



FORT ORD REUSE AUTHORITY

920 2nd Avenue, Suite A, Marina, CA 93933

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

REGULAR MEETING FORT ORD REUSE AUTHORITY BOARD OF DIRECTORS

Friday, October 14, 2016 at 2:00 p.m.

910 2nd Avenue, Marina, CA 93933 (Carpenters Union Hall)

AMENDED AGENDA

ALL ARE ENCOURAGED TO SUBMIT QUESTIONS/CONCERNS BY NOON OCTOBER 13, 2016.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

- a. California Central Coast Veterans Cemetery Opening Ceremony (October 11)
- b. Major General William H. Gourley VA-DOD Clinic Ribbon Cutting Ceremony (October 14)
- c. Prevailing Wage Jurisdictional Training (November 1)

5. CLOSED SESSION

- a. *Conference with Legal Counsel – Existing Litigation, Gov. Code 54956.9(a): Keep Fort Ord Wild v. Fort Ord Reuse Authority (FORA), Case No.: M114961*

6. CONSENT AGENDA

CONSENT AGENDA consists of routine items accompanied by staff recommendation.

- | | |
|--|--------------------|
| a. Approve September 9, 2016 Board Meeting Minutes (p. 1-5) | ACTION |
| b. Administrative Committee (p. 6-8) | INFORMATION/ACTION |
| c. Veterans Issues Advisory Committee (p. 9-13) | INFORMATION/ACTION |
| d. Water/Wastewater Oversight Committee (p. 14-17) | INFORMATION/ACTION |
| e. Transition Task Force Committee (p. 18) | INFORMATION/ACTION |
| f. Fort Ord Reuse Authority Building Removal Program Update (p. 19-22) | INFORMATION/ACTION |
| g. Environmental Services Cooperative Agreement – Quarterly Report Update (p. 23-25) | INFORMATION/ACTION |
| h. Travel Report (p. 26) | INFORMATION/ACTION |
| i. Public Correspondence to the Board (p. 27) | INFORMATION/ACTION |
| j. Prevailing Wage Report Update (p.28) | INFORMATION/ACTION |
| k. Habitat Conservation Plan Report Update (p. 29-30) | INFORMATION/ACTION |

7. BUSINESS ITEMS

- | | |
|--|--------------------|
| a. Authorize Execution of Amendment #1 to City of Del Rey Oaks FORA Insurance Repayment Agreement (p. 31-36) | INFORMATION/ACTION |
| b. Eastside Parkway Environmental Review Contract (p. 37-65) | INFORMATION/ACTION |
| c. Water Augmentation Project Planning Process (p. 66-67) | INFORMATION/ACTION |
| d. Economic Development Quarterly Status Update (p. 68-70) | INFORMATION/ACTION |
| e. University of California Monterey Bay Education Science and Technology Center Status Update (p. 71-72) | INFORMATION/ACTION |

8. PUBLIC COMMENT PERIOD

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

9. ITEMS FROM MEMBERS

10. ADJOURNMENT

NEXT BOARD MEETING: November 4, 2016
(due to Observance of Veterans Day 11/11/2016)



FORT ORD REUSE AUTHORITY BOARD OF DIRECTORS REGULAR MEETING MINUTES

Friday, September 9, 2016 at 2:00 p.m.
910 2nd Avenue, Marina, CA 93933 (Carpenters Union Hall)

1. CALL TO ORDER

Chair O'Connell called the meeting to order at 2:00pm.

2. PLEDGE OF ALLEGIANCE

Mayor Jerry Edelen led the pledge of allegiance.

3. ROLL CALL

Mayor Pro-Tem O'Connell (City of Marina)	Supervisor Phillips (County of Monterey)
Mayor Rubio (City of Seaside)	Supervisor Parker (County of Monterey)
Mayor Pro-Tem Oglesby (City of Seaside)	Council member Haffa (City of Monterey)
Mayor Pendergrass (City of Sand City)	Council member Morton (City of Marina)
Mayor Gunter (City of Salinas)	Councilmember Brown (City of Marina)
Mayor Edelen (City of Del Rey Oaks)	
Mayor Kampe (City of Pacific Grove)	

4. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

Chair O'Connell pointed out to the Board that a series of questions had been sent to FORA staff from Supervisor Jane Parker's office relating to item 7b (Capital Improvement Project (CIP) – Eastside Parkway Environmental Contract Amendment). Chair O'Connell thanked Supervisor Parker's staff for providing the questions in advance and also brought to the Board's attention a memorandum that was prepared by Authority Counsel, Jon Giffen, relating to the aforementioned item and series of questions. As a result of Authority Counsel's request and discussion between the Executive Officer and Board Chair the item was proposed to be continued to the October 2016 Board meeting in an effort to allow the answers to be as thorough as possible. The chair called to entertain a motion on the continuance of item 7b (Capital Improvement Project (CIP) – Eastside Parkway Environmental Contract Amendment).

On motion by member Morton and seconded by member Parker and carried by the following vote the Board moved to remove item 7b (Capital Improvement Program (CIP) – Eastside Parkway Environmental Contract Amendment).

Chair O'Connell allowed Board members to have comments regarding the action. Public comment period was opened and there was none received.

VOTING MEMBERS:

AYES: PARKER, EDELEN, O'CONNELL, HAFFA, OGLESBY, LUCIUS, REIMERS

NOES: GUNTER, RUBIO, PENDERGRASS, PHILLIPS

MOTION: Motion Passed

Executive Officer Michael Houlemard continued with other announcements, acknowledgements and correspondence. Mr. Houlemard introduced new FORA staff, Deputy Clerk/Executive Assistant – Dominique Jones and Administrative Assistant – Hermelinda Flores. A Prevailing Wage Jurisdictional Training opportunity was announced. The training will be held on November 1, 2016. The Board was also informed that the Transportation Agency of Monterey County (TAMC) requested a letter of support be sent to California State Senate and Governor Brown in support of AB 2730. The Opening Ceremony for the California Central Coast Veterans Cemetery (Seaside) will be held on October 11 and also the William H. Gourley VA-DOD Outpatient Clinic ribbon cutting that will be held on October 14 was also announced. Lastly, Assembly member Stone invited the public to join an “Enjoy & Explore” Fort Ord event on Saturday, September 24 between 9-12pm. [Didn’t he mention the prevailing wage training on November 1?]

5. CONSENT AGENDA

Chair O’Connell introduced the consent agenda and identified the action and information items.

- a. Approve July 8, 2016 Board Meeting Minutes (Action)
Jane Parker raised a correction to item 5a – July 8, 2016 Board meeting minutes where she was quoted. The request was to correct a phrase on page three (3) in the paragraph that begins “Additional comments of the Board” in the middle of the paragraph “...*She believes the BRP is being revised more comprehensively beyond just typographical errors.*”
- b. Authorization to Approve Section 457 ICMA Plan “Hardship Loan” Resolution (Action)
- c. Administrative Committee (Information)
- d. Veterans Issues Advisory Committee (Information)
- e. Public Correspondence to the Board (Information)

Chair O’Connell asked for public comment. There were no comments from the public.

On motion by member Lucius and seconded by vice chair Rubio and carried by the following vote the Board moved to approve the consent agenda items with corrections to item 5a (July 8, 2016 Board meeting minutes as highlighted by Ms. Parker.)

MOTION: Motion Passed Unanimously

6. PUBLIC COMMENT PERIOD

Chair O’Connell asked for public comments. There were no comments received from the public.

7. BUSINESS ITEMS

a. Receive Report from Bryce Consulting and Consider Approval of Recommended Salary Range Adjustments

Mr. Houlemard introduced the item and provided background about the salary study and the request established by the Board to conduct a salary study every four (4) years in order to make sure that FORA salaries were in general in compliance with similar agencies in the region. The most recent salary study was conducted in 2011. After it was concluded, the Board directed staff to perform such an update during the FY 16-17 budget process. In May 2016, the budget was approved for the FY 16-17 budget and included the consultants' current salary survey. Mr. Houlemard introduced the consultant from Bryce Consulting, Inc., that conducted the presentation. The Executive Committee recommendation was to 1) receive the reports from staff and Bryce Consulting and 2) adopt the recommended Salary Range adjustments in the Bryce Consulting report. The Board would have the option to restrict future Cost of Living Adjustments to market level position classifications and that salary placements would be within the range closest to current salary.

Board members received the presentation from Bryce Consulting and FORA Controller, Helen Rodriguez. The Board also discussed the details of the presentation and salary study.

Public comment was opened and no comments were received.

On motion by Member Rubio and seconded by Member Edelen, and carried by the following vote – the Board acted to adopt the recommended salary range adjustments with the option that the Board can choose to restrict future Cost of Living Adjustments to market level position classifications and that salary placements within the ranges will be at the step closest to current salary.

MOTION: Motion Passed Unanimously

b. Capital Improvement Program (CIP)

i. Eastside Parkway Environmental Contract Amendment

This item was continued on a previous motion.

c. Receive Monterey Base Realignment and Closure Symposium Report

Mr. Houlemard introduced the item and provided a brief synopsis of the symposium that was hosted by the City of Monterey on Tuesday, August 16, 2016. Board members Morton, Rubio, Haffa and FORA staff Josh Metz were also in attendance.

Public comment was received on the item from LeVonne Stone, Fort Ord Environmental Justice Network, which supported the need for the public to be involved on the topic of Base Realignment and Closure (BRAC) and provided her opinion on the effects that the close of Fort Ord had on the community. Board member Haffa responded to the public comment to further emphasize the efforts that the City of Monterey and other agencies are actively working towards defending the remaining military installations in the area.

- d. Habitat Conservation Plan Update
 - i. Status Report
 - ii. ICF Contract Amendment #9
 - iii. DD&A Contract Amendment #11

Jonathan Brinkmann, Principal Planner, provided the staff report and presentation of the HCP status report which provided details on the background of the Habitat Conservation Plan that was established in 1997 to allow the Army to transfer Fort Ord property but most notably did not authorize “take” of special status species. It is expected that the Habitat Conservation Plan (HCP) will provide funding to manage habitat reserve system; allow for Federal and State Take permits; and give a new joint powers authority to manage annual expenditures and ensure HCP compliance. The schedule address HCP comments by November 2016; for FORA to receive wildlife agencies’ feedback by January 2017; and for the public to review the draft by May of 2017.

Mr. Houlemard responded to Board members questions about what has been achieved with the HCP. Is it worth the amount that has spent already between the DD&A and ICF contracts? It was explained that the HCP is required in order for the Board seeks to obtain a take permit from both agencies (California Department of Fish & Wildlife Services and the U.S. Fish & Wildlife Services) that will cover the entire base. The take permit will allow things like trails and it will also allow for development in certain areas of the base. In the event the HCP does not move forward, there are still some options that the Board has; for example - the take permits to be obtained on a project by project basis which is very costly to developers and can prevent the goal of having an integrated habitat areas.

ICF Contract Amendment #9 is proposed to the Board for consideration to provide scope and budget to establish an approach to USFWS’s new comments, meetings with wildlife agencies to confirm approach, incorporation of changes into 2nd screen-check draft and prepare the public draft of the HCP.

The Denise Duffy & Associates (DD&A) Contract Amendment #11 proposed to the Board for consideration would provide a scope and budget to accomplish HCP; take assessment revisions; preparation of the public review draft EIS/EIR; solicit community engagement during public review; create a final EIS/EIR schedule; develop the Administrative Draft Final EIS/EIR and for agency self-coordination and set meetings.

Staff recommended the authorization of ICF contract amendment #9, not to exceed \$74,975 in additional funding; and also to authorize Denise Duffy and Associated contract amendment #11, not to exceed \$55,912 in additional funding.

Public comment was received on the item from LeVonne Stone in which she provided her opinion as to the amount of public input that was solicited regarding the National Monument; and also inquired about who is trying to put together an economic recovery plan and public safety.

Mr. Houlemard responded to the questions and advised the Board and public that FORA and the US Army have done all that they can to remove the munitions and

explosives that generate the highest level of risk to the community in terms of safety and the Base Reuse Plan calls for the creation of affordable housing, and jobs for the local community. There have been at least a dozen different programs that have produced local housing which are present in every jurisdiction. Mr. Houlemard also indicated that Ms. Stone's comments highlighted how much more can be done to provide local residents with specific housing needs on the former Fort Ord and how much more can be done to create more for jobs. Although FORA is not staffed to do that type of work but it does make every effort to coordinate with local agencies, to make those issues the primary focus. Also, a HCP will work in hand with the efforts of economic development in terms of tourism by providing trails and enables the Base Reuse Plan to be completed.

On motion by member Edelen and seconded by member Haffa and carried by the following vote, the Board accepted staff recommendation and approved ICF contract amendment #9 and DD&A contract amendment #11.

MOTION: Motion Passed Unanimously

8. ITEMS FROM MEMBERS

Chair O'Connell advised the Board that in the Executive Meeting held on August 31, 2016 it was requested that the December 9 meeting be moved from December 9 to December 2.

On motion by member Rubio and seconded by Chair O'Connell to reschedule the December 2 Board to another date.

The Board discussed the request to move the meeting date and several members expressed scheduling conflicts that would not permit them to attend a rescheduled Board meeting. December 16 was also proposed as another possible date but pose conflicts for members as well.

There was no public comment received.

As a result the motion was withdrawn and the December 2 Board meeting will be Id. scheduled.

9. ADJOURNMENT

The meeting adjourned at 3:19pm

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Administrative Committee	
Meeting Date: October 14, 2016 Agenda Number: 6b	INFORMATION/ACTION

RECOMMENDATION:

Receive a report from the Administrative Committee.

BACKGROUND/DISCUSSION:

The Administrative Committee met on August 31, 2016. The approved minutes from this meeting is attached (**Attachment A**).

FISCAL IMPACT:

Reviewed by the FORA Controller 

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

COORDINATION:

Administrative Committee

Prepared by  Approved by 
Dominique Jones Michael A. Houlemafd, Jr.



FORT ORD REUSE AUTHORITY
ADMINISTRATIVE COMMITTEE REGULAR MEETING MINUTES
8:30 a.m., Wednesday, August 31, 2016 | FORA Conference Room
920nd Avenue, Suite A, Marina CA 93933

1. CALL TO ORDER at 8:31am

Elizabeth Caraker called the meeting to order at 8:31a.m. The following were present:

**voting members, AR = arrived after call to order*

Craig Malin, City of Seaside*
Elizabeth Caraker, City of Monterey*
Layne Long, City of Marina*
Melanie Barette, County of Monterey*
Daniel Dawson, City of Del Rey Oaks*
Steve Matarazzo, UCSC (p)
Vicki Nakamura, MPC (p)
Patrick Breen, MCWD
Anya Spear, CSUMB (p)

Todd Muck, TAMC
Doug Yount, MCP (p)
Gage Dayton, UCSC Natural
Reserves (p)
Mike Zeller, TAMC (p)
Bill Collins, US Army
Bob Schaffer
Nick Nichols (p)
Don Hofer, MCP (p)

FORA Staff:
Michael Houlemard
Steve Endsley
Dominique Jones
Jonathan Brinkmann
Peter Said
Robert Norris
Sheri Damon
Nicole Valentino
Mary Israel
Stan Cook

2. PLEDGE OF ALLEGIANCE

Pledge of allegiance was led by Elizabeth Caraker

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Executive Officer Michael Houlemard announced the Opening Ceremony for the California Central Coast Veterans Cemetery (Seaside) will be held on October 11. Mr. Houlemard also announced that the William H. Gourley VA-DOD Outpatient Clinic “soft opening” will be held on October 14, and is being coordinated through the City of Marina, the Hamstra Group (developer) and the U.S Department of Veterans Affairs (USDVA).

4. PUBLIC COMMENT PERIOD

There were no comments from the public.

5. APPROVAL OF MEETING MINUTES

a. August 3, 2016 Administrative Committee Minutes

On motion by Craig Malin and seconded by Dan Dawson, the Administrative Committee approved the August 3, 2016 Regular Meeting Minutes.

6. BUSINESS ITEMS

a. Capital Improvement Program (CIP)

i. Transportation Agency for Monterey County (TAMC) Reallocation Study

Principal Planner Jonathan Brinkmann presented the item and provided an update on the TAMC 2016 FORA fee reallocation study. The FORA Board had previously directed staff to provide any proposed Capital Improvement Program (CIP) revisions as a result of the reallocation study. Mike Zeller (TAMC) was present at the meeting and advised the Committee that TAMC expects to present draft FORA transportation allocations by the end of September.

ii. Economic and Planning Systems (EPS) Preliminary Report

Project Specialist Peter Said provided information on the EPS Preliminary Report which, based on the discussion tables provided as Attachment B, indicated that a 1.7% increase to the FORA Communities Facilities District (CFD) special tax is recommended. Mr. Said also provided the three key expenditure areas that would affect the CIP:

1. HCP funding and contingencies
2. Estimated land value
3. Transportation allocations and contingencies.

Proposed revisions to the CIP will not be made until the TAMC study is complete and is expected to be ready to be presented to the Board at its October or November meeting.

iii. Eastside Parkway Environmental Review Contract Amendment

Jonathan Brinkmann presented the contract amendment for the Eastside Parkway Environmental Review (EIR). The FORA Board established Eastside Parkway CIP funding priority in 2009 and with the CFD special taxes that have been paid for other development projects it has been determined that it is feasible to pursue the East Parkway EIR. The contract amendment to Whitson and Associates, Inc. would authorize the Executive Officer to execute contract amendment #3 that was provided as Attachment A for the EIR for Eastside Parkway, for the amount not to exceed \$568,100 in additional funding.

b. Prevailing Wage Jurisdictional Training and Software

Prevailing Wage Coordinator Sheri Damon provided information about the training that has been setup in conjunction with the State Department of Industrial Registration on November 1. The training will be held at the FORA offices between 8:00 am and 4:30 pm. The Committee was also informed that FORA has acquired a software license that jurisdictions can use for any prevailing wage projects.

c. Regional Urban Design Guidelines – Implementation

Associate Planner Mary Israel provided information about the RUDG Implementation process which will include FORA Planning staff visiting jurisdictional planning departments to go over the RUDG checklist and also provide instruction on the interactive website (<http://designfortord.org/>)

7. SEPTEMBER 9, 2016 BOARD MEETING AGENDA REVIEW

Review of Board packet was conducted by Michael Houlemard. The Committee was provided a brief overview of the agenda items. The following changes and corrections were identified for the agenda:

- Consistency on format for the numbering for items 1-4
- Remove bold from items 4a and 4b
- Update item 7d to reflect “Action/Information”

8. ITEMS FROM MEMBERS

There were no items from members

9. ADJOURNMENT

The meeting adjourned at 9:51am

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Veterans Issues Advisory Committee

Meeting Date: October 14, 2016

Agenda Number: 6c

INFORMATION/ACTION

RECOMMENDATION:

Receive an update from the Veterans Issues Advisory Committee (VIAC).

BACKGROUND/DISCUSSION:

The VIAC met on September 22, 2016 and discussed the status of the California Central Coast Veterans Cemetery, Fundraising status, the Veterans Affairs/Department of Defense Veterans Clinic status, Veterans Transition Center housing construction logistical support, and the Historical Preservation Project status. The approved August 25, 2016 minutes are attached (**Attachment A.**)

FISCAL IMPACT:

Reviewed by FORA Controller 

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

COORDINATION:

VIAC

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



**FORT ORD REUSE AUTHORITY
VETERANS ISSUES ADVISORY COMMITTEE (VIAC) MEETING MINUTES
3:00 P.M. Thursday, August 25 2016
920 2nd Avenue, Ste A., Marina California | FORA Conference Room**

1. CALL TO ORDER

Confirming quorum, Chair Jerry Edelen called the meeting to order at 3 p.m.

Committee Members:

James Bogan, Disabled American Vets
Colonel Lawrence Brown, Presidio of Monterey
Mayor Jerry Edelen, City of Del Rey Oaks (Chair)
Richard Garza, Central Coast Veterans Cemetery Foundation (CCVC Foundation)
Edith Johnsen, Veterans Families
Jack Stewart, Fort Ord Veterans Cemetery Citizens Advisory Committee
Sid Williams, Monterey County Military & Veterans Advisory Commission (VAC)

FORA Staff:

Michael Houlemard
Robert Norris
Nicole Valentino

Others in Attendance:

Erica Parker, Office of CA Assemblymember Stone

2. PLEDGE OF ALLEGIANCE

Edith Johnsen led the pledge of allegiance.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Chair Edelen acknowledged Colonel Lawrence Brown of the Presidio, who was in attendance.

4. PUBLIC COMMENT PERIOD

None.

5. July 28, 2016

MOTION: Sid Williams moved, seconded by Richard Garza, to approve the June 23, 2016 Veterans Issues Advisory Committee minutes.

MOTION PASSED UNANIMOUSLY.

6. BUSINESS ITEMS

a. California Central Coast Veterans Cemetery Status Report

- i.* Cemetery Administrator's Status Report -Cemetery Administrator Daria Maher was unable to attend the meeting. In her absence, Michael Houlemard distributed aerial photos (compliments of Sid Williams) along with a map of the cemetery to show committee members the current status of the construction. Mr. Houlemard stated that he had visited the site and said that all seems to be on schedule for the October 11th opening. Sid Williams stated that most of the items on the Cal Vet donations list have been donated at this point, and other donations have been committed and are expected to be received well before the opening. Jack Stewart agreed with Sid Williams, and shared that monetary donations have also been generous.
- ii.* Cemetery Advisory Committee (CAC) Working Meeting Agenda Mr. Norris reported that conversations and coordination with Senator Monning's office continue.
- iii.* Endowment Parcel MOU -Robert Norris shared that the proposed draft has been submitted to The Marina Foundation and the City of Seaside. The next step is for the County of Monterey to do their part.
- iv.* Opening Ceremony - Michael Houlemard shared that he had been in contact with June Iljana of the CDVA to begin a discussion about the opening ceremony at the cemetery. He stated CDVA appears to be enthusiastic about co-creating an opening event that would include and honor veterans in the planning and the execution. He suggested the possibility of more than one event at more than one local venue, to accommodate the crowds as well as to ensure that both a somber and a festive honoring can happen. It was agreed that there should be a solemn opening ceremony at the cemetery, possibly followed by a festive honoring at a local venue. All agreed that an opening ceremony must happen on site. Michael Houlemard suggested there may be some issues with the site that need to be resolved. He also stated that CDVA proposed a phone conference call next Wednesday, August 31st. He suggested that at least a few VIAC members be on the call. All agreed that they would like Michael Houlemard to speak for the VIAC. When asked by Michael Houlemard, to consider what message the veterans would like to be communicated to CDVA, the consensus response was to make the event veteran centered. Mr. Bogan suggested that there be a Monday pre-conference call meeting at FORA to discuss how to optimally involve veterans in the opening ceremony. He offered to go back to speak to veterans and to report back their wishes and ideas on Monday. Sid Williams stated that the ceremony be an honoring of and for veterans, and that speeches ought to be directed towards veterans. Chair Edelen suggested veterans who can, wear their old uniforms. He concurred that he would like to see the empty symbolic chairs be included in the ceremony. Jack Stewart suggested including the ashes if possible. He suggested that the deceased soldiers' ashes be displayed. Robert Norris offered to follow up with Dan Fahey of CDVA. Rich Garza suggested that a photo array of the memorial wall, might reflect a deserved acknowledgment of the donors. It was suggested that a banner might serve the same purpose. Sid Williams asked Colonel Brown if it might

be possible to request a cannon as part of the ceremony. The colonel agreed to take the request back to the Presidio. The planning discussion regarding possibilities and preferences was preliminary and in preparation of the meeting with CDVA. No final decisions were made.

- v. Military and Veterans Affairs Pre-Enrollment Report -Mr. Norris stated that there were nearly 700 applications, with an approximately 5% rejection rate. He also stated that some of the applications include an application for a spouse or other family member. Given the numbers, he said the cemetery may be well positioned to apply for an expansion grant to accommodate in ground burials in a future phase. Mr. Edelen shared with the group that Supervisor Edith Johnsen's husband's is one of the applications. There were brief comments made regarding the back log of burials based on the limitations imposed by the current burial and maintenance schedule.

b. Fundraising Status

- i. CCVC Foundation Status Report -Richard Garza stated that fundraising efforts continue, including tabling at the County Fair, but there have been no major developments since the last report.

c. VA/DoD Veterans Clinic Status Report

- i. Historic Flag Pole Variance Update -Mr. Williams stated that there has been little progress. He has not heard back from the land owner's representative. Chair Edelen suggested that Sid Williams contact Frank O'Connell. Sid Williams stated that the City of Marina is not the obstacle; the primary obstacle appears to be the VA and the land owner. James Bogan suggested that Sid Williams him in the meeting on September 6th. Sid Williams agreed. He also said that he had spoken with Bob Schaefer, who may be interested in becoming more involved with the process. There is no construction schedule at this time.
- ii. Clinic Construction Schedule -Mr. Norris said the clinic is on track for a scheduled October 14th "soft" ribbon cutting ceremony, as it will not be fully equipped and operational. Mr. Garza said the clinic posters say "Spring" 2017. Colonel Brown stated that the pediatric ward may be open soon, but he does not have the timeline. Mr. Bogan said that he will report back what he learns at an upcoming meeting on September 6th.

d. Veterans Transition Center (VTC) Housing Construction –

Mr. Houlemard provided an update to the Committee. He shared that he and Colonel Brown have been in contact with Chief of US Army BRAC Tom Lederle, and that they hope to receive a signed letter of commitment from the BRAC in support of an increase in the water access that is needed to continue construction of the veteran housing. Colonel Brown endorsed the letter, and he and Mr. Houlemard are waiting to hear back from the BRAC Office.

- e. **Historical Preservation Project** -Jack Stewart reported that he has been in coordination with the City of Marina City Manager, and that they are waiting to hear back from the architect. He stated that he does not know when that will take place. He stated that he will continue to be in touch with the city manager, and will report back to the VIAC.

7. ITEMS FROM MEMBERS

Sid Williams shared that the 3rd Annual Homeless Veterans Stand Down was a success, and that according to James Bogan approximately 400 veterans accessed the offered services made available to them. The event was well attended. It was also a lot of work, and volunteer efforts were acknowledged by the group. Rich Garza expressed disappointment that there as not more media coverage. Michael Houlemard suggested that in addition to traditional media, social media can be utilized as well. He offered the FOR A website and Facebook page to promote the event. Sid Williams agreed, and reminded all that there are many who do not access either traditional media or social media. Individuals need to be reached by other means, including flyers and word of mouth. Robert Norris stated the National Coalition for Homeless Veterans Newsletter July and August editions both listed the local Stand Down, as well all Stand Downs throughout the country. Every two months the publication also includes a section on policy decisions that impact veterans.

Monterey vets converted a yacht into a dive boat for disabled veterans. On September 26th, there will be a ribbon cutting at Moss Landing with a visiting naval commander.

8. ADJOURNMENT

Chair Edelen adjourned the meeting at 3:38 p.m.

NEXT SCHEDULED MEETING: 3 p.m. September 22, 20

FORT ORD REUSE AUTHORITY BOARD REPORT
CONSENT AGENDA

Subject:	Water/Wastewater Oversight Committee	
Meeting Date:	October 14, 2016	INFORMATION/ACTION
Agenda Number:	6d	

RECOMMENDATION:

Receive an update from the Water/Wastewater Oversight Committee (WWOC).

BACKGROUND/DISCUSSION:

The WWOC met on September 14, 2016. The committee members received staff informational reports on the Marina Coast Water District (MCWD) customer service evaluation, groundwater sustainability act update and the sewage credit update. The approved June 15, 2016 meeting minutes are included (**Attachment A**).

FISCAL IMPACT:

Reviewed by FORA Controller 

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

COORDINATION:

WWOC, Marina Coast Water District

Prepared by 
Peter Said

Approved by 
Michael A. Houlemard, Jr.



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

920 2nd Avenue, Suite A, Marina CA 93933 | FORA Conference Room
9:30 a.m., Wednesday, June 15, 2016

1. CALL TO ORDER

Confirming quorum, Chair Rick Riedl called the meeting to order at 9:50 a.m. The following were present:

Committee Members:

Melanie Beretti, Monterey County
Mike Lerch, California State University
Monterey Bay (CSUMB)
Steve Matarazzo, University of California
Santa Cruz (UCSC)
Rick Riedl, City of Seaside
Dan Dawson, City of Del Rey Oaks

Ken Nishi
Tom Mancini
Doug Yount

FORA Staff:

Michael Houlemard Jr.
Steve Endsley
Jonathan Brinkmann
Peter Said
Mary Israel

Other Attendees:

Kelly Cadiente, MCWD
Mike Wegley, MCWD
Patrick Breen, MCWD
Bob Schaffer

2. PLEDGE OF ALLEGIANCE

Mr. Riedl led the pledge of allegiance.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Dan Dawson announced that Del Rey Oaks voters approved the initiative and therefore the City intends to begin construction of an RV park on former Fort Ord land.

4. PUBLIC COMMENT PERIOD

None.

5. APPROVAL OF MEETING MINUTES

a. May 2, 2016

MOTION: Steve Matarazzo moved, seconded by Dan Dawson, to approve the May 2, 2016 Water/Wastewater Oversight Committee (WWOC) minutes.

MOTION PASSED UNANIMOUSLY.

b. May 18, 2016 Meeting Notes accepted. Comments: none.

6. BUSINESS ITEMS

a. Receive MCWD Verbal Report for the Q3 Financials

MOTION: Melanie Beretti moved, seconded by Mike Lerch, to discuss this item at the end of the Business Items. MOTION PASSED UNANIMOUSLY.

Kelly Cadiente reviewed the MCWD 3rd Quarter report which was submitted at the previous meeting but was not discussed because there was no quorum.

Mr. Riedl requested a line be added to show transfer between inter-tie. Mr. Wegley said that data will be clarified and will be available next fiscal year. Operations and Management told him that the inter-tie is being operated so that it balances out over the year.

Mr. Riedl said the conservation is significantly impressive, and asked if it could be considered a “water source” in future reports. Mr. Wegley said that could be reported as a source, aside from drought conservation, and glean it from the Urban Water Management Plan. He added that it is a focus of the Water Augmentation Plan.

b. Status Report on the Wastewater Credits from the 2005 FORA, Army MCWD, MRWPCA Agreement

Project Specialist Peter Said outlined the MCWD report back on wastewater credits, included in the Agenda Packet. He said the Army hold 3.3 million gallons per day (MGD), with 2.2 MGD of that conveyed to FORA for use on former Fort Ord. These rights were transferred to MCWD in 2001. A 2005 agreement among Army, MRWPCA, FORA and MCWD authorized MCWD the right to sell or transfer their capacity rights to the parties or member jurisdictions without prior written review and approval by MRWPCA.

Of the 2.2 MGD that was prepaid, MRWPCA reported to MCWD that it is running 0.94 MGD. When they reach 2.5 MGD or the year 2020, the parties will revisit capacity-based EDUs. The Army retained 1.08 MGD, but the flows are combined so 0.94 is the total for both Army and MCWD; therefore review by parties is set for 2.5 MGD, as it signals the 2.2 MGD usage by MCWD is reached.

MCWD signs off and then MRWPCA transfers credits on a first-come, first served basis until they are used up.

Assistant Executive Officer Steve Endsley said that the 3.3 MGD acquired rights to former Fort Ord at full capacity are guarded both in the passing the equivalent benefit to end users and in the eventual distribution of the rights in the FORA transition.

c. MCWD Annexation

i. Seaside Sanitation

Mike Wegley outlined the report in the Agenda Packet as to the area that MCWD is pursuing, which is all of former Fort Ord developed areas that is not BLM, with a sphere of influence over the remaining development parcels. The MCWD Board went through LAFCO on the prior annexation area, and was instructed to work out the areas to be annexed with Seaside Community Sanitation District (SCSD). They met March 15th and outlined next steps including a technical memorandum which MCWD provided. MCWD is awaiting the SCSD response. Mr. Said showed that the Ord

Community Annexation Timeline provided by MCWD is now seven months off schedule.

ii. Area Representation

Mr. Wegley described the map provided in the Agenda Packet. Mike Lerch asked about the inclusion of CSUMB. Mr. Wegley said that it would be helpful for CSUMB to be included but it is not necessary for LAFCO. Mr. Endsley said SCSD's annexation plan and MCWD's annexation plan must come to an agreement of terms; post-FORA the agreement would be more difficult so he urged some haste. Mr. Wegley said the MCWD plan does not limit SCSD from annexing the undeveloped areas. Mr. Endsley offered a staff-level meeting of all parties to plan next actions.

7. ITEMS FROM MEMBERS

None.

8. ADJOURNMENT

Chair Riedl adjourned the meeting at 11:06 a.m.

NEXT MEETING: July 13, 2016

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Transition Task Force	
Meeting Date: October 14, 2016 Agenda Number: 6e	INFORMATION/ACTION

RECOMMENDATION:

Receive an update from the Transition Task Force (TTF)

BACKGROUND/DISCUSSION:

The TTF met on August 29, 2016 and discussed the transition options presentation and next steps. The TTF presentation can be found on the FORA web page at the following address: http://www.fora.org/TTF/Additional/TTF_082916_PPT.pdf. Those slides include the staff recommendation to the task force of pursuing parallel courses: initiate a legislative extension and continue to plan for a 2020 transition. The TTF requested some additional analysis and information. The September 12, 2016 meeting was cancelled. The next TTF meeting is October 24, 2016 at 3:00 p.m.

FISCAL IMPACT:

Reviewed by FORA Controller 

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

COORDINATION:

TTF

Prepared by _____
Steve Endsley

Approved by D. Staen Endsley for
Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject:	Fort Ord Reuse Authority Building Removal Program Update	
Meeting Date:	October 14, 2016	INFORMATION/ACTION
Agenda Number:	6f	

RECOMMENDATION(S):

Receive a FORA Building Removal Program Update

BACKGROUND/DISCUSSION:

The FORA Board has included building removal in the Capital Improvements Program and determined Surplus II in Seaside, and the Stockade in Marina are the remaining obligations. A summary of FORA's past building removal activities is attached (**Attachment A**).

Seaside Surplus II Hazmat and Building Removal

Seaside received the Surplus II area in 2005. The site has 27 large, multi-story concrete structures in close proximity to the California State University Monterey Bay (CSUMB) campus. The buildings are dilapidated, contain hazardous materials and are sites for vandalism and illegal dumping. On October 18, 2015, FORA issued a Request for Proposals (RFP) for Industrial Hygienist (IH) hazardous material sampling and testing services. On January 8, 2016, the Board gave the Executive Officer approval to execute a contract with Vista Environmental Consulting for Surplus II hazardous material sampling and testing, not to exceed \$175,000. In July, Vista delivered a Hazardous Materials Report which includes soils reports and cost estimates for material removal, environmental monitoring, and post-deconstruction soil survey. FORA staff coordinated with the Monterey Bay Unified Air Pollution Control District and the City of Seaside to review the report and ensure the deliverables were acceptable. The contract was closed under budget in July for \$166,371.

FORA staff made a presentation to the City of Seaside City Council and received concurrence (**Attachment B**) to move forward with a plan to restore the greatest amount of Surplus II property for economic development by removing 17 buildings (which include the "Rolling Pin" dorms/barracks, gym, armories, administration buildings and cafeteria) and clear overgrown vegetation while the "Hammerhead"-style dorms/barracks will be secured for safety and enclosed with permanent fencing. FORA staff are in the process of developing draft contract documents. FORA staff anticipates beginning Surplus II building hazmat abatement and removal in the third quarter of 2017.

Marina Stockade Removal Preparations

In 2007, FORA completed its WWII wooden building removal obligation in Marina under the Memorandum of Agreement between FORA, the City of Marina and Marina Community Partners. FORA's remaining obligation in Marina is the former concrete stockade building. Early in 2016, FORA and Marina staff began stockade removal discussions. The City of Marina owns the

stockade property and leases the land around the building to Las Animas Concrete for a concrete batch plant facility and the Central Coast Builders Exchange as a storage yard. FORA staff has contacted Las Animas Concrete and secured stockade access for the IH providers.

FORA staff is developing an RFP for IH Services to survey the stockade for hazardous materials. FORA staff anticipate contracting for IH Stockade Hazmat surveys in the first quarter of 2017. Marina staff is coordinating with the tenants to move operations away from the stockade building. FORA staff anticipates beginning building hazmat abatement and removal after the third Quarter of 2017.

Next Steps

FORA staff, acting on Seaside's approval, has begun the planning process for the building removal effort, identifying statutory and regulatory requirements, determining program plans for solicitation and contracting and analyzing potential economies of scale as Surplus II and the Stockade proceed side-by-side. Staff intends to open solicitations for; 1) Stockade IH hazmat surveys, and 2) Technical Services in support of Surplus II between October 2016 and February 2017.



FISCAL IMPACT:

Reviewed by FORA Controller 

Funding for these building removal efforts is included in the approved FY 15-16 Capital Improvement Program and FY 15-16 FORA Budget.

COORDINATION:

Authority Counsel, Administrative Committee, Seaside, Marina

Prepared by  Peter Said Reviewed by  Stan Cook

Approved by  Michael A. Houlemard, Jr.



Building Removal Activity History

Activity	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016		
FORA Deconstruction																							
FORA Asbestos																							
FORA Reuse Hierarchy																							
FORA Contractor Quals																							
FORA LBP																							
FORA Characterization																							
FORA Imjin																							
FORA 2nd Ave																							
FORA/CSUMB Recovery																							
FORA/Dunes																							
FORA East Garrison																							
FORA Imjin Office Park																							
FORA ESCARemoval																							
FORA 4470																							
FORA/CSUMB Grant App																							
FORA Grant App																							
Seaside Surplus II																							
Seaside Highlands																							
CSUMB Wood Bids																							
CSUMB Concrete Bids																							
Army RC1																							

Stan
peter



OFFICE OF THE CITY MANAGER

440 Harcourt Ave., Seaside, CA 93955

Phone (831) 899-6700 • Fax (831) 899-6227

September 1, 2016



Michael Houlemard
Executive Officer
Fort Ord Reuse Authority
920 2nd. Avenue
Marina, CA. 93933

Dear Michael:

Thank you and your staff for presenting the plan to move forward with removal of blighted buildings on the "Surplus II" site. The City of Seaside appreciates FORA's effort to move building removal forward, as presented to the City Council at the August 18 meeting.

This letter shall serve as concurrence from the City for FORA to move forward with the removal of blighted buildings as outlined in the August 18 presentation. As your staff prepares to initiate the clean-up and removal, please keep me advised, so we may coordinate our operational requirements. Building 4450, in particular, is presently used by the City for certain public works functions and will require coordinated planning of the timeline for demolition.

Thank you, again, for FORA's efforts.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig Vrain".

Craig Vrain
City Manager

Cc: Mayor Rubio and City Council
Department Heads

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject:	Environmental Services Cooperative Agreement-Quarterly Report Update	
Meeting Date:	October 14, 2016	INFORMATION/ACTION
Agenda Number:	6g	

RECOMMENDATION:

Receive an Environmental Services Cooperative Agreement (ESCA) quarterly update.

BACKGROUND:

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

In order to complete the AOC defined obligations, FORA entered into a Remediation Services Agreement (RSA) with the competitively selected LFR Inc. (now ARCADIS) to provide MEC remediation services and executed a cost-cap insurance policy for this remediation work through American International Group (AIG) to assure financial resources to complete the work and to offer other protections for FORA and its underlying jurisdictions.

The ESCA Remediation Program (RP) has been underway for eight years. The FORA ESCA RP team has completed the known ESCA RP field work, pending regulatory review.

DISCUSSION:

The ESCA requires FORA, acting as the Army's contractor, to address safety issues resulting from historic Fort Ord munitions training operations. This allows the FORA ESCA RP team to successfully implement cleanup actions that address three major past concerns: 1) the requirement for yearly appropriation of federal funding that delayed cleanup and necessitated costly mobilization and demobilization expenses; 2) state and federal regulatory questions about protectiveness of previous actions for sensitive uses; and 3) the local jurisdiction, community and FORA's desire to reduce, to the extent possible, risk to individuals accessing the property.

Under the ESCA grant contract with the Army, FORA received approximately \$98 million in grant funds to clear munitions and secure regulatory approval for the former Fort Ord ESCA parcels (see table below). FORA and ARCADIS executed the RSA, a guaranteed fixed-price contract for ARCADIS to perform the ESCA grant Technical Specifications and Review Statement work. As part of the RSA, FORA paid \$82.1 upfront, to secure an AIG "cost-cap" insurance policy. Under the terms of the ESCA grant, the EPA AOC requirements and AIG insurance provisions, AIG controls the \$82.1 million in a commutation account and pays ARCADIS directly as work is

performed. In addition, AIG provides up to \$128 million to assure additional work (both known and unknown) is completed to the Regulators satisfaction. Under these agreements, AIG pays ARCADIS directly while FORA oversees ARCADIS compliance with the grant and AOC requirements.

Current status follows:

Item	Revised Allocations	Accrued through June 2016
FORA Self-Insurance or Policy	\$ 916,056	\$ 916,056
Reimburse Regulators & Quality Assurance	3,280,655	3,088,321
State of California Surplus Lines Tax, Risk Transfer, Mobilization	6,100,000	6,100,000
Contractor's Pollution Liability Insurance	477,344	477,344
Work Performed ARCADIS/AIG Commutation Account	82,117,553	74,469,736
FORA Administrative Fees	4,837,001	3,770,554
Total	\$ 97,728,609	\$88,822,011
	ESCA Remainder	\$8,906,598

Data collected during the ESCA investigation stage remains under regulatory review to determine if remediation is complete. The review and documentation process is dependent on Army and regulatory agency responses and decisions. They will issue written confirmation that CERCLA MEC remediation work is complete (known as regulatory site closure).

On November 25, 2014, EPA signed the Record of Decision (ROD) for the ESCA Group 3 properties located in County of Monterey (at Laguna Seca); City of Monterey (south of South Boundary Road); Del Rey Oaks (south of South Boundary Road); and, Monterey Peninsula College (MPC) Military Operations in Urban Terrain property. On February 26, 2015, the Regulators signed the ROD for the ESCA Group 2 California State University Monterey Bay property (south of Inter-Garrison Road). The ROD records the EPA, DTSC and Army's decision on the cleanup of these properties and what controls are required to continue to protect public health and safety.

The process for implementing, operating and maintaining ROD controls is prescribed under a Land Use Control Implementation, Operation and Maintenance Plan (LUCIP OMP) document based on site conditions and historic MEC use. LUCIP OMP documents are approved by the Regulators prior to issuing regulatory site closure. The ESCA team and Regulatory agencies held workshops with the FORA Administrative Committee in May; June; July 2015; and, June and July 2016, to help the jurisdictions understand and develop comments to the Group 2 and Group 3 LUCIP OMP documents. The Group 3 Draft LUCIP/OMP comment period ended on August 23, 2016. Currently, the ESCA team is preparing responses to the Group 3 LUCIP comments.

Future Actions:

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

The ESCA team began collecting information through document research, interviews and site inspections to support the Army's 4th Fort Ord CERCLA Five Year Review. The CERCLA Five Year Review is performed to collect information on the Fort Ord land use controls operation and maintenance for the Regulatory agency review and to determine if the controls remain effective. The Army's 4th Five Year Review is to be completed and released in 2017. The ESCA team contacted jurisdiction staff, via the FORA Administrative Committee, to collect of this information.

The ESCA team continues to actively monitor biological resources and track restoration activities on ESCA properties. The ESCA RP provides environmental stewardship on a yearly basis for 3,340 ESCA acres, through erosion control, managing trespassing and illegal dumping, and performing Army sensitive species monitoring and reporting.

FISCAL IMPACT:

Reviewed by FORA Controller 

The funds for this review and report are part of the existing FORA ESCA funds. Potential grant adjustments may be forthcoming to address items reviewed in this report.

COORDINATION:

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

Prepared by 
Stan Cook

Approved by 
Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Travel Report

Meeting Date: October 14, 2016

Agenda Number: 6h

INFORMATION/ACTION

RECOMMENDATION(S):

Receive a travel report from the Executive Officer.

BACKGROUND/DISCUSSION:

Per the FORA Travel Policy, the Executive Officer (EO) submits travel requests to the Executive Committee on FORA Board/staff travel. The Committee reviews and approves requests for EO, Authority Counsel and board members travel; the EO approves staff travel requests. Travel information is reported to the Board.

COMPLETED TRAVEL

None to report

UPCOMING TRAVEL

Association of Defense Communities –Installation Reuse 2016 Conference

Destination: Atlanta, GA

Travel Dates: October 17 - 19, 2016

Travelers/s: Michael Houlemard and Robert Norris

The topic for this convention is "Leveraging Defense Infrastructure to Support Local Economic Development". It will cover key issues faced by many defense communities such as transforming an unused defense infrastructure into a new economic engine; how unused infrastructure represents a missed economic development opportunity and challenging environment condition. Addressing these issues will require innovative ideas that can drive new partnerships. Two unique redevelopment projects will be explored: Fort McPherson and Fort Gillem.

FISCAL IMPACT:

Reviewed by FORA Controller 

Travel expenses are paid/reimbursed according to the FORA Travel policy.

COORDINATION:

Executive Committee

Prepared by 
Dominique Jones

Approved by 
Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Public Correspondence to the Board

Meeting Date: October 14, 2016

Agenda Number: 6i

INFORMATION/ACTION

Public correspondence submitted to the Board is posted to FORA's website on a monthly basis and is available to view at <http://www.fora.org/board.html>.

Correspondence may be submitted to the Board via email to board@fora.org or mailed to the address below:

FORA Board of Directors
920 2nd Avenue, Suite A
Marina, CA 93933

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Prevailing Wage Status Report	
Meeting Date: October 14, 2016	INFORMATION/ACTION
Agenda Number: 6j	

RECOMMENDATION(S):

Accept Prevailing Wage Status Report

DISCUSSION:

At the July 8, 2016 Board meeting, the FORA Board accepted a prevailing wage status report outlining an approach to assisting the jurisdictions with implementing prevailing wage obligations. Since that meeting, FORA has acquired a master license for the Elation software package to track projects on Fort Ord. Two jurisdictions have registered to utilize the software. From June 1 to September 30, work on Fort Ord projects included approximately 550-1000 hours performed by 131-260 workers and at least 50% of the workers appear to be residing in Monterey County. CSUMB has reported that from June 1 through September 30 approximately 24,350 hours worked on CSUMB projects.

FORA has created a Prevailing Wage page on its website and posted a set of Frequently Asked Questions.

FORA has arranged a Prevailing Wage training with the state regulators currently scheduled for November 1, 2016. FORA has conferred with state regulators, the jurisdictions, developers and labor organizations regarding this training. So far approximately 20 people, from the trades, the cities and the county, have registered for this free training. FORA is also arranging to have this presentation video taped for the purpose of creating a set of Prevailing Wage web-based training segments for the FORA web page.

In addition, FORA has implemented a complaint protocol. Since the initial interviews, no complaints have been lodged with the prevailing wage coordinator. However, several calls and emails were received in September regarding the application of prevailing wage and state rules to projects located at the Dunes and in particular, construction of tenant improvements on shell projects (i.e. second generation activities).

Finally, the Prevailing Wage Coordinator is providing information to FORA staff regarding bid requirements and other updated requirements of SB854 regarding FORA's upcoming public works projects.

FISCAL IMPACT:

Reviewed by FORA Controller 

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

Prepared by 
Sheri Damon

Approved by 
Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject:	Habitat Conservation Plan Update	
Meeting Date:	October 14, 2016	INFORMATION/ACTION
Agenda Number:	6k	

RECOMMENDATION(S):

Receive a Habitat Conservation Plan (HCP) and State of California 2081 Incidental Take Permit status report.

BACKGROUND/DISCUSSION:

Item 5g from the July 8, 2016 Board meeting included additional background and is available at: <http://www.fora.org/Board/2016/Package/070816BrdPacket.pdf>

On July 29, 2016, FORA received a comment letter from U.S. Fish and Wildlife Service (USFWS) Ventura Office Field Supervisor Stephen P. Henry outlining nine general recommendations for changes to the Fort Ord HCP. USFWS representatives recognize the 20-year history of FORA working toward a basewide HCP and have affirmed their continued support for FORA's Public Review Draft HCP schedule. At its September 9, 2016 meeting, the FORA Board authorized contract amendments for HCP consultant Inner City Fund International (ICF) and Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) consultant Denise Duffy & Associates (DDA) to address these nine USFWS recommendations/comments and prepare a public review draft HCP and its EIS/EIR.

In speaking with USFWS representatives, both Congressman Sam Farr and Executive Officer Michael A. Houlemard, Jr. expressed dismay at USFWS's comment that FORA exclude the Fort Ord National Monument (Monument) from the HCP take assessment analysis except when mitigations are strictly additive. The comments came nearly a year after the requested deadline for comments. Also, FORA was within a few months of releasing the public review draft HCP. To effectively address USFWS's comments, staff and consultants will need to overhaul the coverage and modify text and tables in each section of the approximately 1,200 page draft HCP. Mr. Houlemard set an expectation that FORA, working with USFWS and California Department of Fish and Wildlife (CDFW), must complete a Public Review Draft HCP within the next three months. If this effort is not successful, Mr. Houlemard will recommend FORA Board move away from a basewide HCP for State and Federal incidental take permits in favor of FORA using its funding to assist a project by project approach.

On September 29, 2016, FORA staff and consultants met with USFWS, CDFW, Bureau of Land Management (BLM), and University of California (UC) representatives to discuss two potential measures to redirect proposed Cooperative Endowment funds toward additional habitat management activities on the Monument. The aim of the measures is to demonstrate Permittee funding for additional habitat management on the Monument in order to receive partial mitigation on Monument lands. Measure #1, redirecting Implementation Assurances Fund dollars, would redirect approximately \$29,000 annually to habitat management on the Monument. Measure #2 would redirect approximately \$107,000 annually to habitat management on the Monument and could significantly increase species preservation ratios in

the impact analysis. USFWS and CDFW were receptive to these measures, agreeing to meet in mid-October to review and discuss draft species impacts and impact analysis assumptions.

FISCAL IMPACT:

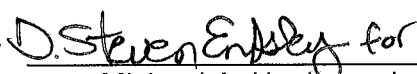
Reviewed by FORA Controller 

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

COORDINATION:

Authority Counsel, Administrative Committee, Permittees, ICF, DD&A, and wildlife agencies.

Prepared by 
Jonathan Brinkmann

Approved by  for
Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	Authorize Execution of Amendment #1 to City of Del Rey Oaks-FORA Insurance Repayment Agreement	
Meeting Date:	October 14, 2016	INFORMATION/ACTION
Agenda Number:	7a	

RECOMMENDATION(S):

Authorize the Executive Officer to execute Amendment #1 to the City of Del Rey Oaks (DRO)-Fort Ord Reuse Authority (FORA) Insurance Repayment Agreement (**Attachment A**).

BACKGROUND/DISCUSSION:

This item is a follow up to item 8d from the October 10, 2014 FORA Board meeting entitled "City of Del Rey Oaks Land Sales Transaction." That particular item reported on the DRO land sales transaction and recommended authorization to execute Amendment #1 to the DRO-FORA Insurance Repayment Agreement. The Board authorized the amendment on October 10, 2014. However, the same amendment has not yet been considered by the DRO City Council. In coordinating with DRO staff, DRO staff is prepared to present the amendment to their council at the next available meeting. FORA staff made minor revisions to Amendment #1 to reflect the current amount to be paid by DRO as of September 30, 2016 and set an agreement term extension (through June 30, 2019) coinciding with the anticipated sale of the remaining DRO Fort Ord property (the intended repayment funding source).

FISCAL IMPACT:

Reviewed by FORA Controller 

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

COORDINATION:

Authority Counsel, Administrative and Executive Committees, DRO.

Prepared by 
Jonathan Brinkmann

Approved by 
Michael A. Houlemard, Jr.

AMENDMENT TO MEMORANDUM OF UNDERSTANDING

CONCERNING REPAYMENT TO THE FORT ORD REUSE AUTHORITY OF A POLLUTION
LEGAL LIABILITY INSURANCE LOAN
FOR CITY OF DEL REY OAKS FORMER FORT ORD PROPERTY

By and Between

THE CITY OF DEL REY OAKS ("DRO") AND
THE FORT ORD REUSE AUTHORITY ("FORA") AS
PARTIES TO THE MEMORANDUM OF UNDERSTANDING ("MOU")

AMENDMENT #1

This AMENDMENT #1 to MOU (*attached*) is made and entered into between FORA and DRO, (collectively, "Parties") on October 14, 2016.

All Terms and Provisions of the MOU remain the same except for modifications in Section A which are incorporated by reference into the MOU. To the extent the modifications in Amendment #1 are not consistent with the MOU, the modifications shall govern.

Section A. Terms

1. The purpose of this MOU is to define the terms for repayment of a loan made by FORA to DRO to pay the cost of a PLL insurance policy that benefitted DRO.
2. The original two-year term of July 1, 2013 through June 30, 2015 is extended for four years, through June 30, 2019.
3. By October 10, 2014, in conjunction with September 12, 2014 sale of a portion of DRO property on the former Fort Ord, DRO made a prorated payment of \$162,806 (including 5% interest) against the \$715,768 loan. Since this prorated payment was made and interest has accrued, the total amount remaining to be paid by DRO to FORA as of September 30, 2016 is \$659,257.
4. DRO agrees to repay the remaining loan balance of \$659,257 on the loan and all accrued interest at a rate of 5% upon the sale of the remaining DRO former Fort Ord property or upon termination of the MOU, whichever occurs first.
5. DRO agrees to timely submit this Amendment #1 to the DRO City Council for its approval of the terms of the Amendment #1. The MOU was and Amendment #1 is expressly conditioned on approval by the FORA Board and the DRO City Council.
6. DRO agrees to secure its \$659,257 plus interest obligation to FORA by real property existing in the former Fort Ord.

IN WITNESS WHEREOF, the Parties executed this AMENDMENT #1 as of the date set forth at the beginning of this AMENDMENT #1. The following concur with AMENDMENT #1.

Michael A. Houlemard, Jr.
Executive Officer
Fort Ord Reuse Authority

Daniel Dawson
City Manager
City of Del Rey Oaks

MEMORANDUM OF UNDERSTANDING

CONCERNING REPAYMENT TO THE FORT ORD REUSE AUTHORITY OF A POLLUTION
LEGAL LIABILITY INSURANCE LOAN
FOR CITY OF DEL REY OAKS FORMER FORT ORD PROPERTY

By and Between

THE CITY OF DEL REY OAKS ("DRO") AND
THE FORT ORD REUSE AUTHORITY ("FORA") AS
PARTIES TO THE MEMORANDUM OF UNDERSTANDING ("MOU")



This MOU is made and entered into between FORA and DRO, (collectively, "Parties").

The Parties to the MOU are individually interested in defining the terms of repayment from DRO to FORA for FORA's purchase of Pollution Legal Liability ("PLL") insurance coverage. To this end, the Parties have met formally and informally over past weeks, and:

WHEREAS, DRO acknowledges the indebtedness to FORA for the PLL coverage secured in 2004 to benefit the development of DRO former Fort Ord parcels, DRO specifically ratifies the existence of the debt, and DRO intends to repay the debt upon the terms set forth in this MOU; and

WHEREAS, the Parties recognize the impact of the recent recession and financial difficulties of DRO's past development team; and

WHEREAS, the Parties agree that it is timely and agree that it is in the best interests of the reuse of the former Fort Ord to provide a payment program setting forth terms of loan repayment.

NOW THEREFORE, in furtherance of the objectives set forth above, and in accordance with all terms, conditions, limitations and exceptions provided below, the Parties agree as follows:

TERMS AND AGREEMENTS

Section A. Terms of this MOU

1. The terms of this MOU are for the purposes of defining the repayment of a loan secured by FORA to pay for the purchase cost of a PLL insurance policy that partially benefited DRO.
2. The original term of this MOU is two (2) full calendar years, beginning on the effective date of July 1, 2013 and ending on June 30, 2015, unless sooner terminated or renewed as provided for in this MOU.
3. The amount remaining to be paid on this loan as of July 1, 2013 is \$715,767.58.
4. DRO agrees to repay the full amount of the loan and all accrued interest at a rate of 5% upon the termination of this agreement or upon the execution of an Agreement with a developer for DRO property on the former Fort Ord, whichever is earlier.
5. DRO agrees to timely submit the MOU to the DRO City Council for its approval of the terms of the MOU.

MISCELLANEOUS

Section B. Modification or Amendment

This MOU is not subject to modification or amendment except in writing signed by the Parties and approved by the FORA Board of Directors and the DRO City Council.

Section C. Interpretations

This MOU integrates all of the terms and conditions mentioned herein or incidental hereto, and has been arrived at through negotiation, has been reviewed by each party's respective counsel, and no party is to be deemed the party which prepared this MOU within the meaning of California Civil Code Section 1654.

Section D. Notices and Correspondence

Any notice required to be given to any party shall be in writing and deemed given if personally delivered upon the other party or deposited in the United States mail, and sent certified mail, return receipt requested, postage prepaid and addressed to the other party at the address set forth below, or sent via facsimile transmission during normal business hours to the party to which notice is given at the telephone number listed for fax transmission:

If to FORA: Michael A. Houlemard, Jr.
 Executive Officer
 Fort Ord Reuse Authority
 920 Second Avenue
 Marina, CA 93933

 Telephone: (831) 883-3672
 Facsimile: (831) 883-3675

If to DRO: Daniel Dawson
 City Manager
 Del Rey Oaks
 650 Canyon Del Rey Road
 Del Rey Oaks, CA 93940

 Telephone: (831) 394-8511
 Facsimile: (831) 394-6421

Del Rey Oaks/FORA MOU

Section E. Indemnification

DRO shall indemnify, defend and hold harmless FORA and its officers, agents and employees, from and against any and all claims, liabilities and losses whatsoever (including but not limited to, damages to property, and injuries to or death of persons, court costs and attorneys fees) occurring or resulting to any and all persons, firms or corporations furnishing or supplying work, services, materials, or supplies hired in connection with the performance of this MOU, and from any and all claims, liabilities and losses occurring or resulting to any person, firm, or corporation for damage, injury, or death arising out of or connected with the performance of this MOU. The provisions of this Section shall survive the termination or expiration of this MOU.

Section F. Applicable Law

California law shall govern this MOU.

Section G. Attorneys' Fees

If any lawsuit is commenced to enforce any of the terms of this MOU, the prevailing party will have the right to recover its reasonable attorneys' fees and costs of suit from the other party.

Section H. Severability

If any term of this MOU is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions shall continue in full force and effect unless the rights and obligations of the parties have been materially altered or abridged by such invalidation, voiding or unenforceability.

Section I. Waivers

Any waiver by the Parties of any obligation or condition in this MOU must be in writing. No waiver will be implied from any delay or failure by either FORA or DRO to take action on any breach or default of Parties or to pursue any remedy allowed under this MOU or applicable law. Any extension of time granted to any of the Parties to perform any obligation under this MOU shall not operate as a waiver or release from any of its obligations under this MOU.

Section J. Title of Parts and Sections

Any titles of the sections or subsections of this MOU are inserted for convenience of reference only and shall be disregarded in interpreting any part of the MOU's provisions.

Section K. Conflict of Interest

(a) Except for approved eligible administrative or personnel costs, no person who exercises or has exercised any functions or responsibilities with respect to the activities contemplated by this MOU or who is in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract or MOU with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family

Del Rey Oaks/FORA MOU

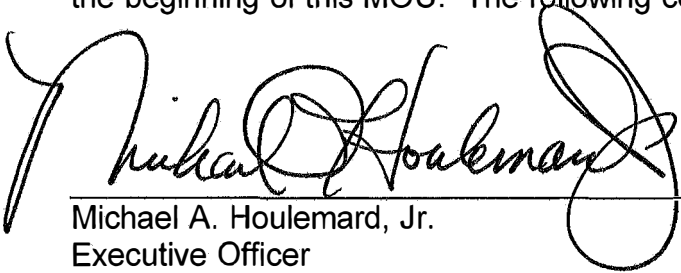
or business ties, during, or at any time after, such person's tenure. Parties shall exercise due diligence to ensure that the prohibition in this Section is followed.

(b) The conflict of interest provisions of the above paragraph apply to any person who is an employee, agent, consultant, officer, or any immediate family member of any official of either FORA or DRO, or any person related within the third (3rd) degree of such person.

Section L: Parties Bound Notwithstanding Lack of Information Regarding Subject Properties

The Parties are entering into this MOU with limited information. The lack or limitation of any information shall not effect in any way the liabilities or obligations of the parties under this MOU.


IN WITNESS WHEREOF, the Parties have executed this MOU as of the date set forth at the beginning of this MOU. The following concur with this MOU.



Michael A. Houlemard, Jr.
Executive Officer
Fort Ord Reuse Authority

August 13, 2013

Dated



Daniel Dawson
City Manager
City of Del Rey Oaks

8/15/13

Dated

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject: Eastside Parkway Environmental Review Contract

Meeting Date: October 14, 2016

Agenda Number: 7b

INFORMATION/ACTION

RECOMMENDATION(S):

- i. Receive a report with responses to Board member questions regarding the Eastside Parkway Environmental Review Contract.
- ii. Direct the Executive Officer/staff to:
 - a. Conduct an open solicitation for a consultant to perform the Eastside Parkway environmental review in accordance with the National Environmental Policy Act (NEPA) & California Environmental Quality Act (CEQA) requirements; **or**
 - b. Authorize the Executive Officer to negotiate and execute a professional services contract amendment #3 (**Attachment A**) with Whitson and Associates, Inc. (Whitson) to agreement FC-05102010 for the oversight and completion of the Eastside Parkway Environmental Review, not to exceed \$568,100 in additional funding.

BACKGROUND/DISCUSSION:

The 1997 Base Reuse Plan (BRP) Final Environmental Impact Report (EIR) identified Eastside Road, connecting Imjin Parkway to Gigling Road, as a transportation infrastructure improvement (Table 4.7-3). The Fort Ord Reuse Authority (FORA) and the County of Monterey performed preliminary analyses to refine Eastside Road's alignment. The FORA Board then established FORA Capital Improvement Program (CIP) funding priority for Eastside Road in December 2009. In 2010, the roadway name changed from 'Eastside Road' to 'Eastside Parkway,' as suggested by County of Monterey staff. Now that development projects such as East Garrison and the Dunes on Monterey Bay are paying FORA Community Facilities District (CFD) Special Taxes for new development, CIP projections show collection of sufficient dollars to fund this BRP roadway mitigation likely to occur within the next few years. This makes it timely to secure a consultant contract to perform required environmental review prior to proposed construction.

At the September 9, 2016 FORA Board meeting, FORA staff had prepared a board report proposing a contract amendment with Whitson Engineers allowing future environmental work on this project under the FORA Master Resolution. After FORA staff received 19 questions from Supervisor Parker's office, Authority Counsel recommended the item be pulled from the agenda to provide additional time for staff and Authority Counsel to confer regarding questions posed.

RFQ/RFP Recommendation:

On September 16, 2016, FORA staff received two additional questions from Supervisor Parker's office (a total of 21). FORA staff responses to the 21 questions are included with this report under **Attachment B**. One of those questions was whether solicitations tied to potential federal or state funding sources for Eastside Parkway are covered by the same rules Transportation Agency for Monterey County (TAMC) encountered under a CalTrans grant and whether a decision not to engage in a selection process rather than amending an existing contract for the environmental review contract might prevent FORA from applying for or receiving grants from

federal or state agencies. FORA staff researched federal and state grant and acquisition requirements and spoke directly with TAMC staff about their experience. Staff concluded that proceeding with a re-opened selection process for an environmental review contract provides the greatest assurances in applying for and receiving future federal or state grant funds. The time impact would be a minor delay as the new solicitation process will take 2-3 months. The scope of the RFQ/RFP would be roughly the same as the contract amendment included in the September 9, 2016 FORA Board packet.

At the executive committee meeting of October, 5 2016, the committee asked that the prior contract amendment approach also be included as one of the alternatives (see below).

FORA staff is in the process of re-establishing the former ad-hoc technical advisory working group made up of the land use jurisdiction public works and engineering staffs. This working group had been an integral part of the completion of General Jim Moore Boulevard and other former Fort Ord transportation projects. If the Board approves this recommendation, FORA staff will prepare an RFQ/RFP to select a consultant to complete Eastside Parkway environmental review. The working group or a subset of its members would be involved in the selection process.

It is estimated that a consultant solicitation and selection would take approximately 2-3 months. Once a consultant is selected, FORA staff would negotiate an environmental review contract with the consultant and seek FORA Board authorization to proceed with the contract.

Whitson Contract Amendment #3 Alternative:

The Eastside Parkway environmental review contract amendment report last month (Item 7b) included a staff recommendation to authorize the Executive Officer to execute Whitson contract amendment #3 to conduct Eastside Parkway environmental review. The Board is within its authority to take this action. Staff recommended the RFQ/RFP option after conducting additional research in the federal and state grant requirements and speaking to TAMC staff about their specific experience. The benefit of this option would be a shorter timeframe to completing Eastside Parkway environmental review, saving 3 months. The challenge would be identifying a path to meet potential federal and state grant program requirements.

In either option, once a consultant contract is in place, staff anticipates that the environmental review will take approximately 18 months to complete. One of the first steps would be a scoping process that takes Board, public, TAMC, and other stakeholder input regarding goals, objectives, and project alternatives. In either case, the consultant would make a recommendation to the FORA Board regarding the appropriate project alternatives to analyze during the environmental review given the goals and objects of the project. In each case CEQA review would be performed.

FISCAL IMPACT:

Reviewed by FORA Controller 

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

COORDINATION:

Authority Counsel, Administrative and Executive Committees, land use jurisdictions, Transportation Agency for Monterey County.

Prepared by 
Jonathan Brinkmann

Approved by 
Michael A. Houlemard, Jr.

Agreement for Professional Services – Amendment #3

This is Amendment #3 to Agreement No. FC-052010 (“AGREEMENT”) between the Fort Ord Reuse Authority, a political subdivision of the State of California (hereinafter “FORA”) and Whitson and Associates, Inc., dba Whitson Engineers (hereinafter “CONSULTANT”).

Except for the following amendments, all terms and conditions in the AGREEMENT remain the same:

1. SERVICES. Subject to the terms and conditions set forth in this Amendment and activities described in **Exhibit A** (attached), CONSULTANT shall provide to FORA additional services.
2. TERM. The term of the AGREEMENT is extended until June 30, 2018 or until the maximum amount of authorized compensation is reached.
3. COMPENSATION AND OUT OF POCKET EXPENSES. The AGREEMENT is increased by \$568,100 to compensate CONSULTANT for all of the additional services described in “SERVICES” section above and **Exhibit A** (attached). The overall maximum amount of FORA’s liability over the full term of the AGREEMENT is not to exceed \$1,619,970, including out of pocket expenses.

IN WITNESS WHEREOF, AUTHORITY and CONSULTANT execute this Amendment as follows:

AUTHORITY

CONSULTANT

By _____ Date _____
Michael A. Houlemard, Jr.
Executive Officer

By _____ Date _____
Trina L. Prince
Contracts Administrator

Approved as to form:

By _____ Date _____
Jon Giffen, Authority Counsel

August 25, 2016

2146.00

Mr. Jonathan Brinkmann
FORT ORD REUSE AUTHORITY (FORA)
920 2nd Ave., Suite A
Marina, CA 93933

Via email: Jonathan@fora.org

**Re: Proposal for Environmental Impact Report
Eastside Parkway, Monterey County, California**

Dear Mr. Brinkmann:

Thank you for the opportunity to provide FORA with continuing Civil Engineering, Land Surveying and Environmental Consulting services in conjunction with the Eastside Parkway project. Our team has a long working history with Eastside Parkway, in addition to having a proven track record of entitling projects in Monterey County.

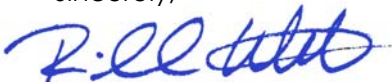
Per your request and in conjunction with Denise Duffy & Associates (DD&A), we are pleased to present FORA with the enclosed 2016 proposal to prepare an Environmental Impact Report (EIR) for Eastside Parkway in compliance with the California Environmental Quality Act (CEQA). The scope of the project is from Eucalyptus Road to Inter-Garrison Road, Inter-Garrison Road from Eastside Parkway to East Garrison, and Gigling Road from the County Boundary to Eastside Parkway (approximately 4.3 miles). The EIR will be based on the 90% Submittal Eastside Parkway Improvement Plans dated September 2012 previously prepared by Whitson Engineers.

The attached proposal is intended to be comprehensive, with the assumption that the project will be met with some opposition. It is our understanding that FORA will act as the lead agency under CEQA and that federal funding is unlikely to be available for this project, therefore compliance with the federal National Environmental Policy Act (NEPA) is not included. Furthermore, as requested by FORA, a task has been included for environmental legal services by Jacqueline M. Zischke, Attorney at Law, on a time and materials basis to ensure that the EIR is thoroughly vetted throughout the process.

The scope of work identifies the anticipated tasks our team will undertake to successfully complete the CEQA documentation. Please note however that further refinement might be required once the scoping process is complete.

We thank you again for the opportunity to continue our work with FORA on this project. If you have any questions or need more information, please contact me at (831) 649-5225.

Sincerely,



Richard Weber PE, LS
RCE 55219
Principal

**SCOPE OF SERVICES FOR
CEQA DOCUMENTATION****Eastside Parkway**

(Eastside Parkway from Eucalyptus Road to Inter-Garrison Road – 16,260', Inter-Garrison Road from Eastside Parkway to East Garrison – 5,570', and Gigling Road from the County Boundary to Eastside Parkway – 1,290')

**Fort Ord Reuse Authority
Monterey County, California****SCOPE OF SERVICES****Task 1 – Project Initiation / Data Collection**

The objective of this task is to ensure that the CEQA document is completed in a technically accurate manner, will result in a legally defensible environmental document acceptable to FORA, and is completed within the scheduled timeframe. One of the most important results of this task is an agreed-upon schedule of deliverables and deadlines.

1.1 Project Initiation / Scope Development

- a. Attend a kick-off meeting with FORA to review and refine the scope of work, identify and prepare a list of needs (i.e., background documents, plans, and other relevant project information), confirm deliverables, and establish schedules and protocols for communication.
- b. Assemble and review the available maps, surveys, reports, and studies that have previously been completed for the roadway corridor and distribute them to the project team.
- c. Review previous environmental documents (e.g., Preliminary Initial Study Checklist and associated technical studies, FORA Reuse Plan and EIR, Reassessment Report, and other environmental documents) to determine how much information can be utilized and identify any data gaps.
- d. Prepare regular status reports to update FORA and the Consultant Team on the on-going activities, recent accomplishments, and outstanding items throughout the duration of the project. This report will be emailed to all agreed-upon recipients in a memorandum format. The status report will allow for the project team to understand where we are in the CEQA process and keep the team on-track with deadlines and expectations.
- e. Develop a detailed draft outline for the Draft CEQA document. The purpose of the outline is to provide the team with an early understanding of the final work product. The outline will guide the incorporation of technical data into the draft document and also state the appropriate significance thresholds assumed for each environmental impact category so there is a clear understanding of the criteria for evaluation.

Responsibilities/Deliverables:

- **Consultant Team:** Refined scope of work and budget, list of needs, confirmation of schedule, status reports for the duration of the project (assume one report per month for 16 months), and Draft CEQA Outline including appropriate significance thresholds
- **FORA:** Facilitate kick-off meeting, coordinate with Consultant Team to provide requested information, review and comment on draft CEQA outline.

Task 2 – Confirmation and Finalization of Project Description and Alternatives

2.1 Project Description

- a. Update the existing project description defining all aspects of the project, including, but not limited to, project background, location, goals and objectives, planning and engineering details, limits of construction, affected properties and phasing (if any), construction schedule and equipment, graphics to illustrate the project plans, and anticipated permitting and approval actions. The update will be based on the review of the Preliminary Initial Study Checklist (January 2012) and current design plans (September 2012).

2.2 Draft Conceptual Alternatives Descriptions

The EIR will require a detailed evaluation of project alternatives. The Project Description and Alternatives Section of the EIR will identify and describe the proposed project, no project alternative, additional alternatives that will be evaluated in the EIR, and alternatives considered but eliminated. Consultant Team will work closely with FORA, to develop the draft conceptual alternatives descriptions.

- a. Currently, the following 4 alternatives are anticipated/budgeted:
 - i. No Eastside Parkway and all traffic utilizing existing roadways with improvements per the 2014 Regional Transportation Plan (RTP).
 - ii. Eastside Parkway along current planned alignment per the 90% design with 2014 RTP projects.
 - iii. Eastside Parkway alignment along 7th/8th Street and Inter-Garrison Road with 2014 RTP projects.
 - i. Highway 68 bypass, which is not in the current RTP, but historically has been an alternative alignment to provide capacity between Salinas and the Peninsula. The previous Plan Line alternative will be evaluated.
- b. Submit a Draft Project Description and Alternatives Section electronically to FORA for review and comment.
- c. Based on comments received, finalize the Project Description and Alternatives Section for inclusion in the EIR. This scope of work assumes one round of comments from FORA. This scope and budget assumes that after this task is complete, the project description will not significantly

change and result in additional environmental analysis and an amendment to this scope of work.

Responsibilities/Deliverables:

- **Consultant Team:** Assist with development of the draft conceptual alternatives descriptions, Draft and Final Project Description, and Alternatives Section.
- **FORA:** Assist with development of the draft conceptual alternatives descriptions; Review and comment on Draft Project Description and Alternatives Section.

Task 3 – Agency Scoping, Preparation of NOP, and Summary of Comments

3.1 Notice of Preparation (NOP)

The general purpose of the NOP under CEQA is to solicit guidance from appropriate regulatory agencies, interested parties, and other groups concerning the scope and content of the environmental analysis contained in the EIR.

- a. Based upon information contained in the Preliminary IS Checklist, prepare a Draft NOP, which will be electronically submitted to FORA for review and comment prior to public distribution. The NOP will include a brief project description and identification of potential environmental impacts in accordance with CEQA Guidelines §15082.
- b. Upon receipt of FORA comments, revise the NOP and electronically submit a final version to FORA for distribution. This task assumes only one (1) round of comments on the Draft NOP.
- c. Coordinate with FORA on compiling the distribution list for the NOP. This task also assumes that FORA will be responsible for distribution of the NOP, and publishing the NOP and meeting notice in local publications.

3.2 Meetings

- a. During the course of the 30-day NOP public comment period (see CEQA Guidelines §15082 and §15375), the Consultant Team will attend and participate in one (1) public scoping hearing. This task will include the preparation of presentation materials, including a PowerPoint presentation, agenda, comment cards, and other materials that may be required. Provide a brief presentation on the nature of the scoping meeting and the general requirements of CEQA, including an overview of the environmental process and anticipated project impacts.
- b. All comments received at the scoping meeting and during the NOP comment period will be used to determine the appropriate scope of the environmental analysis contained in the EIR. A summary of the scoping meeting proceedings will be prepared and provided to FORA.
- c. A summary of NOP comments, which will include a matrix table listing the environmental topics and issues specified in each comment letter, will be prepared and provided to FORA at the end of the public review period.

Responsibilities/Deliverables:

- **Consultant Team:** Prepare Draft and Final NOP, assist with compilation of distribution list, Draft and Final Public Scoping Materials (e.g., PowerPoint presentation, agenda, displays, etc.), meeting attendance and participation, and summary of public comments.
- **FORA:** Compile distribution list, reserve meeting venues, review and comment on presentation materials, and facilitate/participate in scoping meeting.

Task 4 – Prepare First Administrative Draft EIR

Prepare an Administrative Draft EIR for the project, in accordance with CEQA requirements. The First Administrative Draft EIR will include an objective analyses of all relevant topics. The topics expected to be addressed, a description of the analyses to be conducted, and the contents of those sections are discussed below. In addition, the significance of the impacts after implementation of the mitigation measures will be included in the analysis. Impacts considered would include the following: direct, indirect, construction/short-term, operational/long-term, growth inducing and cumulative. The First Administrative Draft EIR will identify and summarize significant impacts and whether they can or cannot be avoided, and will also identify any beneficial environmental impacts of the project, if any. The format of the document will be consistent with the format and outline determined earlier in the EIR process, but will also include all topics discussed below:

- a. Introduction, Goals and Objectives
 - i. This section will indicate that the documentation has been prepared for FORA pursuant to CEQA regulations and guidelines to evaluate the effects of the proposed project and identify the goals and objectives, the foundation of the alternatives analysis.
- b. Proposed Project and Alternatives
 - i. The proposed project and all other reasonable alternatives to the proposed project must be defined and discussed, including the No Project Alternative. CEQA Guidelines Section 15126.6 requires the consideration of a range of reasonable alternatives to the proposed plan that could feasibly obtain most of the basic objectives of the proposed project. The Consultant Team will coordinate with FORA to determine a range of feasible alternatives as part of Task 2; however, potential feasible alternatives may emerge during the environmental review process and these will be considered and evaluated throughout the process.

c. Environmental Setting

- i. Existing information from the Preliminary IS Checklist, Fort Ord Base Reuse Plan and EIR, and other recent relevant environmental documents will be used to describe the baseline environmental conditions within the project vicinity. This section will describe those aspects of the environment that may be affected by implementation of the proposed project. This section will focus on existing conditions within and surrounding the former Fort Ord with specific reference to the following topics.
- Physical environment – visual resources; air quality; geology, soils, seismic hazards, mineral resources, hydrology and water quality; and hazardous materials.
 - Biological environment – vegetation and wildlife, including migratory birds; and
 - Social environment – cultural resources; land use; noise; population and housing; public health hazards; public services and recreation; and transportation and traffic.

d. Impacts and Mitigation Measures

- i. This section analyzes the environmental effects that could result from implementing the proposed project. It also describes the potential environmental effects of the other alternatives.

Specific Sections to be Addressed

The EIR will evaluate the impacts that will likely result from implementing the proposed project; address the requirements to monitor, minimize, and mitigate such impacts; and the impacts of the alternatives and the reasons why such alternatives are not proposed to be used. The impact analysis will apply specific criteria for determining the significance of impacts, consistent with criteria set forth in CEQA, and applicable professional and local standards. Mitigation measures will be identified for significant environmental impacts identified in the EIR. The major issues to be addressed in the environmental document are described below.

- | | |
|-------------------------------------|---------------------------------|
| • Land Use/Planning | • Geology/Soils |
| • Traffic and Circulation | • Hydrology/Water Quality |
| • Air Quality | • Aesthetics/Visual |
| • Greenhouse Gases & Climate Change | • Public Services |
| • Biological Resources | • Utilities and Service Systems |
| • Hazardous Materials | • Recreation |
| • Cultural Resources | • Noise |
| | • Population and Housing |

Technical Studies

Technical studies will be prepared or updated to support the environmental documents being prepared. This scope assumes that the geotechnical and hydrology reports completed for the project are sufficient for analysis in the EIR. The following technical studies and/or updates to existing studies are proposed as part of our work:

- a. Traffic and Circulation
 - i. A Year 2030 Traffic Operation Analysis utilizing the 2010 AMBAG model was previously completed in 2011 as part of the 90% Eastside Parkway Improvement Plans. The model has since been updated and the new RTP and SCS have been adopted by the AMBAG Board. A new analysis will be prepared to show consistency with the 2010 and the newer model. An evaluation will be prepared on the potential impacts for the preferred alignment and up to three (3) additional alternative alignments.
 - i. Obtain the new 2014 RTP/SCS Travel Demand model, enter into a model use agreement with AMBAG, and conduct model runs for each roadway scenario and extract model volumes. *Note that any AMBAG related fees or deposit payable to use the model is not included in our proposal and fee schedule.*
 - i. Produce daily, AM and PM peak hour bi-directional segment volumes for each scenario on the following 31 segments. It should be noted that the model is not calibrated for peak hour conditions and this effort does not include calibrating the model, merely extracting data from the model once road network links are run. Adjustment of model volumes may be conducted manually to more accurately reflect trip diversions because of the shifts in lane capacity.
 1. SR 68 between: Blanco and Reservation, Reservation and Toro Park, Toro Park and Ragsdale, Ragsdale and SR 218, and SR 218 and SR 1 (5 segments).
 2. Blanco Road between Davis Road and Reservation Road (1 segment).
 3. Davis Road between Blanco Road and Reservation Road (1 segment).
 4. Reservation Road between: SR 68 and Davis Road, Davis and Inter-Garrison, Inter-Garrison and Blanco, Blanco and Imjin, Imjin and Del Monte (5 segments).
 5. Del Monte Blvd between Reservations and SR 1 (1 segment).
 6. Imjin Pkwy between: Reservation and Imjin Road, Imjin Road to SR 1 (2 segments).
 7. SR 1 between: Del Monte Blvd and Imjin, Imjin and Lightfighter, Lightfighter and SR 218, and SR 218 and SR 68 (4 segments).
 8. Gen Jim Moore Blvd between: Gigling and Eastside Parkway, and Eastside Parkway and SR 218 (2 segments).

9. SR 218 between Gen Jim Moore Blvd and SR 68 (1 segment).
 10. 7th/8th Street between Gigling and Inter-Garrison Road (1 segment).
 11. Gigling between Gen Jim Moore and 7th/8th Street (1 segment).
 12. Inter-Garrison Road between 7th/8th and Abrams Road, Abrams Road and Eastside Parkway, and Eastside Parkway and Reservation Road (3 segments).
 13. Eastside Parkway between Gen Jim Moore and Gigling, Gigling and Inter-Garrison, and Inter-Garrison and Reservation (3 segments).
 14. SR 68 bypass between SR 218 and Toro Park (1 segment).
- ii. Evaluate the 31 segments for the various scenarios with a lookup table for Level of Service (LOS) and number of lanes required to accommodate traffic volumes, maintaining LOS D or better. Prepare a technical memorandum documenting the analysis.
- b. Air Quality and Greenhouse Gas Emissions
- i. An Air Quality and Greenhouse Gas Impact Assessment will be prepared. The assessment will include a description of regional and local air quality, applicable air quality regulatory framework, standards, attainment status, and significance thresholds. The evaluation of GHG emissions will include a discussion of existing climate change conditions and applicable regulatory framework. GHG emissions will be quantified utilizing the most current recommended guidance and methodologies available. This assessment will also include an evaluation of potential changes in carbon sequestration associated with the planned removal of existing trees, as well as, the planting of any new trees. Monterey Bay Unified Air Pollution Control District (MBUAPCD)-recommended control measures for construction related emissions will be provided as mitigation measures for construction impacts. The effectiveness of proposed mitigation measures will be evaluated and discussed.
- c. Cultural Resource
- i. A Phase 1 Archaeological Report was prepared in 2010. However, due to remediation activities being conducted at the time, portions of the alignment were prohibited from being surveyed. In addition, new legislation, AB 52, came into effect on July 1, 2015.
 - Survey the remaining portions of the alignment
 - Contact the Native American Heritage Commission and federally and non-federally recognized tribes in compliance with AB 52.
 - Prepare an updated report.
- d. Biological Resources
- i. A Biological Resources Report was prepared in January 2012. Due to the time passed since the botanical surveys and preparation of the report, DD&A will conduct a site visit to document existing conditions and

conduct focused spring and summer botanical surveys at the site. DD&A will prepare a report addendum describing any differences in the site conditions, the results of the botanical surveys, and determine whether any additional impacts to biological resources would occur. This scope of work does not include protocol-level wildlife surveys, mapping of sensitive habitat, or wetland delineation. The surveys completed for the report are assumed to be valid for the EIR analysis.

e. Forest Resources

i. A Forest Resource Evaluation Report was prepared in September 2011. Due to the time passed since the previous evaluation, the Consultant Team will provide the following services:

- Review and update description of the forest resources within the project area and estimate of the total tree population by size class and general condition rating using stratified random sampling;
- Review and update presence of "landmark" trees and other notable forest resource occurrences or unique values;
- Review and update information regarding ongoing forest impacts such as erosion or invasive species; and
- Update the outline potential impacts of grading and road development on forest resources as well as opportunities for tree preservation and protection, including transplanting.

ii. The arborist will analyze up to three alignment alternatives to the proposed project. The analysis will include a field survey, mapping existing forest resources utilizing field survey results and aerial photos, qualitatively estimating tree removal required for each alternative, and preparing a memorandum describing the results.

f. Noise and Groundborne Vibration

i. A Noise & Groundborne Vibration Impact Assessment will be prepared. The noise assessment will include a description of the existing noise environment, based on existing environmental documentation and a review of site reconnaissance data. To assess potential construction noise impacts, sensitive receptors and their relative exposure to the proposed project area (considering topographic barriers and distance) will be identified. Noise levels of specific construction equipment will be summarized in included in the report. Groundborne vibration levels typically associated with construction activities and long-term operations will be discussed. Groundborne vibration levels associated with construction-related activities and potential impacts to nearby receptors will be assessed. Long-term changes in groundborne vibration levels are anticipated to be minor and, therefore, will be qualitatively assessed.

Other Statutory Sections

Above and beyond the analysis of topical issues in the Environmental Setting, Impacts, and Mitigation Measures sections,¹ CEQA requires that an EIR contain specific discussions, which include, but are not limited to, those listed below. The Consultant Team will assure that the EIR complies with all local and state environmental requirements.

- a. Indirect Impacts of Growth/Growth Inducement
 - i. We recognize that this is a key issue to the local community. CEQA requires an EIR to discuss the ways in which a project could promote or induce economic or population growth, either directly or indirectly, in the surrounding area. This section will address the potential growth inducement effects of the project based on the assessment of the potential new growth that could be fostered by implementation of the project. This section will also review the proposed project, and the environmental and physical constraints to additional growth. The growth inducing analysis will describe components of the project and why they are or not considered to be growth inducing.
- b. Cumulative Impacts
 - i. This section will discuss potential significant cumulative impacts to which the project would contribute. A region-wide review of the impacts will be considered. The section will address the potential cumulative effects of the project in conjunction with other land uses, resource management, and development actions recently enacted or proposed in the project area. The Consultant Team will work with FORA to identify potential future regional growth to be considered in this analysis. This section will discuss cumulative impacts relating to the project if and when they are significant.
- c. Unavoidable Significant Adverse Impacts
 - i. The unavoidable significant adverse impacts identified in the above analyses, if any, will be summarized in this section. The purpose of this discussion is to call out any permanent or significant degradation in the quality of the environment, or the destruction of important natural and cultural resources, which cannot be prevented by the incorporation of mitigation measures.

Responsibilities/Deliverables:

- **Consultant Team:** First Administrative Draft EIR. Submit the First Administrative Draft EIR electronically to the project team for review and comment. This task assumes only one (1) round of comments on the First Administrative Draft EIR.
- **FORA:** Review and comment on First Administrative Draft EIR.

¹ The CEQA content requirements of the Environmental Setting, Impacts, and Mitigation Measures sections will be included in the EIR as part of the "Affected Environment" and "Environmental Consequences."

Task 5 – Prepare Screencheck and Public Draft EIR

5.1 Document Revisions

- a. Upon conclusion of the review of the First Administrative Draft EIR, revise the document based on FORA comments, as appropriate, and submit the Screencheck Draft EIR electronically to the project team for final review before publishing the document for public review. Incorporate minor comments anticipated on the Screencheck Draft EIR, and prepare the Draft EIR for formal public review. This task assumes only one (1) round of comments on the Screencheck Draft EIR.
- b. Provide copies of the document on CD and in a pdf file so that it can be posted on the FORA website upon publication. Provide five (5) hard copies of the Public Draft EIR to FORA and thirty (30) CDs for public distribution. The Consultant Team will be responsible for circulating the Public Draft EIR to the approved distribution list, which will be updated, if necessary, during this task with internal team input. The Consultant Team will also be responsible for the preparation of the CEQA notices (Notice of Availability and Notice of Completion), and filing and posting with the State Clearinghouse and County Clerk. FORA will be responsible for posting the Notice of Availability in local publications.
- c. During the public review phase attend one public meeting in the project area. FORA will be responsible for facilitating the public meeting. Public notice of this meeting will be included in the Notice of Availability. Prepare comprehensive documentation of the public meeting(s) and the Draft EIR circulation. This will include preparation of the Record of Public Meeting (including a certified transcript of the public meeting proceedings) and a Record of Draft EIR Circulation.

Responsibilities/Deliverables:

- **Consultant Team:** Screencheck Draft EIR, Public Draft EIR, distribution list, notices, meeting attendance and materials (e.g., PowerPoint presentation, agenda, displays, etc.), Record of Public Meeting, and Record of Draft EIR Circulation.
- **FORA:** Review and comment on Screencheck Draft EIR, posting Notice of Availability in Monterey Herald, finalize distribution list, reserve meeting venues, review and comment on presentation materials, facilitate meeting.

Task 6 – Respond to Public Comments & Prepare First Administrative Draft Final EIR

After the comment period for the public draft is closed, review the comments and begin preparation of the Final EIR. Work closely with FORA to prepare draft initial responses on the public comments on the Public Draft EIR and revisions to the Public Draft EIR, if required. Submit the First Administrative Draft Final EIR electronically to FORA for review and comment. This task assumes only one (1) round of comments on the First Administrative Draft Final EIR. Due to the controversial nature of the proposed project,

this scope and budget assumes a high level of effort to respond to public comments.

Responsibilities/Deliverables:

- **Consultant Team:** First Administrative Draft Final EIR
- **FORA:** Review and comment on First Administrative Draft Final EIR

Task 7 – Prepare Screencheck Draft EIR and Final EIR

7.1 Document Revisions

- Upon conclusion of the review of the First Administrative Draft Final EIR, revise the document based on comments and internal team direction and submit the Screencheck Draft Final EIR electronically to FORA for final comments prior to public distribution.
- Prepare a Draft Mitigation Monitoring and Reporting Program (MMRP) in accordance with CEQA requirements, and submit to FORA electronically for review and comment concurrent with the Screencheck Draft Final EIR review. The MMRP will document the impacts identified in the EIR, compliance and monitoring actions to be performed, responsible party(ies), and timing of compliance and monitoring activities.
- Incorporate minor comments anticipated on the Screencheck Draft EIR and Draft MMRP, and prepare the Final EIR and MMRP for public distribution. This task assumes only one (1) round of comments on the Screencheck Draft Final EIR.
- Provide copies of the Final EIR and MMRP on CD and in a pdf file so that it can be posted on the FORA website upon publication. Provide five (5) hard copies of the Final EIR and MMRP to FORA and thirty (30) CDs for public distribution. The Consultant Team will be responsible for distribution, utilizing the distribution list for the Public Draft EIR, which will be updated, if necessary, during this task with FORA input.

7.2 Project Management

- Provide up to twenty (20) hours of project management services to specifically assist FORA with the finalization of the CEQA process. These services may include assistance with the preparation of CEQA Findings, Resolution, and Staff Report. This task also includes preparing a draft and final Notice of Determination (NOD) within five (5) business days of project approval and EIR certification, and filing the NOD with the State Clearinghouse and Monterey County Clerk. This scope of work assumes project approval and EIR certification; however, if that does not occur, the NOD will not be prepared.
- Attend and participate at two (2) FORA Board meetings. FORA will be responsible for facilitating the presentation. Public notice of the meetings will be provided by FORA. This task will include the preparation of presentation materials, including a PowerPoint presentation and other

materials that may be required. A brief presentation on the environmental review process, public comments received, and impacts and mitigation measures identified in the Draft EIR will be provided. A public hearing will be held at the FORA Board meeting to solicit public comments on the approval of the project and EIR certification. The Consultant Team will be available to respond to public comments made during the hearing and address any questions from the public and Board of Directors.

7.3 California Department of Fish and Wildlife CEQA Filing Fee

- a. Please note that the budget includes a cost estimate for the California Department of Fish and Wildlife CEQA filing fee. The fee increases every year and assuming a similar increase from last year, it is estimated that the fee will be \$3,110; however, FORA will be billed the actual fee.

Responsibilities/Deliverables:

- **Consultant Team:** Final EIR and MMRP, Findings/Resolution/Staff Report assistance, and Draft and Final NOD, distribution list, meeting attendance and materials (e.g., PowerPoint presentation, displays, etc.),
- **FORA:** Review and comment on Screencheck Draft Final EIR and MMRP, publishing public hearing/FORA Board meeting notices, finalize distribution list, reserve meeting venues, review and comment on presentation materials, facilitate meeting presentations, and provide Draft Findings/Resolution/Staff Report to Consultant Team for review.

Task 8 – Meetings

8.1 Meetings and Coordination

- a. Attend and participate in a variety of meetings as necessary throughout the project either in person or on telephone conferences, including regular communication with FORA and others on the project team to address key issues and confer on environmental impacts and what types of actions are suitable for avoidance, mitigation or conservation measures. For meetings called by the Consultant Team, we shall prepare agendas and minutes with the action items, give presentations, and provide presentation materials as needed. A log of all action items will be maintained to ensure that the required actions occur. This scope of work assumes a budget of 80 hours.

Responsibilities/Deliverables:

- **Consultant Team:** Meeting attendance and participation, meeting materials
- **FORA:** Reserve meeting venues, review and provide meeting materials, facilitate meetings

Task 9 – Attorney Review and Coordination

Whitson Engineers shall retain the services of Jacqueline M. Zischke, Attorney at Law to provide environmental legal services on a time and materials basis as required for CEQA matters related to the Eastside Parkway project. Typical Services could include:

1. Review of Existing Materials, Project Description, and Alternatives to be included.
2. Legal Research and Memorandums.
3. Administrative Draft EIR Review and Discussions.
4. Review and Revisions to Public Notices.
5. Draft EIR Review and Discussions.
6. Final EIR Review and Discussion of Draft Responses.

Responsibilities/Deliverables:

- **Consultant Team:** Provide legal review of CEQA matters related to the Eastside Parkway project for the duration of the above Scope of Services.
- **FORA:** Provide direction and input on items to receive legal review.

Assumptions:

1. The EIR will be based on the 90% Submittal Eastside Parkway Improvement Plans dated September 2012 by Whitson Engineers.
2. The Draft Preliminary Initial Study Checklist (January 2012) and existing technical studies will be used to maximum extent possible.
3. Geotechnical Reports have been completed (October 7, 2010) and it is assumed that no updates will be needed.
4. Hydrology Reports were completed with the 90% Plans and it is assumed that no updates will be needed.
5. We have assumed the following 4 alignments to be studied with a traffic analysis:
 - a. No Eastside Parkway
 - b. Eastside Parkway along current planned alignment
 - c. Eastside Parkway alignment along 7th/8th Street and Inter-Garrison Road
 - d. Highway 68 bypass instead of the current Eastside Parkway alignment
6. Due to the controversial nature of the proposed project, this scope and fee assumes a high level of effort to respond to public comments, but no new technical analyses.
7. Legal review of CEQA matters related to the Eastside Parkway project will be provided on a time and materials basis per the following:
 - Principal / Of Counsel: \$360 per hour
 - Legal Clerk: \$195 per hour
 - Legal Assistant: \$160 per hour
 - Secretarial Services: \$35 per hour

Exclusions:

The following work is specifically excluded from the Scope of Services:

1. Completion of Project Plans beyond the current 90% design.
2. Payment of governmental fees, other than those noted above.
3. Land Surveying or staking/flagging of road alignments.
4. Soil Management Plans.
5. Monterey Salinas Transit Bus Rapid Transit (BRT) evaluation and coordination.
6. Additional technical studies other than those listed above.
7. Appraisals.
8. Any work not specifically included in the above Scope of Services.

Please note that the Consultant Team can provide any of the above services for an additional budget if specifically requested by FORA.

Draft Schedule Estimate for the Eastside Parkway CEQA Documentation		
	Task	Estimated Timeframe
1	Project Initiation/Data Collection	1 month
2	Confirmation and Finalization of Project Description and Alternatives	3 months
3	Agency Scoping, Preparation of NOP, and Summary of Comments	2 months
4	Prepare 1st Admin Draft EIR	4 months
5	Prepare Screencheck Draft and Public Draft EIR	4 months (1 month + estimated 3 month public review)
6	Prepare 1st Admin Draft Final EIR	2 months
7	Prepare Screencheck Draft Final EIR and Final EIR	2 months
8	Meetings	On-going
9	Attorney Review and Coordination	On-going
ESTIMATED TOTAL		Approximately 18 months

Note: Timeline is consecutive

Fee Summary

Eastside Parkway
CEQA DOCUMENTATION
Fort Ord Reuse Authority
Monterey County, California

Description of Work	Fee
1. Project Initiation/Data Collection	\$6,000
2. Confirmation and Finalization of Project Description and Alternatives	\$10,500
3. Agency Scoping, Preparation of NOP, and Summary of Comments	\$8,200
4. Prepare 1st Admin Draft EIR	\$281,400
4.1 Aesthetics/Visual	\$19,700
4.2 Air Quality	\$18,300
4.3 Biological Resources	\$8,700
4.4 Botanical Surveys	\$11,500
4.5 Update Biological Report	\$14,100
4.6 Cultural Resources	\$14,800
4.7 Geology/Soils	\$5,000
4.8 Greenhouse Gases & Climate Change	\$5,200
4.9 Hazards/Hazardous Materials	\$1,600
4.10 Hydrology/Water Quality	\$3,700
4.11 Land Use/Planning	\$4,800
4.12 Noise	\$11,500
4.13 Public Services	\$1,400
4.14 Recreation	\$5,900
4.15 Traffic & Circulation	\$33,200
4.16 Utilities & Service Systems	\$4,000
4.17 Other Statutory Sections	\$2,100
4.18 Indirect Impacts of Growth/Growth Inducement	\$3,400
4.19 Cumulative Impacts	\$10,300
4.20 Unavoidable Significant Adverse Impacts	\$600
4.21 Alternatives Analysis	\$100,300
4.22 Permitting, Consultation, & Coordination Section	\$1,300
5. Prepare Screen Check Draft and Public Review Draft EIR	\$25,300
6. Prepare 1st Admin Draft Final EIR	\$40,000
7. Prepare Screencheck Draft Final EIR and Final EIR	\$57,200
8. Meetings	\$39,400
9. Attorney Review and Coordination (Budget)	\$54,000
10. Reimbursable Expenses	\$6,100
Subtotal	\$528,100
Administration / Project Management	\$40,000
Total Fee Amount	\$568,100

**Fee Worksheet
 August 2016
 Eastside Parkway
 CEQA DOCUMENTATION**

Task	Description	DD&A										Whitson Engineers				Total Budget Per Task			
		Principal	Senior Project Manager	Senior Planner	Senior Environmental Specialist	Assoc. Planner or Biologist	Assist. Planner	GIS	Word Processing/ Admin. Assistant	Graphics	Hours Per Task	Budget Per Subtask	Principal	Director of Civil Engineering	Associate Engineer		Hours Per Task	Budget Per Subtask	
1	Project Initiation/Data Collection	1	6	2	2	8			2	2	23	\$ 2,819	4	12		16	\$ 3,160	\$ 5,979	
2	Confirmation and Finalization of Project Description and Alternatives	2	4	18		8	14		4	8	58	\$ 6,612	4	16		20	\$ 3,920	\$ 10,532	
3	Agency Scoping, Preparation of NOP, and Summary of Comments	2	8	10	4	4	16		6	4	54	\$ 6,244	2	8		10	\$ 1,960	\$ 8,204	
4	Prepare 1st Admin Draft EIR																	\$ 144,942	
Key Topics/Sections:																			
1	Aesthetics/Visual		7	8		10	16		4	20	65	\$ 6,487	8	16	60	84	\$ 13,200		
2	Air Quality		7	4		8	4		2	2	27	\$ 3,127				0	\$ -		
3	Biological Resources		3	2	4	6	30		4	6	55	\$ 5,403				0	\$ -		
4	Botanical Surveys		12			34	52	8	5	4	115	\$ 11,530				0	\$ -		
5	Update Biological Report		11		24	40	42		4	10	131	\$ 14,159				0	\$ -		
6	Cultural Resources		5	6			6		2		19	\$ 2,317				0	\$ -		
7	Geology/Soils		3	1			6		2	2	14	\$ 1,432				0	\$ -		
8	Greenhouse Gases & Climate Change		8	8		12	16		2		46	\$ 5,228				0	\$ -		
9	Hazards/Hazardous Materials		4	1			6		2	2	15	\$ 1,587				0	\$ -		
10	Hydrology/Water Quality		4	2		2	6		2	2	18	\$ 1,938	1	8		9	\$ 1,740		
11	Land Use/Planning		10	6		8	14		2	2	42	\$ 4,802				0	\$ -		
12	Noise		6	1		2	6		2		17	\$ 1,953				0	\$ -		
13	Public Services		4	2			4		2		12	\$ 1,398				0	\$ -		
14	Recreation		10	8		2	10		4	4	38	\$ 4,376		8		8	\$ 1,520		
15	Traffic & Circulation		14	6		20	24		4	8	76	\$ 8,148	2	8		10	\$ 1,960		
16	Utilities & Service Systems		4	1			6		2		13	\$ 1,437	2	8	4	14	\$ 2,520		
17	Other Statutory Sections		2	4		2	8		4		20	\$ 2,072				0	\$ -		
18	Indirect Impacts of Growth/Growth Inducement		6	8		4	8		2		28	\$ 3,358				0	\$ -		
19	Cumulative Impacts		18	18	10	12	18		2	6	84	\$ 10,312				0	\$ -		
20	Unavoidable Significant Adverse Impacts		2						4		6	\$ 550				0	\$ -		
21	Alternatives Analysis	10	12	22	24	18	30		4	8	128	\$ 16,134	8	40	40	88	\$ 14,960		
22	Permitting, Consultation, & Coordination Section		2	2		2	4		2		12	\$ 1,294				0	\$ -		
5	Prepare Screen Check Draft and Public Review Draft EIR	2	24	32	20	44	50		20	18	210	\$ 23,372	2	8		10	\$ 1,960	\$ 25,332	
6	Prepare 1st Admin Draft Final EIR	2	40	80	40	60	48		16	12	298	\$ 36,486	2	16		18	\$ 3,480	\$ 39,966	
7	Prepare Screencheck Draft Final EIR and Final EIR	2	60	50	40	52	60		30	18	312	\$ 36,806	4	20		24	\$ 4,680	\$ 41,486	
8	Meetings	6	80		40		12		30		168	\$ 22,394	8	80		88	\$ 16,960	\$ 39,354	
Total Hours		27	376	302	208	358	516	8	171	138	2104		47	248	104	399			
Hourly Rate		\$ 215	\$ 155	\$ 145	\$ 145	\$ 103	\$ 92	\$ 98	\$ 60	\$ 75			\$ 220	\$ 190	\$ 140				
Total Labor Budget		\$ 5,805	\$ 58,280	\$ 43,790	\$ 30,160	\$ 36,874	\$ 47,472	\$ 784	\$ 10,260	\$ 10,350		\$ 243,775	\$ 10,340	\$ 47,120	\$ 14,560	\$ 72,020	\$ 315,795		
Subconsultants:																			
Air Quality/Greenhouse Gas Emissions												\$ 15,153							
Updated Forestry Report (including detailed Alternative Alignment Analysis)												\$ 11,550							
Update Cultural Resources Report												\$ 12,513							
Noise												\$ 9,570							
Traffic: Updated Modeling (Base + 3 Alternatives)																\$ 46,200			
Traffic: Evaluation of Roadway Alternatives																\$ 27,300			
Traffic: Alternative Analysis Report																\$ 10,500			
Traffic: Response to Comments (Allowance)																\$ 15,750			
Geotechnical: Peer Review and Comment Response																\$ 3,600			
Attorney: Review Existing Materials																\$ 9,000			
Attorney: Legal Research and Memos																\$ 3,600			
Attorney: Administrative Draft EIR Review and Discussion																\$ 25,200			
Attorney: Review and Revise Public Notices																\$ 1,800			
Attorney: Draft EIR Review and Discussion																\$ 3,600			
Attorney: Final EIR Review and Discussion of Draft Responses																\$ 10,800			
TOTAL SUBCONSULTANTS												\$ 48,785				\$ 157,350	\$ 206,135		
Expenses:																			
Printing/Copying												\$ 1,500				\$ 250			
Mileage/Communication												\$ 300				\$ 200			
Miscellaneous												\$ 225				\$ 500			
CDFW CEQA Filing Fee												\$ 3,110							
TOTAL EXPENSES												\$ 5,135				\$ 950	\$ 6,085		
Administration/Project Management																\$ 40,113	\$ 40,113		
TOTAL BUDGET																		\$ 568,128	

WE WHITSON ENGINEERS

9699 Blue Larkspur Lane • Suite 105 • Monterey, CA 93940
831 649-5225 • Fax 831 373-5065

HOURLY RATE SCHEDULE

<u>Category</u>	<u>Hourly Rate</u>
Principal Engineer	\$ 220.00
Director of Civil Engineering	\$ 190.00
Senior Civil Engineer	\$ 180.00
Senior Land Surveyor	\$ 180.00
Civil Engineer	\$ 160.00
Land Surveyor	\$ 160.00
Senior Associate Engineer / Surveyor	\$ 150.00
Associate Engineer / Surveyor	\$ 140.00
Assistant Engineer / Surveyor	\$ 120.00
Senior Engineering / Survey Technician	\$ 115.00
Engineering / Survey Technician	\$ 110.00
Administrative Support	\$ 70.00
Engineering Aide	\$ 65.00
Expert Witness / Court Hearing	\$ 300.00
Field Surveying*	
One Person Survey Crew (Prevailing Wage)	\$ 175.00
Two Person Survey Crew (Prevailing Wage)	\$ 270.00
Three Person Survey Crew (Prevailing Wage)	\$ 380.00
Field SWPPP Monitoring	
SWPPP Inspector	\$ 105.00
Reimbursables	
Professional Services By Others	Cost Plus 15%
In-House Large Format Plotting / Copies (Black & White)	\$0.50 / S.F.
In-House Plots, Prints, Copies (Color/Special Media)	Rates vary, available upon request
In-House Prints / Copies (Black & White)	\$0.10/sheet for 8.5x11, \$0.50/sheet for 11x17
Materials, Postage, Reproduction, Telephone	Cost Plus 10%
Mileage	Per Current Federal Rate

*Survey Crew rates are Prevailing Wage
Rates effective January 1, 2016

#37



Denise Duffy & Associates, Inc.

PLANNING AND ENVIRONMENTAL CONSULTING

2016 SCHEDULE OF RATES

HOURLY PERSONNEL RATES

Principal	\$215.00
Senior Project Manager/Engineering Specialist	\$180.00
Senior Project Manager	\$155.00
Senior Botanist	\$145.00
Senior Planner/Scientist II	\$145.00
Project Manager	\$135.00
Senior Planner/Scientist	\$125.00
Assistant Project Manager	\$113.00
Environmental Biologist	\$108.00
Associate Planner/Scientist	\$103.00
Assistant Planner/Scientist	\$ 92.00
GIS/Computer Specialist	\$ 98.00
Administrative Manager	\$ 81.00
Database/Designer/Graphics	\$ 75.00
Field Technician	\$ 65.00
Administrative Assistant	\$ 60.00

Direct reimbursable expenses are charged at DD&A cost, plus 15%.
These expenses may include, but are not limited to: subconsultants, reproduction,
courier, postage, long-distance phone, fax and cellular, mileage and field supplies.

Mileage will be charged at the current IRS mileage rate.

Above rates are effective through 12/31/16 and may be adjusted thereafter.

Questions received on 9-16-2016 from Supervisor Parker's office:

- 1. Can we get a copy of the Whitson Contract? The amendment is just an amendment to a larger document that we don't have. We would like to see the entire contract.**

Response: Fort Ord Reuse Authority (FORA) staff responded by providing a copy of the Whitson contract on 9-19-2016.

- 2. TAMC got in trouble with Cal Trans for doing exactly what FORA is about to do with Whitson – add yet another amendment to a multi-year contract where the scope of original work is being expanded. Now, I understand Cal Trans has specific rules for agencies that accept Cal Trans money, and those rules required bidding the professional services contract that TAMC was extending. FORA is not necessarily subject to Cal Trans rules, but it does raise the question of whether potential funding sources for the Eastside Parkway have those same rules and whether failure to bid the EIR contract would preclude us from applying for money from that agency.**

Response: In early 2010, a selection panel of FORA unanimously selected Whitson Engineers pursuant to a Request for Qualifications/Request for Proposals (RFQ/RFP) process relating to infrastructure planning services associated with the California Central Coast Veterans Cemetery (CCCVC). Tasks identified in the draft RFQ/RFP included conceptual Eastside Parkway mapping and environmental reports such as biological surveys. In early 2011, the Whitson Agreement was amended to provide for further conceptual design of the Eastside Parkway, to examine the probable cost of the roadway, and provide analysis regarding the appropriate level of environmental documentation proposed for CEQA compliance. Pursuant to the Preliminary Initial Study and Draft Preliminary Initial Checklist produced by Denise Duffy & Associates in connection with the Whitson Amendment No. 2, preparation of an Environmental Impact Report (EIR) was recommended. Given Whitson Engineers' history and familiarity with the proposed project, FORA staff recommended preparation of the EIR through an amendment to the Whitson contract. Note that the February 2011 amendment to the Whitson Agreement provided for analysis of the necessary environmental documentation for the roadway via preparation of a Preliminary Initial Study and Draft Preliminary Initial Study Checklist "to identify any potentially significant impacts that may result from the project under CEQA" and thereby provide "a determination of the level of environmental documentation proposed for CEQA compliance."

FORA staff has researched federal and state grant requirements and spoken directly with Transportation Agency for Monterey County (TAMC) staff about their experience. Upon discussion with TAMC, FORA Staff concluded that one alternative approach would be to proceed with a re-opened selection process for environmental review to provide the greatest assurances in applying for and receiving future federal or state grant funds. This approach is further appropriate in consideration of, inter alia, the passage of time between Whitson's work relating to Eastside Parkway in connection with the CCCVC project, and FORA's continued interest in allowing Board and public input. The time impact should be a minor delay as the new solicitation process will take 2-3 months.

Questions received on 9-7-2016 from Supervisor Parker's office:

- 3. This is a single-source, no-bid contract for over half a million. Why shouldn't we bid this contract? There are other companies familiar with Fort Ord who may wish to bid.**

Response: See response to question #2 above. Staff concluded that proceeding with a re-opened selection process for an environmental review contract is an appropriate alternative for the Board to consider.

- 4. Why is this called a contract amendment and not a new contract? How can we amend a contract that hasn't been active in years?**

Response: The original contract, signed 05-28-2010, includes a provision under section 2. Term stating: "The term of the Agreement may be extended upon mutual concurrence and amendment to this Agreement." This provision allows for amendments to the original contract and does not set an expiration date disallowing future contract amendments.

In any event, see response to question #2 above. Staff concluded that proceeding with a re-opened selection process for an environmental review contract is an appropriate alternative for the Board to consider.

- 5. What is the procedure and legal difference in the approach to a new contract versus an amendment?**

The procedural difference is that FORA already conducted a selection process, pursuant to which FORA solicited Request for Qualifications/Request for Proposals (RFQ/RFP), and a selection panel unanimously selected Whitson Engineers to perform infrastructure planning services associated with the CCCVC, including conceptual Eastside Parkway mapping. FORA is within its procedures to amend its contract with Whitson Engineers. However, as set forth in response to question #2, FORA Staff recommends that the Board consider re-opening the selection process for an environmental review contract and/or authorize the Executive Officer to renegotiate the current contract subject to Authority Counsel review.

- 6. This road runs through the ESCA cleanup area, the area that has not yet been cleared by EPA and will not until 2019-2020 at best. At this point, FORA does not know whether it can build the road at that location – why spend \$550 on an EIR before we know the land is clear and when the road can be built? What is the urgency for building this road? The timing should not be dictated by the desires of one project applicant.**

The Environmental Services Cooperative Agreement (ESCA) area through which the proposed road would run has been cleared by FORA. The ESCA land is now under EPA review to sign off on the cleanup and allow transfer of the land from FORA to the underlying jurisdictions, and FORA is reasonably assured that funding remains in the ESCA program to complete additional fieldwork, should it be required by EPA. In 2009, the FORA Board prioritized funding for

Eastside Parkway with adoption of the Capital Improvement Program (CIP). Staff is working toward completing environmental review of Eastside Parkway to implement the Board's high priority setting for the proposed project, included in each approved FORA CIP since 2009. Practically speaking, the potential development of Eastside Parkway, which is estimated to cost \$18.2 million and is proposed to traverse the property of various jurisdictions, has been and will continue to be a lengthy process requiring many more steps and approvals. Pursuit of grant funding for the construction of the proposed Eastside Parkway promises to be a long and complex process. Moreover, now that development projects such as East Garrison and the Dunes of Monterey Bay are paying FORA Community Facilities District Special Taxes for new development, CIP projects show collecting sufficient dollars to fund the proposed road, if approved, occurring within the next few years. In light of the foregoing, working toward completing environmental review of Eastside Parkway is appropriate at this juncture.

7. Exactly how much revenue for transportation projects is expected from fees paid to FORA by the East Garrison project and the Dunes - how much has been collected to-date and how much total over the next 4 years? How much is expected from Marina Heights?

The 2016/2017 Capital Improvement Program addresses most of these questions on page 19, Table 4. Approximately 50% of these CFD dollars described below would be directed to Transportation/Transit obligations.

- *East Garrison project: approximately \$11.8 million (M) collected to date and \$12 M expected over the next 4 years.*
- *Dunes on Monterey Bay project: approximately \$6.5 M collected to date and \$7 M expected over the next 4 years.*
- *Marina Heights project: approximately \$ 93,000 collected to date and \$13.8 M expected over the next 4 years.*

8. What is the most current cost estimate for the Eastside Parkway?

The current cost estimate included in the adopted CIP is \$18.2 M. If Intergarrison, Gigling, and Eucalyptus Roads are added, the total cost would be approximately \$31.2 M.

9. The staff report called the Eastside Parkway a “base reuse plan roadway mitigation.” Please explain what that means. It is not listed as a mitigation in the BRP.

The original 1997 Base Reuse Plan (BRP) included a TAMC required list of road projects for FORA to complete as mitigations to the BRP. The BRP Final Environmental Impact Report (FEIR) identified Eastside Road, connecting Imjin Parkway to Gigling Road, as a transportation improvement (see Table 4.7-3 2015 Transportation Infrastructure Summary). The FORA list of road projects obligations is a subset of the TAMC Regional Transportation Improvement Plan. Those obligations were modified by TAMC in the 2005 FORA Fee Reallocation Study and the required list of BRP projects adjusted at that time. TAMC and FORA are currently completing analysis incident to the 2016 Fee Reallocation Study, which would inform the coming analysis.

10. Why were draft roadway plans needed to write the project description? I thought that was the purpose of the Eastside Parkway alignment agreement that is currently the subject of litigation.

In order to write a project description one must have at least a general idea of the location of project alternatives. Otherwise we would not know what alternatives we are studying. This does not mean that final roadway plans or alignments are locked in, only advanced far enough to allow for meaningful analysis. Draft Roadway plans are a necessary part of conducting an alternatives analysis which is a part of the EIR. It is not possible to analyze alternatives without descriptions of the various alternatives.

11. It certainly appears that alternative alignments have been rejected in past meetings that were not open to the public or in a noticed public meeting. Whitson had private meetings, including with Monterey Downs applicants, in order to devise a very particular alignment. This raises a concern that Whitson will be biased toward that alignment and will not give objective or fair consideration to alternatives that should be considered for the benefit of resource preservation and the communities' needs – this should not be about a particular project.

It is customary for staff and consultants to meet with various parties with an interest in a road project, particularly a regional road such as the proposed Eastside Parkway, which traverses the property of various jurisdictions. This includes potential neighbors and property owners, jurisdictions in which the thoroughfare traverses, members of the public, regional agency, and jurisdictional staff. While no specific alignments have been “approved” or “rejected” in connection with these meetings, the planning process requires some consensus among affected property owners as to the conceptual alignment for Eastside Parkway that would be analyzed under CEQA.

It is difficult to understand how Whitson would be “biased” toward a particular alignment. In fact, one could argue the opposite is true, given that Whitson stands to generate more in fees if any proposed conceptual alignment changes in connection with the environmental review process. In any event, see response to question #2 above. Staff concluded that proceeding with a re-opened selection process for an environmental review contract is an appropriate alternative for the Board to consider.

12. What does it mean that “during the environmental review process, the Board will have the discretion to approve the proposed project or project alternative” ? How can the approval occur “during” and not after the environmental review process?

Under the California Environmental Quality Act (CEQA), the FORA Board makes the final approval decision after weighing the evidence presented in the CEQA document and that includes comparison of various viable project alternatives. That occurs at the tail end of the CEQA process.

13. The Highway 68 bypass is not a viable project; it would be through a National Monument, it has different starting and ending points, serves a different traffic pattern need – it is not on TAMC’s study and not a feasible or “reasonable”

alternative per CEQA (see page 40 of 79). Please explain how you justify including this as an alternative given these factors.

The Project Alternatives to be studied can be adjusted by Board direction. The Alternatives to be studied, however, would need to have some degree of feasibility with the likelihood or ability to either acquire the necessary right of way or easement. Caltrans holds a roadway reservation through the National Monument and other former Fort Ord lands for a future Highway 68 bypass. So, the degree of feasibility would need to be further researched before such an Alternative would be presented. It is agreed that the scope of service negotiated with the consultant allows them to recommend what they consider in their professional judgment to be viable alternatives for comparison and study.

14. One of the EIR alternatives should be an Eastside Parkway alignment that is moved up to a half mile in any direction to avoid sensitive habitats, trailheads, etc , with the road starting and ending in approximately the same place. Do you disagree with this proposed alternative – if so why?

Provided the criteria noted in #13 above are met and project objectives can be met, Staff has no disagreement with analyzing proposed alternatives that are sensitive to habitats, trailheads, etc.

15. Another EIR alternative should be the original alignment of the Eastside Road as described on page 114 of the Base Reuse Plan. Do you disagree that this is a viable alternative to add, if so why?

TAMC adjusted the Eastside Road concept when it performed the 2005 FORA Fee Reallocation Study. At the time, it also relieved FORA of the obligation of contributing to the Highway 68 bypass and Fort Ord Expressway, which greatly reduced the acreage dedicated to roadways. The resulting route would connect General Jim Moore Boulevard to Eucalyptus Road to Eastside Parkway to Intergarrison Road. In the end, FORA is no longer funding a portion of the Highway 68 bypass, which would have taken many years to fund and build. The County renamed the facility 'Eastside Parkway' in early 2010. FORA staff or a consultant would have to study the viability of the original Eastside Road alignment before offering it as an Alternative.

16. Note that Whitson calls the “no project” alternative an “alignment” on page 49 or 79 – this needs to be corrected in the project scope.

Comment noted.

17. What is the starting and ending point of the road envisioned for the alternative that uses 7th/8th street to reach Intergarrison? Is it General Jim Moore Boulevard to Gigling to 7th or 8th?

This alternative would have to be studied in further detail by the consultant to respond. Roadway widening along the listed roadways in the question may be needed to accommodate increased average daily trips.

18. The proposed alignment never received agreement from CSUMB or MPC – does that matter? If not, then why did FORA include them in the MOA process?

FORA included the underlying jurisdictions and property owners in the MOA discussions in an effort to achieve general consensus about where the road might go and to facilitate ultimate transfer of right of ways to the County. As a practical reality in the potential development of a roadway that traverses the property of various jurisdictions, the planning process requires consensus among the affected property owners as to the conceptual alignment for the Eastside Parkway that would be analyzed under CEQA. That consensus was not achieved. CSUMB and MPC never signed the MOA. Therefore, the MOA, which was an agreement to do joint planning, is incomplete, ineffective, non-binding, and moot.

19. If FORA has 90% complete engineering drawings for the road, at what stage were the drawings when FORA got sued? What alternatives had been considered at that time? Did FORA consider other alternatives at that time or since that time? How much money did FORA spend after it got sued pursuing this one “preferred alternative” (page 42 or 79) How much will FORA spend if KFOR prevails in the litigation over the Eastside Parkway MOU?

90% completion refers to the level of detail in the drawing package and not to the status of completion. It does not mean that all alternatives have been finalized or only one alternative is to be considered. Under CEQA, it is customary to study multiple alternatives and, if viable, a ‘No Project’ Alternative. No additional dollars have been spent preparing ‘alternatives,’ because FORA did not yet have sufficient dollars available to build the project. It is likely that delays, including the lawsuit, will increase the final cost of the project. Note that the 90% drawings are labeled “NOT FOR CONSTRUCTION,” and the fact that 90% drawings exist does not preclude considerations of alternative alignments now or in the future.

FORA has spent approximately \$265,607 since November 2011 on Eastside Parkway engineering and environmental reports that began prior to November 2011.

It is not the purpose of this exercise to speculate about who will win or lose the lawsuit, and it is not appropriate to respond further given the pending litigation.

20. Will the County be reviewing the alternatives, and will the County have veto power over the alternative if it is on County land? If not why not? Has the County been asked for its suggested alternatives given that the entire road is in the County? Will the County need to approve the Eastside Parkway EIR?

FORA is the Lead Agency for the Eastside Parkway EIR and would make the final decision to certify the EIR itself. The County does not have veto power per se, but it would have to consent or be negotiated with regarding road right of ways, acquisition, right of entry, easements, and the like. Ultimately, FORA can retain land necessary to fulfilling its mission. FORA prefers to negotiate and work with adjacent jurisdictions and land owners to achieve consensus of all involved.

FORA intends to include County public works staff and other stakeholders in the roadway planning process. The County has the ability to address its concerns through multiple means, such as the environmental review scoping meeting and coordination meetings. The County, as Responsible Agency under CEQA, will have to make its own determinations as to the adequacy of the environmental review.

21. Will CSUMB be reviewing the alternatives? Will they have veto power with regard to CSUMB land? Will CSUMB need to approve the EIR if any portion is on their land?

The answer to this question about CSUMB is similar to the answer for #20.

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	Water Augmentation Planning Implementation Update	
Meeting Date:	October 14, 2016	INFORMATION/ACTION
Agenda Number:	7c	

RECOMMENDATION(S):

Receive a Water Augmentation Planning Implementation Update.


BACKGROUND/DISCUSSION:

Previous milestones in the Fort Ord Water Augmentation Planning include:

- June 10, 2005 – The Fort Ord Reuse Authority (FORA) and Marina Coast Water District (MCWD) Board of Directors approved the Regional Urban Water Augmentation Project (RUWAP).
- May 11, 2007 – FORA and MCWD agreed upon a modified RUWAP to provide a portion of the required 2,400 acre-feet per year (AFY) of augmented water to the former Fort Ord resulting in FORA Board Resolution No. 07-10 allocating 1,427 AFY of RUWAP recycled water to the former Fort Ord land use jurisdictions.
- October 9, 2015 – The FORA Board unanimously endorsed a joint water supply planning process among FORA, Monterey Regional Water Pollution Control Agency (MRWPCA), and MCWD.
- May 13, 2016 – The FORA Board approved a Memorandum of Understanding (MOU) to: 1) study and identify a mix of water sources, options, and alternatives necessary to provide the additional augmentation water need (973 AFY), 2) equally fund the study, and 3) establish an ad-hoc Technical Advisory Group (TAG).

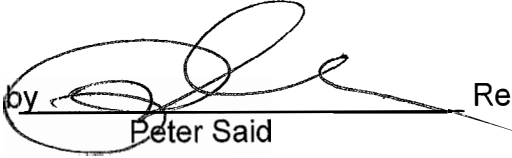
On August 26, 2016, the TAG met for the first time, reviewing the MOU and the elements of the Water Augmentation program. They agreed to meet as needed. FORA staff is drafting a solicitation for a consultant to perform the study which will assess the current water management plans, develop and analyze alternatives pertaining to the remaining 973 AFY of needed water, perform preliminary evaluations or cost/benefit analysis of the various alternatives, and prepare a project implementation document. Staff expect to review the solicitation with the TAG in late October 2016. Staff anticipate presenting a negotiated contract to the Board for consideration in December 2016.

FISCAL IMPACT:

Reviewed by FORA Controller 
Funding is included in the approved 2016/17 Budget

COORDINATION:

Authority Counsel, Administrative Committee, Seaside, Marina

Prepared by 
Peter Said

Reviewed by 
Jonathan Brinkmann

Approved by 
Michael A. Houlemaid, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject: Economic Development Quarterly Status Update

Meeting Date: October 14, 2016

Agenda Number: 7d

INFORMATION/ACTION

RECOMMENDATION(S):

Receive Economic Development (ED) Quarterly Status Update.

BACKGROUND/DISCUSSION:

The 2012 Reassessment Report identified economic recovery from base closure as a yet –to-be complete BRP obligation. Beginning in January 2015, the Board reviewed economic recovery strategies and acted to recruit and fund a new ED staff position. Following a successful recruitment process, Josh Metz was appointed as ED Coordinator in June 2015.

FORA's ED strategy, outlined during the ED Coordinator recruitment and again at the September 2015 Board meeting, includes the following key components:

- Build on Regional Economic Strengths.
- Engage Internal & External Stakeholders.
- Develop and Maintain Information Resources.
- Pursue New Business Opportunities.
- Engage with Regional/Partner Efforts.
- Report Success Metrics.

The following summaries highlight economic development progress since the last Quarterly Status Update provided July 8, 2016:

- **Openings.** A number of high profile openings are happening or are planned to happen in the fall of 2016 including: Phase 1 of the Central Coast Veterans Cemetery in the City of Seaside and Monterey County on October 11; Ribbon cutting for the Joint Veterans Administration/Department of Defense General Gourley Clinic on October 14; Opening of the Shops at the Dunes/Fast Casual Restaurants in November; and the Marriott-Springhill Suites in November/December in the City of Marina. These openings represent significant reuse milestones and along with direct impacts are expected to catalyze continued economic recovery.
- **Business Recruitment/Retention.** FORA staff responded to numerous inquiries from businesses interested in relocation and reuse of former Fort Ord real estate. Working with the Monterey County Economic Development office, staff explored potential recruitment of: a new winery incubator project, winery/wine warehouse relocation and development, greenhouse R&D, medical foods R&D, educational facilities, high tech R&D, and tourism oriented businesses. During Q2 2016 American Biosciences, Inc. relocated R&D and production facilities to Salinas following a site search supported primarily by FORA and County Economic development staff. While a suitable site was not found on the former Fort Ord, initial efforts focused on University of California Monterey Bay Education Science and Technology (UCMBEST) Center parcels. Potential relocation and/or expansion remains a possibility once UCMBEST parcels become actionable. Staff continues working with relevant jurisdiction staff and elected officials to advance new and emerging opportunities.

- UCMBEST.** The vision for UCMBEST as a regional R&D tech innovation and regional employment center has yet to be realized. Even after 21 years of UC ownership only a small fraction of new venture and employment opportunities exist on the lands conveyed for that purpose. FORA has a critical interest in seeing progress made on the UCMBEST vision. To that end, Executive Officer Michael A. Houlemard Jr. and Mr. Metz have taken active roles in convening relevant stakeholders to infuse the effort with new energy and craft a viable route forward. Advancing existing planning efforts to conclusion and entitlement for future sale, lease or other transfer, as well as exploring a wide range of future ownership/management structures are key areas of staff/stakeholder focus. Vice Chancellor Scott Brandt provided a UCSC-UCMBEST Status Report at the July 8, 2016 Board meeting. Since then Mr. Metz has continued to represent FORA in bi-weekly status update calls with UC Santa Cruz and Monterey County representatives.
- Start-up Challenge Monterey Bay.** FORA continues to support the growth and establishment of regional entrepreneurship through support of CSUMB and Start-up Challenge Monterey Bay. This multi-day competitive pitch event cultivates entrepreneurship skills and identifies promising start-up concepts. The 2016 Start-up Challenge grew 25% from 2015 with 89 participants. FORA hosted 2 pitch workshops in partnership with CSUMB faculty, which enabled approximately 50 participants to refine and practice pitch content. Preparation for the 2017 Startup Challenge is underway, with a target of 100 participants. Working in collaboration with CSUMB faculty at the Institute for Innovation and Economic Development (iiED), Mr. Metz led the completion of a Coworking Space Market Feasibility Study. This study demonstrates market readiness for additional shared workspaces in the Monterey Bay region, with particular emphasis on the Monterey Peninsula to Salinas sub-region. The study will be available to interested parties via the FORA website and results will be presented at regional meetings. In addition, Mr. Metz continues to work with CSUMB colleagues on strategic initiatives to expand the impact of the Startup Challenge through program/schedule refinements, strengthening event marketing, and other means.
- Community Engagement:** FORA staff continue to work on increasing public knowledge about reuse activities and opportunities. To this end each of our committee and Board meetings are publically noticed via our growing 400+ person email list, posted to the FORA.org website, shared on all FORA social media outlets, and posted at the FORA offices. All FORA contracting and employment opportunities are also posted on the FORA website and shared via social media outlets. In addition, Mr. Metz continues to represent FORA on regional committees including the Monterey Bay Economic Partnership (MBEP) Workforce Committee and the Monterey Peninsula Chamber of Commerce (MPCC) Economic Vitality Committee. Community engagement and outreach efforts are core ongoing ED activities.
- Metrics: Housing Starts:** New residential development continues to grow at the Dunes of Monterey Bay and East Garrison developments. A summary of CFD fees collected over the past 3 years is provided below:

New Residential (NR) Development	FY 14/15 Full year	FY 15/16 Full year	FY 16/17 To-date(<i>projected</i>)
Total Units	89	256	59 (300)
Total NR Community Facility District Fees Collected	\$1,982,669	\$5,202,626	\$1,155,645 (\$7,096,500)

Jobs: The 2015 FORA Jobs Survey indicates there are a total of 3541 Full-time Equivalent (FTE) and 722 Part-time jobs on the former Fort Ord. In addition, we estimate there are in excess of 10,000 students (7122 at CSUMB). The 2017 FORA Jobs Survey is planned for Q1/Q2 2017.


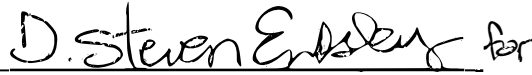
FISCAL IMPACT:

Reviewed by FORA Controller 

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

COORDINATION:

Administrative and Executive Committees

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

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	University of California Monterey Bay Education Science and Technology Status Report	
Meeting Date:	October 14, 2016	INFORMATION/ACTION
Agenda Number:	7e	

RECOMMENDATION:

Receive a University of California Monterey Bay Education Science and Technology (UCMBEST) Status Report.

BACKGROUND:

In 1994 the University of California (UC) obtained approximately 1,000 acres of Fort Ord land, approximately 600 acres for habitat conservation, and 400 acres to provide research and development opportunities associated with the UCMBEST Center, which was to be managed by the UC Santa Cruz (UCSC) campus. Despite high aspirations, market demand for the Center has failed to meet expectations. Over the course of the last fifteen years, UC engaged in two unsuccessful attempts to partner with a master developer. The UCSC Campus has managed the property for more than 20 years.

UCSC Chancellor George Blumenthal announced in March 2010 that UC intended to shrink the footprint of the Center and consider alternative uses for peripheral lands. In response to a request from Congressman Sam Farr, a group of stakeholders was assembled to discuss and make recommendations regarding a future vision for UCMBEST Center lands. UCSC and the Fort Ord Reuse Authority (FORA) hosted a series of facilitated stakeholder meetings. Stakeholder recommendations from that effort are summarized in the 2011 UCMBEST Center Visioning Process Report (<http://bit.ly/1SBPITt>), and memorialized in a letter executed by stakeholders. Stakeholders agreed on the following intended outcomes:

- UC's presence continues to be valued. Stakeholders recommend that UC retain control of the UCMBEST Center;
- The local institutions of higher education (and potentially others) should be invited to join an advisory group to help guide the UCMBEST Center;
- UC to actively seek new UCMBEST Center tenants and work to streamline the approval process;
- UC peripheral lands may be used in the near term for economic development opportunities; and
- UC may be expected to retain and utilize reasonable revenues for development.

Next steps outlined in the 2011 Report include:

- 1) Convene a special Working Group meeting to explore potential federal initiatives;
- 2) Convene a meeting between UCSC and CSUMB to explore Eighth Street parcel uses;
- 3) Invite local higher education institutions to collaborate in supporting UCSC development of the UCMBEST Center and to establish a process for expanding the range of potential research uses;
- 4) Seek funding for entitlements and additional water resources; and
- 5) Complete entitlements.

While many of the recommendations above remain valid, continued stagnation at the UCMBEST project area has repeatedly raised Board and community concerns. Recently, following Board direction, the strengthening of Monterey County Economic Development staffing, and the hiring of a new FORA Economic Development Coordinator, efforts have renewed to catalyze reuse activity at UCMBEST. To this end a series of meetings were held in the fall of 2015 culminating with an Executive-level meeting at UCSC on December 22, 2015.

FORA staff and Board representatives met again with UC Santa Cruz representatives on 2/11/16, 3/4/16, and 3/17/16 to define paths forward including drafting a Memorandum of Agreement (MOA) on collaboration including establishment of a staff-level UCMBEST Working Group. Subsequently, UCSC presented at the March 11, 2016 FORA Board meeting to present the current UCMBEST project status and clarify their commitments to moving the project forward. The MOA was formally completed at the July 8, 2016 FORA Board meeting. Since then, bi-weekly status calls with UC Santa Cruz and Monterey County representatives have continued with the MOA collaboration and new development interests as the main focus.

DISCUSSION:

UCSC Vice President for Research, Scott Brandt will provide a UCMBEST status update including current and future efforts to catalyze activity at the UCMBEST Center.

FISCAL IMPACT:

Reviewed by FORA Controller .

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

COORDINATION:

UCSC and Administrative Committee

Prepared by 
Josh Metz

Approved by 
Michael A. Houlemard, Jr.