



FORT ORD REUSE AUTHORITY

LEGISLATIVE COMMITTEE MEETING

Monday, October 31, 2016 at 2:30 p.m.

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

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE
4. 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.

5. APPROVAL OF MEETING MINUTES ACTION
 - a. May 4, 2016
6. BUSINESS ITEMS
 - a. 2017 Annual Fort Ord Reuse Authority Legislative Agenda ACTION
 - b. Report on Fort Ord Reuse Authority Transition Planning and Update on Transition Task Force INFORMATION
7. ITEMS FROM MEMBERS
8. ADJOURNMENT

NEXT MEETING: TBD

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FORT ORD REUSE AUTHORITY

LEGISLATIVE COMMITTEE MEETING MINUTES

4:00 p.m., Wednesday, May 4, 2016 FORA (Executive Officer's Conference Room)
920 2nd Avenue, Suite A, Marina CA 93933

1. CALL TO ORDER

Chair Potter declared a quorum and called the meeting to order at 4:31 p.m.

Voting Members Present:

Chair/Supervisor Potter (County of Monterey)
Mayor Rubio (City of Seaside)
Mayor Edelen (City of Del Rey Oaks)
Mayor Pendergrass (City of Sand City)
Mayor Pro-Tem O'Connell (City of Marina)

Others Present:

Erica Parker (Assembly member Stone)
Nicole Charles (Senator Monning)
John Arriaga (JEA & Associates)
Michael Houlemard
Maria Buell
Steve Endsley

2. PLEDGE OF ALLEGIANCE

Pledge of allegiance was led by Chair Potter.

3. ACKNOWLEDGMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

None.

4. PUBLIC COMMENT PERIOD

None.

5. APPROVAL OF MEETING MINUTES

a. March 2, 2016 Legislative Committee Minutes

MOTION: Mayor Edelen moved, seconded by Mayor Pro-Tem O'Connell, to approve the March 2, 2016 minutes, as presented.

MOTION PASSED UNANIMOUSLY

6. REPORTS FROM LEGISLATIVE OFFICES

Nicole Charles gave a brief report on Senator Monning's legislative work: there is no legislation affecting FORA; Assembly Bill 2561 (Vets Affairs Cemetery) is moving thru legislative process and, a hearing date will be assigned. Their office is maintaining close watch on Peninsula water issues and weighed in with California Public Utilities Commission and letters sent to State Water Control Board.

Erica Parker gave a brief report on Assembly member Stone's legislative work. She said Assembly Bill 2561 passed assembly and their office is keeping close eye on the Legislative list identified by Executive committee.

Review 2016 Annual Fort Ord Reuse Authority Legislative Agenda and ACTION Proposed Positions on State Legislation

7. BUSINESS ITEMS

a. 2016 Annual Fort Ord Reuse Authority Legislative Agenda

Michael Houlemard and John Arriaga, JEA and Associates, led a review of the draft legislative track document included in the packet.

The Committee recommended, by unanimous consensus, that the Board:

Adopt the legislative track positions, as amended (**Watch** positions for AB 1925, SB 879, and ACA 8. **Support** positions for AB 1871, AB 2319, AB 2475, AB 2561, AB 2730, AB 2734 and SB 974; **Oppose**: AB 2697; and, **Remove** AB 2514 from the legislative track because Bill is now inactive.

MOTION: Mayor Rubio moved, seconded by Mayor Edelen, to approve the revisions to the Legislative Track List as presented and recommend it to Board for approval.

MOTION PASSED UNANIMOUSLY

7b. Report on Federal and State Legislative Missions and FORA Legislative Session

Mr. Houlemard said he and two other Staff traveled to Sacramento February 8th and 9th. Meetings were held with various agencies to address issues regarding Environmental Service Cooperative Agreement (ESCA) addressing “cleanup”/remediation of Army Munitions and Explosives of Concern; Department of Fish & Wildlife; Department of Toxic Substances Control, California Department of Veteran Affairs; and a meeting with representatives from DIR at Senator Monning’s office to discuss FORA’s prevailing wage issues. This was not the formal legislative mission. The Committee asked if another Legislative mission is needed unless a visit can be coupled in DC during the summer. Mr. Houlemard added that Board members, Phillips and Oglesby will be attending the Association of Defense Communities annual summit scheduled for June in Washington DC. He recommended postponing the legislative mission in light of the Transition Task Force. Chair Potter agreed and offered that it could be done, but only if need arises. Mr. Potter appreciated FORA’s inclusion of County staff when the USARMY representatives visited FORA on the ESCA matters.

7c. Report on Fort Ord Reuse Authority Transition Planning & Update on Transition Task Force

Mr. Houlemard said the Transition Task Force (TTF) group met on April 27th and began the process of reviewing FORA’s revenues sources and obligations as well as other alternatives in reviewing a transition plan. Three options have been identified: 1) FORA continues “as is” with minor adjustments; 2) FORA ceases and its responsibilities/obligations are assigned to jurisdictions; and, 3) Creation of another JPA CSA, etc. He added the Executive Committee will have to be involved as a report to Legislation will need to be made in 2018. Mr. Houlemard said TTF will try and have a recommendation ready to Board by Fall 2016.

The Committee received comments from its members.

There was no public comment.

8. ITEMS FROM MEMBERS

None.

9. ADJOURNMENT

Chair Potter adjourned meeting at 5:03 p.m.



Fort Ord Reuse Authority DRAFT 2017 LEGISLATIVE AGENDA

This report outlines the 2017 Fort Ord Reuse Authority (FORA) legislative program and tasks. The FORA 2017 Legislative Agenda defines Board policy, sets legislative, regulatory, or federal/state resource allocation/direction, and supports the 1997 Base Reuse Plan's (BRP) and the 2012 BRP Reassessment Report guidance for replacing former Fort Ord military regional economic contributions with comparable level civilian activity/programs. The Legislative Agenda is meant to assist state and federal agencies/legislative offices regarding property transfer, economic recovery/reuse, environmental remediation, habitat management/conservation, and infrastructure and mitigation funding. The order in which the tasks are presented herein does not imply ranking or priority. Each item is considered a "priority" in achieving FORA's objectives.

A. HABITAT CONSERVATION PLAN (HCP). Continue/enhance ongoing coordination with federal and state legislative representatives to secure/expedite HCP issuance.

Issue:

HCP approval remains critical to former Fort Ord reuse. Alternatives to a base wide HCP, such as project by project permitting, are costly and time consuming and are not as effective in managing or protecting endangered species.

Benefits:

HCP approval both protects valuable habitat and enables effective regional job and housing creation.

Challenges:

HCP processing over the past ten years has been difficult and costly. Insufficient federal and state agency resources and overlapping regulatory barriers have thwarted the HCP process. Multiple agency coordination requires communication and encouraging cooperation.

Proposed Position

- Support legislative and regulatory coordination, state and federal resources, and strong advocacy to enable speedy reviews and processing.
- Coordinate with U.S. Fish and Wildlife Service, U.S. Department of Interior/ Bureau of Land Management (BLM), California Department of Fish and Wildlife (CDFW), the 20th Congressional District, the 17th State Senate District and the 29th State Assembly District to finalize agreements regarding habitat management on BLM's Fort Ord National Monument, UC Natural Reserve and CA State Parks land in order to complete/implement the HCP.

B. ECONOMIC RECOVERY SUPPORT. Support statewide and regional efforts to create local jurisdiction economic recovery, base reuse financing and consider/support innovative building removal funds.

Issue:

The loss of “redevelopment financing” and other refinancing tools to assist in implementing base closure recovery programs was a heavy blow to FORA’s member jurisdictions. Jurisdictional funding has dropped and substitute financial tools to support economic reuse/recovery initiatives do not match past vehicles set up to support the replacement infrastructure and mitigations. FORA provided an initial two years of funding for an economic development program including staffing, engaging with regional partnerships and local agency program support. Additional programs are still required for building removal.

Benefits:

Sufficient funding resources for the reuse and recovery from former Fort Ord closure and other military bases. Funding support for economic development programs, habitat management protection, building removal, or other infrastructure demands associated with the reuse programs. Removal of buildings that create a “ghost town” effect are a disincentive to investment.

Challenges:

1. Obtaining agreement to use tax or special district funds to create special financing districts to support targeted economic recovery, affordable housing and/or infrastructure in the climate of limited resources.
2. State funding sources remain unclear.

Proposed Position:

Support legislation activating local agency processes for economic development.

- Support establishment of Military Base Reuse “Recovery Zones.”
- Support legislation for incentive based mechanisms to strengthen jurisdictions’ ability to enable/implement base closure recovery programs.
- Consider the addition of newly adopted financing mechanisms for jurisdictional support.
- Continue funding and resource development for economic recovery.

C. VETERANS CEMETERY. Continue support/expansion of the California Central Coast Veterans Cemetery (CCCVC) development on the former Fort Ord.

Issue:

Burial space for California Central Coast veterans is inadequate. The former Fort Ord is both ideally suited and centrally located and an appropriate facility has now been opened to serve the veteran community. A site was set aside/designated in the 1990s for a veterans’ cemetery and the FORA Board of Directors gave support through previous actions of the establishment of the California Central Coast Veterans Cemetery (CCCVC). After multiple actions over 20 years the CCCVC was opened by the CA Department of Veterans Affairs (CDVA) for above ground columbaria, administration and maintenance buildings, a committal shelter, landscaping, and infrastructure for initial operation in October 2016. Future expansion requires additional design, planning, and review and includes in-ground gravesites and additional columbaria, as well as other potential ancillary uses and would complete the project anticipated in the Base Reuse Plan.

Benefits:

The CCCVC offers final resting places for the region's 50,000 (approx.) veterans. Burial plots would enable an option for those who for religious or other reasons prefer such an option.

Challenges:

Cemetery expansion will require significant coordination between FORA, the CCCVC Foundation, the California Department of General Services (DGS), CDVA, US Department of Veterans Affairs (USDVA), the City of Seaside, the County of Monterey, and other state/federal agencies.

Proposed Position:

- Support DGS and CDVA construction expansion efforts.
- Support efforts to sustain priority standing for the CCCVC with CDVA and USDVA.
- Promote continued vigilance and cooperation among the regulatory agencies.
- Coordinate with federal agencies, the City of Seaside, the County of Monterey, the 20th Congressional District, the 17th State Senate District, and the 29th State Assembly District to sustain efforts to generate federal funding and/or status for future CCCVC expansion.

D. AUGMENTED WATER SUPPLY. Work with local and regional agencies to secure State and Federal funding to augment FORA's water supply capital needs.

Issue:

The FORA Capital Improvement Program includes approximately \$24M to fund Regional Water Augmentation necessary to implement the Base Reuse Plan. Six million (\$6M) has been committed to the Pure Water Project to support use of reclaimed resources in the region. Securing outside funds to assist with augmented supply options help the timely implementation of conservation, recycled water and/or desalination water facilities and smooth out upfront costs of infrastructure. Monitor implementation of Ground Water Sustainability Act as it relates to contractual amounts of water to support the implementation of Base Reuse Plan.

Benefits:

Development projected under the Base Reuse Plan depends on an augmented water supply. Additional grant funding reduces FORA and Marina Coast Water District (MCWD) costs to secure water resources and reduces required capital charges.

Challenges:

Scarce funding and competing water projects throughout the region and state. No current federal/state program exists for this funding.

Proposed Position:

- Continue to work with MCWD to enable them to fulfill their contractual obligation to FORA for water resource augmentation.
- Support and coordinate efforts with MCWD, Monterey County Water Resources Agency, Monterey Regional Water Pollution Control Agency, other agencies, and FORA jurisdictions to secure funding and/or support other funding mechanisms proposed for this purpose.
- Coordinate potential water bond funding for Monterey Bay region and FORA augmentation needs.

E. LEGISLATIVE COOPERATION WITH MONTEREY BAY AGENCY LEGISLATIVE ISSUES.

Issue:

Monterey-Salinas Transit, Transportation Agency for Monterey County, and the County of Monterey have adopted legislative programs that may have Fort Ord reuse impacts.

Benefits:

Collaborative funding efforts by agencies involved in the same or interdependent projects increase the chances to obtain critical funding and enhanced partnering for matching funds.

Challenges:

State and federal funding is limited, legislative actions that benefit/impact multiple parties requires coordination, and competition for available funds will be keen.

Proposed Position:

- Coordinate and support other legislative programs in the Monterey Bay area when they interface with former Fort Ord reuse programs.

F. ASSURING LONG TERM STEWARDSHIP OF MUNITIONS CLEANUP AREAS.

Coordinate with Federal, State and local agencies on post-cleanup stewardship of munitions and explosives ordnance issues/areas. Seek additional funds from federal resources and pursue optimizing review processes to complete property transfers.

Issue:

FORA is scheduled to sunset June 30, 2020 and certain munitions funding terminates in 2019. There will be significant post FORA property management and post-remediation issues that will need to be managed. Those issues require resources, coordination and cooperation which are still being defined.

Benefits:

Collaborative partnering for resources by agencies involved in the same or interdependent projects increase the chances to obtain critical funding. Some long term stewardship issues are unfunded but defined as remedies in federal documents.

Challenges:

State and federal funding resources are limited. Federal and State agencies have not funded long term stewardship in many cases. In addition local jurisdictions have limited funding for long-term stewardship.

Proposed Position:

- Seek federal and state cooperation to assure responsiveness, document completion, and crucial funding for long-term stewardship for munitions response areas.

G. LEGISLATIVE COORDINATION REGARDING FORA TRANSITION ISSUES

Issue:

FORA's legislative sunset in 2020 calls for coordination of many items. Specifically, a report to the State Legislature, Local Agency Formation Commission (LAFCO) coordination, jurisdiction interface, and risk analysis. Working with local agencies is crucial. Coordination is beneficial/essential in traversing the long list of issues and reporting requirements.

Benefits:

Collaborative efforts will assure effective transition decisions or potential legislative extension prior

to 2020 sunset or possible legislative extension.

Challenges:

State law requirements, contractual obligations, and inter-agency agreements will require intensive legislative multi-agency negotiations. One of FORA's funding mechanisms (Mello Roos/Community Facilities District/developer fee) is not within LAFCO's jurisdiction and terminates upon FORA dissolution. Replacement funding processes may have a lengthy implementation timeline.

Proposed Position:

- Coordinate and seek support from State Legislature (17th State Senate District and 29th State Assembly District) to assure post-FORA funding for jurisdictions and reuse obligations and to pursue a FORA extension to 2030.

H. PREVAILING WAGES COORDINATION

Coordinate with 17th State Senate Districts and 29th State Assembly District to clarify the implementation of the FORA Prevailing Wage Policy and the enforcement provisions of SB 854 with the State Department of Industrial Relations.

Issue:

Ongoing confusion continues related to various interpretations of how the FORA Prevailing Wage Policy interfaces with the registration, reporting and enforcement provisions of state public works laws amended in state law in recent years.

Benefits:

Collaborative efforts between the designated military base Reuse Authority and Department of Industrial Relations is needed to promote, coordinate and harmonize state public works laws with state laws requiring speedy transition of military bases to civilian use.

Challenges:

SB 854 is in the third year of implementation and there is little experience within DIR of working with Base Reuse Programs.

Proposed Position:

Support legislative and regulatory coordination, state and federal resources, and strong advocacy to enable speedy reviews, compliance, enforcement and coordinated decisions.

PUBLIC SAFETY OFFICER TRAINING. Work with the County of Monterey to assist Monterey Peninsula College (MPC) to obtain capital and program funding for its former Fort Ord Public Safety Officer Training Programs.

Issue:

FORA/County agreed to assist MPC in securing program funds in 2003.

Benefits:

The Public Safety Officer Training Program is an important component of MPC's Fort Ord reuse efforts and enhances public safety training at the regional and state levels. Adequate funding is critical.

Challenges:

Funds available through the Office of Homeland Security, the Office of Emergency Services, or other sources may be restricted. MPC has begun interim program efforts but is yet to accept the property for the permanent former Fort Ord facilities.

Proposed Position:

- Pursue legislative or other actions to support MPC efforts to secure funding sources.

DRAFT