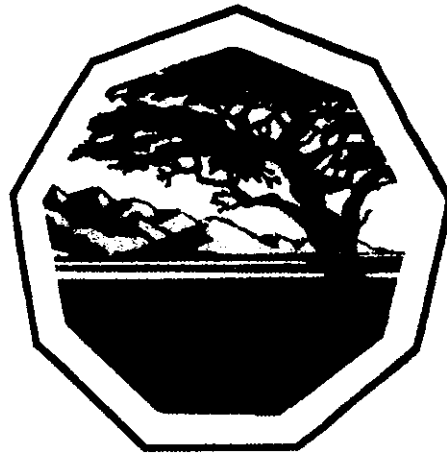


Fort Ord  
Reuse Authority



Board Packet  
For  
Board Meeting  
July 9, 2010



# 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](http://www.fora.org)

## BOARD OF DIRECTORS MEETING Friday, July 9, 2010 at 3:30 p.m. FORA Conference Facility/Bridge Center 201 13<sup>th</sup> Street, Building 2925, Marina (on the former Fort Ord)

### AGENDA

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE
4. PUBLIC COMMENT PERIOD: Members of the audience wishing to address the Board on matters within the jurisdiction of the Authority, but not on this agenda, may do so during the Public Comment Period. Public comments are limited to a maximum of three minutes. Public comments on specific agenda items will be heard at the time the matter is under Board consideration.
5. CONSENT AGENDA ACTION
  - a. June 11, 2010 board meeting minutes
  - b. Authorize extension of contract limits – Top Grade Construction, Inc.
  - c. Publication of Executive Officer's Goals – FY 2010/2011
6. OLD BUSINESS INFORMATION
  - a. Office of Economic Adjustment Grant - Update
  - b. Approval of the Capital Improvement Program for FY 2010/2011 through 2021/2022 ACTION
7. NEW BUSINESS INFORMATION
  - a. Monterey Branch Line Light Rail Video Simulation: presentation by Transportation Agency for Monterey County
  - b. CONSISTENCY DETERMINATION: Monterey County Housing Element ACTION
  - c. Amend Remedial Services Agreement with LFR (now Arcadis/US/Weston) to obtain regulatory consent for extension of Eucalyptus Road ACTION
8. EXECUTIVE OFFICER'S REPORT INFORMATION
  - a. Administrative Committee Report INFORMATION
  - b. Executive Officer's Travel Report INFORMATION
  - c. Fort Ord Reuse Authority Annual Report FY 2009/10 INFORMATION
9. ADJOURNMENT

(Information about items on this agenda is available at the FORA office at 100 12<sup>th</sup> Street, Building 2880, Marina, on the former Fort Ord or by calling 831-883-3672 or by accessing the FORA website at [www.fora.org](http://www.fora.org).)

July 9, 2010

By Hand Delivery:

Members of the FORA Board of Directors  
Fort Ord Reuse Authority  
Marina, CA 93950

RE: Draft FY 2010-2011 FORA CIP and FORA CFD

Dear Members of the FORA Board of Directors:

The FORA Community Facilities District special tax (CFD), which funds the FORA Capital Improvement Program (CIP), has become a prohibitive cost to development at Fort Ord and is stalling the reuse of the former base in this difficult economic climate. Collectively, we are missing the opportunity for FORA jurisdictions to provide much needed employment opportunities and housing at more affordable rates due to the CIP and CFD obligations on developers. We ask your help in addressing this issue.

**1. While home prices are dropping, the CFD special tax continues to grow and is not sustainable as a percentage of home cost.**

In 2005 the average residential valuation on a home at Fort Ord was \$500,000. Today, that same home sells for \$300,000 and yet the CFD burden has increased from 7.8% (\$39,068 in 2005) to 15.4% of the home price (proposed \$46,205 in 2010). With a 40% reduction in sales price the CFD tax has increased by 18.3% in the same time frame (see Table 1).

Table 1: Burden Analysis	2005 Per Unit	2010 Per Unit	Percent Change
Average Home Price	\$500,000	\$300,000	-40.0%
CFD Tax	\$39,068	\$46,205	+18.3%
CFD % of Home Price	7.8%	15.4%	

**2. FORA must be adequately funded to meet its original goals and objectives, but activities beyond that original scope are impeding other goals of the Base Reuse Plan, such as providing affordable housing and economic development.**

To be clear, we feel that it is critical that FORA have sufficient resources to comply the scope of work that was defined in the original Capital Improvement Program that was approved as part of the Base Reuse Plan (Vol.3 App. B of the Fort Ord Reuse Plan), as well as the Mitigation Monitoring Program (Vol. 4 of the Reuse Plan) and the items outlined in the Settlement Agreement with the Sierra Club, all in accordance with the 2001 Implementation Agreements between FORA and individual jurisdictions that establish the CFD as "gap" funding for the CIP. However, somewhere along the way, this "gap" funding, appears to have become

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the major source of funding for FORA. It appears that FORA is now spending these CFD dollars on projects that go far beyond the original CIP and this use of funds is making delivery of housing and other economic development opportunities uneconomic.

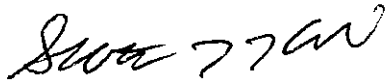
3. **After reviewing the relevant data, background reports, and actions by the FORA Board of Directors, I am concerned that the CIP and CFD funding programs are not being implemented in a manner consistent with the stated requirements.**

See memo from DPFPG, dated June 8, to BIA Bay Area stating that they are "unable to reconcile the basis on which the initial special tax was established, nor the manner in which the RMA formula was applied to increase the special tax." We would hope to explore these issues in greater depth with FORA staff.

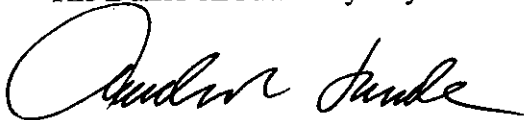
We appreciate FORA staff and their efforts to provide for the reuse of Fort Ord, however we would ask the FORA Board of Directors to direct staff to meet with us, and others members of the development community, to identify ways in which we can reduce the CFD special tax so that we can incentivize residential and other economic development at Fort Ord.

The challenge at Fort Ord is to make the reuse environmentally and economically sustainable, that is our true challenge. We look forward to continue to work through these issues together.

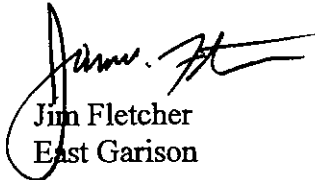
Thank you for your consideration of our concerns.



Scott Hilke  
The Dunes on Monterey Bay



Charles Lande  
Marina Heights



Jim Fletcher  
East Garison

Enclosure (1)



4380 AUBURN BOULEVARD  
SACRAMENTO, CA 95841  
TEL (916) 480-0305  
FAX (916) 480-0499  
www.dpfg.com

To: Crisand Giles, Building Industry Association of the Bay Area ("BIA")  
From: Chris Austin, Managing Principal  
Re: Review of the FORA Basewide Community Facilities District Maximum Special Tax Rates and 2001 Implementation Agreement  
Date: July 8, 2010

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Request:

You requested that we review the 2001 Implementation Agreement between Fort Ord Reuse Authority ("FORA") and the member jurisdictions that received land conveyances ("Implementation Agreement"), as well as the FORA Basewide Community Facilities District ("CFD") Rate and Method of Apportionment ("RMA") and the Notice of Special Tax Lien as of July 1, 2009 ("Notice") in an effort to understand the CFD Special Tax and application of the RMA formula.

Summary of Conclusions:

We conclude that the initial amount of the CFD Maximum Special Tax for new residential units was in excess of the specific "Basewide Development Fee/Assessment" amount identified in the Implementation Agreement and that the increase in the Maximum Special Tax Rates as defined in the RMA appears to be inconsistent with the RMA formula. Both of these matters require further review with FORA.

Discussion:

1. Rate of Special Tax Inconsistent with the Implementation Agreement

We have reviewed the Implementation Agreement between FORA and its member agencies dated May 2001 and have been unable to quantify the increase in the Basewide Development Fee of \$29,600 identified on Exhibit C of the Implementation Agreement for new residential units and the Maximum Special Tax Rates for New Residential of \$34,324 of the CFD approved in January 2002. We have not been able to identify any measure of inflation or cost index that would support that rate of increase.

Although the inflation of the special tax or assessment is permitted under the Implementation Agreement after the Financing District has been established, no specific index or process for calculating inflation has been defined.

We suggest that the BIA and its representatives meet with FORA to review this calculation to confirm its accuracy, and to better understand why the initial Maximum Special Tax Rate was increased more than 15% from the figure in the Implementation Agreement.

## 2. Rate of increase of Special Tax Appears Inconsistent with the RMA

According to the RMA, the Maximum Special Tax Rates shall be increased according to the following process:

“On each July 1, commencing July 1, 2002, the Maximum Special Tax Rates shown in Table 1 shall be increased by an amount equal to the lesser of (1) five percent (5%) or (2) the percentage change since the immediately preceding Fiscal Year in the Engineering News Record’s Construction Cost Index applicable to the area in which the District is located (or, if such an index is no longer published, a substantially equivalent index selected by the CFD Administrator).”

The Notice states the increase in Maximum Special Tax Rates effective July 1, 2009 was calculated pursuant to the change in the Construction Cost Index for the period of 1/08 -1/09. The RMA defines the immediately preceding Fiscal Year as the period starting July 1 and ending the following June 30.

Based on this inconsistency we have not been able to confirm that the published Notice is consistent with the RMA. We suggest that the BIA and its representatives meet with FORA to review the prior increases of the Maximum Special Tax Rates to confirm its accuracy and adherence to the RMA formula.

### Conclusion:

We have reviewed the Implementation Agreement and the CFD RMA and are unable to reconcile the basis on which the initial Maximum Special Tax was established, nor the manner in which the RMA formula was applied to increase the Maximum Special Tax. We need additional explanation from FORA to understand the basis for the current Maximum Special Tax rate.

Please do not hesitate to call me with questions or comments.

**MINUTES**  
**of the**  
**FORT ORD REUSE AUTHORITY**  
**BOARD OF DIRECTORS' MEETING**  
**Fort Ord Reuse Authority Conference Facility/Bridge Center**  
**July 9, 2010**

1. CALL TO ORDER AND ROLL CALL

Chair Rubio called the July, 2010 Board of Directors meeting to order at 3:30 p.m. and requested a roll call.

Voting members present:

1<sup>st</sup> Vice Chair/Supervisor Potter  
(County of Monterey)  
2<sup>nd</sup> Vice Chair/Councilmember McCall  
(City of Marina)  
Jim Cook, alternate for Supervisor  
Calcagno (County of Monterey)  
Mayor Pendergrass (City of Sand City)  
Councilmember/Vice Mayor Selfridge (City  
of Monterey)

Janet Barnes (City of Salinas)  
Mayor McCloud (City of Carmel-by-the-Sea)  
Mayor Edelen (City of Del Rey Oaks)  
Mayor ProTem Ken Gray (City of Marina)  
Councilmember Mancini (City of Seaside)  
Mayor ProTem Kampe (City of Pacific Grove)

Absent was Supervisor Parker (County of Monterey).

Ex-Officio members present:

An McDowell, (27<sup>th</sup> State Assembly District)  
Graham Bice (UCSC)  
Douglas Garrison (Monterey Peninsula  
College)  
Col. Darcy Brewer (U.S. Army)

Gail Youngblood (BRAC)  
Don Bachman (TAMC)  
John Marker (CSUMB)  
Ken Nishi (Marina Coast Water District)

Absent were: Congressman Sam Farr (17<sup>th</sup> Congressional District), Rito Guerra (15<sup>th</sup> State Senate District), Dr. Marilyn Shepherd (Monterey Unified School District), Hunter Harvath (Monterey-Salinas Transit).

With a quorum present Chair Rubio called the meeting to order.

2. PLEDGE OF ALLEGIANCE

Chair Rubio asked Mayor Edelen, who agreed, to lead the Pledge of Allegiance.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE – Executive Officer Houlemard reported that there were communications received by the City of Marina on July 8, 2010 related to Item 6b and responses provided by FORA Staff. Mr. Houlemard noted that copies were provided to the Board members and available to the public.
4. PUBLIC COMMENT – Wash Stallworth, Jr., President of the California Sea Kings introduced Mr. Peter Andrews the Director and Board member of the Planning Committee discussed the Sports and Recreation project in the Seaside Surplus II area of the Former Fort Ord.

#### 5. CONSENT AGENDA

Item 5a - June 11, 2010 board meeting minutes

Item 5b - Authorize extension of contract limits – Top Grade Construction, Inc.

Item 5c - Publication of Executive Officer's Goals – FY 2010/2011

**Motion to approve the Consent Agenda was made by Mayor Pendergrass, seconded by Mayor ProTem Kampe, and carried with Councilmember Barnes and Chair/Mayor Rubio abstaining.**

#### 6. OLD BUSINESS

Item 6a - Office of Economic Adjustment Grant - Executive Officer Houlemard reported that this was an information item. The Board received a report regarding progress on the Office of Economic Adjustment ("OEA") grant award of \$460,000 received to conduct Central Coast Veterans Cemetery Infrastructure Planning. This grant will accomplish essential infrastructure planning and coordinate efforts by local, state, and the national government to complete the Veterans cemetery on former Fort Ord. Executive Officer Houlemard stated ongoing updates will be provided to the Board.

Item 6b - Approval of the Capital Improvement Program ("CIP") for FY 2010/2011 through 2021/2022 - Executive Officer Houlemard reported that staff has requested the Board to approve the re-programmed CIP document which reflects the most recent land use jurisdiction development forecasts. FORA Acting Assistant Executive Officer/Director of Planning and Finance Steve Endsley provided an overview of modifications to the CIP in a presentation to the Board. Mr. Endsley also presented a draft of the Work Plan anticipated for the period beginning September 2010 through June 2011. Board member Cook asked if the loan funds returned from the Marina/Salinas Valley Memorial Healthcare System (SVMHS) and FORA note/agreement could be used for priority projects such as the Eastside Parkway in the CIP. Executive Officer Houlemard noted that use of these funds, once paid to FORA, would be consistent with the CIP as written and no further action would be required of the Board since Eastside would be first in line after Davis Road matching funds. He noted that the SVMHS funds should be paid in the calendar year. After further discussion by the members of the Board and public comment, the Board directed staff to return on an ongoing basis, beginning a review process in September 2010 and completing a final report in January 2011 that provides an evaluation of the post FORA CIP obligations and a determination of whether development and Community District Fees ("CDF") could be adjusted without increasing jurisdiction risk or liabilities. **Motion to approve the FY 2010/2011 CIP budget was made by Mayor McCloud seconded by 1<sup>st</sup> Vice Chair/Supervisor Potter and carried unanimously.**



7. NEW BUSINESS

Item 7a - Monterey Branch Line Light Rail Video Simulation: presentation by Transportation Agency for Monterey County ("TAMC") - TAMC Associate Transportation Planner Kristen Hoschouer made a presentation regarding the proposed Monterey Branch Line Light Rail and why rapid transit is needed on this route. She discussed the goal is to reestablish rail service on the Monterey branch line (Union Pacific in 2003), which is from Castroville to Monterey. Ms. Hoschouer highlighted the benefits of the light rail which includes quiet, safe, 100 passenger low emission cars which would be operated by Monterey Salinas Transit ("MST").

Item 7b. - CONSISTENCY DETERMINATION: Monterey County Housing Element - Assistant Redevelopment and Housing Director for the County of Monterey, Marti Noel, made a presentation to the Board regarding the Housing Element for 2009-2014 which was adopted by the Board of Supervisors on June 15, 2010. The County requested that the FORA Board find the Housing Element Consistent with the Fort Ord Base Reuse Plan. The Housing Element has been adopted into the County's existing 1982 General Plan which also incorporates the Fort Ord Base Reuse Plan for the County's areas on Fort Ord. The Housing Element has been found consistent with the General Plan by the Board of Supervisors. A primary purpose of the Housing Element is to demonstrate how the County will accommodate its Regional Housing Needs Allocation ("RHNA"). Association of Monterey Bay Area Governments ("AMBAG") has allocated a RHNA of 1554 units to Monterey County for this Housing Element cycle. The California Department of Housing and Urban Development ("HCD") requires the County to plan and to accommodate the RHNA through appropriately zoned land. Ms. Noel stated that significant progress has been made in meeting the RHNA through the adoption of Community Plans and Specific Plans, including East Garrison Specific Plan. There are only 174 additional units to accommodate. Ms. Noel additionally noted that sites have been identified in Castroville that are already zoned for appropriate densities to accommodate the 174 units at the required income levels. Ms. Noel concluded her report by stating that none of the sites identified to meet the remaining RHNA are on Fort Ord, nor do any of the other policies or programs contained in the Housing Element impact the County area on Fort Ord, infrastructure on Fort Ord, or open space on Fort Ord. Acting Assistant Executive Officer/Director of Planning and Finance Steve Endsley pointed out that questions had arisen about County of Monterey ("MOCO") compliance with the Fort Ord Reuse Authority Prevailing Wage policy and the Jobs-Housing Balance/Below Market Rate Housing policies. In each case, MOCO is in compliance. **Motion to approve was made by Councilmember Mancini seconded by Mayor ProTem Kampe and carried.**

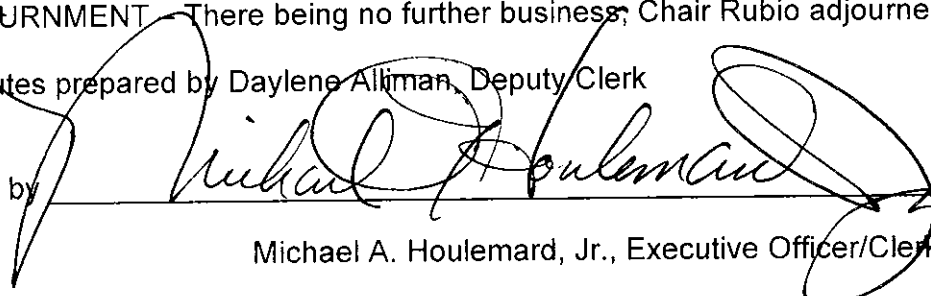
8. EXECUTIVE OFFICER'S REPORT

There was no discussion about the three items in the Executive Officer's Report (Item 8a – Administrative Committee report; Item 8b – Executive Officer's travel report; and Item 8c – Fort Ord Reuse Authority FY 2009-10 Annual Report, and they stood as information items.

9. ADJOURNMENT - There being no further business, Chair Rubio adjourned the meeting at 5:18 p.m.

Minutes prepared by Daylene Alliman, Deputy Clerk

Approved by

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

# FORT ORD REUSE AUTHORITY BOARD REPORT

## CONSENT AGENDA

<b>Subject:</b>	Authorize extension of contract limits – Top Grade Construction, Inc.	
<b>Meeting Date:</b>	July 9, 2010	<b>ACTION</b>
<b>Agenda Number:</b>	5b	

### RECOMMENDATION:

Authorize the extension of Top Grade Construction contract limits to incorporate the restoration of previously approved construction components into the General Jim Moore Blvd. Phase V and Eucalyptus Road Phase II (GJM/EUC) improvement project.

### BACKGROUND/DISCUSSION:

At the February 2010 Fort Ord Reuse Authority ("FORA") Board of Directors ("Board") meeting, the Board approved restoring construction components set aside from the original GJMB/EUC construction documents to meet the engineer's opinion of probable cost. Bids were received lower than the opinion of probable cost and therefore, American Recovery and Reinvestment Act ("ARRA") grant funds are available to restore these components. Items that can be incorporated into the current construction contract with Top Grade Construction through contract change orders are enumerated in Attachment A (items 1, 2 and 3 under the heading "Funds available for project adjustments").

Since the incorporation of these items would cause the Top Grade Construction contract to exceed the December 2009 board approved amount of \$6,588,515.50 (plus 10% contingency), staff is now requesting the board authorize the extension of contract limits to accommodate the additional cost.

### FISCAL IMPACT:

Reviewed by FORA Controller 

\$484,226 plus 10% contingency, to be funded by the ARRA grant and local match.

### COORDINATION:

FORA Executive, Administrative, and Capital Improvement Program Committees, City of Seaside staff, Economic Development Administration staff

Prepared by   
James M. Arnold

Approved by   
Michael A. Houlemard, Jr.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## CONSENT AGENDA

<b>Subject:</b>	Publication of Executive Officer's Goals FY 2010-2011	
<b>Meeting Date:</b>	July 9, 2010	<b>ACTION</b>
<b>Agenda Number:</b>	5c	

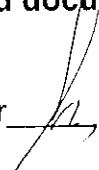
### RECOMMENDATION(S)

Receive publication of the Executive Officer's goals for fiscal year 2010-2011.

### BACKGROUND/DISCUSSION

In the spring of each year, the Executive Officer prepares an annual self-evaluation of his performance, based primarily on the goals and priority objectives suggested by the Executive Committee during his performance evaluation the previous year. When the committee approves the self-evaluation and the goals for the next fiscal year, they convey their recommendation to accept the self-evaluation and approve the goals for the next year to the Board in a closed session. This occurred during the June 11, 2010 board meeting. The Executive Committee has recommended that Mr. Houlemard's 2010-2011 fiscal year goals be published. The **attached document** is a copy of these goals.

### FISCAL IMPACT

Reviewed by the FORA Controller 

None

### COORDINATION

FORA Staff, Executive Committee

Prepared by   
Daylene Alliman

Approved by   
Michael A. Houlemard, Jr.

**EXECUTIVE OFFICER'S GOALS**  
**FISCAL YEAR 2010-2011**

The following are Fort Ord Reuse Authority (FORA) Executive Officer Michael Houlemard's recommended Principal Goals for Fiscal Year 2010-2011. Once approved, these goals become the basis for Executive Committee, Committee Chairs, and Board review and acceptance of the Executive Officer's performance for the year. These goals are generally derived from the current work program authorized under the Annual Budget. The items are presented in bullet format as they are not listed in priority order.

- **Sustain the FORA munitions removal successes, timetable, and related community outreach and engagement programs.**

**Measured by:** a) continued coordination of removal programs with staff, consultant team, US Army, US Environmental Protection Agency, CA Department of Toxic Substances Control, special counsel, affected jurisdictions, and community members; b) consistent participation in users group, public safety, community input, and regulatory meetings; c) maintain the programmatic schedule and sustained munitions remediation outreach programs; d) sustain or enhance newsletters and brochures describing the munitions removal programs; e) provide regular reports to regulators, FORA Board, and community members about related activities; and f) accessing local press/media.

- **Publish the Habitat Conservation Plan and complete public review.**

**Measured by:** a) Formal publication of the Habitat Conservation Plan by the US Fish and Wildlife Service during the coming fiscal year; b) establishment of a Joint Powers Authority to enact the terms of the HCP; c) creation and certification of an Endowment to fund/finance the JPA and HCP activities; and d) jurisdiction adoption of required ordinances.

- **Maintain compliance with adopted Base Reuse Plan policies and implement Capital Improvement Program measures.**

**Measured by:** Maintaining and enhancing compliance with the adopted reuse principles through: a) coordination with FORA members on scope, financial obligations and timing of the planning work; b) working with the Monterey Bay Regional higher education leadership to sustain or implement components of the Base Reuse Plan principles; and c) oversight/supervision of key staff and consultants to perform technical background studies, compliance monitoring, and consistency recommendations presented to FORA for review.

- **Secure recycled, reclaimed, or other water resources to augment existing supplies in order to meet Base Reuse Plan implementation needs and individual project demands.**

**Measured by:** a) continued progress toward a regional water resource program that provide the supplemental needs described in the FORA augmentation plan; b) seeking federal/state funds to support a water resource program; and c) coordination with Marina Coast Water District, Monterey Regional Water Pollution Control Agency, Monterey Peninsula Water Management District, and Monterey County Water Resources Agency, and FORA member jurisdictions, (among others).

- **Represent FORA in Monterey Regional economic development and community development activities.**

**Measured by:** Continued progress implementing the individual projects under the Fort Ord Base Reuse Plan and evidence of connecting FORA reuse activities with regional marketing and development through coordination with Monterey Business Council, Association of Monterey Bay Area Governments, and others.

- **Assure quality in all FORA administrative, personnel, and financial obligations by securing grants and using innovative financing approaches.**

**Measured by:** a) continued staff retention; b) effective communication and management; c) solid financial planning; d) resource conservation; e) cross-training programs; f) staff meetings and focused retreats; g) compliance with regulatory personnel requirements at the state and federal level; and h) record-keeping, while maintaining the highest levels of employee satisfaction.

- **Maintain FORA public and community information effectiveness through coordination with Board, consultants, jurisdictions, and staff.**

**Measured by:** a) Regular reports to the FORA Executive Committee of public information/relations related activities; b) consistent participation in community associations; c) sustained outreach programs to service clubs and neighborhood associations; d) regular presentations to the FORA members and other Monterey Bay agencies and organizations; and e) maintaining the working relationship with local press/media.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## OLD BUSINESS

**Subject:** Office of Economic Adjustment Grant – Update

**Meeting Date:** July 9, 2010

**Agenda Number:** 6a

**INFORMATION**

### RECOMMENDATION(S)

Receive a report regarding progress on the Office of Economic Adjustment (“OEA”) grant.

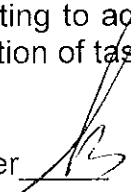
### BACKGROUND/DISCUSSION

In January 2010, FORA received a \$460,000 grant award from OEA to conduct Central Coast Veterans Cemetery Infrastructure Planning. This grant will accomplish essential infrastructure planning and coordinate efforts by local, state, and the national government to complete the veterans cemetery on former Fort Ord.

Over the last few months, FORA conducted a consultant selection Request for Qualifications/Request for Proposals (“RFQ/RFP”) process for completion of most grant award tasks. At its May meeting, the Board authorized the Executive Officer to enter into a contract with Whitson Engineers, the recommended consultant from this process. Whitson Engineers and its subconsultants have begun working on grant tasks. They anticipate conducting aerial mapping surveys and summer biological surveys of the future veterans cemetery site and future Eastside Parkway in July, followed by soils, land, and archeological surveys.

Additionally, FORA staff has identified the California Department of Veterans Affairs (“CDVA”) as being uniquely qualified to complete task 6 (\$45,000 designated in the OEA grant award), a Budget Document estimating the design and construction costs for the future Central Coast California Veterans Cemetery. FORA staff anticipate presenting a recommendation to the FORA Board at its next meeting to adopt a Memorandum of Understanding (“MOU”) between FORA and CDVA for completion of task 6.

### FISCAL IMPACT

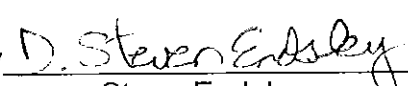
Reviewed by FORA Controller 

The Veterans Cemetery consultant contract and FORA-CDVA MOU will be paid through OEA grant funds.

### COORDINATION

Authority Counsel, CDVA, Administrative and Executive Committees

Prepared by   
Jonathan Garcia

Reviewed by   
Steve Endsley

Approved by   
Michael A. Houlemard, Jr.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## OLD BUSINESS

<b>Subject:</b>	Approval of the Capital Improvement Program for FY 2010/11 through 2021/22	
<b>Meeting Date:</b>	July 9, 2010	<b>ACTION</b>
<b>Agenda Number:</b>	6b	

### RECOMMENDATION

1. Receive a FY 2010/11 through 2021/22 Fort Ord Reuse Authority ("FORA") Capital Improvement Program ("CIP") presentation.
2. Approve the draft FY 2010/2011 through 2021/2022 CIP document ("**Attachment A**").
3. Receive a draft CIP work plan ("**Attachment B**").

### BACKGROUND

At its December 2009 meeting, the Board approved a mid-year re-programmed CIP document, setting a schedule for Base Reuse Plan ("BRP") mitigation projects. Staff incorporates annual jurisdiction forecasts to the FORA CIP document every winter. After receiving Administrative and CIP Committee comments, staff adjusts the CIP to submit it for Board review each June. For the FY 2010-11 CIP, the Administrative/CIP Committees requested additional study time - postponing review to the July Board Meeting.

### DISCUSSION

Administrative and CIP Committee members and development community representatives have actively participated in FORA CIP document review since January. Acting Assistant Executive Officer Steve Endsley provided a FORA CIP overview presentation at the May 14<sup>th</sup> Board meeting noting that the re-programmed CIP reflects current land use jurisdiction development forecasts. The Administrative and CIP Committees reviewed the CIP and voted to recommend (1 "no" vote) that the FORA Board *approve the draft FY 2010/2011 through 2021/2022 CIP recognizing that work continues on multi-year CIP issues that may support future amendments, highlighting the importance of sustaining the priority for Eastside Parkway*. This provides for placement of the Davis Road project CIP matching funds and hoped-for additional planning and environmental funds for the Eastside Parkway at the head of the priority queue. The Committees will continue to review longer term issues related to out-year and post-FORA CIP obligations/funding sources, as detailed in Attachment B. In addition, the City of Marina and Building Industry Association/Bay Area delivered letters primarily regarding long-term CIP issues. FORA staff will forward responses to the CIP Committee as part of the CIP work plan.

FORA staff will provide an overview of modifications to the CIP in a presentation to the Board.

### FISCAL IMPACT

Reviewed by FORA Controller 

As noted in the CIP document, the primary revenue sources anticipated to pay for obligatory CIP projects are FORA Developer Fees (tax), under the Community Facilities District, and Land Sale/Lease proceeds.

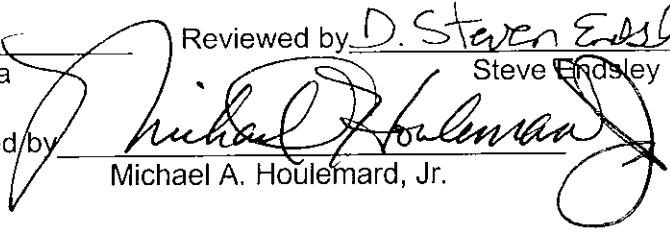
### COORDINATION

FORA member agency staff; CIP, Administrative, Finance, and Executive Committees.

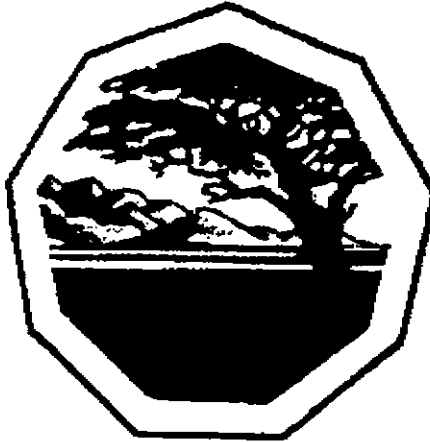
Prepared by DSE for  
Jonathan Garcia

Reviewed by D. Steven Endsley  
Steve Endsley

Approved by

  
Michael A. Houlemard, Jr.

# Fort Ord Reuse Authority



**Draft**  
**Capital Improvement Program**  
**Fiscal Year 2010/2011 through 2021/2022**

FORA Board approved \_\_\_\_\_, 2010

**Attachment A**  
to Old Business Item 6b  
July 9, 2010 FORA Board Meeting



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# **I. EXECUTIVE SUMMARY**

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## **1) Overview**

This Fort Ord Reuse Authority ("FORA") Capital Improvement Program ("CIP") is responsive to the capital improvement obligations defined under the Fort Ord Base Reuse Plan ("BRP") as adopted by the FORA Board in June 1997. The BRP carries a series of mitigative project obligations defined in Appendix B of that plan as the Public Facilities Implementation Plan ("PFIP"). The PFIP, which serves as the baseline CIP for the reuse plan, is re-visited annually by the FORA Board to assure that required projects are implemented in a timely way to meet development needs. The PFIP was developed as a capital improvement program spanning a twenty-year development horizon (1996-2015) and was based upon the best at-the-time forecasts of expected development.

The current CIP document (FY 2010/11 — FY 2021/22) has been updated with the most current forecasts of development anticipated by the FORA land use jurisdictions. The new forecasts are enumerated in the CIP Appendix B, Table 4. Based upon this updated information, capital project "placement in time" has been compared with last year's programming, with minor adjustments having been made. The reader's attention is directed to Tables 2 and 3, wherein obligatory CIP projects are currently forecast.

It is noted that FORA is scheduled, by State law, to sunset in 2014 (or when 80% of the BRP has been implemented, whichever occurs first), which will occur prior to the end of this CIP time horizon (FY 2010/11 — FY 2021/22). Therefore, the revenues and obligations herein will be allocated accordingly to jurisdictions under the Local Agency Formation Commission process for the dissolution of FORA.

## **2) Periodic CIP Review and Reprogramming**

Due to the nature of development forecasting, it is certain that today's best forecasts of development timing and patterns will differ from reality. Recognizing this, the BRP requires the FORA Board to periodically review and revise its CIP to reflect development realities to assure that the adopted mitigation projects are implemented in the best possible sequence with development needs. A protocol for the review and reprogramming of the CIP was approved by the FORA Board on June 8, 2001. Appendix A, herein, defines the process whereby FORA and its Member Agencies comprehensively review development timing and patterns to assure proper implementation of the BRP mitigation projects. The Board is asked to approve this CIP (FY 2010/11 — FY 2021/22) as revised, via the review protocol. That approval will affirm project priorities of the CIP.

## **3) CIP Costs**

The costs assigned to the various elements of the CIP were originally estimated in May 1995 and published in the draft 1996 BRP. This current CIP has inflated costs to January 2010, applying the Engineering News Record ("ENR") Construction Cost Index ("CCI") to account for inflation. This continues to be a routine procedure each year.

## **4) CIP Revenues**

The primary sources of revenue anticipated to cover the costs of obligatory CIP projects are developer fees and land sale (and lease) proceeds. These primary sources can be augmented by tax increment revenue. The current FORA developer fee policy has been structured to accommodate CIP costs of Transportation/Transit projects, Habitat Management obligations, Water Augmentation, Storm Drainage System improvements and Fire Fighting Enhancement improvements. The developer fee policy adopted by the Board in 1999 was implemented by the formation of the FORA Basewide Community Facilities District ("CFD"). The CFD is structured to

allow annual inflation adjustments to account for cost escalation, with an annual cap of 5%. Land sale (and lease) proceeds are earmarked to cover costs associated with the Building Removal Program.

Appendix B herein contains a tabulation of the proposed developments with their corresponding fee and land sale revenue forecasts. Obligatory capital project costs are balanced against the forecasted revenues as depicted in Table 3 of this document.

## 5) Projects Accomplished to Date

FORA has been actively implementing capital improvement projects since 1995. As of this writing, FORA has successfully advanced approximately \$67M in capital improvements, predominantly funded by FORA CFD fees, grants received from the US Department of Commerce, Economic Development Administration ("EDA") and a FORA bond issue. \$60M was applied directly against FORA obligations and \$7M funded capital improvements instrumental to base reuse, such as improvements to the water and wastewater systems. In addition to the \$67M in capital improvements, close to \$6M has been expended against habitat, fire fighting enhancement and water augmentation obligations.

Section III herein provides additional detail regarding how a number of already-funded projects have been credited as offsets against the FORA basewide obligations. The sources of funds utilized to date include grants, FORA Member contributions, FORA bond proceeds and developer fees. As developer fees, land sale proceeds and other revenues are collected and employed to offset obligations, use of these funds will continue to be enumerated in Table I as obligation offsets.

## II. OBLIGATORY PROGRAM OF PROJECTS — DESCRIPTION OF CIP ELEMENTS

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As noted in the Executive Summary, the obligatory elements of the BRP CIP include Transportation/Transit, Water Augmentation, Storm Drainage, Habitat Management, Fire Fighting Enhancement and Building Removal. The first five elements noted are to be funded by developer fees. Land sale (and lease) proceeds are earmarked to fund the Building Removal Program. Summary descriptions of each element of the BRP CIP follow.

### a) Transportation/Transit Elements

#### Transportation

During the preparation of the BRP and the associated Final Environmental Impact Report ("FEIR"), the Transportation Agency for Monterey County ("TAMC") undertook a regional study (The Fort Ord Regional Transportation Study, July 1997) to assess Fort Ord development impacts on the study area (North Monterey County) transportation network. When the BRP and accompanying FEIR were adopted by the Board, the transportation and transit obligations as defined by the TAMC Study were also adopted as mitigations to the development under the BRP. The FORA Board subsequently included the Transportation/Transit element (obligation) as a requisite cost component of the adopted CFD.

As implementation of the BRP continued, it became timely to coordinate with TAMC for a review and reallocation of the FORA financial contributions that appear on the list of transportation projects for which FORA has an obligation.

Toward that goal and following Board action directing staff to coordinate a work program with TAMC, FORA and TAMC entered into a cooperative agreement to move forward with the re-evaluation work. TAMC, working in concert with the Association of Monterey



Coe Avenue intersection with General Jim Moore Boulevard — Phase III

Bay Area Governments (“AMBAG”), has since completed its work program with FORA. TAMC’s recommendations are enumerated in the “FORA Fee Reallocation Study” dated April 8, 2005; the date the FORA Board of Directors approved the study for inclusion in the FORA CIP. The complete study can be found online at [www.fora.org](http://www.fora.org), under the Documents menu.

FORA’s work with TAMC and AMBAG resulted in the refined list of FORA transportation obligations that are synchronous with the TAMC Regional Transportation Plan (“RTP”). Figure 1 illustrates the refined FORA transportation obligations that are further defined in Table 1.

### Transit

The transit obligations enumerated in Table 1 herein remain unchanged from the 1997 TAMC Study and adopted BRP. However, it is noted that current long range planning by TAMC and Monterey-Salinas Transit (“MST”) reflect an alternative route to the multi-modal corridor than denoted in the BRP. The BRP currently provides for a multi-modal corridor along the Imjin Parkway/Blanco Road corridor serving to and from the Salinas area to the TAMC/MST intermodal center planned in the Dunes on Monterey Bay area in the City of Marina portion of the former Fort Ord.

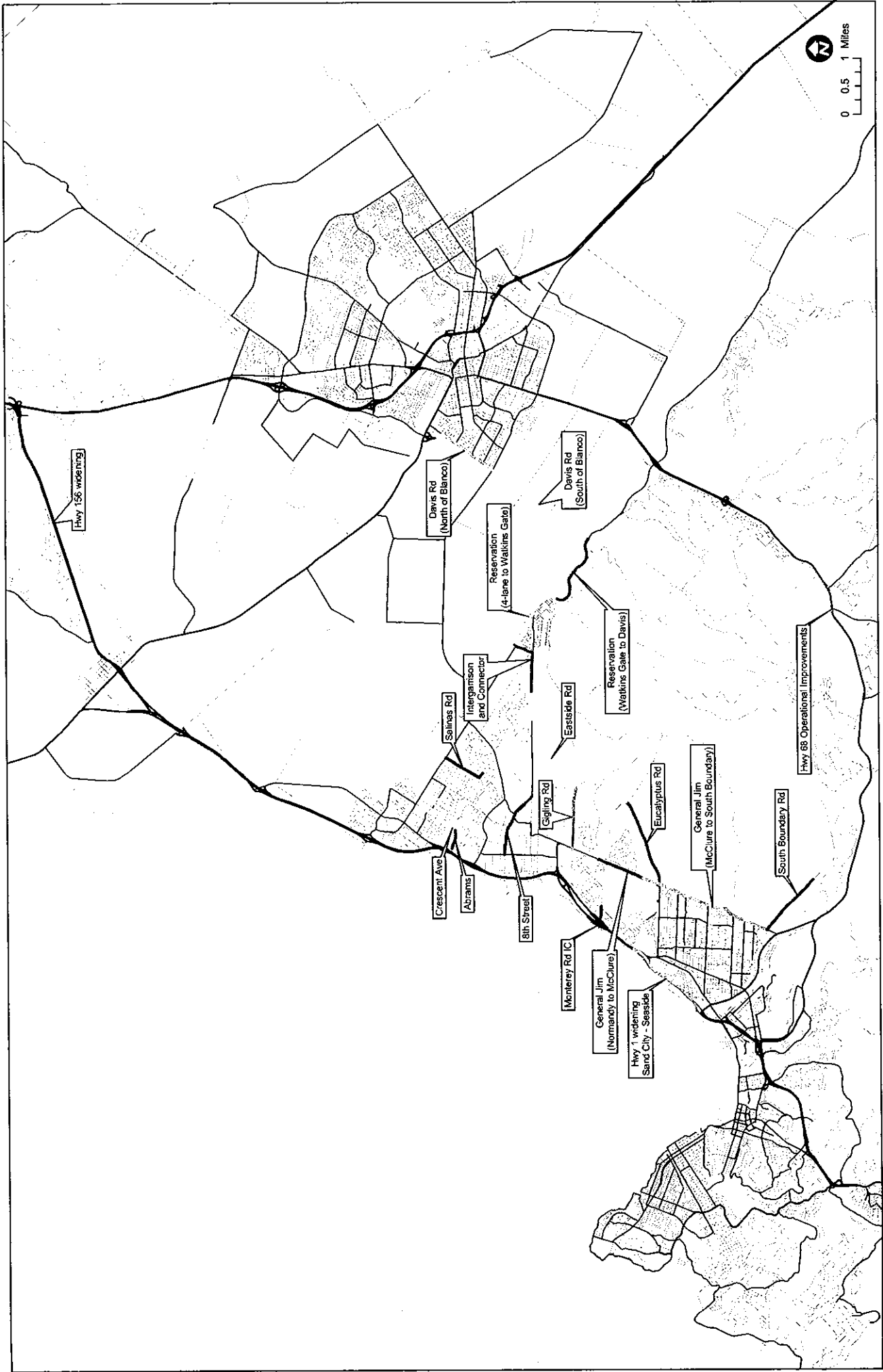
Current long range planning for transit service focuses on the alternative Intergarrison/Reservation/Davis Roads corridor to fulfill transit service needs between the Salinas area and the proposed intermodal center in the Dunes on Monterey Bay area.

A series of stakeholder meetings have been conducted to advance adjustments and refinements to the proposed multi-modal corridor plan-line. Stakeholders include, but are not limited to, TAMC, MST, FORA, City of Marina, Monterey County, California State University Monterey Bay (“CSUMB”), University of California Monterey Bay Education, Science and Technology Center (“UCMBEST”) and Golden Gate University (“GGU”). The stakeholders completed a Memorandum of Agreement (“MOA”) outlining the new alignment of the multi-modal transit corridor plan line in February 2010. Once all stakeholders have signed the MOA, the FORA Board will consider designation of the new alignment and rescission of the original alignment.

### Lead Agency Status

FORA has served as lead agency in accomplishing the design, environmental approval and construction activities for all capital improvements considered as basewide obligations under the BRP and this CIP. As land transfers continue and development gains momentum, certain basewide capital improvements will be advanced by the land use jurisdictions and/or their developers.

As of this writing, reimbursement agreements are in place with Monterey County and the City of Marina for several requisite transportation projects. Other like agreements will be structured as development projects are implemented and those agreements will be noted for the record herein.



## b) Water Augmentation

The BRP identifies availability of water as its primary resource constraint. The density of development anticipated by the BRP utilizes the total available groundwater supply of 6,600 acre-feet per year ("AFY"), as described in the BRP, Appendix B (PFIP section p 3-63). In addition to the groundwater supply, the adopted BRP requires an augmentation of an estimated 2,400 AFY to achieve the development level permitted by the BRP. This is reflected and summarized within the BRP, Volume 3, in figure PFIP 2-7.

FORA worked with Marina Coast Water District ("MCWD") to implement the most appropriate water augmentation program with which to proceed. Following a comprehensive two-year process of evaluating potential viable options for a water augmentation program, the MCWD Board of Directors certified, in October 2004, a program level Environmental Impact Report ("EIR") that analyzed three potential augmentation projects. The projects included a desalination project, a recycled water project and a hybrid project (containing components of both recycled water and desalination water projects). The EIR is available for review on the Internet at [www.mcwd.org](http://www.mcwd.org) (under the Engineering tab).

In June 2005, MCWD staff and consultants, working in concert with the FORA staff and Administrative Committee, recommended the hybrid project to the FORA and MCWD Boards of Directors. Additionally, FORA staff recommended increasing the CIP earmark for the water augmentation program from its then indexed value of approximately \$20M to approximately \$37M, which essentially removed \$17M from the MCWD capital improvement program.

Several factors over the last year have caused reconsideration of the water augmentation program by staff and consultants. Those factors included increased project costs as designs were refined; negotiations between MCWD and the Monterey Regional Water Pollution Control Agency ("MRWPCA") to come to an agreement to move forward with the recycled component of the project (which was to have been on line by summer 2008); and the significant economic downturn, which allows for more time before the augmentation program would need to come on line. All of which provided the opportunity to further consider the "Regional Plan" as the preferred project to pursue as the water augmentation program. This project appears to be both better for the environment and considerably less expensive than other evaluated augmentation proposals. Appendix C herein provides a description of the Regional Plan from which the augmenting source of water for the former Fort Ord could be derived.

At the April 2008 FORA Board meeting, the FORA Board of Directors endorsed the Regional Plan as the preferred plan to deliver the requisite 2,400 AFY of augmenting water to the 6,600AFY groundwater entitlements. Since that time, the Regional Plan has been designated by the State Public Utilities Commission as the preferred environmental alternative and an agreement in principal to proceed entered into by Cal-Am, MCWD and MRWPCA. There are still several permitting, financing and regulatory hurdles to clear before the project is realized.

## c) Storm Drainage System Projects

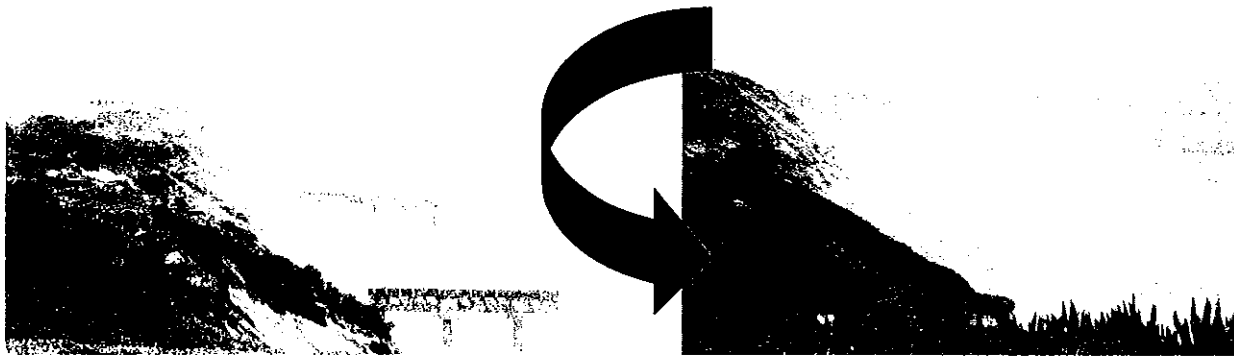
The adopted BRP recognized the need to eliminate the discharge of storm water runoff from the former Fort Ord to the Monterey Bay National Marine Sanctuary ("Sanctuary"). In addition, the BRP FEIR specifically addressed the need to remove the four storm water outfalls that discharged storm water runoff to the Sanctuary.

Section 4.5 of the FEIR, Hydrology and Water Quality, contains the following obligatory Conservation Element Program:

***"Hydrology and Water Quality Policy, C-6: In support of Monterey Bay's National Marine Sanctuary designation, the City/County shall support all actions required to ensure that the bay and inter-tidal environment will not be adversely affected, even if such actions should exceed state and federal water quality requirements."***

*“Program C-6.1: The City/County shall work closely with other Fort Ord jurisdictions and the (California Department of Parks and Recreation) to develop and implement a plan for storm water disposal that will allow for the removal of the ocean outfall structures and end the direct discharge of storm water into the marine environment. The program must be consistent with State Park goals to maintain the open space character of the dunes, restore natural land forms and restore habitat values.”*

With these programs/policies in mind, FORA and the City of Seaside, as co-applicants, secured EDA Grants to advance the design and construction of alternative disposal (retention) systems for storm water runoff that allowed for the removal of the outfalls. FORA advanced to the construction and demolition project, with the work having been completed as of January 2004. Table 3 herein therefore reflects this obligation as having been met.



Storm Drain Site — Before and After

#### d) Habitat Management Requirements

Appendix A, Volume 2 of the BRP contains the Habitat Management Program (“HMP”) Implementation Management Agreement. This Management Agreement defines the respective rights and obligations of FORA, its Member Agencies, California State University and the University of California with respect to the implementation of the HMP.

Subject to final approval by the U.S. Fish and Wildlife Service (“USFWS”) and the California Department of Fish and Game (“CDFG”), FORA’s Habitat Management funding obligations were previously listed in the following form:

1. A \$1.5M upfront funding (comprised of \$1.3M in borrowed funds and \$200K in secured funds) for initial management, planning and capital costs, serves as a down payment on an endowment fund, the earnings on which will allow for required habitat management activities on the habitat parcels that have already transferred.
2. Additionally, as development has taken place and developer fees paid, \$1 out of every \$4 collected have been earmarked to build a total endowment of principal funds necessary to produce an annual income sufficient to carry out required habitat management responsibilities in perpetuity. The original estimate was developed by an independent consultant retained by FORA and totaled \$6.3M.

The financing plan is predicated on an earnings rate assumption acceptable to USFWS and CDFG for endowments of this kind, and economies of scale provided by unified management of FORA’s habitat lands by qualified non-profit habitat managers. FORA will be securing the services of the appropriately experienced habitat manager(s) via a formal selection process.

It is noted that FORA will not control expenditure of the annual line items, but merely fund the endowment, and the initial and capital costs, to the agreed upon levels.

Based upon recent conversations with the regulatory agencies, it has become apparent that the Habitat Management obligations will likely increase beyond the costs noted above. Therefore, this document contains a  $\pm$  \$35M line item of forecasted requisite expenditures. USFWS and CDFG are the final arbiters as to what the final endowment amount will be, with input from FORA and its contractors/consultants. It is expected that the final endowment amount will be agreed upon in the upcoming fiscal year.

**e) Fire Fighting Enhancement Requirements**

In July 2003, the FORA Board authorized FORA to lease-purchase five pieces of fire fighting equipment, including four fire engines and one water tender. The equipment recipients include the Cities of Marina, Monterey and Seaside, the Ord Military Community Fire Department and the Salinas Rural Fire Department.



Fire engines received by Fire Departments in the Cities of Marina, Monterey and Seaside and the Ord Military Community were utilized during the Parker Flats habitat burn in 2005

This lease purchasing of equipment accommodates FORA's capital obligations under the BRP to enhance the fire fighting capabilities on the former Fort Ord in response to the proposed development. The lease payments began July 2004, and are projected to be paid through 2013/14. Once the lease payments, funded by developer fees, have been satisfied, FORA's obligation for fire fighting enhancement will have been fully met.

**f) Building Removal Program**

The BRP includes, as a basewide obligation, the removal of non-usable building stock to make way for redevelopment in certain portions of the former Fort Ord. Building removal is funded from land sale revenues and/or credited against land sale valuation. Two Memorandums of Agreement ("MOA") have been finalized for these purposes, as described below.

In August 2005 FORA entered into an MOA with the City of Marina Redevelopment Agency and Marina Community Partners ("MCP"), which assigned FORA \$46M in building removal costs within the Dunes on Monterey Bay project area and assigned MCP the responsibility for the actual removal. FORA has paid \$22M and MCP is to receive credits of \$24M for building removal cost against FORA's portion of the land sale proceeds. Building removal at the Dunes site is scheduled to be complete in 2010. Additionally, in February 2006 FORA entered into an MOA with Monterey County, the Monterey County Redevelopment Agency and East Garrison Partners ("EGP"). In this MOA, EGP agreed to undertake FORA's responsibility for removal of certain buildings in the East Garrison specific plan area. In return, EGP will receive a credit of \$2,177,000 for East Garrison building removal against FORA's portion of the land sale proceeds for the East Garrison project, which FORA expects to receive in FY 2011/2012. EGP completed partial building removal in 2007, with remaining buildings scheduled for removal by March 2009.

In both of these agreements, the hierarchy of building reuse is observed, which is the FORA Board policy that prioritizes the most efficient reuse of obsolete buildings by focusing on the concepts of renovation and reuse in place; relocation and renovation; deconstruction and reuse of building materials; and, mechanical demolition with aggressive recycling.

FORA's remaining building removal obligations include the former Fort Ord stockade within the City of Marina ( $\pm$  \$2.2M) and buildings in the City of Seaside's Surplus II area ( $\pm$  \$4M). FORA will continue to work closely with the Cities of Marina and Seaside to keep opportunities for development open as new specific plans are prepared for those areas.



Revenue and expenditure details are included in Table 3 of this document.

**g) Water and Wastewater Collection Systems**

Following a competitive selection process in 1997, the FORA Board approved MCWD as the purveyor to own and operate the water and wastewater collection systems on the former Fort Ord. By agreement with FORA, MCWD is tasked to assure that a Water and Wastewater Collection Systems Capital Improvement Program is in place and implemented to accommodate repair, replacement and expansion of the systems. To provide uninterrupted service to existing customers and to track with system expansion to keep pace with proposed development, MCWD and FORA staff continue to coordinate system(s) needs with respect to anticipated development.

MCWD is fully engaged in the FORA CIP process, and adjusts its program for the noted systems to be coincident with the FORA CIP.

The FORA Board, by its action in 1997, also established a Water and Wastewater Oversight Committee ("WWOC"), which serves in an advisory capacity to the Board. A primary function of the WWOC is to meet and confer with MCWD staff in the development of operating and capital budgets and the corresponding customer rate structures. Annually at budget time, the WWOC and FORA staff prepare recommended actions for the Board's consideration with respect to budget and rate approvals. This process provides the proper tracking mechanism to assure that improvements to, and expansion of, the systems are in sequence with development needs on the former Fort Ord.

Capital improvements for system(s) operations and improvements are funded by customer rates, fees and charges. The capital improvements for the system(s) are approved on an annual basis by the MCWD Board and the FORA Board as outlined above. Therefore, the water and wastewater capital improvements are not duplicated in this document.

### **III. FY 2008/09 THROUGH 2021/22 CAPITAL IMPROVEMENT PROGRAM**

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**a) Background Information/Summary Tables**

This Section III provides summary tables of the FORA obligations under the BRP. More particularly, **Table 1**, entitled "CIP Obligatory Offsets" graphically depicts the current fiscal offsets of completed projects that have reduced the BRP obligations.

Since 1995, FORA has advanced approximately \$67M in capital projects and BRP obligations. These projects have been funded predominantly by EDA grants, bond proceeds and developer fees. The developer fees now being collected are transitioning to the forefront as the primary funding source for FORA to continue meeting its mitigation obligations under the BRP. **Table 1** includes fiscal offsets inclusive of not only completed projects, but also funded projects to-be-completed during the course of the next fiscal year. The **Table 1** footnotes detail the source of funds (e.g. grants, developer fees) that have been secured to enable project implementation and offsetting of costs.

As previously noted, the work concluded by TAMC and AMBAG has resulted in modifications of the transportation obligations, for consistency with current transportation planning at the regional level. **Table 2** details the current TAMC recommendations that are compatible with the RTP, and "time places" the obligations over the CIP time horizon.

A summary of the CIP project elements and their forecasted costs and revenues are presented in **Table 3**. Annual updates of the CIP will continue to contain like summaries and will account for funding received and applied against required projects.

**CAPITAL IMPROVEMENT PROGRAM - OBLIGATORY PROJECT OFFSETS AND REMAINING OBLIGATIONS**

**TAMC Study 2005**

Project #	Project Title	Project Limits	TAMC Reallocation Study 2005 TOTAL COST	FORA PORTION	FORA Offsets 2005-2010	FORA Remaining Obligation
<b>Regional Improvements</b>						
R3	Hwy 1-Seaside Sand City	Widen highway 1 from 4 lanes to 6 lanes from Fremont Avenue Interchange south to the Del Monte Interchange	45,000,000	15,282,245	-	19,499,950
R10	Hwy 1-Monterey Rd. Interchange	Construct new interchange at Monterey Road	19,100,000	2,496,648	-	3,170,988
R11	Hwy 156-Freeway Upgrade	Widen existing highway to 4 lanes and upgrade highway to freeway status with appropriate interchanges. Interchange modification as needed at US 156 and 101	197,000,000	7,092,169	-	9,007,750
R12	Hwy 68 Operational Improvements	Operational improvements at San Benancio, Laureles Grade and at Corral De Tierra including left turn lanes and improved signal timing	9,876,000	223,660	-	284,070
	<b>Subtotal Regional</b>		<b>270,976,000</b>	<b>25,094,722</b>		<b>31,872,758</b>
<b>Off-Site Improvements</b>						
1	Davis Rd into Blanco	Widen to 4 lanes from the SR 183 bridge to Blanco	3,151,000	506,958	-	643,886
2B	Davis Rd s/o Blanco	Widen to 4 lanes from Blanco to Reservation; Build 4 lane bridge over Salinas River	22,555,000	8,654,502	-	10,992,066
4D	Widen Reservation-4 lanes to WG	Widen to 4 lanes from existing 4 lane section East Garrison Gate to Watkins Gate	10,100,000	3,813,916	489,452	4,319,971
4E	Widen Reservation, WG to Davis	Widen to 4 lanes from Watkins Gate to Davis Rd	5,500,000	2,216,321	-	2,814,945
8	Crescent Ave extend to Abrams	Extend existing Crescent Court Southerly to join proposed Abrams Dr. (FO2)	906,948	906,948	-	1,151,913
	<b>Subtotal Off-Site</b>		<b>42,212,948</b>	<b>16,098,645</b>	<b>489,452</b>	<b>19,922,781</b>
<b>On-Site Improvements</b>						
FO2	Abrams	Construct a new 2-lane arterial from intersection with 2nd Ave easterly to intersection with Crescent Court extension	759,559	759,569	-	964,727
FO5	8th Street	Upgrade/construct new 2-lane arterial from 2 <sup>nd</sup> Ave to Intergarrison Rd	4,340,000	4,340,000	707,393	4,795,636
FO6	Intergarrison	Upgrade to a 4-lane arterial from Eastside Rd to Reservation	4,260,000	4,260,000	1,586,170	3,712,241
FO7	Gigling	Upgrade/Construct new 4-lane arterial from General Jim Moore Blvd easterly to Eastside Rd	5,722,640	5,722,640	368,880	6,862,675
FO9B (Ph-II)	GJM Blvd-Normandy to McClure	Widen from 2 to 4 lanes from Normandy Rd to McClure			6,386,304	-
FO9B (Ph-III) [1]	GJM Blvd-s/o McClure to s/o Coe	Widen from 2 to 4 lanes from McClure to Coe	24,065,000	24,065,000	4,016,175	-
FO9C	GJM Blvd-s/o Coe to S Boundary	Widen from 2 to 4 lanes from s/o Coe to South Boundary Rd			10,785,766	6,066,767
FO11	Salinas Ave	Construct new 2 lane arterial from Reservation Rd southerly to Abrams Dr	3,038,276	3,038,276	-	3,658,908
FO12	Eucalyptus Rd	Upgrade to 2 lane collector from General Jim Moore Blvd to Eastside Rd to Parker Flats cut-off	5,800,000	5,800,000	1,550,123	5,388,584
FO13B	Eastside Rd (New alignment)	Construct new 2 lane arterial from Eucalyptus Rd to Parker Flats cut-off to Schoonover Dr	12,536,370	12,536,370	200,000	15,719,819
FO14	S Boundary Road Upgrade	Upgrade to a 2 lane arterial, along existing alignment from General Jim Moore Blvd to York Rd	2,515,064	2,515,064	353,724	2,798,862
	<b>Subtotal On-Site</b>		<b>63,036,919</b>	<b>63,036,919</b>	<b>25,934,535</b>	<b>50,168,220</b>
	<b>Transportation Totals</b>		<b>376,225,867</b>	<b>104,230,286</b>	<b>26,423,987</b>	<b>101,963,759</b>
[1] Remaining construction may be phased in future CIP documents based on available funds and habitat/environmental clearance.						
<b>Transit Capital Improvements</b>						
T3	Transit Vehicle Purchase/Replace	15 buses	15,000,000	6,298,254	279,950	7,662,625
T22	Intermodal Centers	(PFIP T-31) includes 3 elements: 1. Intermodal Transportation Center @ 1st Avenue South of 8th. Street 2. Park and Ride Facility @ 12th Street and Imjin, and 3. Park and Ride Facility @ 8th. Street and Gigling	3,800,000	4,786,673	-	6,079,544
	<b>Transit Totals</b>		<b>18,800,000</b>	<b>11,084,926</b>	<b>279,950</b>	<b>13,742,169</b>
	<b>Transportation/Transit Totals</b>		<b>395,025,867</b>	<b>115,315,212</b>	<b>26,703,937</b>	<b>115,725,928</b>
<b>TAMC Study 1995</b>						
<b>Transportation/Transit</b>						
					<b>FORA Offsets 1995-2004</b>	
						<b>32,235,648</b>
<b>Storm Drainage System</b>						
						<b>1,531,951</b>
<b>TOTAL CUMULATIVE OFFSETS AGAINST TRANSPORTATION/TRANSIT AND STORM DRAINAGE PROJECTS TO DATE</b>						
						<b>60,571,536</b>

**CAPITAL IMPROVEMENT PROGRAM - TRANSPORTATION NETWORK AND TRANSIT ELEMENTS**

Regional Improvements															
Proj#	Description	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	TOTALS	Proj#
R3	Hwy 1-Seaside Sand City			3,866,525	3,647,270	5,231,187	4,163,670	2,511,298						19,409,950	R3
R10	Hwy 1-Monterey Rd. Interchange			629,536	595,377	880,070	674,936	391,069						3,170,988	R10
R11	Hwy 156-Freeway Upgrade			1,789,467	1,692,371	2,427,794	1,932,512	1,165,606						9,007,750	R11
R12	Hwy 68 Operational Improvements			57,005	53,912	82,587	90,586							284,070	R12
	Subtotal Regional	-	-	6,332,533	5,988,930	8,621,618	6,861,704	4,067,973	-	-	-	-	-	31,872,758	

Off-Site Improvements															
Proj#	Description	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	TOTALS	Proj#
1	Davis Rd north of Blanco			128,881	121,888	209,171	183,946							643,886	1
2B	Davis Rd south of Blanco	300,000	1,022,839	4,167,997	3,607,587	1,893,643								10,992,066	2B
4D	Widen Reservation-4 lanes to WG					2,159,985	2,159,985							4,319,971	4D
4E	Widen Reservation, WG to Davis			560,138	529,745	755,731	374,675	594,656						2,814,945	4E
8	Crescent Ave extend to Abrams		138,141	430,516	373,048	210,209								1,151,913	8
	Subtotal Off-Site	300,000	1,160,980	5,287,532	4,632,268	5,228,739	2,718,606	594,656	-	-	-	-	-	19,922,781	

On-Site Improvements															
Proj#	Description	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	TOTALS	Proj#
F02	Abrams		115,617	362,839	306,408	189,863								964,727	F02
F05	8th Street		663,672	2,107,965	2,023,999									4,795,636	F05
F06	Intergarrison			971,587	2,740,674									3,712,241	F06
F07	Gigling				3,431,337	3,431,337								6,862,675	F07
F09C	GJM Blvd	2,476,456	1,200,000	2,390,311										6,066,767	F09C
F011	Salinas Ave		463,970	1,454,334	1,259,457	681,147								3,858,908	F011
F012	Eucalyptus Rd	3,738,740	1,649,844											5,388,584	F012
F013B	Eastside Rd (New alignment)	260,000	2,902,549	2,990,949	4,292,190	3,417,052	1,857,079							15,719,819	F013B
F014	South Boundary Road Upgrade		2,798,862											2,798,862	F014
	Subtotal On-Site	6,475,196	9,794,514	10,267,965	14,054,065	7,719,399	1,857,079	-	-	-	-	-	-	50,166,220	

<b>Transportation Totals</b>	6,775,196	10,955,494	21,888,030	24,675,263	21,569,757	11,437,389	4,662,629	-	-	-	-	-	-	101,963,769
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Transit Capital Improvements															
Proj#	Description	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	TOTALS	Proj#
T3	Transit Vehicle Purchase/Replace			1,526,748	1,443,907	2,065,794	1,642,561	1,003,615						7,682,625	T3
T22	Intermodal Centers			1,207,023	1,141,530	1,651,666	1,319,274	760,051						6,079,544	T22
	Subtotal Transit	-	-	2,733,771	2,585,437	3,717,460	2,961,835	1,763,666	-	-	-	-	-	13,762,169	

<b>Transportation and Transit GRAND TOTALS</b>	6,775,196	10,955,494	24,621,801	27,260,700	25,287,217	14,399,224	6,426,295	-	-	-	-	-	-	115,725,928
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SUMMARY OF CAPITAL IMPROVEMENT PROGRAM (CIP) 2010/11 - 2021/22

	2005-10 (1)	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2010-11 to 2021-22 Total
<b>A. CIP PROJECTS FUNDED BY CFD DEVELOPMENT FEES</b>														
Dedicated Revenues														
Development Fees	15,982,395	148,000	14,844,000	23,844,000	55,595,000	61,915,000	59,776,000	31,211,000	9,636,000	6,271,000	6,206,000	12,948,000	4,230,000	286,624,000
Other Revenues														
Tax Increment (2)	5,193,196													
Loan Proceeds (3)	5,761,224	3,107,598												3,107,598
Federal Grants (4)	3,519,156	3,367,598												3,367,598
CSU Mitigation fees	1,000,000	500,000		326,795										1,326,795
Miscellaneous Revenues (Rev Bonds, Interest)	851,273													
<b>Total Revenues</b>	<b>32,257,154</b>	<b>7,123,196</b>	<b>15,344,000</b>	<b>24,170,795</b>	<b>55,595,000</b>	<b>61,915,000</b>	<b>59,776,000</b>	<b>31,211,000</b>	<b>9,636,000</b>	<b>6,271,000</b>	<b>6,206,000</b>	<b>12,948,000</b>	<b>4,230,000</b>	<b>294,425,991</b>
Expenditures														
Projects														
Transportation/Transit	23,588,678	6,775,166	10,955,494	24,621,801	27,260,700	25,287,217	14,399,224	6,428,295						115,725,928
Water Augmentation (5)	540,000	21,780			5,700,000	16,823,235								22,545,015
Storm Drainage System (Completed by 2005) (6)	(Table 1)													
Habitat Management (7)	3,983,076	37,000	3,711,000	5,961,000	13,896,750	7,409,174								37,016,924
Fire Rolling Stock	686,000	116,000	116,000	116,000	116,000									464,000
<b>Total Expenditures</b>	<b>28,807,754</b>	<b>6,949,976</b>	<b>14,782,494</b>	<b>30,698,801</b>	<b>46,975,450</b>	<b>48,519,626</b>	<b>14,399,224</b>	<b>6,428,295</b>						<b>169,751,867</b>
Net Annual Revenue	3,449,400	173,220	561,506	(6,528,006)	8,619,550	12,395,374	46,376,776	24,784,705	9,636,000	6,271,000	6,206,000	12,948,000	4,230,000	124,599,124
Beginning Fund Balance		(9)	98,220	659,726	(5,868,280)	2,751,269	15,146,643	60,523,419	85,308,124	94,944,124	101,215,124	107,421,124	120,369,124	(9)
Ending Fund Balance Before Other Costs and Reserves	<b>3,449,400</b>	<b>173,220</b>	<b>659,726</b>	<b>(5,868,280)</b>	<b>2,751,269</b>	<b>15,146,643</b>	<b>60,523,419</b>	<b>85,308,124</b>	<b>94,944,124</b>	<b>101,215,124</b>	<b>107,421,124</b>	<b>120,369,124</b>	<b>124,599,124</b>	<b>124,599,124</b>
Other Costs (8)														
Additional Project Costs (9)	3,449,400	75,000												12,053,516
Caretaker Costs (10)														16,256,930
<b>Total Other Costs</b>	<b>3,449,400</b>	<b>75,000</b>												<b>18,310,446</b>
Contingency (11)														96,288,678
Total Other Costs & Contingency Reserve														124,599,124
Ending Fund Balance	(9)	98,220												-
<b>B. CIP PROJECTS FUNDED BY LAND SALE REVENUE</b>														
Dedicated Revenues														
Land Sales (12)	21,312,975	218,916	2,618,916	14,401,916	4,955,901	21,052,000	17,207,000	207,000	372,000	367,000				61,400,649
Land Sales - Credits (13)	(6,767,300)			(19,409,700)										(19,409,700)
Other Revenues (14)	2,385,929													
Loan Proceeds (3)	7,500,000													
<b>Total Revenues</b>	<b>24,441,604</b>	<b>218,916</b>	<b>2,618,916</b>	<b>(5,007,784)</b>	<b>4,955,901</b>	<b>21,052,000</b>	<b>17,207,000</b>	<b>207,000</b>	<b>372,000</b>	<b>367,000</b>				<b>41,990,949</b>
Expenditures														
Projects (15)														
Building Removal	28,751,592													25,625,408
Building Removal - Credits	(6,767,300)													(19,409,700)
Debt Financing (17)	1,415,170													6,215,708
<b>Total Expenditures</b>	<b>23,399,462</b>													<b>6,215,708</b>
Net Annual Revenue	1,042,142	218,916	(1,231,084)	101,916	(44,099)	18,576,592	17,207,000	207,000	372,000	367,000				35,775,241
Beginning Fund Balance	1,042,142	1,042,142	1,261,058	29,974	131,890	87,791	18,664,383	35,871,383	36,078,383	36,450,383	36,817,383	36,817,383	36,817,383	1,042,142
Ending Fund Balance	<b>1,042,142</b>	<b>1,261,058</b>	<b>29,974</b>	<b>131,890</b>	<b>87,791</b>	<b>18,664,383</b>	<b>35,871,383</b>	<b>36,078,383</b>	<b>36,450,383</b>	<b>36,817,383</b>	<b>36,817,383</b>	<b>36,817,383</b>	<b>36,817,383</b>	<b>36,817,383</b>

**Table 3 CIP Summary Table Footnotes**

- (1) This column summarizes CIP revenues and expenses from July 2005 through June 2010. These totals are not in the 2010-11 to 2021-22 Totals.
- (2) "Tax Increment" revenue is designated for operations and as a back up to FORA CIP projects; to date, approximately \$5.2M was spent on ET/ESCA change orders and CIP road projects.
- (3) "Loan Proceeds": In FY 05-06 FORA entered into a line of credit agreement to ensure all CIP obligations could be met in a timely manner, despite cash flow fluctuations. FORA advanced about \$2.4M to finance General Jim Moore Boulevard/Eucalyptus Road construction and road designs and \$7.5M to finance building removal at the Dunes on Monterey Bay. In FY 09-10 FORA consolidated existing debt through a loan secured by FORA's share of Preston Park and spent \$3.3M to provide stimulus grant matching funds to US Department of Commerce EDA/American Recovery and Reinvestment Act ("ARRA") grant funds.
- (4) "Federal grants": In FY 09-10 FORA received two federal grants. FORA received the first grant from the US Department of Commerce EDA through its ARRA grant program to accomplish a portion of FORA's CIP transportation infrastructure. FORA received the second grant from the Department of Defense Office of Economic Adjustment to accomplish future Central Coast Veterans Cemetery infrastructure planning.
- (5) "Water Augmentation" is FORA's financial obligation for the approved water augmentation project. A portion is separate from FORA water/wastewater mitigations required under CEQA. Project financing (e.g. cash advances, debt issuance) will be accomplished by project lead agency MCWD and any partners (i.e. MRWPCA). The FORA financial contribution will be used to repay MCWD cash advances and/or assist in retiring MCWD debt and/or funding capital improvements for the system. The original CEQA obligation (\$17,175,000 indexed) is reflected here. The FORA Board approved an additional "voluntary contribution" (approx. \$23M) to keep MCWD capacity charges in check, which appears in the Other Costs and Contingencies line item as it is not an expense mandated by CEQA. Please refer to Section II b) "Water Augmentation".
- (6) FORA's "Storm Water Drainage System" obligation has been retired. Please refer to Section II c) "Storm Drainage System Projects".
- (7) "Habitat Management" amounts are estimates. Habitat management endowment final amount is subject to approval by US Fish and Wildlife Service and California Department of Fish & Game. Please refer to Section II d) Habitat Management Requirements".
- (8) "Other Costs & Contingencies" are subject to cash flow and are not received in actual amounts until distant out-years of the program. The FORA Board "voluntary contribution" toward the water augmentation program (in lieu of increased MCWD capacity charges) appears here as an "other cost" separate from the actual obligation toward potable water augmentation as per the BRP/EIR.
- (9) "Additional Project Costs" are potential and unknown additional basewide expenditures not included in current project cost estimates for transportation projects (e.g. contract change orders to the ESCA, street landscaping, unknown site conditions, project changes, habitat/environmental mitigation, etc.)
- (10) "Caretaker Costs" are associated with potential delays in redevelopment which represent interim capital costs associated with property maintenance prior to transfer for development. This includes costs of managing property transfer documents, legal review of rights of access and other documents during the transfer of land, illegal dumping clean up costs, funding for self-insured retention for pollution legal liability insurance, and liability insurance.
- (11) "Contingency" provides funding for jurisdictions to accommodate potential increased habitat management costs, restoration of storm drainage sites in State Parks, relocation of utilities, unknown subsurface conditions, construction cost phasing, unknown CEQA mitigations, financing costs, reimbursements for prior FORA expenses, and shortfalls in CFD revenue when inflation exceeds maximum allowed 5 percent following FORA's sunset.
- (12) "Land Sales" revenues are regularly evaluated to apply any changes in local development fees, market realities, and other factors to adjust land prices in the region.

- (13) Land Sales – Credit” is credit due specific developers who perform building removal by agreement with FORA. The value of the building removal work is subtracted from the developer’s land sale proceeds due FORA. Both “Land Sales–Credit” (a credit to the developer toward land sales due) and “Building Removal–Credit” (a credit to FORA toward its building removal program obligations) illustrate cash flow neutral transactions. FORA entered into two such agreements with 1) Marina Community Partners and 2) East Garrison Partners (“EGP”) for a total land sale/building removal credit of \$26,177,000.
- (14) “Other Revenues” applied against building removal and debt financing costs include Abrams B loan repayment of \$1,425,000 and interest payments collected from East Garrison developers. Per MOA among FORA, the Redevelopment Agency for Monterey County, and EGP concerning certain basewide funding obligations, EGP is obligated to reimburse FORA for interest payments made on the \$4.1M principal.
- (15) “Projects” include building removal activities at 1) Dunes on Monterey Bay (\$46M), 2) Imjin Office (\$400K), 3) East Garrison (\$2.177M), 4) Stockade (\$2.2M), and 5) Surplus II (\$4M).

# Appendix A

## Protocol for Review/Reprogramming of FORA CIP

(Revision #3, March 8, 2010)

- 1.) Conduct quarterly meetings with the CIP Committee and joint committee meetings as needed with members from the FORA Administrative Committee. Staff representatives from the California Department of Transportation ("CALTRANS"), TAMC, AMBAG, and MST may be requested to participate and provide input to the joint committee.

These meetings will be the forum to review developments as they are being planned to assure accurate prioritization and timing of CIP projects to best serve the development as it is projected. FORA CIP projects will be constructed during the program, but market and budgetary realities require that projects must "queue" to current year priority status. The major criteria used to prioritize project placement are:

- Project is necessary to mitigate reuse plan
- Project environmental/design is complete
- Project can be completed prior to FORA's sunset
- Project uses FORA CIP funding as matching funds to leverage grant dollars
- Project can be coordinated with projects of other agencies (utilities, water, TAMC, PG&E, CALTRANS, etc.)
- Project furthers inter-jurisdictional equity
- Project supports jurisdictional "flagship" project
- Project nexus to jurisdictional development programs

The joint committee will balance projected project costs against projected revenues as a primary goal of any recommended reprogramming/reprioritization effort.

- 2.) Provide a mid-year and/or yearly report to the Board (at mid-year budget and/or annual budget meetings) that will include any recommendations for CIP modifications from the joint committee and staff.
- 3.) Anticipate FORA Board annual approval of a CIP program that comprehensively accounts for all obligatory projects under the BRP.

These basewide project obligations include transportation/transit, water augmentation, storm drainage, habitat management, building removal and fire fighting enhancement.

**APPENDIX B**  
**Community Facilities District Revenue**

Jurisdiction	2010-11 to 2021-22 Total	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
<b>New Residential</b>													
MAR	\$ 48,515,000	\$ -	\$ 924,000	\$ 1,385,000	\$ 11,505,000	\$ 4,990,000	\$ 4,944,000	\$ 4,944,000	\$ 4,944,000	\$ 4,944,000	\$ 4,944,000	\$ 4,980,000	\$ -
MAR	\$ 6,914,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,692,000	\$ 222,000	\$ -	\$ -	\$ -	\$ -
MAR	\$ 57,156,000	\$ -	\$ 10,858,000	\$ 9,380,000	\$ 13,076,000	\$ 13,076,000	\$ 7,809,000	\$ 2,772,000	\$ 185,000	\$ -	\$ -	\$ -	\$ -
MAR	\$ 9,242,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,621,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MAR	\$ 1,138,000	\$ -	\$ -	\$ 347,000	\$ 347,000	\$ 347,000	\$ 97,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CSUMAR	\$ 15,250,000	\$ -	\$ -	\$ 1,525,000	\$ 1,525,000	\$ 1,525,000	\$ 1,525,000	\$ 1,525,000	\$ 1,525,000	\$ 1,525,000	\$ 1,525,000	\$ 1,525,000	\$ 1,525,000
UC/MCO	\$ 67,921,000	\$ -	\$ -	\$ 2,079,000	\$ 9,888,000	\$ 17,835,000	\$ 20,865,000	\$ 13,584,000	\$ 3,650,000	\$ -	\$ -	\$ -	\$ -
MCO	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MCO	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,096,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SEA	\$ 9,242,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
UC/MCO	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
UC/MCO	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SEA	\$ 5,775,000	\$ 46,000	\$ -	\$ -	\$ 416,000	\$ 462,000	\$ 462,000	\$ 4,389,000	\$ -	\$ -	\$ -	\$ -	\$ 3,096,000
SEA	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SEA	\$ 3,326,000	\$ -	\$ -	\$ 1,663,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SEA	\$ 1,201,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,201,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SEA	\$ 6,931,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,931,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SEA	\$ 1,340,000	\$ -	\$ -	\$ 1,340,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SEA	\$ 31,928,000	\$ -	\$ -	\$ 6,007,000	\$ 13,261,000	\$ 12,660,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
DIRO	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Various	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Existing/Replacement Residential</b>													
MAR	\$ 6,668,000	\$ -	\$ -	\$ 917,000	\$ 1,500,000	\$ 2,070,000	\$ 1,792,000	\$ 389,000	\$ -	\$ -	\$ -	\$ -	\$ -
MAR	\$ 445,000	\$ -	\$ -	\$ 445,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SEA	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SEA	\$ 5,267,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,267,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Office</b>													
DIRO	\$ 80,000	\$ -	\$ -	\$ 40,000	\$ -	\$ 40,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MRY	\$ 51,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 51,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MCO	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MCO	\$ 20,000	\$ -	\$ -	\$ -	\$ 10,000	\$ 10,000	\$ -	\$ -	\$ 9,000	\$ 8,000	\$ -	\$ -	\$ -
MCO	\$ 26,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MCO	\$ 254,000	\$ -	\$ -	\$ 51,000	\$ 51,000	\$ 51,000	\$ 51,000	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ -
MCO	\$ 14,000	\$ -	\$ -	\$ 2,000	\$ 5,000	\$ 5,000	\$ 2,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MCO	\$ 14,000	\$ 14,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MAR	\$ 4,000	\$ -	\$ -	\$ -	\$ 4,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MAR	\$ 122,000	\$ 16,000	\$ 34,000	\$ 28,000	\$ 28,000	\$ 16,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MAR	\$ -	\$ 6,000	\$ 6,000	\$ 6,000	\$ -	\$ 8,000	\$ 8,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MAR	\$ 18,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MAR	\$ 16,000	\$ -	\$ -	\$ -	\$ 11,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SEA	\$ 11,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SEA	\$ 24,000	\$ -	\$ -	\$ 24,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SEA	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SEA	\$ 99,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 99,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SEA	\$ 4,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SEA	\$ 80,000	\$ 4,000	\$ -	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000
UC/MCO	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
UC/MAR	\$ 274,000	\$ -	\$ 16,000	\$ 24,000	\$ 24,000	\$ 24,000	\$ 24,000	\$ 27,000	\$ 27,000	\$ 27,000	\$ 27,000	\$ 27,000	\$ 27,000
<b>Industrial</b>													
MAR	\$ 190,000	\$ -	\$ 11,000,000	\$ 11,000,000	\$ 11,000,000	\$ 21,000,000	\$ 21,000,000	\$ 23,000,000	\$ 23,000,000	\$ 23,000,000	\$ 23,000,000	\$ 23,000,000	\$ -
MAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Industrial - City Corp. Yard (1)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TAMC TOD (1)	\$ 12,000	\$ -	\$ -	\$ -	\$ -	\$ 6,000,000	\$ 6,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 16

(1) Project proposed  
 (2) Project approved by local jurisdiction  
 (3) Project found consistent with Base Reuse Plan  
 (4) Project completed



**APPENDIX B**

**Community Facilities District Revenue**

Jurisdiction	2021-22 Total	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
Dunes on Monterey Bay (3)	\$ 56,000		14,000	14,000	14,000	14,000	14,000						
Industrial - City Corp. Yard (1)	87,000						87,000						
Industrial - Public/Private (1)	87,000						87,000						
Monterey County Light Ind. (1)													
Horse Park (1)	46,000				17,000	17,000	12,000						
Landfill Industrial Park (1)	140,000		28,000	28,000	28,000	28,000							
MST Bus Maint & Opns Facility (1)	41,000	28,000											
Seaside Corp Yard Shop (1)	9,000	41,000											
SEA		9,000											
UC Central N. & W. Campuses (1)	83,000		7,000	7,000	7,000	7,000	7,000	8,000	8,000	8,000	8,000	8,000	8,000
UC/MAR			7,000	7,000	7,000	7,000	7,000	8,000	8,000	8,000	8,000	8,000	8,000
<b>Retail</b>													
Del Rey Oaks Retail (1)	\$ 229,000	\$ -	\$ 229,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
UC/MAR	772,000		73,000	73,000	73,000	73,000	73,000	80,000	80,000	80,000	80,000	80,000	80,000
UC East Campus (1)	596,000						298,000					298,000	
UC Eight Street (1)	2,250,000		225,000	225,000	225,000	225,000	225,000	225,000	225,000	225,000	225,000	225,000	225,000
Monterey County Retail													
Landfill Commercial development (1)	1,146,000									401,000	401,000		
East Gamson I Retail (1)	458,000					229,000	229,000				344,000		
Ord Market (4)													
Horse Park (1)	4,817,000			1,147,000	1,147,000	1,147,000	1,147,000	1,376,000					
Main Gate Spa (1)	275,000					275,000							
Main Gate Large Format Retail (1)	1,003,000			1,003,000									
Main Gate In-Line Shops (1)	3,337,000			3,337,000									
Main Gate Department Store Anchor (1)	1,376,000			1,376,000									
Main Gate Restaurants (1)	700,000			700,000									
Main Gate Hotel Restaurant (1)	92,000			92,000									
Seaside Resort Golf Clubhouse (1)	187,000			187,000									
Dunes on Monterey Bay (3)	2,695,000		401,000										
TAMC TOD (1)	860,000					430,000	430,000						
<b>Hotel (rooms) (5)</b>													
Del Rey Oaks Hotel (1) (454 rm)	\$ 4,678,000	\$ -	\$ 1,072,000	\$ 2,576,000	\$ 2,576,000	\$ 1,030,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
DRO	990,000		495,000	495,000									
Horse Park (Parker Flat) Hotel (1) (200 rm)	2,061,000				2,061,000								
MAR	1,030,000	1,030,000											
Dunes - Limited Service (3) (100 rm)	4,122,000						4,122,000						
MAR	3,400,000					3,400,000							
Dunes - Full Service (3) (400 rm)	3,400,000						1,236,000						
SEA	1,751,000						1,236,000						
Seaside Golf Course Timeshares (3) (170 rm)	1,751,000							515,000					
SEA	2,576,000												
Main Gate Hotel (1) (250 rm)	2,576,000					2,576,000							
UC East Campus (1) (250 rm)	2,576,000												
UC/MAR	1,546,000										2,576,000	1,546,000	
<b>Affordable Housing Adjustment (6)</b>													
Tier 1 (300 units)	\$ (13,168,000)	\$ (2,000)	\$ (687,000)	\$ (1,194,000)	\$ (2,537,000)	\$ (2,582,000)	\$ (2,393,000)	\$ (1,824,000)	\$ (584,000)	\$ (330,000)	\$ (330,000)	\$ (491,000)	\$ (234,000)
Tier 2 (500 units)	(16,157,000)	(3,000)	(843,000)	(1,465,000)	(3,113,000)	(3,188,000)	(2,936,000)	(2,238,000)	(692,000)	(405,000)	(405,000)	(602,000)	(287,000)
Tier 3 (300 units)	(9,695,000)	(2,000)	(506,000)	(879,000)	(1,868,000)	(1,901,000)	(1,762,000)	(1,343,000)	(415,000)	(243,000)	(243,000)	(361,000)	(172,000)
Subtotal	\$ (39,020,000)	\$ (7,000)	\$ (2,036,000)	\$ (3,538,000)	\$ (7,518,000)	\$ (7,651,000)	\$ (7,091,000)	\$ (5,405,000)	\$ (1,671,000)	\$ (978,000)	\$ (978,000)	\$ (1,454,000)	\$ (683,000)
<b>Total</b>	\$ 286,624,000	\$ 148,000	\$ 14,844,000	\$ 23,844,000	\$ 55,595,000	\$ 61,915,000	\$ 59,776,000	\$ 31,211,000	\$ 9,636,000	\$ 6,271,000	\$ 6,296,000	\$ 12,948,000	\$ 4,230,000

Note: FORA Basewide Community Facilities District special tax rates are shown below, indexed to January 2002 based on rate and method of appointment. Totals in table may not add due to rounding.

Assigned 2002	Effective 7/1/09	Index (09/10)	Effective 7/1/16
34,324	45,612	1.3%	46,205
10,320	13,714	1.3%	13,892
4,499	5,978	1.3%	6,056
92,768	123,282	1.3%	124,885
7,653	10,172	1.3%	10,304

- (1) Project proposed
- (2) Project approved by local jurisdiction
- (3) Project found consistent with Base Reuse Plan
- (4) Project completed
- (5) Back up tables to this table 4 (Appendix B), including residential units and building square/footages, can be requested at 631-863-3672
- (6) Please see description of Tiers 1, 2, & 3 at [www.fora.org](http://www.fora.org) under section "FORA Documents," document titled "Developer Fee Schedule"

**APPENDIX B**  
**Land Sale Revenue**

	Jurisdiction	2010-11 to 2021-22 Total	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
<b>New Residential</b>														
Marina Heights	MAR	N/A												
Cypress Knolls	MAR	7,950,000				1,500,000								
Dunes on Monterey Bay	MAR	21,000,000				14,250,000								
UC 8th Street	UC/MCO													
East Garrison I	MCO	16,000,000						16,000,000						
Monterey Horse Park	MCO													
Monterey Horse Park	SEA													
UC East Campus - SF	UC/MCO													
UC East Campus - MF	UC/MCO													
Seaside Highlands Homes	SEA													
Seaside Resort Housing	SEA													
Seaside Housing (Eastside)	SEA													
Seaside Affordable Housing Obligations	SEA													
Workforce Housing (Army to Build)	SEA													
Workforce Housing (Seaside)	SEA													
Del Rey Oaks	DRO	5,000,000			5,000,000									
Other Residential	Various													
<b>Existing/Replacement Residential</b>														
Preston Park	MAR													
Cypress Knolls	MAR													
Abrams B	MAR													
Sheller Outreach Plus	OTR													
Sunbay (former Thomson Park)	SEA													
Stillwell Kidney - W/FH (Army to Build)	Various													
<b>Office</b>														
Del Rey Oaks Office	DRO													
Monterey City Office	MRY													
Monterey County Office	MCO	431,000			133,000		133,000							
Horse Park	MCO													
Landfill Commercial Development	MCO													
Intergarrison Rd Office Park	MCO													
East Garrison I Office Development	MCO													
MST Bus Maint & Bus Opns Facility	MCO													
Dunes on Monterey Bay	MAR													
Airport Economic Development Area	MAR													
SVMHS Development	MAR													
Young Nak Church	MAR	106,649	11,916	11,916	11,916	70,901								
Seaside Office (Monterey Blues)	SEA													
Charwell	SEA													
Monterey College of Law	SEA													
Monterey Peninsula Trade & Conf Ctr	SEA													
UC East Campus	UC/MCO													
UC Central South Campus	UC/MAR													
UC Central North & West Campuses	UC/MAR													
<b>Industrial</b>														
Airport Economic Development Area	MAR													
Industrial — City Corp. Yard	MAR													
Industrial — City Corp. Yard	MRY	517,000					517,000							
Industrial — Public/Private	MRY	517,000					517,000							
Monterey County Light Ind.	MCO	2,023,000	207,000	207,000	207,000	207,000	207,000	207,000	207,000	207,000	367,000			
Horse Park	MCO													
Landfill Industrial Park	MCO													
Seaside Corp Yard Shop	SEA													
UC Central North & West Campuses	UC/MAR													

**APPENDIX B**  
**Land Sale Revenue**

Jurisdiction	2010-11 to 2021-22 Total	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
<b>Retail</b>													
Del Rey Oaks Retail	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
UC Central North & West Campuses	-	-	-	-	-	-	-	-	-	-	-	-	-
UCIMAR	-	-	-	-	-	-	-	-	-	-	-	-	-
UC South Campus	-	-	-	-	-	-	-	-	-	-	-	-	-
UC East Campus	-	-	-	-	-	-	-	-	-	-	-	-	-
UC Eight Street	-	-	-	-	-	-	-	-	-	-	-	-	-
UCIMCO	-	-	-	-	-	-	-	-	-	-	-	-	-
Monterey County Retail	2,000,000	-	-	-	1,000,000	1,000,000	-	-	-	-	-	-	-
Landfill Commercial development	-	-	-	-	-	-	-	-	-	-	-	-	-
MCO	-	-	-	-	-	-	-	-	-	-	-	-	-
East Garrison I Retail	-	-	-	-	-	-	-	-	-	-	-	-	-
MCO	-	-	-	-	-	-	-	-	-	-	-	-	-
Ord Market	-	-	-	-	-	-	-	-	-	-	-	-	-
Horse Park	-	-	-	-	-	-	-	-	-	-	-	-	-
MCO	-	-	-	-	-	-	-	-	-	-	-	-	-
Main Gate	5,054,000	-	2,527,000	2,527,000	-	-	-	-	-	-	-	-	-
SEA	802,000	-	401,000	401,000	-	-	-	-	-	-	-	-	-
South of Lightfighter Dr (swap)	-	-	-	-	-	-	-	-	-	-	-	-	-
Dunes on Monterey Bay	-	-	-	-	-	-	-	-	-	-	-	-	-
MAR	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Hotel (rooms)</b>													
Del Rey Oaks Hotel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Del Rey Oaks Timeshare	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Horse Park (Parker Flat) Hotel	-	-	-	-	-	-	-	-	-	-	-	-	-
Dunes - Limited Service	-	-	-	-	-	-	-	-	-	-	-	-	-
MAR	-	-	-	-	-	-	-	-	-	-	-	-	-
Dunes - Full Service	-	-	-	-	-	-	-	-	-	-	-	-	-
MAR	-	-	-	-	-	-	-	-	-	-	-	-	-
Seaside Golf Course Hotel	-	-	-	-	-	-	-	-	-	-	-	-	-
SEA	-	-	-	-	-	-	-	-	-	-	-	-	-
Seaside Golf Course Timeshares	-	-	-	-	-	-	-	-	-	-	-	-	-
SEA	-	-	-	-	-	-	-	-	-	-	-	-	-
Main Gate Hotel	-	-	-	-	-	-	-	-	-	-	-	-	-
UC East Campus	-	-	-	-	-	-	-	-	-	-	-	-	-
UCIMCO	-	-	-	-	-	-	-	-	-	-	-	-	-
UC Central North & West Campuses	-	-	-	-	-	-	-	-	-	-	-	-	-
UCIMAR	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>62,607,600</b>	<b>218,916</b>	<b>2,616,916</b>	<b>14,401,916</b>	<b>4,855,901</b>	<b>21,052,000</b>	<b>17,207,000</b>	<b>207,000</b>	<b>372,000</b>	<b>387,000</b>	-	-	-

Note: FORA and local jurisdiction split land sales revenue 50/50 with FORA paying sales costs from its share. Actual land sales revenue may vary from that shown here and will be determined by appraisal at time of sale.

Sources: Economic & Planning Systems "Due Diligence" memorandum to FORA Board, July 21, 1999

# APPENDIX C

## Monterey Bay Regional Water Supply Program

### Background

The Monterey Bay Regional Water Supply Project (Regional Project) is jointly proposed by the Marina Coast Water District (MCWD), the Monterey County Water Resources Agency (MCWRA), and the California American Water Company (CAW) to provide 13,100 AFY of replacement and new water supplies for the Monterey Peninsula and the former Fort Ord. The water supply is needed to replace existing supplies that are constrained by recent legal decisions affecting the Carmel River and Seaside Groundwater Basin water resources as well as to satisfy MCWD's obligations to provide a water supply adequate to meet the approved redevelopment of the former Fort Ord. The Regional Project would produce desalinated water, convey it to the existing CAW and MCWD distribution systems, and increase the system's use of storage capacity in the Seaside Groundwater Basin. The Regional Project is comprised of numerous projects and programs that, combined, meet the regional water supply needs. A Regional Project approach provides the opportunity for reducing costs, creating a broader base of benefits and beneficiaries, and provides a more environmentally sound, more reliable, and more sustainable water supply.

### Project Benefits

- Maximizing sustainability
  - Potential for creating an environmental park in which facilities can be shared and power from the Monterey Regional Waste Management District's landfill can be used
  - Reducing carbon footprint
  - Reducing environmental impacts
  - Eliminating reliability upon outside sources of energy
  - Satisfying SWRCB Order 95-10 and avoiding a 50% reduction in available water supply
- Minimizing environmental impacts
  - Restoring sustainability of over drafted Seaside groundwater basin
  - Restoring flows in the Carmel River, improving and restoring habitat for threatened and endangered steelhead fish
  - Improving condition of seawater intruded Salinas Valley Groundwater Basin
  - Reducing discharges to the Monterey Bay National Marine Sanctuary
  - Creating an intrusion barrier in the Salinas Valley Groundwater Basin
- Maximizing reliability
- Potential for obtaining grant and State Revolving Fund Funding reducing the cost of water

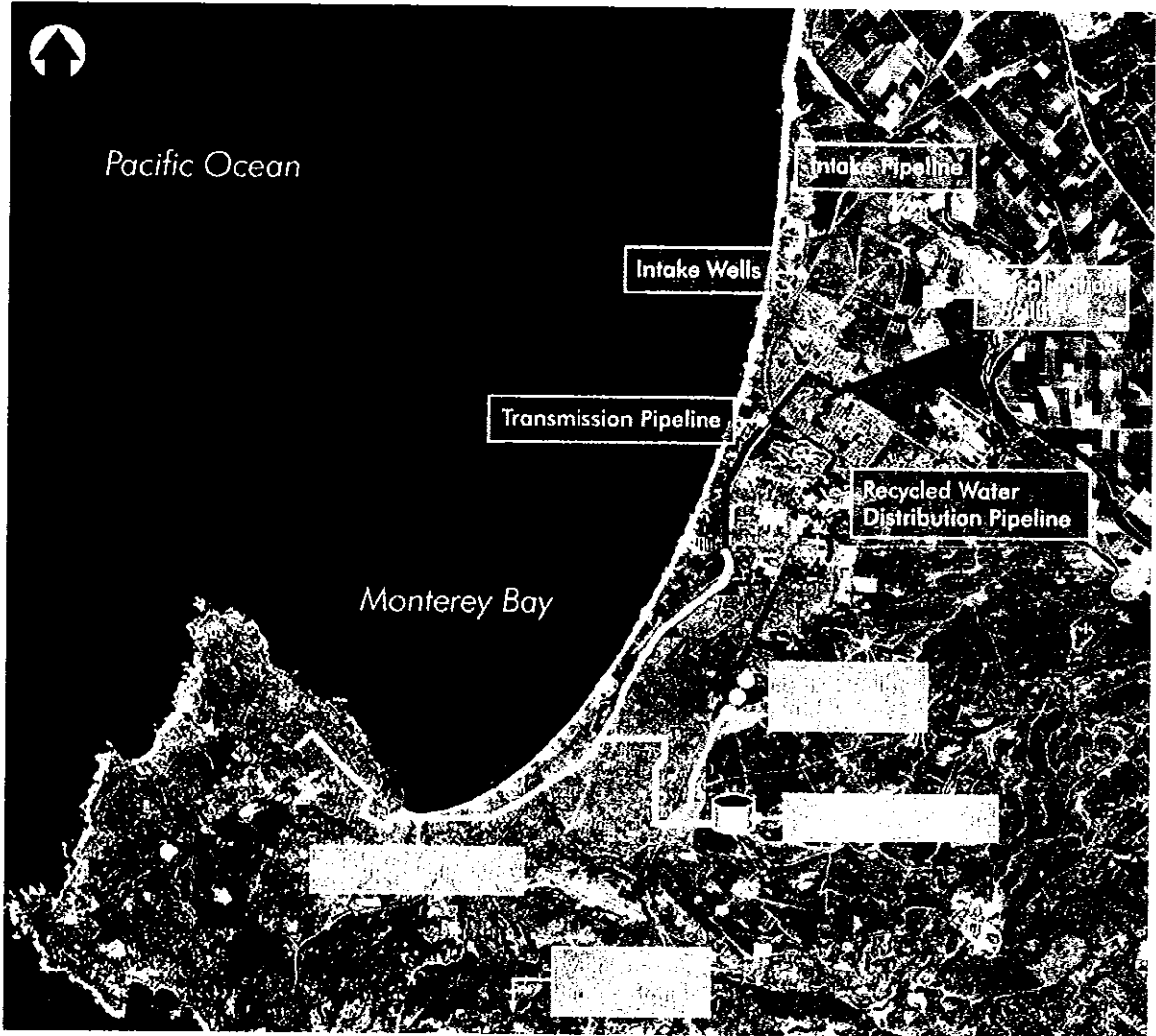
### Definitions of Terms

1. **Acre-foot:** Equivalent to the volume of water required to cover 1 acre of land (43,560 square feet) to a depth of 1 foot. Equal to 325,851 gallons or 1,233 cubic meters.
2. **AFY:** Acre-feet per year
3. **Aquifer Storage and Recovery (ASR):** Process in which water is stored underground in a designated aquifer, to be extracted for future use.
4. **Desalination:** Water treatment process for the removal of salts from saline water to produce and provide potable water.
5. **mgd:** Million gallons per day
6. **Potable Water:** Water of a quality suitable for human consumption and which meets all applicable U.S. EPA and California Department of Public Health standards.
7. **Recycled Water or Reclaimed Water:** Wastewater treated to meet California Title 22 requirements. Depending on what level of treatment, recycled water can be used for various applications including irrigation to indirect potable reuse.

## Components of the Regional Project

Component	Supply (AFY)	Description
<b>Conservation</b>		Water conservation efforts represent a potential demand reduction on the Monterey Peninsula. While it does not produce additional supply or yield, it is an important component of the analysis and was supported by public stakeholders.
<b>Seaside Aquifer Storage and Recovery (ASR)</b>	1,300	Consists of injecting excess winter flows from the Carmel River into the Seaside Groundwater Basin.
<b>Sand City Desalination</b>	300	This project is currently online.
<b>Regional Urban Water Augmentation Project (RUWAP)</b>	1,000	Recycled water will be produced at the Monterey Regional Water Pollution Control Agency (MRWPCA) and distributed to the MCWD. RUWAP has the capability of future expansion.
<b>Regional Desalination Facility</b>	10,500	Reverse osmosis treatment plant with a peak production rate of 10 million gallons per day (mgd). Source water anticipated to be a blend of ocean water and brackish water from wells located between Hwy 1 and the coastal dunes.
<b>TOTAL</b>	<b>13,100</b>	

Regional Project Overview Map



**DEVELOPMENT FEE ALLOCATION AGAINST OBLIGATIONS OVER CIP HORIZON (10-11 - 21-22)**

**I. ALLOCATION OF CFD FEES AGAINST OBLIGATIONS**

	\$	%	\$
Forecast Revenues from Developer Fees (DF)	<b>286,624,000</b>	Per Project	Per \$1
<b>Cost Per Capital Projects:</b>			
1 Transportation/Transit	115,725,928	40.38%	0.4038
2 Potable Water Augmentation	22,545,015	7.87%	0.0787
3 Storm Drainage System	-	0.00%	0.0000
4 Habitat Management (1)	31,016,924	10.82%	0.1082
5 Fire Rolling Stock	464,000	0.16%	0.0016
6 Other Costs & Contingency	116,872,133	40.78%	0.4078
<b>Totals</b>	<b>286,624,000</b>	<b>100.00%</b>	<b>1.0000</b>

**II. ALLOCATION TO TRANSPORTATION/TRANSIT**

Transportation Costs - FORA Share		115,725,928		
Allocation of DF to Transportation		<b>\$ 0.4038</b>		
<u>Transportation Project Obligations</u>		<u>FORA Cost/Project</u>	<u>Allocation to Projects</u>	
		\$	%	\$
<b>Regional Highway Projects</b>				
R3	Highway 1-Seaside/Sand City	19,409,950	16.77%	0.0677
R10	Hwy 1- Monterey Road Interchange	3,170,988	2.74%	0.0111
R11	Hwy 156 - Freeway Upgrade	9,007,750	7.78%	0.0314
R12	Hwy 68 Operational Improvements	284,070	0.25%	0.0010
	Sub-total Regional	31,872,758	27.54%	0.1112
<b>Off-Site Improvements</b>				
1	Davis Rd n/o Blanco	643,886	0.56%	0.0022
2B	Davis Rd, s/o Blanco	10,992,066	9.50%	0.0384
4D	Widen Reservation, 4-lane to Watkins Gate	4,319,971	3.73%	0.0151
4E	Widen Reservation, Watkins Gt to Davis	2,814,945	2.43%	0.0098
8	Crescent St. extend to Abrams	1,151,913	1.00%	0.0040
	Sub-total Off-Site	19,922,781	17.22%	0.0695
<b>On-Site Improvements</b>				
FO2	Abrams (Crescent to 2nd Avenue connection)	964,727	0.83%	0.0034
FO5	8th. Street	4,795,636	4.14%	0.0167
FO6	Inter-Garrison	3,712,241	3.21%	0.0130
FO7	Gigling	6,862,675	5.93%	0.0239
FO9C	General Jim Moore Blvd	6,066,767	5.24%	0.0212
FO11	Salinas Avenue	3,858,908	3.33%	0.0135
FO12	Eucalyptus Road	5,388,584	4.66%	0.0188
FO13B	Eastside Rd (New alignment)	15,719,819	13.58%	0.0548
EO14	South Boundary Road upgrade	2,798,862	2.42%	0.0098
	Sub-total On-Site	50,168,220	43.35%	0.1750
	<b>Total Transportation</b>	<b>101,963,759</b>	<b>88.11%</b>	<b>0.3557</b>
<b>Transit Capital Obligations</b>				
T3	Transit Vehicle Purchase & Replacement	7,682,625	6.64%	0.0268
T22	Intermodal Centers	6,079,544	5.25%	0.0212
	<b>Total Transit</b>	<b>13,762,169</b>	<b>11.89%</b>	<b>0.0480</b>
	<b>Grand Totals</b>	<b>115,725,928</b>	<b>100.00%</b>	<b>0.4038</b>

Notes:

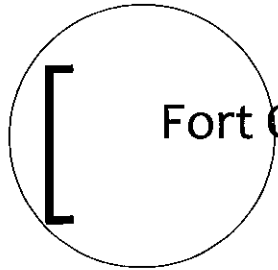
- (1) 25% of each dollar collected is directly allocated to Habitat Mangement obligation. When this obligation is met, the % allocation to projects will change. Similarly, the allocation formula will change as other obligations are satisfied.

## Proposed CIP Work Plan – September 2010 to June 2011

	Sept. 2010	Oct.	Nov.	Dec./ Jan. 2011	Feb.	Mar.	Apr.	May	June
1									
2									
3									
4									
5									
6									
7									
8									
9									

1. FORA Admin./CIP review CIP storm water obligations, HCP, and transportation obligations
2. Review fire rolling stock and water augmentation obligations
3. Review other costs and contingencies and building removal obligations
4. Review land sale/lease proceeds and other funding sources
5. Report summary to FORA Board
6. Review post-2014 FORA CIP obligations
7. Review post-2014 FORA CIP funding sources
8. Summarize review of post-2014 FORA CIP obligations and funding sources
9. Report summary to FORA Board

**ATTACHMENT B**  
 Item 6b  
*FORA Board Meeting, July 9, 2010*



Presentation to the  
**Fort Ord Reuse Authority**  
Board of Directors

July 9, 2010

**Capital Improvement Program (CIP)**

**Fiscal Year 2010/11 – 2021/22**

1



**FY 2010/2011 Draft CIP  
Significant Updates**



- Engineering News Record Construction Cost Index  
1.3% adjustment for 2010/2011
- Transportation/Transit
  - General Jim Moore Boulevard (GJMB) Phase IV and Eucalyptus Road Phase I construction completed
  - \$6.4M American Reinvestment and Recovery Act grant (plus 50% local match; \$12.8M total funding amount)
  - GJMB Phase V and Eucalyptus Road Phase II construction underway
- Appendix C updated describing potable water augmentation program

2



**2010/11 Remaining CIP obligations  
under the Base Reuse Plan**

■ Transportation/Transit	\$115,725,928
■ Water Augmentation	\$ 22,545,015 <sup>1</sup>
■ Habitat Management	\$ 31,016,924 <sup>2</sup>
■ Fire Rolling Stock	\$ 464,000
■ Total	\$169,751,867

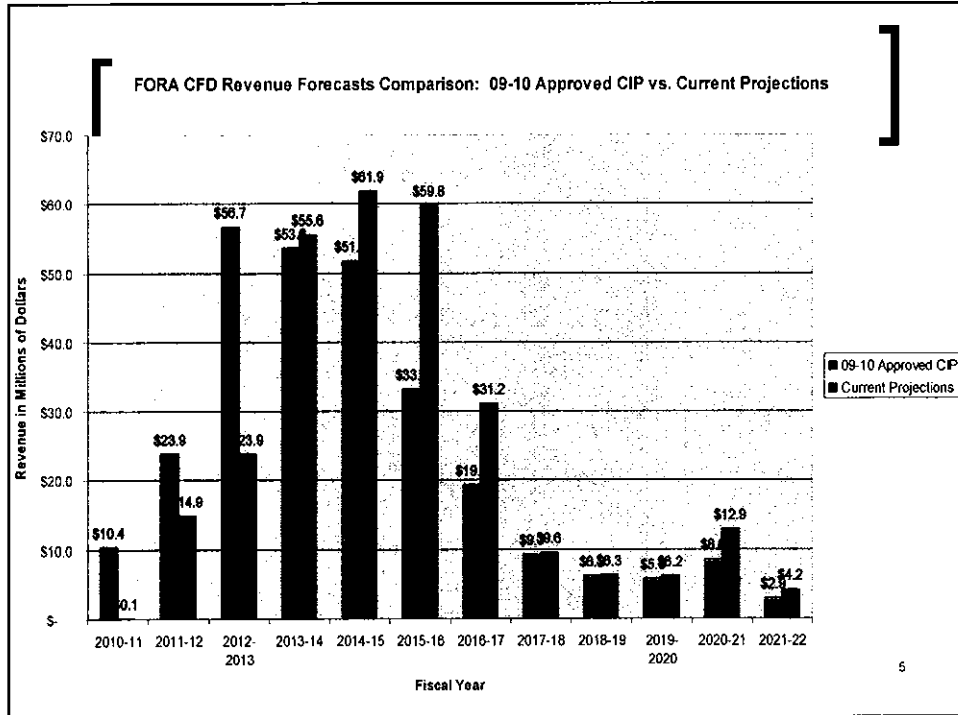
<sup>1</sup> This reflects FORA's obligation to water augmentation under CEQA. The amount does not include the approximately \$24M FORA Board voluntary contribution to offset MCWD capacity charges.

<sup>2</sup> This is an estimate, the final amount is subject to approval by US Fish and Wildlife Service and California Department of Fish and Game.

**2010/11 Transportation Project Priorities**

- Off-Site Improvements
  - \$0.3M Davis Road – as recommended by joint Administrative/CIP committee to secure Monterey County federal funding
- On-Site Improvements
  - \$2.5M GJMB – completion of Phase V and VI
  - \$3.7M Eucalyptus Road – completion of Phase II and III
  - \$0.3M Eastside Parkway\* – preparatory work for environmental document

\* The FORA Board established Eastside Parkway as the CIP priority in December 2009



### CIP Program History

(Major funding sources: grants, land sales, CFD fees, loan proceeds, revenue bonds and tax increment)

	94/95 through 09/10	Anticipated 10/11
■ Transportation/Transit	\$55M	\$6.8M
■ Water Augmentation	\$0.5M	\$21K
■ Storm Drainage System	\$1.6M	completed
■ Habitat Management	\$4M	\$37K
■ Fire Fighting Enhancement	\$.7M	\$116K
<b>Totals to Date</b>	<b>\$61M<sup>1</sup></b>	<b>\$7M<sup>2</sup></b>
■ Building Removal Program	\$29M	\$0

<sup>1</sup> Reference Draft CIP Table 1  
<sup>2</sup> Reference Draft CIP Table 3

6

## Joint Administrative/CIP Committee recommendation to FORA Board

- Motion approved at June 30<sup>th</sup> joint meeting
  - Present the current draft FY 2010/11 CIP document to the FORA Board for approval
  - Recognize the ongoing process at the Administrative/CIP committee level that could lead to amendments
  - Administrative Committee endorse the staff recommended long range work plan that will focus on the multi-year CIP

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## Administrative/CIP Committees Proposed CIP Work Plan

- September 2010
  - Review CIP storm water obligations, HCP and transportation obligations
- October 2010
  - Review fire rolling stock and water augmentation obligations
- November 2010
  - Review other costs and contingencies and building removal obligations
- Dec. 2010/Jan. 2011
  - Review land sale/lease proceeds and other funding sources
- February 2011
  - Report summary to FORA Board
- March 2011
  - Review post-2014 FORA CIP obligations
- April 2011
  - Review post-2014 FORA CIP funding sources
- May 2011
  - Summarize review of post-2014 FORA CIP obligations and funding sources
- June 2011
  - Report summary to FORA Board

8

## CIP Questions/Correspondence

- Attachment A – FORA response to June 30, 2010 City of Marina letter
- Attachment B – June 30, 2010 City of Marina letter
- Attachment C – June 29, 2010 Building Industry Association (BIA) letter
- Attachment D – June 16, 2010 FORA memo regarding responses to June 1, 2010 City of Marina letter
- Attachment E – June 1, 2010 City of Marina letter
- Attachment F – July 9, 2010 City of Marina letter (hand-delivered to the FORA offices at 5:00 p.m. July 8, 2010)
- Attachment G – July 8, 2010 BIA letter, received July 9, 2010

9

## CIP Contingencies & Other Costs

- Future CEQA mitigations – unknown
- Final approval of the Habitat Conservation Plan – to be determined
- Subsurface contaminants / discoveries
- Potable water augmentation - \$23M
- Actual land sales / Tax increment collections
- Additional project costs

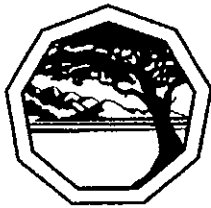
10

[ Requested Board Action ]

- Approve the Draft FY 2010/2011 through 2021/22 Capital Improvement Program  
(as recommended by FORA staff,  
CIP Committee and Administrative Committee)
- Approve CIP work plan for the next year

**Questions?**

11



## FORT ORD REUSE AUTHORITY

100 12TH STREET, BUILDING 2880, MARINA, CALIFORNIA 93933

PHONE: (831) 883-3672 - FAX: (831) 883-3675

WEBSITE: [www.fora.org](http://www.fora.org)

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July 8, 2010

Douglas A. Yount  
Development Services Director  
City of Marina Development Services Department  
3056 Del Monte Blvd. Suite 205  
Marina, CA 93933

**RE: Response to your questions concerning the Fort Ord Reuse Authority ("FORA")  
FY 2010/11 Capital Improvement Program**

Dear Doug:

This letter responds to the letter you delivered on June 30, 2010 at the Joint Administrative and Capital Improvement Program (CIP) Committee meeting. That letter referenced the responses by Acting Assistant Executive Officer Steve Endsley to your prior letter of June 1, 2010. Your June 30, 2010 letter did not allow time for staff or the Administrative Committee members to respond before the July 9 Fort Ord Reuse Authority (FORA) Board meeting packet was considered by the Executive Committee that same day. As you may be aware, the Joint Administrative and CIP Committees voted to recommend that the FORA Board adopt the CIP as reviewed by the Committees on July 1, 2010.

There is a both a preemptory and adversarial tone to your letter, as it raises questions about the effect of the past ten years of ongoing briefings about the FORA Capital Improvement Program. The almost litigious tone of your letter is inconsistent with the collegial approach that the Administrative Committee continues to use in addressing the programmatic and technical issues facing Fort Ord reuse. It also appears that the 22 questions in your letter, many of which are compound, seem less designed to elicit information and more intended to extend opinions or question FORA's past practices. If you were genuinely interested in improving your understanding of the issues you raise in your letter, rather than in making a written record for later use, you would have arranged to discuss these issues with the Administrative Committee in the historical face-to-face collegial approach – especially as the co-chair. In addition, I have offered repeatedly to meet with you to discuss any of these concerns or questions. You did not even choose to call to indicate you would be delivering the letter on June 30 – catching all of the Administrative Committee by surprise.

For the record, the City of Marina participated fully in each of the decisions that form the nucleus of your questions. Representatives of the City of Marina voted in favor of each of the related decisions. Furthermore, the answers to your questions are all to be found in documents supplied to the City of Marina elected and professional representatives to FORA. Responding to your redundant questions imposes an increasingly onerous burden on FORA staff. Despite that fact, and in an effort to provide the best answers to your questions, we will specifically reference where you can find the responses in existing documents – all of which were provided to you, your Marina staff, and elected colleagues participating in actions leading to their adoption. We have also recommended that the FORA Board adopt a work plan that will further

review the longer term questions about the CIP that are stated in your letter, and the Administrative Committee also recommends that the FORA Board adopt that work plan.

As you know, this is at least the fourth round of questions you have raised on this topic. You first asked a series of questions about the CFD fee at several of the CIP planning meetings going back to last fall. You asked more questions as staff offered full descriptions of the past program elements and the history at the April 28 and May 19, 2010 Joint Administrative/CIP Committee meetings. Despite having been given clear answers at each of these meetings, you then posed ten similar questions in your letter of June 1, 2010. Those ten questions have now spawned 22+ more, some reiterating prior questions.

Nonetheless, my staff and I have gone through your questions and have provided detailed specific response and or reference for each of your 22+ questions, attached to this letter.

Finally, letters like yours are normally responded to by FORA staff because they are more familiar with our day-to-day technical operations – as Steve Endsley responded to your June 1, letter. I have accepted the unusual responsibility for responding to your letter because it was addressed to me and in the hope that this will bring to a close what we regard as a negative cycle in the professional working relationship between your office and FORA.

Respectfully,



Michael Houlemard  
Executive Officer

Cc: FORA Administrative Committee (with copies of previous communication)  
FORA Board of Directors (with copies of previous communication)  
Marina City Council (with copies of previous communication)  
Authority Counsel Jerry Bowden (with copies of previous communication)  
Acting Assistant Executive Officer Steve Endsley (with copies of previous communication)

#### ATTACHMENTS

Attachment A – FORA's Responses to letter from City of Marina, dated June 30, 2010  
Attachment B – Copy of letter from City of Marina, dated/delivered June 30, 2010  
Attachment C – Attachment E – Copy of letter from Building Industry Association (BIA), dated June 29, 2010  
Attachment D – FORA's Memo dated June 16, 2010, regarding Responses to letter from City of Marina, dated June 1, 2010  
Attachment E – Copy of letter from City of Marina, dated June 1, 2010  
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Attachment G – Copy of letter from Building Industry Association (BIA), dated July 9, 2010

**Questions posed by Doug Yount, City of Marina, June 30, 2010**  
***RESPONSES by FORA, July 8, 2010***

1. QUESTION: As I understand it, FORA was charged with addressing the CIP which was approved as part of the Reuse Plan (Vol. 3, App. B of the Fort Ord Reuse Plan), as well as the original Mitigation Monitoring Program (Vol. 4 of the Reuse Plan), and the items outlined in the Settlement Agreement with the Sierra Club, all in accordance with the 2001 Implementation Agreement between FORA and individual jurisdictions. Is this a correct summary of the history and current obligations? If not, please provide me a basic summary so that I may explain to interested parties the manner in which FORA's obligations are defined.  
  
**RESPONSE: *The 2001 FORA/jurisdictions Implementation Agreements (I/As) were executed four years after adoption of the Base Reuse Plan (BRP) and Sierra Club settlement agreement. The CIP process supersedes those I/As. The original mitigation measures incorporated into the CIP were a in the 1997BRP Public Facilities Improvement Plan (PFIP). The 2005 Fee Reallocation Study was approved by TAMC, redistributing transportation impact obligations.***
  
2. QUESTION: What is the status of the Mitigation Monitoring Program, and which projects still remain to be completed under the original CIP?  
  
**RESPONSE: *This question is directly addressed in the FY 2010/11 – 2021/22 Draft CIP.***
  
3. QUESTION: What authority does FORA have to fund facilities outside of the scope of the original CIP and the Mitigation Monitoring Program?  
  
**RESPONSE: *FORA's authority is in the FORA Act and the Mello-Roos Act. In addition, FORA may adjust CIP details when modifications address BRP required mitigations.***
  
4. QUESTION: The 2002 FORA Community Facilities District (CFD) was approved as a mechanism to assist with funding of the CIP. Assuming this is correct, please identify what items may be funded with CFD funds that may be outside of the scope of the original CIP.  
  
**RESPONSE: *Your assumption is not completely accurate with regard to the purpose of the CFD. The CFD was enacted to fund certain elements of the original CIP including but not limited to: Roadway Improvements, Transit Improvements and Vehicles, Water and Storm Drain Improvements, Habitat Management, Other Public Facilities, Administrative fees and expenses related to the district, and reimbursement of certain other costs.***
  
5. QUESTION: What other sources of funding are utilized to supplement the CFD funding of the CIP, and if those sources are received, why is the CFD obligation not reduced accordingly?  
  
**RESPONSE: *This question was answered in our prior letter. Also, see responses to your questions 18-21 herein.***
  
6. QUESTION: What is the reason for the 2012 assessment of the Base Reuse Plan as referenced in the Staff Response to Question No. 1? Why can this not be done now? What is involved in that assessment of expenses?  
  
**RESPONSE: *The 1998 Sierra Club settlement requires FORA to review or reassess the BRP prior to FORA sunset on June 30, 2014. We have reported to the FORA Board at its June 11, 2010 meeting that these processes take approximately two years.***
  
7. QUESTION: Please explain how the existing CFD fee was adopted and what nexus study was utilized. As I do not believe that any nexus study was prepared, please explain why this was not done and how I can justify this to stakeholders being asked to pay this fee or the CFD on which the base wide fee was established, if there was no nexus.



**RESPONSE: Under State of California Mello-Roos law, a Public Facilities District (which the FORA CFD is) does not require a direct nexus between location of projects constructed and fees collected. Nonetheless, FORA relied on the TAMC Transportation Plan for the region to create a list of certain projects and the appropriate traffic and other analysis was performed, with fair share assigned. These analyses were folded into the 1997BRP.**

8. QUESTION: In the Staff Response, Mr. Endsley mentioned that of the \$120 million of contingency costs, approximately \$50 million to \$70 million is allocated for overhead/administration of the CIP. How is that allocated to specific authorized facilities of the CFD?

**RESPONSE: Contingencies are un-anticipated, un-budgeted, unknown occurrences for which funds are set aside to provide funding as the contingencies may occur. Facilities of the CFD are taken to be the components of the CIP. To the limits of construction cost estimating, the CIP components include all costs associated with the completion of any CIP component including overhead and administration. If the actual cost of the CIP component exceeds the CIP obligation the shortfall is covered by contingency reserves. Authorization to allocate CFD funds rests with the FORA Board.**

9. QUESTION: Is it normal to have such a high percentage (30-40%) of the CFD revenue allocated to overhead and administration with only \$169.7 million in project costs still remaining?

**RESPONSE: The costs and contingencies are a direct result of our experience building projects and negotiating for Habitat Conservation Planning over the past 14 years. Our last letter described more specifically where our other Costs and Contingencies are derived. Please refer to that response.**

10. QUESTION: I would ask that FORA staff consult with outside legal counsel that assisted with the establishment of the CFD in 2001-2002 to review whether additional contingency costs that have been identified to date are CFD eligible costs.

**RESPONSE: We believe that contingency costs are eligible CFD costs. See, for example, our response to #4 above. If we did not collect sufficient contingency monies and for some reason we were unable to complete the required facilities, the FORA jurisdictions and/or successor agency would be 'on the hook' for these costs. We will consult the CFD counsel when we deem that necessary.**

11. QUESTION: As stated in the Staff Response, "[t]he contingency provided by the CFD is not earmarked for the CIP but is targeted for funding any and all expenses of the redevelopment and reuse of the former Fort Ord, including the CIP" (Response to Question No. 2; italics added). Is the CFD authorized to fund everything at former Fort Ord as the response suggests?

**RESPONSE: Expenditure of CFD funds is confined to the purposes described in Exhibit A to the Notice of Special Tax Lien recorded as document 2002048932 on May 22, 2002. That document is attached to this response. Exhibit A authorizes use of CFD funds for "roadway improvements within and in the vicinity of the District identified in the current [as of the date of the expenditure] ...CIP or otherwise necessary by reason of ...development ... within and adjacent to the District, including but not limited to the following... [list]." The final sentence of Exhibit A allows use of CFD funds to pay soft costs of capital projects.**

**Our response to question #2 in our previous letter showed the kind of other costs and contingencies that have arisen in the past. These are a combination of actual and projected other costs and contingencies. They include, by way of examples:**

- a) **Unknown additional transportation costs;**
- b) **ESCA change orders required to clean land prior to construction;**
- c) **Caretaker costs for CIP project sites;**
- d) **Increased habitat conservation plan costs;**

- e) *Storm drain restoration;*
- f) *Utility relocation (required prior to road and infrastructure construction);*
- g) *Increased costs of water augmentation program;*
- h) *Construction cost phasing;*
- i) *Unknown future CEQA mitigations for CIP projects;*
- j) *Financing costs for capital improvements;*
- k) *Repayment of loans and non-CFD monies advanced for CFD eligible projects;*
- l) *Shortfalls in CFD fee index;*
- m) *Added project costs caused by unknown sub-surface conditions;*
- n) *FORA overhead/administration and standard construction project contingencies;*
- o) *Unanticipated sound walls and project landscaping;*
- p) *Provision for underground telecommunications infrastructure;*
- q) *and bike paths.*

**All of these activities are eligible CFD expenditures and we agree that the phrase 'any and all expenses' should be stricken.**

12. QUESTION: Please explain the specific limitation of CFD expenditures.

**RESPONSE: This question has been answered in our response to questions 4, 10 and 11 above. You may find more reference in FORA Board resolutions 01-16 and 01-10 in your files. You may also want to review the Community Facilities District report dated January 18, 2002, (also in your files).**

13. QUESTION: If some of the CIP contingency costs aren't 100% eligible to be funded with the CFD, what is our legal exposure to keeping the CFD special tax at the minimum rate?

**RESPONSE: This question is pure speculation and unfounded. We believe there is no legal exposure and that all expenditures have been eligible. We are not, however, in a position to offer legal advice. We suggest you pose this question to your counsel.**

14. QUESTION: Can you provide an example of a previous completed facility and how it was funded by the various revenue sources of the CIP?

**RESPONSE: General Jim Moore Blvd. (Normandy south to north of South Boundary);**  
**Phase 1: EDA grant \$ 834K**  
**CFD funds \$ 156K**  
**Phase 2: EDA grant \$ 273K**  
**CFD funds \$ 4.7M**  
**Phase 3: CFD funds \$ 3.5M**  
**Phase 4: CFD funds \$0 (financed by FORA line of credit)**  
**Phase 5: EDA grant \$ 3.5M – not final/in progress**  
**CFD funds \$0 (financed by FORA loan)**

15. QUESTION: What percentage of the offsite and regional transportation and transit obligations are funded from the CFD?

**RESPONSE: Offsite and Regional transportation 'shares' were determined by TAMC analysis and action for the original CIP and for the 2005 FORA Fee Reallocation Study. FORA's share offsite or regional obligations were to be funded from CFD taxes.**

16. QUESTION: Staff's Response to my Question No. 6 stated that the CIP costs estimates were "validated" in April 2005. What does "validated" mean? What professional performed this task?

**RESPONSE: Validated means TAMC developed the original cost estimates and had the final say over whether the adjustments made in 2005 were appropriate and in keeping with the required mitigation.**

17. QUESTION: Staff Response to Question No. 6 stated that "FORA now has 100% funding obligation for former Fort Ord transportation projects." Are these projects funded in whole or in part by the CFD? If so, is this in keeping with the original CIP on which the CFD was established?

**Response: All mitigation projects are the obligation of development creating the impact. The CIP transportation projects are CFD funding obligations. We noted in our last letter that federal and state funding has helped FORA to stay abreast of construction costs and moved some projects ahead of development construction or the actual impact. We do not believe the intent of your letter is to contend that a public grant relieves a development of the mitigation obligation. The content of the original CIP is irrelevant to whether a project in the current or future CIP is eligible for CFD funding.**

**The 2005 FORA Fee Reallocation Study maintains the total financial obligation of the BRP's PFIP by decreasing FORA's obligation to mitigate regional and off-site transportation impacts and increasing on-base obligations. Thereby the CFD's obligation to the CIP was held in exact compliance with the BRP and its PFIP.**

18. QUESTION: Page 3, Section 5 of the Executive Summary of the Draft CIP states that "FORA has successfully advanced approximately \$67 million in capital improvements, predominantly funded by CFD fees, grants...and a FORA bond issue." Can you provide a breakdown of the CIP projects completed and non-CIP projects completed?

**RESPONSE: There are no FORA capital projects outside of the CIP. There is no such thing as a "non-CIP project."**

19. QUESTION: In addition, please explain how completing this work reduced the CFD obligations.

**RESPONSE: Please see the answer to #18.**

20. QUESTION: The outside funding identified in the Staff Response to Question No. 7 suggests that over \$50 million has been received by FORA. Can you provide a breakdown of how these funds have been applied to CIP and non-CIP projects?

**RESPONSE: As explained above, there are no 'non-CIP projects'. All funds obtained from sources are accounted for in the CIP and the projects to which they have been applied are also accounted for in the CIP as the CIP is revised for FORA Board consideration and adoption.**

21. QUESTION: Has any of this funding reduced the obligations under the CFD? If not, why not?

**RESPONSE: In April 2005, the 'Fee Reallocation Study' set the value of remaining FORA CIP transportation impact mitigation projects at \$104,230,288. Since that date, FORA has invested \$26,703,987 in CIP transportation impact mitigation projects. While FORA was making this investment, the Construction Cost Index has inflated FORA's remaining obligation under the CIP to \$101,963,759. More clearly, over a five year period, an investment of \$26.7 million has yielded a \$2.3 million reduction in obligation and avoided approximately \$24.4 million in additional cost due to inflation.**

22. QUESTION: The explicit intent of the 2001 Implementation Agreement between FORA and its member agencies was that the formation of the Financing District and funding would be limited to the "gap between revenues needed by FORA...and the revenues otherwise reasonably available to FORA..." It appears that any outside funds received, e.g. grants, are not utilized to reduce this "gap" that is to be funded by the CFD, but are used to fund projects otherwise funded by the CFD, but with no corresponding reduction to the CFD obligations. If this is an inaccurate assumption, please provide an explanation.

**RESPONSE: Your assumption is incorrect. As explained above, grant funds have allowed FORA to stay roughly abreast of construction cost inflation during the life of the project.**

EXHIBIT A

FORT ORD REUSE AUTHORITY  
BASEWIDE COMMUNITY FACILITIES DISTRICT

DESCRIPTION OF FACILITIES ELIGIBLE TO BE FUNDED BY THE DISTRICT

FACILITIES

It is intended that the District will finance all or a portion of the costs of any of the following types of facilities:

A. Roadway Improvements: roadway improvements within and in the vicinity of the District identified in the Authority's current Capital Improvement Plan (the "CIP") or otherwise necessary by reason of, or incident to, the development of the property within and adjacent to the District, including but not limited to the following (parenthetical references are to the CIP):

Highway 1 (CIP #R3)	Abrams (CIP #FO2)
Highway 68 Bypass Freeway (CIP #R6)	12th Street/Imjin Road (CIP #FO3)
Highway 218 (CIP #R9)	Blanco Road/Imjin Road (CIP #FO4)
Davis Road (CIP #1)	8th Street (CIP #FO5)
Davis Road (CIP #2)	Inter-Garrison Road (CIP #FO6)
Blanco Road (CIP #3)	Gigling Road (CIP #FO7)
Reservation Road (CIP #4)	2nd Avenue (CIP #FO8)
Del Monte Boulevard (CIP #5)	General Jim Moore Boulevard (CIP #FO9)
Del Monte Boulevard (CIP #6)	California Avenue (CIP #FO10)
California Avenue (CIP #7)	Salinas Avenue (CIP #FO11)
Crescent Court (CIP #8)	Eucalyptus Road (CIP #FO12)
Gateway & misc. improvements (CIP #FO1)	Eastside Road (CIP #FO13)

B. Transit Improvements and Vehicles: transportation system facilities, and related equipment and transit vehicles with an estimated useful life of five years or longer, identified in the CIP or otherwise necessary by reason of, or incident to, the development of the property within and adjacent to the District, including but not limited to the following (parenthetical references are to the CIP):

Transit vehicles (CIP #T3)  
Intermodal centers (CIP #T22)

C. Water and Storm Drain Improvements: water system and storm drain improvements within or in the vicinity of the District necessary by reason of, or otherwise incident to, the development of the property within and adjacent to the District, including but not limited to:

Potable water augmentation facilities  
Storm drainage system

D. Habitat management: costs related to habitat management within or in the vicinity of the District, or otherwise incident to or required by reason of development of the

property within and adjacent to the District, including but not limited to habitat management on parcels owned by the University of California within or adjacent to the District.

E. Other Public Facilities: facilities incident to the provision of public safety to the area within and in the vicinity of the District, including but not limited to the construction and equipping of a fire station to be located within or in the vicinity of the District.

Each of the foregoing shall include, without limitation, costs related to: all work and activities to study, review environmental impacts and mitigation measures, planing and design, and all work to construct and install the improvements, including (as applicable) but not limited to, acquisition of right of way and land, soils testing, mobilization, permits, plan check and inspection fees, legal and overhead costs, clearing, grubbing, coordination and supervision costs, tree removal, environmental mitigation actions, grading, protective fencing and erosion control, trenching (including shoring and backfill), base and finish paving and pavement restoration, curbs, gutters and sidewalks, signage and striping, signalization, landscaping and irrigation, lighting, relocation of existing facilities and improvements which are in existence and are to be retained in a different location, and related appurtenances.

#### OTHER

The District may also fund any of the following:

1. Administrative fees and expenses of the Authority related to the District.
2. Reimbursement of costs related to the formation of the District, including costs of engineers, special tax consultants, attorneys, and any other consultants incurred or advanced by the Authority, any landowner in the District, or any party related to any of the foregoing, as well as reimbursement of any costs advanced by the Authority, any landowner in the District or any party related to any of the foregoing for facilities, fees or other purposes or costs of the District.
3. Any other costs described in Section 53317(e) of the Law and not specifically listed above.



CITY OF MARINA  
Development Services Department  
3056 Del Monte Blvd., Ste. 205 | Marina, CA 93933  
Ph: (831) 384-7324 | Fax: (831) 384-7324  
www.ci.marina.ca.us | DSD@ci.marina.ca.us

June 30, 2010

Michael Houlemard  
Executive Officer  
Fort Ord Reuse Authority  
Marina, CA 93950

RE: Draft FY 2010-2011 FORA CIP; Follow-up to June 1 Letter

Dear Mr. Houlemard:

A handwritten signature in black ink that reads "Michael".

Thank you for your June 16, 2010, response from Mr. Steve Endsley, FORA, Director of Planning and Finance, to my June 1, 2010 letter ("Staff Response").

While there was some helpful information in the Staff Response, much of the letter has triggered greater concern on my part as to the manner in which the CIP and the FORA CFD are being implemented. As representatives of public agencies, it is critical that the process for the adoption of any fee or implementation of special tax be transparent and explainable to our committee, the FORA Board, stakeholders and members of the public.

At this time, I have ongoing concerns that I would appreciate you addressing promptly so that the FORA Board can benefit from this information before they are asked to consider and approve the FY 2010-2011 FORA CIP on July 9, 2010. I do not feel that I have sufficient information at this time to make a positive recommendation of the Draft FY 2010-2011 FORA CIP for reasons that I will discuss below.

Scope of the Capital Improvement Program and Basis for Existence:

1. As I understand it, FORA was charged with addressing the CIP which was approved as part of the Reuse Plan (Vol. 3, App. B of the Fort Ord Reuse Plan), as well as the original Mitigation Monitoring Program (Vol. 4 of the Reuse Plan), and the items outlined in the Settlement Agreement with the Sierra Club, all in accordance with the 2001 Implementation Agreement between FORA and individual jurisdictions. Is this a correct summary of the history and current obligations? If not, please provide me a basic summary so that I may explain to interested parties the manner in which FORA's obligations are defined.
2. What is the status of the Mitigation Monitoring Program, and which projects still remain to be completed under the original CIP?
3. What authority does FORA have to fund facilities outside of the scope of the original CIP and the Mitigation Monitoring Program?

4. The 2002 FORA Community Facilities District (CFD) was approved as a mechanism to assist with funding of the CIP. Assuming this is correct, please identify what items may be funded with CFD funds that may be outside the scope of the original CIP?
5. What other sources of funding are utilized to supplement the CFD funding of the CIP, and if those sources are received, why is the CFD obligation not reduced accordingly?
6. What is the reason for the 2012 assessment of the Base Reuse Plan as referenced in the Staff Response to Question No. 1? Why can this not be done now? What is involved in that assessment of expenses?
7. Please explain how the existing CIP fee was adopted and what nexus study was utilized. As I do not believe that any nexus study was prepared, please explain why this was not done and how I can justify this to stakeholders being asked to pay this fee or the CFD on which the base wide fee was established, if there was no nexus.

Contingency Costs/ CFD Eligibility:

8. In the Staff Response, Mr. Endsley mentioned that of the \$120 million of contingency costs, approximately \$50 million to \$70 million is allocated for overhead/administration of the CIP. How is that allocated to specific authorized facilities of the CFD?
9. Is it normal to have such a high percentage (30-40%) of the CFD revenue allocated to overhead and administration with only \$169.7 million in project costs still remaining?
10. I would ask that FORA staff consult with outside legal counsel that assisted with the establishment of the CFD in 2001-2002 to review whether additional contingency costs that have been identified to date are CFD eligible costs.

CFD Implementation:

11. As stated in the Staff Response, "[t]he contingency provided by the CFD is not earmarked for the CIP but is targeted for funding *any and all expenses of the redevelopment and reuse of the former Fort Ord, including the CIP*" [Response to Question No. 2; italics added]. Is the CFD authorized to fund everything at former Fort Ord as the response suggests?
12. Please explain the specific limitations of CFD expenditures.
13. If some of the CIP contingency costs aren't 100% eligible to be funded with the CFD, what is our legal exposure to keeping the CFD special tax at the maximum rate?
14. Can you provide an example of a previous completed facility and how it was funded by the various revenue sources of the CIP?

Offsite and Regional Transportation Obligations:

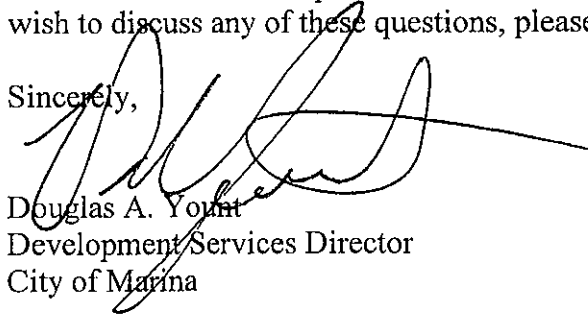
15. What percentage of the offsite and regional transportation and transit obligations are funded from the CFD?
16. Staff's Response to my Question No. 6 stated that the CIP cost estimates were "validated" in April 2005. What does "validated" mean? What professional performed this task?
17. Staff Response to Question No. 6 stated that "FORA now has 100% funding obligation for former Fort Ord transportation projects." Are these projects funded in whole or in part by the CFD? If so, is this in keeping with the original CIP on which the CFD was established?

Outside Funding:

18. Page 3, Section 5 of the Executive Summary of the Draft CIP, states that "'FORA has successfully advanced approximately \$67 million in capital improvements, predominantly funded by CFD fees, grants...and a FORA bond issue.'" Can you provide a breakdown of the CIP projects completed and non-CIP projects completed.
19. In addition, please explain how completing this work reduced the CFD obligations?
20. The outside funding identified in the Staff Response to Question No. 7 suggests that over \$50 million has been received by FORA. Can you provide a breakdown of how these funds have been applied to CIP and non-CIP projects?
21. Has any of this funding reduced the obligations under the CFD? If not, why not?
22. The explicit intent of the 2001 Implementation Agreement between FORA and its member agencies was that the formation of the Financing District and funding would be limited to the "gap between revenues needed by FORA ... and the revenues otherwise reasonably available to FORA...." It appears that any outside funds received, e.g. grants, are not utilized to reduce this "gap" that is to be funded by the CFD, but are used to fund projects otherwise funded by the CFD, but with no corresponding reduction to the CFD obligations. If this is an inaccurate assumption, please provide an explanation.

I look forward to your timely response to these questions to assist me and other public officials involved with FORA and the adoption of the Draft FY 2010-2011 FORA CIP. If you need any clarification, or wish to discuss any of these questions, please let me know at your earliest convenience.

Sincerely,



Douglas A. Yount  
Development Services Director  
City of Marina

cc: Mayor and Members of the City Council, City of Marina  
Anthony J. Altfeld, City Manager  
Christi di Iorio, Community Development Director  
Members of the Administrative Committee  
Members of the Capital Improvement Program Committee





**Crisand Giles**  
Executive Director

June 29, 2010

Joint Administrative and Capitol Improvement Committee  
Fort Ord Reuse Authority  
100 12<sup>th</sup> Street, Building 2880  
Marina, CA 93933

**RE: Request Postponing Action Item 5a: FORA Draft FY 2010/11 CIP Document**

Dear Committee Members;

On behalf of the Building Industry Association of the Bay Area (BIA) we appreciate the opportunity to comment on the adoption of the Draft 2010/11 CIP document. While we appreciate the preliminary stakeholder process to review the draft CIP and its relationship to the CFD tax, we believe it is essential that additional time be given to review and understand the program and its project prioritization prior to adopting it.

The Fort Ord Reuse Authority was created to oversee the reuse and redevelopment of the former Fort Ord military base. The CFD tax which funds the CIP has become a prohibitive cost to redevelopment that is stalling the efficient reuse of the former base. Lack of development is delaying the increase in assessed property values within the development area which generate tax increment dollars to FORA land use jurisdictions and local agencies. Collectively we are missing the opportunity for FORA jurisdictions to get much needed property tax funding, increased employment opportunities, and area housing at more affordable rates. We should be preparing ourselves to take advantage of recent reductions in site preparation, engineering, and construction costs – yet even in this down economy we are not analyzing barriers to meet the base reuse objectives.

To date the majority of funds for redevelopment activity has come from federal, state and local grants; and yet the programmatic costs remain relatively unchanged. We cannot agree with staff's response that FORA has the discretionary ability to add or modify projects in the CIP and fund them by CFD contingencies. The CFD was not established to fund any and all expenses of the redevelopment and reuse of the former Fort Ord – the CFD scope of work was defined in the Base Reuse Plan (Vol.3 App. B of the Fort Ord Reuse Plan, as well as the Mitigation Monitoring Program (Vol. 4 of the Reuse Plan) and the Items outlined in the Settlement Agreement with the Sierra Club – all in accordance with the 2001 Implementation Agreements between FORA and individual jurisdictions.

We would ask this committee to direct staff to work with us to conduct a thoughtful and transparent study of the CIP and CFD programs to identify barriers to Fort Ord redevelopment. If we wait until the market can bear the costs associated with the CFD tax to fund the CIP programs we will lose out on an opportunity to provide housing and infrastructure at current low costs. We respectfully request that the Committee does not approve the Draft 2010/2011 CIP Document until that review process is complete.

Mailing Address:  
900 E Hamilton Ave., #200  
Campbell, CA 95008

Tel (408) 963-2730  
cgiles@biabayarea.org  
<http://www.biabayarea.org>

Best regards,

A handwritten signature in black ink that reads "Crisand Giles". The signature is written in a cursive, flowing style.

Crisand Giles  
408.963.2730 Direct  
cgiles@biabayarea.org



## 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

### MEMORANDUM

Date: June 16, 2010  
 To: Doug Yount, Development Services Director, City of Marina  
 C: Fort Ord Reuse Authority ("FORA") Administrative and Capital Improvement Program ("CIP") Committees  
 From: Steve Endsley, Director of Planning and Finance  
 Re: Responses to draft FY 2010-11 FORA CIP questions

At the June 2<sup>nd</sup>, 2010 joint FORA Administrative/CIP Committee meeting, you presented a letter to the joint Committee containing draft CIP document questions. FORA staff have reviewed your questions and prepared responses below each question in *italics*. We have also addressed this memo to the joint Committee to facilitate review of the draft CIP document.

1. Looking at the slides presented at the May 19<sup>th</sup> meeting, CFD fees from New Residential, Existing Residential, Industrial/Office, Retail and Hotels will generate \$286.9 million in revenues for the CFD. While this is less than the \$291.6 million in FORA obligations, it is certainly far more than the \$169.7 million in actual costs projected. Will FORA reduce this fee in the future if it becomes apparent that not all of the contingency will be needed?

*The CIP contingencies and other costs have been developed over a period of years. Many of these expenses cannot be known until several major components are more fully processed. A determination can best be made once the BRP is assessed in 2012 and after the HCP and related permits are issued. FORA staff would seek Board direction concerning adjustments once these (and other items) are completed. It should be reiterated that FORA has adopted a Community Facilities District (CFD) over the former Fort Ord. Unlike an impact fee, a nexus study is not a required component of a CFD.*

2. FORA obligations are identified on the set of slides presented at the May 19<sup>th</sup>, meeting as \$291.6 million, and \$121.9 million of these obligations are identified as "other costs and contingency reserve." Why, at this stage of construction of these CIP items, do \$169.7 million of hard costs require \$121.9 million of contingency?

*The \$121.9 million is Other Costs and Contingencies includes: \$12.05 million in additional project costs (potential and unknown additional transportation costs, i.e. ESCA CCO), \$16.25 million in Caretaker Costs (costs associated with development delays, property management, legal, and insurance), and \$93.6 million in Contingency Reserve (increased Habitat Management costs, State Parks storm drain restoration (\$1.5 million), utilities relocation (\$2 million), Water Augmentation voluntary contribution (\$20.8 million), construction cost phasing, unknown CEQA mitigations from BRP update, financing costs, reimbursements for prior FORA*

expenses, shortfalls in FORA CFD fee inflation above 5%, and unknown subsurface conditions.). After these costs are accounted for, \$50-70 million remain in overhead/administration and contingency (see also footnote #11 for Table 3 of the draft CIP document).

The FORA Board's discretionary ability to add to or modify projects in the CIP is funded by a portion of the CFD fees attributed to "contingencies." Past examples of Board actions that required allocation from contingencies are: \$20M voluntary increase to water augmentation; the addition of a South Boundary Road improvement project; sound walls and landscaping on California Avenue; communications and bike path build-out on 2<sup>nd</sup> Avenue beyond the CIP funding limit; expedited UXO clearance for GJMB; 4-lanes for GJMB as compared to 2 lanes in the BRP/EIR; potential future CIP projects that would rely on funding from the contingency of the CFD could include modification of 8<sup>th</sup> Street east of the 8<sup>th</sup> Street cut-off; and early UXO clearance and closure for the Eastside Parkway roadway corridor.

The CFD contingency was not established as a contingency for construction projects of the CIP but rather was an amount estimated to be needed to assure full and complete development of the former Fort Ord. The traffic impact mitigations reflected in the CIP account for less than one half of all funding required by the CFD.

The contingency provided by the CFD is not earmarked for the CIP but is targeted for funding any and all expenses of the redevelopment and reuse of the former Fort Ord, including the CIP.

3. What is going to be done with the excess \$121.9 million in contingency?

See response #2 above. There is no identified excess.

4. Why are the contingency costs increasing each year when projects are being completed? Shouldn't contingency decrease as each project is built?

An example of increasing costs are "other project costs" (see description of response #2 above). In 2007, in order to continue the General Jim Moore Boulevard ("GJMB") construction project South of Coe Avenue, FORA entered into a Contract Change Order with its Environmental Services Cooperative Agreement ("ESCA") contractor for approximately \$3.3 million. This cost was above and beyond the CIP road improvement, but was required prior to project construction because of the sensitive Munitions and Explosives of Concern ("MEC") clean up needed in this area. Eastside Parkway and other FORA CIP projects have the potential to experience similar costs. Therefore, the CIP document identifies other project costs, caretaker costs, and contingencies to reflect current knowledge and experience.

5. Additionally, don't engineers usually add in their own contingency costs to road cost estimates?

Yes, the road cost estimates in FORA's CIP include project-specific contingencies. However, these costs do not account for "other project costs" such as the ESCA Contract Change Order that allowed GJMB to proceed in 2007 or administration/overhead costs.

In the planning stage of traffic impact mitigations, before exact alignments, grading, biological, archeological and ESCA impacts are known, a contingency of 20-25% is applied to cost projections. Once construction plans are complete a construction contingency of 20% is

*applied going into the bidding process. When bids are in hand the FORA Board is requested to authorize the bid amount plus a 10% contingency.*

6. Per the draft 2010 CIP, the costs were estimated in May of 1995 and costs have been updated per the ENR index each year. When was the last time that the cost estimates for items within the CIP were reviewed or updated?

*The 2005 FORA Fee Reallocation Study (completed by TAMC and adopted in April 2005) was the last time that the cost estimates for CIP transportation and transit projects were validated. FORA now has 100% funding obligation for former Fort Ord transportation projects. Off-site and regional transportation obligations were correspondingly reduced.*

7. Which additional grants, stimulus dollar, tax increment dollars or other government funds have been awarded to or received by FORA for items within the CIP?

*\$37 million from the Economic Development Administration, \$700,000 in State of California Matching funds, and \$460,000 from the Office of Economic Adjustment (note: these grant funds also accomplish projects outside of the FORA CIP [i.e. non-CIP project road and water infrastructure and Veterans Cemetery Infrastructure Planning]). Through 2010, FORA received \$5.2 million in tax increment, \$5.8 million in loan proceeds, and \$1 million in CSU mitigation fees toward FORA CIP projects (see Table 3 for specific details).*

8. What are the actual costs of projects completed since 1995?

*Please refer to paragraph 5, page 3 of the draft CIP document for further information regarding capital projects completed to date.*

9. Have there been any cost savings relative to the initial estimates and are those reflected in the CIP?

Yes.

10. Per Table 3 of the draft 2010 CIP, FORA obligations for transit facilities were identified in 2005 as \$115.3 million, but despite \$26.4 million in offsetting revenue (identified as developer fees and government grants) from 2005 to 2010, FORA obligations for transit facilities actually increase to \$115.7 million in 2010. Why has the \$26.4 million not been used to reduce the FORA transit obligation?

*The \$26.4 million in offsetting revenue from 2005 to 2010 has been used to reduce the FORA transportation/transit obligation. However, FORA's transportation/transit obligation does not represent FORA's only CIP obligation. FORA's fee and grant dollars also go towards Water Augmentation, Habitat Management, and Fire Rolling Stock. In addition to these factors, the Construction Cost Index ("CCI") increased significantly during this time period. While a few of the transportation/transit obligations were retired through FORA's CIP expenditures, the lion's share of the transportation/transit obligations continued to experience CCI increases. From 2005 to 2010, the funds that FORA was able to collect and expend towards transportation/transit obligations was only enough to keep pace with the CCI.*

11. The May 19<sup>th</sup> slides show \$20.8 million of the other costs and contingencies for water augmentation. Is this in addition to the \$22.5 million in FORA obligations for water augmentation?

Yes.

12. FORA obligations identified in the draft 2010 CIP and the slides presented at the May 19<sup>th</sup> meeting show different amounts of FORA funding and obligations. Why is this?

*Different amounts show on the May 19<sup>th</sup> slides vs. the draft 2010 CIP (Table 3 in particular) because, between the May 19<sup>th</sup> and June 2<sup>nd</sup> meetings, several items were updated. CFD forecasts were updated to represent CFD collections through June 30, 2010, one Seaside Resort residential unit was moved from FY 13/14 to FY 10/11, and Table 3 was updated to show "other revenues," which include Tax Increment, Loan Proceeds, Federal Grants, CSU Mitigation fees, and Miscellaneous revenues.*

13. The CIP indicates that FORA will expire in 2014 or when 80% of the Base Reuse Plan (BRP) is completed. What percentage of the BRP has been completed?

*Based on the water resource constraints, former Fort Ord has a current water allocation limit of 8,027 AFY (6,600 AFY of groundwater + 1,427 AFY of recycled water). For 2008 water consumption (see attached **Exhibit W-5**), MCWD reported that 2,269 AFY was being extracted from the groundwater supply and recycled water was not yet available. 2,269 AFY divided by 8,027 AFY results in a 28.3% usage of the available water resources. Water consumption is an accurate depiction of BRP percentage completion as it is a primary limiting factor to former Fort Ord development. For additional information, the Fort Ord Development Resource Management Plan ("DRMP") is available at [www.fora.org](http://www.fora.org).*

14. What analysis was completed to determine the level of CFD tax when the CFD was established?

*See attached **FORA Basewide CFD Report** dated January 18, 2002.*

15. How much of the Basewide Mitigation Fee program remains to be completed?

*As is shown on Table 3, \$169,751,867 in CIP projects plus \$28,310,446 in other costs and \$96,288,678 in contingency equals a total of \$294,350,991 remaining in the Basewide Fee program.*

**FORT ORD REUSE AUTHORITY  
BASEWIDE COMMUNITY FACILITIES DISTRICT  
COMMUNITY FACILITIES DISTRICT REPORT**

CONTENTS

Introduction

- A. Description of Facilities
- B. Proposed Boundaries of the Community Facilities District
- C. Cost Estimate

Exhibit A – Description of the Proposed Facilities

Exhibit B – Cost Estimate

**FORT ORD REUSE AUTHORITY\***  
**BASEWIDE COMMUNITY FACILITIES DISTRICT**

**INTRODUCTION.** The Board of Directors (the "Board") of the Fort Ord Reuse Authority (the "Authority") did, pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982 (the "Law"), on December 14, 2001, adopt Resolution No. 01-16 entitled "Resolution of the Governing Board of the Fort Ord Reuse Authority Amending and Restating Resolution No. 01-10 Declaring Intention to Establish a Community Facilities District, and Directing Actions Related Thereto" (the "Resolution of Intention"). In the Resolution of Intention, the Board expressly ordered the preparation of a written report (the "Report"), for the proposed Fort Ord Reuse Authority Basewide Community Facilities District (the "District").

The Resolution of Intention ordering the Report did direct that the Report generally contain the following:

1. a brief description of the types of public facilities eligible for funding by the District; and
2. an estimate of the fair and reasonable cost of providing the facilities, including the incidental expenses in connection therewith, including any Authority administrative costs and all other related costs.

For particulars, reference is made to the Resolution of Intention for the District, as previously approved and adopted by the Board.

**NOW, THEREFORE,** I, the Executive Officer of the Authority, do hereby submit the following Report:

**A. DESCRIPTION OF FACILITIES.** A brief description of the types of public facilities eligible for funding by the District are as set forth in Exhibit "A" attached hereto which Exhibit "A" is, by this reference, made a part of this Report.

**B. PROPOSED BOUNDARIES OF THE DISTRICT.** The proposed boundaries of the District include those properties and parcels with respect to which special taxes may be levied to pay for the costs and expenses of the facilities and the District. The proposed boundaries of the District are described in the map of the District recorded in Book 4 at Page 46 (Document No. 2001 084620) of Maps of Assessment and Community Facilities Districts in the office of the County Recorder for the County of Monterey, a copy of which map is on file with the Secretary.

**C. COST ESTIMATE.** An estimate of the fair and reasonable cost of providing the facilities, including the incidental expenses in connection therewith, is set forth in Exhibit "B" attached hereto which Exhibit "B" is, by this reference, made a part of this Report.

Dated: January 18, 2002

By: \_\_\_\_\_

*[Handwritten Signature]*  
Executive Officer,  
Fort Ord Reuse Authority

EXHIBIT A

FORT ORD REUSE AUTHORITY  
BASEWIDE COMMUNITY FACILITIES DISTRICT

DESCRIPTION OF FACILITIES ELIGIBLE TO BE FUNDED BY THE DISTRICT

FACILITIES

It is intended that the District will finance all or a portion of the costs of any of the following types of facilities:

A. Roadway Improvements: roadway improvements within and in the vicinity of the District identified in the Authority's current Capital Improvement Plan (the "CIP") or otherwise necessary by reason of, or incident to, the development of the property within and adjacent to the District, including but not limited to the following (parenthetical references are to the CIP):

Highway 1 (CIP #R3)	Abrams (CIP #FO2)
Highway 68 Bypass Freeway (CIP #R6)	12th Street/Imjin Road (CIP #FO3)
Highway 218 (CIP #R9)	Blanco Road/Imjin Road (CIP #FO4)
Davis Road (CIP #1)	8th Street (CIP #FO5)
Davis Road (CIP #2)	Inter-Garrison Road (CIP #FO6)
Blanco Road (CIP #3)	Gigling Road (CIP #FO7)
Reservation Road (CIP #4)	2nd Avenue (CIP #FO8)
Del Monte Boulevard (CIP #5)	Gen. Jim Moore Blvd. (CIP #FO9)
Del Monte Boulevard (CIP #6)	California Avenue (CIP #FO10)
California Avenue (CIP #7)	Salinas Avenue (CIP #FO11)
Crescent Court (CIP #8)	Eucalyptus Road (CIP #FO12)
Gateway & misc. improvements (CIP #FO1)	Eastside Road (CIP #FO13)

B. Transit Improvements and Vehicles: transportation system facilities, and related equipment and transit vehicles with an estimated useful life of five years or longer, identified in the CIP or otherwise necessary by reason of, or incident to, the development of the property within and adjacent to the District, including but not limited to the following (parenthetical references are to the CIP):

Transit vehicles (CIP #T3)  
Intermodal centers (CIP #T22)

C. Water and Storm Drain Improvements: water system and storm drain improvements within or in the vicinity of the District necessary by reason of, or otherwise incident to, the development of the property within and adjacent to the District, including but not limited to:



Potable water augmentation facilities  
Storm drainage system

D. Habitat management: costs related to habitat management within or in the vicinity of the District, or otherwise incident to or required by reason of development of the property within and adjacent to the District, including but not limited to habitat management on parcels owned by the University of California within or adjacent to the District.

E. Other Public Facilities: facilities incident to the provision of public safety to the area within and in the vicinity of the District, including but not limited to the construction and equipping of a fire station to be located within or in the vicinity of the District.

Each of the foregoing shall include, without limitation, costs related to: all work and activities to study, review environmental impacts and mitigation measures, planing and design, and all work to construct and install the improvements, including (as applicable) but not limited to, acquisition of right of way and land, soils testing, mobilization, permits, plan check and inspection fees, legal and overhead costs, clearing, grubbing, coordination and supervision costs, tree removal, environmental mitigation actions, grading, protective fencing and erosion control, trenching (including shoring and backfill), base and finish paving and pavement restoration, curbs, gutters and sidewalks, signage and striping, signalization, landscaping and irrigation, lighting, relocation of existing facilities and improvements which are in existence and are to be retained in a different location, and related appurtenances.

#### OTHER

The District may also fund any of the following:

1. Administrative fees and expenses of the Authority related to the District.
2. Reimbursement of costs related to the formation of the District, including costs of engineers, special tax consultants, attorneys, and any other consultants incurred or advanced by the Authority, any landowner in the District, or any party related to any of the foregoing, as well as reimbursement of any costs advanced by the Authority, any landowner in the District or any party related to any of the foregoing for facilities, fees or other purposes or costs of the District.
3. Any other costs described in Section 53317(e) of the Law and not specifically listed above.

EXHIBIT B  
FORT ORD REUSE AUTHORITY  
BASEWIDE COMMUNITY FACILITIES DISTRICT

COST ESTIMATE <sup>(1)</sup>

1. ACQUISITION & CONSTRUCTION OF PUBLIC FACILITIES	\$151,676,000 <sup>(2)</sup>
2. INCIDENTAL EXPENSES AND ADDITIONAL COSTS	44,000,000 <sup>(3)</sup>
3. CONTINGENCY	<u>30,000,000</u>
TOTAL BOND AMOUNT NEEDED	<u>\$225,676,000</u>

<sup>(1)</sup> Stated in 2001 dollars, which are expected to increase each year by increases in applicable construction cost indexes. All amounts are estimates and are subject to change based upon actual levels of contributions to costs of facilities by other public agencies, potential additional environmental mitigation arising from construction scheduling, and various other factors.

<sup>(2)</sup> Includes \$121,292,000 for roadway improvements and transit improvements and vehicles; \$17,175,000 for water system improvements; \$5,809,000 for storm drain improvements; \$6,300,000 for habitat management; and \$1,100,000 for other public facilities including a fire station.

<sup>(3)</sup> Includes potential additional facilities costs not include in item 1, costs associated with redevelopment delays, plus other incidental facilities costs as well as incidental administrative expenses related to the District.

2008 Ord Community Water Consumption vs. Allocation (in Acre Feet per year)

EXHIBIT W-5

Entity	2007 Consumption	2008 Consumption	Fort Ord Reuse Plan Allocation (AFY)	% of
<b>CMC</b>				
Nonresidential	46	39		
Residential	153	130		
Residential (e)	419	416		
Irrigation	32	39		
<b>Subtotal</b>	<b>641</b>	<b>618</b>	<b>1,577.0 (1) (4)</b>	<b>39%</b>
<b>Construction Water - Army</b>	<b>0</b>	<b>4</b>		
<b>CSUMB</b>				
Main Campus	75	53		
CSUMB Housing (retired)	17	16		
CSUMB Housing (e)	350	350		
CSUMB Irrigation	35	35		
CSUMB Irrigation (e)	95	95		
<b>Subtotal</b>	<b>605</b>	<b>579</b>	<b>1,035.0</b>	<b>66%</b>
<b>UC MBEST</b>	<b>3</b>	<b>2</b>	<b>230.0 (2)</b>	
<b>County</b>	<b>197</b>	<b>37</b>	<b>716.0 (7)</b>	
<b>County/State Parks</b>	<b>0</b>	<b>0</b>	<b>45.0</b>	
<b>City/Del Rey Oaks</b>	<b>0</b>	<b>0</b>	<b>242.5 (6)(?)</b>	
<b>City/Monterey</b>	<b>0</b>	<b>0</b>	<b>85.0</b>	
<b>City/Marina (Sphere)</b>	<b>0</b>	<b>0</b>	<b>10.0</b>	
<b>Subtotal</b>	<b>200</b>	<b>39</b>	<b>1,302.5</b>	<b>3%</b>
<b>Seaside</b>				
Golf Course	21	1		
MPJSD	89	27		
Boston	64	55	<b>85.0 (4)</b>	
Thorson	63	64	<b>120.0 (3)</b>	
Seaside Highlands	199	205		
Monterey Bay Land, LLC	0	0	<b>114.0 (5)</b>	
Other	8	5	<b>693.0 (6)</b>	
<b>Subtotal</b>	<b>444</b>	<b>468</b>	<b>1,012.0 (4)</b>	<b>46%</b>
<b>Construction Water - Seaside</b>	<b>7</b>	<b>20</b>		
<b>Marina</b>				
Preston/Abrams	17	150		
Airport	5	5		
Other	172	118		
<b>Subtotal</b>	<b>348</b>	<b>309</b>	<b>1,325.0 (7)</b>	<b>23%</b>
<b>Construction Water - Marina</b>	<b>85</b>	<b>14</b>		
<b>Total</b>	<b>2,331</b>	<b>2,051</b>	<b>6,251.5</b>	<b>33%</b>
<b>Assumed Line Loss</b>	<b>610 (8)</b>	<b>218 (8)</b>	<b>348.5 (7)</b>	
<b>Total Extracted Reserve</b>	<b>2,941</b>	<b>2,269</b>		
<b>Total</b>	<b>3,659</b>	<b>4,331</b>	<b>0 (7)</b>	
<b>Total</b>	<b>6,600</b>	<b>6,600</b>	<b>6,600</b>	

**Notes:**

(e) indicates water use is estimated; meters are not installed

**Footnotes:**

(1) The 1998/1998 FORA Board Allocation Plan reflects 1410 afy that considers future conservation on the POM Annex. The CMC's current reservation of 1577 afy reflects the decrease of 38 afy and 114 afy (see footnote (4)) from the original 1725 afy. The FORA Board has not yet revised the allocation numbers to reflect this change.

(3) The Sunbay/Thorson property was given its own allocation (120 afy) as part of the transfer of real estate from the US Army to the Southwest Sunbay Land Company.

(4) Seaside's original allocation of 710 afy was augmented by 38 afy by agreement with the CMC and Boston, and by 114 afy under final terms of the land exchange agreement among the City of Seaside, Monterey Bay Land, LLC and the US Army.

(5) 114 afy of Monterey Bay Land, LLC controlled potable water includes the proviso that the City of Seaside shall use no less than 39 afy of such water for affordable or workforce housing.

(6) The FORA Board approved an additional 17.5 afy for Del Rey Oaks on 05/13/2005.

(7) In January 2007, the FORA Board changed the 150 afy interim use loans to Marina, Seaside, Del Rey Oaks and Monterey County in October 1998 to add to their permanent allocations.

(8) Line loss figures include water transferred from Ord to Marina system through the intertie. The transferred numbers are tracked in the SCADA system and will be repaid back to Ord from Marina over time.



CITY OF MARINA  
 Development Services Department  
 3056 Del Monte Blvd., Ste. 205 | Marina, CA 93933  
 Ph: (831) 384-7324 | Fax: (831) 384-7324  
 www.ci.marina.ca.us | DSD@ci.marina.ca.us

June 1, 2010

Michael Houlemard  
 Executive Officer  
 Fort Ord Reuse Authority  
 Marina, CA 93950



RE: Draft FY2010-11 FORA CIP

Dear Mr. ~~Houlemard~~ *Michael*,

The City of Marina is in the process of reviewing the current draft FORA CIP. Below are questions relating to this draft document and other documents related to the CIP. It is important to receive answers to these questions to aid in the understanding of the draft CIP and the sources and uses of funds which comprise the CIP.

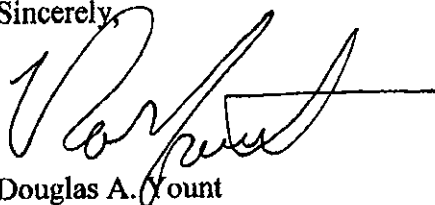
1. Looking at the slides presented at the May 19<sup>th</sup> meeting, CFD fees from New Residential, Existing Residential, Industrial/Office, Retail and Hotels will generate \$286.9 million in revenues for the CFD. While this is less than the \$291.6 million in FORA obligations, it is certainly far more than the \$169.7 million in actual costs projected. Will FORA reduce this fee in the future if it becomes apparent that not all of the contingency will be needed?
2. FORA obligations are identified on the set of slides presented at the May 19<sup>th</sup> meeting as \$291.6 million, and \$121.9 million of these obligations are identified as "other costs and contingency reserve". Why, at this stage of construction of these CIP items, do \$169.7 million of hard costs require \$121.9 million of contingency?
3. What is going to be done with the excess \$121.9 million in contingency?
4. Why are the contingency costs increasing each year when projects are being completed? Shouldn't contingency decrease as each project is built?
5. Additionally, don't engineers usually add in their own contingency costs to road cost estimates?
6. Per the draft 2010 CIP, the costs were estimated in May of 1995 and costs have been updated per the ENR index each year. When was the last time that the cost estimates for items within the CIP were reviewed or updated?

S

7. Which additional grants, stimulus dollar, tax increment dollars or other government funds have been awarded to or received by FORA for items within the CIP?
8. What are the actual costs of the projects completed since 1995?
9. Have there been any cost savings relative to the initial estimates and are those reflected in the CIP?
10. Per Table 3 of the draft 2010 CIP, FORA obligations for transit facilities were identified in 2005 as \$115.3 million, but despite \$26.4 million in offsetting revenue (identified as developer fees and government grants) from 2005 to 2010, FORA obligations for transit facilities actually increase to \$115.7 million in 2010. Why has the \$26.4 million not been used to reduce the FORA transit obligation?
11. The May 19<sup>th</sup> slides show \$20.8 million of the other costs and contingencies for water augmentation. Is this in addition to the \$22.5 in FORA obligations for water augmentation?
12. FORA obligations identified in the draft 2010 CIP and the slides presented at the May 19<sup>th</sup> meeting show different amounts of FORA funding and obligations. Why is this?
13. The CIP indicates that FORA will expire in 2014 or when 80% of the Base Reuse Plan (BRP) is completed. What percentage of the BRP has been completed?
14. What analysis was completed to determine the level of CFD tax when the CFD was established?
15. How much of the Basewide Mitigation Fee program remains to be completed?

I look forward to the response to these questions. If you need additional clarification, or wish to discuss this request further, please let me know.

Sincerely,



Douglas A. Yount  
Development Services Director  
City of Marina

Cc: Anthony J. Altfeld, City Manager  
Christi di Iorio, Community Development Director



**Attachment F**

*City of Marina*  
Strategic Development Center  
3056 Del Monte Blvd., Suite 205  
Marina, CA 93933  
Tel: 831.384.7324 Fax: 831.384.7063  
www.ci.marina.ca.us

July 9, 2010

Mr. Michael Houlemard,  
Executive Officer  
Fort Ord Reuse Authority  
100 12<sup>th</sup> Street, Building 2880  
Marina, CA 93933

RE: FY 2010-2011 FORA CIP

Dear Mr. Houlemard:

As the City of Marina representatives to the FORA Board of Directors, we have had an opportunity to review the proposed 2010-2011 FORA Draft Capital Improvement Program (CIP) and to discuss matters of concern related to the funding and project priorities included in the proposed Draft CIP with City of Marina staff and other interested parties.

Based upon our review and current understanding of these matters associated with the FORA Board consideration of this matter at its regular meeting of July 9, 2010, we are not prepared to vote to approve the Draft FY 2010-2011 FORA Capital Improvement Program (CIP) as presented by FORA staff. We do not feel that we have sufficient information at this time to make a positive recommendation. There are simply too many unanswered questions at this time for us to support approval of the CIP.

Based upon the information that we have received from City staff, several key issues remain unclear to us and require further supporting documentation in order for us to better understand the impacts associated with approving the proposed Draft CIP. These include the following:

- Reconciliation of the scope of the CIP and the FORA CFD to try and understand the basis for the fees and taxes assessed by FORA and the FORA CFD;

- Understanding the basis for the amount and use of contingency dollars that are identified in the CIP budget;
- Determining whether the items budgeted in the CIP and funded by the CFD are, in fact, all eligible costs of the CFD; and
- Accounting for the use of outside grants funds received for redevelopment of the former Fort Ord area, the application of those funds to the CIP budget and the impact of those funds on the amount of the CFD special tax.

It is our understanding that Marina City staff has submitted two (2) letters to FORA staff requesting additional information on the Draft FY 2010-2011 FORA CIP (June 1 and June 30). To date, staff has received only one response from FORA (letter from Steve Endsley, Director of Planning and Finance for FORA, dated June 16, the "Staff Response"). We have enclosed all three (3) letters for your review.

While there was some helpful information in the FORA staff Response, much of the letter has triggered greater concern on our part as to the manner in which the CIP and the FORA CFD are being implemented. As representatives of public agencies, it is critical that the process for the adoption of any fee or implementation of special tax be transparent and explainable to our committee, the FORA Board, stakeholders and members of the public.

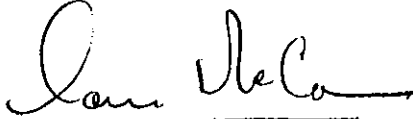
It is also of great concern that the discussions that have taken place at the Joint Administrative Committee and Capital Improvement Program Committee meetings these past few months have not been presented in the minutes of those meetings. How can the FORA Board benefit from and appreciate the time and effort spent and the issues of concern raised by the working committees if the minutes do not reflect issues that have been discussed? Moreover, it is our understanding the FORA staff discussed a work plan to review the CIP and potential limitations on the implementation of the CIP at the Joint Committee meetings, but none of those recommendations are presented to the Board at this meeting.

Based upon these matters as outlined above, we are not prepared to take action to approve the proposed Draft 2010-1011 CIP based on apparently incomplete information provided to the Board and its committees.

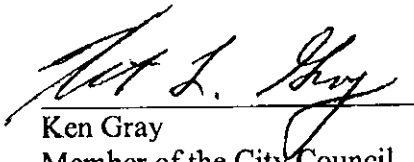
Therefore, it is our request that the FORA Board defer action on the proposed Draft 2010-2011 CIP and that FORA staff work with the member jurisdictions and stakeholders, including those affected by the CIP, such as members of the affordable housing community, environmental advocates, labor, developers and the building industry, to review the CIP and CFD issues presented by City of Marina staff in order to resolve these matters.

It is our goal to be able to approve a CIP once the questions raised by Marina City staff are have been responded to adequately.

Sincerely,



Dave McCall  
Member of the City Council  
City of Marina



Ken Gray  
Member of the City Council  
City of Marina

enclosures (3)

cc: Members of the FORA Board of Directors  
Mayor and Members of the City Council, City of Marina  
Anthony J. Altfeld, City Manager  
Douglas A Yount, Development Services Director  
Christi di Iorio, Community Development Director





July 8, 2010

FORA Board Members  
Fort Ord Reuse Authority  
100 12<sup>th</sup> Street, Building 2880  
Marina, CA 93933

**RE: Request Postponing Action Item 6b: CIP FY 2010/11 through 2021/22**

Dear Board Members;

On behalf of the Building Industry Association of the Bay Area (BIA), we appreciate the opportunity to comment on the adoption of the Draft 2010/11 CIP document. As construction costs and fee assumptions have changed in recent years the BIA has been successful working with cities, counties, and agencies to reassess constraints to development and create opportunities for economic investment.

While we appreciate the preliminary stakeholder process to review the draft CIP and its relationship to the CFD special tax, this process is not complete. The City of Marina has raised many relevant questions about the basis for the CIP, its relationship to the FORA CFD and other questions that should be answered before this CIP is adopted, such as:

- To date, substantial funding for base reuse activity has come from state and federal grants, over \$50 million dollars, and yet the CIP programmatic costs remain relatively unchanged.
- The CIP has \$167 million remaining in hard costs for constructing CIP projects, each project within that hard cost budget has project specific contingencies built into every engineers estimate and yet the program allocates an additional \$120 million in contingency reserves.
- Of the \$120 million remaining in CIP contingency costs FORA staff maintains that approximately \$50 million to \$70 million of that amount or half of the overall contingency burden is allocated for overhead and administration of the CIP.
- Under what authority is FORA able to fund facilities outside of the scope of the original CIP and the Mitigation Monitoring Program.
- How were the existing CIP fee and CFD special tax established; what analysis or information was utilized to determine the amount of the original CIP development fee and how was that program altered into the CFD special tax for each parcel.

**Crisand Giles**  
Executive Director

Mailing Address:  
900 E Hamilton Ave., #200  
Campbell, CA 95008

Tel (408) 963-2730  
cgiles@biabayarea.org  
<http://www.biabayarea.org>

We are living in a completely new economic reality from when the CIP was first defined. Funding the CIP has become prohibitive to construct approved residential and commercial projects, delaying the increase in assessed property values which generate tax increment dollars, create employment opportunities, and provide critical housing opportunities for land use jurisdictions that want to build.

S

We agree that FORA must have sufficient resources to complete the original Capital Improvement Program approved as part of the Base Reuse Plan, as well as the Mitigation Monitoring Program and items outlined in the Settlement Agreement with the Sierra Club – however we no longer have the ability to fund projects beyond the required mitigations.

The BIA is prepared to fund its own study to answer these questions and provide a reasoned basis for the CIP. We would ask this Board to direct staff to work with us to conduct a thoughtful and transparent review of the CIP fee and CFD special tax to identify redevelopment constraints prior to adopting the 2010/11 CIP.

Thank you for your time and consideration.

Best regards,

A handwritten signature in cursive script that reads "Crisand Giles".

Crisand Giles  
Executive Director  
BIA Bay Area

# FORT ORD REUSE AUTHORITY BOARD REPORT

## NEW BUSINESS

<b>Subject:</b>	Monterey Branch Line Light Rail Video Simulation: presentation by Transportation Agency for Monterey County	
<b>Meeting Date:</b>	July 9, 2010	<b>INFORMATION</b>
<b>Agenda Number:</b>	7a	

### RECOMMENDATION(S)

Receive a presentation from the Transportation Agency for Monterey County ("TAMC") on the Monterey Branch Line Light Rail project.

### BACKGROUND/DISCUSSION

The Monterey Branch Line Project is currently in the environmental review phase and as requested by the TAMC Board of Directors, a video simulation showing light rail running and stopping at stations on the Monterey Branch Line corridor through Monterey Peninsula cities has been completed. This simulation will provide residents a better idea of what the light rail line will look and feel like.

TAMC is presenting this video to organizations and community, and city groups throughout the Monterey Peninsula in the following months. Public comments and questions are encouraged.

### FISCAL IMPACT

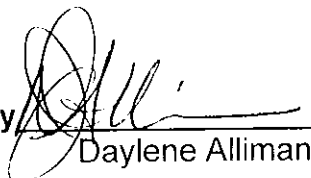
Reviewed by FORA Controller 

None

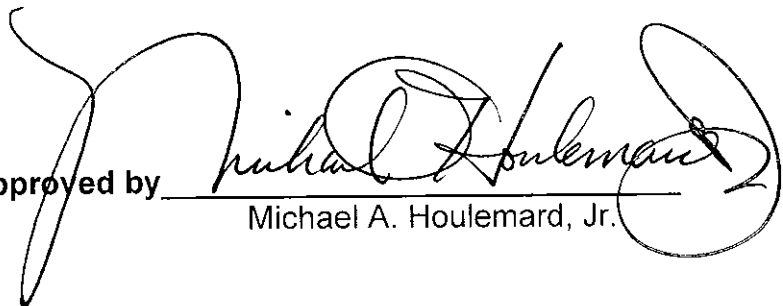
### COORDINATION

FORA Staff, TAMC Executive Director, Debbie Hale and TAMC Deputy Director, Don Bachman.

Prepared by

  
Daylene Alliman

Approved by

  
Michael A. Houlemard, Jr.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## NEW BUSINESS

<b>Subject:</b>	CONSISTENCY DETERMINATION: Monterey County Housing Element	
<b>Meeting Date:</b>	July 9, 2010	<b>ACTION</b>
<b>Agenda Number:</b>	7b	

### RECOMMENDATION(S)

Approve Resolution 10-09 (**Attachment A**), concurring in the County of Monterey ("County") legislative land use consistency determination and making findings that the Monterey County Housing Element 2009-2014 is consistent with the Fort Ord Base Reuse Plan ("BRP").

### BACKGROUND

The County submitted the Housing Element for consistency determination on June 18, 2010 (**Attachment B**). The County requested a Legislative Land Use Decision review of the Housing Element in accordance with section 8.02.010 of the FORA Master Resolution. Under state law, (as codified in FORA's Master Resolution) legislative land use decisions (plan level documents such as General Plans, Zoning Codes, Specific Plans, Redevelopment Plans, etc.) must be scheduled for FORA Board review under strict timeframes. This item is included on the Board agenda because the Housing Element is a legislative land use decision, requiring Board approval.

The Administrative Committee endorsed the consistency recommendation at its June 30, 2010 meeting.

### DISCUSSION

County staff will be available to provide additional information to the FORA Board on July 9, 2010. In all consistency determinations, the following additional considerations are made and included in abbreviated format in a summary table (**Attachment C**).

**Rationale for consistency determinations** FORA staff finds that there are several defensible rationales for making an affirmative consistency determination. Sometimes additional information is provided to buttress those conclusions. In general, it is noted that the BRP is a framework for development, not a precise plan to be mirrored. However, there are thresholds set in the resource constrained BRP that may not be exceeded without other actions, most notably 6,160 new residential housing units and a finite water allocation. More particularly, the rationales for consistency analyzed are:

#### **LEGISLATIVE LAND USE DECISION CONSISTENCY FROM SECTION 8.02.010 OF THE FORA MASTER RESOLUTION**

(a) In the review, evaluation, and determination of consistency regarding legislative land use decisions, the Authority Board shall disapprove any legislative land use decision for which there is substantial evidence support by the record, that:

(1) Provides a land use designation that allows more intense land uses than the uses permitted in the Reuse Plan for the affected territory;

The Housing Element would not establish a land use designation that is more intense than the uses permitted in the Base Reuse Plan since the Housing Element does not amend the County General Plan text or land use map. A Housing Element must be updated every five to seven years by State law. This Housing Element's planning cycle is from 2009 to 2014. The Housing Element is one of seven required elements of a County's General Plan.

(2) Provides for a development more dense than the density of uses permitted in the Reuse Plan for the affected territory;

The Housing Element precludes development densities higher than permitted in the Base Reuse Plan.

(3) Is not in substantial conformance with applicable programs specified in the Reuse Plan and Section 8.02.020 of this Master Resolution;

The Housing Element meets applicable program conditions and facilitates item (t) Jobs Housing Balance under Section 8.02.020 of the Master Resolution by addressing former Fort Ord affordable housing.

(4) Provides uses which conflict or are incompatible with uses permitted or allowed in the Reuse Plan for the affected property or which conflict or are incompatible with open space, recreational, or habitat management areas within the jurisdiction of the Authority;

The Housing Element does not impact open space, recreational, or habitat management areas within FORA's authority.

(5) Does not require or otherwise provide for the financing and/or installation, construction, and maintenance of all infrastructure necessary to provide adequate public services to the property covered by the legislative land use decision; and

Projects that may be affected by the Housing Element will pay their fair share of the basewide costs through the developer fees and tax increment that will accrue to FORA, as well as land sales revenues.

(6) Does not require or otherwise provide for implementation of the Fort Ord Habitat Management Plan.

The Fort Ord Habitat Management Plan ("HMP") designates certain parcels for "Development," in order to allow economic recovery through development while promoting preservation, enhancement, and restoration of special status plant and animal species in designated habitats. The Housing Element only affects lands that are located within areas designated for "Development" under the HMP. Lands designated as "Development" have no management restrictions placed upon them as a result of the HMP. The Housing Element would not conflict with implementation of the Fort Ord HMP.

**FISCAL IMPACT**

Reviewed by FORA Controller

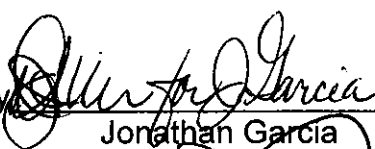

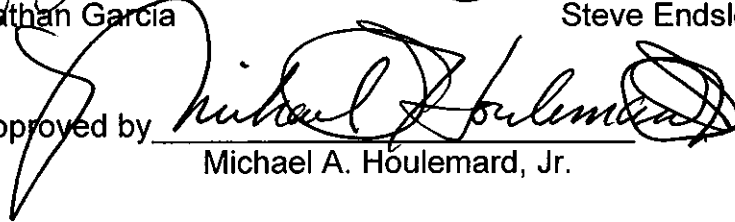


This action is regulatory in nature and should have no direct fiscal, administrative, or operational impact. In addition to points already dealt with in this report, it is clarified that the developments expected to be charged with reuse subject to the Housing Element are covered by the Community Facilities District or other agreement that ensure a fair share payment of appropriate future fees to mitigate for impacts delineated in the 1997 BRP and accompanying Environmental Impact Report. The County has agreed to provisions for payment of all required fees for future developments in the former Fort Ord under its jurisdiction.

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

**COORDINATION**

County of Monterey, Planners Working Group, Administrative Committee, and Executive Committee

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

Resolution 10-09

Resolution Determining Consistency of )  
County of Monterey Housing Element )

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

- A. On June 13, 1997, the Fort Ord Reuse Authority ("FORA") adopted the Final Base Reuse Plan under Government Code Section 67675, et seq.
- B. After FORA adopted the reuse plan, Government Code Section 67675, et seq. requires each county or city within the former Fort Ord to submit to FORA its general plan or amended general plan and zoning ordinances, and to submit project entitlements, and legislative land use decisions that satisfy the statutory requirements.
- C. By Resolution No. 98-1, the Authority Board of FORA adopted policies and procedures implementing the requirements in Government Code 67675, et seq.
- D. The County of Monterey ("County") is a member of FORA. The County has land use authority over land situated within the former Fort Ord and subject to FORA's jurisdiction.
- E. After a noticed public meeting on June 15, 2010, the County of Monterey adopted the County Housing Element ("Housing Element") to comply with State law, affecting lands on the former Fort Ord. The County of Monterey also found the Housing Element is consistent with the Fort Ord Base Reuse Plan, FORA's plans and policies and the Fort Ord Reuse Authority Act and considered the Fort Ord Base Reuse Plan Environmental Impact Report ("EIR") in their review and deliberations.
- F. On June 18, 2010, the County of Monterey recommended that FORA concur in the County's determination that FORA's Final Base Reuse Plan, certified by the Board on June 13, 1997, and the Housing Element are consistent. The County submitted to FORA its Housing Element together with the accompanying documentation.
- G. Consistent with the Implementation Agreements between FORA and the County, on June 18, 2010, the County provided FORA with a complete copy of the submittal for lands on the former Fort Ord, the resolutions and/or ordinance approving it, a staff report and materials relating to the County of Monterey's action, a reference to the environmental documentation and/or CEQA findings, and findings and evidence supporting its determination that the Housing Element is consistent with the Fort Ord Base Reuse Plan and the Fort Ord Reuse Authority Act (collectively, "Supporting Material"). The County requested that FORA certify the Housing Element as being consistent with the Fort Ord Base Reuse Plan for those portions of the County that lie within the jurisdiction of the Fort Ord Reuse Authority.

- H. FORA's Executive Officer and the FORA Administrative Committee reviewed the County's application for consistency evaluation. The Executive Officer submitted a report recommending that the FORA Board find that the Housing Element is consistent with the Fort Ord Base Reuse Plan. The Administrative Committee reviewed the Supporting Material, received additional information, and concurred with the Executive Officer's recommendation. The Executive Officer set the matter for public hearing regarding consistency of the Housing Element before the FORA Board on July 9, 2010.
- I. Master Resolution, Chapter 8, Section 8.02.010(a)(4) reads in part: "(a) In the review, evaluation, and determination of consistency regarding legislative land use decisions, the Authority Board shall disapprove any legislative land use decision for which there is substantial evidence supported by the record, that [it] (4) Provides uses which conflict or are incompatible with uses permitted or allowed in the Reuse Plan for the affected property..."
- J. In this context, the term "consistency" is defined in the General Plan Guidelines adopted by the State Office of Planning and Research as follows: "An action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment."
- K. FORA's consistency determination must be based upon the overall congruence between the submittal and the Reuse Plan, not on a precise match between the two.

NOW THEREFORE be it resolved:

1. The FORA Board recognizes that the County of Monterey's June 15, 2010 recommendation that the FORA Board find consistency between the Fort Ord Base Reuse Plan and the Housing Element was appropriate.
2. The Board has reviewed and considered the Fort Ord Base Reuse Plan Final Environmental Impact Report and the County's Negative Declaration is adequate and complies with the California Environmental Quality Act. The Board finds further that these documents are sufficient for purposes of FORA's determination for consistency of the Housing Element.
3. The Board has considered the materials submitted with this application, the recommendation of the Executive Officer and Administrative Committee concerning the application and oral and written testimony presented at the hearings on the consistency determination, which are hereby incorporated by reference.
4. The Board finds that the County Housing Element is consistent with the Fort Ord Base Reuse Plan. The Board further finds that the legislative decision made herein has been based in part upon the substantial evidence submitted regarding allowable land uses, a weighing of the Base Reuse Plan's emphasis on a resource constrained sustainable reuse that evidences a balance between jobs created and housing provided, and that the cumulative land uses contained in the County's submittal are not more intense or dense than those contained in the Base Reuse Plan.



5. The County Housing Element will, considering all its aspects, further the objectives and policies of the Final Base Reuse Plan. The County application is hereby determined to satisfy the requirements of Title 7.85 of the Government Code and the Fort Ord Base Reuse Plan.

Upon motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing resolution was passed on this 9<sup>th</sup> day of July, 2010, by the following vote:

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

I, Mayor Rubio, 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 \_\_\_\_\_, 2010 thereof, which are kept in the Minute Book resident in the offices of the Fort Ord Reuse Authority.

DATED \_\_\_\_\_

BY \_\_\_\_\_  
Ralph Rubio  
Chair, Board of Directors  
Fort Ord Reuse Authority

Resolution 10-09  
Resolution of the Board of Directors  
Fort Ord Reuse Authority

Resolution Determining Consistency of )  
County of Monterey Housing Element )

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- F. On June 18, 2010, the County of Monterey recommended that FORA concur in the County's determination that FORA's Final Base Reuse Plan, certified by the Board on June 13, 1997, and the Housing Element are consistent. The County submitted to FORA its Housing Element together with the accompanying documentation.
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- H. FORA's Executive Officer and the FORA Administrative Committee reviewed the County's application for consistency evaluation. The Executive Officer submitted a report recommending that the FORA Board find that the Housing Element is consistent with the Fort Ord Base Reuse Plan. The Administrative Committee reviewed the Supporting Material, received additional information, and concurred with the Executive Officer's recommendation. The Executive Officer set the matter for public hearing regarding consistency of the Housing Element before the FORA Board on July 9, 2010.
- I. Master Resolution, Chapter 8, Section 8.02.010(a)(4) reads in part: "(a) In the review, evaluation, and determination of consistency regarding legislative land use decisions, the Authority Board shall disapprove any legislative land use decision for which there is substantial evidence supported by the record, that [it] (4) Provides uses which conflict or are incompatible with uses permitted or allowed in the Reuse Plan for the affected property..."
- J. In this context, the term "consistency" is defined in the General Plan Guidelines adopted by the State Office of Planning and Research as follows: "An action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment."
- K. FORA's consistency determination must be based upon the overall congruence between the submittal and the Reuse Plan, not on a precise match between the two.

NOW THEREFORE be it resolved:

1. The FORA Board recognizes that the County of Monterey's June 15, 2010 recommendation that the FORA Board find consistency between the Fort Ord Base Reuse Plan and the Housing Element was appropriate.
2. The Board has reviewed and considered the Fort Ord Base Reuse Plan Final Environmental Impact Report and the County's Negative Declaration is adequate and complies with the California Environmental Quality Act. The Board finds further that these documents are sufficient for purposes of FORA's determination for consistency of the Housing Element.
3. The Board has considered the materials submitted with this application, the recommendation of the Executive Officer and Administrative Committee concerning the application and oral and written testimony presented at the hearings on the consistency determination, which are hereby incorporated by reference.
4. The Board finds that the County Housing Element is consistent with the Fort Ord Base Reuse Plan. The Board further finds that the legislative decision made herein has been based in part upon the substantial evidence submitted regarding allowable land uses, a weighing of the Base Reuse Plan's emphasis on a resource constrained sustainable reuse that evidences a balance between jobs created and housing provided, and that the cumulative land uses contained in the County's submittal are not more intense or dense than those contained in the Base Reuse Plan.

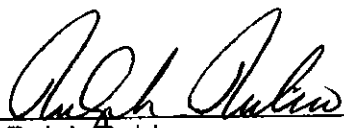
5. The County Housing Element will, considering all its aspects, further the objectives and policies of the Final Base Reuse Plan. The County application is hereby determined to satisfy the requirements of Title 7.85 of the Government Code and the Fort Ord Base Reuse Plan.

Upon motion by Director Mancini, seconded by Director Kampe, the foregoing resolution was passed on this 9<sup>th</sup> day of July, 2010, by the following vote:

AYES: 12            Directors: Mancini, Kampe, Potter, McCall, Barnes, McCloud, Gray,  
                         O'Connell Cook, Selfridge, Pendergrass, and Edelen  
NOES: -0-  
ABSTENTIONS: -0-  
ABSENT: Director Parker

I, Mayor Rubio, 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 7b, Page 3, of the board meeting minutes of July 9, 2010 thereof, which are kept in the Minute Book resident in the offices of the Fort Ord Reuse Authority.

DATED August 4, 2010

BY   
Ralph Rubio  
Chair, Board of Directors  
Fort Ord Reuse Authority

# MONTEREY COUNTY

## RESOURCE MANAGEMENT AGENCY

### REDEVELOPMENT AND HOUSING OFFICE

Jim Cook  
Director

168 West Allsal Street, 3<sup>rd</sup> Floor  
Salinas, CA 93901  
(831) 755-5390  
Fax: (831)755-5398  
www.co.monterey.ca.us



Attachment B  
To Item 7b  
FORA Board Meeting, July 9, 2010



June 18, 2010

Steve Endsley  
Director of Planning and Financing  
Fort Ord Reuse Authority  
100 12<sup>th</sup> Street Bldg 2880  
Marina, CA 93933-6006

**SUBJECT: REQUEST FOR FORA CONSISTENCY DETERMINATION IN ACCORDANCE WITH FORA MASTER RESOLUTION, ARTICLE 8.01.020**

Dear Steve;

Monterey County hereby requests that FORA certifies consistency of the Housing Element 2009-2014 with the Fort Ord Reuse Plan. The Housing Element was adopted by the Board of Supervisors on June 15, 2010 by Resolution No. 10-150. The County has received a letter from the California Department of Housing and Community Development (HCD) that the revised draft Housing Element 2009-2014 (that has now been adopted by the County) complies with State Housing Law and that they will certify it once they received the approving resolution.

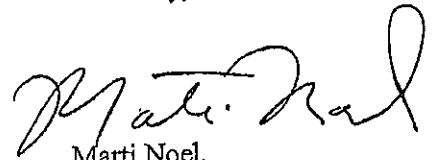
The County of Monterey finds that the Housing Element 2009-2014 is consistent with the Fort Ord Base Reuse Plan as documented in Attachment A (Summary) and Attachment B (Consistency Matrix). A submittal package has been assembled in accordance with instructions provided by Jonathan Garcia of your staff. This package includes two hard copies and 30 CD ROMs of the following:

1. Housing Element 2009-2014
2. Environmental Initial Study and adopted Negative Declaration
3. Board of Supervisor's Resolution No. 10-150
4. Board of Supervisor's Staff Report for June 15, 2010
5. Letter from HCD

Please let me know what other materials you need, if you have questions and when the Consistency Determination will be considered by the FORA Administrative Committee and Board of Directors.

Thanks for your attention to this request.

Sincerely,



Marti Noel,  
Assistant Director  
Redevelopment and Housing Office

Cc: Mike Novo, Planning Director

## ATTACHMENT A

### **FORA CONSISTENCY DETERMINATION HOUSING ELEMENT SUMMARY**

#### **SUMMARY OF MONTEREY COUNTY HOUSING ELEMENT 2009-2014**

State law specifies that the Housing Element must assess housing needs and evaluate the current housing market in the County and then identify programs that will meet housing needs. Also included in this evaluation is the Regional Housing Needs Allocation (RHNA) which is an estimate of the number of housing units that should be provided in the County to meet its share of new households in the region. In addition to this information, the Housing Element document must evaluate and review its past housing programs and consider this review in planning future housing strategies.

A critical component of the Housing Element is the local jurisdiction's ability to accommodate its RHNA through land use planning efforts. Compliance with this requirement is measured by the jurisdiction's ability to provide adequate land with appropriate density and development standards to accommodate the RHNA. The Association of Monterey Bay Area Governments (AMBAG) is responsible for allocating the RHNA to individual jurisdictions within the region. For the 2009-2014 Housing Element update for the unincorporated areas of the County, AMBAG has assigned a RHNA of 1,554 units in the following income distribution:

- Very Low Income: 347 units
- Low Income: 261 units
- Moderate Income: 295 units
- Above Moderate Income: 651 units

However, with units constructed or approved in Community Plans, Specific Plans and in individual projects, the County has already met a significant portion of its RHNA. The approved projects include the East Garrison Specific Plan which is part of the Fort Ord Reuse Plan. The County has a remaining RHNA of only 174 units to be accommodated as follows:

- Very Low Income: 142 units
- Low Income: 12 units
- Moderate Income: 20 units

The Housing Element documents that all of the remaining RHNA can be accommodated within the inland infill area of the adopted Castroville Community Plan. Specific sites

have been identified that are currently zoned appropriately and could be developed with housing at densities that could supply housing at the required income levels.

In addition to the RHNA, a number of State laws were passed during the last Housing Element cycle that impact the required content of the 2009-2014 Housing Element. These State laws require, among other things, that the County address housing for extremely low income households; make provisions for transitional housing, supportive housing and single room occupancy units; address housing for the homeless through emergency shelters; and, address housing for persons with disabilities through the removal of constraints to housing. Following are descriptions of the Housing Programs that are included in the Housing Element that address these requirements.

### **Housing Programs:**

The Housing Element 2009-2014 provides programs for the County Zoning Ordinances (Title 20 and 21) will be amended within one year of adoption of the Housing element to comply with State Housing Element law. The Zoning Ordinances are not automatically amended with the adoption of the Housing Element but will require follow-up action by the County as described below.

1. **Reasonable Accommodation.** This program provides relief to persons with disabilities seeking to make modifications to their homes for accessibility purposes. Certain development standards such as setbacks may need to be relaxed in order to ensure that persons with disabilities are able to enjoy their residences like other residents. Additionally, the Zoning Ordinances definition for "family" could be considered a constraint on housing for persons with disabilities and needs to be amended. Actions to be taken include: 1) adopting a reasonable accommodation ordinance to specify the procedures/eligibility for reasonable accommodation, the nature and extent of flexibility that can be provided, and fees (if any) to be charged, among other considerations; 2) amending the Zoning Ordinances to provide an inclusive definition of family.
2. **Emergency Shelters.** Emergency shelters are defined as year-round shelters for the homeless. The Zoning Ordinances do not currently address emergency shelters. The Ordinances will be amended to permit emergency shelters by right without discretionary approval in the HDR and MU zones.
3. **Transitional Housing.** Transitional Housing is similar to a rental housing development but limits the length of time that occupants can live there. The Zoning Ordinances currently do not address transitional housing and will need to be amended.
4. **Supportive Housing.** Supportive Housing is occupied by a target population as defined in the State Health and Safety Code and includes low income persons with mental disabilities, AIDS, substance abuse or chronic health conditions and has no limit on the length of stay. The housing is linked to services to meet the



needs of the residents and could be located on-site or off-site. The Zoning Ordinances currently do not address supportive housing and will need to be amended.

5. **Single Room Occupancy Units (SRO's).** Single Room Occupancy Units are one-room units which are not required to have a kitchen or bathroom and are intended for occupancy by a single individual. The Zoning Ordinances currently do not address single-room occupancy housing and will need to be amended.

The Housing Element also includes the continuation of a number of existing County housing programs including the Inclusionary Housing Program, the Housing Rehabilitation Program, Foreclosure and Credit Counseling, Assistance for new affordable housing projects, and Down Payment Assistance.

### **CONSISTENCY WITH THE FORT ORD REUSE PLAN**

As described above the primary focus of this Housing Element is to document the County's ability to meet its remaining RHNA on sites in Castroville and complying with new state requirements. None of these strategies and programs impact the County's Fort Ord area. Goal H-3 is directed at providing suitable sites for housing that accommodates a range of housing types and achieves jobs/housing balance. Program H-3.b Community and Specific Plans cites implementation of the East Garrison project as a way to help meet this Goal. This Goal and Program are entirely consistent with the adopted Fort Ord Reuse Plan. A detailed consistency analysis is presented in Attachment B.

**ATTACHMENT B - CONSISTENCY ANALYSIS**  
**Monterey County Housing Element 2009-2014**  
**with FORA Master Resolution**  
**June 17, 2010**

FORA Master Resolution	Housing Element 2009-2014
<p><b>Chapter 8 Sections 8.02.020 (a) to (f) Natural Resources</b></p> <p>(a) Prior to approving any development entitlements, each land use agency shall act to protect natural resources and open space and conservation policies and programs of the Reuse Plan, applicable to the land use agency, into their respective general, area, and specific plans.</p> <p>(1) Each land use agency shall review each application for a development entitlement for compatibility with adjacent open space land uses and require suitable open space buffers to be incorporated into the development plans of any potentially incompatible land uses as a condition of project approval.</p> <p>(2) When buffers are required as a condition of approval adjacent to Habitat Management areas, the buffer shall be designed in a manner consistent with those guidelines set out in the Habitat Management Plan. Roads shall not be allowed within the buffer area adjacent to Habitat Management areas except for restricted access maintenance or emergency access roads.</p>	<p>(a) The Housing Element does not amend the General Plan text and land use map or rezone any parcels. It provides an inventory of sites available to meet the remaining RHNA of 174 units. These sites are located in Castroville on already zoned properties to meet the affordability requirements. There is no effect on Fort Ord.</p> <p>(a) (1) No specific development is being proposed in the Housing Element and therefore there is no impact on open space or buffers.</p> <p>(a) (2) No specific development, roads or other infrastructure is being proposed in the Housing Element that would require buffers or affect Habitat Management Areas on Fort Ord.</p>
<p>(b) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will ensure consistency of future use of the property within the coastal zone through the master planning process of the California Department of Parks and Recreation, if applicable. All future use of such property shall comply with the requirements of the Coastal Zone Management Act and the California Coastal Act and the coastal consistency determination process.</p>	<p>(b) No specific development is being proposed in the Housing Element. The site inventory that is included in the Housing Element to meet the remaining RHNA does not include any sites or infrastructure in the Coastal Zone or property on Fort Ord.</p>
<p>(c) Monterey County shall include policies and programs in its applicable general, area, and specific plans that will ensure that future development projects at East Garrison are compatible with the historic context and associated land uses and development entitlements are appropriately conditioned prior to approval.</p>	<p>The Housing Element documents that the East Garrison Specific Plan has been adopted, but does not propose any specific development.</p>
<p>(d) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that shall limit recreation in environmentally sensitive areas, including, but not limited to, dunes and areas with rare, endangered, or threatened plant or animal communities to passive, low intensity recreation, dependent on the resource</p>	<p>(d) The Housing Element does not involve new land use entitlements, policies or programs that affect recreation or sensitive areas or resources.</p>

and compatible with its long term protection. Such policies and programs shall prohibit passive, low-density recreation if the Board finds that such passive, low-density recreation will compromise the ability to maintain an environmentally sensitive resource.	
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<b>FORA Master Resolution Chapter 8 Sections 8.02.020 (a) to (t) Historic Preservation</b>	<b>Housing Element 2009-2014</b>
(e) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that shall encourage land uses that are compatible with the character of the surrounding districts or neighborhoods and discourage new land use activities which are potential nuisances and/or hazards within and in close proximity to residential areas. Reuse of property in the Army urbanized footprint should be encouraged.	(e) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property on Fort Ord.
(f) Each land use agency with jurisdiction over property in the Army urbanized footprint shall adopt the cultural resources policies and programs of the Reuse Plan concerning historic preservation, and shall provide appropriate incentives for historic preservation and reuse of historic property, as determined by the affected land use agency, in their respective applicable general, area, and specific plans.	(f) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property or cultural resources on Fort Ord.
(g) The County of Monterey shall amend the Greater Monterey Peninsula Area Plan and designate the Historic East Garrison Area as an historic district in the County Reservation Road Planning Area. The East Garrison shall be planned and zoned for planned development mixed uses consistent with the Reuse Plan. In order to implement this aspect of the plan, the County shall adopt at least one specific plan for the East Garrison area and such specific plan shall be approved before any development entitlement shall be approved for such area.	(g) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meet the remaining RHNA only includes sites in Castroville and does not affect East Garrison. The Housing Element does acknowledge that the East Garrison Specific Plan has been adopted.

<b>FORA Master Resolution Chapter 8 Sections 8.02.020 (a) to (t) Water, Sewer, Drainage, and Waste Reduction</b>	<b>Housing Element 2009-2014</b>
(h) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that shall support all actions necessary to ensure that sewage treatment facilities operate in compliance with waste discharge requirements adopted by the California Regional Water Quality Control Board.	(h) The Housing Element does not involve new land use entitlements, policies or programs that affect waste discharge.
(i) Each land use agency shall adopt the following policies and	(i) (1) The Housing Element is

<p>programs:</p> <p>(1) A solid waste reduction and recycling program applicable to Fort Ord Territory consistent with the provisions of the California Integrated Waste Management Act of 1989, Public Resources Code Section 40000 <i>et seq.</i></p>	<p>a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect sites on Fort Ord.</p>
<p>(2) A program that will ensure that each land use agency carries out all action necessary to ensure that the installation of water supply wells comply with State of California Water Well Standards and well standards established by the Monterey County Health Department; and</p>	<p>(i) (2) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meet the remaining RHNA only includes sites in Castroville and does not affect property or water supply on Fort Ord.</p>
<p>(3) A program that will ensure that each land use agency carries out all actions necessary to ensure that distribution and storage of potable and non-potable water comply with State Health Department regulations.</p>	<p>(i) (3) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property or water supply on Fort Ord.</p>
<p>(j) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans to address water supply and water conservation. Such policies and programs shall include the following:</p> <p>(1) Identification of, with the assistance of the Monterey County Water Resources Agency and the Monterey Peninsula Water Management District, potential reservoir and water impoundment sites and zoning of such sites for watershed use, thereby precluding urban development;</p>	<p>(j) (1) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property or water supply or water conservation on Fort Ord.</p>
<p>(2) Commence working with appropriate agencies to determine the feasibility of development additional water supply sources, such as water importation and desalination, and actively participate in implementing the most viable option or options;</p>	<p>(j) (2) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does</p>

	not affect property or water supply on Fort Ord.
(3) Adoption and enforcement of a water conservation ordinance which includes requirements for plumbing retrofits and is at least as stringent as Regulation 13 of the Monterey Peninsula Water Management District, to reduce both water demand and effluent generation.	(j) (3) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property or water conservation on Fort Ord.
(4) Active participation in support of the development of "reclaimed" or "recycled" water supply sources by the water purveyor and the Monterey Regional Water Pollution Control Agency to ensure adequate water supplies for the territory within the jurisdiction of the Authority.	(j) (4) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property or water supply on Fort Ord.
(5) Promotion of the use of on-site water collection, incorporating measures such as cisterns or other appropriate improvements to collect surface water for in-tract irrigation and other non-potable use.	(j) (5) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property or water supply on Fort Ord.
(6) Adoption of policies and programs consistent with the Authority's Development and Resource Management Plan to establish programs and monitor development of territory within the jurisdiction of the Authority to assure that it does not exceed resource constraints posed by water supply.	(j) (6) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property or water supply on Fort Ord.
(7) Adoption of appropriate land use regulations that will ensure that development entitlements will not be approved until there is verification of an assured long-term water supply for such development entitlements.	(j) (7) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the

	remaining RHNA only includes sites in Castroville and does not affect property or water supply on Fort Ord.
(8) Participation in the development and implementation of measures that will prevent seawater intrusion into the Salinas Valley and Seaside groundwater basins.	(j) (8) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property on Fort Ord or seawater intrusion in the Salinas Valley or Seaside Groundwater basins.
(9) Implementation of feasible water conservation methods where and when determined appropriate by the land use agency, consistent with the Reuse Plan, including; dual plumbing using non-potable water for appropriate functions; cistern systems for roof-top run-off; mandatory use of reclaimed water for any new golf courses; limitation on the use of potable water for golf courses; and publication of annual water reports disclosing water consumption by types of use.	(j) (9) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property or water conservation on Fort Ord.
(k) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will require new development to demonstrate that all measures will be taken to ensure that storm water runoff is minimized and infiltration maximized in groundwater recharge areas. Such policies and programs shall include:  (1) Preparation, adoption, and enforcement of a storm water detention plan that identifies potential storm water detention design and implementation measures to be considered in all new development, in order to increase groundwater recharge and thereby reduce potential for further seawater intrusion and provide for an augmentation of future water supplies.	(k) (1) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property or storm water facilities on Fort Ord.
(2) Preparation, adoption, and enforcement of a Master Drainage Plan to assess the existing natural and man-made drainage facilities, recommend area-wide improvements based on the approved Reuse Plan, and develop plans for the control of storm water runoff from future development. Such plans for control of storm water runoff shall consider and minimize any potential for groundwater degradation and provide for the long term monitoring and maintenance of all storm water retention ponds.	(k) (2) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Site Inventory" to meet the remaining RHNA only includes sites in Castroville and does not affect property or storm water facilities on Fort Ord.
(l) Each land use agency shall adopt policies and programs that	(l) The Housing Element is a

<p>ensure that all proposed land uses on the Fort Ord Territory are consistent with the hazardous and toxic materials clean-up levels as specified by state and federal regulation.</p>	<p>housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property or hazardous materials on Fort Ord.</p>
<p>(m) Each land use agency shall adopt and enforce an ordinance acceptable to the California Department of Toxic Substances Control ("DTSC") to control and restrict excavation or any soil movement on those parcels of the Fort Ord Territory, which were contaminated with unexploded ordnance, and explosives. Such ordinance shall prohibit any digging, excavation, development, or ground disturbance of any type to be caused or otherwise allowed to occur without compliance with the ordinance. A land use agency shall not make any substantive change to such ordinance without prior notice to and approval by DTSC.</p>	<p>(m) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property or contamination on Fort Ord.</p>

<p><b>FORA Master Resolution Chapter 8 Sections 8.02.020 (a) to (t) Traffic/Circulation</b></p>	<p><b>Housing Element 2009-2010</b></p>
<p>(n) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will help ensure an efficient regional transportation network to access the territory under the jurisdiction of the Authority, consistent with the standards of the Transportation Agency of Monterey County. Such policies and programs shall include:</p> <p>(1) Establishment and provision of a dedicated funding mechanism to pay for the "fair share" of the impact on the regional transportation system caused or contributed by development on territory within the jurisdiction of the Authority.</p> <p>(2) Support and participate in regional and state planning efforts and funding programs to provide an efficient regional transportation effort to access Fort Ord Territory.</p>	<p>(n) (1) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property on Fort Ord or transportation systems that serve Fort Ord.</p> <p>(n) (2) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property on Fort Ord or transportation systems that serve Fort Ord.</p>
<p>(o) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that ensure that the design and construction of all major arterials within the territory under the jurisdiction of the</p>	<p>(o) (1) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or</p>

<p>Authority will have direct connections to the regional network consistent with the Reuse Plan. Such plans and policies shall include:</p> <p>(1) Preparation and adoption of policies and programs consistent with the Authority's Development and Resource Management Plan to establish programs and monitor development to assure that it does not exceed resource constraints posed by transportation facilities.</p> <p>(2) Design and construction of an efficient system of arterials in order to connect to the regional transportation system.</p> <p>(3) Designate local truck routes to have direct access to regional and national truck routes and to provide adequate movement of goods into and out of the territory under the jurisdiction of the Authority.</p>	<p>rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property on Fort Ord or roadways serving Fort Ord.</p> <p>(o) (2) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property on Fort Ord or roadways serving Fort Ord.</p> <p>(o) (3) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property or truck routes on Fort Ord.</p>
<p>(p) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans to provide regional bus service and facilities to serve key activity centers and key corridors within the territory under the jurisdiction of the Authority in a manner consistent with the Reuse Plan.</p>	<p>(p) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property on Fort Ord or bus service and facilities serving Fort Ord.</p>
<p><b>FORA Master Resolution Chapter 8 Sections 8.02.020 (a) to (t) Law Enforcement</b></p>	
<p>(q) Each land use agency shall adopt policies and programs that ensure development and cooperation in a regional law enforcement program that promotes joint efficiencies in operations, identifies additional law enforcement needs, and identifies and seeks to secure the appropriate funding mechanisms to provide the required services.</p>	<p>(q) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Sites Inventory" related to meeting the remaining RHNA only includes sites in Castroville and does not affect property or law</p>



	enforcement services on Fort Ord.
<b>FORA Master Resolution Chapter 8 Sections 8.02.020 (a) to (t) Fire Protection</b>	<b>Housing Element 2009-2014</b>
(r) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that ensure development of a regional fire protection program that promotes joint efficiencies in operations, identifies additional fire protection needs, and identifies and seeks to secure the appropriate funding mechanisms to provide the required services.	(r) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Site Inventory" to meet the remaining RHNA only includes sites in Castroville and does not affect property or fire protection on Fort Ord.
<b>FORA Master Resolution Chapter 8 Sections 8.02.020 (a) to (t) Native Plants</b>	<b>Housing Element 2009-2014</b>
(s) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will ensure that native plants from on-site stock will be used in all landscaping except for turf areas, where practical and appropriate. In areas of native plant restoration, all cultivars, including, but not limited to, manzanita and ceanothus, shall be obtained from stock originating on Fort Ord Territory.	(s) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Site Inventory" to meet the remaining RHNA only includes sites in Castroville and does not affect property or native plants on Fort Ord.
<b>FORA Master Resolution Chapter 8 Sections 8.02.020 (a) to (t) Jobs/Housing Balance</b>	<b>Housing Element 2009-2014</b>
(t) Each land use agency shall include policies and programs in their general, area, and specific plans that will ensure compliance with the 1997 adopted FORA Reuse Plan jobs/housing balance provisions. The policies and programs for the provision of housing must include flexible targets that generally correspond with expected job creation on the former Fort Ord. It is recognized that, in addressing the Reuse Plan jobs/housing balance, such flexible targets will likely result in the availability of affordable housing in excess of the minimum 20% local jurisdictional inclusionary housing figure, which could result in a range of 21% - 40% below market housing. Each land use agency should describe how their local inclusionary housing policies, where applicable, address the Reuse Plan jobs/housing balance provisions.	(t) The Housing Element is a housing policy document. It does not amend the General Plan text or land use map or rezone any parcels. The "Available Site Inventory" to meet the remaining RHNA only includes sites in Castroville and does not affect property or the jobs/housing balance on Fort Ord.

# MONTEREY COUNTY

## RESOURCE MANAGEMENT AGENCY

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REDEVELOPMENT AND HOUSING OFFICE, Jim Cook, Director

168 W. Alisal St., 3<sup>rd</sup> Floor  
Salinas, CA 93901

(831) 755-5390  
FAX (831) 755-5398

### MEMORANDUM

Date: June 18, 2010

To: Steve Endsley, FORA Director of Planning and Finance

From: Marti Noel, Assistant Director

**Re: WEB LINKS RELATED TO MONTEREY COUNTY HOUSING ELEMENT 2009-2014 CONSISTENCY DETERMINATION**

This memorandum is part of Monterey County's submittal for a FORA Consistency Determination for the Monterey County Board of Supervisor's legislative actions related to approving the Housing Element 2009-2014.

The CEQA determination for the approval of the Housing Element 2009-2014 is a Negative Declaration. The following links direct interested persons to the County's web sites to view the Housing Element 2009-2014, the Environmental Initial Study and the Negative Declaration as referenced in the Consistency Determination submittal package.

#### **County of Monterey Redevelopment and Housing Office Web Links:**

Monterey County Housing Element 2009-2014:

<http://www.co.monterey.ca.us/housing/housing/Revised%20HCD%20Review%20Draft%2005-28-10.pdf>

Appendix A: <http://www.co.monterey.ca.us/housing/housing/Appendix%20A%202010-04-20.pdf>

Appendix B: <http://www.co.monterey.ca.us/housing/housing/Appendix%20B%202010-04-20.pdf>

Appendix C: <http://www.co.monterey.ca.us/housing/housing/Appendix%20C%202010-04-20.pdf>

Web link to Environmental Initial Study and Negative Declaration:

<http://www.co.monterey.ca.us/housing/housing/Monterey%20County%20HE%20IS%204-21-10%20final.pdf>

**County of Monterey Planning Department Web Links:**

Monterey County Housing Element 2009-2014:

[http://www.co.monterey.ca.us/planning/major/Mo\\_Co\\_Housing\\_Element\\_2009\\_2014/Housing\\_Element\\_2009-2014\\_Adopted\\_061510.pdf](http://www.co.monterey.ca.us/planning/major/Mo_Co_Housing_Element_2009_2014/Housing_Element_2009-2014_Adopted_061510.pdf)

Web link to Environmental Initial Study:

[http://www.co.monterey.ca.us/planning/major/Mo\\_Co\\_Housing\\_Element\\_2009\\_2014/Co\\_Mo\\_IS\\_Housing\\_Element\\_2009\\_2014.pdf](http://www.co.monterey.ca.us/planning/major/Mo_Co_Housing_Element_2009_2014/Co_Mo_IS_Housing_Element_2009_2014.pdf)

## MONTEREY COUNTY BOARD OF SUPERVISORS

<b>MEETING:</b> June 15, 2010	Set Matter	<b>AGENDA NO.:</b>
<b>SUBJECT:</b>	Conduct a public hearing to consider: a. Adoption of the Negative Declaration for the Housing Element 2009-2014; b. Amendment of the 1982 Monterey County General Plan to replace the Housing Element 2002-2008 with the Housing Element 2009-2014; and c. Direction to staff to submit the Housing Element to the State Department of Housing and Community Development for certification	
<b>DEPARTMENT:</b>	RMA - Housing and Redevelopment Office	

### RECOMMENDATION:

It is recommended that the Board of Supervisors conduct a public hearing and adopt a resolution to:

- a. Adopt the Negative Declaration for the Housing Element 2009-2014;
- b. Amend the 1982 County General Plan to replace the Housing Element 2002-2008 (adopted in October 2003) with the Housing Element 2009-2014; and
- c. Direct staff to submit the Housing Element to the State Department of Housing and Community Development for certification

### SUMMARY:

The Housing Element is one of seven mandated elements of the General Plan and must address the existing and projected housing needs for all economic segments of the County. State law requires that the County update its Housing Element approximately every five years based on a schedule set by legislation. A draft Housing Element for 2009-2014 and associated environmental review have been prepared in conformance with State requirements. The recommended actions will provide for the Housing Element to be adopted into the 1982 County General Plan and submitted to the State for certification. State certification is required for the County to apply for State housing funding. The State Department of Housing and Community Development (HCD) has reviewed the recommended draft Housing Element and finds that it complies with State requirements (Attachment 3).

### DISCUSSION:

The County's current certified Housing Element 2003-2008 was adopted in October 2003 and covers the planning period from 2003 to August 2009. State law prescribes the content and process for adopting the Housing Element and mandates review of the Housing Element by HCD for a determination of whether the Housing Element substantially complies with statutory requirements. Under State law, the Housing Element must:

- Identify adequate sites to meet the Regional Housing Needs Allocation (RHNA) through appropriate zoning and development standards to facilitate and encourage the development of a variety of housing types for all income levels;
- Assist in the development of adequate housing to meet the needs of lower and moderate income households;
- Address and, where possible, remove governmental constraints to the maintenance, improvement and development of housing;
- Conserve and improve the condition of the existing affordable housing stock; and
- Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, disability or sexual orientation

A critical component of HCD's review of the Housing Element is the County's ability to accommodate its RHNA through land use planning efforts. Compliance with this requirement is measured by the County's ability to provide adequate land with appropriate zoned densities to accommodate the RHNA. The Association of Monterey Bay Area Governments (AMBAG) is responsible for allocating the RHNA to individual jurisdictions within the region. For the 2009-2014 Housing Element update for the unincorporated areas of the County, AMBAG has assigned a RHNA of 1,554 units. A summary of the County's RHNA and how the Housing Element proposes to accommodate it is included in Attachment 1. State law does not require that the County guarantee that this housing be built, but only that it can be accommodated with already zoned sites. State law also requires that certain modifications be made to the County's zoning code to address housing for special needs populations.

This Housing Element will be adopted as an amendment to the County's 1982 General Plan and has been determined to be consistent with that General Plan. Although the 2010 draft Monterey County General Plan is currently going through public hearings and may be considered for adoption by the Board of Supervisors within the next few months, it is critical to complete the Housing Element adoption and State certification process as soon as possible in order for the County to remain eligible to apply for State housing grants this year. This draft Housing Element and the associated environmental review have been reviewed by the General Plan update team to ensure consistency with the 2010 draft General Plan, as currently drafted.

Pursuant to the California Environmental Quality Act (CEQA), the County prepared an Initial Study and draft Negative Declaration for the Housing Element 2009-2014. The Initial Study concluded that the adoption of the Housing Element would not result in any new housing beyond that which is already allowed by the current General Plan and zoning and therefore will not result in a significant impact on the environment. In addition, the policies and programs included in the Housing Element have been reviewed, and it has been determined that none of these will result in a significant impact. The Initial Study and draft Negative Declaration were circulated for public review from April 22, 2010 to May 24, 2010. No comments were received.

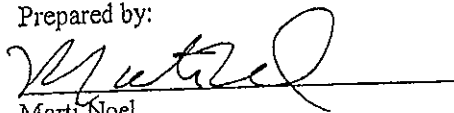
**OTHER AGENCY INVOLVEMENT:**

The Monterey County Housing Advisory Committee (HAC) had considerable input in the preparation of the Housing Element update and conducted public workshops on December 10, 2008, May 13, 2009, and August 12, 2009. On September 9, 2009 and September 30, 2009, the Planning Commission conducted public workshops to discuss the preliminary draft Housing Element. On May 26, 2010 the Planning Commission conducted a public hearing on the draft Housing Element and unanimously approved a resolution recommending that the Board of Supervisors adopt the Negative Declaration, adopt the Housing Element 2009-2014, and direct staff to submit the Housing Element to State HCD for certification (Attachment 4).

**FINANCING:**

The preparation of the recommended documents was funded with County and Redevelopment Agency housing funds. There is no impact on the General Fund.

Prepared by:

  
Marti Noel  
Assistant Director

Approved by:

  
Jim Cook  
Director, Housing & Redevelopment Office

Date: 6/2/10

Date: 6/2/10

Attachments: Attachment 1 - Summary of RHNA; Attachment 2 - Draft Board Resolution; Attachment 3 - HCD Letter; Attachment 4 - Planning Commission Resolution; Draft Housing Element 2009-2014, Environmental Initial Study and Draft Negative Declaration are on file with the Clerk to the Board of Supervisors and have been distributed to the members of the Board of Supervisors.

**ATTACHMENT 1**  
**HOUSING ELEMENT 2009-2014**  
**SUMMARY OF REGIONAL HOUSING NEEDS ALLOCATION (RHNA)**  
**REQUIREMENTS FOR MONTEREY COUNTY**

Total RHNA for 2009-2014 Housing Element – 1554 Units:

- Very Low Income: 347 units
- Low Income: 261 units
- Moderate Income: 295 units
- Above Moderate Income: 651 units

Remaining RHNA – 174 Units:

With units constructed or already approved in the Castroville Community Plan, the East Garrison Specific Plan and with individual approved projects such as Butterfly Village from 2007 until the present, the County has already met a significant portion of its RHNA, with a remaining RHNA of only 174 units to be accommodated in the following income levels:

- Very Low Income: 142 units
- Low Income: 12 units
- Moderate Income: 20 units

The State Department of Housing and Community Development (HCD) considers densities of 20 units/acre or greater to be appropriate to accommodate the very low income units. Low and moderate income units are assumed to be able to be accommodated on properties with lower densities.

**PROPOSAL FOR ACCOMMODATING REMAINING RHNA**

HCD requires that the County identify specific properties that are appropriately zoned to achieve the densities required to meet the remaining RHNA. The state also requires that these sites not have significant development constraints that would prevent them from being developed within the Housing Element planning cycle, should the property owners choose to do so. Sites in Castroville have been identified that are currently vacant and zoned for either high density housing or mixed use which allows high density housing. For the purposes of the analysis contained in the Housing Element, to present a conservative scenario, it was assumed that each of the sites would develop at the mid-range of the densities allowed. The Housing Element does not require that these sites actually be developed, just that they could be. The Housing Element does not affect how the development entitlements are to be processed under the adopted Castroville Community Plan, including review as required by the Citizen's Advisory Committee and Planning Commission. The adopted portions of the Castroville Community Plan contain many other sites that could accommodate the 174 remaining RHNA units, but these sites were selected due to the limited constraints to development associated with them ensuring that HCD would accept them without extensive evaluation data.

Before the Board of Supervisors in and for the County of Monterey, State of California

- Conduct a public hearing to consider: )  
 a. Adoption of the Negative Declaration for the )  
 Housing Element 2009-2014; )  
 b. Amendment of the 1982 Monterey County )  
 General Plan to replace the Housing Element )  
 2002-2008 with the Housing Element 2009- )  
 2014; and )  
 c. Direction to staff to submit the Housing Element )  
 to the State Department of Housing and )  
 Community Development for certification. )

Upon motion of Supervisor Armenta, seconded by Supervisor Parker, and carried by those members present, the Board hereby:

- a. Adopted Resolution No. 10-150 adopting the Negative Declaration for the Housing Element 2009-2014;  
 b. Amended the 1982 Monterey County General Plan to replace the Housing Element 2002-2008 with the Housing Element 2009-2014; and  
 c. Directed staff to submit the Housing Element to the State Department of Housing and Community Development for certification.

PASSED AND ADOPTED this 15<sup>th</sup> day of June, 2010, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Parker, Potter  
 NOES: None  
 ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 75 for the meeting on June 15, 2010.

Dated: June 16, 2010

Gail T. Borkowski, Clerk of the Board of Supervisors  
County of Monterey, State of California

STATE OF CALIFORNIA  
COUNTY OF MONTEREY

By *Jack R. Quinn*  
Deputy

I, Gail T. Borkowski, Clerk of the Board of Supervisors, do hereby certify the foregoing to be a full, true and correct copy of the original

Board Order on file in my office.

Witness my hand and seal of the Board of Supervisors.  
This 16<sup>th</sup> day of June 2010

GAIL T. BORKOWSKI  
Clerk of the Board of Supervisors

seal

By *Jack R. Quinn* Deputy

Before the Board of Supervisors in and for the  
County of Monterey, State of California

Resolution No: 10 - 150

Resolution of the Monterey County Board of )  
Supervisors to adopt a Negative Declaration and )  
adopt the Housing Element 2009-2014 of the )  
Monterey County General Plan. )

The Housing Element 2009-2014 and related draft Negative Declaration came before the Board of Supervisors at a duly noticed public hearing on June 15, 2010. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Board of Supervisors hereby finds and resolves as follows:

RECITALS

1. The Housing Element is one of the seven required elements of the County's General Plan. The County's current certified Housing Element covers the planning period of 2003 to August 2009 and is part of the 1982 Monterey County General Plan as amended. State law requires that the County periodically update its Housing Element. (California Government Code, section 65588.) The Housing Element which is the subject of this resolution covers the planning period of July 1, 2009 through June 30, 2014 and would replace the current Housing Element.
2. In 2008, the Association of Monterey Bay Area Governments (AMBAG) certified the Regional Housing Needs Allocation (RHNA) of 1,554 units for the unincorporated areas of Monterey County for the 2007-2014 planning period.
3. On August 13, 2008, the Monterey County Housing Advisory Committee (HAC) appointed a subcommittee to work with staff on the preparation of the draft Housing Element.
4. On December 10, 2008 and May 13, 2009, the HAC received presentations on the Preliminary Draft Housing Element 2009-2014. On August 12, 2009, the HAC approved a recommendation to transmit the draft Housing Element to the Planning Commission for consideration and submittal to the State Department of Housing and Community Development (HCD) for an initial review.
5. On September 9, 2009 and September 30, 2009, the Monterey County Planning Commission received a presentation and conducted a public workshop on the Preliminary Draft Housing Element and recommended that the Housing Element be submitted to HCD for the initial review.



6. State law (Government Code section 65585) requires that draft and adopted housing elements be submitted to the State Department of Housing and Community Development for review with compliance with State law. On October 8, 2009, County staff submitted a draft of the Housing Element 2009-2014 to HCD for review. HCD responded with comments on December 10, 2009. Based on discussions with HCD, County staff prepared a revised Draft Housing Element.
7. A letter received from HCD dated May 28, 2010 notified the County that the draft Housing Element 2009-2014 received by HCD for review on May 19, 2010 complies with State housing element law (Article 10.6 of the Government Code) once adopted by the Board of Supervisors.
8. The Housing Element 2009-2014 amends the County's 1982 General Plan. The Housing Element 2009-2014 is consistent with the County's 1982 General Plan, as amended. The RHNA for the unincorporated areas of Monterey County can be entirely accommodated with already constructed or approved projects and already adopted Community Plans and Specific Plans. Although the Housing Element applies to both the coastal and inland areas, no amendment to the County's Local Coastal Program (LCP) or certification by the California Coastal Commission is required per Chapter 3 of State Coastal Act (Public Resources Code section 30200 et seq.)
9. A General Plan update (2010 draft Monterey County General Plan) has been prepared by the County. Although the 2010 draft General Plan is currently going through public hearings and may be considered for adoption by the Board of Supervisors within the next few months, it is critical to complete the Housing Element adoption and state certification process as soon as possible in order for the County to remain eligible to apply for State housing grants.
10. The Housing Element 2009-2014 has also been reviewed for consistency with the goals and policies of the draft 2010 Monterey County General Plan, and the Housing Element is consistent with the proposed General Plan update, as currently drafted. If, however, inconsistencies between the Housing Element and the 2010 draft General Plan are identified or emerge during the course of the General Plan update proceedings, it is the intent of staff and the recommendation of the Planning Commission that the Board of Supervisors would resolve any such inconsistencies through amending the Housing Element to achieve consistency with the 2010 General Plan. Any such amendments to the Housing Element would be considered by the Planning Commission and Board of Supervisors in accordance with the requirements of state law.
11. Pursuant to Government Code section 65358, in general, no mandatory element of a general plan shall be amended more frequently than four times during any calendar year. The Housing Element has not previously been amended during the 2010 calendar year.

12. Pursuant to the California Environmental Quality Act (CEQA), the County prepared an Initial Study, Notice of Intent to Adopt a Negative Declaration, and draft Negative Declaration for the Housing Element 2009-2014. The Initial Study concluded that the adoption of the Housing Element would not have a significant impact on the environment. The Initial Study and Draft Negative Declaration were circulated for public review from April 22, 2010 to May 24, 2010. No comments were received on the proposed Negative Declaration during the public review period.

13. The Board of Supervisors finds on the basis of the whole record before it that there is no substantial evidence that the Housing Element will have a significant effect on the environment. The Board of Supervisors further finds that the Negative Declaration reflects the Lead Agency's independent judgment and analysis. The Housing Element will not result in any new housing beyond that which is already allowed by the current General Plan and zoning. All of the housing associated with meeting the County's RHNA can be entirely accommodated on sites already appropriately zoned for the housing densities needed to meet the required affordability levels. In addition, the other goals and policies included in the Housing Element have been reviewed, and it has been determined that none will result in significant environmental impacts and none commit the County to development without further environmental review. The Planning Commission recommended clarification of Policy H-3.3 relating to density of units in Community Areas to indicate that the adopted Castroville Community Plan complies with the policy and that the policy as applied to remaining Community Areas would become effective only with adoption of the 2010 General Plan Update, not as a result of adoption of this Housing Element. Therefore, the inclusion of this policy in the Housing Element does not in itself cause a direct or reasonably foreseeable indirect physical change in the environment. The Planning Commission also recommended that the Board of Supervisors determine if any other clarifications are needed to ensure the adequacy of the environmental determination. The Board has not identified any other policies requiring revision to clarify that the policies of the Housing Element do not commit the County to development beyond that which has already been approved or that which would be subject to future deliberation and appropriate environmental review. The Board received no public comments or evidence suggesting that the Housing Element may have a significant effect on the environment. For all these reasons, the Board finds that there is no substantial evidence supporting a fair argument that the Negative Declaration may have a significant environmental impact on the location and custodian of documents and materials which constitute the record of proceedings upon which the Board's decision is based are located at the Resource Management Agency Redevelopment and Housing Office, 168 W. Alisal Street, 3<sup>rd</sup> Floor, Salinas, California.

14. The Planning Commission held a duly noticed public hearing on the draft Negative Declaration and draft Housing Element 2009-2104 on May 26, 2010. By unanimous vote, the Planning Commission recommended that the Board of

Supervisors adopt the Negative Declaration, amend the 1982 County General Plan to replace the Housing Element 2002-2008 with the Housing Element 2009-2014, and direct staff to submit the Housing Element to HCD for certification. The written recommendation of the Planning Commission was transmitted to the Board of Supervisors prior to the Board's hearing on the Housing Element.

- 15. On June 15, 2010, the Monterey County Board of Supervisors conducted a public hearing on the draft Negative Declaration and Housing Element at which all persons were provided an opportunity to appear and be heard. The hearing was duly noticed, including publication of notice in the Salinas Californian and Monterey County Herald at least 10 days prior to the hearing.

DECISION

NOW, THEREFORE, based on all of the above findings and evidence and the record as a whole, the Board of Supervisors of the County of Monterey, State of California, hereby adopts the Negative Declaration for the Monterey County Housing Element 2009-2014, amends the 1982 Monterey County General Plan to replace the Housing Element 2002-2008 (adopted in October 2003) with the Housing Element 2009-2014, and directs staff to submit the Housing Element 2009-2014 to the State Department of Housing and Community Development for certification.

PASSED AND ADOPTED on this 15<sup>th</sup> day of June, 2010, upon motion of Supervisor Armenta, seconded by Supervisor Parker, by the following vote, to-wit:

- AYES: Supervisors Armenta, Calcagno, Salinas, Parker, Potter
- NOES: None
- ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 75 for the meeting on June 15, 2010.

Dated: June 16, 2010

Gail T. Borkowski, Clerk of the Board of Supervisors  
County of Monterey, State of California

By: *Tasha R. Chiu* Deputy

STATE OF CALIFORNIA  
COUNTY OF MONTEREY

I, Gail T. Borkowski, Clerk of the Board of Supervisors, do hereby certify the foregoing to be a full, true and correct copy of the original Resolution 10-150 on file in my office.

Witness my hand and seal of the Board of Supervisors.  
This 16<sup>th</sup> day of June 2010

GAIL T. BORKOWSKI  
Clerk of the Board of Supervisors

seal

By: *Tasha R. Chiu* Deputy

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT

1800 Third Street, Suite 430  
P.O. Box 952053  
Sacramento, CA 94252-2053  
(916) 323-3177 / FAX (916) 327-2643  
www.hcd.ca.gov



May 28, 2010

RECEIVED  
MAY 1 2010

A handwritten signature in black ink, appearing to be "M".

Mr. Jim Cook, Director  
Housing and Redevelopment Office  
County of Monterey  
168 W. Alisal St., 3<sup>rd</sup> Floor  
Salinas, CA 93901

Dear Mr. Cook:

**RE: Review of the County of Monterey's Draft Housing Element**

Thank you for submitting Monterey County's draft housing element received for review on March 29, 2010, along with revisions received on May 18 and May 19, 2010. The Department is required to review draft housing elements and report the findings to the locality pursuant to Government Code Section 65585(b). Telephone conversations with Ms. Veronica Tam, the County's consultant, facilitated the review.

The revised draft element addresses the statutory requirements described in the Department's December 10, 2009 review. For example, the element now includes a complete analysis of the suitability of sites to accommodate Monterey County's remaining regional need for lower-income households. The Department commends the County's commitment to partner with local developers to seek funding annually to facilitate development of housing for farmworkers and prioritize funds to assist in the development of housing affordable to extremely low-income households. As a result, the revised element will comply with State housing element law (Article 10.6 of the Government Code) when adopted and submitted to the Department, pursuant to Government Code Section 65585(g).

The Department appreciates the cooperation and assistance provided by Ms. Tam throughout the review. If you have any questions or need additional assistance, please contact James Johnson, of our staff, at (916) 323-7271.

Sincerely,

A handwritten signature in black ink, reading "Cathy E. Creswell".

Cathy E. Creswell  
Deputy Director

**ATTACHMENT C**

Item 7b

FORA Board Meeting, July 9, 2010

<b>FORA Master Resolution Section</b>	<b>Finding of Consistency</b>	<b>Justification for finding</b>
(1) Does not provide for a land use designation that allows more intense land uses than the uses permitted in the Reuse Plan for the affected territory;	Yes	The County Housing Element did not change land use designations.
(2) Does not provide for a development more dense than the density of uses permitted in the Reuse Plan for the affected territory;	Yes	The Housing Element does not allow development to be more dense than permitted in the Base Reuse Plan.
(3) Is in substantial conformance with applicable programs specified in the Reuse Plan and Section 8.02.020 of this Master Resolution.	Yes	The Housing Element is in compliance with applicable programs. See County's Attachment B - Consistency Analysis - (a) to (t), pages 1-8.
(4) Does not provide uses which conflict with or are incompatible with uses permitted or allowed in the Reuse Plan for the affected property or which conflict with or are incompatible with open space, recreational, or habitat management areas within the jurisdiction of the Authority;	Yes	No conflict or incompatibility exists between the County Housing Element and BRP. See County's Attachment B - Consistency Analysis - (a) to (d), page 1.
(5) Requires or otherwise provides for the financing and/or installation, construction, and maintenance of all infrastructure necessary to provide adequate public services to the property covered by the legislative land use decision;	Yes	The County Housing Element does not modify County's obligation to contribute to base-wide costs. See County's Attachment B - Consistency Analysis - (n) and (o), pages 6-7.
(6) Requires or otherwise provides for implementation of the Fort Ord Habitat Management Plan.	Yes	The County Housing Element provides for implementation of the Habitat Management Plan. See County's Attachment B - Consistency Analysis - (a) to (d), page 1.
(7) Is consistent with the Highway 1 Scenic Corridor design standards as such standards may be developed and approved by the Authority Board.	Yes	The County Housing Element is consistent with Highway 1 Scenic Corridor design standards.
(8) Is consistent with the jobs/housing balance requirements developed and approved by the Authority Board as provided in Section 8.02.020(t) of this Master Resolution.	Yes	The County Housing Element is consistent with job/housing balance requirements. See County's Attachment B - Consistency Analysis - (t), page 8.
(9) Prevailing Wage	Yes	The Monterey County Housing Element does not modify prevailing wage requirements.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## NEW BUSINESS

<b>Subject:</b>	Amend Remedial Services Agreement with LFR (now Arcadis/US/Weston) to obtain regulatory consent for extension of Eucalyptus Road	
<b>Meeting Date:</b>	July 9, 2010	<b>ACTION</b>
<b>Agenda Number:</b>	7c	

### RECOMMENDATION

Authorize the Executive Officer to execute an amendment (Contract Change Order #4) to the Remedial Services Agreement ("RSA") with LFR (now Arcadis/US/Weston) to process approvals with the US Environmental Protection Agency and the California Department of Toxic Substances control to enable construction of Eucalyptus Road to its intersection with Parker Flats Cut-off. This approval is pending final identification of funds to support this Contract Change Order.

### BACKGROUND / DISCUSSION

At the March 2010 Fort Ord Reuse Authority ("FORA") Board of Directors ("Board") meeting, the Board approved restoring construction components set aside from the original General Jim Moore Blvd. Phase V /Eucalyptus Road Phase II construction documents. One of the items approved was the extension of Eucalyptus Road to its intersection with Parker Flats Cut-off. In order to move forward with this project element, unanticipated review and regulatory consent is required. In the interim period, the regulatory agencies have identified that this work within Environmental Services and Cooperative Agreement parcels will require issuance of a letter describing the terms and conditions for such construction to occur.

As in previous circumstances, these services must be obtained through a contract with LFR/Arcadis US/Weston due to both our RSA terms and insurance requirements that Arcadis US/Weston maintain complete control over their site at all times. Arcadis US/Weston have established contacts with the regulatory agencies that will be providing consent on this matter.

This is an emergency item that has not been reviewed by the FORA Executive or Administrative Committees. Delaying the item until the August board meeting would be detrimental to the follow-on construction schedule.

### FISCAL IMPACT

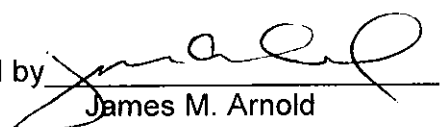
Reviewed by FORA Controller 

Contract Change Order #4 is for an amount not to exceed \$100,000. Funding for this item was not anticipated or included in the annual budget or the Capital Improvement Program. At the time of this writing, staff is exploring eligibility of this needed work by US Economic Development Administration ("EDA").

### COORDINATION

Arcadis US/Weston, EDA

Prepared by

  
James M. Arnold

Approved by

  
Michael A. Houlemard, Jr.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

<b>Subject:</b> Administrative Committee Report	
<b>Meeting Date:</b> July 9, 2010 <b>Agenda Number:</b> 8a	<b>INFORMATION</b>

### RECOMMENDATION(S)

Receive a report from the Administrative Committee

### BACKGROUND/DISCUSSION

The Administrative Committee held joint meetings with the Capital Improvement Program Committee on June 16 and June 30, 2010. The minutes of the June 2<sup>nd</sup> meeting were approved on June 16, 2010, and are attached as **Attachment A**. The minutes of the June 16<sup>th</sup> meeting were approved on June 30, 2010 and are also attached as **Attachment B**.

### FISCAL IMPACT

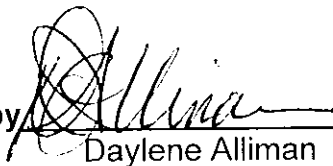
Reviewed by FORA Controller 

Staff time for this item was included in the approved FY 09-10 budget.

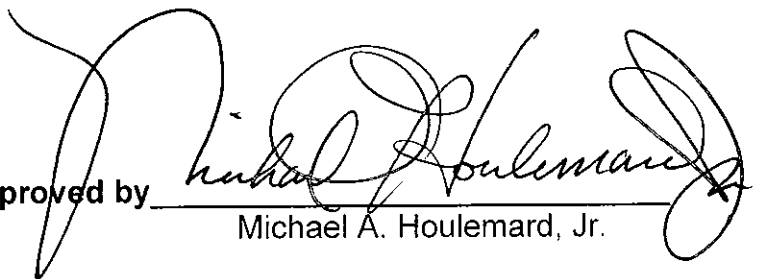
### COORDINATION

Administrative Committee and Capital Improvement Program Committee

Prepared by

  
Daylene Alliman

Approved by

  
Michael A. Houlemard, Jr.

**FORT ORD REUSE AUTHORITY**

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

Marina, CA 93933

(831) 883-3672 (TEL) · (831) 883-3675 (FAX) · www.fora.org

**APPROVED**

**MINUTES OF THE  
JOINT ADMINISTRATIVE / CAPITAL IMPROVEMENT PROGRAM  
COMMITTEE MEETING  
Wednesday, June 2, 2010**

**1. Call to order at 8:15 a.m.**

Fort Ord Reuse Authority Executive Officer Michael A. Houlemard, Jr. called the meeting to order at 8:18 a.m. The following people, as indicated by signatures on the roll sheet, were present:

*Nick Nichols, Monterey County	Michael A. Houlemard, Jr., FORA
Anya Spear, CSUMB	Jim Arnold, FORA
*Doug Yount, City of Marina	Graham Bice, UCMBEST
*Tim O'Halloran, City of Seaside	Bob Schaffer, MCP
Mike Zeller, TAMC	*Ray Corpuz, City of Seaside
*Daniel Dawson, City of DRO	*Elizabeth Caraker, City of Monterey
*Diana Ingersoll, City of Seaside	Rob Robinson, BRAC
Pat Ward, Bestor Engineers	Scott Hilk, MCP
Steve Endsley, FORA	Jonathan Garcia, FORA
Vicki Nakamura, MPC	Crissy Maras, FORA
Carl Niizawa, MCWD	

\*indicates a quorum-making committee member (3 of 5 land use jurisdictions comprise a quorum)

**2. Pledge of Allegiance**

Chair Houlemard asked Anya Spear, who agreed, to lead the pledge of allegiance.

**3. Acknowledgements/Announcements/Correspondence**

Chair Houlemard noted that he and Seaside City Manager Ray Corpuz would be traveling to Sacramento to support Assembly Bill (AB) 1791. If approved, AB1791 will allow the Cities of Marina, Del Rey Oaks, Seaside and Monterey County to use tax increment for commercial development purposes on their former Fort Ord undeveloped properties of 5 acres or more. Chair Houlemard asked members to invite their elected officials to join him in Sacramento on Wednesday, June 9<sup>th</sup>. Copies of the current bill language were made available.

**4. Public Comment Period – none**

**5. Approval of May 5, 2010 Administrative Committee meeting minutes**

The minutes were approved as presented.

**6. Approval of May 19, 2010 joint Administrative Committee/Capital Improvement Program (CIP) Committee meeting minutes**

The minutes were approved as presented.



**7. Review of the June 11, 2010 FORA Board meeting agenda**

Item 5b, Preston Park Financing Memorandum of Agreement. FORA and City of Marina staff agree on the MOA after minor language modifications.

Item 6a, Fort Ord Reuse Authority FY 10-11 Preliminary Budget. This standard budget contains some carryover of American Recovery and Reinvestment Act funds.

Item 6b, Capital Improvement Program for FY 10/11 – Status Report. This item informs the Board that staff anticipates presenting a draft CIP in July.

Item 7a, Preston Park Budget for FY 10-11. City of Marina staff requested a change in how Preston Park rent is currently calculated to a formulaic approach based on the consumer price index. If the Marina City Council approves the rent formula and Preston Park budget at their meeting later this evening, this item will move forward to the FORA Board for approval.

Item 7b, Promissory Note between FORA/Salinas Valley Memorial Hospital/City of Marina. This item is still in the early stages. If Salinas Valley Memorial Hospital (SVMH) is unable to pay the total amount of land sales due, a phased sale may be requested. It's urgent to move this item forward to the Board prior to the end of the fiscal year.

Bob Schaffer asked if the Department of Education had signed off on the land swap for the SVMH site. Chair Houlemard responded that Monterey Peninsula College (MPC) will be signing off on the land swap and that there are certain terms and conditions related to moving one public benefit conveyance site to another that MPC is working through.

**8. Old Business**

**a. Draft FY 2010/11 CIP document**

The draft CIP document was sent to members and contains only slight text modifications to update dollar amounts, dates and the current status of items such as the multi-modal corridor MOA and the regional urban water augmentation plan. CIP spreadsheets remain the same, with the exception of Table 2, which now includes the accommodation of TAMC/Monterey County's request to fund the Davis Road project 2B in FY 10/11. Additionally, Table 5 is now included in the draft document.

No action was expected at this meeting. Chair Houlemard asked members to review the document and send any comments, questions or suggestions to staff. Staff expects to present this draft document to the FORA Board at their July meeting.

Doug Yount, City of Marina, submitted a list of written questions in response to this item. Chair Houlemard advised that staff would review and respond to the questions within one week.

**b. American Recovery and Reinvestment Act (ARRA) grant – update**

A memo updating the Executive Committee on the current status of the ARRA grant was sent after staff reported on the status at the May 19<sup>th</sup> joint meeting. EDA staff reviewed the list of General Jim Moore/Eucalyptus Road project restoration items and determined that all remaining grant funds would be consumed. Additionally, EDA did not see any reason to review additional or alternative projects at this time.

**9. Next Meeting**

The next joint meeting was scheduled for June 16<sup>th</sup>.

**10. Adjournment**

Chair Houlemard adjourned the meeting at 8:45 a.m.

Minutes prepared by Crissy Maras, Administrative Coordinator

**FORT ORD REUSE AUTHORITY**100 12<sup>th</sup> Street, Building 2880

Marina, CA 93933

(831) 883-3672 (TEL) • (831) 883-3675 (FAX) • www.fora.org

**APPROVED**

**MINUTES OF THE  
JOINT ADMINISTRATIVE / CAPITAL IMPROVEMENT PROGRAM  
COMMITTEE MEETING  
Wednesday, June 16, 2010**

**1. Call to order at 8:15 a.m.**

Administrative Committee co-chair Doug Yount called the meeting to order at 8:18 a.m. The following people, as indicated by signatures on the roll sheet, were present:

\*Nick Nichols, Monterey County  
Anya Spear, CSUMB  
\*Doug Yount, City of Marina  
\*Tim O'Halloran, City of Seaside  
Don Bachman, TAMC  
Rob Robinson, BRAC  
Carl Niizawa, MCWD  
Pat Ward, Bestor Engineers  
Jonathan Garcia, FORA

Vicki Nakamura, MPC  
Jim Arnold, FORA  
Graham Bice, UCMBEST  
Bob Schaffer, MCP  
\*Daniel Dawson, City of DRO  
Crisand Giles, BIA Bay Area  
Steve Endsley, FORA  
Crissy Maras, FORA

\*indicates a quorum-making committee member (3 of 5 land use jurisdictions comprise a quorum)

**2. Pledge of Allegiance**

Chair Yount asked Don Bachman, who agreed, to lead the pledge of allegiance.

**3. Acknowledgements/Announcements/Correspondence**

Chair Yount acknowledged that FORA Executive Officer Michael Houlemard was in Sacramento for a legislative session regarding Assembly Bill (AB) 1791.

**4. Public Comment Period – none****5. Approval of June 2, 2010 joint Administrative Committee/Capital Improvement Program (CIP) Committee meeting minutes**

The minutes were approved as presented.

**6. Old Business****a. Draft FY 2010/11 CIP document**

No changes were made since committee members received and reviewed the CIP document last. The main item for discussion is the FORA memo sent in response to CIP questions submitted by the City of Marina on June 2<sup>nd</sup>. FORA Acting Assistant Executive Officer/Director of Planning and Finance Steve Endsley summarized the FORA response and attachments. Mr. Endsley highlighted that: 1) contingency costs are real costs and are the direct result of many years of working through projects on the former Fort Ord, 2) staff is working on a chart based on Table 3 that will break out contingency costs in a more user friendly format, and 3) grants and other federal funds have kept the overall CIP obligation even with inflation.

At the June 9<sup>th</sup> board meeting, a board member asked about the process for winding down FORA operations during discussion on the FORA operating budget. Executive Officer Houlemard responded that the CIP process might be a good way to start that process since it provides a way to review all of FORA's obligations, both remaining and completed.

Staff anticipates presenting the CIP to the board in July; their approval of the document will not hinder additional discussions related to the overall CIP, project priorities, developer fee amount validation, etc. at the joint administrative/CIP committee level.

FORA Joint Administrative and Capital Improvement Program Committee Meeting

June 16, 2010

Page 1

Graham Bice, UCMBEST, asked for clarification on FORA response to question #1 which states that the Base Reuse Plan will be reassessed in 2012. Mr. Bice wanted to know if the process would be beginning or ending in 2012. Mr. Endsley responded that there is no specific timeframe at this time, but a review (or reassessment) of the BRP should begin no later than 2012 to be concluded by FORA's sunset.

Nick Nichols, Monterey County Redevelopment Agency, asked if the joint powers authority formed for the anticipated Habitat Conservation Plan could include other tasks, such as the CIP. Mr. Endsley responded that there is no certainty on what the post-FORA future will look like. There are several possible scenarios; for example, transportation projects could be handed over to TAMC, divided amongst the jurisdictions, or a JPA could assume those obligations.

Daniel Dawson, City of Del Rey Oaks, asked if the CIP project totals had kept pace with the actual inflation rate or with the 5% cap. FORA Senior Project Manager Jim Arnold responded that the 5% cap is in place only on CFD fee inflation; the CIP project costs are inflated by the actual Construction Cost Index with no cap.

Crisand Giles distributed a letter (sent to FORA at 6:36PM the night before this meeting) requesting that the committees not take action to approve the CIP. She offered her availability to meet with a task force to further analyze the CFD fee amount and with staff to review the responses in the memo.

Mr. Endsley noted that committee members have time to review the response memo and action to approve the CIP could be taken at the June 30<sup>th</sup> meeting. He reiterated that an approval of the current CIP would not halt further discussions related to an in-depth analysis of the overall CIP.

Chair Yount added his opinion that there is no rush to approve the CIP since the committees still need to verify the fee amount, remaining obligations, and project priorities. He noted that verifying an appropriate fee amount is an obligation to allow redevelopment of the former Fort Ord to continue.

Mr. Nichols agreed with Chair Yount that it is appropriate to continue and conclude that verification process, but additionally noted the importance of moving forward with the short term implementation of CIP projects that require board approval. The in-depth analysis of the overall CIP should not delay projects that are on the table today.

Mr. Bachman agreed with Mr. Nichols and noted that the committees have worked through the current draft CIP and there is general agreement on the document. He asked how it could be moved to the board for approval. Mr. Endsley explained that the joint committee could approve the CIP and recommend it to the board for approval.

Mr. Bice added his support of moving the current CIP to the board to ensure no projects are slowed down without board approval. He noted that the in-depth analysis will be a many months' process that should begin now. Mr. Bachmann agreed with this approach and further suggested that at the June 30<sup>th</sup> meeting the committee approve the current CIP and review a work plan for the in-depth analysis and the timeframe of the process.

Chair Yount also asked to review project priorities at the June 30<sup>th</sup> meeting to determine if there is a way to accelerate reimbursement payments when there is a reimbursement agreement in place.

Mr. Endsley suggested that at the June 30<sup>th</sup> meeting, the committees can review a board report that will explain the ongoing in-depth analysis and provide a schedule for concluding that process.

FORA staff will re-distribute the draft FY 2010/11 CIP to the committees for the June 30, 2010 meeting. The draft CIP will include an appendix which updates the status of the water augmentation program.

**7. Next Administrative Committee Meeting: June 30, 2010**

The next joint meeting was scheduled for June 30<sup>th</sup> and will either follow or be scheduled in place of the June 30<sup>th</sup> Administrative Committee meeting.

**8. Adjournment**

Chair Yount adjourned the meeting at 9:25 a.m.

Minutes prepared by Crissy Maras, Administrative Coordinator

FORA Joint Administrative and Capital Improvement Program Committee Meeting

June 16, 2010

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# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

<b>Subject:</b> Executive Officer's Travel Report	
<b>Meeting Date:</b> July 9, 2010	<b>INFORMATION</b>
<b>Agenda Number:</b> 8b	

### RECOMMENDATION(S)

Receive a report regarding the Executive Officer's AB 1791 legislative hearing trips to Sacramento and proposed July travel.

### BACKGROUND/DISCUSSION

The Executive Officer regularly submits reports to the Executive Committee providing details of his travel, including those joined by the Fort Ord Reuse Authority ("FORA") staff and board members. Travel expenses may be paid or reimbursed by FORA, outside agencies/ jurisdictions/organizations, or a combination of these sources. The Executive Committee reviews and approves these requests, and the travel information is reported to the Board as an informational item.

Executive Officer Houlemard traveled to the state capitol on June 8, 9 and June 15, 16, 2010.

#### June 8 - Meetings

- Ryan Guillen Staff, Assemblymember Monning's Office
- Peter Detwiller Staff, Senate Local Government
- Cheryl Kozachenko Staff, Senator Christine Kehoe's Office

June 9 – Lack of quorum, hearing cancelled (late on June 8).

#### June 15 – Meetings

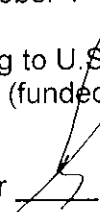
- Ryan Guillen Staff, Assemblymember Monning's Office
- Peter Detwiller Staff, Senate Local Government
- Cheryl Kozachenko Staff, Senator Christine Kehoe's Office

June 16 – Legislative hearing – Testimony by Executive Officer Houlemard, AB 1791 passed Senate local government, as amended.

July 14 – Sacramento –EDA introduces Process Improvement Plan for grant processing program - which goes into effect October 1<sup>st</sup> 2010.

July TBD – Anticipated briefing to U.S. Army headquarters regarding outcomes/successes from Residential Quality Assurance Pilot Study (funded through Environmental Services Cooperative Agreement).

### FISCAL IMPACT

Reviewed by FORA Controller 

Travel expenses and staff time for this item are included in the approved FY 09-10 and FY 10-11 budgets.

COORDINATION Chair Rubio, 1<sup>st</sup> Vice Chair Potter, Executive Committee and Legislative Committees

Prepared by:   
Daylene Alliman

Approved by:   
Michael A. Houlemard, Jr.

<b>FORT ORD REUSE AUTHORITY BOARD REPORT</b>	
<b>EXECUTIVE OFFICER'S REPORT</b>	
<b>Subject:</b>	Fort Ord Reuse Authority Annual Report FY 2009/10
<b>Meeting Date:</b>	July 9, 2010
<b>Agenda Number:</b>	8c
<b>INFORMATION</b>	

**RECOMMENDATION(S):**

Receive the fiscal year 2009-10 Fort Ord Reuse Authority Annual Report.

**BACKGROUND/DISCUSSION:**

Fort Ord Reuse Authority ("FORA") staff provides project and activity updates on a regular basis to apprise the FORA Board of Directors, local and regional jurisdictions, legislature offices, community members and the business leadership of the reuse progress. FORA staff expects to distribute the Annual Report to local, national, state and/or regional entities at meetings, conventions, and to the public.


**FISCAL IMPACT:**

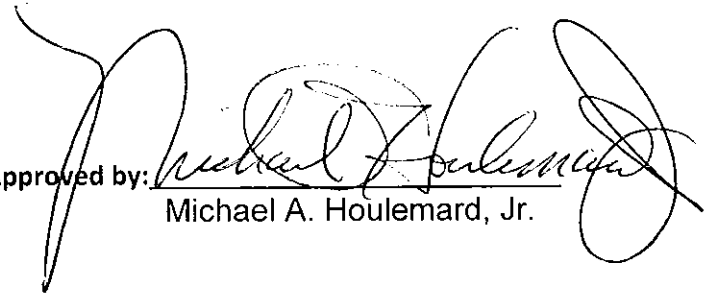
Reviewed by FORA Controller 

Printing costs and staff time for this item were included in the approved FY 09-10 budget.

**COORDINATION:**

FORA Staff

Prepared by:   
Sharon Strickland

Approved by:   
Michael A. Houlemard, Jr.