



# Fort Ord Reuse Authority

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

## BOARD OF DIRECTORS SPECIAL MEETING Friday, May 10, 2013 at 2:00 p.m. 910 2<sup>nd</sup> 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) – Five Cases
  - i. Keep Fort Ord Wild v. Fort Ord Reuse Authority, Case Numbers: M114961, M116438, M119217
  - ii. Bogan v. Houlemard, Case Number: M122980
  - iii. The City of Marina v. Fort Ord Reuse Authority, Case Number: M118566
- b. Public Employee Performance Evaluation – Executive Officer (Gov Code 54957)

#### 3. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

*(open session will begin at the later of: a) 2:30 p.m. or b) immediately following closed session)*

#### 4. PLEDGE OF ALLEGIANCE

#### 5. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

- a. April 25, 2013 Letter from California Department of Toxic Substances Control regarding California Central Coast Veterans Cemetery Site Remediation (pg. 1-3)

#### 6. CONSENT AGENDA

ACTION

- a. April 12, 2013 Board Meeting Minutes (pg. 4-7)
- b. Amend Master Resolution Section 2.01.020(b) to Permit Ex-Officio Participation in Closed Session (pg. 8-9)
- c. Continuance of Current Marina Coast Water District Water and Wastewater Systems Rates, Fees and Charges (pg. 10)
- d. Concur in Legislative Committee Recommended Positions on State Legislation (pg. 11)
- e. Concur in Legislative Committee Amendments to 2013 Legislative Agenda (pg. 12)
- f. Authorize Letters of Support for Assembly Bills 229 and 1080 (pg. 13)

#### 7. OLD BUSINESS

- a. Denise Duffy & Associates Contract Amendment #7 (pg. 14-22) ACTION
- b. Base Reuse Plan Post-Reassessment Follow-up: "Category I" (pg. 23-43) ACTION
- c. Capital Improvement Program Review – Phase II Study (pg. 44-82)
  - i. Receive Report Regarding Fee Formula Calculation from EPS INFORMATION
  - ii. Approve Draft Resolution to Implement Fee Adjustment ACTION

#### 8. NEW BUSINESS

- a. FY 2013-14 Capital Improvement Program (pg. 83-84) INFORMATION
- b. FORA FY 2013-14 Preliminary Budget (pg. 85-92) INFORMATION
- c. Contract to Perform Election Services (pg. 94-95) ACTION

#### 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. 96)
- b. Habitat Conservation Plan Update (pg. 97-101)
- c. Travel Report (pg. 102-103)
- d. Administrative Committee (pg. 104-109)
- e. Finance Committee (pg. 110-111)
- f. Post-Reassessment Advisory Committee (pg. 112-116)
- g. Veterans Issues Advisory Committee (pg. 117-119)
- h. Water and Wastewater Oversight Committee (pg. 120-121)
- i. Public Correspondence to the Board (pg. 122)

INFORMATION  
INFORMATION  
INFORMATION  
INFORMATION  
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INFORMATION  
INFORMATION  
INFORMATION

**11. ITEMS FROM MEMBERS**

**12. ADJOURNMENT**

**The June 14, 2013 Board meeting has been CANCELLED**

**NEXT BOARD MEETING: JUNE 21, 2013 AT 2:00 P.M.**

*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](http://www.fora.org).



**Matthew Rodriguez**  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Deborah O. Raphael, Director  
1001 "I" Street  
P.O. Box 806  
Sacramento, California 95812-0806



**Edmund G. Brown Jr.**  
Governor

**Item 5a**  
FORA Board Meeting, 5/10/2013

April 25, 2013

Mr. Michael Weaver, Co-Chair  
Fort Ord Community Advisory Group  
Post Office Box 969  
Seaside, California 93955

### FORT ORD FEDERAL SUPERFUND SITE, PROPOSED VETERAN'S CEMETARY LOCATION AND FUNDING ISSUES, MONTEREY COUNTY, CALIFORNIA

Dear Mr. Weaver:

Thank you for your letter dated March 30, 2013, wherein you voice the concern the Fort Ord Community Advisory Group (FOCAG) has regarding the proposed transfer of land on the former Fort Ord to the California Department of Veteran's Affairs for a Veteran's Cemetery. I am the Deputy Director of the Department of Toxic Substance Control's (DTSC) Brownfields Environmental Restoration Program. As such, I am responsible for all cleanup activities at the former Fort Ord facility; so Director Raphael has asked me to respond to your letter.

Your letter expresses your concern over plans to transfer contaminated and dangerous Federal property to the State of California because of the liability it will create for the State. Your letter separately states that the proposed acreage for a Veteran's Cemetery on Parker Flats is contaminated and is in an inappropriate and dangerous location. Because of this, the FOCAG does not believe the State of California should accept the proposed Veteran's Cemetery property.

Because of the complicated nature of site cleanup and property transfer, I will respond to your concerns individually; separately discussing current property ownership, status of the property cleanup, and finally, appropriateness of future use.

First, I would like to clarify that the Parker Flats property being proposed for the Veteran's Cemetery is no longer Federal property and is currently owned by the local community. Governor Schwarzenegger signed a letter concurring with the United States Environmental Protection Agency's approval of a Covenant Deferral on July 21, 2008. This Covenant Deferral allowed the transfer of 3,300 acres of the former Fort Ord

Mr. Michael Weaver  
April 25, 2013  
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from the Federal Government to local, Fort Ord Reuse Authority, ownership prior to cleanup. Ownership of the property has since been transferred from the U.S. Army to the Fort Ord Reuse Authority, a local entity created by State legislation to oversee reuse and development of the former Fort Ord military base.

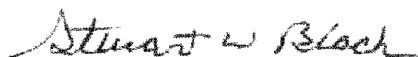
Second, I want to assure you that the property has been cleaned up appropriately for its intended use. Beginning in 1997, several removal actions were conducted by the U.S. Army for the Parker Flats property. In the area of the proposed Veteran's Cemetery, the property was cleared to a depth of four feet (4'). As a result of the investigation and removal actions that have occurred on the property, a Record of Decision (ROD) for this site was finalized on June 24, 2008, which selected the remedial action of Land Use Controls. To enforce these Land Use Controls, DTSC recorded Land Use Covenants on the property in May of 2009. Although we cannot be assured that no risk remains, we believe that clearance to four feet (4') is appropriate for the intended future use and exceeds the potential depth of historic ground penetrating munitions.

Casual visitors to the property would have no risk of exposure from chemical contamination or Unexploded Ordnance (UXO). Since there is a potential risk for future intrusive activities, the Land Use Controls remedy selected in the ROD includes warnings of historical munitions use, safety training for conducting intrusive activities, and construction monitoring by UXO qualified personnel during any ground disturbing activities. Separately, there is no known ground water contamination associated with the proposed Veteran's Cemetery site and soil contamination was addressed as part of the previously mentioned ROD.

Finally, although DTSC does not have a direct role in the selection of the future use of property, we believe the property has been remediated to allow for the intended future use as a Veteran's Cemetery.

If you have any questions regarding this letter, please contact our Fort Ord project manager, Mr. Ed Walker at (916) 255-4988 or through e-mail at [ed.walker@dtsc.ca.gov](mailto:ed.walker@dtsc.ca.gov).

Sincerely,



Stewart W. Black, P.G.  
Deputy Director  
Brownfields and Environmental Restoration Program

cc: See next page.

Mr. Michael Weaver  
April 25, 2013  
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cc: Mr. Peter J. Gravett, Secretary  
California Department of Veteran's Affairs  
1227 O Street  
Sacramento, California 95814

Ms. Deborah O. Raphael, Director  
Department of Toxic Substances Control  
California Environmental Protection Agency  
1001 I Street  
Sacramento, California 95814

bcc: Mr. Charlie Ridenour (via e-mail)  
Branch Chief, Sacramento Office  
Department of Toxic Substances Control  
[Charlie.ridenour@dtsc.ca.gov](mailto:Charlie.ridenour@dtsc.ca.gov)



# Fort Ord Reuse Authority

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

## BOARD OF DIRECTORS REGULAR MEETING Friday, April 12, 2013 at 3:30 p.m. 910 2<sup>nd</sup> Avenue, Marina, CA 93933 (Carpenter's Union Hall)

### MINUTES

#### 1. CALL TO ORDER AND ROLL CALL

Chair Edelen called the meeting to order at 3:30 p.m. The Board immediately adjourned to closed session.

#### 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 Appointment: Authority Counsel – Gov Code 54957

#### 3. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

Acting Authority Counsel Jon Giffen announced that the Board had received a report from legal counsel and provided direction on closed session items. No reportable action was taken.

#### ROLL CALL

After reconvening into open session, a roll call was conducted and a quorum was confirmed.

#### Voting Members Present: (\*alternates)

Chair/Mayor Edelen (City of Del Rey Oaks)	Mayor ProTem O'Connell (City of Marina)
Councilmember Alexander (City of Seaside)*	Supervisor Parker (County of Monterey)
Mayor Burnett (City of Carmel-by-the-Sea)	Mayor Pendergrass (City of Sand City)
Councilmember Edwards (City of Seaside)*	Supervisor Potter (County of Monterey)
Mayor Gunter (City of Salinas)	Supervisor Salinas (County of Monterey)
Mayor Kampe (City of Pacific Grove)	Councilmember Selfridge (City of Monterey)
Councilmember Morton (City of Marina)	

#### Voting Members Absent: Mayor Pro-Tem Oglesby (City of Seaside), Mayor Rubio (City of Seaside)

The following ex-officio Board members were present: Sonja Arndt (20<sup>th</sup> Congressional District), Nicole Charles (17<sup>th</sup> State Senate District), Erica Parker (29<sup>th</sup> State Assembly District), Graham Bice (University of California), Andre Lewis (California State University), Walter Tribley (Monterey Peninsula College), Mike Gallant (Monterey-Salinas Transit), Todd Muck (Transportation Agency of Monterey County), Pamela von Ness (U.S. Army), Bill Collins (Fort Ord BRAC Office), Director Thomas Moore (Marina Coast Water District).

#### 4. PLEDGE OF ALLEGIANCE

Councilmember Edwards led the Pledge of Allegiance.

#### 5. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

- a. **May 2-3, 2013 Fort Ord Prevailing Wage Training Conference. Executive Officer Houlemard provided details on the upcoming prevailing wage conference, co-hosted by FORA and the Carpenters Union.**

Chair Edelen noted that several supplemental materials had been provided for the Board and public, including previously request Fort Ord Base Reuse Plan (BRP) binders. He reported that an initiative had been filed to amend the BRP by designating currently developable parcels as

open space and that FORA was exploring the prospect of contracting with the Monterey County Department of Elections in the case that an election is required.

One member of the public requested he be allowed to make a brief comment out of agenda order, due to an urgent family matter that required him to leave the meeting early. Chair Edelen allowed the brief comment.

## 6. CONSENT AGENDA

- a. **Consider Letter of Support for AB 946 (Assemblymember Mark Stone)**
- b. **Consider Letter of Support for SB 106 (Senator Bill Monning)**
- c. **Approval of the March 15, 2012 Board Meeting Minutes**
- d. **Approval of the March 22, 2012 Board Meeting Minutes**

Executive Officer Houlemard stated that each Board Member had before them a copy of the 2013 legislative track, which listed proposed legislation affecting Fort Ord. Draft legislative support letters would be forthcoming. Chair Edelen thanked Senator Monning's office for their ongoing support.

**MOTION:** Mayor Pro-Tem O'Connell moved, seconded by Supervisor Potter, to approve the Consent Agenda as presented.

**MOTION PASSED:** Unanimous

## 7. OLD BUSINESS

- a. **FORA Pollution Legal Liability Insurance Presentation/Report**

Mr. Houlemard introduced the item. Special Counsel Barry Schlossberg presented an overview of the coverage provided under the Pollution Legal Liability (PLL) policy, noting that the coverage would expire in 2014. The policy was purchased prior to the negotiation of the Environmental Services Cooperative Agreement (ESCA) and before it was known how long it would take the Army to perform the cleanup work. Mr. Steinberg stated there had been no claims against the PLL policy, to date, which would be favorable if FORA choose to obtain a new policy. The information now understood regarding previously unknown factors and the substantial risk reduction due to the cleanup work already performed should allow for a lower premium and overall cost of a new policy. He stated there was a risk to local land use jurisdictions if the policy expired without a replacement form of coverage. He would work with the insurance broker to bring a solicitation to the Board in 5-6 months. Mr. Houlemard noted that FORA met with land use jurisdiction staff regarding this item and planned to present it to the Administrative Committee.

**MOTION:** Councilmember Morton moved, seconded by Supervisor Parker, to receive the report.

**MOTION PASSED:** Unanimous

- b. **Environmental Services Cooperative Agreement (ESCA) Update**

ESCA Program Manager Stan Cook provided an update on the ESCA, noting that a total of 4,950 items of concern, munitions and/or unexploded ordnance had been removed to date. Mr. Houlemard stated that processing the paperwork through the regulatory agencies would take a considerable amount of time. Once processed, the documents would undergo public review prior to property transfer to the underlying jurisdictions, currently expected to occur in 2015. Mr. Cook reported that physical remediation of the veterans cemetery parcel had been completed. The regulatory agencies had signed off on the burial area as cleaned to "best available detection," rather than a specific depth, and had deemed the area suitable for use as a cemetery.

**MOTION:** Councilmember Morton moved, seconded by Councilmember Alexander, to accept the report.

**MOTION PASSED:** Unanimous

**c. FORA Legal Representation**

- i. Authorize the Executive Officer to Execute a Contract with the Law Offices of Alan Walter, not to exceed \$24,950, for Review of Base Reuse Plan (BRP) Actions**
- ii. Authorize the Executive Officer to Execute a Contract with Jon Giffen of Kennedy, Archer, and Giffen to Serve as Authority Counsel**

Mr. Houlemard stated the Executive Committee had recommended both items for authorization by the Board. He introduced Alan Waltner, noting that he had previously worked with FORA regarding the BRP. Mr. Waltner provided a brief overview of his experience and qualifications.

**MOTION:** Mayor Gunter moved, seconded by Supervisor Potter, to authorize both contracts as stated in the staff recommendation.

**MOTION PASSED:** Unanimous

**d. Base Reuse Plan Post-Reassessment Follow-Up: "Category I"**

Associate Planner Darren McBain briefly explained Category I edits and noted that the Board-appointed Post Reassessment Advisory Committee (PRAC) had initiated review of these edits at their first meeting, held the previous Friday. He stated that the PRAC would also review Category IV. Category II edits would be reviewed by Alan Waltner, and Category III would be reviewed by FORA staff working with the Administrative Committee. Chair Edelen expressed his appreciation for PRAC members in volunteering for this work.

**MOTION:** Mayor Kampe moved, seconded by Councilmember Morton, to receive the report.

**MOTION PASSED:** Unanimous

**e. Fort Ord Reuse Authority Master Resolution**

- i. Review Fort Ord Reuse Authority (FORA)/Ventana Chapter of the Sierra Club (Sierra Club) Settlement Agreement Requirements/Notification Process**
- ii. Consider Sierra Club's 23 Proposed Chapter 8 Typographical Corrections**
- iii. Consider Sierra Club's Request to Remove Sections 8.02.020(t) And 8.02.030(a)(8)**
- iv. Consider Section 2.09.020 (FORA Conflict-of-Interest Code) Modifications**

Chair Edelen stated that the Sierra Club had retracted their request under item (iii).

Mr. Houlemard noted that the Conflict of Interest code had been modified to include additional staff members required to file form 700 and to amend several job titles for current filers.

**MOTION:** Councilmember Edwards moved, seconded by Supervisor Potter, to approve the staff recommendations for items (i), (ii), and (iv).

**MOTION PASSED:** Unanimous

**f. Capital Improvement Program Review – Phase II Study**

- i. Receive FORA Fees Calculation Report**
- ii. Review/Consider Draft Resolution to Implement Fee Adjustment**

Senior Planner Jonathan Garcia reported that EPS had prepared the requested study (distributed at the meeting) and was performing the calculations to adjust the developer fee through a formulaic approach. Recent analysis had shown that application of the formula would produce a 35% fee reduction. Mr. Garcia explained that the Board would have the opportunity to review/recalculate the fee in spring 2014 and again every two years afterward, or in the case of a major event. Staff responded to Board member inquiries, and Chair Edelen requested that Board members requiring additional information/clarifications review the study prepared by EPS and work with FORA staff to resolve any remaining issues prior to the next Board meeting. Mayor Pro-Tem O'Connell expressed frustration with the delay in



implementation of the fee adjustment, as the City of Marina had projects that were ready to move forward.

**MOTION:** Mayor Kampe moved, seconded by Councilmember Morton, to receive the report.

**MOTION PASSED:** Unanimous

## 8. NEW BUSINESS

### a. Veterans Cemetery Agreement and Budget

- i. Consider Approval of Seaside-FORA Cemetery Agreement
- ii. Consider Approval of \$4,000 FY 2012-13 Budget Increase for Veterans Cemetery Consultants
- iii. Consider Authorizing a \$30,000 Check to California Department of General Services for Land Acquisition Services

Mr. Garcia stated that the City of Seaside had approved an agreement with FORA to transfer their portion of the veterans cemetery parcel to the state, and that the FORA Board must also approve the agreement to authorize transfer. Executive Officer Houlemard noted two changes that had been made by Authority Counsel to the agreement in order to provide clarity. Supervisor Parker noted that the Monterey County resolution included in the packet was not the final version and that a signed version was now available.

**MOTION:** Mayor Gunter moved, seconded by Councilmember Alexander, to approve the staff recommendations for items (i) as amended, (ii) and (iii).

**MOTION PASSED:** Unanimous

## 9. PUBLIC COMMENT PERIOD

The Board received comments from several members of the public.

## 10. EXECUTIVE OFFICER'S REPORT

- a. Outstanding Receivables
- b. Administrative Committee
- c. Finance Committee
- d. Post-Reassessment Advisory Committee
- e. Veterans Issues Advisory Committee
- f. Water and Wastewater Oversight Committee
- g. Habitat Conservation Plan Update
- h. Travel Report
- i. Public Correspondence to the Board
- j. Notice of Requirement Regarding Items Received from the Public for Reproduction and Distribution at Board/Committee Meetings

Mr. Houlemard highlighted Principal Analyst Robert Norris' recent trip to Washington, D.C., which was undertaken at his own expense.

## 11. ITEMS FROM MEMBERS

None

## 12. ADJOURNMENT

Chair Edelen adjourned the meeting at 6:36 PM.

Minutes prepared by Crissy Maras, Acting Deputy Clerk

Approved by: \_\_\_\_\_  
Michael A. Houlemard, Jr.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## CONSENT AGENDA

<b>Subject:</b>	Amend Master Resolution Section 2.01.020(b) to Permit Ex-Officio Participation in Closed Session	
<b>Meeting Date:</b>	May 10, 2013	<b>ACTION</b>
<b>Agenda Number:</b>	6b	

### RECOMMENDATION:

Amend Master Resolution Section 2.01.020(b), as presented, to permit Ex-Officio Board member participation in closed session.

### BACKGROUND/DISCUSSION:

Section 2.01.020(b) of the FORA Master Resolution states that Ex-Officio Board members "may participate in public meetings and hearings of the authority." It also states that this participation "does not include...the ability to meet with the Authority Board in closed session."

FORA staff recently received a request from California State University, Monterey Bay to reconsider this issue. At their May 1, 2013 meeting, the Executive Committee recommended Board approval of Ex-Officio Board member participation in closed session. Per the established open session protocol, Ex-Officio members would be permitted to make motions in closed session, but would not vote.

The proposed amendment to Section 2.01.020(b) of the FORA Mater Resolution is attached (**Attachment A**) for your consideration. The amendment does not detail specifics of Ex-Officio participation in closed sessions, but removes any prohibition against it. Staff requests that the Board provide further clarity, regarding the level of Ex-Officio participation in closed session personnel matters.

### FISCAL IMPACT:

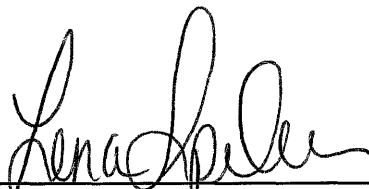
Reviewed by FORA Controller 

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

### COORDINATION:

Executive Committee, Authority Counsel

Prepared by

  
Lena Spilman

Approved by

  
Michael A. Houlemard, Jr.

## FORA MASTER RESOLUTION - EXCERPT -

### 2.01.020. EX-OFFICIO MEMBERSHIP

(a) A representative of each of the ex-officio members may serve as nonvoting members of the Board of Directors. Ex-officio members are not counted to establish a quorum.

(b) The Board of Directors may appoint or remove additional ex-officio nonvoting members at its pleasure. Each ex-officio member may participate in public meetings and hearings of the Authority. For the purpose of this Master Resolution, the term "participate in public meetings and hearings" includes, but is not limited to, the ability to make motions, request the placement of matters on the Authority's agenda, serve on committees, and to participate in all discussions regarding any matter which may come before the Authority in public session. The term "participate in public meetings and hearings" does not include the ability to cast a vote under Section 2.02.040 of this Master Resolution, nor does it include the ability to meet with the Authority Board in closed session.

**FORT ORD REUSE AUTHORITY BOARD REPORT**

**CONSENT AGENDA**

<b>Subject:</b>	Continuance of Current Marina Coast Water District Water and Wastewater Systems Rates, Fees and Charges	
<b>Meeting Date:</b>	May 10, 2013	<b>ACTION</b>
<b>Agenda Number:</b>	6c	

**RECOMMENDATION:**

Continue the current Marina Coast Water District (MCWD) water and wastewater rates, fees and charges until subsequent action is taken by the Fort Ord Reuse Authority (FORA) Board of Directors.

**BACKGROUND:**

The process for approving rates, fees and charges has been in place since MCWD took ownership of the former Fort Ord water and wastewater systems in 2001. The Water/ Wastewater Oversight Committee (WWOC), advisory to the Board, reviews information presented by MCWD and ultimately recommends a MCWD budget to the FORA Board for approval. The FORA Board typically reviews/approves the MCWD budget in the May/June timeframe, facilitating subsequent approval by the MCWD Board, and allowing MCWD to adopt the rates, fees and charges to be effective by July 1<sup>st</sup> each year. In some cases the FORA and MCWD actions have occurred at a joint meeting of the two agencies.

**DISCUSSION:**

MCWD has undertaken a rate study to determine if an increase to rates and charges is necessary to continue both normal operations and capital improvements. The anticipated timeline for completing the rate study does not allow FORA Board action on a proposed FY 2013/14 MCWD budget until after the beginning of the new fiscal year (July 1<sup>st</sup>). Therefore MCWD staff requested, and WWOC and FORA staff recommend, that the FORA Board approve *continuing* the currently in place FY 2012/13 rates, fees and charges (FORA Board approved in September 2012) until the rate study and FY 2013/14 budget is complete, anticipated for presentation to the Board in August or September.

**FISCAL IMPACT:**

Reviewed by FORA Controller 

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

**COORDINATION:**

WWOC, Administrative Committee, Executive Committee

Prepared by  Crissy Maras      Approved by  Michael A. Houlemard, Jr.

# Placeholder for Item 6d

## *Concur in Legislative Committee Recommended Positions on State Legislation*

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The Legislative Committee will meet on May 6, 2013 to discuss the status of federal and state legislative matters and to consider recommendations to the Board regarding legislative support. As the above mentioned Committee meeting will not take place until after distribution of the Board packet, the Committee's recommendations will be distributed to the Board under separate cover prior to the May 10, 2013 Board meeting.

# Placeholder for Item 6e

## ***Concur in Legislative Committee Amendments to the 2013 FORA Legislative Agenda***

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At the February 25, 2013 Legislative Committee meeting, the Committee directed staff to amend the 2013 FORA Legislative Agenda to include coordination with jurisdictions to pursue grant funding opportunities. The amended 2013 Legislative Agenda will be presented to the Committee on May 6, 2013 for consideration. If approved, it will be distributed to the Board under separate cover prior to the May 10<sup>th</sup> Board meeting.

# Placeholder for Item 6f

## *Authorize Letters of Support for Assembly Bills 229 and 1080*

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The Legislative Committee will meet on May 6, 2013 to consider recommendations to the Board regarding legislative support. As the above mentioned meeting will not take place until after Board packet distribution, the letters of support will be distributed under separate cover prior to the May 10, 2013 Board meeting.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## OLD BUSINESS

<b>Subject:</b>	Denise Duffy & Associates Contract Amendment #7	
<b>Meeting Date:</b>	May 10, 2013	<b>ACTION</b>
<b>Agenda Number:</b>	7a	

### RECOMMENDATION(S):

Authorize the Executive Officer to execute contract amendment #7 (**Attachment A**) with Denise Duffy & Associates (DD&A) for completion of additional California Tiger Salamander analysis required by California Department of Fish and Wildlife (CDFW) and completion of 2<sup>nd</sup> Administrative and Screencheck Drafts of the Draft Habitat Conservation Plan (HCP) Environmental Impact Statement/Environmental Impact Report (EIS/EIR), not to exceed \$109,945.

### BACKGROUND/DISCUSSION:

FORA staff, FORA's HCP consultant (ICF), and FORA's National Environmental Policy Act/California Environmental Quality Act consultant (DD&A) held several recent meetings with CDFW and US Fish and Wildlife (USFWS) staff to address their comments on the draft HCP. One of CDFW's comments was a requirement to conduct an alternative take analysis for California Tiger Salamander that would allow CDFW to make their 2081 permit findings for this state and federal-listed species on former Fort Ord. Staff notes that USFWS does not require this alternative take analysis for California Tiger Salamander. Therefore, both the original and alternative take analyses would be included in the HCP and the HCP EIS/EIR.

In addition to the California Tiger Salamander analysis, contract amendment #7 includes completion of the 2<sup>nd</sup> Administrative Draft EIS/EIR (anticipated in June 2013) followed by completion of the Screencheck Draft EIS/EIR (anticipated in August 2013). Staff notes that USFWS is the lead agency for the Draft HCP EIS, while FORA is the lead agency for the Draft HCP EIR.

### FISCAL IMPACT:

Reviewed by FORA Controller 

DD&A's (NEPA/CEQA consultants to FORA and USFWS) contract has been funded through FORA's annual budgets to accomplish HCP preparation and environmental review. The approved FY 12-13 Budget includes \$110,000 for this proposed amendment. Staff time for this item is included in the approved FORA budget.

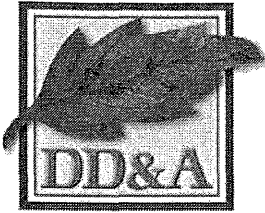
### COORDINATION:

Executive Committee, Administrative Committee, Authority Counsel, USFWS, CDFW, ICF, and DD&A.

Prepared by   
Jonathan Garcia

Approved by   
Michael A. Houlemard, Jr.





**Denise Duffy & Associates, Inc.**

PLANNING AND ENVIRONMENTAL CONSULTING

April 30, 2013

Michael Houlemard  
Executive Officer  
Fort Ord Reuse Authority  
100 12<sup>th</sup> Street, Building 2880  
Marina, California 93933

**Subject:** Request for Contract Amendment (#7) – Complete revised CTS analysis and 2<sup>nd</sup> Administrative and Screencheck Drafts of the EIS/EIR

Dear Mr. Houlemard,

Denise Duffy & Associates, Inc. (DD&A) is currently under contract with the Fort Ord Reuse Authority (FORA) and the U.S. Fish and Wildlife Service (Service) to prepare the environmental documentation (EIS/EIR) for the Fort Ord Habitat Conservation Plan (HCP).

In December 2012, it was requested by the California Department of Fish and Wildlife (DFW) to include additional information related to the take assessment for the California Tiger Salamander (CTS) for the HCP and EIS/EIR. Specifically, DFW provided ICF International, Inc. (ICF) and DD&A “Alternative methodology for determining the significance of impacts to CTS on the former Fort Ord” (“Alternative Methodology”), and requested that this methodology be implemented and included in the take assessment for the HCP and EIS/EIR. The DFW stated that this methodology will provide needed further detail on the quality of CTS habitat that would be preserved and impacted. The DFW stated that this additional information is necessary to issue a Section 2081 Incidental Take Permit (ITP) for this species as it will allow for the agency to determine whether the implementation of the HCP fully mitigates for the proposed impacts to CTS.

DD&A identified a list of tasks required to implement the Alternative Methodology, which included the following:

- Review Alternative Methodology/Discuss with HCP team (completed November 2012);
  - Conduct GIS analysis/Calculate Acreages (Completed February 2013);
  - Prepare New Impact Spreadsheets and Calculate Impacts (Completed February 2013);
  - Revise and/or Prepare New HCP and EIS/EIR Tables and Figures (Completed February 2013);
  - Compile and Provide Qualitative Road and Adjacent Pond Information to ICF (in progress);
- and

Tel: (831) 373-4341  
Fax: (831) 373-1417  
947 Cass Street, Suite 5  
Monterey, CA 93940

- Provide Draft Results to ICF and DFG (Completed February 2013)/Revise, as needed, and Provide Final Results to ICF (in progress).

These additional tasks were not included in the original scope of work or budget. DD&A requested a budget amendment in the form of reallocating funds from our existing budget to include the cost of these tasks, estimated to be \$5,106.00. The FORA Board approved the reallocation of funds on January 11, 2013.

DD&A completed the first draft of the analysis in mid-February and determined that the actual cost would be higher than anticipated due to the complex nature of the analysis. DD&A received comments from the HCP Working Group and, although the analysis was completed accurately and correctly, it was determined that additional information was needed for permit issuance and the resources agencies requested that the analysis be expanded to include three variations of the analysis and identify impact acreages by covered activity within development and habitat management areas. This was an extremely complicated and comprehensive analysis that involved the creation of sixteen tables and six maps, and the revision of five existing Microsoft Excel spreadsheets and four Microsoft Word tables within the current working drafts of the HCP and EIS/EIR. DD&A is pleased to report that the second draft of the CTS analysis was completed in early April 2013, and the results were reviewed and discussed with the HCP Working Group at our meeting on April 10, 2013. With the exception of a few minor errors, the resource agencies and other participants in the Working Group were highly impressed with the products and satisfied with the results. The HCP Working Group is now utilizing the data produced as the basis for revising the avoidance and minimization measures in the HCP.

DD&A has expended our existing budget performing this analysis and participating in associated tasks (e.g., additional meetings, project management, email and phone communications, etc.). As described above, DD&A reallocated \$5,106.00 of our existing budget in January. DD&A currently has \$4,534.34 remaining in our existing budget. DD&A is requesting that the remaining budget be reallocated to cover a portion of total cost of the CTS analysis and requesting an additional \$23,070.00 to cover the remaining cost of the analysis.

In order for the HCP to be based on the best scientific evidence possible, DD&A is proposing to conduct a review of any potential updated occurrence data for the covered species. Since the completion of the impact analysis in 2010, there is the possibility that additional occurrences of covered species have been documented and it is recommended that the HCP occurrence and impact data be updated to include any additional occurrences. DD&A has also been requested to participate in additional meetings. Lastly, DD&A is currently working on incorporating comments from the USFWS on the 1<sup>st</sup> Administrative Draft EIS/EIR and anticipates submitting a 2<sup>nd</sup> Administrative Draft EIS/EIR to the resources agencies in June with the goal to publish a Draft EIS/EIR for public review in early fall. Therefore, DD&A is also requesting additional budget to complete the updated HCP impact analysis and 2<sup>nd</sup> Administrative & Screencheck Drafts of the EIS/EIR. DD&A has revised the existing scope of work and budget to reflect the additional and amended tasks.

In summary, DD&A is requesting that our original contract be amended to include additional scope and budget for additional tasks and additional work on the EIS/EIR. The estimated cost for these tasks is \$109,945.00, which includes \$23,070.00 for the revised CTS analysis and \$86,875.00 for the 2<sup>nd</sup> Administrative and Screencheck Drafts of the EIS/EIR. The cost per task is identified in the attached spreadsheet.

If you are in agreement with the terms of this amendment request, please sign the attached authorization to proceed and fax or email back to our office as soon as possible. As always, please call me with any questions or comments.

Best regards,



Erin Harwayne, AICP  
Senior Project Manager  
Denise Duffy & Associates, Inc.

*Enclosures: Revised Scope of Work and Budget*

**AUTHORIZATION TO PROCEED**

*Note: If the scope, fee, terms of payment and conditions described in the Denise Duffy & Associates, Inc. attached memorandum are acceptable, please sign and return a copy of this authorization form for our files. Thank you.*

**Project Name:** REVISED SERVICES (AMENDMENT #7) FOR THE FORT ORD HABITAT CONSERVATION PLAN EIR/EIS PROJECT

**Accepted by (signature):** \_\_\_\_\_ **Dated:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**On Behalf of:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Fee/Scope Confirmation:**

ADJUSTMENT TO ORIGINAL CONTRACT BUDGET FOR REVISED SERVICES OF \$109,945.00, AS DESCRIBED IN THE LETTER DATED APRIL 30, 2013.

**Existing Contract Date, if applicable:** FEBRUARY 1, 2005.

**If invoice should be sent to a different person or location, please complete below:**

**Mailing Address:** \_\_\_\_\_

**Attention:** \_\_\_\_\_

**Return to:** Denise Duffy & Associates, Inc.  
947 Cass Street, Suite 5  
Monterey, CA 93940

**SCOPE OF WORK**  
for the  
**FORT ORD HCP**  
**Environmental Impact Statement/Environmental Impact Report**  
**Amendment #7**  
**April 30, 2013**

Denise Duffy & Associates, Inc. (DD&A) is currently contracted to prepare the environmental documentation for the Fort Ord Habitat Conservation Plan (HCP) (February 1, 2005). Due to changes in the documentation approach and the HCP consultant, DD&A prepared a Scope of Work that assumed the preparation of a joint NEPA/CEQA environmental document, dated July 21, 2008 (Amendment #1 to the original contract). Since the approval of contract amendment #1, additional revisions to the scope of work and budget occurred, which were approved as Amendments #2-4. To reflect these revisions to the original contract and provide a budget to complete the environmental review process through a screencheck draft Environmental Impact Statement/Environment Impact Report (EIS/EIR) (note: screencheck draft EIS/EIR means an Administrative draft EIS/EIR document that addresses substantive issues identified in previous Administrative drafts – this is the final draft prior to the public review draft EIS/EIR), DD&A prepared a Revised Scope of Work, dated January 3, 2012, which was referred to as “Amendment #5.” Amendment #5 included: Tasks 1-7 of the Revised Scope of Work; and the tasks described in Amendment #4. The Fort Ord Reuse Authority (FORA) approved Amendment #6, which included revising the impact analysis for the California Tiger Salamander (CTS) (see Task 8 below). Due to completion of several tasks and increased technical discussions and analyses, DD&A has reached its current contract budget limit and requests approval of contract amendment #7, which includes the revised Scope of Work and budget amendment, as shown in the attached spreadsheet.

**TASK 1. PREPARE FIRST ADMINISTRATIVE DRAFT EIS/EIR - COMPLETED**

**TASK 2. COMPLETE TASKS DESCRIBED IN AMENDMENT #4 - COMPLETED**

**TASK 3. REVIEW AGENCY COMMENTS ON DRAFT HCP - COMPLETED**

**TASK 4. REVIEW SCREENCHECK DRAFT HCP (TO BE COMPLETED)**

After review of agency comments, ICF will be incorporating agency comments and preparing a Screencheck Draft HCP. DD&A will review the Screencheck Draft HCP to determine whether any significant revisions have occurred that affect the environmental analysis. It is anticipated that minor revisions to the EIS/EIR will be required for consistency purposes, but that no new significant issues will be raised during this review. It is anticipated that any significant issues raised on the HCP by the Wildlife Agencies would have been resolved during Task 2. The anticipated minor revisions are included in the attached budget spreadsheet. If significant revisions are required to the EIS/EIR as a result of revisions to the Screencheck Draft EIS/EIR, DD&A will request an amendment to this scope of work.

*Responsibility: DD&A and ICF*

*Deliverable(s): Email to FORA containing a determination whether the Screencheck Draft will result in significant revisions to the EIS/EIR*

#### **TASK 5. AGENCY COORDINATION AND MEETINGS (AMENDED)**

DD&A will continue coordinating with the HCP Working Group and working to resolve remaining issues and concerns. DD&A will participate in the meetings that ICF identified in their meeting schedule. In addition, DD&A will coordinate closely with ICF to maintain project schedule and completion.

DD&A will attend and participate in working group meetings as necessary throughout the project either in person or on telephone conferences, including regular communication with the U.S. Fish and Wildlife Service (Service) to address key issues and confer on environmental impacts and what types of actions are suitable for avoidance, mitigation or conservation measures. For meetings where DD&A is the lead, we will prepare agendas and minutes with the action items, give presentations, and provide presentation materials, as needed. A log of all action items will be maintained to ensure that the required actions occur.

In total, this scope of work assumes that DD&A will attend the following meetings associated with the tasks in this scope of work: ten HCP Working Group Meetings and four meetings with the Service, California Department of Fish and Wildlife (DFW), and ICF. Any request(s) for meeting attendance by DD&A not provided for within this scope will be billed on a time and materials basis. This task includes the preparation of agendas, meeting minutes, and action item lists, as needed.

*Responsibility: DD&A*

*Deliverables: Agendas, Meeting Minutes, Log of Action Items*

#### **TASK 6. PREPARE SECOND ADMINISTRATIVE DRAFT EIS/EIR AND SCREENCHECK DRAFT EIS/EIR (IN PROGRESS)**

Upon conclusion of the review of the First Administrative Draft EIS/EIR, DD&A will revise the document based on internal team comments, as appropriate, and submit the Second Administrative Draft to the HCP Working Group for final comments. DD&A will revise the Second Administrative Draft EIS/EIR based on HCP Working Group comments and prepare a Screencheck Draft for review by Service Solicitors and DFW before publishing the document for public review.

*Responsibility: DD&A*

*Deliverables: Second Administrative Draft EIS/EIR and Screencheck Draft EIS/EIR*

#### **TASK 7. REVISED CTS ANALYSIS (IN PROGRESS)**

Per the requests of DFW, DD&A will revise the CTS impact analysis as described in Amendment #6 and letter to FORA dated April 30, 2013.

*Responsibility: DD&A*

*Deliverables: Revised CTS Occurrence and Impact Figures and Tables*

**TASK 8. UPDATE HCP COVERED SPECIES OCCURRENCE DATA (TO BE COMPLETED)**

Per the requests of the Service and DFW, DD&A will update the occurrence and impact data and maps for all covered species for inclusion in the HCP and EIS/EIR based on most recent scientific evidence.

*Responsibility: DD&A*

*Deliverables: Updated Species Occurrence and Impact Figures and Tables*

**DD&A Budget Amendment #7**  
**April 30, 2013**  
**Fort Ord Habitat Conservation Plan**  
**Environmental Impact Statement/Environmental Impact Report**

Billing Title	Principal	Project Manager	Senior Planner	Senior Environmental Specialist	Assoc Planner or Biologist	Assist Planner	Word Processing	Graphics	Hours Per Task	Cost Per Subtask	Cost Per Task									
	1 Prepare 1st Admin Draft EIS/EIR									0	\$ -	\$ -								
2 Complete Tasks Described in Amendment #4									0	\$ -	\$ -									
3 Review Agency Comments on Draft HCP									0	\$ -	\$ -									
4 Review Screencheck Draft HCP	4	2	20		4				30	\$ 3,750	\$ 3,750									
5 Agency Coordination/Meetings	6	44	12	20	20	12	14	14	142	\$ 15,432	\$ 15,432									
6 Prepare 2nd Admin Draft EIS/EIR and Screencheck Draft EIS/EIR	4	60	140	80	60	32	40	30	446	\$ 47,800	\$ 47,800									
7 Revised CTS Analysis	2	18	60	28	80	10	4	16	218	\$ 23,070	\$ 23,070									
8 HCP Impact Analysis Update	2	20	16	22	44	4	4	20	132	\$ 13,798	\$ 13,798									
Total Hours										18	144	248	150	208	58	62	80	968		
Hourly Rate										\$ 205	\$ 125	\$ 115	\$ 134	\$ 95	\$ 85	\$ 55	\$ 68			
Total Labor										\$ 3,690	\$ 18,000	\$ 28,520	\$ 20,100	\$ 19,760	\$ 4,930	\$ 3,410	\$ 5,440		\$ 103,850	\$ 103,850
<b>Subconsultants:</b>																				
Traffic											\$ 4,250									
<b>TOTAL SUBCONSULTANTS</b>												\$ 4,250								
<b>Expenses:</b>																				
Printing/Xerox											\$ 500									
Mileage/Communication											\$ 400									
Miscellaneous											\$ 150									
<b>TOTAL EXPENSES</b>												\$ 1,050								
<b>SUBTOTAL</b>												\$ 5,300								
<b>15% Admin Fee</b>												\$ 795								
<b>TOTAL</b>												\$ 109,945								



**FORT ORD REUSE AUTHORITY BOARD REPORT**  
**OLD BUSINESS**

**Subject:** Base Reuse Plan Post-Reassessment Follow-Up: "Category I"

**Meeting Date:** May 10, 2013

**Agenda Number:** 7b

**ACTION**

**RECOMMENDATION:** Direct staff to:

- i. Incorporate the Post-Reassessment Advisory Committee's (PRAC/"Committee") recommendations (**Attachment A**) regarding Reassessment Report "Category I" *text* corrections into a future Base Reuse Plan (BRP) compilation/republication;
- ii. Incorporate the Committee's Category I BRP *figure*-related recommendations (**Attachment B**) into a future BRP compilation/republication work program (May 10 PRAC meeting includes review/confirmation of Attachment B); and
- iii. Include in Attachment A an additional Category I text edit related to BRP Polygon 17A (see discussion below).

**BACKGROUND**

The Reassessment Report's Category I topics/options section identified approximately 45 text corrections and various corrections to 40 different figures in the BRP. These corrections were intended to be of a "housekeeping," non-substantive nature, consisting of corrections of editorial errors, out-of-date references, and clarifications to instances of ambiguous wording in the BRP. The corrections would take effect as part of a future BRP republication (full scope, schedule, and budget to be determined, pending outcome of the policy workshops).

At the March 22 Board workshop (post-reassessment policy workshop #2), among other actions, the Board voted to support the Board chair's appointment of an advisory committee, consisting of seven Board members. The Committee would explore a range of considerations and form priority recommendations regarding Reassessment Report Category IV topics, with further review of Category I issues and concerns also included in its charge. The Committee held its first meeting on April 5. The Committee made substantial progress toward resolving outstanding concerns with the identified Category I BRP text edits and developing a systematic approach to the figure corrections identified in the Report. At the April 12 Board meeting, staff provided a status report on the Committee's work.

**DISCUSSION**

*Concerning Recommendation i., above:* At its April 19 meeting, the PRAC continued the April 5 discussion of Category I text and figure corrections. CONCUR, Inc. meeting facilitator Scott McCreary guided the discussion. The Committee reviewed a staff-prepared, tracked-changes draft summary of the April 5 review/discussion of text edits. After requesting minor revisions to be incorporated into the final version for future Board consideration, the Committee unanimously voted to endorse the summary document. The document is presented as Attachment A, with an additional proposed "post-Committee review" edit (see Recommendation iii section, below).

*Concerning Recommendation ii:* On April 19, the Committee completed its previous review of the Reassessment Report's comments on the 40 individual BRP figures and developed a systematic approach for sorting and addressing future map/figure corrections. Through a collaborative deliberation process, members devised and unanimously agreed on an approach and its specific applicability to each figure. The Committee also continued initial discussion of potential Category IV prioritization considerations and factors. Subsequently, staff prepared a summary (Attachment B) of the Committee's review of the BRP figures, and circulated it on April 26 to Committee members for confirmation prior to full Board

consideration. As of this writing, staff has not received corrections or suggested revisions from Committee members. The next PRAC meeting is scheduled for Friday, May 10 (8:00 to 11:00 AM).

*Concerning Recommendation iii:* At the May 1 Administrative Committee meeting, Monterey County Resource Management Agency Deputy Director Carl Holm expressed concern regarding the Reassessment Report's suggested correction to BRP page 271 (on page 2 of Attachment A). The correction pertains to Polygon 17a, which is also referred to as Army Corps of Engineers parcel L5.7. This site is located in unincorporated Monterey County. At the time the BRP was published, the City of Marina was proposing to obtain the site through a Public Benefit Conveyance (PBC), with a goal of developing a future 46-acre community park. However, in 2003 the City of Marina opted not to pursue the PBC (see **Attachment C** for additional background). The Reassessment Report suggested reassigning the future park designation to the County's BRP policy/program responsibilities, based on the site being located in the unincorporated County. However, there is no indication that the County has ever proposed, intended, or been formally requested to develop a community park on the site. Therefore, there appears to be no basis for transferring responsibility to the County to designate such a use on this site. Staff recommends that the Reassessment Report's suggested edit be deleted, and that the question of suitable future uses of the site be carried over to a future "Category IV" policy-level discussion. Staff has added a proposed edit to the PRAC summary document to this effect, for consideration by members of the Committee and the Board; please see comments 2 and 3 on page 2 of Attachment A.

*California Environmental Quality Act (CEQA) reference:* Exempt planning and feasibility study; not a project approval. Board endorsement of the Committee's recommendations does not modify the BRP or result in any direct or indirect changes to the physical environment. The contents of any future BRP modification continue to be developed, and Board endorsement of the Committee's recommendations regarding the Category I items in the Reassessment Report does not foreclose any mitigation measures or alternatives in that planning process. Revised text and figures implementing the Committee's recommendations would eventually be developed and integrated into a future BRP republication (final contents, scope, schedule, and budget to be determined). Republication would undergo appropriate CEQA clearance prior to any discretionary approval.


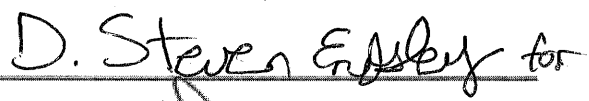
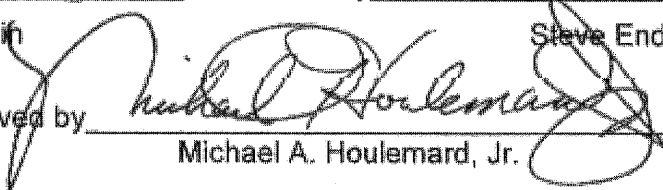
**FISCAL IMPACT**

Reviewed by FORA Controller 

The BRP reassessment has been funded through FORA's FY 11-12 and FY 12-13 budgets to accomplish the final BRP Reassessment Report prepared by EMC Planning Group; there is a balance of approximately \$20,000 remaining in the current fiscal year's budget in the Reassessment/Post-Reassessment category. Future costs associated with BRP republication and/or other potential post-reassessment action items under consideration have not yet been determined.

**COORDINATION**

Administrative Committee, Executive Committee, PRAC; CONCUR, Inc.

Prepared by  Darren McBain Reviewed by  Steve Endsley  
Approved by  Michael A. Houlemard, Jr.

## 3.2 CATEGORY I – BRP CORRECTIONS AND UPDATES

### ***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 designate convenience/specialty retail land use on its zoning map and provide standards for development within residential neighborhoods.

#### **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.

**Comment [dm1]:** On hold (identified as needing further clarification as to the reasons underlying the change). Examine further as part of a Category IV policy discussion.

**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.*

**Comment [dm2]:** Staff-proposed "Post-April 19 Committee review" additional edit related to Recommendation iii of Item 7b (May 10, 2013 Board report):

Place the Reassessment Report's suggested corrections to pages 266 and 271 on hold, pending a Category IV policy-level discussion of appropriate future uses of the site.

**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.~~

**Comment [dm3]:** See comment dm2, above.

*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 ~~all~~ 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 ~~all~~ the former Fort Ord recreation opportunities.

**Comment [dm4]:** Keep the word "all" in place

**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.

**Comment [dm5]:** Substitution of "planning" for "development" is agreeable. Further discussion of the subject matter (jurisdictions seeking early consideration of parks and open space) should be considered in the context of Car. IV policy options.

APPENDICES

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.

Comment [dm6]: See comment 3, above

**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.

Comment [dm7]: See comment 3, above

**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).~~

**Comment [dm8]:** On hold: discuss possible language revisions in the context of Cal. IV policy options.

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.

**Comment [dm9]:** delete

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

APPENDICES

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.

Comment [dm10]: delete



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 1994~~ 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 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.*

**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).

**Comment [dm11]:** On hold; discuss possible language revisions in the context of Cat. IV policy options.

~~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.~~

**Comment [dm12]:** Renumber programs B-2.4 through B-2.7 to group them under Policy B-1 (consistent with the way presented in the previous City of Marina section)

~~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.~~

**Comment [dm13]:** delete

~~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 C DPR 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.~~

**Comment [dm14]:** Already completed? As a Cat. IV item, consider addition of “crossing out” already-achieved programs in a future BRP republication as a new Cat. IV topic.

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

**Comment [dm15]:** Changed to 349.

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

**Comment [dm16]:** Footnote with a brief discussion of the reason for the change (site's annexation into Del Rey Oaks) with dates identified.

APPENDICES

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.*

**Comment [dm17]:** Add: A portion of Polygon 31b is anticipated to be transferred to the City of Monterey.

**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.*

**Comment [dm18]:** Add the date that the change (land exchange involving MPC) became effective

**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 ~~habituall~~ 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 ~~habitat~~ 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 a Master 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.

**ADDITIONAL/ "POST-MEETING" CHANGES**

**Volume II, Page 226**

~~Two references to "Table 3.2-2" (does not exist) should be Table 3.4-1, which begins on page 99 of the BRP.~~

**Volume II, Page 327**

~~Reference to "within Marina's jurisdiction" —should read "within Seaside's jurisdiction."~~

**Comment [dm19]:** Identified by the District 4 office via email, 4/8/13

**Comment [dm20]:** Identified by the District 4 office via email, 4/16/13

Post-Reassessment Advisory Committee (PRAC) -- BRP Figure "Category I" Recommendations

<b>General guidance applicable to all figures:</b>							
Maintain unmodified, "as-is" copies of all existing figures for important archival and reference purposes							
Seek available records of figures that pre-date the 1997 Base Reuse Plan (1996 public draft, earlier studies, etc.) for archiving alongside the 1997/2001 BRP versions.							
Establish and prominently label the "last revised" date of all existing figures--1997 (BRP), 2001 (BRP republication), or other. Leave place names as-is that were correct at that time.							
Seek opportunities to use previously prepared (2012) Reassessment/Scoping Report figures as a basis for a future updated figure addressing the Cat. I corrections.							
Add the Reassessment Report's Cat. I corrections that are of a purely formatting, typographical, or "internal consistency" nature (legend items, etc.) to the most current existing version of a figure. Prominently label this revised figure as a 2013 revised version.							
As part of any future BRP republication, new/updated figures should be made available alongside the previous version(s), not only as a replacement.							
<b>Category II note:</b>							
For map updates, i.e., <u>non-formatting-type</u> corrections, such as correcting outdated place names and showing modified Caltrans/TAMC projects, <u>place a "hold" on making any non-formatting map updates related to land-use designations and transportation</u> , pending further discussion and legal review for CEQA compliance in the context of Category II.							
<b>Committee recommendations, by individual BRP figure:</b>							
			<b>Committee recommendation</b>				
			Incorporate the Reassessment Report's Cat. I corrections into a future modified/updated version of the figure	Take no action to prepare a modified/updated version of the figure	Additional clarification regarding map content is required before updating the figure	Changes to substantive map content are "on hold," pending Cat. II outcomes.	<b>Additional notes/comments</b>
<b>BRP Figures:</b>							
	Framework for the Reuse Plan						
Volume I, Page 72	3.2-1	Regional Vicinity Map	✓				
Volume I, Page 73	3.2-2	Topographic Relief Map	✓				
Volume I, Page 77	3.2-3	Regional Land Use Context	✓				
Volume I, Page 83	3.2-4	Existing Development		✓			Insufficient information exists to provide clarification of 2001 existing development conditions.
Volume I, Page 87	3.2-5	Fort Ord Assets and Opportunities			✓		Clarify how boundaries and names have changed in the time since the figure was prepared.
Volume I, Page 95	3.3-1	Land Use Concept: Ultimate Development	✓			✓	Map content will undergo further review as part of Cat. II topics/options. Committee members spoke favorably about prioritizing completion of the draft updated map from the scoping report.
Volume I, Page 97	3.3-2	Proposed Land Use and Regional Context	✓			✓	Insufficient information exists to provide clarification of 2001 existing development conditions.
Volume I, Page 114	3.5-1	Proposed 2015 Transportation Network			✓	✓	Existing figure provides historical context. Provide additional documentation of previous actions (by FORA Board or others) resulting in changes to the original plan.
Volume I, Page 117	3.5-2	Roadway Classification and Multimodal Network	✓			✓	Fort Ord boundary legend correction is an appropriate change.
Volume I, Page 129	3.6-1	Regional Open Space System	✓				
Volume I, Page 133	3.6-2	Habitat Management Plan	✓				FORA adopted an updated map in 2005.
Volume I, Page 137	3.6-3	Open Space & Recreation Framework	✓		✓		Update of trailhead locations requires review and documentation.
Volume I, Page 149	3.8-1	Marina Planning Areas					Would be affected by potential adjustments to Land Use Concept Map to reflect completed consistency determinations (to undergo review as part of Cat. II topics/options)
Volume I, Page 163	3.9-1	Seaside Planning Areas	✓			✓	" "
Volume I, Page 173	3.10-1	County Planning Areas	✓			✓	" "
Land Use Element							
Volume II, Page 215	4.1-1	Existing Development Pattern at Fort Ord		✓			Same as Figure 3.2-4
Volume II, Page 218	4.1-2	Planning Areas and Local Jurisdictions	✓				
Volume II, Page 221	4.1-3	Generalized Land Use Setting	✓				
Volume II, Page 227	4.1-4	Sphere of Influence and Annexation Requests	✓				
Volume II, Page 229	4.1-5	City of Marina Land Use Concept	✓			✓	Would be affected by potential adjustments to Land Use Concept Map (to undergo review as part of Cat. II topics/options)



Volume II, Page 231	4.1-6	City of Seaside Land Use Concept	✓			✓	" "
Volume II, Page 233	4.1-7	County of Monterey Land Use Concept	✓			✓	" "
Volume II, Page 239	4.1-8	Reconfigured POM Annex		✓			A map of the final configuration should be presented alongside the BRP version.
Circulation Element							
Volume II, Page 287	4.2-1	Existing Transportation Network		✓			Add the 1997 date; otherwise leave as-is for context.
Volume II, Page 294	4.2-2	Proposed 2015 Transportation Network			✓	✓	Same as Figure 3.5-1
Volume II, Page 296	4.2-3	Buildout Transportation Network			✓	✓	
Volume II, Page 302	4.2-4	Roadway Design Standards		✓		✓	The exhibit shows a minimum safety standard. Future efforts to improve may be warranted.
Volume II, Page 305	4.2-5	Transit Activity Centers and Corridors		✓		✓	Del Rey Oaks label is misplaced. Otherwise, the map appears to accurately show 1997 conditions.
Volume II, Page 309	4.2-6	Proposed Bicycle Network		✓		✓	Del Rey Oaks label is misplaced. Otherwise, the map appears to accurately show 1997 conditions.
Volume II, Page 313	4.2-7	Transportation Right-of-Way Reservations	✓		✓	✓	Basis for modifying right-of-way widths must be documented.
Recreation and Open Space Element							
Volume II, Page 323	4.3-1	Marina Open Space and Recreation Element	✓				Per the subsequent figure legends: Y = youth camp, hatching denotes limited access. Arrows appear to indicate nonspecific trail continuation.
Volume II, Page 325	4.3-2	Seaside Recreation and Open Space Element	✓		✓		The meaning of black arrows not identified in legend requires additional research.
Volume II, Page 329	4.3-3	County Recreation and Open Space Element	✓		✓		The meaning of black arrows not identified in legend requires additional research. Update of trailhead locations requires review and documentation.
Volume II, Page 369	4.4-1	Oak Woodland Areas	✓		✓		Add a footnote that the source documents (Jones and Stokes study) includes more detail of the three different subtype areas that are shown with one shading in the BRP figure.
Volume II, Page 393	4.4-2	Archaeological Resource Sensitivity	✓				Add jurisdiction names. Leave original place names for historical accuracy.
Noise Element							
Volume II, Page 403	4.5-1	Noise Contours for Monterey Peninsula Airport	✓				
Volume II, Page 408	4.5-2	Forecast Year 2015 Airport Noise Contours	✓				
Volume II, Page 409	4.5-3	Forecast Year 2010 and CNEL 65db Noise Contour for Monterey Peninsula Airport	✓				
Safety Element							
Volume II, Page 424	4.6-1	Seismic Hazards	✓				
Volume II, Page 434	4.6-2	Fire, Flood, and Evacuation Routes	✓				
Volume II, Page 442	4.6-3	Hazardous and Toxic Waste Sites (June 1995)	✓				

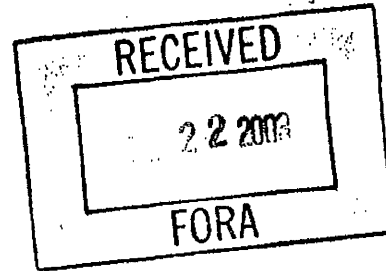
# City of Marina

211 HILLCREST AVENUE  
MARINA, CA 93933  
TELEPHONE (831) 884-1278  
FAX (831) 384-9148

Attachment C to Item 7b  
FORA Board meeting, 5/10/2013



MT



May 21, 2003

Mr. Gary Munsterman  
National Park Service  
1111 Jackson Street  
Oakland, CA 94607-4816

Dear Mr. Munsterman,

The purpose of this letter is to inform you that the City of Marina intends to relinquish its Public Benefit Conveyance application for parcel L 5.7 on the former Fort Ord. The City was to have received this parcel, in cooperation with your agency through the Public Benefit Conveyance (PBC) process.

At a City Council meeting held on May 20, 2003, The City Council approved the termination of this process. Accordingly, we respectfully request that you take no further action with regard to the City's PBC application for these parcels.

If you have any questions concerning this matter, please do not hesitate to contact me at (831) 884-1278.

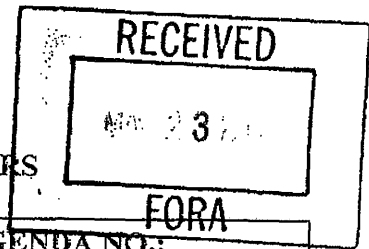
Sincerely,

Anthony J. Atfield  
City Manager  
City of Marina

Cc: The Honorable Ila Mettee-McCutchon  
Members of the City Council  
Karen Fisbeck, BRAC  
Michael Houlemard, FORA

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MONTEREY COUNTY BOARD OF SUPERVISORS

<b>MEETING:</b> May 27, 2003 Consent	<b>AGENDA NO.:</b>
<b>SUBJECT:</b> Rescind Public Benefit Conveyance (PBC) requests for certain property at the former Fort Ord known as Parcels L20.15, L20.16.1, L20.16.2, L20.16.3, L20.17.1, L20.17.2, and S4.1.4.	
<b>DEPARTMENT:</b> County Administrative Office - ERP	

RECOMMENDATION

It is recommended that the Board of Supervisors rescind PBC requests for certain property at the former Fort Ord known as Parcels L20.15, L20.16.1, L20.16.2, L20.16.3, L20.17.1, L20.17.2 and S4.1.4.

SUMMARY

Due to changed circumstances and at the request of the City of Marina and the Transportation Agency for Monterey County (TAMC), the County of Monterey wishes to rescind various PBC requests for certain properties at the former Fort Ord.

DISCUSSION

The Board of Supervisors has previously made requests for transfer of various properties at the former Fort Ord under the PBC process. These conveyances involve transfer of land under sponsorship of various Federal agencies. Land conveyed as a PBC must be used for its intended public use for a period of 30 years. The other major conveyance mechanism is the Economic Development Conveyance (EDC) which does not carry a 30 year use restriction. As a result of Federal legislation adopted in the late 1990's, the EDCs at Fort Ord are known as "no cost EDCs" reflecting the fact that the recipient local jurisdiction does not pay the U.S. Army for the land.

In 1995, the County filed a PBC request for Parcels L20.17.1 and L20.17.2 located within the jurisdictional boundaries of the City of Marina. These parcels together total approximately 16 acres and are shown on the attached map. This conveyance was requested with the intention that the parcels would be used as a corporation yard for the County Public Works Department. After further evaluation, it has been determined that there is no need for the site as a corporation yard. The Marina City Council has requested that the County rescind its PBC request for Parcels L20.17.1 and L20.17.2. Under base closure regulations, such rescission would automatically convert the request into an EDC and the parcel would be transferred to the underlying land use jurisdiction for economic development uses. In exchange for the PBC rescission on Parcels L20.17.1 and L20.17.2, the City of Marina will rescind its PBC request for Parcel L5.7. This parcel is approximately 57 acres in size and is also shown on the attached map. The City had originally intended to use the property as a community park but no longer wishes to pursue that use. Because the property is located within the jurisdictional area of the County, upon rescission of the PBC by the City, it would be transferred first to Fort Ord Reuse Authority (FORA) and then to the County of Monterey for economic development uses. Parcel L5.7 is located south of Intergarrison Road between CSUMB and East Garrison and would be a useful addition to County planning efforts in the East Garrison/Parker Flats portion of the former Fort Ord.

S

The second matter which is the subject of this Board action involves TAMC. Based on a determination that it could not own real property, in 1992 TAMC requested the Board of Supervisors to submit a PBC on its behalf for real property at the former Fort Ord to be used for transportation related purposes. This request included all existing railroad tracks, spurs and appurtenances including the tracks commonly known as the "balloon spur" and the "warehouse spurs." These parcels, L20.15, L20.16.1, L20.16.2, L20.16.3 and an easement under State Highway 1 labeled as S4.1.4 are shown on the attached map. Because it has now been determined that TAMC can own real property for rail related purposes, TAMC has requested that the Board of Supervisors rescind the PBC request previously made on its behalf.

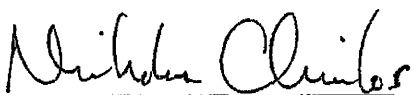
The rescission action recommended in this report is time sensitive because most of the parcels described above are ready to be transferred by the Army which has requested that their status as PBCs be addressed by May 27, 2003. Staff is currently evaluating other PBC requests made in the past by the County to determine whether they also should be rescinded in favor of EDC conveyance. These are not as time sensitive as those described above. Staff will return to the Board with a report on the status of remaining PBC's within the next 30 to 60 days.

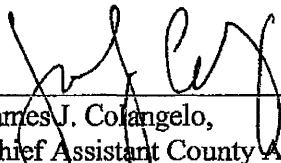
**OTHER AGENCY INVOLVEMENT**

This matter has been coordinated with the City of Marina, FORA, the Directorate of Base Reuse and Closure and the TAMC.

**FINANCING**

The recommended Board action will have no impact on the General Fund.

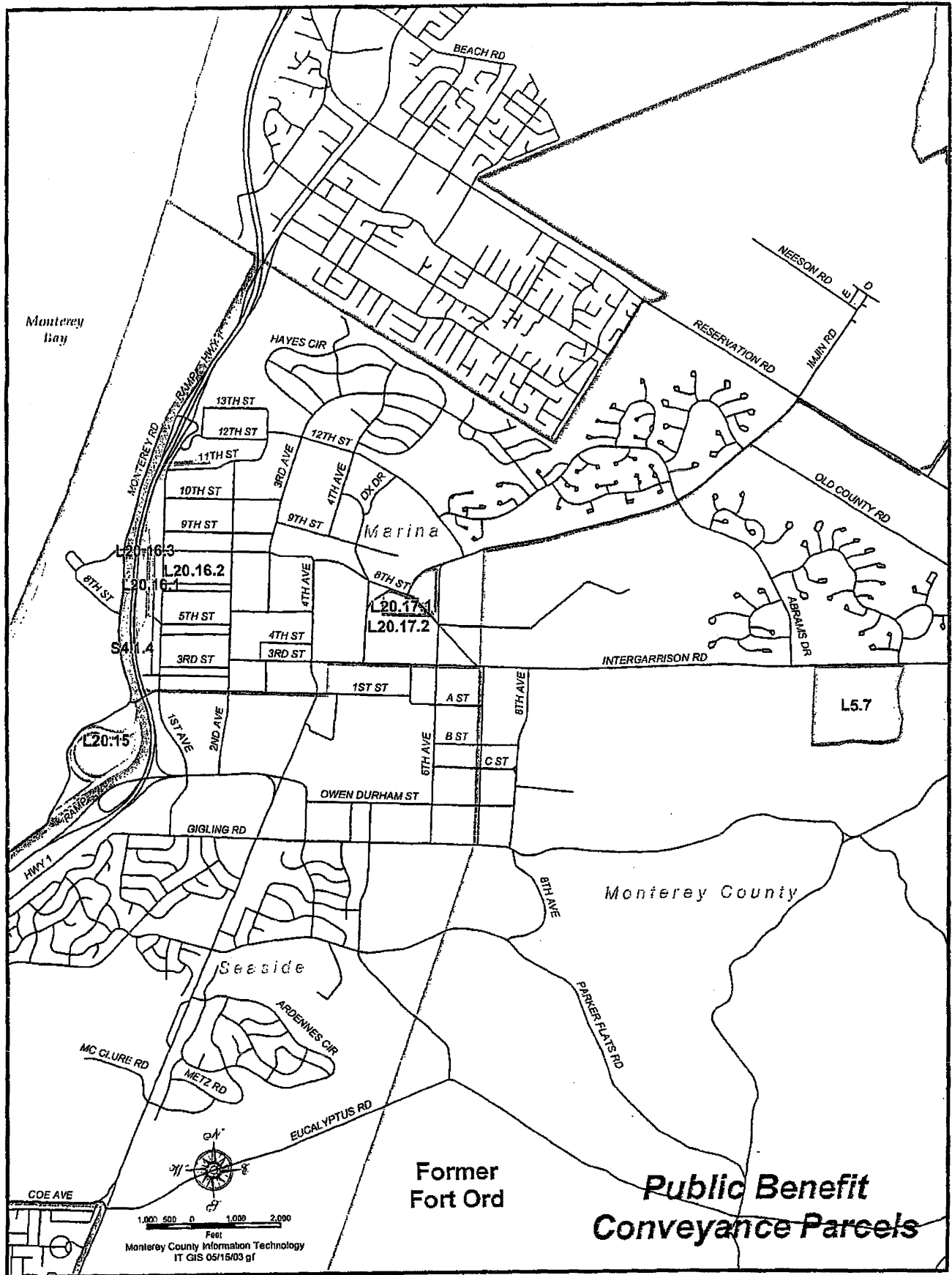
  
\_\_\_\_\_  
Nicholas Chiulos,  
Principal Administrative Analyst  
  
5/16/03  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
James J. Colangelo,  
Chief Assistant County Administrative Officer  
  
5-19-03  
\_\_\_\_\_  
Date

Contact: Cathy Dozier (831) 755-5408

JC/NC:cmd

cc: Anthony Altfeld, City of Marina  
William Reichmuith, TAMC  
Michael Houlemard, FORA  
Karen Fisbeck, BRAC



Monterey Bay

Marina

Monterey County

Seaside

Former Fort Ord

Public Benefit Conveyance Parcels

1,000 500 0 1,000 2,000  
 Feet  
 Monterey County Information Technology  
 IT GIS 05/15/03 gfl

# FORT ORD REUSE AUTHORITY BOARD REPORT

## OLD BUSINESS

**Subject:** Capital Improvement Program Review – Phase II Study

**Meeting Date:** May 10, 2013

**Agenda Number:** 7c

**INFORMATION/ACTION**

### RECOMMENDATION(S):

- i. Receive a report on the Fort Ord Reuse Authority (FORA) Fee Formula Calculation from Economic and Planning Systems (EPS) (FORA Phase II Review Discussion Tables, **Attachment A**) and (FORA Phase II Review PowerPoint, **Attachment B**).
- ii. Adopt draft Resolution 13-XX to implement the FORA Community Facilities District (CFD) Special Tax and Base-wide Development Fee adjustment (**Attachment C**).

### BACKGROUND/DISCUSSION:

FORA conducted an initial Capital Improvement Program (CIP) Review Study in Fiscal Year (FY) 10-11, resulting in a Board-approved 27% fee reduction. The FORA Board then authorized a CIP Review – Phase II Study, and, in August 2012, adopted a formula for calculating periodic CFD Special Tax and Base-wide Development Fee adjustments (resolution 12-5 [**Attachment D**]). In addition, the Board approved Implementation Agreement Amendments between FORA and the five land use jurisdictions to further codify the formula.

To date, the FORA Board received several analyses of the FORA CFD special tax/development fee formula. On July 13, 2012, EPS presented a preliminary formula calculation intended to illustrate the mechanics of the formula, not representing an official fee calculation because of its limited scope. On April 12, 2013, staff presented EPS's draft formula calculation resulting in a 35% fee reduction. As part of that presentation and subsequent Board direction, several items were identified for additional evaluation and clarification including: FORA operational needs, land sales revenue assumptions, formula language, and sensitivity analysis results. Included in this May 10, 2012 Board item, EPS has prepared a revised formula calculation resulting in a 23.6% fee reduction after addressing FORA Board direction provided on April 12, 2013.

In September 2012, FORA and Marina signed the approved Implementation Agreement amendment. Seaside and FORA executed their version in April 2013. The other three land use jurisdictions have not yet provided signature copies of their amended Implementation Agreements to FORA. The amendment includes a provision that FORA conduct the base fee calculation within 90 days of signing the amendment. To prepare for this, EPS completed draft formula analyses and presented results to the FORA Administrative Committee on March 6, April 3, April 17, and May 1, 2013. On May 1, 2013, the FORA Administrative Committee reviewed this item. The Committee recommended Board approval of the item, as presented (note: the result of the formula calculation presented by EPS shows that a 23.6% fee reduction can be implemented), with the following direction to staff;

- 1) David Zehnder, Managing Principal for EPS, should present the item to the Board on May 10, 2013;
- 2) The staff report should be amended to explain that the formula calculation is the result of past Board direction; and
- 3) Time should be allowed to conduct additional sensitivity analyses in FY 13-14 within the same schedule as Post-Reassessment Category IV considerations.

During the Administrative Committee discussion, the following concerns were voiced by Administrative Committee members and members of the public. Responses are included below each concern in italics.

1. FORA Operations costs of \$1,000,000 (indexed annually) are included in EPS's formula (Table D-2) as a deduction prior to determining net FORA land sales revenues. This number was not included in the information to the FORA Board on April 12, 2013.

*Response: On April 12, 2013, FORA Board members requested staff to verify that FORA operations are covered in the formula. After detailed review with EPS, the net land sales proceeds were adjusted to account for an identified \$1,000,000 operations funding need. Additional information is provided in **Attachment E**.*

2. The formula calculation for land sales revenue is based on the average of past land sales transactions where FORA realized 50% of the sale proceeds. More relevant analyses could be used to develop a basis to forecast future FORA lands sales revenue.

*Response: EPS's analysis of averaging past land sales transactions is relevant because these transactions occurred over the last 12 years and reflect actual market conditions such as high real estate markets, low real estate markets, a variety of locations, a variety of project types (office, retail, residential), etc.*

3. FORA building removal obligations for Seaside Surplus II property (\$4 million) should be revisited in future FORA CIP documents.

*Response: The formula calculation takes into account those CIP obligations identified in the FY 12-13 CIP. Building removal for Surplus II is included as a \$4 million obligation in the FY 12-13. If this obligation is adjusted in future CIPs, the formula calculation would take this into account.*

4. Caretaker (\$660,000 reduced annual as development occurs) and Other Obligations (Initiatives, petitions, etc.) (\$250,000 indexed annually) are included in EPS's formula (Table D-2) as a deduction prior to determining net FORA land sales revenues. These numbers were not included in the information to the FORA Board on April 12, 2013.

*Response: Building removal costs, and other obligations (i.e. Caretaker Costs, FORA Operations and Other Obligations (Initiatives, petitions, etc.) are described as a deduction to net land sales revenues in the formula. Caretaker Costs were included in the April 12, 2013 analysis. Other Obligations (Initiatives, petitions,*

etc.) are the result of two recently filed initiatives in the last few months and a direct estimated election cost to FORA of \$500,000 per initiative if they go to a county-wide election.

As provided for in resolution 12-5, EPS's fee formula calculation (**Attachment A**) utilizes the approved FY 12-13 FORA CIP development projections as the basis for the fee calculation. The resolution and Implementation Agreement Amendments describe the formula for calculating the fee and reference "Current FORA CIP build-out assumptions" be used to calculate FORA Property Taxes (Section 2.1.2) and FORA CFD Special Tax and Development Fee (Section 2.1.4). The current FORA CIP is the FY 12-13 CIP approved by the Board on June 8, 2012.

Once the base calculation and fee are in effect, the resolution requires the formula to be recalculated within one year, followed by periodic review every 2 years, or when a material change in the CIP program occurs. The annual July 1<sup>st</sup> cost indexing provided for in the CFD enabling legislation will continue to take place. It is anticipated that future updates to the fee be done in conjunction with approval of the updated CIP in May-June of the fiscal year using the most up to date projections. The draft resolution (**Attachment B**) implements a fee adjustment consistent with the formula.

At its April 12, 2013 meeting, the Board tasked staff to: 1) verify that FORA operations needs would be covered under the formula, 2) evaluate formula assumptions such as basis for land sales revenue projection, 3) provide actual formula language to the Board to confirm FY 12-13 CIP development forecasts are the appropriate basis for the formula, and 4) provide sensitivity analysis to the Board such as how using the Market Study (EPS report from 2012) would impact the fee. Resolution 12-5, describing the adopted formula, is included as **Attachment D**. EPS Managing Principal David Zehnder will make a presentation to the FORA Board on May 10, 2013 that provides an overview of the formula calculation and how these tasks were implemented.

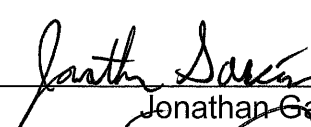
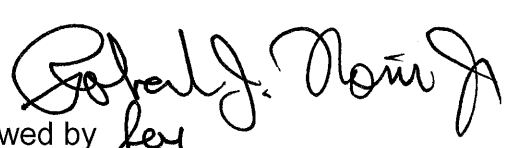
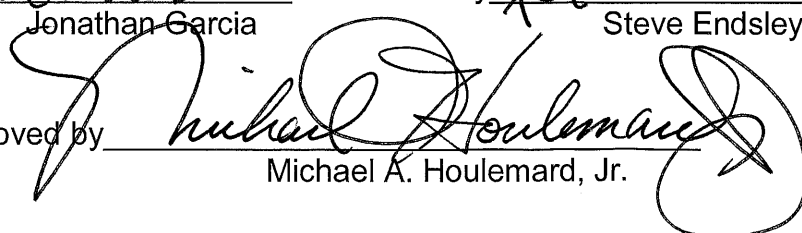
**FISCAL IMPACT:**

Reviewed by FORA Controller 

Staff time for this item is included in the approved annual budget. EPS's costs for this item are included in the approved FY 12-13 budget, not to exceed \$87,500.

**COORDINATION:**

Administrative Committee, Executive Committee, EPS, Authority Counsel, Building Industry Association of the Bay Area, Development Planning & Financing Group, and development teams.

Prepared by  Jonathan Garcia      Reviewed by  Steve Endsley  
Approved by  Michael A. Houlemard, Jr.



## Discussion Tables

## FORA Phase II CIP Review

*The Economics of Land Use*



Prepared for:

Fort Ord Reuse Authority (FORA)

Prepared by:

Economic & Planning Systems, Inc. (EPS)

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May 2, 2013

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EPS #21462

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## List of Tables

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Table 1  
 FORA Phase II CIP Review  
 CFD Special Tax Options

<b>FY 2012/13 CIP          Development Forecasts</b>
--

Land Use	Basis	Development Fee Policy/CFD Special Tax			
		Existing Rate	Preliminary Adjusted Rate	Difference	Percentage Change
		<i>July 1, 2012</i>	<i>April 30, 2013</i>		
			<i>ROUNDED</i>		
New Residential	per du	<b>\$34,610</b>	<b>\$26,440</b>	(\$8,170)	-23.6%
Existing Residential	per du	<b>\$10,406</b>	<b>\$7,950</b>	(\$2,456)	-23.6%
Office & Industrial	per acre	<b>\$4,536</b>	<b>\$3,470</b>	(\$1,066)	-23.6%
Retail	per acre	<b>\$93,545</b>	<b>\$71,470</b>	(\$22,075)	-23.6%
Hotel	per room	<b>\$7,718</b>	<b>\$5,900</b>	(\$1,818)	-23.6%

*"prel\_tax"*

Sources: FORA and EPS.

**Table 2**  
**FORA Phase II CIP Review**  
**Calculation of CFD Special Tax Funding Required**

Item	Calculation	Amount
<b>Remaining Capital Improvement Program and Other Costs</b>		
Transportation/Transit	a	\$112,699,000
Water Augmentation - CEQA mitigation	b	\$23,526,000
Water Augmentation - voluntary contribution	c	\$21,655,000
HCP Endowment [1]	d	\$36,340,000
HCP Endowment Contingency	e	\$18,800,000
Fire Fighting Equipment	f	\$232,000
Contingency (MEC, Soil mgt. plans, insurance retention, etc.)	g	\$16,905,000
Additional Utility and Storm Drainage Costs	h	\$3,500,000
Other Costs (PLL Insurance)	i	\$3,000,000
Other Costs (CFD Administration)	j	\$2,240,000
<b>Subtotal CIP Expenditures</b>	<b>k = sum (a to j)</b>	<b>\$238,897,000</b>
Preston Park Loan Repayment [2]	l	\$18,200,000
Developer Fee Repayment to Land Sale Revenue Account [3]	m	\$7,627,000
<b>Total Expenditures</b>	<b>n = k + l + m</b>	<b>\$264,724,000</b>
<b>Estimated Sources of Funds</b>		
Existing Fund Balances [4]	o	\$1,345,000
Existing Fund Balance for HCP Endowment [5]	p	\$4,596,000
Grants	q	\$1,000,000
CSU Mitigation Fees	r	\$327,000
Loan Proceeds	s	\$0
Land Sale Revenues [6]	t	\$55,782,000
FORA Property Tax Revenues [7]	u	\$15,760,000
Other Revenues	v	\$0
<b>Total Other Sources</b>	<b>w = sum (o to v)</b>	<b>\$78,810,000</b>
<b>CFD Special Tax Revenue Required</b>		
CFD Special Tax Revenue	<b>x = n - w</b>	<b>\$185,914,000</b>
<b>FORA CFD Special Tax Revenue Summary</b>		
Estimated Maximum Policy & CFD Special Tax Revenue [8]	y	\$243,200,000
Net Cost Funded by Policy and CFD Special Tax Revenue	z = x	\$185,914,000
<b>CFD Special Tax Required as a % of Maximum</b>	<b>aa = z / y</b>	<b>76.4%</b>
<b>Adjustment Factor Applied to Prior Year CFD Special Tax Rate</b>	<b>(Rounded)</b>	<b>76.4%</b>

"cip\_fund\_1"

Source: FORA and EPS.

Amounts rounded to the nearest thousand.

[1] Includes existing fund balance for habitat mitigation.

[2] Reflects entire loan amount outstanding against Preston Park property.

[3] Reflects amount borrowed against land sale revenue account to construct CIP improvements. This amount must be repaid by developer fee revenues, and may be used to offset FORA operation costs (see Table D-2).

[4] Existing fund balance provided by FORA as of February 2013.

[5] Equals existing fund balance for habitat mitigation as of February 2013.

[6] Reflects land sale revenue available after building removal obligations are met.

[7] Estimates based on formulaic approach. See Table C-1.

[8] Based upon remaining development subject to Basewide Development Fee Policy & CFD Special Tax.

**Table 3**  
**FORA Phase II CIP Review**  
**Estimated CFD Tax Revenues**

Land Use	Remaining Development	CFD Tax Rate	Total CFD Revenue
<b>Residential</b>	<i>Units</i>		
New Residential	5,819	\$34,610	\$201,395,008
Employer Based Housing [1]	492	\$1,730	\$851,404
Existing/Replacement Residential	506	\$10,406	\$5,265,215
<b>Total Residential</b>	<b>6,817</b>		<b>\$207,511,627</b>
<b>Nonresidential Revenues</b>	<i>Acres</i>		
Office	122.8	\$4,536	\$557,229
Industrial	115.7	\$4,536	\$524,925
Retail	172.4	\$93,545	\$16,126,045
	<i>Rooms</i>		
Hotel	2,400	\$7,718	\$18,522,972
<b>Total Nonresidential</b>			<b>\$35,731,170</b>
<b>Total Residential and Nonresidential [2]</b>			<b>\$243,242,797</b>

"tax\_rev"

[1] CSUMB North Campus housing anticipated to meet employer based housing requirements and would be charged the associated reduced rate equal to 1/20 of the new residential rate.

[2] Assumes no discount for affordable housing above the minimum requirement.



## APPENDICES:

- Appendix A: Land Use and Absorption Assumptions
- Appendix B: Summary of FORA Capital Improvement Program
- Appendix C: Property Tax Analysis
- Appendix D: Land Sale Revenue Analysis



## APPENDIX A:

### Land Use and Absorption Assumptions

Table A-1	Estimated Overall Absorption by Land Use: 2013 through 2020.....	4
Table A-2	Jurisdictional Forecasts: Projected Absorption by Land Use .....	5
Table A-3	Summary of Total Annual Forecasted Development— Taxable Uses .....	6
Table A-4	Forecasted Acreage Absorption for Transferrable Land .....	7

**Market Study  
Projections**

**Table A-1  
FORA Phase II CIP Review  
Estimated Overall Absorption by Land Use: 2013 through 2020 [1]**

Item	Residential [2]	Nonresidential			Hotel
		Office	Industrial	Retail [3]	
Year	<i>units</i>	<i>square feet</i>			<i>rooms</i>
2012-13	180	55,000	36,500	15,750	0
2013-14	180	55,000	36,500	15,750	0
2014-15	180	55,000	36,500	15,750	100
2015-16	180	55,000	36,500	15,750	200
2016-17	180	55,000	36,500	15,750	200
2017-18	180	55,000	36,500	15,750	330
2018-19	180	55,000	36,500	15,750	200
2019-20	180	55,000	36,500	15,750	125
<b>Total</b>	<b>1,440</b>	<b>440,000</b>	<b>292,000</b>	<b>126,000</b>	<b>1,155</b>

*"abs\_orig"*

- [1] Reflects annualized overall demand for FORA land uses based on conclusions of BRP Reassessment Market and Economic Analysis.
- [2] Includes demand for both affordable and market rate housing. Excludes CSUMB Employer Based housing units.
- [3] Projection does not reflect potential addition of tourist-oriented regional retail, qualitatively discussed in BRP Reassessment Market and Economic Analysis.



<b>CIP Development Forecast</b>
-------------------------------------

**Table A-2**  
**FORA Phase II CIP Review**  
**Jurisdictional Forecasts: Projected Absorption by Land Use [1]**

Item	Residential [2]	Nonresidential			
		Office	Industrial	Retail	Hotel
<b>Year</b>	<i>units</i>	<i>square feet</i>			<i>rooms</i>
2012-13	134	0	40,000	54,000	0
2013-14	225	230,000	294,782	112,500	100
2014-15	758	324,200	443,770	286,000	352
2015-16	1,121	199,200	664,090	206,300	698
2016-17	1,030	388,000	342,270	198,500	430
2017-18	716	167,200	46,270	752,000	0
2018-19	734	194,200	46,270	60,500	250
2019-20+	1,607	370,000	138,810	207,500	570
<b>Total</b>	<b>6,325</b>	<b>1,872,800</b>	<b>2,016,262</b>	<b>1,877,300</b>	<b>2,400</b>

"abs"

- [1] Applies 100% of the CIP development forecasts. Development projected for Fiscal Years 2020/21 and 2021/22 in the CIP Forecast shown in Fiscal Year 2019/20+ to remain consistent with FORA's legislated sunset in 2020.
- [2] Includes demand for both affordable and market rate housing. Excludes CSUMB Employer Based housing units.

**Table A-3**  
**FORA Phase II CIP Financing Strategy**  
**Summary of Total Annual Forecasted Development - Taxable Uses**

<b>CIP Development Forecast</b>
-------------------------------------

Item	Taxable Land Uses				
	Residential [1]	Nonresidential [2]			Hotel
Year	<i>units</i>	Office	Industrial	Retail	<i>rooms</i>
2012-13	114	0	40,000	54,000	-
2013-14	191	210,000	271,647	112,500	100
2014-15	644	304,200	420,635	286,000	352
2015-16	953	179,200	390,955	206,300	698
2016-17	876	318,000	319,135	198,500	430
2017-18	609	147,200	23,135	752,000	-
2018-19	624	174,200	23,135	60,500	250
2019-20+	1,366	310,000	69,405	207,500	570
<b>Total</b>	<b>5,377</b>	<b>1,642,800</b>	<b>1,558,047</b>	<b>1,877,300</b>	<b>2,400</b>

"land\_use"

Source: FORA and EPS.

- [1] Excludes residential non-taxable uses: CSUMB, Portion of Marina Dunes, Preston Park, Abrams B, MOCO Housing Authority, Shelter Outreach Plus, Veterans Transition Center, Army Housing, and Interim Inc.
- [2] Excludes nonresidential non-taxable uses: Veteran's Cemetery, Area, Marina Corp. Yard, Seaside Corp. Yard, Monterey City Corp. Yard, MST Bus Maintenance and Operations Facility. Assumes 50 percent of UC MBEST and Marina Industrial Airport Area office and industrial development will be taxable.

Table A-4  
 FORA Phase II CIP Review  
 Forecasted Acreage Absorption for Transferrable Land [1]

<b>FY 2012/13 CIP          Development Forecast</b>
---

	Total	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20+
-----Units-----									
<b>New Residential</b>									
Del Rey Oaks	115.2	0.0	0.0	21.7	47.8	45.7	0.0	0.0	0.0
Monterey Horse Park	65.0	0.0	0.0	0.0	0.0	0.0	0.0	13.3	51.7
Seaside Housing (Eastside)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Seaside Affordable Housing Obligation	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Subtotal New Residential</b>	<b>180.2</b>	<b>0.0</b>	<b>0.0</b>	<b>21.7</b>	<b>47.8</b>	<b>45.7</b>	<b>0.0</b>	<b>13.3</b>	<b>51.7</b>
-----Sq. Ft.-----									
<b>Office</b>									
Del Rey Oaks	13.1	0.0	0.0	6.6	0.0	6.6	0.0	0.0	0.0
Monterey City	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Monterey Horse Park	3.3	0.0	1.6	1.6	0.0	0.0	0.0	0.0	0.0
Landfill Commercial Development	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Intergarrison Road Office Park	41.7	0.0	0.0	8.3	8.3	8.3	8.3	8.3	0.0
MST Bus Maint and Bus Ops Facility	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Seaside Office (Monterey Blues)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Monterey Peninsula Trade & Conference Center	16.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	16.4
<b>Subtotal Office</b>	<b>74.5</b>	<b>0.0</b>	<b>1.6</b>	<b>16.5</b>	<b>8.3</b>	<b>14.9</b>	<b>8.3</b>	<b>8.3</b>	<b>16.4</b>
<b>Industrial</b>									
Monterey City Corp Yard	14.3	0.0	0.0	0.0	14.3	0.0	0.0	0.0	0.0
Monterey Industrial - Public/ Private	49.8	0.0	6.8	14.3	14.3	14.3	0.0	0.0	0.0
Monterey Horse Park	7.7	0.0	2.9	2.9	2.0	0.0	0.0	0.0	0.0
Landfill Industrial Park	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Subtotal Industrial</b>	<b>71.9</b>	<b>0.0</b>	<b>9.7</b>	<b>17.2</b>	<b>30.7</b>	<b>14.3</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>Retail</b>									
Del Rey Oaks Retail	1.8	0.0	0.0	1.8	0.0	0.0	0.0	0.0	0.0
Ord Market - Landfill Commercial Development	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Monterey Horse Park	38.6	0.0	0.0	9.2	9.2	9.2	11.0	0.0	0.0
Seaside Main Gate	55.8	0.0	0.0	0.0	1.5	0.0	51.4	0.7	2.2
South of Lightfighter Drive	0.0								
<b>Subtotal Retail</b>	<b>96.2</b>	<b>0.0</b>	<b>0.0</b>	<b>11.0</b>	<b>10.7</b>	<b>9.2</b>	<b>62.4</b>	<b>0.7</b>	<b>2.2</b>
<b>Hotel</b>									
Del Rey Oaks Hotel	11.9	0.0	0.0	2.7	6.6	2.6	0.0	0.0	0.0
Del Rey Oaks Timeshare	2.5	0.0	0.0	1.3	1.3	0.0	0.0	0.0	0.0
Horse Park (Parker Flat) Hotel	5.3	0.0	0.0	5.3	0.0	0.0	0.0	0.0	0.0
Main Gate Hotel	6.6	0.0	0.0	0.0	0.0	0.0	0.0	6.6	0.0
<b>Subtotal Hotel</b>	<b>26.3</b>	<b>0.0</b>	<b>0.0</b>	<b>9.3</b>	<b>7.8</b>	<b>2.6</b>	<b>0.0</b>	<b>6.6</b>	<b>0.0</b>
<b>Total All Uses</b>	<b>449.1</b>	<b>0.0</b>	<b>11.3</b>	<b>75.7</b>	<b>105.4</b>	<b>86.7</b>	<b>70.7</b>	<b>29.0</b>	<b>70.3</b>

"trans"

Source: Fort Ord Reuse Authority.

[1] Long term land sales are uncertain but will be reviewed and updated in the future. At this time, it is anticipated that additional land sale revenues may be generated from the City of Marina Promontory project (175 dormitory units), however no anticipated transaction amount has yet been identified and the CIP development forecast has not been updated to reflect these units.

## APPENDIX B:

### Summary of FORA Capital Improvement Program

Table B-1	2013 Summary of Capital Improvement Program 2012/13-2021/22 .....	8
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**Table B-1**  
**FORA 2010 CIP Review**  
**2013 SUMMARY OF CAPITAL IMPROVEMENT PROGRAM (CIP) 2012/13-2021/22**

Item	Total 2012/13 to 2021/22	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22+
<b>CIP PROJECTS FUNDED BY CFD DEVELOPMENT FEES</b>											
<b><u>CIP Projects</u></b>											
Transportation/Transit	\$112,698,594	\$5,066,087	\$6,032,500	\$18,159,353	\$23,420,844	\$21,147,244	\$29,872,565	\$9,000,000	\$0	\$0	\$0
Water Augmentation - CEQA Mitigation	\$23,526,086	\$0	\$0	\$0	\$10,270,000	\$9,756,500	\$0	\$3,499,586	\$0	\$0	\$0
Water Augmentation - Voluntary Contribution	\$21,655,302	\$0	\$0	\$0	\$0	\$0	\$0	\$13,000,000	\$8,655,302	\$0	\$0
Storm Drainage System [Completed by 2005]	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Habitat Management	\$36,339,862	\$5,938,617	\$2,482,537	\$7,969,831	\$11,565,440	\$8,383,437	\$0	\$0	\$0	\$0	\$0
Fire Rolling Stock	<u>\$232,000</u>	<u>\$116,000</u>	<u>\$116,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b>Total CIP Projects</b>	<b>\$194,451,843</b>	<b>\$11,120,704</b>	<b>\$8,631,037</b>	<b>\$26,129,184</b>	<b>\$45,256,284</b>	<b>\$39,287,181</b>	<b>\$29,872,565</b>	<b>\$25,499,586</b>	<b>\$8,655,302</b>	<b>\$0</b>	<b>\$0</b>
<b><u>Other Costs and Contingencies</u></b>											
CIP Contingency	\$16,904,789	\$759,913	\$904,875	\$2,723,903	\$3,513,127	\$3,172,087	\$4,480,885	\$1,350,000	\$0	\$0	\$0
HCP Contingency	\$18,800,000	\$3,072,274	\$1,284,311	\$4,123,098	\$5,983,244	\$4,337,073	\$0	\$0	\$0	\$0	\$0
Additional Utility and Storm Drainage Costs	\$3,500,000	\$0	\$0	\$2,000,000	\$1,500,000	\$0	\$0	\$0	\$0	\$0	\$0
PLL Insurance	\$3,000,000	\$0	\$0	\$3,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CFD Administration	\$2,240,000	<u>\$280,000</u>	<u>\$280,000</u>	<u>\$280,000</u>	<u>\$280,000</u>	<u>\$280,000</u>	<u>\$280,000</u>	<u>\$280,000</u>	<u>\$280,000</u>	<u>\$0</u>	<u>\$0</u>
<b>Total Other Costs and Contingencies</b>	<b>\$44,444,789</b>	<b>\$4,112,187</b>	<b>\$2,469,186</b>	<b>\$12,127,001</b>	<b>\$11,276,371</b>	<b>\$7,789,159</b>	<b>\$4,760,885</b>	<b>\$1,630,000</b>	<b>\$280,000</b>	<b>\$0</b>	<b>\$0</b>
<b>Total Expenditures [1]</b>	<b>\$238,896,632</b>	<b>\$15,232,891</b>	<b>\$11,100,223</b>	<b>\$38,256,185</b>	<b>\$56,532,655</b>	<b>\$47,076,341</b>	<b>\$34,633,450</b>	<b>\$27,129,586</b>	<b>\$8,935,302</b>	<b>\$0</b>	<b>\$0</b>

Source: FORA.

"rev\_cip\_1"

[1] Excludes Preston Park loan repayment.



## APPENDIX C: Property Tax Analysis

Table C-1	Net Present Value of FORA Property Tax Revenue after July 1, 2012.....	9
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**Table C-1**  
**FORA Phase II CIP Financing Strategy**  
**Net Present Value of FORA Property**  
**Tax Revenue after July 1, 2012**

Item	FORA Property Tax	90% of FORA Property Tax
Reference	Table C-3	
Factor		90%
<b>Fiscal Year</b>		
2012-13	\$0	\$0
2013-14	\$137,347	\$123,612
2014-15	\$574,636	\$517,172
2015-16	\$1,717,860	\$1,546,074
2016-17	\$3,202,920	\$2,882,628
2017-18	\$4,649,391	\$4,184,452
2018-19	\$5,927,138	\$5,334,424
2019-20	\$6,932,465	\$6,239,218
<b>Total</b>	<b>\$23,141,755</b>	<b>\$20,827,580</b>
<b>Net Present Value</b>		
<b>5.28% Discount Rate [1]</b>		<b>\$15,760,348</b>

*"npv"*

[1] Based on proposed Bond Buyers Revenue Bond Index annual average as of June 2012 plus 50 basis points.

**Table C-2  
FORA Phase II CIP Financing Strategy  
Estimated Assessed Value from Total Forecasted Development**

Item	Land Uses					Annual Total
	Residential	Office	Industrial	Retail	Hotel	
<b>Estimated Finished Value [1]</b>	<i>per unit</i> \$400,000		<i>per sq. ft.</i> \$230		<i>per room</i> \$255	\$141,000
<b>Year [2]</b>						
2012-13	\$0	\$0	\$0	\$0	\$0	\$0
2013-14	\$46,968,000	\$0	\$4,120,000	\$14,183,100	\$0	\$65,271,100
2014-15	\$81,052,760	\$51,241,470	\$28,819,030	\$30,434,569	\$14,958,690	\$206,506,519
2015-16	\$281,486,475	\$76,453,737	\$45,963,922	\$79,692,580	\$54,234,226	\$537,830,941
2016-17	\$429,043,958	\$46,388,971	\$44,002,330	\$59,209,079	\$110,770,326	\$689,414,664
2017-18	\$406,209,636	\$84,789,306	\$36,996,493	\$58,679,555	\$70,286,787	\$656,961,777
2018-19	\$290,871,139	\$40,425,835	\$2,762,440	\$228,971,468	\$0	\$563,030,882
2019-20	\$306,976,517	\$49,276,126	\$2,845,313	\$18,973,879	\$43,353,054	\$421,424,889
<b>Total</b>	<b>\$1,842,608,485</b>	<b>\$348,575,445</b>	<b>\$165,509,528</b>	<b>\$490,144,231</b>	<b>\$293,603,083</b>	<b>\$3,140,440,773</b>

"av"

Source: EPS.

[1] See Table C-4 & Table C-5 for commercial finished value assumptions. Assumes an annual market appreciation rate of 3.0%. Estimated finished values amounts for nonresidential building square feet rounded to nearest \$5.

[2] For purposes of this analysis, the absorption schedule has a one year lag to reflect when the estimated assessed value would be reflected on the assessor's tax roll.



**Table C-3**  
**FORA Phase II CIP Financing Strategy**  
**Estimated FORA Property Tax Revenue for Development After July 1, 2012**

Item	Beginning AV	Annual 2% Growth	New AV Added to Roll [1]	Ending AV	Property Tax (Formerly T.I.) 1%	Less: Other Agency Pass-Throughs [2]			Tier 1 Years 1-45 13.5%	Tier 2 Years 11-45 11.3%	Tier 3 Years 31-45 7.6%	Annual Net Property Tax	FORA Property Tax (35% of Annual Net Tax) [3]	
						Less: Housing Set Aside 20%	Property Tax Net of Housing Set Aside	Property Tax					Annual	Cumulative
Formula					a	b	c = a + b	d	e	f	e = c + d	35%		
Base AV	\$0								\$0	N/A				
2012-13	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2013-14	\$0	\$0	\$65,271,100	\$65,271,100	\$652,711	(\$130,542)	\$522,169	(\$70,516)	(\$59,233)	\$0	\$392,420	\$137,347	\$137,347	
2014-15	\$65,271,100	\$1,305,422	\$206,506,519	\$273,083,041	\$2,730,830	(\$546,166)	\$2,184,664	(\$295,026)	(\$247,822)	\$0	\$1,641,816	\$574,636	\$711,982	
2015-16	\$273,083,041	\$5,461,661	\$537,830,941	\$816,375,643	\$8,163,756	(\$1,632,751)	\$6,531,005	(\$881,975)	(\$740,859)	\$0	\$4,908,172	\$1,717,860	\$2,429,842	
2016-17	\$816,375,643	\$16,327,513	\$689,414,664	\$1,522,117,820	\$15,221,178	(\$3,044,236)	\$12,176,943	(\$1,644,426)	(\$1,381,318)	\$0	\$9,151,199	\$3,202,920	\$5,632,762	
2017-18	\$1,522,117,820	\$30,442,356	\$656,961,777	\$2,209,521,954	\$22,095,220	(\$4,419,044)	\$17,676,176	(\$2,387,066)	(\$2,005,135)	\$0	\$13,283,974	\$4,649,391	\$10,282,153	
2018-19	\$2,209,521,954	\$44,190,439	\$563,030,882	\$2,816,743,275	\$28,167,433	(\$5,633,487)	\$22,533,946	(\$3,043,080)	(\$2,556,187)	\$0	\$16,934,679	\$5,927,138	\$16,209,291	
2019-20	\$2,816,743,275	\$56,334,866	\$421,424,889	\$3,294,503,030	\$32,945,030	(\$6,589,006)	\$26,356,024	(\$3,559,230)	(\$2,989,753)	\$0	\$19,807,042	\$6,932,465	\$23,141,755	

Source: Monterey County and EPS.

[1] See Table C-2. Assumes an annual market appreciation rate of 3.0%.

[2] Pass-Through based on calculation below. Model assumes RDA commenced in FY 1997-98.

	Tier 1	Tier 2	Tier 3
Pass-through	25.0%	21.0%	14.0%
Share	54.0%	54.0%	54.0%
Derived Rate	13.5%	11.3%	7.6%

[3] This analysis estimates net new TI to FORA based upon estimates of new development.

**Table C-4**  
**FORA Phase II CIP Review**  
**Estimated Retail, Office, Industrial Finished Values**

Retail, Office, Industrial/R&D
--------------------------------

Item	Retail		Office		Industrial/ R&D	
	Assumption	Amount	Assumption	Amount	Assumption	Amount
<b>DEVELOPMENT PROGRAM ASSUMPTIONS</b>						
Site Area (Acres)		10.00		10.00		10.00
Land Square Feet		435,600		435,600		435,600
Assumed FAR		0.25		0.35		0.40
Gross Building Square Feet		108,900		152,460		174,240
Net Leasable Area (Sq. Ft.)		87,120		121,968		139,392
Rent per Sq. Ft.		\$30.00		\$27.00		\$12.00
<b>REVENUE ASSUMPTIONS</b>						
Gross Lease Revenue (Weighted Average)	\$30.00 /NLA sq. ft./year	\$2,613,600	\$27.00 /NLA sq. ft./year	\$3,293,136	\$12.00 /NLA sq. ft./year	\$1,672,704
(less) Vacancy	5.0%	(\$130,680)	5.0%	(\$164,657)	5.0%	(\$83,635)
(less) Leasing Commissions	3.0% 5 years' rent	(\$372,438)	3.0% 5 years' rent	(\$469,272)	3.0% 5 years' rent	(\$238,360)
(less) Replacement/Reserve	5.0%	(\$130,680)	5.0%	(\$164,657)	5.0%	(\$83,635)
<b>Subtotal, Annual Net Operating Income</b>		<b>\$1,979,802</b>		<b>\$2,494,551</b>		<b>\$1,267,073</b>
<b>Capitalized Value</b>	7.10% cap rate	<b>\$27,884,535</b>	7.10% cap rate	<b>\$35,134,514</b>	7.10% cap rate	<b>\$17,846,103</b>
<b>Finished Value per Gross Bldg. Sq. Ft.</b>		<b>\$256</b>		<b>\$230</b>		<b>\$102</b>

"comm\_val"

Source: CoStar and EPS.

12

**Table C-5  
FORA Phase II CIP Review  
Hotel Development Finished Value**

<b>Hotel</b>
--------------

Item	Assumption	Total
<b>DEVELOPMENT PROGRAM ASSUMPTIONS</b>		
Number of Rooms	100	
Average Room Rate	\$150	
Square Footage Per Room	375	37,500
Efficiency Ratio	70%	
Gross Building Sq. Ft. (Rounded)		55,000
Occupancy Rate	70%	
<b>REVENUE ASSUMPTIONS</b>		
Gross Room Revenue		\$3,832,500
Other Operating Revenue [1]	25%	<u>\$958,125</u>
<b>Total Revenue</b>		<b>\$4,790,625</b>
<b>Less Operating Expenses [2]</b>	<b>75%</b>	<b>\$3,592,969</b>
<b>Annual Net Operating Income</b>		<b>\$1,197,656</b>
<b>Capitalized Value</b>	8.50% cap rate	<b>\$14,090,074</b>
<b>Value per Room (Rounded)</b>		<b>\$141,000</b>

*"hotel"*

Sources: STR Hospitality, PKF Consulting, and EPS.

[1] Includes F & B, telecommunications, and other.

[2] Includes departmental, overhead, management fee, and fixed expenses.



## APPENDIX D: Land Sale Revenue Analysis

Table D-1	Land Sales Revenue for CIP Projects .....	14
Table D-2	Estimated Land Sale Revenues to FORA .....	15
Table D-3	FORA Land Transactions to Date.....	16

**Table D-1  
FORA Phase II CIP Review  
Land Sales Revenue for CIP Projects**

Item	Source/ Reference	Amount
<b>Land Sales Revenues [1]</b>		
Preston Park [2]	FORA	\$28,000,000
Rockrose Gardens by Interim, Inc.	FORA	\$119,000
Marina Community Partners (credits)	FORA	\$19,400,000
Other Future Transfers	<b>Table D-3</b>	<u>\$33,862,876</u>
<b>Total</b>		<b>\$81,381,876</b>
<b>Expenditures</b>		
Marina Community Partners - Dunes	FORA	\$19,400,000
Stockade (Marina)	FORA	\$2,200,000
Surplus II (Seaside)	FORA	\$4,000,000
<b>Total Other Sources</b>		<b>\$25,600,000</b>
<b>Land Sales Revenue for CIP Projects</b>		<b>\$55,781,876</b>

"sr\_calc"

Source: FORA and EPS.

Amounts rounded to the nearest thousand.

[1] Long term land sales revenues are uncertain but will be reviewed and updated in the future. At this time, it is anticipated that additional land sale revenues may be generated from the City of Marina Promontory project (175 dormitory units), however no anticipated transaction amount has yet been identified and the CIP development forecast has not been updated to reflect these units.

[2] Reflects FORA's share of anticipated transaction price net of developer fee obligation and cost of sale. Loan payoff requirement is denoted in Table 2.

Table D-2  
FORA Phase II CIP Review  
Estimated Land Sale Revenues to FORA

Item	Residential [1]		Nonresidential [1]						Total Land Value	FORA Share - 50%	Est. Caretaker/ Property Management Costs	FORA Costs	Other Obligations (Initiatives, Petitions, Etc.)	Net FORA Land Sale Proceeds			
	Acres	Value	Office		Industrial		Retail								Hotel		
			Acres	Value	Acres	Value	Acres	Value	Acres	Value							
<b>Year [2]</b>												[3]	[4]	[5]	[6]		
2012-13	21.7	\$3,900,000	18.2	\$3,272,727	26.9	\$4,840,000	11.0	\$1,983,471	9.3	\$1,667,368	\$15,663,567	\$7,831,783	(\$660,000)	\$0	(\$250,000)	\$6,921,783	
2013-14	47.8	\$8,868,300	8.3	\$1,546,824	30.7	\$5,692,665	10.7	\$1,979,983	7.8	\$1,453,926	\$19,541,699	\$9,770,850	(\$548,090)	\$0	(\$257,500)	\$8,965,259	
2014-15	45.7	\$8,720,598	14.9	\$2,843,262	14.3	\$2,739,928	9.2	\$1,753,554	2.6	\$502,532	\$16,559,873	\$8,279,937	(\$400,213)	\$0	(\$265,225)	\$7,614,499	
2015-16	0.0	\$0	8.3	\$1,641,026	0.0	\$0	62.4	\$12,272,859	0.0	\$0	\$13,913,885	\$6,956,943	(\$272,973)	\$0	(\$273,182)	\$6,410,788	
2016-17	13.3	\$2,701,221	8.3	\$1,690,256	0.0	\$0	0.7	\$148,828	6.6	\$1,332,839	\$5,873,145	\$2,936,572	(\$164,164)	\$0	(\$281,377)	\$2,491,031	
2017-18	51.7	\$10,781,249	16.4	\$3,421,706	0.0	\$0	2.2	\$459,877	0.0	\$0	\$14,662,832	\$7,331,416	(\$119,704)	\$0	(\$289,819)	\$6,921,894	
2018-19	0.0	\$0	0.0	\$0	0.0	\$0	0.0	\$0	0.0	\$0	\$0	\$0	\$0	(\$35,462)	(\$298,513)	(\$333,975)	
2019-20	0.0	\$0	0.0	\$0	0.0	\$0	0.0	\$0	0.0	\$0	\$0	\$0	\$0	(\$1,229,874)	(\$307,468)	(\$1,537,342)	
<b>Total</b>	<b>180.2</b>	<b>\$34,971,368</b>	<b>74.5</b>	<b>\$14,415,802</b>	<b>71.9</b>	<b>\$13,272,593</b>	<b>96.2</b>	<b>\$18,598,573</b>	<b>26.3</b>	<b>\$4,956,666</b>	<b>\$86,215,001</b>	<b>\$43,107,501</b>				<b>\$37,453,937</b>	
<b>Net Present Value</b>																	
5.3% Discount Rate		\$30,725,767		\$12,734,875		\$12,719,161		\$16,440,327		\$4,586,679	\$77,206,809	\$38,603,404				\$33,862,876	

\*In \$

[1] Assumes per acre value of \$180,000 and that values escalate by 3% percent annually.

[2] For purposes of land sale revenue analysis, the absorption schedule is accelerated 2 years to reflect when the land transaction would actually occur. Land sale revenues for projected 2012-13 and 2013-14 absorption shown in Year 2012-2013.

[3] Caretaker costs in FY 2012-13 estimated based on FORA memorandum to Administrative Committee dated July 26, 2012. Costs assumed to escalate 3.0% annually and are prorated based on the estimated remaining acreage maintained by public agencies.

[4] Operations costs offset by repayment of loan from land sale revenue account to developer fee account. FY 2012/13 costs provided by FORA and assumed to escalate by 3.0% annually. See detailed calculation below.

Year	Operations Cost	Developer Fee Repayment	Net Operations Cost
2012-13	(\$1,000,000)	\$1,000,000	\$0
2013-14	(\$1,030,000)	\$1,030,000	\$0
2014-15	(\$1,060,900)	\$1,060,900	\$0
2015-16	(\$1,092,727)	\$1,092,727	\$0
2016-17	(\$1,125,509)	\$1,125,509	\$0
2017-18	(\$1,159,274)	\$1,159,274	\$0
2018-19	(\$1,194,052)	\$1,158,590	(\$35,462)
2019-20	(\$1,229,874)	\$0	(\$1,229,874)
<b>Total</b>	<b>(\$8,892,336)</b>	<b>\$7,627,000</b>	<b>(\$1,265,336)</b>

[5] Estimates provided by FORA reflect anticipated special election and other costs related to legislative initiatives, petitions, etc.

[6] Reflects land sale proceeds available to offset infrastructure costs.

**Table D-3  
FORA Phase II CIP Review  
FORA Land Transactions to Date**

<b>Property [1]</b>	<b>Acreage</b>	<b>Transaction Price</b>	<b>Price per Acre</b>
		[2]	
Marina Heights	248.0	\$10,620,000	\$42,823
Imjin Office Park	4.6	\$1,616,947	\$348,480
Monterey County/ East Garrison	244.0	\$3,673,270	\$15,054
Young Nak Church	1.5	\$298,000	\$205,517
Salinas Valley Memorial Healthcare System	5.6	\$2,400,000	\$431,655
Interim #2	3.3	\$240,000	\$72,072
Dunes on Monterey Bay	290.0	\$48,000,000	\$165,517
<b>Total</b>	<b>797.0</b>	<b>\$66,848,217</b>	<b>\$83,877</b>
<b>Average Price per Acre per Transaction</b>			<b>\$183,017</b>

"/sr"

Source: FORA.

[1] Some of the identified transactions anticipate future FORA participation in profits.

[2] Reflects total transaction price, not just amount accruing to FORA.

# **Placeholder for Attachment B to Item 7c**

CIP Review – Phase II Study

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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 7c, FORA Board meeting May 10, 2013), recommending an immediate proportional 23.6% 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 23.6% 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 on May 10, 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 shall be fixed to the CFD maximum Special Tax rates and indexed in the same manner on July 1<sup>st</sup> 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

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DRAFT

Upon motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was passed on this \_\_\_\_\_ day of \_\_\_\_\_, 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

\_\_\_\_\_  
Michael A. Houlemard, Jr., Secretary

TABLE 1 – TAXABLE PROPERTY CLASSIFICATIONS AND  
 MAXIMUM DEVELOPMENT FEE RATES  
 (Figures as of May 10, 2013)

PROPERTY CLASSIFICATION	Maximum Development Fee Rates (One-time Development Fee Payments)
Undeveloped Property	\$ - 0 -
Developed Property	
New Residential	\$ 26,440 / Dwelling Unit
Existing Residential	\$ 7,950 / Dwelling Unit
Office	\$ 3,470 / Acre
Industrial	\$ 3,470 / Acre
Retail	\$ 71,470 / Acre
Hotel	\$ 5,900 / 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 May 10, 2013)

PROPERTY CLASSIFICATION	Maximum Special Tax Rates (One-time Special Tax Payments)
Undeveloped Property	\$ - 0 -
Developed Property	
New Residential	\$ 26,440 / Dwelling Unit
Existing Residential	\$ 7,950 / Dwelling Unit
Office	\$ 3,470 / Acre
Industrial	\$ 3,470 / Acre
Retail	\$ 71,470 / Acre
Hotel	\$ 5,900 / 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)

Resolution 12-5

Resolution of the Fort Ord Reuse Authority (FORA) Board establishing a formula to determine FORA's annual basewide development fee schedule and Community Facilities District (CFD) Special Tax rates )  
)  
)  
)  
)  
)  
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THIS RESOLUTION is adopted with reference to the following facts and circumstances:

- A. FORA has adopted a Basewide Community Facilities District ("CFD" or "CFD Special Tax") to fund, together with other revenues, the FORA CIP. Section 7 (ii) of the Implementation Agreement provides that the FORA development fee and CFD Special Tax to fund CEQA Mitigation Measures ("FORA CIP") are limited to the difference between the revenues needed for such purposes and the revenues otherwise reasonably available to achieve those purposes; and
- B. FORA and its member Jurisdictions have twelve years of experience with the Basewide Development Fee Policy ("Policy") and CFD Special Tax; and
- C. FORA and the Army have executed an Environmental Services Cooperation Agreement ("ESCA") providing for FORA to manage base-wide environmental remediation (including ordnance removal) funded by the Army; and
- D. The Policy and CFD Special Tax provide resources to fund CEQA Mitigation Measures (FORA CIP) identified in the 1997 FORA Base Reuse Plan and CEQA Documents; and
- E. FORA and its member Jurisdictions agree that land sales and lease proceeds, FORA property tax revenues, grant funds and the Policy and CFD Special Tax continue to be the appropriate sources to fund CEQA Mitigation Measures and Board-determined base-wide obligations in FORA's CIP as identified in Section 1.1; and
- F. FORA recognizes the importance of calibrating the Policy and CFD Special Tax by incorporating all available resources to fund CEQA Mitigation Measures and Board-determined basewide obligations in FORA's CIP identified in Section 1.1; and
- G. FORA and its member Jurisdictions acknowledge the Policy and CFD Special Tax must be fair and equitable; and
- H. FORA has 1) achieved cost savings; 2) secured grants and other contributions to the base-wide mitigation measures from federal and state sources; and 3) loaned monies to fund required projects that have reduced or deferred the demand for the original Policy and CFD Special Taxes; and
- I. The Base Reuse Plan emphasized the importance of job-creation and build-out of a balanced mix of community uses including commercial, residential and public facilities to achieve a desired jobs-housing balance; and

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- J. FORA and its member Jurisdictions seek refinement to the list of authorized facilities that must be funded by proceeds from land sales and lease proceeds, grants, FORA property tax revenues, the Policy and CFD Special Tax; and
- K. Stakeholders recognize, given inherent uncertainties prevalent in Base Reuse Projects, that appropriate and reasonable cost contingencies are necessary and fiscally responsible; and
- L. FORA and its member Jurisdictions acknowledge the importance of adopting a formula to establish the Policy and CFD Special Tax rates. These revenue sources will fund, or partially fund, the CIP Program. That formula must account for all potential revenue sources and costs; and
- M. FORA and its member Jurisdictions agree that such a formula would reduce uncertainty to developers, increase efficiency in the FORA CIP process, and provide flexibility for FORA's fee program.

NOW THEREFORE the Board hereby resolves as follows:

1. Adjustment to the Policy and CFD special taxes.

1.1 The list of authorized CIP improvements (subject to escalation of costs through the San Francisco Construction Cost Index reported in the Engineering News Record, unless otherwise noted) to be funded by the Policy and CFD Special Taxes, after first applying all available FORA property tax revenues, grant funds, and land sales and lease proceeds, shall be limited to the following CEQA Mitigation Measures and corresponding base-wide obligations in FORA's CIP:

1.1.1 Transportation/Transit Improvements, including regional improvements, off-site improvements, on-site improvements, and transit capital improvements identified in the Transportation Agency of Monterey County ("TAMC") FORA Fee Reallocation Study, dated April 8, 2005, or as subsequently updated by TAMC consistent with the FORA Fee Reallocation Study, in an amount not to exceed \$112,698,595 (as escalated) unless the obligation is otherwise reduced by TAMC and FORA.

1.1.2 Water Augmentation, which includes FORA's CEQA obligation for the approved water augmentation project and FORA's voluntary contribution to help offset water capacity charge increases. FORA's CEQA obligation is subject to annual escalation, while the voluntary contribution is not.

1.1.3 Habitat Management endowment requirements anticipated in the future Fort Ord Habitat Conservation Plan excluding costs related to an open space management plan or costs related to a regional trails system program.

1.1.4 Fire Fighting equipment ("Rolling Stock") lease-purchase of four fire engines and one water tender.

1.1.5 Other Costs and Contingencies shall be evaluated on a periodic basis in the same manner as other CIP costs and revenues. Other Costs and Contingencies are currently limited to the following:



A contingency amount not to exceed 15% of the costs of Transportation/Transit Improvements for MEC construction support, soil management plans, right of way acquisition, CEQA/CESA/NEPA mitigations, unknown subsurface conditions, self insurance retention amounts and transportation/transit improvement phasing.

Additional Utility and Storm Drainage Costs which provide for restoration of storm drainage sites in State Parks land and relocation of utilities.

Other Costs for PLL insurance costs.

CFD Administration Expenses (including staff and consultant costs).

1.2 FORA will periodically adopt a formula to monitor and update the Policy and CFD Special Tax, as follows

1.2.1 The Policy and CFD Special Tax were originally designed to fund specific CIP improvements serving the overall base and local jurisdictions based upon mitigation measures required by the California Environmental Quality Act (CEQA). These mitigation measures are described in the Base Reuse Plan Environmental Impact Report (EIR) as well as the 1998 Settlement Agreement with the Ventana Chapter of the Sierra Club. This Resolution does not limit FORA's right or duty, or that of its member jurisdictions to raise sufficient funds to construct those CEQA Mitigation Measures.

1.2.2 The FORA Board will consider adjustments to the Policy and CFD Special Tax after a comprehensive review of all potential costs and revenues. The process to consider such adjustments will be defined, predictable and transparent to all stakeholders. Adjustments to the Policy and CFD Special Tax will be approved only if they are demonstrated to be fiscally prudent and do not expose FORA or its member jurisdictions to unreasonable risk.

1.2.3 In accordance with the process set forth in part II of this resolution, commencing with Section 2.1, the FORA Board will update anticipated construction costs and revenues available to fund the facilities identified in section 1.1 above, which are eligible to be funded by the Policy and CFD Special Taxes, and corresponding adjustments to the Policy and CFD Special Taxes within 90 days of the effective date of FORA and its member Jurisdictions adopting Implementation Agreement Amendment #1, Spring 2014 as the second evaluation period, and thereafter every two years, or when an economic or other event causes a material change to a CIP cost or revenue assumption, in coordination with FORA CIP updates.

1.2.4 Adjustments to the Policy and CFD Special Tax shall be made upon receipt by the FORA Board of satisfactory, factual documentation describing the basis for the adjustment.

1.2.5 To expedite this review procedure, adjustments to the Policy and CFD Special Tax shall maintain the same relationship among land uses as the maximum annual special taxes originally documented in the CFD.

## II. PROCESS

2.1 FORA shall review and update the CIP periodically to apply the formula described in this Resolution and proposed Implementation Agreement Amendment #1 and any resulting Policy and CFD Special Tax adjustments. That procedure must ensure that FORA's revenue sources, including the Policy and CFD Special Tax revenues, are adequate to carry out the Base Reuse Plan and complete required CEQA Mitigation Measures and Board-determined base-wide obligations in FORA's CIP identified in Section 1.1 above. The periodic process will include the following steps:

2.1.1 Determine total remaining CIP costs (including required contingencies) consistent with section 1.1 above.

2.1.2 Determine the source and amount of funds, including, without limitation: a) Fund balances; b) Grant money; c) CSU Mitigation fees; d) Loan proceeds; e) Land sales revenues/proceeds net of a required credit/offset equal to the amount of monies advanced to construct CIP improvements (this amount shall ultimately be reduced to zero once the full credit/offset has been recognized) in excess of remaining building removal program estimated costs, and lease revenues (not required for other obligations); and f) FORA property tax revenue as calculated below. The following assumptions and formula shall be used to calculate the FORA property tax revenues, if available:

### Assumptions:

- a. Current FORA CIP build-out assumptions as shown to estimate CFD special tax revenue
- b. Current market data assumptions to estimate assessed values for each land use type.

### Formula:

- a. Calculate the net present value (NPV) of 90% of the FORA property tax revenue stream for all new assessed value after July 1, 2012.
- b. The term on the FORA property tax stream shall be from the date of the current CIP (e.g., upcoming fiscal year) through the anticipated end date of FORA (or the proposed FORA extension end date if applicable).
- c. The NPV calculation shall assume a discount rate equal to the annual average Bond Buyer Revenue Bond Index plus 50 basis points using the prior fiscal year end date (e.g., use 2012 year to date annual average at the end of FY 2011-12 for the FY 2012-13 calculation) as published in The Bond Buyer.
- d. Allocate the NPV as calculated above to reduce/offset costs of CIP.
- e. Allocate 10% of the actual property tax revenues collected by FORA from all new assessed value after July 1, 2012 and generated from parcels in the Fort Ord area of the member jurisdiction to the City or County for economic development to support the reuse of Fort Ord land within the relevant City or County.

2.1.3 Subtract sources of funds available under Section 2.1.2 from CIP costs to determine net cost to be funded by the Policy and CFD Special Tax.

2.1.4 Calculate Policy and CFD Special Tax revenues using the prior year Policy and CFD Special Tax Rates and the same land use assumptions used to estimate FORA property tax revenues shown above in Section 2.1.2.

2.1.5 Compare 2.1.4 with 2.1.3 and determine the amount of adjustment, if any, to the Policy and CFD Special Tax rates. In no event shall the adjusted CFD Special Tax rates exceed the Maximum CFD Special Tax rates (as escalated annually per the special tax formula).

Upon motion by Councilmember Ford, seconded by Mayor Donahue, the foregoing Resolution was passed on this 29<sup>th</sup> day of August, 2012, by the following vote:

AYES: Beach, Edelen, Ford, Potter, Calcagno, Kampe, Donahue, Pendergrass,  
Bachofner, Bloomer.  
NOES: Parker, Brown  
ABSTENTIONS:  
ABSENT: Selfridge

I, Supervisor Dave Potter, Chair of the Board of Directors of the Fort Ord Reuse Authority in the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of the said Board of Directors duly made and entered under Item 8a, Page 3, of the Board meeting minutes of August 29, 2012 thereof, which are kept in the Minute Book resident in the offices of the Fort Ord Reuse Authority.

DATED 9-14-12

BY Dave Potter  
Dave Potter  
Chair, Board of Directors  
Fort Ord Reuse Authority

**FORT ORD REUSE AUTHORITY - OPERATING BUDGET/GENERAL FUND**

CATEGORIES	FY 12-13	FY 13-14	
	<u>ACTUAL-projected</u>	<u>PRELIMINARY</u>	
<b>REVENUES</b>			
Membership Dues	\$ 261,000	\$ 261,000	
Franchise Fees - MCWD	225,000	250,000	
Federal Grants - ESCA			
PLL Loan Payments			
Development Fees			
Land Sale Proceeds			
Lease/Rent Proceeds	77,900	42,500	
Property Taxes	1,300,000	1,300,000	
CSU Deficit Payment			
Planning Reimbursements			
Investment/Interest Income	<u>50,000</u>	<u>50,000</u>	
<b>TOTAL REVENUES</b>	<u><b>1,913,900</b></u>	<u><b>1,903,500</b></u>	
<b>EXPENDITURES</b>			
Salaries & Benefits	1,431,413	1,431,413	Cost increase when ESCA concludes
Supplies & Services	120,000	120,000	FORA starts paying rent FY 15-16
Contractual Services	1,402,750	1,552,344	Does not include extras, petitions, lawsuits, etc
Capital Projects (CIP)	-	-	
Debt Service (P+I)	<u>-</u>	<u>-</u>	
<b>TOTAL EXPENDITURES</b>	<u><b>2,954,163</b></u>	<u><b>3,103,756</b></u>	
<b>NET REVENUES</b>			
<b>Surplus/(Deficit)</b>	<b>(1,040,263)</b>	<b>(1,200,256)</b>	

Annual deficit covered by  
Preston Park lease proceeds (not used for PP loan)  
or PP land sale proceeds, and FORA reserves

# FORT ORD REUSE AUTHORITY BOARD REPORT

## NEW BUSINESS

**Subject:** FY 2013-14 Capital Improvement Program

**Meeting Date:** May 10, 2013

**Agenda Number:** 8a

**INFORMATION**

### RECOMMENDATION:

Receive an overview/status report on the draft Fort Ord Reuse Authority (FORA) FY 2013-14 Capital Improvement Program (CIP). A PowerPoint presentation is provided as **Attachment A**.

### BACKGROUND/DISCUSSION:

Annually, staff requests updated reuse forecasts from the land use jurisdictions. Those forecasts are typically provided during the winter months for inclusion in the planning process for establishing the upcoming year's CIP budget. FORA staff reviews the submitted forecasts to ensure that resource-constrained limits of the Base Reuse Plan and associated environmental documentation/Sierra Club Settlement Agreement are met and that the forecasts are realistic. Using the reuse forecasts and other information, FORA staff coordinates with financial consultants to estimate CIP funding sources, including Community Facilities District (CFD)/development fees, property taxes, mitigation fee payments, and grant proceeds, etc. anticipated to be received per fiscal year. This fiscal year, land sales revenue has been forecasted based on the average of past land sales transactions. The estimated revenue stream is used to time place FORA's expenditures on transportation/transit, water augmentation, habitat management, fire rolling stock, property management/caretaker costs, and building removal (draft Tables 2, 3, 4a, and 4b **Attachment B**).

The recent CIP Phase II Study work product received by the Board under Old Business item 7c recommended a CFD/development fee adjustment to balance CIP revenues and expenditures through FORA's legislated dissolution on June 30, 2020. The draft FY 13-14 CIP currently assumes CFD/development fee rates consistent with the proposed fee adjustment and includes the increase on July 1, 2013 to account for keeping up with the January Engineering News Record published construction cost index adjustment.

Due to the nature of forecasting, today's best reuse forecasts may differ from what may be realized in the current market conditions. Recognizing this, CIP reprogramming continues to be a routine procedure every fiscal year to assure that mitigation projects are implemented in the best possible sequence with reuse needs. Next year's CIP may differ, based on updated jurisdiction forecasts and actual fee collection.

### FISCAL IMPACT:

Reviewed by FORA Controller 

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

### COORDINATION:

CIP Committee, Administrative Committee, Finance Committee, Executive Committee

Prepared by 

Crissy Maras

Approved by 

Michael A. Houlemard, Jr.

# Placeholder for Item 8a Attachments

*FY 2013-14 Capital Improvement Program*

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**Attachment A** (PowerPoint Presentation) and **Attachment B** (Draft CIP Tables 2, 3, 4a and 4b) will be available at the time of the Board meeting. The Administrative and CIP Committees will be reviewing these documents at their meeting on May 8<sup>th</sup>.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## NEW BUSINESS

<b>Subject:</b>	FORA FY 2013-14 Preliminary Budget	
<b>Meeting Date:</b>	May 10, 2013	<b>INFORMATION</b>
<b>Agenda Number:</b>	8b	

### RECOMMENDATION:

Receive a report on the Fort Ord Reuse Authority ("FORA") fiscal year 2014 ("FY 13-14") preliminary budget.

### BACKGROUND:

In 2008, FORA staff, in coordination with the Finance Committee, modified the annual preliminary budget format to depict all FORA revenue sources and expenditures on a single chart. In addition, the preliminary budget is presented to the Board in conjunction with the FORA Capital Improvement ("CIP") budget to provide cohesive representation of FORA finances and programs for the upcoming year. Consequently, an overall illustration of the FORA financial position is accessible for Board members in one report/location. The preliminary budget: 1) prorates the multi-year FORA/Army Environmental Services Cooperative Agreement ("ESCA") funding to cover the upcoming fiscal year expenditures to accurately represent FORA finances (as ESCA funding is strictly project specific); and 2) includes anticipated overall budget for capital projects (itemized in the CIP budget). The CIP budget is prepared and adopted separately, *please refer to item 8a in this Agenda*. The overall budget chart also compares the current FY approved, mid-year and year-end projected budgets.

### DISCUSSION:

Attachments A - D illustrate the FC recommended preliminary budget for FY 13-14:

**Attachment A** depicts the overall FY 13-14 preliminary budget.

**Attachment B** itemizes expenditures.

**Attachment C** illustrates proposed salary/benefits adjustments (this item will be reviewed with the Executive Committee on June 5 and will be included with the preliminary budget to be adopted by the Board in June).

**Attachment D** provides detail on ESCA budget.

Principal areas of negative budget impact are discussed below:

- Reuse slowdown and Economic Recession: The national and state economic downturn/recession of the last six fiscal years has significantly slowed Fort Ord reuse and economic recovery. Consequently, FORA developer fee and land sale revenues have been deferred and/or reduced. There is some evidence of change as building permit issuances are now returning.
- California Redevelopment termination: California redevelopment agencies (RDA) were dissolved in February 2012. For several months following it was uncertain whether property tax distributions to FORA would continue. In February of this year, FORA

collected the first post-RDA property tax payment. According to the information staff received from the County Auditor/Controller office, FORA should be receiving these semi-annual payments on a regular basis and the property tax revenue allocated to FORA should be approximately the same. In February 2013, the FORA Board approved a resolution (the resolution was originally approved in August 2012, rescinded in January 2013 and approved again in February 2013) designating actual property tax revenue collected by FORA from all new assessed value after July 1, 2012 to fund CIP activities after allocating 10% of such tax increment to underlying jurisdictions who execute an amendment to their Implementation Agreement with FORA.

- Federal revenue: In FY 09-10 FORA secured American Recovery and Reinvestment Act ("ARRA") funding through the United States Economic Development Administration ("EDA") to finance the construction of the General Jim Moore Boulevard ("GJMB") and Eucalyptus Road. FORA obtained a loan against its 50% share in Preston Park revenues to primarily match the ARRA grant. The construction was completed in FY 12-13 and the grant is closed. In FY 13-14 FORA staff will seek and evaluate federal funding, which may be available through various federal departments. Opportunities to gain funding assistance for priority roadway improvements within the former Fort Ord footprint could include the realignment and widening of South Boundary and the last 900 feet of GJMB.

FORA holds the remaining funds for the ESCA remediation program and is on schedule to complete the munitions cleanup and transfer of the Economic Development Conveyance (EDC) properties in 2015.

- California Central Coast Veterans Cemetery ("CCCVC"): In order for the CCCVC to be eligible for federal funding, the California Department of General Services ("DGS") needs to obtain the property title. To complete the transfer in the next few months, FORA has been funding the required costs such the property surveys, transfer fee, environmental site assessments, etc. When DGS assumes the property on behalf of the California Department of Veterans Affairs ("CDVA"), it is anticipated that FORA may act as the DGS's local agent for the development of the CCCVC.
- Preston Park: FORA has owned the Preston Park housing complex since 2000. It has been a central asset to FORA's building removal, infrastructure, and operations financing. It is the key asset that has enabled more than \$22 million of \$32 million in roadway construction in Marina and an equivalent amount across the remainder of the former Fort Ord. Preston Park collateral was also key to funding building removal for the Dunes on Monterey Bay and providing Pollution Legal Liability coverage for FORA jurisdictions, and certain other property owners. The final disposition of Preston Park will have a significant effect on how FORA will fund programs going into the future and will likely impact the coming year's evaluation of developer fee, land sales and lease revenues and implementation of Post-Reassessment policy choices. That disposition is subject to current litigation between FORA and the City of Marina.

Despite these economic and funding challenges, FORA continues to contain expenses and improve operational efficiencies while continuing its capital program, adding projects and maintaining services.



The following summarizes the preliminary budget figures for FY 13-14 (**Attachment A**):

## REVENUES

- \$261,000 MEMBERSHIP DUES

In addition to State Law stipulated fixed membership dues of \$224,000; FORA collects membership dues from Marina Coast Water District ("MCWD") under contract terms.

- \$245,000 FRANCHISE FEES

This amount represents MCWD's projected FY 13-14 payments to FORA from water and sewer operations on Fort Ord and associated administrative fees. This amount is based on the approved FY 12-13 MCWD budget; the FY 13-14 MCWD budget is not available at this time. *Please refer to MCWD Rates, Fees and Charges, item 6c in this Agenda.*

- \$970,325 ENVIRONMENTAL SERVICES COOPERATIVE AGREEMENT (Attachment D)

In March 2007, FORA was awarded a federal grant in the amount of \$99.3 million to complete munitions removal on Economic Development Conveyance parcels. FORA collected the final amount of \$97.7 million in December 2008, which pre-paid all ESCA management related services and expenditures through the December 2014 project completion (the US Army received \$1.6 million credit for paying ahead of schedule). The preliminary budget includes the FY 13-14 regulatory response and management/related expenses portion of the grant.

- \$694,920 POLLUTION LEGAL LIABILITY INSURANCE PREMIUM FROM DEL REY OAKS ("DRO")

DRO owes FORA for the PLL premium. The FORA Board approved the interim use of FORA funds to pay the premium until DRO is able to repay this obligation. DRO has selected a new developer who has agreed to meet this commitment. The full balance is expected to be repaid in FY 13-14.

- \$XXXXX DEVELOPER FEES

Jurisdictional forecasts for anticipated projects are reviewed by FORA staff to ensure that resource-constrained limits are met and that the forecasts are realistic.

*Please refer to CIP budget, item 8a in this Agenda.*

- \$XXXXX LAND SALE PROCEEDS

This reflects land sale revenue included in the FY 13-14 CIP budget; for the upcoming FY, the land sale revenue has been forecasted based on the average of past land sales transactions.

*Please refer to CIP budget, item 8a in this Agenda.*

- \$1,703,408 LEASE/RENTAL PAYMENTS

This amount consists of FORA's 50% share of lease revenue from Preston Park and other leasing projects on the former Fort Ord, including the Ord Market, Las Animas courtyard, etc. Revenue from Preston Park housing complex may be impacted by the uncertain events arising from the current litigation with the City of Marina. The Preston Park FY 13-14 budget is scheduled to be presented to the FORA Board for approval in June 2013.

- \$1,300,000 PROPERTY TAX PAYMENTS

Anticipated payments from the County Auditor/Controller office based on FY 12-13 collections. Any additional property tax revenue (increment) collected from all new assessed value after

July 1, 2012 has been committed to funding the CIP and allocating 10% of such tax increment to member jurisdictions.

- \$5,000 IN REIMBURSEMENTS FOR ESCA ACCESS SERVICES

Payments by future property owners to manage ESCA access services. This is a carryover balance from FY 12-13.

- \$110,000 INVESTMENT/INTEREST INCOME

Anticipated income from FORA bank accounts and certificates of deposit; the amount also includes interest payments on the outstanding Pollution Legal Liability insurance premium by the City of Del Rey Oaks until they are able to repay the premium.

#### UNDETERMINED REVENUE

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- LOAN REIMBURSEMENT – EAST GARRISON (“EG”)

Pursuant to the 2005 Monterey County, developer and FORA agreement, FORA borrowed \$4.1 million to pay building removal at the Dunes on Monterey Bay. The loan was to be repaid by the EG developer who only made a partial land payment when they acquired the EG property. Terms of this obligation are unresolved and need to be negotiated with the new developer and the County.

#### EXPENDITURES

- \$1,996,413 SALARIES AND BENEFITS (Attachments B,C)

FORA staffing remains at the approved FY 12-13 level; the Associate Planner position is extended to handle post-reassessment policy option processing and potential implementation as well as the expected increase in project activity. In January 2012, the FORA Board adopted new salary ranges to bring FORA employees toward equity with other labor market agencies. To sustain the equity process, the FORA Executive Committee (“EC”) will review potential salaries/benefits adjustments on June 5, 2013 and will convey their recommendation to the Board. The adjustments that will be discussed/considered include Cost of Living adjustment (COLA), salary step advances, and health insurance contributions.

- \$144,750 SUPPLIES AND SERVICES (Attachment B)

A reduction in this expense category compared to the previous FY budget due to: 1) reduced costs in supplies, travel, and meetings due to new expense policies implementation; 2) no major office equipment (computer and copy machine replacements) budgeted for FY 13-14, and 3) Community Information Center (“CIC”) set up (including purchasing equipment and exhibits) is complete; and 4) reduction in General Liability insurance since no construction activities are anticipated in FY 13-14.

The budget provides for routine computer/server maintenance and computer support. ADC registration fees were reclassified as travel expense to free up the training/conferences budget to allow for staff training anticipated for FY 13-14 such as Public Notary, Brown Act, and public records programs. In addition, the budget provides increased funding for televised Board meetings and efforts for community engagement at all levels and anticipated requests for services from jurisdictions.

• \$2,865,344 IN CONTRACTUAL SERVICES (Attachment B)

Contractual services are increased from the previous FY level. In addition to FORA's recurring consulting expenses such as Auditor, Public Information, Human Resources, Legislative and Financial consultants, the preliminary budget includes increased and or significant costs for: 1) Legal fees, including ongoing legal representation, Authority Counsel (new and outgoing), on-call services to prepare JPA, HCP/implementing agreements, and anticipated initiative election/s; 2) Base Reuse Plan (BRP) post-reassessment consultant and related costs to implement any BRP actions and/or environmental review; 3) ESCA regulatory, legal, and caretaking costs associated with the scheduled property transfers; and 4) HCP consultant to prepare the final EIS/EIR and HCP.

• \$X,XXX,XXX IN CAPITAL PROJECTS (Attachment B)

The upcoming budget includes mandated/obligatory expenditures such as habitat management and UC Natural Reserve annual cost. Other capital projects are development fee and land sale revenue collection dependent. The FY 13-14 CIP budget, which provides itemization and timing of capital projects, will be presented to the FORA Board for adoption in June. *Please refer to CIP budget, item 8a in this Agenda.*

• \$1,480,880 DEBT SERVICE (PRINCIPAL AND INTEREST) (Attachment B)

The FY 13-14 debt service consists of the following liabilities:

- \$1,364,880 for Preston Park loan monthly debt service (principal and interest); financed by FORA 50% share of Preston Park revenue and CFD revenue. The Preston Park loan matures in June 2014. Repayment and/or refinancing options need to be discussed during the FY 13-14.
- \$116,000 for firefighting equipment capital lease final payment (year 10 of 10); financed by CFD revenue.

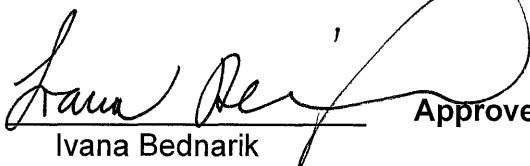
**ENDING BALANCE/FORA RESERVE**

It is anticipated that FORA will have budget savings of approximately \$8 million at the end of FY 13-14 (based on development fee and land sale projections). The General Fund ending balance (reserve) is estimated at \$3.4 million. FORA reserve account was established in FY 99-00 to provide for unforeseen expenses. In June 2011, the Finance Committee recommended setting the reserve at six months of operating expenses.

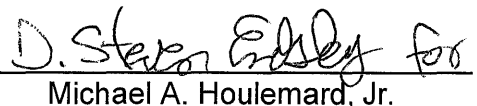
**COORDINATION:**

Finance Committee, Executive Committee. The Finance Committee met on April 2 and April 25, 2013 to review and discuss the preliminary budget. At the April 25 meeting, the Finance Committee completed its review and made recommend FORA Board approval of the preliminary budget pending Executive Committee review and inclusion of CIP elements. The Executive Committee is scheduled to review the preliminary budget and discuss salaries/benefits adjustments on June 5.

Prepared by

  
Ivana Bednarik

Approved by

  
Michael A. Houlemard, Jr.

**FORT ORD REUSE AUTHORITY - FY 13-14 PRELIMINARY BUDGET - ALL FUNDS COMBINED**

CATEGORIES	FY 12-13 APPROVED	FY 12-13 MID-YEAR	FY 12-13 ACTUAL-projected	FY 13-14 PRELIMINARY	NOTES
<b>REVENUES</b>					
Membership Dues	\$ 261,000	\$ 261,000	\$ 261,000	\$ 261,000	
Franchise Fees - MCWD	275,000	275,000	245,000	245,000	Based on FY 12-13 collections, MCWD FY 13-14 budget not available
Federal Grants - ESCA	787,690	787,690	764,093	970,325	Increased activity related to upcoming ESCA property transfer <b>(Attachment - ET/ESCA)</b>
PLL Loan Payments	-	-	-	694,920	DRO unpaid PLL premium may be collected in coming FY
Development Fees	6,000,000	3,930,986	1,851,620	<b>5,823,093</b>	* <b>Based on draft CIP budget to be approved by FORA Board in June 2013</b>
Land Sale Proceeds	28,450,279	500,000	-	<b>2,706,308</b>	* <b>Based on draft CIP budget to be approved by FORA Board in June 2013</b>
Lease/Rent Proceeds	840,000	1,460,908	1,741,908	1,703,408	Preston Park budget to FORA Board in June; CFD payment removed pending litigation
Property Taxes	-	1,300,000	1,300,000	1,300,000	Anticipated property tax payments from MoCo Auditor/Controller
CSU Deficit Payment	326,795	326,795	326,795	-	Final payment in FY 12-13
Planning Reimbursements	7,000	7,000	7,000	5,000	Reimbursements by future property - owner agencies to manage ESCA access services
Investment/Interest Income	135,000	100,000	100,000	110,000	Interest income from money market/COD accounts
<b>TOTAL REVENUES</b>	<b>37,082,764</b>	<b>8,949,379</b>	<b>6,597,416</b>	<b>13,819,054</b>	
<b>EXPENDITURES</b>					
Salaries & Benefits	1,959,578	1,994,044	1,994,044	1,996,413	Ongoing staffing level, <b>potential salary/benefits adjustments are not included</b>
Supplies & Services	193,050	185,050	158,550	144,750	Costs reduced, Community Information Center completed, expense policies implemented
Contractual Services	1,548,750	1,957,750	1,876,750	2,865,344	Increased/ <b>expected legal fees, environmental review and HCP</b>
Capital Projects (CIP)	4,584,000	1,787,542	1,154,034	<b>4,542,293</b>	* Required Habitat management, other projects CFD fee/land sale revenues dependent
Debt Service (P+i)	19,124,340	1,480,880	1,480,880	1,480,880	Final year of existing loan/lease
<b>TOTAL EXPENDITURES</b>	<b>27,409,718</b>	<b>7,405,266</b>	<b>6,664,258</b>	<b>11,029,679</b>	<b>(Attachment - Itemized Expenditures)</b>
<b>NET REVENUES</b>					
Surplus/(Deficit)	9,673,046	1,544,113	(66,842)	2,789,375	
<b>FUND BALANCES</b>					
Budget Surplus/(Deficit) - Beginning	5,425,802	5,461,505	5,461,505	5,394,663	
Budget Surplus/(Deficit) - Ending	\$ 15,098,848	\$ 7,005,618	\$ 5,394,663	\$ 8,184,038	Ending Fund Balance/FORA Reserve
					* 4,341,998 Land Sale Proceeds
					* 398,337 Development Fees
					<u>3,443,702</u> General Fund/Reserve
					8,184,038 Total

\* These amounts will be finalized with the CIP budget approval.

PRELIMINARY FY 13-14 BUDGET

ITEMIZED EXPENDITURES

EXPENDITURE CATEGORIES	FY 12-13 Approved	FY 12-13 Mid-Year	FY 12-13 Actual	FY 13-14 PRELIMINARY	NOTES
<b>SALARIES &amp; BENEFITS</b>	14 positions	14 positions	14 positions	14 positions	
Staff - Salaries	1,387,046	1,402,869	1,402,869	1,387,108	Staffing level and salary ranges at FY 12-13 level Request to extend Assistant Planner thru post-reassessment
Staff - Benefits/Employer taxes	527,532	531,175	531,175	549,305	PERS retirement /unemployment insurance increase
Temp help/Vac cash out	45,000	60,000	60,000	60,000	
<b>TOTAL SALARIES &amp; BENEFITS</b>	<b>1,959,578</b>	<b>1,994,044</b>	<b>1,994,044</b>	<b>1,996,413</b>	<b>See Attachment "Salaries/Benefits Adjustment"</b> for detail regarding potential adjustment in this category
<b>SUPPLIES &amp; SERVICES</b>					
COMMUNICATIONS	12,000	8,000	8,000	7,500	
SUPPLIES	14,000	14,000	12,000	12,000	
EQUIPMENT & FURNITURE	10,000	10,000	10,000	6,000	
TRAVEL, LODGING, REGISTRATION FEES	26,000	20,000	20,000	20,000	
MEETING EXPENSES	8,000	6,000	5,000	5,000	
BUILDING MAINTENANCE & SECURITY	8,500	6,000	6,000	6,000	
UTILITIES	13,000	13,000	12,000	12,000	
INSURANCE	48,500	48,500	31,000	22,000	
IT/COMPUTER SUPPORT	22,050	22,050	22,050	22,500	
PAYROLL/ACCOUNTING SERVICES	6,000	6,000	5,000	5,000	
TRAINING & SEMINARS	5,000	7,000	3,000	5,000	ADC registration fee reclassified to Travel
COMMUNITY INFORMATION CENTER COSTS	7,500	6,000	6,000	-	
TELEVISED MEETINGS	5,000	10,000	10,000	12,000	
OTHER:					
NOTICES, DUES, PRINTING, POSTAGE, ETC	7,500	8,500	8,500	9,750	Under \$5,000/year expense items
<b>TOTAL SUPPLIES AND SERVICES</b>	<b>193,050</b>	<b>185,050</b>	<b>158,550</b>	<b>144,750</b>	
<b>CONTRACTUAL SERVICES</b>					
AUTHORITY COUNSEL/EXPIRING CONTRACT	131,250	131,250	131,250	77,344	FORA BM 3/15/13 : Contract expires by September 15, 2013 On-call after 9/15/13-JPA, HCP/implementing agreements (\$50K)
AUTHORITY COUNSEL/NEW CONTRACT				135,000	FORA BM 3/15/13 : New Authority Counsel is selected
LEGAL/LITIGATION FEES	125,000	500,000	500,000	500,000	Based on FY 12-13 level of legal representation/initiative
LEGAL FEES - SPECIAL PRACTICE	15,000	15,000	15,000	10,000	CEQA/land use specialist
OTHER LEGAL FEES - REFERENDA, POOLS	-	-	-	600,000	Anticipated initiative election (cost per one petition)
AUDITOR	37,500	57,500	48,000	20,000	Annual Auditor
SPECIAL COUNSEL (EDC-ESCA)	70,000	135,000	135,000	200,000	ESCA property transfer, potential litigation, jurisdiction training
ESCA PROPERTY CARETAKING				50,000	Maintenance/insurance costs during transfer period
ESCA/REGULATORY RESPONSE/QUALITY ASSURAN	420,000	420,000	317,000	420,000	Increased services due to upcoming ESCA property transfer
VETERANS CEMETERY CONSULTANTS	-	56,000	60,000	TBD	CCCVC CDVA preliminary plans and fees to be reimbursed
FINANCIAL CONSULTANT	60,000	60,000	87,500	50,000	Development fee formula/HCP endowment requirements
LEGISLATIVE SERVICES CONSULTANT	40,000	43,000	43,000	43,000	Legislative/agency interaction - CCCVC, HCP, etc.
PUBLIC INFORMATION/OUTREACH	25,000	25,000	25,000	25,000	Print, internet, broadcast PI/media support
HCP CONSULTANTS	270,000	160,000	160,000	260,000	Final HCP/EIR/EIS document preparation
BASE REUSE PLAN (BRP) POST-REASSESSMEN	325,000	325,000	325,000	450,000	Potential BRP actions and/or additional environmental review
OTHER CONSULTING/CONTRACTUAL EXP	30,000	30,000	30,000	25,000	HR/miscellaneous consulting
<b>TOTAL CONTRACTUAL SERVICES</b>	<b>1,548,750</b>	<b>1,957,750</b>	<b>1,876,750</b>	<b>2,865,344</b>	
<b>CAPITAL PROJECTS</b>					
TRANSPORATION/OTHER CIP PROJECTS	3,000,000	804,795	691,129	3,086,520	Refer to CIP 13-14 for project detail
HCP ENDOWMENT	1,584,000	982,747	462,905	1,455,773	CFD Fee 25% set aside, current endowment fund balance \$4.9M
<b>TOTAL CAPITAL PROJECTS</b>	<b>4,584,000</b>	<b>1,787,542</b>	<b>1,154,034</b>	<b>4,542,293</b>	
<b>DEBT SERVICE (Principal and Interest)</b>					
PRESTON PARK LOAN DEBT SERVICE	682,440	1,364,880	1,364,880	1,364,880	Preston Park loan payments thru 6/15/14 (maturity date)
PRESTON PARK LOAN - PAY OFF	18,325,900	-	-	-	PP sale delayed due to litigation
FIRE TRUCK LEASE	116,000	116,000	116,000	116,000	Final payment in FY 13-14
<b>TOTAL DEBT SERVICE</b>	<b>19,124,340</b>	<b>1,480,880</b>	<b>1,480,880</b>	<b>1,480,880</b>	
<b>TOTAL EXPENDITURES</b>	<b>27,409,718</b>	<b>7,405,266</b>	<b>6,664,258</b>	<b>11,029,679</b>	

**PRELIMINARY FY 13-14 BUDGET****PROPOSED SALARY/BENEFITS  
ADJUSTMENTS**

Effective January 2012, pursuant to independent consultant's and FC/EC recommendations, the FORA Board adopted new salary ranges to bring FORA employees toward equity with other labor market agencies.

To sustain the equity process, the Executive Officer (EO) may recommend FY 13-14 Salary adjustments to the Executive Committee on June 5, 2013. These adjustments are not included in the preliminary budget and may include:

**Scheduled salary step advances**

**Cost-of Living-Adjustment (COLA)**

**Health insurance premium to cover provider increases**

**Additional Pay/Stipends - temporary**

**PRELIMINARY FY 13-14 BUDGET**

**ET/ESCA**

CATEGORY		REVENUES 3/2007 - 6/2009	EXPENDITURES 3/2007 - 6/2013	AVAILABLE FUNDS FOR FY 13-14	EXPENDITURES FY 13-14	AVAILABLE FUNDS FOR FY 14-15
Federal Grant Award March 2007	*	99,316,187				
Credit to Army for early payments		(1,587,578)				
<b>TOTAL REVENUES</b>		<b>97,728,609</b>	(94,134,678)	3,593,932	(970,325)	2,623,607
<b>GRANT FUNDS ALLOCATION</b>						
FORA/Program Management		3,392,656	(2,169,727)	1,222,930	(550,325)	672,605
EPA/DTSC/ERRG Regulatory Response Cost		4,725,000	(2,353,998)	2,371,002	(420,000)	1,951,002
FORA/Future PLL coverage		916,056	(916,056)	-	-	-
LFR/AIG commutation account	**	88,694,897	(88,694,897)	-	-	-
<b>TOTAL</b>		<b>97,728,609</b>	<b>(94,134,678)</b>	<b>3,593,932</b>	<b>(970,325)</b>	<b>2,623,607</b>

\* The \$99.3M Federal Grant was paid in three phases: \$40M in FY 06-07, \$30M in FY 07-08, and \$27.7M in FY 08-09. The Army made payments ahead of schedule securing a \$1.6M credit; FORA collected the last payment on 12/17/2008.

\*\* FORA made the last payment to LFR (now Arcadis)/AIG (now Chartis) commutation account upon receipt of the final grant payment. The commutation account will continue to pay for ESCA remediation through 2014.

The preliminary FY 13-14 budget includes \$970K of the \$3.6M available balance prorated to cover FY 13-14 expenditures.

**FORT ORD REUSE AUTHORITY BOARD REPORT**

**NEW BUSINESS**

<b>Subject:</b>	Contract to Perform Election Services	
<b>Meeting Date:</b>	May 10, 2013	<b>ACTION</b>
<b>Agenda Number:</b>	8c	

**RECOMMENDATION(S):**

Authorize the Executive Officer with concurrence of the Fort Ord Reuse Authority (FORA) Board Chair to contract with the County of Monterey Elections Department or an elections consultant to perform services in connection with two filed initiative petition efforts (**Attachment A**).

**BACKGROUND/DISCUSSION:**

On April 2, 2013, registered voters Jason Campbell, Chris Mack, Luana Conley, and Michael Solerno filed a Notice of Intention (NOI) with FORA (Initiative #1). The NOI was "to circulate initiative petition entitled Protect Fort Ord Open Space Access Initiative." Additional information on this initiative is available at the following website: <http://fortordaccess.org>

On May 1, 2013, registered voters James Bogan, Alfred Diaz-Infante, Edith Johnsen, Mary Ann Leffel, and W.B. "Butch" Lindley filed an NOI with FORA (Initiative #2). The NOI was "to circulate initiative petition" entitled "California Central Coast Veterans Cemetery, Open Space Preservation and Economic Revitalization Initiative." Additional information on this initiative is available at the following website: <http://securethepromise.org>

The California Government Code sections that establish FORA describe FORA's electoral roles. Government Code section 67659 reads:

**67659. In accordance with Section 5151 of the Elections Code, the authority is a district for purposes of initiative and referendum under Chapter 4 (commencing with Section 5150) of Division 5 of that code and the voters of the authority are the voters of Monterey County.**

FORA does not have the capacity to verify signatures and hold county-wide elections without obtaining additional elections services either from the County of Monterey Elections Department or an elections consultant.

**FISCAL IMPACT:**

Reviewed by FORA Controller 

Staff time for this item is included in the approved annual budget. County of Monterey Elections Department staff have informed FORA that holding county-wide elections may cost approximately \$500,000 per election ballot item. The FY 12-13 FOR A Budget does not currently include a line item expense for county-wide elections.

**COORDINATION:**

Administrative Committee, Executive Committee, County of Monterey Elections Department, Authority Counsel.

Prepared by   
Jonathan Garcia

Approved by   
Michael A. Houlemard, Jr.



# **Placeholder for Attachment A to Item 8c**

Contract to Perform Election Services

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

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

**Subject:** Outstanding Receivables

**Meeting Date:** May 10, 2013

**Agenda Number:** 10a

**INFORMATION**

### RECOMMENDATIONS:

Receive a Fort Ord Reuse Authority (FORA) outstanding receivables update as of April 30, 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>			<b>694,920</b>

### 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: Chair/Mayor Edelen has informed both the Board and Executive Committee that DRO selected a new development partner who has agreed to meet this obligation once legal issues are resolved with the past firm. The remaining obligation is expected to be repaid this calendar year.

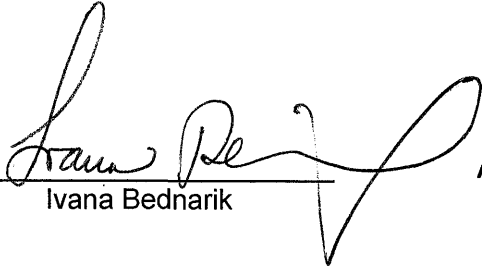
### FISCAL IMPACT:

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.

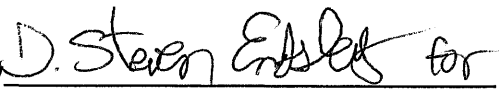
### COORDINATION:

Executive Committee

Prepared by

  
Ivana Bednarik

Approved by

  
Michael A. Houlemard, Jr.

**FORT ORD REUSE AUTHORITY BOARD REPORT**

**EXECUTIVE OFFICER'S REPORT**

**Subject:** Habitat Conservation Plan Update

**Meeting Date:** May 10, 2013  
**Agenda Number:** 10b

**INFORMATION**

**RECOMMENDATION(S):**

Receive a 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. CDFW has outlined a process for FORA and the other permit applicants to identify CDFW’s HCP endowment funding requirements over the next year. FORA has engaged Economic and Planning Systems (“EPS”) to initiate this process. 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. EPS’s contract has been funded through FORA’s annual budgets to accomplish Capital Improve Program Review, including review of HCP funding requirements. 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, EPS, UC Natural Reserve System, State Parks, and Bureau of Land Management.

Prepared by Jonathan Garcia Reviewed by Steve Endsley  
Jonathan Garcia Steve Endsley

Approved by Michael A. Houlemard, Jr.  
Michael A. Houlemard, Jr.

**Table 1.** Schedule for Installation-Wide Multispecies Habitat Conservation Plan for Former Fort Ord, CA

**Attachment A to Item 10b**  
 FORA Board Meeting, 5/10/13

Key:

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

HCP	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
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 1. (Continued)

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

Attachment A to Item 10b  
 FORA Board Meeting, 5/10/13

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
<b>EIR/EIS</b>																																				
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																																				

Table 1. (Continued)

**Attachment A to Item 10b**  
**FORA Board Meeting, 5/10/13**

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																							
<b>Implementing Agreement</b>																																																											
1 Prepare 2nd Admin Draft IA	Done																																																										
2 Wildlife Agency and Working Group Review Period	Done																																																										
7 Prepare 3rd Admin Draft IA	Done																																																										
8 Review 3rd Admin Draft IA (Permit Applicants and BLM only )	Done																																																										
9 Respond to comments	Done																																																										
10 Review 3rd Admin Draft IA (Permit Applicants, BLM, Wildlife Agencies)	Done																																																										
11 Prepare Screen-check Draft IA																																																											
12 Review Screen-check Draft IA (Wildlife Agencies)																																																											
13 Prepare Public Draft IA																																																											
14 Prepare and publish Notice of Availability in Federal Register (see HCP-12 above)																																																											
15 Public/Agencies Review period (90 days)																																																											
16 Prepare Final IA																																																											
17 See Approval Process steps																																																											
<b>Approval Process</b>																																																											
1 Permit Applicants and BLM Approval of Final Plan, Final EIR/EIS and Final IA																																																											
2 Establish Implementing Entity																																																											
3 Implementing Entity approves Final Plan. EIR/EIS and Implementing Agreement																																																											
4 See EIR/EIS steps 11, 12 and 13																																																											
5 Local Agencies Adopt Imp Ordinances																																																											
6 Wildlife Agencies Approval of Plan, EIR and EIS and IA																																																											
7 FG Findings Preparation																																																											
8 FWS Findings/Biological Opinion																																																											
9 Permits Issued by FWS																																																											
10 Permits issued by CDFG																																																											

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

**Subject:** Travel Report

**Meeting Date:** May 10, 2013

**Agenda Number:** 10c

**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:** Sacramento, CA

**Date:** April 28-29, 2013

**Purpose:** Executive Officer Michael Houlemard traveled to Sacramento the night of April 28, 2013 to meet with the California Department of General Services (DGS) and Economic and Planning Systems the morning of April 29<sup>th</sup>. The meeting at DGS was requested by Senator Monning to discuss the terms and conditions of the California Central Coast Veterans Cemetery property transfer package and was also attended by legislators/legislative staff and representatives from the California Department of Veterans Affairs (CDVA).

**Destination:** Sacramento, CA

**Date:** May 7-8, 2013

**Purpose:** Executive Officer Houlemard, Senior Planner Jonathan Garcia, Principal Analyst Robert Norris, and Mayor Rubio will travel to Sacramento for the purpose of conducting follow-up meetings with DGS, CDVA, and the California Department of Fish and Wildlife (DFW). In January, meeting participants identified tasks to complete on the draft Habitat Conservation Plan (HCP) and the California Central Coast Veterans Cemetery (CCCVC). It was agreed that these tasks could reasonably be accomplished within five to six weeks, necessitating follow-up meetings. This meeting has not occurred as of the drafting of this report, but staff can provide an oral report at the May 10<sup>th</sup> Board meeting.

#### Upcoming Travel

**Destination:** Washington D.C. - 2013 Annual Legislative Mission/ADC National Summit

**Date:** June 9-14, 2013

**Purpose:** In order to reduce travel expenses, the Executive Committee approved the Annual FORA Federal Legislative Mission to be scheduled to coincide with the Association of Defense Communities (ADC) National Summit in Washington, D.C. The FORA delegation will consist of Executive Officer Michael Houlemard, Assistant Executive Officer Steve Endsley, Principal Analyst Robert Norris, Chair Edelen, Supervisor Potter, and Mayor Rubio. The Mission itinerary is not yet finalized, but the delegation anticipates meetings with representatives from the Department of Veterans Affairs, U.S. Fish and Wildlife, Bureau of Land Management, U.S. Army BRAC, Office of Economic Adjustment, and Housing and Urban Development, as well as with elected officials.



**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:** Administrative Committee Report

**Meeting Date:** May 10, 2013

**Agenda Number:** 10d

**INFORMATION**

### RECOMMENDATION:

Receive a report from the Administrative Committee.

### BACKGROUND/DISCUSSION:

The approved minutes from the April 3, 2013 and the April 17, 2013 Administrative Committee meetings are attached for your review (**Attachments A and B**).

### FISCAL IMPACT:

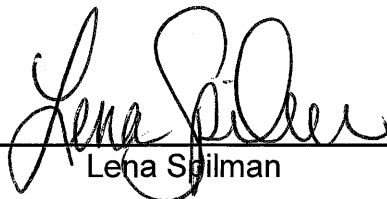
Reviewed by the FORA Controller 

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 2<sup>nd</sup> Avenue, Suite A, Marina, CA 93933

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

## ADMINISTRATIVE COMMITTEE MEETING

8:15 A.M. WEDNESDAY, APRIL 3, 2013

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

### MINUTES

**Attachment A to Item 10d**  
FORA Board Meeting, 5/10/13

#### 1. CALL TO ORDER

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

Carl Holm, County of Monterey\*  
Elizabeth Caraker, City of Monterey\*  
Debby Platt, City of Marina\*  
John Dunn, City of Seaside\*  
Diana Ingersoll, City of Seaside  
Anya Spear, CSUMB  
Tim O'Halloran, City of Seaside  
Jonathan Pasula, Monterey County PW  
Patrick Breen, MCWD

Bill Collins, BRAC  
Mike Zeller, TAMC  
Graham Bice, UCSC  
Vicki Nakamura, MPC  
Bob Schaffer  
Crisand Giles, BIA Bay Area  
Scott Hilk, MCP  
Chuck Lande, Marina Heights  
Jane Haines

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

\* Voting Members

#### 2. PLEDGE OF ALLEGIANCE

Carl Holm led the Pledge of Allegiance.

#### 3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Co-Chair Houlemard discussed the May 2-3, 2013 Fort Ord Prevailing Wage Conference.

#### 4. PUBLIC COMMENT PERIOD

None.

#### 5. APPROVAL OF MARCH 6, 2013 MEETING MINUTES

**MOTION:** Diana Ingersoll moved, seconded by Carl Holm, to approve the March 20, 2013 Administrative Committee meeting minutes, as presented.

**MOTION PASSED:** Unanimous.

#### 6. MARCH 22, 2013 BOARD MEETING/WORKSHOP FOLLOW-UP

Associate Planner Darren McBain provided a report on the Board workshop and the formation of the Post-Reassessment Advisory Committee.

**MOTION:** John moved, seconded by Elizabeth Caraker, to support expeditious review of Categories I and IV of the Base Reuse Plan Post Reassessment policy actions.

**MOTION PASSED:** unanimous

#### 7. APRIL 12, 2013 BOARD MEETING AGENDA REVIEW

Executive Officer Houlemard reviewed items on the April 12, 2013 Board agenda and discussed an upcoming meeting that would be scheduled to discuss the 2014 expiration of the Pollution Legal Liability Insurance Policy with all affected jurisdictions.

**8. OLD BUSINESS**

**a. HCP Update**

Senior Planner Jonathan Garcia provided an update on the progress of the Habitat Conservation Plan.

**9. NEW BUSINESS**

None.

**10. ITEMS FROM MEMBERS**

None.

**11. ADJOURNMENT**

Chair Dawson adjourned to the Joint Administrative/Capital Improvement Plan Committee meeting at 9:47 a.m.

*Minutes Prepared by:  
Lena Spilman, Deputy Clerk*

*Approved by:*

---

*Michael A. Houlemard, Jr., Executive Officer*



# Fort Ord Reuse Authority

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**Attachment B to Item 10d**  
FORA Board Meeting, 5/10/13

## ADMINISTRATIVE COMMITTEE MEETING 8:15 A.M. WEDNESDAY, APRIL 17, 2013

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

### MINUTES

#### 1. CALL TO ORDER

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

Marti Noel, County of Monterey\*  
Elizabeth Caraker, City of Monterey\*  
Layne Long, City of Marina\*  
John Dunn, City of Seaside\*  
Daniel Dawson, City of DRO\*  
Anya Spear, CSUMB  
Tim O'Halloran, City of Seaside  
Dirk Mederna, Monterey County PW  
Patrick Breen, MCWD  
Andy Sterbenz, MCWD  
Christi Di Iorio, City of Marina  
Theresa Szymanis, City of Marina

Lyle Shurtleff, BRAC  
Mike Zeller, TAMC  
Graham Bice, UCSC  
Vicki Nakamura, MPC  
Bob Schaffer  
Crisand Giles, BIA Bay Area  
Scott Hilk, MCP  
Doug Yount, Free Agent  
Brian Lee, MCWD  
Debby Platt, City of Marina  
Kathleen Lee, Supervisor Potter  
Brian True, MCWD

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

\* Voting Members

#### 2. PLEDGE OF ALLEGIANCE

John Dunn led the Pledge of Allegiance.

#### 3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Co-Chair Houlemard discussed 1) the May 2-3, 2013 Fort Ord Prevailing Wage Conference, 2) initiative filed by Fort Ord Access Alliance, and 3) initiative potentially being filed by the United Veterans Council and Monterey County Business Council. FORA and County attorneys are researching the impacts these initiatives would have on the Base Reuse Plan. Recently hired city manager Layne Long from the City of Marina introduced himself to the group.

#### 4. PUBLIC COMMENT PERIOD

None.

#### 5. APPROVAL OF MEETING MINUTES

##### a. April 3, 2013 Administrative Committee Minutes

##### b. April 3, 2013 Joint Administrative and CIP Committee Minutes

BIA Bay Area representative Crisand Giles requested that the minutes be revised to reflect discussion that had taken place at the joint meeting. She listed: 1) *The Committee discussed the implementation agreement and formulaic language, it states that the fee is to be calculated using the adopted/current CIP,* 2) *It was noted that there is a problem with collecting the CFD beyond FORA's effective sunset date. If a forecast does reference CFD collection beyond 2020, then tax increment and land sales revenues should also be included,* 3) *Where adoption of the new fee Spring 2014 or every two years is noted; please add that the fee can also be recalculated any time there is a material change to the CIP program,* and 4) *In the HCP section we discussed the timing of the HCP implementation, there may be no need to include a contingency moving forward as the program is scheduled to begin next year. Jonathan commented on the 2% HCP payout rate, expecting the change to be approximately \$7-8 Million higher than the 3.5% referenced by EPS.*

In response, Graham Bice asked that the minutes reflect that the Administrative Committee did not recommend the study be prepared using draft CIP forecasts. Additionally, Debby Platt asked that the minutes reflect that the Administrative Committee was complying with the FORA Board adopted policy when directing EPS to use the adopted CIP in preparing the study.

**MOTION:** Mr. Dunn moved, seconded by Mr. Bice, to approve the April 3, 2013 Administrative Committee meeting minutes, as presented and to approve the April 3 Joint Administrative and CIP Committee meeting minutes as presented, including the addenda provided by Mr. Bice and Ms. Platt, and to reflect the discussion that had taken place at the joint meeting as previously stated.

**MOTION PASSED:** Ayes: Caraker, Platt, Dunn, Dawson. Abstained: Noel

**6. APRIL 12, 2013 BOARD MEETING/WORKSHOP FOLLOW-UP**

Co-Chair Houlemard reported that the Board had acted to approve an agreement with the City of Seaside to transfer a portion of the veterans cemetery parcel to the State and that FORA is working to assemble the components required to allow transfer by August 15<sup>th</sup>. Additionally, at Sierra Club's request, their opposition to the jobs/housing balance in Chapter 8 of the FORA Master Resolution was taken off of the agenda; all other Master Resolution amendments were approved. A final version of Chapter 8 will be provided to the Sierra Club and the jurisdictions.

**7. OLD BUSINESS**

**a. HCP Update**

Senior Planner Jonathan Garcia provided a handout which included minutes of a meeting between FORA, its consultants, US Fish & Wildlife, CA Fish & Wildlife, UC Natural Reserve and UC. Two action items from that meeting are to certify UC as an endowment holder and establish a Joint Powers Authority. The JPA agreement will be recirculated for signatures by all parties. Free Agent Yount encouraged the Committee to allocate sufficient time to allow for each city council and the County Board of Supervisors to adopt a variety of documents establishing the JPA.

**b. Capital Improvement Program Phase II Study**

Assistant Executive Officer Steve Endsley reported that the Board had requested a sensitivity analysis at their recent meeting. Staff will direct EPS to perform a sensitivity analysis once errors in the report have been corrected. The corrected study will be distributed for the next Administrative Committee meeting. At the May Board meeting, staff will present the sensitivity analysis and alternatives based on the outcome of using the adopted policy and requests from Board members. Committee members were in general agreement that if the sensitivity analysis did not indicate a significant change, there was no need to amend current policy. They also noted that this year's CIP forecasts would be used to recalculate the fee in less than a year and, moving forward, every two years or at any material change.

**8. NEW BUSINESS**

**a. Post-Reassessment Category III**

Mr. Garcia reported that the FORA Board had assigned the Administrative Committee with reviewing Category III items which involves developing a work plan for a checklist that accompanies consistency determinations. Theresa Szymanis from the City of Marina expressed concern that there is a perception the City is responsible for obligations that are not required. She noted that the City's general plan was updated to include Base Reuse Plan objectives and that policies were developed through a public and CEQA process. Mr. Endsley responded that Associate Planner Darren McBain could meet with the jurisdictions individually to discuss concerns and that some of these issues might fall under Category II items which involves CEQA review.

**9. ITEMS FROM MEMBERS**

None.

**10. ADJOURNMENT**

Chair Dawson adjourned the Administrative Committee meeting at 9:48 a.m.

*Minutes Prepared by:*

*Crissy Maras, Grants and Contracts/Records Coordinator*

*Approved by:*

---

*Michael A. Houlemard, Jr., Executive Officer*

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

<b>Subject:</b> Finance Committee	
<b>Meeting Date:</b> May 10, 2013 <b>Agenda Number:</b> 10e	<b>INFORMATION</b>

### RECOMMENDATION(S):

Receive minutes from the April 25, 2013 Finance Committee (FC) meeting.

### BACKGROUND/DISCUSSION:

The FC met on April 25, 2013 to continue the preliminary FY 13-14 budget discussions and review how the adopted CFD Fee Formula is applied. FC members made recommendations regarding the FORA Board's consideration of the preliminary budget. Please refer to the attached minutes for more details (**Attachment A**).

### FISCAL IMPACT:

Reviewed by FORA Controller 

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

### COORDINATION:

Finance Committee

Prepared by   
Marcela Fridrich

Approved by  for  
Michael A. Houlemard, Jr.





## Fort Ord Reuse Authority

920 2<sup>nd</sup> Avenue, Suite A, Marina, CA 93933  
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**Finance Committee Meeting**  
Thursday, April 25, 2013 at 2:30 pm

### ACTION MINUTES

Present: Chair Bill Kampe, Members: Ian Oglesby, Graham Bice, Gail Morton  
Absent: Nick Chiulos (excused)  
Staff: Michael A. Houlemard, Jr., Ivana Bednarik, Steve Endsley, Jonathan Garcia, Marcela Fridrich  
Guests: Scott Hilke, Bob Shaffer

### AGENDA

The Finance Committee (FC) discussed the following agenda items:

1. Roll Call  
A quorum was achieved at 2:30 PM. Member Oglesby joined meeting at 2:37 PM.
2. Acknowledgements, Announcements, and Correspondence  
Executive Officer Michael Houlemard informed FC members about the cancellation of the prevailing wage conference.
3. Public Comment Period  
None
4. April 2, 2013 Minutes  
Member Morton asked for a misspelling correction. Motion to approve Bice, Second Morton, Approved 3-0.
5. FY 13-14 CIP Budget, CFD Fee Formula Calculation  
At its April 12, 2013 meeting FORA Board reviewed financial consultant EPS's draft analysis concerning the CFD fee Formula calculation. The draft calculations were offered solely as the basis for describing how the formula is applied. FORA staff presented EPS's updated draft analysis to FC members during the meeting. Jonathan Garcia introduced the item summarizing major changes from the one offered at the April Board meeting. FC Members discussed jurisdictional estimates and their impact on the fee calculation. Member Bice suggested that FC should not evaluate jurisdictional projections but rather make suggestions to Administrative and Executive committees. Chair Kampe pointed out that FC role is to identify items for Board consideration, make suggestions and articulate decision consequences. He invited members of public to make comments. There was no motion.
6. FY 13-14 Preliminary Budget  
This item was continued from the April 2, 2013 meeting. FC members received updated tables prepared by Controller Bednarik. She pointed out that CFD and Land Sale revenues will reflect the same value based on the draft CIP budget to be approved by FORA Board in June 2013. As requested by FC members, the ending fund balance was itemized displaying the General Fund balance. Controller Bednarik continued explaining changes/updates made in the itemized expenditures table primarily due to the addition of the anticipated initiative election cost. FC Members reviewed the salary/benefits schedule outlining proposed adjustments and their fiscal impact on the FY 13-14 budget. Member Morton asked for the additional column to show the 12-month impact of a 6-month salary step increase for eligible personnel. FC unanimously decided to recommend to the Executive Committee and FORA Board adoption of the preliminary FY 13-14 budget with requested changes. Motion Oglesby, Second Morton, Approved 4-0.
7. Next meeting date  
The next regularly scheduled meeting is planned for November 4, 2013.
8. Adjournment  
Meeting adjourned at 4:15 pm.

*Minutes prepared by Marcela Fridrich.*

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

**Subject:** Post-Reassessment Advisory Committee

**Meeting Date:** May 10, 2013

**Agenda Number:** 10f

**INFORMATION**

### RECOMMENDATION:

Receive a report regarding the Post-Reassessment Advisory Committee (PRAC).

### BACKGROUND/DISCUSSION:

The first PRAC meeting occurred on Friday, April 5. Minutes from that meeting are now final, incorporating Committee member review and comment (**Attachment A**). The PRAC held a second meeting on Friday, April 19. Draft minutes from that meeting are attached (**Attachment B**). The next PRAC meeting is scheduled for Friday, May 10 (8:00 to 11:00 AM at the FORA office.

### FISCAL IMPACT:

Reviewed by the FORA Controller 

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

### COORDINATION:

Post-Reassessment Advisory Committee

Prepared by  Approved by   
Darren McBain Michael A. Houlemard, Jr.



**BASE REUSE PLAN POST-REASSESSMENT  
ADVISORY COMMITTEE (“PRAC”) MEETING**

**1:30 P.M. Friday, April 5, 2013**

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

**ACTION MINUTES**

**1. CALL TO ORDER AT 1:30 P.M.**

Confirming a quorum, Fort Ord Reuse Authority (FORA) Board of Directors Chair Jerry Edelen called the meeting to order at 1:33 PM. The following people, indicated by signatures on the roll sheet, attended:

**Committee Members**

Tom Moore, MCWD  
Gail Morton, City of Marina  
Andre Lewis, CSUMB  
Ian Oglesby, City of Seaside  
Jane Parker, Monterey Co.  
Victoria Beach, City of Carmel  
Jerry Edelen, City of DRO

**Other Attendees**

Art McLoughlin, Mty. Bay Youth Camp  
Kristi Markey, Sup. Parker’s office  
Gordon Smith, Veterans Wild Fort Ord  
Kay Cline, Sustainable Seaside  
Jane Haines, Sierra Club  
Robert Sevene, Marina resident  
Scott McCreary, CONCUR, Inc.  
Jonathan Garcia, FORA  
Michael Houlemard, FORA  
Steve Endsley, FORA

Carlos Ramos, c.jobs  
Margaret Davis, FORU  
Scott Waltz, Sierra Club  
Mitchell Takata, CSUMB  
Darren McBain, FORA  
Steve Eklund  
Nancy Selfridge  
Bob Schaffer  
Crissy Maras, FORA

**2. PLEDGE OF ALLEGIANCE:** Ian Oglesby led the Pledge of Allegiance.

**3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE:** None

**4. PUBLIC COMMENT PERIOD:** The Board received comments from two members of the public.

**5. NEW BUSINESS**

a. Base Reuse Plan Post-Reassessment Follow-Up

i. Advisory Committee Charge

Chair Edelen read the Committee Charge, noting the importance of respecting others’ opinions in determining agreement on the Category I and IV topics and options.

ii. Reassessment Report “Category I” topics and options

Staff provided copies of the 1997 Base Reuse Plan (BRP), a binder containing the 2012 Final Reassessment Report and BRP map/figures annotated with Category I edits from the BRP Reassessment, and the April 5 Committee packet. Darren McBain, Associate Planner, stated that the FORA Board Chair, with concurrence from the Board as a whole, had created the Committee in an effort to provide detailed review and refined recommendations to the Board. The Committee reviewed the Reassessment Report’s individual Category I text edits. CONCUR, Inc. meeting facilitator Scott McCreary guided the discussion. In most cases there was general consensus on the identified corrections and clarifications. In several instances where there was not general consensus with the Report’s edits, members identified additional edits, substitutions, and clarifications that were agreeable to the group.

Four of the Category I items' subject matter were identified as meriting particular discussion within the context of subsequent Category IV (policy direction) committee deliberations. These items included the Report's edits referencing the following Base Reuse Plan program subjects:

- Marina Recreation/Open Space land Use Program B-2.4 (open space barriers) – BRP page 265,
- Recreation Policy G-1, all three jurisdictions (parks and open space planning) - BRP pages 324, 327, and 330
- Marina Hydrology and Water Quality Programs B-1.2 through B-1.7 and County Program B-1.2 (City and County responsibilities regarding development of additional water supply sources)- BRP pages 347 through 353
- Discussion of possibly marking/flagging now-completed BRP programs as part of a future BRP republication effort, to be determined. Example: County Hydrology and Water Quality Program C-6.1 (stormwater outfall removals) – BRP page 354.

After completing its review of the Category I text edits, the Committee reviewed the annotated BRP figures and discussed developing an approach for incorporating the Category I map/figure edits into future updated versions of the figures. Components of the discussion included:

- Separating figure-related items into two main subcategories: one relating to typos/formatting issues “only,” and one requiring other/additional judgment (for example, relating to outdated 1997 map references);
- Maintaining existing versions of some BRP figures for historical-context purposes;
- Placing transportation-related figure corrections on hold for purposes of Category I, pending a future review of Category II topics and options (in which the Reassessment Report called out transportation-related corrections as a specific subtopic) and detailed CEQA review; and
- Using figures prepared during the 2012 Reassessment process as a potential basis for future figure updates.

Due to time constraints, after reviewing the full text edits and approximately half of the figures, the Committee continued review of Category I topics and options to the next meeting in order to conduct an initial discussion of Category IV prioritization considerations. The Committee took no formal action.

### iii. Reassessment Report “Category IV” topics and options

Mr. McCreary recapped several previously discussed approaches for identifying Category IV priority recommendations. Members conversed about an initial range of considerations and factors that the Committee may want to consider in future meetings. The Committee discussed several resources that would help inform future discussion, including a summary of public input from the Reassessment process, copies of previously prepared summaries of BRP implementation status, and maps/graphics illustrating Fort Ord reuse progress to date. The Committee took no formal action.

## 6. ADJOURNMENT

The meeting was adjourned at 4:40 PM.

Minutes prepared by Crissy Maras (Grants and Contracts/Records Coordinator) and Darren McBain.



**BASE REUSE PLAN POST-REASSESSMENT  
ADVISORY COMMITTEE MEETING**

**9:00 A.M. Friday, April 19, 2013**

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

**ACTION MINUTES**

**1. CALL TO ORDER AT 9:10 AM**

Confirming a quorum, Fort Ord Reuse Authority (FORA) Board of Directors Chair Jerry Edelen called the meeting to order at 9:10 AM. The following people, indicated by signatures on the roll sheet, attended:

**Committee Members**

Tom Moore, MCWD  
Gail Morton, City of Marina  
Andre Lewis, CSUMB  
Ian Oglesby, City of Seaside  
Jane Parker, Monterey Co.  
Victoria Beach, City of Carmel  
Jerry Edelen, City of DRO

**Other Attendees**

Michael Houlemard, FORA  
Steve Endsley, FORA  
Jonathan Garcia, FORA  
Darren McBain, FORA  
Scott McCreary, CONCUR, Inc.  
Kristi Markey, Supervisor Parker's office  
Michael Groves, EMC Planning  
Four members of the public (not signed in)

**2. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE:** FORA Associate Planner Darren McBain acknowledged Scott Waltz's distribution of a letter to the Committee regarding agenda item 5.a.i.

**3. PUBLIC COMMENT PERIOD:** Scott Waltz urged Committee members to think strategically about the development of the former Fort Ord during the Category IV discussion.

**4. APPROVAL OF APRIL 5, 2013 MEETING MINUTES:** The Committee requested inclusion of more specificity regarding the Cat. I items previously identified to be carried over to a subsequent Cat. IV policy discussion, and then unanimously approved the draft meeting minutes

**5. OLD BUSINESS**

a. Base Reuse Plan Post-Reassessment Follow-Up

i. Reassessment Report "Category I" topics and options

The Committee continued the April 5 discussion of the 2012 Reassessment Report's recommended "Category I" corrections to the Base Reuse Plan's (BRP) text and figures. CONCUR, Inc. meeting facilitator Scott McCreary guided the discussion. The Committee reviewed a staff-prepared draft tracked-changes summary of the Committee's April 5 review and discussion of the text edits. After requesting minor revisions to be incorporated into the final version for future Board consideration, the Committee unanimously endorsed the summary document.

The Committee completed its previous review of the Reassessment Report's comments on the individual BRP figures, and discussed a multi-step approach for addressing the report's recommended edits and other next steps regarding preparation of future map/figure exhibits. Dr. Waltz discussed his April 16, 2013 letter requesting that the Committee include preparation of a revised Figure 4.4-1, showing a level of detail consistent with the original source document, in the Committee's final recommendation. The Committee reached consensus on preferred corrections to each individual figure. Mr. McBain stated staff would

prepare a summary of the Committee's review of the BRP figures and would circulate the summary to Committee members for feedback.

ii. Reassessment Report "Category IV" topics and options

Staff distributed copies of materials that were discussed at the April 5 meeting as having potential to inform prioritization of post-reassessment policy action items. The materials included the 2011-2012 FORA Annual Report, six figures from the 2012 Reassessment Report showing base reuse implementation status, and a partial summary checklist of public input from the reassessment process. Committee Member Tom Moore, PhD, distributed a memorandum and attachment outlining his recommendation that FORA should develop measures of effectiveness (MOEs) for future reporting and monitoring purposes. Committee members and FORA Executive Officer Michael Houlemard discussed the background and structure of FORA's Annual Reports. Mr. McBain summarized several broad topic areas that received voluminous public input during the reassessment process. Michael Groves, of EMC Planning Group, stated that the public comment summary checklists intentionally excluded numerical tallies of the number of comments submitted on each subject area, with the intention of producing a policy-neutral report. The Committee took no formal actions.

**6. ADJOURNMENT**

The meeting was adjourned at 11:45 AM.

Minutes prepared by Darren McBain.

FORT ORD REUSE AUTHORITY BOARD REPORT	
EXECUTIVE OFFICER'S REPORT	
<b>Subject:</b>	Veterans Issues Advisory Committee
<b>Meeting Date:</b>	May 10, 2013
<b>Agenda Number:</b>	10g
<b>INFORMATION</b>	

**RECOMMENDATION:**

Receive a report from the Veterans Issues Oversight Committee (VIAC).

**BACKGROUND/DISCUSSION:**

The VIAC met on April 25, 2013. The draft minutes from that meeting are attached for review (**Attachment A**).

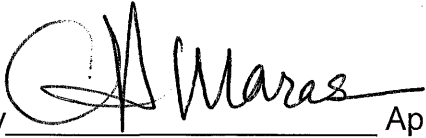
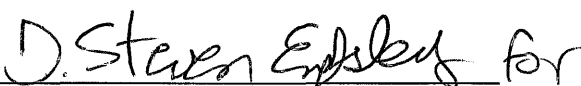
**FISCAL IMPACT:**

Reviewed by FORA Controller 

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

**COORDINATION:**

VIAC

Prepared by  Approved by   
 Crissy Maras Michael A. Houlemard, Jr.



## Fort Ord Reuse Authority

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

### VETERANS ISSUES ADVISORY COMMITTEE MEETING (VIAC)

April 25, 2013 at 3 PM  
920 2nd Avenue Suite A,  
Marina, CA 93933  
(FORA Conference Room)

Attachment A to Item 10g  
FORA Board Meeting, 05/10/2013

### MINUTES

**1. CALL TO ORDER AND ROLL CALL**

Due to a scheduling conflict, Chair Edelen was not in attendance. Acting Chair Greg Nakanishi called the meeting to order at 3:00 PM. A quorum was declared by roll call.

**2. PLEDGE OF ALLEGIANCE**

Edith Johnsen led the Pledge of Allegiance.

**3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

a. Legislative Letters in Support of the California Central Coast Veterans Cemetery  
The Committee received letters sent by Congressman Farr, Senator Monning and Assembly Member Stone to the FORA Board supporting the transfer of the veterans cemetery parcel to the State of California. FORA Principal Analyst Robert Norris announced that the \$30K land transfer processing fee and all other required land transfer documents had been transmitted to the State. A Record of Survey is being prepared and will be sent to the State separately.

**4. PUBLIC COMMENT PERIOD:** None

**5. APPROVE VIAC MEETING MINUTES: MARCH 28, 2013**

Chair Nakanishi suggested deleting the last sentence of the last paragraph under item 4b: "The Cemetery Foundation may be asked to pay the fee, which might be reimbursable as a project cost." Sonya Arndt confirmed that Congressman Farr was researching the eligibility of reimbursement, but that it was highly unlikely.

MOTION: Ms. Johnsen moved, seconded by James Bogan, to approve the minutes as corrected.

MOTION PASSED: Unanimous

**6. NEW BUSINESS**

a. Review of Amended Committee Charge

The Committee received the Committee Charge, which had been slightly amended at the previous VIAC meeting. The FORA Executive Committee reviewed and concurred in the amended charge at their meeting held April 12<sup>th</sup>.

b. Receive Report on FORA Meetings with California Department of Veterans Affairs and Department of General Services



Mr. Norris reported that FORA staff is scheduling meetings in Sacramento with the State agencies involved in the land transfer process and that the State has received the documents required to begin staff-level work. Ms. Arndt reported that although the schedule is aggressive, currently all work remains on track.

c. **Status of Cemetery Water briefing for U.S. Army**

Committee Members reviewed a draft Power Point Presentation proposed for briefing the US Army on the status of cemetery water. Mr. Norris requested feedback on the information presented. The draft presentation will be sent to Committee Members and members of the public, as requested, electronically.

**7. ITEMS FROM MEMBERS**

Mr. Norris noted that the VIAC must meet the requirements of the Brown Act, which states that items being discussed by the Committee must be posted within 72 hours of the meeting. He requested Committee Members send any items they want included on the agenda at least four days prior to the next scheduled meeting.

**8. ADJOURNMENT**

Acting Chair Nakanishi adjourned the meeting at 3:20 PM.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

**Subject:** Water/Wastewater Oversight Committee

**Meeting Date:** May 10, 2013

**Agenda Number:** 10h

**INFORMATION**

### RECOMMENDATION:

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

### BACKGROUND/DISCUSSION:

The WWOC met on April 17, 2013. The draft minutes from that meeting are attached for review (**Attachment A**).

### FISCAL IMPACT:

Reviewed by FORA Controller 

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

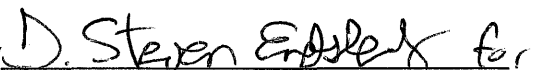
### COORDINATION:

WWOC

Prepared by

  
Crissy Maras

Approved by

  
Michael A. Houlemard, Jr.



# Fort Ord Reuse Authority

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## WATER/WASTEWATER OVERSIGHT COMMITTEE MEETING 9:00 A.M. WEDNESDAY, APRIL 17, 2013 920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933 (FORA Conference Room)

### MINUTES

Attachment A to Item 10h  
FORA Board Meeting, 05/10/2013

#### 1. CALL TO ORDER

Chair Dawson called the meeting to order at 9:55a.m. The following were present, as indicated by signatures on the roll sheet:

Elizabeth Caraker, City of Monterey  
Daniel Dawson, City of DRO  
Rick Riedl, City of Seaside  
Dirk Mederna, Monterey County PW  
Debby Platt, City of Marina  
Graham Bice, UCMBEST

MCWD Staff:  
Patrick Breen, MCWD  
Andy Sterbenz, MCWD  
Brian Lee, MCWD  
Brian True, MCWD

FORA Staff:  
Steve Endsley  
Jim Arnold  
Jonathan Garcia  
Crissy Maras

#### 2. PUBLIC COMMENT PERIOD

None

#### 3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

None

#### 4. APPROVAL OF MINUTES: March 20, 2013

MOTION: Debby Platt moved, seconded by Graham Bice, to approve the March 20, 2013 meeting minutes as presented.

MOTION PASSED: Unanimous

#### 5. OLD BUSINESS

##### a. Draft Ord CIP Presentation and Review

Brian Lee distributed a handout containing MCWD Capital Infrastructure Ord Community Replacement Costs and the Capital Improvement Project lists for water, sewer and the Regional Urban Water Augmentation Program (RUWAP). The Committee reviewed the information and suggested edits to MCWD. Mr. Lee informed the Committee that he had requested a 6 month grace period from the MCWD Board to research the RUWAP history. The RUWAP budget has been separated from the overall CIP budget because they are future costs not incurred within the projected budget year. In May the WWOC will receive the water and sewer CIP background and finalize project scheduling. In June they will receive the entire CIP and how it relates to MCWD rates, fees and charges. The current schedule anticipates presenting a budget to a joint meeting of the FORA and MCWD Boards in September.

Assistant Executive Officer Steve Endsley noted that the FORA Board would receive an informational item at their May meeting, informing them of the ongoing MCWD rate study and Prop 218 process, and an action item in June extending the current budget until a new budget is adopted, possibly in September.

#### 6. NEW BUSINESS

##### a. MCWD Performance Evaluation

Committee Members were asked to complete the evaluation form and return to FORA. The results will be reported at the next meeting.

#### 7. ADJOURNMENT

The meeting adjourned at 11:05 a.m.

*Minutes Prepared by:  
Crissy Maras, Grants and Contracts/Records Coordinator*

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

<b>Subject:</b>	Public Correspondence to the Board	
<b>Meeting Date:</b>	May 10, 2013	<b>INFORMATION</b>
<b>Agenda Number:</b>	10i	

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](mailto:board@fora.org) or mailed to the address below:

FORA Board of Directors  
920 2<sup>nd</sup> Avenue, Suite A  
Marina, CA 93933