

**FORT ORD REUSE AUTHORITY**  
**Resolution No. 20-05**

**A RESOLUTION OF THE GOVERNING BODY OF THE FORT ORD REUSE AUTHORITY**

*Approving and Authorizing the Execution and Delivery of Joint Community Facilities Agreements with the County of Monterey and the Cities of Del Rey Oaks, Marina, Monterey, and Seaside and Approving Related Actions*

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

A. In 2002, the Fort Ord Reuse Authority (“FORA”) established the Fort Ord Reuse Authority Basewide Community Facilities District (the “CFD”), pursuant to the Mello-Roos Community Facilities Act of 1982 (California Government Code Section 53311 *et seq.*), as amended (the “Act”) for the purpose of collecting special taxes under the Act to finance, among other things, the construction of certain roadway improvements, transit improvements, water and storm drain improvements, other public facilities, and for costs related to habitat management (including, without limitation, all work and activities to study and review environmental impacts and mitigation measures, as well as legal and overhead costs pertaining thereto) within the CFD or otherwise incident to or required by reason of the development of property within or adjacent to the CFD, all as more particularly described in that Notice of Special Tax Lien recorded on May 22, 2002 as Document No. 2002048932 in the office of the County Recorder of the County of Monterey, California. FORA subsequently earmarked a portion of the special taxes so collected to finance habitat management (collectively, the “Habitat-Related Services”).

B. The existence of the Fort Ord Reuse Authority (“FORA”) is scheduled to terminate in accordance with state law on June 30, 2020 (“FORA’s Termination Date”).

C. The special taxes collected through the CFD and earmarked for Habitat-Related Services will not have been fully expended by FORA’s Termination Date.

D. From and after FORA’s Termination Date, each of the Cities of Del Rey Oaks, Marina, Monterey, and Seaside will be responsible for the provision of Habitat-Related Services in designated portions of the former Fort Ord that are within their individual territorial limits and the County of Monterey will be responsible for the provision of Habitat-Related Services in designated portions of the unincorporated territory of the County of Monterey located within the former Fort Ord.

E. FORA desires to make certain funding available to the County of Monterey and the Cities of Del Rey Oaks, Marina, Monterey, and Seaside to support the continued provision of Habitat-Related Services within their respective territories. FORA’s Board of Directors (the “Board”) determined at its April 17, 2020 meeting that the percentage of the unexpended special taxes collected through the CFD and earmarked for Habitat-Related services to be transferred to the respective jurisdictions upon their entry into Joint Community Facilities Agreements with FORA will be as follows:

County of Monterey	40%
City of Marina	39%
City of Seaside	16%
City of Del Rey Oaks	4%
City of Monterey	1%
<b>TOTAL</b>	<b>100%</b>

NOW THEREFORE the Board hereby resolves that:

1. The foregoing recitals are true and correct.
2. The Board hereby approves the form of Joint Community Facilities Agreement on file with the Secretary. The Executive Officer, acting alone, is hereby authorized and directed to execute and deliver a Joint Community Facilities Agreement with each of the County of Monterey and the Cities of Del Rey Oaks, Marina, Monterey, and Seaside for and in the name and on behalf of FORA in such form, or in substantially similar forms containing such modifications as the Executive Officer may approve as necessary or appropriate to carry out the purposes of the Joint Community Facilities Agreements, such approval to be conclusively evidenced by the execution and delivery by the Executive Officer of the Joint Community Facilities Agreements. Notwithstanding the foregoing, the percentage of the unexpended special taxes collected through the CFD and earmarked for Habitat-Related services to be transferred as set forth in the respective forms on file with the Secretary shall not be altered without the specific approval of the Board.
3. The Executive Officer is hereby authorized and directed, for and in the name and on behalf of FORA, to do any and all things and take any and all actions, which he may deem necessary or advisable as contemplated by the Joint Community Facilities Agreements or otherwise in order to effectuate the transfer of the funds as contemplated by the Joint Community Facilities Agreements.
4. This Resolution shall take effect from and after the date of its passage and adoption.

Upon motion by Board Member Haffa, seconded by Board Member Gaglioti, the foregoing Resolution was passed on this 14th day of May, 2020, by the following vote:

AYES: OGLESBY, PARKER, ADAMS, PHILLIPS, O'CONNELL, HAFFA, MCSHANE, REIMERS, GAGLIOTI, MORTON, CARBONE, GARFIELD

NOES:

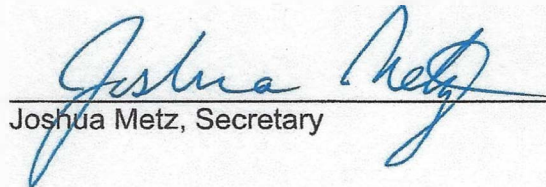
ABSTENTIONS:

ABSENT: WIZARD



Jane Parker, Chair

ATTEST:

  
Joshua Metz, Secretary