



# FORT ORD REUSE AUTHORITY

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## SPECIAL LEGISLATIVE COMMITTEE MEETING

**4:00 p.m. Wednesday, December 2, 2015**

920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933 (Executive Officer's Conference Room)

### AGENDA

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

**4. PUBLIC COMMENT PERIOD**

Individuals wishing to address Board jurisdiction matters not on this agenda, may do so during this period for up to three minutes. Specific agenda item comments are heard under that item.

**5. APPROVAL OF MEETING MINUTES**

a. November 3, 2015 Legislative Committee Minutes

ACTION

**6. BUSINESS ITEMS**

a. 2016 Annual Fort Ord Reuse Authority Legislative Agenda

ACTION

**7. ITEMS FROM MEMBERS**

**8. ADJOURNMENT**

Next Meeting Date: TBD

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## **FORT ORD REUSE AUTHORITY LEGISLATIVE COMMITTEE MEETING MINUTES**

4:30 p.m., Tuesday, November 3, 2015 FOR A Executive Officer's 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 4:47 p.m.

#### **Voting Members Present:**

Chair/Supervisor Potter (County of Monterey)  
Mayor Rubio (City of Seaside)  
Mayor Edelen (City of Del Rey Oaks)

#### **Others Present:**

Nicole Charles (Sen. Monning's office)  
John Arriaga (JEA & Associates-by phone)  
Michael Houlemard  
Robert Norris  
Maria Buell

#### **Voting Members Absent:**

Mayor Pendergrass (City of Sand City)  
Chair, O'Connell (City of Marina)

### **2. PLEDGE OF ALLEGIANCE**

Pledge of allegiance was led by Chair Potter.

### **3. ACKNOWLEDGMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

Mr. Houlemard said correspondence from Congressman Sam Farr's office was received this date highlighting funding for cleanup and BRAC-related expenses will hold steady for the next two years as well as other issues of local concern.

### **4. PUBLIC COMMENT PERIOD**

None.

### **5. APPROVAL OF MEETING MINUTES**

#### **a. July 20, 2015 Legislative Committee Minutes**

**MOTION:** Mayor Rubio moved, seconded by Mayor Edelen, to approve the July 20, 2015 minutes, as presented.

**MOTION PASSED UNANIMOUSLY**

### **6. NEW BUSINESS**

#### **a. 2016 Annual Fort Ord Reuse Authority Legislative Agenda**

John Arriaga and Michael Houlemard provided a summary of the legislative agenda summary and recommend these are items to be included in the 2016 Legislative Agenda. Mr. Houlemard made reference to building removal and how it failed prior and funding being not timely available; hence the building removal is not the Leg Agenda. John Arriaga stated that if funding should become available it could be taken to the Committee. Other agencies' legislative agendas were cross-checked and reviewed (TAMC and County) to insure no conflicts exist with FORA's Legislative Agenda. No meeting coordinating has been had with these agencies, but it needs to be follow-up.

Mayor Rubio asked about the status of Team Monterey and Base Retention efforts. He recommended adding Base retention efforts with Army and possible pairing back with Post Reassessment Advisory Committee. Mr. Houlemard said Staff will bring it back supporting Team Monterey. Chair Potter said a reduction of programs has begun at the Naval Post Graduate School. Mayor Rubio said a meeting was held with Department of Defense personnel and commanders and that the Community was outside in reception area only.

Chair Potter asked if we need anything on cleanup effort and shared that Environmental Protection Agency (EPA) was trying to change definition of "lethal." Mr. Houlemard responded not from a legislative point. Mayor Rubio said that recognition of what constitutes a hazard on Ft. Ord is needed and that munitions and explosives are not formally recognized as a hazard which created conflict with EPA & Army. He suggested next spring these items need to be negotiated before FORA sunsets. Chair Potter said a placeholder is needed for this. Mr. Houlemard said FORA is required to provide the State Legislature a Report in 2018 and that FORA must start coordination with LAFCO next year. Mayor Rubio said a meeting with Senator Monning on these issues exploring viable options on whether a Joint Powers Authority (JPA) or special legislation would be needed. Mr. Arriaga said in early January he would meet with Senator Monning and ask what is needed. Supervisor Parker said to do it in Sacramento. Mayor Rubio said adding this item to List about a report for 2018 and begin process. Mr. Houlemard stated this is a policy issue that might need a JPA or an amendment to Legislation to alter membership and structure and that a preliminary discussion was held with Jerry Steinberg because it affects contracting issues.

Mr. Arriaga said regarding water supply issues, he will be busy. He met with Dave Stoldt as to current status for a water bond grant. Chair Potter asked why did we not qualify for water funds. Mayor Rubio said it is hard for people to separate FORA from Cal-Am issues and they assume erroneously that any budget monies FORA gives goes towards funding litigation.

Ms. Charles requested her office be apprised when water money is applied for and asked if there any other funds available to assist with this issue. Mr. Arriaga said he is looking into getting other cities agencies involved in these projects together and fund out what is appropriate regionally. Ms. Charles stated a lot of applications for water funding are being delivered to their office and urged FORA to apply.

Chair Potter asked to carry this urgency for water bond money to Mr. Sciuto.

Requests to Staff were made to: 1). revise Legislative Agenda list; 2. Add clean up issues – hazards and how it affects property transfers; 3. Coordination with Senator Monning re transitions of FORA; and, 4. Add more emphasis with water bond money.

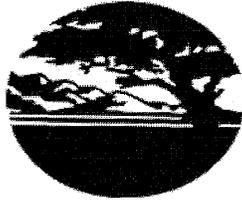
Mr. Houlemard stated the 2016 legislative agenda list will be revised and will be brought back to Legislative Committee for a final review. He added a proposed meeting in December 2 at 4:00 p.m. or as soon as the Executive Committee meeting ends their meeting.

## **7. ITEMS FROM MEMBERS**

None.

## **8. ADJOURNMENT**

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



## Fort Ord Reuse Authority DRAFT 2016 LEGISLATIVE AGENDA

*The purpose of this report is to outline 2016 Fort Ord Reuse Authority (FORA) legislative tasks. The FORA 2016 Report 's Legislative Agenda defines Board policy, sets legislative, regulatory or federal/state resource allocation positions, and supports the 1997 Base Reuse Plan's (BRP) defined programs and the 2012 BRP Reassessment report's 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. 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 base wide 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 20th Congressional District, the 17th State Senate District and the 29th 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.

**B. 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.

**C. ECONOMIC RECOVERY SUPPORT.** Support statewide and regional efforts to create local jurisdiction economic recovery base reuse financing.

**Issue:**

The loss of "redevelopment financing" and other refinancing tools to assist in implementing base closure recovery programs was a heavy blow to FORA's member jurisdictions. Jurisdictional funding has dropped and substitute financial tools to support economic reuse/recovery initiatives are needed.

**Benefits:**

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

**Challenges:**

1. 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.
2. State funding sources remain unclear.

**Proposed Position:**

Support legislation, activating 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.

**D. 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 1990s for a veterans cemetery and the FORA Board of Directors supported through multiple previous actions the 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 reducing 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, allowing State to accept the U.S. Department of Veterans Affairs (USDVA) grant funding on October 15, 2013. The federal funds were disbursed to State on September 2014, and construction began in early 2015. Current funding supports CCCVC design, planning, and environmental review and incorporate above ground columbaria, administration and maintenance buildings, a committal shelter, minimal landscaping, and all necessary infrastructure for initial operation. Future expansion requires additional design, planning, and review and includes 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 20th Congressional District, the 17th State Senate District, and the 29th State Assembly District to sustain efforts to generate federal funding and/or status for future CCCVC expansion.

**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 FORA and 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 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 \$121 million 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.

- Support and coordinate with TAMC, FORA jurisdictions, and others for state infrastructure bonds, federal authorization or other grant/loan/low cost resources.
- Restart efforts to 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. 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. MPC has yet to accept the property for the former Fort Ord projects.

**Proposed Position:**

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

**H. 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.

## **I. ASSURING LONG TERM STEWARDSHIP OF MUNITIONS CLEANUP AREAS.**

Coordinate with Federal, State and local agencies on post-cleanup stewardship of munitions and explosives ordnance issues/areas.

### **Issue:**

FORA sunsets in June 30, 2020. There will be significant post FORA property management and post-remediation issues that will need to be managed. Those issues require resources, coordination and cooperation which are still being defined.

### **Benefits:**

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

### **Challenges:**

State and federal funding resources are limited. Federal and State agencies have not funded long term stewardship. In addition local jurisdictions have limited funding for long-term stewardship.

### **Proposed Position:**

- Seek federal and state cooperation to assure responsiveness and long-term stewardship for munitions response areas.

## **J. LEGISLATIVE COORDINATION REGARDING FORA TRANSITION ISSUES**

### **Issue:**

FORA's sunset in 2020 calls for coordination of many items. Specifically a report to State Legislature must be filed in 2018. Working with local agencies such as LAFCO is crucial. Coordination will be beneficial /essential in traversing the long list of issues and reporting requirements.

### **Benefits:**

Collaborative efforts will assure effective transition prior to the 2020 sunset.

### **Challenges:**

State law requirements contractual obligations, and inter-agency agreements will require intensive and unavoidable legislative multi-agency negotiations.

### **Proposed Position:**

- Coordinate and seek support from State Legislature (17<sup>th</sup> State Senate District and 29<sup>th</sup> State Assembly District) to assure post-FORA funding for jurisdictions and reuse obligations.