



FORT ORD REUSE AUTHORITY

REGULAR MEETING

FORT ORD REUSE AUTHORITY (FORA) EXECUTIVE COMMITTEE

Wednesday, April 4, 2018 at 3:30 p.m.

920 2nd Avenue, Suite A, Marina CA 93933 (Executive Officer's Conference Room)

AGENDA

1. CALL TO ORDER/ESTABLISHMENT OF QUORUM

2. PLEDGE OF ALLEGIANCE

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

4. CLOSED SESSION

- a. Conference with Legal Counsel – Gov. Code 54956.9(a): Keep Fort Ord Wild v. Fort Ord Reuse Authority, Monterey County Superior Court, Case No.:17CV004540
- b. Conference with Legal Counsel – Gov. Code 54956.9(d)(2) one matter of significant exposure to litigation. Claimant: Marina Community Partners

5. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

6. PUBLIC COMMENT PERIOD

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

7. APPROVAL OF MEETING MINUTES

ACTION

- a. February 28, 2018 Meeting Minutes

8. APRIL 13, 2018 DRAFT BOARD MEETING AGENDA REVIEW

INFORMATION/ACTION

9. BUSINESS ITEMS

INFORMATION/ACTION

- a. 2018 FORA Board Work Program
 - i. Review/ Discuss Board Member Agenda Items Suggestions Process
- b. Review/ Discuss Executive Committee Selection Policy
- c. Travel Authorizations Request

10. ITEMS FROM MEMBERS

INFORMATION

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

11. ADJOURNMENT

NEXT REGULAR MEETING: Wednesday, May 2, 2018

Persons seeking disability related accommodations please contact the Deputy Clerk at (831) 883-3672 48 hrs. prior to the meeting. Agenda materials are available on the FORA website at www.fora.org.



FORT ORD REUSE AUTHORITY
EXECUTIVE COMMITTEE REGULAR MEETING MINUTES
3:30 p.m., Wednesday, February 28, 2018 | Executive Officer's Conference Room
920 2nd Avenue, Suite A, Marina CA 93933

1. CALL TO ORDER/ESTABLISHMENT OF QUORUM

The meeting was called to order at 3:30 p.m.

The following members were present:

Mayor Ralph Rubio (City of Seaside)

Mayor Jerry Edelen (City of Del Rey Oaks)

Frank O'Connell (City of Marina)

President Dr. Eduardo Ochoa (California State University Monterey Bay)

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by City of Marina Councilmember Frank O'Connell.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

There were no acknowledgements, announcements or correspondence.

4. CLOSED SESSION

a. Conference with Legal Counsel – Gov. Code 54956.9(a): Keep Fort Ord Wild v. Fort Ord Reuse Authority, Monterey County Superior Court, Case No.:17CV004540

b. Conference with Legal Counsel – Gov. Code 54956.9(d)(2) one matter of significant exposure to litigation. Claimant: Marina Community Partners

5. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

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

6. PUBLIC COMMENT PERIOD

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

7. APPROVAL OF MEETING MINUTES

ACTION

a. January 31, 2018 Meeting Minutes

MOTION: On motion by Committee member O'Connell and second by Committee member Edelen and carried by the following vote, the Executive Committee approved the January 31, 2018 meeting minutes with proposed changes.

8. MARCH 9, 2018 DRAFT BOARD MEETING AGENDA REVIEW

INFORMATION/ACTION

Executive Officer Michael Houlemard provided an overview of the draft March 9, 2018. The following changes were noted: letter numbering of consent agenda,

MOTION: On motion by Committee member Edelen and second by Committee member O'Connell and carried by the following vote, the Executive Committee approved the March 9, 2018 Board meeting agenda with the proposed changes.

MOTION PASSED UNANIMOUSLY

9. BUSINESS ITEMS

INFORMATION/ACTION

- a. 2018 Anticipated FORA Board Work Program
Mr. Houlemard reviewed the anticipated Board work program and responded to questions and comments from the Committee. There was no action taken on this item.
- b. Travel Authorization Requests
Mr. Houlemard provided background and information on the travel authorization requests.

MOTION: On motion by Committee member Edelen and second by Committee member O'Connell and carried by the following vote, the Executive Committee approved the travel authorization request for the Executive Officer and included approval to be accompanied by a Board member.

MOTION PASSED UNANIMOUSLY

10. ITEMS FROM MEMBERS

Dr. Ochoa inquired whether coordination of work programs between Transportation Agency for Monterey County and FORA

11. ADJOURNMENT at 4:17 p.m.

Minutes Prepared by:
Dominique L. Jones
Deputy Clerk

Approved by: _____
Michael A. Houlemard, Jr.
Executive Officer

FORT ORD REUSE AUTHORITY EXECUTIVE COMMITTEE

BUSINESS ITEMS

Subject: 2018 Anticipated FORA Board Work Program

Meeting Date: April 4, 2018

Agenda Number: 9a

INFORMATION/ACTION

RECOMMENDATION(S):

Review/ discuss Board member suggested agenda items process.

BACKGROUND:

This report outlines information and analysis leading to amending or establishing a general practice with respect to the introduction and placement of items on the FORA Board regular meeting agenda. This process shall not be construed to limit or impair the rights of the public as set forth in the Ralph M. Brown Act, the Public Records Act, or any other provision of law.

PROCESS:

The Executive Committee is responsible for review and approval of agendas for all Board of Directors' regular and special meetings. Agenda items stem from the annual work program and as directed by the Board and/or Executive Committee. The Executive Officer (as Clerk to the Board) oversees draft agenda and Board item preparation, led and directed by the Deputy Clerk. The draft agenda is produced two (2) weeks in advance of the Board meetings, so as to afford the Administrative Committee and ultimately, the Executive Committee a final review and approval. There is currently no formal process for an individual Board member to request placement of an item on the agenda except through the Board and/or Executive committee process.

PROPOSED PROCESS FOR ADDITIONAL ITEMS:

It is suggested that the Board consider a process by which any Board member may request a non-emergency item be placed on the agenda by submitting it, in writing, to the Executive Officer, at least three (3) weeks before the next Board meeting. Such requests should explain the issue and issues needed to be addressed and provide any proposed recommendation or alternatives for Board action.

The Executive Officer will evaluate the item and prepare an evaluation of staff time and resources to complete said item. If the request is for items outside the workplan and/or cannot be accommodated by the next Board meeting, the Executive Officer shall present said request to the Executive Committee for it's timing and placement on a future agenda.

FISCAL IMPACT:

May impact current budget authorization dependent upon nature and extent of items requested for evaluation and placement on a Board agenda.

FORT ORD REUSE AUTHORITY EXECUTIVE COMMITTEE

BUSINESS ITEMS

Subject: Executive Committee Selection Policy Review

Meeting Date: April 4, 2018

Agenda Number: 9b

INFORMATION/ACTION

RECOMMENDATION(S):

Review/ discuss the selection policy for the Executive Committee.

BACKGROUND:

At recent Board meetings, members have expressed concerns about the selection of Executive Committee (EC) members and in particular, the representation of women and means of ascension into EC roles.

Attached is Master Resolution section 2.01.040 governing Selection of Officers (**Attachment A**).

DISCUSSION:

In researching this issue, staff notes that other Monterey Bay Regional agencies have developed techniques that afford inclusiveness and opportunity for broader representation. For example, some agencies have automatic officer succession, however, it is noted that this does not necessarily increase the diversity of representation which depends upon results of local and other elections. Other agencies utilize the Nominating Committee approach. Staff notes that over the years, the FORA Master Resolution has been amended to adjust the officer representation on the Executive Committee. For example, redundant vice chairs have been eliminated, at-large members and ex-officio non-voting members have been added. The Master Resolution outlines the current EC composition in Article 2.03.020 and 2.03.021 (**Attachment B**).

In past years the Chair has appointed an ad-hoc Nominating Committee to present a slate of officers and EC members for Board consideration.

FUTURE POSSIBLE ACTION:

To further broaden participation, it is recommended that the EC discuss and consider a statement on inclusiveness and intent to increase representation that includes "on base" jurisdictions and "off base" participation. The Chair should consider a Nominating Committee which includes representation of EC and non EC members in order to provide opportunity for broader representation and inclusiveness.

Each Board member, alternate, and ex-officio member appointed by a governmental entity must be appointed by a member agency or such other appointing authority as provided in the Authority Act and this Master Resolution. Minute action or a resolution making the required appointment must be presented to the Executive Officer before the Board member, alternate, or ex-officio member may participate in Authority Board meetings.

2.01.040 SELECTION OF OFFICERS.

(a) The Authority officers will be a Chair and a Vice-Chair and will be elected from the Board to serve a term of one year. Officers may be reelected for no more than one consecutive additional term in the same office. Officer Election takes place at the close of the Authority's first regular January meeting.

(b) It is the policy of the Board that the officers of the Authority rotate on a regular basis among the members of the Board with the Vice-Chair succeeding the Chair. Such other officers as may be deemed necessary may be appointed by the Authority Board.

2.01.050. AUTHORITY OF CHAIR AND VICE-CHAIR.

The Chair presides at all meetings of the Authority Board and may make or second any motion and present and discuss any matter as a member of the Board. If the Chair is absent or unable to act, the Vice-Chair will serve until the Chair returns or is able to act and has all of the powers and duties of the Chair. If both the Chair and Vice-Chair are absent or unable to act, the Board will choose a member of the Executive Committee to serve as the presiding officer.

2.01.060. ADDITIONAL DUTIES.

The officers of the Authority may perform such other duties as may be required by resolution or other action of the Authority.

Article 2.02. MEETINGS OF THE AUTHORITY BOARD

2.02.010. MEETINGS – TIME AND PLACE.

(a) The regular meetings of the Authority Board are held on the second Friday of each and every month at the Authority Offices, commencing at the hour of 2:00 pm, except as otherwise provided in this section.

(b) If any regular meeting day falls upon a holiday, the regular meeting of the Board will be held at the same place on the next Friday, which is not a holiday commencing at the same hour, in which event all hearings, applications, petitioners, and other matters before the Board are deemed to be and are automatically continued to the same hour on such Friday which is not a holiday.

(c) All meetings of the Authority Board are held in places accessible to persons, including persons with physical handicaps or disabilities.

If any member of the Board is unable to attend a meeting, that Board member will, if possible, notify the Executive Officer prior to the meeting.

2.02.080. VACATION PERIOD.

The Authority Board determines by resolution each calendar year vacation periods during which no regular meetings will be held.

Article 2.03. COMMITTEES

2.03.010. PURPOSE.

Committees and subcommittees may be established, as the Authority may deem appropriate to provide the Board with options, critique, analysis, and other information as the Board may request from time to time.

2.03.020. EXECUTIVE COMMITTEE.

The Executive Committee is comprised of not more than five (5) members of the Board. The Committee is comprised of the Chair, the Vice-Chair, the immediate Past Chair, and two representative members appointed by the Board. If the Past Chair position is vacant, the Board may appoint another past chair or representative. In addition, the Executive Committee shall include an ex-officio non-voting member appointed from among the ex-officio Board members by the Board Chair on an annual basis. The non-voting ex-officio member shall be permitted to attend closed session Executive Committee meetings. The Executive Committee will provide such duties as the Board may assign. If any designated representative is unable to serve on the Executive Committee, the Board may fill such vacancy with another member of the Board.

2.03.021. EXECUTIVE COMMITTEE DUTIES.

The Executive Committee meets on a date and time the Committee determines is convenient or necessary. The Executive Officer and Authority Counsel will attend the meetings.

(a) Review and approve all agendas of all regular and special meetings of the Board of Directors;

(b) Provide initial performance evaluation of the Executive Officer and make recommendations to the Board of Directors regarding employment and personnel matters relating to the Authority staff; and

(c) Perform such other duties as the Board of Directors may direct.

2.03.030. ADMINISTRATIVE COMMITTEE.

The chief administrative officer, county administrative officer, or city manager of each member agency, or designee, may serve on an administrative subcommittee to the Board to provide advice, analysis and recommendations to the Board

- START -

**DRAFT
BOARD PACKET**



FORT ORD REUSE AUTHORITY

REGULAR MEETING

FORT ORD REUSE AUTHORITY (FORA) BOARD OF DIRECTORS

Friday, April 13, 2018 at 2:00 p.m. | 910 2nd Avenue, Marina, CA 93933 (Carpenters Union Hall)

AGENDA

ALL ARE ENCOURAGED TO SUBMIT QUESTIONS/CONCERNS BY NOON APRIL 12, 2018.

1. CALL TO ORDER

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

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

4. CLOSED SESSION

- a. Conference with Legal Counsel – Gov. Code 54956.9(d)(2) one matter of significant exposure to litigation. Claimant: Marina Community Partners
- b. Conference with Legal Counsel – Gov. Code 54956.9(a): Keep Fort Ord Wild v. Fort Ord Reuse Authority, Monterey County Superior Court, Case No.:17CV004540

5. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

6. ROLL CALL

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

7. CONSENT AGENDA

INFORMATION/ACTION

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

- a. Approve March 7, 2018 Special Meeting Minutes
Recommendation: Approve March 7, 2018 special meeting minutes.
- b. Approve March 9, 2018 Meeting Minutes
Recommendation: Approve March 9, 2018 meeting minutes.
- c. Administrative Committee
Recommendation: Receive a report from the Administrative Committee.
- d. Veterans Issues Advisory
Recommendation: Receive a report from the Veterans Issues Advisory Committee.
- e. Water/Wastewater Oversight Committee
Recommendation: Receive a report from the Water/Wastewater Oversight Committee.
- f. Building Removal Quarterly Report
Recommendation: Receive a quarterly report on Building Removal.
- g. Environmental Services Cooperative Agreement (ESCA) Quarterly Report
Recommendation: Receive a quarterly report on the ESCA.
- h. 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. Fiscal Year 2017-2018 Mid-Year Budget/Section 115 Trust – 2d Vote

Recommendation:

- i. Mid-Year Budget/ Section 115 Trust – 2d Vote
- ii. Resolution

- b. Regional Urban Water Augmentation Project & 3 Party Planning Water Augmentation Study Report

Recommendation: [To be provided in final packet]

- c. Transition Planning Update

Recommendation:

- i. Receive a transition planning issue update
- ii. Receive transition plan updated Water and Financial Summary Charts and a Miscellaneous Contracts Summary Chart

- d. Former Fort Ord Affordable/ Workforce Housing Background and Monterey Bay Economic Partnership (MBEP) Housing Policy Report

Recommendation: Receive a report on the former Fort Ord affordable/ workforce housing and MBEP housing policy.

- e. Executive Committee Report

Recommendation: Receive a report from the Executive Committee and review/ discuss Board member agenda items suggestions process and Executive Committee selection policy.

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: May 11, 2018 AT 2:00 P.M.

Placeholder for Item 7a

**Approve March 7, 2018
Special Meeting Minutes**

This item will be included in the final Board packet.

Placeholder for Item 7b

**Approve March 9, 2018
Meeting Minutes**

This item will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Administrative Committee

Meeting Date: April 13, 2018

Agenda Number: 7c

INFORMATION/ACTION

RECOMMENDATION:

Receive a report from the Administrative Committee.

BACKGROUND/DISCUSSION:

The Administrative Committee met on March 14, 2018. The approved minutes for this meeting are provided as **Attachment A**.

FISCAL IMPACT:

Reviewed by the FORA Controller _____

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

COORDINATION:

Administrative Committee

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

Placeholder for Item 7c Attachment A

**March 14, 2018 Administrative Committee
Meeting Minutes**

This attachment will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Veterans Issues Advisory Committee

Meeting Date: April 13, 2018

Agenda Number: 7d

INFORMATION/ACTION

RECOMMENDATION:

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

BACKGROUND/DISCUSSION:

The Veterans Issues Advisory Committee met on February 22, 2018. The approved minutes for this meeting 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 _____
Heidi L. Lizarbe

Approved by _____
Michael A. Houlemard, Jr.



APPROVED

**FORT ORD REUSE AUTHORITY
VETERANS ISSUES ADVISORY COMMITTEE (VIAC) MEETING MINUTES
2:00 P.M. February 22, 2018 | FORA Conference Room
920 2nd Avenue, Suite A., Marina CA 93933**

1. CALL TO ORDER

Chair, Jerry Edelen called the meeting to order at 2:00 P.M.

Committee Members Present:

Mayor Jerry Edelen, City of Del Rey Oaks (**Chair**)

Sid Williams, Monterey County Military & Veteran Affairs Commission
(MCM/VAC)

Mary Estrada, United Veterans Council (UVC)

Wes Morrill, Monterey County Office of Military & Veterans Advisory Commission

Richard Garza, Central Coast Veterans Cemetery Foundation (CCVCF)

James Bogan, Disabled American Veterans (DAV)

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

2. PLEDGE OF ALLEGIANCE led by Wes Morrill

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Marina Perepelyuk is the newest Congressional Aid for Congressman Jimmy Panetta
office, who will be attending the VIAC meetings.

4. PUBLIC COMMENT PERIOD

There were no comments from the public.

5. APPROVAL OF MEETING MINUTES

a. January 25, 2018 Regular Meeting Minutes

MOTION: by Committee member Jack Stewart and second by Committee member
Sid Williams and carried by the following vote, the VIAC moved to approve the
January 25, 2018 meeting minutes as corrected

MOTION: PASSED UNANIMOUSLY

6. BUSINESS ITEMS

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

i. Cemetery Administrator's Status

Erica Chaney reported the CCCVC has received over 2270 veteran
applications, 1693 dependent applications, along with 710 internments last
year. The janitorial services begun on January 1, 2018. The directions signage

for the Cemetery is in the works, is not expected to be completed until 2019.

The cemetery has a total of 4 golf carts, one recently broke down; however, the Marina Foundation facilitated in having it repaired. The Marina Foundation is also working on a possible maintenance contract to service the golf carts, while also purchasing Bud Vases for the Cemetery.

- ii. *Veterans Cemetery Land Use Status*
No Report.
- iii. *Fort Ord Committee Verbal Report: Oak Woodlands Mitigation & Endowment MOU*

Sid William advised the Board of Supervisors of the Ft. Ord Committee considered the Oak Woodlands Preservation Project and have sent it back to staff for refinement and review.

b. Fundraising Status

i. CCVCF Status Report

Richard Garza provided the report and indicated that the CCVCF has recently received \$20,000 and are continuing the efforts to fund raise.

c. Veterans Transition Center (VTC) Housing Construction

Principal Analyst Robert Norris provided an update on the water deed, it has been signed and is currently in the process of being recorded with Monterey County.

d. VA-DOD Clinic

James Bogan provided an update and advised that the pharmacy is still closed. Mr. Bogan indicated the VA has a hotline, (1-855-948-2311) that is open 24 hrs. a day, 365 days a year, to assist veterans with inquiries, directory assistance, document concerns about VA care, benefits or services, and expedite the referral and resolution of concerns. The cafeteria opening is pending receiving the required operating permits.

e. Historical Preservation Project

No Report.

f. Calendar of Events

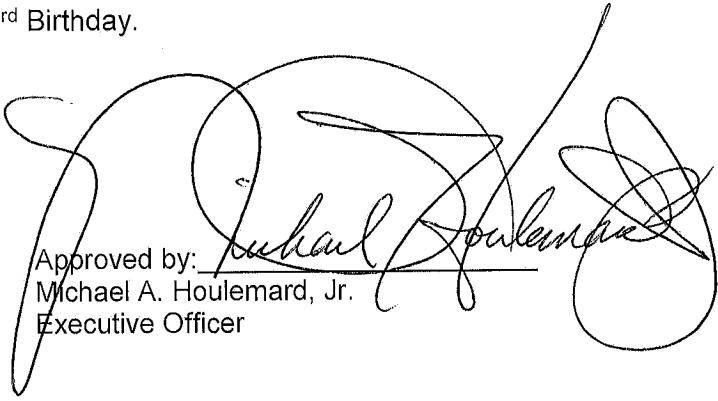
Janet Parks will be celebrating her 93rd Birthday.

7. ITEMS FROM MEMBERS

None

8. ADJOURNMENT at 2:17 P.M.

Minutes Prepared by:
Heidi Lizarbe
Administrative Assistant

Approved by: 
Michael A. Houlemard, Jr.
Executive Officer

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Water/Wastewater Oversight Committee

Meeting Date: April 13, 2018

Agenda Number: 7e

INFORMATION/ACTION

RECOMMENDATION:

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

BACKGROUND/DISCUSSION:

The WWOC met on March 28, 2018. A quorum was not established and a "meeting of the whole" was held. The committee reviewed the 2018-19 Ord Community Draft Budget, and the status of the Three Party Planning Water Augmentation Study. The next WWOC meeting is scheduled for April 11, 2018.

FISCAL IMPACT:

Reviewed by FORA Controller _____

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

COORDINATION:

WWOC, Marina Coast Water District

Prepared by _____
Heidi L. Lizarbe

Reviewed by _____
D. Steve Endsley

Approved by _____
Michael A. Houlemard, Jr.

Placeholder for Item 7f

Building Removal Quarterly Report

This attachment will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Environmental Services Cooperative Agreement-Quarterly Report

Meeting Date: April 13, 2018

Agenda Number: 7g

INFORMATION/ACTION

RECOMMENDATION:

Receive an Environmental Services Cooperative Agreement (ESCA) Quarterly Report.

BACKGROUND:

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

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

DISCUSSION:

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

Of the \$98 million of ESCA FORA received, FORA paid \$82.1 million upfront, to secure an AIG "cost-cap" insurance policy. AIG controlled the \$82.1 million in a "commutation" account and payed ARCADIS directly as work was performed. AIG provides up to \$128 million assuring additional work (known and unknown) is completed to the Regulators satisfaction (see table below). Under these agreements, AIG pays ARCADIS directly while FORA oversee ARCADIS compliance with the ESCA and AOC requirements. On January 25, 2017, ARCADIS notified FORA that the ESCA commutation account was exhausted and that future ARCADIS work would be paid under the terms of the AIG "cost-cap" insurance policy until March 30, 2019. ARCADIS will continue to provide FORA with quarterly AIG cost-cap insurance invoicing estimates, which FORA staff will continue to report in the ESCA Quarterly Board Report.

ESCA Activity Status:

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

The Record of Decision (ROD) records the Regulator and Army decision on the cleanup and what controls are required to continue to protect public health and safety. On November 25, 2014, the Regulators signed the ROD for the ESCA Group 3 properties located in Monterey County (at Laguna Seca); City of Monterey (south of South Boundary Road); Del Rey Oaks (south of South Boundary Road); and Monterey Peninsula College (MPC) Military Operations in Urban Terrain (MOUT) property. On February 26, 2015, the Regulators signed the ROD for the ESCA Group 2 California State University Monterey Bay (CSUMB) property (south of Inter-Garrison Road). The Regulators signed the ESCA Interim Action Ranges (IAR) ROD in December 2016. Currently, Draft Final ESCA Group 1 and 4 RODs await Regulatory and Army approval.

A Land Use Control Implementation Plan/Operation and Maintenance Plan (LUCIP/OMP) document prescribes implementing, operating and maintaining ROD controls tailored to individual site conditions and historic MEC use. The Regulators and Army approve LUCIP OMP documents before issuing regulatory site closure. Final ESCA Group 2, 3 and Interim Action Range LUCIP/OMP documents await Regulatory and Army approval.

ESCA Future Actions:

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

ESCA Amendment Status

In December 2016, FORA and Army Base Realignment and Closure (BRAC) Headquarters (HQ) staff met to discuss funding ESCA Long-Term Obligations (LTO) and amend FORA ESCA Administrative and Regulatory Oversight costs. The ESCA Amendment LTO request addressed funding Army CERCLA LTO responsibilities anticipated during the 2007 ESCA negotiations, but could not be known until the CERCLA process was implemented, RODs adopted identifying the Army's requirements for Post-Closure MEC-Find Assessments, Long Term Management (LTM) and Land Use Controls (LUC) and defined LUCIP/OMP documents.

FORA staff/Special Counsel and the Army Corps of Engineers negotiated ESCA Amendment terms and conditions from December 2016 to December 2017. On July 13, 2017, the FORA Board authorized the Executive Officer to accept an ESCA Amendment. On December 20, 2017, the FORA Executive Officer signed the ESCA amendment for \$6,846,204. In January 2018 the Army sent FORA the first quarterly installment of ESCA Amendment funds.

Post-ESCA Amendment ESCA fund status as of December 2017:

Item	2017 Amendment Allocations	Accrued through December 2017	Invoiced to AIG Cost Cap-Policy
Line Item 0001 Environmental Services			
FORA Self-Insurance or Policy			
State of California Surplus Lines Tax, Risk Transfer, Mobilization			
Contractor's Pollution Liability Insurance			
ARCADIS/AIG Commutation Account - <i>plus</i> - AIG insurance			
Original FORA Administrative Fees			
<i>Line Item 001: Subtotal</i>			
Line Item 0002 thru 31 Dec 2019: DTSC and EPA Technical Oversight Services			
Line Item 0003 thru 30 June 2020: FORA ESCA Administrative Funds			
Line Item 0004 thru 30 June 2028: Post-Closure MEC Find Assessments			
Line Item 0005 thru 30 June 2028: Long Term/LUC Management			
Total			
	<i>ESCA Remainder</i>		<i>N/A</i>

FISCAL IMPACT:

Reviewed by FORA Controller _____

COORDINATION:

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

Prepared by _____
Stan Cook

Approved by _____
Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT	
CONSENT AGENDA	
Subject:	Public Correspondence to the Board
Meeting Date:	April 13, 2018
Agenda Number:	7h
INFORMATION/ACTION	

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

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

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

DRAFT

Placeholder for Item 8a

**Fiscal Year 2017-18 Mid-Year Budget/Section 115
Trust 2d Vote**

This attachment will be included in the final Board packet.

Placeholder for Item 8b

**Regional Urban Water Augmentation Project &
3 Party Planning Water Augmentation Study Report**

This attachment will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	Transition Planning Update	
Meeting Date:	April 13, 2018	INFORMATION/ACTION
Agenda Number:	8c	

RECOMMENDATION

- i. Receive a transition planning issue update
- ii. Receive transition plan updated Water and Financial Summary Charts and a Miscellaneous Contracts Summary Chart

BACKGROUND/DISCUSSION

1. In accordance with the workplan outlined at the beginning of the year, the Board has received multiple draft chapters compiling contractual pledges, liabilities, assets and obligations together with proposed assignments of each of those documents. The Transition Ad Hoc Committee met on March 27, 2018 and has scheduled three upcoming meetings. At the TAC meeting, the draft Joint Powers Authority documentation for the Habitat Cooperative was distributed in addition to updated figures from our financial consultant. The next meetings will be on April 18, 2018 at 12:30p.m., May 9, 2018 at 3:00pm and May 30, 2018 at 12:30 p.m. It is staff's intent to produce a completed draft Transition Plan at the May 30, 2018 TAC meeting.
2. FORA staff remains in communication with the Local Area Formation Commission (LAFCO) on status of the Transition Plan and any additional information LAFCO has become aware of for its analysis. Since environmental review will be required, a brief exploration with an environmental consultant has estimated environmental review costs range up to \$200,000 (depending upon the required level of environmental analysis).
3. Attached this month are updated summary charts water and financial, since they originally were prepared with the single successor entity assignment. They have been updated to reflect multiple successor agencies as appropriate. Additionally, please find the draft Miscellaneous contracts list for contracts which do not fit nicely into other categories.

FISCAL IMPACT

Reviewed by FORA Controller _____

Staff time/legal are generally within the approved annual budget, and have been added to current staff workload. Staff anticipates presenting future transition plan budget items for Board consideration.

Prepared by _____
Sheri L. Damon

Reviewed by _____
Steve Endsley

Approved by _____
Michael A. Houlemard, Jr.

ATTACHMENTS:

Attachment A: Summary Chart: Water **[PLACEHOLDER]**

Attachment B: Summary Chart: Financial **[PLACEHOLDER]**

Attachment C: Summary Chart: Miscellaneous Contracts **[PLACEHOLDER]**

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Placeholder for Item 8c Attachment A

Summary Chart Water

This attachment will be included in the final Board packet.

Placeholder for Item 8c Attachment B

Summary Chart Financial

This attachment will be included in the final Board packet.

Placeholder for Item 8c Attachment C

Summary Chart Miscellaneous Contracts

This attachment will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject: Affordable Housing Report

Meeting Date: April 13, 2018

Agenda Number: 8d

INFORMATION

RECOMMENDATION(S):

Receive an Affordable Housing History and Monterey Bay Economic Partnership (“MBEP”) Housing Policy Report.

AFFORDABLE HOUSING

History:

Affordable housing on the former Fort Ord has long been a subject of interest to public policy makers and the Monterey Bay community. Federal, State, FORA Board, and local land use jurisdiction policies have all been part of the policy solutions since base closure. More recently, national economic trends, market forces, and a growing recognition of the critical housing supply shortage have reenergized efforts to develop affordable housing solutions for the Monterey Bay region. This report summarizes key policies that have influenced the Fort Ord reuse process, and sets the stage for a presentation by the Monterey Bay Economic Partnership (“MBEP”) Housing Policy Coordinator.

Upon base closure in 1994, the federal McKinney Act required properties transferred from the US Army under a Public Benefit Conveyance (“PBC”) to be made available to local non-profits with a Federal Sponsor. The Federal Base Realignment and Closure (“BRAC”) process explicitly prioritized veterans and homeless services providers for receipt of these PBC conveyance properties. Organizations that obtained former Fort Ord Land under this program include: Monterey County Housing Authority, Veterans Transition Center, Community Human Services, and Interim, Inc. FORA recently assisted the VTC in securing additional water allocation from the U.S. Army to expand their program.

California State Redevelopment Law under the Health and Safety Code required at least 15% inclusionary (affordable) housing in redevelopment project areas. (Source?). Early on in the FORA process member jurisdictions voted to increase this minimum by 5%, largely in response to housing price increases witnessed in the Seaside Highlands development (Source?). At the behest of Congressman Farr, the FORA Board created a Housing Task Force facilitated by FORA staff and including a diverse range of jurisdictional and regional stakeholders, housing professionals, public and private sector housing developers, the local business community, and the public. As part of this effort, several housing studies were commissioned including The Clark Group Housing Task Force Report (2003) which recommended creation of a housing trust fund to facilitate project construction, and using FORA CIP contingency dollars to produce Affordable Housing. Another study by Bay Area Economics (“BAE”), Economic Analysis of Below Market Rate Housing (2003) suggested that achieving 40% inclusionary housing within new projects would only be possible with extensive project subsidies. Ultimately the Housing Task Force recommended a target 30% inclusionary housing requirement on former Fort Ord projects. The FORA Master Resolution Amendment 8.02.020. (t) was enacted and formally established the minimum 20% inclusionary target for former Fort Ord projects and required ‘Jobs-Housing balance measures to be considered under FORA’s consistency analysis of individual projects. Practically speaking this resulted in a 30% inclusionary target with workforce housing kicking in

at 21-30%. Additional Jobs-Housing Balance provisions were adopted by vote of the members of the Community Facilities District including the establishment of a tiered Community Facility District (“CFD”) structure and incorporated into the Master Resolution by Amendment in 2004. Under this provision developers providing >20% inclusionary housing could take advantage of reduced CFD fees based on a tiered structure. Since 2004, one project (Promontory Student Housing) has qualified for the Tier 1 CFD fee rate. No projects have yet qualified under Tiers 2 & 3.

More recently, the 2008 Great Recession impacted local affordable housing by eliminating the market differential between Workforce Housing and Market Rate Housing (i.e. market rate housing prices decreased). This reduced incentive for both individual below market projects and the hoped for local Housing Trust, which would have relied on contributions from local employers and municipalities. The original Housing Task Force had been impressed with efforts made by the Silicon Valley Housing Trust, and there is now the potential to engage their resources and expertise directly under the auspices of the MBEP whose recent activities in this vein are described below. Since the recession, market rate housing prices have risen to pre-recession levels. The Fort Ord Base Reuse Plan Reassessment - Market & Economic Analysis (EPS 2012) suggested former Fort Ord home prices are too high for younger and less educated consumers, indicating need to reconfigure product types. The Fort Ord Regional Urban Design Guidelines - Market & Economic Update (SE 2014) suggested slow market-rate unit absorption reflected mismatch between Monterey County resident incomes and home prices. The Post-Reassessment Advisory Committee (“PRAC”) took up the housing affordability issue again in 2016. The committee reviewed Fort Ord reuse affordable housing policy actions, and heard from leading authorities on recommendations for achieving more affordable housing realities in California (FI 2014). The committee also explored “affordable by design” concepts including tiny homes, and leveraging public land ownership to reduce housing cost for qualified buyers, and the possibility of building partnerships among area educational institutions for sharing land, water, and other resources to create housing for Teachers. Recognizing that housing affordability is a regional challenge, the FORA Board also supported formation of the Monterey Bay Economic Partnership to bring a regional focus on this critical issue.

Monterey Bay Economic Partnership (“MBEP”) Housing Policy Report

In 2017, MBEP hired Matt Huerta to head up the regional affordable housing initiative. Working with partners at Envision Housing, Matt produced a report titled “What Realistic Policy Changes Could Improve Housing Affordability in the Monterey Bay Region?” (2018), which was presented to the Monterey County Board of Supervisors in March. A follow-up presentation to the FORA Board was recommended by Supervisor Phillips, and Matt is here today to deliver that report.

Appendix 1. Summary of Projects

Table 1.

Project	Jurisdiction	Total Units	Market Rate Units	% Market Rate Units	Affordable Units	% Affordable Units	Workforce Units	% Workforce Units
Entitled New Residential								

Seahaven	Marina	1,050	840	80%	237	23%	159	15%
Dunes on Monterey Bay	Marina	1,237	866	70%	247	20%	124	10%
Cypress Knolls	Marina	712	498	70%	143	20%	71	10%
Seaside Highlands**	Seaside	380	380	100%	0	0%	0	0%
Seaside Resort	Seaside	125	125	100%	0	0%	0	0%
East Garrison	Monterey County	1,470	1,050	71%	294	20%	126	9%
Subtotals		4,974	3,759	76%	921	19%	480	10%
Existing Residential								
Preston Park	Marina	352	301	86%	0	0%	0	0%
Abrams B***	Marina	192	57	30%	0	0%	0	0%
Interim Inc.	Marina	11	0	0%	11	100%	0	0%
MOCO Housing Authority	Marina	56	0	0%	56	100%	0	0%
Shelter Outreach Plus	Marina	39	0	0%	39	100%	0	0%
Veterans Transition Center	Marina	13	0	0%	13	100%	0	0%
Sunbay	Seaside	297	297	100%	0	0%	0	0%
Bayview	Seaside	223	0	0%	0	0%	223	100%
East Campus	CSUMB	1,253	0	0%	1,253	100%	0	0%
POM Annex	U.S. Army	1,590	0	0%	1590	100%	0	0%
Subtotals		2,436	655	26.89%	1,372	56.32%	223	9.2%
Proposed/Planned Units								
UC	UC/Marina	240	168	70%	48	20%	24	10%
Planned Housing	Seaside	883	618	70%	177	20%	88	10%

Del Rey Oaks Housing	Del Rey Oaks	691	483	70%	138	20%	70	10%
		2,526	1,767	70%	505	20%	254	10%

Totals (Entitled, Existing, Proposed/Planned)								
	Marina	3,662	2,562	70%	746	20%	354	10%
	Seaside	1,908	1,420	73.5%	177	11.5%	311	15.0%
	Monterey County	1,470	1,050	71%	294	20%	126	9%
	Del Rey Oaks	691	483	70%	138	20%	70	10%
	CSUMB	1,253	0	0%	1,253	100%	0	0%
	UCMBES T	240	168	70%	48	20%	24	10%
	U.S. Army	1,590	0	0	1,590	100%	0	0%
	Total	10,814	5,683	54%	4,246	38%	885	8%

*Seahaven (Marina Heights) affordable component includes 186 affordable units from Abrams B and Preston Park.

**City of Seaside intends to comply with State of California redevelopment law and the Fort Ord Reuse Authority Master Resolution by causing the construction of a minimum of 20% low and moderate income housing on a separate site on the former Fort Ord. Note, 'SH Affordable' under proposed residential projects accomplishes a portion of this requirement.

***135 units in Abrams B and 51 units in Preston Park are designated as affordable units for the Marina Heights project.

Additional resources:

FORA Master Resolution 8.02.020. (t) implements BRP policy requiring a minimum of 20% Affordable Housing. [Affordable to Very Low, Low, and Moderate income levels]

FORA Master Resolution Defines Workforce Housing as up to 180% above median area income.

FORA CFD allows for a lower fee for qualified affordable housing projects.

2017 Monterey County rates as published by the State of California: AMI-4 Person-\$68,700.

<http://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits/docs/inc2k17.pdf>

Additional note: HUD has different and lower limits for AMI for Monterey County of 63,100. The low income number is 65,100.***

See <https://www.huduser.gov/portal/datasets/il/il2017/2017summary.odn>

Appendix 2

Key References

Bay Area Economics (2003). Economic Analysis of Below Market Rate Housing.

Clark Group (2003). Fort Ord Reuse Authority Affordable/Workforce Housing Study.

Economic and Planning Systems (2012). Fort Ord Base Reuse Plan Reassessment - Market & Economic Analysis.

Fermerian Institute (2014). Opening San Diego's Door to Lower Housing Costs.

Monterey Bay Economic Partnership (2018). What Realistic Policy Changes Could Improve Housing Affordability in the Monterey Bay Region?

Strategic Economics (2014). Fort Ord Regional Urban Design Guidelines - Market & Economic Update.

FISCAL IMPACT:

Reviewed by FORA Controller _____

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

COORDINATION:

Administrative and Executive Committees

DRAFT

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

Placeholder for Item 8e

Executive Committee Report

This attachment will be included in the final Board packet.

- END -

**DRAFT
BOARD PACKET**