



APPROVED

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

1. CALL TO ORDER

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

The following were present:

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

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

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Dino Pick.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

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

4. PUBLIC COMMENT PERIOD

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

No public comments were received.

5. APPROVAL OF MEETING MINUTES

ACTION

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

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

MOTION PASSED UNANIMOUSLY

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

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

7. BUSINESS ITEMS

INFORMATION/ACTION

a. Building Removal

i. Legal Documents

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

ii. Monterey County Regional Fire District

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

iii. Review Recommendation to Board

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

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

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

b. 2018 Transition Plan Progress Report

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

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

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

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

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

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

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

d. Habitat Conservation Plan Schedule Update

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

8. ITEMS FROM MEMBERS

There were no items from members.

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

Minutes Prepared By:
Heidi Gaddy
Deputy Clerk