



FORT ORD REUSE AUTHORITY

REGULAR MEETING

FORT ORD REUSE AUTHORITY (FORA) BOARD OF DIRECTORS

Friday, June 14, 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 JUNE 13, 2019.

1. CALL TO ORDER

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

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 – One item of Potential Litigation, Gov. Code §54956.9(d).
- d. Conference with Labor Negotiators - Government Code section 54957.6.
Agency designated representatives: Michael A. Houlemard, Jr, Mi Ra Park, Sofia Selivannoff.

4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

5. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

- Resolutions: Steve Endsley, Robert Norris, and Jonathan Brinkmann

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 May 10, 2019 Meeting Minutes (p.1)
Recommendation: Approve May 10, 2019 meeting minutes.
- b. Administrative Committee (p.7)
Recommendation: Receive a report from the Administrative Committee.
- c. Veterans Issues Advisory Committee (p.14)
Recommendation: Receive a report from the Veterans Issues Advisory Committee.
- d. Building Removal Financing/Feasibility Update (p.18)
Recommendation: Receive a report on Building Removal Financial Feasibility.
- e. Public Correspondence to the Board (p.27)
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. Retention and Separation Package for Fiscal Year ("FY") 2019-2020 (p.28)

Recommendation:

- i. Choose Option 4(a), 4(b), or 4(c).
- ii. Consider and Adopt Resolution 19-XX (Attachment A), FY 2019-2020 Retention and Separation Package.

- b. Consider Adoption of FORA FY 2019-2020 Annual Budget **2nd Vote** (p.33)

Recommendation:

- i. Adopt FY 2019-2020 Annual Budget.
- ii. Consider approval of staff proposed compensation and benefits adjustment.

- c. Del Rey Oaks Pollution Legal Liability Loan Retirement (p.40)

Recommendation: Authorize the Executive Officer to enter into a memorandum of understanding with the City of Del Rey Oaks ("DRO") that establishes a payment schedule in order for DRO to retire \$552,961 in principal debt to FORA prior to June 30, 2020.

- d. Administrative Consistency Determination for Entitlement: Seaside Senior Living (p.42)

Recommendation:

- i. Receive a report from the Executive Officer regarding the Seaside Senior Living Project Development Entitlement Consistency Determination per Section 8.02.030 of the FORA Master Resolution;
- ii. Conduct a hearing and consider the Executive Officer's concurrence in the City of Seaside's development entitlement consistency determination if:
 - a. An appeal is received within the 10-day (Master Resolution Section 8.01.050) or 15-day (Master Resolution Section 8.03.070) appeal response terms; OR
 - b. A Board member requests that a hearing be conducted on this Project within the 35-day response term (Master Resolution Section 8.01.040).

- e. Special District Risk Management Authority Board of Directors Election (p.45)

- f. 2018 Transition Plan and Implementing Agreement Progress Report (p.58)

Recommendation:

- i. Receive Fort Ord Reuse Authority ("FORA") 2018 Transition Plan and Implementing Agreement Progress Report.

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: July 12, 2019 AT 2:00PM

Persons seeking disability related accommodations should contact FORA 48 hours prior to the meeting. This meeting is recorded by Access Monterey Peninsula and televised Sundays at 9 a.m. and 1 p.m. on Marina/Peninsula Channel 25. The video and meeting materials are available online at www.fora.org



**FORT ORD REUSE AUTHORITY
BOARD OF DIRECTORS REGULAR MEETING MINUTES
2:00 p.m., Friday, May 10, 2019 | Carpenters Union Hall
910 2nd Avenue, Marina, CA 93933**

1. CALL TO ORDER

Chair Supervisor Jane Parker called the meeting to order at 2:02 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Colonel Gregory Ford.

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).
- d. Conference with Labor Negotiators - Government Code section 54957.6.
Agency designated representatives: Michael A. Houlemard, Jr, Mi Ra Park, Sofia Selivanoff.

Time Entered: 2:05 p.m.

Time Exited: 3:21 p.m.

4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

Authority Counsel Jon Giffen announced there was no action to report on items 3a, 3b and 3c. On item 3d, direction was provided to the designated representatives.

5. ROLL CALL

Voting Members Present:

Supervisor Jane Parker (County of Monterey) Supervisor Mary Adams (County of Monterey), Supervisor John Phillips (County of Monterey), Councilmember John Gaglioti (City of Del Rey Oaks), Councilmember Frank O'Connell (City of Marina), Mayor Pro-Tem 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 Jan Reimers (City of Carmel-by-the-Sea)

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

Kathleen Lee (20th Congressional District), 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), Lisa Rheinheimer (Monterey-Salinas Transit), Dr. Matt Zefferman (Marina Coast Water District)

6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

Executive Officer Michael Houlemard, Jr. announced the following:

- Sheri Damon has taken a position as Assistant City Counsel at the City of Seaside.
- US Open - Lexus will be utilizing Eucalyptus Road (FORA Property) for parking and shuttle services, and there is still a need for volunteers.
- The Certificates of Completion of Environmental Clean Up have now been received on all the ESCA parcels.
- Correction to Item 8c on page 78 of the packet: "M" is missing after the \$1 under Other/Accounting Entries/Fund Designations.
- Surplus II work has been substantially completed.
- 2019 Memorial Day Ceremony – Monday, May 27, 2019 at the Central Coast Veterans Cemetery from 8:00 a.m. to 12:00 p.m.
- 2019 Military Retiree Appreciation Day – Saturday, June 9, 2019 at the Stillwell Hall from 8:00 a.m. to 12:30 p.m.

7. CONSENT AGENDA

- a. Approve April 12, 2019 Meeting Minutes
- b. Administrative Committee
- c. Veterans Issues Advisory Committee
- d. Water/Wastewater Oversight Committee
- e. Public Correspondence to the Board

Chair Parker read the consent agenda items and asked if members had any comments or items to pull for discussion.

Motion: On motion by Board member Phillips and seconded by Board member Oglesby and carried by the following vote, the Board moved to approve the consent agenda.

MOTION PASSED UNANIMOUSLY

8. BUSINESS ITEMS

a. 2018 Transition Plan Actions

i. Transition Plan Transportation Study, 2nd Vote

Principal Planner Jonathan Brinkman reviewed the recommendation with the Board prior to the second vote.

MOTION: On motion by Board member Morton and second by Board member Haffa and carried by the following vote, the Board moved to Authorize Executive Officer to negotiate/execute a Service Work Order with Whitson Engineers Master Service Contract for a Transition Plan Transportation Study not to exceed \$150,000 and postpone Board action on the full Capital Improvement Program ("CIP") until the study has been completed and received by the Board.

Roll Call Vote: (7 Ayes; 5 No) Motion Passed by Majority

Item 8a: Motion			
Director Parker	NO	Director Reimers	AYE
Director Gunter	AYE	Director Haffa	NO
Director O'Connell	NO	Director Gaglioti	AYE
Director Morton	NO	Director Wizard	AYE
Director Adams	NO	Director Oglesby	AYE
Director Phillips	AYE	Director Garfield	ABSENT
Director Carbone	AYE		

ii. May 8, 2019 Special Workshop Update (oral report)

Mr. Houlemard stated that the Special Board Workshop held was well engaged and he felt it was a great exchange of information and communication by the Administrative Committee, the Board of Directors, and FORA staff members. He commented to the fact that the Board was very directive about having limited resources and budget that would ultimately affect the Boards decision to approve the CIP. Mr. Houlemard also stated that Kendall Flint of Regional Government Services, who has been facilitating the 2018 Transition Plan implementation, did a good job providing the Transition Plan implementing agreements status and that there should be a format for those agreements by the June Board meeting.

b. FY 2019-2020 Capital Improvement Program

Mr. Houlemard introduced the item and Principal Planner Jonathan Brinkmann provided a brief presentation and responded to questions and comments from the Board.

MOTION: On motion by Board member Haffa and second by Board member Gaglioti and carried by the following vote, the Board moved to 1) Receive a report on the Fort Ord Reuse Authority Year 2019-2020 CIP; 2) Consider Fiscal Year (FY) 2019-2020 CIP Adoption, the motion is to adopt; 3) Authorize the Executive Officer to fund two escrow accounts with escrow holding company National Builders Control to fund construction of projects FO14 South Boundary Road Upgrade (\$5,000,000) and FO9C General Jim Moore Boulevard/South Boundary Road Intersection (\$1,056,168) post June 30, 2020 according to the Term Sheet, and adjust tables 2 and 4 to reflect the reality of a three-year maximum of the Community Facilities District ("CFD") collections.

Roll Call Vote: (11 AYES; 0 N) Motion Passed

Item 8b: Motion			
Director Parker	AYE	Director Reimers	AYE
Director Gunter	AYE	Director Haffa	AYE
Director O'Connell	AYE	Director Gaglioti	AYE
Director Morton	AYE	Director Wizard	AYE
Director Adams	AYE	Director Oglesby	ABSENT
Director Phillips	AYE	Director Garfield	ABSENT
Director Carbone	AYE		

MOTION PASSED UNANIMOUSLY

c. Consider Adoption of FORA FY 2019-2020 Annual Budget

Mr. Houlemard presented the item and responded to questions from the Board and Public with Ms. Rodriguez.

MOTION 1: On motion by Board member Phillips and seconded by Board member Carbone, and carried by the following vote, the Board moved to accept the staff recommendations:

- i. Adopt fiscal year 2019-2020 (FY19-20) Annual Budget
- ii. Consider approval of staff proposed compensation and benefit adjustments.

SUBMOTION #1: On motion by Board member Morton and seconded by Board member Wizard to defer the Budget vote until the June meeting with the totality of the information.

SUBMOTION #2: On motion by Board member Gaglioti and seconded by Board member Adams and carried by the following vote, the Board moved to approve the current budget as is, with the proviso at the next meeting when additional information is available to the Board it can consider it prior to the 2nd vote.

**The maker the original motion withdrew his motion and will support the 2nd substitute motion.*

Roll Call Vote:(7 Ayes; 3 NO) Motion Passed by Majority 2nd Vote (June 14, 2019) Required

Item 8c: Motion			
Director Parker	NO	Director Reimers	AYE
Director Gunter	ABSENT	Director Haffa	AYE
Director O'Connell	NO	Director Gaglioti	AYE
Director Morton	NO	Director Wizard	AYE
Director Adams	AYE	Director Oglesby	ABSENT
Director Phillips	AYE	Director Garfield	ABSENT
Director Carbone	AYE		

d. Environmental Services Cooperative Agreement (ESCA) Long Term Obligation Support Services Resolution

Program Manager Stan Cook introduced the item and provided background information, stating the three (3) contractors who have been working on the ESCA project are Arcadis, Weston Solutions, and Westcliffe Engineers, and that American Insurance Services (AIG) no longer pays for, or provides funding for, the ESCA. The cost cap on funding from AIG terminated on March 30, 2019. However, the Army has now committed to reimbursing for funds needed to continue pertinent work under the ESCA contract until 2028, including funding for the services of the 3 consultants. Mr. Cook explained that the City of Seaside staff, which has taken on some of the duties as the successor agency to FORA of the ESCA, has reviewed the resolution and provided input and feedback to the necessity for use of the consulting services as needed by the successor agency. There were no comments or questions from the Board or the public.

Director Morton noted that this item was postponed last month to allow the City of Seaside time to review the resolution and it was discussed at the Special Workshop, Director Morton wanted to affirm, on the record today, that Seaside is in agreement with the terms of the contracts and extensions.

Director Wizard responded, noting he is not speaking on behalf of the entire City Council. However, he was providing background on what the City Council has

discussed. The City of Seaside is excited about taking on a portion of the FORA program upon its dissolution.

MOTION: On motion by Board member Adams and second by Board member Gaglioti and carried by the following vote, the Board moved to accept the staff recommendation:

- i. Adopt Resolution 19-XX - Resolution of the Fort Ord Reuse Authority ("FORA") finding that: 1) Contractors Arcadis, Westcliffe Engineers, Inc. and Weston Solutions, Inc. are Uniquely Qualified to Provide Long-Term Obligation Support Services Until 2028 Pursuant to an Amendment to the Environmental Services Cooperative Agreement ("ESCA"), between the U.S. Army ("Army") and FORA; 2) the Issuance of a Request for Proposals to these Uniquely Qualified Firms to Propose Terms for the Provision of these Support Services is Appropriate; and 3) the Executive Officer is Authorized to Enter into a Contract for Said Services on a Limited Competition Basis.

MOTION PASSED UNANIMOUSLY

e. Economic Development Report

Mr. Houlemard introduced the item. Economic Development Manager, Josh Metz provided a presentation with an overview of the Economic Development program, including the job survey, reuse progress, partnerships, opportunity zones, regional capacity, drone innovation and upcoming events. Mr. Metz also informed the Board and the public that the details regarding the presentation were also available online at www.OrdForward.org. Upcoming Economic Development related events were also announced, including the Monterey Bay DART Symposium on June 21, 2019 at the Monterey Hyatt and the Drone Camp occurring between June 18 - 20, 2019. Staff responded to questions and comments from the Board and the public.

This item was for information only.

**Chair Parker noted that time had expired for the scheduled Board meeting and a motion to extend past 5:00 p.m. for item 8f and public comment.*

MOTION: On motion by Board member Morton and second by Board Member Gaglioti and carried by the following vote, the Board moved to hear item 8f, public comment and adjourn the meeting.

f. Marina Coast Water District Annual Budget and Compensation Plan

Project Manager Peter Said presented the item and the Water/Wastewater Oversight Committee's recommendation regarding the MCWD FY 2019-20 budget. Staff responded to questions and comments from the Board.

MOTION: On motion by Board member Haffa and second by Board member Gaglioti and carried by the following vote, the Board moved to adopt resolutions for MCWD compensation plan for base-wide water and sewer services on former Fort Ord.

MOTION PASSED UNANIMOUSLY

9. PUBLIC COMMENT

None.

10. ITEMS FROM MEMBERS

There were no items from members.

11. ADJOURNMENT at 5:12 p.m.

Minutes Prepared by:
Heidi L. Lizarbe
Deputy Clerk

Approved by:

Michael A. Houlemard, Jr. Executive Officer

FORT ORD REUSE AUTHORITY BOARD REPORT		
CONSENT AGENDA		
Subject:	Administrative Committee	
Meeting Date:	June 14, 2019	INFORMATION/ACTION
Agenda Number:	7b	

RECOMMENDATION:

Receive a report from the Administrative Committee.

BACKGROUND/DISCUSSION:

The Administrative Committee held a meeting on May 1, 2019 and May 15, 2019. The approved minutes for these meetings are provided as **Attachment A, and B.**

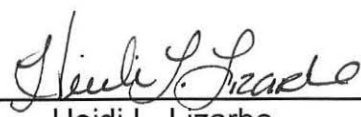
FISCAL IMPACT:


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, May 1, 2019 | FORA Conference Room
920nd Avenue, Suite A, Marina, CA 93933

1. CALL TO ORDER

Chair Michael A. Houlemard, Jr. called the meeting to order at 8:30 a.m.

The following members were present:

Dino Pick* (City of Del Rey Oaks)
Layne Long* (City of Marina)
Patrick Breen (MCWD)
Hans Uslar* (City of Monterey)
Vicki Nakamura (MPC)

Lisa Rheinheimer (Monterey-Salinas Transit)
Melanie Beretti* (County of Monterey)
Steve Matarazzo (UCMBEST)
Anya Spear (CSUMB)
Craig Malin* (City of Seaside)
*Voting member

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Marina City Manager Layne Long.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

- Keith Van Der Maaten, Marina Coast Water District ("MCWD") General Manager advised the Committee that the Local Agency Formation Commission of Monterey County ("LAFCO") unanimously voted in favor of the application to annex the lands within MCWD's Ord Community Service Area.
- Executive Officer Michael A. Houlemard, Jr. updated the Committee that Layne Long, Steve Matarazzo, and he participated in a coordination meeting with the County of Monterey and University of California Santa Cruz ("UCSC") regarding how to move forward on the Marina Airport & UCMBEST lands.

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. April 17, 2019 Meeting Minutes

MOTION: On motion by Committee member Malin second by Committee member Uslar and carried by the following vote, the Administrative Committee moved to approve the April 17, 2019 regular meeting minutes.

MOTION PASSED UNANIMOUSLY

6. DRAFT BOARD MEETING AGENDA REVIEW

INFORMATION/ACTION

- **May 8, 2019 Special Workshop**

Executive Officer Houlemard introduced the item and gave briefing on the purpose of the upcoming Special Workshop. Mr. Houlemard stated this workshop is to bring the Board members current on what the obligations and responsibilities are pertaining to both the Capital

Improvement Program ("CIP") and the 2018 Transition Plan. It should provide the Board members with an understanding of how the two relate and inform each other. Assistant Executive Officer Steve Endsley reviewed the layout and the proposed direction of the workshop, scheduled for May 8, 2019. Principal Planner Jonathan Brinkmann updated the Committee on the content he is intending to present at the workshop. Staff responded to questions and comments from the Committee and public.

Kendall Flint of Regional Government Services ("RGS") provided the Committee with a preview of the presentation, structure, and content that will be provided at the May 8th workshop in relation to the 2018 Transition Plan and the implementing agreements, which are in the process of being drafted. Committee members made comments and suggestions which will be incorporated into the presentation.

- **May 10, 2019 Board Meeting**

Mr. Houlemard reviewed the items on the draft Board agenda for May 10, 2019. ESCA Program Manager Stan Cook led the committee through a brief presentation on business item Environmental Services Cooperative Agreement ("ESCA") Long Term Obligation Support Services Resolution. There were no questions or comments from the Committee or public.

This item was for information only.

7. BUSINESS ITEMS

INFORMATION/ACTION

a. Capital Improvement Program

i. Building Removal/Financing Update

Principal Planner Jonathan Brinkmann reviewed that the direction of the Administrative Committee at their April 17, 2019 meeting, was to have the item brought back with an update from NHA Advisors, based off the input from the cities of Marina and Seaside. FORA didn't not receive the required input from the jurisdictions in order to have the consultant produce comparable scenarios. If FORA receives the information, this item will be at the next scheduled Committee meeting. Staff responded to questions and comments from the Committee.

ii. Draft Capital Improvement Plan

Mr. Brinkmann provided an overview of the FORA draft FY 2019-20 CIP. The Committee discussed the CIP and the documents recommendations. The Committee did not take a vote to recommend Board approval or disapproval of the draft FY 2019-2020 CIP.

This item was for information only.

b. 2018 Transition Plan

1. Implementing Agreements Update

i. Environmental Services Cooperative Agreement

Mrs. Flint noted the draft agreements will be prepared based on direction given at the May 10, 2019 FORA Board meeting and will be circulated by the end of May.

ii. Marina Coast Water District

Keith Van Der Maaten reviewed the draft MCWD New Ord Community Water and Sewer Services implementing agreement with the Committee. Mr. Van Der Maaten requested any comments or feedback be submitted as soon as possible to ensure

MCWD staff has time to review them and respond. Staff and Mr. Van Der Maaten responded to questions from the Committee.

- iii. Transportation Agency of Monterey County
Mrs. Flint noted the draft agreements will be prepared based on direction given at the May 10, 2019 FORA Board \ meeting and will be circulated by the end of May.
- iv. Other Items
None.

**Quorum was lost at 10:36 a.m.*

2. Legislation Status

Mr. Houlemard updated the Committee on the status of Senate Bill 533. The bill was passed out of the Senate Committee and is extended to a 2-year bill.

8. ITEMS FROM MEMBERS

None.

9. ADJOURNMENT at: 10:39 a.m.

Minutes Prepared By:
Heidi Lizarbe
Deputy Clerk



FORT ORD REUSE AUTHORITY
ADMINISTRATIVE COMMITTEE REGULAR MEETING MINUTES
8:30 a.m., Wednesday, May 15, 2019 | FORA Conference Room
920nd Avenue, Suite A, Marina, CA 93933

1. CALL TO ORDER

Co-Chair Dino Pick called the meeting to order at 8:33 a.m.

The following members were present:

Dino Pick* (City of Del Rey Oaks)
Matt Morgensen * (City of Marina)
Patrick Breen (MCWD)
Hans Uslar* (City of Monterey)
Elizabeth Caraker (City of Monterey)

Lisa Rheinheimer (Monterey-Salinas Transit)
Melanie Beretti* (County of Monterey)
Steve Matarazzo (UCMBEST)
Anya Spear (CSUMB)
Craig Malin* (City of Seaside)
*Voting member

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Elizabeth Caraker.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

None.

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. May 1, 2019 Meeting Minutes

MOTION: On motion by Committee member Uslar second by Committee member Malin and carried by the following vote, the Administrative Committee moved to approve the May 1, 2019 regular meeting minutes.

MOTION PASSED UNANIMOUSLY

6. BOARD MEETING FOLLOW-UP

INFORMATION/ACTION

- **May 8, 2019 Special Workshop**

Executive Officer Michael A. Houlemard, Jr. stated that the Special Board Workshop was well engaged and a great exchange of information and communication by the Administrative Committee, the Board of Directors, and FORA staff members. He commented to the fact that the Board was very directive about having limited resources and budget that would ultimately affect the Board's decision to approve the Capital

Improvement Program ("CIP"). Mr. Houlemard also stated that Kendall Flint of Regional Government Services, who has been facilitating the 2018 Transition Plan implementation, did a good job providing a Transition Plan Implementing Agreements status.

- **May 10, 2019 Board Meeting**

Mr. Houlemard reviewed the actions taken by the Board at the May 10, 2019 Regular Board meeting, highlighting a unanimous decision by the Board to approve the 2019-2020 CIP, with requested updates to table items 2 and 4. Mr. Houlemard noted the Budget was taken up with a 1st vote receiving a majority in favor of adoption with the caveat that the impact of the retention package to the budget be looked at by staff and brought back to the Board. At the June meeting for them further review and potential adoption. Staff responded to questions and comments from the Committee.

This item was for information only.

7. BUSINESS ITEMS

INFORMATION

a. Capital Improvement Program

i. Building Removal/Financing Update

Principal Planner Jonathan Brinkman introduced the item. Mark Northcross from NHA Advisors, via conference phone line, reviewed the memo issued on the Potential Impact of the Proposed FORA Bonding for building removal. Mr. Northcross reviewed the basic assumptions with the Committee while seeking answers to questions. He also outlined several other questions which will need to be resolved in order to move forward. Mr. Northcross discussed the next steps, requesting all stakeholders provide him with a list of enforceable obligations. He noted that he intends to have a vetted model for review before the Administrative Committee in June.

**Committee member Melanie Beretti noted for the record that the County of Monterey maybe significantly impacted by bonding and has concerns regarding anything that significantly locks up future property tax not just for the County, but for other taxing entities as well.*

This item was for information only.

b. 2018 Transition Plan

1. Implementing Agreements Update

Mr. Houlemard updated the Committee on the draft implementing agreements status. He also advised the Committee that the Board directed a chart be created to identify, manage and monitor implementing agreements status. The Committee provided direction to add supplemental columns to capture pertinent information. Marina Coast Water District ("MCWD") requested any comments, questions or concerns on the draft implementing agreement between MCWD and FORA be submitted by May 21, 2019 in order to provide enough time for reviewing those comments and preparing for the next steps. Staff responded to questions and comments from the Committee and public.

2. Legislation Update

Mr. Houlemard updated the Committee on Senate Bill 189 status and the proposed amendments as it is currently drafted. Mr. Brinkman added the legislation bill would help accomplish a CEQA exception for the 2018 Transition Plan allowing an additional time period of up to 2022 to sign and finalize the Transition Plan implementing agreements. Staff responded to questions and comments from the Committee and public.

This item was for information only.

8. ITEMS FROM MEMBERS

None.

9. ADJOURNMENT at: 9:49 a.m.

Minutes Prepared By:
Heidi Lizarbe
Deputy Clerk

FORT ORD REUSE AUTHORITY BOARD REPORT		
CONSENT AGENDA		
Subject:	Veterans Issues Advisory Committee	
Meeting Date:	June 14, 2019	INFORMATION/ACTION
Agenda Number:	7c	

RECOMMENDATION:

Receive a report from the Veterans Issues Advisory Committee (VIAC).

BACKGROUND/DISCUSSION:

The Veterans Issues Advisory Committee met on May 23, 2019. The approved minutes for this meetings are provided as **Attachment A**.

FISCAL IMPACT:

Reviewed by FORA Controller 

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

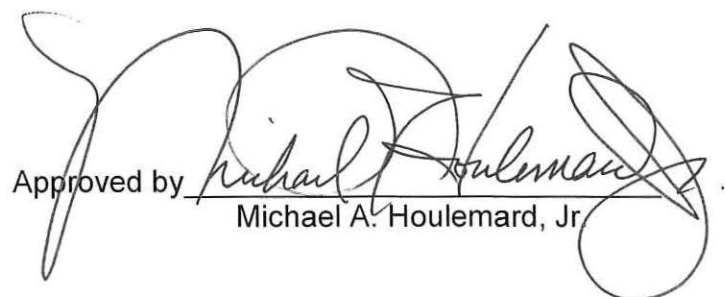
COORDINATION:

VIAC

Prepared by


Shawn Hall

Approved by


Michael A. Houlemard, Jr.



**FORT ORD REUSE AUTHORITY
VETERANS ISSUES ADVISORY COMMITTEE (VIAC) MEETING MINUTES
3:00 P.M. April 25, 2019 | FORA Conference Room
920 2nd Avenue, Suite A, Marina CA 93933**

1. CALL TO ORDER

Chair Ian Oglesby called the meeting to order at 3:05 P.M.

Committee Members Present:

Ian Oglesby, Mayor of Seaside

Edith Johnsen, Veterans Families/Fundraising

Mary Estrada, United Veterans Council (UVC)

Jack Stewart, Monterey County California Central Coast Veterans Cemetery Advisory Committee

Sid Williams, Monterey County Military & Veterans Affairs

Richard Garza, CVC Foundation

2. PLEDGE OF ALLEGIANCE led by Edith Johnsen.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Principal Analyst Robert Norris announced that the Heroes Open meeting just finished prior to this meeting. This past month was the Vietnam Veterans Recognition march.

4. PUBLIC COMMENT PERIOD

There were no comments from the public.

5. APPROVAL OF MEETING MINUTES

a. March 28, 2018 Regular Meeting Minutes

MOTION: On motion by Committee member Stewart and seconded by Committee member Williams, the VIAC approved the March 28, 2019 meeting minutes, subject to corrections.

6. BUSINESS ITEMS

a. **Affordable Housing**

i. *Veterans Transition Center Housing Construction*

Mr. Norris informed the committee that there was no status report on the projects mentioned at the last meeting.

b. **Employment**

i. *Ron Cheshire – Helmets to Hardhats*

Mr. Norris reported the Ron Cheshire again brought up the invitation with Helmets to Hardhats program.

c. **California Central Coast Veterans Cemetery (CCCVC) Status Report**

i. *Cemetery Administrator's Status Report*

Principal Analyst Robert Norris announced that several key project milestones have been advanced. He noted that the Environmental Impact Report (EIR) is now open for public comment. Construction drawings are at 95% and design drawings are at 50%. Except for the response to the EIR, the packet will be acceptable to the National Cemetery Administration.

ii. ***Veteran's Cemetery Land Use Status***

Mr. Norris reported that, according to the project consultants, while they're not completely ready to state that all remaining mitigation issues from the first phase have been done, they feel confident that by the time the EIR is processed they will have a proposal that addresses the remaining mitigation requirements from phase one and all future phases.

iii. ***Fort Ord Committee Verbal Report: Oak Woodlands Mitigation & Endowment MOU***

Reported above.

iv. ***Legislative Report***

Robert Norris commented that FORA has taken a position to support, but we don't have a specific Bill that has been offered to eliminate the LAIRD requirement.

d. **Ord Military Community**

Mr. Kai Yuan announced that on June 8, 2019 from 0800 to 1230 will be the annual Retiree Appreciation Day at the Stillwell Community Center.

e. **Fundraising Status**

i. ***Central Coast Veterans Cemetery Foundation Status Report***

Mr. Richard Garza reported that the Foundation will be participating in Retiree Appreciation Day. Their focus now is on the Epic Ride scheduled for July 9 to August 13, 2019. It's tied-in to the Presentation of Flags to Goldstar families. The May 27th Memorial Day Ceremony is at 8:00 A.M. at the cemetery. Jimmy Panetta is scheduled to speak at the event. Honor Our Fallen is on October 19, 2019.

Candy Ingram informed the Committee that we do not have a complete cemetery. We need an in-ground capacity. The Foundation has a couple of concerns. One is the LAIRD requirement. Another concern is that this is a cemetery owned and operated by the State. She informed the group that the Foundation is taking a very conservative approach to costs to make sure Phase two is taken care of.

The committee discussed the importance of the State assuming the responsibilities of the operations and maintenance of the cemetery, and making it a priority for the whole community to contact our legislators to adopt a Bill and move it forward.

MOTION: On motion by Committee member Stewart and seconded by Committee member Williams and carried by the following vote, the VIAC approved that we ask our State Legislators to move forward expeditiously to remove the LAIRD Bill and get a Bill passed for the Central Coast State Veterans Cemetery to be a budgeted item in the State budget.

MOTION: PASSED UNANIMOUSLY

f. **VA-DOD Clinic**

No new updates.

g. **Calendar of Events**

No new updates

7. ITEMS FROM MEMBERS

Mr. Cliff Guinn announced that the cemetery is short a person, and they need a volunteer in the office. Sid offered to distribute their Volunteer Service Agreement, so it could be placed on local webpages.

Rich Garza reported that he has been involved with incarcerated veterans at Soledad prison. Palo Alto has been refusing to go to the prison for exams.

Mary Estrada announced that the Marina Foundation has recently provided for a \$2,500 grant to the United Veteran's Council for their emergency fund. The Marina Foundation also gave a donation to The Retired Enlisted Association (TREA) for their use for helping needy veterans. They are also exploring working with the Visiting Nurses Association to address the needs of Marina veterans. Mary also noted that they provided drill rifles to the new cadet battalion that was formed at Marina High School. Lastly, the Marina Foundation made a donation to TRIA for their work with the local Jr ROTC for Monterey County.

Mr. Guinn confirmed that the final paperwork has been sent ending the Historical Preservation Project. However, he noted that the Historical Museum for Fort Ord still has interested parties.

8. ADJOURNMENT at 3:50 p.m.

Minutes Prepared by:
Shawn Hall

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEM

Subject:	Building Removal Financing/Feasibility Update	
Meeting Date:	June 14, 2019	INFORMATION
Agenda Number:	7d	

RECOMMENDATION:

Receive a report on Building Removal Financial Feasibility.

BACKGROUND/DISCUSSION:

At its October 2018 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. This funding source gives authority to FORA to encumber the revenue stream necessary to issue bonds. This becomes critical given that a significant portion of the property tax revenue stream will default back to other agencies after FORA dissolution and will accrue to the former FORA jurisdictions to a lesser extent, a significant loss to the military base reuse financial resources. This desire to accomplish 'more bang for the buck' is at the crux of the Board decision to authorize further analysis by obtaining specialized financial expertise to answer basic questions about legality and feasibility of a Financial Plan to complete remaining building removal on former Fort Ord.

This effort came from a City of Seaside City Manager request 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 attain economic development targets of FORA jurisdictions and establish 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, and Monterey) agreed that it made sense to explore this idea further, as did the Board. Subsequently, FORA staff prepared and issued a Request for Qualifications, selecting NHA Advisors.

FORA and NHA have negotiated a scope of work and contract. Phase 1 of the scope was to confirm that the financing would be legal under current state law and FORA's statutory authority. Phase 2 is to prepare a Financial Plan for FORA Board review and approval. Phase 3 would be the Implementation phase, the actual financing itself, if that phase is authorized by the Board in the future. At its February 27, 2019 meeting, the Administrative Committee received a progress report on this project from FORA staff and met Principal Mark Northcross with NHA.

NHA completed its first milestone, a legal and financial feasibility memorandum (**Attachment A**) regarding FORA's statutory property tax authority. NHA's preliminary finding is that FORA would be able to issue bonds in a range of \$31.6 to \$25.5 million for building removal.

NHA's work has also resulted in a preliminary quantitative analysis, considering the net benefit to jurisdictions (**Attachment B**). Using the medium scenario from the feasibility memorandum

(\$29,463,000 in bond proceeds), NHA considered the net benefit to Cities of Marina, Seaside, and Del Rey Oaks and County of Monterey under 3 scenarios. City of Monterey was not included in this analysis because they did not form an RDA over their Fort Ord lands.

Scenario 1 assumed FORA took out a \$29.5 million bond and then dissolved on June 30, 2020. Scenario 2 assumed FORA dissolved on June 30, 2020 without taking out any bond. Scenario 3 assumed FORA took out a \$29.5 million bond and then dissolved on June 30, 2022. Scenarios 1 and 2 (bond issuance) showed that all three cities received a higher net benefit than Scenario 3 (no FORA bond issuance).

For the County of Monterey, NHA ran an additional assumption on residual allocation of property taxes for them. In addition to a 20% residual allocation for the County, NHA looked at what would happen if the County received a 40% residual allocation. Looking at these two conditions within the 3 scenarios, the County received the highest net benefit under Scenario 1 with the 20% residual allocation and highest net benefit under Scenario 2 with the 40% residual allocation. The preliminary result is that bond issuance would likely be a net benefit to all three cities and a net benefit to the County under a lower residual allocation of 20%. However, if the County's residual allocation ends up higher at 40% assumption, then they receive the highest net benefit if no FORA bonding occurs. This preliminary analysis underscores the importance of having accurate assumptions on what is each jurisdiction's residual allocation of property taxes.

NHA continues to work closely with the jurisdictions to refine their assumptions and plans to bring more information for discussion and potential Board policy recommendations to the FORA Administrative Committee on June 19, 2019.

FISCAL IMPACT:

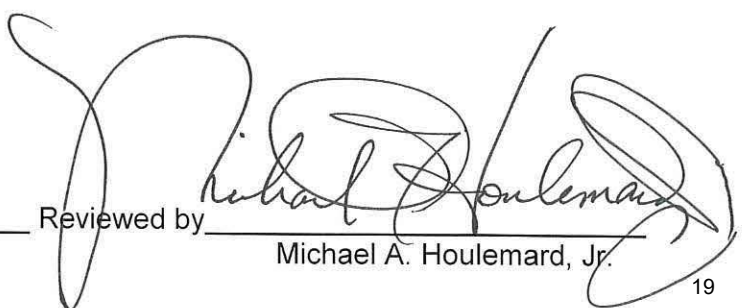
Reviewed by FORA Controller 

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

COORDINATION:

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

Prepared by 
Jonathan Brinkmann

Reviewed by 
Michael A. Houlemard, Jr.

FEASIBILITY MEMORANDUM

April 4, 2019

To: Jonathan Brinkmann, Principal Planner, Fort Ord Reuse Authority

From: Mark Northcross, Principal, NHA Advisors

RE: FORA - Feasibility Memorandum for Remediation Bond Issuance

LEGAL AUTHORITY FOR FORA BOND ISSUANCE

The law firm of Stradling Yocca Carlson & Rauth, retained as counsel to NHA Advisors has concluded that Fort Ord Reuse Authority ("FORA") has the authority to issue bonds with terms that extend beyond its June 30, 2020, dissolution, subject to the following conditions:

- ✓ Bonds must be issued under the authority of the Mark-Roos Act
- ✓ Tax increment revenues pledged to the bonds are subject to the limitation of the project areas from which the tax increment revenue originates

The Marks-Roos Act poses some special requirements on the issuance of FORA remediation bonds. For issuers that are not JPA's, such as FORA, the Marks-Roos Act can be interpreted as requiring the local agencies where bond proceeds will be spent to hold a noticed public hearing and make a finding that the proposed financing will create a "significant public benefit" within the meaning of Government Code Section 6586.

Table 1 below shows the time limits on the ability of the originating project areas for FORA's tax increment to use that tax increment to pay debt service. With the exception of the Marina Airport project area, we believe that tax increment from FORA project areas can be used to pay debt service through 2048.

Table 1: FORA Component Redevelopment Project Area Plan Limits

Project Area	Successor Agency	Year Project Area Formed	Final Year to Receive Tax Increment to Repay Debt
Marina Airport	City of Marina	1997	2045
Marina Project 3	City of Marina	1999	2048
Seaside Fort Ord	City of Seaside	2002	2048
Del Rey Oaks Fort Ord	City of Del Rey Oaks	2003	2048*
Fort Ord East Garrison	County of Monterey	2002	2048*

**We have not received Redevelopment Plans for these project areas to date, final year is estimated*

PLEDGED REVENUES FOR DEBT SERVICE

Table 2 details actual tax increment received by FORA from the five source project areas for Fiscal Year (FY) 2018-19. FORA is expected to receive over \$2.6 million in tax increment revenues, as provided for in its authorizing statute, in FY 2018-19. The Marina 3 project area, the Seaside Fort Ord project area, and the County of Monterey East Garrison project comprise nearly all of the tax increment revenue.

Table 2: Recognized Obligation Payment Schedule (ROPS)-Based Revenues for FORA (FYE 2018-19)

Project Area	Marina Airport	Marina Project 3	Seaside Fort Ord	Del Rey Oaks Fort Ord	Fort Ord East Garrison	Total
ROPS A	\$14,437	\$334,699	\$347,983	\$3,317	\$226,640	\$927,076
ROPS B	\$21,707	\$678,582	\$520,457	\$4,820	\$475,337	\$1,700,903
Total	\$36,144	\$1,013,281	\$868,440	\$8,137	\$701,977	\$2,627,979
Revenues as % of Total	1.38%	38.56%	33.05%	0.31%	26.71%	100.00%

CREDIT CONCERNS WITH FORA BOND ISSUE

The credit rating for a bond issue secured by tax increment is determined by three basic factors:

- ❖ Diversity and quality of tax base
- ❖ Coverage ratio given annual revenues and annual debt service
- ❖ Volatility, incremental assessed valuation as a per cent of total valuation.

FORA's credit quality is strongest in the volatility category, since assessed valuation was very small in each of the three main project areas at the time of project area formation. Coverage ratio is something that FORA itself can determine through how it sizes the proposed bond issue. The diversity and quality of the tax base then becomes the key credit concern for a FORA bond issue.

The biggest concern is concentration of taxpayers in a project area, indicating that a high percentage of the revenues to pay debt service come from a small number of taxpayers. Table 3 below shows concentration information available for two of the three main project areas. The Marina Project 3 project area has a very high concentration of taxpayers by standards of credit rating agencies, largely because of the great success of the "Dunes on Monterey Bay" shopping center in securing large retail anchors for the shopping center. Over 40% of tax increment revenue from this project area would be lost if the top three taxpayers simultaneously became delinquent in their property tax payments for a year or more. While this scenario is unlikely, it is the metric that bond investors use in evaluating credit. The concentration for the top 3 taxpayers in Seaside Fort Ord Project Area is below 15% and not a major concern.

We do not have information yet on the East Garrison project area. However, based on visual inspection, the project area appears to be primarily single family residential and should not be a credit concern.

Table 3: Concentration of Taxpayer Sensitivity for FORA

Project Area	FY for Most Recent Data	Incremental Assessed Valuation	Combined Assessed Valuation of Top 3 Taxpayers	Top 3 Taxpayers as % of Incremental Valuation
Marina Project 3	2017-18	322,398,824	130,213,459	40.4%
Seaside Fort Ord	2014-15	371,584,046	53,746,536	14.5%

Bond investors typically want to know how much money would be available to pay debt service in the event the largest taxpayers in a redevelopment project area all became delinquent. Table 4 below provides analysis of the total available tax increment revenues excluding revenue from the top three taxpayers in both the Marina Project 3 and Seaside Fort Ord project areas. If the top three taxpayers in both project areas became delinquent at the same time for one year or more, FORA tax increment revenues would decrease from about \$2.6 million per year to about \$2.1 million per year.

Table 4: Maximum Annual Debt Service Excluding Revenue from Top 3 Taxpayers for Marina Project 3 and Seaside Fort Ord Project Area

% Loss from Top 3 Marina Project 3 Taxpayers	40.4%
Net Marina Project 3 Tax Increment Revenues	\$604,028
% Loss from Top 3 Seaside Fort Ord Taxpayers	14.5%
Net Seaside Fort Ord Tax Increment Revenues	\$742,827
Tax Increment Revenues from Other Project Areas	\$746,258
Total Adjusted Tax Increment Revenues	2,093,113

PROBABILITY OF TAXABLE INTEREST RATES

The intended use of the proceeds of any FORA bond issue is for removal of buildings within the FORA jurisdiction. While the bulk of such buildings are now located on land owned by public entities, it is very likely that after removal of the buildings, such land will be sold to private entities for development. Under Federal tax law, any bonds issued for remediation of land that is subsequently sold to private entities must be sold with taxable interest rates. The intent to ultimately sell the land to private entities is the key determining factor regarding tax categorization of the bonds. To the extent that bond proceeds are used for building removal on land intended for long term public use, such as a roadway or a park, that portion of the bond issue can be sold with tax exempt interest rates. At present, taxable interest rates are between 1% and 1.5% higher than tax exempt interest rates.

BONDING CAPACITY SCENARIOS

As noted above, FORA can control the coverage ratio for its bond issue through a legal covenant made at the time of bond issuance. Table 5 below shows maximum annual debt service ("MADS") for three different coverage ratios. All three scenarios take into consideration the FY 2018-19 tax increment revenues as shown on Table 2 and an estimated \$150,000 per year reduction on tax increment revenues as a result of the 2012 amendments to the Implementation Agreements. In addition, this analysis includes no explicit set aside of tax increment revenue for funding continued FORA operations.

Table 5: Maximum Annual Debt Service Scenarios

FY 2018-19 Combined FORA Tax Increment	\$2,627,979
Estimated Implementation Plan Amendments set-aside	\$150,000
Net FY 2018-19 combined FORA Tax Increment	\$2,477,979
MADS at 1.10x coverage	\$2,252,708
MADS at 1.15x coverage	\$2,154,764
MADS at 1.25x coverage	\$1,982,383

Table 5 shows that, depending on the coverage ratio (calculated as net revenues available for debt service divided by debt service), MADS for a FORA bond issuance ranges from \$1.98 million up to \$2.25 million per year. With respect to the credit concern about taxpayer concentration, the coverage ratio is the most

effective way of mitigating this risk. A higher coverage ratio places lower limits on debt service to account for the concentration risk. As can be seen, use of a 1.25x coverage ratio results in MADS of \$1.98 million, which is lower than the \$2.1 million per year figure that would result if the top three taxpayers in both Marina Project 3 and Seaside Fort Ord projects areas became delinquent.

As single-family residential development takes place in these two project areas, taxpayer concentration will decline. In addition, a baseline 2% annual growth in assessed valuation will increase the amount of potential tax increment revenues that are “immune” to a loss of major taxpayers. **Consequently, we believe that the 1.15x coverage ratio, resulting in maximum annual debt service of \$2.15 million per year, is a reasonable assumption.** Should FORA issue bonds in FYE 2020, an optimal case scenario would be for the preliminary estimates for FY 2019-2020 to show that \$2.15 million annual debt service figure is sustainable for a 1.15x coverage ratio.

Table 6 below shows bonding capacity for FORA under three different scenarios. As noted above, we believe that Scenario 2 is moderately conservative and a reasonable assumption at this point in our analysis. All three scenarios assume final maturity of the bonds in September 1, 2047 (FYE 2048). The September 1, 2047 final maturity date in all scenarios is a conservative assumption. In theory, a September 1, 2048 final maturity date could be used, but the 2047 date gives one more year to receive tax increment to address in shortfalls or delinquencies in prior years. The scenarios are summarized below:

1. **Scenario 1 – Most Optimistic:** Assumes a coverage ratio of 1.1x, and an interest rate of 4.75% assuming current market rates, with about 80% of the bond issue sold on a taxable basis, and 20% sold on a tax-exempt basis. Net bond proceeds available for project funding are \$31.6 million.
2. **Scenario 2 – Moderately Conservative:** Assumes 1.15x coverage ratio and an interest rate of 5.0% assuming 100% of the bonds are sold on a taxable basis at current market rates. Net bond proceeds available for project funding total \$29.5 million.
3. **Scenario 3 – Conservative:** Assumes 1.25x coverage ratio and an interest rate of 5.5%. All bonds are assumed to be sold on a taxable basis at an interest rate 0.5% over current market. Net bond proceeds available for project funding total \$25.5 million.

Table 6: Bonding Capacity by Scenario

Scenario	Coverage Ratio	Estimated Interest Rate	Tax Status	Likely Rating	Net Bond Proceeds for Projects
1 - Most Optimistic	1.1x	4.75%	Blend of Taxable and Tax Exempt	BBB	\$31,620,000
2 - Moderately Conservative	1.15x	5.00%	Fully Taxable (Current Market)	BBB	\$29,463,000
3 - Conservative	1.25x	5.50%	Fully Taxable (Current Market + 0.5%)	BBB/A-	\$25,455,000

All scenarios assume 9/1/2047 final principal payment

A conservative assumption in the analysis above is that bond insurance will not be available for the FORA bond issue.

Table 7 below allocates bond proceeds based on each project area's share of the total FORA tax increment (TI) revenue. Under this assumption, Marina would receive between \$10 and \$12.5 million in net bond proceeds, Seaside would receive between \$8.4 and \$10.4 million in net proceeds, Monterey County would receive between \$6.8 and \$8.4 million in net proceeds, and Del Rey Oaks would receive less than \$100,000 in all three scenarios.

Table 7: Allocation of Net Proceeds for Projects Based on Source of Tax Increment

Scenario	Marina Airport	Marina Project 3	Seaside Fort Ord	Del Rey Oaks Fort Ord	Fort Ord East Garrison	Total
1 - Most Optimistic	\$434,887	\$12,191,857	\$10,449,122	\$97,905	\$8,446,229	\$31,620,000
2 - Moderately Conservative	\$405,220	\$11,360,174	\$9,736,321	\$91,226	\$7,870,058	\$29,463,000
3 - Conservative	\$350,096	\$9,814,792	\$8,411,841	\$78,816	\$6,799,455	\$25,455,000

Based on our analysis, the proceeds in Table 7 above represents funding that would not be available to the cities of Marina, Seaside, Del Rey Oaks, and Monterey County if FORA dissolved without issuing bonds. After dissolution of redevelopment agencies, it is very uncommon that a successor agency has the ability to issue new debt. Based on our analysis, none of the successor agencies for FORA jurisdictions can issue debt secured by FORA's tax increment revenue stream. Upon dissolution, the FORA tax increment revenue stream becomes subject to residual allocation under the redevelopment dissolution statute. Consequently, funding from a potential FORA bond issue is very likely an irreplaceable opportunity.

SUMMARY OF KEY ASSUMPTIONS AND TAKE-AWAYS

In conclusion, we believe that FORA has very significant bonding capacity, capacity that is lost to FORA member jurisdictions if the bonds are not issued prior to FORA dissolution. The biggest constraint on the ability of FORA to issue bonds, however, is not the credit concerns outlined in this memo, but the current reliance of FORA on tax increment revenue to fund operations. Should FORA receive legislative authority to extend its sunset, it appears likely that an allocation of a portion of tax increment to fund operations would be necessary and will need to be included in future bonding scenarios.

Key Assumptions of Our Analysis	Conclusions, Takeaways, and Next Steps
Financing will Require Taxable Bond Issue	• Remediation/infrastructure on property for long-term public ownership can be financed with tax-exempt status, reducing borrowing costs
9/1/2047 Final Maturity for Bonds	• If East Garrison can receive tax increment for a longer period, bonding capacity increases
Rating Agencies Require Coverage Ratio that Mitigates Concentration Risk	• If concentration risk in Marina Project 3 Project Area decreases in FYE 2020 estimates, bonding capacity increases
No Bond Insurance for the Financing	• If bond insurance is available, approximately \$2M in extra funding would be available
Maximizes Revenue Capacity, Adjusting for Credit Concerns	• Future analysis needs to include explicit set aside for future operating revenue in the event of FORA extension
Proceeds Allocated Based on Project Areas' Portion of Total TI Revenue	• Marina, Seaside, and Monterey County get significant funding for projects that would not otherwise be available

NHA Advisors, LLC is registered as a Municipal Advisor with the SEC and Municipal Securities Rulemaking Board ("MSRB"). As such, NHA Advisors, LLC has a Fiduciary duty to the public agency and must provide both a Duty of Care and a Duty of Loyalty that entails the following.

Duty of Care

- a) exercise due care in performing its municipal advisory activities;
- b) possess the degree of knowledge and expertise needed to provide the public agency with informed advice;
- c) make a reasonable inquiry as to the facts that are relevant to the public agency's determination as to whether to proceed with a course of action or that form the basis for any advice provided to the public agency; and
- d) undertake a reasonable investigation to determine that NHA Advisors, LLC is not forming any recommendation on materially inaccurate or incomplete information; NHA Advisors, LLC must have a reasonable basis for:
 - i. any advice provided to or on behalf of the public agency;
 - ii. any representations made in a certificate that it signs that will be reasonably foreseeably relied upon by the public agency, any other party involved in the municipal securities transaction or municipal financial product, or investors in the public agency securities; and
 - iii. any information provided to the public agency or other parties involved in the municipal securities transaction in connection with the preparation of an official statement.

Duty of Loyalty

NHA Advisors, LLC must deal honestly and with the utmost good faith with the public agency and act in the public agency's best interests without regard to the financial or other interests of NHA Advisors, LLC. NHA Advisors, LLC will eliminate or provide full and fair disclosure (included herein) to Issuer about each material conflict of interest (as applicable). NHA Advisors, LLC will not engage in municipal advisory activities with the public agency as a municipal entity, if it cannot manage or mitigate its conflicts in a manner that will permit it to act in the public agency's best interests.

**Development and Property Tax
Revenue Projections**

**Summary of Scenarios for FORA Member
Jurisdictions RDA Successor Agencies**

Highest present value scenario shown in red

Successor Agency Share of Residual Allocation	Marina 20.0%	Seaside 20.0%	Del Rey Oaks 20.0%	Monterey County 20.0%	Monterey County 40.0%
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Scenario 1: 2020 Dissolution with Bond Issue					
	Marina	Seaside	Del Rey Oaks	Monterey County (Low)	Monterey County (High)
Net bond proceeds	11,765,394	9,736,321	91,226	7,870,058	7,870,058
Present Value (PV) of increased revenues received by General Fund, after debt service	841,993	944,166	437,099	12,668,265	15,471,897
Total Benefit	12,607,387	10,680,487	528,325	20,538,323	23,341,955

Scenario 2: 2020 Dissolution with No Bond Issue					
	Marina	Seaside	Del Rey Oaks	Monterey County (Low)	Monterey County (High)
Net bond proceeds	-	-	-	-	-
PV of increased revenues received by General Fund	1,487,059	1,477,983	442,101	19,967,386	24,386,398
Total Benefit	1,487,059	1,477,983	442,101	19,967,386	24,386,398

Scenario 3: Extension Through 2022 with Bond Issue					
	Marina	Seaside	Del Rey Oaks	Monterey County (Low)	Monterey County (High)
Net bond proceeds	11,765,394	9,736,321	91,226	7,870,058	7,870,058
PV of increased revenues received by General Fund, after debt service	719,149	804,329	394,005	10,900,366	13,312,742
Total Benefit	12,484,543	10,540,650	485,231	18,770,424	21,182,800

FORA Share of Allocation Available After Debt Service	FYE 2021	FYE 2022
	1,713,017	2,338,974

FORT ORD REUSE AUTHORITY BOARD REPORT		
CONSENT AGENDA		
Subject:	Public Correspondence to the Board	
Meeting Date:	June 14, 2019	INFORMATION/ACTION
Agenda Number:	7e	

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:	Retention and Separation Package for Fiscal Year ("FY") 2019-2020	
Meeting Date:	June 14, 2019	ACTION
Agenda Number:	8a	

RECOMMENDATION(S):

- i. Choose Option 4(a), 4(b), or 4(c).
- ii. Consider and Adopt Resolution 19-XX (Attachment A), FY 2019-2020 Retention and Separation Package.

BACKGROUND/DISCUSSION:

Staff received preliminary staff retention and separation benefits recommendations from Regional Government Services (RGS) in April 2019. These recommendations provided a path to sustain existing employees to carry out mandated program and project functions through FY 19-20. The recommendations were presented in the May 10, 2019 Board meeting and the June 5, 2019 Executive Committee meeting. The Board and Executive Committee reviewed recommendations, & directed staff to modify select items, describe budget impact to return the proposal for Board action.

The following are the modified recommendations for the Board to consider and adopt:

1. Effective July 1, 2019, a stipend equivalent to five percent (5%) of base salary will be provided to prospectively compensate for any additional duties that may be assumed by remaining employees as staff retire or resign.
2. Upon separation from employment, one thousand dollars (\$1,000) per month bonus pay will be provided for each month after July 1, 2019 that an employee remains in employment with FORA (pro-rated for partial months).
3. For employees laid off after July 1, 2019, FORA will contribute up to twelve (12) months of monthly premium cost for continuation of medical/dental/vision coverage.
4. For employees laid off after July 1, 2019, FORA will provide one of the following:
 - One (1) week of base salary for every one (1) year of continuous FORA service, up to a maximum of six (6) weeks of salary (pro-rated for less than a full year of service).
 - Four (4) weeks of base salary for any employee with less than five (5) years of continuous FORA service, and six (6) weeks of salary for any employee with five (5) or more years of service.
 - Four (4) weeks of base salary for any employee with less than five (5) years of continuous FORA service, and additional one (1) week of salary for each year of continuous service after five (5) years, up to a maximum of eight (8) weeks of salary (pro-rated for less than a full year of service).

FISCAL IMPACT:

The total cost of the Retention and Separation Package will not exceed \$550,000.

Reviewed by FORA Controller 

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

COORDINATION:

Authority Counsel and Executive Committee.

ATTACHMENTS:

Attachment A: Resolution for adoption to implement these recommendations.

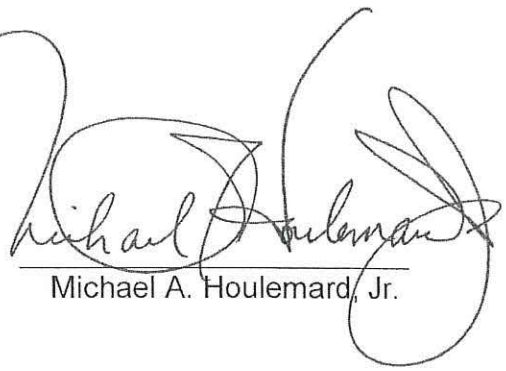
Attachment B: FORA FY 19-20 Annual Budget – Expenditure Detail

Prepared by



Mi Ra Park
Regional Government Services

Approved by



Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY Resolution 19-XX

A RESOLUTION OF THE GOVERNING BODY OF THE FORT ORD REUSE AUTHORITY *Adopting the Retention and Separation Package for FY 2019-2020*

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

- A.** Pursuant to Government Code section 67700(a), FORA is set to dissolve on June 30, 2020, at which time, any remaining staff will be laid off.
- B.** The Board recognizes the need for a retention and separation program to support adequate staffing during this FY.
- C.** The retention and separation benefits herein will be available to eligible employees. Eligible employees are defined as full-time employees who are employed by FORA as of July 1, 2019, excluding the Executive Officer, as the terms of employment and separation are specified in a negotiated employment contract.
- D.** Eligible employees remaining with FORA after July 1, 2019, will receive a stipend equivalent to five percent (5%) of base pay.
- E.** Eligible employees remaining with FORA after July 1, 2019, will receive a one thousand dollars (\$1,000) per month bonus pay for each month after July 1, 2019 that the employee remains in employment with FORA. The bonus will be payable on a monthly basis, and pro-rated for partial months.
- F.** For employees laid off (not voluntarily resigning, retiring or terminated for cause) after July 1, 2019, FORA will provide up to twelve (12) months of monthly premium cost for the continuation of medical/dental/vision coverage. Premium cost provided will be for the coverage level (employee only, employee +1, employee + 2 or more) and plan in effect on July 1, 2019, and is conditioned upon execution of a mutually acceptable release of claims.
- G.** Employees laid off (not voluntarily resigning, retiring or terminated for cause) after July 1, 2019, FORA will provide, conditioned upon execution of a mutually acceptable release of claims: *(one of the following)*
- One (1) week of base salary for every one (1) year of continuous FORA service, up to a maximum of six (6) weeks of base salary (pro-rated for less than a full year of service).
 - Four (4) weeks of base salary for any employee with less than five (5) years of continuous FORA service, and six (6) weeks of base salary for any employee with five (5) or more years of service.
 - Four (4) weeks of base salary for any employee with less than five (5) years of continuous FORA service, and additional one (1) week of base salary for each year of continuous service after five (5) years, up to a maximum of eight (8) weeks of base salary (pro-rated for less than a full year of service).

NOW THEREFORE the Board hereby resolves that:

1. The Board of Directors of Fort Ord Reuse Authority does hereby approve and adopt the FY 2019-2020 Retention and Separation Package.
2. The total cost of the Retention and Separation Package shall not exceed \$550,000 for FY 2019-2020.

Upon motion by _____, seconded by _____, the foregoing Resolution was passed on this ____ day of _____, _____, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Supervisor Jane Parker, Chair

ATTEST:

Michael A. Houlemard, Jr., Secretary

FORT ORD REUSE AUTHORITY - FY 19-20 ANNUAL BUDGET - EXPENDITURE DETAIL

EXPENDITURE CATEGORIES	FY 18-19 Approved Mid-Year	FY 18-19 Variance Projected thru 6/30/19	Projected 6/30/19	FY 19-20 Proposed	Change from Prior Year	NOTES
	16 positions + 1 intern	16 positions + 1 intern	16 positions + 1 intern	17 positions + 1 intern		"N" indicates a new expense in FY 19-20 budget
<u>SALARIES AND BENEFITS (S & B)</u>						
SALARIES	1,967,512	-	1,967,512	1,377,880	(589,632)	2% COLA and Step, reclassification and staffing changes
BENEFITS/HEALTH, RETIREMENT, OTHER	680,233	-	680,233	518,693	(161,540)	CalPers increase offset by staffing changes
TEMP HELP/VACTION CASH OUT/STIPENDS	150,000	-	150,000	234,759	84,759	Retention, add'l assignment resulting from attrition due to sunset
<u>SUBTOTAL S & B</u>	2,797,745	-	2,797,745	2,131,332	(666,413)	
Employee Transition Plan	-	-	-	550,000	550,000	
<u>SUBTOTAL Other</u>	-	-	-	550,000	550,000	
<u>TOTAL SALARIES, BENEFITS AND Other</u>	2,797,745	-	2,797,745	2,681,332	(116,413)	
<u>SUPPLIES AND SERVICES</u>						
PUBLIC & LEGAL NOTICES	8,000	-	8,000	8,000	-	
COMMUNICATIONS	8,000	-	8,000	8,000	-	
DUES & SUBSCRIPTIONS	25,000	-	25,000	25,000	-	
PRINTING & COPY	13,000	-	13,000	13,000	-	
SUPPLIES	16,000	-	16,000	16,000	-	
EQUIPMENT & FURNITURE	25,000	-	25,000	25,000	-	
VEHICLE AND MAINTENANCE	28,600	-	28,600	28,600	-	
TRAVEL & LODGING	35,000	-	35,000	35,000	-	
CONFERENCE, TRAINING & SEMINARS	25,000	-	25,000	25,000	-	
MEETING EXPENSES	15,750	-	15,750	15,750	-	
TELEVISED MEETINGS	7,000	-	7,000	7,000	-	
BUILDING MAINTENANCE & SECURITY	10,000	-	10,000	12,500	2,500	
FORA OFFICES RENTAL	180,000	-	180,000	180,000	-	
UTILITIES	14,175	-	14,175	14,175	-	
INSURANCE	34,000	-	34,000	34,000	-	
PAYROLL/ACCOUNTING SERVICES	7,500	-	7,500	7,500	-	
IT/COMPUTER SUPPORT	35,000	-	35,000	44,720	9,720	
RECORD ARCHIVING	11,000	-	11,000	11,000	-	
PREVAILING WAGE TECH SUPPORT/SOFTWARE	10,000	-	10,000	-	(10,000)	
Community Outreach/Marketing	25,000	-	25,000	25,000	-	
OTHER (POSTAGE, BANK FEES, MISC)	3,000	-	3,000	3,000	-	
<u>TOTAL SUPPLIES AND SERVICES</u>	536,025	-	536,025	538,245	2,220	
<u>CONTRACTUAL SERVICES</u>						
AUTHORITY COUNSEL	250,000	-	250,000	330,000	80,000	CIP related
LEGAL/LITIGATION FEES	185,000	-	185,000	285,000	100,000	CIP related
LEGAL FEES - SPECIAL PRACTICE	75,000	-	75,000	75,000	-	CIP related
AUDITORS	18,850	-	18,850	25,000	6,150	Anticipated standard 5% increase
SPECIAL COUNSEL (EDC-ESCA)	100,000	-	100,000	100,000	-	
ESCA/REGULATORY RESPONSE/ QUALITY						
ASSURANCE	460,000	-	460,000	460,000	-	
FINANCIAL CONSULTANT	175,000	-	175,000	225,000	50,000	CIP related
LEGISLATIVE SERVICES CONSULTANT	43,000	-	43,000	43,000	-	
PUBLIC INFORMATION/OUTREACH	20,000	-	20,000	20,000	-	
HCP CONSULTANTS	150,000	-	150,000	200,000	50,000	CIP related
FORA Sunset/Transition	650,000	-	650,000	750,000	100,000	Career Counseling, Consultants, LAFCO Indemnification Fund
REUSE PLAN IMPLEMENTATION	150,000	-	150,000	150,000	-	
ECONOMIC DEVELOPMENT	165,500	-	165,500	165,500	-	Increase CSUMB funding
PW WAGE CONSULTANTS	-	-	-	-	-	
OTHER CONSULTING/CONTRACTUAL EXP	30,000	-	30,000	30,000	-	
<u>TOTAL CONTRACTUAL SERVICES</u>	2,472,350	-	2,472,350	2,858,500	386,150	
<u>CAPITAL PROJECTS</u>						
TRANSPORTATION/OTHER CIP PROJECTS	17,000,000	-	17,000,000	6,910,141	(10,089,859)	CIP Budget
BUILDING REMOVAL	9,520,871	-	9,520,871	4,256,270	(5,264,601)	CIP Budget
<u>TOTAL CAPITAL PROJECTS</u>	26,520,871	-	26,520,871	11,166,411	(15,354,460)	
<u>TOTAL EXPENDITURES</u>	32,326,991	-	32,326,991	17,244,488	(15,082,503)	

FORT ORD REUSE AUTHORITY BOARD REPORT		
BUSINESS ITEMS		
Subject:	Consider Adoption of FORA FY 2019-2020 Annual Budget 2nd Vote	
Meeting Date:	June 14, 2019	INFORMATION/ACTION
Agenda Number:	8b	

RECOMMENDATION: Take a 2nd Vote on the following actions.

- | | |
|--|--------|
| i. Adopt FY 2019-2020 Annual Budget | ACTION |
| ii. Consider approval of staff proposed compensation and benefit adjustments | ACTION |

BACKGROUND:

The FORA Annual Budget is typically presented to the Board in May of each year. Prior to the budget being presented to the Board, the budget is first reviewed by the Finance Committee (FC). After completing their deliberations, the FC makes recommendations to the Board regarding budget matters, including the presentation format and fund availability for programmed projects, staffing, consultant support and obligations. Prior to Board consideration of those recommendations, the Executive Committee (EC), who is charged to provide Board recommendation regarding employment and personnel matters, considers staff proposed adjustments specific to staffing and/or benefit. The FC reviewed the draft budget on April 29, 2019 and the EC reviewed the compensation adjustment recommendations of April 30, 2019.

DISCUSSION:

This fiscal year budget was prepared in conjunction with the FY 19-20 CIP Budget. The CIP Budget will be presented in Business Item 8b.

The proposed budget charts with fund balance notes as directed by the FC are:

Attachment A - depicts the budget by individual funds

Attachment B - illustrates the combined funds overall budget as compared to FY 18-19 projected Budget.

Attachment C - itemizes expenditures and compares to projected FY 18-19 expenditures.

Significant budget impacts areas are discussed below:

The following summarizes the FY 19-20 (**Attachment A**) draft annual budget figures:

REVENUES

- **\$316,213 MEMBERSHIP DUES**

In addition to State law stipulated fixed membership dues of \$224,000, FORA collects dues from Marina Coast Water District (MCWD) under contract terms.

- \$461,065 FRANCHISE FEES

This amount represents MCWD's projected FY 19-20 payments to FORA from water and sewer operations on Fort Ord and associated fees.

- \$1,082,784 ENVIRONMENTAL SERVICES COOPERATIVE AGREEMENT

FORA retains funds for ESCA remediation program completion, including remaining Economic Development Conveyance (EDC) property transfers. The draft annual budget includes the FY 19-20 ESCA regulatory response and management/related expenses.

- \$6,104,257 DEVELOPMENT FEES

This reflects jurisdictional forecasts included in the CIP FY 19-20 budget.

- \$0 LAND SALE PROCEEDS

There are no land sale revenue anticipated in the FY 19-20 CIP budget.

- \$50,000 RENTAL PROCEEDS

Rental payments from leasing projects on the Former Fort Ord, including Ord Market, Las Animas Concrete, etc.

- \$3,198,185 PROPERTY TAX

Projected property tax revenue exceeding \$1.3 million is committed to funding the CIP.

- \$130,000 INVESTMENT/INTEREST INCOME

Anticipated income from FORA bank accounts and certificates of deposit (CD) including the Habitat Management CD.

EXPENDITURES

- \$2,131,332 SALARIES AND BENEFITS (Attachments C, D show breakdown)

Of the \$2.1M in salaries and benefits, \$447,812 is funded by ESCA. Proposed budget amount includes:

- 1) 2.0% COLA for eligible personnel.
Eligibility: Must be full time, employed with FORA for the past 12 months.
- 2) Retention benefit - In light of FORA's nearing sunset date, staff recommends a pool of funds to provide for employee retention, special assignments, and coverage for employee losses.
- 3) Staff Health Insurance Benefit. No change in benefit allowances from approved mid-year FY 18-19 Budget. Staff recommends maintaining at current approved allowances.
- 4) Staffing – Based on current known staffing levels anticipated for FY 19-20. Overall, there is a \$666K projected savings. This does not include any proposal from Regional Government Solutions (RGS) for any transition packages. RGS will make

a proposal to the Board and will be incorporated into the Budget as an amendment when approved by the Board.

**FC acknowledges funding availability for all items and EC recommends item 1*

- **\$538,245 SUPPLIES AND SERVICES (Attachment C)**

This expense category is increased slightly by \$2,220 from prior year. Significant increases are:

- 1) \$9,720 – IT/Computer Support – Staff has budgeted purchase of a new server as the current server requires replacement.
- 2) \$2,500 – Building maintenance – projected increase in cost of supplies and maintenance.

Significant decrease of \$10K for prevailing Wage Tech Support. With the transition of FORA Prevailing Wage/Risk Manager, FORA will not be renewing subscription.

- **\$2,838,500 IN CONTRACTUAL SERVICES (Attachment C)**

Contractual services increased \$386,150 from the previous FY. In addition to FORA's recurring consulting expenses such as the Annual Auditor, Public Information, Human Resources, and Legislative consultants, the budget includes increased and or significant costs for:

- 1) \$100,000 – FORA Sunset/Transition for Local Agency Formation Commission application and indemnification set aside fund, consultant fees (e.g. CEQA, financial, employee transition and legal).
- 2) \$280,000 – CIP related increase – Additional information will be presented with the FY 19-20 CIP Budget.
- 3) \$6,150 – It is anticipated that due to FORA transition, the auditors will be performing additional audit tests.

- **\$11,316,411 IN CAPITAL PROJECTS (Attachments B, C)**

The upcoming budget includes \$4.3M for the completion of the FORA building removal obligations at the Marina Stockade. The budget includes mandated/obligatory expenditures such as habitat management and UC Natural Reserve annual cost. Other capital projects are development fee collection dependent. The FY 19-20 CIP budget provides itemization and timing of capital projects to meet contractual Regional Urban Water Augmentation Project Recycled Water component reimbursements to MCWD, Davis Road South of Blanco Road reimbursements to County of Monterey, and South Boundary Road project funding needs.

OTHER/ACCOUNTING ENTRIES/FUND DESIGNATIONS

- 1) Release of \$4.7 million Reserve for operating funds. The Board approved a reserve only thru 6/30/2020.

- 2) Transfer of funds \$1M from General Fund and Land Sale to CFD/Tax Developer Fee Fund.


ENDING BALANCE/FORA RESERVE

It is anticipated that the combined fund balance at the end of the FY 19-20 will be more than \$27.5 million. To address the FORA sunset financial obligations, the Board has designated \$6.9 million for CalPERS pension liabilities, the set aside of \$17.8 million for Habitat Conservation reflects FORA Board policy of reserving 30.2 percent of the CFD fee collections for this purpose.

COORDINATION:

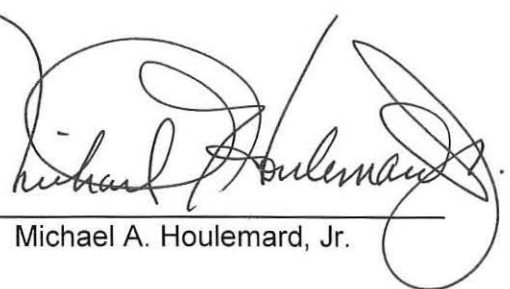
Finance Committee, Executive Committee, FORA Annual Auditor.

Prepared by



Helen Rodriguez, CPA

Approved by



Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY - FY 19-20 ANNUAL BUDGET - BY FUND

CATEGORY	SPECIAL REVENUE FUNDS (SRF)				TOTAL ANNUAL BUDGET
	GENERAL FUND	LEASES/ LAND SALE	CFD/Tax Developer Fees	ARMY ESCA	
REVENUES					
Membership Dues	316,213	-	-	-	316,213
Franchise Fees - MCWD	461,065	-	-	-	461,065
Federal Grants	-	-	-	1,082,784	1,082,784
Development Fees	-	-	6,104,257	-	6,104,257
Land Sale Proceeds	-	-	-	-	-
Rental/Lease Revenues	50,000	-	-	-	50,000
Property Tax Payments	1,300,000	-	1,898,185	-	3,198,185
Reimbursement Agreements	5,000	-	-	-	5,000
Investment/Interest Income	100,000	-	30,000	-	130,000
Other Income	-	-	-	-	-
Total Revenues	2,232,278	-	8,032,442	1,082,784	11,347,504
EXPENDITURES					
Salaries & Benefits	1,124,014	96,877	462,629	447,812	2,131,332
Supplies & Services	283,100	18,142	145,253	91,750	538,245
Contractual Services	1,398,129	26,238	870,911	543,222	2,838,500
Capital Projects	-	4,256,270	7,060,141	-	11,316,411
Total Expenditures	2,805,243	4,397,527	8,538,934	1,082,784	16,824,488
REVENUES OVER (UNDER) EXPENDITURES	(572,965)	(4,397,527)	(506,492)	-	(5,476,984)
OTHER FINANCING SOURCES (USES)					
Transfer In/(Out)	(1,057,600)	-	1,057,600	-	-
Total Other Financing Sources (Uses)	(1,057,600)	-	1,057,600	-	-
REVENUES & OTHER SOURCES OVER (UNDER) EXPENDITURES	(1,630,565)	(4,397,527)	551,108	-	(5,476,984)
FUND BALANCE-BEGINNING 7/1/19	11,375,280	4,397,527	17,271,527	-	33,044,334
FUND BALANCE-ENDING 6/30/20	9,744,715	-	17,822,635	-	27,567,350

Fund Balances

Committed/Assigned for:

CalPers Termination	\$ 6,940,000	\$ -	\$ -	\$ -	\$ 6,940,000
Operations	-	-	-	-	-
Habitat Management (HM/HCP)	-	-	17,822,635	-	17,822,635
Building Removal	-	-	-	-	-
CIP	-	-	-	-	-

Unassigned

Unassigned	2,804,715	-	-	-	2,804,715
Ending Fund Balance	9,744,715	-	17,822,635	-	27,567,350

FORT ORD REUSE AUTHORITY - FY 19-20 ANNUAL BUDGET - COMPARATIVE

CATEGORIES	FY 18-19 APPROVED MID-YEAR	FY 18-19 <u>Variances</u> <i>Projected thru 6/30/18</i>	FY 18-19 <u>PROJECTED</u>	FY 19-20 PRELIMINARY	NOTES
REVENUES					
Membership Dues	\$ 310,928	\$ 1,739	\$ 312,667	316,213	Based on MCWD's current projection
Franchise Fees - MCWD	721,557	(173,143)	548,414	461,065	Based on MCWD's current projection
Federal Grants	1,078,135	-	1,078,135	1,082,784	
Development Fees	10,734,756	(2,734,756)	8,000,000	6,104,257	
Land Sale Proceeds	-	-	-	-	
Rent Proceeds	50,000	-	50,000	50,000	
Property Taxes	2,974,613	-	2,974,613	3,198,185	
Reimbursement Agreements	5,000	-	5,000	5,000	
Investment/Interest Income	281,490	-	281,490	130,000	
TOTAL REVENUES	16,156,479	(2,906,160)	13,250,319	11,347,504	
EXPENDITURES					
Salaries & Benefits	2,797,745	-	2,797,745	2,131,332	
Supplies & Services	536,025	-	536,025	538,245	
Contractual Services	2,472,350	-	2,472,350	2,838,500	
Capital Projects (CIP)	26,520,871	(4,186,700)	22,334,171	11,316,411	
TOTAL EXPENDITURES	32,326,991	(4,186,700)	28,140,291	16,824,488	
REVENUES & OTHER SOURCES OVER (UNDER) EXPENDITURES	(16,170,512)	1,280,540	(14,889,972)	(5,476,984)	<i>Use of Fund Balance</i>
FUND BALANCES					
Beginning	47,934,306	-	47,934,306	33,044,334	
Ending	\$ 31,763,794	\$ 1,280,540	\$ 33,044,334	27,567,350	Ending Fund Balance
Fund Balances					
<i>Committed/Assigned for:</i>					
CalPers Termination	\$ 6,820,000		\$ 6,820,000	6,940,000	
Operations	4,700,000		4,700,000	-	
Habitat Management (HM/HCP)	17,113,239	(825,896)	16,287,343	17,822,635	
Building Removal	-	-	-	-	
CIP	3,103,871	-	3,103,871	-	
Unassigned	26,684	(171,404)	(144,720)	2,804,715	
Ending Fund Balance	\$ 31,763,794	\$ (997,300)	\$ 30,766,494	27,567,350	

FORT ORD REUSE AUTHORITY - FY 19-20 ANNUAL BUDGET - EXPENDITURE DETAIL

EXPENDITURE CATEGORIES	FY 18-19 Approved Mid-Year	FY 18-19 Variance Projected thru 6/30/19	Projected 6/30/19	FY 19-20 Proposed	Change from Prior Year	NOTES
						"N" indicates a new expense in FY 19-20 budget
<u>SALARIES AND BENEFITS (S & B)</u>	16 positions + 1 intern	16 positions + 1 intern	16 positions + 1 intern	17 positions + 1 intern		
SALARIES	1,967,512	-	1,967,512	1,377,880	(589,632)	2% COLA and Step, reclassification and staffing changes
BENEFITS/HEALTH, RETIREMENT, OTHER	680,233	-	680,233	518,693	(161,540)	CalPers increase offset by staffing changes
TEMP HELP/VACTION CASH OUT/STIPENDS	150,000	-	150,000	234,759	84,759	Retention, add'l assignment resulting from attrition due to sunset
TOTAL SALARIES , BENEFITS AND UAL	2,797,745	-	2,797,745	2,131,332	(666,413)	
<u>SUPPLIES AND SERVICES</u>						
PUBLIC & LEGAL NOTICES	8,000	-	8,000	8,000	-	
COMMUNICATIONS	8,000	-	8,000	8,000	-	
DUES & SUBSCRIPTIONS	25,000	-	25,000	25,000	-	
PRINTING & COPY	13,000	-	13,000	13,000	-	
SUPPLIES	16,000	-	16,000	16,000	-	
EQUIPMENT & FURNITURE	25,000	-	25,000	25,000	-	
VEHICLE AND MAINTENANCE	28,600	-	28,600	28,600	-	
TRAVEL & LODGING	35,000	-	35,000	35,000	-	
CONFERENCE, TRAINING & SEMINARS	25,000	-	25,000	25,000	-	
MEETING EXPENSES	15,750	-	15,750	15,750	-	
TELEVISED MEETINGS	7,000	-	7,000	7,000	-	
BUILDING MAINTENANCE & SECURITY	10,000	-	10,000	12,500	2,500	
FORA OFFICES RENTAL	180,000	-	180,000	180,000	-	
UTILITIES	14,175	-	14,175	14,175	-	
INSURANCE	34,000	-	34,000	34,000	-	
PAYROLL/ACCOUNTING SERVICES	7,500	-	7,500	7,500	-	
IT/COMPUTER SUPPORT	35,000	-	35,000	44,720	9,720	
RECORD ARCHIVING	11,000	-	11,000	11,000	-	
PREVAILING WAGE TECH SUPPORT/SOFTWARE	10,000	-	10,000	-	(10,000)	
Community Outreach/Marketing	25,000	-	25,000	25,000	-	
OTHER (POSTAGE, BANK FEES, MISC)	3,000	-	3,000	3,000	-	
TOTAL SUPPLIES AND SERVICES	536,025	-	536,025	538,245	2,220	
<u>CONTRACTUAL SERVICES</u>						
AUTHORITY COUNSEL	250,000	-	250,000	330,000	80,000	CIP related
LEGAL/LITIGATION FEES	185,000	-	185,000	285,000	100,000	CIP related
LEGAL FEES - SPECIAL PRACTICE	75,000	-	75,000	75,000	-	CIP related
AUDITORS	18,850	-	18,850	25,000	6,150	Anticipated standard 5% increase
SPECIAL COUNSEL (EDC-ESCA)	100,000	-	100,000	100,000	-	
ESCA/REGULATORY RESPONSE/ QUALITY ASSURANCE	460,000	-	460,000	460,000	-	
FINANCIAL CONSULTANT	175,000	-	175,000	225,000	50,000	CIP related
LEGISLATIVE SERVICES CONSULTANT	43,000	-	43,000	43,000	-	
PUBLIC INFORMATION/OUTREACH	20,000	-	20,000	20,000	-	
HCP CONSULTANTS	150,000	-	150,000	200,000	50,000	CIP related
FORA Sunset/Transition	650,000	-	650,000	750,000	100,000	Career Counseling, Consultants, LAFCO Indemnification Fund
REUSE PLAN IMPLEMENTATION	150,000	-	150,000	150,000	-	
ECONOMIC DEVELOPMENT	165,500	-	165,500	145,500	(20,000)	Increase CSUMB offset by Drone Grant/Symposium cost
PW WAGE CONSULTANTS	-	-	-	-	-	
OTHER CONSULTING/CONTRACTUAL EXP	30,000	-	30,000	30,000	-	
TOTAL CONTRACTUAL SERVICES	2,472,350	-	2,472,350	2,838,500	366,150	
<u>CAPITAL PROJECTS</u>						
TRANSPORTATION/OTHER CIP PROJECTS	17,000,000	-	17,000,000	6,910,141	(10,089,859)	CIP Budget
BUILDING REMOVAL	9,520,871	-	9,520,871	4,256,270	(5,264,601)	CIP Budget
TOTAL CAPITAL PROJECTS	26,520,871	-	26,520,871	11,166,411	(15,354,460)	
TOTAL EXPENDITURES	32,326,991	-	32,326,991	16,674,488	(15,652,503)	

FORT ORD REUSE AUTHORITY BOARD REPORT		
CONSENT AGENDA		
Subject:	Del Rey Oaks Pollution Legal Liability Loan Retirement	
Meeting Date:	June 14, 2019	ACTION
Agenda Number:	8c	

RECOMMENDATION:

Authorize the Executive Officer to enter into a memorandum of understanding with the City of Del Rey Oaks ("DRO") that establishes a payment schedule in order for DRO to retire \$552,961 in principal debt to FORA prior to June 30, 2020.

BACKGROUND:

In March 2019, Executive Officer Michael A. Houlemard, Jr. sent a letter to the City of Del Rey Oaks ("DRO") requesting repayment of an outstanding loan from FORA for DRO's share of the Pollution Legal Liability Insurance Policy in the amount of \$597,697.41. In response, DRO sent a letter with a proposal to make an initial payment of \$211,000 and monthly payments of \$15,000 until the loan is fully paid. DRO also requested that FORA adjust the interest rate of the loan to 2%.

At their April 30, 2019 meeting, the Finance Committee reviewed the initial request from DRO and provided direction to the Executive Officer to respond to the request outlining the Committee's willingness to consider a payment schedule and terms that pays off the loan before the sunset of FORA on June 30, 2020. The Finance Committee felt that any adjustments in interest would need to demonstrate a benefit to FORA. The Committee also expressed concern about if the proposed might be a gift of public funds. DRO responded with an updated proposal to pay off the principal amount of the loan of \$552,961 by making an initial payment of \$211,000 and monthly payments of \$28,500 beginning July 1, 2019, with the last payment being made on June 1, 2020.

DISCUSSION:

Since 2014, FORA and DRO have been relying on sale of DRO's former Fort Ord lands to retire this debt. Since it is unlikely that DRO will sell a significant portion of its lands before June 30, 2020, it is critical that FORA and DRO negotiate a repayment schedule that retires this debt.

Authority Counsel has reviewed this matter and does not believe that a bargained for reduction of the interest rate in exchange for an acceleration of the payment schedule constitutes a gift of public funds.

Staff finds that the benefit of receiving these funds, and using them in the near-term to meet FORA liabilities, could be substantial. DRO has also indicated that they will need to access NON-FORA Fort Ord funds to repay the loan.

FISCAL IMPACT:

Reviewed by FORA Controller 

Repayment of \$552,961 in principal will positively impact FORA's fund balances. The loss of some potential interest earnings (approximately \$56,000 if the 5% interest rate were maintained) would be offset by the assurance of receiving full repayment of principal prior to FORA's June 30, 2020 dissolution. Staff time for this is included in the approved FORA budget.

COORDINATION:

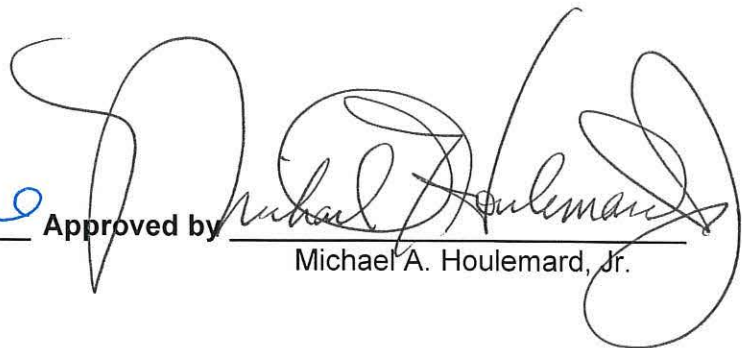
Executive Officer, Finance Committee, and Del Rey Oaks Staff.

Prepared by



Heidi Lizarbe

Approved by



Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	Administrative Consistency Determination for Entitlement: Seaside Senior Living	
Meeting Date:	June 14, 2019	INFORMATION/ACTION
Agenda Number:	8d	

RECOMMENDATION(S):

- i. Receive a report from the Executive Officer regarding the Seaside Senior Living Project ("Project") Development Entitlement Consistency Determination per Section 8.02.030 of the Fort Ord Reuse Authority ("FORA") Master Resolution.
- ii. Conduct a hearing and consider the Executive Officer's concurrence in City of Seaside's ("Seaside's") development entitlement consistency determination if:
 - a. An appeal is received within the 10-day (Master Resolution Section 8.01.050) or 15-day (Master Resolution Section 8.03.070) appeal response terms; **OR**
 - b. A Board member requests that a hearing be conducted on this Project within the 35-day response term (Master Resolution Section 8.01.040) (response term begins June 7, 2019).

BACKGROUND:

Seaside submitted the Project for consistency determination on May 9, 2019. Seaside's submittal is available through the following link:

<https://fora.org/Board/2019/ConsistencyDetermination/SeasideSeniorLiving/ConsistencyDetermination.pdf>

The Project consists of approval of a use permit application for the construction of a 144-bed Residential Care Facility. FORA staff reviewed the financial components of the Project and determined that the Project will meet FORA's fair share requirements.

Seaside requested Development Entitlement Consistency review of the Project in accordance with Section 8.02.030 of the FORA Master Resolution, which does not require Board approval. Under state law, as codified in FORA's Master Resolution, consistency determinations for legislative land use decisions (plan level documents such as General Plans, Zoning Codes, Specific Plans, Redevelopment Plans, etc.) differ from development entitlement consistency determinations for projects under approved General Plan and Zoning designations. By law, legislative land use decisions must be scheduled for FORA Board review under strict timeframes. Development entitlements are treated differently by the law; unless appealed to the FORA Board, they are reviewed by staff to determine consistency with the Fort Ord Reuse Plan (Reuse Plan). The legislative framers wrote the law this way in recognition of the volume of development entitlements expected to be processed.

DISCUSSION:

Rationale for consistency determinations: FORA staff finds that there are several defensible rationales for making an affirmative consistency determination. Sometimes additional information is provided to buttress those conclusions. The Reuse Plan is a framework for development, not a precise plan to be mirrored. However, there are thresholds set in the resource-constrained Reuse Plan that may

not be exceeded without other actions, most notably 6,160 new residential housing units and a finite water allocation. The Project's conformance to the specific consistency criteria is discussed herein.

DEVELOPMENT ENTITLEMENT CONSISTENCY (FROM SECTION 8.02.030 OF THE FORA MASTER RESOLUTION)

(a) In the review, evaluation, and determination of consistency regarding any development entitlement presented to the Authority Board pursuant to Section 8.01.030 of this Resolution, the Authority Board shall withhold a finding of consistency for any development entitlement that:

(1) Provides an intensity of land uses, which is more intense than that provided for in the applicable legislative land use decisions, which the Authority Board has found consistent with the Reuse Plan;

The Project does not provide for an intensity of land uses greater than those allowed in previous legislative land use decisions consistency determinations. The 2004 Seaside General Plan was updated on August 5, 2004 and found to be consistent with the BRP by FORA on December 10, 2004. The FORA Board report identified and discussed differences between the 2004 Seaside General Plan Land Use Map and BRP Land Use Plan Concept. Some of these differences were due to Army and Seaside property exchange negotiations. The FORA Board made findings that the differences on the City's Land Use Map did not, on balance, change the cumulative effects of the BRP, did not result in any site-specific effects, did not result in conflicts with BRP policies and programs, and did not lead to population or water demand in excess of the BRP and Development Resources Management Plan. The Project implements the 2004 Seaside General Plan and, likewise, would not allow more intense land uses than provided for in the Seaside General Plan.

(2) Is more dense than the density of development permitted in the applicable legislative land use decisions which the Authority Board has found consistent with the Reuse Plan;

The Project location, size, and operating characteristics are compatible with the character of the site, the land uses, and development intended for the surrounding area by the Seaside General Plan.

(3) Is not conditioned upon providing, performing, funding, or making an agreement guaranteeing the provision, performance, or funding of all programs applicable to the development entitlement as specified in the Reuse Plan and in Section 8.02.020 of this Master Resolution and consistent with local determinations made pursuant to Section 8.02.040 of this Resolution;

In review of Seaside's submittal, the Project will conform with applicable programs specified in the Reuse Plan and in Section 8.02.020 of the FORA Master Resolution.

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

The Project does not conflict with, and is not incompatible with, the open space, recreational, or habitat management areas within FORA's authority.

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

The Project is required to pay its fair share of the basewide infrastructure costs through payment of the FORA Community Facilities District ("CFD") special tax.

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

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

(7) Is not consistent with the Highway 1 Design Corridor Design Guidelines as such guidelines may be developed and approved by the Authority Board; and

The Project complies with Highway 1 Design Corridor Design Guidelines. Seaside staff submitted a Regional Urban Design Guidelines (RUDG) checklist, and completed the Highway 1 Design Corridor Design Guidelines section to show that the Project is in conformance with the height restrictions, signage restrictions, and other objectives of the guidelines.

(8) Is not consistent with the jobs/housing balance requirements developed and approved by the Authority Board as provided in Section 8.02.020(t) of this Master Resolution.

The Project will support implementation of jobs/housing balance requirements through maintaining employment opportunities. Construction-related and post-construction permanent service jobs will be created with the new residential care facility.

Additional Considerations:

(9) Adoption of required programs from section 8.02.040 of the FORA Master Resolution.

In review of Seaside's submittal, the Project conforms with applicable Reuse Plan programs, the Habitat Management Plan, the Reuse Plan Development and Resource Management Plan, the Reuse Plan Environmental Impact Report, and the FORA Master Resolution.

(10) Is not consistent with FORA's prevailing wage policy, section 3.03.090 of the FORA Master Resolution.

The Project does not modify prevailing wage requirements for future development entitlements within Seaside's former Fort Ord jurisdiction. Seaside has made the Project developers aware of the prevailing wage policy.

Conclusion: Based on the preceding analysis, the Executive Officer concurs with Seaside that the Project is consistent with the Reuse Plan and the FORA Master Resolution. The Project will be required to pay the FORA CFD special tax before issuance of building permits.

FISCAL IMPACT:

Reviewed by FORA Controller 

This consistency review is regulatory in nature and should have no direct fiscal, administrative, or operational impact. Staff time for this item is included in the approved annual budget.

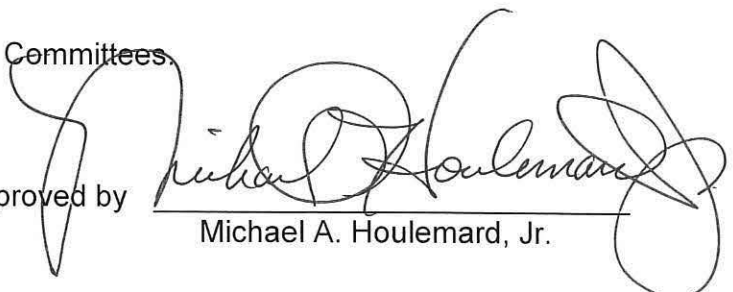
COORDINATION:

Authority Counsel, Administrative and Executive Committees

Prepared by


Jonathan Brinkmann

Approved by


Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	Special District Risk Management Authority Board of Directors Election	
Meeting Date:	June 14, 2019	ACTION
Agenda Number:	8e	

RECOMMENDATION:

- i. Consider Special District Risk Management Authority (SDRMA) Board of Directors Election.
- ii. Provide direction to staff on how to support the Boards participation.

BACKGROUND:

As a member of SDRMA, FORA may vote in SDRMA Board elections, which is currently seeking to fill three open seats. On May 2, 2019, SDRMA's Election Committee reviewed nomination documents submitted by the candidates in accordance with SDRMA policy No. 2017-10 Establishing Guidelines for Director Elections. The Election Committee confirmed that five candidates met the qualification requirements, and those names were included on the Official Election Resolution Ballot distributed to SDRMA members. The Statements of Qualifications submitted by each candidate are attached for Board review (**Attachment A**).

After selecting three of the five candidates, the FORA Board of Directors must approve the Official Election Resolution and Ballot provided by SDRMA (**Attachment B**). The signed Ballot and Resolution must be received by SDRMA no later than Wednesday August 21, 2019.

FISCAL IMPACT:

Reviewed by FORA Controller 

There is no direct fiscal impact to FORA. Staff time for this is included the approved FORA budget.

COORDINATION:

Executive Officer.

ATTACHMENTS:

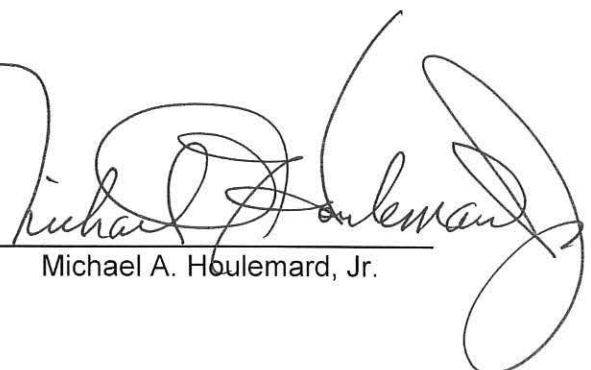
Attachment A: Candidate Statement of Qualifications

Attachment B: SDRMA Official Election Resolution

Prepared by


Heidi Lizarbe

Approved by


Michael A. Houlemard, Jr.

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – no attachments will be accepted. No statements are endorsed by SDRMA.

Candidate* Bob Swan

District/Agency Groveland Community Services District (GCSD)

Work Address P.O. Box 350, Groveland, CA 95321

Work Phone (209) 962-7161

Home Phone (408) 398-4731

*The name or nickname and any designations (i.e. CPA, SDA, etc.) you enter here will be printed on the official ballot, exactly as submitted.

Why do you want to serve on the SDRMA Board of Directors? (Response Required)

I am a current Board member. I would like to be elected to a second term because:

1. As a board member of Groveland CSD, I am particularly aware of the great value that smaller districts get from SDRMA, and I'd like to continue to do my part to make sure that this important agency continues to operate smoothly and stably into the indefinite future.
2. The insurance market in California (and nationwide) is going through a period of rapid change. The Board and staff are engaged in a major re-evaluation of SDRMA's approach to fulfilling its mission of providing cost-effective risk management services to its members. I believe that it is important to maintain Board continuity in this effort.
3. SDRMA Board members are either board members ("electeds") or employees of a member agency. I think there is value in having a balance between elected and employee Board members. The Board seats that are NOT up for election are currently 3 employees / 1 elected. I'd like to make sure the new Board has at least 2 elected members.

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) (Response Required)

1. SDRMA Board Member since 2016. This year (2019), I serve as Secretary. During our "no CEO" period in late 2017 - early 2018, I was a member of the ad hoc Personnel Committee. I am also a member of the Alliance Executive Council, and a backup member of the Legislative Committee.
2. Groveland CSD Board Member since I was appointed in June 2013. For the years 2014-2018, I served as Board President. (We finally implemented mandatory rotation of the office in 2019).
3. Member of the Board of Southside Community Connections, a local nonprofit in Groveland that provides educational, social, and recreational services to seniors, as well as free transportation to those who cannot drive.
4. Board Member (currently Treasurer) of Pine Cone Performers, a local choral and acting group, since 2010.
5. Back during my work life, I was a corporate representative on an IEEE standards committee concerned with wireless networking. It was very educational being on a committee where the members had widely differing (competing) goals.

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

**What special skills, talents, or experience (including volunteer experience) do you have?
(Response Required)**

History: BS Physics, MS Computer Science. 3 years in USAF. 30 years in the semiconductor industry, first as an engineering manager, later as a business unit manager. Now retired (so I have plenty of time).

Skills, etc.: Very familiar with financial reports, cost accounting, quantitative analysis. Working knowledge of modern computer and communications technology. Managed distributed organizations with up to 150 technical people and up to \$120M in annual sales. Pretty good at listening to different views, and helping to achieve consensus (or, at least, compromise).

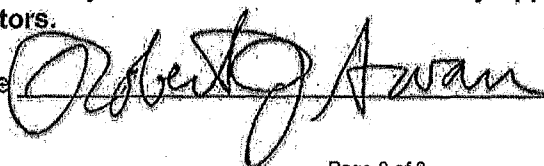
What is your overall vision for SDRMA? (Response Required)

Well, obviously I support our (newly revised) vision statement: "To be the exemplary public agency risk pool of choice for California special districts and other public agencies". In order to achieve this vision, I believe the key issues are:

1. Maintain long term financial stability. This includes ensuring that there is a fair allocation of cost versus risk across the pool membership.
2. Continue to retain / acquire highly qualified staff, and ensure that this is a desirable place to work.
3. Remember who are our target clientele, which in my opinion are small to mid-sized districts with limited options for insurance.
4. In light of ever-evolving California workers-compensation law, expand risk-management training even further than we now provide.
5. Maintain good relations with our re-insurers (who insulate us from catastrophe). In the long run, explore the possibility of joining a "captive" re-insurer to improve stability.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature

 Date 4-24-2019

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – no attachments will be accepted. No statements are endorsed by SDRMA.

Candidate* Jesse D. Claypool

District/Agency Honey Lake Valley Resource Conservation District

Work Address USDA Service Center 170 Russell Avenue, Suite C Susanville, CA 96130

Work Phone 530-257-7271 ext 100

Home Phone 530-310-0232

*The name or nickname and any designations (i.e. CPA, SDA, etc.) you enter here will be printed on the official ballot, exactly as submitted.

Why do you want to serve on the SDRMA Board of Directors? (Response Required)

My interest for being on the SDRMA Board of Directors is because I believe it is imperative for there to be a knowledgeable and experienced voice on the Board with the perspective of the small to mid-size special district, working together with the other SDRMA Board Members, to ensure relevant—affordable solutions are available to all size special districts.

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) (Response Required)

I am currently serving my fifth (5th) consecutive term as Chairman of the Board of a special district. I served two (2) yrs. on a Technical Advisory Committee for the prevention of violence against schools K-12. I served one (1) term on an elementary school board. I am currently serving my second (2nd) consecutive term on CSDA's committee for Professional Development. I am currently serving my sixth (6th) consecutive term on the board of a Regional Water Management Group. I am currently serving my second (2nd) consecutive term on CSDA's committee for Member Services. I am currently serving as a member of the County's Civil Grand Jury.

I have attended and completed the California School Board Association's New Board Member Training. I have Certificates of Completion from CSDA for General Manager Evaluation, Exercising Legislative Authority and Achieving Transparency. I attended and completed CSDA's Extraordinary Leader training. I attended and completed CSDA's Special District Leadership Academy and I have received CSDA's Recognition in Special District Governance certificate.

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

**What special skills, talents, or experience (including volunteer experience) do you have?
(Response Required)**

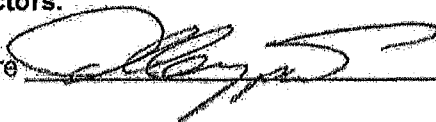
My experience with special districts and governance, belief in the importance of quality governing policies, the ability to work effectively with the other board members and staff and a desire to give back to SDRMA and its membership will be what I bring to the SDRMA Board of Directors.

What is your overall vision for SDRMA? (Response Required)

For SDRMA to continually advance as an industry leader providing affordable solutions for special districts of any size enabling them to be effective within the communities they serve.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature



Date

4-26-19

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – no attachments will be accepted. No statements are endorsed by SDRMA.

Candidate* Patrick K. O'Rourke, MPA/CFRM

District/Agency Redwood Region Economic Development Commission (RREDC)

Work Address 520 E Street Eureka, CA 95501

Work Phone 707-445-9651

Home Phone 707-726-6700

*The name or nickname and any designations (i.e. CPA, SDA, etc.) you enter here will be printed on the official ballot, exactly as submitted.

Why do you want to serve on the SDRMA Board of Directors? (Response Required)

I have considerable interest, knowledge, and experience in board leadership; board service; and board governance/policy development & oversight in for-profits, nonprofits, a joint powers authority/SDRMA member organization, and as an elected city councilman. I also have considerable experience (as a top-level executive board leader and manager) in organizational risk management and risk mitigation/prevention. I would like to share my knowledge, skills, abilities, and experience in service to SDRMA members, via my service on SDRMA's board of directors. I believe that my knowledge, experience, and dedication to excellence and implementation of best practices in governance and policy development/oversight will serve SDRMA well, and will assist SDRMA in maintaining its "Excellence" accreditation via the California Association of Joint Powers Authorities (CAJPA).

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) (Response Required)

Having served in board leadership roles (25+ years in for-profit entities; 25+ years in nonprofit & private/public foundations; and 2+ years in a Joint Powers Authority [SDRMA member organization]), I am well-versed and experienced in board governance; policy development; financial statement analysis and budget review; executive management search/selection, oversight and evaluation; organizational risk management/mitigation; litigation oversight; and best practices in organizational governance. At SDRMA member organization, Redwood Region Economic Development Commission (RREDC), I have served as 2019 Immediate Past Chair; 2018 Board Chair; 2017 Vice Chair; Chair of Executive Committee; and Member of the Loan Committee. I have in-depth knowledge of policy governance (Culver, et al.); I am an advocate for transparency & best practices; and I am knowledgeable & experienced in California's Ralph M. Brown Act and Roberts Rules of Order. I have also served in board governance and board leadership roles in several nonprofit organizations and in both public and private foundations, including as Board Chair (12+ years) and in President & Vice President roles. I have also Chaired Search/Selection committees; Public Relations committees; Fund Development committees; and Finance/Audit committees.

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

**What special skills, talents, or experience (including volunteer experience) do you have?
(Response Required)**

Besides holding a Master of Public Affairs degree, with a specialty in nonprofit management; having completed all coursework and written/oral exams (all except dissertation) for a PhD in Mass Communication, with a specialty in public relations and a cognate in organizational communication management, I have several other directly-relevant skills/talents/experience including: I am expertly adept at executive-level relationship development and stewardship, and have served as an organizational & industry advocate and liaison working closely with community organizations, local/county/state elected officials, and public/private entities/organizations and foundations. I am expertly adept at financial and operational analysis, and at asset/portfolio management and risk mitigation. I have taught for-credit university courses in corporate leadership; in entrepreneurial leadership research and practice; as well as having published peer-reviewed academic research on leadership in public relations.

What is your overall vision for SDRMA? (Response Required)

My vision for SDRMA would be for SDRMA to continue to add value to its members; operate with the highest ethical practices and transparency; continue in providing excellence in service, education, safety and compliance training; help members to mitigate and reduce risk; provide expedient claims review and response; provide members with state-of-the-art education and information; educate members to minimize losses/risk in member workplaces; and to continue to provide members with comprehensive coverage for property/liability, workers comp, and health benefits.

I would envision SDRMA management and staff enjoying a quality of life that will ensure their happiness and continue an atmosphere of dedicated service to SDRMA members. I would also envision that SDRMA will continue to operate with efficiencies that minimize costs/expenses, continue to enable SDRMA to maintain competitive premium rates, and (when possible) lower organizational and member costs. I would also envision a governing board that embraces and employs best governing practices in all areas of policy development; executive management oversight; financial review/audit; and in investing and spreading portfolio assets to minimize portfolio investment risks and maximize return on investments. Finally, I would envision SDRMA, and its management team/staff, operating in ways that will continue to earn accreditation "Excellence" from the California Association of Joint Powers Authorities (CAJPA).

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature _____

Date _____

3/25/2019

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates. No statements are endorsed by SDRMA.

Candidate* Sandy Seifert-Raffelson

District/Agency Herlong Public Utility District

Work Address 447-855 Plumas St., P o Box 115, Herlong, CA 96113

Work Phone (530) 827-3150 Cell Phone (530) 310-4320

*The name or nickname and any designations (i.e. CPA, SDA, etc.) you enter here will be printed on the official ballot, exactly as submitted.

Why do you want to serve on the SDRMA Board of Directors?

I am a current Board member of SDRMA and feel that I have added my financial background to make better informed decisions for our members. As a Board member, I continue to improve my education of insurance issues and look forward to representing small District's and Northern California as a voice on the SDRMA Board. I feel I am an asset to the Board with my degree in Business and my 30 plus years' experience in accounting and auditing.

I understand the challenges that small District face every day when it comes to managing liability insurance, worker's compensation and health insurance for a few employees with limit revenue and staff. My education and experience give me an appreciation of the importance of risk management services and programs, especially for smaller District that lack expertise with insurance issues on a daily basis.

I feel I am an asset to this Board, and would love a chance to stay on 4 more years!

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization)

While serving on the SDRMA Board, I have been privilege to be Secretary of the Board for two years, and currently the Vice-President. I have served on CSDA's Audit and Financial Committee's for 6 years; I have served on the SDLF Board; Northeastern Rural Health Clinic Board; Fair Board; School and Church boards; 4-H Council and leader for 15 years; and UC Davis Equine Board. In the past 25 years, I have learn that there is no "I" in Board and it can be very rewarding to be part of a team that makes a difference for others.

As part of my many duties working with Herlong PUD, I worked to form the District and was directly involved with LAFCo, Lassen County Board of Supervisors and County Clerk to establish the initial Board of Directors and first Policies for HPUD. I have administered the financial portion of 2 large capital improvement project with USDA as well as worked on the first ever successful water utility privatization project with the US Army and Department of Defense. I am currently working on a 4.2 million grant from California for new infrastructure for the small District HPUD absorb through LAFCo in 2017. I am also the primary administrator of a federal contract for utility services with the Federal Bureau of Prison and the US Army.

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

What special skills, talents, or experience (including volunteer experience) do you have?

I have my Bachelor's Degree in Business with a minor in Sociology. I have audited Small Districts for 5 years, worked for a Small District for almost 15 years and have over 30 years of accounting experience. I am a good communicator and organizer. I have served on several Boards and feel I work well within groups or special committee. I am willing to go that extra mile to see things get completed.

I believe in recognition for jobs well done. I encourage incentive programs that get members motivated to participate and strive to do their very best to keep all losses at a minimum and reward those with no losses.

I have completed my Certificate for Special District Board Secretary/Clerk Program in both regular and advance course work through CSDA and co-sponsored by SDRMA. I have completed the CSDA Special District Leadership Academy and Special District Governance Academy. I am in the processes of getting my small District re-certified for their District of Transparency and hope one day to attain our District of Distinction.

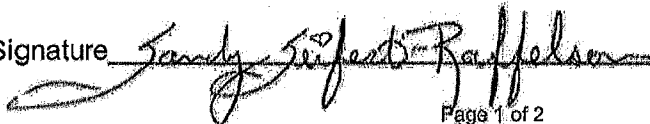
I work for a District in Northeastern California that has under gone major changes from a Cooperative Company to a 501c12 Corporation, to finally a Public Utility District. I have worked with LAFCo to become a District. Also our small District consolidated another small District into our District. Through past experience I feel I make a great Board member representing the small districts of Northern California and their unique issues and will make decisions that would help all rural/small districts.

What is your overall vision for SDRMA?

For SDRMA to be at the top of the risk management field and to continue communicating and listening to the needs of all California Special Districts and meeting those needs at a reasonable price that Special Districts can afford. I would like to continue education and rewards for no claims and explore avenues of financial endeavors that will benefit our customers.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature



Date

4/16/19

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates
– no attachments will be accepted. No statements are endorsed by SDRMA.

Candidate* James (Jim) M. Hamlin
District/Agency Burney Water District
Work Address 20222 Hudson St. Burney, Ca. 96013
Work Phone (530) 335-3582 Cell Phone _____

*The name or nickname and any designations (i.e. CPA, SDA, etc.) you enter here will be printed on the official ballot, exactly as submitted.

Why do you want to serve on the SDRMA Board of Directors? (Response Required)

Hope to serve and help with decisions being made to both strengthen SDRMA and
move into new areas. Our districts are facing new challenges constantly.

**What Board or committee experience do you have that would help you to be an effective Board Member?
(SDRMA or any other organization) (Response Required)**

See Next

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

What special skills, talents, or experience (including volunteer experience) do you have? (Response Required)

September 1972 until January 2014, owned and operated a Insurance brokerage
Sold business and retired.

Board Member of Mayers Memorial Hospital District From 1990 until 2014
Served on the Associal of Hospital Districts for six years.

Served on the board of Burney Water District the previous six years. Current
Serving on Mayers Memorial Hospital Financial Board.

What is your overall vision for SDRMA? (Response Required)

SDRMA Board must be strong and protect the concerns of their members. Need
to have a listening ear for the districts that are represented. Need to
use caution when jumping into new areas, not jepordise their strong programs
and beliefs for new programs.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature

James M. Hamble

Date

3-27-2019

OFFICIAL 2019 ELECTION BALLOT
SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY
BOARD OF DIRECTORS

VOTE FOR ONLY THREE (3) CANDIDATES

Mark each selection directly onto the ballot, voting for no more than three (3) candidates. Each candidate may receive only one (1) vote per ballot. A ballot received with more than three (3) candidates selected will be considered invalid and not counted. All ballots must be sealed and received by mail or hand delivery in the enclosed self-addressed, stamped envelope at SDRMA on or before 4:30 p.m., Wednesday, August 21, 2019. Faxes or electronic transmissions are NOT acceptable.

- ☐ **BOB SWAN (INCUMBENT)**
Board Member, Groveland Community Services District
- ☐ **JESSE D. CLAYPOOL**
Board Chair, Honey Lake Valley Resource Conservation District
- ☐ **PATRICK K. O'ROURKE, MPA/CFRM**
Board Member, Redwood Region Economic Development Commission
- ☐ **SANDY SEIFERT- RAFFELSON (INCUMBENT)**
Finance Manager/Treasurer, Herlong Public Utility District
- ☐ **JAMES (Jim) M. HAMLIN**
Board President, Burney Water District

ADOPTED this ____ day of _____, 2019 by the Fort Ord Reuse Authority at a public meeting by the following votes:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

ATTEST:

APPROVED:

RESOLUTION NO. 19-XX

A RESOLUTION OF THE GOVERNING BODY OF THE Fort Ord Reuse Authority FOR THE ELECTION OF DIRECTORS TO THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY BOARD OF DIRECTORS

WHEREAS, the Fort Ord Reuse Authority is a member of the Special District Risk Management Authority ("SDRMA") participating in the SDRMA workers' compensation coverage protection; and

WHEREAS, SDRMA is a Joint Powers Authority formed under California Government Code Section 6500 et seq., for the purpose of providing property, liability, and workers' compensation coverage protection and risk management services statewide exclusively for California public agencies.

WHEREAS, SDRMA's Sixth Amended and Restated Joint Powers Agreement specifies SDRMA shall be governed by a seven-member Board of Directors nominated and elected from the members who have executed the current operative agreement and are participating in a joint protection program; and

WHEREAS, SDRMA's Sixth Amended and Restated Joint Powers Agreement Article 7 - Board of Directors specifies that the procedures for director elections shall be established by SDRMA's Board of Directors; and

WHEREAS, SDRMA's Board of Directors approved Policy No. 2017-10 Establishing Guidelines for Director Elections specifies director qualifications, terms of office and election requirements; and

WHEREAS, Policy No. 2017-10 specifies that member agencies desiring to participate in the balloting and election of candidates to serve on SDRMA's Board of Directors must be made by resolution adopted by the member agency's governing body.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Fort Ord Reuse Authority selects the following candidates to serve as Directors on the SDRMA Board of Directors:

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEM

Subject:	2018 Transition Plan and Implementing Agreement Progress Report	
Meeting Date:	June 14, 2019	INFORMATION
Agenda Number:	8f	

RECOMMENDATION:

- i. Receive Fort Ord Reuse Authority ("FORA") 2018 Transition Plan and Implementing Agreement Progress Report.

BACKGROUND:

At the March 22, 2019 Board meeting and prior Board meetings the FORA Board requested that staff and consultants provide periodic updates regarding the status of the 2018 Transition Plan Implementation.

STATUS UPDATE- PENDING LEGISLATION:

Senator Manning introduced two bills related to the FORA Act. Senate Bill (SB) 189 and SB533. SB 189, as currently drafted, among other things, extends FORA and the community facilities district by two (2) years, creates a re-comprised 5-member board of the underlying land use jurisdictions to oversee property tax revenues, revision of the community facilities district ("CFD") boundaries and includes a California Environmental Quality Act ("CEQA") exemption. Attached please find copies of SB 189 in its current available form (**Attachment A**).

- It removes CSU Monterey Bay from the FORA recommended Successor Board language, leaving a 5-member board comprised of a representative from the underlying cities and County;
- It imposes a 2-year end date through 2022;
- It sustains the FORA CFO through 2022 and provides the ability for the boundaries to be modified by filing a revised boundary map;
- It dissolves property tax revenues beyond 2022, unless it is for debt issued by FORA prior to 2022;
- It retains the 50-50 land sales revenues split in place until 2022;
- It restructures the limited purpose and jurisdiction form of Board;
- It precludes the addition of any new capital improvement program projects after June 30, 2020; and
- It includes a CEQA exemption for the reorganization, noting CEQA is still required to be performed by the jurisdictions for individual projects.

Senate Bill 189 passed the State Senate 38-0. SB 533 regarding prevailing wage will not be heard this session.

TRANSITION PLANNING PROGRESS REPORT:

Since the March 8, 2019 Board meeting report, the facilitators have met with the various stakeholders and have compiled important background information. They met with the Administrative Committee on March 20, April 3, and June 5, 2019 to discuss transportation, transit, water, and other related

Implementing Agreement issues. They have begun discussion on transferring FORA's regional transportation obligations and offsite transportation reimbursement agreements to TAMC and the holdover jurisdictions, to be financed by impact fees created or in place at those agencies. They also are discussing Implementing Agreement language to transfer of certain FORA rights and obligations to MCWD relative to water supply and allocation, and provisions for the region to continue cooperation on regional housing solutions. Also, staff provided an update regarding the Implementing Agreements on May 15 and distributed the draft MCWD/“FORA” Implementing Agreement for review. Several members submitted comments on the draft MCWD Implementing Agreement in May as requested. The consultants have prepared a draft multi-agency Implementing Agreement that is under review by the Administrative Committee members in preparation for a discussion on June 19. Staff anticipates this draft agreement will be provided to the Board in July.

Staff will be prepared to make additional oral comments at the June 14, 2019 Board meeting.

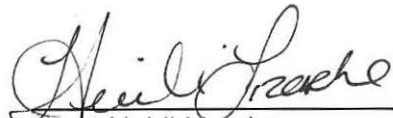
COORDINATION:

Executive Officer.

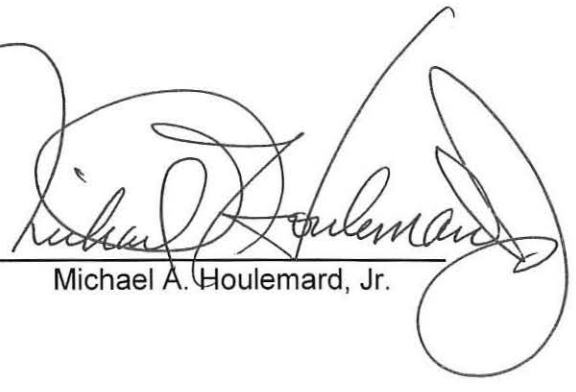
ATTACHMENTS:

Attachment A: Senate Bill 189

Prepared by


Heidi Lizarbe

Approved by


Michael A. Houlemard, Jr.



SB-189 Fort Ord Reuse Authority: member agencies: land use and zoning: dissolution. (2019-2020)

SHARE THIS:



Date Published: 05/17/2019 01:12 PM

AMENDED IN SENATE MAY 17, 2019

AMENDED IN SENATE APRIL 11, 2019

AMENDED IN SENATE APRIL 01, 2019

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

SENATE BILL

No. 189

Introduced by Senator Monning
(Coauthors: Assembly Members Robert Rivas and Mark Stone)

January 30, 2019

An act to amend ~~Sections 67652, 67655, 67660, and 67700~~ *Section 67675* of, ~~to add Section 67701 to,~~ and to *amend and* repeal Sections 67661, 67662, 67673, 67675.2, 67675.3, 67675.4, 67675.5, 67675.6, 67675.7, 67675.8, 67675.9, and 67690 of, *to amend, repeal, and add Sections 67652, 67655, 67660, 67679, and 67700 of, and to add Section 67701 to,* the Government Code, and to add Section 33492.79 to the Health and Safety Code, relating to military base reuse.

LEGISLATIVE COUNSEL'S DIGEST

SB 189, as amended, Monning. Fort Ord Reuse Authority: member agencies: land use and zoning: dissolution.

(1) Existing law, the Fort Ord Reuse Authority Act, establishes the Fort Ord Reuse Authority (the authority) to prepare, adopt, finance, and implement a plan for the use and development of the territory previously occupied by the Fort Ord military base in the County of Monterey. The act provides that the authority is governed by a board comprised of 13 members representing the County of Monterey and specified cities within the county, which the act designates as "member agencies." *The act provides that any local agency that does not adopt a resolution favoring establishment of the authority is not required to appoint a voting member to the board.*

This bill would reduce the size of the board from 13 members to 5 members and eliminate representation for certain cities. *The bill would delete the provision regarding a local agency not being required to appoint a voting member to the board.* The bill would require the vote of a majority of the total membership of the board to pass or act upon any matter properly before the board. *The bill would make these provisions operative on July 1, 2020.*

(2) Existing law requires the board to prepare, adopt, review, revise, and maintain a plan for the future use and development of the territory occupied by Fort Ord. Existing law requires the plan to include certain elements, including, among others, a 5-year capital improvement program, as provided.

This bill, on and after July 1, 2020, would prohibit any additions to the plan, including the capital improvement program.

~~(2)~~

(3) Existing law authorizes representatives of certain entities to serve as ex officio, nonvoting members of the board and authorizes the board to appoint or remove additional ex officio members at its pleasure. Existing law authorizes the board to appoint advisory committees to provide it with options, critique, analysis, and other information as it finds useful.

After adoption of a reuse plan by the board, existing law requires each county or city with territory occupied by Fort Ord to submit its general plan or amended general plan that meets certain requirements, or subsequent amendments to a certified plan, to the board and requires the board, after a noticed public hearing, to certify or refuse to certify the portion of the general plan that applies the territory of Fort Ord, as provided. Existing law similarly provides for the submission and review by the board of the county's or city's zoning ordinances, zoning district maps, and, where necessary, other implementing actions applicable to the territory of Fort Ord. Existing law provides that development review authority, with certain exceptions, is exercised by the applicable county or city, but prohibits a local agency from permitting, approving, or otherwise allowing a development or other change of use within the area of Fort Ord that is not consistent with the reuse plan adopted by the board. Existing law authorizes the board to review actions of each member agency regarding planning, zoning, and the issuance or denial of building permits within the area of Fort Ord, subject to specified limitations.

Existing law provides specific procedures regarding the preparation of an environmental impact report on the Fort Ord Reuse Plan that apply in the event that an environmental impact statement on the closure and reuse of Fort Ord has been filed pursuant to the federal National Environmental Policy Act of 1969.

Existing law authorizes the board to receive contributions from member agencies represented on the board. Existing law requires each member agency and each public agency represented by an ex officio member to contribute specified amounts to the authority.

This bill would repeal all of these ~~provisions:~~ *provisions on July 1, 2020.*

(4) Existing law authorizes the board to identify basewide public capital facilities described in the Fort Ord Reuse Plan, as provided, and requires the board to plan for and arrange for the provision of those facilities. Existing law requires the board to also identify significant local public capital facilities, but requires these facilities to be the responsibility of the city or county or redevelopment agency, as provided.

Existing law prohibits the board from constructing or otherwise acting to improve a local public capital facility without the consent of the city or county with land use authority over the area where the facility is or will be located. Existing law also prohibits, if all or any portion of the Fritzsche Army Air Field is transferred to the City of Marina, or if all or any portion of the 2 Army golf courses within the territory of Seaside are transferred to the City of Seaside, the board from considering those portions of the air field that continue to be used as an airport or those portions of the golf courses that continue in use as a golf course, from being basewide capital facilities. Existing law authorizes the board, among other things, to issue bonds to finance basewide public facilities.

This bill, on July 1, 2020, would delete the prohibitions described above, and would eliminate the board's authority to issue bonds to finance basewide public facilities.

~~(3)~~

(5) Under existing law, the Fort Ord Reuse Authority Act becomes inoperative when the board makes a specified determination regarding the development or reuse of the territory of Fort Ord or on June 30, 2020, whichever occurs first. Existing law repeals the act on January 1, 2021. Existing law requires the Monterey County Local Agency Formation Commission to provide for the orderly dissolution of the authority, as provided.

This bill would, instead, make the Fort Ord Reuse Authority Act inoperative on June 30, 2022, and repeal the act on January 1, 2023. The bill would require the authority to negotiate and secure successor agencies for all obligations under the transition plan no later than June 30, 2022. The bill would require the Monterey County Local Agency Formation Commission to provide for the orderly dissolution of the authority once an agreement with a successor agency has been finalized. The bill would require the transfer of specified revenues of the authority to the County of Monterey for disbursement to each underlying land use jurisdiction on a pro rata basis. The bill would specify that any financial obligation of the authority to which the County of Monterey succeeds as a result of the disbursement of remaining revenues or the retirement of debt does not constitute a debt or liability of the county, or any other member agency. *The bill would make these provisions operative on July 1, 2020.*

This ~~bill, on and after July 1, 2020,~~ *bill* would authorize the authority to take specified actions regarding its dissolution, including implementing the transition plan and collecting and disbursing specified revenues. The bill would authorize an underlying land use jurisdiction to adopt a substitute funding mechanism in lieu of the community facilities district established for the Fort Ord area if the jurisdiction commits to continue funding specified regional needs. The bill would also deem the transition plan to be within the scope of a specified categorical exemption from the California Environmental Quality Act. *The bill would make these provisions operative on July 1, 2020.*

~~(4)~~

(6) Existing law establishes procedures for the establishment and operation of all redevelopment project areas created within the area previously known as Fort Ord. Existing law, upon dissolution of the authority, requires that amounts allocated under a redevelopment plan that contains a provision for the division of taxes, if any levied upon taxable property within a redevelopment project, continue to be paid to the accounts of the authority insofar as needed to pay principal and interest or other amounts of debt incurred by the authority.

This bill would make these provisions governing the establishment and operation of redevelopment project areas created within Fort Ord inoperative as of the date of the dissolution of the Fort Ord Reuse Authority or the retirement of the authority's debt, whichever occurs later. The bill, upon dissolution of the authority or retirement of its debt, whichever occurs later, would require that any remaining property tax revenues allocated to the authority be transferred to the auditor-controller of the County of Monterey for appropriate distribution.

~~(5)~~

(7) This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Monterey.

~~(6)~~

(8) By adding to the duties of various local agencies with respect to the dissolution of the Fort Ord Reuse Authority, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 67652 of the Government Code is amended to read:

67652. The Legislature finds and declares as follows:

(a) The policy set forth in Section 67651 is most likely to be achieved if an effective governmental structure exists to plan for, finance, and carry out the transfer and reuse of the base in a cooperative, coordinated, balanced, and decisive manner.

(b) The County of Monterey and the Cities of Monterey, Salinas, Carmel, and Pacific Grove have requested the Legislature to establish a governmental structure for Fort Ord.

(c) This section shall remain in effect only until July 1, 2020, and as of that date is repealed.

SEC. 2. Section 67652 is added to the Government Code, to read:

67652. (a) The Legislature finds and declares as follows:

(1) The policy set forth in Section 67651 is most likely to be achieved if an effective governmental structure exists to plan for, finance, and carry out the transfer and reuse of the base in a cooperative, coordinated, balanced, and decisive manner.

(2) The transition plan, adopted by the Fort Ord Reuse Authority, will assure that ongoing, mandated requirements continue to be funded and addressed within the region covered by the authority, which will collect and distribute revenue for the limited environmental and infrastructure mission.

(b) This section shall become operative on July 1, 2020.

SEC. 3. *Section 67655 of the Government Code is amended to read:*

67655. Unless the context otherwise requires, the definitions contained in this chapter govern the construction of this title.

(a) "Authority" means the Fort Ord Reuse Authority.

(b) "Base-wide facility" means a public capital facility which, in the judgment of the board, is important to the overall reuse of Fort Ord, and has significance beyond any single city or the unincorporated area of the county.

(c) "Board" means the governing board of the authority, as specified in Section 67660.

(d) "Fort Ord Reuse Plan" means the plan for the future use of Fort Ord adopted pursuant to Section 67675.

(e) "Legislative body" means the city council of a city or the board of supervisors of a county, or the legislative body or governing board of any other public agency.

(f) "Local facility" means a public capital facility which, in the judgment of the board, is important primarily within a single city or the unincorporated area of the county.

(g) "Member agency" means the County of Monterey and the City of Carmel, the City of Del Rey Oaks, the City of Marina, the City of Sand City, the City of Monterey, the City of Pacific Grove, the City of Salinas, or the City of Seaside.

(h) "Fort Ord," including references to the territory or area of Fort Ord, means the geographical area described in the document entitled "Description of the Fort Ord Military Reservation Including Portion of the Monterey City Lands Tract No. 1, the Saucito, Laguna Seca, El Chamisal, El Toro and Noche Buena Ranchos, the James Bardin Partition of 1880 and Townships 14 South, Ranges 1 and 2 East and Townships 15 South, Ranges 2 and 3 East, M.D.B. and M. Monterey County, California," prepared by Bestor Engineers, Inc., and delivered to the Sacramento District Corps of Engineers on April 11, 1994.

(i) "Public capital facilities" means all public capital facilities described in the Fort Ord Reuse Plan, including, but not limited to, roads, freeways, ramps, air transportation facilities and freight hauling and handling facilities, sewage and water conveyance and treatment facilities, school, library, and other educational facilities, and recreational facilities, that could most efficiently and conveniently be planned, negotiated, financed, or constructed by the authority to further the integrated future use of Fort Ord.

(j) "Redevelopment authority," for purposes of the transfer of property at military bases pursuant to Title XXIX of the National Defense Authorization Act for the 1994 fiscal year, means the Fort Ord Reuse Authority, except that, with respect to property within the territory of Fort Ord that is transferred or to be transferred to the California State University or to the University of California, "redevelopment authority" solely for purposes of the transfer of property at military bases pursuant to Title XXIX of the National Defense Authorization Act for the 1994 fiscal year means the California State University or the University of California, and does not mean the Fort Ord Reuse Authority.

(k) This section shall remain in effect only until July 1, 2020, and as of that date is repealed.

SEC. 4. *Section 67655 is added to the Government Code, to read:*

67655. *Unless the context otherwise requires, the definitions contained in this chapter govern the construction of this title.*

(a) "Authority" means the Fort Ord Reuse Authority.

(b) "Base-wide facility" means a public capital facility which, in the judgment of the board, is important to the overall reuse of Fort Ord, and has significance beyond any single city or the unincorporated area of the county.

(c) "Board" means the governing board of the authority, as specified in Section 67660.

(d) "Community facilities district revenues" means the revenues collected by the authority pursuant to the Mello-Roos Community Facilities Act of 1982 (Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5).

(e) "Fort Ord Reuse Plan" means the plan for the future use of Fort Ord adopted pursuant to Section 67675.

(f) "Legislative body" means the city council of a city or the board of supervisors of a county, or the legislative body or governing board of any other public agency.

(g) "Local facility" means a public capital facility which, in the judgment of the board, is important primarily within a single city or the unincorporated area of the county.

(h) "Member agency" means the County of Monterey, the City of Del Rey Oaks, the City of Marina, the City of Monterey, or the City of Seaside.

(i) "Fort Ord," including references to the territory or area of Fort Ord, means the geographical area described in the document entitled "Description of the Fort Ord Military Reservation Including Portion of the Monterey City Lands Tract No. 1, the Saucito, Laguna Seca, El Chamisal, El Toro and Noche Buena Ranchos, the James Bardin Partition of 1880 and Townships 14 South, Ranges 1 and 2 East and Townships 15 South, Ranges 2 and 3 East, M.D.B. and M. Monterey County, California," prepared by Bestor Engineers, Inc., and delivered to the Sacramento District Corps of Engineers on April 11, 1994.

(j) "Property tax revenues" means the amount of property tax revenues allocated to the authority pursuant to Section 33492.71 of the Health and Safety Code.

(k) "Public capital facilities" means all public capital facilities described in the Fort Ord Reuse Plan, including, but not limited to, roads, freeways, ramps, air transportation facilities and freight hauling and handling facilities, sewage and water conveyance and treatment facilities, school, library, and other educational facilities, and recreational facilities, that could most efficiently and conveniently be planned, negotiated, financed, or constructed by the authority to further the integrated future use of Fort Ord.

(l) "Redevelopment authority," for purposes of the transfer of property at military bases pursuant to Title XXIX of the National Defense Authorization Act for the 1994 fiscal year, means the Fort Ord Reuse Authority, except that, with respect to property within the territory of Fort Ord that is transferred or to be transferred to the California State University or to the University of California, "redevelopment authority" solely for purposes of the transfer of property at military bases pursuant to Title XXIX of the National Defense Authorization Act for the 1994 fiscal year means the California State University or the University of California, and does not mean the Fort Ord Reuse Authority.

(m) "Transition plan" means the plan for the dissolution of the authority adopted by the board, as required by subdivision (c) of Section 67700.

(n) "Underlying land use jurisdiction" means, singularly or in the plural, the City of Monterey, the City of Del Rey Oaks, the City of Seaside, the City of Marina, or the County of Monterey.

(o) This section shall become operative on July 1, 2020.

SEC. 5. Section 67660 of the Government Code is amended to read:

67660. (a) The authority shall be governed by a board of 13 members composed of the following:

- (1) One member appointed by the City of Carmel.
- (2) One member appointed by the City of Del Rey Oaks.
- (3) Two members appointed by the City of Marina.
- (4) One member appointed by Sand City.
- (5) One member appointed by the City of Monterey.
- (6) One member appointed by the City of Pacific Grove.
- (7) One member appointed by the City of Salinas.
- (8) Two members appointed by the City of Seaside.
- (9) Three members appointed by Monterey County.

(b) Notwithstanding subdivision (a), any local agency that does not adopt a resolution favoring establishment of the Fort Ord Reuse Authority pursuant to Section 67656 shall not be required to appoint a voting member to the board. The failure of a local agency to appoint a voting member to the board pursuant to this subdivision shall not alter or reduce the powers and duties of the authority or the board in any manner.

(c) Each member agency may appoint one alternate for each of its positions on the board, and each alternate shall have all the rights and authority of a board member when serving in that board member's place.

(d) Each board member and each alternate shall be a member of the legislative body making the appointment, except that alternates appointed by the Monterey County Board of Supervisors shall be members of the board of supervisors or county staff. Board members and alternates shall serve at the pleasure of the member agency making the appointment.

(e) This section shall remain in effect only until July 1, 2020, and as of that date is repealed.

SEC. 6. *Section 67660 is added to the Government Code, to read:*

67660. *(a) The authority shall be governed by a board of five members composed of the following:*

(1) One member appointed by the City of Del Rey Oaks.

(2) One member appointed by the City of Marina.

(3) One member appointed by the City of Monterey.

(4) One member appointed by the City of Seaside.

(5) One member appointed by Monterey County.

(b) Each member agency may appoint one alternate for each of its positions on the board, and each alternate shall have all the rights and authority of a board member when serving in that board member's place.

(c) Each board member and each alternate shall be a member of the legislative body making the appointment, except that the alternate appointed by the Monterey County Board of Supervisors shall be a member of the board of supervisors or county staff. Board members and alternates shall serve at the pleasure of the member agency making the appointment.

(d) The vote of a majority of the total membership of the board shall be required to pass or act upon any matter properly before the board, and each member of the board shall have one vote.

(e) This section shall become operative on July 1, 2020.

SEC. 7. *Section 67661 of the Government Code is amended to read:*

67661. *(a) The following may serve as ex officio nonvoting members of the board:*

~~(a)~~

(1) A representative appointed by the Monterey Peninsula Community College District.

~~(b)~~

(2) A representative appointed by the Monterey Peninsula Unified School District.

~~(c)~~

*(3) A representative designated by the Member of Congress that has the majority portion of Ford Ord in ~~his or her~~ *their* Congressional District.*

~~(d)~~

*(4) A representative designated by the Senator that has the majority portion of Ford Ord in ~~his or her~~ *their* Senate District.*

~~(e)~~

*(5) A representative designated by the Assembly Member that has the majority portion of Ford Ord in ~~his or her~~ *their* Assembly District.*

~~(f)~~

(6) A representative designated by the United States Army.

~~(g)~~

(7) A representative designated by the Chancellor of the California State University.

~~(h)~~

(8) A representative designated by the President of the University of California.

~~(i)~~

(9) A representative designated by the Monterey County Water Resources Agency.

~~(j)~~

(10) A representative designated by the Transportation Agency of Monterey County.

(b) This section shall remain in effect only until July 1, 2020, and as of that date is repealed.

SEC. 8. Section 67662 of the Government Code is amended to read:

67662. (a) The board may appoint or remove additional ex officio nonvoting members at its pleasure.

(b) This section shall remain in effect only until July 1, 2020, and as of that date is repealed.

SEC. 9. Section 67673 of the Government Code is amended to read:

67673. (a) The board may, at its pleasure, appoint an additional advisory committee or committees to provide the board with options, critique, analysis, and other information as it finds useful, and may provide mechanisms through which a committee may report to the board.

(b) This section shall remain in effect only until July 1, 2020, and as of that date is repealed.

SEC. 10. Section 67675 of the Government Code is amended to read:

67675. (a) The board shall prepare, adopt, review, revise from time to time, and maintain a plan for the future use and development of the territory occupied by Fort Ord as of January 1, 1993. The adopted plan shall be the official local plan for the reuse of the base for all public purposes, including all discussions with the Army and other federal agencies, and for purposes of planning, design, and funding by all state agencies.

(b) Notwithstanding any other provision of this section, the board may adopt the "Final Base Reuse Plan" prepared by the Fort Ord Reuse Group as the Fort Ord Reuse Plan for purposes of this title. The plan adopted pursuant to this subdivision may serve as the Fort Ord Reuse Plan until July 1, 1996. The board may prepare elements described in subdivision (c) that are generally consistent with the adopted plan. After July 1, 1996, only a plan containing the required elements and fully satisfying the requirements of this title shall serve as the Fort Ord Reuse Plan.

(c) The Fort Ord Reuse Plan shall include all of the following elements:

(1) A land use plan for the integrated arrangement and general location and extent of, and the criteria and standards for, the uses of land, water, air, space, and other natural resources within the area of the base. The land use plan shall designate areas of the base for residential, commercial, industrial, and other uses, and may specify maximum development intensities and other standards and criteria. The land use plan shall provide for public safety.

(2) A transportation plan for the integrated development of a system of roadways, transit facilities, air transportation facilities, and appurtenant terminals and other facilities for the movement of people and goods to, from, and within the area of the base.

(3) A conservation plan for the preservation, development, use, and management of natural resources within the area of the base, including, but not limited to, soils, shoreline, scenic corridors along transportation routes, open spaces, wetlands, recreational facilities, historical facilities, and habitat of, or for, exceptional flora and fauna.

(4) A recreation plan for the development, use, and management of the recreational resources within the area of the base.

(5) A five-year capital improvement program that complies with the requirements of Section 65403. The program shall include an allocation of the available water supply, sewage treatment capacity, solid waste disposal capability, and other limited public service capabilities among the potential developments within the area of the base. The program shall also identify both of the following:

(A) Base-wide facilities identified pursuant to Section 67679.

(B) Local facilities that are in the county or a city with territory occupied by Fort Ord and that primarily serve residents of the county or that city.

(d) In addition to the plan elements required pursuant to subdivision (c), the plan may also include any element or subject specified in Section 65302.

(e) The Fort Ord Reuse Plan may provide for development to occur in phases, with criteria concerning public facility development and other factors that must be satisfied within each time phase.

(f) In preparing, adopting, reviewing, and revising the reuse plan, the board shall be consistent with approved coastal plans, air quality plans, water quality plans, spheres of influence, and other county-wide or regional plans required by federal or state law, other than local general plans, including any amendments subsequent to the enactment of this title, and shall consider all of the following:

(1) Monterey Bay regional plans.

(2) County and city plans and proposed projects covering the territory occupied by Fort Ord or otherwise likely to be affected by the future uses of the base.

(3) Other public and nongovernmental entity plans and proposed projects affecting the planning and development of the territory occupied by Fort Ord.

(g) On and after July 1, 2020, there shall be no additions to the plan required pursuant to this section, including the capital improvement program required pursuant to paragraph (5) of subdivision (c).

SEC. 11. Section 67675.2 of the Government Code is amended to read:

67675.2. (a) After the board has adopted a reuse plan, each county or city with territory occupied by Fort Ord shall submit its general plan or amended general plan to the board, which satisfies both of the following:

~~(a)~~

(1) The plan is submitted pursuant to a resolution adopted by the county or city, after a noticed public hearing, that certified that the portion of the general plan or amended general plan applicable to the territory of Fort Ord is intended to be carried out in a manner fully in conformity with this title.

~~(b)~~

(2) It contains, in accordance with guidelines established by the board, materials sufficient for a thorough and complete review.

(b) This section shall remain in effect only until July 1, 2020, and as of that date is repealed.

SEC. 12. Section 67675.3 of the Government Code is amended to read:

67675.3. (a) The board shall, within 90 days after the submittal, after a noticed public hearing, either certify or refuse to certify, in whole or in part, the portion of the general plan or amended general plan applicable to the territory of Fort Ord.

(b) Where a general plan or amended general plan is refused certification, in whole or in part, the board shall provide a written explanation and may suggest modifications, which, if adopted and transmitted to the board by the county or a city, will allow the amended general plan to be deemed certified upon confirmation of the executive officer of the board. The county or a city may elect to meet the board's refusal of certification in a manner other than as suggested by the board and may then resubmit its revised general plan to the board. If the county or a city requests that the board not recommend or suggest modifications which if made will result in certification, the board shall refuse certification with the required findings.

(c) The board shall approve and certify the portions of a general plan or amended general plan applicable to the territory of Fort Ord, or any amendments thereto, if the board finds that the portions of the general plan or amended general plan applicable to the territory of Fort Ord meets the requirements of this title, and is consistent with the Fort Ord Reuse Plan.

(d) This section shall remain in effect only until July 1, 2020, and as of that date is repealed.

SEC. 13. Section 67675.4 of the Government Code is amended to read:

67675.4. (a) Within 30 days after the certification of a general plan or amended general plan, or any portion thereof, the board shall, after consultation with the county or a city, establish a date for that county or city to submit the zoning ordinances, zoning district maps, and, where necessary, other implementing actions applicable to the territory of Fort Ord.

(b) If the county or a city fails to meet the schedule established pursuant to subdivision (a), the board may waive the deadlines for board action on submitted zoning ordinances, zoning district maps, and, where necessary, other implementing actions, as set forth in Section 67675.5.

(c) This section shall remain in effect only until July 1, 2020, and as of that date is repealed.

SEC. 14. Section 67675.5 of the Government Code is amended to read:

67675.5. (a) The county and cities shall submit to the board the zoning ordinances, zoning district maps, and, where necessary, other implementing actions applicable to the territory of Fort Ord that are required pursuant to this title.

(b) The board may only reject zoning ordinances, zoning district maps, or other implementing actions on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified general plan applicable to the territory of Fort Ord. If the board rejects the zoning ordinances, zoning district maps, or other implementing actions applicable to the territory of Fort Ord, it shall give written notice of the rejection specifying the provisions of the general plan with which the rejected zoning ordinances do not conform or which it finds will not be adequately carried out, together with its reasons for the action taken.

(c) The board may suggest modifications in the rejected zoning ordinances, zoning district maps, or other implementing actions, which, if adopted by the county or cities and transmitted to the board, shall be deemed approved upon confirmation by the executive officer of the board.

(d) The county or cities may elect to meet the board's rejection in a manner other than as suggested by the board and may then resubmit its revised zoning ordinances, zoning district maps, and other implementing actions to the board.

(e) This section shall remain in effect only until July 1, 2020, and as of that date is repealed.

SEC. 15. Section 67675.6 of the Government Code is amended to read:

67675.6. (a) Except for appeals to the board, as provided in Section 67675.8, after the portion of a general plan applicable to Fort Ord has been certified and all implementing actions within the area affected have become effective, the development review authority shall be exercised by the respective county or city over any development proposed within the area to which the general plan applies.

(b) Subdivision (a) shall not apply to any development proposed or undertaken on any tidelands, submerged lands, or on public trust lands, whether filled or unfilled, lying within the coastal zone.

(c) This section shall remain in effect only until July 1, 2020, and as of that date is repealed.

SEC. 16. Section 67675.7 of the Government Code is amended to read:

67675.7. (a) After the board has certified a general plan or an amended general plan, any amendments to that certified plan that are applicable to the territory of Fort Ord shall take effect only upon certification in the same manner as for the initially certified plan, as provided in this title.

(b) This section shall remain in effect only until July 1, 2020, and as of that date is repealed.

SEC. 17. Section 67675.8 of the Government Code is amended to read:

67675.8. (a) After the board has adopted a reuse plan pursuant to this title, any revision or other change to that plan which only affects territory lying within the jurisdiction of one member agency may only be adopted by the board if one of the following conditions is satisfied:

(1) The revision or other change was initiated by resolution adopted by the legislative body of the affected member agency and approved by at least a majority affirmative vote of the board.

(2) The revision or other change was initiated by the board or any entity other than the affected member agency and approved by at least a two-thirds affirmative vote of the board.

(b) (1) Notwithstanding any provision of law allowing any city or county to approve development projects, no local agency shall permit, approve, or otherwise allow any development or other change of use within the area of the base that is not consistent with the plan as adopted or revised pursuant to this title. Except as required by state or federal law, other than state law authorizing cities and counties to approve development projects, the board shall be the final judge of this consistency with the requirements of this title. The board may adopt regulations to ensure compliance with the provisions of this title. No local agency shall permit, approve, or otherwise allow any development or other change of use within the area of the base that is outside the jurisdiction of that local agency.

(2) Subject to the consistency determinations required pursuant to this title, each member agency with jurisdiction lying within the area of Fort Ord may plan for, zone, and issue or deny building permits and other development approvals within that area. Actions of the member agency pursuant to this paragraph may be reviewed by the board on its own initiative, or may be appealed to the board. Under no circumstances shall development approvals of the following categories be held to be inconsistent with the Fort Ord Reuse Plan:

(i) The construction of one single family house or one multiple family house not exceeding four units on a vacant lot within an area appropriately designated in the plan.

(ii) Improvements to existing single family residences or to existing multiple family residences not exceeding four units, including remodels or room additions.

(iii) Remodels of the interior of any existing building or structure.

(iv) Repair and maintenance activities that do not result in an addition to, or enlargement or expansion of, any building or structure.

(v) Installation, testing, and placement in service or the replacement of any necessary utility connection between an existing service facility and development approved pursuant to this chapter.

(vi) Replacement of any building or structure destroyed by a natural disaster.

(c) The board may require any public or private entity seeking to initiate a revision or other change to a plan adopted pursuant to this section to pay a charge or charges sufficient to cover the reasonable costs of reviewing, evaluating, preparing, adopting, and publishing the proposed revision or change.

(d) This section shall remain in effect only until July 1, 2020, and as of that date is repealed.

SEC. 18. *Section 67675.9 of the Government Code is amended to read:*

67675.9. (a) If an environmental impact statement on the closure and reuse of Fort Ord has been prepared and filed pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. Sec. 4321 et seq.), the board may proceed in the following manner:

~~(a)~~

(1) A notice of the preparation of an environmental impact report on the Fort Ord Reuse Plan shall be prepared pursuant to either Section 21080.4 or Section 21080.6 of the Public Resources Code, and shall include a description of the reuse plan and a copy of the environmental impact statement. The notice shall indicate that the board intends to utilize the environmental impact statement as a draft environmental impact report and requests comments on whether, and to what extent, the environmental impact statement provides adequate information to serve as a draft environmental impact report, and what specific additional information, if any, is necessary to comply with the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code). The notice shall also indicate the address to which written comments may be sent and the deadline for submitting comments.

~~(b)~~

(2) Upon the close of the comment period on the notice of preparation, the board may proceed with preparation of the environmental impact report on the reuse plan. The board shall, to the greatest extent feasible, avoid duplication and utilize information in the environmental impact statement consistent with this division. The draft environmental impact report shall consist of all or part of the environmental impact statement and any additional information that is necessary to prepare a draft environmental impact report in compliance with the California Environmental Quality Act.

~~(e)~~

(3) In all other respects, the environmental impact report for the reuse plan shall be completed in compliance with the California Environmental Quality Act.

(b) This section shall remain in effect only until July 1, 2020, and as of that date is repealed.

SEC. 19. Section 67679 of the Government Code is amended to read:

67679. (a) (1) The board shall identify those basewide public capital facilities described in the Fort Ord Reuse Plan, including, but not limited to, roads, freeway ramps, air transportation facilities, and freight hauling and handling facilities; sewage and water conveyance and treatment facilities; school, library, and other educational facilities; and recreational facilities, that serve residents or will serve future residents of the base territory and could most efficiently or conveniently be planned, negotiated, financed, constructed, or repaired, remodeled, or replaced by the board to further the integrated future use of the base. The board shall undertake to plan for and arrange the provision of those facilities, including arranging for their financing and construction or repair, remodeling, or replacement. The board may plan, design, construct, repair, remodel, or replace and finance these public capital facilities, or delegate any of those powers to one or more member agencies. Notwithstanding any other provision of law, no permit or permission of any kind from any city or county shall be required for any project undertaken by the board pursuant to this section.

(2) The board shall identify significant local public capital facilities, as distinguished from the basewide public capital facilities identified in the paragraph (1) which are described in the Fort Ord Reuse Plan. Local public capital facilities shall be the responsibility of the city or county with land use jurisdiction or the redevelopment agency if the facilities are located within an established project area and the board of the redevelopment agency determines that it will assume responsibility.

(3) The board may construct or otherwise act to improve a local public capital facility only with the consent of the city or county with land use authority over the area where the facility is or will be located. A city or county or a local redevelopment agency may construct or otherwise act to improve a basewide public capital facility only with the consent of the board.

(b) If all or any portion of the Fritzsche Army Air Field is transferred to the City of Marina, the board shall not consider those portions of the air field that continue to be used as an airport to be basewide capital facilities, except with the consent of the legislative body of the city. If all or any portion of the two Army golf courses within the territory of Seaside are transferred to the City of Seaside, the board shall not consider those portions of the golf courses that continue in use as golf courses to be basewide capital facilities, except with the consent of the legislative body of the city.

(c) The board may seek state and federal grants and loans or other assistance to help fund public facilities.

(d) The board may, in any year, levy assessments, reassessments, or special taxes and issue bonds to finance these basewide public facilities in accordance with, and pursuant to, any of the following:

(1) The Improvement Act of 1911 (Division 7 (commencing with Section 5000) of the Streets and Highways Code).

(2) The Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500) of the Streets and Highways Code).

(3) The Municipal Improvement Act of 1913 (Division 12 (commencing with Section 10000) of the Streets and Highways Code).

(4) The Benefit Assessment Act of 1982 (Chapter 6.4 (commencing with Section 54703)).

(5) The Landscape and Lighting Act of 1972 (Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code).

(6) The Integrated Financing District Act (Chapter 1.5 (commencing with Section 53175) of Division 2 of Title 5).

(7) The Mello-Roos Community Facilities Act of 1982 (Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5).

(8) The Infrastructure Financing District Act (Chapter 2.8 (commencing with Section 53395) of Division 2 of Title 5).

(9) The Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1).

(10) The Revenue Bond Act of 1941 (Chapter 6 (commencing with Section 54300) of Division 2 of Title 5).

(11) Fire suppression assessments levied pursuant to Article 3.6 (commencing with Section 50078) of Chapter 1 of Part 1 of Division 1 of Title 5.

(12) The Habitat Maintenance Funding Act (Chapter 11 (commencing with Section 2900) of Division 3 of the Fish and Game Code).

Notwithstanding any other provision of law, the board may create any of these financing districts within the area of Fort Ord to finance basewide public facilities without the consent of any city or county. In addition, until January 1, 2000, the board may, but is not obligated to create, within the area of Fort Ord, any of these financing districts which authorize financing for public services and may levy authorized assessments or special taxes in order to pass through funding for these services to the local agencies. Notwithstanding any other provision of law, no city or county with jurisdiction over any area of the base, whether now or in the future, shall create any land-based financing district or levy any assessment or tax secured by a lien on real property within the area of the base without the consent of the board, except that the city or county may create these financing districts for the purposes and subject to any financing limitations that may be specified in the capital improvement program prepared pursuant to Section 67675.

(e) The board may levy development fees on development projects within the area of the base. Any development fees shall comply with the requirements of Chapter 5 (commencing with Section 66000) of Division 1 of Title 5. No local agency shall issue any building permit for any development within the area of Fort Ord until the board has certified that all development fees that it has levied with respect to the development project have been paid or otherwise satisfied.

(f) This section shall remain in effect only until July 1, 2020, and as of that date is repealed.

SEC. 20. *Section 67679 is added to the Government Code, to read:*

67679. *(a) (1) The board shall identify those basewide public capital facilities described in the Fort Ord Reuse Plan, including, but not limited to, roads, freeway ramps, air transportation facilities, and freight hauling and handling facilities; sewage and water conveyance and treatment facilities; school, library, and other educational facilities; and recreational facilities, that serve residents or will serve future residents of the base territory and could most efficiently or conveniently be planned, negotiated, financed, constructed, or repaired, remodeled, or replaced by the board to further the integrated future use of the base. The board shall undertake to plan for and arrange the provision of those facilities, including arranging for their financing and construction or repair, remodeling, or replacement. The board may plan, design, construct, repair, remodel, or replace and finance these public capital facilities, or delegate any of those powers to one or more member agencies. Notwithstanding any other provision of law, no permit or permission of any kind from any city or county shall be required for any project undertaken by the board pursuant to this section.*

(2) The board shall identify significant local public capital facilities, as distinguished from the basewide public capital facilities identified in the paragraph (1) which are described in the Fort Ord Reuse Plan. Local public capital facilities shall be the responsibility of the city or county with land use jurisdiction or the redevelopment agency if the facilities are located within an established project area and the board of the redevelopment agency determines that it will assume responsibility.

(b) The board may seek state and federal grants and loans or other assistance to help fund public facilities.

(c) (1) The board may, in any year, levy assessments, reassessments, or special taxes to finance these basewide public facilities in accordance with, and pursuant to, any of the following:

(A) The Improvement Act of 1911 (Division 7 (commencing with Section 5000) of the Streets and Highways Code).

(B) The Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500) of the Streets and Highway Code).

(C) The Municipal Improvement Act of 1913 (Division 12 (commencing with Section 10000) of the Streets and Highways Code).

(D) The Benefit Assessment Act of 1982 (Chapter 6.4 (commencing with Section 54703)).

(E) The Landscape and Lighting Act of 1972 (Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code).

(F) The Integrated Financing District Act (Chapter 1.5 (commencing with Section 53175) of Division 2 of Title 5).

(G) The Mello-Roos Community Facilities Act of 1982 (Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5).

(H) The Infrastructure Financing District Act (Chapter 2.8 (commencing with Section 53395) of Division 2 of Title 5).

(I) The Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1).

(J) The Revenue Bond Law of 1941 (Chapter 6 (commencing with Section 54300) of Division 2 of Title 5).

(K) Fire suppression assessments levied pursuant to Article 3.6 (commencing with Section 50078) of Chapter 1 of Part 1 of Division 1 of Title 5.

(L) The Habitat Maintenance Funding Act (Chapter 11 (commencing with Section 2900) of Division 3 of the Fish and Game Code).

(2) Notwithstanding any other provision of law, the board may create any of these financing districts within the area of Fort Ord to finance basewide public facilities without the consent of any city or county. In addition, until January 1, 2000, the board may, but is not obligated to create, within the area of Fort Ord, any of these financing districts which authorize financing for public services and may levy authorized assessments or special taxes in order to pass through funding for these services to the local agencies. Notwithstanding any other provision of law, no city or county with jurisdiction over any area of the base, whether now or in the future, shall create any land-based financing district or levy any assessment or tax secured by a lien on real property within the area of the base without the consent of the board, except that the city or county may create these financing districts for the purposes and subject to any financing limitations that may be specified in the capital improvement program prepared pursuant to Section 67675.

(d) The board may levy development fees on development projects within the area of the base. Any development fees shall comply with the requirements of Chapter 5 (commencing with Section 66000) of Division 1 of Title 5. No local agency shall issue any building permit for any development within the area of Fort Ord until the board has certified that all development fees that it has levied with respect to the development project have been paid or otherwise satisfied.

(e) This section shall become operative on July 1, 2020.

SEC. 21. *Section 67690 of the Government Code is amended to read:*

67690. *(a) In addition to any funds received from federal and state agencies for the expenses of operating the Fort Ord Reuse Authority, the board may receive contributions from agencies represented on the board. Each agency represented by a board member shall contribute to the authority, on or before August 1 of each fiscal year, the sum of fourteen thousand dollars (\$14,000) for each board member that the agency appoints. Each public agency which is represented on the board by an ex officio member shall contribute to the authority, on or before August 1 of each fiscal year, the sum of seven thousand dollars (\$7,000). For purposes of this section, the term "public agency" does not include any elected official of the federal or state government.*

(b) This section shall remain in effect only until July 1, 2020, and as of that date is repealed.

SEC. 22. *Section 67700 of the Government Code is amended to read:*

67700. *(a) This title shall become inoperative when the board determines that 80 percent of the territory of Fort Ord that is designated for development or reuse in the plan prepared pursuant to this title has been developed or*

reused in a manner consistent with the plan adopted or revised pursuant to Section 67675, or June 30, 2020, whichever occurs first, and on January 1, 2021, this title is repealed.

(b) (1) The Monterey County Local Agency Formation Commission shall provide for the orderly dissolution of the authority including ensuring that all contracts, agreements, and pledges to pay or repay money entered into by the authority are honored and properly administered, and that all assets of the authority are appropriately transferred.

(2) The board shall approve and submit a transition plan to the Monterey County Local Agency Formation Commission on or before December 30, 2018, or 18 months before the anticipated inoperability of this title pursuant to subdivision (a), whichever occurs first. The transition plan shall assign assets and liabilities, designate responsible successor agencies, and provide a schedule of remaining obligations. The transition plan shall be approved only by a majority vote of the board.

(c) This section shall remain in effect only until July 1, 2020, and as of that date is repealed.

SEC. 23. *Section 67700 is added to the Government Code, to read:*

67700. *(a) (1) This title shall become inoperative on June 30, 2022.*

(2) This title shall remain in effect only until January 1, 2023, and as of that date is repealed.

(b) No later than June 30, 2022, the authority shall negotiate and secure one or more successor agencies to implement all obligations under the transition plan.

(c) (1) The Monterey County Local Agency Formation Commission shall provide for the orderly dissolution of the authority once an agreement with a successor agency has been finalized. The Monterey County Local Agency Formation Commission shall ensure that all contracts, agreements, and pledges to pay or repay money entered into by the authority are honored and properly administered, and that all assets of the authority are appropriately transferred.

(2) The board shall approve and submit a transition plan to the Monterey County Local Agency Formation Commission on or before December 30, 2018. The transition plan shall assign assets and liabilities, designate responsible successor agencies, and provide a schedule of remaining obligations. The transition plan shall be approved only by a majority vote of the board.

(d) Upon dissolution of the authority, all remaining community facilities district revenues shall be transferred to the County of Monterey. The County of Monterey shall disburse those community facilities district revenues to each underlying land use jurisdiction on a pro rata basis, based on the source of the revenue or another equitable method that the County of Monterey determines is reasonable.

(e) If the authority has any remaining outstanding debt at the time of its dissolution, property tax revenues shall continue to be paid to the County of Monterey in accordance with subparagraph (D) of paragraph (1) of subdivision (c) of Section 33492.71 of the Health and Safety Code in an amount necessary to pay the principal and interest or other amounts on that debt. Upon the dissolution of the authority or the retirement of debt as provided in this subdivision, whichever occurs later, any remaining property tax revenues shall be transferred to the auditor-controller of the County of Monterey for appropriate distribution.

(f) If the County of Monterey succeeds to any financial obligation of the authority as a result of the disbursement of remaining revenues or the retirement of debt, that obligation shall not constitute a debt or liability of the county, or any other member agency, but shall be payable solely from the remaining revenues provided for purposes of that obligation in the transition plan.

(g) The County of Monterey may, before disbursing revenues as provided in this section, deduct an amount equal to the reasonable cost of administering this section out of the remaining revenues of the authority to be disbursed.

(h) This section shall become operative on July 1, 2020.

~~SECTION 1. Section 67652 of the Government Code is amended to read:~~

~~67652. The Legislature finds and declares as follows:~~

~~(a) The policy set forth in Section 67651 is most likely to be achieved if an effective governmental structure exists to plan for, finance, and carry out the transfer and reuse of the base in a cooperative, coordinated, balanced, and decisive manner.~~

~~(b)The transition plan, adopted by the Fort Ord Reuse Authority, will assure that ongoing, mandated requirements continue to be funded and addressed within the region covered by the authority, which will collect and distribute revenue for the limited environmental and infrastructure mission.~~

~~SEC. 2. Section 67655 of the Government Code is amended to read:~~

~~67655. Unless the context otherwise requires, the definitions contained in this chapter govern the construction of this title.~~

~~(a)"Authority" means the Fort Ord Reuse Authority.~~

~~(b)"Base wide facility" means a public capital facility which, in the judgment of the board, is important to the overall reuse of Fort Ord, and has significance beyond any single city or the unincorporated area of the county.~~

~~(c)"Board" means the governing board of the authority, as specified in Section 67660.~~

~~(d)"Community facilities district revenues" means the revenues collected by the authority pursuant to the Mello-Roos Community Facilities Act of 1982 (Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5).~~

~~(e)"Fort Ord Reuse Plan" means the plan for the future use of Fort Ord adopted pursuant to Section 67675.~~

~~(f)"Legislative body" means the city council of a city or the board of supervisors of a county, or the legislative body or governing board of any other public agency.~~

~~(g)"Local facility" means a public capital facility which, in the judgment of the board, is important primarily within a single city or the unincorporated area of the county.~~

~~(h)"Member agency" means the County of Monterey, the City of Del Rey Oaks, the City of Marina, the City of Monterey, or the City of Seaside.~~

~~(i)"Fort Ord," including references to the territory or area of Fort Ord, means the geographical area described in the document entitled "Description of the Fort Ord Military Reservation Including Portion of the Monterey City Lands Tract No. 1, the Saucito, Laguna Seca, El Chamisal, El Toro and Noche Buena Ranchos, the James Bardin Partition of 1880 and Townships 14 South, Ranges 1 and 2 East and Townships 15 South, Ranges 2 and 3 East, M.D.B. and M. Monterey County, California," prepared by Bestor Engineers, Inc., and delivered to the Sacramento District Corps of Engineers on April 11, 1994.~~

~~(j)"Property tax revenues" means the amount of property tax revenues allocated to the authority pursuant to Section 33492.71 of the Health and Safety Code.~~

~~(k)"Public capital facilities" means all public capital facilities described in the Fort Ord Reuse Plan, including, but not limited to, roads, freeways, ramps, air transportation facilities and freight hauling and handling facilities, sewage and water conveyance and treatment facilities, school, library, and other educational facilities, and recreational facilities, that could most efficiently and conveniently be planned, negotiated, financed, or constructed by the authority to further the integrated future use of Fort Ord.~~

~~(l)"Redevelopment authority," for purposes of the transfer of property at military bases pursuant to Title XXIX of the National Defense Authorization Act for the 1994 fiscal year, means the Fort Ord Reuse Authority, except that, with respect to property within the territory of Fort Ord that is transferred or to be transferred to the California State University or to the University of California, "redevelopment authority" solely for purposes of the transfer of property at military bases pursuant to Title XXIX of the National Defense Authorization Act for the 1994 fiscal year means the California State University or the University of California, and does not mean the Fort Ord Reuse Authority.~~

~~(m)"Transition plan" means the plan for the dissolution of the authority adopted by the board, as required by subdivision (c) of Section 67700.~~

~~(n)"Underlying land use jurisdiction" means, singularly or in the plural, the City of Monterey, the City of Del Rey Oaks, the City of Seaside, the City of Marina, or the County of Monterey.~~

~~SEC. 3. Section 67660 of the Government Code is amended to read:~~

~~67660.(a)The authority shall be governed by a board of five members composed of the following:~~

~~(1)One member appointed by the City of Del Rey Oaks.~~

~~(2)One member appointed by the City of Marina.~~

~~(3)One member appointed by the City of Monterey.~~

~~(4)One member appointed by the City of Seaside.~~

~~(5)One member appointed by Monterey County.~~

~~(b)Notwithstanding subdivision (a), any local agency that does not adopt a resolution favoring establishment of the Fort Ord Reuse Authority pursuant to Section 67656 shall not be required to appoint a voting member to the board. The failure of a local agency to appoint a voting member to the board pursuant to this subdivision shall not alter or reduce the powers and duties of the authority or the board in any manner.~~

~~(c)Each member agency may appoint one alternate for each of its positions on the board, and each alternate shall have all the rights and authority of a board member when serving in that board member's place.~~

~~(d)Each board member and each alternate shall be a member of the legislative body making the appointment, except that the alternate appointed by the Monterey County Board of Supervisors shall be a member of the board of supervisors or county staff. Board members and alternates shall serve at the pleasure of the member agency making the appointment.~~

~~(e)The vote of a majority of the total membership of the board shall be required to pass or act upon any matter properly before the board, and each member of the board shall have one vote.~~

~~SEC. 4. Section 67661 of the Government Code is repealed.~~

~~SEC. 5. Section 67662 of the Government Code is repealed.~~

~~SEC. 6. Section 67673 of the Government Code is repealed.~~

~~SEC. 7. Section 67675.2 of the Government Code is repealed.~~

~~SEC. 8. Section 67675.3 of the Government Code is repealed.~~

~~SEC. 9. Section 67675.4 of the Government Code is repealed.~~

~~SEC. 10. Section 67675.5 of the Government Code is repealed.~~

~~SEC. 11. Section 67675.6 of the Government Code is repealed.~~

~~SEC. 12. Section 67675.7 of the Government Code is repealed.~~

~~SEC. 13. Section 67675.8 of the Government Code is repealed.~~

~~SEC. 14. Section 67675.9 of the Government Code is repealed.~~

~~SEC. 15. Section 67690 of the Government Code is repealed.~~

~~SEC. 16. Section 67700 of the Government Code is amended to read:~~

~~67700.(a)(1)This title shall become inoperative on June 30, 2022.~~

~~(2)This title shall remain in effect only until January 1, 2023, and as of that date is repealed.~~

~~(b)No later than June 30, 2022, the authority shall negotiate and secure one or more successor agencies to implement all obligations under the transition plan.~~

~~(c)(1)The Monterey County Local Agency Formation Commission shall provide for the orderly dissolution of the authority once an agreement with a successor agency has been finalized. The Monterey County Local Agency Formation Commission shall ensure that all contracts, agreements, and pledges to pay or repay money entered into by the authority are honored and properly administered, and that all assets of the authority are appropriately transferred.~~

~~(2)The board shall approve and submit a transition plan to the Monterey County Local Agency Formation Commission on or before December 30, 2018. The transition plan shall assign assets and liabilities, designate responsible successor agencies, and provide a schedule of remaining obligations. The transition plan shall be approved only by a majority vote of the board.~~

~~(d)Upon dissolution of the authority, all remaining and future community facilities district revenues shall be transferred to the County of Monterey. The County of Monterey shall disburse those community facilities district revenues to each underlying land use jurisdiction on a pro rata basis, based on the source of the revenue or another method that the County of Monterey determines is reasonable.~~

~~(e)If the authority has any remaining outstanding debt at the time of its dissolution, property tax revenues shall continue to be paid to the County of Monterey in accordance with subparagraph (D) of paragraph (1) of subdivision (c) of Section 33492.71 of the Health and Safety Code in an amount necessary to pay the principal~~

~~and interest or other amounts on that debt. Upon the dissolution of the authority or the retirement of debt as provided in this subdivision, whichever occurs later, any remaining property tax revenues shall be transferred to the auditor-controller of the County of Monterey for appropriate distribution.~~

~~(f) If the County of Monterey succeeds to any financial obligation of the authority as a result of the disbursement of remaining revenues or the retirement of debt, that obligation shall not constitute a debt or liability of the county, or any other member agency, but shall be payable solely from the remaining revenues provided for purposes of that obligation in the transition plan.~~

~~(g) The County of Monterey may, before disbursing revenues as provided in this section, deduct an amount equal to the reasonable cost of administering this section out of the remaining revenues of the authority to be disbursed.~~

SEC. 17. SEC. 24. Section 67701 is added to the Government Code, to read:

67701. ~~(a)~~ On and after July 1, 2020, *the all of the following shall apply:*

(a) The authority may do all of the following:

- (1) Implement the transition plan.
 - (2) Manage the community facilities district boundaries.
 - (3) Make appropriate revisions to the boundaries of the community facilities district established by the board as replacement funding mechanisms are created by underlying land use jurisdictions pursuant to subdivision (b). Revisions to the community facilities district boundaries shall be made by filing an amended map of the community facilities district.
 - (4) Collect and disburse community facilities district revenues.
 - (5) Collect and disburse property tax revenues.
 - (6) Disburse revenues described in paragraphs (4) and (5) for the purposes of the habitat conservation plan, transportation, transit, and water supply pursuant to Section 67675.
 - (7) Continue as the local reuse authority for purposes of the federal government and property transfers, including receipt of federal grant funding.
 - (8) Ensure that all pledges, contracts, or obligated payments are funded and appropriately carried out.
- (b) Any underlying land use jurisdiction may adopt a substitute funding mechanism in lieu of the community facilities district established by the board, in which case the board shall adjust the boundaries of the community facilities district accordingly. An underlying land use jurisdiction that adopts a substitute funding mechanism pursuant to this subdivision shall commit, either in that substitute funding mechanism or otherwise in a written agreement, to continue funding regional needs in the former Fort Ord on a pro rata basis, to the satisfaction of the authority. For purposes of this subdivision, "regional needs" includes, but is not limited to, habitat conservation, transportation, transit, and water supply augmentation.
- (c) The transition plan adopted by the board for organizational changes shall be deemed to be within the scope of the Class 20 exemption provided by Section 15320 of Title 14 of the California Code of Regulations.

SEC. 18. SEC. 25. Section 33492.79 is added to the Health and Safety Code, to read:

33492.79. This article shall become inoperative as of the date of the dissolution of the Fort Ord Reuse Authority pursuant to Section 67700 of the Government Code or the retirement of the authority's debt as provided in subdivision (e) of Section 67700 of the Government Code, whichever occurs later.

SEC. 19. SEC. 26. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances in the County of Monterey relating to the dissolution of the Ford Ord Reuse Authority.

SEC. 20. SEC. 27. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.