



# FORT ORD REUSE AUTHORITY

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## SPECIAL LEGISLATIVE COMMITTEE MEETING

3:00 p.m. Wednesday, November 5, 2014

920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933 (FORA Conference Room)

### AGENDA

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**
4. **PUBLIC COMMENT PERIOD**  
Individuals wishing to address the Committee on matters within its jurisdiction, but not on this agenda, may do so during this period for up to three minutes. Comments on specific agenda items are heard under that item.
5. **APPROVAL OF MEETING MINUTES**
  - a. May 7, 2014 Legislative Committee Minutes ACTION
6. **REPORTS FROM LEGISLATIVE OFFICES** INFORMATION
7. **BUSINESS ITEMS**
  - a. Review/Approve 2015 Annual Fort Ord Reuse Authority Legislative Agenda ACTION
8. **ITEMS FROM MEMBERS**
9. **ADJOURNMENT**

Next Meeting Date: TBD

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## FORT ORD REUSE AUTHORITY LEGISLATIVE COMMITTEE MEETING MINUTES

2:30 p.m., Wednesday, May 7, 2014 | FORA Conference Room  
920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933

### 1. CALL TO ORDER

Chair Potter declared a quorum and called the meeting to order at 2:30 p.m.

#### **Members Present:**

Chair/Supervisor Potter (County of Monterey)  
Mayor Edelen (City of Del Rey Oaks)  
Mayor Rubio (City of Seaside)  
Mayor Pendergrass (City of Sand City)  
Mayor Pro-Tem O'Connell (City of Marina)

#### **Others Present:**

John Arriaga (JEA & Associates) *via telephone*  
Rochelle Dornatt (20<sup>th</sup> Congressional District - *via telephone*)  
Nicole Charles (17<sup>th</sup> State Senate District)  
Taina Vargas-Edmond (29<sup>th</sup> State Assembly District)

### 2. APPROVAL OF MEETING MINUTES

#### **a. November 14, 2013 Legislative Committee Minutes**

MOTION: Mayor Pendergrass moved, seconded by Mayor Edelen, to approve the November 14, 2013 minutes, as presented.

MOTION PASSED: Ayes: Edelen, Pendergrass, Potter, Rubio. Abstain: O'Connell.

### 3. PUBLIC COMMENT

None.

### 4. REPORTS FROM THE LEGISLATIVE OFFICES

#### **a. 20<sup>th</sup> Congressional District**

Chief of Staff Rochelle Dornatt provided a brief report to the Committee regarding the possibility for a new round of base closures (BRAC), the status of the Army's California Central Coast Veterans Cemetery (CCCVC) water transfer, ongoing work on the Joint Department of Defense/Veterans Affairs Clinic, and other federal legislation potentially affecting Fort Ord. Ms. Dornatt announced that there would be no sequester in the FY 2015 federal budget.

#### **c. 17<sup>th</sup> State Senate District**

District Director Nicole Charles stated individual legislative committee hearings would conclude by the end of the week and everyone was awaiting the May 14<sup>th</sup> release of the Governor's state budget revisions. She announced that SB 936 was advancing through the legislature and was now headed to the Senate Appropriations Committee. The California Department of Veterans Affairs was moving ahead on schedule with regards to the CCCVC, having completed the preliminary 35% and 65% plans.

#### **d. 29<sup>th</sup> State Assembly District**

District Representative Taina Vargas-Edmond introduced herself to the Committee, noting she had joined Assemblymember Stone's Office several days prior and was looking forward to representing the Assemblymember at FORA.

## 5. **OLD BUSINESS**

### a. **Review First Draft of State priority Legislation from JEA & Associates**

John Arriaga, JEA and Associates, led a review of the draft legislative track document included in the packet.

The Committee directed staff, by unanimous consensus, to:

1. Work with JEA & Associates and legislators to ensure Central Coast issues/concerns are incorporated into advancing water bond legislation;
2. Include any other viable water bond legislation on the legislative track document with a position of “watch”; and
3. Remove AB 2498 and SB 1156 from the legislative track, as the bills did not meet legislative deadlines for this year.

The Committee recommended, by unanimous consensus, that the Board:

1. Adopt the legislative track positions, as amended (Watch positions for AB 2119, AB 2554, AB 2686, SB 927, and SB 1250. Support positions for AB 2176, AB 2280, and SB 936); and
2. Authorize letters of support for any advancing water bond legislation that adequately addresses Central Coast concerns.

### b. **Discuss Building Removal Financing Legislation**

Mr. Arriaga reviewed the proposed building abatement fund legislation written by Executive Officer Houlemard, noting that while it had been very well received by state legislators, it was introduced too late in this year’s process to be sponsored. His office would still work to find a place for it in this year’s budget process, but if that effort was not successful, they would reintroduce it early next year in hopes of obtaining sponsorship. Mr. Houlemard stated that he had shared with colleagues around the state and had received very favorable responses.

### c. **Report/Follow-up on Federal and State Legislative Missions**

#### i. **California Central Coast Veterans Cemetery**

Mr. Houlemard stated that there was not much to add to previous updates, but all parties were still pushing for a Veterans Day groundbreaking.

#### ii. **Habitat Conservation Plan (HCP) Actions**

Mr. Houlemard reported that FORA was pushing hard for resolution of outstanding issues between the California Departments of Fish and Wildlife and Parks and Recreation that were delaying progress of the HCP. He stated that the compromise currently being discussed between the two agencies would mean additional costs to FORA, but would prevent further delay of the document. He planned to meet with the Department of Fish and Wildlife while in Sacramento on May 14, 2014 and would report back on the outcome of that meeting.

#### iii. **Fort Ord National Monument Public Access**

Mr. Houlemard stated that FORA was actively working with the US Bureau of Land Management to resolve public access issues.

#### iv. **Blight Removal Business Plan Legislation - Office of Economic Adjustment (OEA) Grant Application**

Mr. Houlemard announced that FORA had formally submitted a request to OEA the previous week for several hundred thousand dollars to fund a business plan to explore cost savings of coordinating FORA and California State University, Monterey Bay CSUMB building removal efforts.

**v. Environmental Protection Agency (EPA) and Department of Defense (DoD) Coordination**

Mr. Houlemard reviewed the ongoing language dispute between EPA and DoD regarding classification FORA was actively engaged with the two agencies and Mr. Houlemard stated he was hopeful that the current dispute resolution process would be successful. Ms. Dornatt agreed and added that Congressman Farr was ready to assist if negotiations failed.

**d. Annual FORA Legislative Session Update**

Mr. Houlemard stated that the federal legislative session had taken place at the April Board meeting and the state session would be held on May 16<sup>th</sup>.

**6. ITEMS FROM MEMBERS**

None

**7. ADJOURNMENT**

Chair Potter adjourned the meeting at 3:20 p.m.



## Fort Ord Reuse Authority DRAFT 2015 LEGISLATIVE AGENDA

*The purpose of this report is to outline 2015 Fort Ord Reuse Authority (FORA) legislative tasks.* The FORA 2015 Legislative Agenda defines Board policy, sets legislative, regulatory or federal/state resource allocation positions, and supports the 1997 Base Reuse Plan's defined programs for replacing the former Fort Ord military regional economic contributions with comparable level civilian activity/programs. The Legislative Agenda is meant to assist state and federal agencies/legislative offices regarding property transfer, economic development, environmental remediation, habitat management/conservation, and infrastructure and mitigation funding. The order in which the tasks are presented herein does not imply rank or priority. Each item is considered a "priority" in achieving FORA's objectives.

### **A. VETERANS CEMETERY. Continue support for the California Central Coast Veterans Cemetery (CCCVC) development on the former Fort Ord.**

#### **Issue:**

Burial space for California Central Coast veterans is inadequate. The former Fort Ord is both ideally suited and centrally located. A site was set aside/designated in the 1990s for a veterans cemetery and the FORA Board of Directors has supported by multiple previous actions establishment of the California Central Coast Veterans Cemetery (CCCVC). In 2011, the Legislature amended Military and Veterans Code section 1450.1 directing California Department of Veteran Affairs (CDVA), in cooperation with the City of Seaside, County of Monterey, FORA, and surrounding local agencies, to design, develop, and construct the Veterans Cemetery on the former Fort Ord.

In January 2013, the FORA Board authorized transfer of the land designated for the CCCVC to CDVA. In August, CDVA submitted an application to the U.S. Department of Veteran Affairs (DVA) for approximately \$6.8 million in grant funding to establish the CCCVC. Senator Bill Monning authored legislation that reduced the approximate \$2.6 million funding gap between the federal grant and estimated project costs by \$1 million dollars. Additional state funding efforts reduced the funding gap by another \$1 million. The David and Lucile Packard Foundation provided a \$350,000 loan and \$150,000 in grant funding. Local fundraising efforts produced the remaining portion, which allowed the state to accept the US Department of Veterans Affairs (USDVA) grant funding by the October 15, 2013 deadline. The federal funds were disbursed to the state in September 2014, and construction is scheduled to begin in early 2015.

Current funding supports CCCVC design, planning, and environmental review and will incorporate above ground columbaria, administration and maintenance buildings, a committal shelter, minimal landscaping, and all necessary infrastructure for initial operation. Anticipated future expansion will require additional design, planning, and review and would include in-ground gravesites and additional columbaria, as well as other potential ancillary uses.

**Benefits:**

The CCCVC offers final resting places for the region's 50,000 (approx.) veterans.

**Challenges:**

Completion of the cemetery construction will require significant coordination between FORA, the CCCVC Foundation, the California Department of General Services (DGS), CDVA, USDVA, the City of Seaside, the County of Monterey, and other state/federal agencies.

**Proposed Position:**

- Support DGS and CDVA construction efforts.
- Support efforts to sustain priority standing for the CCCVC with CDVA and USDVA.
- Promote continued vigilance and cooperation among the regulatory agencies.
- Coordinate with federal agencies, the City of Seaside, the County of Monterey, the 20<sup>th</sup> Congressional District, the 17<sup>th</sup> State Senate District, and the 29<sup>th</sup> State Assembly District to sustain efforts to generate federal funding and/or status for future CCCVC expansion.

**B. HABITAT CONSERVATION PLAN (HCP). Continue/enhance ongoing coordination with federal and state legislative representatives to secure approval of the HCP.**

**Issue:**

HCP approval remains critical to former Fort Ord reuse. Alternatives to a basewide HCP are costly and time consuming and do not effectively serve the goal of managing or protecting endangered species.

**Benefits:**

HCP approval is essential to protecting habitat and effectively developing jobs and housing for the region.

**Challenges:**

Processing the HCP over the past ten years has been difficult and costly. Insufficient federal and state agency resources and overlapping regulatory barriers have thwarted the HCP process.

**Proposed Position:**

- Support legislative and regulatory coordination, state and federal resources, and strong advocacy to enable speedy reviews and processing.
- Coordinate with Department of Interior/ Bureau of Land Management (BLM), California Department of Fish and Wildlife (CDFW), the 20<sup>th</sup> Congressional District, the 17<sup>th</sup> State Senate District and the 29<sup>th</sup> State Assembly District to finalize an MOU between BLM and CDFW regarding habitat management on BLM's Fort Ord National Monument, a required milestone to completing the HCP.

**C. NATIONAL MONUMENT. Assist in implementing the federal National Landscape Conservation System (Fort Ord National Monument) designation for the former Fort Ord Bureau of Land Management (BLM) Natural Resource Management Area through increased trail access, completion of munitions and explosives removal, and continued advancement of the Fort Ord Habitat Conservation Plan (HCP).**

**Issue:**

HCP approval and implementation are essential to former Fort Ord reuse and will support the National Monument. Advancing access connects the National Monument to other Monterey Bay venues. State and national funding and further recognition are critical.

**Benefits:**

National attention to the unique flora, fauna, and recreational resources found on the Fort Ord National Monument supports Fort Ord Habitat Management Plan and HCP preservation efforts. The National Monument designation emphasizes the national significance of the BLM's former Fort Ord property to potential donors and other funding sources. As an advocate for the designation, FORA supports BLM's mission and former Fort Ord recreation/tourism, helping improve resource competitiveness.

**Challenges:**

Each year, the local BLM office competes nationally to receive public and private grants and federal appropriations that support its mission.

**Proposed Position:**

- Continue to support and work with the 20<sup>th</sup> Congressional District to introduce/sponsor funding for former Fort Ord conservation, trails, etc.

**D. REUSE FINANCING. Support statewide efforts to create local jurisdictions financing tools to assist reuse and recovery of former military bases.**

**Issue:**

The loss of "redevelopment financing" to assist in implementing base closure recovery programs was a heavy blow to FORA's member jurisdictions that need financial tools to support economic reuse/recovery initiatives.

**Benefits:**

Sufficient funding resources for the reuse and recovery from former Fort Ord closure and other military bases. Funding support for habitat management protection, building removal, or other infrastructure demands associated with the reuse programs.

**Challenges:**

Obtaining agreement to use tax or special district funds to create special financing districts to support targeted economic recovery, affordable housing and/or infrastructure in the climate of limited resources. Currently, there is an unclear transition process regarding the demise of prior redevelopment agencies that may generate litigation.

**Proposed Position:**

- Support legislation reactivating local agency processes for economic development.
- Support establishment of Military Base Reuse Recovery Zones.
- Support legislation for incentive based mechanisms to strengthen jurisdictions ability to implement base closure recovery programs.

**E. AUGMENTED WATER SUPPLY. Work with local and regional agencies to secure State and Federal funding to augment FORA's water supply capital needs.**

**Issue:**

The FORA Capital Improvement Program includes approximately \$24M to fund a Regional Water Augmentation necessary to implement the Base Reuse Plan. Securing outside funds to assist this requirement could help the timely implementation of recycled water and/or desalination water facilities and smooth out upfront costs of infrastructure.

**Benefits:**

Development projected under the Base Reuse Plan depends on an augmented water supply. Additional grant funding could reduce Marina Coast Water District (MCWD) cost to secure water resources and reduce the required hefty capital charges.

**Challenges:**

Scarce funding and competing water projects throughout the region and state. No current federal/state program exists for this funding.

**Proposed Position:**

- Continue to work with MCWD to ensure that they fulfill their contractual obligation to FORA for water resource augmentation.
- Support and coordinate efforts with MCWD, Monterey County Water Resources Agency, Monterey Regional Water Pollution Control Agency, other agencies, and FORA jurisdictions to secure funding and/or support other funding mechanisms proposed for this purpose.

**F. TRANSPORTATION IMPROVEMENTS. Work with the Transportation Agency for Monterey County (TAMC) and local jurisdictions to secure transportation funds.**

**Issue:**

The FORA Capital Improvement Program requires capital and monetary mitigations of approximately \$103,000,000 for transportation infrastructure on and proximate to the former Fort Ord. Some of this funding requires a local, or other, match from the appropriate regional or state transportation body to bring individual projects to completion. Roadway infrastructure proximate to the former Fort Ord impacts traffic mitigation measures on the former Fort Ord.

**Benefits:**

The timely installation of required on-site, off-site, and regional roadway improvements supports mitigating development impacts and maintaining and improving levels of service vital to the regional economy.

**Challenges:**

Applying scarce transportation funds to the appropriate projects to optimize transportation system network enhancements. Remaining federal and state programs offering grants or low cost resources are dwindling and increasingly competitive. An adopted HCP is an application requirement for most federal and state transportation grant programs.



**Proposed Position:**

- Support and coordinate with TAMC, FORA jurisdictions, and others for state infrastructure bonds, federal authorization or other grant/loan/low cost resources.
- Request amendment to Monterey County Local Coastal Plan (LCP) for safety improvements to Moss Landing/Castroville section of Highway 1.
- Advocate for approved regional improvements to maintain traffic flow and funding for transit improvements and active transportation.
- Continue/enhance ongoing coordination with congressional and state legislative representatives to secure HCP approval.

**G. BASEWIDE MITIGATION AND BUILDING REMOVAL IMPACTS. Lobby for state funds to mitigate the regional impacts of the development of California State University, Monterey Bay (CSUMB). Support requests for CSUMB campus impact mitigation funds and seek state and other funds for building removal.**

**Issue:**

In July 2006, the California Supreme Court ruled that California State University (CSU) must mitigate off-campus impacts from CSUMB campus development/growth. In order to fund its obligations, CSU requests funds from the State Legislature.

Contaminated building removal is a significant expense to CSUMB (\$26 million) and other former Fort Ord land use entities (\$43 million). A coordinated effort is more likely to achieve funding success. FORA and CSUMB have partnered on several building removal projects and continue to benefit from shared knowledge and cost savings. In both FY 2010-2011 and 2011-2012, FORA assisted CSUMB in grant funding applications to the Department of Defense Office of Economic Adjustment (OEA) for building removal efforts. In September 2013, FORA and CSUMB jointly prepared a Building Removal Business Plan OEA/US Economic Development Administration (EDA) grant application that would outline cost parameters and set forth terms to guide future removal of large multi-story concrete structures.

In November 2013, it was announced that CSUMB had received full funding from CSU to complete the remaining campus-wide building removal. Remaining basewide building removal costs (both FORA and jurisdictional) continue to impede recovery programs.

**Benefits:**

Supporting state budget approval of off-campus mitigation impact funding requests helps address CSU's fair share contribution. Similarly, a coordinated effort to secure building removal resources will help all levels of the regional reuse program. Securing financial aid for basewide building removal obligations will improve the overall perception of reuse progress, increase safety by eliminating the attractive nuisance and ongoing vandalism, reduce the "cover" for illegal dumping, and remove potential exposure to certain contaminants within the structures. Although CSUMB's building removal efforts have been fully funded, ongoing coordination with OEA/EDA is crucial to both entities efforts.

**Challenges:**

The primary responsibility for reviewing this project has transferred from OEA to EDA Region 9. EDA is now restarting that review, which may be awarded next quarter.

**Proposed Position:**

- Support state budget off-campus impact and building removal earmarks requested by CSU for the CSUMB campus and continue coordination with CSUMB for federal support.
- Support funding for research on the scope and scale of building removal as compared to others in the nation.
- Support funding to clear buildings in areas designated for development.

**H. PUBLIC SAFETY OFFICER TRAINING. Work with the County of Monterey to assist Monterey Peninsula College (MPC) to obtain capital and program funding for its former Fort Ord Public Safety Officer Training Programs.**

**Issue:**

FORA/County agreed to assist MPC in securing program funds in 2003.

**Benefits:**

The Public Safety Officer Training Program is an important component of MPC's Fort Ord reuse efforts and will enhance public safety training at the regional and state levels. Adequate funding is critical.

**Challenges:**

Funds available through the Office of Homeland Security, the Office of Emergency Services, or other sources may be restricted.

**Proposed Position:**

- Pursue legislative or other actions to support MPC efforts to secure funding sources.

**I. LEGISLATIVE COOPERATION. Coordinate efforts with other Monterey Bay agency legislative issues.**

**Issue:**

Monterey-Salinas Transit, Transportation Agency for Monterey County, and the County of Monterey have adopted legislative programs, some of which will have Fort Ord reuse impacts.

**Benefits:**

Collaborative funding efforts by agencies involved in the same or interdependent projects will increase the chances to obtain critical funding and also be enhanced by partnering matching funds.

**Challenges:**

State and federal funding is limited and competition for available funds will be keen.

**Proposed Position:**

- Coordinate and support other legislative programs in the Monterey Bay area when they interface with former Fort Ord reuse programs.