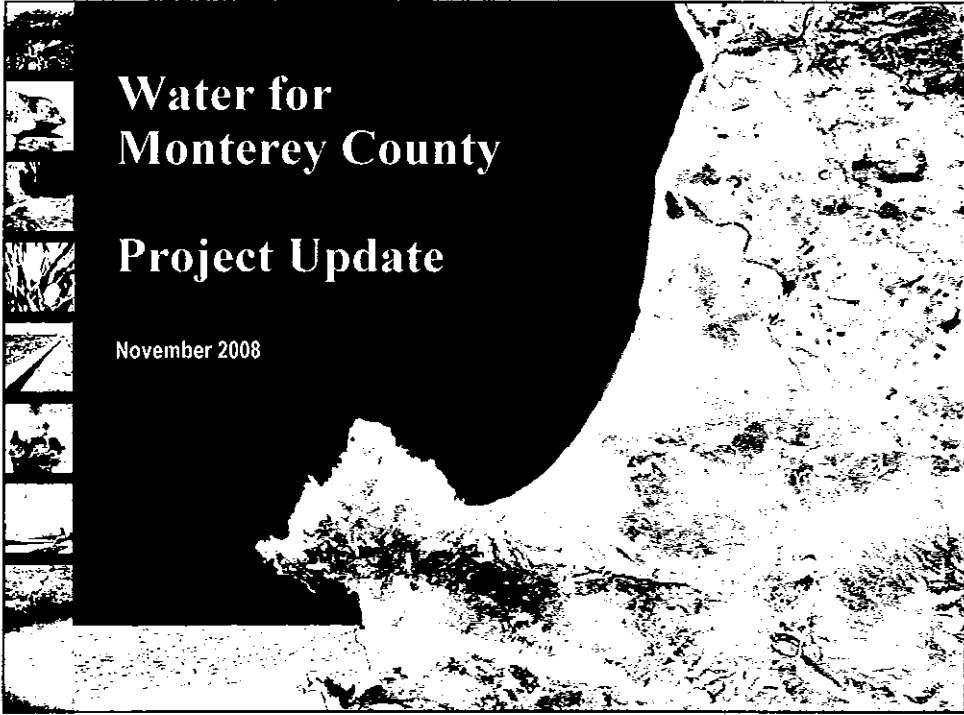
Upon motion by Mayor Rubio, seconded by Councilmember Mancini, the foregoing resolution was passed on this 14<sup>th</sup> day of November 2008, by the following vote:

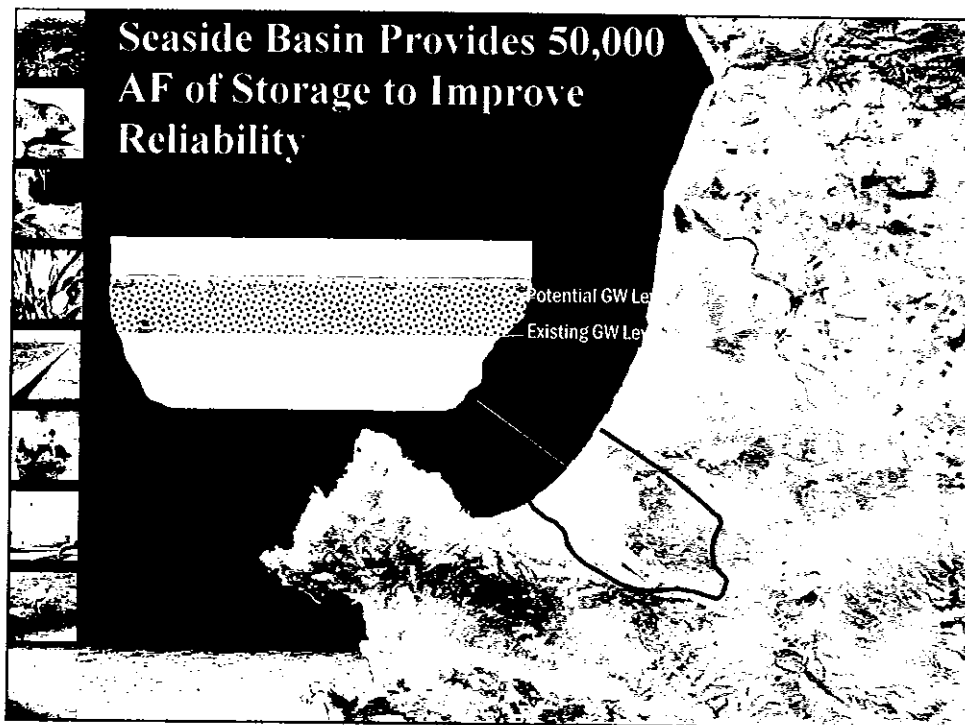
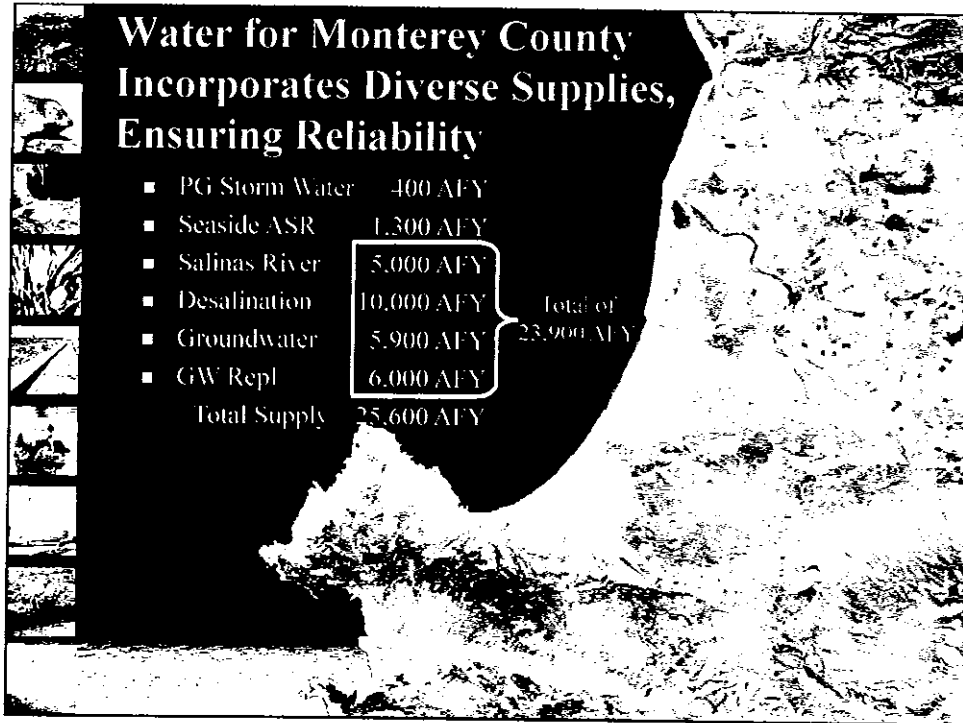
AYES: 10 Directors Russell, Rubio, McCloud, Wilmot, Calcagno, Davis, Mancini, Pendergrass, Mettee-McCutchon, and Della Sala  
NOES: -0-  
ABSTENTIONS: -0-  
ABSENT: 3 Directors McCall, Potter and Barnes


I, Mayor Joseph P. Russell, Chair of the Board of Directors of the Fort Ord Reuse Authority of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of the said Board of Directors duly made and entered under Item 7a(2), pages 2 and 3, of the board meeting minutes of November 14, 2008, thereof, which are kept in the Minute Book resident in the offices of the Fort Ord Reuse Authority.

Date 11/21/08

By   
Joseph Russell, Chair, Board of Directors  
Fort Ord Reuse Authority








## What has Changed in Water for Monterey County?

- No 180-foot Aquifer Pumping
- Refining Options for Water Deliveries to North County
- Still Meets Water Needs
  - 12,500 AFY to Cal-Am customers
  - 4,500 AFY to Cal-Am for future needs
  - 2,700 AFY for MCWD Former Fort Ord
  - 5,900 AFY to North County



## CPUC Decision will Consider Cost, Ability to Implement, and Other Factors

CPUC EIR

Desal at Moss Landing

Desal at North Marina

Water for Monterey County

CPUC Decision

Desal at Moss Landing

Or

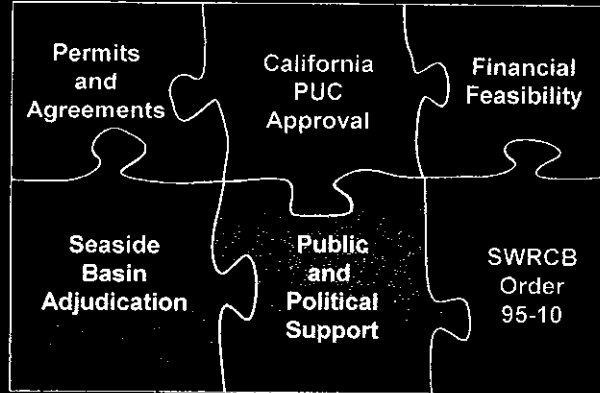
Desal at North Marina

Initiation of  
Local Agreements  
And Public Support

Water for Monterey County



## Obtaining a Successful Water Project Hinges on Numerous Factors



## Water for Monterey Provides Least Cost, Sustainable Water Supply Solution



*expanded version of Mr. Swack's presentation*



# Monterey Peninsula Groundwater Replenishment Project

*Providing A Safe And Sustainable Water Supply*

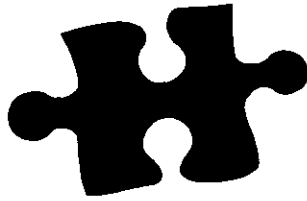


FORA Board Meeting  
November 14, 2008



## SUMMARY

Monterey Regional Water Pollution Control Agency



One potential component of the Regional Water Supply Program is Groundwater Replenishment (GWR) for the Seaside Aquifer

## Groundwater Replenishment Project would:

- Supply about 6,000 AFY of advanced treated water for recharging the Seaside Aquifer
- AND
- Supply about 700 AFY of advanced treated water for golf courses in Seaside and Del Rey Oaks

## Groundwater Replenishment is a Good Component since it:

- Can be quickly implemented (2013)
- Can be easily combined or phased with other water projects
- Could be funded by CAL AM
- Would have a straightforward environmental review/permit process
- Is drought resistant
- Could help solve 95-10 and Seaside Basin Adjudication
- **Would build the backbone pipeline needed for supplying recycled water for FORA customers**

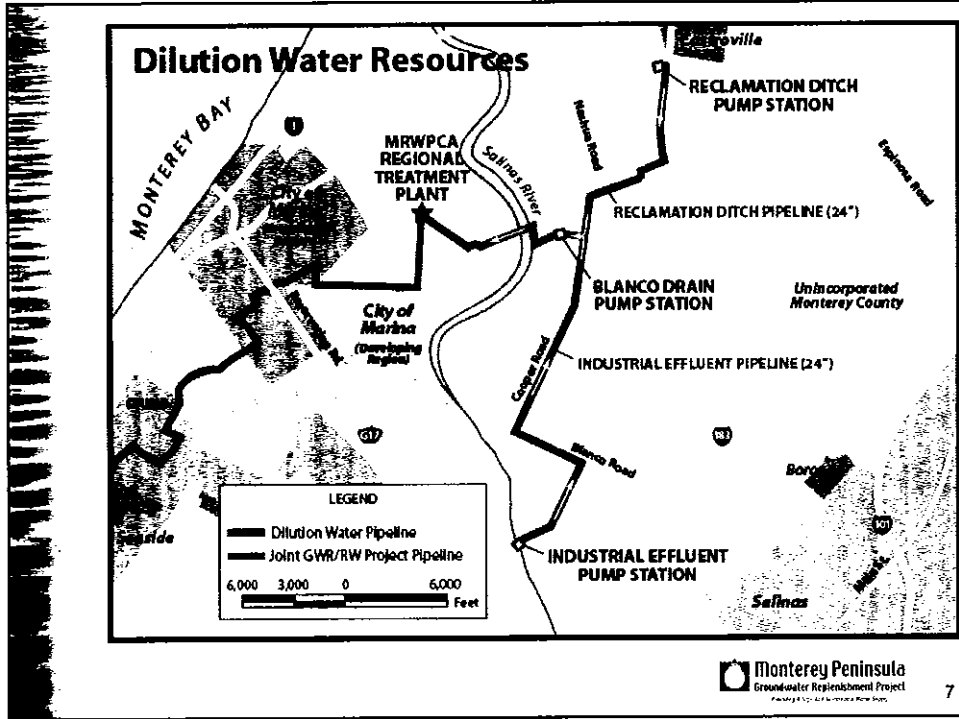
## Possible Components of a Regulatory First Phase of the Overall Regional Program

|                                                               |                   |
|---------------------------------------------------------------|-------------------|
| Storm Water/Conservation/ASR                                  | 500 to 1,500 AFY  |
| Groundwater Replenishment to Seaside Basin                    | up to 6,000 AFY   |
| Replenishment water for 2 existing and 1 proposed golf course | 700 AFY           |
| Beach well desalination                                       | 5,000 + AFY       |
| <b>TOTAL</b>                                                  | <b>12,500 AFY</b> |

## Two Supply Components for the Groundwater Replenishment Project

- Dilution Water Options
  - Reclamation Ditch
  - Salinas Commercial Pond Water
  - Blanco Drain
- Recycled Water



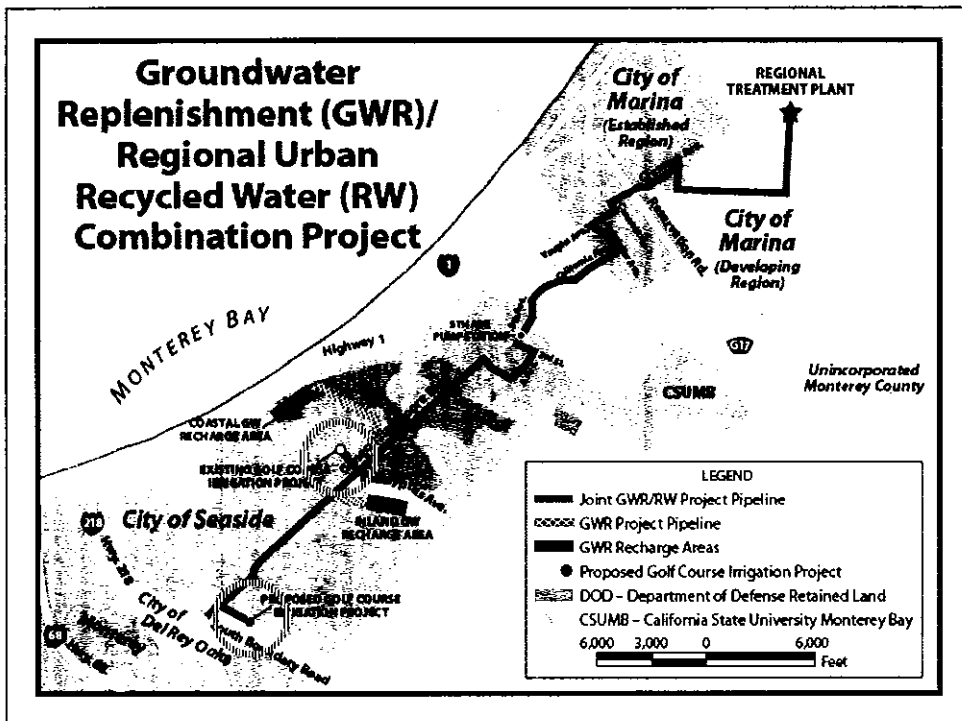
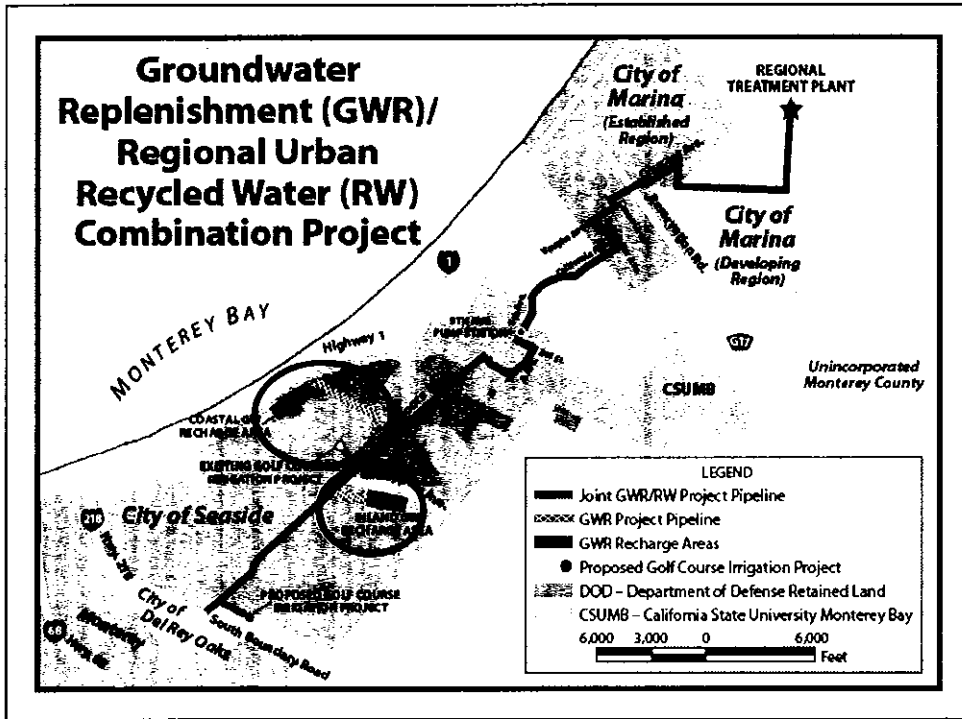


## Advanced Treatment Process

- Micro Filtration
- Reverse Osmosis
- Ultraviolet/Hydrogen Peroxide Disinfection/Oxidation

Monterey Peninsula  
 Groundwater Replenishment Project  
 Project # 101-101-101-101-101

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## Safety of Replenishment Water

- Decades of proven experience at Orange County Water District and other locations (Scottsdale, Singapore, etc.)
- Water receives 6 levels of treatment
- Pharmaceuticals removed
- Independent expert advisory panel monitors and reviews project development
- Final plan must be approved by the California Department of Public Health

## Key Attributes of Groundwater Replenishment

- More energy-efficient than desalination
- Provides a reliable, sustainable water supply
- Reasonable cost of water (about \$1850/AF)
- Reuse of treated wastewater

## TIMELINE

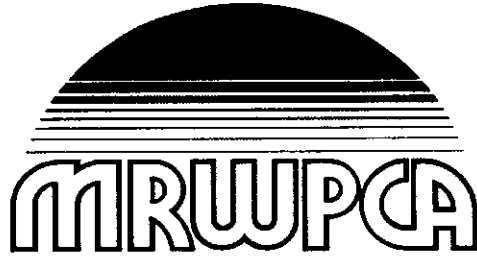
- Complete detailed planning and pilot test facilities - 2009
- Conduct pilot plant testing and develop final design criteria - 2010
- Prepare final design and obtain regulatory approvals/permits - 2011
- Begin construction - 2012
- Start up facilities - Fall 2013

## Current GWR Project Status

- Four years of general planning and pre-engineering to date
- Project description submitted to PUC consultant for inclusion in Regional Water Program (late June 2008)
- Ready to initiate MOU's for use of any facilities or clarification of water rights needed for Regional Water Program (complete by mid-March 2009) including:
  - Joint collaboration with MPWMD
  - Continued discussions with MCWD



# Changing Waste Water into Safe Water



For more information contact:  
Keith Israel, General Manager  
Monterey Regional Water  
Pollution Control Agency  
(831) 645-4605  
[www.mrwpc.org](http://www.mrwpc.org)

 **Monterey Peninsula**  
Groundwater Replenishment Project  
The City of Monterey is a member.

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# FORT ORD REUSE AUTHORITY BOARD REPORT

## OLD BUSINESS

**Subject:** Habitat Conservation Plan approval process – status report

**Meeting Date:** November 14, 2008

**Agenda Number:** 7b

**INFORMATION**

### RECOMMENDATION(S):

Receive a status report regarding preparation of Habitat Conservation Plan (“HCP”) and State of California 2081 Incidental Take Permit (“ITP”) Process.

### BACKGROUND/DISCUSSION:

#### **Recent Developments:**

1. The next HCP working group meetings are scheduled for November 14, 2008 (conference call) and December 17, 2008 (in-person). U.S. Fish and Wildlife Service (“USFWS”) and California Department of Fish and Game’s (“CDFG”) comments on the draft HCP are now due. The working group will discuss USFWS and CDFG’s comments during these meetings. FORA staff will provide an oral update to the Board, reporting if comments could cause further delay.
2. On September 30, 2008, a conference call including representatives from the Fort Ord Reuse Authority (“FORA”), USFWS, Denise Duffy & Associates (“DD&A”) [National Environmental Policy Act (“NEPA”)/California Environmental Quality Act (“CEQA”) consultant], Bureau of Land Management (“BLM”), and others was held and the schedule noted in #3 below was endorsed.
3. HCP working group meetings were held on September 9 and 16, 2008 to discuss the steps to complete the Public Draft HCP and schedule. At the September 9 meeting, representatives of the FORA Administrative Committee were given an opportunity to engage FORA’s consultant about issues related to schedule and content. At the September 16 meeting, FORA’s jurisdictions discussed the remaining chapters with USFWS and confirmed that the project schedule remains on target for release of a review draft document by January 2009.
4. On June 18, 2008, the HCP working group reviewed the revised Monitoring Chapter and provided feedback to Jones & Stokes on the Implementation and Funding Chapters.
5. On May 5, 2008, DD&A, NEPA/CEQA consultant, held a conference call meeting of the principals to schedule final Environmental Impact Statement (“EIS”)/Environmental Impact Report (“EIR”) document processing.
6. On April 21, 2008, USFWS Assistant Director Brian Arroyo gave assurances that he would apply his resources to resolve funding issues between USFWS and the BLM and to meet HCP review schedules for the HCP and HCP NEPA documents.

#### **Past Actions:**

FORA completed a Draft HCP on January 23, 2007 covering topics necessary to submit the HCP to CDFG and an application for a basewide State 2081 ITP. The Draft HCP was circulated to USFWS, CDFG, FORA’s land use jurisdictions, and other prospective

habitat managers participating in the program. USFWS provided written comments on the Draft HCP in March 2007, July 2007, and February 2008. CDFG provided written comments in April 2007.

To define necessary steps to obtain CDFG approval of a basewide State 2081 Permit, FORA's legislative representatives met with key stakeholders in CDFG, California Department of Parks and Recreation ("State Parks"), and the Governor's Office on April 30, 2007. Subsequent meetings were held with Mike Crisman, State of California Resources Secretary, and John McCamman, CDFG Chief Deputy Director (at the time). These discussions identified several steps for FORA and CDFG to take to secure a successful 2081 permit. The representatives and stakeholders identified a need for a larger scope for the HCP consultant work, requiring FORA to redistribute a Request for Qualifications ("RFQ") containing a larger budget than previously included in the March 2007 RFQ. In return, key stakeholders in Sacramento gave assurances they would perform required work on their end and support a "final" process. In response to the need for an expanded scope of work, at its May 11, 2007 meeting, the FORA Board directed staff to redesignate unused HCP funds in Fiscal Year ("FY") 06-07 for HCP consultant work and directed staff to enter into a contract, not to exceed \$150,000, with an HCP consultant to conduct the increased scope of work.

FORA staff received several responses to its RFQ and selected Jones & Stokes, Inc. ("Jones & Stokes") for the contract, which gives FORA the expertise to respond to USFWS and CDFG comments on the draft HCP. Jones & Stokes successfully completed comparable HCP's in Northern California and is the author of the 1997 Fort Ord Habitat Management Plan. The initial contract was for \$85,445 and covers revisions to Draft HCP chapters, resulting from agency comments and FORA staff concurrence. An amendment to this contract for additional tasks and budget to recombine State and Federal HCP's was approved on September 14, 2007. The approved FY 06-07 and FY 07-08 budgets included additional funding for this purpose.

Jones & Stokes identified a window of opportunity to expedite permit issuance. As noted, Jones & Stokes have proposed recombining the truncated State and Federal HCP processes into one HCP document and one combined public review period, which would result in a shorter timeframe for Federal and State permit issuance and a stronger HCP document. Significant progress on the State HCP made in the last year should allow Jones & Stokes to complete the necessary Federal HCP chapters on an expedited basis. This allows FORA to use the HCP document for both Federal NEPA and State CEQA permit applications.

On May 23, 2007, FORA hosted an HCP working group meeting among Jones & Stokes, FORA, CDFG, USFWS, University of California ("UC"), BLM, and State Parks to discuss agency comments on the Draft HCP Funding Chapter. The HCP working group identified issues and discussed probable solutions to improve the Draft HCP funding section. A follow-up conference call occurred on May 31, 2007. To expedite agency review of the Draft HCP, Jones & Stokes suggested that USFWS and CDFG prepare comment letters on Draft HCP chapters reviewed to date and that the agencies offer oral comments on the remaining chapters. This approach was well received and was discussed in further detail during a strategy session among FORA, USFWS, and CDFG held in early June. On July 12, 2007, the HCP working group met, reviewed past comments received from USFWS and CDFG, reviewed Jones & Stokes' technical

memo proposing revisions to the draft HCP, and reviewed Jones & Stokes' draft costing model. On August 29, 2007, the HCP working group held another meeting, in which the group: provided additional feedback on the draft costing model, requested feedback from working group members on Draft HCP sections, addressed questions on the Early Transfer/Environmental Services Cooperative Agreement ("ET/ESCA"), and asked for feedback from USFWS and CDFG on inclusion of the proposed alignment of the Multi-Modal Corridor along Intergarrison Road in lieu of a previous alignment bisecting the UC Fort Ord Natural Reserve. On November 15, 2007, the working group reviewed a draft HCP Implementing Agreement, a required HCP document.

On October 1, 2007, Mayor Joe Russell, then Marina Mayor Ila Mettee-McCutchon, and Mayor Ralph Rubio met with State of California Resources Secretary Crisman and CDFG Interim Director McCamman and, as a consequence, a letter was drafted demonstrating CDFG support for FORA's ET/ESCA activities. In December 2007, Jones & Stokes personnel met with USFWS in Ventura regarding staff transition and other issues. Jones & Stokes presented the revised draft HCP Funding Chapter, costing model assumptions/inputs, and HCP development schedule to the HCP working group on April 10, 2008 to generate feedback from working group members. On March 28, 2008, California Resources Secretary Mike Crisman met with FORA's legislative representatives and confirmed prior commitments to employ sufficient staff and resources within CDFG to meet review schedules and resolve outstanding HCP issues.

**FISCAL IMPACT:**

Reviewed by FORA Controller M. F. for I.B.

Funding for this item was included in the FY 07 and 08 budgets and was carried over to the FY 09 budget.

**COORDINATION:**

Executive Committee, Administrative Committee, Legislative Committee, Coordinated Resources Management and Planning Team, City of Marina, County of Monterey, U.S. Army, USFWS and CDFG personnel, Jones & Stokes, DD&A, UC, BLM, and various development teams.

Prepared by D. Steven Endsley  
Steve Endsley

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

# FORT ORD REUSE AUTHORITY BOARD REPORT

OLD BUSINESS

**Subject:** 2009 Fort Ord Reuse Authority Legislative Agenda – consider adoption

**Meeting Date:** November 14, 2008

**Agenda Number:** 7c

**ACTION**

## RECOMMENDATION:

Approve the 2009 Fort Ord Reuse Authority ("FORA") Legislative Agenda.

## BACKGROUND/DISCUSSION:

Since 2000, the Legislative Committee has solicited legislative, regulatory, policy and/or resource allocation suggestions from the jurisdictions to be included in the annual legislative agenda. These items are considered crucial in removing blocks to the successful reuse and redevelopment of the former Fort Ord. JEA and Associates (FORA's legislative representative in Sacramento), FORA staff and others also recommend items and assist in crafting the language of each item. During the past two months, the Administrative Committee members reviewed drafts of the 2009 Legislative Agenda at three meetings. The Legislative Committee members reviewed proposed agenda items at two meetings and recommended board approval of the **attached draft** at their November 5<sup>th</sup> meeting. Accompanying the Legislative Agenda is a one-page summary of the items, also **attached**.

To enhance joint legislative efforts in 2009, the Transportation Agency for Monterey County (TAMC) once again invited representatives from FORA, Monterey-Salinas Transit and the County of Monterey to an interagency meeting on October 22<sup>nd</sup>. The purpose was to align items describing common needs on the four legislative agendas, such as transportation funding. Coordination of efforts related to agency interdependency makes a strong case for obtaining the limited funding available, which is further enhanced by the opportunity to partner matching funds.

Once approved by the FORA Board, the items on the annual Legislative Agenda serve as the focus of the annual Legislative Mission to Washington, DC, as well as the State Legislative Mission to Sacramento, both of which usually occur in the spring. Selected FORA board and staff members represent FORA in meetings with key legislative, military, and governmental leaders to discuss FORA's positions and needs. Past missions have resulted in valuable interactions and funding.

## FISCAL IMPACT:

Reviewed by FORA Controller M.F. for I.B.

Staff time related to the preparation of the Legislative Agenda and the travel expenses for the Legislative Missions are covered in FORA's approved operating budget.

**COORDINATION:** Legislative, Administrative and Executive Committees; JEA & Associates; Assemblymember John Laird, Congressman Sam Farr, Senator Maldonado and their staffs

Prepared by Linda L. Stiehl

Linda L. Stiehl

Approved by Michael A. Houfemard, Jr.

Michael A. Houfemard, Jr.

# Fort Ord Reuse Authority 2009 Legislative Agenda Work Program Executive Summary\*

- A. **ISSUE:** Obtaining federal National Landscape Conservation System (NLCS) designation for former Fort Ord habitat would support the Habitat Conservation Plan (HCP) implementation.
- **Proposed Position:** Support/introduce/sponsor federal legislation to obtain designation for former Fort Ord habitat lands.
- B. **ISSUE:** Secure HCP approval at state and federal levels.
- **Proposed Position:** Support legislative or regulatory coordination, state and federal resources, and advocate speedy reviews and processing.
- C. **ISSUE:** FORA/County agreed to assist to Monterey Peninsula College (MPC) in securing federal or state Public Safety Officer Program funds.
- **Proposed Position:** Take legislative or other actions to assist MPC's efforts to secure Public Safety Officer Training Program funding.
- D. **ISSUE:** Burial space for the thousands of eligible veterans in Central California is inadequate. Land for a veterans' cemetery on former Fort Ord lands has been set aside to address this need.
- **Proposed Position:** Support implementation, budget actions and creative initiatives at all levels to design, build and operate a Central Coast Veterans Cemetery.
- E. **ISSUE:** \$40-42,000,000 is needed to support the FORA Water Augmentation Program. Securing federal or state grant or loan funds could help timely implementation of recycled water and desalination water facilities.
- **Proposed Position:** Support and coordinate efforts with MCWD, MCWRA, MRWPCA, and other agencies to secure funding.
- F. **ISSUE:** Current redevelopment law restricts direct financial aid to "undeveloped parcel" projects.
- **Proposed Position:** Support the Seaside-sponsored efforts to allow direct tax increment assistance to former Fort Ord projects designated for commercial development.
- G. **ISSUE:** Fort Ord reuse requires mitigations amounting to more than \$125,000,000 for transportation infrastructure on and proximate to the former Fort Ord.
- **Proposed Position:** Coordinate with TAMC, MST and others for any grants/loans available through infrastructure bonds or other financial sources.
- H. **ISSUE:** California State University is responsible for mitigating off-campus environmental impacts and has substantial building removal obligations on former Fort Ord.
- **Proposed Position:** Support Legislature funding earmarks for the CSUMB campus for its off-campus impacts and for coordinated building removal.
- I. **ISSUE:** Support the MST, TAMC and Monterey County Legislative Programs as they interface with former Fort Ord reuse programs.
- **Proposed Position:** Coordinate and support other legislative programs in the Monterey Bay area when they interface with former Fort Ord reuse programs.

\*The items on this list are not in priority order, because all are considered "priority" issues in achieving FORA's objectives.

# Fort Ord Reuse Authority 2009 Legislative Agenda

## Work Program

(approved on November 14, 2008)

The 2009 Fort Ord Reuse Authority ("FORA") Legislative Agenda offers legislative, regulatory, policy, or resource allocation support actions to improve and/or enhance former Fort Ord reuse and provide state and federal funding to FORA, the U.S. Army ("Army") or FORA member entities, benefiting former Fort Ord redevelopment. Legislative Agenda items focus on property transfer, environmental remediation, commercial/residential reuse, habitat management, infrastructure and mitigation funding, and federal, state or local legislation.

The order of these items herein is not an indication of their priority. All items are considered "priority" issues in achieving FORA's objectives.

**A. Seek federal National Landscape Conservation System ("NLCS") designation for the former Fort Ord Bureau of Land Management ("BLM") Natural Resource Management Area. The NLCS has four categories of federally designated areas; 1) National Monuments, National Conservation Areas ("NCA") and similar designations; 2) Wilderness; 3) Wild and Scenic Rivers; and 4) National Trails.**

**ISSUE:** Habitat Conservation Plan ("HCP") approval and implementation are essential to former Fort Ord redevelopment. Obtaining an NLCS designation for BLM's former Fort Ord property would support HCP implementation through national recognition of the property's unique ecological and recreational resources.

- **Benefits:** Brings national attention to the unique flora, fauna and recreational resources found on current and future BLM property on former Fort Ord while supporting habitat preservation as described in the Fort Ord Habitat Management Plan and pending HCP. Since availability of public and private grant funding fluctuates, having an NCA (or other appropriate national designation) would emphasize the national significance of BLM's former Fort Ord property to potential donors and other funding sources. By advocating NLCS designation that affords national recognition, FORA is supporting the BLM mission and former Fort Ord recreation and tourism. Receiving an NLCS designation would help BLM become more competitive as it seeks funding.
- **Challenges:** Each year, the local BLM office competes nationally to receive public and private grants and federal appropriations that support its mission. Receiving an NLCS designation would help BLM become more competitive as it seeks funding. Some designation efforts may add unknown restrictions.
- **Proposed Position:** Support/introduce/sponsor legislation to obtain NLCS/NCA designation (or other appropriate national designation) for BLM's former Fort Ord property. Assure that designation efforts do not add restrictions that will interfere with reuse programs or HCP implementation.

**B. Continue/enhance coordination with the 17<sup>th</sup> Congressional District, the 15<sup>th</sup> and 12<sup>th</sup> State Senate Districts, and the 27<sup>th</sup> and 28<sup>th</sup> State Assembly Districts to secure HCP approval.**

**ISSUE:** HCP approval remains critical to former Fort Ord redevelopment. Alternatives to a basewide HCP are costly and time consuming and do not effectively serve the goal of managing or protecting endangered species.

- **Benefits:** HCP approval is essential to protecting habitat and effectively developing jobs and housing for the region.
- **Challenges:** Processing the HCP during the past ten years has been frustrating and costly. Insufficient agency resources and overlapping regulatory barriers have thwarted the HCP process at many points.
- **Proposed Position:** Support legislative and regulatory coordination, state and federal resources, and strong advocacy to enable speedy reviews and processing – insisting on continued vigilance and cooperation among the regulatory agencies.

**C. Work with the County of Monterey to assist Monterey Peninsula College (“MPC”) to obtain capital and program funding for the former Fort Ord Public Safety Officer Training Program at the MOUT (Military Operations on Urban Terrain) and Parker Flats.**

**ISSUE:** FORA and the County have agreed to assist MPC in securing funds for this program.

- **Benefits:** The Public Safety Officer Training Program is an important component of MPC’s Fort Ord reuse efforts, and will enhance public safety training at the regional and state levels. Adequate funding is critical.
- **Challenges:** Funds available through the Office of Homeland Security, the Office of Emergency Services, or other sources may be restricted.
- **Proposed Position:** Pursue legislative or other actions to support MPC efforts to secure funding sources.

**D. Assist with plans to develop, design and construct the Central Coast Veterans Cemetery to be located on the former Fort Ord and support an increase in the federal allotment that will cover burial/interment.**

**ISSUE:** Burial space for California Central Coast veterans is inadequate. Former Fort Ord is not only centrally located in the state but has land already designated for a new veterans’ cemetery. Recent legislation has offered an approach to move ahead with development by providing a mechanism for funding future operations. Further, funding for individual veteran interments is insufficient to cover cemetery operations expenses.

- **Benefits:** This cemetery would provide additional burial space for the region’s approximately 50,000 veterans. An increase in the interment benefit would decrease the demand for endowment fund support of the cemetery operations.
- **Challenges:** Although the Federal government will reimburse the entire cost to construct the cemetery, the State of California must apply for inclusion in the State Veterans Cemetery program before awarding the construction agreement. Until recent legislation, the State of California has been reticent to make application. The annual cost of operating and maintaining the cemetery (estimated at \$200,000 per year) must have a guaranteed payer in the form of trust account deposits.
- **Proposed Position:**
  - Support implementation, budget actions and funding options to design, build and operate the Central Coast Veterans Cemetery;
  - Support efforts to sustain priority standing for the Central Coast Veterans Cemetery with the CA Department of Veterans Affairs.
  - Support an increase in the U.S. Veterans/Administration burial reimbursement.

**E. Work with the Monterey County Water Resources Agency (“MCWRA”), the Monterey Regional Water Pollution Control Agency (“MRWPCA”), the Marina Coast Water District (“MCWD”) and others to secure State bond funds and Federal funding to augment FORA’s water supply capital needs.**



**ISSUE:** The FORA Capital Improvement Program requires \$40-42,000,000 to fund the Water Augmentation Program for the necessary Base Reuse Plan supplemental water needs for complete build-out. Securing funds to assist this requirement, now dependent solely on funding from the FORA Community Facilities District development fees, could help the timely implementation of the recycled water and desalination water facilities.

- **Benefits:** Redevelopment, as permitted under the Base Reuse Plan, can occur as long as financing and installation of the augmenting water facilities proceed. Additional grant funding could reduce acre-feet per year costs of securing water resources for the jurisdictions and reduce the hefty capital charges that may otherwise be required.
- **Challenges:** Competing water projects throughout the Region and State for scarce proceeds. No current federal program exists for this funding.
- **Proposed Position:** Support and coordinate efforts with MCWD, MCWRA, MRWPCA, other agencies and FORA jurisdictions for securing funding and/or to endorse the use of bond funds proposed for this purpose.

**F. Support Seaside's efforts to secure state legislation that would enable FORA jurisdictions to provide direct financial assistance to former Fort Ord commercial projects.**

**ISSUE:** Current redevelopment law, adopted after the Authority Act, prohibits redevelopment authorities from providing direct financial aid to sales tax generating commercial projects on certain undeveloped parcels.

- **Benefits:** The ability to assist commercial development will accelerate several Fort Ord properties and provide FORA members with a greater degree of control over the nature and quality of commercial projects. Accelerating commercial development helps generate tax increment funds to support the development rate of affordable housing and infrastructure.
- **Challenges:** Opposition by some to any change in redevelopment law because there is a perception that the change will benefit only a few. Additionally, there is concern that this adjustment/provision may foster leapfrog development or be used to divert sales tax revenue from others.
- **Proposed Position:** Support the Seaside-sponsored efforts to exempt the former Fort Ord properties or define "urban use" within the Health and Safety Code in such a way as to include most parcels designated for commercial development within the Fort Ord Reuse Plan.

**G. Work with the Transportation Agency for Monterey County ("TAMC") to secure transportation bond funds.**

**ISSUE:** The FORA Capital Improvement Program requires mitigations of more than \$125,000,000 for transportation infrastructure on and proximate to the former Fort Ord. Some of this funding requires a local, or other, match from the appropriate regional or state transportation body to bring individual projects to completion.

- **Benefits:** The timely installation of required on-site, off-site and regional roadway improvements supports accommodating development impacts and maintaining and improving levels of service vital to the regional economy.
- **Challenges:** Applying scarce transportation funds to the appropriate projects to optimize transportation system network enhancements.
- **Proposed Position:** Support and coordinate with TAMC for state infrastructure bonds, federal authorization or other grant/loan resources.

**H. Work with the State Assembly Districts and the State Legislature in support of California State University's ("CSU's") requests for off-campus impact mitigation funds for the CSU Monterey Bay ("CSUMB") campus. Coordinate with CSUMB on requests for building removal and contaminant waste abatement on the former Fort Ord.**

- ISSUE:**
- a) In July 2006 the State of California Supreme Court ruled that CSU had responsibility to mitigate off-campus impacts resulting from development and growth of its CSUMB campus. CSU, in order to fund its obligations as required by the Supreme Court, is requesting funds from the State Legislature.
  - b) Contaminated building removal is a significant expense to CSUMB (\$26 million) and other former Fort Ord land use entities (\$43 million). A coordinated effort will be more likely to achieve funding success to address the \$68 million total need.
    - **Benefits:** Supporting state budget approval for CSU's funding request to mitigate off-campus impacts will address the past and current void of CSU fair share contributions or otherwise meeting such impacts. Similarly, a coordinated effort to secure asbestos/lead abatement building removal support will help all levels of the regional reuse program.
    - **Challenges:** The competition for funds requested of the Legislature by CSU system-wide will be keen, with CSUMB, being only one campus of the 23-campus system, many of which will require their own mitigation funding.
    - **Proposed Position:** Support state budget earmarks requested by CSU for the CSUMB campus as a funding priority for off-campus impacts and for coordinated building removal.

**I. Coordinate efforts with other Monterey Bay legislative issues.**

- ISSUE:** Monterey-Salinas Transit, Transportation Agency for Monterey County and the County of Monterey have all adopted legislative programs, some of which will have direct or indirect impacts on Fort Ord reuse.
- **Benefits:** Collaborative efforts for funding by agencies involved in the same or interdependent projects will increase the chances to obtain critical funding and also be enhanced by partnering matching funds.
  - **Challenges:** State and federal funding will be limited during the current economic downturn and competition for available funds will be keen.
  - **Proposed Position:** Coordinate and support other legislative programs in the Monterey Bay area when they interface with former Fort Ord reuse programs.

**Fort Ord Reuse Authority  
2009 Legislative Agenda  
Work Program Executive Summary\***

Attachment  
To Item 7c  
FORA Board Meeting  
November 14, 2008

**11/5 DRAFT**

- A. **ISSUE:** Obtaining federal National Landscape Conservation System (NLCS) designation for former Fort Ord habitat would support the Habitat Conservation Plan (HCP) implementation.
- **Proposed Position:** Support/introduce/sponsor federal legislation to obtain designation for former Fort Ord habitat lands.
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- **Proposed Position:** Coordinate and support other legislative programs in the Monterey Bay area when they interface with former Fort Ord reuse programs.

\* The items on this list are not in priority order, because all are considered "priority" issues in achieving FORA's objectives.

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## Fort Ord Reuse Authority 2009 Legislative Agenda

### Work Program - WORKING DRAFT (11/5/08 pm)

The 2009 Fort Ord Reuse Authority ("FORA") Legislative Agenda offers legislative, regulatory, policy, or resource allocation support actions to improve and/or enhance former Fort Ord reuse and provide state and federal funding to FORA, the U.S. Army ("Army") or FORA member entities, benefiting former Fort Ord redevelopment. Legislative Agenda items focus on property transfer, environmental remediation, commercial/residential reuse, habitat management, infrastructure and mitigation funding, and federal, state or local.

The order of these items herein is not an indication of their priority. All items are considered "priority" issues in achieving FORA's objectives.

**A. Seek federal National Landscape Conservation System ("NLCS") designation for the former Fort Ord Bureau of Land Management ("BLM") Natural Resource Management Area. The NLCS has four categories of federally designated areas; 1) National Monuments, National Conservation Areas ("NCA") and similar designations; 2) Wilderness; 3) Wild and Scenic Rivers; and 4) National Trails.**

**ISSUE:** Habitat Conservation Plan ("HCP") approval and implementation are essential to former Fort Ord redevelopment. Obtaining an NLCS designation for BLM's former Fort Ord property would support HCP implementation through national recognition of the property's unique ecological and recreational resources.

- **Benefits:** Brings national attention to the unique flora, fauna and recreational resources found on current and future BLM property on former Fort Ord while supporting habitat preservation as described in the Fort Ord Habitat Management Plan and pending HCP. Since availability of public and private grant funding fluctuates, having an NCA (or other appropriate national designation) would emphasize the national significance of BLM's former Fort Ord property to potential donors and other funding sources. By advocating NLCS designation that affords national recognition, FORA is supporting the BLM mission and former Fort Ord recreation and tourism. Receiving an NLCS designation would help BLM become more competitive as it seeks funding.
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- **Proposed Position:** Support/introduce/sponsor legislation to obtain NLCS/NCA designation (or other appropriate national designation) for BLM's former Fort Ord property. Assure that designation efforts do not add restrictions that will interfere with reuse programs or HCP implementation.

**B. Continue/enhance coordination with the 17<sup>th</sup> Congressional District, the 15<sup>th</sup> and 12<sup>th</sup> State Senate Districts, and the 27<sup>th</sup> and 28<sup>th</sup> State Assembly Districts to secure HCP approval.**

**ISSUE:** HCP approval remains critical to former Fort Ord redevelopment. Alternatives to a basewide HCP are costly and time consuming and do not effectively serve the goal of managing or protecting endangered species.

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- **Challenges:** Processing the HCP during the past ten years has been frustrating and costly. Insufficient agency resources and overlapping regulatory barriers have thwarted the HCP process at many points.
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**C. Work with County of Monterey to assist Monterey Peninsula College (“MPC”) to obtain capital and program funding for the former Fort Ord Public Safety Officer Training Program at the MOUT (Military Operations on Urban Terrain) and Parker Flats.**

**ISSUE:** FORA and the County have agreed to assist MPC in securing funds for this program.

- **Benefits:** The Public Safety Officer Training Program is an important component of MPC’s Fort Ord reuse efforts, and will enhance public safety training at the regional and state levels. Adequate funding is critical.
- **Challenges:** Funds available through the Office of Homeland Security, the Office of Emergency Services, or other sources may be restricted.
- **Proposed Position:** Pursue legislative, or other, actions to support MPC efforts to secure funding sources.

**D. Assist with plans to develop, design and construct the Central Coast Veterans Cemetery to be located on the former Fort Ord and support increase in the federal allotment that will cover burial/interment.**

**ISSUE:** Burial space for California Central Coast veterans is inadequate. Former Fort Ord is not only centrally located in the state but has land already designated for a new veterans’ cemetery. Recent legislation has offered an approach to move ahead with development by providing a mechanism for funding future operations. Further, funding for individual veteran interments is insufficient to cover cemetery operations expenses.

- **Benefits:** This cemetery would provide additional burial space for the region’s approximately 50,000 veterans. An increase in the interment benefit would decrease the demand for endowment fund support of the cemetery operations.
- **Challenges:** Although the Federal government will reimburse the entire cost to construct the cemetery, the State of California must apply for inclusion in the State Veterans Cemetery program before awarding the construction agreement. Until recent legislation, the State of California has been reticent to make application. The annual cost of operating and maintaining the cemetery (estimated at \$200,000 per year) must have a guaranteed payer in the form of trust account deposits.
- **Proposed Position:**
  - Support implementation, budget actions and funding options to design, build and operate a Central Coast Veterans Cemetery;
  - Support efforts to sustain priority standing for Central Coast Veterans Cemetery with the CA Department of Veterans Affairs.
  - Support an increase in the U.S. Veterans/Administration burial reimbursement.

**E. Work with the Monterey County Water Resources Agency (“MCWRA”), the Monterey Regional Water Pollution Control Agency (“MRWPCA”), the Marina Coast Water District (“MCWD”) and others to secure State bond funds and Federal funding to augment FORA’s water supply capital needs.**

**ISSUE:** The FORA Capital Improvement Program requires \$40-42,000,000 to fund the Water Augmentation Program for the necessary Base Reuse Plan supplemental water needs for complete build-out. Securing funds to assist this requirement, now dependent solely on funding from the FORA Community Facilities District development fees, could help the timely implementation of the recycled water and desalination water facilities.

- **Benefits:** Redevelopment, as permitted under the Base Reuse Plan, can occur as long as financing and installation of the augmenting water facilities proceed. Additional grant funding could reduce acre-feet per year costs of securing water resources for the jurisdictions and reduce the hefty capital charges that may otherwise be required.
- **Challenges:** Competing water projects throughout the Region and State for scarce proceeds. No current federal program exists for this funding.
- **Proposed Position:** Support and coordinate efforts with MCWD, MCWRA, MRWPCA, other agencies and FORA jurisdictions for securing funding and/or to endorse the use of bond funds proposed for this purpose.

**F. Support Seaside’s efforts to secure state legislation that would enable FORA jurisdictions to provide direct financial assistance to former Fort Ord commercial projects.**

**ISSUE:** Current redevelopment law, adopted after the Authority Act, prohibits redevelopment authorities from providing direct financial aid to sales tax generating commercial projects on certain undeveloped parcels.

- **Benefits:** The ability to assist commercial development will accelerate several Fort Ord properties and provide FORA members with a greater degree of control over the nature and quality of commercial projects. Accelerating commercial development helps generate tax increment funds to support the development rate of affordable housing and infrastructure.
- **Challenges:** Opposition by some to any change in redevelopment law because there is a perception that the change will benefit only a few. Additionally, there is concern that this adjustment/provision may foster leapfrog development or be used to divert sales tax revenue from others.
- **Proposed Position:** Support the Seaside-sponsored efforts to exempt the former Fort Ord properties or define “urban use” within the Health and Safety Code in such a way as to include most parcels designated for commercial development within the Fort Ord Reuse Plan.

**G. Work with the Transportation Agency for Monterey County (“TAMC”) to secure transportation funds.**

**ISSUE:** The FORA Capital Improvement Program requires mitigations of more than \$125,000,000 for transportation infrastructure on and proximate to the former Fort Ord. Some of this funding requires a local or other match from the appropriate regional or state transportation body to bring individual projects to completion.

- **Benefits:** The timely installation of required on-site, off-site and regional roadway improvements supports accommodating development impacts and maintaining and improving levels of service vital to the regional economy.

- **Challenges:** Applying scarce transportation funds to the appropriate projects to optimize transportation system network enhancements.
- **Proposed Position:** Support and coordinate with TAMC for state infrastructure bonds, federal authorization or other grant/loan resources.

**H. Work with the State Assembly Districts and the State Legislature in support of California State University's ("CSU's") requests to the California Legislature for off-campus impact mitigation funds for the CSU Monterey Bay ("CSUMB") campus. Coordinate with CSUMB on requests for building removal and contaminant waste abatement on the former Fort Ord.**

- ISSUE:**
- a) In July 2006 the State of California Supreme Court ruled that CSU had responsibility to mitigate off-campus impacts resulting from development and growth of its CSUMB campus. CSU, in order to fund its obligations as required by the Supreme Court, is requesting funds from the State Legislature.
  - b) Contaminated building removal is a significant expense to CSUMB (\$26 million) and other former Fort Ord land use entities (\$43 million). A coordinated effort will be more likely to achieve funding success to address the \$68 million total need,
    - **Benefits:** Supporting legislature approval for CSU's funding request to mitigate off-campus impacts will address the past and current void of CSU fair share contributions or otherwise meeting such impacts. Similarly, a coordinated effort to secure asbestos/lead abatement building removal support will help all levels of the regional reuse program.
    - **Challenges:** The competition for funds requested of the Legislature by CSU system-wide will be keen, with CSUMB, being only one campus of the 23-campus system, many of which will require their own mitigation funding.
    - **Proposed Position:** Support Legislature earmarks requested by CSU for the CSUMB campus as a funding priority for off-campus impacts and for coordinated building removal.

**I. Coordinate efforts with other Monterey Bay legislative issues.**

- ISSUE:** Monterey-Salinas Transit, Transportation Agency for Monterey County and the County of Monterey have all adopted legislative programs, some of which will have direct or indirect impacts on Fort Ord reuse.
- **Benefits:** Collaborative efforts for funding by agencies involved in the same or interdependent projects will increase the chances to obtain critical funding and also be enhanced by partnering matching funds.
  - **Challenges:** State and federal funding will be limited during the current economic downturn and competition for available funds will be keen.
  - **Proposed Position:** Coordinate and support other legislative programs in the Monterey Bay area when they interface with former Fort Ord reuse programs.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## NEW BUSINESS

|                       |                                              |               |
|-----------------------|----------------------------------------------|---------------|
| <b>Subject:</b>       | 2009 board meeting dates – consider adoption |               |
| <b>Meeting Date:</b>  | November 14, 2008                            | <b>ACTION</b> |
| <b>Agenda Number:</b> | 8a                                           |               |

### RECOMMENDATION(S):

Approve the Fort Ord Reuse Authority ("FORA") board meeting dates for 2009.

### BACKGROUND/ DISCUSSION:

In October or November of each year, the FORA Executive Committee reviews the dates of the FORA board meetings for the coming year. Although the FORA Master Resolution states that board meetings shall be held on the second Friday of each month, national holidays, conferences and other events present conflicts that make it advisable to adjust the meeting dates so that a quorum can be achieved.

The Executive Committee reviewed the draft 2009 board meeting dates at their November 5<sup>th</sup> meeting and concurred with the staff recommendation to change the dates of the January and April meetings, due primarily to holidays (see **attached**). When the Board approves the 2009 dates, they will be widely distributed and also posted on the FORA website ([www.fora.org](http://www.fora.org)) for reference throughout the year.

Once the board meeting dates have been approved, draft meeting dates for the Administrative, Legislative, Finance and Executive Committees are presented to their respective members for approval. Following approval, the 2009 committee meeting calendars are also widely distributed and posted on the FORA website. When a meeting date is changed, the new date will be publicly noticed in compliance with the Brown Act.

**FISCAL IMPACT:** none

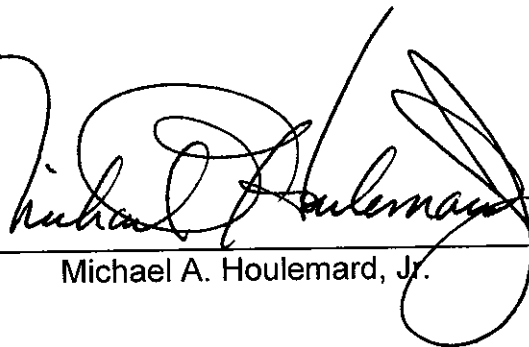
### COORDINATION:

Executive Committee

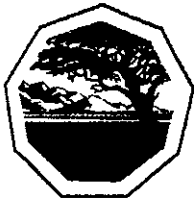
Prepared by

  
Linda L. Stiehl

Approved by

  
Michael A. Houlemard, Jr.





## Fort Ord Reuse Authority

100 12th Street, Building 2880, Marina, CA 93933  
Phone: (831) 883-3672 • Fax: (831) 883-3675 • [www.fora.org](http://www.fora.org)

# ~ DRAFT ~ YEAR 2009 FORA BOARD MEETING DATES

(approved by the Board on \_\_\_\_\_ )

JANUARY 16

JULY 10

FEBRUARY 13

AUGUST 14

MARCH 13

SEPTEMBER 11

APRIL 3

OCTOBER 9

MAY 8

NOVEMBER 13

JUNE 12

DECEMBER 11

Board meetings are usually held on the 2<sup>nd</sup> Friday of each month and usually begin at 3:30 pm, unless otherwise noticed/announced. They are usually held in the FORA Conference Facility/Monterey Bridge Center, located in Building 2925 (102 13<sup>th</sup> Street, Marina) on the former Fort Ord. **Meeting dates and times are subject to change.** Please call the FORA office for up-to-date information or check the FORA website ([www.fora.org](http://www.fora.org)) or the posted or published public notices for any changes.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

|                                                                    |                    |
|--------------------------------------------------------------------|--------------------|
| <b>Subject:</b> Administrative Committee report                    |                    |
| <b>Meeting Date:</b> November 14, 2008<br><b>Agenda Number:</b> 9a | <b>INFORMATION</b> |

### RECOMMENDATION:

Receive a report from the Administrative Committee.

### BACKGROUND/DISCUSSION:

Meetings of the Administrative Committee and a joint Administrative Committee/ Water Wastewater Oversight Committee were held on October 15<sup>th</sup>. The approved minutes from these two meetings are attached for your review. The Administrative Committee also met on November 5<sup>th</sup> and the draft minutes are attached.

### FISCAL IMPACT:

None

### COORDINATION:

Administrative Committee

Prepared by Linda L. Stiehl  
Linda L. Stiehl

Approved by

Michael A. Houlemard, Jr.  
Michael A. Houlemard, Jr.

**FORT ORD REUSE AUTHORITY**

100 12<sup>th</sup> Street, Building 2880

Marina, CA 93933

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**APPROVED**

**MINUTES OF THE  
ADMINISTRATIVE COMMITTEE MEETING  
Wednesday, October 15, 2008**

**1. Call to Order**

Co-Chair Doug Yount called the meeting to order at 8:20 a.m. The following representatives from the land recipient jurisdictions, representing a quorum, were present:

- \*Jim Cook – County of Monterey
- \*Doug Yount – City of Marina
- \*Dick Goblirsch – City of Del Rey Oaks
- \*Diana Ingersoll – City of Seaside
- \*Les Turnbeaugh – City of Monterey

Also present, as indicated by the roll sheet signatures, were:

- Nick Nichols – Monterey County
- Bob Schaffer – Marina Community Partners
- Steve Endsley – FORA
- \*Kathleen Ventimiglia – CSUMB
- (\*)Steve Matarazzo – City of Sand City
- Scott Hilk – Marina Community Partners
- \*Jim Heitzman – Marina Coast Water District
- Lyndel Melton – RMC Water & Environment
- \*Michael Gallant – Monterey-Salinas Transit
- Jonathan Garcia – FORA
- Tim O’Halloran – City of Seaside
- Bob Holden – MRWPCA
- Jim Arnold – FORA
- Thom Gamble – Marina Community Partners
- \*Graham Bice -- UC MBEST

\* indicates a committee member and (\*) indicates a FORA voting member but not a land recipient jurisdiction

Voting board member jurisdictions not represented at this meeting were Salinas, Carmel and Pacific Grove.

**2. Pledge of Allegiance**

Co-Chair Yount asked Steve Endsley, who agreed, to lead the Pledge of Allegiance.

**3. Acknowledgements, announcements and correspondence**

Jim Cook announced that Supervisor Salinas had scheduled a special session on the new housing foreclosure guidelines with the goal of bringing all the jurisdictions and agencies together in a consolidated approach to maximize their opportunities to compete for funding. This housing session will take place from 2:00 – 4:00 in the Monterey Room in the County Administrative Building on Alisal in Salinas. Mr. Cook said Supervisor Salinas has urged support of Assembly Member Caballero’s housing assistance bill. Doug Yount reported that the tractors are in place again in The Dunes project, which is moving forward now.

**4. Public comment period - none**

5. **Approval of October 1, 2008 Administrative Committee minutes**

**Motion to approve the October 1, 2008 meeting minutes was made by Les Turnbeaugh, seconded by Diana Ingersoll, and carried without objections.**

6. **Follow-up to draft October 10, 2008 FORA board meeting**

Director of Planning and Finance Steve Endsley made a brief report.

7. **Old Business**

Item 7a – Habitat Conservation Plan (“HCP”):

(1) Status report and timeline (Development Schedule): Director of Planning and Finance Steve Endsley called attention to the timeline (HCP Development Schedule) in the meeting packet. He mentioned a couple of delays resulting from the reviews by the regulators but said that the overall program is on track. He said budgetary increases might result if the regulators need more review time. Mr. Endsley remarked that FORA might send representatives to Sacramento to meet with both legislators and regulators to push the process along. He reminded all that chapter comments are due today for the internal review; comments had been received from Monterey Peninsula College and the County’s are expected today. Mr. Endsley reported that the next meeting of the working group has been scheduled from 2:00 – 4:00 pm on October 23<sup>rd</sup>, when all comments will be discussed. Jim Cook asked several questions about the timeline and remarked that Denise Duffy & Associates (“DDA”) need the final HCP before starting the Environmental Impact Report. Mr. Endsley commented that some of the interim dates on the timeline are in flux but the consultants are sticking with the schedule and have said they “will make it work.” He also noted that DDA has started work on the EIR/EIS and that it is only the formal release date of the environmental documents that would be affected by completion of the HCP. Discussion about the funding chapter and how to fund a “high” figure, if necessary, followed. Thom Gamble urged resolution of the funding chapter in light of the changes possibly resulting from the upcoming state and national elections. Doug Yount recommended working with the legislative representatives to keep the pressure on the regulators.

(2) Multi-Modal Transit Corridor (“MMTC”) realignment – approve Memorandum of Agreement (“MOA”): Associate Planner Jonathan Garcia reported that he is awaiting confirmation of a meeting with CSUMB. This meeting will be limited to the MOA issues, notably §1.4, rather than the broader topic of basewide mitigations. Director of Planning and Finance Steve Endsley recommended a briefing meeting with CSUMB management members, many of whom have come on board relatively recently. Graham Bice said that the university is still working with the Army on the easement transfer, which must be completed before the university can sign the MOA. Thom Gamble reminded all that resolution of the MOA must be reached before the HCP can be finalized.

Item 7b - Water for Monterey County project (formerly the REPOG) – presentation by Lyndel Melton: Mr. Melton opened by saying the term REPOG has transitioned to the “Monterey County Water Coalition.” Due to the time remaining before the joint meeting, he launched into his presentation, which was supplemented by a PowerPoint. He opened by saying the regional water needs have been estimated at 25,600 acre-feet/year (“afy”), plus an additional 12,700 for the City of Salinas. He listed six diverse supply sources that would ensure reliability of water delivery. He said although the Seaside Basin has been over-pumped, it is in reality a “hole in the ground,” capable of providing 50,000 afy of storage space. He then described the proposed facilities and the advantages of their location in North Marina, which would offer green power and brine disposal benefits. He

emphasized that implementation of the project would require that certain relationships and agreements be in place. Obtaining project approval from the California Public Utilities Commission (“CPUC”) would require collective efforts by the jurisdictions and agencies, including evidence of the ability to work together. In addition, the CPUC’s decision will be based on factors such as the cost and the ability to implement the project, along with other factors. Mr. Melton said the following continuing steps could be anticipated: completion of the regional project environmental analysis by late December, after which the CPUC would issue the draft EIR; stakeholder input, institutional and economic analyses, financial and contractual arrangements, and facilities development would be undertaken by regional entities during this time; CPUC could be expected to issue the Final EIR sometime in late May/early June with certification as early as next July.

Doug Yount asked about workshops planned by Monterey County Water Resources Agency (“MCWRA”), and Mr. Melton said the first workshop would be held there next Monday, October 20<sup>th</sup>. He also noted that the workshops are separate from the REPOG effort and designed to clarify what role MCWRA might play. Les Turnbeaugh asked if all the jurisdictions have indicated support of this project, and Mr. Melton said the Board of Supervisors has not yet approved a resolution. He said the cities of Monterey and Seaside have taken the lead in passing resolutions of support for the project. Steve Matarazzo said he would check on Sand City’s position. Jim Heitzman commented that he had heard several state agencies and water groups call this an “incredible project.” Mr. Melton emphasized the need to demonstrate to CPUC regional agency/jurisdiction approval and collaboration in supporting this project; consistency of the message and the resolutions is also important. This joint effort would also allow the agencies to apply for water grants. Steve Endsley said that he would suggest that the FORA Board take another look at the project and formally endorse it. Bob Schaffer asked that the item, including update status reports from the jurisdictions regarding approval and support, be a regular item on the Administrative Committee agendas.

Item 7c – California State University, Monterey Bay 2007 Master Plan: Recirculated Draft Environmental Impact Report (RDEIR) dated July 2008 – status report: Director of Planning and Finance Steve Endsley reported that discussions among CSU, FORA and the jurisdictions are continuing and the results are yet unclear. He said CSU is moving toward the date when the trustees would approve the document (November 18<sup>th</sup> or 19<sup>th</sup>). At that point, FORA and the jurisdictions would have a better idea about CSU’s overall strategy. In the meantime, the entities have been exchanging information that has been useful. Associate Planner Jonathan Garcia is awaiting word from CSUMB regarding a follow-up meeting.

**8. New Business - none**

**9. Adjournment**

Co-Chair Yount adjourned the meeting at 9:35 a.m. and immediately called the joint meeting to order.

Minutes prepared by Linda Stiehl, Executive Assistant

**Joint Administrative and Water/Wastewater Oversight Committee  
Meeting Minutes  
October 15, 2008**

**APPROVED**

As indicated by the sign-in sheet, the following persons were in attendance:

|                                      |                                     |
|--------------------------------------|-------------------------------------|
| Doug Yount, City of Marina           | Nick Nichols, Monterey County       |
| Dick Goblirsch, City of Del Rey Oaks | Bob Schaffer, Marina Comm. Partners |
| Don Bachman, TAMC                    | Scott Hilk, Marina Comm. Partners   |
| Bob Holden, MRWPCA                   | Tim O'Halloran, City of Seaside     |
| Les Turnbeaugh, City of Monterey     | Diana Ingersoll, City of Seaside    |
| Jim Arnold, FORA                     | Steve Endsley, FORA                 |
| Jim Cook, Monterey County            | Jonathan Garcia, FORA               |
| Steve Matarazzo, City of Sand City   | Crissy Maras, FORA                  |
| Michael Gallant, MST                 | Jim Heitzman, MCWD                  |
| Kathleen Ventimiglia, CSUMB          | Suresh Prasad, MCWD                 |
| Graham Bice, UCMBEST                 | Thom Gamble, MCP                    |

**ITEM 1. Call to Order - 9:00 AM**

Administrative Committee co-chair Doug Yount called the meeting to order at 9:35 AM.

**ITEM 2. Public Comment Period**

None presented

**ITEM 3. Old Business - none**

**ITEM 4. New Business**

- a. **Marina Coast Water District (MCWD) capacity charges**
  - (1) Background and Status Report**
  - (2) Presentation by MCWD**
  - (3) Recommendation to FORA Board**

MCWD staff has been conducting meetings with the land use jurisdictions (LUJs) and their developers. At a recent meeting, MCWD concluded that the capacity charge could be lowered to approximately \$13,770 from \$17,800. If the regional project is approved, that could result in an additional cost savings, lowering the charge to \$8,000-9,000. Mr. Yount noted his appreciation of MCWD staff and their efforts to work with the LUJs and developers toward solutions. His recommendation is to delay bringing any information to the FORA Board until the final amount is resolved.

Dick Goblirsch, City of Del Rey Oaks, asked if MCWD was going to adopt the fee regardless of the FORA Board decision. Mr. Heitzman responded that he thought they would be able to, but that they would not because MCWD wants to work through the process with all stakeholders.

Jim Cook, Monterey County, added that the presentation given by Bartles and Wells at a previous meeting was outstanding and that it would be a benefit to the process to have that presentation repeated at the administrative committee. Mr. Heitzman agreed and will schedule the presentation for a future administrative committee meeting.

Scott Hilk, MCP, noted that he would like to see the amount of the capacity charge, if the regional project is approved, adopted since a lot of developers are not at the stage of using recycled

water. Mr. Heitzman responded that MCWD would be unable to issue water supply verifications because they depend on replenished and recycled water. He noted that he would like to see the lowered amount of \$13,770 approved and continue to move forward with the regional project with the hopes of getting it approved. When the regional project is approved, the capacity charge amount may be lowered again to the \$8,000-9,000 range.

Mr. Cook noted that MCWD had opted not to build a recycled water pipeline to the East Garrison development to deliver only 75 acre feet of water at a very expensive price. Instead, they will deliver potable water using the existing water system. He is interested in formalizing that arrangement. Mr. Goblirsch asked how that would affect FORA's policy on the use of recycled water. Mr. Heitzman noted that there may be a process to go through to determine the cost versus the effectiveness of providing recycled water in some cases.

**b. Quarterly Report - Presentation**

Due to time constraints, the presentation was not received. The quarterly report was distributed to members electronically prior to the meeting and Mr. Heitzman asked that members review it and contact MCWD staff with any questions or concerns.

**ITEM 6. Adjournment target – 10:00 AM**

The meeting was adjourned at 10:00 AM.

**FORT ORD REUSE AUTHORITY**

100 12<sup>th</sup> Street, Building 2880

Marina, CA 93933

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**DRAFT**  
**MINUTES OF THE**  
**ADMINISTRATIVE COMMITTEE MEETING**  
**Wednesday, November 5, 2008**

**DRAFT**

**1. Call to Order**

Co-Chair/Executive Officer Michael Houlemard called the meeting to order at 8:15 a.m. The following representatives from the land recipient jurisdictions, representing a quorum, were present:

- \*Jim Cook – County of Monterey
- \*Doug Yount – City of Marina
- \*Dick Goblirsch – City of Del Rey Oaks
- \*Ray Corpuz – City of Seaside
- \*Bill Reichmuth – City of Monterey

Also present, as indicated by the roll sheet signatures, were:

- Nick Nichols – Monterey County
- Bob Schaffer – Marina Community Partners
- Steve Endsley – FORA
- \*Kathleen Ventimiglia – CSUMB
- Jim Feeney - FORA
- Scott Hilke – Marina Community Partners
- \*Jim Heitzman – Marina Coast Water District
- \*Rob Robinson – BRAC
- Stan Cook – FORA
- Debbie Platt – City of Marina
- Michael Houlemard - FORA
- \*Michael Gallant – Monterey-Salinas Transit
- Jonathan Garcia – FORA
- Tim O’Halloran – City of Seaside
- Bob Holden – MRWPCA
- Jim Arnold – FORA
- \*Mike Zeller - TAMC
- \*Graham Bice – UC MBEST
- Diana Ingersoll – City of Seaside
- Les Turnbeaugh – City of Monterey
- \*Vicki Nakamura – Monterey Peninsula College

\* indicates a committee member and (\*) indicates a FORA voting member but not a land recipient jurisdiction

Voting board member jurisdictions not represented at this meeting were Salinas, Carmel, Sand City and Pacific Grove.

**2. Pledge of Allegiance**

Co-Chair Houlemard asked Rob Robinson, who agreed, to lead the Pledge of Allegiance.

**3. Acknowledgements, announcements and correspondence**

Noting the elections which took place yesterday (November 4<sup>th</sup>), Co-Chair Houlemard said there would be some changes in the FORA Board. He reported that an item on the Executive Committee agenda at this afternoon’s meeting is the appointment of the 2009 Nominating Committee, which will present a slate of officers at the January board meeting. He said a couple of spots on the Executive Committee might need to be filled. . . . Mr. Houlemard said he had received electronic and written correspondence indicating that funding for FORA might become available under the government’s economic stimulus program. If so, funds for construction projects would probably have a positive impact on the job situation in this area.

**4. Public comment period - none**



5. **Approval of October 15, 2008 minutes**

- (a) Administrative Committee meeting: **Motion to approve the October 15<sup>th</sup> meeting minutes was made by Dick Goblirsch, seconded by Les Turnbeaugh, and carried without objection.**
- (b) Joint Administrative Committee and Water/ Wastewater Oversight Committee meeting: **Motion to approve the October 15<sup>th</sup> meeting minutes was made by Les Turnbeaugh, seconded by Dick Goblirsch, and carried without objection.**

6. **Review of the November 14, 2008 FORA board meeting agenda**

Co-Chair Houlemard provided a review of the items on the November 14<sup>th</sup> agenda. A discussion about the Habitat Conservation Plan timeline resulted, and Director of Planning and Finance Steve Endsley agreed to include additional information in the staff report to address the concerns. There was also considerable discussion about Item 7a (Water for Monterey County project).

7. **Old Business**

Item 7a – Habitat Conservation Plan (“HCP”):

(1) Status report and timeline (Development Schedule): Doug Yount asked if there were anything the working group should do before the December meeting with the regulators and Director of Planning and Finance Steve Endsley said to insist on the keeping the November 14<sup>th</sup> meeting date, as noted on the timeline, when the report from the environmental consultants is expected. He urged the working group members to let him know of any issues and be prepared to discuss the Implementing Agreement process at the meeting. Graham Bice asked when the final revised draft of Chapter 9 would be issued; Mr. Houlemard remarked that the revisions in Chapter 9 would be critical to see as soon as possible. Bob Schaffer suggested asking the Board for their help, if delays seem to be setting in. Mr. Endsley remarked that timing is critical, because the crucial element is the cost factor. He suggested continuing to show good faith, going with the process, and making sure all deadlines are met.

(2) Multi-Modal Transit Corridor (“MMTC”) realignment – approve Memorandum of Agreement (“MOA”): Assistant Executive Officer Jim Feeney provided an update on issue of California State University’s (“CSU’s”) assertion to receive fair market compensation for the right-of-way (“ROW”) on their property that is needed for the proposed MMTC realignment plan. He said an alternative approach could be to have the busses run on the same lanes as other motor vehicles in the CSUMB section of the MMTC. This approach would have to be vetted with the Transportation Agency for Monterey County (“TAMC”) and Monterey-Salinas Transit (“MST”), since they will be building this project. Since final approval of the MMTC MOA is crucial to the HCP sign-off by the regulators, the CSU issue must be resolved. Jim Cook stated that any compromise, such as non-dedicated lanes in the MMTC, must be revisited by the County. Discussion about inserting language that would be broad enough to satisfy the regulators but not require TAMC and MST to pay fair market value for the CSUMB ROW followed. Dick Goblirsch asked if anything could be done to stop CSU from developing the ROW parcel, and Mr. Houlemard indicated that CSU sovereignty would preclude local objections as long as state law was met. Mr. Endsley commented that the regulators would be happy with any exchange of property where habitat gains and stated that FORA is not responsible for securing Rights of Way for the agencies building the MMTC. Another possible solution is removing CSU from the MOA. An update will be provided at the next Administrative Committee meeting.

Item 7b – Marina Coast Water District (“MCWD”) capacity charges: MCWD General Manager Jim Heitzman provided a brief update. He mentioned a series of meetings that have been occurring, where the issue continues to be examined. He remarked that if the regional project supplying

water to the City of Monterey comes online, it could possibly reduce water costs there by \$5,000 per EDU.

Item 7c – California State University, Monterey Bay 2007 Master Plan: Recirculated Draft Environmental Impact Report (“RDEIR”) dated July 2008 - status report: Co-Chair Houlemard reported that the final RDEIR should be coming out soon, perhaps by November 8<sup>th</sup>, if the publish date is November 18<sup>th</sup>. All were urged to review the document during the window period. Assistant Executive Officer Feeney said the technical components regarding transportation in the RDEIR will be discussed in detail at a meeting at FORA scheduled for 10:00 a.m. on Friday, November 7<sup>th</sup>.

Item 7d – Environmental Services Cooperative Agreement (ESCA) – project update: FORA ESCA Program Manager Stan Cook distributed the October report outlining the technical progress and summary of public participation, followed by his summary of the report’s highlights. He said the workshop last week regarding the cleanup activities starting in the Parker Flats area was well attended. Co-Chair Houlemard announced a test pilot program to achieve regulatory approval for use of formerly contaminated lands for housing is in the offing. He urged all to contact either him or Mr. Cook, because they can handle any questions, particularly those involving removal of trees. Mr. Houlemard thanked the jurisdictions and CSUMB for taking an active role in getting the word out to their residents concerning road closures and the new signage, both of which are important parts of the cleanup safety program.

Item 7e – FORA Fee Collection Policy: Director of Planning and Finance Steve Endsley called attention to the “annual memo” reminding all that FORA is required to collect fees for the FORA Basewide Community Facilities District and also development fees. A Compliance List was included in the meeting packet. This spreadsheet listed projects, their jurisdiction, the reason for and status of the fee, whether a consistency determination was required, the status and type of the consistency determination when required, and the contact or party responsible for collecting the fee. He asked that all review the spreadsheet and report any edits or necessary changes to FORA. He said the information would be updated quarterly and FORA staff would be available to assist anyone or any project that is subject to fees.

Item 7f – Annual Land Use Covenant (LUC) reporting requirements: Co-Chair Houlemard summarized the seven documents provided in the meeting packet and said there is still time to file the annual reports to the Department of Toxic Substances Control. He encouraged those subject to LUC reporting requirements to check the agreement, complete the form and return the latter to Jonathan Garcia at FORA, which will pay the fees and file the reports this year. He reminded all that the filing deadline is December 1<sup>st</sup>.

Item 7g – FORA’s 2009 Legislative Agenda – final review: Co-Chair Houlemard explained the recent changes in the document and asked if there were any additional tweaks, since the Legislative Committee was meeting for a final review and recommendation to the Board immediately following this committee meeting. Vicki Nakamura that requested a small change in Item C be made.

## 8. New Business

Item 8a – Adjust December 31, 2008 meeting date: The committee agreed moving the date out a week to January 7<sup>th</sup>, providing the Board agreed to the staff recommendation to change the January board meeting date from January 9<sup>th</sup> to January 16<sup>th</sup>.

## 9. Adjournment

Co-Chair Houlemard adjourned the meeting at 9:46 a.m.

Minutes prepared by Linda Stiehl, Executive Assistant

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

|                                              |                    |
|----------------------------------------------|--------------------|
| <b>Subject:</b> Legislative Committee report |                    |
| <b>Meeting Date:</b> November 14, 2008       | <b>INFORMATION</b> |
| <b>Agenda Number:</b> 9b                     |                    |

### RECOMMENDATION:

Receive a report from the Legislative Committee.

### BACKGROUND/DISCUSSION:

The Legislative Committee met on November 5<sup>th</sup> and the draft minutes are attached for your review. During this meeting the members recommended board approval of the 2009 Fort Ord Reuse Authority Legislative Agenda as presented. Please refer to the board report and attachments under Item 7c for further information.

### FISCAL IMPACT:

Unknown at this time

### COORDINATION:

John Arriaga from JEA & Associates

Prepared by

*Linda L. Stiehl*

Linda L. Stiehl

Approved by

*Michael A. Houlemard, Jr.*

Michael A. Houlemard, Jr.

# Fort Ord Reuse Authority

100 12<sup>th</sup> Street, Building 2880, Marina, CA 93933

Tel: (831) 883-3672 • Fax: (831) 883-3675 • www.fora.org

## MINUTES of the LEGISLATIVE COMMITTEE MEETING Wednesday, November 5, 2008, at 10:15 AM

# DRAFT

### 1. Call to Order and Roll Call

Chair/Mayor Russell called the meeting to order at 10:22 a.m. The following members, and others, were present:

**Present:** Chair/Mayor Joe Russell, Mayor Ralph Rubio and Supervisor Dave Potter. Mayor Gary Wilmot arrived shortly after the meeting was called to order.

**Absent:** Supervisor Calcagno and representatives from the 17<sup>th</sup> Congressional District, the 15<sup>th</sup> State Senate District, and the 27<sup>th</sup> State Assembly District

**FORA Staff:** Michael Houlemard, Executive Officer  
Steve Endsley, Director of Planning and Finance  
Linda Stiehl, Executive Assistant

**Also present:** John Arriaga (JEA & Associates) and Christina Watson (TAMC)

### 2. Public Comments - None

### 3. Approval of the September 29, 2008 meeting minutes

**A motion to approve the September 29, 2008 meeting minutes was made by Supervisor Potter, seconded by Mayor Rubio, and carried.**

### 4. Reports from legislative offices

**Item 4a – U.S. Congress:** Executive Officer Houlemard said that FORA staff had been contacted by Congressman Farr's Washington, DC, staff regarding the current issues and the stimulus bill. Concerns about how to fund this bill have arisen, but the suggested \$80 billion may offer some assistance for local roads. Congressman Farr helped make sure funds were approved in FY 09 to cover the final ESCA payment due in June 2009. It now appears that payment may now be made early and could be available to FORA as early as November 20<sup>th</sup> of this year. He reported that the U.S. Army expects to forward this funding shortly. Mr. Houlemard reminded everyone that these funds cannot accrue interest when they are in FORA's hands.

**Item 4b – State Senate:** no report

Item 4c - State Assembly: Mr. Houlemard reported that he had participated in a special Monterey County Legislative Committee meeting on October 31<sup>st</sup>. Representatives from TAMC and Monterey-Salinas Transit were also in attendance. The purpose was to coordinate their legislative agendas to enhance opportunities for funding and minimize competition for any funds that might become available. He said he had also met with Assemblymember John Laird on October 24<sup>th</sup> to discuss several key issues. Mr. Laird recommended that he request a meeting with newly elected Bill Monning, who will replace Mr. Laird on December 1<sup>st</sup>. Mr. Houlemard suggested that Chair Russell and 1<sup>st</sup> Vice Chair Rubio also attend this meeting. Supervisor Potter indicated an interest in joining them.

## 5. Old Business

Item 5a – Report from JEA & Associates – 2007-08 State Legislative Session summary report: John Arriaga provided an update on the Special Legislative Session that Governor Schwarzenegger called to finalize the recently approved state budget. He said the current deficit is projected to exceed \$10 billion, and the Governor is scheduling an Economic Summit to address some of the issues hindering an economic recovery in California. Mayor Rubio commented that funding for infrastructure would create much-needed jobs. Mayor Wilmot remarked that federal funding is needed for infrastructure projects and funding to local governments is critical. Executive Officer Houlemard reported that he would discuss all these issues with Assembly Member Caballero when he meets with her in the near future. Mr. Arriaga distributed JEA & Associates' "Fort Ord Reuse Authority – 2008 California Legislative Report."

Item 5b – Draft FORA 2009 Legislative Agenda: Executive Officer Houlemard pointed out the changes that had been made since the previous draft and also introduced the one-page summary sheet. It was agreed to change the summary's issue numbering to letters corresponding to those in the Legislative Agenda. Mr. Houlemard remarked that eight or nine agencies/jurisdictions had submitted suggestions to the Legislative Agenda this year. As a result of the Special County Legislative meeting, Item I had been added. Discussion of the two documents followed. **Motion to recommend approval of the 2009 FORA Legislative Agenda by the FORA Board was made by Mayor Rubio, seconded by Supervisor Potter, and carried.** Mr. Houlemard said he would send copies of FORA's 2009 Legislative Agenda to the three legislative offices represented on the FORA Board and also to the surrounding area legislators.

6. **New Business** - none

7. **Announcements/Correspondence** - none

8. **Adjournment**

There being no further business, Chair Russell adjourned the meeting on 10:39 a.m.

Minutes taken and prepared by Linda Stiehl, Executive Assistant

# FORT ORD REUSE AUTHORITY BOARD REPORT

**Subject:** Finance Committee report: Draft October 20, 2008 meeting minutes

**Meeting Date:** November 14, 2008

**Agenda Number:** 9c(1)

**INFORMATION**

## RECOMMENDATION:

Receive a report from the Finance Committee meeting of October 20, 2008.

## BACKGROUND/DISCUSSION:

The Finance Committee (FC) met on October 20, 2008 to discuss several items including the Fort Ord Reuse Authority (FORA) investments and the FY 07-08 draft Audit Report. Please refer to the attached minutes for details.

## FISCAL IMPACT:

None

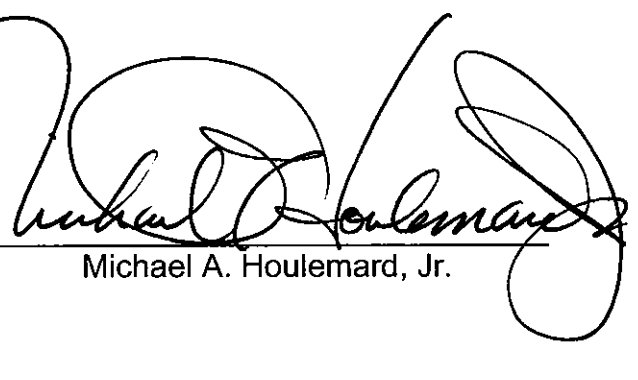
## COORDINATION:

Finance Committee, First National Bank

Prepared by

  
Marcela Fridrich

Approved by

  
Michael A. Houlemard, Jr.



## Fort Ord Reuse Authority

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### Finance Committee Meeting Monday, October 20 2008, at 3:30 pm Action Minutes

# DRAFT

Present: Chair Sue McCloud, Members: Tom Mancini, Gary Wilmot, Graham Bice  
Staff: Michael Houlemard, Marcela Fridrich, Steve Endsley  
Guests: Liza Horvath (FNB), John Pira (FNB), Ralph Marcello (Marcello & Company)  
Absent: Janet Barnes (Excused)

#### AGENDA

The Finance Committee (FC) discussed the following agenda items:

- Roll Call:  
Quorum was achieved at 3:30 PM. Graham Bice joined meeting in progress at 3:40 PM.
- September 12, 2008 Minutes:  
Approved (Motion Mancini, Second Wilmot). Passed 3-0.
- FORA Investments: Prime Vest Account with First National Bank:  
This item was introduced by Michael Houlemard. He briefly described the current economic situation which negatively impacted FORA's investments with First National Bank. John Pira and Liza Horvath of First National Bank (FORA Investment Advisors) distributed to FC members the FORA's historical performance sheet summarizing the portfolio performance since year 2005. Liza Horvath discussed the data stating previous gains helped offset the negative earnings especially in the 3<sup>rd</sup> quarter 2008. Michael Houlemard informed FC members that as the mutual funds rebounded with market recovery, he instructed John Pira to remove gains to the Money Market account to preserve principal investments. Ralph Marcello suggested FC members evaluate and change the current asset allocation to closer reflect the investment policy requirements as it was out of balance after some significant downturns. He recommended changing diversification parameters from industry parameters to sector parameters. FC directed staff to move funds from its current mutual funds allocation to more safe fixed income securities as market opportunities arise. FC directed staff to provide a status report to the FORA Board at its December 12, 2008 meeting. Approved (Motion Mancini, Second Bice). Passed 4 – 0.
- FORA Financial Position:  
Michael Houlemard introduced this item stating the FORA's financial position is solid. He described that, although the FORA is not immune to the current recessionary economic impacts, it has sufficient resources to meet its current general fund obligations. He referenced that some projects including the Imjin Office Park were postponed, staffing levels were cut back, and expenses reduced, some projects including the GJM, Phase IV, are moving ahead as planned. FC directed staff to provide a status report under the Executive Officer's report to the FORA Board at its November 14, 2008 meeting.
- FY 07-08 Draft Annual Financial Statements (Audit Report):  
FC members received the draft Audit Report prior to the meeting. FORA Auditor Ralph Marcello attended to present the Audit Report conclusions and answer any questions. FC suggested several edits and minor changes to be implemented before presenting the draft Audit Report to the FORA Board at its December 12, 2008 meeting. FC unanimously voted to recommend that the FORA Board accept the FY 07-08 Audit Report pending the recommended changes. Approved. (Motion Mancini, Second Wilmot). Passed 4- 0.
- Next Meeting Date:  
Pending review of the adjusted Audit Report.
- Adjournment: The meeting adjourned at 5:50 PM.

# FORT ORD REUSE AUTHORITY BOARD REPORT

|                       |                                                                       |                    |
|-----------------------|-----------------------------------------------------------------------|--------------------|
| <b>Subject:</b>       | Finance Committee report: Fort Ord Reuse Authority's financial status |                    |
| <b>Meeting Date:</b>  | November 14, 2008                                                     | <b>INFORMATION</b> |
| <b>Agenda Number:</b> | 9c(2)                                                                 |                    |

## RECOMMENDATION:

Receive an interim report on Fort Ord Reuse Authority's (FORA's) financial status.

## BACKGROUND/DISCUSSION:

Over the course of the past months, there continues to be a slow down in the redevelopment of the former Fort Ord as predicted in the approved Fiscal Year 2008-2009 budgets. Also, several governments have experienced financial difficulties emanating from the national financial crisis. In that regard, and in light of the overall recessionary economic situation, the Finance Committee suggested that staff provide an update on FORA's financial position at the November board meeting.

FORA anticipates collecting all Fiscal Year 2008-2009 budgeted revenues except:

- \$5 million in development fees [Result: projects anticipated in the Capital Improvement Program (CIP) will be deferred, except as noted below.]
- \$1.3 million in land sales (Result: projected line of credit principal reduction will be deferred.)
- \$180 thousand in investment earnings (Result: reduced earnings would affect ending fund balance.)

All other projects and programs, including all ESCA activities and construction of Phase IV of General Jim Moore (GJM) Boulevard project, proceed as budgeted. It is important to note that staff is currently coordinating with regional agencies seeking other funding to continue the CIP program and pay down debts. In addition, negotiations are under way with the City of Marina regarding possible sale of the Preston Park housing complex. Staff is also pursuing grants or low cost loans from federal or state resources.

## FISCAL IMPACT:

Reviewed by FORA Controller *M. F. for I. B.*

FORA will defer CIP activities in FY 08-09, except road improvements along GJM Blvd. All other programs and services are funded through the fiscal year.

## COORDINATION:

Finance Committee, Executive Committee

Prepared by: *Ivana Bednarik*  
Ivana Bednarik

Approved by: *Michael A. Houlemard, Jr.*  
Michael A. Houlemard, Jr.