



FORT ORD REUSE AUTHORITY

ADMINISTRATIVE COMMITTEE MEETING

8:30 a.m. Wednesday, June 1, 2016

920 2nd Avenue, Suite A, Marina CA 93933 FORA 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 Administrative 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 18, 2016 Minutes

6. JUNE 10, 2016 BOARD MEETING AGENDA REVIEW

INFORMATION/ACTION

a. Special Legislative Session

b. Consultant Determination Opinion Report Categories I and II Post Reassessment Actions – 2d Vote

7. BUSINESS ITEMS

a. Prevailing Wage Orientation Progress

INFORMATION

b. TAMC-FORA Fee Reallocation Study and Presentation

INFORMATION

c. Water Augmentation: Pipeline Financing MOU Update

INFORMATION/ACTION

d. Three-Party Planning: Technical Advisory Group (TAG) Appointments

INFORMATION

e. Capital Improvement Program (CIP)

INFORMATION/ACTION

i. Review Draft FY 16-17 CIP

ii. Recommend Board Adoption of FY 16-17 CIP

8. ITEMS FROM MEMBERS

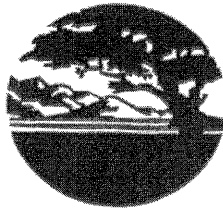
9. ADJOURNMENT

NEXT MEETING: JUNE 15, 2016

On this date, the ESCA Team will have a Workshop:

“Land Use Control Implementation Plan/ Operations and Maintenance Plan”

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



FORT ORD REUSE AUTHORITY
ADMINISTRATIVE COMMITTEE REGULAR MEETING MINUTES
8:30 a.m., Wednesday, May 18, 2016 | FORA Conference Room
920 2nd Avenue, Suite A, Marina CA 93933

1. CALL TO ORDER

Steve Endsley called the meeting to order at 8:35 a.m. The following were present:

**voting members, AR = arrived after call to order*

Craig Malin, City of Seaside*

Elizabeth Caraker, City of Monterey*

Layne Long, City of Marina* AR

Nick Nichols, County of Monterey*

Chris Placco, CSUMB

Steve Matarazzo, UCSC

Vicki Nakamura, MPC

Lisa Reinheimer, MST

Wendy Elliott, MCP

Patrick Breen, MCWD

Bob Schaffer

FORA Staff:

Steve Endsley

Jonathan Brinkmann

Robert Norris

Ted Lopez

Peter Said

Josh Metz

Maria Buell

Absent: Daniel Dawson (City of Del Rey Oaks), Melanie Beretti (County of Monterey)

2. PLEDGE OF ALLEGIANCE

Pledge of allegiance was led by Nick Nichols.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Mr. Endsley announced the Prevailing Wage Coordinator was hired and introduced Sheri Damon to committee members.

4. PUBLIC COMMENT PERIOD

Mr. Endsley opened for public comment. There were no comments from public.

5. APPROVAL OF MEETING MINUTES (no minutes were approved)

a. May 4, 2016 Administrative Committee Minutes

MOTION: Craig Malin moved, seconded by Chris Placco to approve the May 4, 2016 Administrative Committee minutes as presented.

MOTION PASSED UNANIMOUSLY

The committee received comments from members.

6. MAY 13, 2016 BOARD MEETING FOLLOW UP

Mr. Endsley gave the Committee a brief summary of the Board May 13th meeting. The Oak Woodlands item was unanimously approved with Denise Duffy as the Consultant for this project; two water items: a) MCWD Community Compensation Plan was unanimously approved by Board as this has not taken place in a few years. Mr. Endsley said he appreciated the work Peter Said prepared on this item. b) Water augmentation process was also approved. Jonathan Brinkmann added the FY 16-17 annual budget was approved that included a 3% COLA increase. A salary survey is being conducted as to employee compensation since last survey was done 5 years ago.

a. Water Augmentation Update

Peter Said provided a brief summary report to the Committee. He said a successful vote on a Memorandum of Understanding was given by the Board, and a 3-party water augmentation planning process is being negotiated by Executive Officer. Mr. Endsley added these two items are needed in order to bring the APY needed per the Base Reuse Plan. Peter stated a technical advisory group will form to look at alternatives; Staff will collect information from them in order to pass it onto a Consultant who will be hired to provide progress reports back to Staff. Peter said type of data collected will be regulations and constraints regarding water/ future water demands.

The Committee received comments from members. There were no comments from public.

7. BUSINESS ITEMS

Jonathan and Peter reviewed this item in a power point presentation and requested feedback for a presentation to Board.

a. Capital Improvement Program (CIP) Update

i. CIP Schedule

Jonathan reviewed the CIP budget and said two studies are currently being conducted: 1)TAMC Fee and 2) a Sensitivity Analysis and due to Board in June. Peter added TAMC will be providing data in next few weeks. The committee received comments from other members and public.

ii. CIP Table Review (Tables 1-8)

Jonathan reviewed the CIP cash flow tables and Peter reviewed the excel model by showing the latest list of priorities based on the weighing and ranking sent to jurisdictions. There was a question on the contingency set aside; a comment that additional funds could come from other sources of funds (grants, etc) aside from FORA and a request for information on amount of staff time for each contract etc., totaling the CIP/FORA costs line.

iii. Priority Setting

Peter briefly covered Schedule budget for transportation program was also created. Steve Endsley said plan is to bring a CIP program to Board given 2 outstanding studies (EPS on Fees and completion of Fee Allocation). This can be brought back to Committee and that TAMC and engineering firm can talk about this study. Members agreed with the recommendation.

The Committee received public comments.

b. Prevailing Wage Jurisdiction Assistance

Robert Norris said that FORA committed to assist the jurisdictions in fulfilling the prevailing wage compliance requirements; a new prevailing wage coordinator position was approved by Board. He introduced Sheri Damon as the new Prevailing Wage Coordinator for FORA.

c. Regional Urban Design Guidelines (RUDG) Update

Josh Metz announced the release of a Draft Regional Urban Design Guidelines for public review beginning Monday May 16th and ending May 31st. All comments will then be reviewed at the next RUDG meeting.

8. ITEMS FROM MEMBERS

None.

9. ADJOURNMENT

The meeting adjourned at 9:59 a.m.

- START -

**DRAFT
BOARD PACKET**



FORT ORD REUSE AUTHORITY

REGULAR MEETING
FORT ORD REUSE AUTHORITY BOARD OF DIRECTORS
Friday, June 10, 2016 at 2:00 p.m.
910 2nd Avenue, Marina, CA 93933 (Carpenters Union Hall)

AGENDA

ALL ARE ENCOURAGED TO SUBMIT QUESTIONS/CONCERNS BY NOON JUNE 9, 2016.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. CLOSED SESSION

- a. Public Employment, Gov. Code 54959.7(b) - Executive Officer

5. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

- a. Transition Task Force and Index of Documents on FORA webpage
- b. New Staff Introduction
- c. Rick Cooper, Bureau of Land Management

7. 2016 ANNUAL LEGISLATIVE SESSION

- a. Report from Congressman Sam Farr -20th Congressional District
- b. Report from State Senator Bill Monning -17th State Senate District
- c. Report from Assembly member Mark Stone -29th State Assembly District

INFORMATION
INFORMATION
INFORMATION

8. CONSENT AGENDA

CONSENT AGENDA consists of routine items accompanied by staff recommendation.

- a. Approve May 13, 2016 Board Meeting Minutes
- b. Adopt Resolution Acknowledging Col. Paul Fellingner

ACTION
ACTION

9. BUSINESS ITEMS

- a. Water Augmentation: Consider Approval of Pipeline Financing MOU
- b. Consider Adoption of Regional Urban Design Guidelines
- c. Consider Adoption of FORA FY 2016/17 Capital Improvement Program
- d. Consultant Determination Opinion Report
Categories I and II Post Reassessment Actions – 2d Vote

INFORMATION/ACTION
INFORMATION/ACTION
INFORMATION/ACTION
INFORMATION/ACTION

10. PUBLIC COMMENT PERIOD

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.

11. EXECUTIVE OFFICER'S REPORT

The Executive Officer makes brief reports regarding FORA's ongoing activities or request clarification or direction regarding meeting or study session scheduling.

- | | |
|---|--------------------|
| a. Habitat Conservation Plan Update | INFORMATION |
| b. Administrative Committee | INFORMATION |
| c. Post Reassessment Advisory Committee | INFORMATION |
| d. Regional Urban Design Guidelines Task Force | INFORMATION |
| e. Veterans Issues Advisory Committee | INFORMATION |
| f. Water/Wastewater Oversight Committee | INFORMATION |
| g. Administrative Consistency Determination for Entitlement:
City of Marina's Bridge House Project | INFORMATION/ACTION |
| h. Travel Report | INFORMATION |
| i. Public Correspondence to the Board | INFORMATION |

12. ITEMS FROM MEMBERS

13. ADJOURNMENT

NEXT BOARD MEETING: July 8, 2016

For information regarding items on this agenda or to request disability related modifications and/or accommodations please contact the Deputy Clerk at (831) 883-3672, forty-eight (48) hours prior to the meeting. This meeting is recorded by Access Monterey Peninsula and televised Sundays at 9 a.m. and 1 p.m. on Marina/Peninsula Channel 25. The video and meeting materials are available online at www.fora.org.

Placeholder for Item 8a

5/13/16 DRAFT Board Minutes

This item will be included in the final Board packet.

Placeholder for Item 8b

Resolution Acknowledging Col Paul Fellingner

This item will be included in the final Board packet.

Placeholder for Item 9a

**Water Augmentation: Consider Approval of Pipeline
Financing MOU**

This item will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject: Consider Adoption of Regional Urban Design Guidelines

Meeting Date: June 10, 2016

Agenda Number: 9b

INFORMATION/ACTION

RECOMMENDATION(S):

Adopt Regional Urban Design Guidelines (RUDG).

BACKGROUND:

RUDG completion was identified as a separate 1997 Base Reuse Plan (BRP) implementation action. In May 1999, the Fort Ord Reuse Authority (FORA) Board voted to proceed with jurisdictional approach to base wide redevelopment (including creation of RUDG). In March 2005, the Board approved the Highway 1 Design Guidelines as the first stage of RUDG actions. The 2012 Reassessment Report identified RUDG completion, including policies for Gateways, Town & Village Centers, Regional Circulation Corridors and Trails, as incomplete BRP requirements. In spring 2013, the Post Re-assessment Advisory Committee (PRAC) was formed and recommended RUDG completion. Subsequently, the Board approved FY 13/14 and FY 14/15 budgets and FORA Staff Work plans that included RUDG completion.

During 2014, the Board empaneled the RUDG Task Force to oversee RUDG consultant recruitment, advising and project completion. Following a national search, Dover, Kohl & Partners (DKP) along with an interdisciplinary team was selected. In November DKP and FORA staff completed a series of stakeholder interviews during a preliminary Site Visit. In February 2015, DKP and FORA staff, completed a 10-day public design process leading to a preliminary draft RUDG. Staff and DKP presented a project update at the April 10, 2015 Board Meeting.

In May 2015, the FORA Board requested Authority Counsel clarify FORA RUDG authority and legal framework (**Attachment A**). The Authority Counsel memo clarified the following:

- Development of RUDG for the Highway 1 Corridor (approved 2005), Town & Village Centers, Gateways, Regional Circulation Corridors, and Trails are required as distinct implementation actions under the BRP;
- RUDG are to focus on issues of visual quality and character;
- Board approved RUDG will establish measures for future consistency determinations; and
- RUDG do not override prior/current consistency determinations, redefine land use designations, or local zoning and General Plans.

Following the February charrette, staff, consultants and the RUDG Task Force conducted a robust review and revision process leading to the current DRAFT RUDG policy document. Following Board and Task Force feedback, RUDG deliverables were divided into the RUDG document (concise policy for Board adoption) and Appendices (supporting content). Throughout the entire RUDG development process, the Task Force met on 34 separate occasions and reviewed 24 administrative DRAFT revisions. Along with Task Force members, the public review and revision process has included representatives from FORA's development community, regional agencies, members of the public, building and trade representatives, and California State University Monterey Bay (CSUMB) Master Planning team.

A Special Board Workshop and Public Open House was held November 2, 2015 to present administrative DRAFT RUDG and receive direct Board and public feedback. Subsequently, the Task Force met again on December 16 to review progress. At that meeting the Task Force and staff requested DKP provide a final draft including document digital files to allow direct editorial access. Staff received an updated DRAFT RUDG document from DKP on December 31, 2015.

During detailed content review, Task Force members and staff recognized the need to further refine document organization and policy language. Staff completed this work (**Attachment B**; <http://bit.ly/1sCmrha>) and created a new interactive project website <http://www.designfortord.org> for increased accessibility, clarity, and to facilitate editorial, and future implementation. Appendices are available here: <http://bit.ly/1THrl3d> and on the project website.

Editorial work has included text refinement, reorganization of key content items; reorganization of guidelines structure; and production and deployment of interactive, scalable web maps. The new website is intended as an interactive home for the RUDG. The current DRAFT RUDG document and website are organized following the original structure of previous RUDG documents with some modification, and the outline is provided below:

- **Home**
- **Introduction**
 - Project Timeline
 - Design Principles
 - Economic Factors
 - Policy Application
 - Definitions
- **Locations**
 - Land Use Jurisdictions
 - Town & Village Centers
 - Gateways
 - Regional Circulation Corridors
 - Trails
 - Regional Transit Facilities
- **Guidelines**
 - Roads
 - Complete Streets
 - Connectivity
 - Trails
 - Hwy 1 Design Corridor
 - Buildings
 - Orientation
 - Types, Setbacks & Height
 - Landscaping
 - Palettes
 - Lighting
 - Signage
 - Gateways
 - Wayfinding
 - Other Matters of Visual Importance
 - Public Spaces
 - Centers
 - Transit Facilities
- **Appendices**
 - Public Process
 - Vision & Illustrations
 - Market Update

Together these edits and adjustments improve comprehension, applicability, usability and implementation of the FORA RUDG. A second Special Board Workshop and Public Open House was held on March 7, 2016 to present progress to date including the new website format. During that meeting remaining content refinements were identified including:

- Completion of landscape pallet and placement recommendations
- Completion of wayfinding and gateway signage recommendations
- Refinement of road and trail cross-sections
- Refinement of building height and setback recommendations

DISCUSSION

The outstanding items were completed using targeted consulting support. The Task Force met on May 10, 2016, and recommended unanimously to release a Public Review Draft for a 14-day review and comment period. The deadline for written comments is 12:00pm Tuesday May 31, 2016. Staff will respond to written comments prior to advancing the final draft document for Board consideration.

FISCAL IMPACT:

Reviewed by FORA Controller _____

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

COORDINATION:

RUDG Task Force and Administrative Committee

Prepared by _____ Reviewed by _____
Josh Metz Steve Endsley

Approved by _____
Michael A. Houlemard, Jr.

MEMORANDUM

Kennedy, Archer & Giffen
A Professional Corporation

DATE: April 1, 2015
TO: Fort Ord Reuse Authority
FROM: Authority Counsel
RE: Regional Urban Design Guidelines

I. Issues:

This memorandum explores the scope of planning authority vested in the Fort Ord Reuse Authority (“FORA”) by the Regional Urban Design Guidelines (“RUDG”). To frame the issue, this memorandum specifically responds to questions that FORA Senior Planner Josh Metz posed to Authority Counsel in a February 23, 2015 email (“February 23 Email”). It also addresses a subsequent, related document that FORA’s Planning Department (namely, Steve Endsley, Jonathan Garcia, and Josh Metz) addressed to Authority Counsel entitled “RUDG Legal Questions Needing FORA Authority Counsel Opinion.” We have distilled from those two documents the following questions, followed by a summary of our conclusions:

A. What are “guidelines” and are they “mandatory”?

Generally, guidelines create standards that may be used to determine whether a local jurisdiction’s land use plan, zoning ordinances, and implementation acts are consistent with FORA’s Base Reuse Plan (“BRP”). In that sense, they are “mandatory.” But there are, as discussed below, limitations on the scope of such guidelines.

B. What is the difference between “guidelines” and “zoning”?

The relationship between the “guidelines,” including the RUDG, and zoning can be summarized as follows: FORA establishes guidelines pursuant to its authority under the FORA Act and BRP. The local jurisdictions must account for such guidelines when submitting its proposed land use plans, zoning, and implementing actions. FORA must then determine the consistency of such plans, zoning, and actions with those guidelines (and other requirements of the BRP), the process for which is set forth in the FORA Act and Article 8.01 of the Master Resolution. Accordingly, the RUDG are not zoning plans or zoning ordinances; only the local jurisdictions can establish those under the FORA Act.

C. Will FORA-approved guidelines limit local jurisdiction planning authority?

Yes, but only to the extent the guidelines are within their proper scope and follow the process for land use planning articulated in the FORA Act. Namely, the RUDG are limited in scope to matters of “visual importance/visual character,” and further that RUDG cannot impose requirements inconsistent with a local jurisdiction’s land use plan, zoning ordinances, implementation action, etc. after FORA has determined the same to be consistent with its BRP.

We therefore conclude RUDG can be implemented as a mandatory standard for local jurisdictions regarding matters of visual importance by which FORA can measure future consistency determinations.

II. Analysis

A. What are “Guidelines” and Are They Mandatory?

The February 23 Email first asks, “What are ‘guidelines’?” The RUDG Legal Questions Needing FORA Authority Counsel Opinion narrows the issue somewhat, by asking “What is FORA’s Regional Urban Design Guidelines (RUDG) legal authority?” And both the February 23 Email and the RUDG Legal Questions Needing FORA Authority Counsel Opinion ask: are the RUDG “mandatory?” This memorandum addresses those related questions together.

1. Definition of “Guidelines”

The term “guidelines” is not a legal term of art and has no particular legal meaning. Merriam-Webster defines a guideline as “a rule or instruction that shows or tells how something should be done.”¹ An alternative definition is “an indication or outline of policy or conduct.”² Though somewhat ambiguous, the former definition appears to provide a mandatory “rule,” whereas the latter may suggest something more permissive.³ But a dictionary definition does little to answer what “guidelines” means in this context, and is not dispositive of the issue of whether the RUDG are “mandatory.” It is therefore more instructive to focus on the source and substance of the RUDG, namely, the “Design Principles” set forth in the BRP.

2. Legal Authority for the RUDG

The legal authority for the BRP is set forth in the FORA Act at Government Code section 67675. That section obligates FORA to create the BRP, accounting for “[a] land use plan for the integrated arrangement and general location and extent of, and the criteria and standards for, the uses of land ... and other natural resources[.]” Such authority encompasses the power to proscribe design guidelines.

¹ <http://www.merriam-webster.com/dictionary/guideline>

² *Ibid.*

³ See also “*Pirates of the Caribbean, Curse of the Black Pearl*” (Captain Barbossa: “[T]he code is more what you’d call ‘guidelines’ than actual rules”).

The BRP provides for “Major Provisions of the Reuse Plan,” and “Context and Framework” for the BRP. (BRP, § 1.2.1, p. 3.)⁴ “The Framework for the Reuse Plan establishes the broad development considerations that link the various Reuse Plan elements to the land use jurisdiction into an integrated and mutually supporting structure.” (BRP, § 1.2.1, p. 8; see also art. 3.0, p. 55.) Part of that Framework is a “Community Design Vision,” which sets forth six specific “Design Principles.” (BRP, § 1.2.1, pp. 8-9; see also § 3.1, p. 56.) Design Principle no. 6 provides:

Design Principle 6: Adopt [RUDGs]. The visual character of the former Fort Ord will play a major role in supporting its attractiveness as a destination for many visitors every year. Maintaining the visual quality of this gateway to the peninsula and where necessary enhancing it is of regional importance to ensure the economic vitality of the entire peninsula. [RUDG] will be prepared and adopted by FORA to govern the visual quality of areas of regional importance within the former Fort Ord.

(BRP, § 1.2.1, p. 9; see also § 3.1.1, p. 61.)

The “full” version of Design Principle no. 6 provides:

Adopt [RUDGs]. The **visual character** of the Monterey Peninsula plays a major role in supporting the area’s attractiveness as a destination for many visitors every year. ... **Maintaining the visual quality of this gateway to the Peninsula and where necessary enhancing it is of regional importance to ensure the economic vitality of the entire Peninsula.** [RUDGs] will be prepared and adopted by FORA as a separate **implementation action to govern the visual quality of the following areas of regional importance.** The guidelines will address the State Highway 1 Scenic Corridor, the freeway entrances to the former Fort Ord ... from the State Highway 1 ..., areas bordering the public [sic] accessible habitat-conservation areas, major through roadways such as Reservation Road and Blanco Road, as well as other areas to be determined. **The urban design guidelines will establish standards for road design, setbacks, building height, landscaping, signage, and other matters of visual importance.”**

(BRP, § 3.1.1, p. 61.)

The BRP therefore provides that the RUDG shall “govern” and shall “establish standards” for certain elements. (BRP, § 3.1.1, p. 61.) Those elements relate to the visual quality of certain areas. However, at least within that scope and subject to the processes

⁴ All references to the BRP are to volume 1, unless otherwise specified.

applicable to land use consistency determinations, the “guidelines” that the BRP sets forth in the RUDG “govern” and “establish standards,” and are mandatory on the local jurisdictions.

B. Differences and Relationship Between “Guidelines” and “Zoning”?

A memorandum prepared on September 3, 2013 by FORA Special Counsel Alan Waltner,⁵ discussed the relationship between “zoning” and FORA’s authority to govern land use. This memorandum will not repeat that one, save to highlight the discussion at pages 2 to 3, where Counsel pointed out that “zoning” is within the authority of the local jurisdictions, not FORA; FORA’s authority is to determine whether land use plans, zoning ordinances, implementing actions, etc. are consistent with the BRP, including design guidelines.

FORA has the authority and obligation to create the BRP, including “[a] land use plan for the integrated arrangement and general location and extent of, and the criteria and standards for, the uses of land, water, air, space, and other natural resources within the area of the base.” (Gov’t Code, § 67675.) “[A]fter the board has adopted a reuse plan, a member agency with jurisdiction within the territory of Fort Ord may adopt and rely on the [BRP], including any amendments therefor, for purposes of its territory ... as its local general plan for purposes of Title 7 until January 1, 1996.” (Gov’t Code, § 67675.1.) Also, “[a]fter the board has adopted a [BRP], each county or city with territory occupied by Ford Ord shall submit its general plan to the board,” which (a) certifies after a public hearing that it is intended to be carried out pursuant to the FORA Act and (b) “contains, in accordance with guidelines established by the board, materials sufficient for a thorough and complete review.”⁶ (Gov’t Code, § 67675.2.) Within 90 days of the local jurisdiction submitting its general plan, FORA must determine that plan is consistent with the BRP. (Gov’t Code, § 67675.3, subd. (c).) Then, “[w]ithin 30 days after the certifications of a general plan or amended general plan, or any portion thereof, the board shall, after consultation with the county or a city, establish a date for that county or city to submit the zoning ordinances, zoning district maps, and where necessary, other implementing actions applicable to the territory of Ford Ord.” (Gov’t Code, § 67675.4.) The local jurisdiction then submits to FORA those zoning ordinances, zoning district maps, and other implementing actions – such RUDG (see Design Principle no. 6 at BRP, § 3.1.1, p. 61 [RUDGs “will be prepared and adopted by FORA as a *separate implementation action*”]) – and FORA must determine whether those zoning ordinances, maps, and implementation actions conform with the BRP. (Gov’t Code, § 67675.5.)

Accordingly, the relationship between the “guidelines,” including the RUDG, and zoning can be summarized as follows: FORA establishes guidelines, as “other implementing actions,” pursuant to its authority under the FORA Act and BRP. The local jurisdictions must account for such guidelines when submitting its proposed land use plans, zoning, and implementing actions. FORA must then determine the consistency of such plans, zoning, and actions with those

⁵ That memorandum can be found here: <http://www.fora.org/Board/2013/Packet/Additional/091313AlanWaltner.pdf>

⁶ See also Article 8.01 of the Master Resolution, providing for the BRP and FORA’s determinations of local jurisdictions’ legislative land use decisions.

guidelines (and other requirements of the BRP), the process for which is set forth in the FORA Act and Article 8.01 of the Master Resolution.

C. Will FORA-approved Guidelines Limit Local Jurisdiction Planning Authority? And What is the Scope of the RUDG Project?

Will FORA-approved guidelines limit local jurisdiction planning authority? As just discussed, FORA-approved guidelines limit local jurisdiction in the sense that the local jurisdictions must account for such guidelines and that FORA may reject local jurisdiction's land use plans and zoning if they do not comply with such guidelines. However, FORA's authority is not unlimited in this regard. Namely, the authority is limited by (1) prior consistency determinations, to the extent that they overlap with RUDG; and (2) the limited scope of RUDG (visual quality and characteristics).

1. FORA-approved Guidelines Generally Cannot Contradict Previously Enacted Land Use or Zoning Laws that FORA has Already Found to be Consistent with the BRP

First, as discussed in the memoranda of then Authority Counsel (Jerry Bowden) on Dec. 3, 2012 and on November 14, 2013, "[o]nce a local plan has been found consistent with the [BRP], the FORA Act does not permit the [BRP] to be amended if the amendment would negate the consistency finding," pursuant to Government Code section 67675.8⁷ (Jerry Bowden Memo, 11/14/2013, p. 1.) Accordingly, if a newly enacted RUDG imposed a requirement inconsistent with a pre-approved (by FORA) local jurisdiction land use plan or zoning ordinance, the local jurisdiction's land use plan or zoning ordinance should prevail over the new RUDG. As such, RUDG would only limit local jurisdiction's land use on matters that have not already been the subject of a FORA consistency determination.

2. The BRP Limits the Scope of RUDG

Another limitation on the RUDG is that those guidelines address "visual character." As discussed above, the BRP establishes a Framework delineating broad policy considerations. Part of that Framework is a "Community Design Vision," which sets forth six specific "Design

Principles." (BRP, § 1.2.1, pp. 8-9; see also § 3.1, p. 56.) As quoted above, Design Principle no. 6 provides:

⁷ This memorandum does not comment on the correctness of that opinion, but will note that the then Authority Counsel recognized that section 67675.8 was ambiguous and that an alternative meaning was possible. (Jerry Bowden Memo, 12/3/12.) That alternative meaning was that section 67675.8 only imposed limitations on amendments to the BRP where the amendment would affect a single jurisdiction, as opposed to base-wide affects. Indeed, a plain reading of the statute suggests that result. Mr. Bowden found that result anomalous, since the FORA Act would thereby "address the narrow case of single agency amendments and not the broader case of base-wide amendments." (Jerry Bowden Memo, 12/3/12; see also Jerry Bowden Memo, 11/14/13.) In other words, if section 67675.8 only applies to cases where the BRP amendments apply to a single jurisdiction, there would be little else preventing FORA from making amendments with basewide effect.

Design Principle 6: Adopt [RUDGs]. The visual character of the former Fort Ord will play a major role in supporting its attractiveness as a destination for many visitors every year. Maintaining the visual quality of this gateway to the peninsula and where necessary enhancing it is of regional importance to ensure the economic vitality of the entire peninsula. [RUDG] will be prepared and adopted by FORA to govern the visual quality of areas of regional importance within the former Fort Ord.

(BRP, § 1.2.1, p. 9; see also § 3.1.1, p. 61.)

Similarly, the “full” version of Design Principle no. 6 provides:

Adopt [RUDGs]. The visual character of the Monterey Peninsula plays a major role in supporting the area’s attractiveness as a destination for many visitors every year. ... Maintaining the visual quality of this gateway to the Peninsula and where necessary enhancing it is of regional importance to ensure the economic vitality of the entire Peninsula. [RUDGs] will be prepared and adopted by FORA as a separate implementation action to govern the visual quality of the following areas of regional importance. The guidelines will address the State Highway 1 Scenic Corridor, the freeway entrances to the former Fort Ord ... from the State Highway 1 ..., areas bordering the public [sic] accessible habitat-conservation areas, major through roadways such as Reservation Road and Blanco Road, as well as other areas to be determined. The urban design guidelines will establish standards for road design, setbacks, building height, landscaping, signage, and other matters of visual importance.

(BRP, § 3.1.1, p. 61.) The last sentence gives examples of the matters to which the RUDG pertain. Though RUDG are not limited to those specific examples (“... and other matters of visual importance”), RUDG do appear limited to matters of “visual character,” “visual quality,” or “visual importance” of the type listed as examples.⁸

a. Highway 1 Design Corridor Treatment

The RUDG Legal Questions Needing FORA Authority Counsel Opinion inquires “how were issues handled in Hwy 1 Guidelines?” Two points may be made here. First, the Design Guidelines set forth at article 2.0 of the Board approved (2005) Highway 1 Design Corridor Design Guidelines can generally be described as “visual” in character, including landscaping and other elements to promote conservation (§ 2.2.3), use of native plants (§ 2.2.4), setbacks (§

⁸ Another potential limitation on the RUDG is a geographic limitation. Design Principle no. 6 lists the specific geographic areas to which the RUDG are expected to apply. However, it also encompasses (as quoted above) “other areas to be determined.” Thus, the BRP does not actually limit RUDG to those specific geographic areas, provided that it make a determination that maintaining the visual qualities in those areas will serve the purposes laid out in Design Principle no. 6.

2.2.5), compatible signage and common themes to promote a connected quality (§ 2.2.6), greenbelts (§ 2.2.7), common minimum standards for medians lighting, and open spaces (§ 2.2.8), common gateway look and feel (§ 2.2.9), designs that promote walkable streets such as street furniture (§ 2.2.10), building design features (§ 2.2.11), particular signage (§ 2.2.13), viewsheds (§ 2.2.14), etc. Thus, the Highway 1 Design Corridor Design Guidelines are generally limited in scope to the matters set forth in BRP Design Principle 6, i.e., “visual” matters.

Second, the process for enforcing the designs called for in the Highway 1 Design Corridor Design Guidelines recognizes the process of consistency reviews, discussed above. For instance, the first paragraph of the Highway 1 Design Corridor Design Guidelines addresses that treatment:

This document provides a set of design guidelines for the creation of design standards and zoning ordinances by jurisdictions with authority by jurisdictions with authority along the 3-mile California Highway 1 stretch of the former Ford Ord. These guidelines will also serve as the basis for *future* [FORA] consistency determination review of legislative, land use, and project approvals submitted by affected jurisdictions, as required by state law.

(Highway 1 Design Corridor Design Guidelines, § 1.1, p. 1 (*italics added*)). Later, at section 1.6 beginning on page 7, the Highway 1 Design Corridor Design Guidelines discusses how they fall within the Design Review Process, including consistency determinations under the FORA Act and article 8.01 of the Master Resolution, and including development entitlement reviews under the BRP.

In closing, the Highway 1 Design Corridor Design Guidelines recognize that they must comply with the scope of the BRP’s provision for design guidelines and with the process for FORA’s review process set forth in the FORA Act, Master Resolution, and BRP.

b. The Scope of the RUDG Project with Dover, Kohl & Partners (“DKP”)

The RUDG Legal Questions Needing FORA Authority Counsel Opinion penultimately inquires “what is [the] scope of [the] RUDG project?” As addressed above, the scope of RUDG is visual quality.

FORA’s Request for Proposals for Regional Urban Design Guidelines (“RFP”) identifies Design Principle no. 6, i.e., creation of RUDG, as the focus of that scope of work. (RFP, p. 18 of 29.) As discussed above, Design Principle no. 6 relates principally to visual characteristics. Other design principles, it should be noted, relate to more “substantive” land use considerations, such as establishment of mixed-use development patterns (no. 3), establishing diverse neighborhoods (no. 4), and encouraging sustainable development (no. 5.)

The RFP then identifies two “top level” goals: (1) completion of RUDG focusing on Town & Village Centers, Regional Circulation Corridors, Trails and Gateways on the former Ford Ord; and (2) Development of a strategic implementation plan to guide FORA and its member jurisdictions on integrating RUDG into planning processes.” In order to achieve those goals, the RFP contemplates the design professional “understand[ing] in detail existing land use and design regulations,” while recognizing that “local land use jurisdictions ... retain [] local control over all land use policies.” (RFP, pp. 18-19 of 29.) The “Key Deliverables” section of the RFP also appears to recognize the scope of RUDG. (RFP, p. 21 of 29.)

Form Based Code examples to be provided by the consultant under the contract are meant to serve as a visual representation of already allowed land uses in the BRP and are meant for illustrative purposes only. As noted above, the State has granted purview over Zoning to the FORA jurisdictions, and so insofar as Form Based Codes could substitute for a jurisdiction's Zoning Code, staff is recommending that those aspects of the Scope be provided to the jurisdiction's on an optional basis

III. CONCLUSION

The RUDG can be implemented as a mandatory standard for local jurisdictions regarding matters of visual importance by which FORA can measure future consistency determinations.

REGIONAL
URBAN
DESIGN GUIDE LINES

Regional Urban Design Guidelines

Interactive Website Online: <http://www.DesignFortOrd.org>



FORT ORD REUSE AUTHORITY

DRAFT 5/16/2016

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject: Consider Adoption of FORA FY 2016/17 Capital Improvement Program

Meeting Date: June 10, 2016

Agenda Number: 9c

INFORMATION/ACTION

RECOMMENDATION(S):

- i. Receive a presentation by Fort Ord Reuse Authority (FORA) staff regarding the FY 2016/17 Capital Improvement Program (CIP).
- ii. Adopt the FORA FY 2016/17 CIP (**Attachment A**).

BACKGROUND/DISCUSSION:

FORA staff annually provides a CIP overview, including updates made through revenue and expenditure reprogramming and text edits. The most significant updates this year include:

- 1) Transportation projects and other CIP expenditure adjustments to accommodate updated FORA CFD special tax/ development fee collection, land sales and property tax collection, development forecasts, and transportation/transit project prioritization;
- 2) Prevailing wage coordination costs and caretaker costs are both included in Table 3;
- 3) The Board adopted Caretaker Costs Reimbursement Policy (October 9, 2015) is now included under Appendix C to the CIP;
- 4) Staff has indexed FORA's building removal obligation of \$4 million in Seaside Surplus II by the Construction Cost Index (CCI) to current dollars of \$5.4 million; and
- 5) According to the FORA Community Facilities District (CFD) Notice of Special Tax Lien, the CFD Special Tax rates are increased on each July 1 by the percentage change in the previous year's CCI. Since the percentage change in the CCI was 1.6% over the past year, FORA will increase its CFD Special Tax rate by this percentage on July 1, 2016.

FORA staff annually requests updated reuse forecasts from the land use jurisdictions. FORA staff and Administrative Committee review the submitted forecasts to ensure that forecasts are realistic and within the Base Reuse Plan residential unit caps. The FORA Administrative Committee confirmed the updated forecasts at their March 2, 2016 meeting. Using these forecasts, FORA estimates CIP funding sources, including CFD special tax/development fees, land sales, property taxes, and grant proceeds anticipated to be received each fiscal year. Staff used the forecasted revenues to place expenditures on transportation/transit, water augmentation, habitat management and building removal over the course of four years and the "post-FORA" term. "Post-FORA" means the time-period after June 30, 2020 (FORA dissolution date in state law) needed to complete CIP funding collections and project expenditures by FORA or its successor(s). This time-period is currently estimated to extend 15 years after 2020.

The Administrative Committee recommended FORA Board approval of the attached FY 2016/17 CIP at their June 1, 2016 meeting.

CIP reprogramming continues to be a routine procedure to assure that mitigation projects are implemented in the best possible sequence with reuse needs. Next year's CIP may differ, based on updated jurisdiction forecasts and actual fee collection. As part of FORA's biennial formulaic

fee review, EPS will analyze the FORA land sale revenue forecasting methodology in detail. The FORA Board typically adopts the CIP at its May or June meeting in order to implement the program by the start of the fiscal year on July 1. The Administrative Committee recommended draft FY 2016/17 FORA CIP is included as **Attachment A** for Board consideration.

TAMC is currently working with consultant Kimley-Horn and Associates to complete an updated FORA Fee Reallocation Study within the next few months. Once completed, the updated study will provide current information on FORA's transportation and transit obligations, which will inform Economic & Planning Systems, Inc.'s (EPS's) biennial formulaic fee review. The results of both studies will likely lead to staff presenting FORA CIP revisions to the Board for consideration during FY 2016/17.

FISCAL IMPACT:

Reviewed by FORA Controller _____

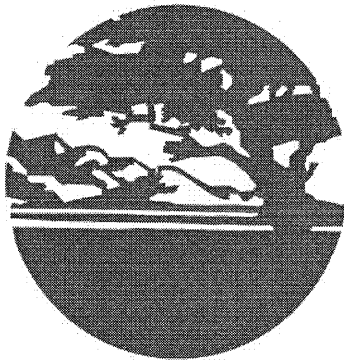
Staff time for this item is included in the approved annual budget.

COORDINATION:

Authority Counsel, Administrative and Executive Committees, land use jurisdictions, Marina Coast Water District, Transportation Agency for Monterey County.

Prepared by _____
Jonathan Brinkmann

Approved by _____
Michael A. Houlemard, Jr.



DRAFT
FY 2016/17
Capital Improvement
Program

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I. INTRODUCTION

The Fort Ord Reuse Authority (FORA) Capital Improvement Program (CIP) was created in 2001 to comply with and monitor mitigation obligations from the 1997 Fort Ord Base Reuse Plan (BRP). These mitigation obligations were described in the BRP Appendix B as the 1996 Public Facilities Implementation Plan (PFIP) – which was the initial capital programming baseline. The CIP is a policy approval mechanism for the ongoing BRP mitigation requirements as well as other capital improvements established by FORA Board policy. The CIP is re-visited annually by the FORA Board to assure that projects are implemented on a timely basis.

This FY 2016/17 – “Post-FORA” CIP document has been updated with reuse forecasts by the FORA land use jurisdictions and adjusted to reflect staff analysis and Board policies. Adjusted annual forecasts are enumerated in Tables 6 and 7 of this document.

Current State law sets FORA’s sunset for June 30, 2020 or when 80% of the BRP has been implemented, whichever occurs first. For this CIP document, “Post-FORA” means the time period after June 30, 2020 needed to complete CIP funding collections and project expenditures by FORA or its successor(s). The revenue and obligation forecasts are currently being addressed in the Board’s FORA Transition Task Force and, under State law, will require significant coordination with the Local Agency Formation Commission.

Periodic CIP Review and Reprogramming

Recovery forecasting is impacted by the market. However, annual jurisdictional forecast updates remain the best method for CIP programming since timing of project implementation is the purview of the individual on-base FORA members. Consequently, FORA annually reviews and adjusts its jurisdictional forecast-based CIP to reflect project implementation and market changes. The protocol for CIP review and reprogramming was adopted by the FORA Board on June 8, 2001. Appendix A defines how FORA and its member agencies review reuse timing to accurately forecast revenue. A March 8, 2010 revision incorporated additional protocols by which projects could be prioritized or placed in time and an amplification and refinement are being implemented in the current year. Once approved by the FORA Board, this CIP sets project priorities. The June 10, 2016 Appendix A revision describes the method by which the “Fort Ord Reuse Authority’s base-wide Community Facilities District (CFD), Notice of Special Tax Lien” is annually indexed.

During last year’s CIP reprogramming, the Finance Committee reviewed the FY 2015/16 CIP budget as a component of the overall FORA mid-year and preliminary budgets. They expressed their concern for a higher degree of accuracy and predictability in FORA’s revenue forecasts. Board members concurred and recommended that staff, working with the Administrative and CIP Committees, hone and improve CIP development forecasts and resulting revenue projections. This approach has continued into the 2016/17 document.

CIP Development Forecasts Methodology

From January to May 2014, FORA Administrative and CIP Committees formalized a methodology for developing jurisdictional development forecasts: 1) Committee members recommended differentiating between entitled and planned projects (Appendix A) and correlate accordingly, 2) Market conditions necessary to moving housing projects forward should be recognized and reflected

in the methodology. On average, a jurisdiction/project developer will market three or four housing types/products and sell at least one of each type per month, 3) As jurisdictions coordinate with developers to review and revise development forecasts each year, FORA staff and committees review submitted jurisdiction forecasts, using the methodology outlined in #2, translated into number of building permits expected to be pulled between July 1 and June 30 of the prospective fiscal year and consider permitting and market constraints in making additional revisions; and 4) FORA Administrative and CIP Committees confirm final development forecasts, and share those findings with the Finance Committee.

In FY 2010/11, FORA contracted with Economic & Planning Systems (EPS) to perform a review of CIP costs and contingencies (CIP Review – Phase I Study), which resulted in a 27% across-the-board CFD/development fee reduction in May 2011. On August 29, 2012, the FORA Board adopted a formula to calibrate FORA CIP costs and revenues on a biennial basis, or if a material change to the program occurs. Results of the EPS Phase II Review resulted in a further 23.6% CFD/development fee reduction. A Phase III review, to update CIP costs and revenues, resulted in an additional 17% CFD/development fee reduction which took effect on July 5, 2014. The two-year review of the fees mandated by the Board approved formula is currently ongoing with results expected to be presented to the FORA Board in September 2016.

1) CIP Costs

The costs assigned to individual CIP elements were first estimated in May 1995 and published in the draft 1996 BRP. The Transportation/Transit Costs were updated in 2005 and have been adjusted to reflect actual changes in construction expenses noted in contracts awarded on the former Fort Ord and to reflect the Engineering News Record (ENR) Construction Cost Index (CCI) inflation factors. This routine procedure has been applied annually since the adoption of the CIP. Transportation/Transit costs are being updated by agreement with TAMC and the consultant report will be presented to the FORA Board in September 2016.

2) CIP Revenues

The primary CIP revenue sources are CFD special taxes (aka development fees) and land sale proceeds. These primary sources are augmented by loans, property taxes and grants. The CFD and development fee are adjusted annually to account for inflation using the ENR CCI, with an annual cap of 5%. Development fees were established under FORA policy to govern fair share contributions to the base-wide infrastructure and capital needs, including CEQA mitigations. CFD and development fee reductions are described in section 1) of this Introduction.

The CFD implements a portion of the development fee policy by funding CEQA mitigations described in the BRP Final Environmental Impact Report (FEIR). These include Transportation/Transit projects, Habitat Management obligations, and Water Augmentation. Property tax revenues primarily cover FORA operations, but in some years there are remaining funds to apply toward CIP projects. Land sale proceeds are designated to cover Building Removal program costs per FORA Board policy.

Tables 4 and 5 herein contain a tabulation of the proposed developments with their corresponding fee and land sale revenue forecasts. Capital project obligations are balanced against forecasted revenues on Table 3.

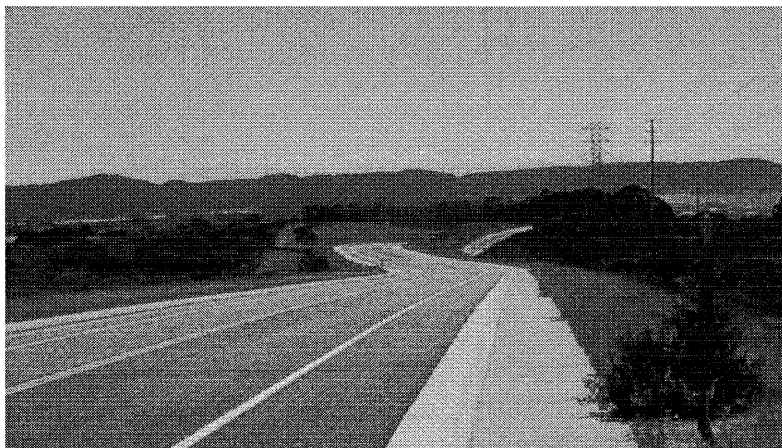
3) Projects Accomplished to Date

FORA has actively implemented capital improvement projects since 1995. As of this writing, FORA has completed approximately:

- a) \$77M in roadway improvements, including underground utility installation and landscaping, predominantly funded by US Department of Commerce – Economic Development Administration (EDA) grants (with FORA paying any required local match), FORA CFD fees, loan proceeds, payments from participating jurisdictions/agencies, property tax payments (formerly tax increment), and a FORA bond issue.
- b) \$1.6M in storm drainage system improvements to design and construct alternative storm water runoff disposal systems that allowed for the removal of storm water outfalls.
- c) In addition to \$82M in munitions and explosives of concern cleanup on 3.3K acres of form Fort Ord, funded by a U.S. Army grant, \$31.3M in building removal at the Dunes on Monterey Bay, East Garrison, Imjin Parkway and Imjin Office Park site. Dunes \$29M [\$7M land sales credit], East Garrison \$2.2M land sales credit, Seaside \$100K = \$31.3M FORA financed building removal to date. Remaining FORA building removal obligation is \$7.5M = \$2.2M Marina stockade and \$5.3M Seaside Surplus II. (See Section II f for additional background.)
- d) \$11M in Habitat Management and other capital improvements instrumental to base reuse, such as improvements to the water and wastewater systems, and Water Augmentation obligations.
- e) \$1.1 in fire-fighting enhancement with the final payment on the lease-purchase of five pieces of fire-fighting equipment which were officially transferred to the appropriate agencies (Cities of Marina, Seaside and Monterey, Ord Military Community and Salinas Rural Fire District) in April 2014.

Section III provides detail regarding how completed projects offset FORA base-wide obligations. As revenue is collected and offsets obligations, the offsets will be enumerated in Tables 1 and 3.

This CIP provides the FORA Board, Administrative Committee, Finance Committee, jurisdictions, and the public with a comprehensive overview of the capital programs and expectations involved in former Fort Ord recovery programs. Additionally, the CIP offers a basis for annually reporting on FORA's compliance with its environmental mitigation obligations and policy decisions by the FORA Board. It can be accessed on the FORA website at: www.fora.org.



General Jim Moore Boulevard is in place, regulators and ESCA are finalizing the Land Use Controls to make this section of the road ready for development.

II. OBLIGATORY PROGRAM OF PROJECTS

As noted in the Introduction, there are four key programs in the Capital Improvement Program (CIP): **Transportation/Transit, Water Augmentation, Habitat Management Requirements, and Building Removal Program.** CFD/development Fee revenues fund the Transportation/Transit, Water Augmentation and the Habitat Management Requirements programs. Of the CFD revenues, 30.2% is set aside for funding the Habitat Conservation Plan (HCP) program first, with the remaining revenue divided between the Transportation/Transit and Water Augmentation programs. Land sale proceeds fund the Building Removal Program to the extent of FORA's building removal obligation first. Beyond that obligation, land sale proceeds may be allocated to CIP projects by the FORA Board per the MOA with the US Army. Summary descriptions of each CIP element follow:

a) Transportation/Transit

During the preparation of the BRP and associated FEIR, the Transportation Agency for Monterey County (TAMC) undertook a regional study (The Fort Ord Regional Transportation Study, July 1997) to assess Fort Ord development impacts on the study area (North Monterey County) transportation network.

When the FORA Board adopted the BRP and the accompanying FEIR, the transportation and transit obligations as defined by the 1997 TAMC Study were also adopted as mitigations to traffic impacts resulting from BRP development. The Study established a total obligation for each improvement and assigned a "share" of the obligation to FORA and the remaining share to the Interested Area (i.e. the Jurisdictions) or another Public Agency (i.e Cal-Trans). The FORA Board subsequently included the Transportation/ Transit elements (obligations) as CFD-funded improvements.

In 2004, FORA and TAMC entered into a cooperative agreement to re-evaluate the Regional Transportation Plan (RTP) and related fee allocations. TAMC and FORA completed that re-evaluation by working with the Association of Monterey Bay Area Governments (AMBAG) to determine key inputs such as population estimates. TAMC's recommendations were enumerated in the "FORA Fee Reallocation Study" dated April 8, 2005; the date corresponds to when the FORA Board approved the study for inclusion in the FORA CIP. The complete study can be found online at www.fora.org, under the Documents menu.

TAMC's work with AMBAG and FORA resulted in a refined list of FORA transportation obligations that were synchronous with the TAMC RTP. Figure 2 shows the transportation obligations which are further defined in Table 1. Table 1 shows the RTP's obligations set by the 2005 study, FORA's share in 2005 dollars, the amount of the obligation met by the close of Fiscal Year 2015/16 in 2016 dollars, and FORA's share of the obligation escalated into 2016 dollars. Figure 2 reflects completed transportation projects, remaining transportation projects with FORA as lead agency, and remaining transportation projects with others as lead agency (described below).

Through its FY 2015/16 operating budget, the FORA Board funded the 2016 FORA Fee Reallocation Study in cooperation with TAMC. In this study, FORA and TAMC are re-evaluating TAMC's RTP and FORA's related fee allocations once again.

This year FORA staff determined the CIP priorities during the 2016/17 budget process using an evidence based approach. The method was a modified Delphi Method in conjunction with a Decision Making Matrix. Staff asked Administrative Committee members to weight priorities through anonymous polling and to reach consensus. Following the weighting process, staff polled of the interested members requesting

scoring of each project by criteria set in Appendix A. The process multiplied project scores by assigned weights, resulting in identification of the Transportation/Transit priorities from highest to lowest. The results were presented to the Administrative Committee members. Table 10 shows the resultant list of priorities as set for 2016/17 CIP. The top two priorities previously set by the Board are Eastside Parkway and South Boundary Road. This evidence based decision making approach ranked the remaining Transportation/Transit projects. Since the 2016/17 FORA CIP was the first application of the evidence based decision making tool, staff and Administrative Committee members learned a number of lessons, which may improve effective use of the tool in the future. A few lessons included recognizing the importance of defining the prioritization criteria, developing the appropriate rating scales (1 to 5), and reviewing how project ranking is applied.

Transportation

Improvements within the CIP are of two types: FORA Lead Agency projects or reimbursement projects. FORA has served as lead agency in accomplishing the design, environmental approval and construction activities for capital improvements considered base-wide obligations under the BRP and this CIP. Where FORA is not the lead agency, reimbursement agreements are negotiated and control how the lead agency receives FORA's share of funding. FORA's obligation with respect to those improvements is financial. Reimbursement agreements are currently in place with Monterey County and the City of Marina for several FORA CIP transportation improvements. Table 2 identifies those improvements, the current obligations (in 2016 dollars) and shows a five-year plan to complete the obligation. The five-year plan is dependent upon the estimated Cash Flow from CFD collections and Land Sales and the priorities set by the jurisdictions using the evidence based approach.

Transit

Transit obligations enumerated in Table 1 remain unchanged from the 1997 TAMC Study and adopted BRP. However, long-range planning by TAMC and Monterey-Salinas Transit (MST) reflect a preferred route for the multi-modal corridor (MMC) different than originally presented in the BRP, FEIR and previous CIPs. The BRP provided for a MMC along Imjin Parkway/Blanco Road serving to and from the Salinas area to the TAMC/MST intermodal center planned at 8th Street and 1st Avenue in the City of Marina portion of the former Fort Ord. Long-range planning for transit service resulted in an alternative Intergarrison/Reservation/Davis Roads corridor to increase habitat protection and fulfill transit service needs between the Salinas area and Peninsula cities and campuses.

A series of stakeholder meetings were conducted to advance adjustments and refinements to the proposed multi-modal corridor plan-line. Stakeholders included, but were not limited to, TAMC, MST, FORA, City of Marina, Monterey County, California State University Monterey Bay (CSUMB), and the University of California Monterey Bay Education, Science and Technology Center. The stakeholders completed a Memorandum of Agreement (MOA) outlining the new alignment of the multi-modal transit corridor plan line in February 2010. Since all stakeholders have signed the MOA, the FORA Board designated the new alignment and rescinded the original alignment on December 10, 2010.

In 2015, TAMC re-evaluated the MMC route once again, holding stakeholder and public outreach meetings to determine how to best meet the transit needs of the community. They have selected Imjin Parkway/Reservation Road/Davis Road as the new preferred alternative. TAMC anticipates requesting FORA Board concurrence, adopting the final MMC alignment and preparing a new MOA to supersede the 2010 MOA alignment in the 2016/17 fiscal year. Full build-out of the MMC route is expected to take 20 years.

Figure 1. Transportation Map

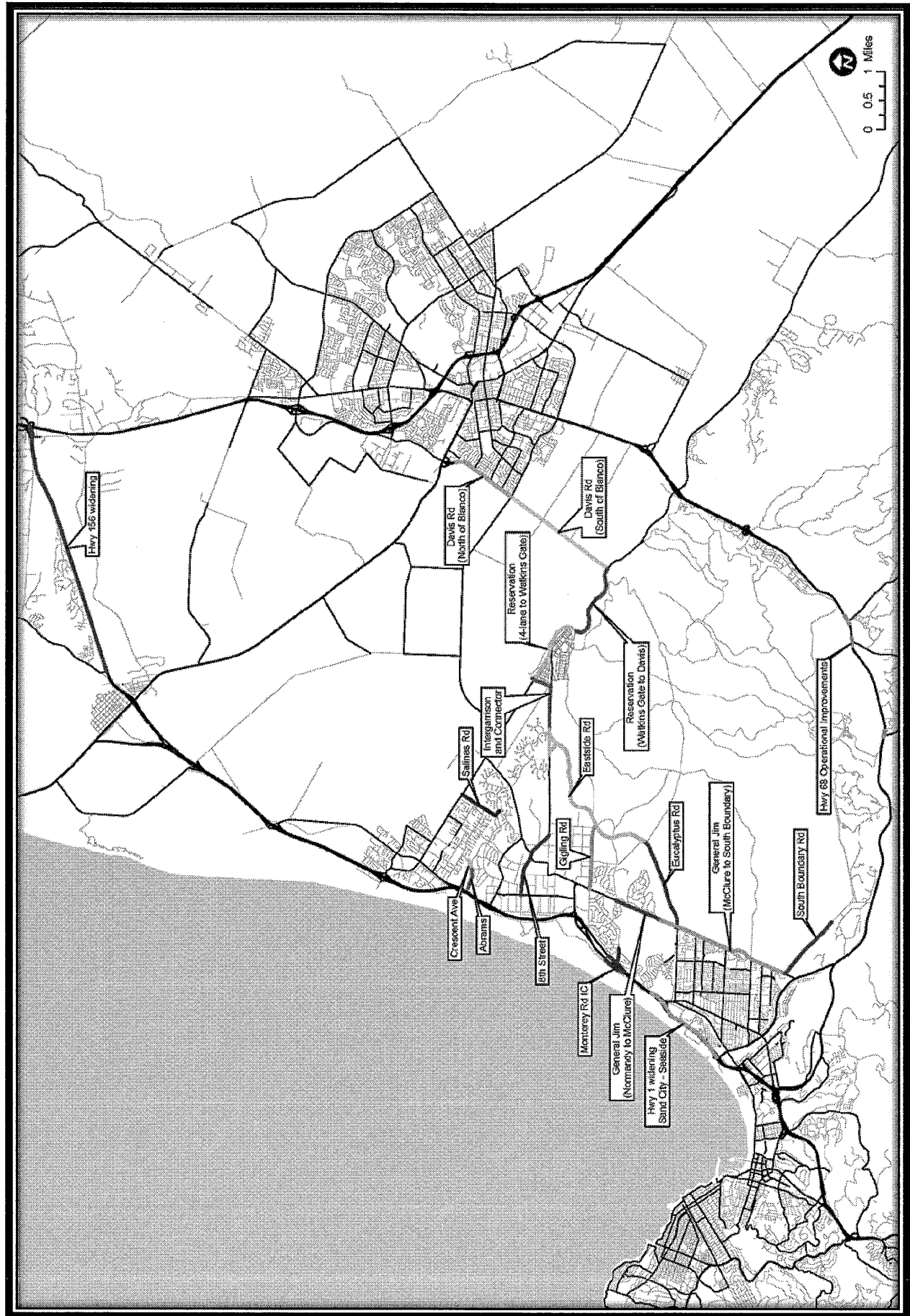
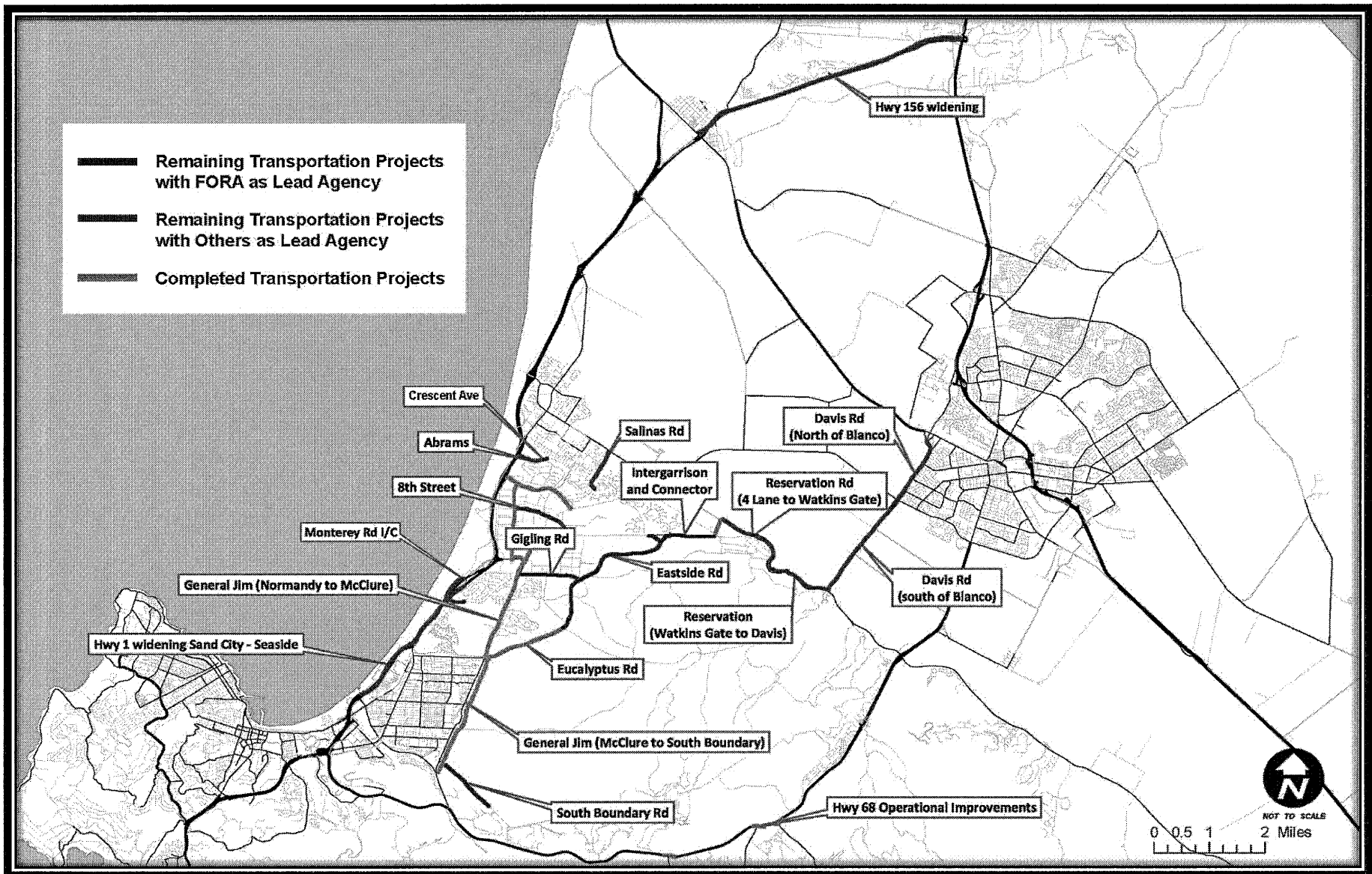


Figure 2. Remaining Transportation Projects



b) Water Augmentation

The Fort Ord BRP identifies availability of water as a resource constraint. The BRP anticipated build out development density utilizes the 6,600 acre-feet per year (AFY) of available groundwater supply, as described in BRP Appendix B (PFIP section p 3-63). In addition to groundwater supply, the BRP assumes an estimated 2,400 AFY augmentation to achieve the permitted development level as reflected in the BRP (Volume 3, figure PFIP 2-7).

In the 1998 Water Wastewater Facilities Agreement (FA) FORA contracted with Marina Coast Water District (MCWD) to implement water augmentation programs identified by FORA for the Ord Community. Following a comprehensive two-year process evaluating viable options, the MCWD Board of Directors certified, in October 2004, a program-level Environmental Impact Report (EIR) analyzing three potential augmentation projects. The projects included a desalination project, a recycled water project and a hybrid project (containing components of both recycled water and desalination projects).

In June 2005, MCWD staff and consultants, in coordination with FORA staff and the Administrative Committee, recommended the hybrid project, later superseded by the Regional Water Augmentation Project (RUWAP) to the FORA and MCWD Boards of Directors. The Boards approved the RUWAP for implementation by MCWD per the FA.

Additionally, it was recommended that FORA-CIP funding of former Fort Ord Water and Wastewater Collection Systems be increased by an additional \$17M to avert additional burden on rate payers from increased capital costs. A 2013 MCWD rate study recommended removing the “voluntary contribution” from the MCWD budget and the EPS Phase III CIP Review results concurred, resulting in a commensurately lowered FORA CFD/developer fee.

Several factors required reconsideration of the water augmentation program. Those factors included 1) Increased augmentation program & project costs (identified as designs were refined), 2) negotiations by other agencies regarding the recycled component of the project were not accomplished and, 3) the significant economic downturn from 2008-2012. These factors deferred the RUWAP as the identified augmentation project and provided an opportunity to consider the alternative “Regional Plan” as the preferred project to meet water augmentation program requirements.

In April 2008, the FORA Board endorsed the Regional Plan as the preferred project to deliver the requisite 2,400 AFY of augmenting water to the 6,600 AFY groundwater entitlements. The Regional Plan consisted of a large Saltwater Desalinization plant able to meet the region’s demand. In 2012, the parties halted the project. With the cessation of the Regional Plan, the identified solution for FORA’s water augmentation program defaulted back to the prior Board-approved RUWAP. MCWD as provider under the FA still holds the contractual obligation to continue the implementation of the CEQA approved ‘hybrid’ project. The former recycled portion of the RUWAP has been revived and a three party agreement between FORA, MRWPCA and MCWD approved to carry it out. The remaining task is to identify other water augmentation alternatives to complement the recycled water project. Among the alternatives are groundwater replacement, desalinization, conservation and intensified recycled programs.

RUWAP Recycled

In 2014 Monterey Regional Water Pollution Control Agency (MRWPCA) presented a solution to the ‘Recycled’ portion of the RUWAP. Known as the Pure Water Monterey (PWM) project, MRWPCA would use water collected at the MCWD facility and apply their Advanced Water Treatment (AWT) thereby creating recycled water of a higher quality than the Tertiary Treated Water originally planned for the RUWAP. In October 2015 the FORA Board approved using PWM as a possible source of recycled water,

and recommended the project to the California Public Utilities Commission in March 2016. In April 2016 MCWD and MRWPCA came to an agreement whereby MCWD would use AWT in lieu of Tertiary Treated Water. As part of the agreement, the two agencies agreed to split the cost of building the RUWAP Trunk-line/conveyance facilities ('Pipeline'). FORA is currently in negotiations with MCWD to contribute to the identified facilities in a manner enabling decreased cost of the 'Pipeline' and creating a benefits for the Fort Ord community as well as the greater region.

RUWAP Other

A solution for the 'other' portion of the RUWAP came in 2015 when MCWD's Budget/Compensation Plan was approved along with a MOA wherein FORA and MCWD agreed to enter into a Three-Party Planning effort with MRWPCA to identify what the 'other' portion of the project will be. This solution allows the three agencies to determine what Alternatives are available in place of the Large Desalinization Plant identified in the previous Regional Plan, while ensuring that rate increases are applied appropriately to the CIPs. A Memorandum of Understanding (MOU) has been negotiated between the three parties enabling a study of alternatives and their possible combinations such as Conservation methods, ground water recharge, increased AWT, urban storm-water capture, small scale desalinization, and others. The study is planned for 2016/17 with the identification of a water augmentation program provided to the FORA Board for approval and MCWD for implementation by 2017/18.



MCWD putting in water lines in East Garrison Phase 2, summer 2015.

c) Storm Drainage System Projects

FORA completed the construction of new facilities and demolition of dilapidated out-falls as of January 2004. Table 3 reflects this obligation having been met. Background information can be found in previous CIP documents online at www.fora.org.

d) Habitat Management Requirements

The BRP Appendix A, Volume 2 contains the Draft Habitat Management Program (HMP) Implementing/Management Agreement. This Management Agreement defines the respective rights and obligations of FORA, its member agencies, California State University (CSU) and the University of California (UC) with respect to implementation of the HMP. To allow FORA and its member agencies to implement the HMP and BRP in compliance with the Endangered Species Act, the California Endangered Species Act, and other statutes, the US Fish & Wildlife Service (USFWS) and the California Department of Fish & Wildlife (CDFW) must also approve the Fort Ord Habitat Conservation Plan (HCP) and its funding program, as paid for and prepared by FORA.

The funding program is predicated on an earnings rate assumption acceptable to USFWS and CDFW for endowments of this kind, and economies of scale provided by unified management of the habitat lands by qualified habitat managers selected by the future HCP Joint Powers Authority's Cooperative (Cooperative). The Cooperative will consist of the following members: FORA, County of Monterey, City of Marina, City of Seaside, City of Del Rey Oaks, City of Monterey, State Parks, UC, CSU Monterey Bay, Monterey Peninsula College (MPC), Monterey Peninsula Regional Park District, Bureau of Land Management and MCWD. The Cooperative will hold the Cooperative endowment, and UC will hold the Fort Ord Natural Reserve (FONR) endowment. The Cooperative will control expenditure of its annual line items. FORA will fund the endowments and the initial and capital costs to the agreed upon levels.

FORA has provided upfront funding for management, planning, capital costs and HCP preparation. In addition, FORA has dedicated 30.2% of development fee collections to build to a total endowment of principal funds necessary to produce an annual income sufficient to carry out required habitat management responsibilities in perpetuity. The original estimate totaling \$6.3M was developed by an independent consultant retained by FORA.

Based upon conversations with the regulatory agencies, it has become apparent that the Habitat Management obligations will increase beyond the costs originally projected. Therefore, this document contains a \pm \$43.6M line item of forecasted requisite expenditures (see Table 3 column '2005-16' amount of \$9,803,000 plus column '2016-17 to Post FORA Total' amount of \$33,754,074).

As part of the FY 2010-11 FORA CIP Review process conducted by EPS, TAMC and FORA, at the FORA Board's April 8, 2011 direction, included \$21.8M in current dollars as a CIP contingency for additional habitat management costs should the assumed payout rate for the endowment be 1.5% less than the current 4.5% assumption. It is hoped that this contingency will not be necessary, but USFWS and CDFW are the final arbiters as to what the final endowment amount will be, with input from FORA and its contractors/consultants. The final endowment amount is expected to be agreed upon in the upcoming fiscal year. FORA's annual operating budget has funded the annual costs of HCP preparation, including consultant contracts. HCP preparation is funded through non-CFD/development fee sources such as FORA's share of property taxes.

The current screencheck draft HCP prepared in March 2015 includes a cost and funding chapter, which provides a planning-level cost estimate for HCP implementation and identifies necessary funds to pay for implementation. Concerning the annual costs necessary for HCP implementation and funded by FORA, of approximately \$1.9 million in annual costs, estimated in 2016 dollars, approximately 34% is associated with habitat management and restoration, 27% for program administration and reporting, 23% for species monitoring, and 16% for changed circumstances and other contingencies.

e) Fire Fighting Enhancement Requirements

FORA transferred equipment titles to the appropriate fire-fighting agencies in April 2014. FORA's obligation for fire-fighting enhancement has been fully met. Background information can be found in previous CIP documents online at www.fora.org.

f) Building Removal Program

As a base-wide obligation, the BRP includes the removal of building stock to make way for reuse, remove environmental hazards, and blight in certain areas of the former Fort Ord. In FY 01/02 the FORA Board established policy regarding building removal obligations. One of FORA's obligations includes City of Seaside Surplus II buildings. The policy fixed the overall FORA funding obligation to Surplus II at \$4M, and the City of Seaside decides which buildings to remove. The FORA Board additionally established criteria to address how the building removal program would proceed at Surplus II: 1) buildings must be within Economic Development Conveyance parcels; 2) building removal is required for reuse; 3) buildings are not programmed for rehabilitation; and, 4) buildings along Gigling Road potentially fit the criteria. When the City of Seaside, working with any developer, determines which buildings should be removed, FORA would forego a portion of land sale proceeds in an amount commensurate with actual costs, up to \$4M (December 1996 Reimer Associates Fort Ord Demolition Study). All jurisdictions have been treated in a similar manner but have widely varying building removal needs that FORA accommodates with available funds. FORA is currently studying the feasibility of indexing the original agreed-upon cost estimate to compensate for delayed implementation of this effort and recover the increase in removal costs during the intervening period.

Per Board direction, building removal is funded by land sales revenue and/or credited against land sale valuation. Two MOAs, described below, were finalized for these purposes:

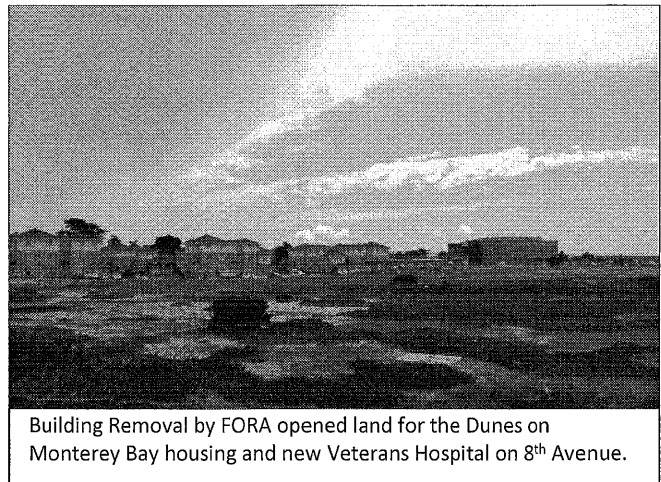
In August 2005, FORA entered into an MOA with the City of Marina Redevelopment Agency and Marina Community Partners (MCP), assigning FORA \$46M in building removal costs within the Dunes on Monterey Bay project and MCP the responsibility for the actual removal. FORA paid \$22M and MCP received FORA land sale credits of \$4.6M out of a total \$24M in available credits for building removal costs. \$26.6M of FORA's \$46M building removal obligation was thus completed as agreed by the City of Marina and MCP in 2007. FORA was to fund its remaining \$19.4M building removal obligation through land sales credits when the City of Marina transferred its Fort Ord lands to MCP for future phases of the Dunes on Monterey Bay project. The MOA identified the majority of buildings in the project area for building removal; however, the stockade remained and was not part of the property transfer to MCP, therefore the obligation remains.

In February 2006, FORA entered into an MOA with Monterey County, the Monterey County Redevelopment Agency and East Garrison Partners (EGP). In this MOA, EGP agreed to undertake FORA's responsibility for removal of certain buildings in the East Garrison Specific Plan for which they received a credit of \$2.1M against FORA's portion of land sale proceeds. Building removal in the East Garrison project area is now complete. Since this agreement was made, the property was acquired by a new entity who is required to comply with the financial terms of the MOA.

FORA's remaining building removal obligations include the former Fort Ord stockade within the City of Marina (\pm \$2.2M) and, as previously discussed, buildings in the City of Seaside's Surplus II area (\pm \$5.4M). In 2011, FORA, at the direction of the City of Seaside, removed a building in the Surplus II area which is explained in more detail in Appendix B. FORA will continue to work closely with the Cities of Marina and Seaside as new specific plans are prepared for those areas.

Since 1996 FORA has been aggressively reusing, redeveloping, and/or deconstructing former Fort Ord buildings in environmentally sensitive ways to reuse or reclaim significant building materials. FORA worked closely with regulatory agencies and local contractors to safely abate hazardous materials, maximize material reuse and recycling, and create an educated work force to take advantage of jobs created on the former Fort Ord. FORA (supported by Seaside and CSUMB) submitted a grant request to the EDA for \$320,000 to survey hazardous materials and develop a business plan and cost estimates for removing the Surplus II buildings, which was not awarded so FORA and Seaside moved ahead on their own to complete FORA's building removal obligation.

In late 2015 FORA staff met with Seaside to coordinate the potential application of FORA Building removal obligation funds to Surplus II, although FORA's funds will not be enough to remove the hazardous materials and buildings from the site. Seaside and FORA staff determined that the first step to knowing what was involved in removing buildings from Surplus II was to survey buildings for hazardous materials and commission a hazardous materials removal estimate. In early 2016, FORA released a Request for Proposals and competitively selected an Industrial Hygienist firm to provide hazardous material surveys in Surplus II. The surveys and a hazardous materials removal estimate is to be completed in mid-2016.



In 2016 FORA staff met with the City of Marina to coordinate access to the Marina stockade which currently hosts Las Animas concrete production and operations under a lease from the City of Marina. Marina is taking the lead to negotiate with Las Animas for access to the building for removal. FORA will commission the stockade hazardous material surveys while access is being coordinated. Once the surveys are complete and access has been secured, FORA will begin building removal.

FORA, CSUMB and the jurisdictions continue to leverage their accumulated expertise and experience and focus on environmentally sensitive reuse, removal of structures, and recycling remnant structural and site materials, while applying lessons learned from past FORA efforts to "reduce, reuse and recycle" materials from former Fort Ord structures as described in Appendix B.

g) Water and Wastewater Collection Systems

Following a competitive selection process in 1997, the FORA Board approved MCWD as the purveyor to own and operate water and wastewater collection systems on the former Fort Ord. By agreement with FORA, MCWD is tasked to assure that a Water and Wastewater Collection Systems Capital Improvement Program is in place and implemented to accommodate repair, replacement and expansion of the systems. To provide uninterrupted service to existing customers and to track with system expansion to keep pace with proposed development, MCWD and FORA staff coordinate system(s) needs with respect to anticipated development. MCWD is engaged in the FORA CIP process, and adjusts its program coincident with the FORA CIP.

In 1997, the FORA Board established a Water and Wastewater Oversight Committee (WWOC), which serves in an advisory capacity to the Board. A primary function of the WWOC is to meet and confer with MCWD staff in the development of operating and capital budgets and corresponding customer rate structures.

Annually, the WWOC and FORA staff prepare recommended actions for the Board's consideration with respect to budget and rate approvals. Capital improvements for system(s) operations and improvements are funded by customer rates, fees and charges. Capital improvements for the system(s) are approved on an annual basis by the MCWD and FORA Boards. See Appendix E for the FY 2016/17 Ord Community CIP list.

h) Property Management and Caretaker Costs

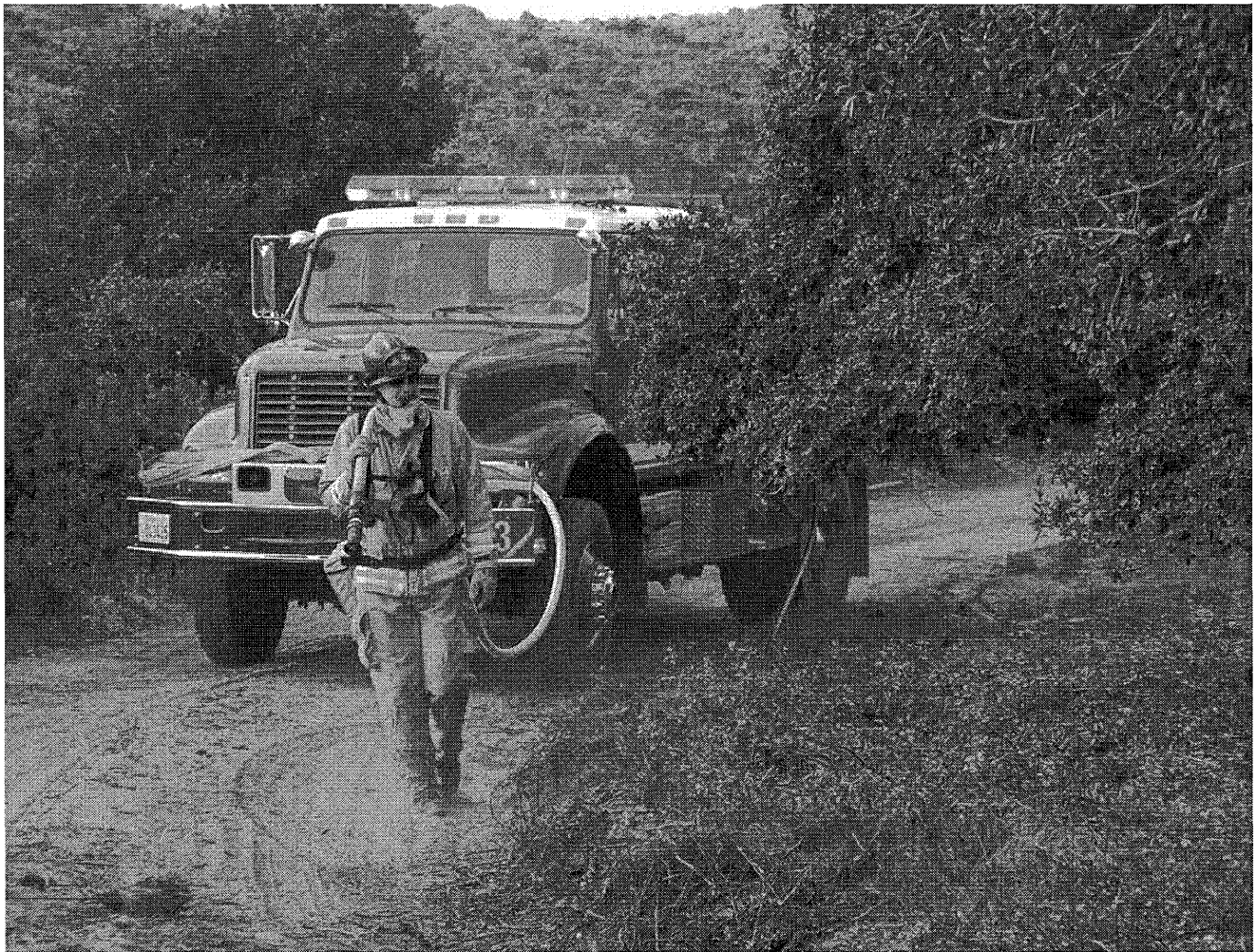
During the 2010/2011 Phase I CIP Review, FORA jurisdictions expressed concern over accepting 1,200+ acres of former Fort Ord properties without sufficient resources to manage them. Since the late 1990's, FORA carried a CIP contingency line item for "caretaker costs." These obligations are not BRP required CEQA mitigations, but are considered base-wide obligations (similar to FORA's building removal obligation). In order to reduce contingencies, EPS proposed contingencies of \$16M be excluded from the CIP cost structure and this was used as the original basis for the 2011-12 CFD Special Tax fee reductions.

Since then, the Board recommended a "Property Management/Caretaker Costs" line item be added back as an obligation to cover base-wide property management costs. In FY 2015/16 the Board approved a Jurisdiction-Incurred Caretaker Costs Reimbursement Policy.

This policy clarifies that FORA funding for caretaker costs shall be determined by "allocating a maximum of \$500,000 in the prior fiscal year's property taxes collected and designated to the FORA CIP. Each subsequent year, the maximum funding for caretaker costs may be decreased assuming that, as land transfers from jurisdictions to third party developers, jurisdictions' caretaker costs will decrease. If FORA does not collect and designate to the CIP sufficient property taxes in a given fiscal year to fund the maximum amount of caretaker costs allowed that fiscal year, the actual amount of property taxes collected and designated to the CIP during the fiscal year shall be used to determine the amount of caretaker costs funding. FORA shall set caretaker costs funding through the approved FORA CIP." Caretaker Costs funding designated in the FY 2016/17 CIP is \$34,674.

III. FY 2016/17 THROUGH POST-FORA CAPITAL IMPROVEMENT PROGRAM

The following tables depict the Capital Improvement Program: Tables 1 and 2 illustrate the obligatory project offsets and remaining obligations. Table 3 is a summary of the Capital Improvement Program from FY 2016/17 through post-FORA, with footnotes to guide understanding of line item titles. Table 4 itemizes the jurisdictions' projections for new building that will generate Community Facilities District revenue to FORA. Table 5 shared the land sale revenues that are anticipated in association with jurisdiction land sale projections on former Fort Ord lands. Tables 6 and 7 break out the land sales to residential and non-residential by project. Table 8 provides information on estimated development acreage. Table 9 models estimated property tax revenue collections.



This water tender is one of five fire-fighting trucks, paid for over time with developer fees, distributed to local jurisdictions to enhance their firefighting capabilities.

Table 1. Obligatory Project Offsets and Remaining Obligation

Project #	Project Title	Project Limits	TAMC Reallocation Study 2005		FORA Offsets	FORA Remaining
			TOTAL COST	FORA PORTION	2005-2016	Obligation Indexed*
Regional Improvements						
R3	Hwy 1-Seaside Sand City	Widen highway 1 from 4 lanes to 6 lanes from Fremont Avenue Interchange south to the Del Monte Interchange	\$ 45,000,000	15,282,245	-	22,903,427
R10	Hwy 1-Monterey Rd. Interchange	Construct new interchange at Monterey Road	19,100,000	2,496,648	-	3,741,714
R11	Hwy 156-Freeway Upgrade	Widen existing highway to 4 lanes and upgrade highway to freeway status with appropriate interchanges. Interchange modification as needed at US 156 and 101.	197,000,000	7,092,169	-	10,829,001
R12	Hwy 68 Operational Improvements	Operational improvements at San Benancio, Laureles Grade and at Corral De Tierra including left turn lanes and improved signal timing	9,876,000	223,660	312,205	-
Subtotal Regional			\$ 270,976,000	25,094,722	312,205	37,274,143
Off-Site Improvements					-	
1	Davis Rd n/o Blanco	Widen to 4 lanes from the SR 183 bridge to Blanco	\$ 3,151,000	506,958	-	759,776
2B	Davis Rd s/o Blanco	Widen to 4 lanes from Blanco to Reservation; Build 4 lane bridge over Salinas River	22,555,000	9,242,411	537,203	12,447,987
4D	Widen Reservation-4 lanes to WG	Widen to 4 lanes from existing 4 lane section East Garrison Gate to Watkins Gate	10,100,000	3,813,916	476,584	5,097,496
4E	Widen Reservation, WG to Davis	Widen to 4 lanes from Watkins Gate to Davis Rd	5,500,000	2,216,321	-	3,321,590
8	Crescent Ave extend to Abrams	Extend existing Crescent Court Southerly to join proposed Abrams Dr (FO2)	906,948	906,948	-	1,359,239
Subtotal Off-Site			\$ 42,212,948	16,686,554	1,013,787	22,986,087
On-Site Improvements						
FO2	Abrams	Construct a new 2-lane arterial from intersection with 2nd Ave easterly to intersection with Crescent Court extension	\$ 759,569	759,569	-	1,138,362
FO5	8th Street	Upgrade/construct new 2-lane arterial from 2 nd Ave to Intergarrison Rd	4,340,000	4,340,000	1,018,890	5,392,321
FO6	Intergarrison	Upgrade to a 4-lane arterial from Eastside Rd to Reservation	4,260,000	4,260,000	1,559,469	4,380,385
FO7	Gigling	Upgrade/Construct new 4-lane arterial from General Jim Moore Blvd easterly to Eastside Rd	5,722,640	5,722,640	353,510	8,097,846
FO9B (Ph-II)	GJM Blvd-Normandy to McClure	Widen from 2 to 4 lanes from Normandy Rd to McClure	24,065,000	24,065,000	6,252,156	-
FO9B (Ph-III) [1]	GJM Blvd-s/o McClure to s/o Coe	Widen from 2 to 4 lanes from McClure to Coe			3,476,974	-
FO9C	GJM Blvd-s/o Coe to S Boundary	Widen from 2 to 4 lanes from s/o Coe to South Boundary Rd			13,698,746	1,059,490
FO11	Salinas Ave	Construct new 2 lane arterial from Reservation Rd southerly to Abrams Dr	3,038,276	3,038,276	-	4,553,449
FO12	Eucalyptus Rd	Upgrade to 2 lane collector from General Jim Moore Blvd to Eastside Rd to Parker Flats cut-off	5,800,000	5,800,000	5,328,055	520,890
FO13B	Eastside Pkwy (New alignment)	Construct new 2 lane arterial from Eucalyptus Rd to Parker Flats cut-off to Schoonover Dr	12,536,370	12,536,370	510,000	18,198,908
FO14	S Boundary Road Upgrade	Upgrade to a 2 lane arterial, along existing alignment from General Jim Moore Blvd to York Rd	2,515,064	2,515,064	338,986	3,302,613
Subtotal On-Site			\$ 63,036,919	63,036,919	32,536,786	46,644,265
Transportation Totals			\$ 376,225,867	\$ 104,818,195	\$ 33,862,778	\$ 106,904,495
[1] Remaining construction may be phased in future CIP documents based on available funds and habitat/environmental clearance.						
* Construction Cost Index - January to January. Obligation set in 2005 by the TAMC Re-allocation Study. Remaining Obligation indexed at the end of each Fiscal Year (June 30)						
Transit Capital Improvements						
T3	Transit Vehicle Purchase/Replace	15 busses	\$ 15,000,000	6,298,254	378,950	9,098,135
T22	Intermodal Centers	(PFIP T-31) includes 3 elements: 1. Intermodal Transportation Center @ 1st. Avenue South of 8th. Street 2. Park and Ride Facility @ 12th Street and Imjin, and 3. Park and Ride Facility @ 8th. Street and Gigling	3,900,000	4,786,673	-	7,086,679
Transit Totals			\$ 18,900,000	\$ 11,084,926	\$ 378,950	\$ 16,184,814
Transportation/Transit Totals			\$395,025,867	\$ 115,903,121	\$34,241,728	\$ 123,089,309
Previous Offsets 1995 - 2004						
1. Transportation/Transit - TAMC Study 1995						
FORA offsets against obligations for transportation/transit network per 1995 TAMC Study from 1995-2004. Funded by EDA grant funds, state and local matching funds, revenue bond proceeds, development fees.					\$ 32,235,648	
2. Storm Drainage System						
Retain/Percolate stormwater; eliminate discharge of stormwater to Monterey Bay Sanctuary. Project completed/financial obligation met in 2004. Funded by EDA grant proceeds.					\$ 1,631,961	
TOTAL CUMULATIVE OFFSETS AGAINST TRANSPORTATION/TRANSIT AND STORM DRAINAGE PROJECTS TO DATE					\$ 68,109,327	

Table 2. Transportation Network and Transit Elements

Lead Agency	Regional Improvements									
	Proj#	Description	Obligation	2016-2017	2017-2018	2018-2019	2019-2020	POST FORA	TOTALS	Proj#
TAMC/Caltrans	R3a	Hwy 1-Del Monte-Fremont-MBL	\$ 22,903,427					22,903,427	22,903,427	R3
TAMC/Caltrans	R10	Hwy 1-Monterey Rd. Interchange	3,741,714					3,741,714	3,741,714	R10
TAMC/Caltrans	R11	Hwy 156-Freeway Upgrade	10,629,001			2,000,000	4,000,000	4,629,001	10,629,001	R11
	Subtotal Regional		\$ 37,274,143	-	-	2,000,000	4,000,000	31,274,143	37,274,143	
	Off-Site Improvements									
	Proj#	Description	Obligation	2016-2017	2017-2018	2018-2019	2019-2020	POST FORA	TOTALS	Proj#
Monterey County	1	Davis Rd north of Blanco	\$ 759,775	-	-	-	-	759,775	759,775	1
Monterey County	2B	Davis Rd south of Blanco	12,447,987	75,000	75,000	75,000	1,500,000	10,722,987	12,447,987	2B
Monterey County	4D	Widen Reservation-4 lanes to WG	5,097,495	-	-	-	-	5,097,495	5,097,495	4D
Monterey County	4E	Widen Reservation, WG to Davis	3,321,589	-	-	-	-	3,321,589	3,321,589	4E
City of Marina	8	Crescent Ave extend to Abrams	1,359,239	-	-	-	1,359,239	-	1,359,239	8
	Subtotal Off-Site		\$ 22,986,085	75,000	75,000	75,000	2,859,239	19,901,846	22,986,085	
	On-Site Improvements									
	Proj#	Description	Obligation	2016-2017	2017-2018	2018-2019	2019-2020	POST FORA	TOTALS	Proj#
City of Marina	FO2	Abrams	\$ 1,138,362	-	-	-	1,138,362	-	1,138,362	FO2
City of Marina	FO5	8th Street	5,392,321	-	-	-	2,500,000	2,892,321	5,392,321	FO5
FORA	FO6	Intergarrison	4,380,385	150,000	500,000	2,000,000	1,730,385	-	4,380,385	FO6
FORA	FO7	Gigling	8,097,846	150,000	1,150,000	2,326,921	4,470,925	-	8,097,846	FO7
FORA	FO9C	GJM Blvd	1,059,489	500,000	559,489	-	-	-	1,059,489	FO9C
City of Marina	FO11	Salinas Ave	4,553,449	-	-	-	4,553,449	-	4,553,449	FO11
FORA	FO12	Eucalyptus Road	520,890	50,000	-	470,890	-	-	520,890	FO12
FORA	FO13B	Eastside Parkway	18,198,908	250,000	1,750,000	4,500,000	10,448,908	1,250,000	18,198,908	FO13B
FORA	FO14	South Boundary Road Upgrade	3,302,612	1,800,000	1,502,612	-	-	-	3,302,612	FO14
	Subtotal On-Site		\$ 46,644,262	2,900,000	5,462,101	9,297,811	24,842,029	4,142,321	46,644,262	
	Transportation Totals		\$ 106,904,490	2,975,000	5,537,101	11,372,811	31,701,268	55,318,310	106,904,490	
	Transit Capital Improvements									
	Proj#	Description	Obligation	2016-2017	2017-2018	2018-2019	2019-2020	POST FORA	TOTALS	Proj#
MST	T3	Transit Vehicle	\$ 9,098,135	500,000		1,000,000	2,500,000	5,098,135	9,098,135	T3
MST	T22	Intermodal Centers	7,086,678	1,500,000		1,000,000		4,586,678	7,086,678	T22
	Subtotal Transit		\$ 16,184,813	2,000,000	-	2,000,000	2,500,000	9,684,813	16,184,813	
	Transportation and Transit GRAND TOTALS		\$ 123,089,303	\$ 4,975,000	\$ 5,537,101	\$ 13,372,811	\$ 34,201,268	\$ 65,003,123	\$ 123,089,303	

Table 3. Summary of Capital Improvement Program

	2005-16	2016-17	2017-18	2018-19	2019-20	Post-FORA	2016-17 to Post-FORA Total
A. CIP PROJECTS FUNDED BY CFD DEVELOPMENT FEES							
Dedicated Revenues							
Development Fees	\$ 33,291,262	6,739,869	9,971,892	20,705,227	32,383,933	91,096,426	160,897,347
Other Revenues							
Net Transfer from Property Taxes	7,824,478	422,472	788,835	1,538,504	2,751,053	-	5,500,884
Loan Proceeds - footnote (1)	7,926,754	-	-	-	-	-	-
Federal Grants - footnote (2)	6,426,754	-	-	-	-	-	-
CSU Mitigation fees	2,328,795	-	-	-	-	-	-
Miscellaneous (Rev Bonds, Interest, CFD credit)	3,578,191	25,000	-	-	-	-	25,000
TOTAL REVENUES	\$ 61,374,234	7,187,342	10,760,726	22,243,731	35,134,986	91,096,426	166,423,211
Expenditures							
Projects							
Transportation/Transit	\$ 34,241,728	4,975,000	5,537,101	13,372,811	34,201,268	65,003,123	123,089,303
Water Augmentation [CEQA Mitigation]	561,780	1,657,000	1,750,000	2,400,000	2,818,900	15,848,715	24,272,615
Transfer to Habitat Management Reserve - footnote (3)	9,803,000	2,035,440	3,011,511	6,252,979	9,779,948	12,674,196	33,754,074
Fire Rolling Stock	1,160,000	-	-	-	-	-	-
Total Projects	45,766,508	8,667,440	10,298,612	22,025,790	46,800,116	93,324,034	181,115,992
Other Costs & Contingency - footnote (4)							
Additional CIP Costs	3,034,400	746,250	830,565	2,005,922	5,130,190	9,750,468	18,463,395
Habitat Mgt. Contingency	1,021,685	95,000	-	-	-	21,683,537	21,778,537
CIP/FORA Costs	2,223,860	650,000	650,000	650,000	650,000	-	2,600,000
Property Tax Sharing Costs	-	-	-	-	-	-	-
Prevailing Wage Coordination Costs	-	250,000	250,000	250,000	250,000	-	1,000,000
Caretaker Costs	-	34,674	172,472	288,835	500,000	-	995,981
Other Costs (Debt Service) - footnote (5)	5,595,830	-	-	-	-	-	-
Total Other Costs & Contingency	11,875,575	1,775,924	1,903,038	3,194,756	6,530,190	31,434,005	44,837,913
TOTAL EXPENDITURES	\$ 57,642,083	10,443,364	12,201,650	25,220,546	53,330,306	124,758,040	225,953,906
Net Annual Revenue		(\$3,256,023)	(1,440,923)	(2,976,815)	(18,195,320)	(33,661,813)	(58,530,894)
Beginning Balance	\$ 1,432,934	1,432,934	(1,823,089)	(3,264,012)	(6,240,827)	(24,436,147)	1,432,934
Ending Balance CFD & Other	\$ 1,432,934	(\$1,823,089)	(\$3,264,012)	(\$6,240,827)	(\$24,436,147)	(\$58,097,760)	(\$58,097,760)
B. CIP PROJECTS FUNDED BY LAND SALE REVENUES							
Dedicated Revenues							
Land Sales - footnote (6)	\$ 49,706,940	480,187	3,325,170	7,301,955	19,631,709	30,331,945	61,070,967
Land Sales - Credits	6,767,300	-	6,460,000	6,460,000	6,505,408	-	19,425,408
Other Revenues - footnote (7)	1,425,000	-	-	-	-	-	-
Loan Proceeds - footnote (1)	7,500,000	-	-	-	-	-	-
TOTAL REVENUES	\$ 65,399,240	480,187	9,785,170	13,761,955	26,137,117	30,331,945	80,496,375
Expenditures							
Projects							
Building Removal	\$ 170,000	1,000,000	4,269,844	2,319,844	-	-	7,589,688
Building Removal Credits	28,767,300	-	6,460,000	6,460,000	6,505,408	-	19,425,408
Other Costs (Loan Pay-off, Debt Financing)	17,984,924	-	-	-	-	-	-
TOTAL PROJECTS	46,752,224	1,000,000	10,729,844	8,779,844	6,505,408	-	27,015,096
Other Costs & Contingency - footnote (8)							
Transfer to FORA Reserve	6,500,000	-	-	-	-	-	-
Building Removal Contingency	5,000,000	1,589,000	-	-	-	-	1,589,000
Total Other Costs & Contingency	11,500,000	1,589,000	-	-	-	-	1,589,000
TOTAL EXPENDITURES	\$ 58,252,224	2,589,000	10,729,844	8,779,844	6,505,408	-	28,604,096
Net Annual Revenue		(2,108,813)	(944,874)	4,982,111	19,631,709	30,331,945	51,892,279
Beginning Balance	6,825,018	6,825,018	4,716,205	3,771,532	8,753,643	28,385,352	6,825,018
Ending Balance Land Sales & Other	\$ 6,825,018	4,716,205	3,771,532	8,753,643	28,385,352	58,717,297	58,717,297
TOTAL ENDING BALANCE-ALL PROJECTS		\$2,893,117	\$507,520	\$2,512,816	\$3,949,205	\$619,536	\$619,536

Table 3 Footnotes

- (1) “Loan Proceeds” – In FY 05-06 FORA obtained a line of credit (LOC) to ensure CIP obligations could be met in a timely manner, despite cash flow fluctuations. The LOC draw-downs were used to pay road design, construction and building removal invoices and were partially repaid by any available revenues committed to the CIP. In FY 09-10 FORA repaid the remaining \$9M LOC debt (\$1.5M in transportation and \$7.5M in building removal) through a loan secured by FORA’s share of Preston Park. The loan also provided \$6.4M matching funds to US Department of Commerce EDA/American Recovery and Reinvestment Act (ARRA) grant funds. FORA sold Preston Park in FY 2015/16, retiring the loan on the property.
- (2) “Federal grants” – In FY 2010 FORA received ARRA funding to finance the construction of General Jim Moore Boulevard and Eucalyptus Road. FORA obtained a loan against its 50% share in Preston Park revenues to provide required match to the ARRA grant.
- (3) “Transfer to Habitat Management Reserve” – The ‘2005-2016’ column shows \$9.8M, which is currently held in an account building to the required Habitat Conservation Plan Endowment.
- (4) “Other Costs and Contingencies” – are subject to cash flow and demonstrated need. “Additional CIP Costs” are expenditures for transportation projects (contract change orders to the ESCA, general consulting, additional base wide expenditures, street landscaping, site conditions, project changes, additional habitat/environmental mitigation). ‘Habitat Management Contingency’ provides interim funding for UC Fort Ord Natural Reserve until adoption of HCP endowment and potential increase to cost. ‘CIP/FORA costs’ provides for FORA staff, overhead, and direct consulting costs. In FY 2015/16, the FORA Board approved Prevailing Wage and Caretaker Costs to be funded with these property taxes.
- (5) “Other Costs (Debt Service)” – payment of borrowed funds, principal and interest (see #1 ‘Loan Proceeds’).
- (6) “Land Sales” – The ‘2005-2016’ column includes land sale proceeds from the Preston Park acquisition by the City of Marina in June 2015.
- (7) “Other Revenues” – applied against building removal includes Abrams B loan repayment of \$1,425,000.
- (8) “Other Costs and Contingency” – This includes land sale proceeds to create a \$10M Reserve to fund FORA operating liabilities through 2020 and a \$5M contingency to complete building removal responsibilities, both approved in the FY 2016/17 annual budget.

Table 4. Community Facilities District Revenue

CFD = Table 8 unit of measure x Fee/Special Tax

Development Fees							
Land Use: Location & Description	Land Transfer Type	2016-17	2017-18	2018-19	2019-20	Post-FORA	Totals
New Residential	Sub-Total	\$ 6,339,213	\$ 9,248,628	\$ 14,523,421	\$ 19,620,811	\$ 79,124,262	\$ 207,980,598
Marina Heights	MAR	1,797,687	3,406,144	4,257,681	4,399,603	10,975,354	35,811,824
The Promontory 2	MAR	-	-	-	-	-	-
Dunes on Monterey Bay	MAR	709,613	2,128,840	2,128,840	2,128,840	15,989,956	39,076,046
TAMC Planned	MAR	-	-	2,365,378	2,365,378	-	4,730,756
UC Planned	UC	-	-	-	2,601,916	3,074,991	8,751,899
East Garrison I	MCO	3,784,605	3,311,529	2,838,454	2,365,378	14,925,536	42,151,037
Seaside Resort Housing	SEA	47,308	47,308	94,615	141,923	2,507,301	5,345,754
Seaside Planned	SEA	-	354,807	2,838,454	2,365,378	17,976,873	41,512,385
Del Rey Oaks Planned	DRO	-	-	-	3,074,991	13,269,771	29,614,534
Other Residential Planned	Various	-	-	-	-	-	-
CSUMB Planned	CSU	-	-	-	177,403	404,480	986,363
Existing/Replacement Residential	Sub-Total	\$ -	\$ -	\$ -	\$ 2,365,378	\$ 4,730,756	\$ 11,826,890
Cypress Knolls	MAR	-	-	-	2,365,378	4,730,756	11,826,890
Seaside Highlands	SEA	-	-	-	-	-	-
Office	Sub-Total	\$ 19,033	\$ 113,079	\$ 69,517	\$ 103,822	\$ 272,773	\$ 850,997
Del Rey Oaks Planned	DRO	-	81,425	-	-	-	81,425
Monterey Planned	MRY	-	-	-	36,748	110,127	257,002
East Garrison I Office Development	MCO	2,850	-	2,036	-	2,036	8,957
Imjin Office Park	MAR	-	-	-	-	-	-
Dunes on Monterey Bay	MAR	10,178	10,178	20,356	20,356	54,962	170,992
Cypress Knolls Community Center	MAR	-	3,257	-	-	-	3,257
Interim Inc. - Rockrose Gardens	MAR	-	-	-	-	-	-
Marina (Planned)	MAR	6,005	6,005	6,005	6,005	12,010	48,041
TAMC Planned	MAR	-	-	4,071	4,071	-	8,142
Seaside Planned	SEA	-	-	20,763	-	20,356	61,476
UC Planned	UC	-	12,214	16,285	36,641	73,282	211,705
Industrial	Sub-Total	\$ -	\$ 9,975	\$ 12,023	\$ 51,444	\$ 32,823	\$ 139,086
Monterey Planned	MRY	-	-	-	12,824	25,698	64,220
Industrial - City Corp. Yard	MAR	-	-	-	-	-	-
Dunes on Monterey Bay	MAR	-	5,344	5,344	9,618	-	20,305
Cypress Knolls Support Services	MAR	-	1,069	-	-	-	1,069
Marina Planned	MAR	-	-	-	-	-	-
TAMC Planned	MAR	-	-	3,117	3,117	-	6,234
Seaside Planned	SEA	-	-	-	22,322	-	22,322
UC Planned	UC	-	3,562	3,562	3,562	7,125	24,936
Retail	Sub-Total	\$ 381,623	\$ 389,255	\$ 2,524,582	\$ 4,905,321	\$ 4,931,741	\$ 18,064,264
Del Rey Oaks Planned	DRO	29,356	-	-	-	-	29,356
East Garrison I Retail	MCO	117,422	117,422	-	-	-	234,845
Cypress Knolls Community Center	MAR	-	-	-	-	-	-
Dunes on Monterey Bay	MAR	234,845	176,134	176,134	140,907	-	728,019
TAMC Planned	MAR	-	-	220,167	220,167	-	440,334
Seaside Resort Golf Clubhouse	SEA	-	95,699	-	-	-	95,699
Seaside Planned	SEA	-	-	1,761,336	4,059,880	3,963,007	13,747,229
UC Planned	UC	-	-	366,945	484,367	968,735	2,788,782
Hotel (rooms)	Sub-Total	\$ -	\$ 210,955	\$ 3,575,684	\$ 5,337,157	\$ 2,004,071	\$ 13,131,937
Del Rey Oaks Planned	DRO	-	-	-	2,900,629	-	2,900,629
Dunes - Limited Service	MAR	-	-	-	-	-	-
Dunes - Full Service	MAR	-	-	2,109,548	-	-	2,109,548
Seaside Golf Course Hotel	SEA	-	210,955	147,668	1,381,754	-	1,740,377
Seaside Golf Course Timeshares	SEA	-	-	-	-	896,558	1,793,116
Seaside Planned	SEA	-	-	1,318,468	1,054,774	1,107,513	4,588,267
UC Planned	UC	-	-	-	-	-	-
TOTAL		\$ 6,739,869	\$ 9,971,892	\$ 20,705,227	\$ 32,383,933	\$ 91,096,426	\$ 160,897,347

Table 5. Land Sales Revenue

Land sale = Table 8 estimated acreage x \$188K per acre, indexed ½% to account for land value increase over time

Estimated Land Sales

Land Use Location & Description	Jurisdiction	2016-17	2017-18	2018-19	2019-20	Post.FORA	Forecast Total
Office							
Del Rey Oaks (Planned)	DRO	\$ -	\$ 5,081,524	\$ -	\$ -	\$ -	\$ 5,081,524
Monterey (Planned)	MRY	\$ -	\$ -	\$ -	\$ 2,362,659	\$ 7,246,676	\$ 9,609,335
Cypress Knolls (Planned)	MAR	\$ -	\$ 203,261	\$ -	\$ -	\$ -	\$ 203,261
Marina (Planned)	MAR	\$ -	\$ 374,762	\$ 380,384	\$ 386,090	\$ 5,144,022	\$ 6,285,258
Seaside (Planned)	SEA	\$ -	\$ -	\$ 1,315,226	\$ -	\$ 1,328,410	\$ 2,643,636
Industrial							
Monterey (Planned)	MRY	\$ -	\$ -	\$ -	\$ 824,530	\$ 1,689,595	\$ 2,514,125
Cypress Knolls (Planned)	MAR	\$ -	\$ 66,695	\$ -	\$ -	\$ -	\$ 66,695
TAMC (Planned)	MAR	\$ -	\$ -	\$ 197,445	\$ 200,407	\$ -	\$ 397,852
Seaside (Planned)	SEA	\$ -	\$ -	\$ -	\$ 1,435,141	\$ -	\$ 1,435,141
Retail							
Cypress Knolls (Planned)	MAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TAMC (Planned)	MAR	\$ -	\$ -	\$ 676,954	\$ 687,109	\$ -	\$ 1,364,063
Seaside (Planned)	SEA	\$ -	\$ -	\$ 5,415,635	\$ 12,670,283	\$ 22,573,658	\$ 40,659,576
Ord Shopette	MCO	\$ 1,000,000	\$ -	\$ -	\$ -	\$ 3,645,529	\$ 4,645,529
Hotel (rooms)							
Del Rey Oaks (Planned)	DRO	\$ -	\$ -	\$ -	\$ 2,888,026	\$ -	\$ 2,888,026
Seaside (Planned)	SEA	\$ -	\$ -	\$ 1,293,339	\$ 1,050,191	\$ 1,136,030	\$ 3,479,560
New Residential **6,160 unit cap on new residential until 18,000 new jobs on Fort Ord per BRP 3.11.5.4 (b) 2) & 3.11.5.4 (c)							
TAMC (Planned)	MAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Marina	MAR	\$ -	\$ 1,000,000	\$ 3,276,459	\$ 3,325,606	\$ 6,801,612	\$ 14,403,677
Seaside	SEA	\$ -	\$ 484,206	\$ 3,931,751	\$ 3,325,606	\$ 25,841,063	\$ 33,582,625
Del Rey Oaks	DRO	\$ -	\$ -	\$ -	\$ 17,000,000	\$ -	\$ 17,000,000
Various	Various	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CSUMB: Land Sales	CSU	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Sub-total - Estimated Land Sales		\$ 1,000,000	\$ 7,210,448	\$ 16,487,192	\$ 46,155,647	\$ 75,406,595	\$ 146,259,883
FORA Share (50% of Total)		\$ 500,000	\$ 3,605,224	\$ 8,243,596	\$ 23,077,824	\$ 37,703,297	\$ 73,129,941
Discounted Cash Flow 4.1% Bond Buyers Index		\$ 480,187	\$ 3,325,170	\$ 7,301,955	\$ 19,631,709	\$ 30,331,945	\$ 61,070,967

Table 6. Development Forecasts Fiscal Year 2016/17 through Post-FORA: Residential

Residential Annual Land Use Construction (dwelling units)

Land Use Location & Description	Juris- diction	Land Transfer Type	Built To Date	FORECAST YEAR					Forecast + Built
				2016-17	2017-18	2018-19	2019-20	Post FORA	
NEW RESIDENTIAL**6,160 unit cap on new residential until 18,000 new jobs on Fort Ord per BRP 3.11.5.4 (b) 2) & 3.11.5.4 (c)									
<u>Marina</u>									
Marina Heights (Entitled)	MAR	EDC		76	144	180	186	464	1,050
The Promontory (Entitled)	MAR	EDC		-	-	-	-	-	-
Dunes (Entitled)	MAR	EDC	261	30	90	90	90	676	1,237
TAMC (Planned)	MAR	EDC	-	-	-	100	100	-	200
Marina Subtotal			261	106	234	370	376	1,140	2,487
<u>Seaside</u>									
UC (Planned)	UC	EDC	-	-	-	-	110	130	240
East Garrison I (Entitled)	MCO	EDC	319	160	140	120	100	631	1,470
Seaside Highlands (Entitled)	SEA	Sale	152	-	-	-	-	-	152
Seaside Resort (Entitled)	SEA	Sale	5	2	2	4	6	106	125
Seaside (Planned)	SEA	EDC	-	-	15	120	100	760	995
Seaside Subtotal			476	162	157	244	316	1,627	2,982
<u>Other</u>									
Del Rey Oaks (Planned)	DRO	EDC	-	-	-	-	130	561	691
Other Residential (Planned)	Various	-	-	-	-	-	-	-	-
Other Subtotal			-	-	-	-	130	561	691
TOTAL NEW RESIDENTIAL			737	268	391	614	822	3,328	6160**
EXISTING/REPLACEMENT RESIDENTIAL									
Preston Park (Entitled)	MAR	EDC	352	-	-	-	-	-	352
Cypress Knolls (Planned)	MAR	EDC		-	-	100	100	200	400
Abrams B (Entitled)	MAR	EDC	192	-	-	-	-	-	192
MOCO Housing Authority (Entitled)	MAR	EDC	56	-	-	-	-	-	56
Shelter Outreach Plus (Entitled)	MAR	EDC	39	-	-	-	-	-	39
VTC (Entitled)	MAR	EDC	13	-	-	-	-	-	13
Interim Inc (Entitled)	MAR	EDC	11	-	-	-	-	-	11
Sunbay (Entitled)	SEA	Sale	297	-	-	-	-	-	297
Bayview (Entitled)	SEA	Sale	225	-	-	-	-	-	225
Seaside Highlands (Entitled)	SEA		228	-	-	-	-	-	228
TOTAL EXISTING/REPLACE			1,413	-	-	100	100	200	1,813
CSUMB (Planned)									
				-	-	-	150	342	492
TOTAL RESIDENTIAL UNITS			2,150	268	391	714	1,072	3,870	8,465

Table 7. Development Forecasts Fiscal Year 2016/17 through Post-FORA: Non-Residential

Non-Residential Annual Land Use Construction (building square feet or hotel rooms per year)

Land Use Location & Description	Juris- diction	Built To Date	FORECAST YEAR					Forecast + Built
			2016-17	2017-18	2018-19	2019-20	Post FORA	
NON-RESIDENTIAL								
<u>Office</u>								
Del Rey Oaks (Planned)	DRO	-	-	400,000	-	-	-	400,000
Monterey (Planned)	MRY	-	-	-	-	180,524	541,000	721,524
East Garrison I (Entitled)	MCO	-	14,000	-	10,000	-	10,000	34,000
Imjin Office Park (Entitled)	MAR	28,000	-	-	-	-	-	-
Dunes (Entitled)	MAR	190,000	50,000	50,000	100,000	100,000	270,000	570,000
Cypress Knolls (Planned)	MAR	-	-	16,000	-	-	-	16,000
Interim Inc. (Entitled)	MAR	14,000	-	-	-	-	-	-
Marina (Planned)	MAR	-	29,500	29,500	29,500	29,500	59,000	177,000
TAMC (Planned)	MAR	-	-	-	20,000	20,000	-	40,000
Seaside (Planned)	SEA	14,900	-	-	102,000	-	100,000	202,000
UC (Planned)	UC	-	-	60,000	80,000	180,000	360,000	680,000
<u>Industrial</u>								
Monterey (Planned)	MRY	-	-	-	-	72,000	144,275	216,275
Marina CY (Entitled)	MAR	12,300	-	-	-	-	-	-
Dunes (Entitled)	MAR	-	-	30,000	30,000	54,000	-	114,000
Cypress Knolls (Planned)	MAR	-	-	6,000	-	-	-	6,000
Marina Airport (Entitled)	MAR	250,000	-	-	-	-	-	-
TAMC (Planned)	MAR	-	-	-	17,500	17,500	-	35,000
Seaside (Planned)	SEA	-	-	-	-	125,320	-	125,320
UC (Planned)	UC	38,000	-	20,000	20,000	20,000	40,000	100,000
<u>Retail</u>								
Del Rey Oaks (Planned)	DRO	-	5,000	-	-	-	-	5,000
East Garrison I (Entitled)	MCO	-	20,000	20,000	-	-	-	40,000
Cypress Knolls (Planned)	MAR	-	-	-	-	-	-	-
Dunes (Entitled)	MAR	418,000	40,000	30,000	30,000	24,000	-	124,000
TAMC (Planned)	MAR	-	-	-	37,500	37,500	-	75,000
Seaside Resort (Entitled)	SEA	-	-	16,300	-	-	-	16,300
Seaside (Planned)	SEA	-	-	-	300,000	691,500	675,000	1,666,500
UC (Planned)	UC	-	-	-	62,500	82,500	165,000	310,000
		965,200	158,500	677,800	839,000	1,634,344	2,364,275	5,673,919
HOTEL ROOMS								
<u>Hotel (rooms)</u>								
Del Rey Oaks (Planned)	DRO	-	-	-	-	550	-	550
Dunes (Entitled)	MAR	108	-	-	-	-	-	-
Dunes (Entitled)	MAR	-	-	-	400	-	-	400
Seaside Resort (Entitled)	SEA	-	-	40	28	262	-	330
Seaside Resort TS (Entitled)	SEA	-	-	-	-	-	170	170
Seaside (Planned)	SEA	-	-	-	250	200	210	660
UC (Planned)	UC	-	-	-	-	-	-	-
		108	-	40	678	1,012	380	2,110

Table 8. Development Forecasts Fiscal Year 2016/17 through Post-FORA: by Acre
(Acre = Development forecast sq. ft. / FAR / 43,560)

Estimated Acreage		FORECAST YEAR						
Land Use Location & Description	Jurisdiction	FAR	2016-17	2017-18	2018-19	2019-20	Post FORA	Forecast Total
NON-RESIDENTIAL: Acre =		43,560						
Office		0.35						
Del Rey Oaks (Planned)	DRO	0.35	-	26.24	-	-	-	26.24
Monterey (Planned)	MRY	0.35	-	-	-	11.84	35.48	47.33
East Garrison I (Entitled)	MCO	0.35	0.92	-	0.66	-	0.66	2.23
Imjin Office Park (Entitled)	MAR	0.35	-	-	-	-	-	-
Dunes (Entitled)	MAR	0.35	3.28	3.28	6.56	6.56	17.71	37.39
Cypress Knolls (Planned)	MAR	0.35	-	1.06	-	-	-	1.06
Interim Inc. (Entitled)	MAR	0.35	-	-	-	-	-	-
Marina (Planned)	MAR	0.35	1.93	1.93	1.93	1.93	3.87	11.61
TAMC (Planned)	MAR	0.35	-	-	1.31	1.31	-	2.62
Seaside (Planned)	SEA	0.35	-	-	6.69	-	6.66	13.25
UC (Planned)	UC	0.35	-	3.94	5.25	11.81	23.61	44.60
Industrial		0.40						
Monterey (Planned)	MRY	0.40	-	-	-	4.13	8.28	12.41
Marina CY (Entitled)	MAR	0.40	-	-	-	-	-	-
Dunes (Entitled)	MAR	0.40	-	1.72	1.72	3.10	-	6.54
Cypress Knolls (Planned)	MAR	0.40	-	0.34	-	-	-	0.34
Marina Airport (Entitled)	MAR	0.40	-	-	-	-	-	-
TAMC (Planned)	MAR	0.40	-	-	1.00	1.00	-	2.01
Seaside (Planned)	SEA	0.40	-	-	-	7.19	-	7.19
UC (Planned)	UC	0.40	-	1.15	1.15	1.15	2.30	5.74
Retail		0.25						
Del Rey Oaks (Planned)	DRO	0.25	0.46	-	-	-	-	0.46
East Garrison I (Entitled)	MCO	0.25	1.84	1.84	-	-	-	3.67
Cypress Knolls (Planned)	MAR	0.25	-	-	-	-	-	-
Dunes (Entitled)	MAR	0.25	3.67	2.75	2.75	2.20	-	11.39
TAMC (Planned)	MAR	0.25	-	-	3.44	3.44	-	6.89
Seaside Resort (Entitled)	SEA	0.25	-	1.50	-	-	-	1.50
Seaside (Planned)	SEA	0.25	-	-	27.55	63.50	61.98	153.03
UC (Planned)	UC	0.25	-	-	5.74	7.58	15.15	28.47
TOTAL ACRES: NON-RESIDENTIAL			12.10	45.74	65.76	126.75	175.60	425.95
HOTEL ROOMS		38						
Hotel (rooms)		38						
Del Rey Oaks (Planned)	DRO	38	-	-	-	14.47	-	14.47
Dunes Marriott (Entitled)	MAR	38	-	-	-	-	-	-
Dunes Hotel TBD (Entitled)	MAR	38	-	-	10.53	-	-	10.53
Seaside Resort (Entitled)	SEA	38	-	1.05	0.74	6.89	-	8.68
Seaside Resort Time Shares (Entitled)	SEA	38	-	-	-	-	4.47	4.47
Seaside (Planned)	SEA	38	-	-	5.58	5.28	5.53	17.37
UC (Planned)	UC	38	-	-	-	-	-	-
TOTAL ACRES: HOTEL			-	1.05	17.84	26.63	10.00	55.53
NEW RESIDENTIAL		**5,160 unit cap on new residential until 15,000 new jobs on Fort Ord per BRP 3.11.5.4 (b) 2) & 3.11.5.4 (
Marina		6	13	24	30	31	77	175
Marina Heights (Entitled)	MAR	6	-	-	-	-	-	-
The Promontory 2 (Planned)	MAR	6	-	-	-	-	-	-
Dunes (Entitled)	MAR	6	5	15	15	15	113	163
TAMC (Planned)	MAR	6	-	-	17	17	-	33
Seaside		6	-	-	-	18	22	40
UC (Planned)	UC	6	-	-	-	18	22	40
East Garrison I (Entitled)	MCO	6	27	23	20	17	105	192
Seaside Resort (Entitled)	SEA	6	0	0	1	1	18	20
Seaside (Planned)	SEA	6	-	3	20	17	127	166
Other		6	-	-	-	22	94	115
Del Rey Oaks (Planned)	DRO	6	-	-	-	22	94	115
Other Residential (Planned)	Various	6.00	-	-	-	-	-	-
TOTAL ACRES: NEW RESIDENTIAL			45	65	102	137	555	904
EXISTING/REPLACEMENT RESIDENTIAL		6						
Preston Park (Entitled)	MAR	6	-	-	-	-	-	-
Cypress Knolls (Planned)	MAR	6	-	-	17	17	33	67
Abrams B (Entitled)	MAR	6	-	-	-	-	-	-
MOCO Housing Authority (Entitled)	MAR	6	-	-	-	-	-	-
Shelter Outreach Plus (Entitled)	MAR	6	-	-	-	-	-	-
VTC (Entitled)	MAR	6	-	-	-	-	-	-
Interim Inc (Entitled)	MAR	6	-	-	-	-	-	-
Sunbay (Entitled)	SEA	6	-	-	-	-	-	-
Bayview (Entitled)	SEA	6	-	-	-	-	-	-
Seaside Highlands (Entitled)	SEA	6	-	-	-	-	-	-
TOTAL ACRES: EXISTING/REPLACE			-	-	17	17	33	67
ACRES: CSUMB RESIDENTIAL			6	-	-	-	25	82
Sources: FORA, Annette Yee and Company, Economic and Planning Systems; MuniFinancial								
TOTAL ACREAGE			66.77	111.96	202.60	332.05	830.60	1,533.98

Notes: Unless specific estimates are available for a project, the acreage shown in this table is based on building sq. ft. estimates and a Floor-Area Ratio (FAR) of 0.35 for office, 0.4 for industrial, and 0.25 for residential. Hotel Density assumes 31.5 rooms per acre, retail units assume 6 Units/Acre (as per BRP).

Table 9. Estimated Property Taxes Fiscal Year 2016/17 through Post-FORA

Land Use Location & Description	Per Acre Assumption	2016-17	2017-18	2018-19	2019-20	Post-FORA	Built To Date	Forecast + Built
NON-RESIDENTIAL		\$ 36,490,500	\$ 140,828,000	\$ 189,139,500	\$ 350,569,612	\$ 518,047,500	\$ 189,209,700	\$ 1,424,284,812
HOTEL ROOMS	\$ 141,000	\$ -	\$ 5,640,000	\$ 95,598,000	\$ 142,692,000	\$ 53,580,000	\$ 15,228,000	\$ 312,738,000
NEW RESIDENTIAL	\$ 141,000	\$ 37,788,000	\$ 55,131,000	\$ 86,574,000	\$ 100,392,000	\$ 450,918,000	\$ 103,917,000	\$ 868,560,000
EXISTING/REPLACE RES	\$ 141,000	\$ -	\$ -	\$ 14,100,000	\$ 14,100,000	\$ 28,200,000	\$ 149,601,000	\$ 206,001,000
CSUMB RESIDENTIAL		\$ -	\$ -	\$ -	\$ 21,150,000	\$ 48,222,000	\$ -	\$ 21,150,342

TOTAL		\$ 74,278,500	\$ 201,599,000	\$ 385,411,500	\$ 628,903,612	\$ 1,050,745,842	\$ 457,955,700	\$ 2,832,734,154
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FORA PROJECTION 16/17						
2% Max Property Value Escalation - Proposition 13	\$ 75,764,070	\$ 209,743,600	\$ 409,001,767	\$ 680,745,495	\$ 1,050,745,842	
Discount Cash Flow - Bond Buyers Index	\$ 72,761,913	\$ 193,450,718	\$ 362,282,727	\$ 579,092,626	\$ 1,050,745,842	
Net Cash Inflow (CUM) including previous years	\$ 909,519,323	\$ 1,102,970,041	\$ 1,465,252,768	\$ 2,044,345,394	\$ 4,030,822,951	
Net Present Value	\$ 909,519,323	\$ 1,102,970,041	\$ 1,498,819,065	\$ 2,139,082,764	\$ 4,514,160,677	
Property Tax assessment 1%	\$ 9,095,193	\$ 11,029,700	\$ 14,988,191	\$ 21,390,828	\$ 45,141,607	
Less housing set aside (20%)	\$ (1,819,039)	\$ (2,205,940)	\$ (2,997,638)	\$ (4,278,166)	\$ (9,028,321)	
Property Tax net of housing set aside	\$ 7,276,155	\$ 8,823,760	\$ 11,990,553	\$ 17,112,662	\$ 36,113,285	
Tier 1	\$ (982,602)	\$ (1,191,598)	\$ (1,619,255)	\$ (2,310,966)	\$ (4,876,890)	
Tier 2	\$ (825,386)	\$ (1,000,942)	\$ (1,360,174)	\$ (1,941,211)	\$ (4,096,586)	
Tier 3	\$ -	\$ -	\$ -	\$ -	\$ -	
Annual net property tax	\$ 5,468,166	\$ 6,631,221	\$ 9,011,124	\$ 12,860,486	\$ 27,139,809	
FORA Property Tax (35%)	\$ 1,913,858	\$ 2,320,927	\$ 3,153,894	\$ 4,501,170	\$ 9,498,933	
Forecast Estimate - 90% of Property Tax	\$ 1,722,472	\$ 2,088,835	\$ 2,838,504	\$ 4,051,053	\$ 8,549,040	
Operating Costs	\$ (1,300,000)	\$ (1,300,000)	\$ (1,300,000)	\$ (1,300,000)	\$ (1,300,000)	
Property Tax Transfer to CIP	\$ 422,472	\$ 788,835	\$ 1,538,504	\$ 2,751,053	\$ 7,249,040	

APPENDICES

A. PROTOCOL FOR REVIEW/REPROGRAMMING OF FORA CIP	A-1
B. BUILDING REMOVAL PROGRAM TO DATE	A-6
C. JURISDICTION-INCURRED CARETAKER COSTS REIMBURSEMENT POLICY	A-11
D. MARINA COAST WATER DISTRICT 5-YEAR CIP	A-14

Appendix A: Protocol for Review/Reprogramming of FORA CIP (Revised June 10, 2016)

1) Conduct quarterly meetings with the CIP Committee and/or Administrative Committee. Staff representatives from the California Department of Transportation (CALTRANS) and AMBAG may be requested to participate and provide input.

These meetings will be the forum to review developments as they are being planned to assure accurate prioritization and timing of CIP projects to best serve the development as it is projected. FORA CIP projects will be constructed during the program, but market and budgetary realities require that projects must “queue” to current year priority status. In order to prioritize projects, the following criteria were established:

- Project is necessary to mitigate reuse plan
- Project environmental/design is complete
- Project can be completed prior to FORA’s sunset
- Project uses FORA CIP funding as matching funds to leverage grant dollars
- Project can be coordinated with projects of other agencies (utilities, water, TAMC, PG&E, CALTRANS, MST, etc.)
- Project furthers inter-jurisdictional equity
- Project supports jurisdictional “flagship” project
- Project nexus to jurisdictional development programs

The FORA Board has set the top two Transportation Priorities as Eastside Parkway and South Boundary Road. The CIP/Administrative Committee determines the remaining projects priorities. The committee is responsible for recommending project priorities and balancing projected project costs against projected revenues.

Evidence Based Prioritization

Staff asks Administrative Committee members to weight the eight criteria (see previous list of eight bullets) through anonymous polling to reach consensus. The weighting resulting in assigning a higher multiplication factor to some criteria and a lower factor to other criteria. Following the weighting process, staff takes a poll of the committee members asking that they score each project by the eight criteria. Staff multiplies the project scores by the assigned weights, resulting in a score identifying the Transportation/Transit priorities from highest to lowest. Staff then presents the results to the Administrative Committee for further discussion.

To further clarify the criteria, the following definitions were agreed upon by the committee during the 2015/16 Fiscal Year. For each criterion, a measurable scale (1-5) has been created by which to measure the criterion’s impact.

a) Project is necessary to mitigate reuse plan

All projects on the list are necessary to mitigate the reuse plan. In order to prioritize the transportation projects, it is necessary to determine the amount of mitigation a proposed roadway could have on existing roadways. Therefore, this criteria is defined by the Level-Of-Service (LOS) ranking, determined by the North American Highway Capacity Manual which measures the amount of time a vehicle stays in one spot on a road from the shortest amount of time to the longest (A-F). This is a function of travel speed, congestion, and the amount of cars on the road. This criterion asks the CIP committee to provide its best informed estimate on the impact of each project in terms of LOS.

Use this scale to estimate the mitigation effect on an impacted roadway(s) in terms of Highway Capacity Manual’s Level of Service (LOS):

1. Decreases the LOS on existing roadways (increases the travel time, congestion etc. . .)

2. LOS stays the same on existing roadways
3. LOS is increased one level up (i.e from C to B)
4. LOS is increased two levels up (i.e. C to A)
5. LOS is increased two levels up from a D, E, or F (i.e. from D to B)

b) Project environmental/design is complete

The concept behind this criterion is to determine how ready a project is for implementation and assesses how close a project is to breaking ground in relation to key project milestones.

Use this scale to rate a project by the Key milestones:

1. California Environmental Quality Act (CEQA) Review Initiated
2. CEQA Review Complete
3. 90% Design Complete
4. Design Approval Complete
5. Notice to Proceed has been issued

c) Project can be completed prior to FORA's 2020 transition

Use this criterion to assess the proposed project's likeliness to complete the project on-time and on-budget prior to 2020.

Use this scale to rate the likeliness of completion:

1. Not Probable by 2020
2. Not Likely to be on-time/budget by 2020
3. Likely to be completed by 2020
4. Likely to be completed before 2019
5. Likely to be completed before 2018

d) Uses FORA CIP funding as matching funds to leverage grant dollars

Use this criterion to assess the likelihood a project is to gain matching funds or grants in the next three years if FORA assigns resources to the project.

Use this scale to rate the likeliness of obtaining matching/additional funding:

1. Not Possible in 3 years (July 2019)
2. Not Likely to gain funding in 3 years (July 2019)
3. Likely to gain funding in 3 years (July 2019)
4. Likely to gain funding in 2 years (July 2018)
5. Likely to gain funding in 18 months (January 2018)

e) Project can be coordinated with other agencies projects

The concept behind this criterion is to facilitate roadway connectivity and to determine if economies of scale (cost advantages obtained due to increased scope) are possible through planning/implementing projects in succession or in parallel with another infrastructure project. Use estimated time between the completion of one project and notice to proceed of adjacent projects to determine the level of coordination.

Use this scale to determine the level of coordination with other agencies:

1. Cannot be run in succession/parallel with another project
2. Can be run in succession/parallel with another project
3. Can be run in succession/parallel with another project AND creates an economy of scale (cost advantages obtained due to increased scope)
4. Can be run in succession/parallel with another project AND creates an economy of scale on both projects

5. Can be run in succession/parallel with another project AND creates an economy of scale on both projects AND saves time

f) Project furthers inter-jurisdictional equity

Inter-Jurisdictional equity refers to the concept that FORA complete roadway obligations while being fair to each of the land-use jurisdictions. For the purposes of this assessment, the geographical location of the project determines the owning jurisdiction even though a project in another jurisdiction might benefit. Use this criterion to assess if the resources assigned to this project would create an imbalance in the distribution of resources to the land-use jurisdictions:

1. Would create a major change in the balance favoring one jurisdiction
2. Would create a minor change in the balance favoring one jurisdiction
3. The estimated change would be a net gain
4. Would create a minor change restoring, or furthering, the balance
5. Would create a major change restoring, or furthering, the balance

g) Supports jurisdictions "flagship" project

A "flagship project" is a single project on the former Fort Ord lands which a jurisdiction gives priority regarding its resources.

- a. Marina = The Dunes on Monterey Bay
- b. Seaside = Seaside Resort
- c. Monterey County = East Garrison
- d. City of Monterey = Business Park
- e. Del Rey Oaks = 73 Acres

Use this criterion to assess the amount of support a CIP project will give to Flagship projects:

1. Project provides infrastructure within ¼ mile of a Flagship project
2. Project provides infrastructure to the project area
3. Flagship project is dependent upon project being completed
4. Project enables Flagship projects to establish revenue to jurisdiction
5. Project is able to provide 2 or more benefits listed above.

h) Project nexus to jurisdictional development programs:

For prioritization, bias is set on links that can equitably feed multiple development programs. The concept of development programs are projects which increase Economic Development and job creation first, then increase resource support such as housing and shopping. Realistically, housing may precede jobs; however, FORA seeks to prioritize Economic Development.

Use this criterion to assess the impact of a roadway on developments:

1. The project will not create a roadway link for the development
2. Creates a roadway link to a future development, but there is currently no ongoing development project
3. Creates a roadway link and implementation coincides with future development projects
4. The project creates a roadway link and supports ongoing development projects
5. The project creates a roadway link and supports ongoing developments in two or more jurisdictions

2) Under this Protocol, The Administrative Committee is to provide a mid-year and/or yearly report to the Board (at mid-year budget and/or annual budget meetings) that will include any recommendations for CIP modifications from the joint committee and staff.

- 3) Anticipate FORA Board annual approval of a CIP program that comprehensively accounts for all obligatory projects under the BRP.

These base-wide project obligations include transportation/transit, water augmentation, storm drainage, habitat management, building removal and firefighting enhancement.

This protocol describes the method by which the base-wide development fee (Fee) and Fort Ord Reuse Authority Community Facilities District Special Tax (Tax) are annually indexed. The amount of the Fee is identical to the CFD Tax. Landowners pay either the Fee or the Tax, never both, depending on whether the land is within the Community Facilities District. For indexing purposes, FORA has always used the change in costs from January 1 to December 31. The reason for that choice is that the Fee and CFD Tax must be in place on July 1, and this provides the time necessary to prepare projections, vet, and publish the document. The second idea concerns measurement of construction costs. Construction costs may be measured by either the San Francisco Metropolitan index, or the "20-City Average." FORA has always used the 20-City Average index because it is generally more in line with the actual experience in suburban areas like the Monterey Peninsula. It should be noted that San Francisco is one of the cities used for the 20-City Average.

The Fee was established in February 1999 by Resolution 99-1. Section 1 of that Resolution states that "(FORA) shall levy a development fee in the amounts listed for each type of development in the... fee schedule until such time as ... the schedule is amended by (the) board." The CFD Tax was established in February 2002 by Resolution 02-1. Section IV of that CFD Resolution, beginning on page B-4, describes "Maximum Special Tax Rates" and "Increase in the Maximum Special Tax Rates." That section requires the Tax to be established on the basis of costs during the "...immediately preceding Fiscal Year..." The Tax is adjusted annually on the basis of "...Construction Cost Index applicable to the area in which the District is located..."¹

The CFD resolution requires the adjusted Tax rate to become effective on July 1. It would be difficult to meet that deadline if the benchmark were set for a date later than January. FORA staff uses the adjusted Tax rate to reprogram the CIP. FORA staff requests development forecast projections from the land use jurisdictions in January. The forecasts allow staff to balance CIP revenues and expenditures, typically complete by April, for Administrative Committee review. The FORA Board typically adopts the CIP, and consequently updates the "Notice of Special Tax Lien" (Notice) in June.

Additionally, the Notice calls for "... (2) percentage change since the immediately preceding fiscal year in the (ENRs CCI) applicable to the area in which the District is located..." To assure adequate time for staff analysis, public debate and FORA Board review of modifications to the Special Tax Levy, it is prudent to begin in January. In addition, the FORA Board adopted a formulaic approach to monitoring the developer fee program which is typically conducted in the spring – as will be the case in 2016. If the anticipated Fee adjustment is unknown at the time of the formulaic calculation then the level of certainty about the appropriateness of the Fee is impaired. This factor supports that the Fee should be established in January.

To determine the percentage change, the CCI (Construction Cost Index) of the immediately prior January is subtracted from the CCI in January of the current year to define the arithmetic value of the change (increase or decrease). This dollar amount is divided by the CCI of the immediately prior January. The result is then multiplied by 100 to derive a percentage of change (increase or decrease) during the intervening year. The product of that calculation is the rate presented to the FORA Board.

Since the start of the CIP program in FY 2001/02, FORA has employed the CCI for the "20-City Average" as presented in the ENR rather than the San Francisco average. The current 20-City Average places the CCI

in the range of \$9K to \$10K while the San Francisco CCI is in the \$10K to \$11K range. The difference in the two relates to factors which tend to drive costs up in an urban environment as opposed to the suburban environment of Fort Ord. These factors would include items such as time required for transportation of materials and equipment plus the Minimum Wage Rates in San Francisco as compared to those in Monterey County. Over a short term (1 year) one index may yield a lower percentage increase than the other index for the same time period.

Appendix B: Building Removal Program to Date

1996 FORA Pilot Deconstruction Project (PDP)

In 1996, FORA deconstructed five wooden buildings of different types, relocated three wooden buildings, and remodeled three buildings. The potential for job creation and economic recovery through opportunities in deconstruction, building reuse, and recycling was researched through this effort.

Lessons learned from the FORA PDP project:

- A structure's type, size, previous use, end-use, owner, and location are important when determining the relevance of lead and asbestos regulations.
- Profiling the building stock by type aids in developing salvage and building removal projections.
- Specific market needs for reusable and recycled products drive the effectiveness of deconstruction.
- Knowing the history of buildings is important because:
- Reusing materials is complicated by the presence of Lead Based Paint (LBP), which was originally thinned with leaded gasoline and resulted in the hazardous materials penetrating further into the substrate material.
- Over time, each building develops a unique use, maintenance and repair history, which can complicate hazardous material abatement survey efforts.
- Additional field surveys were needed to augment existing U.S. Army environmental information. The PDP surveys found approximately 30 percent more Asbestos Containing Material (ACM) than identified by the Army.
- Hazardous material abatement accounts for almost 50 percent of building deconstruction costs on the former Fort Ord.
- A robust systematic program is needed for evaluating unknown hazardous materials early in building reuse, recycling and cleanup planning.

1997 FORA Survey for Hidden Asbestos

In 1997, FORA commissioned surveys of invasive asbestos on a random sample of buildings on Fort Ord to identify hidden ACM. Before closure, the U.S. Army performed asbestos surveys on all exposed surfaces in every building on Fort Ord for their operation and maintenance needs. The Army surveys were not invasive and therefore did not identify asbestos sources, which could be spread to the atmosphere during building deconstruction or renovation. In addition to commissioning the survey for hidden asbestos, FORA catalogued the ACM found during the removal of seventy Fort Ord buildings.

The survey for hidden asbestos showed:

- The Army asbestos surveys were conducted on accessible surfaces only which is not acceptable to the Monterey Bay Unified Air Pollution Control District (MBUAPCD).
- Approximately 30 percent more ACM lies hidden than was identified in the Army surveys.
- The number one cause for slow-downs and change orders during building deconstruction is hidden asbestos (see FORA website).
- A comprehensive asbestos-containing materials survey must identify all ACM.
- All ACM must be remediated before building deconstruction begins. It is important to note that this includes non-friable ACM that has a high probability of becoming or has become friable - crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of deconstruction.
- All ACM must be disposed of legally.

1998 FORA Hierarchy of Building Reuse

In response to the PDP project, FORA developed a Hierarchy of Building Reuse (HBR) protocol to determine the highest and best method to capture and save both the embodied energy and materials that exist in the buildings on Fort Ord. The HBR is a project-planning tool. It provides direction, helps contractors achieve higher levels of sustainability, and facilitates dialogue with developers in order to promote salvage and reuse of materials in new construction projects. The HBR protocol has only been used on WWII era wooden buildings. The HBR protocol prioritizes activities in the following order:

1. Reuse of buildings in place
2. Relocation of buildings
3. Deconstruction and salvage of building materials
4. Deconstruction with aggressive recycling of building materials

1998 FORA Request for Qualifications (RFQ) for Building Deconstruction Contractors

FORA went through an RFQ process in an attempt to pre-qualify contractors throughout the U.S. to meet the Fort Ord communities' needs for wooden building deconstruction (removal), hazardous material abatement, salvage and recycling, and identifying cost savings. The RFQ also included a commitment for hiring trainees in deconstruction practices.

1999 FORA Lead-Based Paint Remediation Demonstration Project

FORA initiated the LBP Remediation Demonstration Program in 1999 to determine the extent of LBP contamination in Fort Ord buildings and soil, field test possible solutions, and document the findings. The first step in controlling LBP contamination is to accurately identify the amount and characteristics of the LBP. This ensures that LBP is properly addressed during removal and reuse activities, in ways that protect the public, environment, and workers.

The FORA Compound and Water City Roller Hockey Rink were used as living laboratories to test the application of LBP encapsulating products. Local painting contractors were trained to apply various encapsulating products and the ease, effectiveness and expected product life was evaluated. This information was shared with the jurisdictions, other base closure communities and the regulatory agencies so that they could use the lessons learned if reusing portions of their WWII building stock.

2001 FORA Waste Characterization Protocol

A Basewide Waste Characterization Protocol was developed for building debris generated during the deconstruction of approximately 1,200 WWII era wooden structures. By profiling standing buildings utilizing the protocol, contractors are able to make more informed waste management and diversion decisions resulting in savings, greater implementation of sustainable practices, and more environmentally sensitive solutions.

The following assumptions further assist decision-making for a large-scale source-based recovery program:

- Individual buildings have been uniquely modified over time within each building type.
- The basewide characterization protocol was verified by comparing it with the actual waste generated during the 12th street building removal.

2002 FORA Building Removal for 12th Street/Imjin Parkway

FORA, in 2002, remediated and removed 25 WWII era buildings as the preparatory work for the realignment of 12th Street, later to be called Imjin Parkway.

2003 FORA Building Removal for 2nd Avenue Widening

FORA, in 2003, remediated and removed 16 WWII era buildings and also the remains of a theater that had burned and been buried in place by the Army years before the base was scheduled for closure.

2004 FORA/CSUMB oversight Private Material Recovery Facility Project

In 2004, FORA worked with CSUMB to oversee a private-sector pilot Material Recovery Facility (MRF), with the goal of salvaging and reusing LBP covered wood from 14 WWII era buildings. FORA collaborated in the development of this project by sharing its research on building deconstruction and LBP abatement. CSUMB and their private-sector partner hoped to create value added products such as wood flooring that could be sold to offset deconstruction costs. Unfortunately the MRF operator and equipment proved to be unreliable and the LBP could not be fully removed from the wood or was cost prohibitive.

2005 The Dunes WWII Building Removal

FORA, in partnership with Marina and Marina Community Partners, removed 406 WWII era buildings. Ninety percent of the non-hazardous materials from these building were recycled. FORA volunteered to be the Hazardous Waste Generator instead of the City of Marina and worked with the California Department of Toxic Substance Control, the State Board of Equalization and the hazardous waste disposal facility so that as stipulated by state law, State Hazardous Waste Generator taxes could be avoided.

2006 - 2007 East Garrison Building Removal

FORA, in 2006, provided the East Garrison developer with credits/funds to remove 31select WWII and after buildings from East Garrison.

2007 Imjin Office Park Building Removal

FORA, in partnership with Marina and Marina Community Partners, removed 13 WWII era buildings to prepare the Imjin Office Park site.

2003 – 2013 Continuing FORA support for CSUMB Building Removal Projects

Over the years, FORA has shared knowledge gained through various deconstruction projects with CSUMB and others, and CSUMB has reciprocated by sharing their lessons learned. Over the years FORA has supported CSUMB with shared contacts, information, review and guidance as requested for the following CSUMB building removal efforts:

- 2003 removal of 22 campus buildings
- 2006 removal of 87 campus buildings
- 2007 removal of 9 campus buildings

- 2009 removal of 8 campus buildings
- 2010 removal of 33 campus buildings
- 2011 removal of 78 campus buildings
- 2013 removal of 24 campus buildings

2011 FORA Removal of Building 4470 in Seaside

In 2011, FORA had a concrete building in Seaside removed. Building 4470 was one of the first Korean War era concrete buildings removed on the former Fort Ord. Removal revealed the presence of hidden asbestos materials. The knowledge gained during this project will be helpful in determining removal costs of remaining Korean War era concrete buildings in Seaside and on CSUMB.

2011 FORA/CSUMB Korean War Concrete Building Removal Grant Application

In 2011, FORA approached the U.S. Office of Economic Adjustment (OEA) about the possibility of applying for grant funds to assist in the removal of Korean War era concrete buildings located on CSUMB Campus and Seaside Surplus II property. The OEA was receptive to the idea and encouraged an application, noting that the amount available would likely be less than \$500,000. Since a large portion of the Korean War era concrete buildings are located on CSUMB property, FORA asked CSUMB to co-apply for the grant funds, which would be used to accurately identify hazardous materials in the buildings both on CSUMB and Seaside property, and to develop a Business Plan that would harness market forces to reduce building removal costs and drive economically sound building removal decisions. After multiple applications this grant application was not funded. In 2015 FORA determined to work directly with Seaside to address the Seaside Surplus II Korean Era cement buildings without OEA assistance.

2013 CSUMB Korean War Concrete Building Removal

In late 2013 the California State University system announced \$30M in funding awarded for CSUMB campus building removal over a six months to two year period. As CSUMB implemented their building removal program, FORA and the City of Seaside worked closely with CSUMB to incorporate lessons learned, costing and building removal techniques into the Deconstruction/Building Removal Business Plan.

2015 FORA/Seaside Surplus II Korean War Concrete Building Removal

Surplus II is the northeast gateway to the City of Seaside and CSUMB with Gigling Road on its southern boundary; a major artery into and out of Seaside, and difficult for police to patrol and abuts the CSUMB campus. The Seaside Surplus II area also abuts occupied military homes and the Department of Defense building on Gigling Road. Portions of the Seaside Surplus II area surround existing buildings reused in place, including the Presidio of Monterey Police station, Monterey College of Law, Monterey Peninsula College Police Officer Training Academy and National Guard buildings. The dilapidated buildings have been vandalized, copper wiring and piping has been stolen, and windows and doors have been broken. The multi-story buildings do not have elevators, are not ADA compliant, and none meet earthquake safety codes.

In late 2015 FORA staff met with Seaside to coordinate the application of FORA Building removal obligation funds to the Surplus II, knowing that FORA's funds would not be enough to remove all the hazardous materials and buildings from the site. Seaside and FORA staff determined that the first step to knowing what was involved in removing buildings from Surplus II was to survey the buildings for Hazardous

materials and commission a hazardous materials removal estimate. In early 2016 FORA releases an Request for Proposals and competitively selected an Industrial Hygienist firm to provide hazardous material surveys in Surplus II. The surveys and a hazardous materials removal estimate is estimated to be complete in mid-2016.

2016 Marina Stockade Removal 2016

In 2016 FORA staff met with the City of Marina to begin the coordination to have access to the Marina Stockade site which currently host Los Animas concrete production and operations under a lease from the City of Marina. Marina is taking the lead in negotiating with Los Animas for access to the building for removal. FORA will commission the Stockade hazardous material surveys while access is being coordinated. Once the surveys are complete and access is achieved, FORA will begin building removal.

Appendix C: Jurisdiction-Incurred Caretaker Costs Reimbursement Policy

Caretaker costs were first described in the Fiscal Year (FY) 01/02 FORA Capital Improvement Program (CIP) as: “Costs associated with potential delays in redevelopment and represent interim capital costs associated with property maintenance prior to transfer for development.”

FORA Assessment District Counsel opined that FORA Community Facilities District Special Tax payments cannot fund caretaker costs. For this reason, caretaker costs would be funded through FORA’s 50% share of land sale proceeds on former Fort Ord, any reimbursements to those fund balances, or other designated resources.

As a result of the FY 11/12 and FY 12/13 Phase II CIP Review analysis prepared by Economic & Planning Systems, Inc., FORA agreed to reimburse its five member jurisdictions (County of Monterey and Cities of Seaside, Marina, Del Rey Oaks, and Monterey) for these expenses based on past experience, provided sufficient land sale revenue is available and jurisdictions are able to demonstrate property management/caretaker costs. Based on previous agreements between the U.S Army and the City of Marina, City of Seaside and County of Monterey, *examples* of caretaker costs include the following: tree trimming, mowing, pavement patching, centerline/stenciling, barricades, traffic signs, catch basin/storm drain maintenance, vacant buildings, vegetation control/spraying, paving/slurry seal, and administration (10% of total costs).

For clarification purposes, FY 15/16 caretaker costs funding is limited to the amount listed in the FORA FY 15/16 CIP (Table 5 – Land Sales Revenue), which is \$150,000. Future FORA annual CIP’s will establish caretaker costs reimbursement funding as described in the next paragraph.

For implementation, this policy clarifies that FORA funding for caretaker costs shall be determined by allocating a maximum of \$500,000 in the prior fiscal year’s property taxes collected and designated to the FORA CIP. For example, if \$525,000 in property taxes is collected and designated to the FORA CIP during FY 15/16, then FORA will program a maximum of \$500,000 for the five member jurisdictions’ eligible caretaker costs. Each subsequent year, the maximum funding for caretaker costs may be decreased assuming that, as land transfers from jurisdictions to third-party developers, jurisdictions’ caretaker costs will decrease. If FORA does not collect and designate to the CIP sufficient property taxes in a given fiscal year to fund the maximum amount of caretaker costs allowed that fiscal year, the actual amount of property taxes collected and designated to the CIP during the fiscal year shall be used to determine the amount of caretaker costs funding. FORA shall set caretaker costs funding through the approved FORA CIP.

For a member jurisdiction to be eligible for caretaker costs reimbursement:

- 1) Costs must be described using the Caretaker Costs Worksheet (**Exhibit A**) and submitted to FORA by January 31 (1st deadline) and March 31 (2nd deadline) of each year;
- 2) FORA staff must provide a written response within 30 days denying or authorizing, in part or in whole, the Caretaker Costs Worksheet in advance of the expenditure. FORA may request additional information from the member jurisdiction within 15 days of receiving the Caretaker Costs Worksheet. FORA shall provide reasons for caretaker costs reimbursement denial in its written response;
- 3) Eligible costs must be within the total amount approved in the current CIP, which shall be divided into five equal amounts, one for each of the five member jurisdictions. For

example, if FORA is able to allocate \$100,000 in caretaker costs in a fiscal year, each jurisdiction shall have the ability to request up to \$20,000 in caretaker cost reimbursements. If a member jurisdiction does not submit a Caretaker Costs Worksheet to FORA by January 31 of each year, it forfeits its caretaker costs allocation for the fiscal year. Such unallocated dollars shall be available through March 31 (2nd deadline) (see #1 above) to the jurisdictions who submitted Caretaker Costs Worksheets to FORA by January 31; and

- 4) FORA staff must verify completion of caretaker costs work items through site visits prior to work initiation and after work completion.

FORA shall establish an emergency set aside of up to \$75,000 in the FY 16/17 CIP budget for urgent and unforeseen caretaker costs. The process for requesting these funds shall be the same as described above except there will not be a deadline for submitting the request.

**FORT ORD REUSE AUTHORITY CARETAKER COST WORKSHEET**

Date: _____ Jurisdiction: _____
Point of Contact: _____ Contact number/email: _____

Please answer the following questions and submit to the Fort Ord Reuse Authority for a determination of eligibility for caretaker cost reimbursement:

1. Is the property where the Caretaker Costs are planned owned by the jurisdiction?
 - ☐ Yes
 - ☐ No
2. What is/are the Army Corps of Engineers parcel number(s)? _____
3. Check all Caretaker Cost work item categories that apply to the current request:
 - ☐ Tree trimming
 - ☐ Mowing
 - ☐ Pavement patching
 - ☐ Centerline/stenciling
 - ☐ Barricades
 - ☐ Traffic signs
 - ☐ Catch basins/storm drain maintenance
 - ☐ Barriers to vacant buildings
 - ☐ Vegetation control/spraying
 - ☐ Paving/slurry seal
 - ☐ Administration (up to 10% of total costs)
 - ☐ Other: _____
4. Provide a specific description of the proposed Caretaker Cost work:

5. Provide a description of potential benefit from completion of Caretaker work items (such as improved public health, public safety, reduced fire risk, etc.):

6. Provide a detailed budget of proposed Caretaker Costs with estimated costs (if caretaker work is approved for reimbursement, FORA staff will use this budget to verify work completion and issue reimbursements):

Marina Coast Water District DRAFT Five-Year CIP										
CIP No.	PROJECT DESCRIPTION	FY 2015-16 Prior Year	FY 2016-17 Current Year	FY 2017-18 Proposed	FY 2018-19 Proposed	FY 2019-20 Proposed	FY 2020-21 Proposed	OUT YEARS	TOTAL	CATEGORY
OW-0000	Ord Water									
OW-0223	Well 30 Pump Replacement	\$105,000	\$0	\$0	\$0	\$0	\$0	\$0	\$105,000	E
OW-0206	Inter-Garrison Road Pipeline Up-Sizing	\$167,485	\$536,639	\$0	\$0	\$0	\$0	\$0	\$704,124	E
OW-0128	Lightfighter B" Zone Pipeline Extension "	\$32,000	\$335,800	\$0	\$0	\$0	\$0	\$0	\$367,800	M
OW-0201	Gigling Transmission from D Booster to JM Blvd	\$0	\$0	\$109,100	\$332,100	\$0	\$0	\$0	\$441,200	E
OW-0115	SCADA System Improvements -Phase II	\$240,697	\$296,935	\$0	\$0	\$0	\$0	\$0	\$537,632	E
OW-0211	Eastside Parkway (D-Zone pipeline)	\$0	\$0	\$415,632	\$2,498,444	\$0	\$0	\$0	\$2,914,076	M
OW-0193	Imjin Parkway Pipeline, Reservation Rd to Abrams Drive	\$0	\$0	\$52,000	\$460,800	\$0	\$0	\$0	\$512,800	E
OW-0119	Demolish D-zone Reservoir	\$0	\$0	\$17,900	\$160,700	\$0	\$0	\$0	\$178,600	E
OW-0230	Wellfield Main 2B -Well 31 to Well 34	\$0	\$0	\$164,400	\$167,700	\$518,300	\$0	\$0	\$850,400	E
OW-0129	Rehabilitate Well 31	\$0	\$0	\$1,707,438	\$0	\$0	\$0	\$0	\$1,707,438	E
OW-0127	CSUMB Pipeline Up-Sizing -Commercial Fireflow	\$0	\$0	\$38,311	\$117,231	\$0	\$0	\$0	\$155,542	E
OW-0203	7th Avenue and Gigling Rd	\$0	\$0	\$61,990	\$189,689	\$0	\$0	\$0	\$251,679	E
OW-0202	South Boundary Road Pipeline	\$0	\$0	\$205,000	\$1,289,000	\$0	\$0	\$0	\$1,494,000	M
OW-0122	Replace D & E Reservoir Off-Site Piping	\$0	\$0	\$0	\$0	\$0	\$1,016,400	\$0	\$1,016,400	E
OW-0167	2nd Ave extension to Gigling Rd	\$0	\$0	\$0	\$0	\$0	\$272,400	\$0	\$272,400	E
OW-0118	B4" Zone Tank @ East Garrison "	\$0	\$0	\$0	\$0	\$0	\$0	\$3,116,949	\$3,116,949	S
OW-0212	Reservoir D2" + D-BPS Up-Size "	\$0	\$0	\$0	\$0	\$0	\$0	\$3,997,826	\$3,997,826	E
OW-0208	Pipeline Up-Sizing -to Stockade	\$0	\$0	\$0	\$0	\$0	\$0	\$709,391	\$709,391	S
OW-0209	Pipeline Up-Sizing -between Dunes & MainGate	\$0	\$0	\$0	\$0	\$0	\$0	\$220,050	\$220,050	M
OW-0210	Sand Tank Demolition	\$0	\$0	\$0	\$0	\$0	\$0	\$542,078	\$542,078	E
OW-0204	2nd Ave Connection, Reindollar to Imjin Pkwy	\$0	\$0	\$0	\$0	\$0	\$0	\$1,214,489	\$1,214,489	E
OW-0214	Imjin Road, 8th St. to Imjin Pkwy	\$0	\$0	\$0	\$0	\$0	\$0	\$1,104,081	\$1,104,081	E
OW-0121	C2" to "B4" Pipeline and PRV Station "	\$0	\$0	\$0	\$0	\$0	\$0	\$1,409,403	\$1,409,403	S
OW-0171	Eucalyptus Rd Pipeline	\$0	\$0	\$0	\$0	\$0	\$0	\$2,351,264	\$2,351,264	M
OW-0213	Reservoir B4/B5 to East Garrison Pipeline	\$0	\$0	\$0	\$0	\$0	\$0	\$257,487	\$257,487	S
OW-0216	UCMBEST Pipeline	\$0	\$0	\$0	\$0	\$0	\$0	\$402,493	\$402,493	S
OW-0217	Reservation Road, Imjin to MBEST Drive	\$0	\$0	\$0	\$0	\$0	\$0	\$539,368	\$539,368	M
OW-0218	Golf Boulevard Transmission Line	\$0	\$0	\$0	\$0	\$0	\$0	\$1,104,081	\$1,104,081	M
OW-0219	B5" Zone Tank @ East Garrison "	\$0	\$0	\$0	\$0	\$0	\$0	\$3,116,949	\$3,116,949	S
OW-0231	Wellfield Main 3A -Intergarrison to ASP Bldg	\$0	\$0	\$0	\$0	\$0	\$0	\$3,541,126	\$3,541,126	E
OW-0232A	Install Well 36 -Retire Well 29	\$0	\$0	\$0	\$0	\$0	\$0	\$2,515,243	\$2,515,243	E
OW-0232B	Wellfield Main 1B -between Wells 36 and 35	\$0	\$0	\$0	\$0	\$0	\$0	\$3,169,802	\$3,169,802	E
OW-0233	Wellfield Main 1C (Parallel) Well 36 to ASP Bldg	\$0	\$0	\$0	\$0	\$0	\$0	\$3,736,274	\$3,736,274	M
OW-0234	B-BPS at ASP Bldg	\$0	\$0	\$0	\$0	\$0	\$0	\$1,355,195	\$1,355,195	M
OW-0235	Ord Well-head Disinfection	\$0	\$0	\$0	\$0	\$0	\$0	\$2,710,391	\$2,710,391	M
Category Legend										
E= CIP supports existing Infrastructure										
EDS= Eastern Distribution System (inland well-field)										
S= CIP supports a single parcel's or owner's project										
M= CIP supports projects for multiple parcels or owners										

Marina Coast Water District
DRAFT Five-Year CIP

CIP No.	PROJECT DESCRIPTION	FY 2015-16 Prior Year	FY 2016-17 Current Year	FY 2017-18 Proposed	FY 2018-19 Proposed	FY 2019-20 Proposed	FY 2020-21 Proposed	OUT YEARS	TOTAL	CATEGORY
OS-0000	Ord Sewer									
OS-0200	Clark Lift Station Improvement	\$572,000	\$206,475	\$0	\$0	\$0	\$0	\$0	\$778,475	E
OS-0205	Imjin LS & Force Main Improvements-Phase 1	\$0	\$263,000	\$310,000	\$0	\$0	\$0	\$558,000	\$1,131,000	M
OS-0203	Gigling LS and FM Improvements	\$65,000	\$508,000	\$808,000	\$0	\$0	\$0	\$0	\$1,381,000	E
OS-0152	Hatten, Booker, Neeson LS Improvements Project	\$20,000	\$100,000	\$0	\$425,000	\$0	\$0	\$370,000	\$915,000	E
OS-0154	Del Rey Oaks-Collection System Planning	\$0	\$0	\$61,200	\$0	\$0	\$0	\$0	\$61,200	S
OS-0208	Parker Flats Collection System	\$0	\$0	\$25,500	\$78,030	\$0	\$0	\$0	\$103,530	M
OS-0153	Misc. Lift Station Improvements	\$0	\$0	\$561,000	\$936,360	\$0	\$0	\$0	\$1,497,360	E
OS-0202	SCSD Sewer Improvements-DRO	\$0	\$0	\$502,454	\$1,537,510	\$0	\$0	\$0	\$2,039,964	S
OS-0209	Imjin LS & Force Main Improvements-Phase 2	\$0	\$0	\$65,000	\$920,000	\$0	\$0	\$370,000	\$1,355,000	E
OS-0147	Ord Village Sewer Pipeline & Lift Station Impr Project	\$0	\$0	\$0	\$562,651	\$0	\$0	\$0	\$562,651	E
OS-0204	CSUMB Developments	\$0	\$0	\$0	\$0	\$608,899	\$0	\$0	\$608,899	S
OS-0207	Seaside Resort Sewer Imps. Project	\$0	\$0	\$0	\$0	\$326,146	\$0	\$0	\$326,146	S
OS-0149	Dunes Sewer Pipeline Replacement Projects	\$0	\$0	\$0	\$0	\$461,923	\$0	\$0	\$461,923	M
OS-0151	Cypress Knolls Sewer Pipeline Improvements Project	\$0	\$0	\$0	\$0	\$0	\$97,424	\$0	\$97,424	S
OS-0215	Demolish Ord Main Garrison WWTP	\$0	\$0	\$0	\$0	\$0	\$1,623,648	\$0	\$1,623,648	E
OS-0148	Marina Heights Sewer Pipeline Improvements Project	\$0	\$0	\$0	\$0	\$0	\$825,863	\$0	\$825,863	M
OS-0150	East Garrison Lift Station Improvements	\$0	\$0	\$0	\$0	\$0	\$260,000	\$281,340	\$541,340	E
OS-0206	Fitch Park Sewer Improvements	\$0	\$0	\$0	\$0	\$0	\$0	\$127,071	\$127,071	S
OS-0210	1st Ave Sewer Pipeline Replacement Project	\$0	\$0	\$0	\$0	\$0	\$0	\$408,340	\$408,340	M
OS-0211	Gen'l Jim Moore Sewer Pipeline Replacement Project	\$0	\$0	\$0	\$0	\$0	\$0	\$49,972	\$49,972	M
OS-0212	Gen'l Jim Moore Sewer Pipeline Replacement Project III	\$0	\$0	\$0	\$0	\$0	\$0	\$187,037	\$187,037	M
OS-0214	Intergarrison/8th Ave SS (for Eastside Pkwy developments)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	M
OS-0213	MRWPCA Buy-In	\$0	\$0	\$0	\$0	\$0	\$0	\$11,040,808	\$11,040,808	M
OS-0216	SCSD Sewer Improvements-Seaside East	\$0	\$0	\$0	\$0	\$0	\$0	\$6,480,709	\$6,480,709	S
OS-0217	SCSD Sewer Improvements-City of Monterey	\$0	\$0	\$0	\$0	\$0	\$0	\$1,444,854	\$1,444,854	S

Category Legend

- E= CIP supports existing Infrastructure
- EDS= Eastern Distribution System (inland well-field)
- S= CIP supports a single parcel's or owner's project
- M= CIP supports projects for multiple parcels or owners

Marina Coast Water District DRAFT Five-Year CIP										
CIP No.	PROJECT DESCRIPTION	FY 2015-16 Prior Year	FY 2016-17 Current Year	FY 2017-18 Proposed	FY 2018-19 Proposed	FY 2019-20 Proposed	FY 2020-21 Proposed	OUT YEARS	TOTAL	CATEGORY
General Water (33% Marina, 67% Ord)										
GW-0112	A1 & A2 Zone Tanks & B/C Booster Station	\$74,000	\$0	\$3,644,720	\$3,265,330	\$3,369,150	\$0	\$0	\$10,353,200	E
GW-0212	Potable Water Tank Compliance Project	\$45,000	\$0	\$0	\$0	\$0	\$0	\$110,400	\$155,400	E
GW-0123	B2" Zone Tank @ CSUMB "	\$0	\$0	\$200,000	\$1,230,000	\$1,184,871	\$0	\$0	\$2,614,871	M
GW-0210	Reservoir A3 (1.6 MG)	\$0	\$0	\$0	\$0	\$0	\$0	\$3,469,240	\$3,469,240	M
GW-0231	Install Well 37 - Retire well 12	\$0	\$0	\$0	\$0	\$0	\$0	\$6,251,516	\$6,251,516	EDS
GW-0232	Install Well 38 - Retire well 10	\$0	\$0	\$0	\$0	\$0	\$0	\$6,251,516	\$6,251,516	EDS
GW-0233	A-BPS at ASP Bldg + Forebay Tank	\$0	\$0	\$0	\$0	\$0	\$0	\$1,665,535	\$1,665,535	EDS
GW-0234	Install Well 39 - Retire Well 30	\$0	\$0	\$0	\$0	\$0	\$0	\$6,251,516	\$6,251,516	EDS
GW-0235	B-BPS Expansion and Transmission to A1/A2 Tanks	\$0	\$0	\$0	\$0	\$0	\$0	\$13,084,043	\$13,084,043	EDS
GW-0236	Install Well 40 - Retire Well 11	\$0	\$0	\$0	\$0	\$0	\$0	\$6,251,516	\$6,251,516	EDS
GW-0237	Install Well 41 - Retire Well 31	\$0	\$0	\$0	\$0	\$0	\$0	\$6,251,516	\$6,251,516	EDS
General Sewer (37% Marina, 63% Ord)										
GS-0200	Odor Control Project	\$0	\$0	\$120,000	\$0	\$0	\$0	\$0	\$120,000	E
GS-0201	Del Monte/Reservation Road Sewer Main Improvements	\$0	\$0	\$0	\$270,000	\$0	\$0	\$0	\$270,000	E
Water District-Wide (27% MW, 7%MS, 54%OW, 12%OS)										
WD-0106	Corp Yard Demolition & Rehab	\$0	\$0	\$120,000	\$450,000	\$0	\$0	\$0	\$570,000	E
WD-0110	Asset Management Program -Phase II	\$0	\$0	\$250,000	\$0	\$0	\$0	\$0	\$250,000	E
WD-0110A	Asset Management Program --Phase III	\$0	\$0	\$0	\$250,000	\$0	\$0	\$0	\$250,000	E
WD-0115A	SCADA System Improvements (Security + RD integration)	\$0	\$0	\$0	\$300,000	\$0	\$0	\$110,000	\$410,000	E
WD-0202	IOP Building E (BLM)	\$2,542,500	\$0	\$0	\$0	\$0	\$0	\$0	\$2,542,500	S
Shared Project Costs										
	Marina Water Cost Center Share	\$725,745	\$0	\$1,368,658	\$1,753,459	\$1,502,827	\$0	\$16,393,343	\$21,744,032	
	Marina Sewer Cost Center Share	\$177,975	\$0	\$70,300	\$169,900	\$0	\$0	\$7,700	\$425,875	
	Ord Water Cost Center Share	\$1,452,680	\$0	\$2,775,762	\$3,551,871	\$3,051,194	\$0	\$33,282,555	\$44,114,062	
	Ord Sewer Cost Center Share	\$305,100	\$0	\$120,000	\$290,100	\$0	\$0	\$13,200	\$728,400	
Total Costs										
	Ord Water	\$1,997,862	\$1,169,374	\$5,547,533	\$8,767,535	\$3,569,494	\$1,288,800	\$70,396,495	\$92,737,093	
	Ord Sewer	\$962,100	\$1,077,475	\$2,453,154	\$4,749,651	\$1,396,968	\$2,806,935	\$21,331,331	\$34,777,614	
	Total	\$2,959,962	\$2,246,849	\$8,000,687	\$13,517,186	\$4,966,462	\$4,095,735	\$91,727,826	\$127,514,707	
Water Augmentation										
RW-0156	RUWAP ATW - Normandy to MRWPCA	\$522,000	\$12,670,000	\$14,124,000	\$7,644,000	\$0	\$0	\$2,000,000	\$36,960,000	

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS AGENDA

Subject:	Consultant Determination Opinion Report Categories I and II Post Reassessment Actions – 2d Vote	
Meeting Date:	June 10, 2016	INFORMATION/ACTION
Agenda Number:	9d	

RECOMMENDATION(S):

Second Vote: Accept the Michael Baker International (MBI) Determination Opinion of Categories I and II Report.

BACKGROUND/DISCUSSION:

At the May 13, 2016 Fort Ord Reuse Authority (FORA) Board meeting, the Board voted 9-2 to accept the Michael Baker International (MBI) Determination Opinion of Categories I and II Report.

At the February 13, 2014 FORA Board meeting, the Board approved the Base Reuse Plan (BRP) Reassessment "Work Plan," which identified Categories I and II items for completion. Category I focused on BRP corrections and updates, and Category II addressed prior Board actions and regional plan consistency.

In February 2016, FORA hired MBI to assess whether Categories I and II required California Environmental Quality Act (CEQA) review.

MBI completed its review of Categories I and II and presented their Determination Opinion of Categories I and II at the May 13, 2016 FORA Board meeting (**Attachment A**). MBI is of the opinion that Categories I and II do not meet the definition of "projects" under CEQA that warrant detailed environmental review or actions that have been previously reviewed by other agencies.

According to the Determination Opinion conclusion, FORA has complied with CEQA for Categories I and II.

FORA staff, working with MBI, will complete Category I and II work tasks as appropriate, including text and figure corrections, and updates.

At the May 13, 2016 FORA Board meeting, members of the general public raised questions regarding the Determination Opinion Report. MBI addressed these questions in its memorandum "Response to Comments on Determination Opinion of Categories I and II" (**Attachment B**).

FISCAL IMPACT:

Reviewed by FORA Controller _____

Staff time and MBI's contract funding are included in the approved FORA budget.

COORDINATION:

Authority Counsel, Administrative and Executive Committees, MBI.

Prepared by _____
Ted Lopez

Approved by _____
Michael A. Houlemard, Jr.

May 5, 2016

Ted Lopez, Associate Planner
FORT ORD REUSE AUTHORITY
920 2nd Avenue, Suite A
Marina, CA 93933

RE: DETERMINATION OPINION OF CATEGORIES I AND II

Dear Mr. Lopez:

Pursuant to Task 1 of our scope of work, Michael Baker International, in coordination with Holland & Knight LLP, has reviewed all relevant documents and supporting materials related to Category I and II of the Final Reassessment Report (2012). Review of this material was conducted to provide an informed opinion as to whether the Fort Ord Base Reuse Plan (BRP) activities, past and present, as identified and categorized during the reassessment process, constitute a project as defined by California Environmental Quality Act (CEQA) Guidelines Section 15378.

FORA prepared the Fort Ord BRP pursuant to the provisions of Senate Bill 899 to guide the development of the Former Military Reservation. The BRP is a first-tier programmatic policy document that guides all land use decisions for any lands located within the former Fort Ord. Local land use agencies, such as the cities cited below, can refine BRP elements and act as independent lead agencies for environmental review purposes for lands that fall within their planning jurisdiction. Nonetheless, each lead local land use agency that approves projects on land located within the former Fort Ord needs to ensure such changes are consistent with the BRP. These changes can be either related to a specific development project or additional changes in land use designations. The FORA Board of Directors determines the subsequent changes' consistency with the BRP.

The Reassessment Report sorted the prior and pending changes to the BRP into five categories. For the purposes of this determination, our scope focuses only on Categories I and II. Category I, BRP Corrections and Updates, are mainly corrections to bring the BRP text and graphics up to date. These include correction of typographical errors, correction of outdated references, and revisions to the BRP maps to correct inconsistencies.

Category II, Prior Board Actions and Regional Plan Consistency, consists of text and map changes that would bring the BRP into conformance with previous FORA Board actions, particularly "consistency determinations" and other changes that would serve to improve BRP consistency with regional plans that have evolved since 1997. Such changes, taken in whole or in part, would result in modifications to the Land Use Concept map. The map changes are meant to reflect FORA Board decisions and consistency determinations that have already occurred. Category II also includes potential options for new BRP programs or policies and/or revisions to existing programs and policies to ensure the BRP is consistent with regional plans.

Based on our review of the BRP Category I and Category II revisions, it is our opinion that the individual actions and changes that have occurred or are recommended to occur do not, by themselves, meet the definition of “projects” under CEQA that warrant detailed environmental review or are actions that have been previously reviewed by other agencies. Past actions by FORA and local land use agencies that affect the BRP can be compared to amendments to an agency’s General Plan over time. Individual General Plan Amendments may be processed, analyzed and approved over time, but those changes are not always physically incorporated into the body of the General Plan until the text or graphic changes are physically made within document. In this case, the past actions and amendments have been processed, analyzed and approved by several land use agencies, and the need for minor technical corrections have been identified. Updating the BRP at a future date to reflect these past actions is an administrative exercise necessary to memorialize the changes in one place.

CATEGORY I EVALUATION SUMMARY

Table 5, Index of BRP Corrections in the Reassessment Report, lists the identified corrections under Category I, and the text following that table outlines the specific corrections to be considered. During 2013, after the FORA Board received the BRP Reassessment Report, the public and FORA staff identified additional errata not included in the August 2001 Republished BRP, which also fall into Category I. Those corrections have no material effect on the purpose, intent, or guidance provided in the BRP, but are meant solely as BRP “cleanup” items. All of the Category I corrections are minor and incidental, such as typographical, grammar, incorrect references, minor figure changes, and formatting associated with BRP policies, programs, or mitigation measures. In addition, the Post-Reassessment Advisory Committee (PRAC) adopted figure Category I recommendations to reflect land use designation changes, to clarify how boundaries and names have changed, to correct labels and legends, and to properly cite the sources for the various changes on each map. These changes to the BRP would not result in direct or indirect physical impacts on the environment and would be considered administrative activities of governments per CEQA Guidelines Section 15378(b)(5). Therefore, Category I changes do not constitute a distinct “project,” and an errata to the EIR can be prepared to address these changes.

CATEGORY II EVALUATION

Category II addresses two types of possible modifications to the BRP. The first type is based on actions the FORA Board has already taken (labelled II.a). These actions have resulted in draft modifications to BRP Figure 3.3-1, Land Use Concept Ultimate Development, and modifications to BRP transportation-related figures and text. The second type of modification reflects new policies or programs or the expansion of existing BRP policies or programs to ensure BRP consistency with regional and local plans (labelled II.b).

Our evaluation of Category II (II.a and II.b) for CEQA compliance follows.

II.A. MODIFICATIONS OF THE BRP LAND USE CONCEPT MAP

Prior Del Rey Oaks General Plan Consistency Determinations

This is a previously approved project under CEQA. The City of Del Rey Oaks General Plan (1997) included a General Plan designation change of approximately 7 acres of Open Space/Recreation under the BRP to General Commercial–Visitor/Office. In addition, the plan included other minor land use designation changes such as from Visitor Serving to General Commercial–Visitor/Office.

This was a discretionary project undertaken by the City and is considered a project under CEQA. Land use changes in Del Rey Oaks are documented in the General Plan's Land Use Map (see Del Rey Oaks General Plan Figure 2). Environmental impacts from these changes were analyzed in the City's General Plan EIR (State Clearinghouse [SCH] #1996041076) and certified by the City Council in May 1997.

Because the City of Del Rey Oaks reviewed the impacts of this exact change, no additional CEQA review is needed. Public Resources Code (PRC) Section 21080.1(a) requires FORA to rely on the existing document unless substantial evidence shows that there are significant new circumstances surrounding the 7-acre designation (see also 14 California Code of Regulations (CCR) Section 15162(c)). As there are no substantial changes to the circumstances, no new environmental review is required per CEQA Guidelines Section 15162 (see 14 CCR Section 15096(e), (h)). Additionally, no formal finding is necessary to rely on a prior EIR.

The BRP changes to reflect the Del Rey Oaks General Plan are considered administrative. The procedure is intended to update the document and make it consistent with the local agency's approvals and findings.

Prior Marina General Plan Consistency Determinations

This is a previously approved project under CEQA. The City of Marina General Plan (2005) plan included a General Plan designation change of approximately 11 acres of Open Space under the BRP to High Density Residential. The plan also changed approximately 60 acres from Planned Development Mixed Use to Parks and Recreation. In addition, the plan included other minor land use designation changes such as from Regional Retail to Light Industrial/Service Commercial.

This was a discretionary project undertaken by the City and is considered a project under CEQA. Environmental impacts from most of the land use changes in Marina were analyzed in the City's General Plan EIR (SCH #1999031064), certified by the City Council in October 2000 (see Marina General Plan EIR Figure 2.4 and pages 2-13 and 2-14). The change in the city's eastern portion, which corresponds to the Marina Heights development, was analyzed in the Marina Heights Specific Plan EIR (SCH #2003021012), certified in November 2003 (see Marina Heights Specific Plan EIR Table 2.2 and pages ES-4 and ES-5). Therefore, these land use changes have been addressed under CEQA.

Because the City of Marina reviewed the impacts of this exact change, no additional CEQA review is needed. PRC Section 21080.1(a) requires FORA to rely on the existing document unless substantial evidence shows that there are significant new circumstances surrounding the 11-acre designation (see also 14 California CCR Section 15162(c)). As there are no substantial changes to the circumstances, no new environmental review is required per CEQA Guidelines Section 15162 (see 14 CCR Section 15096(e), (h)). Additionally, no formal finding is necessary to rely on a prior EIR.

The BRP changes to reflect the Marina General Plan and the Marina Heights Specific Plan are considered administrative. The procedure is intended to update the document and make it consistent with the local agency's approvals and findings.

Prior Seaside General Plan Consistency Determinations

This is a previously approved project under CEQA. The City of Seaside General Plan (2003) included a General Plan designation change of approximately 43 acres of Open Space/Recreation under the BRP to Regional Commercial and approximately 11 acres of Open Space/Recreation to High Density

Residential. The plan also changed approximately 100 acres from Military Enclave and about 10 acres from Medium Density Residential to Park and Open Space. In addition, the plan included other minor land use designation changes such as from High Density Residential to Medium Density Residential.

This was a discretionary project undertaken by the City and is considered a project under CEQA. Environmental impacts from land use changes in Seaside were analyzed in the City's General Plan EIR (SCH #2003031021), certified by the City Council in August 2003 (see Seaside General Plan EIR Figure 5.8-1 and pages 5.8-3 through 5.8-7).

Because the City of Seaside reviewed the impacts of this exact change, no additional CEQA review is needed. PRC Section 21080.1(a) requires FORA to rely on the existing document unless substantial evidence shows that there are significant new circumstances surrounding the 54-acre designation (see also 14 CCR Section 15162(c)). As there are no substantial changes to the circumstances, no new environmental review is required per CEQA Guidelines Section 15162 (see 14 CCR Section 15096(e), (h)). Additionally, no formal finding is necessary to rely on a prior EIR.

The BRP changes to reflect the Seaside General Plan are considered administrative. The procedure is intended to update the document and make it consistent with the local agency's approvals and findings.

City of Monterey General Plan

This is a previously approved project under CEQA. The City of Monterey General Plan (amended 2013) was a discretionary project undertaken by the City and would be considered a project under CEQA. The plan included General Plan designation changes of approximately 8 acres of Public Facility/Institutional under the BRP to Industrial and approximately 7 acres of Public Facility/Institutional to Parks and Open Space.

Although FORA has not yet analyzed the City of Monterey General Plan for consistency, environmental impacts from land use changes in Monterey were analyzed in the City's General Plan EIR (SCH #2003081011), certified by the City Council in January 2005 (see City of Monterey General Plan EIR Figure 4 and pages S-3, 1-17, 1-18, and 3-3).

Because the City of Monterey reviewed the impacts of this exact change, no additional CEQA review is needed. PRC Section 21080.1(a) requires FORA to rely on the existing document unless substantial evidence shows that there are significant new circumstances surrounding the 15-acre designation (see also 14 CCR Section 15162(c)). As there are no substantial changes to the circumstances, no new environmental review is required per CEQA Guidelines Section 15162 (see 14 CCR Section 15096(e), (h)). Additionally, no formal finding is necessary to rely on a prior EIR.

The BRP changes to reflect the City of Monterey General Plan are considered administrative. The procedure is intended to update the document and make it consistent with the local agency's approvals and findings.

2010 Monterey County General Plan

This is a previously approved project under CEQA. The County of Monterey adopted the Fort Ord Master Plan concurrently with its General Plan (2010). Both were discretionary projects undertaken by the County and would be considered projects under CEQA. The Fort Ord Master Plan land use map

essentially matches the BRP Land Use Concept, with the following exceptions: (1) the Youth Camp site near East Garrison is shown in the BRP as Public Facility/Institutional and in the Fort Ord Master Plan as Habitat Management; and (2) the Fort Ord Master Plan describes the East Garrison/Parker Flats land swap but does not reflect changes on the land use map.

Although FORA has not yet analyzed the Monterey County General Plan for consistency with the BRP, environmental impacts from land use changes in Monterey County were analyzed in the County's General Plan EIR (SCH #2007121001), certified by the Board of Supervisors in October 2010 (see Monterey County General Plan EIR Exhibit 3.2 and pages 4.1-13 and 4.1-14).

Because the County of Monterey reviewed the impacts of this exact change, no additional CEQA review is needed. PRC Section 21080.1(a) requires FORA to rely on the existing document unless substantial evidence shows that there are significant new circumstances surrounding land use designation changes (see also 14 CCR Section 15162(c)). As there are no substantial changes to the circumstances, no new environmental review is required per CEQA Guidelines Section 15162 (see 14 CCR Section 15096(e), (h)). Additionally, no formal finding is necessary to rely on a prior EIR.

The BRP changes to reflect the Monterey County General Plan are considered administrative. The procedure is intended to update the document and make it consistent with the local agency's approvals and findings.

FORA Board-Approved East Garrison/Parker Flats Land Swap

This is a previously approved project under CEQA. On December 13, 2002, the FORA Board authorized execution of the Memorandum of Understanding (MOU) Concerning the Proposed East Garrison/Parker Flats Land-Use Modification between the Fort Ord Reuse Authority, Monterey Peninsula College, County of Monterey, US Bureau of Land Management, and US Army as parties to the agreement MOU. The MOU documented several land use modifications to the BRP, primarily the relocation of Monterey Peninsula College public safety training facilities from East Garrison, and amendments to the Habitat Management Plan (approved by the US Fish and Wildlife Service). The five parties signed the MOU between August 3, 2004, and December 20, 2005.

The purpose of the land swap agreement was to resolve land use conflicts stemming from a long history of ordnance and explosives use, as well as competing conveyance requests for surplus property at the former base, and to address impacts associated with potential East Garrison development conflicts. The land swap agreement amended the 1997 Fort Ord Installation-Wide Multispecies Habitat Management Plan (HMP) for Fort Ord and was also signed by the US Fish and Wildlife Service and the California Department of Fish and Game. Although the land swap agreement affected the areas of allowable development, it resulted in a net increase of 246.7 acres in habitat reserve areas. The exchange of lands based on the MOU resulted in a transfer in densities without intensification, consistent with Section 8.02.010 of the Master Resolution. The land swap agreement amended the HMP designations for the territory within the East Garrison Specific Plan from Development with Reserve Areas/Restrictions to Development. Under the original HMP, the East Garrison area was permitted a 200-acre development footprint, 10 acres of development at the site of existing utilities, and a 31-acre road corridor; under the revised HMP, the East Garrison area has 451 acres of Development area with no restrictions (Zander Associates 2002).

At the time it was signed, MOUs were not legally considered a project under CEQA and in 2007 a case specifically found that a land swap agreement was not a project under CEQA (*Friends of the Sierra*

Railroad v. Tuolumne Park and Recreation Dist. (2007) 147 Cal.App.4th 643). Since that time, case law has evolved and an MOU that included wording that commits an agency to an action is now considered a project under CEQA (*Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116). Here, the terms of the MOU could be considered a project. However, since the MOU was entered, it is our understanding that all the parcels subject to the land swap have been legally exchanged and are owned by the entity contemplated under the exchange, or have since been sold to others. Those actions are complete and based on the MOU are valid since the time to challenge the actions has long since passed. FORA's amendments to make the BRP consistent with the land exchange merely restate the exchanges that were previously approved in the MOU and in the contractual land exchanges that already occurred.

Moreover, any subsequent projects or land use designation changes on the land that has been swapped are or were subject to CEQA. For example, Monterey County certified the project-level East Garrison Specific Plan Subsequent EIR (SCH #2003081086) in 2005, which analyzed impacts of the new land uses on that portion of the land swap. As such, all potential impacts associated with the action have been fully analyzed, with appropriate findings made by the County.

The City of Seaside is currently reviewing part of the Parker Flats portion of the land swap under the Monterey Downs and Horse Park and Central Coast Veteran's Cemetery Specific Plan Subsequent EIR (SCH #2012091056). The Monterey Downs project is located on 562.5 acres of Parker Flats that was subject to the land swap (i.e., the portion currently located in unincorporated Monterey County). Similar to East Garrison, any and all impacts will be disclosed and analyzed in the City's Final EIR, and findings will be required by the City Council if the project is ultimately approved. A separate consistency determination will also need to be made for that project.

Designation of the Fort Ord National Monument

This is not a project under CEQA. On April 20, 2012, the President of the United States established the Fort Ord National Monument (Proclamation 8803). Presidential proclamations are not subject to CEQA because CEQA applies to decisions of all California state, regional, or local agencies, but not to federal agencies. Therefore, this designation was not previously analyzed under CEQA and it does not need to be under California environmental law.

Modification of BRP Circulation Maps, Text, and Capital Improvement Program

Part of this is not a project and part is a previously approved project under CEQA. The reassessment plan identifies two potential changes to the circulation maps in the BRP:

1. A Memorandum of Agreement (MOA) adopted by FORA on December 10, 2010, resulted in changing the alignment of the multimodal corridor along Imjin Parkway/Blanco Road.
2. Abandoning planned improvements that would have realigned General Jim Moore Boulevard and 2nd Avenue where they intersect with Lightfighter Drive.

Change 1 is not a project under CEQA. The MOA is an agreement to cooperate. It is not a project under CEQA because it is not a discretionary action undertaken by a public agency per CEQA Section 21080(a). Under the California Supreme Court reasoning in *Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116, the MOU by its terms and circumstances is not a project because it does not commit any agency to any particular action. Also per CCR Section 15004(b)(2)(B), the MOU does not approve a project "in a manner that forecloses alternatives or mitigation measures that would ordinarily be part of CEQA review

of that public project.” CEQA review would begin when Monterey-Salinas Transit (MST) begins the process of approving the corridor for construction. MST would be the lead agency at that time, and the MOU does not foreclose or predetermine any part of their analysis.

Change 2 is a previously approved project under CEQA. Realignment of a road would impact the physical environment because it could result in development of land that was not previously analyzed. As such, it would need to be analyzed under CEQA. To that end, environmental impacts from this change were analyzed in the California State University Monterey Bay Campus Master Plan EIR (SCH #1997081036), certified by the California State University Trustees in 2009 (see California State University Monterey Bay Campus Master Plan EIR Figure 11-4 and page 11-2). Therefore, Change 2 has been addressed under CEQA and no further analysis is necessary.

II.B. BRP MODIFICATIONS REGARDING CONSISTENCY WITH REGIONAL AND LOCAL PLANS

Transportation Agency for Monterey County (TAMC) Monterey County Regional Transportation Plan

This is a previously approved project under CEQA. The 2005 Monterey County Regional Transportation Plan (RTP) was prepared under the direction of the California Transportation Commission Regional Transportation Plan Guidelines, pursuant to Government Code Section 14522. This would be considered a project under CEQA. The plan includes many new or expanded policies, including one that directs TAMC to “implement road and highway capacity improvements” that would be subject to CEQA. Other policy changes, such as “identify and prioritize funding for elimination of bicycle network gaps,” would not impact the physical environment and would not be analyzed under CEQA.

Environmental impacts from these changes were analyzed in the RTP Program EIR (SCH #2004061013), certified by the TAMC Board in 2005 (see RTP Program EIR Chapter 3). Subsequently, the TAMC Board adopted an addendum in 2008 that evaluated the environmental impacts of the Investment Plan for Transportation Sales Tax in Monterey County and the Development Impact Fee program. The addendum did not identify any significant environmental impacts that were not previously identified in the program EIR (see Addendum EIR page 5). Therefore, these changes have been addressed under CEQA. Recently, the Association of Monterey Bay Area Governments, in partnership with Council of San Benito County Governments, the Santa Cruz County Regional Transportation Commission and TAMC started preparing the 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy (as an update to the RTP). This most recent update will yet again undergo individual environmental review.

Because TAMC reviewed the impacts of this exact change, no additional CEQA review is needed. PRC Section 21080.1(a) requires FORA to rely on the existing document unless substantial evidence shows that there are significant new circumstances surrounding the policy change (see also 14 CCR Section 15162(c)). As there are no substantial changes to the circumstances, no new environmental review is required per CEQA Guidelines Section 15162 (see 14 CCR Section 15096(e), (h)). Additionally, no formal finding is necessary to rely on a prior EIR.

The BRP changes to reflect the Monterey County RTP are considered administrative. The procedure is intended to update the document and make it consistent with the local agency’s approvals and findings.

Monterey Bay Unified Air Pollution Control District (MBUAPCD) Air Quality Management Plan

This is an exempt project under CEQA. The 2008 MBUAPCD Air Quality Management Plan (AQMP) was drafted to comply with the California Clean Air Act, which requires each nonattainment district in the state to adopt a plan showing how the California ambient air quality standard for ozone would be met in its area of jurisdiction. The AQMP is a State-certified regulatory program (PRC Section 21080.5; CCR Section 15251(d)). Under PRC Section 21080(b)(15), there is an applicable statutory exemption for "projects undertaken by a local agency to implement a rule or regulation imposed by a state agency, board, or commission under a certified regulatory program pursuant to Section 21080.5." As such, no CEQA review is necessary for the addition of policies that implement policies from the Air Quality Management Plan in the BRP. In addition, the MBUAPCD is considered exempt from CEQA under Class 8, Actions by Regulatory Agencies for the Protection of the Environment (CEQA Guidelines Section 15308). Similarly, the amendments to the BRP to be consistent with the AQMP are also exempt.

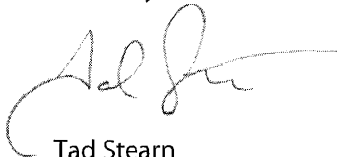
Regional Water Quality Control Board (RWQCB) Water Quality Control Plan for the Central Coast Basin

This is an exempt project under CEQA. The RWQCB Water Quality Control Plan for the Central Coast Basin (2011, updated 2016) (Basin Plan) was drafted to comply with the state Porter-Cologne Water Quality Control Act (1969) and portions of the federal Clean Water Act (1977). The Basin Plan is a State-certified regulatory program that was reviewed under a Substitute Environmental Document (SED) which was approved by the State Water Resources Control Board on June 19, 2012 (PRC Section 21080.5; CCR Section 15251(g)). Under PRC Section 21080(b)(15), there is an applicable statutory exemption for "projects undertaken by a local agency to implement a rule or regulation imposed by a state agency, board, or commission under a certified regulatory program pursuant to Section 21080.5." As such, no CEQA review is necessary for the addition of policies that implement policies from the Basin Plan in the BRP.

CONCLUSION

Based on our review of the BRP Category I and Category II revisions, it is our opinion that the individual actions and changes that have occurred or are recommended to occur do not, by themselves, meet the definition of "projects" under CEQA that warrant detailed environmental review or are actions that have been previously reviewed by other agencies. Past actions by FORA and local land use agencies that affect the BRP can be compared to amendments to an agency's General Plan over time. Individual General Plan Amendments may be processed, analyzed and approved over time, but those changes are not always physically incorporated into the body of the General Plan until the text or graphic changes are physically made within document. In this case, the past actions and amendments have been processed, analyzed and approved by several land use agencies, and the need for minor technical corrections have been identified. Updating the BRP at a future date to reflect these past actions is an administrative exercise necessary to memorialize the changes in one place.

Sincerely,



Tad Stearn
Project Director



Darcy Kremin
Project Manager

REFERENCES

- California State University Trustees. 2009. *California State University Monterey Bay Campus Master Plan EIR* (SCH #1997081036).
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- Fort Ord Reuse Authority & EMC Planning Group. 2012a. *Final Reassessment Report Fort Ord Reuse Plan Reassessment*. December 14.
- . 2012b. *Final Scoping Report Fort Ord Reuse Plan Reassessment*. December 14.
- Marina, City of. 2000. *City of Marina General Plan EIR* (SCH #1999031064).
- . 2003. *Marina Heights Specific Plan EIR* (SCH #2003021012).
- Monterey Bay Unified Air Pollution Control District. 2008. *Air Quality Management Plan*.
- Monterey, City of. 2005. *City of Monterey General Plan EIR* (SCH #2003081011).
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- . 2010. *County of Monterey General Plan EIR* (SCH #2007121001).
- Post-Reassessment Advisory Committee. 2014. BRP Figure "Category I" Recommendations.
- Regional Water Quality Control Board, Central Coast Region. 2016. *Water Quality Control Plan for the Central Coast Basin*.
- Seaside, City of. 2003. *City of Seaside General Plan EIR* (SCH #2003031021).
- . 2015. *Monterey Downs and Horse Park and Central Coast Veteran's Cemetery Specific Plan Subsequent Draft EIR* (SCH #2012091056).
- Transportation Agency for Monterey County. 2005. *RTP Program EIR* (SCH #2004061013).
- . 2008. RTP Program Addendum EIR.
- Zander Associates. 2002. *Assessment of East Garrison Parker Flats Land Use Modifications Fort Ord, California*.

May 26, 2016

Ted Lopez, Associate Planner
FORT ORD REUSE AUTHORITY
920 2nd Avenue, Suite A
Marina, CA 93933

RE: RESPONSE TO COMMENTS ON DETERMINATION OPINION OF CATEGORIES I AND II

Dear Mr. Lopez:

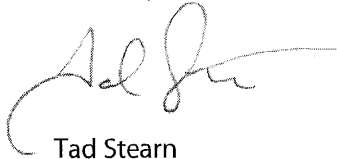
Michael Baker International, in coordination with Holland & Knight LLP, has provided responses to the Fort Ord Reuse Authority (FORA) Board of Directors and public comments on the Determination Opinion of Categories I and II Memo, dated May 5, 2016. The comments were received at the May 13, 2016 meeting. For clarification purposes, we want to emphasize that Michael Baker International and Holland & Knight reviewed the land use decisions, which occurred subsequent to the adoption of the Base Reuse Plan in 1997, in light of the California Environmental Quality Act (CEQA). We looked at whether those decisions were adequately covered under CEQA or if they require additional environmental review. Consistent with our scope of work, we did not provide a conclusion as to whether those changes are consistent with the BRP; rather, we focused on the scope direction to determine whether additional CEQA review is needed.

One member of the public mentioned the equal-dignities rule. The equal-dignities rule refers to a legal doctrine related to written contracts whereby an agent must have written authority to enter the contract on the principal's behalf for the contract to be binding. The equal-dignities rule is a corollary to the Statute of Fraud and does not apply to CEQA. Therefore it is not applicable to our determination opinion. Moreover, the point the commenter seemed to be making was that the revisions to the BRP needed by be made through an ordinance amendment. The process for revising the BRP is outside the scope of the Determination Opinion. The Determination Opinion simply addresses whether additional CEQA review is necessary. CEQA review can be satisfied in CEQA documents prepared by other agencies as CEQA seeks to avoid duplicative environmental review (Public Resources Code Section 21080.1(a)).

Another member of the public also inquired about the Monterey County General Plan and the relationship between that plan and the previous Board decisions regarding it. FORA analyzed the Monterey County General Plan in 2012 for consistency with the BRP. The board voted 6 to 6 at that time, thus per the Board rules the General Plan was not found to be consistent or inconsistent with the BRP and was returned to the County "without prejudice." However, the Board's vote does not preclude a finding regarding the adequacy of CEQA analysis for the Monterey County General Plan. The Determination Opinion does not address consistency, rather it found that environmental impacts from land use changes in Monterey County were analyzed in the County's General Plan EIR and therefore, no further environmental analysis would be required.

Lastly, the public inquired about the East Garrison/Parker Flats land swap agreement. The agreement included several conditions that may or may not have been met prior to exchange of the parcels. However, our review focused on whether land use changes were covered under CEQA and if additional environmental review would be needed. Our review determined that, regardless of the conditions, all of the exchanges have occurred. No subsequent environmental review is required to update the BRP.

Sincerely,

A handwritten signature in black ink, appearing to read "Tad Stearn", with a long horizontal flourish extending to the right.

Tad Stearn
Project Director

A handwritten signature in black ink, appearing to read "Darcy Kremin", with a long horizontal flourish extending to the right.

Darcy Kremin
Project Manager

Placeholder for Item 11a

Habitat Conservation Plan Update

This item will be included in the final Board packet.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Administrative Committee

Meeting Date: June 10, 2016

Agenda Number: 11b

INFORMATION

RECOMMENDATION:

Receive a report from the Administrative Committee.

BACKGROUND/DISCUSSION:

The Administrative Committee met on May 18, 2016. The approved minutes will be included in the final Board packet.

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 _____
Maria Buell Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Post Reassessment Advisory Committee	
Meeting Date: June 10, 2016 Agenda Number: 11c	INFORMATION

RECOMMENDATION(S):

Receive a report on the Post Reassessment Advisory Committee (PRAC) activity/meeting.

BACKGROUND/DISCUSSION:

The PRAC met on May 11, 2016 to discuss the recent PRAC Report to the Executive Committee, and Building Removal Funding Strategies. The June 8, 2016 PRAC meeting has been cancelled. The next regular meeting will be July 6, 2016 at 9:00 a.m. Approved meeting minutes from the committee's April 6, 2016 meeting are included under **Attachment A**.

FISCAL IMPACT:

Reviewed by FORA Controller _____

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

COORDINATION:

PRAC, California State University Monterey Bay, Transportation Agency for Monterey County, Administrative and Executive Committees.

Prepared by _____
Ted Lopez

Approved by _____
Michael A. Houlemard, Jr.



FORT ORD REUSE AUTHORITY
BASE REUSE PLAN POST-REASSESSMENT ADVISORY COMMITTEE
MEETING MINUTES
9:00 a.m., Wednesday, April 6, 2016 | FORA Community Information Center
920 2ND Avenue, Suite A, Marina, CA 93933

1. CALL TO ORDER

Chair Beach called the meeting to order at 9:00 a.m. The following were present:

Committee Members:

Victoria Beach (Chair), City of Carmel
Andre Lewis, CSUMB (arrived at 10:25 a.m.)
Gail Morton, City of Marina
Steve Matarazzo, UCSC
Jane Parker, Supervisor County of Monterey
Ralph Rubio, Mayor City of Seaside (arrived at 10:05 a.m.)

FORA Staff:

Steve Endsley
Jonathan Brinkmann
Ted Lopez
Josh Metz
Mary Israel
Peter Said

Other Attendees:

Jim Brezack, Brezack and Associates
Wendy Elliot, Dunes at Monterey Bay
Craig Malin, City of Seaside
Kristi Markey, Office of Supervisor Parker
Kristi Reimer, Reimer Associates Consulting
Bob Schaffer, member of the public

2. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Principal Planner Jonathan Brinkmann acknowledged Victoria Beach for her participation and leadership serving on the Base Reuse Plan Post-Reassessment Advisory Committee (PRAC). Ms. Beach accepted the acknowledgement.

3. APPROVAL OF MEETING MINUTES

a. March 9, 2016 Minutes

MOTION: Gail Morton moved, seconded by Jane Parker, to approve the March 9, 2016 PRAC Committee minutes.

MOTION PASSED UNANIMOUSLY.

4. PUBLIC COMMENT PERIOD

None

5. BUSINESS ITEMS

a. Water Symposium

Mr. Brinkmann delivered an update for the proposed water symposium plan. Items presented: 1) Local Situation and Physical Resources, 2) History of Legal agreements and 3) Roles of Agencies. He introduced Jim Brezack, Brezack & Associates, as a potential speaker. Mr. Brinkmann offered a target month/location as August 2016 at California State University Monterey Bay University Center. Mr. Brezack informed PRAC members of his background in regional water planning. He also asked PRAC members what the purpose was for holding a water symposium. PRAC member Gail Morton said the symposium is meant to clarify water issues, and asked staff to produce a handout with all the acronyms explained and area water rights laid out on a map. She added that she would support shared-hosting with other agencies. PRAC members discussed whether the symposium should include academic or professional experts/speakers. PRAC members assigned FORA staff to assemble a primer on water issues and a timeline of the legal agreements.

b. Draft Trails Concept

Mr. Brinkmann announced that the FORA Board approved Resolution 16-06 supporting the Draft Trails Concept. Assistant Executive Officer Steve Endsley commended PRAC's effort to review the Draft Trails Concept. PRAC members discussed supporting the upcoming TAMC tax measure that, if approved by the voters, could fund the Draft Trails Concept. (Jane Parker left the meeting at 10:05 a.m. Ralph Rubio entered the meeting briefly at 10:05 a.m) PRAC members discussed potential next steps as TAMC coordinates regional trail efforts.

6. ITEMS FROM COMMITTEE MEMBERS

None.

7. ADJOURNMENT

Meeting was adjourned at 10:42 a.m.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Regional Urban Design Guidelines Task Force

Meeting Date: June 10, 2016

Agenda Number: 11d

INFORMATION

RECOMMENDATION(S):

Receive Regional Urban Design Guidelines (RUDG) Task Force (Task Force) Update.

BACKGROUND/DISCUSSION:

The RUDG process began in spring 2014 and is nearing completion. The Task Force met at 3:00 p.m. Tuesday, May 10, 2016 to review RUDG development progress. Staff presented progress on the following items:

- Completion of landscape pallet and placement recommendations
- Completion of wayfinding and gateway signage recommendations
- Refinement of road and trail cross-sections
- Draft RUDG checklist

Members reviewed minor editorial changes and recommended unanimously to release a Public Review Draft for 14-day comment period prior to bringing the final RUDG for Board consideration.

The next meeting of the RUDG Task Force is scheduled for 10:30 a.m. Wednesday June 2.

Approved April 28, 2016 minutes are attached (**Attachment A**).

FISCAL IMPACT:

Reviewed by FORA Controller _____

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

COORDINATION:

Administrative Committee

Prepared by _____
Josh Metz

Approved by _____
Michael A. Houlemard, Jr.



REGIONAL URBAN DESIGN GUIDELINES (RUDG) TASK FORCE MEETING

1:00 p.m., Thursday, April 28, 2016, *FORA Conference Room*

1. CALL TO ORDER

Confirming quorum, FORA Economic Development Coordinator Josh Metz called the meeting to order at 1:03 a.m. The following were present:

Committee Members:

Layne Long, City of Marina
Anya Spear, California State University Monterey
Bay (CSUMB)
Carl Holm, Monterey County

FORA Staff:

Steve Endsley
Mary Israel
Josh Metz
Michael Houlemard, Jr. (entered at 1:50 p.m.)

Other Attendees:

Mike Bellinger, BFS Landscape Architects (BFSLA)
Kathy Biala, Marina Planning Commission
Steve Matarazzo, University of California Santa Cruz
Karyn Wolfe, Citizens for Sustainable Marina
Eric Morgan, Bureau of Land Management
Robert Guidi, U.S. Army Presidio of Monterey
Bob Schaffer, member of the public

2. PLEDGE OF ALLEGIANCE

Eric Morgan led the pledge of allegiance.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

A representative of Citizens for Sustainable Marina submitted correspondence to the RUDG Task Force and also conveyed the information verbally.

4. APPROVAL OF MEETING MINUTES

a. April 14, 2016

MOTION: Carl Holm moved, seconded by Anya Spear, to approve the April 14, 2016 RUDG Task Force minutes.

MOTION PASSED. Craig Malin abstained.

5. PUBLIC COMMENT PERIOD

None.

6. BUSINESS ITEMS

Draft RUDG content review/edit/recommendations

i. Landscaping

Mike Bellinger of BFSLA reviewed several changes to the plant palette including adding a range of trees, native shrubs and native groundcover plants. Comments were made by two members of the public: one in favor of the process and the decisions made, and the other asking for all phrases that specify special treatment for growing success with oaks to be removed from the plant palette.

ii. Checklist v9.3 Review

The RUDG Task Force discussed LEED standards for building mix and agreed to have a link from the RUDG website to the LEED Neighborhood Design National Standards.

The RUDG Task Force discussed the language in the Buildings Orientation section. They prefer to have #4 say "Building fronts face building fronts on the other side of streets or building fronts face fronts or sides of other buildings within blocks."

The RUDG Task Force discussed the language in the Trails section. They prefer to clarify which Major and Minor Trails require the surfaces specified in #5. They also requested language to clearly distinguish pathway, sidewalk and trail in the RUDG, and that surfacing choices be expanded. Mr. Metz said that alternative surfaces could be described in the notes section for review by planners and FORA staff.

Mr. Metz answered question from the public about how the checklist would be distributed by saying it would be distributed to planning departments in all jurisdictions with a flyer explaining the BRP and the RUDG and how the checklist is used. He said FORA staff will train the planning departments on how to use the checklist as well.

iii. Gateways

Mr. Metz showed an updated version of the Gateways page on the RUDG website and asked the RUDG Task Force for guidance. Michael Houlemard, who entered the meeting at 1:50 p.m., said the graphics were good and the images should be included as "ideas." Other Task Force members offered terms such as "examples," "samples" and "concepts." A member of the public asked for the two other palettes in previous drafts to be put back in to the section.

Mr. Bellinger reviewed his additions of landscaping palette and sign materials guidance to the gateway section. RUDG Task Force members embraced the suggestions.

iv. Cross-sections

Mr. Metz showed an updated table of Regional Circulation Corridors with cross section types that staff prepared to answer the question of which cross section illustrations the RUDG should offer. He said that the cross-sections were narrowed down to three types: Avenue, Parkway and Boulevard. Members of the RUDG Task Force were pleased that the designs encourage narrower lanes, such as 11 foot wide lanes in.

MOTION: Craig Malin moved, and Michael Houlemard seconded, to close discussion on the above-itemized topics and to forward the RUDG with adjustments to the Landscaping Palette by Mr. Bellinger as he sees fit in response to the discussion and adjustments by staff to the checklist and gateways as reflected in this meeting to the FORA Board of Directors.

MOTION PASSED UNANIMOUSLY.

7. ITEMS FROM MEMBERS

None.

8. ADJOURNMENT

Mr. Metz adjourned the meeting at 3:02 p.m.

NEXT MEETING: 3:00 p.m. Tuesday May 10, 2016

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Veterans Issues Advisory Committee

Meeting Date: June 10, 2016

Agenda Number: 11e

INFORMATION

RECOMMENDATION:

Receive an update from the Veterans Issues Advisory Committee (VIAC).

BACKGROUND/DISCUSSION:

The VIAC met on May 26, 2016. The approved April 28, 2016 minutes will be included in the final board packet.

FISCAL IMPACT:

Reviewed by FORA Controller _____

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

COORDINATION:

VIAC

Prepared by _____
Robert J. Norris, Jr.

Approved by _____
Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT		
EXECUTIVE OFFICER'S REPORT		
Subject:	Water/Wastewater Oversight Committee	
Meeting Date:	June 10, 2016	INFORMATION
Agenda Number:	11f	

RECOMMENDATION:

Receive an update from the Water/Wastewater Oversight Committee (WWOC).

BACKGROUND/DISCUSSION:

The WWOC met on May 18th, 2016. Quorum was not met.

FISCAL IMPACT:

Reviewed by FORA Controller _____

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

COORDINATION:

WWOC

Prepared by _____
Peter Said

Approved by _____
Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject:	Administrative Consistency Determination for Entitlement: City of Marina's Bridge House Project	
Meeting Date:	June 10, 2016	INFORMATION/ACTION
Agenda Number:	11g	

RECOMMENDATION(S):

- i. Receive a report from the Executive Officer regarding the City of Marina's (Marina's) Bridge House (Bridge House) Project Administrative Consistency Determination per Section 8.02.030 of the Fort Ord Reuse Authority (FORA) Master Resolution; OR
- ii. Conduct a hearing and consider the Executive Officer's concurrence in Marina's development entitlement consistency determination if:
 - a. An appeal is received within the 10-day (Master Resolution Section 8.01.050) or 15-day (Master Resolution Section 8.03.070) appeal response terms; OR
 - b. A Board member requests that a hearing be conducted on this project within the 35-day response term (Master Resolution Section 8.01.040).

BACKGROUND:

Marina submitted the Bridge House Project ("project") for consistency determination on May 12, 2016. Marina's submittal is included as **Attachment A**.

The project is site and architectural design review for the site plan, elevations and landscape plan, and tree removal permit for the removal of six trees for the Bridge House and Multipurpose Building addition located at Bayonet Circle. FORA staff reviewed the financial components of the project and determined that the project will meet FORA's fair share requirements. The project proponent Interim, Inc. previously paid its FORA Development Fees for the rehabilitated housing units in 2002. Therefore, the FORA Development Fee charged to the project will be based on the Multipurpose Building addition of 2,280 square feet.

Marina requested Development Entitlement Consistency review of the project in accordance with section 8.02.030 of the FORA Master Resolution, the process for which does not require Board approval. Under state law, as codified in FORA's Master Resolution, consistency determinations for legislative land use decisions (plan level documents such as General Plans, Zoning Codes, Specific Plans, Redevelopment Plans, etc.) differ from development entitlement consistency determinations for projects under approved General Plan and Zoning designations. By law, legislative land use decisions must be scheduled for FORA Board review under strict timeframes. Development entitlements are treated differently by the law; unless appealed to the FORA Board, they are reviewed by staff to determine consistency with the Fort Ord Reuse Plan (Reuse Plan). The legislative framers wrote the law this way in recognition of the high volume of development entitlements expected to be processed by member jurisdictions.

DISCUSSION:

Rationale for consistency determinations: FORA staff finds that there are several defensible rationales for making an affirmative consistency determination. Sometimes additional information is provided to buttress those conclusions. The Reuse Plan is a framework for development, not a precise plan to be mirrored. However, there are thresholds set in the

resource-constrained Reuse Plan that may not be exceeded without other actions, most notably 6,160 new residential housing units and a finite water allocation. The project's conformance to each of the specific consistency criteria is discussed in this report.

DEVELOPMENT ENTITLEMENT CONSISTENCY (FROM SECTION 8.02.030 OF THE FORA MASTER RESOLUTION)

(a) In the review, evaluation, and determination of consistency regarding any development entitlement presented to the Authority Board pursuant to Section 8.01.030 of this Resolution, the Authority Board shall withhold a finding of consistency for any development entitlement that:

(1) Provides an intensity of land uses, which is more intense than that provided for in the applicable legislative land use decisions, which the Authority Board has found consistent with the Reuse Plan;

The project does not provide for an intensity of land uses greater than those allowed in previous legislative land use decisions consistency determinations. The FORA Board previously certified the Marina General Plan on March 22, 2001 as consistent with the Reuse Plan.

(2) Is more dense than the density of development permitted in the applicable legislative land use decisions which the Authority Board has found consistent with the Reuse Plan;

The project location, size, and operating characteristics would be compatible with the character of the site, the land uses, and development intended for the surrounding area by the Marina General Plan.

(3) Is not conditioned upon providing, performing, funding, or making an agreement guaranteeing the provision, performance, or funding of all programs applicable to the development entitlement as specified in the Reuse Plan and in Section 8.02.020 of this Master Resolution and consistent with local determinations made pursuant to Section 8.02.040 of this Resolution;

In review of Marina's submittal, the project will conform with applicable programs specified in the Reuse Plan and in Section 8.02.020 of the FORA Master Resolution.

(4) Provides uses which conflict or are incompatible with uses permitted or allowed in the Reuse Plan for the affected property or which conflict or are incompatible with open space, recreational, or habitat management areas within the jurisdiction of the Authority;

The project does not conflict with, and is not incompatible with, the open space, recreational, or habitat management areas within FORA's authority.

(5) Does not require or otherwise provide for the financing and installation, construction, and maintenance of all infrastructure necessary to provide adequate public services to the property covered by the applicable legislative land use decision;

The project will be required to pay its fair share of the basewide costs through payment of the FORA Development Fee.

(6) Does not require or otherwise provide for implementation of the Fort Ord Habitat Management Plan;

The Fort Ord Habitat Management Plan (HMP) designates certain parcels for "Development," in order to allow economic recovery through development while promoting preservation, enhancement, and restoration of special status plant and animal species in designated habitats. The project only affects lands that are located within areas designated for "Development" under the HMP. Lands designated for "Development" have no management restrictions placed upon them as a result of the HMP. The project would not conflict with implementation of the Fort Ord HMP.

(7) Is not consistent with the Highway 1 Design Corridor Design Guidelines as such guidelines may be developed and approved by the Authority Board; and

The project is outside of the Highway 1 Design Corridor Design Guidelines.

(8) Is not consistent with the jobs/housing balance requirements developed and approved by the Authority Board as provided in Section 8.02.020(t) of this Master Resolution.

The project will support implementation of jobs/housing balance requirements through maintaining employment opportunities such as specialized treatment services in Marina.

Additional Considerations:

(9) Adoption of required programs from section 8.02.040 of the FORA Master Resolution.

In review of Marina's submittal, the proposed project would conform to applicable Reuse Plan programs, the Habitat Management Plan, the Reuse Plan Development and Resource Management Plan, the Reuse Plan Environmental Impact Report, and the FORA Master Resolution.

(10) Is not consistent with FORA's prevailing wage policy, section 3.03.090 of the FORA Master Resolution.

The project previously received a certificate of occupancy. Interim, Inc. is also a non-profit organization. Therefore, the project would not meet the definition of "First Generation Construction" or would meet the non-profit FORA Master Resolution prevailing wage exception.

Conclusion: Based on the preceding analysis, the Executive Officer concurs with the City of Marina that the project is consistent with the Reuse Plan and the FORA Master Resolution. The project will be required to pay the FORA development fee before issuance of building permits.

FISCAL IMPACT:

Reviewed by FORA Controller _____

This consistency review is regulatory in nature and should have no direct fiscal, administrative, or operational impact. Staff time for this item is included in the approved annual budget. The project is subject to the FORA Development Fee.

COORDINATION:

Authority Counsel, Administrative and Executive Committees.

Prepared by _____
Jonathan Brinkmann

Approved by _____
Michael A. Houlemard, Jr.

BRIDGE HOUSE AND MULTIPURPOSE BUILDING ADDITION

**(1) SITE AND ARCHITECTURAL DESIGN REVIEW DR 2015-09 FOR THE SITE
PLAN, ELEVATIONS AND LANDSCAPE PLAN, AND;**

**(2) TREE REMOVAL PERMIT TR 2015-10 FOR THE REMOVAL OF SIX TREES,
FOR THE BRIDGE HOUSE AND MULTIPURPOSE BUILDING ADDITION
LOCATED AT BAYONET CIRCLE (APN 031-081-005-000)**

Fill in Discussion cells below for all Development Entitlement consistency determinations

8.02.030 (a) In the review, evaluation, and determination of consistency regarding any development entitlement presented to the Authority Board pursuant to Section 8.01.030 of this Resolution, the Authority Board shall withhold a finding of consistency for any development entitlement that:

FORA Master Resolution Chapter 8 Section 8.02.010(a) (1) to (6)	Consistency Finding
(1) Provides an intensity of land use which is more intense than that provided for in the applicable legislative land use decisions, which the Authority Board has found consistent with the Reuse Plan;	<p>The project does not provide for an intensity of land use which is more intense than that provided for in the applicable legislative land use decisions.</p> <p>The approved construction activity allows the continued use as a treatment facility, where participants receive treatment for a temporary period and then leave the program and facility.</p> <p>The subject parcel is located on Bayonet Circle off of Abrams Drive in the Abrams Park neighborhoods and is familiar as the existing "Shelter Cove" facility. The site is designated "Single-Family Residential" on the General Plan Land Use Map (5 units/acre), and is located within the Multiple Family Residential District (R-4). The property owned by Interim Inc. at APN 031-081-005-000 includes two two-story, and two one-story structures used as treatment facilities and a fifth multipurpose use structure where additional services are provided.</p> <p>Modifications to the Shelter Cove facilities to accommodate the Bridge House programs include demolition of one of the existing two-story duplex structures clad in brick and stucco and with a composition shingle roof. Each of the existing units includes a one car garage and narrow drive way. The existing community (multipurpose) building structure will allow for a larger day rehabilitation program and</p>

FORA Consistency Determination Analysis Table
Development Entitlements

	<p>offices.</p> <p>The main changes to the site plan include the full demolition of the duplex on the corner of Bayonet Court and Bayonet Circle and the closing of the two single car driveways. A new driveway is proposed between the side yards of the new structure and the neighboring two-story Shelter Cove structure to give access to a five-car off-street parking area for facility staff. The existing one-story multipurpose structure to the east will be expanding its foot print by 2,280 sf.</p>
<p>(2) Is more dense than the density of development permitted in the applicable legislative land use decisions which the Authority Board has found consistent with the Reuse Plan;</p>	<p>Each of the treatment facilities around the Bayonet Circle cul de sac resemble and are configured as single residential units for purposes of calculating density as they each include a single kitchen facility and shared common resources such as dining and gathering areas. The density is 1.33 units/acre.</p> <p>No “additional” structures are proposed, and in fact, the number of temporary sleeping quarters (bedrooms) for participants in the limited-term programs will be reduced in the reconstructed structure.</p>
<p>(3) Is not conditioned upon providing, performing, funding, or making an agreement guaranteeing the provision, performance, or funding of all programs applicable to the development entitlement as specified in the Reuse Plan and in Section 8.02.020 of this Master Resolution and consistent with local determinations made pursuant to Section 8.02.040 of this Resolution;</p>	<p>The action of the City on December 16, 2015 was for Tree Removal and Site Plan and Architectural Design Review.</p> <p>No legislative action by the City was necessary in the context of the provisions of Section 8.02.020.</p>
<p>(4) Provides uses which conflict or are incompatible with uses permitted or allowed in the Reuse Plan for the affected property or which conflict or are incompatible with open space, recreational, or habitat management areas within the jurisdiction of the Authority;</p>	<p>The continued use of the project site as a treatment facility in a residential context is not incompatible with uses permitted or allowed in the Reuse Plan</p> <p>On January 7, 1997, the City Council granted a Use Permit, Design Review Approval, Variances and Environmental Review for Interim Inc. to use four vacant structures on Bayonet Circle to provide transitional housing for homeless adults with on-site counseling services (the Shelter Cove Project). These actions were recorded in a Project Approval Certificate.</p>

FORA Consistency Determination Analysis Table
Development Entitlements

	<p>The Shelter Cove Project included the use of 4 two-bedroom and 9 four-bedroom multiple family dwelling units as transitional housing for homeless adults with psychiatric disabilities in the four apartment buildings previously built by the Army, plus the construction of a multipurpose building. A Use Permit was granted to provide options for the project to meet parking requirements and to allow for the on-site counseling services. A Variance was approved to allow the existing buildings to encroach into the required 20 foot front and side yard setbacks.</p> <p>Presently, "Bridge House" operates in the City of Monterey as a 13-bed transitional residential treatment facility for individuals with substance abuse and mental illness issues.</p> <p>Interim Incorporated is converting the Bridge House facility in the City of Monterey to a crisis residential treatment program. The existing programs of Bridge House are proposed to move to Bayonet Circle in the Shelter Cove portion of Interim Inc.'s facilities so that Interim Inc. may continue to provide those specialized services to individuals with substance abuse and mental illness issues and to increase the population served.</p>
(5) Does not require or otherwise provide for the financing and installation, construction, and maintenance of all infrastructure necessary to provide adequate public services to the property covered by the applicable legislative land use decision;	The site is presently served with the necessary infrastructure to continue its use as a treatment facility.
(6) Does not require or otherwise provide for implementation of the Fort Ord Habitat Management Plan;	The redevelopment of the structures in the context of the developed neighborhood does not require or otherwise provide for implementation of the Fort Ord Habitat Management Plan.
(7) Is not consistent with the Highway 1 Scenic Corridor design standards as such standards may be developed and approved by the Authority Board;	Not applicable due to excessive distance to the Highway 1 Scenic Corridor.
(8) Is not consistent with the jobs/housing balance	The reconstruction of existing structures presently used by Interim Inc. is so that Interim may continue to

FORA Consistency Determination Analysis Table
Development Entitlements

requirements developed and approved by the Authority Board as provided in Section 8.02.020(t) of this Master Resolution;	provide those specialized treatment services to individuals with substance abuse and mental illness issues and to increase the population served.
8.02.040. No development entitlement shall be approved or conditionally approved within the jurisdiction of any land use agency until the land use agency has taken appropriate action, in the discretion of the land use agency, to adopt the programs specified in the Reuse Plan, the Habitat Management Plan, the Development and Resource Management Plan, the Reuse Plan Environmental Impact Report Mitigation and Monitoring Plan and this Master Resolution applicable to such development entitlement.	<p>As above, the Interim Inc. property was granted entitlements nearly 20 years ago by the City of Marina, and the City has subsequently made adjustments to the City Zoning Code (in 2011) to further enable transitional and supportive housing throughout the residential zoning districts of the City, including the R-4 Multiple Family Zoning District of the subject property.</p> <p>The action of the City on December 16, 2015 was for Tree Removal and Site Plan and Architectural Design Review.</p>
3.03.090 (Prevailing Wages)	<p>The reconstruction of Interim Inc. properties to accommodate the continued activities of the Bridge House programs is not considered First Generation Construction, and not subject to the provisions of 3.03.090.</p> <p>“First Generation Construction” means construction performed during the development and completion of each parcel of real property contemplated in a disposition or development agreement at the time of transfer from each member agency to a developer(s) or other transferee(s) and until issuance of a certificate of occupancy by the initial owners or tenants of each parcel.</p>

December 10, 2015

Item No:

Honorable Chair and Members
of the Site and Architectural Design Review Board

Design Review Board Meeting
of December 16, 2015

**SITE AND ARCHITECTURAL DESIGN REVIEW BOARD
CONSIDER ADOPTING RESOLUTION NO. 2015- ; (1)
APPROVING SITE AND ARCHITECTURAL DESIGN REVIEW
DR 2015-09 FOR THE SITE PLAN, ELEVATIONS AND
LANDSCAPE PLAN, AND; (2) TREE REMOVAL PERMIT TR
2015-10 FOR THE REMOVAL OF SIX TREES FOR THE
BRIDGE HOUSE AND MULTIPURPOSE BUILDING
ADDITION LOCATED AT BAYONET CIRCLE (APN 031-081-
005-000), SUBJECT TO CONDITIONS**

REQUEST:

It is recommended that the Site and Architectural Design Review Board:

1. Consider adopting Resolution No. 2015- , approving Site and Architectural Design Review DR 2015-09 for the site plan, elevations and landscape plan for the Bridge House and Multipurpose Building Addition located at Bayonet Circle (APN 031-081-005-000), subject to conditions, and;
2. Approve Tree Removal Permit TR 2015-10 for the removal of six trees for the Bridge House and Multipurpose Building Addition located at Bayonet Circle (APN 031-081-005-000), subject to conditions.

BACKGROUND:

Interim Inc. currently operates a 36-bed transitional housing program (Shelter Cove) for homeless adults with psychiatric disabilities on an approximate 3 acre site obtained from the Department of Health and Human Services in 1996. The program offers a variety of services aimed at increasing self-sufficiency including case management, counseling and crisis intervention, and medication, education and management. Educational and vocational services focus on social, living, interpersonal, study and job skills. Shelter Cove is a sober living model, with an emphasis on a dual diagnosis population. Monterey County Behavioral Health provides case coordination for residents.

On January 7, 1997, the City Council (on appeal) granted a Use Permit, Design Review Approval, Variances and Environmental Review for Interim Inc. to use four vacant structures on Bayonet Circle to provide transitional housing for homeless adults with on-site counseling services (the Shelter Cove Project). These actions were recorded in a Project Approval Certificate.

The Shelter Cove Project included the use of 4 two-bedroom and 9 four-bedroom multiple family dwelling units as transitional housing for homeless adults with psychiatric disabilities in the four apartment buildings previously built by the Army, plus the construction of a multipurpose building. A Use Permit was granted to provide options for the project to meet parking requirements and to

allow for the on-site counseling services. A Variance was approved to allow the existing buildings to encroach into the required 20 foot front and side yard setbacks.

On February 14, 2002, the Planning Commission considered and approved a subdivision, subdivision exceptions, zoning variances, a use permit, design review approval and environmental review to allow the use and development of an adjacent 67,612 square foot site (the Sandy Shores Project) on the easterly side of Bayonet Court and Bayonet Circle. The Project converted 12 former military housing units in four existing structures for housing homeless individuals in group quarters, together with supporting services. The project also included the construction of a maintenance building and the conversion of a portion of one existing structure for use as offices and the addition of a community room with kitchen facilities. These actions were recorded in a Project Approval Certificate.

On March 2, 2005, the Site and Architectural Design Review Board approved interior and exterior changes and improvements to the Shelter Cove facilities circling Bayonet Circle. This approval was recorded with an official stamp on the applicants February 24, 2005 letter submittal. A follow-up landscape review and maintenance inspection was made by City staff in March of 2006.

At regular meetings of the City Council on June 7, 2011 and June 14, 2011 Ordinance #2011-03 was introduced and adopted allowing supportive housing and transitional housing within all residential zones in the City.

17.04.698 Supportive housing. "Supportive housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. (Ord. 2011-03 § 1 (part), 2011)

17.04.711 Transitional housing. "Transitional housing" means housing with supportive services for up to twenty-four months that is exclusively designated and targeted for recently homeless persons. Transitional housing includes self-sufficiency development services, with the ultimate goal of moving recently homeless persons to permanent housing as quickly as possible, and limits rents and service fees to an ability-to-pay formula reasonably consistent with the United States Department of Housing and Urban Development's requirements for subsidized housing for low-income persons. Rents and service fees paid for transitional housing may be reserved, in whole or in part, to assist residents in moving to permanent housing. (Ord. 2011-03 § 1 (part), 2011)

These 2011 changes to the City of Marina Municipal Code, mean that supportive housing and transitional housing no longer require conditional use permits to become established. Site and Architectural Design Review is still required.

Presently, "Bridge House" operates in the City of Monterey as a 13-bed transitional residential treatment facility for individuals with substance abuse and mental illness. Interim Inc. is converting the Bridge House facility in the City of Monterey to a crisis residential treatment program. The existing programs of Bridge House are proposed to move to Bayonet Circle in the Shelter Cove portion of Interim Inc.'s facilities here so that they may continue to provide those specialized

services to individuals with substance abuse and mental illness issues and to increase the population served.

On August 21, 2015, Lou Bartlett of Wald Ruhnke & Dost, submitted a Site and Architectural Design Review Amendment application to modify two existing Shelter Cove structures on Bayonet Circle to accommodate the Bridge House programs.

ANALYSIS:

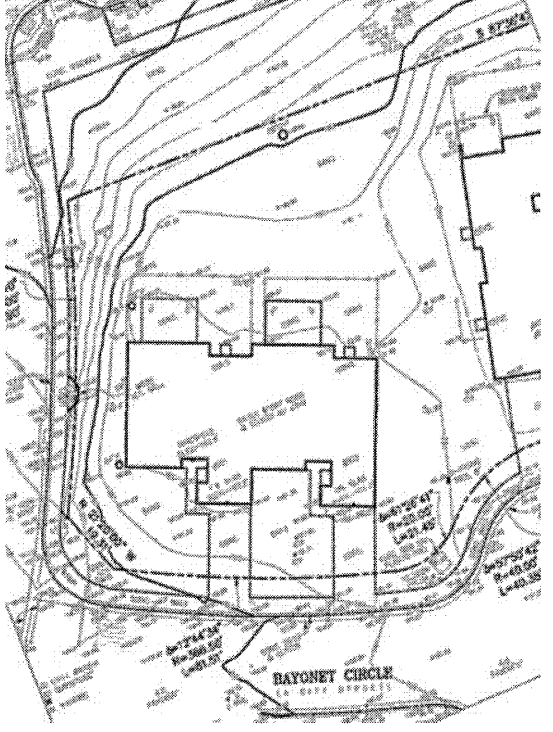
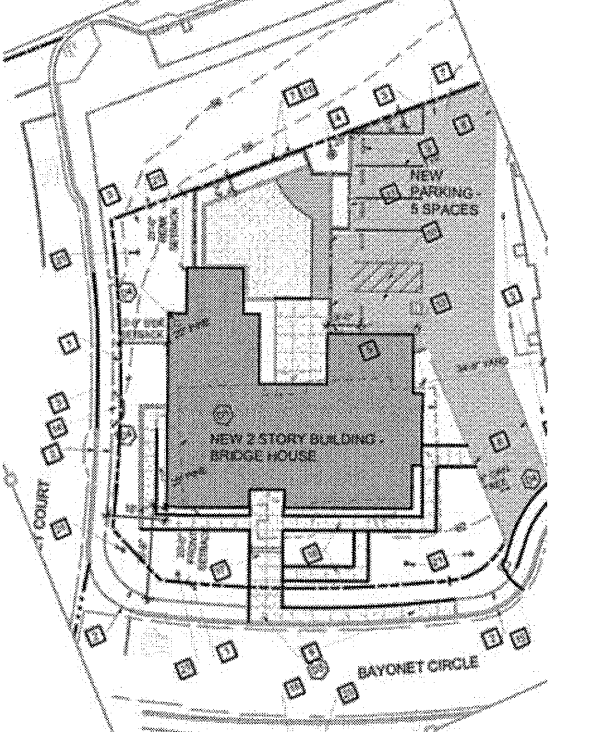


The subject parcel is located on Bayonet Circle off of Abrams Drive in the Abrams Park neighborhood and is familiar as the existing "Shelter Cove" facility. The site is designated "Single-Family Residential" on the General Plan Land Use Map (5 units/acre), and is located within the Multiple Family Residential District (R-4). The property owned by Interim Inc. at APN 031-081-005-000 includes two two-story, and two one-story residential structures and a fifth multipurpose use structure where additional services are provided. Each of the residential structures around the Bayonet Circle cul de sac are considered a single residential unit for purposes of calculating density as they each include a single kitchen facility and shared common resources such as dining and gathering areas. The density is 1.33 units/acre.

Modifications to the Shelter Cove facilities to accommodate the Bridge House programs include demolition of an existing two-story duplex structure clad in brick and stucco with a composition shingle roof. Each of the existing units includes a one car garage and narrow driveway. The existing multipurpose building structure will be expanded to allow for a larger day rehabilitation program and offices ("**EXHIBITA**").

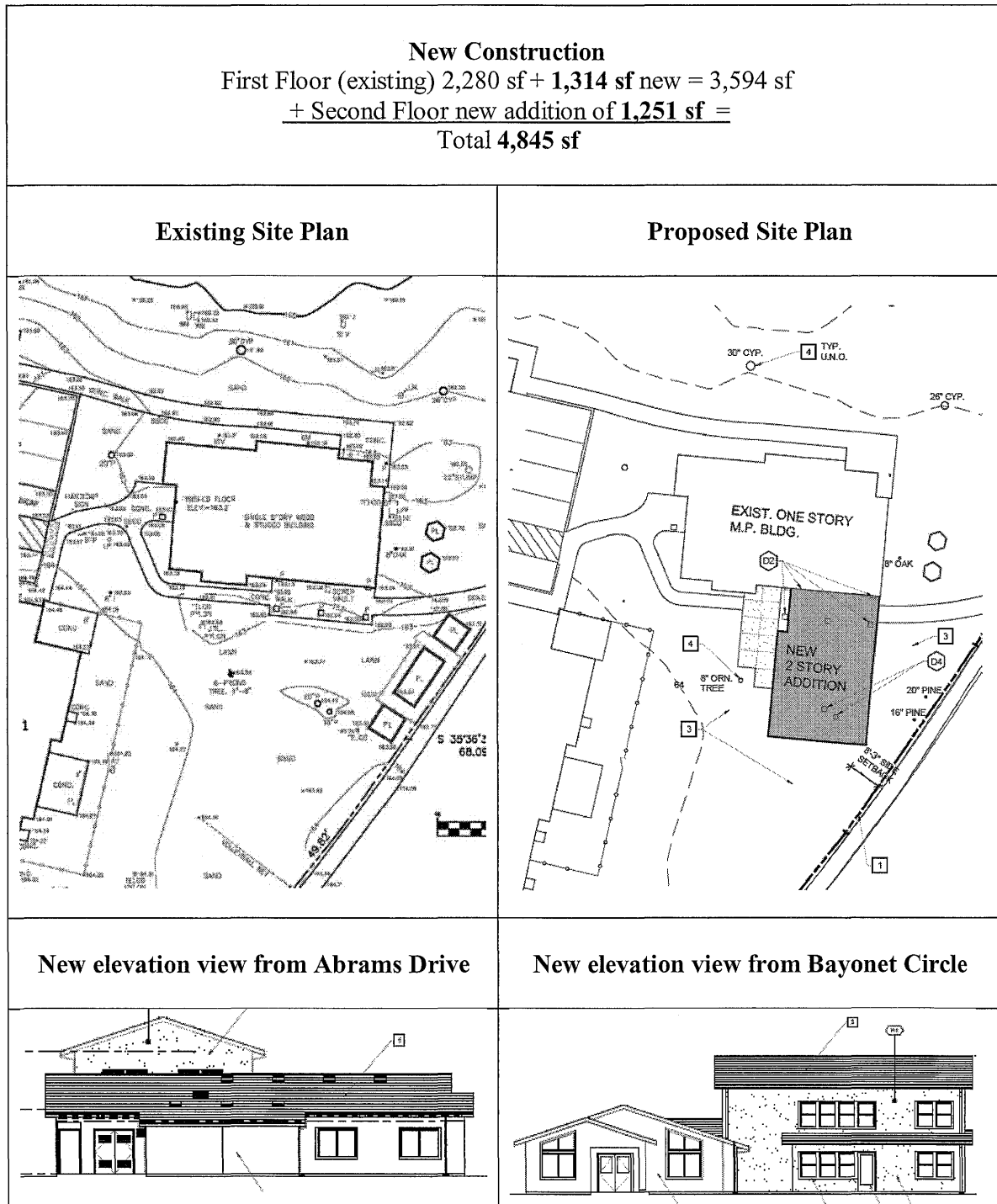
Site Plan

The main changes to the site plan include the demolition of the duplex on the corner of Bayonet Court and Bayonet Circle and the closing of the two single car driveways. A new driveway is proposed between the side yards of the new structure and the neighboring two-story Shelter Cove structure to give access to a five-car off-street parking area for facility staff. No program participants have or will be allowed to keep vehicles at the property, reducing the need for larger parking accommodations. The existing one-story multipurpose structure to the east will be expanding its foot print by 2,280 sf. (See graphics next pages).

Existing and Proposed Site Plans and Structural Changes New Building

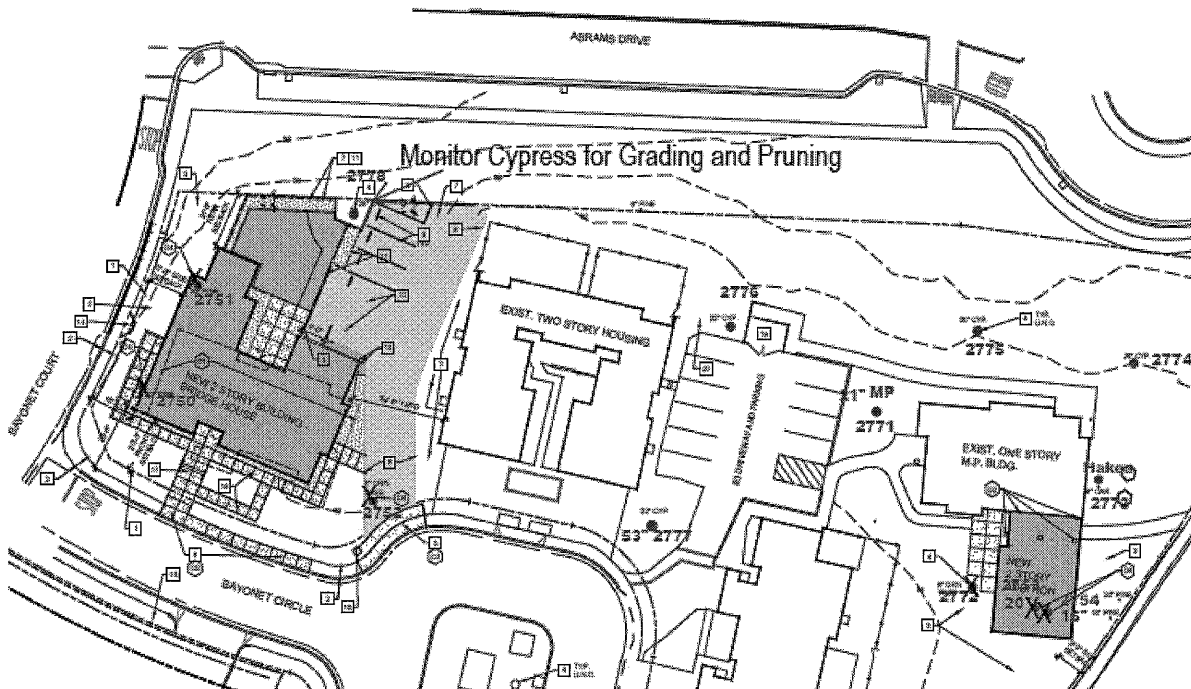
<p>New Construction</p> <p>First Floor 3,488 sf</p> <p>Second Floor 3,026 sf</p> <p>Total 6,514 sf</p>	<p>Parking</p> <p>5 new spaces for facility staff</p> <p>Program participants do not have vehicles</p>
<p>Existing Site Plan</p>	<p>Proposed Site Plan</p>
	
<p>Existing Structure to be Demolished</p>	<p>Proposed New Structure</p>
	

Existing and Proposed Site Plans and Structural Changes Multipurpose Building



Tree Removal

Additional changes to the site plan include the removal of four Monterey pine trees to accommodate the new construction and the removal of a dead stone pine and a Bailey's Acacia Tree. (Please refer to the attached arborist report ("**EXHIBIT B**"). According to the (Frank Ono) arborist report prepared for the applicant, a two-to-one replanting ratio has been recommended, although Mr. Ono recommends replanting with Monterey cypress and not Monterey pines due to their increased probability to survive.



Elevations

While a departure from the existing brick and stucco and composition shingle roof architecture of the Abrams Park area, the modernist elements of the new structure and multipurpose building will bring a current and "upgraded" feel to the community. Drawing from retro mid-century architectural elements, the structure has articulated planes and panels, vaulted and varied roof lines and uses muted pastel colors to accent building modules, components and the functionality of the new structures. These structures include stucco and plank siding. A Color and Materials Board will be presented at the meeting.

Additional Improvements

Additional improvements to the site include the introduction of an ADA path of travel from the new rear 5-car parking area to the entry of the new Bridge House facility as well as ADA paths of travel from ground floor exits. A patio will be enclosed in the rear of the structure by a 5-foot tall open-slat redwood fence adjacent to the parking area to provide semi-private access to air and outdoor open spaces.

Conceptual Landscape/Hardscape Plan

The applicant has submitted a conceptual Landscape Plan (Sheet L-1.0) drawing almost exclusively from a California Native palette. The plan includes shrubs, perennials, grasses, espaliers and succulents. Patios and walking surfaces will include artificial turf, decomposed granite and concrete. Irrigation is to be configured for a drip system. Aside from the several Monterey pine trees to be removed to accommodate the new construction, it is the applicant's intent to keep most of the existing landscaping as seen from Bayonet Circle and Bayonet Court.

Development Review Committee

Staff gathered a Development Review Committee together on December 7, 2015 and no changes or enhancements were deemed necessary by the City of Marina Police Department, Fire Department or Building Services Division as long as construction of the new residential structure and multipurpose structure are to current codes and occupancy ratings. The Public Works Division expressed some concerns with drainage infrastructure, but has since reviewed a geotechnical analysis of the site and is confident that conditions of approval are sufficient in this case to meet City standards.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

This project is categorically exempt from environmental review in accordance with Sections 15301 and 15302. Section 15301 applies to the multipurpose addition where the addition to Existing Facilities will not result in an increase of more than 10,000 square feet as the project is in an area where all public services and facilities are available. Section 15302 applies to the Replacement or Reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

CONCLUSION:

This request is submitted for Site and Architectural Design Review Board consideration and possible action.

Respectfully submitted,

Taven M. Kinison Brown
Acting Planning Services Manager
City of Marina

REVIEWED/CONCUR:

Theresa Szymanis, AICP CTP
Acting Director, Community Development Department
City of Marina

RESOLUTION NO. 2015 –

A RESOLUTION OF THE CITY OF MARINA SITE AND
ARCHITECTURAL DESIGN REVIEW BOARD APPROVING SITE AND
ARCHITECTURAL DESIGN REVIEW DR 2015-09 FOR THE SITE PLAN,
ELEVATIONS AND LANDSCAPE PLAN, AND; (2) TREE REMOVAL
PERMIT TR 2015-10 FOR THE REMOVAL OF SIX TREES FOR THE
BRIDGE HOUSE AND MULTIPURPOSE BUILDING ADDITION
LOCATED AT BAYONET CIRCLE (APN 031-081-005-000),
SUBJECT TO CONDITIONS

WHEREAS, on January 7, 1997, the City Council (on appeal) granted a Use Permit, Design Review Approval, Variances and Environmental Review for Interim Inc. to use four vacant structures on Bayonet Circle to provide transitional housing for homeless adults with on-site counseling services (the Shelter Cove Project). These actions were recorded in a Project Approval Certificate, and;

WHEREAS, on February 14, 2002, the Planning Commission considered and approved a subdivision, subdivision exceptions, zoning variances, a use permit, design review approval and environmental review to allow the use and development of an adjacent 67,612 square foot site (the Sandy Shores Project) on the easterly side of Bayonet Court and Bayonet Circle for the conversion of 12 former military housing units in four existing structures for housing homeless individuals in group quarters, together with supporting services. The project also included the construction of a maintenance building and the conversion of a portion of one existing structure for use as offices, and the addition of a community room with kitchen facilities. These actions were recorded in a Project Approval Certificate.

WHEREAS, On March 2, 2005, the Site and Architectural Design Review Board approved substantial interior and exterior changes and improvements to the Shelter Cove facilities circling Bayonet Circle. This approval was recorded with an official stamp on the applicant's February 24, 2005 letter submittal. A follow-up landscape review and maintenance inspection was made by City staff in March of 2006, and;

WHEREAS, at regular meetings of the City Council on June 7, 2011 and June 14, 2011 Ordinance #2011-03 was introduced and adopted allowing supportive housing and transitional housing as permitted uses within all residential zones in the City, and;

WHEREAS, Interim Inc. currently operates a 36-bed transitional housing program (Shelter Cove) for homeless adults with psychiatric disabilities on an approximate 3 acre site on Bayonet Circle, and;

WHEREAS, on August 21, 2015, Lou Bartlett of Wald Ruhnke & Dost, on behalf of Interim Inc., submitted a Site and Architectural Design Review Amendment application and Tree Removal request to modify two existing Shelter Cove structures on Bayonet Circle to accommodate the Bridge House programs (APN 031-081-005-000), and;

WHEREAS, the project is categorically exempt from environmental review in accordance with Sections 15301 and 15302. Section 15301 applies to the multipurpose addition where the addition to Existing Facilities will not result in an increase of more than 10,000 square feet as the project is in an area where all public services and facilities are available. Section 15302 applies to the Replacement or

Reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, and;

WHEREAS, On December 16, 2015 the Site and Architectural Design Review Board of the City of Marina conducted a duly noticed public meeting to consider adopting Resolution No. 2015- , approving a Site and Architectural Design Review Amendment application and Tree Removal request to modify two existing Shelter Cove structures on Bayonet Circle to accommodate the Bridge House programs (APN 031-081-005-000), subject to conditions.

NOW, THEREFORE BE IT RESOLVED by the Site and Architectural Design Review Board of the City of Marina that it hereby approves Site and Architectural Design Review DR 2015-09 for the site plan, elevations and landscape plan, and Tree Removal Permit TR 2015-10 for the removal of six trees for the Bridge House and Multipurpose Building addition located at Bayonet Circle (APN 031-081-005-000), making the following findings and subject to the following conditions of approval:

FINDINGS

1. Site and Architectural Design Review - That Site and Architectural Design Review DR 2015-09 has been designed and will be constructed, and so located, that the project, as conditioned, will not:
 - (a) Be unsightly, undesirable or obnoxious in appearance to the extent that it will hinder the orderly and harmonious development of the City, in that the modernist elements of the new Bridge House structure and multipurpose building additions will bring a current and “upgraded” feel to the community.
 - (b) Impair the desirability of residence or investment or occupation in the City, in that the new Bridge House structure and multipurpose building additions and landscape will improve and add value to the surrounding area and to the City as a whole.
 - (c) Limit the opportunity to obtain the optimum use and value of the land and improvements, in that the site is currently developed and investment in updating the existing structures and landscaping will enhance the value of the property.
 - (d) Impair the desirability of living conditions on or adjacent to the subject site in that the new improvements and the investment in the quality and architecture of the new construction will improve the conditions and quality of life for existing and future tenants.
 - (e) Otherwise adversely affect the general welfare of the community, in that the project will have an overall positive effect on the general welfare of the community.
2. Tree Removal:
 - (a) The trees do not serve as part of a windbreak system, or assist in drainage or in the avoidance of soil erosion, or serve as a component of a wildlife habitat, or otherwise play a prominent role in maintaining the existing urban forest.

- (b) Due to the tree's contribution to the aesthetic beauty of the area, the removal would not have a substantial detrimental effect on neighboring property values, in that the applicant's arborist reports that the existing trees (conflicting with new construction) are in fair or worse condition both structurally and in health, and that tree removal may be mitigated with replacement plantings of five gallon or larger nursery stock on a two to one ratio.
- (c) The removal request for all six trees is concurrent with development plans for the property and the development plans indicate that it is necessary to remove or relocate the tree to enable reasonable and conforming use of the property which is otherwise prevented by the location of the tree.

CONDITIONS OF APPROVAL

1. Substantial Compliance – The project shall be constructed in substantial compliance with the revised plans and other materials as shown on attached “**EXHIBIT A.**”
2. Tree Protection and Replanting. Tree removal, replacement, pruning and monitoring, and protection shall be accordance with the recommendations and best management practices included in the arborist report prepared by Frank Ono, October 20, 2015, “**EXHIBIT B.**”
3. Permits - The applicant shall obtain all required building permits prior to initiating construction.
4. Indemnification - That the applicant shall agree as a condition of approval of this project to defend, at its sole expense, indemnify and hold harmless from any liability the City and reimburse the City for any expenses incurred resulting from, or in connection with, the approval of the project, including any appeal, claim, suit or legal proceeding. The City may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve the applicant of its obligations under this condition.
5. Final Landscape/Hardscape Plan - Prior to the issuance of building permits, a Final Landscape/Hardscape Plan, substantially consistent with the Concept Landscape Plan Sheet L1.0, shall be submitted for administrative review and approval. Such plan shall also include the tree replacement and maintenance recommendations of the arborist report, “**EXHIBIT B.**”
6. Surety Bond – Prior to the issuance of a building permit, the applicant shall provide a bond or other surety acceptable to the City to guarantee that the installed landscaping shall remain in a healthy and growing condition for a minimum of two years from the date of occupancy approval. The amount of the surety shall be a minimum of ten percent of the actual or estimated costs of the installation accepted by the Planning Services Division. Two years after the approval of occupancy, the applicant shall contact the Planning Services Division to arrange for an inspection of the landscaping. If or when all landscaping shown on the approved plans is in place and is in healthy and growing condition, the surety shall be returned to the entity that provided the surety or to another entity upon proof of transfer. If plant material is dead, dying or missing and the applicant does not take steps to restore the landscaping, the City shall have the authority to use the surety for the restoration of the landscaping.

PASSED AND ADOPTED by the Site and Architectural Design Review Board of the City of Marina at a regular meeting duly held on the 16th day of December 2015, by the following vote:

AYES, BOARD MEMBERS:

NOES, BOARD MEMBERS:

ABSENT, BOARD MEMBERS:

ABSTAIN, BOARD MEMBERS:

Heather Marquard, Chair

ATTEST:

Taven M. Kinison Brown
Acting Planning Services Manager
Community Development Department
City of Marina

FORT ORD REUSE AUTHORITY BOARD REPORT		
EXECUTIVE OFFICER'S REPORT		
Subject:	Travel Report	
Meeting Date:	June 10, 2016	INFORMATION
Agenda Number:	11h	

RECOMMENDATION:

Receive a travel report from the Executive Officer.

BACKGROUND/DISCUSSION:

Per the FORA Travel Policy, the Executive Officer (EO) submits travel requests to the Executive Committee on FORA Board/staff travel. The Committee reviews and approves requests for EO, Authority Counsel and board members travel; the EO approves staff travel requests. Travel information is reported to the Board.

COMPLETED TRAVEL (as of June 9, 2016)

National Coalition of Homeless Veterans (NCHV)–Annual Board of Directors Meeting (5/30-6/3)

Destination: Washington, DC
Travel Dates: May 30-June 3, 2016
Traveler: Robert Norris

62nd Annual U.S. War College National Security Seminar (6/6/-6/9)

Destination: Carlisle, PA
Travel Dates: June 5-9, 2016
Traveler: Michael Houlemard

UPCOMING TRAVEL (previously approved)

Association of Defense Communities-2016 National Summit (6/20-6/22)

Destination: Washington, DC
Travel Dates: June 19-23, 2016
Travelers: Michael Houlemard and two Board members

The topic for this summit is "Defense Communities at the Ready" and will cover key issues faced by defense communities such as preparing for leadership transition/changes; responding to evolving needs of mission, emerging threats, and technology; creating great communities; supporting infrastructure sustainment; defending against cuts; and understanding the impacts of force restructuring, budget challenges, and policy directions.

FISCAL IMPACT:

Reviewed by FORA Controller _____

Travel expenses are paid/reimbursed according to the FORA Travel policy.

COORDINATION:

Executive Committee

Prepared by _____ Approved by _____
 Maria Buell Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Public Correspondence to the Board

Meeting Date: June 10, 2016

Agenda Number: 11i

INFORMATION

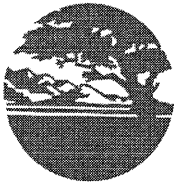
Public correspondence submitted to the Board is posted to FORA's website on a monthly basis and is available to view at <http://www.fora.org/board.html>.

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

- END -

**DRAFT
BOARD PACKET**



FORT ORD REUSE AUTHORITY

920 2nd Avenue, Suite A, Marina, CA 93933

Phone: (831) 883-3672 | Fax: (831) 883-3675 | www.fora.org

MEMORANDUM

TO: Administrative Committee

FROM: Peter Said, Project Specialist

RE: Item 7c: Water Augmentation: Pipeline Financing MOU Update

DATE: February 17, 2016

The Fort Ord Reuse Authority (FORA) Board identified the hybrid RUWAP as its preferred water augmentation solution in 2005 and it remains the default option for water augmentation on the former Fort Ord. Staff has worked closely with Monterey Regional Water Pollution Control Agency (MRWPCA) and Marina Coast Water District (MCWD) to utilize the Pure Water Monterey (PWM) project as the catalyst for water augmentation on the former Fort Ord. The FORA Board has taken a number of actions over the last nine months to further this end. In November 2015, The Board accepted Advanced Treated Water (ATW) as the potential water source for the recycled component of the approved Regional Urban Water Augmentation Project (RUWAP); December 2015 MRWPCA and MCWD came to an agreement on how they would partner the PWM and RUWAP by sharing the RUWAP Trunk-line ("Pipeline") to deliver ATW (also known as "recycled water") to customers who would use it for irrigation and landscaping; March 2016 The FORA Board recommended the PWM to the California Public Utilities Commission (CPUC); and, in April 2016, the Board approved the Executive Officer to negotiate an MOU with MCWD.

The MOU is currently under review by both parties. Staff will attempt to provide a Draft MOU for the Administrative Committee at the time of the meeting.



FORT ORD REUSE AUTHORITY

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MEMORANDUM

TO: Administrative Committee

FROM: Peter Said, Project Specialist

RE: Item 7d: Three-Party Planning: Technical Advisory Group (TAG) Appointments

DATE: February 17, 2016

The Fort Ord Reuse Authority (FORA) recently approved a Memorandum of Understanding (MOU) to study future water augmentation alternatives with Monterey Regional Water Pollution Control Agency (MRWPCA) and Marina Coast Water District (MCWD). This MOU, approved by the FORA Board, establishes a Technical Advisory Group (TAG) for the purpose of advising the lead agency, and acting as liaisons with the respective jurisdictions. FORA Staff is requesting each jurisdiction nominate/provide the name of a staff member able to act in an advisory role concerning the study of water augmentation alternatives for the former Fort Ord. Once Staff receives the list of names, they will return to the Administrative Committee for their consideration and approval.

The TAG meetings will be open to all who wish to join in, and the meeting times will be announced publicly; however the advisory group is not a Board appointed sub-committee and is considered 'Ad-Hoc' for the purpose of advising staff, and therefore is not subject to the Brown Act.

For your information, the text of the MOU reads as follows:

7. Technical Advisory Group (TAG)

7.1. Purpose of the Group is to provide the Parties with technical advice during the Study and to perform the following functions:

7.1.1. The TAG is to act as the main point of contact to collect and/or disseminate essential data necessary for the Study.

7.1.2. The TAG is to review presented information/designs and provide input or feedback on behalf of the jurisdictions listed in Section 7.8.

7.1.3. Members of the TAG shall be responsible to gather and disseminate data concerning the Study to their respective jurisdictions.

7.2. Composition of the TAG shall consist of one staff member each from FORA, Marina, Seaside, Del Rey Oaks, Monterey County, CSUMB, UCSC, PCA, MCWD and MPC. FORA staff shall chair the TAG.

7.3. Appointment to the TAG shall be made by the FORA Administrative Committee based upon nominations from the respective jurisdictions.

7.4. Frequency of meetings shall be once every two months, or as the chair determines based on Study status.

7.5. The TAG shall be appointed within 120 days of signing this MOU, and dissolved upon selection of a Preferred Water Augmentation Mix by the FORA Board.