

**RESOLUTION NO. \_\_ - \_\_ C.S.**

Date: October 16, 2018

Item No: 13.

**A RESOLUTION OF THE COUNCIL OF THE CITY OF MONTEREY**

**RECOMMENDING THAT THE FORT ORD REUSE AUTHORITY BOARD VOTE TO SUPPORT LEGISLATION EXTENDING THE FORT ORD REUSE AUTHORITY FOR TEN YEARS, TO INCLUDE A GRADUAL SCALING BACK OF THE ORGANIZATION BY JANUARY 2021**

WHEREAS, as the organization responsible for financing and constructing major components of the infrastructure needed to accommodate land use projects identified in the Fort Ord Base Reuse Plan (BRP), it is the responsibility of the Fort Ord Reuse Authority (FORA) and member jurisdictions to implement the BRP and to meet its goal of job replacement for those communities that suffered economic loss upon closure of the base. Implementation of the BRP is important to the economic future of those communities as well as the region as a whole; and, the development of the City's portion of the former Fort Ord plays a key role in implementing Monterey's goal of providing the middle-income jobs necessary to support the housing currently under development as well as in the pipeline for development;

WHEREAS, FORA legislative terminus is June 30, 2020;

WHEREAS, an ad-hoc committee, the Transition Task Force (TTF) was created in April 2016 and made a recommendation to the Board to pursue a legislative extension and a transition plan;

WHEREAS, the task of the TTF consisted of working with staff to create a transition plan to include methodology for allocating assets/liabilities; a methodology for infrastructure improvement timing; and identifying an entity structure to implement obligations and financing options;

WHEREAS, the transition planning process is particularly challenged with timing for completing a transition plan and completing specific tasks requiring negotiating agreements for transferring FORA's duties to other agencies and jurisdictions; and, reaching a consensus with the Local Agency Formation Commission (LAFCO) on the agency's role in the transition execution;

WHEREAS, a ten year extension of FORA in lieu of the Transition Plan would continue FORA in a scaled down version that would continue to implement the Base Reuse Plan, collect Community Facilities District (CFD) Fees, and complete basewide obligations;

WHEREAS, the City of Monterey would benefit from an extension of FORA as follows:

- Continued regional collaboration on economic recovery from the base closure
- Low CFD fees for light industrial / business park development would apply
- CFD fees budgeted for South Boundary Road improvements would apply
- Agreements for water and wastewater delivery remain in place;

WHEREAS, the City of Monterey supports new legislation that would:

- Extend FORA through 2028, to include a gradual scaling back of the organization by January 2021, for the purpose of concentrating on the core administrative and ESCA functions and the creation of a Habitat Protection Joint Powers Association (JPA);
- Create the mechanisms required to implement such gradual scaling back by the January 2021 deadline;
- Eliminate the unanimous voting requirement in favor of simple majority voting;□
- Discuss future composition of voting members post 2020 extension; and
- Seek transition options that identify successor entities, steps to achieve transition, and practicable timeline for completion of the transition; and,□

WHEREAS, the City of Monterey determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA)(CCR, Title 14, Chapter 3 (CEQA Guidelines), Article 20, Section 15378). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project. Because the matter does not cause a direct or any reasonably foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTEREY recommends that the Fort Ord Reuse Authority Board Vote to Support Legislation Extending the Fort Ord Reuse Authority for Ten Years, to include a gradual scaling back of the organization by January 2021.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this \_\_\_\_ day of \_\_\_\_\_, 2018, by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

APPROVED:

ATTEST:

\_\_\_\_\_  
Mayor of said City

\_\_\_\_\_  
City Clerk thereof

