



Fort Ord Reuse Authority

920 2nd Avenue, Ste. A, Marina, CA 93933
Phone: (831) 883-3672 • Fax: (831) 883-3675 • www.fora.org

BOARD OF DIRECTORS REGULAR MEETING Friday, March 15, 2013 at 3:30 p.m. 910 2nd Avenue, Marina, CA 93933 (Carpenter's Union Hall)

AGENDA

1. CALL TO ORDER AND ROLL CALL

2. CLOSED SESSION

- a. Conference with Legal Counsel - Existing Litigation, Gov Code 54956.9(a) – Four Cases
 - i. Keep Fort Ord Wild v. Fort Ord Reuse Authority, Case Numbers: M114961, M116438, M119217
 - ii. The City of Marina v. Fort Ord Reuse Authority, Case Number: M118566
- b. Conference with Legal Counsel – Anticipated Litigation, Gov Code 54956.9(b) – Two Cases
- c. Public Employee Performance Evaluation – Authority Counsel, Gov Code 54957

3. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

(Open session will begin at the later of: a) 4:00 p.m. or b) immediately following closed session)

4. PLEDGE OF ALLEGIANCE

5. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

- a. May 2-3, 2013 Fort Ord Prevailing Wage Training Conference

6. CONSENT AGENDA

- a. Approval of the February 15, 2012 Board Meeting Minutes (pg. 1-6) ACTION
- b. Approval of the February 22, 2012 Board Meeting Minutes (pg. 7-8) ACTION

7. OLD BUSINESS

- a. Conduct Executive Committee Member-at-Large Election (pg. 9) ACTION
- b. CIP Review – Phase II Study (pg. 10-17)
 - i. Receive FORA Fees Formula Calculation Report INFORMATION
 - ii. Receive Draft Resolution to Implement Fee Adjustment INFORMATION
- c. Authorize the Executive Officer to Execute ICF International Contract Amendment #5 (pg. 18-26) ACTION
- d. Consider FORA Expense Policies (pg. 27-35) ACTION
- e. Base Reuse Plan Post-Reassessment Follow-Up (pg. 36-71)
 - i. Reassessment Report “Category I” Text and Figure Corrections ACTION
 - ii. March 22, 2013 Board Workshop Agenda ACTION

8. NEW BUSINESS

- a. Consistency Determination: Seaside Local Coastal Program (pg. 72-90) ACTION
- b. Fort Ord Reuse Authority Master Resolution Amendments (pg. 91-110) ACTION/INFORMATION

9. PUBLIC COMMENT PERIOD

Members of the audience wishing to address the Fort Ord Reuse Authority (“FORA”) Board on matters within the jurisdiction of FORA, but not on this agenda, may do so during the Public Comment Period. Public comments are limited to a maximum of three minutes.

10. EXECUTIVE OFFICER’S REPORT

- a. Outstanding Receivables (pg. 111)
- b. Administrative Committee (pg. 112-116)
- c. Water and Wastewater Oversight Committee (pg. 117-119)
- d. Habitat Conservation Plan Update (pg. 120-123)
- e. Travel Report (pg. 124-125)
- f. Public Correspondence to the Board (pg. 126)

INFORMATION
INFORMATION
INFORMATION
INFORMATION
INFORMATION
INFORMATION

11. ITEMS FROM MEMBERS

12. ADJOURNMENT

In memory of Santa Cruz Police Officers Butch Baker and Elizabeth Butler.

SPECIAL BOARD MEETING/WORKSHOP: MARCH 22, 2013

NEXT REGULAR BOARD MEETING: APRIL 12, 2013

Persons seeking disability related accommodations should contact FORA 24 hours prior to the meeting.
This meeting is recorded by Access Monterey Peninsula (AMP) to be televised Sundays at 9:00 a.m./Sundays at 1:00 p.m. on Marina/Peninsula Chanel 25. The video and full Agenda packet are available online at www.fora.org.



Fort Ord Reuse Authority

920 2nd Avenue, Suite A, Marina, CA 92028
Phone: (831) 883-3672 • Fax: (831) 883-3675

Item 6a
FORA Board Meeting, 3/15/13

Minutes

Friday, February 15, 2013

Workshop/Meeting of the Fort Ord Reuse Authority Board of Directors
910 2nd Ave, Marina (Carpenter's Union Hall)

1. CALL TO ORDER AND ROLL CALL

Vice-Chair Edelen called the meeting to order at 1:35 p.m.

Voting Members Present: (*alternates)

Mayor Edelen (City of Del Rey Oaks)	Mayor Kampe (City of Pacific Grove)
Mayor ProTem O'Connell (City of Marina)	Mayor Gunter (City of Salinas)
Councilmember Morton (City of Marina)	Mayor Pendergrass (City of Sand City)
Councilmember Beach (City of Carmel-by-the-Sea)*	Mayor Rubio (City of Seaside)
Supervisor Parker (County of Monterey)	Mayor Pro-Tem Oglesby (City of Seaside)

Voting Members Absent:

Chair/Supervisor Potter (County of Monterey)
Councilmember Selfridge (City of Monterey) *joined the meeting after roll call*
Supervisor Salinas (County of Monterey) *joined the meeting after roll call*

The following ex-officio Board members were present: Congressman Sam Farr (20th Congressional District), Nicole Charles (15th State Senate District), Assemblymember Mark Stone (29th State Assembly District), Andre Lewis (California State University), Vicki Nakamura (Monterey Peninsula College), Dan Albert, Jr. (Monterey Peninsula School District), Debbie Hale (Transportation Agency of Monterey County), Pamela Von Ness (Unites States Army), Bill Collins (Fort Ord BRAC Office), Director Thomas Moore (Marina Coast Water District).

Congressman Farr discussed FORA's accomplishments for the 2012 calendar year and the challenges that lie ahead for 2013.

2. BOARD WORKSHOP POST-REASSESSMENT POLICY OPTIONS

Vice-Chair Edelen introduced the public workshop, noting that members of the public would have an opportunity to address the Board regarding the item. He stated that due to concerns raised about the absence of public comment during the elections conducted at the January Board meeting, the elections had been considered void and would be repeated later in the meeting. Vice-Chair Edelen explained that Supervisor Potter was still the Board Chair and that he was presiding over the meeting in his capacity as Vice-Chair.

a. Overview of Fort Ord Reuse Plan implementation and workshop goals; proposed "ground rules" for today's workshop – primary conversation focused on FORA Board members

Executive Officer Michael Houlemard provided an overview of the Base Reuse Plan and the post-Reassessment process. He briefly discussed the goals of the Board workshop and introduced the workshop Moderator, Scott McCreary. Mr. McCreary, CONCUR, presented protocols for the Board workshop.

b. Identify/discuss policy implementation factors (cost, timing, prioritization, etc.)

c. Board workshop on potential actions arising from policy-item Categories I and II of the Base Reuse Plan (BRP) 2012 Reassessment Report. Provide early direction to implement or take action on other specific potential options for BRP modifications that do not require CEQA actions, significant staff resources, or Board deliberation. Objective: Identify concrete next steps for-

Category I: BRP Text and Figure Corrections (Typographical Errors, Minor Clarifications, etc.)

Category II:

- i. **BRP Land Use Concept Map modifications based on prior FORA Board consistency determinations (map “republication” based on prior approvals)**
- ii. **Modifications based on other previous Board actions;**
- iii. **Circulation-related map, text, and Capital Improvement Program modifications; and**
- iv. **Modifications for consistency with regional and local plans.**

The Board discussed the development of a staff work plan for completion of the Category II items, to be presented to the Board. The Board received comments from members of the public.

MOTION: The Board directed staff to 1) bring back a red-line document showing all text and figure corrections from Category I for consideration at the next Board meeting, 2) provide the Board with the sections of the BRP that reflect the original visioning.

MOTION PASSED: Ayes: Edelen, O’Connell, Morton, Beach, Parker, Kampe, Gunter, Pendergrass, Rubio, Oglesby, Salinas Abstain: Selfridge

3. CLOSED SESSION

The Board convened into closed session at 3:30 p.m. Vice-Chair Edelen invited public comments and none were received.

a. Conference with Legal Counsel - Existing Litigation, Gov Code 54956.9(a) – Four Cases

- i. **Keep Fort Ord Wild v. Fort Ord Reuse Authority, Case Numbers: M114961, M116438, M119217**
- ii. **The City of Marina v. Fort Ord Reuse Authority, Case Number: M118566**

b. Conference with Legal Counsel – Anticipated Litigation, Gov Code 54956.9(b) – Two Cases

c. Public Employee Performance Evaluation – Authority Counsel, Gov Code 54957

4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

The Board reconvened into open session at 4:23 p.m. Vice-Chair Edelen introduced Special Legal Counsel Jon Giffen. Mr. Giffen stated that the Board had received reports from legal counsel on all closed sessions items and had not taken any reportable action.

Vice-Chair Edelen repeated his previous comments regarding the January 11, 2013 election of Board officers.

5. PLEDGE OF ALLEGIANCE

Councilmember Morton led the Pledge of Allegiance.

6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

None

7. CONSENT AGENDA

a. Approval of the January 11, 2012 Board Meeting Minutes

Councilmember Morton asked that the minutes be amended to reflect the replacement of her name for Councilmember Brown’s, as he had not been present at the January meeting. Councilmember Beach asked that the minutes be amended to replace “Councilmember Burnett” with “Mayor Burnett.”

MOTION: Mayor Rubio moved, seconded by Councilmember Oglesby, to approve the minutes as amended.

MOTION PASSED: unanimous.

8. OLD BUSINESS

a. Elect 2013 Fort Ord Reuse Authority Board Officers

i. Receive Nominating Committee Report

Mayor Kampe summarized the deliberative process used by the Nominating Committee at their January 6, 2013 meeting.

ii. Conduct Election

The Board received comments from members of the public.

MOTION: Councilmember Beach moved, seconded by Supervisor Parker, to approve the Nominating Committee's recommended slate, replacing Mayor Rubio with Supervisor Parker to serve as 2nd Vice-Chair.

SUBSTITUTE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER: consider nominations one office at a time, rather than as a slate.

SUBSTITUTE MOTION PASSED: Ayes: Parker, Oglesby, Morton, Beach, Selfridge, O'Connell, Kampe. Noes: Rubio, Salinas, Gunter, Pendergrass, Edelen

NOMINATION (Chair): Supervisor Parker moved, seconded by Mayor Kampe, to nominate Mayor Edelen to the position of Chair.

ELECTION: unanimously approved.

NOMINATION (1st Vice-Chair): Councilmember Morton moved, seconded by Mayor Kampe, to nominate Mayor Pro-Tem O'Connell to the position of 1st Vice-Chair.

ELECTION: unanimously approved.

NOMINATION (2nd Vice-Chair): Councilmember Beach moved, seconded by Councilmember Selfridge, to nominate Supervisor Parker to the position of 2nd Vice-Chair.

NOMINATION (2nd Vice-Chair): Supervisor Salinas moved, seconded by Councilmember Oglesby, to nominate Mayor Rubio to the position of 2nd Vice-Chair.

ELECTION: Rubio: Kampe, Salinas, Gunter, Rubio, Pendergrass, Edelen, Oglesby. Parker: O'Connell, Selfridge, Beach, Morton, Parker. **Mayor Rubio elected by a majority to the position of 2nd Vice-Chair.**

NOMINATION (Executive Committee Past Chair): Mayor Kampe moved, seconded by Councilmember Oglesby, to nominate Supervisor Potter to the position of Past Chair on the Executive Committee.

ELECTION: unanimously approved.

NOMINATION (Executive Committee Member-at-Large): Councilmember Morton moved, seconded by Councilmember Selfridge, to nominate Supervisor Parker to the position of Executive Committee Member-at-Large.

NOMINATION (Executive Committee Member-at-Large): Councilmember Oglesby moved, seconded by Mayor Rubio, to nominate Mayor Pendergrass to the position of Executive Committee Member-at-Large.

ELECTION: Pendergrass: Salinas, Gunter, Rubio, Pendergrass, Edelen, Oglesby. Parker: Kampe, O'Connell, Selfridge, Beach, Morton, Parker.

Chair Edelen stated that due to the tie vote, the election of Executive Committee Member-at-Large would be continued to the next Board meeting.

b. Capital Improvement Program Review – Phase II Study

- i. **Adopt a Resolution to Reinstate the Original Formulaic Approach Language in Resolution 12-5, Adopted on August 29, 2012**
- ii. **Authorize the Execution of Amendment #1 to the Implementation Agreements to Reinstate the Original Formulaic Approach Language Approved on August 29, 2012**

Senior Planner Jonathan Garcia presented the item. The Committee discussed the item and received comments from members of the public.

MOTION: Supervisor Parker moved, seconded by Councilmember Selfridge, to uphold Resolution 13-02.

MOTION FAILED: Aye: Parker. Noe: Edelen, Oglesby, O'Connell, Rubio, Pendergrass, Gunter, Kampe, Morton, Beach, Selfridge, Salinas.

MOTION: Supervisor Salinas moved, seconded by Mayor Pro-Tem O'Connell to: 1) Adopt a resolution to reinstate the original formulaic approach language in resolution 12-5, adopted on August 29, 2013, 2) Authorize the execution of amendment #1 to the Implementation Agreements to reinstate the original formulaic approach language approved on August 29, 2012.

MOTION PASSED (2ND VOTE REQUIRED): Aye: Edelen, Oglesby, O'Connell, Rubio, Pendergrass, Gunter, Kampe, Morton, Beach, Selfridge, Salinas. Noe: Parker.

Chair Edelen announced that, at the request of the City of Marina, a special Board meeting would be scheduled to consider a second vote on the item.

MOTION: Mayor Pro-Tem Oglesby moved, seconded by Supervisor Parker, to extend the meeting to 6:00 p.m.

MOTION PASSED: unanimous.

c. Approve Preston Park Management Contract with Alliance (2nd Vote)

Principal Analyst Robert Norris addressed concerns raised by a member of the public at the previous Board meeting regarding Alliance's management of Preston Park. Alliance representative, Annette Thurman, reviewed Alliance's responses to the concerns raised.

Councilmember Oglesby asked the record reflect his concerns regarding the amount of Alliance's credit card processing fee and the absence of a timeline for creation of resident handbook. Councilmember Selfridge asked that the FORA Board be informed of the quarterly meetings with the Tenant's Association.

ORIGINAL MOTION (January 11, 2013 Board meeting): Supervisor Potter moved, seconded by Mayor Pro-Tem Oglesby, to 1) authorize the Executive Officer to execute a new Alliance/FORA Preston Park Management Agreement, and 2) approve and direct staff to follow up on complaints voiced by a member of the public and report back next month.

2nd VOTE – MOTION PASSED: Aye: Kampe, Gunter, Rubio, Pendergrass, Edelen, Oglesby Noe: O'Connell, Selfridge, Morton, Parker.

9. NEW BUSINESS

a. FORA Mid-Year Budget

Mr. Houlemard reviewed the FY 2012-13 mid-year budget.

MOTION: Supervisor Parker moved, seconded by Councilmember Morton, to receive the FY 12-13 Fort Ord Reuse Authority (FORA) Operating Budget mid-year status report and approve additional expenditures as noted and recommended by the Finance Committee.

MOTION PASSED: unanimous

MOTION: Mayor Pro-Tem Oglesby moved, seconded by Supervisor Parker, to extend the meeting to 6:20 p.m.

MOTION PASSED: unanimous.

Chair Edelen stated that due to limited time left in the meeting, the Board would receive public comment out of agenda order.

10. PUBLIC COMMENT PERIOD

Board received comments from members of the public.

(Item 9 continued)

b. FY 2011-2012 Annual Financial Audit

Mr. Houlemard provided an overview of the FY 2011-13 Annual Financial Report, noting that all findings had either already been implemented by FORA staff or were in the process of being implemented. He stated that the FORA Expense Reimbursement Policy would be presented to the Board at their next regular meeting.

Mayor Kampe, Finance Committee Chair, reported on the Finance Committee's review of the Report.

MOTION: Mayor Rubio moved, seconded by Councilmember Selfridge, to accept the Moss, Levy & Hartzheim, Certified Public Accountants (Auditor) Fort Ord Reuse Authority (FORA) Fiscal Year 11-12 Annual Financial Report (Audit Report).

MOTION PASSED: unanimous.

c. Confirm 2013 Chair Appointments to Fort Ord Reuse Authority Committees

Mayor Edelen presented his recommended appointments.

MOTION: Supervisor Parker moved, seconded by Mayor Rubio, to confirm FORA Board of Directors Chair Edelen's 2013 appointments to the Finance Committee and the Legislative Committee.

MOTION PASSED: unanimous.

11. EXECUTIVE OFFICER'S REPORT

a. Outstanding Receivables

b. Administrative Committee

c. Finance Committee

d. Habitat Conservation Plan Update

e. Travel Report

f. Fort Ord Reuse Authority Veterans Issues Advisory Committee Appointments

g. Public Correspondence to the Board

Mr. Houlemard presented the item, specifically discussing recent meetings attended in Sacramento and Chair Edelen's appointments to the Veteran's Issues Advisory Committee. He stated that although originally presented as *ad-hoc* committee, the Veteran's Issues Advisory Committee (VIAC) had been redefined as a standing committee and was thus subject to the Ralph M. Brown Act. Mr. Houlemard also noted that VIAC member Tom Griffin's anticipated retirement might necessitate a membership modification at some point in the future.

12. ITEMS FROM MEMBERS

None

13. ADJOURNMENT

Chair Edelen adjourned meeting at 6:23

Minutes prepared by Lena Spilman, Deputy Clerk

Approved by: _____
Michael A. Houlemard, Jr.

DRAFT



Fort Ord Reuse Authority

920 2nd Avenue, Suite A, Marina, CA 93933
Phone: (831) 883-3672 • Fax: (831) 883-3675 •

Item 6b
FORA Board Meeting, 3/15/13

Minutes

Friday, February 22, 2013

Meeting of the Fort Ord Reuse Authority Board of Directors
910 2nd Ave, Marina (Carpenter's Union Hall)

1. CALL TO ORDER AND ROLL CALL

Vice-Chair Edelen called the meeting to order at 1:35 p.m.

Voting Members Present: (*alternates)

Mayor Edelen (City of Del Rey Oaks)
Mayor ProTem O'Connell (City of Marina)
Councilmember Morton (City of Marina)
Mayor Burnett (City of Carmel-by-the-Sea)
Chair/Supervisor Potter (County of Monterey)
Supervisor Salinas (County of Monterey)

Mayor Kampe (City of Pacific Grove)
Mayor Gunter (City of Salinas)
Mayor Pendergrass (City of Sand City)
Mayor Rubio (City of Seaside)
Mayor Pro-Tem Oglesby (City of Seaside)

Voting Members Absent:

Supervisor Parker (County of Monterey)
Councilmember Selfridge (City of Monterey)

The following ex-officio Board members were present: Graham Bice (University of California), Andre Lewis (California State University), Director Thomas Moore (Marina Coast Water District).

2. PLEDGE OF ALLEGIANCE

Chair Edelen led the pledge.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

None.

4. OLD BUSINESS

a. Capital Improvement Program Review – Phase II Study (2nd Vote)

- i. Rescind Resolution 13-2, adopted January 11, 2013
- ii. Authorize the Execution of Amendment #1 to the Implementation Agreements to Reinstate the Original Formulaic Approach Language Approved on August 29, 2012

Chair Edelen stated that public comment was received on this item at the February 15, 2013 Board meeting and is not customarily reopened during a 2nd vote. However, he stated he would allow public comment if there were members of the public who wished to speak to the item. No comments were received.

ORIGINAL MOTION (February 15, 2013 Board meeting): Supervisor Salinas moved, seconded by Mayor Pro-Tem O'Connell to 1) adopt a resolution to reinstate the original formulaic approach language in resolution 12-5, adopted on August 29, 2013, 2) authorize the execution of amendment #1 to the Implementation Agreements to reinstate the original formulaic approach language approved on August 29, 2012.

2nd VOTE – MOTION PASSED: unanimous.

5. NEW BUSINESS

a. Approve Executive Committee Recommended Sponsorship for March 28-29, 2013 Fort Ord Prevailing Wage Conference and Review/Approve Expense

Executive Officer Michael Houlemard provided brief background information regarding the use of prevailing wage on Fort Ord. He noted that the Conference had been rescheduled to May 2-3, 2013, to accommodate speaker availability. Mayor Rubio discussed the Carpenters Union's role in co-sponsoring the conference.

MOTION: Mayor Rubio moved, seconded by Mayor Pro-Tem Oglesby, to approve the Executive Committee recommended expenditure of up to \$5,000 for FORA co-sponsorship of the May 2-3, 2013 Fort Ord Prevailing Wage Workshop/Training Conference.

MOTION APPROVED: unanimous

6. PUBLIC COMMENT PERIOD

None

7. ITEMS FROM MEMBERS

None

8. ADJOURNMENT

Chair Edelen adjourned the meeting at 5:12 p.m.

Minutes prepared by Lena Spilman, Deputy Clerk

Approved by: _____

Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

OLD BUSINESS

Subject: Conduct Executive Committee Member-at-Large Election

Meeting Date: March 15, 2013

Agenda Number: 7a

ACTION

RECOMMENDATION:

Elect one voting member of the FORA Board to serve as the Member-at-Large on the FORA Executive Committee for a term of one year.

BACKGROUND/DISCUSSION:

On February 15, 2013 the Board conducted elections for the 2013 FORA Board officers. The Board received a report from 2013 Nominating Committee Chair, Mayor Bill Kampe, and elected the following Board members to serve as Board officers for the term of one year:

Chair: Del Rey Oaks Mayor Jerry Edelen
1st Vice Chair: Marina Mayor Pro-Tem Frank O'Connell
2nd Vice Chair: Seaside Mayor Ralph Rubio
Past Board Chair: Monterey County Supervisor Dave Potter

Per the FORA Master Resolution, the above listed Board officers are joined on the FORA Executive Committee by one Member-at-Large. At the February 15, 2013 Board meeting, both Monterey County Supervisor Jane Parker and Sand City Mayor David Pendergrass were nominated for Member-at-Large. The subsequent election resulted in a tie (6-6) vote, and the item was continued to the next Board meeting.

FISCAL IMPACT:

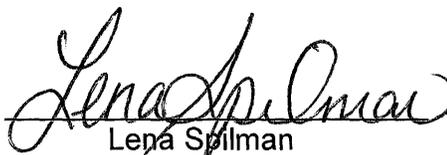
Reviewed by FORA Controller 

None

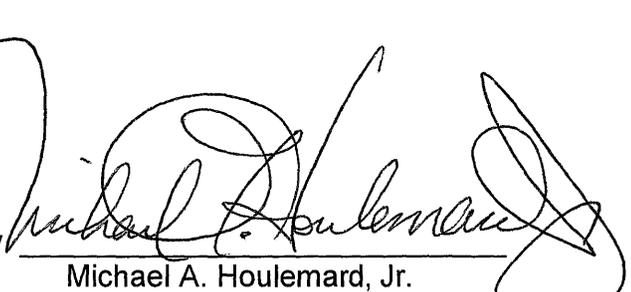
COORDINATION

Nominating Committee and Executive Committee

Prepared by


Lena Spilman

Approved by


Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

OLD BUSINESS

Subject: Capital Improvement Program Review – Phase II Study	
Meeting Date: March 15, 2013	INFORMATION
Agenda Number: 7b	

RECOMMENDATION(S):

- i. Receive a report on the Fort Ord Reuse Authority (FORA) Fee Formula Calculation by EPS (**Attachment A**).
- ii. Review a draft resolution 13-XX to implement the FORA Community Facilities District (CFD) Special Tax and Base-wide Development Fee adjustment (**Attachment B**).

BACKGROUND/DISCUSSION:

On May 13, 2011, the FORA Board adopted resolution 11-02, implementing a FORA CFD and Base-wide Development Fee adjustment based on Economic and Planning Systems' (EPS) Capital Improvement Program (CIP) Review – Phase I Study. The result was a 27% across the board fee reduction, and authorization for EPS's work on a Phase II Study. On August 29, 2012, the FORA Board adopted a resolution and approved an amendment to FORA's Implementation Agreements with jurisdictions that provide for a formula to the setting/adjustment of FORA fees.

FORA and Marina signed the August 29, 2012 approved Implementation Agreement amendment in September 2012. The amendment stipulates that FORA will conduct a fee calculation within 90 days of signing the amendment. EPS prepared a draft formula calculation and presented the results to the FORA Administrative Committee on March 6, 2013. EPS's draft formula calculation resulted in a recommended fee reduction from \$34,610 to \$33,330 per new residential unit, or a 3.7% across the board fee reduction. The draft resolution (**Attachment B**) is currently written to implement a 3.7% fee reduction.

During recent Administrative Committee meetings, there have been a number of concerns that EPS should use FORA's annual CIP development forecasts (provided to FORA by its land use jurisdictions) as the basis for the formula absorption assumptions. EPS has offered to include any known project delivery information from Fort Ord development projects, but recommends continued application of the market study absorption assumption generated during the Base Reuse Plan Reassessment process in 2012 as a more realistic absorption model. EPS will also analyze a range of options including alternative absorption schedules and policy-based fee adjustments. Staff expects to distribute EPS's draft report (**Attachment A**) prior to the March 15, 2013 Board meeting.

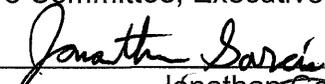
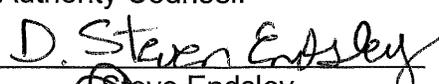
FISCAL IMPACT:

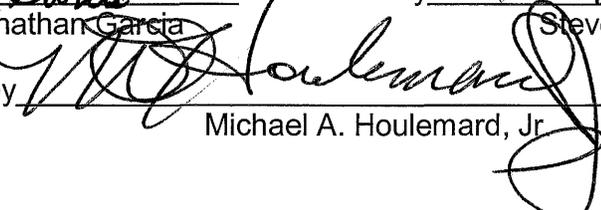
Reviewed by FORA Controller 

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

COORDINATION:

Administrative Committee, Executive Committee, EPS, and Authority Counsel.

Prepared by  Jonathan Garcia Reviewed by  Steve Endsley

Approved by  Michael A. Houlemard, Jr

Placeholder for Attachment A to Item 7b

CIP Review – Phase II Study

This attachment will be distributed as soon as it is available.

Resolution 13-XX

Resolution of the Fort Ord Reuse)
 Authority Board adjusting the FORA)
 Community Facilities District Special)
 Tax Rates and the Basewide Development)
 Fee Schedule.)

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

- A. Government Code section 67679(e) authorizes the Fort Ord Reuse Authority (hereinafter referred to as “Authority”) Board of Directors (hereinafter referred to as “Board”) to levy development fees on a development project within the area of the base in compliance with Government Code section 66000, *et seq.* The section stipulates that “No local agency shall issue any building permit for any development within the area of the former Fort Ord until the Board has certified that all development fees have been paid.”
- B. The Authority Board adopted Resolution 99-1 to establish Basewide Development Fees for all of the former Fort Ord area primarily to pay for basewide obligations intended to mitigate the costs associated with the impact of development of the Fort Ord territory. The basewide public facilities are identified in the Base Reuse Plan and the Public Facilities Improvement Plan and are annually approved by the Board as part of the Board’s adopted Capital Improvement Plan (hereinafter referred to as “CIP”), in particular the transportation, habitat management and other impacts caused by development as identified in the Final Environmental Impact Report, adopted by this Board on June 13, 1997.
- C. On January 18, 2002, the Authority Board adopted Resolution No. 02-1 establishing the Fort Ord Reuse Authority Basewide Community Facilities District (hereinafter referred to as the “CFD”) under State Law that approved a rate and method of apportionment of special taxes (the “RMA”) and provided for the levy of special taxes (the “Special Taxes”) on real property in selected areas of the former Fort Ord, and, on October 14, 2005, the Authority Board adopted Resolution No. 05-15, which effectively amended the RMA for the CFD in 2005 in order to provide a special tax structure that would encourage and benefit the development of affordable and workforce housing.
- D. The Board heard testimony from professional consultants, affected businesses, and community representatives and, on August 29, 2012, through adoption of resolution 12-5 and authorization to sign an Implementation Agreement Amendments with Fort Ord land use jurisdictions, the Board directed calculation

of a formula, which analyzes CIP contingent expenses and anticipated revenues to calibrate FORA's Development Fee Schedule and CFD Special Tax to the appropriate level. The formula calculation will be used as a basis for Board consideration of adjustments in the maximum Special Taxes for the CFD and the Fee Policy.

- E. As part of their CIP Review – Phase II Study contract work for the Authority, Economic and Planning Systems, Inc. (“EPS”) performed the Board-directed formula calculation (**Attachment A** to Item 8a, FORA Board meeting March 15, 2013), recommending an immediate proportional 3.7% reduction in FORA's Development Fee Schedule and CFD Special Tax. There is a reasonable relationship between the need for the public projects included in the CIP and the type of development project on which the development fee or Special Tax is imposed. There is also a reasonable relationship between the amount of the development fee or Special Tax and the cost of the public projects attributable to the development on which the fee or Special Tax is imposed and the Board has determined that the fee and Special Tax structure will continue to provide sufficient fees and Special Taxes to meet its State Law obligations and basewide expenses.
- F. The purpose of this Resolution is to amend Resolution 99-1 and to provide for levies of Special Taxes in the CFD at rates lower than the authorized maximum Special Tax rates in the RMA in order to lower the fees charged to, and the Special Taxes levied on, development occurring on the former Fort Ord, while maintaining the financial resources to meet the Authority's mitigation measure and basewide expense obligations and to sustain parity between the Special Taxes levied within the CFD and the fees charged in the non-CFD areas.
- G. Section 6.01.010 of the Authority Master Resolution provides that all fees, penalties, refunds, reimbursements and charges imposed by the Authority may be adopted by resolution and amended by the Board. In addition, the Authority has entered into separate Implementation Agreements with each of its member land use jurisdictions. Those Agreements require all development projects to pay their fair share of the Authority's costs to mitigate development impacts. The Authority Board has approved further agreements with individual jurisdictions and/or their developers to carry out the Implementation Agreements and the other authoritative documents cited in this Resolution.
- H. The Board's annually approved CIP lists each project for which the Fort Ord Reuse Authority CFD special taxes and Basewide Development Fees are to be used and accompanying text describing the need for the project.
- I. The Basewide Development Fees and Special Tax rates listed in **Table 1** reflect a proportional 3.7% reduction. There is a reasonable relationship between the need for the public projects included in the CIP and the type of development project on which the development fee or Special Tax is imposed. There is also a reasonable

relationship between the amount of the development fee or Special Tax and the cost of the public projects attributable to the development on which the fee or Special Tax is imposed and the Board has determined that the fee and Special Tax structure will continue to provide sufficient fees and Special Taxes to meet its State Law obligations and basewide expenses.

- J. Government Code Section 66001 requires the Authority to do the following before adopting or amending a development impact fee:
 - 1. Account for and expend the fees.
 - 2. For the fifth fiscal year following the first deposit into the account or fund, and every five years thereafter, make all of the following findings with respect to that portion of the account or fund remaining unexpended, whether committed or uncommitted:
 - i. Identify the purpose of the fee (as described in “E.” above).
 - ii. Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements listed in the CIP.
 - iii. Designate the approximate dates on which the funding necessary to complete the project is expected to be deposited into the appropriate account or fund serving the CIP.

K. Any development impact fee so adopted shall be effective _____, 2013.

NOW THEREFORE the Board hereby resolves that:

- 1. The CFD Special Tax and the Basewide Development Fee is amended in the amounts listed for each type of development in the attached fee schedule (**Table 1**) and these fees will hereafter be levied as Special Taxes at the maximum Special Tax rates in the attached schedule (**Table 1**).
- 2. This Basewide Development fee schedule and CFD maximum Special Tax schedule shall be fixed to the CFD maximum Special Tax rates and indexed in the same manner on July 1st of every year as evidenced in the attached **Table 1 – Taxable Property Classifications and Maximum Development Fee Rates**.
- 3. The adjusted Development Fees and the revised maximum Special Tax rates shall become effective immediately.
- 4. Proceeds of Development Fees and Special Tax levies shall be appropriately segregated through use of generally accepted government fund accounting methods according to the Board’s adopted Capital Improvement Program budget as provided for in section B and G of this resolution.

DRAFT

DRAFT

DRAFT

Upon motion by _____, seconded by _____, the foregoing Resolution was passed on this 15th day of March, 2013, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Jerry Edelen, Chair

ATTEST:

Michael A. Houlemard, Jr., Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Fort Ord Reuse Authority hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 13-XX adopted March 15, 2013.

Michael A. Houlemard, Jr., Secretary

TABLE 1 – TAXABLE PROPERTY CLASSIFICATIONS AND
 MAXIMUM DEVELOPMENT FEE RATES
 (Figures as of _____, 2013)

PROPERTY CLASSIFICATION	Maximum Development Fee Rates (One-time Development Fee Payments)
Undeveloped Property	\$ - 0 -
Developed Property	
New Residential	\$ 33,330 / Dwelling Unit
Existing Residential	\$ 10,020 / Dwelling Unit
Office	\$ 4,370 / Acre
Industrial	\$ 4,370 / Acre
Retail	\$ 90,080 / Acre
Hotel	\$ 7,430 / Room

On July 1, commencing July 1, 2013, the Maximum Development Fee Rates shown in Table 1 shall be increased by an amount equal to the lesser of (1) five percent (5%) or (2) the percentage change since the immediately preceding Fiscal Year in the Engineering News Record's Construction Cost Index applicable to the area in which the fee overlay is located (or, if such index is no longer published, a substantially equivalent index selected by the Development Fee Administrator)

TABLE 1 – TAXABLE PROPERTY CLASSIFICATIONS AND
MAXIMUM SPECIAL TAX RATES
(Figures as of _____, 2013)

PROPERTY CLASSIFICATION	Maximum Special Tax Rates (One-time Special Tax Payments)
Undeveloped Property	\$ - 0 -
Developed Property	
New Residential	\$ 33,330 / Dwelling Unit
Existing Residential	\$ 10,020 / Dwelling Unit
Office	\$ 4,370 / Acre
Industrial	\$ 4,370 / Acre
Retail	\$ 90,080 / Acre
Hotel	\$ 7,430 / Room

On July 1, commencing July 1, 2013, the Maximum Special Tax Rates shown in Table 1 shall be increased by an amount equal to the lesser of (1) five percent (5%) or (2) the percentage change since the immediately preceding Fiscal Year in the Engineering News Record's Construction Cost Index applicable to the area in which the District is located (or, if such index is no longer published, a substantially equivalent index selected by the CFD Administrator)

FORT ORD REUSE AUTHORITY BOARD REPORT

OLD BUSINESS

Subject:	Authorize the Executive Officer to Execute ICF International Contract Amendment #5	
Meeting Date:	March 15, 2013	ACTION
Agenda Number:	7c	

RECOMMENDATION(S):

Authorize the Executive Officer to Execute ICF International ("ICF") Contract Amendment #5, not to exceed \$39,998 in additional budget authority (**Attachment A**).

BACKGROUND/DISCUSSION:

On May 13, 2011, the Fort Ord Reuse Authority ("FORA") Board approved contract amendment #4 with ICF (formerly known as Jones & Stokes), to assist FORA through preparation of a public review draft Fort Ord Habitat Conservation Plan ("HCP"). ICF is currently addressing wildlife agencies' comments on the administrative draft HCP and has prepared contract amendment #5 to: 1) conduct additional meetings to resolve specific technical comments from the wildlife agencies and 2) include Bank Swallows (a threatened species under the California Endangered Species Act) as a covered HCP species, now requested by CDFW and State Parks.

Contract amendment #5 combines \$39,998 that is available in the approved FY 12-13 HCP budget with \$25,900 in reallocated funding from ICF's existing contract, specifically Task 11: Prepare Public Review Draft (a task that is not anticipated until FY 13-14). ICF anticipates that these technical comments and inclusion of Bank Swallows in the HCP can be resolved by July 2013. Staff expects to present a future ICF contract amendment for Board consideration at the beginning of the FY 13-14 for production of the screen-check HCP and completion of the Public Review Draft HCP.

FISCAL IMPACT:

Reviewed by FORA Controller 

ICF contract amendment #5 will increase the contract's budget authority by \$39,998, which is included in FORA's approved FY 12-13 budget. Staff time for this item is included in the approved annual budget.

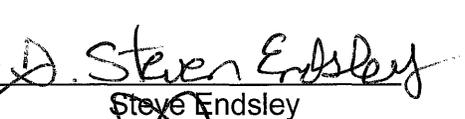
COORDINATION:

ICF, Administrative Committee, Executive Committee, and Authority Counsel.

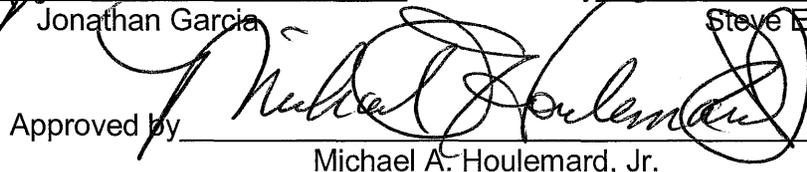
Prepared by


Jonathan Garcia

Reviewed by


Steve Endsley

Approved by


Michael A. Houlemard, Jr.



March 4, 2013

Mr. Michael Houlemard, Jr.
Executive Officer
Fort Ord Reuse Authority
100 12th Street, Building 2880
Marina, California 93933

SUBJECT: Addendum #5 Request for Additional Funds for Continued Development of the
Former Fort Ord Habitat Conservation Plan

Dear Mr. Houlemard:

Thank you for the opportunity to continue our work on the Former Fort Ord Habitat Conservation Plan (Plan). We identified a number of key issues based on comments submitted by California Department of Parks and Recreation (State Parks), U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW).

- Bank Swallows
- California tiger salamander impact analysis
- Endowment holder and trust agreement
- Adaptive Management
- California tiger salamander hybrids: status, conservation strategy, monitoring, adaptive management, and costs
- State Parks covered activities
- Western snowy plover: status, impacts, conservation strategy, monitoring, adaptive management, and costs
- Species surveys: California tiger salamander, California red-legged frog, sand gilia, Seaside bird's beak
- Smith's blue butterfly: impacts and conservation strategy.
- Species monitoring protocol updates
- Cost and Funding Analysis
- Implementing Agreement

These key issues require a significant level of effort to resolve in close coordination with the Fort Ord Reuse Authority (FORA), Denise Duffy and Associates (DD&A), select members of the Fort Ord Working Group, USFWS, and CDFW. ICF developed an aggressive meeting schedule to discuss and resolve the identified key issues (Table 1). Each of these meetings requires advanced preparation of meeting materials, circulation of meeting notes, and clear communication of how each item is resolved in the HCP document. The HCP will be updated accordingly based on these meeting outcomes to produce a screen-check public draft.

This amendment revises the following tasks from the original Jones & Stokes contract (May 30, 2007), and subsequent addendums. The proposed schedule to complete these tasks and our cost estimate to revise these tasks and is provided at the end of this amendment (Table 2 and Table 3).

Task 5 Strategic Advice, Project Management, and Meetings (Amended)

Continued coordination and engagement with FORA, Denise Duffy and Associates, Permit Applicants, Bureau of Land Management (BLM), and the Wildlife Agencies is integral to maintain the project schedule and ensure Plan completion. As such, regular meetings, close coordination with FORA, and project management are required. Meetings will be used to address comments and resolve key issues identified for the Draft HCP. Conference calls will be held to ensure collaborative issue resolution. ICF will also coordinate with the Denise Duffy and Associates to regarding EIR/EIS document preparation and impact analysis revisions. Two in-person meetings will be held. Meeting schedule is assumed as follows:



Table 1. Key Issue Meeting Summary

Key Issue	Meeting Date	# of ICF attendees
Endowment Holder/Trust Agreement <i>Finalize CTS Impact Analysis</i>	3/13	1
Adaptive Management (General Process) <i>Finalize Endowment Holder/Trust Agreement</i>	3/20	2
CTS Hybrids: Status, CS, MAM, Costs <i>Finalize Adaptive Management</i>	4/3	2
**In-person (@FORA): State Parks Covered Activities + WSP: All issues (AM) Bank Swallow approach (PM) Species Surveys: CTS, CRLF, Sand Gilia, Seaside Bird's Beak (PM) <i>Finalize CTS Hybrids</i>	4/10	4
SBB: All issues <i>Finalize State Parks Covered Activities + WSP, Bank Swallow, and Species Surveys</i>	5/8	2
Species Monitoring Protocol updates <i>Finalize SBB: All issues</i>	6/5	3
**In-person (@FORA): Cost and Funding Analysis (AM) Implementing Agreement (PM) <i>Finalize Species Monitoring Protocol updates</i>	6/19	2

For all in-person meetings and conference calls, meeting materials, agendas, action items, and revised materials will be drafted and circulated to all meeting attendees.

Deliverables: Meeting agendas, meeting hand-outs, meeting notes, action items, and monthly budget summaries.

Task 10 Prepare Screen-Check Public Draft HCP (Amended)

ICF will prepare the Screen-Check Public Draft HCP. This includes response to comments submitted on the Draft HCP and incorporation of key issue resolutions. Comment responses will be provided in a single file for each chapter and the Screen-Check Public Draft will be updated as appropriate. For the key issues, ICF will create a key issue table naming each key issue and summarizing how the key issue was resolved. ICF will work directly with the reviewers and FORA to resolve each key issue as specified in Task 5. Interim key issue resolutions will be provided as part of the meeting materials included in Task 5.



Deliverables: Deliverables associated with this task are included in Task 5. Production of the screen-check public draft HCP is not funded with this amendment. ICF anticipates producing the document with funds authorized at a later date.

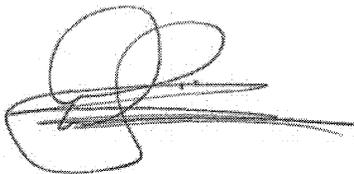
Task 11 Prepare Public Draft HCP (Amended)

This task was previously funded in Addendum #4. All funds from this task will be transferred to Task 10 to fund key issue resolution as indicated in Table 3. The Task 11 deliverable will be deferred until the next fiscal year when additional funding will be available.

Cost Estimate

We estimate that these tasks will require a budget augment of \$39,998 to prepare the screen check public draft (Table 3). This cost estimate is valid for ninety (90) days from the date of this proposal. Thank you again for the opportunity to work on this important project. If you have any questions about this proposal, please call me at (415) 677-7179 or Terah Donovan at (415) 677-7176.

Sincerely,

A handwritten signature in black ink, appearing to be 'David Zippin', with a long horizontal flourish extending to the right.

David Zippin, Ph.D.
Vice President and Project Director



Table 2. Schedule for Installation-Wide Multispecies Habitat Conservation Plan for Former Fort Ord, CA

Key:

Document Preparation
Meetings
Review Periods
Notice prep/publish
Final Approval Steps

	Status	2012												2013												2014											
		J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
HCP																																					
1 Draft Pre-Public HCP	Done																																				
2 Key Issue Resolution status updates	Done																																				
3 Wildlife Agency and Working Group Review Period (8 wk)	Done																																				
4 Meetings to Identify Key Issues																																					
5 Bi-weekly meetings (as necessary) with Wildlife Agencies, FORA, and Working Group Members to check-in or resolve outstanding issues																																					
6 Prepare 3rd Admin Draft HCP	Done																																				
7 Review 3rd Admin Draft HCP (Permit Applicants and BLM only)	Done																																				
8 Revise 3rd Admin Draft HCP	Done																																				
9 Review 3rd Admin Draft HCP (Permit Applicants, BLM, Wildlife Agencies)	Done																																				
10 Prepare Screen-check Draft HCP																																					
11 Review Screen-check Draft HCP (Wildlife Agencies)																																					
12 Prepare Public Draft HCP																																					
13 Prepare and publish Notice in Federal Register for HCP, EIS, IA																																					
14 Public/Agencies Review Period (90 days)																																					
15 Prepare Final HCP																																					
16 See Approval process steps																																					

Table 2. (Continued)

Key:

Document Preparation	
Meetings	
Review Periods	
Notice prep/publish	
Final Approval Steps	

	Status	2012												2013												2014											
		J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
EIR/EIS																																					
1 Prepare 1st Admin Draft EIS/EIR	Done	■	■	■	■								■	■	■	■	■	■	■	■	■	■	■														
2 Review Period					■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■														
3 Prepare 2nd Admin Draft EIS/EIR													■	■	■	■	■	■	■	■	■	■	■														
4 Solicitor review																																					
5 Prepare Public Review EIS/EIR																																					
6 Prepare and publish Notice of Availability in Federal Register (see HCP-7 above)																																					
7 Prepare and publish CEQA Notice of Availability (1 - 2 months)																																					
8 Public/Agencies Review Period (90 days)																																					
9 Respond to public comments/Prepare 1st Admin Draft Final EIS/EIR																								■	■												
10 Review Period																								■	■												
11 Prepare Final Public Draft EIS/EIR - clear for publication																																					
12 Publish Notice of Final EIS, HCP and IA Availability in Federal Register - 30 day comment period																																					
13 Publish CEQA Notice of Determination - Permit Applicants - 30 day challenge period																																					
14 CEQA Notice of Determination--CDFG - 30 day challenge period																																					
15 See Approval Process steps																																					
16 Federal Prep and Pub of <i>Record of Decision (ROD)</i> - 30 day wait period																																					
17 See Approval Process steps																																					

Table 3. Cost Estimate for Addendum #5 Former Fort Ord Habitat Conservation Plan

Task	Consulting Staff								Production Staff			Labor Total	Direct Expenses	Total Price
	Employee Name	Zippin D	Donovan T	Jones T	Mozumder K	Edell T	Bernazzani P	Barnard A	Fitch S					
	Project Role	Proj Dir	Proj Man	Cons Planner	Wildlife Biologist	Botanist	Conservation Biologist	Graphics						
Labor Classification	Proj Dir	Sr Consult I	Asst Consult	Sr Consult I	Assoc Consult	Sr Consult III	Sr Consult I	Subtotal	Invoicing	Subtotal				
Task 5. Strategic Advice, Project Management, Meetings		20	45.5	8	14	14	3		\$17,653	6	\$420	\$18,073		
Task 10. Prepare Screen-Check Public Draft HCP									\$0		\$0	\$0		
Bank Swallows			8			30			\$5,440		\$0	\$5,440		
CTS Impact Analysis			8						\$1,240		\$0	\$1,240		
Endowment Holder/Trust Agreement			8						\$1,240		\$0	\$1,240		
Adaptive Management			16	2			20	8	\$7,720		\$0	\$7,720		
CTS Hybrids: Status, CS, MAM, Costs					37				\$5,735		\$0	\$5,735		
State Parks Covered Activities + WSP: All issues (funded by Task 11)									\$0		\$0	\$0		
Species Surveys: CTS, CRLF, Sand Gilia, Seaside Bird's Beak (funded by Task 11)									\$0		\$0	\$0		
SBB: All issues (funded by Task 11)									\$0		\$0	\$0		
Species Monitoring Protocol updates (funded by Task 11)									\$0		\$0	\$0		
Implementing Agreement (funded by Task 7 remaining budget)									\$0		\$0	\$0		
All other comments (funded by Task 10 remaining budget)									\$0		\$0	\$0		
Total hours		20	85.5	10	51	44	23	8		6				
ICF E&P 2013 Billing Rates		\$255	\$155	\$100	\$155	\$140	\$190	\$155		\$70				
Subtotals		\$5,100	\$13,253	\$1,000	\$7,905	\$6,160	\$4,370	\$1,240	\$39,028	\$420	\$420	\$39,448		
Direct Expenses														
523.05 Travel, Auto, incld. Mileage at current IRS rate (.555/mile)														\$500
Mark up on all non-labor costs and subcontractors:														10%
Direct expense subtotal														\$550
Total price														\$39,998

FORT ORD REUSE AUTHORITY BOARD REPORT

OLD BUSINESS

Subject: Consider FORA Expense Policies

Meeting Date: March 15, 2013

Agenda Number: 7d

ACTION

RECOMMENDATION:

Adopt the following Fort Ord Reuse Authority (FORA) policies:

- i. Travel Policy
- ii. Business Expense and Reimbursement Policy
- iii. Cell Phone Policy

BACKGROUND:

In July, 2012, the FORA Board voted to create an Ad-hoc committee to review FORA expense polices in coordination with the Forensic and Annual auditors. The Board further directed staff to revise then current policies and/or develop new policies upon recommendations from the review/audits.

The forensic audit was completed in October and the annual audit in December 2012. Based on comments from both auditors and direction by the Ad-hoc, Executive, and Finance Committees, staff a) revised two existing polices: Travel Policy and Expense Reimbursement Policy and b) developed one new policy: Cell Phone Policy. The policies govern eligibility expense items allowed v. disallowed, and approval authority. The draft policies were forwarded to the Ad-hoc committee and annual auditor and finalized for the Executive Committee's review on March 6, 2013.

The Executive Committee recommends adoption of the policies by the FORA Board.

Attachment 1: Travel Policy

Attachment 2: Business Expense and Reimbursement Policy

Attachment 3: Cell Phone Policy

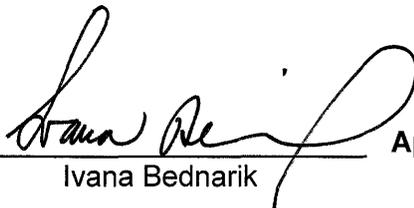
FISCAL IMPACT:

Staff time related to this item is included in the approved operating budget.

COORDINATION:

Ad-hoc Forensic Committee, Executive Committee, Annual Auditor

Prepared by:


Ivana Bednarik

Approved by:

 for
Michael A. Houlemard, Jr.

Travel Policy

PURPOSE

This sets forth conditions and procedures governing official duty travel related expense authorization and reimbursement incurred by the Fort Ord Reuse Authority (FORA) Board members or employees.

GENERAL POLICY

Persons traveling on official business will maintain a standard of economy that generates the highest function and effectiveness at the lowest cost to FORA. Travel expenses are limited to those "reasonable and necessary" to complete the business; the most economical accommodations and mode of transportation shall be secured in keeping with availability, convenience, and safety. Whenever possible, reservations should be made in advance to take advantage of available discounts and special offers.

TRAVEL AUTHORIZATION AND TRAVEL ARRANGEMENTS/PAYMENTS

Each travel event must be properly authorized on a Travel Request (TR) form which provides all pertinent information including dates, destination, estimated costs, and business purpose of the intended trip. In addition, a copy of official conference or meeting materials documenting scheduled dates of event must be included with the TR form.

1. Executive Officer approves travel for FORA employees.
2. Executive Committee approves travel for Executive Officer, Authority Counsel and FORA Board members.
3. If an expense is to be reimbursed to Executive Officer, Authority Counsel or Board members then a designated member of the Executive Committee should be one of the check signers.

When feasible, a FORA credit card will be used to pay for travel items such as registration, airfare and hotel accommodations unless the lowest available purchase price necessitates payment by other means.

TRAVEL REIMBURSEMENT GUIDELINES

Actual expenses supported by original receipt will be capped at the current IRS per-diem rate.

A. Lodging

The cost of overnight lodging will be reimbursed to the traveler if the authorized travel is 50 miles or more from the FORA office or traveler's home. Government rates will be requested and used if available.

Special circumstances requiring lodging expenses exceeding the allowable reimbursement limits (i.e. a conference held at a hotel charging in excess of the per-diem price, no IRS rate lodging available, etc.) are to be reviewed/approved on an individual basis by the Executive Officer or Controller for staff travel and by the Executive Committee for the Executive Officer's and Board members' Travel.

B. Meals (including gratuities)

Actual expenses up to allowable reimbursement limits may be claimed for complete 24-hour period for overnight travel that is 50 miles or more from the FORA office or traveler's residence. Actual expense up

to the allowable reimbursement limits may be claimed for a trip lasting less than 24 hours but more than three hours if returning after 9 a.m. (breakfast), 2p.m. (lunch), 8p.m. (dinner)

C. Transportation Expenses

The traveler is required to choose the most economical transportation method.

Mileage: Business related personal vehicle use will be reimbursed at the IRS current per mile rate. FORA employees receiving monthly mileage allowance are not entitled to mileage reimbursement.

Air Fare: Air travel cost reimbursement will be at common carrier coach airfare.

Rental Vehicle: Vehicles may be rented if the rental cost is less than other reasonable transportation.

Registration: Conference and seminar registration fees may be claimed at actual cost.

Other Transportation Expenses: The following transportation expenses may be claimed at actual cost when accompanied by an original receipt if exceeding \$10.00: taxi, shuttle, public transit fares, parking, bridge tolls, and other transportation expenses determined reasonable by the Controller.

D. Ineligible Travel Expenses

- Alcoholic beverages.
- Personal expenses such as personal phone calls, hotel movies or porter services, laundry, barbering, valet services, etc.
- Charges for lodging provided by a friend or relative.
- FORA travelers are not eligible to claim meals or other expenses for family members and other persons who are not otherwise eligible to file a claim themselves for FORA reimbursement.
- Traffic fines.

BOARD MEMBER REIMBURSEMENT

FORA will pay for Board member travel expense in the following manner:

FORA Related Travel: (Travelers representing FORA business)

100% for travel costs consistent with FORA adopted travel reimbursement policy.

FORA/Jurisdiction Related Travel: (Travelers representing FORA and FORA member's business) 100% for registration costs.

Reimbursements for special events and/or circumstances (ex. Board members asked to speak on behalf of FORA etc.) will be considered on an individual basis by the Executive Committee.

PROCESSING TRAVEL REIMBURSEMENT

The traveler must complete the Expense reimbursement (ER) form. Each traveler is required to submit their own ER Form, claiming charges for another employee is not allowed.

Whenever possible, claims should be submitted within 14 days of travel to the Accounting office for processing. All travel ER forms must be accompanied by an authorized TR form.

BOARD REPORTING

All non-local travel (outside the Monterey Peninsula (50 miles of the FORA Office)) will be reported to the FORA Board under the Executive Officer's Reports.

E 1998/R 2006/R 2013

Business Expense and Reimbursement Policy

The Fort Ord Reuse Authority (FORA) is authorized to pay actual and necessary expenses of FORA employees and FORA Board members provided those expenses are incurred in the performance of their official duties. The purpose of this policy is to define the types of occurrences that qualify for payment or reimbursement.

1. The expenses must be actual, necessary, and reasonable and incurred while performing services as an employee or a Board member and on behalf of FORA.
2. **Out of town lodging and meal** reimbursement are governed by the current IRS per-diem rates unless specifically approved by the Executive Committee on case-by-case basis. This is included and is matter of FORA Travel Policy.
3. **Local lodging and meal** reimbursement is not allowed, unless specifically approved by the Executive Committee. The local commuting area is defined as a 50 mile radius of the FORA office or the employee's residence.
4. **Local mileage** reimbursement is allowed for use of a personal car when used for FORA business at the currently approved IRS rate per mile.
5. **Business meals/meetings (local or out-of-town).** FORA funds may not be expended to purchase meals for third parties, such as consultants, constituents, legislators and private business owners. The Executive Officer (for staff)/Executive Committee (for Executive Officer, Authority Counsel and Board members) is authorized to approve exceptions to this general rule on a case-by-case basis for meals associated with an official FORA-sponsored event or official FORA business.
6. **Light refreshments** may be occasionally served at the FORA sponsored meetings and other official functions. "Light refreshment" means snacks and beverages consumed outside a regular meal and may include pastries, cookies, fruit, vegetables, coffee and water.
7. **Annual subscriptions and individual professional dues/memberships** must be directly related to FORA business and should be paid only if approved by the Executive Committee.
8. One **Award /Recognition event** where FORA employees are recognized for their contributions to the organization is permitted. The amount spent on the function is limited to \$500.00 unless otherwise determined by the Executive Committee.
9. **Cost sharing arrangements** with other jurisdictions/organizations must be by written agreement.

AUTHORIZATION AND REIMBURSEMENT PROCESSING

All expenses must always be preapproved using the Purchase Authorization (PA) form, substantiated by business purpose and itemized receipts must be provided. If an employee incurs an unplanned business expense without the prior authorization, the employee should provide reason for not obtaining prior approval on the PA form when requesting approval.

- PA requests at the staff level are approved by Executive Officer, Assistant Executive Officer, or Controller;
- PA requests for the Executive Officer, Authority Counsel, and Board members are approved by the Executive Committee;
- Expenditures exceeding \$25,000 and/or expenditures not included in the approved budget must be approved by the FORA Board; and
- An individual may not approve his or her own purchase requisition and/or expense reimbursement request.
- If an expense is to be reimbursed to Executive Officer, Authority Counsel or Board members then a designated member of the Executive Committee should be one of the check signers.

Employees seeking reimbursement must complete the Expense reimbursement (ER) form. Reimbursement claims are to be submitted within 14 days of incurring an expense to Accounting office for processing.

Employees may claim local travel (mileage) limited to \$25 per request on their bi-weekly time sheets/project sheets; such reimbursement will be paid via payroll check. Minor purchases limited to \$25 may be paid by petty cash. All other reimbursements will be paid by FORA check.

Reimbursed business expenses are not wages and are not subject to payroll tax and income tax withholdings.

Persons Covered by This Policy/Approving Authority

This policy applies to FORA employees, Authority Counsel, and FORA Board members, including members of FORA committees.

Cell Phone Policy

Certain Fort Ord Reuse Authority (FORA) job performance may require or be enhanced by cellular phone or a Smart phone ("cell phone") support. Effective April 1, 2013, FORA will issue stipends designed to offset the cost to the employee for using his/her personal cell phone for FORA business according to this policy and will phase out the past provision of FORA owned cell phones.

Monthly Service Stipend

Based on job responsibilities, eligible employees may qualify for a stipend of up to \$50.00 to cover the business use of personal cell phones. Pursuant to the IRS Notice 2011-72 and memorandum to its field examination agents of September 14, 2011 a stipend is considered non-taxable if all three of the following requirements are met:

1. FORA must require the employee to use the employee's cell phone in connection with FORA's business;
2. The employee must maintain the type of a cell phone and service reasonably related to the needs of FORA's business; and
3. The reimbursement must be reasonably calculated and not exceed expenses the employee actually incurs in maintaining the cell phone.

The stipend will be paid as a flat rate added to the employee's regular semi-monthly payroll check. The stipend does not increase the employee's base salary and will not be included in the calculation of any FORA benefits.

The amount of the stipend (not to exceed \$50.00) will be a) determined based on the business use required for the employee to perform his or her job responsibilities. A tiered model based on the current market rates (2013 AT&T rates are attached):

Cellular Service	Usage/Need		
	<i>Light</i>	<i>Regular</i>	<i>Extensive</i>
Voice	10	20	25
Data	13	16	20
Text	2	4	5

Eligibility

An employee is eligible for a stipend if at least one of the following criteria is met:

- The job requires considerable time outside the office during working hours and it is significantly beneficial to FORA operations that the employee be immediately accessible to receive and/or make frequent business calls during those times;
- The job function of the employee requires him/her to be accessible outside of scheduled normal working hours; or
- The job function of the employee requires him/her to have wireless data and internet access outside of scheduled normal working hours or when away from the office.

Employees who are not eligible for a cell phone stipend may be reimbursed for business calls on their personal cell phones with supervisor's approval.

Oversight and Approvals

The Executive Officer confirms employees who may require cell phone/data access and for annually assessing each employee's ongoing demand for a cell phone stipend.

The FORA Executive Committee will review/approve the Executive Officer's use/ stipend.

Employees Rights and Responsibilities

- The employee is responsible for establishing a service contract with the cell phone service provider of his/her choice. The cell phone contract is in the name of the employee, who is solely responsible for all payments to the service provider and securing the phone/equipment.
- The employee may use the cell phone for both business and personal purposes, as needed.
- Support from the FORA's Information Technology (IT) Department is limited to connecting a personally-owned PDA/Smartphone to FORA IT-provided services, including email, calendar, and contacts.
- The employee must demonstrate to the Executive Officer and/or FORA Controller, upon request, that their monthly service charges (including taxes and fees), are equal to or greater than the stipend amount. If the monthly bills, on average, fall short of the stipend amount, the Executive Officer must adjust the stipend to a lower level, or may opt to discontinue the stipend provision for that employee.
- FORA does not accept liability for claims, charges or disputes between the service provider and the employee. Use of the phone in a manner contrary to local, state, or federal laws will constitute misuse, and will result in immediate termination of the stipend.
- Any cell phone that has data capabilities must be secured based on current security standards including password protection and encryption. If a cell phone with data capabilities is stolen or missing, it must be reported to the employee's supervisor, the wireless device service provider, and to FORA IT as soon as possible.
- Employees must delete FORA data from the cell phone upon employment severance, except when required to maintain that data to comply with litigation hold notice(s).

Current Contracts Transition

In order to avoid cancellation fees and to allow for an orderly transition, employees currently using a FORA-owned cell phone can make alternative arrangements to comply with the new policy.

FORA employees who currently use FORA issued cell phones and who qualify for the stipend may keep their existing cellular number and transfer it to a personal account with AT&T or a different carrier. The IT coordinator will initiate the process for "transfer of billing responsibility" and release of the cell phone number to the employee through AT&T's business services. The employee will continue and finalize the transition. Since FORA will no longer issue phone devices to employees, the employee may choose to keep the existing FORA owned cell phone and FORA no longer holds liability for the condition of the equipment or return it as spare cellular equipment.

Cancellation

A stipend agreement will be cancelled when/if:

- An employee terminates FORA employment.
- A management decision results in a change in the employee's duties that eliminates the need/benefit of the support.
- The employee terminates his/her cell phone service.
 - Employee must notify his/her supervisor within 5 business days to terminate the stipend if services are discontinued.

DRAFT

AT&T Individual Plans – 3/2013



Voice plan options:

450 Minutes

\$39.99/mo.

\$0.45/min. for additional minutes

900 Minutes

\$59.99/mo.

\$0.40/min. for additional minutes

Unlimited

Minutes

\$69.99/mo.

Data plan options:

300MB

\$20.00/mo.

3GB

\$30.00/mo.

5GB

\$50.00/mo.

Messaging plan options:

Unlimited MSGS

\$20.00/mo.

PAY PER USE

20¢/text | 30¢/pic/video

FORT ORD REUSE AUTHORITY BOARD REPORT

OLD BUSINESS

Subject: Base Reuse Plan Post-Reassessment Follow-Up

Meeting Date: March 15, 2013

Agenda Number: 7e

ACTION

RECOMMENDATION

- i. Approve Reassessment Report Category I text and figure corrections. Corrections to be included in a future republication of the Base Reuse Plan (compilation and publication of previous Board actions and approvals, 2001 to present).
- ii. Approve March 22, 2013 Board workshop agenda.

BACKGROUND

On December 14, 2012, the FORA Board unanimously received the final Base Reuse Plan (BRP) Reassessment Report prepared by EMC Planning Group. The Reassessment Report identified a policy options list and potential BRP errata/correction consideration for the Board's review. The report grouped its main findings into five categories:

- I. Modifications and Corrections (i.e., typos, outdated references in the BRP, minor clarifications—see **Attachment A** for the full text of the corrections);
- II. Prior Board Actions and Regional Plan Consistency;
- III. Implementation of Policies and Programs;
- IV. Policy and Program Modifications; and
- V. FORA Procedures and Operations.

The five categories are briefly described on page 1-4 of the final report, and are explored in depth in Chapter 3. The final report as received by the Board, listing identified corrections and revisions, is available on FORA's web site: www.fora.org/resources.htm. A summary of the policy topics identified in the final Reassessment Report was appended to the Jan./Feb. 2013 Board reports, and is attached to this report for ease of reference (**Attachment B**).

At the February 15, 2013 post-reassessment policy workshop (the first of three planned workshops), Board discussion included a request that staff provide excerpts relating to the BRP's fundamental vision. The relevant BRP pages are attached (**Attachment C**) and may also be viewed in the full context of BRP Volume I on line at www.basereuse.org/reuseplan/ReusePln/Volume1.pdf

DISCUSSION

At the February 15 workshop, the Board unanimously voted to endorse staff's recommendation to return the previously identified Category I corrections as a March 2013 agenda item for further review. The full text of the corrections, including brief clarifying explanations where warranted, appeared in strikethrough/underline form on pp. 3-2 through 3-19 of the final Reassessment Report, reproduced as Attachment A to this Board report.

In staff's opinion, these edits are of a "housekeeping," non-substantive nature. Representative examples include corrections of spelling and punctuation errors, out-of-date place names, and references to the incorrect jurisdiction for a given site in the BRP. However, staff is respectfully cognizant that some may not concur. Therefore, these errata will be discussed contextually at the

Category I Policy Topics/Options

	BRP Corrections and Updates (typographical errors, minor clarifications, etc.)	FINAL Reassess. Report page ref.
I	I-1 Text corrections	3-3
	I-2 Figure corrections	3-13

Expanded description: A number of typographical errors, minor clarifications, minor omissions, etc., have been identified in both the BRP text and graphics. The BRP also contains a number of factual references that have become outdated due to the passage of time. The Category I corrections identified have no material effect on the purpose, intent, or guidance provided in the BRP, but are meant solely as BRP “clean-up” items.

Proposed follow-up: Bring back as an agenda item in **March 2013** to allow for possible questions, comments, or additional edits. Adopt/approve the Category I BRP corrections at that time.

Considerations:

1. These text/figure corrections would not become integrated into the main text of the BRP until a future BRP republication (to be determined). Until that time, they could be added as an errata sheet to the BRP web page and existing printed copies. The BRP was last published in 2001, using reproductions of figures and maps created mostly in the mid-1990s. No “openable”/operable digital files are known to exist for the figures. As part of a future BRP republication, it may be feasible (depending on available resources and budget) to re-create or replace some of the existing figures using current GIS software/data to incorporate the identified corrections. Alternatively, the corrections could be footnoted onto copies of the existing figures, or simply noted in an errata sheet.
2. Figure 3.5-1, Proposed 2015 Transportation Network (BRP page 114, Reassessment Report page 3-14) should be replaced by a new exhibit with a longer time horizon, possibly from the TAMC 2005 Fee Reallocation Study, at the time of a future BRP republication.

See attached full text of the Category I corrections

Example: Category I – Corrections and Updates ⇔ Category IV – Specific Applicability of Programs/ Policies to Del Rey Oaks and Monterey

If the FORA Board were to decide to expand the policy and program presentation within the BRP to specifically include the cities of Del Rey Oaks and Monterey, this could be efficiently performed in conjunction with implementation of the modifications and corrections suggested in Category I.

Example: Category IV – Refinement of Integrated Mixed Use Concepts ⇔ Category IV – Prioritization of Multimodal (Bicycle, Pedestrian, Transit) Transportation

If the FORA Board were to determine to address these topic areas, a synergy of policy effect could be achieved by addressing them together. The typically higher development intensity of a mixed use area is often well-served by a well-designed multimodal transportation network; each enhances the value and success of the other.

Example: Category IV – Capitalization on Existing Infrastructure – Consider Costs/Benefits/Efficiencies of Capital Improvement Program ⇔ Category V Assess Infrastructure Maintenance Cost Issues

Consideration of these two topics together could result in a comprehensive approach to infrastructure that would address both capital and maintenance costs, and could potentially yield savings both in implementation of the items and in future infrastructure development and maintenance costs.

3.2 CATEGORY I – BRP CORRECTIONS AND UPDATES

Introduction

A number of typographical errors, minor clarifications, minor omissions, etc., have been identified in both the BRP text and graphics. Further, the BRP now contains a number of factual references that have become outdated due to the passage of time. This section of the Reassessment Report addresses the topic of corrections to BRP text and graphics for the FORA Board’s consideration.

Background. Over time and as part of the Scoping Report process, a number of corrections to the BRP have been identified. The corrections do not address background information contained in the BRP. Rather, corrections have been identified for the more substantive components of the BRP, particularly policies and programs and figures that are commonly used as guidance in FORA Board decision making and in public review of FORA Board actions. Table 5, Index of BRP Corrections, lists the identified corrections. The text following Table 5 shows the exact corrections to be considered.

Description and Key Issues. The corrections identified in Table 5 have no material effect on the purpose, intent, or guidance provided in the BRP, but are meant solely as BRP “clean-up” items. Because the corrections do not materially affect the content of the BRP or the direction it provides, the FORA Board could determine that significant deliberation of these modifications may not be necessary. Consequently, it is possible that the FORA Board could elect to direct FORA staff to implement these corrections as an initial step in modifying the BRP.

Table 5 Index of BRP Corrections and Updates

Corrections
Residential Land Use Program E-1.2 (Marina) mis-numbered
Residential Land Use Program C-1.2 (Seaside) out-of-date reference
Residential Land Use Program C-1.3 (Seaside) out-of-date reference
Commercial Land Use Program E-2.3 (Marina) typographical error
Recreational and Open Space Land Use Program B-2.4 (Marina) various errors
Recreation/Open Space Land Use Program C-1.3 (Marina) incorrect reference
Recreation/Open Space Land Use Program C-1.2 (County) incorrect reference
Institutional Land Use Program A-1.1 (Seaside) typographical error
Institutional Land Use Program B-1.1 (Seaside) typographical error
Streets and Roads Program D-1.3 typographical error
Land Use and Transportation Program A-2.1 typographical error
Recreation Policy A-1 (Marina and Seaside) typographical error
Recreation Policy A-2 (Marina) typographical error
Recreation Policy G-1 (all) typographical error
Soils and Geology Program A-2.3 (Seaside/County) format
Soils and Geology Policy A-4 (all) out-of-date reference
Soils and Geology Program A-6.1 (all) clarification
Soils and Geology Program C-2.1 (all) clarification
Hydrology and Water Quality Policy B-1 (all) format
Hydrology and Water Quality Program B-1.2 to 1.7 (Seaside/County) format
Hydrology and Water Quality Program B-2.4 to 2.7 (County) incorrect reference
Hydrology and Water Quality Program B-1.5 (all) clarification
Hydrology and Water Quality Program C-1.2 (all) out of date reference
Hydrology and Water Quality Program C-1.5 (County) typographical error
Hydrology and Water Quality Program C-2.1 (all) wording/format
Hydrology and Water Quality Policy C-3 (all) typographical error
Hydrology and Water Quality Program C-6.1 (Seaside/County) format
Biological Resources Objective A (all) period missing
Biological Resources Program A-3.2 (County) clarifications
Biological Resources Program A-3.2 (County) clarifications
Biological Resources Program A-7.1 (County) typographical error
Biological Resources Program A-8.1 (County/Del Rey Oaks) out-of-date reference

Category I

Corrections
Biological Resources Program A-8.2 (County/Del Rey Oaks) out-of-date reference
Biological Resources Program C-2.2 (County) typographical error
Cultural Resources Program B-2.3 (County) out of date reference
Noise Programs B-2.1 and B-2.2 (Seaside and County) mis-numbered
Seismic and Geologic Hazards Policy A-2.3 (all) out-of-date reference
Seismic and Geologic Hazards Policy A-3 (all) typographical error
Seismic and Geologic Hazards Program A-3.1 (Marina and Seaside) typographical error
Seismic and Geologic Hazards Program B-1.1 (all) out-of-date reference
Seismic and Geologic Hazards Program C-1.1 (Seaside) format error
Fire Flood and Emergency Management Program A-2.1 (Marina) out-of-date reference
Mitigation Measure (hydrology/water quality) typographical error
Mitigation Measure (biological resources) typographical error
Figure Corrections (Various map formatting and content inconsistencies)

Potential Options:

- Make no corrections to the existing typographical and other non-substantive errors found in the BRP.
- Direct FORA staff to modify the BRP with all corrections listed in Table 5.
- Deliberate all or some of the corrections listed in Table 5 before providing direction to FORA staff to modify the BRP with selected corrections.

Synopsis of Public Comments:

None

Text Corrections

Most of the text corrections referenced in Table 5, Index of BRP Corrections and Updates, were identified in the Scoping Report. Others have been independently identified by FORA staff apart from the Scoping Report process. The corrections are largely associated with BRP policies, programs, or mitigation measures. The corrections are grouped by the BRP Element in which the subject text is found. In instances where the

correction may not be obvious, an explanatory note is provided in *italics*. Some corrections are repeated two or three times, typically with different page references, one occurrence for each member jurisdiction to which the subject text applies. Text deletions are noted in ~~strikethrough~~ and text insertions are underlined.

Land Use Element

Volume II, Page 237

Program ~~E-1.2~~ E-1.3: The City of Marina shall prepare one or more master or specific plans for the UC MBEST Center Cooperative Planning District and incorporate provisions to support transportation alternatives to the automobile.

Volume II, Page 241

Program C-1.2: The City of Seaside shall zone and consider development of a golf course community in the New Golf Course Community District totaling 3,365 units. The ~~district~~ District includes the existing 297-unit Sun Bay apartment complex on Coe Road and 3,068 new housing units within the remainder

of this District. The City of Seaside shall replace the remaining residential stock in the New Golf Course Community District with a range of market-responsive housing. Development of this area is contingent on the reconfiguration of the existing POM Annex so that the Army residential enclave is located totally to the east of ~~North-South Road~~ General Jim Moore Boulevard.

Program C-1.3: The City of Seaside shall assist the U.S. Army to reconfigure the POM Annex. The reconfigured POM Annex should include approximately 805 existing units on 344 acres east of General Jim Moore Boulevard and an additional 302 acres of surrounding, vacant land that is intended to be developed for housing to replace the existing POM Annex housing west of ~~North-South Road~~ General Jim Moore Boulevard.

Volume II, Page 255

Program E-2.3: ~~The City~~ The City of Marina shall preserve sufficient land at the former Fort Ord for right-of-ways to serve long-range commercial build-outs.

Volume II, Page 265

Program B-2.4: In the Planned Development/Mixed Use District in the Existing City of Marina Neighborhoods Planning Area, intended for public facilities such as the future Marina Civic Center and related facilities, the City shall install an open space barrier along the border of adjacent Polygons 5a and 5b to prevent potential degradation of this undeveloped habitat. Both polygons provide corridor linkage from the maritime chaparral around the airfield to the habitats in the interior.

Volume II, Page 266

Program C-1.3: The City of Marina shall designate land uses for the following park locations and acreages:

- Neighborhood Park in housing area (Polygon 4): 27 acres.
- Neighborhood Park with community recreation center (Polygon 2B): 10 acres.
- Community Park at existing equestrian center (Polygon 2G): 39.5 acres.
- ~~Community Park with equestrian trailhead (Polygon 17A): 46 acres.~~

Note: Polygon 17A is near the Youth Camp and is not within the City of Marina.

Volume II, Page 271

Program C-1.2: The County of Monterey shall designate land uses for the following park locations and acreages:

- Neighborhood Park in Eucalyptus Road Residential Planning Area (Polygon 19a): 10 acres.
- A minimum of 200 acres in permanent open space within the Eucalyptus Road residential planning area.
- Community Park with equestrian trailhead (Polygon 17A): 46 acres.

Note: See note above regarding City of Marina Program C-1.3.

Volume II, Page 276

Program A-1.1: The City of Seaside shall request to be included in the master planning efforts undertaken by the California State University and shall take an active role to ensure compatible land ~~uses~~ use ~~into~~ transitions between university lands and non-university lands.

Program B-1.1: The City of Seaside shall review all planning and design for Fort Ord land use and infrastructure improvements in the vicinity of schools and

ensure appropriate compatibility including all safety standards for development near schools, as a condition of project approval.

Circulation Element

Volume II, Page 303

Program D-1.3: Each jurisdiction shall evaluate all new development proposals for the need to provide on-street parking as part of the overall ~~on-street~~ parking program.

Volume II, Page 312

Program ~~A-2-1~~ A-2.1: Each jurisdiction with lands at former Fort Ord shall develop transportation standards for implementation of the transportation system, including but not limited to, rights-of-way widths, roadway capacity needs, design speeds, safety requirements, etc. Pedestrian and bicycle access shall be considered for ~~an~~ incorporation into all roadway designs.

Recreation and Open Space Element

Volume II, Page 321

Recreation Policy A-1: The City of Marina shall work with the California State Park System to coordinate the development of Fort Ord ~~Beach~~ Dunes State Park.

Volume II, Page 321

Recreation Policy A-2: The City of Marina shall support the development of a regional Visitor Center/ Historical Museum complex adjacent to the 8th Street entrance to Fort Ord ~~Beach~~ Dunes State Park which will serve as a an orientation center to communicate information about ~~at~~ the former Fort Ord recreation opportunities.

Volume II, Page 324

Recreation Policy G-1: The City of Marina shall use incentives to promote the development of an integrated, attractive park and open space system during the ~~development~~ planning of individual districts and ~~neighborhood's~~ neighborhoods within the former Fort Ord.

Recreation Policy A-1: The City of Seaside shall work with the California State Park System to coordinate the development of Fort Ord ~~Beach~~ Dunes State Park.

Volume II, Page 327

Recreation Policy G-1: The City of Seaside shall use incentives to promote the development of an integrated, attractive park and open space system during the ~~development~~ planning of individual districts and ~~neighborhood's~~ neighborhoods within the former Fort Ord.

Volume II, Page 330

Recreation Policy G-1: Monterey County shall use incentives to promote the development of an integrated, attractive park and open space system during the ~~development~~ planning of individual districts and ~~neighborhood's~~ neighborhoods within the former Fort Ord.

Conservation Element

Volume II, Page 337

Soils and Geology Policy A-4: The City shall continue to enforce the ~~Uniform~~ California Building Code to minimize erosion and slope instability.

Program A-6.1: The City shall prepare and make available a slope map to identify locations in the ~~study area~~ former Fort Ord where slopes poses severe constraints for particular land uses.

Volume II, Page 338

Program C-2.1: The City shall require that the recipients of land recipients of properties within the former Fort Ord implement the Fort Ord Habitat Management Plan.

Volume II, Page 339

Soils and Geology Policy A-4: The City shall continue to enforce the Uniform California Building Code to minimize erosion and slope instability problems.

Program A-6.1: The City shall prepare and make available a slope map to identify locations in the study area former Fort Ord where slopes poses severe constraints for particular land uses.

Program A-2.3: See description of this program above.

Volume II, Page 341

Soils and Geology Policy A-4: The County shall continue to enforce the Uniform California Building Code to minimize erosion and slope instability problems.

Program C-2.1: The City shall require that the recipients of land recipients of properties within the former Fort Ord implement the Fort Ord Habitat Management Plan.

Volume II, Page 342

Program A-2.3: See description of this program above.

Volume II, Page 343

Program C-2.1: The County shall require that the recipients of land recipients of properties within the former Fort Ord implement the Fort Ord Habitat Management Plan.

Volume II, Page 346

Hydrology and Water Quality Policy B-1: The City/County shall ensure additional water supply.

Volume II, Page 347

Program B-1.2: The City/County shall work with FORA and the MCWRA to determine the feasibility of developing additional water supply sources for the former Fort Ord, such as water importation and desalination, and actively participate in implementing the most viable option(s).

Program B-1.3: The City/County shall adopt and enforce a water conservation ordinance developed by the Marina Coast Water District.

Program B-1.4: The City/County shall continue to actively participate in and support the development of “reclaimed” water supply sources by the water purveyor and the MRWPCA to insure adequate water supplies for the former Fort Ord.

Program B-1.5: The City/County shall promote the use of on-site water collection, incorporating measures such as cisterns or other appropriate improvements to collect surface rain water for in-tract irrigation and other non-portable use.

Program B-1.6: The City/County shall work with FORA to assure the long-range water supply for the needs and plans for the reuse of the former Fort Ord.

Program B-1.7: The City/County, in order to promote FORA’s DRMP, shall provide FORA with an annual summary of the following: 1) the number of new residential units, based on building permits and approved residential projects, within its former Fort Ord boundaries and estimate, on the basis of the unit count, the current and projected population. The report shall distinguish units served by water from FORA’s allocation and water from other available sources; 2) estimate of existing and projected jobs

within its Fort Ord boundaries based on development projects that are on-going, completed, and approved; and 3) approved projects to assist FORA's monitoring of water supply, use, quality, and yield.

Note: These programs were originally presented to apply to both the cities and County, inconsistent with the presentation of other policies in the BRP; therefore, they are being separated out to match the predominant BRP format.

Volume II, Page 348

Program C-1.2: The City shall comply with the current version of the General Industrial Storm Water Permit adopted by the SWRCB in November 1991 that requires all storm drain outfalls classified as industrial to apply for a permit for discharge.

Program C-2.1: The City/County shall develop and make available a description of feasible and effective measures and site drainage designs that will be implemented in new development to minimize water quality impacts.

Note: This program was originally presented to apply to both the cities and County, inconsistent with the presentation of other policies in the BRP; therefore, it is being separated out to match the predominant BRP format.

Hydrology and Water Quality Policy C-3: The MCWRA and the City shall cooperate with MCWRA and MPWMD to mitigate further seawater intrusion based on Salinas Valley Basin Management Plan.

Volume II, Page 350

Program B-1.2: See description of this program under Marina above. The City shall work with FORA and the MCWRA to determine the feasibility of developing additional water supply sources for the former Fort Ord, such as water importation and desalination, and actively participate in implementing the most viable option(s).

~~Program B-1.3: See description of this program under Marina above. The City shall adopt and enforce a water conservation ordinance developed by the Marina Coast Water District.~~

~~Program B-1.4: See description of this program under Marina above. The City shall continue to actively participate in and support the development of "reclaimed" water supply sources by the water purveyor and the MRWPCA to insure adequate water supplies for the former Fort Ord.~~

~~Program B-1.5: See description of this program under Marina above. The City shall promote the use of on-site water collection, incorporating measures such as cisterns or other appropriate improvements to collect surface rain water for in-tract irrigation and other non-portable use.~~

~~Program B-1.6: See description of this program under Marina above. The City shall work with FORA to assure the long-range water supply for the needs and plans for the reuse of the former Fort Ord.~~

~~Program B-1.7: See description of this program under Marina above. The City, in order to promote FORA's DRMP, shall provide FORA with an annual summary of the following: 1) the number of new residential units, based on building permits and approved residential projects, within its former Fort Ord boundaries and estimate, on the basis of the unit count, the current and projected population. The report shall distinguish units served by water from FORA's allocation and water from other available sources; 2) estimate of existing and projected jobs within its Fort Ord boundaries based on development projects that are on-going, completed, and approved; and 3) approved projects to assist FORA's monitoring of water supply, use, quality, and yield.~~

These separate programs are added for format consistency. See note above for Page 347.

Program C-1.2: The City shall comply with the current version of the General Industrial Storm Water Permit adopted by the SWRCB in November 1991 that requires all storm drain outfalls classified as industrial to apply for a permit for discharge.

Volume II, Page 351

Hydrology and Water Quality Policy C-3: The ~~MCWRA~~ and the City shall cooperate with MCWRA and MPWMD to mitigate further seawater intrusion based on Salinas Valley Basin Management Plan.

Volume II, Page 352

Program C-6.1: ~~See Program C-6.1 above.~~ The City shall work closely with other Fort Ord jurisdictions and the CDPD to develop and implement a plan for stormwater disposal that will allow for the removal of the ocean outfall structures and end the direct discharge of stormwater into the marine environment. The program must be consistent with State Park goals to maintain the open space character of the dunes, restore natural landforms, and restore habitat values.

This separate program is added for format consistency. See note above for Page 348.

Volume II, Page 353

Program B-1.2: ~~See description of this program under Marina above.~~ The County shall work with FORA and the MCWRA to determine the feasibility of developing additional water supply sources for the former Fort Ord, such as water importation and desalination, and actively participate in implementing the most viable option(s).

Program B-2.4: ~~See description of this program under Marina above.~~ The County shall continue to actively participate in and support the development of "reclaimed" water supply sources by the water purveyor and the MRWPCA to insure adequate water supplies for the former Fort Ord.

Program B-2.5: ~~See description of this program under Marina above.~~ The County shall promote the use of on-site water collection, incorporating measures such as cisterns or other appropriate improvements to collect surface rain water for in-tract irrigation and other non-portable use.

Program B-2.6: ~~See description of this program under Marina above.~~ The County shall work with FORA to assure the long-range water supply for the needs and plans for the reuse of the former Fort Ord.

Program B-2.7: ~~See description of this program under Marina above.~~ The County, in order to promote FORA's DRMP, shall provide FORA with an annual summary of the following: 1) the number of new residential units, based on building permits and approved residential projects, within its former Fort Ord boundaries and estimate, on the basis of the unit count, the current and projected population. The report shall distinguish units served by water from FORA's allocation and water from other available sources; 2) estimate of existing and projected jobs within its Fort Ord boundaries based on development projects that are on-going, completed, and approved; and 3) approved projects to assist FORA's monitoring of water supply, use, quality, and yield.

These separate programs are added for format consistency. See note above for Page 347.

Program C-1.2: The County shall comply with the current version of the General Industrial Storm Water Permit adopted by the SWRCB in November 1991 that requires all storm drain outfalls classified as industrial to apply for a permit for discharge.

Program C-1.5: The County shall adopt and enforce ~~an~~ a hazardous substance control ordinance that requires that hazardous substance control plans be prepared and implemented for construction activities involving the handling, storing, transport, or disposal of hazardous waste materials.

Volume II, Page 354

~~See Program C-6.1 above.~~ Program C-6.1: The County shall work closely with other Fort Ord jurisdictions and the CDPR to develop and implement a plan for stormwater disposal that will allow for the removal of the ocean outfall structures and end the direct discharge of stormwater into the marine environment. The program must be consistent with State Park goals to maintain the open space character of the dunes, restore natural landforms, and restore habitat values.

This separate program is added for format consistency. See note above for Page 348.

Hydrology and Water Quality Policy C-3: The ~~MCWRA and the~~ County shall cooperate with MCWRA and MPWMD to mitigate further seawater intrusion based on Salinas Valley Basin Management Plan.

Volume II, Page 356

Objective A: Preserve and protect the sensitive species and habitats addressed in the Installation-Wide Habitat Management Plan (HMP) for Fort Ord in conformation with its resource conservation and habitat management requirements and with the guidance provided in the HMP Implementing/Management Agreement.

Volume II, Page 378

Program A-3.2: The County shall restrict uses in the natural lands, outside of campground facilities, to low-impact programs for youth, outdoor nature, education, resource management, and trails. The existing pond in ~~the parcel~~ Polygon 17b shall continue to be used for recreational fishing.

Program A-3.3: The County shall prepare, or cause to be prepared, a management plan for ~~the parcel~~ Polygon 17b that addresses special status species

monitoring, controlled burning and firebreak construction/maintenance, vehicle access controls, erosion controls, and regular patrols to assure public use/unauthorized actions are not impacting the habitat. The County shall coordinate with the California Department of Forestry and CDFG to determine suitable habitat management practices for retaining and enhancing habitat values within the oak woodlands.

Note: Polygon 17b is referenced in the related policy.

Volume II, Page 381

Program A-7.1: The County shall consult with CSUMB during its Master Plan ~~Process~~ process regarding potential pedestrian, bicycle and vehicle access to adjacent habitat conservation and corridor areas from the campus. Methods for controlling this access should be developed by CSUMB with assistance from the County and UCNRS.

Biological Resources Policy A-8: The ~~County~~ City of Del Rey Oaks shall maintain the quality of the habitat in the Frog Pond Natural Area.

Note: The Frog Pond Natural Area was unincorporated County land when the BRP was adopted but has since been annexed to Del Rey Oaks.

Program A-8.1: The direct discharge of storm water or other drainage from new impervious surfaces created by development of the office park parcel into the ephemeral drainage in the natural area expansion parcel will be prohibited. No increase in the rate of flow of storm water runoff beyond pre-development quantities shall be managed on-site through the use of basins, percolation wells, pits, infiltration galleries, or any other technical or engineering methods which are appropriate to accomplish these requirements. Indirect sub-surface discharge is acceptable. These storm water management requirements will be used for ~~development~~ development on Polygon 31b.

Program A-8.2: The ~~County~~ City of Del Rey Oaks shall require installation of appropriate firebreaks and barriers sufficient to prevent unauthorized vehicle access along the border of Polygons 31a and 31b. A fuel break maintaining the existing tree canopy (i.e. shaded fuel break) shall be located within a five acre primary buffer zone on the western edge of Polygon 31b. No building or roadway will be allowed in this buffer zone with the exception of picnic areas, trailheads, interpretive signs, drainage facilities, and park district parking. Firebreaks should be designed to protect structures in Polygon 31b from potential wildfires in Polygon 31a. Barriers should be designed to prohibit unauthorized access into Polygon 31a.

Note: Polygons 31a and 31b were unincorporated County land when the BRP was adopted but have since been annexed to Del Rey Oaks.

Volume II, Page 383

Program C-2.2: The County shall apply certain restrictions for the preservation of oak and other protected trees in accordance with Chapter 16.60 of Title 16 of the Monterey County Code (Ordinance 3420).

Volume II, Page 398

Program B-2.3: The County of Monterey, ~~in association with Monterey Peninsula College~~ and all other proponents of new uses of historic structures in the East Garrison area, shall cooperate with the California State Historic Preservation Officer to develop a management strategy that recognizes the historic value of the East Garrison historic district, in accordance with the 1994 agreement developed by the U.S. Army, the Advisory Council on Historic Preservation and the California SHPO. The county will be responsible for initiating any further consultation with the SHPO needed to modify these covenants or conditions.

Note: Monterey Peninsula College no longer has land at East Garrison, where this program applies.

Noise Element

Volume II, Page 414

Program ~~3-2.1~~ B-2.1: See description of Program A-1.1 above.

Program ~~3-2.2~~ B-2.2: See description of Program A-1.2 above.

Volume II, Page 416

Program ~~3-2.1~~ B-2.1: See description of Program A-1.1 above.

Program ~~3-2.2~~ B-2.2: See description of Program A-1.2 above.

Safety Element

Volume II, Page 427

Program A-2.3: The City shall continue to update and enforce the ~~Uniform~~ California Building Code to minimize seismic hazards impacts ~~from~~ resulting from earthquake induced effects such as ground shaking, ground rupture, liquefaction, and or ~~soils~~ soil problems.

Seismic and Geologic Hazards Policy A-3: The City shall designate areas with severe seismic hazard risk as open space or similar use if adequate measures cannot be taken to ensure the structural stability of ~~habituall~~ habitable buildings and ensure the public safety.

Volume II, Page 428

Program A-3.1: As appropriate, the City should amend its General Plan and zoning maps to designate areas with severe seismic hazard risk as open space if ~~not~~ no other measures are available to mitigate potential impacts.

Program B-1.1: The City shall evaluate the ability of critical and sensitive buildings to maintain structural integrity as defined by the ~~Uniform~~ California

Building Code (UBC) in the event of a 6.0 magnitude or greater earthquake. The Public Works Director shall inventory those existing facilities determined to be unable to maintain structural integrity, and make recommendations for modifications and a schedule for compliance with the UBC California Building Code. The City shall implement these recommendations in accordance with the schedule.

Volume II, Page 429

Program A-2.3: The City shall continue to update and enforce the Uniform California Building Code to minimize seismic hazards impacts from resulting from earthquake induced effects such as ground shaking, ground rupture, liquefaction, and or soils soil problems.

Seismic and Geologic Hazards Policy A-3: The City shall designate areas with severe seismic hazard risk as open space or similar use if adequate measures cannot be taken to ensure the structural stability of habituat habitable buildings and ensure the public safety.

Program A-3.1: As appropriate, the City should amend its General Plan and zoning maps to designate areas with severe seismic hazard risk as open space if not no other measures are available to mitigate potential impacts.

Volume II, Page 430

Program B-1.1: The City shall evaluate the ability of critical and sensitive buildings to maintain structural integrity as defined by the Uniform California Building Code (UBC) in the event of a 6.0 magnitude or greater earthquake. The Public Works Director shall inventory those existing facilities determined to be unable to maintain structural integrity, and make recommendations for modifications and a schedule for compliance with the UBC California Building Code. The City shall implement these recommendations in accordance with the schedule.

Seismic and Geologic Hazards Policy C-1: The City shall, in cooperation with other appropriate agencies, create a program of public education for earthquakes which includes guidelines for retrofitting of existing structures for earthquake protection, safety procedures during an earthquake, necessary survival material, community resources identification, and procedures after an earthquake. ~~Program C-1.1: The City shall prepare and/or make available at City hall libraries and other public places, information and educational materials regarding earthquake preparedness.~~

Program C-1.1: The City shall prepare and/or make available at City hall, libraries, and other public places, information and educational materials regarding earthquake preparedness.

Note: Correction to formatting error.

Volume II, Page 431

Program A-2.3: The County shall continue to update and enforce the Uniform California Building Code to minimize seismic hazards impacts from resulting from earthquake induced effects such as ground shaking, ground rupture, liquefaction, and or soils soil problems.

Seismic and Geologic Hazards Policy A-3: The County shall designate areas with severe seismic hazard risk as open space or similar use if adequate measures cannot be taken to ensure the structural stability of habituat habitable buildings and ensure the public safety.

Volume II, Page 432

Program B-1.1: The County shall evaluate the ability of critical and sensitive buildings to maintain structural integrity as defined by the Uniform California Building Code (UBC) in the event of a 6.0 magnitude or greater earthquake. The Public Works Director shall inventory those existing facilities determined to

be unable to maintain structural integrity, and make recommendations for modifications and a schedule for compliance with the ~~UBC~~ California Building Code. The County shall implement these recommendations in accordance with the schedule.

Volume II, Page 436

Program A-2.1: The City shall incorporate the recommendations of the City Fire Department for all residential, commercial, industrial, and public works projects to be constructed in high fire hazard areas before a building permit can be issued. Such recommendations shall be in conformity with the current applicable ~~codes~~ Uniform Building Code Fire Hazards Policies. These recommendations should include standards of road widths, road access, building materials, distances around structures, and other standards for compliance with the ~~UBC Fire Hazards Policies~~ California Building Code, California Fire Code, and Urban Wildland Intermix Code.

Volume IV, Page 4-66

Mitigation: Add a new program that shall require preparation of Mater Drainage Plan ~~should be developed~~ for the Fort Ord property to assess the existing natural and man-made drainage facilities, recommend area-wide improvements based on the approved Reuse Plan and develop plans for the control of storm water runoff from future development, including detention/retention and enhanced percolation to the ground water. This plan shall be developed by FORA with funding for the plan to be obtained from future development. All Fort Ord property owners (federal, state, and local) shall participate in the funding of this plan. Reflecting the incremental nature of the funding source (i.e. development), the assessment of existing facilities shall be completed first and by the year 2001 and submitted to FORA. This shall be followed by recommendations for improvements and an implementation plan to be completed by 2003 and submitted to FORA.

Volume IV, Page 4-173

Mitigation: Because of the unique character of Fort Ord flora, the County shall use native plants from on-site stock ~~shall be used in~~ for all landscaping except turf areas. This is especially important with popular cultivars such as manzanita and ceonothus that could hybridize with the rare natives. All cultivars shall be obtained from stock originating on Fort Ord.

Figure Corrections

The graphics corrections described below were identified in the Scoping Report or have been identified by FORA staff. Textual descriptions of each change are presented; FORA staff would complete corrections to the figures after the reassessment process is complete. The figures are presented in the order in which they appear in the BRP, with a reference to the BRP volume, page number, figure number, and figure name. These corrections apply to figures in Volume 1 and Volume 2.

Framework for the Reuse Plan

Volume I, Page 72

3.2-1 Regional Vicinity Map

- Salinas and Carmel Rivers need labels
- Various font problems with labels

Volume I, Page 73

3.2-2 Topographic Relief Map

- No street names (inconsistent with other maps)
- No jurisdiction labels (inconsistent with other maps)

Volume I, Page 77

3.2-3 Regional Land Use Context

- Inconsistent labeling: Monterey County vs. Monterey Co.

- Does not show land use to northeast of former Fort Ord

Volume I, Page 83

3.2-4 Existing Development

- No Legend items - make it unclear what elements in map represent

Volume I, Page 87

3.2-5 Fort Ord Assets and Opportunities

- Fort Ord Dunes State Park identified as State Beach
- Some boundaries/names have changed, but that this map presents historic context

Volume I, Page 95

3.3-1 Land Use Concept: Ultimate Development

- SF Low Density Residential color in legend does not match color on map
- University Medium Density Residential color in legend does not match color on map
- Inconsistent labeling: Monterey County vs. Monterey Co.

Volume I, Page 97

3.3-2 Proposed Land Use and Regional Context

- Legend does not include regional context land uses (i.e. land uses outside the former Fort Ord)
- SF Low Density Residential color in legend does not match color on map
- University Medium Density Residential color in legend does not match color on map
- Inconsistent labeling: Monterey County vs. Monterey Co.

Volume I, Page 114

3.5-1 Proposed 2015 Transportation Network

- Remove Highway 68 Bypass
- Remove Prunedale Bypass
- Relocate Multimodal Corridor per prior FORA Board approval
- Remove realignment of Reservation Road at East Garrison to reflect adopted Specific Plan

Volume I, Page 117

3.5-2 Roadway Classification and Multimodal Network

- Fort Ord Boundary (in green on map) not identified on legend/not consistent with other figures
- Add proposed Monterey Road State Route 1 interchange, per current Caltrans plans
- Relocate Multimodal Corridor per prior FORA Board approval

Volume I, Page 129

3.6-1 Regional Open Space System

- Change BLM to Fort Ord National Monument
- "Bautista" misspelled "Batista"
- Star symbol not in legend

Volume I, Page 133

3.6-2 Habitat Management Plan

- No labels
- Revise HMP boundaries and designations per 2002 changes

Volume I, Page 137

3.6-3 Open Space & Recreation Framework

- Change BLM to Fort Ord National Monument

- CSUMB on map is shown in two different shades of blue (only one shade of which is identified in legend)
- Light Green & Lime Green colors on map are not identified on legend
- Dark Brown item in legend is not shown (clearly) on map
- Golf Course Item on Legend is not shown on map
- Equestrian Center item on legend is not shown on map
- Visitor/Cultural item on legend is now shown on map
- Fort Ord boundary (in green on map) not identified on legend/not consistent with other figures
- Update trailhead locations to reflect existing conditions and current plans

Volume I, Page 149

3.8-1 Marina Planning Areas

- Jurisdictional boundary labels: Monterey County as “County” inconsistent with other maps
- Font issue
- Leader lines inconsistent with Seaside and Monterey County maps

Volume I, Page 163

3.9-1 Seaside Planning Areas

- Jurisdictional boundary labels: Monterey County as “County” inconsistent with other maps

Volume I, Page 173

3.10-1 County Planning Areas

- No City/County boundary labels, inconsistent with other maps – Identify City of Monterey and Del Rey Oaks

- Change BLM to Fort Ord National Monument
- Typographical error in South Gate Planning Area

Volume I, Page 206

3.11-1 Legislative Land Use Consistency Determinations

- Not identified as a “Figure” (no figure number) on the figure

Volume I, Page 210

3.11-2 Appeals and Review of Development Entitlements

- Not identified as a “Figure” (no figure number) on the figure

Land Use Element

Volume II, Page 215

4.1-1 Existing Development Pattern at Fort Ord

- No legend items - unclear what elements in map represent
- Add historic U.S. Army Housing Area names

Volume II, Page 218

4.1-2 Planning Areas and Local Jurisdictions

- Inconsistent labeling: Monterey County vs. Monterey Co.
- Two labels for Seaside and Marina
- No legend item for Fort Ord boundary – Area shown in blue
- Coastal zone in legend does not appear on map
- Fort Ord Dunes State Park identified as State Beach

Volume II, Page 221

4.1-3 Generalized Land Use Setting

- Inconsistent labeling: Monterey County vs. Monterey Co.
- Does not show land use to northeast of former Fort Ord
- Fort Ord Dunes State Park identified as State Beach

Volume II, Page 227

4.1-4 Sphere of Influence and Annexation Requests

- Inconsistent labeling: Monterey County vs. Monterey Co.
- Legend item description can be confusing – Jurisdiction titles need to be added
- Fort Ord Dunes State Park identified as State Beach
- Polygon 1d mislabeled as Polygon 1e

Volume II, Page 229

4.1-5 City of Marina Land Use Concept

- Eq label on map not identified in legend
- Salinas River shown in black (shown in blue on other maps)
- Polygon 1d mislabeled as Polygon 1e

Volume II, Page 231

4.1-6 City of Seaside Land Use Concept

- SF Low Density in legend, but not shown on map
- Veterans' Cemetery site missing

Volume II, Page 233

4.1-7 County of Monterey Land Use Concept

- Outdated – Shows Monterey (City) and Del Rey Oaks as Monterey County

- SFD Medium Density and Military Enclave Shown in Legend not on Map
- H Symbol shown on map, not in legend
- Fort Ord Dunes State Park identified as State Beach
- Polygon 1d mislabeled as Polygon 1e

Volume II, Page 239

4.1-8 Reconfigured POM Annex

- Out of date – should also show final configuration

Circulation Element

Volume II, Page 287

4.2-1 Existing Transportation Network

- Outdated reference to “Fort Ord Access Gate” on Legend/Map – add “1997” to figure title

Volume II, Page 294

4.2-2 Proposed 2015 Transportation Network

- Remove Highway 68 Bypass per current Caltrans plans
- Remove Prunedale Bypass per current Caltrans plans
- Relocate Multimodal Corridor per prior FORA Board approval
- Remove realignment of Reservation Road at East Garrison to reflect adopted Specific Plan

Volume II, Page 296

4.2-3 Buildout Transportation Network

- Add proposed Monterey Road State Route 1 interchange per current Caltrans plans
- Relocate Multimodal Corridor per prior FORA Board approval
- Remove realignment of Reservation Road at East Garrison to reflect adopted Specific Plan

Volume II, Page 302

4.2-4 Roadway Design Standards

No changes noted.

Volume II, Page 305

4.2-5 Transit Activity Centers and Corridors

- Relocate Multimodal Corridor
- Remove 12th Street label

Volume II, Page 309

4.2-6 Proposed Bicycle Network

- Remove 12th Street label
- Arterial Bicycle Route in legend does not appear on map

Volume II, Page 313

4.2-7 Transportation Right-of-Way

Reservations

- No street names
- City boundary labels Monterey County as “County” inconsistent with other maps
- Label Highway 68 Bypass
- Add proposed Monterey Road State Route 1 interchange
- Update right-of-way widths in response to relocation of the intermodal corridor

Recreation and Open Space Element

Volume II, Page 323

4.3-1 Marina Open Space and Recreation Element

- Jurisdiction lines on map do not include city name label (inconsistent with other maps)
- Y symbol on map not identified in legend
- Orange arrows on map not identified in legend

- Golf Course and Equestrian items in legend are not shown on map
- Hatching on map not identified in legend
- Fort Ord Dunes State Park identified as State Beach
- Trails marker on map displays poorly

Volume II, Page 325

4.3-2 Seaside Recreation and Open Space Element

- Jurisdiction lines on map do not include city name label (inconsistent with other maps)
- CSUMB Legend Color does not match color on Map
- Other public Open Space/Rec legend color does not match color on map
- “Trail” Legend items are color coated in Legend, but one color (black) on map
- Trails marker on map displays poorly
- Black arrows on map not identified in legend and inconsistent with Marina map
- Equestrian and Visitor Center shown in legend not shown on map
- Change BLM to Fort Ord National Monument (legend)
- North Arrow mistake
- Remove color from hatching in legend

Volume II, Page 329

4.3-3 County Recreation and Open Space Element

- Jurisdiction lines on map do not include city name label (inconsistent with other maps)
- “Trail” Legend items are color coated in legend, but one color (black) on map

- Trails marker on map displays poorly
- Black arrows on map not identified in legend and inconsistent with Marina map
- Change BLM to Fort Ord National Monument
- Golf Course and Equestrian items in legend are not shown on map
- “Other Public Open Space – Habitat Management” areas shown in green, not consistent with other maps (where it’s shown as brown)
- Fort Ord Dunes State Park identified as State Beach
- Remove color from hatching in legend
- Update trailhead locations to reflect existing conditions and current plans

Conservation Element

Volume II, Page 369

4.4-1 Oak Woodland Areas

- No jurisdiction names – inconsistent with other maps
- Polygon 1d mislabeled as Polygon 1e
- Highway 68 Bypass not labeled

Volume II, Page 393

4.4-2 Archaeological Resource Sensitivity

- No jurisdiction names – inconsistent with other maps
- Change BLM to Fort Ord National Monument
- Fort Ord Dunes State Park identified as State Beach

Noise Element

Volume II, Page 403

4.5-1 Noise Contours for Monterey Peninsula Airport

- Legend does not include Fort Ord area shown on map
- No jurisdiction names – inconsistent with other maps

Volume II, Page 408

4.5-2 Forecast Year 2015 Airport Noise Contours

- Legend does not include Fort Ord area shown on map
- No jurisdiction names – inconsistent with other maps

Volume II, Page 409

4.5-3 Forecast Year 2010 and CNEL 65db Noise Contour for Monterey Peninsula Airport

- North Arrow mistake
- Legend does not include Fort Ord area shown on map
- No jurisdiction names – inconsistent with other maps

Safety Element

Volume II, Page 424

4.6-1 Seismic Hazards

- No jurisdiction names – inconsistent with other maps
- Legend does not include Highway 68 Bypass shown on map
- Fort Ord streets shown but no street names

Volume II, Page 434

4.6-2 Fire, Flood, and Evacuation Routes

- No jurisdiction names – inconsistent with other maps
- Legend does not include Highway 68 Bypass shown on map
- Fort Ord streets shown but no street names

Volume II, Page 442

4.6-3 Hazardous and Toxic Waste Sites (June 1995)

- No jurisdiction names – inconsistent with other maps
- Legend does not include Highway 68 Bypass shown on map
- Fort Ord streets shown but no street names

3.3 Category II – Prior Board Actions and Regional Plan Consistency

Category II options address two types of possible modifications to the BRP. The first type of modification is based on actions the FORA Board has already taken. These actions address the subject of 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 addresses the subject of adding new policies or programs or expanding existing BRP policies or programs to ensure the BRP is consistent with regional and local plans. Past consistency determinations and consistency of the BRP with regional and local plans are addressed in the Scoping Report. This chapter of the Reassessment Report includes discussion of the above-noted subjects, identifies topics to be considered for each subject as summarized in Table 6, Prior Board Action and Regional Plan Consistency Topics, and includes potential optional action items for each topic for FORA Board consideration.

Modification of the BRP Land Use Concept Map

Land Use Concept Map Modifications Based on Prior FORA Board Consistency Determinations

Background. Over time, the FORA Board has made numerous determinations regarding the consistency of legislative actions taken by local member jurisdictions with the BRP. A complete history of these consistency determinations is included in Section 4.3 of the Scoping Report. A number of the consistency determinations result in more precise descriptions of the actual land use and development approach for lands within the boundaries of member jurisdictions to which the consistency determinations apply.

Table 6 Prior Board Action and Regional Plan Consistency Topics

Topic
Land Use Concept Map Modifications Based on Prior FORA Board Consistency Determinations
Land Use Concept Map Modifications Based on Other Actions
Modify Circulation Related Maps and Text in the BRP and Modify Capital Improvements Program
BRP Modifications Regarding Consistency with Regional and Local Plans

Cat.	Topics/Policies	FINAL Reassess. Report page ref.
I	BRP Corrections and Updates (typographical errors, minor clarifications, etc)	
	Text corrections	3-3
	Figure corrections	3-13
II	Prior Board Actions and Regional Plan Consistency	
	Land Use Concept Map Modifications Based on Prior FORA Board Consistency Determinations (map “republication” based on prior approvals)	3-19
	Land Use Concept Map Modifications Based on Other Actions	3-22
	Modify Circulation Related Maps and Text in the BRP and Modify Capital Improvement Program	3-24
	BRP Modifications Regarding Consistency with Regional and Local Plans	3-25
III	Implementation of “Incomplete”/Yet-to-be-Completed BRP Policies and Programs	
	Land Use, Circulation, Recreation & Open Space, Conservation, Noise, and Safety BRP elements	3-32
	Jurisdictional implementation responsibilities	3-33
	FORA implementation responsibilities	3-33
IV	Policy and Program Modifications	
	<u>Land Use/General</u>	
	1. BRP Visions and Goals	3-71
	2. Evaluation of Land Use Designations Related to the East Garrison-Parker Flats Land Swap Agreement	
	3. Specific Applicability of Programs/Policies to Del Rey Oaks and Monterey	
	4. Support for the Needs of Disadvantaged Communities	
	5. Refinement of Integrated Mixed Use Concepts	
	6. Promotion of Green Building	
	7. Climate Action and Greenhouse Gas Reduction	
	8. Policy on Development/Habitat Interfaces	
	9. Prioritization of Development within Army Urbanized Areas	
	10. Policy on Land Use Compatibility Adjacent to CSUMB Campus	
11. Issues Relating to Gambling		

	<u>Economic Development and Jobs</u> 12. Reversal of the Loss of Middle Class Job and Housing Opportunities 13. Constraints and Uncertainties for Development on Fort Ord 14. Promotion of Economic Development through Outdoor Recreational Tourism/Ecotourism 15. Capitalization on Existing Regional Strengths to Promote Expansion of Office and Research Sectors 16. Establishment and Marketing of a Brand for Fort Ord	3-83
	<u>Urban Blight and Cleanup</u> 17. Prioritization of Funding for and Removal of Blight 18. Evaluation of Base Clean-up Efforts and Methods	3-89
	<u>Aesthetics</u> 19. Prioritization of Design Guidelines	3-92
	<u>Housing</u> 20. Effects of Changes in Population Projections 21. Policy Regarding Existing Residential Entitlements Inventory 22. Cost of Housing and Targeting Middle-income Housing Types	3-93
	<u>Transportation</u> 23. Re-evaluation of Transportation Demands and Improvement Needs 24. Capitalization on Existing Infrastructure – Consider Costs/Benefits/Efficiencies of Capital Improvement Program 25. Policy on Through Traffic at CSUMB 26. Prioritization of Multimodal (Bicycle, Pedestrian, and Transit) Transportation	3-96
	<u>Water</u> 27. Re-evaluation of the Salinas Valley Groundwater Basin Water Supply 28. Prioritization of Water Augmentation 29. Prioritization of Water Conservation	3-101
	<u>Fort Ord National Monument</u> 30. Potential for the National Monument and Tourism to be a Catalyst to Economic Growth in the Region 31. Policy on Land Use Adjacent to the National Monument 32. Integrated Trails Plan 33. Fort Ord Nat'l Monument – Fort Ord Dunes State Park Trail Connection 34. Access Points and Trailhead Development for the Fort Ord Nat'l Mon.	3-106

	<u>Cultural Resources</u> 35. Site for a Native American Cultural Center 36. Additional Policy on Historic Building Preservation	3-111
	<u>Veterans' Cemetery</u> 37. Veterans' Cemetery Location 38. Veterans' Cemetery Land Use Designation 39. Policy Regarding the Veterans' Cemetery	3-112
V	FORA Procedures and Operations	
	1. FORA Board composition, representation, and voting process 2. Oversight of the land use/development implementation decisions of local jurisdictions 3. Regularly track and report on the status of BRP policy and program implementation 4. Clarify the methodology for making consistency determinations and track and report results of consistency determinations 5. Provide regular updates on modifications to the BRP Land Use Concept map 6. Regularly monitor, update and report on status of BRP build-out constraint variables and other measures of BRP implementation status 7. Improve access to and disclosure of FORA Board decisions and fundamental data regarding the status of base reuse 8. Periodically Assess the BRP 9. Prepare a FORA Phase-Out Plan 10. Assess Infrastructure Maintenance Cost Issues	3-118



Environmental Remediation: Cleaning up contaminated property is a critical part of the legal process for transferring ownership of military property. Under federal law, title may not be transferred until the toxic or hazardous situation is remedied, or the remediation process is in place and operating correctly. Successful reuse of the former Fort Ord requires the Army to clean up each parcel on the base to the level required for its intended use as designated by this document. The duration and nature of clean-up activities will affect interim and long term reuse implementation.

The former Fort Ord was listed on the Superfund list in 1990. Cleanup here will include extracting and treating contaminated groundwater and capping the landfills to limit future infiltration and minimize additional leaching. Forty-one sites have been identified as potentially hazardous sites.

Framework for the Reuse Plan

The Framework for the Reuse Plan establishes the broad development considerations that link the various Reuse Plan elements for each of the land use jurisdictions into an integrated and mutually supporting structure.

Community Design Vision: The design and planning vision for the future of the former Fort Ord draws its inspiration from several sources:

- the nature of the land and existing facilities on the base;
- the history and culture of the Monterey Peninsula, and particularly Fort Ord itself;
- sound principles of community-making; and
- a responsible and positive attitude toward the environment.

The opportunity provided by this 27,879.4-acre resource is inestimable. The challenge, however, to not squander or abuse the special qualities of this place is substantial as well. The designation of Fort Ord as a model reuse project chosen among the 1991 round of base closures is indicative both of the challenges to be met in the future and the opportunities inherent in this unique site and its surrounding region.

The prevalence of the Peninsula academic and environmental communities has in recent years spawned a variety of educational and research initiatives. Following this lead, University of California (UC) and California State University (CSU) have both begun to plan and implement ambitious and important facilities at the former base. These facilities in many ways will form the nucleus of the future community envisioned to grow at this site.

The vision for the future of the former Fort Ord is that a community will grow up on the former Base, having a special character and identity. This community, at the same time, will fit with the character of the Peninsula, complementary with the scale and density of the existing communities from Marina to Carmel. It will demonstrate a respect for the special natural environment of the Peninsula



Fort Ord Reuse Plan

and the scenic qualities of the Bay, coastal dune areas, and upland reaches. It will also be complementary to the rich tradition and reality of agriculture in the Salinas Valley, which forms such an important part of the regional character and economy, while enhancing the experience of visitors to the Peninsula. Most importantly, the community will be a special place for living and working. It will provide a diversity of experience and opportunity, with a development approach that is sustainable and appropriate.

Design Principle 1: Create a unique identity for the new community around the educational institutions. The centerpiece of the community at the former Fort Ord will be the education centers that have been integrated into the reuse of the former Fort Ord and which provide a central focus for the reintegration of the former military base into the regional economy. Three major post-secondary institutions are participating in the reuse of the base. The CSUMB campus, the UC MBEST Center, and the Monterey Peninsula College District will all become significant catalysts to the economic development of the region.

Design Principle 2: Reinforce the natural landscape setting consistent with Peninsula character. The former Fort Ord is part of the gentle crescent that frames Monterey Bay, situated between the great Salinas River Valley and the dramatic coastal range that juts into the Pacific to form the Monterey Peninsula.

Design Principle 3: Establish a mixed-use development pattern with villages as focal points. Consistent with the character of a college town with a vibrant, around-the-clock level of activity and vitality, the community is planned to consist of a series of villages with mixed-use centers.

Design Principle 4: Establish diverse neighborhoods as the building blocks of the community. The special character of the communities in the Monterey Peninsula is due in part to the diversity of their residential neighborhoods. They are typically small scaled, with one and two story buildings. Open space is plentiful, giving the overall impression of a green and lush landscape.

Design Principle 5: Encourage sustainable practices and environmental conservation. The reuse of the former Fort Ord as a mixed-use community within the larger Monterey Peninsula provides the opportunity to demonstrate a wide range of design and planning practices that are consistent with accepted notions of sustainability and environmental conservation. A majority of the area of the former Fort Ord will be set aside for habitat management with limited recreation opportunities included. The remaining portions of the former base will be developed into a mixed-use community which provides housing and employment opportunities, reducing the need for long distance commuting throughout the region.

Design Principle 6: Adopt regional urban design guidelines. 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. Regional urban design guidelines will be prepared and adopted by FORA to govern the visual quality of areas of regional importance within the former Fort Ord.

The Reuse Plan provides Design Objectives to guide development of the former Fort Ord that address:

- Community Form;
- Development Pattern;
- Town and Village Centers;
- Existing Neighborhoods;
- New Neighborhoods;
- Major Development Sites; and
- Landscape and Open Space.

Existing Setting and Character of the Former Fort Ord

The regional character provides a description of the landscape and communities of the Peninsula. The urbanism of the Peninsula provides a description of the architectural and urban design resources.

The existing development at the former Fort Ord describes the various land use zones that make up the current land resource. The major development opportunities and assets are identified including:

- CSUMB;
- UC MBEST Center;
- Monterey Peninsula College District;
- Marina Municipal Airport;
- Fort Ord Dunes State Park;
- BLM Land Management;
- Golf Courses;
- Existing Housing Resources;
- Monterey Peninsula Unified School District (MPUSD) Resources; and
- Military Enclave including the POM Annex, DFAS, and other facilities.



The Land Use Concept

The Ultimate Development Plan and Map is a consensus plan and the product of the on-going reuse planning process at the former Fort Ord. The Land Use Concept reflects the ultimate reuse of the lands at the former Fort Ord and expresses a long range vision for the property consistent with the role the former Fort Ord will play in the region.

Development Capacity: The land supply is expected to accommodate growth for 40 to 60 years depending on the land use type and future market conditions.

Public Uses at the former Fort Ord: Of the nearly 28,000 acres at the former Fort Ord, 85 to 86% of the lands are reserved for public use.

Economic Development at For Ord: The remaining 14 to 15% of the lands at the former Fort Ord are planned in a coordinated way to provide a mix of uses that reflect market projections, promote the strategic objectives identified during the course of the reuse planning efforts, and can pay for infrastructure costs.

Employment Projections: The ultimate development land use plan is expected to generate a total of between 45,000 to 46,000 jobs.

Population Projections: The ultimate development land use plan will accommodate a resident population of an estimated 51,770 people, excluding the resident student population at CSUMB. With the resident full-time equivalent (FTE) students, the population at the former Fort Ord will rise to 71,770.

Land Use Designations and Land Resources

The land use designations which are shown on the Ultimate Development Map are organized by:

- Residential Uses;
- Mixed Use and Commercial Uses;
- Retail Uses;
- Visitor Serving Uses;
- Open Space, Recreation, and Habitat Uses;
- Institutional and Public Facilities; and
- Community ROW.

Circulation Concept

It is clear that the redevelopment of the former Fort Ord, plus growth throughout the remainder of Monterey County and the region, will significantly increase the demand placed on the region's transportation infrastructure and services. While the former Fort Ord will be the location of a portion of this



growth, reuse will only contribute to a region-wide traffic problem. To some extent, the increases in travel demand will be managed by building or improving transportation facilities, but there also exists a variety of concepts and objectives that can be used to minimize the demand for vehicle trips as an alternative to increasing roadway capacity. The approach taken as part of the Fort Ord Reuse Plan seeks to balance these two components to achieve a transportation system that is both financially feasible and operationally acceptable.

The Circulation Concept identifies the major regional and localized issues and defines the proposed roadway network. Approaches to travel demand management are identified including:

- Jobs/Housing Balance;
- Mixed-Use Development/Increased Densities;
- Design of the Street Networks;
- Pedestrian Facilities;
- Bicycle Programs;
- Transit-Oriented Design;
- Transit Service and Facilities;
- Park-and-ride Lots;
- Rideshare Program;
- Parking Management;
- Employer-Based Transportation Demand Management (TDM) Programs; and
- Telecommunications.

Conservation, Open Space, and Recreation Concept

Many of the land uses proposed for the future development of the former Fort Ord fall into the category of open space. Among these are lands set aside for habitat protection, park lands dedicated to public recreation, commercial recreation lands such as golf courses, institutional settings such as the CSUMB campus, and some isolated peripheral areas which form image gateways along major roadways.

In order to take advantage of these existing land-based opportunities, and to form a meaningful greater whole throughout the former Fort Ord with regards to conservation and recreation, four major concepts, or themes, were developed to guide conservation and recreation planning. These themes are seen as ways to ground planning in a conceptual framework based on sound ecological ideas combined with a vision of economic redevelopment. The essence of these themes can be summarized as follows:



Fort Ord Reuse Plan

Theme 1: Connect the individual open space parcels into an integrated system for movement and use of both native plant and animal species and people.

Theme 2: Integrate the former Fort Ord with the regional open space system, creating a network of recreation and habitat resources which is unique considering the adjacent agricultural and urban amenities, and which will attract economic growth through a variety of recreation experiences.

Theme 3: Achieve a balance between recreation and conservation with appropriate land use designations to support both functions. Plan with multiple goals in mind, so that lands identified primarily as recreation resources will also be managed for value as habitat, and habitat lands can also serve as a recreation resource. For example, habitat can promote a recreation value, such as serving as a trail conduit, or for nature viewing.

Theme 4: Achieve a permanent conservation of all habitat types. A multiplicity of habitat types have been identified at the former Fort Ord, each with its own complement of special status species. True conservation means regarding each as having some value in its own right, not just those identified as having the highest habitat values. This may best be achieved by distributing open space areas throughout the former Fort Ord.

Planning Areas and Districts

Planning Areas and Districts within the County of Monterey and cities that have corporate limits within the former Fort Ord are designated to manage long-term growth and reinforce the community design vision for the former Fort Ord. They are based on the surrounding development context and the Development Framework, Circulation Framework, and Conservation, Open Space and Recreation Framework. They build on the major assets within the former Fort Ord including: CSUMB, UC MBEST Center, the Marina Municipal Airport, the East Garrison and the existing housing resources and recreational and open space features. The Planning Areas and Districts provide a flexible tool for planning and implementing coordinated development to take advantage of these assets for achieving the desirable community vision.

Planning Areas and Districts are defined for the City of Marina, the City of Seaside, and Monterey County. For each district, the Reuse Plan:

- Projects a development program based on the land use provisions; and
- Identifies Development Character and Design Objectives.

Reuse Plan Implementation

The strategies for economic recovery for the redevelopment of the former Fort Ord depend upon the following foundation:

- Community Development Themes to identify desirable outcomes;



- the on-going use of Phasing Scenarios as a strategic planning tool to help formulate policy and forecast future conditions and feasibility; and
- the Principles and Approaches to growth management which will form the basis for preparing a Community Improvements Plan and for managing growth.

Community Development Themes: The Reuse Plan articulates four Community Development Themes to facilitate the economic recovery at the former Fort Ord:

Theme 1: Recovery and Long Term Economic and Fiscal Health of the former Fort Ord Communities, the Monterey Peninsula, and the Region with respect to:

- Job Replacement;
- Balanced Growth;
- Rapid Redevelopment;
- Positive Fiscal Impact;
- Managed Water Supply; and
- Managed Residential Development.

Theme 2: Environmental Responsibility with respect to:

- Habitat Management;
- Allocating the Costs of Habitat Management;
- Open Space and Recreational Resources;
- Visual Gateway to the Monterey Peninsula;
- Sustainability; and
- Clean-Up of Hazardous Materials.

Theme 3: Regulatory Framework with respect to:

- Simple But Flexible Growth Management;
- Equitableness; and
- Responsibility.

Theme 4: Regional Accountability with respect to:

- Integration of Long Range Plans for the former Fort Ord.



Business and Operations Plan Development Strategies: The Business and Operations Plan has been prepared for a twenty-year planning horizon (to the year 2015) which attempts to optimize financial performance in order to see whether, under realistic assumptions, the identified program can be feasibly constructed in the market place.

The Comprehensive Business Plan (CBP) was prepared to assist FORA in devising a viable and equitable financing plan for reuse and is based on many assumptions for which information is continuously improved. The CBP serves as a guide to indicate how FORA could establish fees, and finance the identified capital costs, while respecting real estate market projections. The recommendations of the CMP and the financing tools recommended in the Public Facilities Improvement Plan (PFIP) is under review and refinement by FORA. **Adoption of a financing plan and development fees will be separate actions taken by FORA subsequent to certification of the Final EIR and adoption of the Reuse Plan.**

The Business and Operations Plan is built from the following development strategies:

Market Strategy: Accommodate the broadest number of segments of the desirable real estate market during the initial years. This strategy will: 1) allow leverage of the housing market to enhance the attractiveness of the former Fort Ord as a jobs center; 2) use market support to generate investment capital for infrastructure improvements; and 3) if properly managed, put into place the threshold investments that will carry the vision for the former Fort Ord beyond the 2015 horizon.

Circulation Strategy: Build on the existing transportation network to the greatest advantage so that the most expensive improvements can be postponed for the longest time. This strategy will: 1) maximize the available capacity at the existing interchanges located on State Highway 1; 2) utilize the existing roadway alignment and capacity in the Imjin Road Corridor for the longest period possible; 3) implement a new east-west corridor between Reservation Road (extending north-east along the Davis corridor to Salinas) and General Jim Moore Boulevard to augment the capacity in the Imjin/Blanco Corridor; 4) connect the existing Marina neighborhoods north of the former Fort Ord with the existing housing resources in the northwest corner of the former Fort Ord; and 5) preserve sufficient ROW's to serve long-range build-out.

Infrastructure Strategy: Maximize the use of existing infrastructure improvements to support development in the initial years while preserving the greatest flexibility to respond to future development opportunities. Establish the principle that every area covers "its own cost of service." This strategy will: 1) identify opportunities that can be developed easily and with modest improvements in the service network; 2) take advantage of the existing network of services that facilitates the long-range development opportunities; 3) identify opportunity areas where infrastructure can be more cost effectively provided with services independent of the main



Community-Building Strategy: Capitalize on the valuable synergy that can be achieved by developing coherent and balanced communities that take advantage of the major existing assets and public investments. This strategy will: 1) provide a community that supports the emerging CSUMB campus; 2) build on the activity that is emerging at the new Marina Municipal Airport; 3) support the inherent opportunities at the UC MBEST Center to attract new technology-driven and research-based employers; 4) fully integrate the communities within the former Fort Ord with the regional recreation and open space resources managed by the State Parks and BLM; 5) take advantage of the proximity to State Highway 1 to create a gateway to the former Fort Ord; 6) utilize the two existing golf courses in Seaside; 7) integrate the existing housing stock into the surrounding communities; and 8) build on the continuing commitments by the DoD represented by the Defense Finance and Accounting Service (DFAS), and POM Annex and other elements of the military enclave.

Fiscal Strategy: Balance the cost of services with the potential revenue stream to the various jurisdictions within the former Fort Ord boundaries to optimize the fiscal health and self-sufficiency of each governmental entity. This strategy should result in a positive cost/revenue balance for each land use agency.

Growth Management Principles: The CIP will be the primary tool for growth management at the former Fort Ord by guiding the provisions for infrastructure. Two basic principles have been identified for managing the provision of infrastructure within FORA. These principles underlie all management approaches that were considered for the implementation of the Reuse Plan.

Growth Management Principle 1: All of the developable lands within FORA's jurisdiction have the potential to be served with infrastructure.

Growth Management Principle 2: Properties within FORA's jurisdiction will have access to infrastructure on a "first-come, first-served" basis based on the adopted CIP.

Implementation Process and Procedures: The Reuse Plan defines the process and procedures for Plan Amendments, Consistency Determination, and Development Entitlements and Appeals, pursuant to California Government Code Section 67675.

Implementation of the HMP: The Reuse Plan describes the "Implementing/Management Agreement" and its relationship to the HMP and the member agencies of FORA.

1.2.2 Volume 2 - Elements of the Reuse Plan

Each land use jurisdiction approving development within the former Fort Ord will need to adopt General Plan Elements or Master Plans consistent with the Reuse Plan. The elements of the Reuse Plan provide the specific provisions for each of the three land use jurisdictions with current responsibility for controlling development of the former Fort Ord lands: the City of Marina, the City of Seaside, Monterey County, University of California, California State University, and the California Department of Parks and Recreation.



Fort Ord Reuse Plan

former Fort Ord network or where special financing will cover the cost of the service; and 4) set the stage for development after 2015 with a sufficient reserve to finance major investments in capacity.

The heart of the Reuse Plan Elements is a set of integrated and internally consistent goals, objectives, policies, and programs for each of the three land use jurisdictions. They reflect the vision for the former Fort Ord and establish who will carry out the activities needed to reach each goal. Goals and objectives are the same for each jurisdiction, while the policies and programs have been designed to meet the specific needs of each jurisdiction.

Section 4 includes Goals, Objectives, Policies and Programs by land use jurisdiction for each element, including:

- Land Use Element;
- Circulation Element;
- Recreation and Open Space Element;
- Conservation Element;
- Noise Element; and
- Safety Element.

The goals for the Reuse Plan Elements are:

Land Use Goal: Promote orderly, well-planned, and balanced development to ensure educational and economic opportunities as well as environmental protection.

Circulation Goal: Create and maintain a balanced transportation system, including pedestrian ways, bikeways, transit, and streets, to provide for the safe and efficient movement of people and goods to and throughout the former Fort Ord.

Recreation and Open Space Goal: Establish a unified open space system which preserves and enhances the health of the natural environment while contributing to the revitalization of the former Fort Ord by providing a wide range of accessible recreational experiences for residents and visitors alike.

Conservation Goal: Promote the protection, maintenance and use of natural resources, with special emphasis on scarce resources and those that require special control and management.

Noise Goal: To protect people who live, work, and recreate in and around the former Fort Ord from the harmful effects or exposure to excessive noise; to provide noise environments that enhance and are compatible with existing and planned uses; and to protect the economic base of the former Fort Ord by preventing encroachment of incompatible land uses within areas affected by existing or planned noise-producing uses.



Seismic and Geologic Hazards Goal: To prevent or minimize loss of human life and personal injury, damage to property, and economic and social disruption potentially resulting from potential seismic occurrences and geologic hazards.

Fire, Flood and Emergency Management Goal: To prevent or minimize loss of human life and personal injury, damage to property, and economic and social disruption potentially resulting from fire, flooding, or other natural disasters.

Hazardous and Toxic Material Safety Goal: To prevent or minimize loss of human life and personal injury, damage to property, and economic and social disruption potentially resulting from hazardous and toxic materials.



**BOARD OF DIRECTORS SPECIAL MEETING/ WORKSHOP
Friday, March 22, 2013 at 2:00 p.m.
910 2nd Avenue, Marina, CA 93933 (Carpenter's Union Hall)**

AGENDA

- 1. CALL TO ORDER AND ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE**
- 4. WORKSHOP - Base Reuse Plan Reassessment Report Topics and Options**
 - a. Category II: Previous Board Actions, Regional Plan Consistency**
 - i. Recap of previous discussion at Feb. 15, 2013 workshop
Staff recommendation: Endorse conceptual work plan for Cat. II action items as summarized in Board report (staff to return each Cat. II action item as a separate agenda item in May-July for further review)
 - ii. Initial Board member questions, comments, or requests for clarification
 - b. Category III: Implementation of Policies and Programs**
 - i. Overview/framing of issues
Staff recommendation: Direct Administrative Committee and FORA staff to coordinate a work plan to address yet-to-be-completed BRP policies and programs. Return work plan recommendations for Board consideration/direction as a subsequent Board agenda action item (target: July/August 2013).
 - ii. Initial Board member questions, comments, or requests for clarification
 - c. Category IV: Policy and Program Modifications**
 - i. Overview/framing of issues
Staff recommendation: Appoint a Post-Reassessment ad hoc committee of Board members to identify near-term and medium-term (through FY 13-14) Cat. IV work plan priority recommendations for full Board review at a subsequent Board meeting(s). Authorize contract amendment #1 with Concur, Inc. for Post-Reassessment ad hoc committee facilitation services, not to exceed \$_____ (to be determined).
 - ii. Initial Board member questions, comments, or requests for clarification
 - d. Public comment on Categories II, III, and IV**
 - e. Board deliberation/direction on Categories II, III, and IV staff recommendations**
- 9. PUBLIC COMMENT PERIOD**

Members of the audience wishing to address the Fort Ord Reuse Authority ("FORA") Board on matters within the jurisdiction of FORA, but not on this agenda, may do so during the Public Comment Period. Public comments are limited to a maximum of three minutes.
- 10. ITEMS FROM MEMBERS**
- 11. ADJOURNMENT**

NEXT REGULARLY SCHEDULED BOARD MEETING: APRIL 12, 2013

FORT ORD REUSE AUTHORITY BOARD REPORT

NEW BUSINESS

Subject:	CONSISTENCY DETERMINATION: City of Seaside Local Coastal Program	
Meeting Date:	March 15, 2013	ACTION
Agenda Number:	8a	

RECOMMENDATION(S):

Approve Resolution 13-XX (**Attachment A**), concurring in the City of Seaside's ("Seaside") legislative land use decision that the Seaside Local Coastal Program ("LCP") is consistent with the Fort Ord Base Reuse Plan ("BRP").

BACKGROUND:

Seaside submitted the LCP for consistency determination on March 1, 2013 (**Attachment B**). Seaside requested a Legislative Land Use Decision review of the LCP in accordance with section 8.02.010 of the Fort Ord Reuse Authority ("FORA") Master Resolution. Under state law, (as codified in FORA's Master Resolution) legislative land use decisions (plan level documents such as General Plans, Zoning Codes, LCPs, Redevelopment Plans, etc.) must be scheduled for FORA Board review under strict timeframes. This item is included on the Board agenda because the LCP is a legislative land use decision, requiring Board approval. The Seaside LCP legislative land use decision consists of a Land Use Plan and a Coastal Implementation Plan which includes a zoning ordinance and maps. The only former Fort Ord territory affected by the Seaside LCP is land located in the State Route 1 right-of-way, which is under the jurisdiction of the California Department of Transportation ("Caltrans").

The FORA Administrative Committee reviewed this item on March 6, 2013.

DISCUSSION:

Seaside staff will be available to provide additional information to the FORA Board on March 15, 2013. In all consistency determinations, the following additional considerations are made and summarized in a table (**Attachment C**).

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. In general, it is noted that the BRP is a framework for development, not a precise plan to be mirrored. However, there are thresholds set in the resource constrained BRP that may not be exceeded without other actions, most notably 6,160 new residential housing units and a finite water allocation. More particularly, the rationales for consistency analyzed are:

LEGISLATIVE LAND USE DECISION CONSISTENCY FROM SECTION 8.02.010 OF THE FORA MASTER RESOLUTION

(a) In the review, evaluation, and determination of consistency regarding legislative land use decisions, the Authority Board shall disapprove any legislative land use decision for which there is substantial evidence support by the record, that:

(1) Provides a land use designation that allows more intense land uses than the uses permitted in the Reuse Plan for the affected territory;

The BRP land use concept map (Figure 3.3-1) does not identify a land use designation for Highway 1 Caltrans right-of-way. The LCP would establish a Coastal Transportation Corridor (“CTC”) land use designation for the Caltrans right-of-way (the Highway 1 roadway, embankments, and the Seaside segment of the recreation trail). The railroad corridor is outside of the CTC. The stated purpose of the CTC designation is to accommodate motorized and non-motorized transportation, which is consistent with the existing uses.

(2) Provides for a development more dense than the density of uses permitted in the Reuse Plan for the affected territory;

The BRP does not identify a land use designation and does not describe permitted uses for the affected territory. The range of permitted uses in CTC land use designation would be consistent with the existing range of uses.

(3) Is not in substantial conformance with applicable programs specified in the Reuse Plan and Section 8.02.020 of this Master Resolution;

The LCP meets applicable program conditions. See Seaside’s Supplemental Consistency Determination Checklist, provided in the online link in **Attachment B**. The Seaside LCP consistency determination submittal includes a supplemental checklist that identifies applicable BRP programs and policies to Seaside’s action. FORA staff concludes that, although City of Seaside’s supplemental checklist notes that Noise Policy B-3 is applicable to Seaside’s action and the policy was identified as an incomplete policy in the BRP Reassessment Report, the LCP would not affect this policy since the adoption of the LCP does not permit a development project. Noise Policy B-3 states: “The City shall require that acoustical studies be prepared by qualified acoustical engineers for all new development that could result in noise environments above noise range I (normally acceptable environment), as defined in Table 4.5-3. The studies shall identify the mitigation measures that would be required to comply with the noise guidelines, specified in Tables 4.5- 3 and 4.5-4, to ensure that existing or proposed uses will not be adversely affected. The studies should be submitted prior to accepting development applications as complete.” With this exception noted, FORA staff concurs with Seaside’s identification of applicable programs and policies in their supplemental checklist.

The FORA Administrative Committee received a letter from Jane Haines on March 4, 2013 (**Attachment D**) requesting staff analysis of which BRP programs are applicable to Seaside’s action. Ms. Haines lists nine policies and programs that she has reviewed and considers applicable or potentially applicable to Seaside’s action. FORA staff’s analysis of these same policies and programs is included in **Attachment E**.

(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 LCP designation of CTC for the Highway 1 right-of-way presents no such conflicts and is compatible with open space, recreational, or habitat management areas.

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

The CTC designation has no impact on provision of infrastructure. To the extent feasible, future Seaside development within the former Fort Ord area that is affected by the LCP will continue to pay its fair share of the basewide costs through the FORA Community Facilities District special tax and tax increment that will accrue to FORA.

(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 with reserve areas or development with restrictions,” 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 LCP only affects Caltrans right-of-way lands that are located within areas designated for “Development with reserve areas or development with restrictions” under the HMP. Lands designated as “Development with reserve areas or development with restrictions” have certain habitat management responsibilities placed upon them as a result of the HMP. The LCP would not affect Caltrans’ implementation of management responsibilities under 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 LCP incorporates Highway 1 Design Corridor Design Guidelines. The CTC designation does not result in any new proposed development.

(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 LCP does not affect implementation of FORA jobs/housing balance requirements.

Additional Considerations

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

The LCP does not modify prevailing wage requirements for future development entitlements within Seaside’s former Fort Ord footprint.

FISCAL IMPACT:

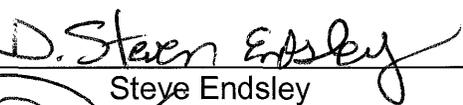
Reviewed by FORA Controller 

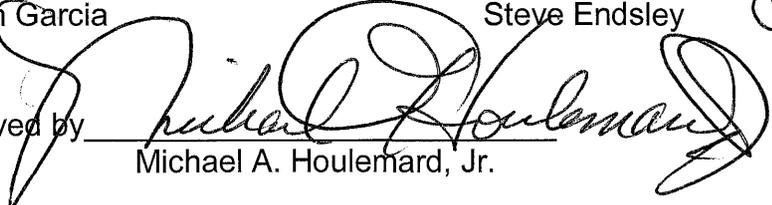
This action is regulatory in nature and should have no direct fiscal, administrative, or operational impact. In addition to points already dealt with in this report, the former Fort Ord developments expected to be charged with reuse subject to the LCP would be covered by the Community Facilities District or other agreement to the extent feasible, ensuring a fair share payment of appropriate future fees to mitigate for impacts delineated in the 1997 BRP and accompanying Environmental Impact Report. Seaside has agreed to provisions for payment of required fees for future developments in the former Fort Ord under its jurisdiction.

Staff time related to this item is included in FORA's annual budget.

COORDINATION:

Seaside staff, Authority Counsel, Administrative Committee, and Executive Committee.

Prepared by  Jonathan Garcia Reviewed by  Steve Endsley

Approved by  Michael A. Houlemard, Jr.

Resolution 13-XX

Resolution Determining Consistency of)
the City of Seaside Local Coastal Program)

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

- A. On June 13, 1997, the Fort Ord Reuse Authority ("FORA") adopted the Final Base Reuse Plan under Government Code Section 67675, et seq.
- B. After FORA adopted the reuse plan, Government Code Section 67675, et seq. requires each county or city within the former Fort Ord to submit to FORA its general plan or amended general plan and zoning ordinances, and to submit project entitlements, and legislative land use decisions that satisfy the statutory requirements.
- C. By Resolution No. 98-1, the Authority Board of FORA adopted policies and procedures implementing the requirements in Government Code 67675, et seq.
- D. The City of Seaside ("Seaside") is a member of FORA. Seaside has land use authority over land situated within the former Fort Ord and subject to FORA's jurisdiction.
- E. After a noticed public meeting on February 21, 2013, the City of Seaside adopted the Local Coastal Program ("LCP"), affecting lands located in the State Route 1 right-of-way on the former Fort Ord and consisting of a Land Use Plan and a Coastal Implementation Plan which includes a zoning ordinance and maps. Seaside also found the LCP is consistent with the Fort Ord Base Reuse Plan, FORA's plans and policies and the FORA Act and considered the Fort Ord Base Reuse Plan Environmental Impact Report ("EIR") in their review and deliberations.
- F. On March 1, 2013, the City of Seaside recommended that FORA concur in the City's determination that FORA's Final Base Reuse Plan, certified by the Board on June 13, 1997, and the LCP are consistent. Seaside submitted to FORA its LCP together with the accompanying documentation.
- G. Consistent with the Implementation Agreements between FORA and Seaside, on March 1, 2013, Seaside provided FORA with a complete copy of the submittal for lands on the former Fort Ord, the resolutions and/or ordinance approving it, a staff report and materials relating to the City of Seaside's action, a reference to the environmental documentation and/or CEQA findings, and findings and evidence supporting its determination that the LCP is consistent with the Fort Ord Base Reuse Plan and the FORA Act (collectively, "Supporting Material"). Seaside requested that FORA certify the LCP as being consistent with the Fort Ord Base Reuse Plan for those portions of Seaside that lie within the jurisdiction of FORA.
- H. FORA's Executive Officer and the FORA Administrative Committee reviewed Seaside's application for consistency evaluation. The Executive Officer submitted a report recommending that the FORA Board find that the LCP is consistent with the Fort Ord Base Reuse Plan. The Administrative Committee reviewed the Supporting

Material, received additional information, and concurred with the Executive Officer's recommendation. The Executive Officer set the matter for public hearing regarding consistency of the LCP before the FORA Board on March 15, 2013.

- I. Master Resolution, Chapter 8, Section 8.02.010(a)(4) reads in part: "(a) In the review, evaluation, and determination of consistency regarding legislative land use decisions, the Authority Board shall disapprove any legislative land use decision for which there is substantial evidence supported by the record, that [it] (4) Provides uses which conflict or are incompatible with uses permitted or allowed in the Reuse Plan for the affected property..."
- J. In this context, the term "consistency" is defined in the General Plan Guidelines adopted by the State Office of Planning and Research as follows: "An action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment."
- K. FORA's consistency determination must be based upon the overall congruence between the submittal and the Reuse Plan, not on a precise match between the two.

NOW THEREFORE be it resolved:

1. The FORA Board recognizes the City of Seaside's February 21, 2013 recommendation that the FORA Board find consistency between the Fort Ord Base Reuse Plan and the LCP was appropriate.
2. The Board has reviewed and considered the Fort Ord Base Reuse Plan Final Environmental Impact Report and Seaside's environmental documentation is adequate and complies with the California Environmental Quality Act. The Board finds further that these documents are sufficient for purposes of FORA's determination for consistency of the LCP.
3. The Board has considered the materials submitted with this application, the recommendation of the Executive Officer and Administrative Committee concerning the application and oral and written testimony presented at the hearings on the consistency determination, which are hereby incorporated by reference.
4. The Board finds that the LCP is consistent with the Fort Ord Base Reuse Plan. The Board further finds that the legislative decision made herein has been based in part upon the substantial evidence submitted regarding allowable land uses, a weighing of the Base Reuse Plan's emphasis on a resource constrained sustainable reuse that evidences a balance between jobs created and housing provided, and that the cumulative land uses contained in Seaside's submittal are not more intense or dense than those contained in the Base Reuse Plan. As with previous legislative consistency determinations, this finding is subsumed into, and modifies, the BRP Land Use Concept Ultimate Development Figure 3.3-1.
5. The LCP will, considering all their aspects, further the objectives and policies of the Final Base Reuse Plan. The Seaside application is hereby determined to satisfy

the requirements of Title 7.85 of the Government Code and the Fort Ord Base Reuse Plan.

Upon motion by _____, seconded by _____, the foregoing Resolution was passed on this 15th day of March, 2013, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Jerry Edelen, Chair

ATTEST:

Michael A. Houlemard, Jr., Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Fort Ord Reuse Authority hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 13-XX adopted March 15, 2013.

Michael A. Houlemard, Jr., Secretary



CITY OF SEASIDE
440 Harcourt Avenue
Seaside, CA 93955

Tele:

Attachment B to Item 8a
FORA Board Meeting, 3/15/13

FAX (531) 933-0411

March 1, 2013

Michael A. Houlemard Jr., Executive Officer
Fort Ord Reuse Authority
920 2nd Ave., Suite A
Marina, CA 93933

RE: Request for Consistency Determination of the City of Seaside Local Coastal Program with the Fort Ord Base Reuse Plan in Accordance with FORA Master Resolution, Article 8.01.020

Dear Mr. Houlemard:

The City of Seaside (City) requests that the Fort Ord Reuse Authority (FORA) adopt a finding that the City of Seaside Local Coastal Program (LCP) is consistent with the Fort Ord Base Reuse Plan (BRP).

The LCP is the contract between the City and the State specifying how the City will protect California's coastal resources. The LCP consists of two major parts: the Land Use Plan (LUP) and the Coastal Implementation Plan (CIP) which includes a zoning ordinance and maps. The LCP applies to only those lands that fall within the California Coastal Zone. The only land in the coastal zone that is also under the jurisdiction of the Fort Ord Reuse Plan is land located in the State Route 1 right-of-way, which is under the jurisdiction of the California Department of Transportation (Caltrans).

In February 2011, the City Council adopted an Ordinance approving the LCP for the City of Seaside and authorized the City Manager to submit certified copies of the LCP and implementing Ordinance amending the Seaside General Plan and Municipal Code to the Coastal Commission for its review and certification. Coastal staff presented the LCP with recommended modifications to the Commission at its December 13, 2012 Meeting. The Commission unanimously approved the LCP with the modifications.

On January 9, 2013, the Seaside Planning Commission held a public hearing to consider the modifications that were made to the LCP by the CCC and recommended that the City Council approve the modified LCP and adopt an Ordinance amending the Seaside General Plan and Seaside Municipal Code to incorporate the changes to the Land Use Map of the General Plan and the Coastal Implementation Plan (CIP) of the LCP as Title 18 of the Seaside Municipal Code. On February 7, 2013, the City Council voted unanimously to approve the first reading of an ordinance that amends and approves a proposed map amendment to the land use map of the Seaside General Plan and proposed text and map amendments to the Seaside Municipal Code in its consideration of accepting the modifications that have been made to the LCP by the California Coastal Commission. The City Council made no changes to the LCP or the ordinance as it was introduced.

On February 2013, the City Council held a second reading and unanimously adopted **Resolution No. 2013-14** accepting the modified LCP and authorizing the City Manager to submit the LCP and implementing **Ordinance No. 203-01** amending the Seaside General Plan and Municipal Code to the Coastal Commission for final certification.

Based on the attached reports and consistency analysis matrix, the City finds the Local Coastal Program to be consistent with the Fort Ord Base Reuse Plan, and requests that FORA concur with this determination and certify the project.

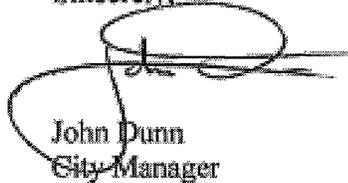
The attached submittal package was prepared in accordance with FORA Master Resolution Article 8.01.020 and instructions received from FORA staff. The submittal package includes two complete hard copies containing the following requested documents.

- Exhibit A: Consistency Analysis Table
- Supplemental Consistency Determination checklist – Seaside
- Memorandum containing website links to documents
- Letter dated December 19, 2012 regarding California Coastal Commission Action on Seaside Local Coastal Program Amendment Number 1-11 (LUP Update and IP Certification)
- Planning Commission Packet for January 9, 2013 Public Hearing to consider recommendation to City Council to adopt modified Local Coastal Program and Addendum to the Negative Declaration
- City Council Packet for February 7, 2013 Public Hearing to consider adoption of 1) modified Local Coastal Program (First Reading) and 2) Addendum to the Negative Declaration
- City Council Packet for February 21, 2013 Continued Public Hearing to consider adoption of modified Local Coastal Program (Second Reading)
- Addendum to the previously adopted Negative Declaration/Initial Study
- Previously adopted Negative Declaration -November 18, 2010
- Coastal Zone Area and Subarea Map as modified
- Coastal Zone Land Use Designations as modified
- Coastal Commission Staff Report for the December 13, 2013 Coastal Commission Meeting

- Seaside Local Coastal Program Land Use Plan and Coastal Implementation Plan as modified.

If you have any questions or require additional information, please do not hesitate to contact me or Rick Medina, Senior Planner, (831) 899-6727 or rmedina@ci.seaside.ca.us.

Sincerely,



John Dunn
City Manager

Cc: Diana A. Ingersoll, P. E., Deputy City Manager- Resource Management Services
Lisa Brinton, Community and Economic Development Services Manager
Rick Medina, Senior Planner

MEMORANDUM

City of Seaside
Resource Management Services

Date: February 28, 2013

To: Steve Endsley, Acting Assistant Executive Officer/Director of Planning and Finance

From: Rick Medina, Senior Planner

Subject: Web link for City of Seaside Local Coastal Program 2013

This memorandum is part of the City of Seaside's submittal for a FORA consistency determination for City of Seaside Local Coastal Program (LCP). An Initial Study and Negative Declaration for LCP was prepared and certified in accordance with the California Environmental Quality Act.

Interested persons/agencies can access all documents which have been included in the FORA Consistency Determination Package for City of Seaside Local Coastal Program on the City's website (<http://www.ci.seaside.ca.us/index.aspx?page=191#HE>). Posted documents include:

FORA Master Resolution Section	Finding of Consistency	Justification for finding
(1) Does not provide for a land use designation that allows more intense land uses than the uses permitted in the Reuse Plan for the affected territory;	Yes	The BRP land use concept map (Figure 3.3-1) does not identify a land use designation for Highway 1 Caltrans right-of-way (the Fort Ord area affected by the Local Coastal Program ["LCP"]). However, the Coastal Transportation Corridor ("CTC") designation in the LCP is consistent with existing uses.
(2) Does not provide for a development more dense than the density of uses permitted in the Reuse Plan for the affected territory;	Yes	The range of permitted uses in CTC land use designation would be consistent with the existing range of uses.
(3) Is in substantial conformance with applicable programs specified in the Reuse Plan and Section 8.02.020 of this Master Resolution.	Yes	The LCP meets applicable program conditions. See Seaside LCP submittal (link provided in Attachment B) pages 24-103 of 855, Item 8a staff report discussion and Attachments D and E.
(4) Does not provide uses which conflict with or are incompatible with uses permitted or allowed in the Reuse Plan for the affected property or which conflict with or are incompatible with open space, recreational, or habitat management areas within the jurisdiction of the Authority;	Yes	No conflict or incompatibility exists between the LCP and BRP. See Seaside LCP submittal pages 24-25 of 855 (a) to (d).
(5) Requires or otherwise provides for the financing and/or installation, construction, and maintenance of all infrastructure necessary to provide adequate public services to the property covered by the legislative land use decision;	Yes	The LCP does not modify Seaside obligations to contribute to basewide costs. See Seaside LCP submittal page 29 of 855 (n) to (o).
(6) Requires or otherwise provides for implementation of the Fort Ord Habitat Management Plan ("HMP").	Yes	The LCP provides for HMP implementation. See Seaside LCP submittal pages 24-25 of 855 (a) to (d).
(7) Is consistent with the Highway 1 Design Corridor Design Guidelines as such standards may be developed and approved by the Authority Board.	Yes	The LCP incorporates Highway 1 Design Corridor Design Guidelines. See Seaside LCP submittal page 31 of 855.
(8) Is 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.	Yes	The LCP is consistent with job/housing balance requirements. See Seaside LCP submittal page 30 of 855 (t).
(9) Prevailing Wage	Yes	The LCP does not modify prevailing wage requirements. See Seaside LCP submittal page 31 of 855.

JANE HAINES

March 4, 2013
Administrative Committee
Fort Ord Reuse Authority
920 Second Avenue, Ste. A
Marina, CA 93933

Re: 3/6/13 Agenda item 8 a. - Consistency Determination of the
Seaside Local Coastal Program 2013 (LCP) With the Fort Ord
Base Reuse Plan

Dear Administrative Committee:

I am unable to find on the FORA website the consistency analysis required by Section 8.02.010, subdivision (a)(3) of the Sierra Club-FORA settlement agreement applicable to item 8.a on your March 6 agenda: Seaside's application for a finding by the Fort Ord Reuse Authority (FORA) that the City of Seaside Local Coastal Plan (LCP) is consistent with the Fort Ord Base Reuse Plan (BRP). Subdivision (a)(3) mandates denial of a consistency determination in the event that substantial evidence supported by the record shows that the LCP pertaining to Seaside's coastal lands which are under the jurisdiction of the BRP are not in substantial conformance with applicable BRP programs. It appears to me that the affected area is only 146 acres consisting solely of the Route 1 right-of-way. It's a relatively small area, but nonetheless, subdivision (a)(3) applies.

I want to be clear that I am not at this time opposing Seaside's application for FORA's determination of consistency between its LCP and the Base Reuse Plan. Rather, I am requesting that staff perform the required analysis. Specifically, I request analysis of which BRP programs are *applicable* to Seaside coastal lands which are also under the jurisdiction of the BRP, as follows:

1. The 2012 Final Reassessment Report states on page 3-36 that Seaside has not yet prepared pedestrian/bikeway plans as required by BRP residential land use program E-2.2. See BRP page 258. Since the Highway 1 right-of-way will be used by both pedestrians and cyclists, program E-2.2 appears to be applicable.

If so, Seaside must implement residential land use program E-2.2 before the LCP can be found in substantial compliance with program E-2.2.

2. Page 3-36 states that Seaside has not yet prepared an open space plan showing open space within Seaside as required by BRP recreation/open space land use program B-1.2. See BRP page 326. Program B-1.2 applies to development within the Regional Retail and Golf Course Housing Districts requiring that they incorporate land-scape buffers adequate to prevent visual intrusion into the State Highway 1 Scenic Corridor. It seems that such a program might be applicable. Thus, I request analysis of its applicability.
3. Page 3-36 states that Seaside has not yet implemented a program to identify and coordinate with FORA to designate local truck routes as required by BRP streets and roads program B-1.2. See BRP page 301. The Highway 1 right-of-way will of course be used by trucks. Additionally, page 3-36 also states that Seaside has not yet implemented a program to designate roadways in commercial zones as truck routes as required by BRP streets and roads program C-1.5. See BRP page 301. Since the Highway 1 right-of-way involves a roadway for trucks, then both programs appear to apply and if so, they must be implemented before consistency can be found between the LCP and the BRP.
4. Page 3-36 states that Seaside has not yet implemented a transit program for locating bus stop facilities as required by BRP transit program A-1.2. See BRP page 306. Similarly, it states that Seaside has not yet implemented transit program A-1.1, a pedestrian system plan. Both programs appear to be applicable and may involve the overpass over Highway 1. Seaside must implement applicable BRP transit programs before consistency can be found between the LCP and the BRP.
5. Page 3-36 states that Seaside has not yet established an oak tree protection program as required by BRP recreation policy C-1. See BRP page 326. I think I recall seeing oak trees within the Highway 1 right-of-way. If such trees are there, Seaside's LCP cannot be found consistent with the BRP until Seaside implements BRP recreation policy C-1.
6. Page 3-36 states that Seaside has not yet implemented BRP recreation program F-2.1, which requires Seaside to incorporate a Comprehensive Trails Plan into its general plan. The hiker/bike

trails that runs beside Highway 1 surely must be within the Highway 1 right-of-way; it is of major importance to recreation at Fort Ord and must be coordinated with trail planning by other jurisdictions to improve access to parks, recreational facilities and other open space. See BRP page 327. This appears to me to be a critical program that Seaside must implement before the FORA Board can find consistency between the LCP and the BRP.

7. Page 3-37 states that Seaside has not yet implemented BRP biological resources programs C-2.1 and C-2.5, both having to do with preservation of oak trees. My recollection is that oak trees are within the Highway 1 right-of-way. If my recollection is accurate, it means that Seaside must implement these programs before the FORA Board can find consistency between the LCP and the BRP.
8. Page 3-37 states that Seaside has not yet implemented BRP noise programs A.1-1, A.1.2, B-1.1 and B-2.1. The Scoping Report, pages 4-134 to 4-139, states that Seaside's noise criteria are 5 to 10 dBA higher for three categories of land use compared to BRP Table 4.5-3 (for residential, schools, and industrial uses) and that there are numerous BRP noise management programs Seaside has not yet implemented. Whether or not any of the enumerated deficiencies in Seaside's noise management are applicable to the Highway 1 right-of-way is something I'm not qualified to assess. However, the FORA Board, with FORA staff's assistance, should assess whether or not Seaside's Highway 1 right-of-way under the jurisdiction of the BRP is in substantial compliance with applicable BRP noise programs.
9. Page 3-37 states that Seaside has not implemented BRP fire flood and emergency management program C-1.3. Program C-1.3 requires Seaside to identify a "critical facilities" inventory, and in conjunction with appropriate emergency and disaster agencies, establish guidelines for operation of such facilities during an emergency. See BRP page 439. Surely Seaside and Caltrans must have a joint agreement addressing management of the Highway 1 right-of-way in case of an emergency, but in light of the fact that the Final Reassessment Plan lists program C-1.3 as not implemented, FORA staff should check into that issue before recommending to the FORA Board that it determine that the LCP is in substantial compliance with BRP fire flood and emergency program C-1.3.

I submit these comments on behalf of myself.

Yours sincerely,

A handwritten signature in black ink, appearing to read "James H. ...". The signature is written in a cursive style with a long horizontal stroke at the end.

Additional FORA staff analysis

For purposes of FORA’s Base Reuse Plan consistency determination oversight, the proposed action consists of adding the Coastal Transportation Corridor (CTC) designation to the previously undesignated Caltrans Highway 1 right-of-way within Seaside’s portion of the former Fort Ord. The purpose of the CTC designation is to acknowledge that the Caltrans right-of-way is within the coastal zone subject to California Coastal Commission oversight, and to establish motorized and non-motorized transportation as the principal use/activity within the CTC designation.

The highway corridor itself has a spatial and/or functional relationship with many of the subjects of the Base Reuse Plan policies and programs listed below. However, in staff’s opinion none of these policies and programs are directly applicable to the proposed/subject action (addition of the CTC designation). Please see below for detailed explanations.

BRP Policy and or Program	Applicability to Seaside Local Coastal Program (“LCP”)
<p>Residential Land Use Program E-2.2: The City of Seaside shall prepare pedestrian and bikeway plans and link commercial development to residential areas and public transit.</p>	<p>The Highway 1 Caltrans right-of-way includes the existing recreation trail in addition to the roadway. The City of Seaside adopted its Bikeways Transportation Master Plan in 2007. The TAMC Bicycle and Pedestrian master Plan includes planned pedestrian improvements in Seaside. The City of Seaside does not have its own pedestrian plan. However, within the Highway 1 Caltrans corridor that is the subject of this consistency determination, pedestrian and bicycle connectivity (recreation trail) exists and is open for public use. Additional opportunities may exist for future pedestrian and bicycle connectivity improvements. However, creation of a land use designation for the previously undesignated Caltrans Highway 1 right-of-way, in order to recognize that the highway is within the coastal zone, has no direct effect on either existing bicycle/pedestrian connectivity or on future planning efforts in this regard.</p>
<p>Recreation/Open Space Land Use Program B-1.2: The City of Seaside shall create an open space plan for the former Fort Ord showing the linkage of all open space areas within the City of Seaside and linking to open space and habitat areas outside Seaside.</p>	<p>The existing recreation trail within the Caltrans corridor provides connectivity with Fort Ord Dunes State Park. A comprehensive citywide open space plan has not been prepared. However, addition of the CTC land use designation to the Caltrans right-of-way has no direct effect on future open-space planning efforts.</p>
<p>Streets and Highways Land Use Program B-1.2: Each jurisdiction shall identify and coordinate with FORA to designate local truck routes to have direct access to regional and national truck routes and to</p>	<p>Designation of local truck routes pertains to surface streets. The proposed action subject to FORA review consists of creating a CTC land use designation for the previously undesignated</p>

<p>provide adequate movement of goods into and out of former Fort Ord.</p>	<p>Caltrans Highway 1 right-of-way. The CTC designation will not affect existing highway access points and will have no effect on developing a local truck route plan.</p>
<p>Transit Program A-1.1: Each jurisdiction shall identify key activity centers and key corridors, coordinate with MST to identify bus routes that could serve former Fort Ord, and support MST to provide service responsive to the local needs. Transit Program A-1.2: Each jurisdiction shall develop a program to identify locations for bus facilities, including shelters and turnouts. These facilities shall be funded and constructed through new development and/or other programs in order to support convenient and comprehensive bus service.</p>	<p>The CTC designation applies only to the Caltrans right-of-way, which includes the Highway 1 roadway and the recreation trail. There are no development sites or anticipated need for future bus shelters or turnouts within the corridor.</p>
<p>Recreation Policy C-1: The [jurisdiction] shall establish an oak tree protection program to ensure conservation of existing coastal live oak woodlands in large corridors within a comprehensive open space system.</p>	<p>No oak woodlands exist in the highway corridor.</p>
<p>Recreation Program F-2.1: The [jurisdiction] shall adopt a Comprehensive Trails Plan, and incorporate it into its General Plan. This Trail Plan will identify desired hiker/biker and equestrian trails within the portion of the former Fort Ord within [jurisdiction's] jurisdiction, create a trail hierarchy, and coordinate trail planning with other jurisdictions within Fort Ord boundaries in order to improve access to parks, recreational facilities and other open space.</p>	<p>Please refer to responses to Residential Land Use Program E-2.2 and Recreation/Open Space Land Use Program B-1.2, above.</p>
<p>Biological Resources Program C-2.1: The City shall adopt an ordinance specifically addressing the preservation of oak trees. At a minimum, this ordinance shall include restrictions for the removal of oaks of a certain size, requirements for obtaining permits for removing oaks of the size defined, and specifications for relocation or replacement of oaks removed. Program C-2.5: The [jurisdiction] shall provide the following standards for plantings that may occur under oak trees; 1) planting may occur within the dripline of mature trees, but only at a distance of five feet from the trunk and 2) plantings under and around oaks should be selected from the list of approved species compiled by the California Oaks Foundation (see Compatible Plants Under and</p>	<p>The CTC designation applies only to the Caltrans Highway 1 right-of-way. Caltrans tree controls (trimming, removal ,etc.) and plantings are not subject to City oversight.</p>

<p>Around Oaks).</p> <p>Noise Program A.1-1: The City shall adopt the land use compatibility criteria for exterior community noise shown in Table 4.5-3 for application in the former Fort Ord.</p> <p>Noise Program A.1.2: The City shall adopt a noise ordinance to control noise from non-transportation sources, including construction noise, that incorporates the performance standards shown in Table 4.5-4, for application in the former Fort Ord.</p> <p>Noise Program B-1.1: The City shall develop and implement a program that identifies currently developed areas that are adversely affected by noise impacts and implement measures to reduce these impacts, such as constructing noise barriers and limiting the hours of operation of the noise sources.</p> <p>Noise Program B-2.1: See description of Program A-1.1 above.</p>	<p>It is possible that some existing housing units along the highway corridor are negatively impacted by road noise. However, the subject of this consistency determination is creation of a new land-use designation (CTC) in order to recognize that the Caltrans right-of-way is within the coastal zone subject to California Coastal Commission oversight. The CTC designation has no effect on existing physical conditions, traffic volumes, or associated noise levels.</p>
<p>Fire Flood and emergency management program C-1.3: The City shall identify a “critical facilities” inventory, and in conjunction with appropriate emergency and disaster agencies, establish guidelines for operations of such facilities during an emergency.</p>	<p>A critical facilities inventory is part of a comprehensive hazard mitigation strategy, with a goal of reducing or avoiding long-term vulnerability levels. Typical facilities might include police stations, emergency shelters, municipal corporation yards, and a wide range of other assets. The Caltrans Highway 1 corridor is not a city-owned or city-controlled facility. The existence of any Caltrans-City agreements or guidelines for emergency preparedness would not be affected by the CTC land-use designation, which is proposed for purposes of recognizing the highway’s location within the coastal zone.</p>

FORT ORD REUSE AUTHORITY BOARD REPORT

NEW BUSINESS	
Subject:	Fort Ord Reuse Authority Master Resolution Amendments
Meeting Date:	March 15, 2013
Agenda Number:	8b
	ACTION/INFORMATION

RECOMMENDATION:

Amend the Fort Ord Reuse Authority (FORA) Master Resolution:

1. Delete Section 2.04.060 in its entirety. This section is duplicative of the preceding Section 2.04.050 (**Attachment A**); and
2. Amend Chapter 8 to a) restore the original language prior to amendments adopted in March 2010 and b) reflect the July 26, 2012 FORA Board decision to lower the land use decision appeal fee established by Section 8.01.050(a) (**Attachment B**).

BACKGROUND/DISCUSSION:

In 2010, after extensive discussion at two public meetings, the FORA Board adopted an omnibus set of amendments to the Master Resolution. Amendments made to Chapter 8 were intended to clarify the language in that part of the document. In a letter dated February 14, 2013 (**Attachment C**), the Sierra Club recently objected to these changes. Since the changes were not meant to be substantive, further discord over their adoption will not be productive. Staff recommends the Board rescind the amendments adopted in March 2010.

The rescission of the March 2010 amendments does not alter amendments previously made to Chapter 8 in April 2004.

Additionally, in July 2012, the FORA Board acted to revise the land use decision appeal fee by amending Master Resolution Section 8.01.050(a). The approved and adopted language is reflected in Attachment B. This change was discussed with Sierra Club representatives, who have concurred in this change.

Making the aforementioned amendments provides an opportunity to delete Section 2.04.060, which is duplicative of the preceding section 2.04.050.

FISCAL IMPACT:

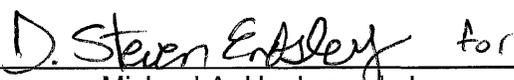
Reviewed by the FORA Controller 

Staff time for this item is included in the approved FY 12-13 budget.

COORDINATION:

Executive Committee, Administrative Committee, and Authority Counsel.

Prepared by Jerry Bowden

Approved by  for
Michael A. Houlemard, Jr.

2.04.050. LAW ENFORCEMENT.

It is the duty of the Executive Officer to enforce all laws and ordinances of the Authority and to see that all franchises, contracts, permits, and privileges granted by the Authority Board are faithfully observed.

~~**2.04.060. AUTHORITY OVER EMPLOYEES.**~~

~~It is the duty of the Executive Officer to enforce all laws and ordinances of the Authority and to see that all franchises, contracts, permits, and privileges granted by the Authority Board are faithfully observed.~~

Chapter 8. BASE REUSE PLANNING AND CONSISTENCY DETERMINATIONS

Article 8.01 GENERAL PROVISIONS

8.01.010. REUSE PLAN.

(a) The Authority Board shall prepare, adopt, review, revise from time to time, and maintain a Reuse Plan for the use and development of the territory within the jurisdiction of the Authority. Such plan shall contain the elements mandated pursuant to the Authority Act and such other elements, policies, and programs as the Authority Board may, in its sole discretion, consider and adopt.

(b) The Reuse Plan, including all elements, policies and programs adopted in conjunction with the Reuse Plan, and any amendments thereto, shall be the official and controlling plan for the reuse of the Fort Ord Territory for the purposes specified or inferred in the Authority Act.

(c) All general and specific plans, redevelopment plans, and all other community and local plans regardless of title or description, and any amendments thereto, and all policies and programs relating to the land use or the construction, installation, or maintenance of capital improvements or public works within the Fort Ord Territory, shall be consistent with the Reuse Plan of the Authority and the plans and policies of the Authority, including the Master Resolution. The Authority shall make a determination of consistency as provided pursuant to the provisions of the Authority Act and, after the effective date hereof, this chapter.

(d) A revision or other change to the Reuse Plan which only affects Fort Ord Territory and only one of the member agencies may only be adopted by the Authority Board if one of the following conditions is satisfied:

- (1) The revision or other change was initiated by resolution adopted by the legislative body of the affected land use agency and approved by at least a majority affirmative vote of the Authority Board; or
- (2) The revision or other change was initiated by the Authority Board or any entity other than the affected land use agency and approved by at least a two-thirds affirmative vote of the Authority Board.

(e) All property transferred from the federal government to any user or purchaser, whether public or private, shall only be used in a manner consistent with the Reuse Plan, with the following exceptions:

- (1) Property transferred to California State University or the University of California and such property is used for educationally related or research oriented purposes; or
- (2) Property transferred to the California State Parks and Recreation Department.

(f) No land use agency or any local agency shall permit, approve, or otherwise allow any development or other change of use, or approve any development entitlement, for property within the territory of the Authority that is not consistent with the Reuse Plan.

(g) No land use agency shall issue, approve, or otherwise allow any building permit until all applicable permits, development entitlements, and approvals required under law have been approved, including, but not limited to, the approvals and permits described and enumerated in Section 3.7 of the Final Environmental Impact Report for the Reuse Plan.

(h) The Reuse Plan shall be reviewed periodically at the discretion of the Authority Board. The Authority Board shall perform a full reassessment, review, and consideration of the Reuse Plan and all mandatory elements as specified in the Authority Act prior to the allocation of an augmented water supply, or prior to the issuance of a building permit for the 6001st new residential dwelling unit (providing a total population of 35,000 persons) on the Fort Ord Territory or by January 1, 2013, whichever event occurs first. No more than 6000 new dwelling units shall be permitted on the Fort Ord Territory until such reassessment, review, and consideration of the Reuse Plan has been prepared, reviewed, and adopted pursuant to the provisions of the Authority Act, the Master Resolution, and all applicable environmental laws. No development shall be approved by FORA or any land use agency or local agency after the time specified in this subsection unless and until the water supplies, wastewater disposal, road capacity, and the infrastructure to supply these resources to serve such development have been identified, evaluated, assessed, and a plan for mitigation has been adopted as required by CEQA, the Authority Act, the Master Resolution, and all applicable environmental laws.

(i) The failure of any persons or entity to receive notice given pursuant to this chapter shall not constitute grounds for any court to invalidate the action on any legislative act or development entitlement pursuant to this chapter for which required notice was given.

(j) The Authority shall record a notice on all property in the Fort Ord Territory advising all current and future owners of property of the existence of the Reuse Plan and that development of such property shall be limited by the Reuse Plan, the policies and programs of the Authority, including the Master Resolution, and/or the constraints on development identified in the Reuse Plan, including lack of available water supply, wastewater and solid waste disposal capacity, and inadequate transportation and other services and infrastructure.

(k) In the event the Authority receives, purchases, or acquires, by any means, fee interest title to property within the Fort Ord Territory, the Authority shall record a covenant running with the land advising all future owners of such property that development and use of the property is subject to the Reuse Plan and that development of such property shall be limited by the Reuse Plan, the policies and programs of the

Authority, including the Master Resolution, and/or constraints on development identified in the Reuse Plan, including lack of available water supply, wastewater and solid waste disposal capacity, and inadequate transportation and other services and infrastructure.

8.01.020. PROCEDURES FOR CONSISTENCY DETERMINATIONS FOR LEGISLATIVE LAND USE DECISIONS.

(a) Each land use agency shall submit all legislative land use decisions affecting property in the territory of the Authority to the Executive Officer for review and processing.

(b) All submissions regarding a legislative land use decision shall include:

- (1) A complete copy of the legislative land use decision, including related or applicable text, maps, graphics, and studies;
- (2) A copy of the resolution or ordinance of the legislative body approving the legislative land use decision, adopted at the conclusion of a noticed hearing certifying that the portion of a legislative land use decision applicable to the Fort Ord Territory is intended to be carried out in a manner fully in conformity with the Reuse Plan and the Authority Act;
- (3) A copy of all staff reports and materials presented or made available to the legislative body approving the legislative decision, or any advisory agency relating to the legislative land use decision;
- (4) A copy of the completed environmental assessment related to the legislative land use decision;
- (5) A statement of findings and evidence supporting the findings that the legislative land use decision is consistent with the Reuse Plan, the Authority's plans and policies, including the Master Resolution, and is otherwise consistent with the Authority Act; and
- (6) Such other materials as the Executive Officer deems necessary or appropriate and which have been identified within 15 days of the receipt of the items described in subsection (b) of this Section.

(c) Within 90 days of the receipt of all of the items described in subsection (b) above, or from the date the Executive Officer accepts the submission as complete, whichever event occurs first, the Authority Board shall conduct a noticed public hearing, calendared and noticed by the Executive Officer, to certify or refuse to certify, in whole or in part, the portion of the legislative land use decision applicable to Fort Ord Territory. The Authority Board shall adopt a resolution making findings in support of its decision, such decision shall be rendered within the time frame described in this section, and such decision shall be final. In the event the Authority Board fails, within the time

frames described in this section, to conduct a public hearing or take action on determining whether the land use decision is consistent with the Plan and the Authority Act, the land use agency may file, upon ten days notice, a request with the Executive Officer to have the matter placed on the next Board agenda for a noticed public hearing to take action to consider the consistency finding and the Board shall take action at such noticed public hearing and such decision shall be final.

(d) In the event the Authority Board finds, on the basis of substantial evidence supported on the record, that the legislative act is consistent with the Reuse Plan and this chapter, the Authority Board shall certify the legislative act pursuant to the provisions of the Authority Act.

(e) In the event the Authority Board refuses to certify the legislative land use decision in whole or in part, the Authority Board's resolution making findings shall include suggested modifications which, if adopted and transmitted to the Authority Board by the affected land use agency, will allow the legislative land use decision to be certified. If such modifications are adopted by the affected land use agency as suggested, and the Executive Officer confirms such modifications have been made, the legislative land use decision shall be deemed certified. In the event the affected land use agency elects to meet the Authority Board's refusal or certification in a manner other than as suggested by the Authority Board, the legislative body of the affected land use agency shall resubmit its legislative land use decision to the Executive Officer and follow the procedures contained in this Section.

(f) No legislative land use decision shall be deemed final and complete, nor shall any land use entitlement be issued for property affected otherwise permitted by such legislative land use decision unless it has been certified pursuant to the procedures described in this section.

(g) The Authority Board may only refuse to certify zoning ordinances, zoning district maps, or other legislative land use decision on the grounds that such actions do not conform with, or are inadequate to carry out, the provisions of the general plan, certified as consistent with the Reuse Plan pursuant to the provisions of this Section, applicable to the affected property.

(h) Nothing in this Section or in this Chapter shall apply to be or construed as adversely affecting any consistency determination previously obtained by a land use agency and certified by the Authority Board pursuant to the Authority Act.

8.01.030. REVIEW OF DEVELOPMENT ENTITLEMENTS.

(a) After the portion of a general plan applicable to Fort Ord Territory has become effective, development review authority within such portion of territory shall be exercised by the land use agency with jurisdiction lying within the area to which the general plan applies. Each land use agency may issue or deny, or conditionally issue, development entitlements within their respective jurisdictions so long as the land use agency has a general plan certified pursuant to Section 8.01.020 and the

decisions issuing, denying, or conditionally issuing development entitlements are consistent with the adopted and certified general plan, the Reuse Plan, and is in compliance with CEQA and all other applicable laws.

(b) All decisions on development entitlements of a land use agency affecting property within the territory of the Authority may be reviewed by the Authority Board on its own initiative, or may be appealed to the Authority Board, subject to the procedures specified in this Section. No development entitlement shall be deemed final and complete until the appeal and review procedures specified in this Section and Sections 8.01.040 and 8.01.050 of this Chapter have been exhausted.

(c) The land use agency approving a development entitlement within the jurisdiction of the Authority shall provide notice of approval or conditional approval to the Executive Officer. Notice of approval or conditional approval of a development entitlement shall include:

- (1) A complete copy of the approved development entitlement, including related or applicable text, maps, graphics, and studies.
- (2) A copy of all staff reports and materials presented or made available to any hearing body that reviewed the development entitlement.
- (3) A copy of the completed environmental assessment related to the development entitlement.

8.01.040. REVIEW OF DEVELOPMENT ENTITLEMENTS BY INITIATIVE OF THE AUTHORITY BOARD.

Within 35 days of the receipt of all of the notice materials described in subsection (c) of Section 8.01.030, the Authority Board, on its own initiative, may consider a resolution setting a hearing on a development entitlement affecting Fort Ord Territory. The Authority Board may continue the matter of setting a hearing once for any reason. In the event the Authority Board does not act to set the matter for hearing within the 35 day time period or at the continued meeting, whichever event is last, the decision of the land use agency approving the development entitlement shall be deemed final and shall not be subject to review by the Authority Board pursuant to this Section. Nothing in this section shall be construed as abrogating any rights that any person may have to appeal development entitlements to the Authority Board pursuant to Section 8.01.050. In the event the Authority Board sets the matter for hearing, such hearing shall commence at the first regular meeting of the Authority Board following the date the Authority Board passed its resolution setting the matter for hearing or at a special hearing date prior to such regular meeting. The Authority Board may continue the matter once. In the event the Authority Board fails to take action on the development entitlement within such time period, the development entitlement shall be deemed approved.

8.01.050. REVIEW OF DEVELOPMENT ENTITLEMENTS BY APPEAL TO AUTHORITY BOARD.

(a) Within 10 days of a land use agency approving a development entitlement, any person aggrieved by that approval and who participated either orally or in

writing, in that agency's hearing on the matter, may file a written appeal of such approval with the Executive Officer, specifically setting forth the grounds for the appeal, which shall be limited to issues raised at the hearing before the land use agency. The person filing the appeal shall pay a filing fee in an amount equal to ~~the fee for appeal of combined development permits as established by the Monterey County Board of Supervisorsthe average of the planning decision fees established by the nine member agencies of the Authority's Board, omitting the highest and the lowest fee, not to exceed the Authority's reasonable cost to prepare the appeal. The appeal fee shall be waived for an appellant who signs a declaration under penalty of perjury that she/he qualifies as very low income under low income eligibility standards set by the U.S. Department of Housing and Urban Development. The Authority Board must conduct a public hearing on the appeal within 60 days. The Executive Officer shall set, schedule, and notice a public hearing before the Authority Board. In the event the Authority Board fails to act on the development entitlement within the time periods specified in this section to conduct a public hearing and take action within 60 days on determining whether the development entitlement is consistent with the Reuse Plan and the Authority Act, the land use agency may file, upon ten days notice, a request with the Authority Board to have the matter placed on the next Board agenda for a noticed public hearing to take action to consider the development entitlement.~~

(b) At the time and place noticed by the Executive Officer, the Authority Board will conduct a hearing on the development entitlement. The Authority Board may continue the matter once for any reason.

(c) Said continued hearing must be rescheduled to a date that is not later than 35 days from the date of the initial hearing date. In the event the Authority Board determines the development entitlement is not consistent with the Reuse Plan, the development shall be denied and the Authority Board's decision shall be final. In the event the Authority Board determines the development entitlement is consistent with the Reuse Plan, the Authority Board shall approve the development entitlement.

8.01.060. SUPERCESSION.

In the event of a conflict or inconsistency between this Chapter of the Master Resolution and the Reuse Plan, the Development and Resource Plan, and other adopted FORA policies and procedures in regards to legislative land use decisions and/or development entitlements affecting lands within the affected territory, the provisions of this Chapter shall govern.

8.01.070. FORA AS RESPONSIBLE AGENCY UNDER CEQA.

In taking action on all legislative land decisions and for review of all development entitlements, the Authority Board shall act as a responsible agency under CEQA.

8.01.080. ADMINISTRATIVE APPEALS.

Any administrative decision made by the Executive Officer may be appealed to the Authority Board within 15 days by completing and filing a notice of appeal at the Office of the Executive Officer.

Article 8.02. CONSISTENCY DETERMINATION CRITERIA

8.02.010. LEGISLATIVE LAND USE DECISION CONSISTENCY.

(a) In the review, evaluation, and determination of consistency regarding legislative land use decisions, the Authority Board shall disapprove any legislative land use decision for which there is substantial evidence supported by the record, that

- (1) Provides a land use designation that allows more intense land uses than the uses permitted in the Reuse Plan for the affected territory;
- (2) Provides for a development more dense than the density of use permitted in the Reuse Plan for the affected territory;
- (3) Is not in substantial conformance with applicable programs specified in the Reuse Plan and Section 8.02.020 of this 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;
- (5) Does not require or otherwise provide for the financing and/or installation, construction, and maintenance of all infrastructure necessary to provide adequate public services to the property covered by the legislative land use decision; and
- (6) Does not require or otherwise provide for implementation of the Fort Ord Habitat Management Plan.

(b) FORA shall not preclude the transfer of intensity of land uses and/or density of development involving properties within the affected territory as long as the land use decision meets the overall intensity and density criteria of Sections 8.02.010(a)(1) and (2) above as long as the cumulative net density or intensity of the Fort Ord Territory is not increased.

(c) The Authority Board, in its discretion, may find a legislative land use decision is in substantial compliance with the Reuse Plan when the Authority Board finds that the applicant land use agency has demonstrated compliance with the provisions specified in this section and Section 8.020.020 of this Master Resolution.

8.02.020. SPECIFIC PROGRAMS AND MITIGATION MEASURES FOR INCLUSION IN LEGISLATIVE LAND USE DECISIONS.

(a) Prior to approving any development entitlements, each land use agency shall act to protect natural resources and open spaces on Fort Ord Territory

by including the open space and conservation policies and programs of the Reuse Plan, applicable to the land use agency, into their respective general, area, and specific plans.

- (1) Each land use agency shall review each application for a development entitlement for compatibility with adjacent open space land uses and require suitable open space buffers to be incorporated into the development plans of any potentially incompatible land uses as a condition of project approval.
- (2) When buffers are required as a condition of approval adjacent to Habitat Management areas, the buffer shall be designed in a manner consistent with those guidelines set out in the Habitat Management Plan. Roads shall not be allowed within the buffer area adjacent to Habitat Management areas except for restricted access maintenance or emergency access roads.

(b) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will ensure consistency of future use of the property within the coastal zone through the master planning process of the California Department of Parks and Recreation, if applicable. All future use of such property shall comply with the requirements of the Coastal Zone Management Act and the California Coastal Act and the coastal consistency determination process.

(c) Monterey County shall include policies and programs in its applicable general, area, and specific plans that will ensure that future development projects at East Garrison are compatible with the historic context and associated land uses and development entitlements are appropriately conditioned prior to approval.

(d) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that shall limit recreation in environmentally sensitive areas, including, but not limited to, dunes and areas with rare, endangered, or threatened plant or animal communities to passive, low intensity recreation, dependent on the resource and compatible with its long term protection. Such policies and programs shall prohibit passive, low-density recreation if the Board finds that such passive, low-density recreation will compromise the ability to maintain an environmentally sensitive resource.

(e) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that shall encourage land uses that are compatible with the character of the surrounding districts or neighborhoods and discourage new land use activities which are potential nuisances and/or hazards within and in close proximity to residential areas. Reuse of property in the Army urbanized footprint should be encouraged.

(f) Each land use agency with jurisdiction over property in the Army urbanized footprint shall adopt the cultural resources policies and programs of the Reuse Plan concerning historic preservation, and shall provide appropriate incentives for historic preservation and reuse of historic property, as determined by the affected land use agency, in their respective applicable general, area, and specific plans.

(g) The County of Monterey shall amend the Greater Monterey Peninsula Area Plan and designate the Historic East Garrison Area as an historic district in the County Reservation Road Planning Area. The East Garrison shall be planned and zoned for planned development mixed uses consistent with the Reuse Plan. In order to implement this aspect of the plan, the County shall adopt at least one specific plan for the East Garrison area and such specific plan shall be approved before any development entitlement shall be approved for such area.

(h) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that shall support all actions necessary to ensure that sewage treatment facilities operate in compliance with waste discharge requirements adopted by the California Regional Water Quality Control Board.

(i) Each land use agency shall adopt the following policies and programs:

- (1) A solid waste reduction and recycling program applicable to Fort Ord territory consistent with the provisions of the California Integrated Waste Management Act of 1989, Public Resources Code Section 40000 *et seq.*
- (2) A program that will ensure that each land use agency carries out all action necessary to ensure that the installation of water supply wells comply with State of California Water Well Standards and well standards established by the Monterey County Health Department; and
- (3) A program that will ensure that each land use agency carries out all actions necessary to ensure that distribution and storage of potable and non-potable water comply with State Health Department regulations.

(j) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans to address water supply and water conservation. Such policies and programs shall include the following:

- (1) Identification of, with the assistance of the Monterey County Water Resources Agency and the Monterey Peninsula Water Management District, potential reservoir and water impoundment sites and zoning of such sites for watershed use, thereby precluding urban development;

- (2) Commence working with appropriate agencies to determine the feasibility of developing additional water supply sources, such as water importation and desalination, and actively participate in implementing the most viable option or options;
- (3) Adoption and enforcement of a water conservation ordinance which includes requirements for plumbing retrofits and is at least as stringent as Regulation 13 of the Monterey Peninsula Water Management District, to reduce both water demand and effluent generation.
- (4) Active participation in support of the development of “reclaimed” or “recycled” water supply sources by the water purveyor and the Monterey Regional Water Pollution Control Agency to ensure adequate water supplies for the territory within the jurisdiction of the Authority.
- (5) Promotion of the use of on-site water collection, incorporating measures such as cisterns or other appropriate improvements to collect surface water for in-tract irrigation and other non-potable use.
- (6) Adoption of policies and programs consistent with the Authority’s Development and Resource Management Plan to establish programs and monitor development at territory within the jurisdiction of the Authority to assure that it does not exceed resource constraints posed by water supply.
- (7) Adoption of appropriate land use regulations that will ensure that development entitlements will not be approved until there is verification of an assured long-term water supply for such development entitlements.
- (8) Participation in the development and implementation of measures that will prevent seawater intrusion into the Salinas Valley and Seaside groundwater basins.
- (9) Implementation of feasible water conservation methods where and when determined appropriate by the land use agency, consistent with the Reuse Plan, including; dual plumbing using non-potable water for appropriate functions; cistern systems for roof-top run-off; mandatory use of reclaimed water for any new golf courses; limitation on the use of potable water for golf courses; and publication of annual water reports disclosing water consumption by types of use.

(k) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will require new development to demonstrate that all measures will be taken to ensure that storm water

runoff is minimized and infiltration maximized in groundwater recharge areas. Such policies and programs shall include:

- (1) Preparation, adoption, and enforcement of a storm water detention plan that identifies potential storm water detention design and implementation measures to be considered in all new development, in order to increase groundwater recharge and thereby reduce potential for further seawater intrusion and provide for an augmentation of future water supplies.
- (2) Preparation, adoption, and enforcement of a Master Drainage Plan to assess the existing natural and man-made drainage facilities, recommend area-wide improvements based on the approved Reuse Plan, and develop plans for the control of storm water runoff from future development. Such plans for control of storm water runoff shall consider and minimize any potential for groundwater degradation and provide for the long term monitoring and maintenance of all storm water retention ponds.

(l) Each land use agency shall adopt policies and programs that ensure that all proposed land uses on the Fort Ord Territory are consistent with the hazardous and toxic materials clean-up levels as specified by state and federal regulation.

(m) Each land use agency shall adopt and enforce an ordinance acceptable to the California Department of Toxic Substances Control (“DTSC”) to control and restrict excavation or any soil movement on those parcels of the Fort Ord Territory, which were contaminated with unexploded ordnance, and explosives. Such ordinance shall prohibit any digging, excavation, development, or ground disturbance of any type to be caused or otherwise allowed to occur without compliance with the ordinance. A land use agency shall not make any substantive change to such ordinance without prior notice to and approval by DTSC.

(n) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will help ensure an efficient regional transportation network to access the territory under the jurisdiction of the Authority, consistent with the standards of the Transportation Agency of Monterey County. Such policies and programs shall include:

- (1) Establishment and provision of a dedicated funding mechanism to pay for the “fair share” of the impact on the regional transportation system caused or contributed by development on territory within the jurisdiction of the Authority; and
- (2) Support and participate in regional and state planning efforts and funding programs to provide an efficient

regional transportation effort to access Fort Ord Territory.

(o) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that ensure that the design and construction of all major arterials within the territory under the jurisdiction of the Authority will have direct connections to the regional network consistent with the Reuse Plan. Such plans and policies shall include:

- (1) Preparation and adoption of policies and programs consistent with the Authority's Development and Resource Management Plan to establish programs and monitor development to assure that it does not exceed resource constraints posed by transportation facilities:
- (2) Design and construction of an efficient system of arterials in order to connect to the regional transportation system; and
- (3) Designate local truck routes to have direct access to regional and national truck routes and to provide adequate movement of goods into and out of the territory under the jurisdiction of the Authority.

(p) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans to provide regional bus service and facilities to serve key activity centers and key corridors within the territory under the jurisdiction of the Authority in a manner consistent with the Reuse Plan.

(q) Each land use agency shall adopt policies and programs that ensure development and cooperation in a regional law enforcement program that promotes joint efficiencies in operations, identifies additional law enforcement needs, and identifies and seeks to secure the appropriate funding mechanisms to provide the required services.

(r) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that ensure development of a regional fire protection program that promotes joint efficiencies in operations, identifies additional fire protection needs, and identifies and seeks to secure the appropriate funding mechanisms to provide the required services

(s) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will ensure that native plants from on-site stock will be used in all landscaping except for turf areas, where practical and appropriate. In areas of native plant restoration, all cultivars, including, but not limited to, manzanita and ceanothus, shall be obtained from stock originating on Fort Ord Territory.

(t) Each land use agency shall include policies and programs in their general, area, and specific plans that will ensure compliance with the 1997 adopted FORA Reuse Plan jobs/housing balance provisions. The policies and programs for the provision of housing must include flexible targets that generally correspond with expected job creation on the former Fort Ord. It is recognized that, in addressing the Reuse Plan jobs/housing balance, such flexible targets will likely result in the availability of affordable housing in excess of the minimum 20% local jurisdictional inclusionary housing figure, which could result in a range of 21% - 40% below market housing. Each land use agency should describe how their local inclusionary housing policies, where applicable, address the Reuse Plan jobs/housing balance provisions.

(1) Agencies submitting consistency determination requests to FORA should identify and describe, where applicable, any factors that impact production of housing. These factors may include, without limitation, public financing, water resources, land use regulations, and environmental conditions. Each jurisdiction should consider but not be limited to, the following in establishing its Reuse Plan jobs/housing balance policies and programs:

- (a) Earmarking of tax increment housing set aside funds for housing programs, production, and/or preservation linked to jobs;
- (b) Development and/or preservation of ownership or rental housing linked to jobs;
- (c) Incorporation of job creation targets in project specifications;
- (d) Linkage of existing housing resources with jobs created;
- (e) Development of agreements with such jurisdictions for Reuse Plan-enhancing job creation or housing programs, production, and/or preservation; and
- (f) Granting of incentives to increase additional below-market housing productions to meet job creation needs.

(2) As a reference and guide for determining income limits and housing affordability levels, each land use agency should use measures established by the U.S. Department of Housing and Urban Development, the California Department of Housing and Community Development, and/or the Association of Monterey Bay Area Governments when determining compliance for very low, low, median, moderate affordability and comparable affordability factors for below-market housing up to 180% of median as approved as FORA

policy guidelines at the January 9, 2004 FORA Board meeting.

8.02.030. DEVELOPMENT ENTITLEMENT CONSISTENCY.

(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;
- (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;
- (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.
- (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.
- (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.
- (6) 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.
- (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.

8.02.040. ADOPTION OF REQUIRED PROGRAMS.

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.

Article 8.03 ENVIRONMENTAL QUALITY

8.03.010. ENVIRONMENTAL QUALITY AND PURPOSE.

The purposes of this Article are to provide guidelines for the study of proposed activities and the effect that such activities would have on the environment in accordance with the requirements of the California Environmental Quality Act (“CEQA”).

8.03.020. DEFINITIONS.

Except as otherwise defined in this section, words and phrases used in this Article shall have the same meaning given them by Chapter 2.5 of the California Environmental Quality Act and by Article 20 of the State CEQA Guidelines.

8.03.030. STATE CEQA GUIDELINES ADOPTED.

The Authority hereby adopts the State CEQA Guidelines (“Guidelines”) as set forth in Title 14, Section 15000 *et seq.* of the California Administrative Code and as may be amended from time to time. This adoption shall not be construed so as to limit the Authority’s ability or authority to adopt additional implementing procedures in accordance with Section 15022 of such Guidelines, or to adopt other legislative enactments the Board may deem necessary or convenient for the protection of the environment.

8.03.040. EXECUTIVE OFFICER’S RESPONSIBILITY.

- (a) The Executive Officer shall, consistent with FORA obligations:
 - (1) Generate and keep a list of exempt projects and report such list to the Board.
 - (2) Conduct initial studies.
 - (3) Prepare negative declarations.
 - (4) Prepare draft and final environmental impact reports.
 - (5) Consult with and obtain comments from other public agencies and members of the public with regard to the environmental effect of projects, including “scoping” meetings when deemed necessary or advisable.
 - (6) Assure adequate opportunity and time for public review and comment on a draft environmental impact report or negative declaration.

- (7) Evaluate the adequacy of an environmental impact report or negative declaration and make appropriate recommendations to the Board.
- (8) Submit the final appropriate environmental document to the Board who will approve or disapprove a project. The Board has the authority to certify the adequacy of the environmental document.
- (9) File documents required or authorized by CEQA and the State Guidelines.
- (10) Collect fees and charges necessary for the implementation of this article in amounts as may be specified by the Board by resolution and as may be amended from time to time.
- (11) Formulate rules and regulations as the Executive Officer may determine are necessary or desirable to further the purposes of this Article.

8.03.050. COMPLETION DEADLINES.

(a) Time limits for completion of the various phases of the environmental review process shall be consistent with CEQA and Guidelines and those time limits are incorporated in this Article by reference. Reasonable extensions to these time limits shall be allowed upon consent by any applicant.

(b) Time limits set forth in this section shall not apply to legislative actions.

(c) Any time limits set forth in this section shall be suspended during an administrative appeal.

8.03.060. PUBLIC NOTICE OF ENVIRONMENTAL DECISION.

(a) Notice of the decision of whether to prepare an environmental impact report, negative declaration, or declare a project exempt shall be available for public review at the Office of the Executive Officer. Notices of decisions shall be provided in a manner consistent with CEQA and the Guidelines.

(b) Notice that the Authority proposes to adopt a negative declaration shall be provided to the public at least ten (10) days prior to the date of the meeting at which consideration of adoption of the negative declaration shall be given.

(c) Notice of decisions to prepare an environmental impact report, negative declaration, or project exemption shall be given to all organizations and individuals who have previously requested such notice. Notice shall also be given by publication one time in a newspaper of general circulation in Monterey County.

8.03.070. APPEAL OF ENVIRONMENTAL DECISION.

(a) Within fifteen (15) days after the Executive Officer provides notice of a decision, any interested person may appeal the decision to the Board by completing and filing a notice of appeal at the Office of the Executive Officer.

(b) The appellant shall pay a fee in the amount as specified in Section 8.01.050(a) of this Resolution.

(c) The Board shall hear all appeals of decisions on any environmental issue. The hearing shall be limited to considerations of the environmental or procedural issues raised by the appellant in the written notice of appeal. The decision of the Executive Officer shall be presumed correct and the burden of proof shall be on the appellant to establish otherwise. The Board may uphold or reverse the environmental decision, or remand the decision back to the Executive Officer if substantial evidence of procedural or significant new environmental issues is presented.

(d) The decision of the Board will be final.

8.03.080. CONFLICT DETERMINATIONS.

This article establishes procedural guidelines for the evaluation of the environmental factors concerning activities within the jurisdiction of the Authority and in accordance with State Guidelines. Where conflicts exist between this article and State Guidelines, the State Guidelines shall prevail except where this article is more restrictive.



SIERRA CLUB VENTANA CHAPTER

P.O. BOX 5667, CARMEL, CALIFORNIA 93921

CHAPTER OFFICE • ENVIRONMENTAL CENTER (831) 624-8032

February 14, 2013

Board of Directors
Fort Ord Reuse Authority
920 2nd Avenue, Suite A
Marina, CA 93933

**Attachment C to Item 8b
March 15, 2013 FORA Board Meeting**

Dear FORA Board of Directors:

We are writing to inform you of FORA's serious breach of the 1998 Sierra Club-FORA settlement agreement. We request your Board investigate this breach promptly and thereafter to remedy the breach voluntarily and to terminate any FORA employees who are responsible for the breach.

The 1998 Sierra Club-FORA settlement agreement provides that if FORA considers any amendment to Chapter 8 of the FORA Master Resolution, FORA shall give Sierra Club at least 30 days advance notice and that any such amendment shall be subject to CEQA review as a new project. (1998 settlement agreement recital #4.)

Sierra Club learned yesterday that on March 12, 2010, the FORA Board of Directors adopted Resolution #10-06 (copy attached). That resolution approves changes in the Master Resolution, including a change of wording in Chapter 8, Section 8.02.010(a). The change modifies Section 8.02.010(a) to change the criteria for disapproving general plan consistencies with the Base Reuse Plan from **mandatory** requirements for disapproval to **discretionary** choices. Specifically, it changes the word "shall" to "may" in specifying when FORA is required to disapprove a consistency determination. (See final page of the exhibit to Resolution #10-06.)

The mandatory criteria for disapproving consistency determinations is a major, material provision of the 1998 Sierra Club-FORA settlement agreement. We realize that lay members of FORA's Board would not necessarily have understood the significance of Resolution #10-06. But certainly FORA's attorney in March of 2010 would have understood it.

Sierra Club will consider legal action to remedy the breach. However before doing so, we are giving your Board an opportunity to voluntarily correct this situation.

Sincerely yours,

Jane Haines, member
Sierra Club FORA Subcommittee

Scott Waltz, member
Sierra Club FORA Subcommittee

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Outstanding Receivables

Meeting Date: March 15, 2013

Agenda Number: 10a

INFORMATION

RECOMMENDATIONS:

Receive a Fort Ord Reuse Authority (FORA) outstanding receivables update as of February 28, 2013.

BACKGROUND/DISCUSSION:

There remains one outstanding receivable as noted below. The Late Fee policy adopted by the FORA Board requires receivables older than 90 days be reported to the Board.

	Item Description	Amount Owed	Amount Paid	Amount Outstanding
City of Del Rey Oaks	PLL Loan Payment 09-10	182,874	-	182,874
	PLL Loan Payment 10-11	256,023	-	256,023
	PLL Loan Payment 11-12	256,023	-	256,023
	<i>DRO Total</i>			694,920

City of Del Rey Oaks (DRO)

- PLL insurance annual payments: In 2009, DRO cancelled agreement with its project developer who made PLL loan payments. The FORA Board approved a payment plan for DRO and the interim use of FORA funds to pay the premium until DRO finds a new developer (who will be required by the City to bring the PLL Insurance coverage current). DRO agreed to make interest payments on the balance owed until this obligation is repaid, and they remain current.

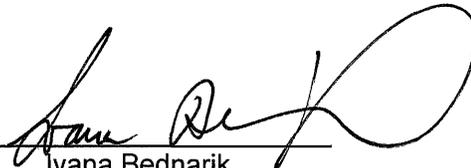
Payment status: First Vice Chair/Mayor Edelen informed both the Board and Executive Committee that DRO has selected a new development partner to meet this obligation. The remaining obligation is expected to be repaid this calendar year.

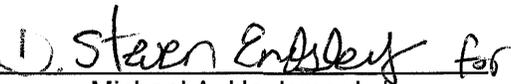
FISCAL IMPACT:

FORA must expend resources or borrow funds until receivables are collected. The majority of FORA revenues come from member/jurisdiction/agencies and developers. FORA's ability to conduct business and finance its capital obligations depends on a timely collection of these revenues.

COORDINATION:

Executive Committee

Prepared by 
Ivana Bednarik

Approved by 
Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Administrative Committee Report

Meeting Date: March 15, 2013

Agenda Number: 10b

INFORMATION

RECOMMENDATION:

Receive a report from the Administrative Committee.

BACKGROUND/DISCUSSION:

The approved minutes from the February 6, 2013 and February 20, 2013 Administrative Committee meetings are attached for your review.

FISCAL IMPACT:

Reviewed by the FORA Controller 

Staff time for the Administrative Committee is included in the approved annual budget.

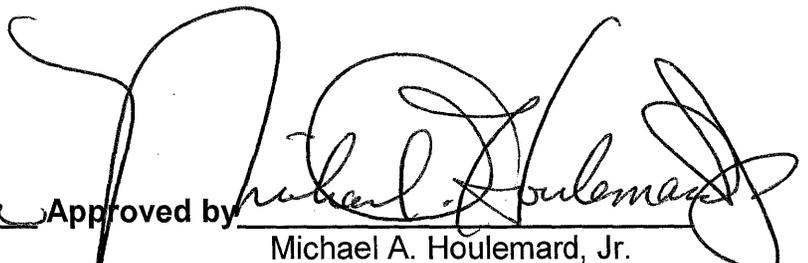
COORDINATION:

Administrative Committee

Prepared by


Lena Spilman

Approved by


Michael A. Houlemard, Jr.



Fort Ord Reuse Authority

920 2nd Avenue, Suite A, Marina, CA 93933
Phone: (831) 883-3672 • Fax: (831) 883-3675 •

Attachment A to Item 10b
FORA Board Meeting, 3/15/13

ADMINISTRATIVE COMMITTEE MEETING 8:15 A.M. WEDNESDAY, FEBRUARY 6, 2013 920 2nd Avenue, Suite A, Marina CA 93933 (FORA Conference Room) MINUTES

1. CALL TO ORDER

Co-Chair Houlemard called the meeting to order at 8:20 a.m. The following were present, as indicated by signatures on the roll sheet:

Doug Yount, City of Marina*
Elizabeth Caraker, City of Monterey*
Marti Noel, County of Monterey*
Tim O'Halloran, City of Seaside*
Ray Corpuz, City of Salinas
Anya Spear, CSUMB
Heidi Burch, City of Carmel
Vicki Nakamura, MPC
Graham Bice, UC MBEST

Chuck Lande, Marina Heights
Bob Schaffer
Patrick Breen, MCWD
Mike Zeller, TAMC
Sid Williams, UVC
Scott Hilk, MCP
Brian Boudreau, Monterey Downs
Beth Palmer, Monterey Downs

FORA Staff:
Michael Houlemard
Steve Endsley
Jim Arnold
Jonathan Garcia
Stan Cook
Crissy Maras
Lena Spilman

* Voting Members

2. PLEDGE OF ALLEGIANCE

Heidi Burch led the Pledge of Allegiance.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Co-Chair Houlemard stated that FORA planned to sponsor an informational conference in March regarding the use prevailing wage on the former Fort Ord. He also stated that Sand City Mayor David Pendergrass has been selected as the Monterey Peninsula Chamber of Commerce's Public Official of the Year.

4. PUBLIC COMMENT PERIOD

None.

5. APPROVAL OF JANUARY 30, 2013 MEETING MINUTES

MOTION: Heidi Burch moved, seconded by Doug Yount, to approve the January 30, 2013 Administrative Committee meeting minutes, as presented.

MOTION PASSED: Ayes: Doug Yount, Elizabeth Caraker, Abstain: Marti Noel

6. FEBRUARY 15, 2013 BOARD MEETING – AGENDA REVIEW

Co-chair Houlemard reviewed items on the upcoming February 15, 2013 Board agenda. Members discussed a full range of options for the proposed Board workshop agenda and received comments from members of the public.

7. NEW BUSINESS

a. Report of U.S. Army's January 30, 2013 Public Meeting Regarding the Proposed Plan for Group 3 Munitions response Areas.

ESCA Program Manager Stan Cook provided materials regarding the proposed plan for group 3 munitions response areas and reported on the Army's January 30, 2013 public meeting.

8. **ITEMS FROM MEMBERS**

Doug Yount requested an update as to the status of FORA's property tax revenue. Co-Chair Houlemard responded that FORA had not yet received the revenue from the County, as promised, and that staff had contacted the County Auditor to inquire as to the delay.

9. **ADJOURNMENT**

Co-Chair Houlemard adjourned the meeting at 10:05 a.m.

*Minutes Prepared by:
Lena Spilman, Deputy Clerk*

Approved by:

Michael A. Houlemard, Jr., Executive Officer



Fort Ord Reuse Authority

920 2nd Avenue, Suite A, Marina, CA 93933
Phone: (831) 883-3672 • Fax: (831) 883-3675 • w

Attachment B to Item 10b
FORA Board Meeting, 3/15/13

ADMINISTRATIVE COMMITTEE MEETING 8:15 A.M. WEDNESDAY, FEBRUARY 20, 2013 920 2nd Avenue, Suite A, Marina CA 93933 (FORA Conference Room) MINUTES

1. CALL TO ORDER

Chair Dawson called the meeting to order at 8:18 a.m. The following were present, as indicated by signatures on the roll sheet:

Daniel Dawson, City of Del Rey Oaks*
Carl Holm, County of Monterey*
John Dunn, City of Seaside*
Doug Yount, City of Marina*
Anya Spear, CSUMB
Vicki Nakamura, MPC
Graham Bice, UC MBEST
Kathleen Lee, Sup. Potter's Office
Patrick Breen, MCWD
Brian Lee, MCWD

Mike Zeller, TAMC
Sid Williams, UVC
Scott Hilk, MCP
Chuck Lande, Marina Heights
Bob Schaffer
Andy Sterbenz, Schaaf & Wheeler
Brian Boudreau, Monterey Downs
Beth Palmer, Monterey Downs
Jane Haines

FORA Staff:
Michael Houlemard
Steve Endsley
Jim Arnold
Jonathan Garcia
Crissy Maras
Lena Spilman

* Voting Members

2. PLEDGE OF ALLEGIANCE

Jonathan Garcia led the Pledge of Allegiance.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

The Committee discussed a February 8, 2013 letter distributed by the Monterey County District Attorney regarding Brown Act violations. The Committee answered questions from members of the public and reviewed Brown Act requirements.

4. PUBLIC COMMENT PERIOD

The Committee received comments from members of the public.

5. APPROVAL OF FEBRUARY 6, 2013 MEETING MINUTES

MOTION: Doug Yount moved, seconded by Carl Holm, to approve the February 6, 2013 Administrative Committee meeting minutes with the addition of Tim O'Halloran to the list of those present.

MOTION PASSED: Unanimous

6. FEBRUARY 15, 2013 BOARD MEETING – FOLLOW UP

Executive Officer Michael Houlemard reviewed Board actions taken at the February 15, 2013 Board meeting and discussed necessary follow-up items. He announced a special Board meeting had been scheduled for February 22, 2013. Staff had previously distributed the Board packet for the special meeting, but anticipated release of a revised agenda in response to several requests to postpone the election of Executive Committee Member-at-Large to the March Board meeting.

7. NEW BUSINESS

a. CIP Review – Phase II Study

i. Implementing Formulaic Approach - Update

David Zehnder and Ellen Martin, Economic and Planning Systems, joined the meeting via teleconference and presented the draft Phase II CIP Review FORA Fee formula calculation.

b. Draft Habitat Conservation Plan Update

i. Schedule/Outstanding Policy Items

ii. California Department of Fish and Wildlife Conservation Easement Language

Senior Planner Jonathan Garcia discussed the Department of Fish and Wildlife template conservation easement deed and reviewed the draft Habitat Conservation Plan schedule.

8. NEW BUSINESS

None

9. ITEMS FROM MEMBERS

None

10. ADJOURNMENT

Chair Dawson adjourned the meeting at 9:36 a.m.

Minutes Prepared by:

Lena Spilman, Deputy Clerk

Approved by:

Michael A. Houlemard, Jr., Executive Officer

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Water/Wastewater Oversight Committee Report

Meeting Date: March 15, 2013

Agenda Number: 10c

INFORMATION

RECOMMENDATION:

Receive a report from the Water/Wastewater Oversight Committee ("WWOC").

BACKGROUND/DISCUSSION:

The WWOC met on February 20, 2013. The draft minutes from that meeting are **attached**.

FISCAL IMPACT:

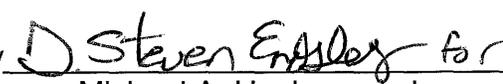
Reviewed by FORA Controller 

Staff time for this item is included in the approved FY 12-13 budget.

COORDINATION:

WWOC

Prepared by 
Crissy Maras

Approved by 
Michael A. Houlemard, Jr.



Fort Ord Reuse Authority

920 2nd Avenue, Ste. A, Marina, CA 93933

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

WATER/WASTEWATER OVERSIGHT COMMITTEE MEETING

9:00 AM WEDNESDAY, FEBRUARY 20, 2013

920 2nd Avenue, Suite A, Marina CA 93933 (FORA Conference Room)

ACTION MINUTES

1. CALL TO ORDER AT 9:00 AM

Confirming a quorum, Chair Daniel Dawson called the meeting to order at 9:45 AM. The following people, indicated by signatures on the roll sheet, attended:

Committee Members

Graham Bice, UCMBEST

Mike Lerch, CSUMB

Doug Yount, City of Marina

Daniel Dawson, City of DRO

Bob Schaffer, MCP

Kathleen Lee, Sup. Potter

Steve Endsley, FORA

Jim Arnold, FORA

Jonathan Garcia, FORA

Crissy Soares, FORA

Brian Lee, MCWD

Andy Sterbenz, MCWD

Patrick Breen, MCWD

Kelly Cadiente, MCWD

2. PUBLIC COMMENT PERIOD: None noted

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE:

MCWD Acting District Engineer Andy Sterbenz introduced Brian Lee, MCWD's new Deputy General Manager/District Engineer. Mr. Sterbenz also noted the MCWD Board is conducting a workshop to discuss water augmentation project options (Saturday February 23rd, 9AM – 12PM at the Marina City Council chambers).

4. APPROVAL OF MEETING MINUTES: September 5, 2012

On a motion made by Graham Bice, seconded by Doug Yount, the minutes were approved as presented.

5. OLD BUSINESS

a. Fort Ord Water Augmentation Program - Update

During the MCWD Board workshop, the Board will be reviewing MCWD's options for moving the water augmentation program forward and considering whether recycled or potable water should be higher priority. FORA Assistant Executive Officer Steve Endsley noted that under FORA's contractual agreement with MCWD, it is in FORA's and the land use jurisdiction's best interest for the non-potable portion of the water augmentation program to move forward as soon as possible. Non-potable water has already been allocated to the jurisdictions and is required for development. FORA staff will work with counsel to determine if a new potable water source can be loaned/substituted for non-potable if the MCWD Board prioritizes the potable portion of the program. A contract with a design/build firm for the water augmentation project is on hold pending MCWD Board decision. The committee recommended other topics for discussion at the workshop.

b. Recycled Water Pipeline alignment right-of-way – Update

Most of the easements have been granted except for where the pipeline goes through MPUSD and CSUMB property. The MPUSD Board will review this item at an upcoming meeting. MCWD staff will work with CSUMB staff to re-engage discussions toward resolution.

c. Ord Community annexation – Update

LAFCO required an updated Municipal Services Review, which they are reviewing and might approve at their March or April Board meeting, prior to considering MCWD's proposed Ord Community annexation. MCWD will remove BLM lands and add Seaside High School to their proposed Ord Community annexation, and republish the proposed annexation. LAFCO could approve annexation within a year.

Mr. Endsley noted that the FORA Board requested that MCWD make progress toward annexation and governance issues during their review of the budget last year.

6. NEW BUSINESS

a. Quarterly Report – Presentation by MCWD

MCWD Director of Administrative Services Kelly Cadiente presented the quarterly report, which covered the 1st and 2nd quarters of FY 12/13. Water revenues are generally in line with budget forecasts, however wastewater revenue is greater than budgeted because the FY 12/13 budget did not take into account that the FY 11/12 rate increase was not in effect for the full fiscal year.

b. Review Ord Community Capital Improvement Program

Mr. Sterbenz reviewed the FY 12/13 CIPs for the Water and Wastewater systems and gave brief project descriptions. The committee then reviewed MCWD's 5-year CIP. Mr. Sterbenz noted that the projects have been scheduled due to existing need and to meet development projections. The 5-year CIP will be sent to the committee so they can update/confirm their projections.

c. Receive MCWD Annual Financial Statements (Audit)

The auditor's report letter was provided to the committee and the full audit can be found online. The audit found that the financial statements present fairly, in all material aspects, the respective financial position of MCWD.

7. ADJOURNMENT

The meeting was adjourned at 10:35 AM.

Minutes prepared by Crissy Maras, Grants and Contracts Coordinator

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Habitat Conservation Plan Update

Meeting Date: March 15, 2013

Agenda Number: 10d

INFORMATION

RECOMMENDATION(S):

Receive an Habitat Conservation Plan ("HCP") and State of California 2081 Incidental Take Permit ("2081 permit") preparation process status report.

BACKGROUND/DISCUSSION:

The Fort Ord Reuse Authority ("FORA"), with the support of its member jurisdictions and ICF International (formerly Jones & Stokes), FORA's HCP consultant, is on a path to receive approval of a completed basewide HCP and 2081 permit in 2014, concluding with US Fish and Wildlife Service ("USFWS") and California Department of Fish and Wildlife ("CDFW") (formerly known as California Department of Fish and Game) issuing federal and state permits.

Most recently, FORA received comments on the Administrative Draft HCP from USFWS in July 2012 and CDFW staff in August 2012, and held in-person meetings on October 30 and 31, 2012 to discuss specific comments; however, a legal review by these wildlife agencies is not yet complete and several policy-level issues must be resolved between CDFW and BLM, CDFW and State Parks/UC before a public review draft can be issued. **Update:** After meeting with CDFW Chief Deputy Director Kevin Hunting on January 30, 2013, FORA was told that CDFW and BLM assurances issues require a Memorandum of Understanding ("MOU") between CDFW and BLM, resulting in an estimated additional timeframe of six months, the most protracted issue. According to CDFW, final approval of an endowment holder no longer rests with CDFW (due to passage of SB 1094 [Kehoe]). However, CDFW must review the anticipated payout rate of the HCP endowment holder to verify if the rate assumption is feasible. Other policy issues and completion of the screencheck draft HCP should be completed in less than six months. If the current schedule can be maintained, FORA staff expects a Public Draft HCP available for public review in November 2013. The current HCP schedule is included as Attachment A.

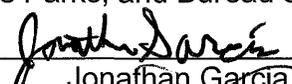
FISCAL IMPACT:

Reviewed by FORA Controller 

ICF and Denise Duffy and Associates' (FORA's/USFWS's NEPA/CEQA consultant) contracts have been funded through FORA's annual budgets to accomplish HCP preparation and environmental review. Staff time for this item is included in the approved FORA budget.

COORDINATION:

Executive Committee, Administrative Committee, Legislative Committee, HCP working group, FORA Jurisdictions, USFWS, CDFW, ICF, Denise Duffy & Associates, UC Natural Reserve System, State Parks, and Bureau of Land Management.

Prepared by 
Jonathan Garcia

Reviewed by 
Steve Endsley

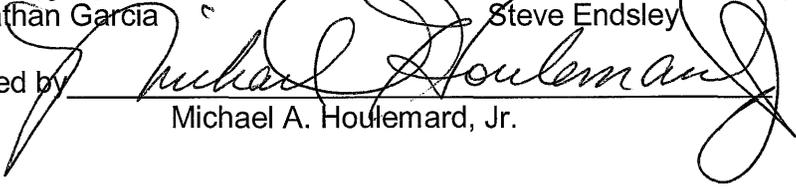
Approved by 
Michael A. Houlemard, Jr.

Table 1. (Continued)

Key: Document Preparation
 Meetings
 Review Periods
 Notice prep/publish
 Final Approval Steps

Attachment A to Item 10d
 FORA Board Meeting, 03/15/13

	Status	2012												2013												2014											
		J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
EIR/EIS																																					
1 Prepare 1st Admin Draft EIS/EIR	Done	█	█	█	█																																
2 Review Period				█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█														
3 Prepare 2nd Admin Draft EIS/EIR													█	█	█	█	█	█	█	█	█	█	█														
4 Solicitor review																																					
5 Prepare Public Review EIS/EIR																																					
6 Prepare and publish Notice of Availability in Federal Register (see HCP-7 above)																																					
7 Prepare and publish CEQA Notice of Availability (1 - 2 months)																																					
8 Public/Agencies Review Period (90 days)																																					
9 Respond to public comments/Prepare 1st Admin Draft Final EIS/EIR																								█	█	█	█	█	█	█	█	█	█	█	█		
10 Review Period																																					
11 Prepare Final Public Draft EIS/EIR - clear for publication																																					
12 Publish Notice of Final EIS, HCP and IA Availability in Federal Register - 30 day comment period																																					
13 Publish CEQA Notice of Determination - Permit Applicants - 30 day challenge period																																					
14 CEQA Notice of Determination--CDFG - 30 day challenge period																																					
15 See Approval Process steps																																					
16 Federal Prep and Pub of Record of Decision (ROD) - 30 day wait period																																					
17 See Approval Process steps																																					

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Travel Report

Meeting Date: March 15, 2013

Agenda Number: 10e

INFORMATION

RECOMMENDATION(S):

Receive an informational travel report from the Executive Officer.

BACKGROUND:

The Executive Officer regularly submits reports to the Executive Committee providing details of his travel requests, including those by the Fort Ord Reuse Authority ("FORA") staff and Board members. Travel expenses may be paid or reimbursed by FORA, outside agencies/ jurisdictions/ organizations, or a combination of these sources. The Executive Committee reviews and approves these requests, and the travel information is reported to the Board as an informational item.

Completed Travel

Destination: Washington, D.C.

Date: February 27-March 1, 2013

Purpose: In anticipation of the Department of Defense request for another round of BRAC, the Association of Defense Communities invited Executive Officer Houlemard and other LRA directors to participate in a special redevelopment Policy Working Group meeting in Washington, D.C. The meeting brought together key LRA directors and experts in the field of base redevelopment for a focused discussion on how the BRAC redevelopment process can be enhanced in future rounds of BRAC. The outcome of the meeting was a policy document that will serve as the basis for legislative recommendations. Additional information regarding this meeting is available on the fora website at www.fora.org.

Destination: Sacramento, CA

Date: March 11-12, 2013

Purpose: Executive Officer Michael Houlemard and Senior Planner Jonathan Garcia will travel to Sacramento for the purpose of conducting a series of follow-up meetings. Staff members will meet with Congressional/State Senate and Assembly staff and the California Departments of General Services (CDGS), Veterans Affairs (CDVA), Fish and Wildlife (DFW), and Toxic Substances Control (DTSC), as well as Economic and Planning Systems (EPS). Meetings will cover a wide range of topics, including the California Central Coast Veterans Cemetery (CCCVC), the Phase II Study formula calculation, ESCA program coordination, and the Habitat Conservation Plan. As the Board packet was distributed prior to completion of this trip, the Executive Officer will provide a oral report on the outcome of these meetings at the March 15, 2013 Board meeting.

Upcoming travel

Destination: Sacramento, CA

Date: March 20-21, 2013 (tentative)

Purpose: The Executive Committee has approved Executive Officer Houlemard, Senior Planner Jonathan Garcia, and two members of the Legislative Committee, as schedules permit, to travel to Sacramento for the purpose of conducting follow-up meetings with CDGS, CDFW, and CDVA. In January, meeting participants identified tasks to complete on draft HCP and CCCVC items. It was agreed that these tasks could reasonably be accomplished within five to six weeks, necessitating follow-up meetings. Staff anticipates additional meetings to take place in late April.

FISCAL IMPACT:

Reviewed by FORA Controller



Staff time for this item was included in the approved annual budget. Travel expenses are reimbursed according to the FORA Travel Policy.

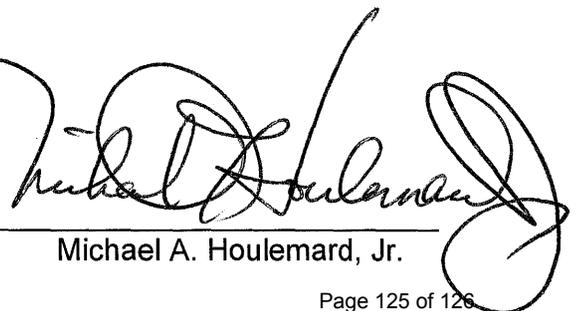
COORDINATION:

Executive Committee

Prepared by


Lena Spilman

Approved by


Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Public Correspondence to the Board

Meeting Date: March 15, 2013

Agenda Number: 10f

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/PublicComm.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