

# Transition Issues

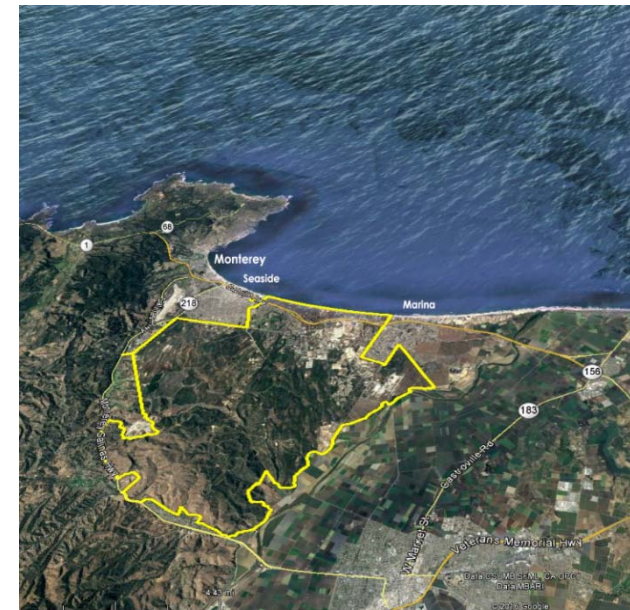
*Presentation to FORA BOARD*

*November 17, 2017*

*Steve Endsley, Assistant Executive Officer  
Sheri Damon, Prevailing Wage/Risk Coordinator*

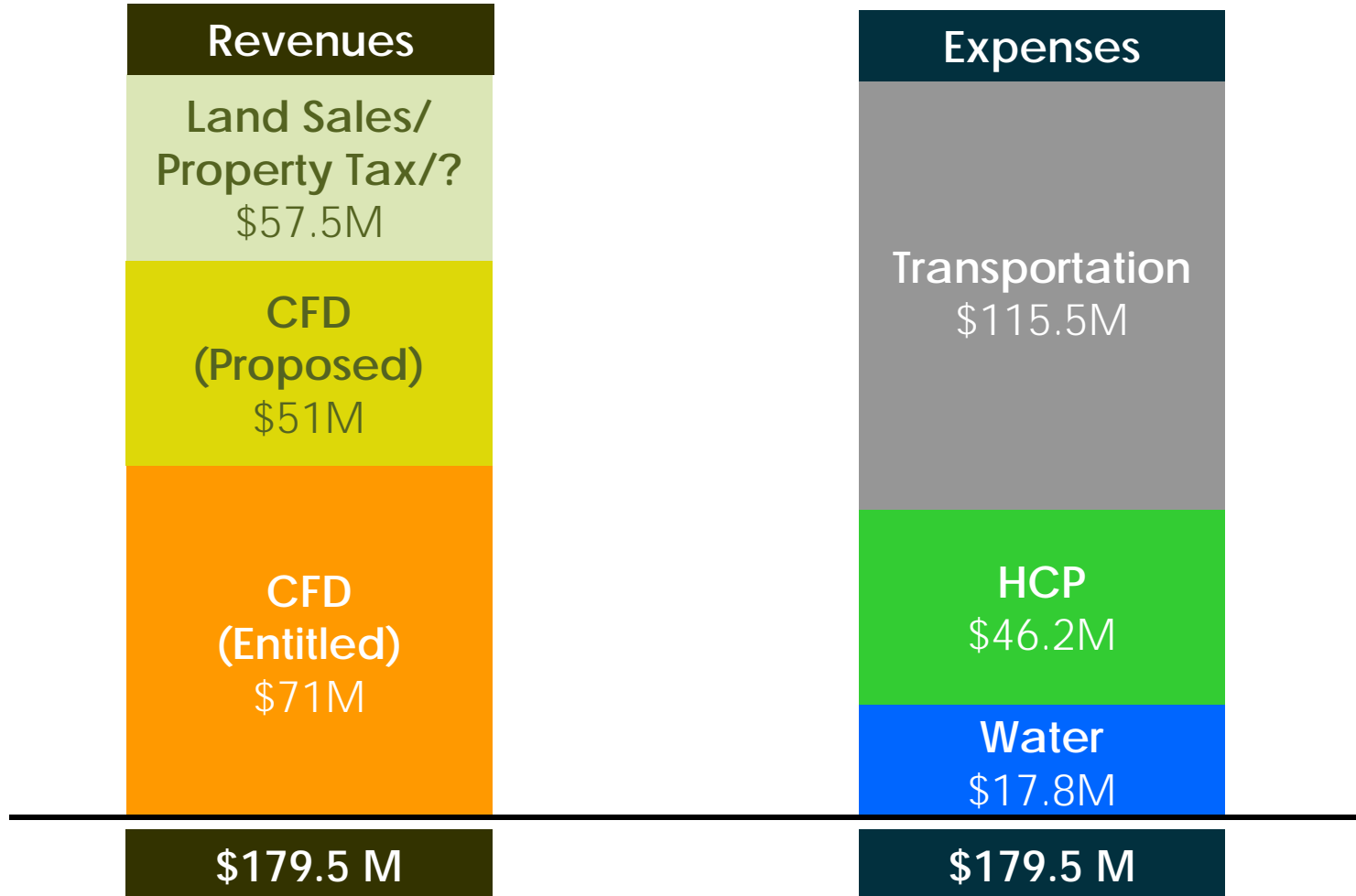
# Overview

- 2<sup>nd</sup> Vote
- Clarification-Questions
  - Community Facilities District (CFD)
  - Administrative Liabilities (CalPERS)
  - Frequently Asked Questions



- **Create single entity successor (JPA)**
- Seek extension of CFD/powers for successor
- **Utilize Implementation Agreement/Percentage assignment for jurisdiction's fair and equitable contribution to successor to complete FORA program**

# Funding Obligations



1. There must be a language mistake on the end date of the CFD, do we even need legislation?

A: Yes.

“ Per Section 53321(d) of the Act, Special Taxes shall not be levied after Fiscal Year 2013-14 or the termination of FORA, whichever is later, but in no circumstances shall the Special Tax be levied later than calendar year 2051.”

## 1. Extend FORA Act

A. **Extend and Amend** FORA Act to address community concerns, thus extending the current CFD by changing FORA's termination date.

For Example:

FORA Lite (only member jurisdictions)

FORA Shell (retaining financing powers and limited participation: reduced staffing)

Eliminate unanimous first vote rule?

Consistency Oversight Adjustment?

# CFD Extension Options

1. Vote and Amend Mello Roos
2. Two Issues:
  - a. End Date of CFD. The end date ambiguity is found in the formation documents (Notice of Special Tax and Ordinance 02-01 and 05-01), it would most likely require **a vote** to fix the ambiguity and extend end date to 2051.
  - b. Transfer Process. If End Date is extended and FORA is dissolved, the Mello Roos statute must be amended to provide a transfer process from FORA to successor(s).



# Sample Post-2020 Jurisdictional Obligation/Liability Allocations



	Future Buildout	FORA Program (Buildout)	Voting	Admin
Carmel			8%	\$ 538,462
County	16%	\$ 28,720,000	23%	\$ 1,615,385
CSUMB	0%	\$ -	0%	\$ -
Del Rey Oaks	13%	\$ 23,335,000	8%	\$ 538,462
Marina	37%	\$ 66,415,000	15%	\$ 1,076,923
Monterey	0%	\$ -	8%	\$ 538,462
Pacific Grove		\$ -	8%	\$ 538,462
Salinas		\$ -	8%	\$ 538,462
Sand City		\$ -	8%	\$ 538,462
Seaside	29%	\$ 52,055,000	15%	\$ 1,076,923
UC MBEST	5%	\$ 8,975,000	0%	\$ -
<b>Totals</b>	<b>100%</b>	<b>\$ 179,500,000</b>	<b>100%</b>	<b>\$ 7,000,002</b>

# Sample Post-2020 Jurisdictional Administrative (CalPERS) Liability Allocations



	Vote %	\$1,000,000	\$7,000,000	\$0
Carmel	7.69%	\$76,923.08	\$538,461.54	\$0.00
County	23.08%	\$230,769.23	\$1,615,384.62	\$0.00
CSUMB	0.00%	\$0.00	\$0.00	\$0.00
Del Rey Oaks	7.69%	\$76,923.08	\$538,461.54	\$0.00
Marina	15.38%	\$153,846.15	\$1,076,923.08	\$0.00
Monterey	7.69%	\$76,923.08	\$538,461.54	\$0.00
Pacific Grove	7.69%	\$76,923.08	\$538,461.54	\$0.00
Salinas	7.69%	\$76,923.08	\$538,461.54	\$0.00
Sand City	7.69%	\$76,923.08	\$538,461.54	\$0.00
Seaside	15.38%	\$153,846.15	\$1,076,923.08	\$0.00
UC MBEST	0.00%	\$0.00	\$0.00	\$0.00

# Frequently Asked Questions



**Updated Frequently Asked Questions on FORA  
Transition Web Page**

[http://www.fora.org/TTF/Additional/FORA\\_TransitionPlanning-FAQs\\_Summary\\_102417.pdf](http://www.fora.org/TTF/Additional/FORA_TransitionPlanning-FAQs_Summary_102417.pdf)

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# Discussion

