



FORT ORD REUSE AUTHORITY

REGULAR MEETING

FORT ORD REUSE AUTHORITY (FORA) BOARD OF DIRECTORS

Friday, January 11, 2019 at 2:00 p.m. | 910 2nd Avenue, Marina, CA 93933 (Carpenters Union Hall)

AGENDA

ALL ARE ENCOURAGED TO SUBMIT QUESTIONS/CONCERNS BY NOON JANUARY 10, 2019.

1. CALL TO ORDER

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

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

4. CLOSED SESSION

- a. Conference with Legal Counsel – Gov. Code §54956.9(a), (d)(1): Keep Fort Ord Wild v. Fort Ord Reuse Authority. Monterey County Superior Court Case No.: 17CV004540, Pending Litigation.
- b. Conference with Legal Counsel – Gov. Code §54956.9(a), (d)(1): Marina Community Partners, LLC v. Fort Ord Reuse Authority, Monterey County Superior Court Case No.: 18CV000871, Pending Litigation.
- c. Conference with Legal Counsel – One item of Potential Litigation, Gov. Code §54956.9(d)(4)

5. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

6. ROLL CALL

FORA is governed by 13 voting members: (a) 1 member appointed by the City of Carmel; (b) 1 member appointed by the City of Del Rey Oaks; (c) 2 members appointed by the City of Marina; (d) 1 member appointed by Sand City; (e) 1 member appointed by the City of Monterey; (f) 1 member appointed by the City of Pacific Grove; (g) 1 member appointed by the City of Salinas; (h) 2 members appointed by the City of Seaside; and (i) 3 members appointed by Monterey County. The Board also includes 12 ex-officio non-voting members.

7. CONSENT AGENDA

INFORMATION/ACTION

CONSENT AGENDA consists of routine information or action items accompanied by staff recommendation. Information has been provided to the FORA Board on all Consent Agenda matters. The Consent Agenda items are normally approved by one motion unless a Board member or the public request discussion or a separate vote. Prior to a motion, any member of the public or the Board may ask a question or make comment about an agenda item and staff will provide a response. If discussion is requested, that item will be removed from the Consent Agenda and be considered separately at the end of the Consent Agenda.

- a. Approve November 9, 2018 Meeting Minutes ([p.1](#))
Recommendation: Approve November 9, 2018 meeting minutes.
- b. Approve December 14, 2018 Meeting Minutes ([p.5](#))
Recommendation: Approve December 14, 2018 meeting minutes.
- c. Approve December 19, 2018 Meeting Minutes ([p.10](#))
Recommendation: Approve December 19, 2018 meeting minutes.
- d. Administrative Committee ([p.12](#))
Recommendation: Receive a report from the Administrative Committee.
- e. Water/Wastewater Oversight Committee ([p.15](#))
Recommendation: Receive a report from the Water/Wastewater Oversight Committee.
- f. Economic Development Report ([p.19](#))
Recommendation: Receive an Economic Development (“ED”) Report.
- g. Building Removal Financing Request for Qualifications Update ([p.24](#))
Recommendation: Receive a report on the Building Removal Financing Services solicitation and selection.

- h. Public Correspondence to the Board (p.25)

Recommendation: Receive Public Correspondence to the Board.

8. BUSINESS ITEMS

INFORMATION/ACTION

*BUSINESS ITEMS are for Board discussion, debate, direction to staff, and/or action. Comments from the public are **not to exceed 3 minutes** or as otherwise determined by the Chair.*

- a. ESCA Quarterly Update (p.26)

Recommendation:

1. Receive an Environmental Services Cooperative Agreement (ESCA) Quarterly Report.
2. Receive a status report on U.S. Army/FORA negotiations to amend the ESCA Agreement.
3. Authorize FORA Executive Officer to complete negotiations and amend ESCA Agreement.

- b. Notice of Intent to Terminate CalPERS Contract (p.30)

Recommendation: Adopt Resolution 19-xx a Resolution of Intent to Terminate the CalPERS contract.

- c. Community Facility District Special Tax Biennial Fee Study (p.32)

Recommendation: Authorize Executive Officer to execute contract amendment #11 with Economic Planning Systems, Inc. (EPS) to complete the mandated Biennial Formulaic Fee Study, not to exceed \$100,000.

- d. Election of Officers (p.39)

Recommendation:

1. Receive report from the 2019 Nominating Committee.
2. Approve Nominating Committee's proposed slate or seek Board nominations, Executive Officer to conduct election.

9. PUBLIC COMMENT PERIOD

INFORMATION

*Members of the public wishing to address the Board on matters within its jurisdiction, but **not on this agenda**, may do so for up to 3 minutes or as otherwise determined by the Chair and will not receive Board action. Whenever possible, written correspondence should be submitted to the Board in advance of the meeting, to provide adequate time for its consideration.*

10. ITEMS FROM MEMBERS

INFORMATION

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

11. ADJOURNMENT

NEXT REGULAR MEETING: February 8, 2019 AT 2:00 P.M.



**FORT ORD REUSE AUTHORITY
BOARD OF DIRECTORS REGULAR MEETING
MINUTES**

**2:00 p.m., Friday, November 9, 2018 | Carpenters Union Hall
910 2nd Avenue, Marina, CA 93933**

1. CALL TO ORDER

Chair Ralph Rubio called the meeting to order at 2:00 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Marina Coast Water District Representative Dr. Thomas Moore.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

Executive Officer Michael Houlemard announced the following:

- California Central Coast Veterans Cemetery Veterans Day ceremony on Sunday, November 11, 2018 at 10:30 a.m.
- Veterans Transition Center Inaugural Gala on Sunday, November 11, 2018.
- FORA office will observe Veterans Day on Monday, November 12, 2018.
- Monterey Bay Economic Partnership – State of the Region Conference on Friday, November 30, 2018 at Embassy Suites Hotel in Seaside.

These announcement details and more can be found at www.fora.org

City of Pacific Grove Councilmember Cynthia Garfield introduced Pacific Grove's Mayor Elect – Bill Peake

Mr. Houlemard requested three emergency items be added to the agenda: Resolutions of Appreciation for Board members whose terms were ending.

MOTION: On motion by Board member O'Connell and second by Board member Haffa and carried by the following vote, the Board moved to allow three emergency items for Resolution of Appreciation for three Board members to be added to the agenda.

MOTION PASSED UNANIMOUSLY

Mr. Houlemard read into the record Resolutions of Appreciation for Board members Alexander, Edelen and Chair Rubio.

4. CLOSED SESSION

- a. Conference with Legal Counsel – Gov. Code §54956.9(a), (d)(1): Keep Fort Ord Wild v. Fort Ord Reuse Authority. Monterey County Superior Court Case No.: 17CV004540, Pending Litigation.
- b. Conference with Legal Counsel – Gov. Code §54956.9(a), (d)(1): Marina Community Partners, LLC v. Fort Ord Reuse Authority, Monterey County Superior Court Case No.: 18CV000871, Pending Litigation.
- c. Conference with Legal Counsel - Potential Litigation, Gov. Code §54956.9(d)(4)

No comments from the public on the closed session items.

Time Entered: 2:23 p.m.

Time Exited: 2:40 p.m.

5. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

Authority Counsel Jon Giffen announced there was no action to report.

6. ROLL CALL

Voting Members Present:

Supervisor Mary Adams (Monterey County), Supervisor Jane Parker (Monterey County), Supervisor John Phillips (Monterey County), Councilmember Dennis Alexander (City of Seaside), Mayor Mary Ann Carbone (City of Sand City), Mayor Jerry Edelen (City of Del Rey Oaks), Councilmember Frank O'Connell (City of Marina), Councilmember Cynthia Garfield (City of Pacific Grove), Councilmember Gail Morton (City of Marina), Councilmember Jan Reimers (City of Carmel-by-the-Sea), Councilmember Alan Haffa (City of Monterey).

Ex-officio (Non-Voting) Board Members Present:

Nicole Hollingsworth (17th State Senate), Todd Muck (TAMC), Steve Matarazzo (UCSC), Andre Lewis (CSUMB), Col. Gregory Ford (US Army), Bill Collins (BRAC), David Martin (MPC), Lisa Rheinheimer (MST), Dr. Thomas Moore (MCWD), Kathleen Lee (20th Congressional District)

7. CONSENT AGENDA

- a. Approve October 12, 2018 Meeting Minutes
- b. Administrative Committee
- c. Veterans Issues Advisory Committee
- d. Water/Wastewater Oversight Committee
- e. Prevailing Wage Status Report
- f. Building Removal Financing Update
- g. Public Correspondence to the Board

Chair Rubio introduced the consent agenda items and asked Board members to make their request for any items to be pulled. Mr. Houlemard provided an update on item 7e – Prevailing Wage Status Report. Board member Morton requested to pull item 7a – October 12, 2018 Meeting Minutes.

Motion: On motion by Board member Haffa and second by Board member Alexander and carried by the following vote, the Board moved to approve the consent agenda item 7b-7g.

MOTION PASSED UNANIMOUSLY

Board member Morton indicated a discrepancy in the motion for item 8b in the October 12, 2018 meeting minutes.

Motion: On motion by Board member O'Connell and second by Board member Haffa and carried by the following vote, the Board moved to continue item 7a – October 12, 2018 meeting minutes to the next FORA Board regular meeting and directed the Deputy Clerk to review the meeting video record and resubmit the minutes at the next regular Board meeting.

8. BUSINESS ITEM

a. Presentation on the Marina Coast Water District Annexation Application Status
Marina Coast Water District (MCWD) General Manager Keith Van Der Maaten provided a presentation on the annexation application process which began in 2010. Mr. Van Der Maaten advised the Board of the next steps in the process with a target to have Local Agency Formation Commission (LAFCO) public hearing in January 2019 and to complete the annexation by July 2019. Mr. Van Der Maaten responded to questions and comments from the Board.

Public comment was received. This item was for information only.

b. Transition Planning Process Update

Mr. Houlemard introduced the item and provided an oral report on the correspondence, comments and input received regarding the transition planning process. Risk Manager Sheri Damon provided a presentation which reviewed the request for qualifications for a transition plan facilitator and alternative resolutions that have been developed since the last meeting. Staff responded to questions and comments from the Board. The Board also discussed comments and provided further refinement of the Transition Plan resolution.

Motion: On motion by Board member Edelen and second by Board member Alexander and carried by the following vote, the Board moved to refer the Transition Plan Resolution to attorneys group to try to harmonize the alternative versions, obtain staff analysis, and return to the Board in November or December.

MOTION PASSED UNANIMOUSLY

9. PUBLIC COMMENT

There were no comments from the public.

10. ITEMS FROM MEMBERS

Board member Garfield requested clarification on how to submit comments and/or suggestions regarding the Transition Plan resolution to staff and the “attorneys’ group.” The Board was advised to contact Risk Manager Sheri Damon.

11. ADJOURNMENT at 3:34 p.m. in honor of Veterans Day and victims of the recent fires in California.

Minutes Prepared by:
Dominique L. Davis
Deputy Clerk

Approved by:

Michael A. Houlemard, Jr.
Executive Officer



FORT ORD REUSE AUTHORITY
BOARD OF DIRECTORS REGULAR MEETING MINUTES
2:00 p.m., Friday, December 14, 2018 | Carpenters Union Hall
910 2nd Avenue, Marina, CA 93933

1. CALL TO ORDER

Vice-Chair Jane Parker called the meeting to order at 2:00 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Base Realignment and Closure Environmental Coordinator Mr. Bill Collins.

Vice-Chair Parker indicated that the announcements, acknowledgements and correspondence would be heard after the closed session. Authority Counsel Jon Giffen read the items to be discussed in closed session. There were no public comments.

3. CLOSED SESSION

- a. Conference with Legal Counsel – Gov. Code §54956.9(a), (d)(1): Keep Fort Ord Wild v. Fort Ord Reuse Authority. Monterey County Superior Court Case No.: 17CV004540, Pending Litigation.
- b. Conference with Legal Counsel – Gov. Code §54956.9(a), (d)(1): Marina Community Partners, LLC v. Fort Ord Reuse Authority, Monterey County Superior Court Case No.: 18CV000871, Pending Litigation.
- c. Conference with Legal Counsel - Potential Litigation, Gov. Code §54956.9(d)(4).

Time Entered: 2:02 p.m.

Time Exited: 2:44 p.m.

4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

Authority Counsel Jon Giffen announced there was no action to report.

5. ROLL CALL

Voting Members Present:

Supervisor Jane Parker (County of Monterey), Supervisor John Phillips (County of Monterey), Supervisor Mary Adams (County of Monterey), Mayor Jerry Edelen (City of Del Rey Oaks), Councilmember Frank O’Connell (City of Marina), Councilmember Gail Morton (City of Marina), Councilmember Alan Haffa (City of Monterey), Mayor Ian Oglesby (City of Seaside), Councilmember Jon Wizard (City of Seaside), Mayor Mary Ann Carbone (City of Sand City), Mayor Joe Gunter (City of Salinas), Councilmember

Cynthia Garfield (City of Pacific Grove), Councilmember Jan Reimers (City of Carmel-by-the-Sea)

Ex-officio (Non-Voting) Board Members Present:

Kathleen Lee (20th Congressional District), Toby Uptain-Villa (17th State Senate District), Erica Parker (29th State Assembly District), Todd Muck (Transportation Agency for Monterey County), Dr. P.K. Diffenbaugh (Monterey Peninsula Unified School District), Steve Matarazzo (University of California, Santa Cruz), Dr. Eduardo Ochoa (California State University Monterey Bay), Colonel Gregory Ford (United States Army), Bill Collins (Fort Ord Army Base Realignment & Closure Office), Lisa Rheinheimer (Monterey-Salinas Transit), Dr. Thomas Moore (Marina Coast Water District)

6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

Executive Officer Michael Houlemard announced the following:

- Veteran Town Hall meeting on Wednesday, December 19, 2018 at the Major General Gourley VA/DoD Outpatient Clinic (Canteen) at 201 9th Street, Marina.
- The FORA office will be closed December 24 & 25 and January 1.
- Deputy Clerk Dominique Davis announced her acceptance of a position with the City of Santa Clara.

7. CONSENT AGENDA

- a. Approve October 12, 2018 Meeting Minutes
- b. Approve October 29, 2018 Special Meeting Minutes
- c. Approve November 9, 2018 Meeting Minutes
- d. Administrative Committee
- e. 2019 Board of Directors Meeting Calendar
- f. Fiscal Year 2017-18 Audited Financial Report Audit
- g. Public Correspondence to the Board

Vice-Chair Parker read the consent agenda items and asked if members had any comments or items to pull for discussion. Board member O'Connell requested item 7c – November 9, 2018 Meeting Minutes be pulled and brought back at the January Meeting.

Motion: On motion by Board member O'Connell and second by Board member Morton and carried by the following vote, the Board moved to have the November 9, 2018 meeting minutes correct the motion on item 8b in the November 9, 2018 meeting minutes and resubmit the minutes for approval at the Boards January meeting.

Motion: On motion by Board member Gunter and second by Board member Carbone and carried by the following vote, the Board moved to approve the consent agenda items 7a, 7b; and 7d – 7g.

MOTION PASSED UNANIMOUSLY

8. BUSINESS ITEM

a. Land Use Covenants – Fiscal year 2017-18 Report

Mr. Houlemard introduced the item and Principal Planner Jonathan Brinkmann who provided a brief presentation. Mr. Brinkmann's presentation reviewed the reporting requirements, types of land use covenants, reporting ethics and reporting role transition. The eight (8) reporting entities which were identified as the County of Monterey, City of Marina, City of Seaside, City of Del Rey Oaks, Regents of the University of California, Board of Trustees of California State University (on behalf of California State University Monterey Bay), and Monterey Peninsula College District.

This item was for information only. The Board received the report.

b. Adopt a Transition Plan Resolution

Mr. Houlemard introduced the item and Risk Manager Sheri Damon who provided a presentation. Chair Parker asked that the authors of versions of the Transition Plan Resolution provide a presentation to the Board for no more than 5 minutes. Ms. Damon's presentation reviewed the updates on the progress of the Transition Plan, the facilitator status and a brief overview of the alternative resolutions. Staff recommended that the Board do the following:

1. Adopt the FORA 12-6 Transition Plan to submit to Local Agency Formation Commission (LAFCO) of Monterey County by December 30, 2018.
2. Set Special Meeting the vote is not unanimous on December 19, 2018 at 4:00 p.m.
3. Direct staff to transmit to LAFCO with LAFCO Indemnification Agreement.
4. Begin the facilitation process and move into Implementing Agreement process.

The Board provided comments and asked questions to which staff responded.

City of Marina City Manager Layne Long presented the city's Transition Plan Resolution version and responded to Board questions and comments.

Board Member Mary Adams presented the Transition Plan Resolution version she emailed to the Board on December 13, 2018. Board Member Adams also responded to questions and comments from the Board.

Board Member Colonel Gregory Ford provided comments and the position of the Army and its primary concerns for there to be "one voice" and to Army's priority to maintain its resilient water and power.

LAFCO Executive Director Kate McKenna provided comments regarding the several Transition Plan Resolution versions affirming that the plans are workable frameworks and contain elements and structure that can be developed further once an initial plan is submitted in December 2018.

Public comment was received. Board Members provided comments and questions in general and that were directed at all of the versions of the Transition Plan Resolutions.

MOTION 1: On motion by Board member Edelen and second by Board member Phillips to accept the staff recommendations:

1. Adopt the FORA 12-6 Transition Plan to submit to Local Agency Formation Commission (LAFCO) of Monterey County by December 30, 2018.
2. Set Special Meeting the vote is not unanimous on December 19, 2018 at 4:00 p.m.
3. Direct staff to transmit to LAFCO with LAFCO Indemnification Agreement.
4. Begin the facilitation process and move into Implementing Agreement process.

**MOTION PASSED BY MAJORITY (11 AYES; 2 NOES)
2D VOTE ON DECEMBER 19, 2018**

Director Parker	AYE	Director Edelen	AYE
Director O'Connell	NO	Director Reimers	AYE
Director Morton	NO	Director Carbone	AYE
Director Phillips	AYE	Director Garfield	AYE
Director Adams	AYE	Director Gunter	AYE
Director Oglesby	AYE		
Director Wizard	AYE		
Director Haffa	AYE		

SUBSTITUTE MOTION 2: On motion by Board member Adams and second by Board member Parker to adopt the "Adams version" of a Transition Resolution. The following roll call vote failed with 4 Ayes and 9 Noes.

MOTION FAILED (4 AYES; 9 NOES)

Director Parker	AYE	Director Edelen	NO
Director O'Connell	NO	Director Reimers	NO
Director Morton	NO	Director Carbone	NO
Director Phillips	NO	Director Garfield	AYE
Director Adams	AYE	Director Gunter	NO
Director Oglesby	NO		
Director Wizard	NO		
Director Haffa	AYE		

2nd SUBSTITUTE MOTION 3: On motion by Board member O'Connell and second by Board member Morton – adopt marina resolution with staff recommendations #1, 2, 3. The following roll call vote failed with 3 Ayes and 10 Noes.

MOTION FAILED (3 AYES; 10 NOES)

Director Parker	AYE	Director Edelen	NO
Director O'Connell	AYE	Director Reimers	NO
Director Morton	AYE	Director Carbone	NO
Director Phillips	NO	Director Garfield	NO
Director Adams	NO	Director Gunter	NO
Director Oglesby	NO		
Director Wizard	NO		
Director Haffa	NO		

Monterey-Salinas Transit Director of Planning & Marketing Lisa Rheinheimer provided comments regarding the removal of the funding mechanism that supported the replacement of buses.

Haffa indicated that he would support the Adams motion if the recitals were included. Board member Adams agreed to the suggest revision to the "Adams version" of the Transition Plan. The roll call vote for substitute motion 2 failed.

Vice Chair Parker asked the Board to consider an item that is not addressed in any of the versions of the Transition Plan Resolutions: increasing the funds set aside for litigation.

After the failure of the two substitute motions, Chair Parker made suggestions to the maker of the motion for modification. Member of the public Candy Ingram called a point of order to understand the dialogue that was made to the original motion by Board member Edelen.

Board member Phillips called the question to vote on the original motion and stated that items not on the agenda could not be considered for the Board to take action.

MOTION: On motion by Board member Adams and second by Board member Oglesby, the Board unanimously voted to extend the regular Board meeting to consider remaining items on the agenda.

9. PUBLIC COMMENT

There were no comments from the public.

10. ITEMS FROM MEMBERS

There were no comments from members.

11. ADJOURNMENT at 5:07 p.m.

Minutes Prepared by:
Dominique L. Davis
Deputy Clerk

Approved by:

Michael A. Houlemard, Jr. Executive Officer



FORT ORD REUSE AUTHORITY
BOARD OF DIRECTORS REGULAR MEETING MINUTES
4:00 p.m., Friday, December 19, 2018 | Carpenters Union Hall
910 2nd Avenue, Marina, CA 93933

1. CALL TO ORDER

Vice-Chair Jane Parker called the meeting to order at 4:00 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by City of Del Rey Oaks Councilmember Kristin Clark, as requested by Interim Chair Supervisor Jane Parker.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

Executive Officer Michael Houlemard announced the following:

- Veteran Town Hall meeting on Wednesday, December 19, 2018 at the Major General Gourley VA/DoD Outpatient Clinic at 201 9th Street, Marina.
- California State University Monterey Bay (CSUMB) and the Monterey Bay Ecotourism Region initiative announce the 2nd Monterey Bay Sustainable Hospitality Summit. Sustainability Hospitality Summit January 10 & 11, 2019 at the Portola Hotel and Spa in Monterey, CA
- 2019 Fort Ord Cleanup Community Outreach Events SAT, Feb 2, 2019 Community Involvement Mobile Workshop.
- Impact Area Guided Walking Tour SAT, May 4, 2019.
- Impact Area Bus Tour SAT, July 13, 2019.
- The Dart Program has scheduled a drone camp June 17-20, 2019.
- The Dart symposium will be held on June 21, 2019 at CSUMB.

4. ROLL CALL

Voting Members Present:

Supervisor Jane Parker (County of Monterey), Supervisor John Phillips (County of Monterey), Supervisor Mary Adams (County of Monterey), Councilmember Kristin Clark (City of Del Rey Oaks), Councilmember Frank O'Connell (City of Marina), Mayor Ian Oglesby (City of Seaside), Councilmember Jon Wizard (City of Seaside), Mayor Mary Ann Carbone (City of Sand City), Mayor Joe Gunter (City of Salinas), Councilmember Cynthia Garfield (City of Pacific Grove)

Ex-officio (Non-Voting) Board Members Present:

Erica Parker (29th State Assembly District), Dr. P.K. Diffenbaugh (Monterey Peninsula Unified School District), Andre Lewis (CSUMB), Colonel Gregory Ford (United States Army), Dr. Thomas Moore (Marina Coast Water District)

5. BUSINESS ITEM

a. Adopt a Transition Plan Resolution – 2d Vote

Risk Manager Sheri Damon provided a presentation that reviewed the second vote. Chair Parker asked that Board members provide comments on any items raised in regards to transition but were not fully discussed or addressed. Board member Phillips stated that the request was out of order and not on the agenda. After discussion, Vice Chair Parker called for a 2d vote on the motion. The motion passed with a majority vote.

Ayes: Parker, Phillips, Adams, Clark, Oglesby, Wizard, Carbone, Gunter, Garfield
No: O'Connell

Director Alan Haffa (City of Monterey), and Director Jan Reimers (City of Carmel-by-the-sea) arrived at 4:15 p.m. which was after the 2nd vote, but prior to adjournment.

6. PUBLIC COMMENT

There were no comments from the public.

7. ITEMS FROM MEMBERS

There were no comments from members.

8. ADJOURNMENT at 4:18pm

Minutes Prepared by:
Dominique L. Davis
Deputy Clerk

Approved by:

Michael A. Houlemard, Jr.
Executive Officer

FORT ORD REUSE AUTHORITY BOARD REPORT	
CONSENT AGENDA	
Subject:	Administrative Committee
Meeting Date:	January 11, 2019
Agenda Number:	7d
	INFORMATION/ACTION

RECOMMENDATION:

Receive a report from the Administrative Committee.

BACKGROUND/DISCUSSION:

The Administrative Committee held a meeting on December 19, 2018. The approved minutes for this meeting is provided as **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 
 Heidi L. Lizarbe

Approved by 
 Michael A. Houlemard, Jr.



APPROVED

FORT ORD REUSE AUTHORITY
ADMINISTRATIVE COMMITTEE REGULAR MEETING MINUTES
8:30 a.m., Wednesday, December 19, 2018 | FORA Conference Room
920nd Avenue, Suite A, Marina, CA 93933

1. CALL TO ORDER

Co-Chair Executive Officer Michael Houlemard called the meeting to order at 8:31 a.m.

The following members were present:

Craig Malin* (City of Seaside)	Lisa Rheinheimer (Monterey Salinas Transit)
Mike Zeller (TAMC)	Anya Spear (CSUMB)
Patrick Breen (MCWD)	Melanie Beretti* (Monterey County)
Elizabeth Caraker* (City of Monterey)	
Dino Pick* (City of Del Rey Oaks)	
*Voting Member	

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by City Manager Dino Pick.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

- Veteran Town Hall WED, DEC 19, 2018 3:00PM - 4:00PM
Join the executive leadership from the VA Palo Alto Health Care System for a question and updates session. Major General Gourley VA-DoD Outpatient Clinic (Canteen), 201 9th Street, Marina, CA.
- The FORA office will be closed beginning 2:30 pm, Friday, December 21 and will reopen on Wednesday, December 26, 2018.
- California State University Monterey Bay (CSUMB) and the Monterey Bay Ecotourism Region (MBETR) initiative announce the 2nd Monterey Bay Sustainable Hospitality Summit. Sustainability Hospitality Summit January 10 & 11, 2019 at the Portola Hotel and Spa in Monterey, CA.
- Fort Ord Cleanup Community Outreach Events SAT, FEB 2, 2019 Community Involvement Mobile Workshop.
- Impact Area Guided Walking Tour SAT, MAY 4, 2019.
- Impact Area Bus Tour SAT, JULY 13, 2019.
- DART Meetups to begin February 12, 2019 & will occur regularly every other month.
- 2019 Drone Camp June 17-20, 2019 UCMBEST & CSUMB Campus.
- DART Symposium June 21, 2019 @ CSUMB.

4. PUBLIC COMMENT PERIOD

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

There were no public comments received.

5. APPROVAL OF MEETING MINUTES

ACTION

- a. December 5, 2018 Meeting Minutes

MOTION: On motion by Committee member Spear and second by Committee member Caraker and carried by the following vote, the Administrative Committee moved to approve the December 5, 2018 regular meeting minutes.

MOTION PASSED UNANIMOUSLY

6. DECEMBER 14, 2018 BOARD MEETING FOLLOW-UP

INFORMATION

Principal Planner Jonathan Brinkmann reviewed the action taken by the Board at the December 14, 2018 Board meeting, and updated the committee on the three motions of the Transition Plan Resolution that were presented to the Board. Staff responded to questions and comments from the Committee and the public.

This item was for information only.

7. BUSINESS ITEMS

INFORMATION/ACTION

- a. Report on Selection of Building Removal Consultant
Assistant Executive Officer Steve Endsley provided an update on the RFQ for building removal financing solicitation and selection. Three qualified firms responded and were interviewed by a panel of the Administrative Committee. The Panel deemed all candidate firms qualified and unanimously recommended NHA Advisors. Staff responded to questions and comments from the Committee.

Information item only – no vote taken.

- b. Transition Plan Review
i. Contract Matrix Overview
Assistant Executive Officer Steve Endsley provided an overview on the Transition Plan in regards to the Contract Matrix contract liabilities. Staff responded to questions and comments from the Committee and public. The Administrative Committee directed staff to add additional columns to the contract matrix for assignment, explicit end date, financial/contractual, and status to further discuss the concerns or issues with the contract matrix liabilities at the next scheduled committee meeting.

Information item only – no vote taken.

8. ITEMS FROM MEMBERS

None

9. ADJOURNMENT at: 10:02 a.m.

Minutes Prepared By:
Heidi Lizarbe
Administrative Coordinator

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Water/Wastewater Oversight Committee

Meeting Date: January 11, 2019

Agenda Number: 7e

INFORMATION/ACTION

RECOMMENDATION:

Receive a report from the Water/Wastewater Oversight Committee (WWOC).

BACKGROUND/DISCUSSION:

The Water/Wastewater Oversight Committee (WWOC) met on December 19, 2018. The WWOC approved the October 17, 2018 meeting minutes (**Attachment A**).

The Committee attended to administrative business for 2019 by setting a calendar (**Attachment B**), adjusting the meeting time to start at 10:00am in order to facilitate members attendance, and electing a Chair and Vice Chair. The WWOC elected City of Seaside City Engineer Rick Riedl to Chair the WWOC with City of Marina Public Works Director Brian McMinn to act as Vice-Chair.

Marina Coast Water District (MCWD) presented the Master Plan status and the methodology for developing capacity fees with the WWOC. The Committee considered but did not make recommendations to the FORA Board concerning collection of fees for the FORA Water Augmentation fees post FORA Sunset.

MCWD presented the status of the MCWD Annexation and responded to questions and comments from the Committee.

FISCAL IMPACT:

Reviewed by FORA Controller 

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

COORDINATION:

WWOC, Marina Coast Water District

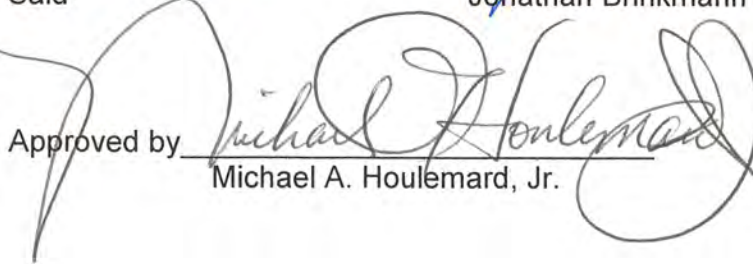
Prepared by


Peter Said

Reviewed by


Jonathan Brinkmann

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 CIC
9:30 A.M., Wednesday, October 17, 2018

1. CALL TO ORDER

Chair Riedl called the meeting to order at 10:08 A.M.

The following were present:

Committee Members:

Rick Riedl, City of Seaside
Steve Matarazzo, University of California Santa Cruz
Mike Lerch, California State University Monterey Bay
Dino Pick, City of Del Rey Oaks
Brian McMinn, City of Marina
Melanie Beretti, County of Monterey

Other Attendees:

Mike Wegley, Marina Coast Water District
Kelly Cadiente, Marina Coast Water District
Patrick Breen, Marina Coast Water District
Keith VanDerMaaten, Marina Coast Water District
Doug Yount, Shea Homes
Kevin Tuttle, AKEL Engineering
Douglas Dove, Bartle Wells Associates

FORA Staff:

Michael Houlemard
Steve Endsley
Jonathan Brinkmann
Peter Said

2. PLEDGE OF ALLEGIANCE led by Steve Matarazzo

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

4. PUBLIC COMMENT PERIOD

5. APPROVAL OF MEETING MINUTES

MOTION: Committee member Matarazzo moved to approve the April 25, 2018 and August 15, 2018 Water/Wastewater Oversight Committee (WWOC) minutes. Seconded by Committee member Lerch.

MOTION PASSED: UNANIMOUSLY

6. BUSINESS ITEMS

Committee member Lerch moved to change the order of Business Items to be discussed in an effort to maximize consultant presentation and discussion time. Seconded by Committee member McMinn.

a. MCWD Master Plan Status

INFORMATION

Mr. Kevin Tuttle of AKEL Engineering provided a presentation and update of the MCWD Master Plan. Addressed items identified during last WWOC meeting including land use assumptions by FORA used as the basis for water demand analysis, methodology utilized to calculate capacity charges, how standards are set, and the amount of existing and future customers projected. Mr. Tuttle responded to questions and comments from the Committee and public.

b. MCWD Water, Wastewater, and Recycled Capacity Fee Discussion

INFORMATION

Mr. Douglas Dove of Bartle Wells Associates delivered a presentation regarding water, wastewater, and recycled capacity fees. Included in the presentation was background, current capacity fee methodology, and existing capacity fees. Mr. Dove responded to questions and comments from the Committee and public.

c. Status of MCWD Annexation

INFORMATION

Mr. Keith Van Der Maaten of MCWD provided status of the MCWD Annexation. Mr. Van Der Maaten responded to questions and comments from the Committee and public.

d. Marina Coast Water District Quarterly Report

INFORMATION

Item was postponed to next meeting as quorum was lost at 11:25 A.M.

7. ITEMS FROM MCWD

None.

8. ITEMS FROM MEMBERS

Chair Riedl was unable to stay past 10:45 A.M., and requested that Committee Member McMinn lead the meeting in his absence.

Committee discussed possibility of changing day and time of WWOC meetings going forward. Recent duration of Administrative Committee meetings held immediately before WWOC meeting time has caused participation to decline. Mr. Said will reach out to the Committee to request suggested days and times and communicate back when confirmed.

9. ADJOURNMENT

Committee member McMinn adjourned the meeting at 11:27 A.M.

NEXT MEETING: November 14, 2018



FORT ORD REUSE AUTHORITY

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

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

Attachment B to Item 7e
FORA Board Meeting 1/11/19

2019 FORA WWOC SCHEDULE

January 16

February 06

February 27

March 13

April 3

April 17

May 1

May 15

May 29

June 19

July 17

September 18

October 16

December 18

The Water/Wastewater Oversight Committee (WWOC) meets Wednesdays, at 9:30 am or following the FORA Administrative Committee meeting, whichever occurs later. Meetings are held at the FORA office (920 2nd Avenue, Marina, California), unless otherwise noticed/announced.

Meeting dates and times are subject to change. Agendas and other meeting materials are posted on the FORA website www.fora.org and are available upon request.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Economic Development Report

Meeting Date: January 11, 2019

Agenda Number: 7f

INFORMATION

RECOMMENDATION(S):

Receive an Economic Development ("ED") Report.

ECONOMIC DEVELOPMENT QUARTERLY UPDATE

Background/Discussion:

The primary goal of the Fort Ord Reuse Authority's ("FORA's") current ED program, as referenced in the 1997 Base Reuse Plan ("BRP") and 2012 Reassessment Report ("RR"), is to assist the three-county (Monterey/Santa Cruz/San Benito) region in general and FORA jurisdictions specifically. This assistance is to provide leadership and support for regional economic recovery from the employment, business, and other economic losses resulting from the departure of soldiers, civilians, and families post Fort Ord closure. BRP projections to achieve full recovery include: 36-38,000 in replacement population; 15,000+ jobs to replace military employment and soldiers; 11-12,000 homes (6160 new units); and approximately 3 million sf commercial/office.

Prior to establishing the current ED program in 2015, extensive groundwork was directed by the FORA Board and overseen by FORA staff including:

- securing funding, implementation, and completion of the \$98M Environmental Services Cooperative Agreement ("ESCA");
- reuse and/or removal of 3614 of 4370 military buildings (including reopening 500+ units for affordable workforce housing);
- transfer of 10,013 of 17,652 habitat acres for permanent preservation; construction of \$66.5M worth of new transportation infrastructure (including \$40M in grant funding);
- storm water outfall removal (including securing \$6M in grant funding);
- continued and ongoing support for the veterans community leading to the Central Coast Veterans Cemetery; and
- the first Joint Department of Defense ("DOD")/Veterans Administration ("VA") Veterans Clinic built anew in the City of Marina.

Also, in concert with former Fort Ord jurisdictions, progress toward the above noted BRP goals to date includes: *15,717 population; 5652 jobs; 5575 homes (1384 new + 4191 reused); and 691k sf commercial.* These accomplishments provide the strong foundation and equitable basis for realizing new economic development gains.

FORA's ongoing ED strategy is based on the following key components:

- **Build upon regional economic strengths** (Agriculture, Tourism, Higher Education/Research, Military Missions)
- **Pursue new & retain existing businesses/enterprises.**
- **Engage internal & external stakeholders** (i.e. FORA Jurisdictions, California State University Monterey Bay ("CSUMB"), University of California Santa Cruz ("UCSC"),

Monterey Bay Economic Partnership (“MBEP”), Monterey County Business Council (“MCBC”), Monterey Peninsula Chamber of Commerce, and others.

- **Develop and maintain information resources.**
- **Report success metrics.**

Per ongoing Board direction and following the strategy outlined above, staff continues to make progress on a number of key projects. The following notes summarize and highlight progress since the September 28, 2018 Economic Development Quarterly Update:

- **Monterey Bay Drone, Automation, Robotics, Technology (DART).** FORA staff is working with multiple public and private partners to advance a concept to establish and grow a regional Drone, Automation, and Robotics Technology (“DART”) cluster. This initiative provides an organizing principle for entrepreneurship and business attraction efforts aligned with growing regional strengths, broad market opportunity, and global technology trends. The DART concept has emerged from our unsuccessful bid for a Federal Aviation Administration (“FAA”) Unmanned Aerial System Integration Pilot Program (“UASIPP”) designation at the Marina Municipal Airport. The process of responding to the FAA call for proposal resulted in the establishment of healthy public-private partnerships to advance these interconnected fields in the Monterey Bay Region. The initiative is advancing on multiple fronts including: 1) Establishing a 501c3 organization (Monterey Bay DART Consortium) as a durable vehicle for multi-party participation, funding, education and advocacy; 2) Initiating an on-going series of DART Meet-ups to be hosted at the UCMBEST Center beginning Feb 12 with a focus on Human Transport & Job Aviation; 3) Partnering with the UC Ag & Natural Resources Division (UCANR) to host the 2019 Drone Camp the week of June 17-20 on the former Fort Ord at UCMBEST and CSUMB campus; 4) Planning for the first Monterey Bay DART Symposium Thursday & Friday June 20 & 21, 2019 to bring stakeholders together and highlight regional strengths, challenges and opportunities; 5) Convening a workforce development working group to meet immediate and near term workforce demands of DART companies relocating to the region; 6) Pursuing feasibility study funding to evaluate alternative development futures. The DART initiative was the focus of a well-attended breakout roundtable session at the Nov 30, 2018 MBEP State of the Region Conference. Lots going on with this exciting initiative and opportunities for broad participation, but especially for the City of Marina/Marina Municipal Airport. Please visit <https://MontereyBayDART.org> or contact Josh Metz with any questions or interest.
- **Opportunity Zones.** 9 Census Blocks in Monterey County were included in the 879 tracts nominated by Governor Brown for inclusion as Federal Opportunity Zones (8 in North County/Peninsula and 1 in South County). Tract #14102 on the south/southeast edge of the City of Marina (northern edge of the former Fort Ord) is among them. This tract includes the Marina Airport, UCMBEST, and Dunes on Monterey Bay Specific Plan Area. Downtown Seaside has 2 large tracts, and the City of Salinas has 5. These blocks are now included in the Department of Treasury designated Qualified Opportunity Zones under Internal Revenue Code (IRC) Section 1400Z-1(b)(1)(B). Draft Federal Opportunity Zone regulations were released on October 19, 2018 and are available for review at the link below. This new tax program is intended to provide new investment incentives to catalyze long desired infrastructure and urban development. Regular updates regarding this item, including links to other/related reference resources can be located online at: <https://ordforward.org/opportunity-zones/>. The State of California recently launched an Opportunity Zone portal, accessible here: <https://opzones.ca.gov/>.

- **Business Recruitment/Retention.** FORA staff responds to and broadly refers inquiries from businesses/contacts interested in location or relocation and reuse of former Fort Ord real estate. These efforts contribute to both recruitment of new and retention of existing regional businesses. Developer engagement in recent months includes interest in affordable housing, hospitality, and light industrial/commercial projects. Staff continues supporting airport related development interest at Marina Municipal Airport and UCMBEST. Of particular note is the recently announced location of Joby Aviation at the Marina Airport. This cutting-edge company will bring long sought after engineering and advanced manufacturing jobs to the City and region. Staff is also actively engaged with business recruitment efforts with the Central Coast Marketing Team including developing a 2019 Marketing Plan in alignment with FORA interests (Opportunity Zones Forum April 5, 2019; DART Symposium, June 20-21, 2019), and continued development and management of <https://centralcoastmt.org/>. This useful web resource supports business location decisions and integrates OppSites software as an opportunity site marketing tool. Staff continues working with relevant jurisdiction staff and elected officials where appropriate to advance new and emerging opportunities.
- **Start-up Challenge Monterey Bay/California State University Monterey Bay (“CSUMB”) Collaboration.** FORA continues to support expansion of regional entrepreneurship through collaboration with CSUMB on a broad Start-up Monterey Bay initiative including high quality events throughout the year. A regional entrepreneurship events calendar is now available and maintained regularly for public review/use at <https://StartupMontereyBay.com>. The annual cycle of entrepreneurship events culminating in the Startup Challenge Monterey Bay kicked-off in fall 2018 with the Startup Hackathon, Nov 2-4, 2018. Startup Weekend Monterey Bay is scheduled for January 25, 2019 and the Startup Challenge process kicks into gear directly thereafter. The Startup Challenge culminates in the Otter Tank competition at CSUMB Salinas City Center in May 2019. More information about the Startup Challenge can be found online here: <https://StartupMontereyBay.com/>.

Other collaborations with CSUMB faculty and staff include: Contribution toward planning the January 10 & 11 2019 Sustainable Hospitality Development Summit at the Portola Hotel & Spa in Monterey, including development of a new Monterey Bay Eco-recreation and Tourism Region website (<http://mbetr.org/>). Along with sharing event information, this website will provide a hub for the efforts of regional educational, business, and government officials in increasing the viability/profitability of sustainable Monterey Bay region hospitality/eco-recreation tourism; and collaboration with planning and economic development initiatives including R&D, commercial, recreation, and residential resources. The sustained growth in relationships and mutually beneficial projects and initiatives highlights value generated from working relationships with CSUMB faculty/staff.

- **UCMBEST West Campus Auction.** University of California (“UC”) opened an auction for its 49.6-acre, UC Monterey Bay Education Science & Technology (“UCMBEST”) West Campus in early May. The property is directly adjacent to the Marina Municipal Airport and other planned commercial development and conservation sites. The auction deadline was July 17, 2018. A successful bidder was secured and they are now working with UCSC, the City of Marina, and FORA awaiting escrow closure expected before Q2 2019. Questions about the property can be directed to UCMBEST Planning Director Steve Matarazzo. More information about the auction including links to site background information is available online at <https://ordforward.org/ucmbest-west-campus-auction/>.

- **Community Engagement/Jurisdiction Support.**

Community engagement/jurisdiction support remains a focus for ED staff. Staff engaged with the following processes since the September ED Progress Report:

Completed work with media contractor to produce Economic Development Opportunities video featuring representatives of our developer, education, business and conservation communities. This video is the 2nd in a planned 4 part series to provide easily digestible and shareable content telling the story of education centered reuse, community lead conservation and economic opportunities on the former Fort Ord. The completed video is available online at <https://ordforward.org>. Video content from this effort was further extended providing a substantial contribution to the creation of a new video from MBEP highlighting efforts and progress towards addressing regional housing needs that can be viewed here: https://youtu.be/Fhst61eV_ag.

FORA ED staff continue supporting City of Seaside Campus Town planning in developer/consultant informational meetings, in on-going cross-jurisdictional land use optimization discussions, and in providing affordable housing information and resources to development teams. Staff continues working closely with the City of Marina Airport Manager and Economic Development team to continue advancing long term development interests in and around the Marina Airport.


- **Housing Starts.** New residential development at the Dunes on Monterey Bay, Sea Haven, and East Garrison continues to gain momentum. A summary of CFD fees collected over the past 4 years and projected for FY 18/19 is provided below:

New Residential	FY 14/15 Actual	FY 15/16 Actual	FY 16/17 Actual	FY 17/18 Actual	FY 18/19 Actual (Projected)
Total Units	89	256	317	273	211 (316)
Total CFD Fees	\$1,982,669	\$5,202,626	\$7,329,706	\$6,507,501	\$5,195,031 (\$7,780,236)

Looking Forward

The following events and initiatives will be the FORA economic development team focus in the months ahead: Sustainable Hospitality Development Summit January 10 & 11; Opportunity Zone Prospectus Development & Forum, April 5, 2019; DART Initiative including Meetups, Symposium & Funding; Business Recruitment/Retention with CCMT; Affordable Housing Initiative Support with MBEP; Jurisdiction Support; FORA Transition Planning; FORA Jobs Survey; community outreach and engagement.

FISCAL IMPACT:

Reviewed by FORA Controller 

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

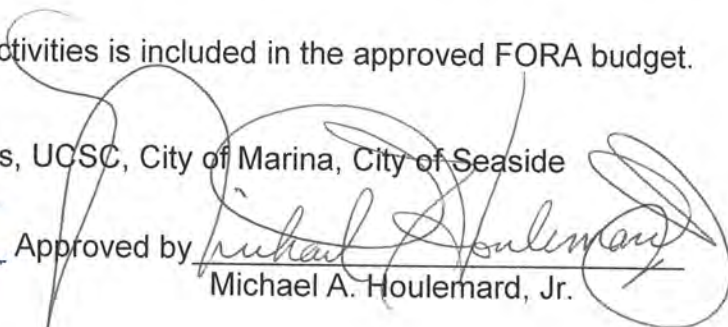
COORDINATION:

Administrative and Executive Committees, UCSC, City of Marina, City of Seaside

Prepared by


Josh Metz

Approved by


Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject:	Building Removal Financing Request for Qualifications Update	
Meeting Date:	January 11, 2019	INFORMATION/ACTION
Agenda Number:	7g	

RECOMMENDATION:

Receive a report on the Building Removal Financing Services solicitation and selection.

BACKGROUND/DISCUSSION:

At its regular October 2018 Board Meeting, the Fort Ord Reuse Authority ("FORA") Board asked staff to investigate the legality and feasibility of issuing debt against FORA's statutory share of the Property Tax Revenue stream provided to FORA by the State Legislature as codified in the State of California Health and Safety Code. The same source gives authority to FORA to encumber the revenue stream necessary to pay back such debts as incurred to support repayment of amounts borrowed to pay off FORA's debts and obligations. This becomes critical given that a significant portion of the property tax revenue stream will default back to other worthy agencies but not accrue to the former FORA jurisdictions to the same level as before, a significant loss to the military base reuse and local resources. This desire to accomplish 'more bang for the buck' lay at the crux of the Board decision to authorize further analysis by means of issuing a Request for Qualifications ("RFQ") for specialized financial expertise to answer basic questions about legality, and if legal, devise a feasible Financial Plan for implementation should the Board subsequently authorize a decision to go forward.

The genesis for this effort came from a request by the City of Seaside City Manager to the Administrative Committee that it explore the idea of FORA jurisdictions cooperating to remove as much of the remaining blighted buildings as possible in an effort to spur the accomplishment of economic development targets of all the FORA jurisdictions and ending up with a financially resilient community in the long run. FORA staff designed a conceptual plan as to how to accomplish this by targeting its share of the property tax revenue stream and bringing in the financial expertise necessary to complete the remaining building removal, one of the remaining major impediments to reuse.

The other four FORA land use jurisdictions (Marina, County of Monterey, Del Rey Oaks, Monterey) agreed that it made sense to explore this idea further, as did the Board subsequently, and FORA staff prepared and issued the requisite RFQ. Three qualified firms responded to the RFQ and were interviewed by a panel of the Administrative Committee that included Craig Malin of Seaside staff, Eric Frost of Marina staff, and Jonathan Brinkmann of FORA staff. Steve Endsley, Assistant Executive Officer for FORA, served as moderator and resource to the Selection Panel.

The Selection Panel deemed all of the candidate firms to be qualified and unanimously recommended NHA Advisors for the assignment. They also recommended that NHA strengthen its bid by adding a local representative with appropriate skill sets. The next step will be to negotiate a Scope of Work with the recommended firm. Phase 1 of the scope as per Board desire is to confirm that the financing would be legal under current state law and FORA's statutory authority. Phase 2 would be to prepare a Financial Plan for FORA Board review and approval. Phase 3 would be the Implementation phase, the actual financing itself. At its December 19, 2018 meeting, the Administrative Committee requested that FORA staff provide a draft scope for NHA's

consulting work for their review and comment prior to scope finalization. Staff anticipates that NHA's scope will involve a number of working meetings with the FORA Administrative and presentations to the FORA Board.

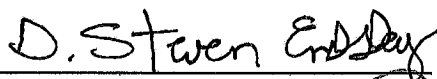

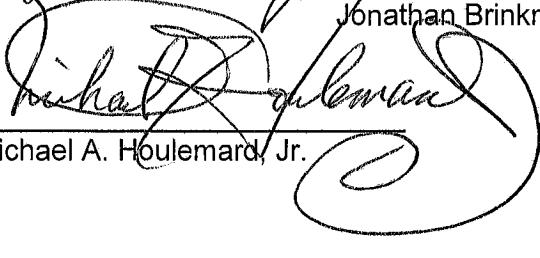
FISCAL IMPACT:

Reviewed by FORA Controller 

Staff time to support the Administrative Committee is included in the approved annual budget. The Board's September 28, 2018 action would result in an increase in consultant services by up to \$75,000, which would be incorporated into the FORA mid-year budget update.

COORDINATION:

County of Monterey, Cities of Seaside, Monterey, Del Rey Oaks, and Marina, Administrative Committee

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

FORT ORD REUSE AUTHORITY BOARD REPORT	
CONSENT AGENDA	
Subject:	Public Correspondence to the Board
Meeting Date:	January 11, 2019
Agenda Number:	7h
	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	
BUSINESS ITEMS	
Subject:	Environmental Services Cooperative Agreement Quarterly Report
Meeting Date:	January 11, 2019
Agenda Number:	8a
	INFORMATION/ACTION

RECOMMENDATION:

- 1) Receive an Environmental Services Cooperative Agreement (ESCA) Quarterly Report.
- 2) Receive a status report on U.S. Army/FORA negotiations to amend the ESCA Agreement.
- 3) Authorize FORA Executive Officer to complete negotiations and amend ESCA Agreement.

BACKGROUND:

In Spring 2005, the 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 3,340 acres of the former Fort Ord. FORA and the Army signed the ESCA agreement in early 2007. Under the ESCA terms, the Army awarded FORA approximately \$98 million to perform the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) MEC cleanup on those parcels. FORA also entered the Administrative Order on Consent (AOC) with U.S. Environmental Protection Agency (EPA) and California Department of Toxic Substance Control (DTSC) (collectively referred to as Regulators) defining FORA’s contractual conditions to complete the 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 (FOSET), May 8, 2009.

To complete the ESCA and AOC obligations, FORA entered a Remediation Services Agreement (RSA) in 2007 by competitively selecting LFR Inc. (now ARCADIS) to provide MEC remediation services. ARCADIS remediation services are executed under a cost-cap insurance policy through American International Group (AIG) assuring financial resources to complete the work and offer other protections for FORA and the jurisdictions.

On August 10, 2018 in a closed session, the FORA Board authorized the FORA Executive Officer and FORA Special Counsel, under FORA Executive Committee direction to enter into Army negotiations for additional funds covering ESCA costs beyond the AIG cost-cap insurance policy expiration date. On August 14, 2018, FORA Special Counsel met with the FORA Executive Committee and briefed them on the situation and requested permission for the FORA Executive Officer to negotiate with the Army for additional funds to complete the ESCA.

DISCUSSION:

The ESCA requires FORA, acting as the Army’s contractor, to address safety issues resulting from historic Fort Ord munitions training operations. Through the ESCA, FORA and the ESCA Remediation Program (RP) team have successfully addressed three historic concerns: 1) yearly federal appropriation funding fulgurations that delayed Army cleanup and necessitated costly mobilization and demobilization expenses; 2) Regulator questions about protectiveness of previous actions for sensitive uses; and 3) the local jurisdiction, community and FORA’s desire to reduce MEC property access risks.

Of the \$98 million of ESCA FORA received, FORA paid \$82.1 million upfront, to secure an AIG “cost-cap” insurance policy. AIG controlled the \$82.1 million in a “commutation” account and payed ARCADIS directly as work was performed. AIG provides up to \$128 million assuring

additional work (known and unknown) is completed to the Regulators satisfaction (see table below). Under these agreements, AIG pays ARCADIS directly while FORA oversee ARCADIS compliance with the ESCA and AOC requirements. On January 25, 2017, ARCADIS notified FORA that the ESCA commutation account was exhausted and that future ARCADIS work would be paid under the terms of the AIG “cost-cap” insurance policy until March 30, 2019. At that time, AIG’s responsibility to pay for ESCA work will terminate. ARCADIS continues to provide FORA with quarterly AIG cost-cap insurance invoicing estimates, which FORA staff reports in the ESCA Quarterly Board Report.

Post-ESCA Amendment ESCA Fund Status as of September 2018:

Item	2017 Amendment Allocations	Accrued through September 2018	Invoiced to AIG Cost Cap-Policy
Line Item 0001 Environmental Services			
FORA Self-Insurance or Policy	\$916,056	\$916,056	N/A
State of California Surplus Lines Tax, Risk Transfer, Mobilization	6,100,000	6,100,000	N/A
Contractor’s Pollution Liability Insurance	477,344	477,344	N/A
ARCADIS/AIG Commutation Account - plus- AIG insurance	82,117,553	82,117,553	\$5,051,969
Original FORA Administrative Fees	4,562,001	4,562,001	N/A
Line Item 001: Subtotal	\$94,172,954	94,172,954	N/A
Line Item 0002 thru 31 Dec 2019: DTSC and EPA Technical Oversight Services	4,301,568	3,862,254	N/A
Line Item 0003 thru 30 June 2020: FORA ESCA Administrative Funds	1,865,848	262,878	N/A
Line Item 0004 thru 30 June 2028: Post-Closure MEC Find Assessments	528,651	0	N/A
Line Item 0005 thru 30 June 2028: Long Term/LUC Management	3,705,792	0	N/A
Total	\$104,574,813		\$5,051,969
	ESCA Remainder	98,298,086	N/A

ESCA Activity Status:

Data collected during the ESCA field investigations is under Regulator and Army review. The review and documentation process are dependent on Army and Regulator responses and decisions, who will issue written confirmation that CERCLA MEC remediation work is complete (known as Regulatory Site Closure).

The Record of Decision (ROD) records the Regulator and Army decision on the cleanup and what controls are required to continue to protect public health and safety. On November 25, 2014, the Regulators signed the ROD for the ESCA Group 3 properties located in Monterey County (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 (MOUT) property. On February 26, 2015, the Regulators signed the ROD for the ESCA Group 2 California State University Monterey Bay (CSUMB) property (south of Inter-Garrison Road). The Regulators signed the ESCA Interim Action Ranges (IAR) ROD in December 2016. Currently, Draft Final ESCA Group 1 and 4 RODs are being signed and once signed, all ESCA properties will have RODs.

The Land Use Control Implementation Plan/Operation and Maintenance Plan (LUCIP/OMP) document prescribes implementing, operating and maintaining ROD controls tailored to individual site conditions and historic MEC use. The Regulators and Army approve LUCIP OMP documents before issuing regulatory site closure. Final ESCA Group 2, Group 3 and IAR LUCIP/OMP documents have recently received Army and Regulatory approval. The ESCA team provided CSUMB, Del Rey Oaks and the Monterey County staff with Group 2 and Group 3 site-specific Land Use Control Workshops to review their sites' LUCs and address questions. Draft ESCA Group 1 and 4 LUCIP/OMP documents are currently under review by the Army and Regulators.

In 2018, Army BRAC Headquarters (HQ) in Washington D.C. changed their document review and approval process resulting in extended Army review of ESCA documents. On June 14, 2018, FORA advised the Army BRAC office that since the shift in Army HQ document review policy, Army document review became more complicated and protracted Army HQ resulting in their inability to meet Group 1 and Group 4 RODs and IAR LUCIP/OMP documents review periods (impacting the ESCA completion schedule). These delays will result in costs beyond AIG cost-cap insurance termination.

On December 17, 2018, FORA Executive Officer, Michael A. Houlemard, Jr., Senior Program Manager, Stan Cook, FORA ESCA Program Manager and Special Counsel, Barry Steinberg, and George Schlossberg, met with Army BRAC HQ staff in Washington, D.C. to negotiate a scope of services required for Army ESCA Contingency Funds to reimburse ESCA after March 30, 2019 when AIG cost-cap insurance policy expiration.

The ESCA Agreement identified Army Contingency funding, per section:

"4.3.2.1. Army Contingent Funding. The Army will provide Army Contingent Funding to the Recipient only upon the occurrence of the following: (i) the Recipient has exhausted all funds in the Notional Commutation Account; and (ii) the Recipient has, in addition to (i), exhausted the full amount of the Limit of Liability under the Cost Cap Policy... Once these expenditures have occurred, the Army will pay Army Contingent Funding ... for matters within the scope of the [ESCA] TSRS to achieve Site Closeout. Army Contingent Funding shall not exceed \$15,000,000. The Army Contingent Funding obligation accrues only until the Recipient achieves Site Closeout for Environmental Services."

During the December 17th meeting in Washington, D.C., BRAC HQ requested a ESCA property site visit (to include the Grant Administrator's staff) and to review a Draft Scope of Work and Estimate for ARCADIS to receive Regulatory Certificate of Completion on ESCA properties. The Army site visit is planned for January/February 2019. At that time, BRAC HQ and local BRAC office will work with FORA and ARCADIS to identify any Post-Site Closure ESCA property Army obligations not funded under the previous ESCA Amendment providing for Long-Term Obligations, Long-Term Management Measures and MEC Find Assessment previously funded.

FORA Executive Officer and staff will work with ARCADIS and Special Counsel to develop the Draft Scope of Work and Estimate to achieve Regulatory Certificate of Completion. FORA staff will work with BRAC HQ and to finalize their ESCA property site visit preparation.

ESCA 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.

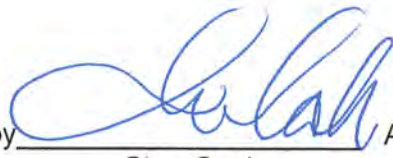
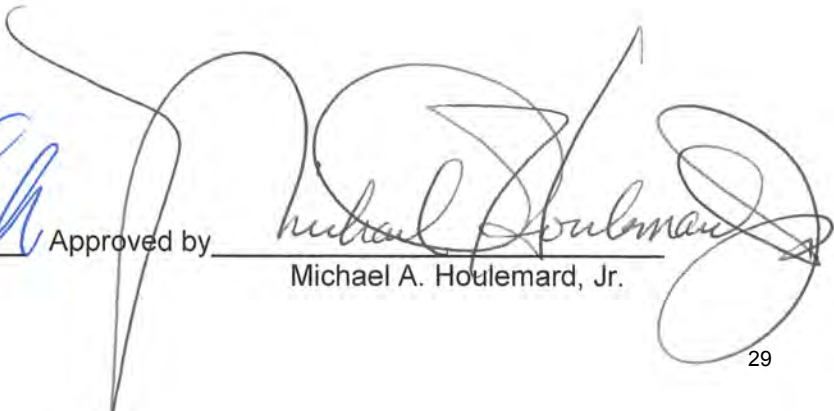
FISCAL IMPACT:

Reviewed by FORA Controller 

Current estimates suggest additional financial support of less than \$1M. FORA staff anticipates, based on Army indications, that the actual cost to FORA of these Army obligations will be fully reimbursed.

COORDINATION:

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

Prepared by  Approved by 
Stan Cook Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	Notice of Intent to Terminate CalPERS contract	
Meeting Date:	January 11, 2019	INFORMATION/ACTION
Agenda Number:	8b	

RECOMMENDATION

Adopt Resolution 19-xx a Resolution of Intent to Terminate the CalPERS contract

BACKGROUND/DISCUSSION

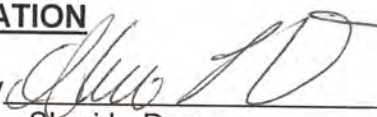
On December 19, 2018, this Board adopted Resolution 18-11 approving a Transition Plan for the legislated sunset of the Fort Ord Reuse Authority. One of the primary provisions is to ensure that any and all liability to the member agencies pursuant to the CalPERS contract is satisfied. As we noted during the transition planning process, the terminated agency liability is estimated between \$7,793,230 to 9,333,172. The Transition Plan calls for FORA to receive the final liability amounts no later than December 30, 2019. Government Code section 20570 provides that the governing body may terminate the contract between the Board of Administration of the Public Employees' Retirement System and the governing body of the contracting agency by the adoption of a resolution giving notice of intention to terminate. CalPERS will then begin an actuarial analysis of the terminated agency contract which may take six months to a year for final calculation. Once the actuarial evaluation has been received the planning for how to satisfy the liability may commence. New state laws effective January 1, 2019 require that notice of termination of an agency's CalPERS contract be given to past and present employees. The FORA Board will need to take a subsequent action finalizing the termination of the CalPERS contract, which action will require a two-thirds vote.

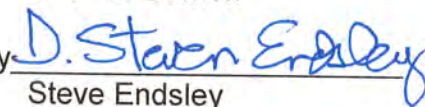
This is the first step in finalizing the amount of terminated agency liability.

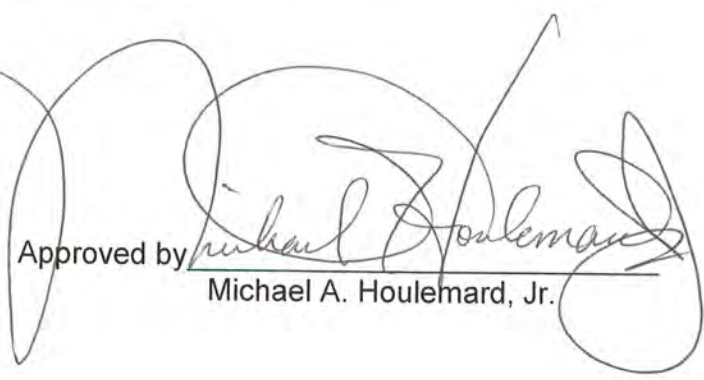
FISCAL IMPACT

Reviewed by FORA Controller 

COORDINATION

Prepared by 
Sheri L. Damon

Reviewed by 
Steve Endsley

Approved by 
Michael A. Houlemard, Jr.

ATTACHMENTS:

Attachment A: Resolution 19-xx

**FORT ORD REUSE AUTHORITY
RESOLUTION NO. 19-xx**

A RESOLUTION OF THE GOVERNING BODY OF THE FORT ORD REUSE AUTHORITY
Adopting a Resolution of Intent to Terminate the Contract between the Board of Administration
of the California Public Employees' Retirement System and the Board of Directors of the Fort
Ord Reuse Authority

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

- A. The Board of Directors of the Fort Ord Reuse Authority entered into a contract with the Board of Administration, Public Employees' Retirement System pursuant to Government Code section 20460, effective March 16, 1997, for participation of said agency in the Retirement System ("CalPERS contract"); and
- B. On December 19, 2018, the Board of Directors of the Fort Ord Reuse Authority adopted Resolution 18-11, approving a Transition Plan for the legislated sunset of the Fort Ord Reuse Authority. A part of that Transition Plan requires that the CalPERS contract be terminated and any liability fully addressed; and
- C. Government Code section 20570 provides that the governing body may terminate the contract between the Board of Administration of the Public Employees' Retirement System and the governing body of the contracting agency by the adoption of a resolution giving notice of intention to terminate, and, not less than one year later, the adoption by affirmative vote of two-thirds of the members of the governing body of a resolution terminating the contract;

NOW THEREFORE the Board hereby resolves that:

- 1. That the Board of Directors of the Fort Ord Reuse Authority hereby finds that it is in the best interests of the agency to terminate the contract entered into with the Board of Administration, Public Employees' Retirement System; and
- 2. That the governing body of the above agency does hereby give notice to the Board of Administration, Public Employees' Retirement System, pursuant to Section 20570, of the intention to terminate said contract.

Upon motion by Board member ---- seconded by Board member ---- the foregoing Resolution was passed on this _____ day of January, 2019, by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

Chair FORA Board

ATTEST:

Michael A. Houlemard, Jr., Clerk

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject: Community Facility District Special Tax Biennial Fee Study

Meeting Date: January 11, 2019

Agenda Number: 8c

ACTION

RECOMMENDATION(S):

Authorize the Executive Officer to execute contract amendment #11 with Economic Planning Systems, Inc. (EPS) to complete the mandated Biennial Formulaic Fee Study, not to exceed \$100,000 (**Attachment A**).

BACKGROUND/DISCUSSION:

The Fort Ord Reuse Authority (FORA) hired EPS in 2010 to perform reviews of the FORA Capital Improvement Program (CIP) revenues and expenditures. These studies resulted in Board-approved CFD rate adjustments as follows:

FY 11-12	FY 12-13	FY 14-15	FY 17-18
-27%	-23.6%	-17%	+0.8%

The FORA Board memorialized a standard formula in Resolution 12-5 (2012) and the Jurisdictions Implementation Agreement amendments applying the formula biennially starting in FY 12-13. The Biennial Study's purpose is to determine the Community Facilities District (CFD) special tax rates, which are used to collect revenues to complete the FORA CIP. FORA is mandated by Resolution 12-5 and the Implementation Agreement amendments to perform the Biennial Study to inform the upcoming FY 19-20 CIP. EPS last performed the Biennial Study in coordination with Transportation Agency for Monterey County (TAMC) Fee Reallocation Study in FY 16-17 under contract amendment #10.

Staff has prepared EPS contract amendment #11 for Board consideration. The scope remains the same as previous studies except for the addition of a task to perform sensitivity analyses and technical support associated with transition plan implementing agreement negotiations. Staff recommends the Board authorize the Executive Officer to execute contract amendment #11 with EPS to complete the mandated Biennial Formulaic Fee Study, in accordance with the Implementation Agreements, not to exceed \$100,000 (**Attachment A**).

FISCAL IMPACT:

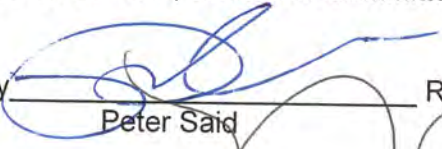
Reviewed by FORA Controller 

Staff time for overseeing this contract is included in the approved annual budget. If the Board approves contract amendment #11, it would result in an increase to FORA's financial consultant services budget line item, which would be included in the FORA mid-year budget update.

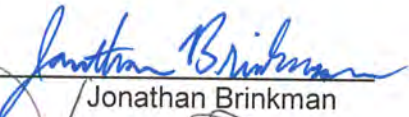
COORDINATION:

Administrative Committee, Executive Committee, Authority Counsel

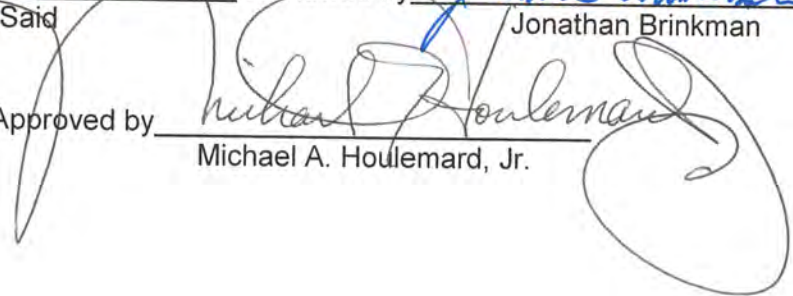
Prepared by


Peter Said

Reviewed by


Jonathan Brinkman

Approved by


Michael A. Houlemard, Jr.

Agreement for Professional Services – Amendment #11

This is Amendment #11 to Agreement No. FC-100110 (“AGREEMENT”) between the Fort Ord Reuse Authority, a political subdivision of the State of California (hereinafter “FORA”) and Economic and Planning Systems, Inc. (hereinafter “CONSULTANT”).

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

1. SERVICES. Subject to the terms and conditions set forth in this Agreement and activities described in **Exhibit A** (attached), CONSULTANT shall provide additional services to FORA.

The CONSULTANT “Developer Fee and Community Facilities District Special Tax Biennial Update DRAFT Scope of Work” dated January 3, 2019 is hereby incorporated by reference.

2. TERM. The term of the Agreement is extended until June 30, 2020 or until the maximum amount of authorized compensation is reached.

3. COMPENSATION AND OUT OF POCKET EXPENSES. The AGREEMENT is increased by \$100,000 to compensate CONSULTANT for 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 \$497,785.00, including out of pocket expenses.

IN WITNESS WHEREOF, AUTHORITY and CONSULTANT execute this Agreement:

AUTHORITY

CONSULTANT

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

By _____ Date _____
David Zehnder
Managing Principal

Approved as to form:

By _____ Date _____
Jon Giffen, Authority Counsel

By _____ Date _____
Jamie Gomes
Managing Principal

FC-100110-11 Exhibit A
Fort Ord Reuse Authority
Developer Fee and Community Facilities District Special Tax
Biennial Update
DRAFT Scope of Work

Project Approach

Economic & Planning Systems, Inc. (EPS) appreciates the opportunity to assist the Fort Ord Reuse Authority (FORA) with the continued evaluation and update of basewide funding strategies as development continues on the former Fort Ord Army Base.

To fund basewide infrastructure and capital facilities needed to accommodate reuse of the former Fort Ord Army Base and to maintain FORA's ability to meet required California Environmental Quality Act (CEQA) mitigation measures, FORA has instituted a one-time Development Fee and Community Facilities District (CFD) Special Tax. In 2012, FORA adopted a Development Fee and CFD Special Tax formula that took into account all potential revenue sources and costs in establishing the rates. Under the formula, authorized capital improvement program (CIP) improvements are funded by the Development Fee and CFD Special Taxes after applying all available property tax revenues, grant funds, and land sales and lease proceeds. The FORA Board periodically will adjust the Development Fee and CFD Special Tax following a comprehensive review of all potential costs and revenues, with the goal of establishing a process and formula that is defined, predictable, and transparent to all stakeholders.

With the anticipated sunset of FORA in 2020, many questions remain regarding how basewide infrastructure and habitat management obligations will be funded. As the biennial fee update is completed, FORA and its member jurisdictions will also need to consider how transition planning relates to the Development Fee and CFD Special Tax and the ongoing ability for Fort Ord jurisdictions to fund basewide mitigations.

This Scope of Work describes EPS's proposed work plan to prepare the biennial update of the FORA Development Fee and CFD Special Tax and to provide technical support related to transition planning and implementation agreement amendment negotiations between FORA and its member jurisdictions.

As described further below, EPS will prepare an update to the Development Fee and CFD Special Tax that relies on the formulaic approach developed and applied under prior phases of EPS's work on the basewide financing strategy. Key elements considered for the update will include expected timing and pace of new development, associated capital and operations costs, and other potential funding sources. In coordination with FORA staff, EPS's update will include targeted stakeholder outreach to ensure coordination with key stakeholders regarding included analysis elements and key methodological approaches. In addition, EPS will assist FORA to evaluate various implementation agreement terms and dynamics within the context of the existing FORA infrastructure financing dynamics, evaluating how various proposals may impact the ability to fund remaining obligations and other related transition planning issues.

Over the course of conducting the Scope of Work detailed below, EPS will provide biweekly updates of staff hours and associated budget accruals. EPS typically invoices on a monthly basis and will offer a brief summary of work completed for the billing period associated with each invoice.

Scope of Work

Task 1: Prepare FORA Biennial Developer Fee and CFD Special Tax Update

Subtask 1.1: Conduct Technical Analysis

Work completed under this subtask will reflect the primary elements of the technical analysis required to update the Development Fee and CFD Special Tax, including refining development projections, improvement cost estimates, and anticipated revenues. Each element is described in further detail in the sections to follow.

Refine FORA Development Outlook

- Review and update development projections developed by FORA in coordination with the FORA jurisdictions.
- Review any implications for major capital projects, operations and management, FORA policies (e.g., affordable housing), and other related issues.

Identify FORA Buildout Cost Expectations

Review Probable Costs by Category

- Meet with FORA engineering staff to discuss capital costs and potential changes to roadway infrastructure costs.
- For early iterations of the technical analysis, incorporate upper and lower bond estimates for roadway infrastructure improvements to understand the impact of a range of potential roadway costs on the formula outcomes.
- Meet with FORA staff to determine levels of ongoing administrative activity, staffing, etc.
- Incorporate work completed under separate contract evaluating and establishing the Habitat Conservation Plan Financing Strategy.
- Review status of building deconstruction program by jurisdiction and related cost estimates.
- Confirm applicable construction cost indices for future application (e.g., Bay Area average versus 20-City average).
- Identify potential areas of refinement, and recommend any engineering review(s) of unit costs.

Establish Probable Cost Timeline

- Establish working assumptions for timing of above-referenced capital and operations costs, taking into consideration the timing and pace of anticipated development activity.

Project FORA Buildout Revenue

Project Land Sales

- Update analysis of comparable land sales to include any new or unaccounted transactions.

- In coordination with FORA staff and stakeholder input, consider revisions to land sale revenue methodology, which may include the following considerations:
 - Review updated developer financial feasibility analyses and supporting market information.
 - Conduct targeted, supplemental market review as necessary to confirm revenue assumptions and understand development risks.
 - Review other variables driving residual land value.
- Update and refine projected land sales revenues through buildout based on refined valuation assumptions and projected land transactions provided by FORA staff.

Project Property Tax Revenue

- Update projected property tax revenue as appropriate based on policy assumptions, development outlook, and probable development values.
- Analyze impact of proposed Property Tax Bond on Development Fee and CFD Special Tax for Fiscal Year 2019–2020.

Incorporate Other Sources of Funds

- Incorporate other sources of funding as provided by FORA staff, including fund balances, grant monies, or California State University mitigation fees.

Subtask 1.2: Refine Capital Funding Mix and Attend Meetings

- Using the FORA Board-adopted formula, apply revised one-time CFD Special Tax rate to projected development based on revised development and funding assumptions.
- EPS will provide an initial technical table set to FORA staff for their review and comment. Following incorporation of FORA staff comments and resolution of all outstanding issues, EPS will produce an Administrative Draft Report for FORA staff and stakeholder review. After incorporating any needed revisions, EPS will prepare an updated Draft Report for presentation to the Administrative, Executive, and Finance Committees. Based on the outcomes of these meetings and any updates needed, EPS will produce a Final Draft Report for presentation to the FORA Board. Upon approval of the Final Draft Report by FORA's Board, EPS will provide a Final Report.
- EPS will coordinate with FORA staff on an ongoing basis, with regular phone meetings, to discuss needed data and information, any issues identified, and EPS's progress and initial results.
- Finalizing this analysis is based on the assumption EPS will attend two stakeholder meetings, one Administrative Committee meeting, one Executive and Finance Committee meeting, and one FORA Board meeting.

Task 1 Estimated Budget: \$55,000

Task 2: Provide Transition Plan Sensitivity Analysis and Implementation Agreement Technical Support

Under this task, EPS will provide technical support to inform discussions surrounding transition planning and related implementation agreement amendments. While the precise scope of analysis under this task will be informed by ongoing discussions between FORA and its member jurisdictions, it is anticipated that related work will entail evaluating the allocation of FORA obligations relative to revenue generation by individual jurisdictions, understanding implications of various proposed terms with regard to development prospects and financial feasibility, and other related infrastructure and habitat conservation financing dynamics associated with transition planning. Note that this task does not include anticipated meeting attendance, which is included under **Task 3**, below.

Task 2 Estimated Budget: \$25,000

Task 3: Attend Other Meetings

In addition to the meetings accommodated under the anticipated budget for **Task 1**, this task includes a reserve for additional meeting attendance that may be required as part of the FORA Development Fee and CFD Special Tax update or related to transition planning. The **Task 3** estimated budget includes an allowance for up to 4 additional in-person meetings, should these meetings be required to complete the technical analysis and present the results.

Task 3 Estimated Budget: \$20,000

Staffing, Budget, and Schedule

All tasks will be overseen by Managing Principal David Zehnder. Principal Ellen Martin will serve as Project Manager and will be responsible for the day-to-day work associated with this assignment. Other EPS staff will assist with research and technical analysis.

The estimated budget for all tasks is estimated to be **\$100,000**. As described in **Task 1**, this budget is based on the assumption EPS will attend 2 stakeholder meetings and 4 public meetings, as well as 4 additional meetings held in reserve as part of **Task 3** if needed through the completion of all tasks. EPS charges for its services on a direct-cost (hourly billing rates plus direct expenses), not-to-exceed basis; therefore, you will be billed only for the work completed up to the authorized budget amount. EPS's Hourly Billing Rates are attached as part of this Scope of Work.

2018 HOURLY BILLING RATES

Sacramento Office

Managing Principal	\$260–\$290
Senior Principal	\$300
Principal	\$230–\$245
Executive/Senior Vice President	\$230
Vice President	\$205
Senior Technical Associate	\$190
Senior Associate	\$175
Associate	\$160
Research Analyst II	\$120
Research Analyst I	\$90
Production and Administrative Staff	\$80

Billing rates updated annually.



FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject: 2019 Elect Board Officers	
Meeting Date: January 11, 2019	ACTION
Agenda Number: 8d	

RECOMMENDATION:

1. Receive a report from the 2019 Nominating Committee.
2. Approve Nominating Committee's proposed slate or seek Board nominations, Executive Officer will conduct an election.

BACKGROUND/DISCUSSION:

The FORA Master Resolution states that the Board Chair and Vice-Chair shall be elected annually at the end of the first regular Board meeting in January. The Board officers serve for a term of one year and may be reelected for no more than one consecutive, additional term in the same office. Under that policy, the current Board officers are eligible for re-election to their current positions. The Master Resolution also establishes a Board policy of succession from 1st Vice Chair to Chair. The Board may appoint other officers as deemed necessary. The Nominating Committee met on January 2, 2019 and provides the attached Nominating Committee report. (**Attachment A**).

It is expected that the election will address the following either by slate or subsequent nomination/vote as follows:

- i. Two voting Fort Ord Reuse Authority (FORA) Board members to serve as Board Chair and Vice-Chair and FORA Executive Committee members for a one year term.
- ii. Two voting FORA Board members to serve as members-at-large on the FORA Executive Committee for a one year term.
- iii. Elect a past Board Chair to serve on the Executive Committee for a one year term.
- iv. Elect one ex-officio Board member to serve as a non-voting member of the Executive Committee for a one year term.

VOTING PROCEDURE: A summary nomination covering all offices is offered by the Nominating Committee Chair or any Board member before voting for the individual offices commences. In the absence of a summary nomination, or in the event of additional nominations from the Board, the Chair will accept nominations for each office, starting with the Chair, and conduct an election as noted in **Attachment B**. A majority of votes cast confirms election.

POTENTIAL FUTURE ACTION: In 2017 some of the FORA Board members inquired if the Officer and Executive Committee selection process could be revised to consider rotation or other methods of selection. Those methods were staff recommended and considered by the nominating committee.

FISCAL IMPACT:

Reviewed by FORA Controller 

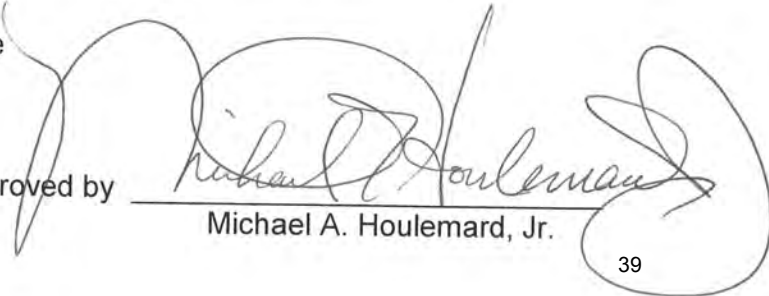
Staff time for this item is included in the approved FORA budget.

COORDINATION

Nominating Committee and Executive Committee

Prepared by 
Heidi L. Lizarbe

Approved by


Michael A. Houlemard, Jr.



FORT ORD REUSE AUTHORITY

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

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MEMORANDUM

Attachment A to Item 8d
FORA Board Meeting 1/11/19

TO: FORA Board of Directors
FROM: Interim Chair Jane Parker
RE: 2019 Nominating Committee Report
DATE: January 3, 2019

The 2019 FORA Nominating Committee met on January 2, 2019.

On January 11, 2019, the Board will consider Item 8d, 2019 Board Officers Election, for Board Chair and Vice Chair positions, including the four additional members of the Executive Committee (EC), which include Past Chair, two Members-at-large, and an Ex-Officio/Non-Voting member.

The Nominating Committee unanimously recommended the following EC slate for Board consideration:

Chair: Monterey County Supervisor Jane Parker
Vice Chair: Salinas Mayor Joe Gunter
Past Chair: Marina Councilmember Frank O'Connell
Member-at-Large: Seaside Councilmember Jon Wizard
Member-at-Large: Monterey Councilmember Alan Haffa
Ex-Officio (Non-Voting) Member: CSUMB President Eduardo Ochoa

FORA VOTING PROCEDURES

Election of Officers and Executive Committee

1. The Executive Officer opens the election by confirming that the Nominating Committee slate and nominations are received.
2. The Board may elect the Chair, Vice-Chair, Past Chair, two “at-large” Executive Committee Members and an Ex Officio Member by a summary nomination, wherein a motion to fill all six positions is made (typically by the Nominating Committee Chair) and seconded, and carries with majority support. The summary nomination may be moved in whole or part by appropriate motion and second.
3. If there is no summary nomination or if the summary nomination fails to receive majority approval, the Executive Officer will request nominations from the other Board members. The order of any outstanding positions not filled by summary nomination and election shall be the Chair, Vice-Chair, Past Chair, at-large positions and finally the Ex Officio Member.
4. The Chair will receive all nominations for a given position and allow nominees to make a short statement before ordering a roll-call vote¹. Each nomination must pass with majority Board approval before the next position is considered. Voting results are announced by the Deputy Clerk. The Executive Officer, as designated FORA Elections Official, will verify and confirm the election.

¹ The Chair may allow public comment on each nomination prior to vote or alternatively, may require all public comments prior to the Board’s consideration of slate nominations for officers and Executive Committee members.