



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

## SPECIAL MEETING FORT ORD REUSE AUTHORITY BOARD OF DIRECTORS

Friday, December 13, 2013 at 4:30 p.m.

University Center at California State University, Monterey Bay  
100 Campus Center (6<sup>th</sup> Avenue), Seaside, CA 93955

### REVISED AGENDA

#### 1. CALL TO ORDER

#### 2. PLEDGE OF ALLEGIANCE

#### 3. ROLL CALL

#### 4. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

- a. Report on Outcomes from the CSUMB/FORA Base Reuse Implementation Colloquium INFORMATION
- b. Adopt Resolution Acknowledging Service of Monterey City Manager Fred Meurer ACTION

#### 5. PUBLIC COMMENT PERIOD

Members of the public wishing to address the Board of Directors on matters not on this agenda, but within FORA's jurisdiction, may comment for up to three minutes during this period. Public comments on specific agenda items are heard under that item.

#### 6. CONSENT AGENDA

- a. Approval of the October 4, 2013 Board Meeting Minutes (pg. 1-2) ACTION
- b. Approval of the November 8, 2013 Board Meeting Minutes (pg. 3-5) ACTION
- c. Approval of 2014 FORA Board Meeting Schedule (pg. 6-9) ACTION
- d. FORA Policy Amendments: Expense Reimbursement/Cell Phone (pg. 10-15) ACTION
- e. Legal Services Contract Extension – Alan Waltner (pg. 16-18) ACTION

#### 7. OLD BUSINESS

- a. Capital Improvement Program Review - Phase III Study Authorization (pg. 19-24) ACTION
- b. Preston Park Management Agreement Extension with Alliance Communities, Inc. (pg. 25-35) ACTION
- c. Fort Ord Initiatives (Measures K & M Election) (pg. 36-41)
  - i. Receive Certification of Election Results from Monterey County Elections Department INFORMATION
  - ii. Extend Election Legal Services Contract - Steve Churchwell ACTION

#### 8. NEW BUSINESS

- a. Adopt 2014 FORA Legislative Agenda (pg. 42-50) ACTION

#### 9. EXECUTIVE OFFICER'S REPORT

- a. Outstanding Receivables (pg. 51) INFORMATION
- b. Habitat Conservation Plan Update (pg. 52) INFORMATION
- c. Finance Committee (pg. 53-55) INFORMATION

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|--|-------------|
| d. Post Reassessment Advisory Committee (pg. 56)   | INFORMATION |
| e. Travel Report (pg. 57)  | INFORMATION |
| f. Appraisal Instructions for Church of Jesus Christ of Latter-Day Saints (LDS) Site in City of Marina (pg. 58-60) | INFORMATION |
| g. Public Correspondence to the Board (pg. 61)   | INFORMATION |

**10. ITEMS FROM MEMBERS**

**11. CLOSED SESSION**

- a. Conference with Legal Counsel - Existing Litigation, Gov Code 54956.9(a) – **3 Cases**
  - i. Keep Fort Ord Wild v. Fort Ord Reuse Authority (FORA), Case Number: M114961
  - ii. Bogan v. Houlemard, Case Number: M122980
  - iii. The City of Marina v. Fort Ord Reuse Authority, Case Number: M11856
- c. Public Employee Performance Evaluation – Gov Code 54957  
Executive Officer - Contract Terms and Conditions

**12. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION**

**13. ADJOURNMENT**

**NEXT REGULAR BOARD MEETING: TBD**

Persons seeking disability related accommodations should contact FORA 24 hrs prior to the meeting. This meeting is recorded by Access Monterey Peninsula and televised Sundays at 9 a.m. and 1 p.m. on Marina/Peninsula Chanel 25. The video and meeting materials are available online at [www.fora.org](http://www.fora.org).



**REVISED**

## **FORT ORD REUSE AUTHORITY**

### **BOARD OF DIRECTORS SPECIAL MEETING MINUTES**

3:30 p.m. - Friday, October 4, 2013

910 2<sup>nd</sup> Avenue, Marina, CA 93933 (Carpenter's Union Hall)

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

Chair Edelen called the meeting to order at 3:30 p.m.

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

Senator Monning led the Pledge of Allegiance.

#### **3. ROLL CALL**

A roll call was conducted by the Deputy Clerk and a quorum was confirmed.

##### **Voting Members Present: (\*alternates)(AR: arrived after roll call)**

Chair/Mayor Edelen (City of Del Rey Oaks)

Mayor Gunter (City of Salinas)

Councilmember Morton (City of Marina)

Mayor ProTem O'Connell (City of Marina)

Mayor Pro-Tem Oglesby AR (City of Seaside)

Mayor Pendergrass (City of Sand City)

Supervisor Potter (County of Monterey)

Nick Chiulos\* (County of Monterey)

Mayor Rubio (City of Seaside)

##### **Voting Members Participating via Teleconference:**

Councilmember Beach (City of Carmel-by-the-Sea), Councilmember Selfridge (City of Monterey)

**Voting Members Absent:** Mayor Kampe (City of Pacific Grove), Supervisor Parker (County of Monterey), Supervisor Salinas (County of Monterey) \*alternate present

**Ex-officio (Non-Voting) Board Members Present:** Alec Arago\* (20<sup>th</sup> Congressional District), Bill Monning (17<sup>th</sup> State Senate District), Mark Stone (29<sup>th</sup> State Assembly District), Scott Brandt (University of California), Eduardo Ochoa (California State University), Walter Tribley (Monterey Peninsula College)

#### **4. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE**

Alec Arago announced that the ground breaking ceremony for the Joint Veterans Affairs (VA)/Department of Defense (DoD) Clinic would be held on November 11, 2013. He discussed the project, noting that it was the first clinic in the nation to combine a DoD family clinic and a VA clinic.

#### **5. NEW BUSINESS**

##### **a. California Central Coast Veterans Cemetery (CCCVC) Loan and Grant**

**i. Authorize Executive Officer to Execute an Agreement with David and Lucile Packard Foundation for a Loan of \$350,000 to Finance the CCCVC.**

**ii. Authorize the Executive Officer to Apply for a \$100,000 Grant from the David and Lucile Packard Foundation to Finance the CCCVC.**

Executive Officer Houlemard presented the item, stating that the Packard Foundation and FORA staff had worked intensively over the previous week to complete all documentation necessary to ensure the funds would be available by the October 15, 2012 federal grant deadline.

Jimmy Panetta and Jason Burnett addressed the Board regarding the status of local fundraising efforts, required to bridge the funding gap between the federal grant and the estimated project costs. Mr. Burnett stated that with the Packard Foundation loan and grant, the \$150,000 loan from local business owner Ted Balestreri, and additional local contributions, the funding would be in place to allow the state to accept the federal grant by the October 15<sup>th</sup> deadline. He explained that due to his position as both a FORA Board alternate and a Packard Foundation Board member, he would recuse himself from deliberation and voting at both organizations. Mr. Burnett asked for Board questions and, receiving none, exited the meeting.

Senator Monning discussed Senate Bill (SB) 232. The bill, once signed by the Governor, would secure a \$1 million appropriation for construction of the CCCVC. He stated he had also received a commitment for an additional \$1 million in state funding once SB 232 was signed.

The Board received comments from members of the public.

MOTION: Supervisor Potter moved, seconded by Mayor Rubio, to approve the following actions, subject to approval by the Monterey County Board of Supervisors: 1) authorize the Executive Officer to execute an agreement with the David and Lucile Packard Foundation for a loan of \$350,000 to finance the CCCVC, and 2) authorize the Executive Officer to apply for a \$100,000 grant from the David and Lucile Packard Foundation to finance the CCCVC.

MOTION PASSED: unanimous

**6. PUBLIC COMMENT PERIOD**

None

**7. ITEMS FROM MEMBERS**

None

**8. ADJOURNMENT**

Chair Edelen adjourned the meeting at 4:20 p.m.



# FORT ORD REUSE AUTHORITY

## BOARD OF DIRECTORS REGULAR MEETING MINUTES

2:00 p.m. - Friday, November 8, 2013

910 2<sup>nd</sup> Avenue, Marina, CA 93933 (Carpenter's Union Hall)

### 1. **CALL TO ORDER**

Chair Edelen called the meeting to order at 2:00 p.m.

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

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

**Ex-officio (Non-Voting) Board Members Present:** Alec Arago\* (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), Eduardo Ochoa (California State University), Walter Tribley (Monterey Peninsula College), Dan Albert, Jr.\* (Monterey Peninsula Unified School District), Dan Carpenter\* (US Army), Bill Collins (Fort Ord BRAC Office), and Director Moore (Marina Coast Water District).

### 2. **CLOSED SESSION** - The Board adjourned into closed session at 2:03 p.m.

- a. **Conference with Legal Counsel - Existing Litigation, Gov Code 54956.9(a) – 5 Cases**
  - i. **Keep Fort Ord Wild v. Fort Ord Reuse Authority (FORA), Case Numbers: M114961, M116438**
  - ii. **Bogan v. Houlemard, Case Number: M122980**
  - iii. **The City of Seaside v. Valenzuela, Case Number: M124499**
  - iv. **The City of Marina v. Fort Ord Reuse Authority, Case Number: M118566**

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

The Board reconvened into open session at 2:31 p.m. and Authority Counsel Jon Giffen announced no reportable action was taken.

### 4. **ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE**

Councilmember Selfridge introduced Deputy Consul General Rafiq Rusttamod, who was visiting from the City of Monterey's sister city Lankaran, Azerbaijan, and Mr. Rusttamod briefly addressed the Board.

Eric Morgan, Bureau of Land Management, expressed appreciation for the Army's recent prescribed burns, which would allow remediation efforts to move forward on approximately 700 acres of the former Fort Ord.

**a. December 12-13, 2013 Base Reuse Implementation Colloquium Update**

Executive Officer Michael Houlemard discussed plans for the upcoming Colloquium, noting that the event would conclude with a Fort Ord Reuse Authority (FORA) Board meeting at the California State University, Monterey Bay University Center.

**b. US November 11, 2013 US DoD/DVA Clinic Ground Breaking**

Mr. Houlemard repeated his announcement from previous meetings that the Clinic ground breaking would be held on November 11, 2013 at 1 p.m. in the City of Marina and stated that both FORA and the Veterans Transition Center planned to host post-event receptions.

**5. CONSENT AGENDA**

**a. Approval of the October 4, 2013 Board Meeting Minutes**

**b. Approval of the October 11, 2013 Board Meeting Minutes**

Supervisor Parker noted several necessary corrections to the roll call of the October 4, 2013 Board meeting minutes and requested they be continued to allow for the revisions.

MOTION: Supervisor Potter moved, seconded by Councilmember Morton, to approve the October 11, 2013 Board meeting minutes, as presented, and to continue the October 4, 2013 Board meeting minutes to the December Board meeting.

MOTION PASSED: unanimous

**6. OLD BUSINESS**

**a. Consistency Determination: 2010 Monterey County General Plan**

Chair Edelen stated that the Board had received letters within the previous 24 hours challenging the item and questioning noticing requirements. In order to allow Authority Counsel and staff the time needed to address the questions and to reschedule the public hearing to comply with the Master Resolution, the item would be postponed to a special Board meeting later in the month. Supervisor Parker expressed concern with the items consideration at a special meeting close to Thanksgiving. A staff representative from the County of Monterey stated they would be willing to waive the time frame prescribed in the FORA Master Resolution and continue the item to January 2014, provided all public comments could be submitted by a date certain prior to the meeting. The Board directed staff to reschedule the item for consideration at the January Board meeting.

**b. FORA/ Central Coast Veterans Cemetery Foundation Loan Payment Agreement**

Mr. Houlemard noted that the Loan Payment Agreement had been executed pursuant to previous Board direction and was provided as an information item. He also provided an update on Cemetery fundraising efforts.

**c. Capital Improvement Program Review - Phase III Study**

Assistant Executive Officer Steve Endsley presented the item, which required no Board action.

**7. EXECUTIVE OFFICER'S REPORT**

**a. Outstanding Receivables**

**b. Habitat Conservation Plan Update**

**c. Administrative Committee**

**d. Water/Wastewater Oversight Committee**

**e. Post Reassessment Advisory Committee**

**f. Travel Report**

**g. FORA Board/Committee Policy Review**

**h. Public Correspondence to the Board**

Mr. Houlemard noted that delays resulting from the federal government shutdown had impacted the progress of the Habitat Conservation Plan. Staff was currently scheduling additional meetings to get the process back on track. Deputy Clerk Lena Spilman and Mr. Houlemard reviewed the policies outlined under agenda item 7g and discussed the complications and difficulties caused by letters/comments received on agenda items within 24 hours of meetings.

**8. ITEMS FROM MEMBERS**

Several Board members announced Veterans Day celebrations occurring in their cities. Director Moore led the Pledge of Allegiance.

**9. PUBLIC COMMENT PERIOD**

None

**10. ADJOURNMENT**

Chair Edelen adjourned the meeting at 3:11 p.m.

DRAFT

# FORT ORD REUSE AUTHORITY BOARD REPORT

## CONSENT AGENDA

<b>Subject:</b>	Approval of 2014 FORA Board Meeting Schedule	
<b>Meeting Date:</b>	December 13, 2013	<b>ACTION</b>
<b>Agenda Number:</b>	6c	

### RECOMMENDATION:

Approve the 2014 Fort Ord Reuse Authority ("FORA") Board Meeting Schedule.

### BACKGROUND/ DISCUSSION:

At the end of each year, the FORA Executive Committee reviews the dates of the FORA Board meetings for the coming year (**Attachment A**). Although the FORA Master Resolution states that Board meetings shall be held on the second Friday of each month, national holidays, conferences, and other events can present conflicts that make it advisable to adjust the meeting dates to ensure a quorum of Board members. On December 4, 2013, the Executive and Administrative Committees reviewed and approved their meeting schedules (**Attachments B and C**). However, their approvals are dependent upon adoption of the attached Board Meeting Schedule.

Once approved by the Board, the 2014 FORA meeting schedules will be widely distributed and posted to the FORA website at [www.fora.org](http://www.fora.org). Any future changes to the established meeting dates will be publicly noticed well in advance of the meeting.

### FISCAL IMPACT:

Reviewed by FORA Controller 

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

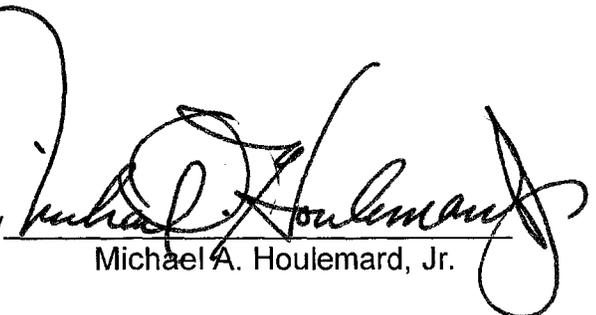
### COORDINATION:

Executive Committee, Administrative Committee.

Prepared by

  
Lena Spillman

Approved by

  
Michael A. Houlemard, Jr.



# FORT ORD REUSE AUTHORITY

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Attachment A to Item 6c  
FORA Board Meeting, 12/13/2013

## 2014 FORA BOARD OF DIRECTORS MEETING DATES

January 10

February 14

March 14

April 11

May 9

June 13

July 11

August 8

September 12

October 10

November 14

December 12

Executive Committee meetings are scheduled on Wednesdays, one week prior to the Board meeting. The primary purpose of the meeting is to review the upcoming FORA Board meeting agenda. Meetings begin at 2:00 p.m. in the FORA Conference Room, unless otherwise posted.

Meeting dates and times are subject to change.  
Agendas and agenda materials are posted on the FORA website at [www.fora.org](http://www.fora.org), and are also available upon request.



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Attachment B to Item 6c  
FORA Board Meeting, 12/13/2013

## 2014 FORA EXECUTIVE COMMITTEE MEETING DATES

January 2

(Thursday due to January 1<sup>st</sup> Holiday)

February 5

March 5

April 2

April 30

June 4

July 2

July 30

September 3

October 1

November 5

December 3

Executive Committee meetings are scheduled on Wednesdays, one week prior to the Board meeting. The primary purpose of the meeting is to review the upcoming FORA Board meeting agenda. Meetings begin at 3:30 p.m. in the FORA Conference Room, unless otherwise posted.

**Meeting dates and times are subject to change.**

Agendas and agenda materials are posted on the FORA website at [www.fora.org](http://www.fora.org), and are also available upon request.



# FORT ORD REUSE AUTHORITY

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Attachment C to Item 6c  
FORA Board Meeting, 12/13/2013

## 2014 FORA ADMINISTRATIVE COMMITTEE MEETING DATES

**January 2**

*(Thursday due to Jan 1 holiday)*

*January 15*

**February 5**

*February 19*

**March 5**

*March 19*

**April 2**

*April 16*

**April 30**

*May 14*

**June 4**

*June 18*

**July 2**

*July 16*

**July 30**

*August 13*

**September 3**

*September 17*

**October 1**

*October 15*

**November 5**

*November 19*

**December 3**

*December 17*

The FORA Administrative Committee meets twice a month, on the Wednesday one week prior to the Board meeting and on the Wednesday following the Board meeting. The dates in bold above are the meetings that occur prior to the Board meeting, at which the Committee will review items for the upcoming Board agenda. Meetings begin at 8:15 a.m. in the FORA Conference Room, unless otherwise posted.

Meeting dates and times are subject to change. Agendas and other meeting materials are posted on the FORA website at [www.fora.org](http://www.fora.org) and are available upon request.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## CONSENT AGENDA

<b>Subject:</b>	FORA Policy Amendments: Expense Reimbursement/Cell Phone	
<b>Meeting Date:</b>	December 13, 2013	<b>ACTION</b>
<b>Agenda Number:</b>	6d	

### RECOMMENDATION(S):

Accept minor adjustments to the Expense Reimbursement and Cell Phone policies (Attachment A and B).

### BACKGROUND/DISCUSSION:

The Expense Reimbursement and Cell Phone policies were adopted by the FORA Board in March 2013. Since the adoption, some ministerial issues surfaced in the application of those policies that warranted consideration. The Executive Committee (EC) and FORA Auditor requested staff review of those elements of concern and suggested the attached modifications to provide more practical application and clarity; specifically:

- 1) Expense Reimbursement policy: minor allowable expenses of less than \$100 per event could be approved by designated FORA staff; a monthly register of such expenses would be provided to the EC; and
- 2) The Cell Phone Stipend policy adjustment adds directives regarding verifying actual phone expenses of the stipend recipients.

Both adjustments were reviewed and are recommended by the Finance Committee and FORA Auditor.

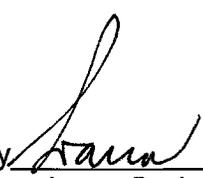
### FISCAL IMPACT:

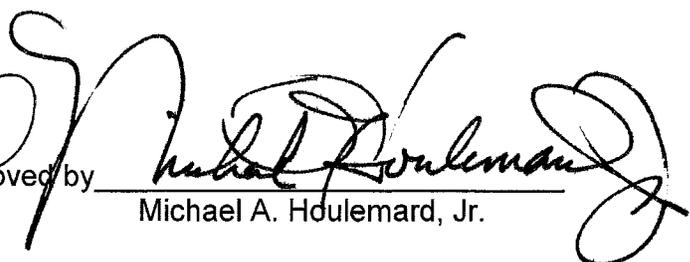
Reviewed by FORA Controller 

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

### COORDINATION:

Finance Committee, Executive Committee, FORA Auditor

Prepared by   
Ivana Bednarik

Approved by   
Michael A. Houlemard, Jr.

## Business Expense and Reimbursement Policy

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

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

### AUTHORIZATION AND REIMBURSMENT PROCESSING

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

- PA requests at the staff level are approved by Executive Officer, Assistant Executive Officer, or Controller;
- PA requests for the Executive Officer, Authority Counsel, and Board members are approved by the Executive Committee; PA requests for minor allowable expenses limited to \$100 per event may be approved by: a) Assistant Executive Officer or Controller for the Executive Officer and b) Executive Officer, Assistant Executive Officer, or Controller for Authority Counsel and Board members. A monthly register of such expenses will be provided to the Executive Committee and included in their meeting packets.
- Expenditures exceeding \$25,000 and/or expenditures not included in the approved budget must be approved by the FORA Board; and
- An individual may not approve his or her own purchase requisition and/or expense reimbursement request.
- If an expense is to be reimbursed to Executive Officer, Authority Counsel or Board members then a designated member of the Executive Committee should be one of the check signers.

Employees/Board members seeking reimbursement must complete the Expense reimbursement (ER) form. Claims shall be submitted within 30 days of incurring an expense to the Accounting office for processing.

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

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

**Persons Covered by This Policy/Approving Authority**

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

## Cell Phone Policy

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

### Monthly Service Stipend

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

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

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

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

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

### Eligibility

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

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

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

### Oversight and Approvals

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

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

### Employees Rights and Responsibilities

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

### Current Contracts Transition

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

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

### Cancellation

A stipend agreement will be cancelled when/if:

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

# FORT ORD REUSE AUTHORITY BOARD REPORT

## CONSENT AGENDA

<b>Subject:</b>	Legal Services Contract Extension – Alan Waltner	
<b>Meeting Date:</b>	December 13, 2013	<b>ACTION</b>
<b>Agenda Number:</b>	6e	

### RECOMMENDATION(S):

Authorize the Executive Officer to extend the existing Law Offices of Alan Waltner contract, not to exceed \$24,950 in additional expenses (**Attachment A**), to provide land use and CEQA advice with respect to ongoing BRP activities related to the Monterey County General Plan consistency determination, as well as provide CEQA advice and legal support related to the Eastside Parkway Case.

### BACKGROUND/DISCUSSION:

In response to letters received by the Sierra Club, Jane Haines, and others prior to the consistency determination hearing for the Monterey County General Plan in October and November, the FORA Administrative Committee (at its March 22, 2013 meeting) requested that FORA counsel be prepared to address those questions at a future FORA Board meeting. FORA Counsel Jon Giffen consulted with special Land Use/CEQA counsel Alan Waltner, to assess any legal risks associated with the Administrative Committee recommendations.

In 2011, Keep Fort Ord Wild sued FORA and the County of Monterey after their approvals of the Eastside Parkway Memorandum of Agreement (MOA). Authority Counsel Jon Giffen will manage Alan Waltner's work related to this task, which will include preparation or review of legal memoranda and other work as assigned.

Mr. Waltner was contracted in April 2013 to complete a retrospective and prospective legal analysis of Category II from the BRP Reassessment Report and other items as identified. He previously provided Land Use and CEQA legal services to FORA in FY 2007/2008 related to Chapter 8 of the FORA Master Resolution and its requirements to perform a reassessment of the BRP.

### FISCAL IMPACT:

Reviewed by FORA Controller 

This would increase Waltner's contract from \$24,950 to \$49,900. Funding for this contract amendment is included in the approved FY 13-14 budget.

### COORDINATION:

Administrative Committee, Executive Committee, Authority Counsel, Kennedy, Archer, and Giffen, and the Law Offices of Alan Waltner.

Prepared by 

Josh Metz

Reviewed by 

Jonathan Garcia

Approved by 

Michael A. Houlemard, Jr.

Agreement No. FC-040513-1

**Agreement for Professional Services – Extension #1**

This is an Extension #1 to Agreement No. FC-040513 ("AGREEMENT") between the Fort Ord Reuse Authority, a political subdivision of the State of California (hereinafter referred to as "FORA") and Alan Waltner ("CONSULTANT").

Except for the following adjustments, all terms and conditions in the AGREEMENT remain the same:

1. SERVICES. Subject to the terms and conditions set forth in this Agreement and described in **Exhibit A** (attached), CONSULTANT shall provide to FORA the additional services.
2. TERM. The term of the Agreement is extended until December 31, 2014 or until the maximum amount of authorized compensation is reached.
3. COMPENSATION AND OUT OF POCKET EXPENSES. The AGREEMENT is increased by \$24,950 to compensate CONSULTANT for all of the additional services described in "SERVICES" section above and **Exhibit A** (attached). The overall maximum amount of FORA's liability over the full term of the AGREEMENT is not to exceed \$49,900, including out of pocket expenses.

IN WITNESS WHEREOF, AUTHORITY and CONSULTANT execute this Agreement as follows:

FORA

CONSULTANT

By \_\_\_\_\_  
Michael A. Houlemard, Jr.      Date  
Executive Officer

By \_\_\_\_\_  
Alan Waltner      Date

Approved as to form:

\_\_\_\_\_  
Jon Giffen, Authority Council

## SCOPE OF WORK

### **For Assistance on California Environmental Quality Act and Land Use Issues Related to the Eastside Parkway Case and Base Reuse Plan**

This attachment outlines the tasks that Alan Waltner will perform to assist the Fort Ord Reuse Authority ("FORA") with Land Use and California Environmental Quality Act ("CEQA") issues arising from managing ongoing Base Reuse Plan (BRP) activities, including Consistency Determinations, and Eastside Parkway Case. Any of the tasks identified in this scope may require Alan Waltner to work with Authority Counsel Jon Giffen or FORA Planning staff.

#### **Task 1: Provide CEQA advice and legal support related to the Eastside Parkway Case**

In 2011, Keep Fort Ord Wild sued FORA and the County of Monterey regarding the Eastside Parkway Memorandum of Agreement (MOA). Authority Counsel Jon Giffen will manage Alan Waltner's work related to this task, which will include preparation or review of legal memoranda and other work as assigned. The budgeted amount for this task is not to exceed \$15,000.

#### **Task 2: Provide Land Use and CEQA advice with respect to ongoing BRP activities**

At the October 30, 2013 FORA Administrative Committee meeting, Committee members requested Alan Waltner review and respond to recent comment letters submitted by a member of the public and community groups with respect to the County of Monterey's 2010 General Plan Consistency Determination. Alan Waltner's work under this task will include other Land Use and CEQA advice related to ongoing BRP activities (including Consistency Determinations), as needed. Associate Planner Josh Metz will manage Alan Waltner's work related to this task, which will include preparation of legal memoranda and other work as assigned. The budgeted amount for this task is not to exceed \$9,950.

**COMPENSATION:** CONSULTANT is entitled to a maximum amount of \$24,950 including out-of-pocket expenses and will be compensated for services rendered in the following manner:

- 1) FORA agrees to pay CONSULTANT at the hourly rate of \$300 per hour.
- 2) CONSULTANT shall submit monthly invoices to FORA for the period ending on the last day of each month. Each invoice shall contain a summary description of services provided during the billing period.
- 3) CONSULTANT shall be reimbursed for reasonable business expenses if consistent with FORA policy and IRS guidelines and directly incurred pursuant to the terms of this agreement. Invoices for expenses must contain detailed itemizations and any expense of \$50.00 or more must be accompanied by an itemized receipt.
- 4) FORA shall pay CONSULTANT no later than 30 days from receiving an acceptable invoice.
- 5) Final Invoice: CONSULTANT shall provide a final report for each task completed.

**CONTRACT AMENDMENTS:** Any changes in services, time-line, and/or financial terms will require an amendment to this Agreement.

**FORT ORD REUSE AUTHORITY BOARD REPORT**

**OLD BUSINESS**

<b>Subject:</b>	Capital Improvement Program Review – Phase III Study Authorization	
<b>Meeting Date:</b>	December 13, 2013	<b>ACTION</b>
<b>Agenda Number:</b>	7a	

**RECOMMENDATION(S):**

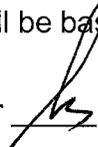
1. Approve FY 13-14 budget augmentation of \$25,000 for the Financial Consultant line item to pay for the supplemental Habitat Conservation Plan analyses (Task 4) noted on the attached scope of work (**Exhibit A to Attachment A**).
2. Authorize the Executive Officer to execute contract amendment #8 with Economic & Planning Systems, Inc. (EPS) to complete the Capital Improvement Program (CIP) – Phase III Study, not to exceed \$75,000 (**Attachment A**).

**BACKGROUND/DISCUSSION:**

The Fort Ord Reuse Authority (FORA) hired EPS to conduct an initial 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 in FY 11-12 and FY 12-13. In its Phase II Study, EPS applied the Board-adopted formula to the FORA fee structure, resulting in a subsequent Board-approved 23.6% fee reduction.

Resolution 12-5 and the FORA-Jurisdictions Implementation Agreement amendments state that FORA will apply the formula again in the Spring of 2014 and biennially thereafter, unless a material change to the CIP occurs. When the FORA Board adopted the FY 13-14 CIP, several questions and concerns arose that are intended to be addressed in the upcoming CIP Review – Phase III Study. These items include: review of appropriate cost-index, review of transportation costs and contingencies, review of contingency costs (such as additional transportation costs, HCP endowment funding, and additional utility/storm drainage costs), review of water augmentation costs, and review of any surplus fund balance. In addition, calibration of commensurate cuts to the FORA developer fee resulting from MCWD request for removal of the so-called voluntary capacity charge buy-down line item in the FORA CIP will need to be addressed. These items are included in the attached EPS Phase III scope of work and budget. Staff notes EPS’s invoicing will be based on hourly billing rates and direct costs.

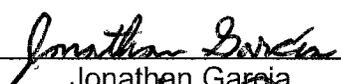
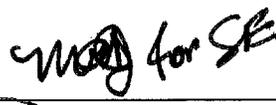
**FISCAL IMPACT:**

Reviewed by FORA Controller 

Staff time for this item is included in the approved FORA budget. The approved budget includes a \$50,000 line item for a Financial Consultant. The additional \$25,000 will be formally reported in the midyear budget presentation in early 2014.

**COORDINATION:**

EPS, Administrative Committee, and Executive Committee.

Prepared by  Reviewed by   
 Jonathan Garcia Steve Endsley

Approved by   
 Michael A. Houlemard, Jr.

Agreement No. FC-100110 - 8

**Agreement for Professional Services – Extension #8**

This is an Extension #8 to Agreement No. FC-100110 (“AGREEMENT”) between the Fort Ord Reuse Authority, a political subdivision of the State of California (hereinafter referred to as “FORA”) and Economic & Planning Systems, Inc. (hereinafter referred to as “CONSULTANT”).

Except for the following adjustments, all terms and conditions in the AGREEMENT remain the same:

1. SERVICES. Subject to the terms and conditions set forth in this Agreement and described in **Exhibit A** (attached), CONSULTANT shall provide to FORA the additional services.
  
2. TERM. The term of the Agreement is extended until December 31, 2014 or until the maximum amount of authorized compensation is reached.
  
3. COMPENSATION AND OUT OF POCKET EXPENSES. The AGREEMENT is increased by \$75,000 to compensate CONSULTANT for all of the additional services described in “SERVICES” section above and **Exhibit A** (attached). The overall maximum amount of FORA’s liability over the full term of the AGREEMENT is not to exceed \$322,785, including out of pocket expenses.

IN WITNESS WHEREOF, AUTHORITY and CONSULTANT execute this Agreement as follows:

FORA	CONSULTANT
By _____	By _____
Michael A. Houlemard, Jr.	David Zehnder
Executive Officer	Managing Principal
Date	Date

Approved as to form:

_____	By _____
Jon Giffen	Jamie Gomes
Authority Counsel	Managing Principal
	Date

## Fort Ord Reuse Authority Capital Improvement Program Review: Phase III Scope of Work

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### Project Approach

Economic & Planning Systems, Inc. (EPS), appreciates the opportunity to assist the Fort Ord Reuse Authority (FORA) with the continued evaluation and update of basewide funding strategies as development continues on the former Fort Ord Army Base.

Based on expected development, associated capital and operations costs, and policy implications, the proposed Phase III effort provides for evaluation and refinement of all potential funding sources, the timing and nature of major funding requirements, and resolution of outstanding considerations relating to Habitat Conservation Plan (HCP) funding and other issues.

### Scope of Work

#### Task 1: Refine FORA Development Outlook

- Revise development projections based on any additional information, including market changes, since completion of Phase II study.
- Review any implications for major capital projects, operations and management, FORA policies (e.g., affordable housing), and other related issues.

#### Task 2: Identify FORA Buildout Cost Expectations

##### *Subtask 2.1: Review Probable Costs by Category*

- Meet with FORA engineering staff to discuss capital costs and potential issues/uncertainties, including potential increases to storm drainage and other utility costs.
- Meet with FORA and Marina Coast Water District (MCWD) staff and subsequently evaluate potential changes to material Capital Improvement Program (CIP) line-items related to proposed MCWD increases in the capacity charge.
- Meet with Transportation Agency for Monterey County (TAMC) staff to discuss concerns/issues surrounding transportation project costs and contingencies.
- Meet with FORA staff to determine levels of ongoing administrative activity, staffing, etc.
- Assist FORA staff in reviewing annual HCP costs and related implementation issues. This may involve up to two meetings with regulatory agencies and other stakeholders.
- Review status of building deconstruction program by jurisdiction and related cost estimates.
- Confirm applicable construction cost indices for future application (e.g., Bay Area average versus 20-City average).
- Identify potential areas of refinement, and recommend any engineering review(s) of unit costs.

**Subtask 2.2: Establish Probable Cost Timeline**

- Establish working assumptions for timing of above-referenced capital and operations costs.

**Task 3: Project FORA Buildout Revenue**

**Subtask 3.1: Project Land Sales**

- Review updated developer financial feasibility analyses and supporting market information.
- Conduct targeted, supplemental market review as necessary to confirm revenue assumptions and understand development risks.
- Review variables driving residual land value.
- Update and refine projected land sales revenues through buildout.

**Subtask 3.2: Project Property Tax Revenue**

- Update projected property tax revenue as appropriate based on policy assumptions, development outlook, and probable development values.

**Task 4: Identify HCP Options**

EPS will assist FORA staff in developing potential HCP financing solutions related to the certification of the Joint Powers Authority (JPA) endowment.<sup>1</sup> This technical support work will involve communication with and coordination between the following parties:

1. FORA staff and legislative bodies.
2. FORA's HCP consultant (ICF).
3. United States Fish and Wildlife Service (USFWS).
4. California Department of Fish and Wildlife (CDFW).

Based on information provided by FORA or ICF, EPS will update the overall mix of funding mechanisms, timing of investment, and resulting annual cash flow required to fund HCP operations and maintenance costs, including the following tasks:

- Refine required rates of return and other required updates to the HCP.
- Participate in up to two on-site meetings with FORA staff or legislative bodies (e.g., Administrative Committee or FORA Board).

**Task 5: Refine Capital Funding Mix and Attend Meetings**

- Using the FORA Board-adopted formula, apply revised one-time Community Facilities District (CFD) special tax rate to projected development based on revised development and funding assumptions.

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<sup>1</sup> EPS will apply remaining funds in the Phase II budget, approximately \$10,000, toward finalizing the structure of the University of California endowment.

- Finalizing this analysis assumes EPS's attendance at one stakeholder meeting, four Administrative Committee meetings, two FORA Board meetings, along with two additional meetings held in reserve if needed (through completion of all tasks).

## **Staffing, Budget, and Schedule**

All tasks will be overseen by Managing Principal David Zehnder, who will be assisted by Managing Principal Jamie Gomes, and other EPS staff.

The budget is estimated not-to-exceed **\$75,000** (\$50,000 for non-HCP financial analysis and \$25,000 for HCP-related analysis). As described in **Task 5**, EPS will provide progress updates to the Administrative Committee (four meetings) and the FORA Board (two meetings), along with two additional meetings held in reserve if needed through the completion of all tasks.

EPS is prepared to begin work immediately and will adhere to the schedule proposed by FORA.

**Table 1**  
**FORA CIP Review Phase III**  
**Budget Estimate**

Task/Description	EPS Staff					Staff Cost Subtotal	Direct Costs [1]	Total	Task Total [3]
	Managing Principal Zehnder	Principal Gomes	Senior Associate Leung	Associate	Production Staff				
<b>Task 1: Refine FORA Development Outlook</b>	2	0	6	0	1	\$1,540	\$0	\$1,540	\$1,540
<b>Task 2: Identify FORA Buildout Cost Expectation</b>									
Subtask 2.1: Review Probable Costs by Category	24	2	30	0	1	\$11,560	\$850	\$12,410	
Subtask 2.2: Establish Probable Cost Timeline	4	2	8	0	1	\$2,850	\$0	\$2,850	\$15,260
<b>Task 3: Project FORA Buildout Revenue</b>									
Subtask 3.1: Project Land Sales	6	2	16	4	1	\$5,160	\$0	\$5,160	
Subtask 3.2: Property Tax Revenue	6	2	16	4	1	\$5,160	\$0	\$5,160	\$10,320
<b>Task 4: Identify HCP Options</b>	31	24	44	23	1	\$23,860	\$905	\$24,765	\$24,765
<b>Task 5: Refine Capital Funding Mix and Attend Meetings [2]</b>									
Technical Analysis: CIP Calibration	9	2	18	0	1	\$5,725	\$0	\$5,725	
Administrative Committee (4 meetings)	28	0	0	0	1	\$7,500	\$800	\$8,300	
FORA Board (2 meetings)	14	0	0	0	1	\$3,790	\$400	\$4,190	
Other Meetings (3 meetings/calls)	16	0	0	0	1	\$4,320	\$580	\$4,900	\$23,115
<b>Total Task Hours</b>	<b>140</b>	<b>34</b>	<b>138</b>	<b>31</b>	<b>10</b>				
Hourly Billing Rates	\$265	\$235	\$155	\$135	\$80				
<b>Total Project Costs</b>	<b>\$37,100</b>	<b>\$7,990</b>	<b>\$21,390</b>	<b>\$4,185</b>	<b>\$800</b>	<b>\$71,465</b>	<b>\$3,535</b>	<b>\$75,000</b>	<b>\$75,000</b>

[1] Direct costs include costs related to travel, acquiring data, mileage, reproduction, and other non-staff costs.

[2] Requires efficient combinations of meetings and use of conference calls where appropriate to achieve hourly targets.

[3] Assumes budgets between tasks are fungible and subject to adjustment within the total not-to-exceed estimate (with client approval).

# FORT ORD REUSE AUTHORITY BOARD REPORT

## OLD BUSINESS

**Subject:** Preston Park Management Agreement Extension with Alliance Communities, Inc.

**Meeting Date:** December 13, 2013

**Agenda Number:** 7b

**ACTION**

### RECOMMENDATION(S):

Authorize the Executive Officer to extend the Alliance/FORA Preston Park Management Agreement for one year.

### BACKGROUND/DISCUSSION:

The 2013 Preston Park Management Agreement (PPMA) between FORA and Alliance Communities, Inc. (Alliance) will terminate on December 31, 2013.

Until December 31, 2011, Alliance, FORA and the City of Marina were parties to the PPMA. Thereafter, the FORA Board voted to approve a PPMA with two parties.

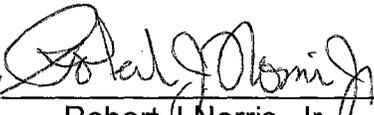
On October 11, 2013, Alliance's annual performance review was presented to the FORA Board. The review rated Alliance "Satisfactory with Needs to Improve" its ratings in two areas: (1) the development of a Preston Park Tenant Handbook and (2) the modification of contract language to aggregate reporting data in the monthly operations report into a quarterly summary table. The terms of the 2014 PPMA (**Attachment A**) have been modified to address the items from the annual performance review. The entire contract is available at this link: (<http://fora.org/Board/2013/Packet/Additional/121313Item7b-AttachmentA.pdf>). The proposed Preston Park Tenant Handbook is attached to this report (**Attachment B**).

**FISCAL IMPACT:** Reviewed by FORA Controller 

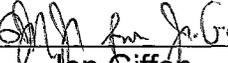
Costs associated with Preston Park disposition including legal, mediation, and Capital Program costs are included in the approved FORA budget.

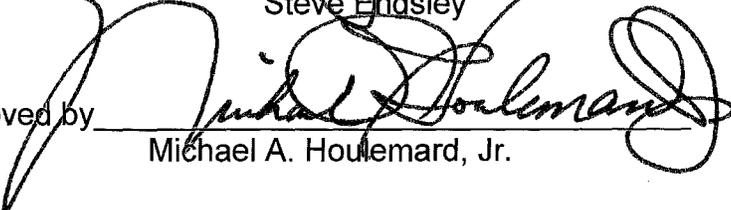
### COORDINATION:

FORA Controller, Authority Counsel, FORA Auditor, and Alliance Management Staff.

Prepared by   
Robert J. Norris, Jr.

Reviewed by  for SE  
Steve Endsley

Reviewed by   
Jon Giffen

Approved by   
Michael A. Houlemard, Jr.



## PRESTON PARK MANAGEMENT AGREEMENT

THIS MANAGEMENT AGREEMENT ("Agreement") is dated for reference on December 5, 2013. It is made by and between the Fort Ord Reuse Authority, a California public entity, ("Owner") and Alliance Communities, Inc., a Delaware corporation, ("Operator"). This Agreement replaces the preceding Management Agreement dated February 15, 2013.

### RECITALS

1. Owner holds exclusive title to certain improved real property commonly known as Preston Park consisting of 354 units ("Units") at 682 Wahl Court, Marina, CA 93933 (the "Property").
2. Owner requires the services of a professional management company to perform administrative and financial services. Owner has determined that Operator has the requisite skill, training experience and legal authority, including a California real estate brokerage license, needed to manage the Property.
3. The purpose of this Agreement is to articulate the terms under which Owner and Operator will share responsibilities for the Property.

### AGREEMENT

In consideration of the promises in this Agreement and for other good and valuable consideration, the receipt of which is hereby acknowledged, Operator and Owner agree as follows:

1. APPOINTMENT OF OPERATOR. Owner appoints Operator and Operator hereby accepts appointment as Owner's exclusive agent to manage, operate, supervise, and lease the Property and to perform those actions necessary to fulfill Operator's obligations to the Owner except as provided herein.

2. TERM

2.1 TERM. This Agreement shall commence on January 1, 2014, and shall continue to midnight, December 31, 2014 or until the Fort Ord Reuse Authority ("FORA") transfers title to the Property except as provided in section 2.2., whichever occurs first.

2.2 EARLY TERMINATION. This Agreement is terminable on the occurrence of any of the following:

(a) If Owner fails to comply, after notice and an opportunity to cure, with any rule, order, determination, ordinance or law of any federal, state, county, or municipal authority. In that event, Operator may terminate this Agreement upon thirty (30) days written notice to Owner unless Owner is in good faith contesting same, under Section 4.2(g).

(b) If either party defaults in the performance of a material obligation and such default continues for thirty (30) days after written notice from the non-defaulting party to the defaulting party specifying such

The Full text of this document is available at this link:

<http://fora.org/Board/2013/Packet/Additional/121313Item7b-AttachmentA.pdf>

# PRESTON PARK



## RESIDENT HANDBOOK

2013-2014

# WELCOME

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Welcome to Preston Park, professionally managed by Alliance Residential Company!

## Emergencies

Call 911 for Life Threatening Emergencies

Call (831) 384-0119 to reach the 24-Hour Answering Service

## Contact Us

Address: 682 Wahl Court

Marina, CA 93933

Phone/Fax: (831)384-0119 / (831)384-0213

Email: [prestonpark@allresco.com](mailto:prestonpark@allresco.com)

Webpage: [www.liveatprestonpark.com](http://www.liveatprestonpark.com)

Hours of Operation: M – F 8AM – 6PM

Sat 8AM – 5PM

Sun Closed

## Rent Payments

Rent is due on the first (1<sup>st</sup>) of each month and is considered late after 6 pm on the fifth (5<sup>th</sup>) of each month. If the monthly payment is not paid by the fifth (5<sup>th</sup>), a late fee of **\$50.00** will apply. In addition to a **\$25.00** handling fee, an accrued late charge will be collected on any bank returned check. After receipt of two (2) checks that are returned for non-payment during the term of the Lease, future rent payments shall only be made by cashier's check.

Payments can be made by personal check, cashier's check, bank draft, or credit card. Payments will be accepted in the leasing office, or via our online service at [MyAllianceAdvantage.com](http://MyAllianceAdvantage.com). An after-hours drop box is available for your convenience.

## **Maintenance Services**

In order to submit a service request for any maintenance related issue (broken appliances, plumbing, electrical, pest control, etc.) please contact the leasing office or submit your request online through our resident portal at [MyAllianceAdvantage.com](http://MyAllianceAdvantage.com). It is extremely helpful to provide specific details about the issue (exact location, frequency, etc.) when you report it to our staff. Please be prepared to grant permission for us to enter your home if you planning to not be present while repairs are made. If you have any questions/concerns regarding the status of a service request please feel free to contact the office at (831) 384-0119.

## **Emergency Maintenance Issues**

It is important that you are aware of the differences between an emergency and non-emergency service request. While our staff members understand something may appear a crisis for you, your roommates, and/or family members, only the following issues constitute an emergency in terms of mobilizing maintenance staff after business hours:

- Fire
- Flood (in a room and/or house)/ Excessive Moisture Intrusion
- Gas Smell
- No Water or no Hot Water
- No Electricity or Electrical Shortage
- Sewer Back-Up
- Smoke Detector/Carbon Monoxide Detector Malfunctioning
- Broken or non-working doors, locks, windows, or other security-related problems due to burglary, vandalism, or personal assault
- No heat (when outside temperatures are below 55°)
- Non functioning toilet
- Refrigerator not working
- Exterior lighting malfunctions
- Improperly functioning fire or life safety devices

For all life threatening emergencies please call 911 first and take appropriate safety precautions. Our answering service personnel are reachable 24-hours a day by calling (831) 384-0119, and will inform our on call maintenance technician of the emergency situation in your home. Please be sure to provide your address, a good contact number to reach you at and a detailed description of your emergency.

### **Landscaping**

Proper landscaping makes our community a more enjoyable place to live. The community maintains a contract for Landscaping Services that includes mowing of grass, trimming of bushes, and leaf removal, however residents are encouraged to take an active role in shaping their immediate surroundings. While residents are responsible for payment of the water usage for irrigation of the landscaping, the irrigation system will be controlled by maintenance staff. Please contact the Leasing Office if you experience a spike in your water bill that might be attributed to an irrigation malfunction.

### **Pets**

We are proud to allow pets within our community, however they require proper care and responsibility on the part of residents. Please note that pets are not allowed without the prior consent of the Leasing Office which must be obtained by providing a \$250 Pet Deposit, veterinary documents, and by completing a Pet Information Packet.

*Please see the following restrictions regarding pets:*

1. Households are limited to 2 pets per home and all animals must have all required vaccinations and/or licenses.
2. Dogs must be on a leash at all times when outside of a gated back yard. Residents must control their animal while out in the community and within their homes. Noise disturbances caused by pets will be addressed by the Leasing Office and may result in removal of the animal from the property.
3. Residents are responsible to remove pet waste cause by their animals within their yards and throughout the community. Pet waste stations are located at each park/playground and at various other locations to assist residents.
4. Residents must comply with all applicable ordinances, regulations and laws governing pets.

Including but, not limited to the following listed below:

- a. All pets must be Spayed/Neutered.
- b. Birds shall not be let out of cages.

- c. Dangerous, illegal, exotic or poisonous animals are not permitted on the premises. Residents are not allowed to keep endangered species.
- d. Resident shall remove from the property any animal that has exhibited any sign of aggressive behavior or aggressive tendencies towards any person or animal.
- e. Pure bred and/or any mixed form of the following breeds are restricted: Alaskan Malamute, Boxer, Chow Chow, Dalmatian, Doberman Pinscher, German Sheppard, Husky breeds, Pitbull breeds, Presa Canarios, and Rottweilers.

### **Vehicles/Parking**

Please limit your speed within the community to 10-20 m.p.h. Please use your garage and driveway to park your vehicles and use any available street parking. Unsightly cars (such as cars with flats, broken windows, etc.), any recreational vehicles, boats, vehicles without a current displayed registration and commercial purpose vehicles will not be permitted in or around the premises and will be towed at owner's expense. Residents may wash their vehicles in their designated driveway only. Parking on the grass is not permitted at any time.

### **Courtesy/Quiet Hours**

Quiet hours are considered to be between 10 p.m. and 7 a.m. It is our expectation that residents honor the requests of the community concerning noise levels, even when it is not scheduled quiet hours. If you experience a problem with noise, you are encouraged to contact the office in writing.

### **Littering**

Litter is prohibited. As a resident in this community, it is your responsibility to dispose of personal trash by using receptacles provided by Waste Management. Leaving or distributing trash in common areas or locations not designated for waste disposal is subject to violation notices and applicable removal/cleaning charges; this includes large items such as furniture or electronics, and small items such as cigarette butts and garbage.

### **Trash Cans**

No garbage or recycling receptacles may be stored in front or alongside of any Resident's unit. Residents may not put garbage cans and/or recycling receptacles out at the curb before 5 pm the evening before scheduled pick-up. All receptacles must be returned by residents to their garage no later than 5 pm on the day following pick up. Friday is the scheduled pick up day (outside of regulated holidays). Residents are

encouraged to set up alternate arrangements to set or remove their trash cans from curbside should they be out of town.

### **Annual Inspections**

Annual Inspections take place once per year are designed to address the following:

- Change batteries located within thermostats, smoke detectors, and carbon monoxide detectors.
- Change heater filters and range hood filters
- Lubricate garage door wheels/springs and door locks
- Inspection of wearable items within each home (flooring, appliances, windows/doors, etc.)

### **Community/Business Center**

Preston Park offers a Community Center and Business Center available to all residents for use.

The Community Center hours are 5:30PM – 10:00PM Monday through Friday, and 8:00AM – 10:00PM Saturdays. No use is permitted on Sundays. Reservations for the Community Center must be made with the Leasing office in writing by signing the Community Center Lease Agreement.

The Business Center is available for use during Leasing Office hours only (Monday – Friday 8:00AM – 6:00PM, Sat 8:00AM – 5:00PM). The Business Center will not be available for use if a previously scheduled function is taking place in the Community Center.

### **Bulletin Boards/Social Media**

Preston Park offers bulletin boards at each cul-de-sac in order to allow residents and Management to post informational items for all residents to view. Please contact the Leasing Office if you would like to post your items within the Bulletin Boards.

Preston Park also offers virtual Social Media Bulletin Boards that serve a similar function within the [MyAllianceAdvantage.com](http://MyAllianceAdvantage.com) portal. Once registered for this service, you may post informational text for other registered residents to view and respond to.

Preston Park is on Facebook! “Like” our page in order to receive electronic updates on community developments, announcements, functions, and other informational items.

### **Tenants Association**

The Preston Park and Abrams Park Tenants Association (PPAPTA) holds meetings within the Community Center to discuss items of concerns to residents and works in conjunction with Management on the properties' budgets. Please visit the Leasing Office or the community Bulletin Boards to obtain contact information for the Tenants Association.

### **Grievance Policy**

A Grievance Policy is in place should your household experience a grievance while residing within the community. Please refer to your Lease Agreement for more information.

### **BMR Program**

Preston Park offers a Below Market Rental program to households that qualify within certain income and household size restrictions. For more information on program limitations or to obtain a waitlist application, please contact the Leasing Office.

#### *Annual Verification of Income for Affordable Units*

Households that qualify for the Below Market Rental program are subject to an Annual Verification of Income. You will be contacted up to 60 days in advance of your Recertification Date to confirm your continued eligibility for this program.

#### *Reporting Changes between Regularly Scheduled Eligibility Verifications for Affordable Units*

If any of the following changes occurs, please contact the Leasing Office immediately:

- A. Any increase or decrease in household size;
- B. An adult member of the household who was reported as unemployed on the most recent certification or re-certification obtains employment; or
- C. The household's income increases by more than \$200.00 per month.

### **Leaving the Community**

Planning to leave the community? Please see the information below regarding the proper procedure for terminating or changing your Lease Agreement.

- 1) 30- Day Notice to Vacate: If all household members are leaving the community, a written notice indicating intention to leave must be received a minimum of 30 days prior to the termination of the lease agreement. All leaseholders will be required to sign the Move-Out Packet and will be required to pay rent up until the notice is fulfilled.

- 2) Roommate Release: If a residence will be experiencing a change in roommates while continuing residency within the community, a 30-Day Notice to Vacate is not necessary. Please contact our Leasing Office for further details on how to begin the Roommate Release process.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## OLD BUSINESS

<b>Subject:</b>	Fort Ord Initiatives (Measures K & M Election)	
<b>Meeting Date:</b>	December 13, 2013	<b>INFORMATION/ACTION</b>
<b>Agenda Number:</b>	7c	

### RECOMMENDATION:

- i. Receive Certification of Election Results from Monterey County Elections Department; and
- ii. Extend Election Legal Services Contract - Steve Churchwell.

### BACKGROUND/DISCUSSION:

- i. On July 12, 2013, the Fort Ord Reuse Authority (FORA) Board of Directors authorized the FORA Executive Officer, acting as the FORA elections official, to execute a contract with the County of Monterey to conduct an election for two Fort Ord initiatives, Measure M and Measure K, concurrent with the November 5, 2013 general election.

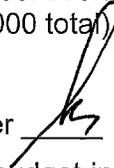
The County of Monterey conducted that general election and provided election results in a letter dated November 20, 2013, transmitting the Certificate of the Registrar of Voters for the Election held November 5, 2013 (**Attachment A**). Both initiatives/asures failed.

Additional election result information can be obtained by contacting the Monterey County Elections Department directly ([www.MontereyCountyElections.us](http://www.MontereyCountyElections.us) or by phone 831.796.1499).

- ii. At the May 10, 2013 Board meeting, the Board authorized the Executive Officer to retain an election law specialist to provide legal consulting services concerning ballot Measures K and M. Per Board direction, FORA retained Steve Churchwell of Churchwell White LLP to provide election law consulting services, not to exceed \$25,000.

The volume of substantive, time-sensitive legal issues raised by Measures K and M, including multiple unanticipated lawsuits, required Churchwell White to provide legal services exceeding the \$25,000 previously authorized. An amendment to FORA's agreement with Churchwell White is required, and Authority Counsel seeks Board approval to pay Churchwell White up to an additional \$11,000 (not-to-exceed \$36,000 total) for past and future legal services (**Attachment B**).

### FISCAL IMPACT:

Reviewed by FORA Controller 

- i. The approved FY 13-14 budget includes \$600,000 for the county-wide election costs; however, only one petition was anticipated at budget preparation/adoption. Once the final invoice is received from the County, FORA staff and Authority Counsel will review and evaluate it, and address any remaining issues raised by the invoice with the Board.
- ii. Not-to-exceed an additional \$11,000.

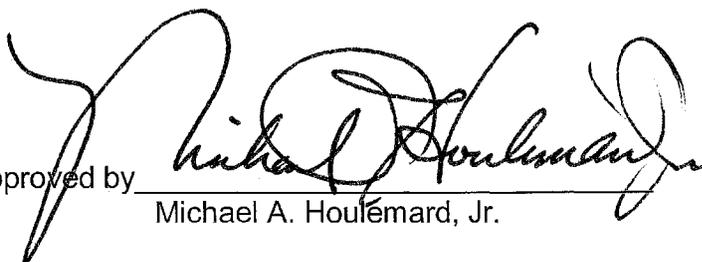
### COORDINATION:

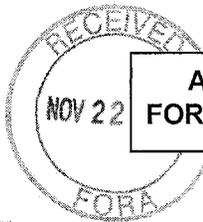
Monterey County Elections Department, Executive Committee, Authority Counsel

Prepared by

  
Crissy Maras

Approved by

  
Michael A. Houlemard, Jr.



Attachment A to Item 7c  
FORA Board Meeting, 12/13/13

# MONTEREY COUNTY ELECTIONS

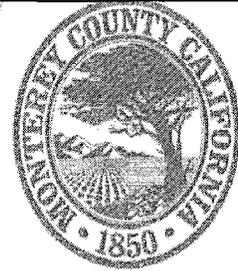
PO Box 4400  
Salinas, CA 93912

1370-B South Main Street  
Salinas, CA 93901

831-796-1499 Phone  
831-755-5485 Fax

[www.MontereyCountyElections.us](http://www.MontereyCountyElections.us)

[elections@co.monterey.ca.us](mailto:elections@co.monterey.ca.us)



November 20, 2013

**Fort Ord Reuse Authority**  
920 2<sup>nd</sup> Avenue, Suite A  
Marina, CA 93933

Subject: Certificate of the Registrar of Voters for the Election held November 5, 2013.

Attached hereto is the Certificate of the Registrar of Voters in connection with the subject election held on November 5, 2013.

Sincerely,

Claudio Valenzuela  
Acting Registrar of Voters

Enclosures

## CERTIFICATE OF REGISTRAR OF VOTERS

In the Matter of the CANVASS OF THE VOTE CAST )  
at the **Fort Ord Reuse Authority** )  
held on November 5, 2013 )

I, **Claudio Valenzuela**, Acting Registrar of Voters of the County of Monterey,  
State of California hereby certify;

**THAT** an election was held within the boundaries of the Fort Ord Reuse Authority  
on Tuesday, November 5, 2013 for the purpose of submitting Measure "K" to the  
qualified electors and; I caused to have processed and recorded the votes from the  
canvass of all ballots cast at said election within the boundaries of the Fort Ord Reuse  
Authority.

**I HEREBY FURTHER CERTIFY** that the record of votes cast at said election are  
set forth in Exhibit "A" attached hereto and incorporated herein by reference as though  
fully set forth at length.

**IN WITNESS WHEREOF**, I hereunto affix my hand and seal this Wednesday,  
November 20, 2013 and file this date with Fort Ord Reuse Authority.



**Claudio Valenzuela**  
Acting Registrar of Voters

## CERTIFICATE OF REGISTRAR OF VOTERS

In the Matter of the CANVASS OF THE VOTE CAST )  
at the **Fort Ord Reuse Authority** )  
held on November 5, 2013 )

I, **Claudio Valenzuela**, Acting Registrar of Voters of the County of Monterey,  
State of California hereby certify;

**THAT** an election was held within the boundaries of the Fort Ord Reuse Authority  
on Tuesday, November 5, 2013 for the purpose of submitting Measure "M" to the  
qualified electors and; I caused to have processed and recorded the votes from the  
canvass of all ballots cast at said election within the boundaries of the Fort Ord Reuse  
Authority.

**I HEREBY FURTHER CERTIFY** that the record of votes cast at said election are  
set forth in Exhibit "A" attached hereto and incorporated herein by reference as though  
fully set forth at length.

**IN WITNESS WHEREOF**, I hereunto affix my hand and seal this Wednesday,  
November 20, 2013 and file this date with Fort Ord Reuse Authority.



**Claudio Valenzuela**  
Acting Registrar of Voters

Agreement FC-052313-1

**Agreement for Professional Services**

This is an Amendment #1 to the Agreement FC-052313 ("AGREEMENT") between FORT ORD REUSE AUTHORITY, ("FORA"), a political subdivision of the State of California, hereinafter called "FORA", and Churchwell White LLP (CONSULTANT).

The parties agree to amend Agreement No. FC-052313 as follows:

1. **TERM.** This contract starts May 23, 2013 and ends *March 30, 2014*, or until the maximum amount of authorized compensation is reached.
2. **COMPENSATION AND OUT OF POCKET EXPENSES.** In consideration for legal services, FORA shall pay CONSULTANT for legal services rendered at the hourly rates specified in Exhibit A. In addition, FORA shall reimburse CONSULTANT for one half of his travel time and for reasonable business expenses in accordance with FORA expense reimbursement policy. The overall maximum compensation amount to CONSULTANT over the full term of this Amended Agreement in *\$36,000*.

IN WITNESS WHEREOF, FORA and CONSULTANT execute this Amendment No. FC-052313-1 as follows:

FORT ORD REUSE AUTHORITY

CONSULTANT

By \_\_\_\_\_  
Michal A. Houlemard, Jr.      Date  
Executive Officer

By \_\_\_\_\_  
Steven G. Churchwell      Date

Approved as to form:

By \_\_\_\_\_  
Jon R. Giffen  
FORA Authority Counsel

**Exhibit A**

**AMENDMENT TO**  
**SCOPE OF WORK**

**For Legal Services Relating to Holding Elections for Two Ballot Measures**

This Exhibit outlines the services Churchwell White LLP will perform to assist the Fort Ord Reuse Authority (FORA) with holding elections for two separate ballot measures. The primary services to be performed by CONSULTANT include, but are not limited to, the following: 1) provide FORA advice on the application of California election law to FORA in connection with the two ballot measures; 2) guide FORA in complying with election law procedures in verifying signatures submitted in support of the ballot measures; 3) provide FORA advice to comply with all necessary activities in connection with an election on the ballot measures; 4) provide advice to FORA and its Executive Officer, and to assist FORA Authority Counsel in the litigation between the proponents of the two ballot measures; and, 5) assist FORA in addressing any election-related issues raised following the election.

**COMPENSATION:** CONSULTANT is entitled to an additional \$11,000 above the previously authorized a maximum amount of \$25,000, so total compensation shall not exceed \$36,000, including out-of-pocket expenses and will be compensated for services rendered in the following manner:

- 1) FORA agrees to pay CONSULTANT at the following hourly rates: 1) Partners: \$395; Associates: \$250; Paralegals: \$125.
- 2) CONSULTANT shall submit monthly invoices to FORA for the period ending on the last day of each month. Each invoice shall contain a summary description of services provided during the billing period.
- 3) CONSULTANT shall be reimbursed for reasonable business expenses if consistent with FORA policy and IRS guidelines and directly incurred pursuant to the terms of this agreement. Invoices for expenses must contain detailed itemizations and any expense of \$50.00 or more must be accompanied by a receipt.
- 4) FORA shall pay CONSULTANT no later than 30 days from receiving an acceptable invoice.
- 5) Final Invoice: CONSULTANT shall provide a final report for each task completed.

**CONTRACT AMENDMENTS:** Any change or amendment to this Agreement must be in writing and signed by the parties to the original Agreement.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## NEW BUSINESS

<b>Subject:</b>	Adopt 2014 FORA Legislative Agenda	
<b>Meeting Date:</b>	December 13, 2013	<b>ACTION</b>
<b>Agenda Number:</b>	8a	

### RECOMMENDATION(S):

Adopt the 2014 Fort Ord Reuse Authority ("FORA") Legislative Agenda (**Attachment A**).

### BACKGROUND/DISCUSSION:

Since 2000, FORA staff and the Legislative Committee have solicited legislative, regulatory, policy and/or resource allocation suggestions from the jurisdictions to enhance and move forward the reuse and redevelopment of the former Fort Ord. This year, FORA staff worked with JEA and Associates (FORA's legislative representatives in Sacramento), staff from FORA jurisdictions, and federal/state legislative offices to amend the FORA Legislative Agenda to reflect the current status of funding opportunities and program changes and to address unfinished items from the 2013 Legislative Agenda. The Legislative Committee reviewed, considered, and approved the 2014 Legislative Agenda at their November 14<sup>th</sup> meeting.

The items on the annual Legislative Agenda serve as the focus of the annual Legislative Mission to Washington, DC, which typically occurs in spring. Selected FORA Board and staff members travel to the nation's capital to meet with key legislative, military, and governmental leaders to discuss FORA's positions and needs. The agenda also frames issues and funding needs for the State legislative work, which may also include a Sacramento visit in spring. The approved Legislative Agenda stands as a statement of FORA's legislative, regulatory, policy and/or resource allocation needs.

Additionally, in response to Legislative Committee direction, FORA staff prepared and submitted the attached letter (**Attachment B**) to John Arriaga, pursuant to his position on ACWA's Clean Water & Jobs for California Coalition. The Coalition is compiling a prioritized proposal of regional projects to circulate to legislators and FORA was asked to assist them in identifying central coast funding needs. Executive Officer Houlemard will present this letter at the December 17<sup>th</sup> Seaside Water Bond hearing and it is provided here for your information.

### FISCAL IMPACT:

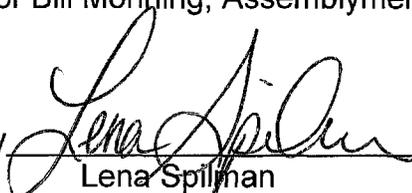
Reviewed by FORA Controller 

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

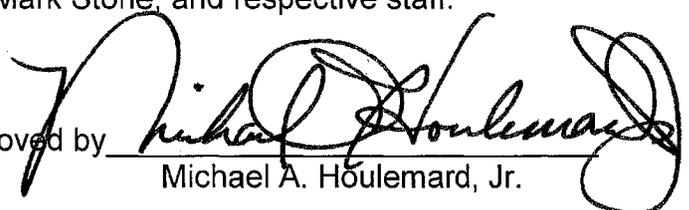
### COORDINATION:

FORA Legislative and Executive Committees, JEA & Associates, Congressman Sam Farr, Senator Bill Monning, Assemblymember Mark Stone, and respective staff.

Prepared by

  
Lena Spilman

Approved by

  
Michael A. Houlemard, Jr.



## Fort Ord Reuse Authority 2014 DRAFT LEGISLATIVE AGENDA

Approved by FORA Legislative Committee 11/14/13

*The purpose of this report is to outline 2014 Fort Ord Reuse Authority (FORA) legislative tasks. The FORA 2014 Legislative Agenda defines Board policy, sets legislative, regulatory or federal/state resource allocation positions, and supports the 1997 Base Reuse Plan's defined programs for replacing the former Fort Ord military regional economic contributions with comparable level civilian activity/programs. The Legislative Agenda is meant to assist state and federal agencies/legislative offices regarding property transfer, economic development, environmental remediation, habitat management/conservation, and infrastructure and mitigation funding. The order in which the tasks are presented herein does not imply rank or priority. Each item is considered a "priority" in achieving FORA's objectives.*

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

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

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

**BENEFITS:** The CCCVC would provide final resting spaces for the region's 50,000 (approximately) veterans.

**CHALLENGES:** Completion of the cemetery design and construction will require significant coordination between FORA, the CCCVC Foundation, the California Department of General Services (DGA), CDVA, and, potentially, other state entities. Grant processing delays resulting from the 2013 government shutdown furloughs are anticipated to impact the design, environmental review, and engineering work necessary to move toward construction in the coming fiscal year.

**PROPOSED POSITION:**

- Continue to support fundraising efforts for all phases of CCCVC construction, including ancillary facilities to repay loans to move the cemetery forward in 2013.
- Support efforts to sustain priority standing for the CCCVC with the CA and US Departments of Veterans Affairs.
- Support DGS and CDVA design and construction efforts.
- Promote continued vigilance and cooperation among the regulatory agencies.
- Coordinate with federal agencies, the 17<sup>th</sup> Congressional District, the 17<sup>th</sup> State Senate District and the 29<sup>th</sup> State Assembly District to sustain efforts to generate additional federal funding and/or status for future California Central Coast Veterans Cemetery phases.

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

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

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

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

**PROPOSED POSITION:**

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

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

**ISSUE:** The FORA Capital Improvement Program includes approximately \$45,000,000 to fund the Regional Water Augmentation Program necessary to implement the Base Reuse Plan. Securing outside funds to assist this requirement could help the timely implementation of the recycled water and desalination water facilities and smooth out upfront costs of infrastructure.

**BENEFITS:** Development permitted under the Base Reuse Plan depends on an augmented water supply. Additional grant funding could reduce the cost to Marina Coast Water District of securing water resources and reduce the hefty capital charges currently required.

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

**PROPOSED POSITION:**

- Continue to work with MCWD to ensure that they fulfill their contractual obligation to FORA for water resource augmentation.

- Support and coordinate efforts with Marina Coast Water District (MCWD), Monterey County Water Resources Agency (MCWRA), Monterey Regional Water Pollution Control Agency (MRWPCA), other agencies, and FORA jurisdictions to secure funding and/or to endorse the use of other fund mechanisms proposed for this purpose.

**D. WATER BOND. Support efforts/proposal to adopt and submit to the voters the Safe, Clean and Reliable Drinking Water Supply Act of 2014.**

**ISSUE:** The Act would enable \$11.14 billion in general obligation bonds to fund California's water infrastructure and to address environmental and water supply needs.

**BENEFITS:** The Safe, Clean and Reliable Drinking Water Supply Act of 2014, if adopted, may offer opportunity to add financing resources for surface, reclaimed or other water system infrastructure. This could reduce overall costs for replacing or building a network on the former Fort Ord.

**CHALLENGES:** There are multiple interests in securing such a Bond Act to support water infrastructure and it is unclear whether the resulting formula for access to such financing will help the Central Coast. As well, there may be fierce competition for the Water Bond Resources and opposition from taxpayer organizations and others.

**PROPOSED POSITION:**

- Provide direct input regarding efforts/proposal to adopt and submit to the voters the Safe, Clean and Reliable Drinking Water Supply Act of 2014 and support if the structure of the Bond Act meets with Central Coast needs and eligibility.

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

**ISSUE:** The FORA Capital Improvement Program requires capital and monetary mitigations of more than \$112,000,000 for transportation infrastructure on and proximate to the former Fort Ord. Some of this funding requires a local, or other, match from the appropriate regional or state transportation body to bring individual projects to completion. Roadway infrastructure proximate to the former Fort Ord impacts traffic mitigation measures on the former Fort Ord.

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

**CHALLENGES:** Applying scarce transportation funds to the appropriate projects to optimize transportation system network enhancements. Remaining federal and state programs offering grants or low cost resources are dwindling and increasingly competitive.

**PROPOSED POSITION:**

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

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

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

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

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

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

**CHALLENGES:** The 2013 government shutdown halted processing of the pending OEA/EDA grant. OEA/EDA is now restarting that review, which may be awarded next quarter.

**PROPOSED POSITION:**

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

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

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

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

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

**PROPOSED POSITION:**

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

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

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

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

**CHALLENGES:** Processing the HCP over past ten years has been frustrating and costly. Insufficient federal and state agency resources and overlapping regulatory barriers have thwarted the HCP process. The federal government shutdown, and the resulting furloughs of US Fish and Wildlife and BLM employees, has also negatively impacted the document review process.

**PROPOSED POSITION:**

- Support legislative and regulatory coordination, state and federal resources, and strong advocacy to enable speedy reviews and processing.

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

**ISSUE:** The loss of “redevelopment financing” as a tool to implement base closure recovery was a heavy blow to FORA’s member jurisdictions that need financial tools to support economic reuse/development initiatives.

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

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

**PROPOSED POSITION:**

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

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

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

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

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

**PROPOSED POSITION:**

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

DRAFT



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

December 4, 2013

**Attachment B to Item 8a  
FORA Board Meeting, 12/13/13**

John E. Arriaga  
President  
JEA & Associates  
770 L Street, Suite 1030  
Sacramento, CA 95814

**Re: CA Water Bond - California Central Coast Regional Funding Needs**

To Whom It May Concern,

I submit these comments on behalf of the Fort Ord Reuse Authority (FORA), created by the California State Legislature to facilitate conversion of the former Fort Ord Military Installation, a 45 square mile/28,000 acre facility located on Monterey Bay, from military to civilian activities. FORA implements this legislatively mandated mission by overseeing replacement land use; assuring compliance with adopted measures; removing physical barriers to reuse; financing and constructing major components of the required infrastructure and basewide demands; and protecting identified environmental reserves. The FORA Legislative Committee has approved support for the State's efforts to bring a water bond to the voters for consideration in the coming year. Such an effort helps the whole State, but may particularly aid the Central Coast and the former Fort Ord reuse in several ways.

Identified below are several general funding needs considered vital to the reuse of the former Fort Ord and the economic recovery of the Monterey Bay region:

Particular funding needs:

1. Water Supply Infrastructure. Funding is essential to replace aging infrastructure, such as pumps, wells and water lines.
2. Sewer infrastructure funding needs. Many local and former Fort Ord Jurisdictions need funds to replace aging sewer infrastructure, mainly aging sewer lines.
3. Capital funding that could defray the heavy new water supply cost to be brought on line to offset the reductions in Carmel River withdrawals. These may be desalination facilities and connections to reclaimed/ recycled and other alternatives.

In addition, we recognize that a focused, but right-sized water bond could:

- Avoid "earmarks" that allocate funds specifically without a competitive process;
- Deter efforts to set statewide fees on water to pay for statewide public benefits;
- Protect current bond funding levels for the public benefits of water storage projects and assure assistance for economic less-advantaged communities;

- Support/match local resources for development projects, including urban and rural Integrated Regional Water Management programs, recycling /reclaimed/ conservation, and groundwater cleanup; and
- Provide supplemental local / regional project resources while stimulating innovation and new tools for local agencies.

For these reasons, the Fort Ord Reuse Authority Legislative Committee endorses State efforts to establish a bond offering for the electorate to consider in the coming year. The Committee further encourages any such water bond effort to fairly provide for a competitive process that enables both rural and urban communities to access any resulting financial resources.

Respectfully,



Jerry Edelen  
US Army LTC (Retired)  
Chair, FORA Board of Directors  
Mayor, City Of Del Rey Oaks



Dave Potter  
Chair, FORA Legislative Committee  
Supervisor, County of Monterey

C: FORA Legislative Committee

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

<b>Subject:</b> Outstanding Receivables	
<b>Meeting Date:</b> December 13, 2013 <b>Agenda Number:</b> 9a	<b>INFORMATION</b>

### RECOMMENDATIONS:

Receive a Fort Ord Reuse Authority (FORA) outstanding receivables update for November 30, 2013.

### BACKGROUND/DISCUSSION:

- Development Fee/Preston Park: In 1997, the U.S. Army and FORA entered into an interim lease for Preston Park. Preston Park consisted of 354 units of former Army housing within the jurisdiction of the City of Marina (Marina). Marina became FORA's Agent in managing the property. Marina and FORA selected Mid-Peninsula Housing Coalition to manage the property and lease it to tenants. In 1998, Mid-Peninsula completed rehabilitating Preston Park units and began leasing the property to the public. After repayment of the rehab loan, Marina and FORA have each shared 50% of the net operating income from Preston Park.

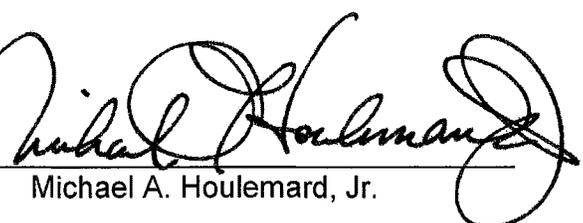
The FORA Board enacted a basewide Development Fee Schedule in 1999. Preston Park is subject to FORA's Development Fee Schedule overlay. In March 2009, the FORA Board approved the MOU between FORA and Marina whereby a portion of the Preston Park Development Fee was paid by the project. In 2009, Marina transferred \$321,285 from Preston Park, making an initial Development Fee payment for the project. The remaining balance is outstanding and is the subject of current litigation.

### FISCAL IMPACT:

All former Fort Ord projects are subject to either the developer fee overlay or the Community Development District fees to pay individual share of the California Environmental Quality Act required mitigation measures. If any projects fail to pay their fair share it adds a financial burden to other reoccupied or development projects to compensate.

### 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:** December 13, 2013

**Agenda Number:** 9b

**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 2015, 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 recent in-person meetings on April 10, June 19, and November 19, 2013 to discuss outstanding issues; 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. After meeting with CDFW Chief Deputy Director Kevin Hunting on January 30, 2013, FORA was told that CDFW and BLM issues require a Memorandum of Understanding (MOU) between CDFW and BLM, outlining certain assurances between the parties, resulting in additional time. Also, according to CDFW, final approval of an endowment holder no longer rests with CDFW (due to passage of SB 1094 [Kehoe]), which delineates specified rules for wildlife endowments. However, CDFW must review the funding structure and anticipated payout rate of the HCP endowment holder to verify if the assumptions are feasible. CDFW has outlined a process for FORA and the other permit applicants that expedites compliance with endowment funding requirements. FORA has engaged Economic and Planning Systems (EPS) to help in this process. Other policy issues and completion of the screencheck draft HCP should be completed in the next few months. If the current schedule is maintained, FORA staff expects a Public Draft HCP available for public review by August 2014.

**Update: USFWS, CDFW, ICF, and other personnel met in-person on Tuesday, November 19, 2013. At this meeting, ICF addressed several biological issues and identified the approach for addressing the remaining issues with the wildlife agencies.**

### FISCAL IMPACT:

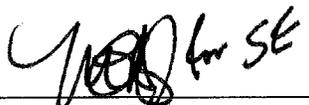
Reviewed by FORA Controller 

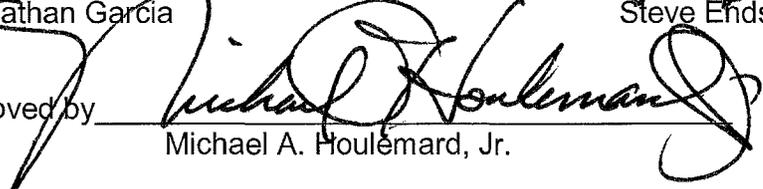
Staff time for this item is included in the approved FORA budget.

### COORDINATION:

Administrative Committee, Executive Committee, ICF, Denise Duffy and Associates

Prepared by   
Jonathan Garcia

Reviewed by   
Steve Endsley

Approved by   
Michael A. Houlemard, Jr.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

**Subject:** Finance Committee

**Meeting Date:** December 13, 2013

**Agenda Number:** 9c

**INFORMATION**

### RECOMMENDATION(S):

Receive minutes from the November 7, 2013 Finance Committee (FC) meeting.

### BACKGROUND/DISCUSSION:

The FC met on November 7, 2013 to consider switching FORA banks and to review for recommendation changes in FORA policies. The committee will meet next on December 17 to review the draft FORA and Preston Park audit reports. Please refer to the attached minutes for more details (**Attachment A**).

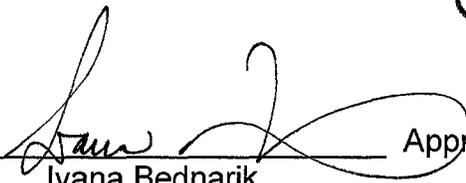
### FISCAL IMPACT:

Reviewed by FORA Controller 

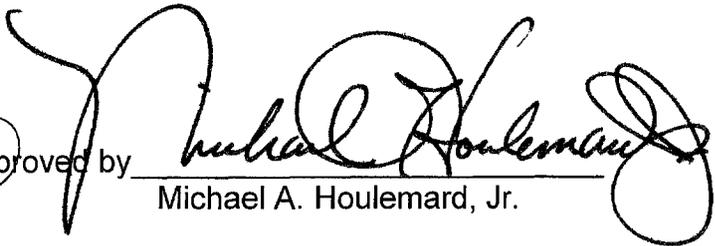
Staff time for this item is included in the approved budget.

### COORDINATION:

Finance Committee

Prepared by 

Ivana Bednarik

Approved by 

Michael A. Houlemard, Jr.



**Finance Committee Meeting**  
Thursday, November 7, 2013 at 1pm

**ACTION MINUTES**

Present: Chair Bill Kampe, Members: Graham Bice, Gail Morton, Nick Chiulos (via Teleconference)  
Absent: Ian Oglesby (excused)  
Staff: Michael A. Houlemard, Jr., Ivana Bednarik, Steve Endsley, Robert Norris  
Guests: Clay Larson and Penny Morris, 1<sup>st</sup> Capital Bank

**AGENDA**

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

1. Roll Call  
A quorum was achieved at 1 PM. Member Bice joined meeting at 1:05 PM.
2. Acknowledgements, Announcements, and Correspondence  
Executive Officer Michael Houlemard informed FC members about the pending FORA and Preston Park annual audit.
3. Public Comment Period  
None
4. April 25, 2013 Minutes  
Motion to approve Morton, Second Bice, Abstained Chiulos: Approved 3-0.
5. Proposal to provide banking services to FORA  
Clay Larson, Regional President of 1<sup>st</sup> Capital Bank opened presentation about the bank and the team designated to provide the highest level of customer service to FORA; he pointed out the long term relationship with FORA and staff originating with the first bank selected by the FORA Board in 1996, First National Bank, where Mr. Larson was also the President. Penny Morris, Regional Relationship Manager explained the types of services/accounts that would be available to FORA. Member Morton asked about the reason for switching the banks. Controller Bednarik explained that FORA's bank (former First National Bank) was bought in April by Union Bank and FORA and staff has lost the local customer support and business relationship; Executive Officer Houlemard added that the switch to a local bank is consistent with local preference for supplies and services noted in Chapter 3 of the FORA Master Resolution. FC Members asked for modification of the bank's proposal to: a) delete the section offering employee benefits and b) clarify bank fees/costs (Penny Morris stated that there will not be any cost to FORA to switch and maintain the accounts, but it was not specifically addressed in the proposal). FC Member felt that it is important to bank with a local bank and the recognized the importance of the customer relationship to FORA. They approved switching FORA accounts from the Union to 1<sup>st</sup> Capital Bank pending the proposal modifications. Motion Morton, Second Chiulos, Approved 4-0.
6. FORA Policies
  - a) Expense Reimbursement/Cell Phone Stipend – minor adjustments: Controller Bednarik explained the adjustments: 1) minor allowable expenses less than \$100 could be approved by designated FORA staff and that a monthly register of such expenses would be provided to the Executive Committee (EC); she also explained that this adjustment was requested by the EC members to add more practicality to the policy. Member Morton suggested adding "per event" to provide more clarity; 2) the Cell Phone stipend

b) Internet Use/Leave Donation Policy: Controller Bednarik explained that these are new policies, developed by staff and FORA HR Consultants and reviewed by the Auditor; the policies will be further reviewed by the EC. Staff is seeking the FC review and input. FC Members agreed that the Internet Use policy was sound as written; regarding the Donation Leave Policy they requested clarification of the ramifications to FORA if this policy is implemented and bringing the revised policy to the next meeting.

7. Annual Audit

This was a status report by Controller Bednarik. The draft FORA and Preston Park audit reports should be complete by the first week in December and available for the next FC meeting. FC members agreed that the Auditor could participate in that meeting via teleconference if he is unable to attend in person.

8. Next meeting date

The next meeting is has been scheduled for December 17, 2013 at 3PM.

9. Adjournment

Meeting adjourned at 2:25 pm.

*Minutes prepared by Ivana Bednarik.*

DRAFT

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

<b>Subject:</b>	Post Reassessment Advisory Committee	
<b>Meeting Date:</b>	December 13, 2013	<b>INFORMATION</b>
<b>Agenda Number:</b>	9d	

### RECOMMENDATION(S):

Receive a report on the activities and meetings of the Post Reassessment Advisory Committee

### BACKGROUND/DISCUSSION:

At its July meeting, the Fort Ord Reuse Authority (FORA) Board provided direction to proceed with a four-topic Colloquium hosted by/at CSUMB. Since that action, the Post Reassessment Advisory Committee (PRAC) met twice in August, twice in September, three times in October, and three times in November to coordinate event program planning with CSUMB (approved minutes will be included in the next Board Packet). The Colloquium will have just finished and staff will provide brief comments at the December 13, 2013 FORA Board meeting.

CSUMB and FORA prepared for the event by refining subtopics, preparing background materials for speakers, recruiting knowledgeable outside speakers, preparing event format/schedule, preparing and circulating event invitation materials for elected officials, government staff, and community members, preparing a colloquium program, and coordinating logistics. The colloquium is designed to conclude prior to the December 13 FORA Board special meeting, to be held at the same CSUMB venue, the University Center.

### FISCAL IMPACT:

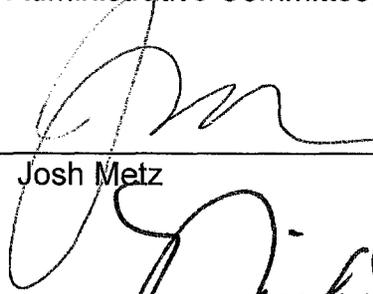
Reviewed by FORA Controller 

Staff time for this item is included in the approved FORA budget. The \$56,725 in Colloquium budget was approved by the Board on September 13, 2013 and is included in the approved FY 13-14 budget for the Base Reuse Plan Post Reassessment.

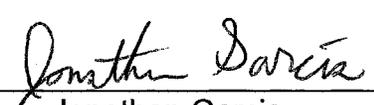
### COORDINATION:

PRAC, CSUMB, Administrative Committee, and Executive Committee.

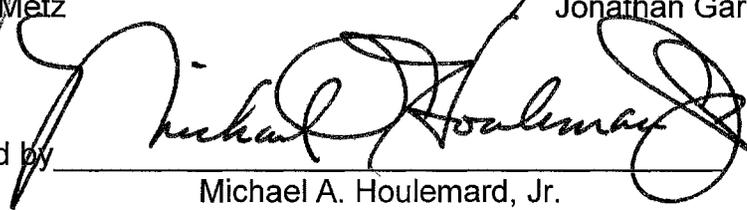
Prepared by

  
Josh Metz

Reviewed by

  
Jonathan Garcia

Approved by

  
Michael A. Houlemard, Jr.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

<b>Subject:</b> Travel Report	
<b>Meeting Date:</b> December 13, 2013	<b>INFORMATION</b>
<b>Agenda Number:</b> 9e	

### RECOMMENDATION(S):

Receive an informational travel report from the Executive Officer.

### BACKGROUND/DISCUSSION:

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") Board members. Travel expenses may be paid or reimbursed by FORA, outside agencies/jurisdictions, or a combination of these sources. The FORA Travel Policy requires all non-local travel to be reported to the Board.

### COMPLETED TRAVEL:

**Destination:** Sacramento, CA  
**Date:** November 13, 2013  
**Traveler/s:** Lena Spilman, Deputy Clerk

**Purpose:** Ms. Spilman serves as FORA's Fair Political Practices Commission (FPPC) filing official. In November she attended a training seminar in Sacramento at the Law Offices of Best, Best, and Krieger regarding filing of FPPC Form 700 - Statement of Economic Interests. She received information regarding new filing requirements for 2014, which she presented to the regional Board Clerks and Executive Assistants Association (ABCEA) to assist other public agencies.

### FISCAL IMPACT:

Reviewed by FORA Controller 

Staff time for this item was included in the approved annual budget. Travel expenses were paid by FORA according to the FORA Travel and Expense Reimbursement Policies.

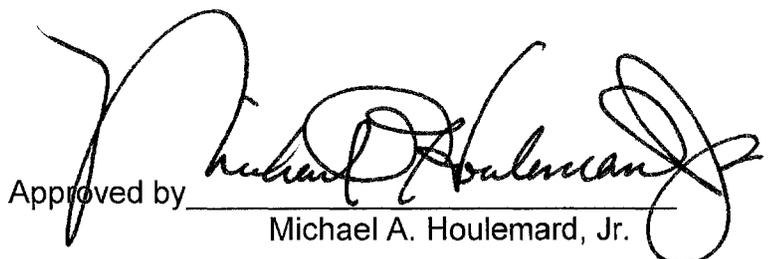
### COORDINATION:

No Board/Committee coordination required.

Prepared by

  
Lena Spilman

Approved by

  
Michael A. Houlemard, Jr.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

<b>Subject:</b>	Appraisal Instruction for Church of Jesus Christ of Latter-Day Saints (LDS) Site in City of Marina	
<b>Meeting Date:</b>	December 13, 2013	<b>INFORMATION</b>
<b>Agenda Number:</b>	9f	

### RECOMMENDATION(S):

Receive a report on LDS Church site appraisal instructions in the City of Marina (Marina).

### BACKGROUND/DISCUSSION:

As outlined in the FORA-Jurisdiction Implementation Agreements, FORA reviews jurisdictions' appraisal instructions for disposition of former Fort Ord lands to determine consistency with basewide fair share terms and conditions. Marina and the LDS Church recently identified an approximately 5.8-acre site within the "Cypress Knolls" project area for sale/development of church facilities. FORA staff have reviewed and submitted feedback on Marina's appraisal instructions for the site. The appraisal instructions are provided in **Attachment A** for information purposes.

### FISCAL IMPACT:

Reviewed by FORA Controller 

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

### COORDINATION:

Marina, Administrative Committee, and Executive Committee.

Prepared by Jonathan Garcia Reviewed by Steve Endsley for SE  
Jonathan Garcia Steve Endsley

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

**Appraisal Instructions for Church of Jesus Christ of Latter Day Saints  
(Fort Ord Redevelopment Parcel E2c.1  
3<sup>rd</sup> Avenue at Hayes Circle, Marina, CA)**

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1. The subject property is a ±5.8 acre (254,036 square feet) portion of a ±20.16 acre parent parcel (County of Monterey Assessors Map Book 31, Page 25) (APN #031-251-018). A parcel map will be prepared and recorded to subdivide the subject parcel (Attachment A) from its parent parcel (Attachment B), generally consistent with the parcel shown on the Cypress Knolls Tentative Map (Attachment C). The legal description for the parent parcel is also provided (Attachment D).
2. Said Tentative Map has not been recorded City wishes to retain the project configuration intact.
3. On the Cypress Knolls Tentative Map, the project site is currently entitled for 116 apartment units on ±6.23 acres, with an assumed water demand of 17.50 acre feet per year.
4. The Client for this appraisal is the City of Marina (owner of the property) and the Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-Day Saints, which intends to purchase the property to construct a 19,000 to 22,000 square foot church meeting house.
5. The purpose of the appraisal is to estimate the fair market value of the subject property and will be used to establish the sales/purchase price. (Implementation Agreement)
6. The property rights appraised shall represent the fee simple state.
7. The appraisal of the property shall be presented in the form of a Self-Contained Appraisal Report, in compliance with the reporting requirements set forth under Standards Rule 2-2(a) of USPAP.
8. The date of value will be identical or nearly identical to the date of the report.
9. The appraisal shall assume that the highest and best use is Multi-Family Residential, as designated on the General Plan Land Use Map, which allows a density of 15-35 dwelling units per acre. The parcel is zoned Multiple-Family Residential District (R-4). In accordance with Marina Municipal Code (MMC) Section 17.20.030 C, churches are permitted, subject to first securing a Conditional Use Permit.
10. The subject parcel is designated as a development parcel within the Installation-Wide Multispecies Habitat Management Plan (HMP) for Former Fort Ord, California and has no management restrictions placed upon it as a result of the HMP.

11. The appraisal shall assume that the buyer of the property shall be responsible for undertaking any and all improvements to the property (including curb, gutter and sidewalk, etc.), including any demolition costs.
12. Utilities may require extension to the site. If so, the buyer shall be responsible for said extension.
13. The appraisal in the "as if" condition shall assume that there are no hazardous materials or environmental considerations that impact the development of the property.
14. Prevailing wages shall apply for all construction work.
15. FORA fees shall be based on the current FORA CFD special tax rate in effect for Office use set at \$3,567 per acre from July 1, 2013 to June 30, 2014.
16. City of Marina Development Impact Fees shall be based on the non-residential rate for Office/Research uses at \$8,817 per 1,000 sq. ft.
17. The purchaser shall pay for preparation and recordation of the parcel map and shall pay closing costs customarily paid by the seller, including commissions, title insurance, transfer taxes, etc.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

<b>Subject:</b>	Public Correspondence to the Board	
<b>Meeting Date:</b>	December 13, 2013	<b>INFORMATION</b>
<b>Agenda Number:</b>	9g	

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.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