



APPROVED

**FORT ORD REUSE AUTHORITY**  
**ADMINISTRATIVE COMMITTEE REGULAR MEETING MINUTES**  
**8:30 a.m., Wednesday, July 31, 2019 | FORA Conference Room**  
920<sup>nd</sup> Avenue, Suite A, Marina, CA 93933

**1. CALL TO ORDER**

Co-Chair Dino Pick called the meeting to order at 8:30 a.m.

The following members were present:

- |   |                                       |
|---|---------------------------------------|
| Jonathan Brinkmann (LAFCO)                                    | Dino Pick* (City of Del Rey Oaks)     |
| Layne Long* (City of Marina)                                  | Melanie Beretti* (County of Monterey) |
| Patrick Breen (MCWD)  | Craig Malin* (City of Seaside)        |
| Hans Uslar* (City of Monterey)                                | Vicki Nakamura (MPC)                  |
| Steve Matarazzo (UMBEST)                                      | Anya Spear (MPC)                      |
| Nicole Hollingsworth (17 <sup>th</sup> State Senate District) | Mike Zeller (TAMC)                    |
| Bill Collins (BRAC)   | *Voting member                        |

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Committee member Hans Uslar.

**3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

- Bill Collins from the Base Realignment and Closure (BRAC) Office announced that there is a scheduled detonation in the Army Impact Area between 10:30 a.m. to 12:00 p.m.
- Josh Metz updated the Committee on the Caretaker Cost Worksheet deadlines to be submitted to FORA by August 31st (1st deadline) and October 31st (2nd deadline).

**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.*

There were no public comments received.

**5. APPROVAL OF MEETING MINUTES**

**ACTION**

- a. July 17, 2019 Meeting Minutes

**MOTION:** On motion by Committee member Malin second by Committee member Uslar and carried by the following vote, the Administrative Committee moved to approve the July 17, 2019 regular meeting minutes.

**MOTION PASSED UNANIMOUSLY**

**6. AUGUST 9, 2019 DRAFT BOARD MEETING AGENDA REVIEW**

**INFORMATION**

Executive Officer Michael A. Houlemard, Jr. reviewed the items on the draft Board Meeting agenda for the August 9, 2019 meeting. There were no questions or comments from the Committee.

**This item was for information only.**

## **7. BUSINESS ITEMS**

## **INFORMATION/ACTION**

### **a. Habitat Conservation Plan Cost/Impact Study**

Senior Planner, Mary Israel introduced Ellen Martin Principal of Economic & Planning Systems, Inc. (“EPS”), noting EPS was contracted in 2010 to review the FORA Capital Improvement Program (“CIP”). The work continued into 2011, as phases 1-3 of the base wide financing strategy was worked on. In 2011, a task was added to the scope of work to include working with FORA’s Habitat Conservation Plan (“HCP”) consultant ICF, the U.S. Fish and Wildlife Service, and California Department of Fish and Game (as called during that time). The task was to evaluate endowment creation, rates of return, and a financing strategy for the HCP. An additional scope has been added to look at the questions posed by the Administrative Committee about the cost impacts associated with endowments and how to fill them in the future post FORA. Ms. Martin advised the Committee that her purpose today was to discuss the potential scoping elements associated with analysis that EPS can offer to help in the discussion surrounding HCP and FORA transition strategy. Ms. Martin provided a presentation reviewing the HCP Cost Structure, Financing Strategy, and Preliminary Scope Parameters. The key issues identified are: Governance – roles and responsibilities of the Cooperative; HCP Cost – restoration, mitigation, and monitoring requirements; HCP financing cash flow analysis and endowment strategy – how EPS determines remaining HCP funding need; HCP cost/impact study – distribution of HCP funding need and benefits, and Financing mechanisms – identify Community Facilities District (“CFD”) Special Tax revenue replacement funding sources. Staff and Ms. Martin responded to questions and comments from the Committee and the public.

### **b. South Boundary Road**

Project Manager, Peter Said provided a brief background stating that in 2010 the FORA Board went through a CEQA process on the improvements to South Boundary and Giggling Roads. He advised the Committee that the Board approved the CEQA findings for the roadways. South Boundary Road has been involved in litigation for the last year and has now been resolved, and the FORA Board has set aside the funds for construction. Throughout the last year, there have been four (4) meetings with the Environmental Protection Agency (“EPA”), the Department of Toxic Substance Control (“DTSC”), and the U.S. Army to determine the construction support plan and soil management requirements for the roadways. The geological and hydrological surveys were updated while performing mitigation and monitoring response planning biological surveys. Mr. Said noted South Boundary Road is complex because it crosses multiple jurisdictions and munition response areas, including soil tracks. The results of the survey decreased the roadway width based on the soil management requirements approved by DTSC, EPA and the Army which limits soil movement and/or soil disposal. In addition, it calls for increased storm water facilities, and earthwork balance. Mr. Said reviewed the proposed plan modifications and the next steps with the Committee. Staff responded to questions and comments from the Committee and the public.

### **c. Building Removal/Financing Update**

Mr. Houlemard introduced the item and noted the Committee provided a recommendation to the Board at the July 17, 2019 meeting to move ahead with the preparatory work and requested additional information and analysis scenarios be provided. Mr. Said provided a brief presentation, outlining the next topics of discussion and actions necessary to move forward in the bonding process. Those include the review of the updated analysis, preparatory work for bond issuance, and the recommendation to, and approval by, the FORA Board. In addition, Mr. Said reviewed the updated scenarios – scenario 2: 2020 dissolution without building removal bond and scenario 3: 2022 extension with building removal bond (low vs high buildout). The preparatory work that’s needs to be completed by EPS is to prepare a Financial Consultant Report, from there NHA will then need to identify the percentage of public right-of-

way for each removal area, establish prioritization process for fund distribution, establish an amendment methodology, and establish an invoicing and payment methodology. NHA Advisors Principal, Mark Northcross led the Committee through a review of the updated analysis. Staff and Mr. Northcross responded to questions and comments from the Committee and the public.

**MOTION:** On motion by Committee member Malin second by Committee member Long and carried by the following vote, given consideration to the motion that was adopted at the last Administrative Committee meeting on 7/17/2019 (the Administrative Committee moved to make a recommendation to the FORA Board of Directors to authorize all necessary preparatory work to issue bonds for building removal with one abstention from Committee Member Beretti). The Administrative Committee recommends the Board: 1) approve moving forward with the draft schedule presented by NHA Advisors; 2) include obtaining the fiscal consultant's report from Economic & Planning Systems, Inc.; 3) work with the County and jurisdictions on post FORA administration for any bond issuance; 4) secure the jurisdiction's support for bond issuance and proposed schedule; and 5) work with the Monterey County Regional Fire District on revenue loss related issues.

### **MOTION PASSED UNANIMOUSLY**

#### **d. ESCA Long Term**

ESCA Project Manager, Stan Cook gave a presentation on the implementing and managing the ESCA long-term obligations. He reminded the Committee of exactly where the ESCA properties are throughout the former Fort Ord boundaries and stated that other than the City of Marina, all jurisdictions are impacted by the ESCA long term obligations. Mr. Cook highlighted some of the land use controls attached to the ESCA properties as being munitions recognition safety training, construction support by USO ordinance qualified personnel, prohibitions provisions on residential use in certain areas, and habitat reserve areas that have access management measures. The land use controls also have some documents called Long Term Management Measures, which include maintaining the land use restrictions, the annual monitor reporting, and the 5-year review reporting. He stated that the main purpose of land use controls is public safety and even though the properties have been cleared to meet Environmental EPA certification completion, munitions could still remain. Under the land use controls, the property owners, which can be either the jurisdictions and/or developers, are responsible to maintain the ESCA properties for public safety. He informed the Committee that due to these strict land use controls on the ESCA properties, the EPA, the Army and DTSC requires that the ESCA successor agency to FORA show fiscal and technical capability. Currently, the City of Seaside is the proposed FORA ESCA successor agency upon FORA's dissolution of June 2020. This will require that the City of Seaside to enter into an agreement with the Army which allows for reimbursement of maintaining the ESCA long term obligations with issues such as staff, consultants, and special counsel services. The County of Monterey will be responsible for compiling the required monitoring reports received from the jurisdictions and forwarding those reports to DTSC. The 2019 Jurisdictions Annual Land Use Reports are due September 1, 2019; however, the County has submitted a request to the extend the due date until December 2019. Mr. Cook noted that as a result of the amount and level of complexity required to maintain the ESCA long-term obligations, there is a 2018 Transition Plan Implementing Agreement being drafted that tailors strictly to the ESCA program. Staff and Mr. Cook responded to questions and comments from the Committee and the public.

#### **e. 2018 Transition Plan Implementing Agreements Progress Report**

Regional Government Services ("RGS") Director, Kendall Flint, provided an update on the ESCA Transition Plan Implementing Agreement (TPIA), noting it is unique from the current ESCA agreement between FORA and the U.S. Army in regards to it does not reference property management. However, concurrence with the completion of the ESCA TPIA, the remaining properties will have been transferred

to the respective jurisdictions, and language has been amended. Mrs. Flint advised the Committee that if Senate Bill (SB) 189 passes legislature, the Global TPIA will be re-released with any amended language. At the request of the Administrative Committee, Mrs. Flint will highlight the sections, or language, in the Global TPIA that are stipulations of SB 189 in order to provide clarity of what is contingent upon the legislative bill, and what is not. Mrs. Flint stated that the role of RGS will be concluded upon finalization of the TPIA's; however, should the Committee, or Board, want to retain RGS services for additional tasks, such as the Joint Powers Agreement formation, RGS is available to do so. Mr. Houlemard advised the Committee that it is being proposed to amend/extend the RGS contract. Staff responded to questions and comments from the Committee and the public.

**8. ITEMS FROM MEMBERS**

None.

**9. ADJOURNMENT** at: 11:12 a.m.

Minutes Prepared By:  
Heidi Lizarbe  
Deputy Clerk