

FORT ORD REUSE AUTHORITY RESOLUTION NO. 10-05

SUPPORTING AB 1791

I. RECITALS

- 1.1. The Fort Ord Reuse Authority ("FORA") was created by state law to plan, finance, and convert the former Fort Ord from military to civilian uses. Government Code sections 67650 - 67700 ("FORA Act").
- 1.2. FORA is a "public corporation of the State of California." Government Code section 67657.
- 1.3. FORA is a unique agency in California in that:
 - 1.3.1. Was established by statute to oversee land use approvals of its member jurisdictions;
 - 1.3.2. Its initial decisions must be unanimous;
 - 1.3.3. Its jurisdictional area is approximately forty-five (45) square miles;
 - 1.3.4. 18,000 acres, two thirds of its area, is permanently reserved as open space; and
 - 1.3.5. It will sunset on June 30, 2014.
- 1.4. In the FORA Act the Legislature found and declared that "the planning, financing and management of the reuse of the former Fort Ord is a matter of statewide importance..." Government Code section 67657 (c).
- 1.5. The FORA Board comprises representatives from every local jurisdiction affected by the redevelopment of the former Fort Ord and its major stakeholders. Government Code section 67660 and 67661.
- 1.6. The FORA Act required FORA to adopt a Base Reuse Plan governing redevelopment and reuse of the former Fort Ord. Government Code section 67675.
- 1.7. A Base Reuse Plan was adopted by the FORA Board. That Plan designates all future commercial development sites. Government Code section 67675 (c) (1).
- 1.8. The adopted Base Reuse Plan will not result in a net increase in the level of development over that existing when the former Fort Ord was devoted to use as a military base.
- 1.9. The former Fort Ord was developed as a "city" and an estimated population near 36,000. The former Fort Ord had numerous commercial, residential and industrial uses. These developed uses were served by sewer, water, electrical and natural gas distribution and collection lines.
- 1.10. Redevelopment of the former Fort Ord is statutorily required to comply with the Base Reuse Plan. Government Code section 67675.8. The FORA Board determines whether a project is consistent with the Base Reuse Plan. Government Code section 67675.8 (b) (1).
- 1.11. Each of the sites designated in the Base Reuse Plan for commercial development is distant from similar commercial development within a non-Fort Ord neighboring jurisdiction.
- 1.12. No part of the former Fort Ord was used for agricultural purposes prior to base closure. The Base Reuse Plan does not designate any area for agricultural use.

- 1.13. The state law restriction inhibit the financing powers granted by the Authority Act to support employment creating commercial services use on certain areas designated for such use in the Base Reuse Plan.
- 1.14. The restrictions of current redevelopment law conflict with the Authority Act that anticipated use of tax increment to support the heavy infrastructure and other basewide costs of former Fort Ord redevelopment.
- 1.15. FORA has proposed to the state legislature that the former Fort Ord communities be allowed to use direct tax increment assistance to commercial project proponents to help pay for the required infrastructure replacement.
- 1.16. Assemblymember Bill Monning has authored AB 1791 to address this restriction in a localized, focused manner to allow powers offered under the Authority Act to be undertaken by FORA jurisdictions for these select areas.
- 1.17. The members of the Fort Ord Reuse Authority have reviewed the legislation being authored by Assembly Bill Monning and have concluded that it would be beneficial to the reuse of the former Fort Ord.

II. RESOLUTION

NOW, THEREFORE, BE IT RESOLVED as follows:

- i. that the Fort Ord Reuse Authority urges the California Legislature to enact AB 1791; and
- ii. that this Resolution takes effect immediately upon adoption.

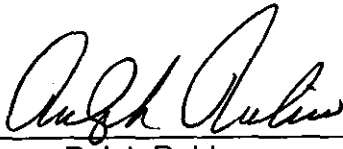
III. ADOPTION

Upon the motion of Councilmember Mancini, seconded by Supervisor Parker, the foregoing resolution was ADOPTED at the March 12, 2010 Board of Directors meeting by the following vote:

Ayes:	12	Directors Rubio, McCall, Parker, Edelen, Kampe, Gray, Mancini, Pendergrass, Potter, McCloud, Cook (alternate), and Selfridge
Noes:	-0-	
Absent:	1	Director Barnes
Abstentions:	-0-	

I, RALPH RUBIO, Chair of the Board of Directors of the Fort Ord Reuse Authority of the County of Monterey, State of California, do hereby certify that the foregoing is a true copy of an original order of the said Board of Directors duly made and entered in the minutes thereof at Item 7ai on page five of the board meeting minutes of March 12, 2010, which are kept in the minute book resident in the offices of the Fort Ord Reuse Authority.

Dated 3/18/10

By 
 Ralph Rubio
 Chair, Board of Directors
 Fort Ord Reuse Authority