



FORT ORD REUSE AUTHORITY

920 2nd Avenue, Suite A, Marina, CA 93933

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

REGULAR MEETING FORT ORD REUSE AUTHORITY BOARD OF DIRECTORS

Friday, July 11, 2014 at 2:00 p.m.
910 2nd Avenue, Marina, CA 93933 (Carpenters Union Hall)

REVISED AGENDA

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. CLOSED SESSION

- a. Conference with Legal Counsel - Existing Litigation, Gov Code 54956.9(a) – 2 Cases
 - i. Keep Fort Ord Wild v. Fort Ord Reuse Authority (FORA), Case Number: M114961
 - ii. The City of Marina v. Fort Ord Reuse Authority, Case Number: M11856

4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

5. ROLL CALL

6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

7. CONSENT AGENDA

ACTION

- a. Approve May 16, 2014 Board Meeting Minutes ([pg. 1-4](#))
- b. Approve May 30, 2014 Board Meeting Minutes ([pg. 5-10](#))
- c. Approve June 13, 2014 Board Meeting Minutes ([pg. 11-19](#))
- d. Approve June 20, 2014 Board Meeting Minutes ([pg. 20-22](#))
- e. Adopt Salary Schedule for Economic Development Specialist Position ([pg. 23-24](#))

8. BUSINESS ITEMS

- a. Marina-Salinas Multimodal Corridor Plan ([pg. 25](#))
 - i. Transportation Agency for Monterey County Presentation INFORMATION
 - ii. Consider Supporting Recommended Corridor Alignment ACTION
- b. Approve Preston Park FY 2014-15 Annual Budget ([pg. 26-39](#)) ACTION
- c. Quarterly Environmental Services Cooperative Agreement Update ([pg. 40-42](#)) INFORMATION
- d. Marina Coast Water District Update Presentation on Augmentation and Policy Issues ([pg. 43](#)) INFORMATION
- e. Regional Urban Design Guidelines ([pg. 44-51](#))
 - i. Receive Update from Regional Urban Design Guidelines Task Force INFORMATION
 - ii. Select Consultant for Design Services ACTION
- f. Regional Trails Planning Update ([pg. 52-65](#)) INFORMATION

- g. Authorize Board Chair to Execute Letter of Unconditional Commitment to the City of Marina, per Government Code §54960.2, to Cease, Desist from, and Not Repeat Challenged June 20, 2014 Board Action

ACTION

9. PUBLIC COMMENT PERIOD

Members of the public wishing to address the Board of Directors on matters within their jurisdiction, but not on this agenda, may do so at this time for up to three minutes. Comments on agenda items are heard under the item.

10. EXECUTIVE OFFICER'S REPORT

- a. Outstanding Receivables (pg. 66) INFORMATION
- b. Habitat Conservation Plan Update (pg. 67-69) INFORMATION
- c. Administrative Committee (pg. 70-74) INFORMATION
- d. Veterans Issues Advisory Committee (pg. 75-77) INFORMATION
- e. Approved FY 2014/15 Fort Ord Reuse Authority Capital Improvement Program (pg. 78) INFORMATION
- f. Post Reassessment Advisory Committee (pg. 79-83) INFORMATION
- g. Travel Report (pg. 84-85) INFORMATION
- h. Public Correspondence to the Board (pg. 86) INFORMATION

11. ITEMS FROM MEMBERS

12. ADJOURNMENT

NEXT REGULAR BOARD MEETING: AUGUST 8, 2014

Persons seeking disability related accommodations should contact FORA 48 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.



FORT ORD REUSE AUTHORITY

BOARD OF DIRECTORS REGULAR MEETING MINUTES

Friday, May 16, 2014 at 2:00 p.m.

910 2nd Avenue, Suite A, Marina, CA 93933 (Carpenters Union Hall)

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Mayor Pendergrass led the Pledge of Allegiance.

3. CLOSED SESSION

The Board adjourned into closed session at 2:02 p.m.

- a. **Public Employee Performance Evaluation – Executive Officer (Gov Code 54957)**
- b. **Conference with Legal Counsel - Existing Litigation, Gov Code 54956.9(a) – 2 Cases**
 - i. **Keep Fort Ord Wild v. Fort Ord Reuse Authority (FORA), Case Number: M114961**
 - ii. **The City of Marina v. Fort Ord Reuse Authority, Case Number: M11856**

4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

The Board reconvened into open session at 3:05 p.m. Authority Counsel Jon Giffen announced no reportable action was taken.

5. ROLL CALL

Voting Members Present: (*alternates)(AR: entered after roll call)

Chair/Mayor Edelen (City of Del Rey Oaks)	Supervisor Parker (County of Monterey)
Mayor Pro-Tem Beach (City of Carmel-by-the-Sea)	Mayor Pendergrass (City of Sand City)
Mayor Gunter (City of Salinas)	Councilmember Alexander* (City of Seaside)
Mayor Kampe* (City of Pacific Grove)	Councilmember Selfridge (City of Monterey)*
Mayor Pro-Tem Oglesby (City of Seaside)	

Absent: Supervisor Calcagno (County of Monterey), Councilmember Morton (City of Marina), Mayor ProTem O'Connell (City of Marina), and Supervisor Potter (County of Monterey).

Ex-officio (Non-Voting) Board Members Present: Senator Bill Monning (17th State Senate District), Assemblymember Mark Stone (29th State Assembly District) - later replaced by Taina Vargas Edmonds*, Donna Blitzer (University of California, Santa Cruz), Andre Lewis* (California State University, Monterey Bay), Vicki Nakamura* (Monterey Peninsula College) - later replaced by Walter Tribley, Dan Albert, Jr.* (Monterey Peninsula Unified School District), Hunter Harvath (Monterey-Salinas Transit), Debbie Hale (Transportation Agency for Monterey County), Dan Carpenter* (US Army), and Lyle Shurtleff* (Fort Ord BRAC Office).

6. STATE LEGISLATIVE SESSION

a. **Receive Report from Senator Bill Monning (17th State Senate District)**

Chair Edelen introduced Senator Monning, who provided an update on the California Central Coast Veterans Cemetery (CCCVC), discussed SB 936 and current state water bond legislation, and reviewed the recent release of the Governor's May revise budget. Senator Monning acknowledged tremendous ongoing local community efforts to keep the CCCVC project on schedule, noting that

California Department of Veterans Affairs was currently ahead of schedule and aiming for groundbreaking in September. He added that colleagues in the legislature had become very interested in what was being referred to as the "Monterey Model" of establishing state veterans cemeteries. He provided an overview of SB 936 "water rate relief bonds" to authorize the issuance of bonds through the Monterey Peninsula Water Management District upon a Public Utilities Commission finding that the bonds would provide a customer savings. He provided a history of state water bond legislation and discussed the progress of water bond bills currently in the legislature. Senator Monning provided an update on the state budget process, noting that as the fragile recovery continued the challenge would be in prioritizing program restoration and preparing for reduced future revenues.

b. Receive Report from Assemblymember Mark Stone (29th State Assembly District)

Chair Edelen introduced Assemblymember Stone, who discussed the state water bond and budget. He noted positive changes were happening in Sacramento, evidenced by the recent unanimous bi-partisan vote in both the Assembly and Senate to place the Rainy Day/Budget Stabilization Act on the November 2014 ballot. He briefly discussed the 2014 Water Bond, adding that he and Senator Monning had been working very closely to ensure that the central coast would be able to take advantage of whatever provisions come out of the final version. Assemblymember Stone discussed his current legislation, particularly AB 2119 which would grant counties the authority to propose sales taxes within an unincorporated area of a county, to be approved by voters residing within that unincorporated area. He explained the benefit of the measure to unincorporated Monterey County and requested FORA Board support.

Senator Monning and Assemblymember Stone received comments and questions from the Board and public.

7. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

Chair Edelen suggested that agenda item 10a be considered out of order to permit the state representatives to be present for the item, and there were no objections.

10a. Approve Positions on Current State Legislation

Executive Officer Houlemard discussed the bills proposed for a "watch" Board position and provided detailed descriptions of those items recommended for Board support.

MOTION: Mayor Pro-Tem Oglesby moved, seconded by Supervisor Parker, to approve the Board positions on state legislation as presented, with exception of moving AB 2119 to a support position.

MOTION PASSED UNANIMOUSLY: Ayes: Parker, Oglesby, Beach, Selfridge, Edelen, Alexander, Pendergrass, Gunter, Kampe. *Absent*: Morton, O'Connell, Calcagno, Potter.

7a. Present Resolution Appreciation for Mayor Bill Kampe's Service

Chair Edelen read the resolution into the record and thanked Mayor Kampe for his dedicated service to FORA.

Chair Edelen announced that on April 25, 2014, he and Mr. Houlemard had attended the League of United Latin American Citizens (LULAC) Day of Remembrance event in Monterey and had been presented a plaque in recognition of FORA's advocacy for veterans issues.

8. CONSENT AGENDA

- a. Approve April 11, 2014 Board Meeting Minutes
- b. Approve Highway 68 Operational Improvements Reimbursement Agreement
- c. Approve Denise Duffy & Associates Contract Amendment #8
- d. Approve Property Transfer Recordation Resolution

MOTION: Councilmember Alexander moved, seconded by Mayor Gunter, to approve the Consent Agenda.

MOTION PASSED: Ayes: Parker, Oglesby, Beach, Selfridge, Edelen, Alexander, Pendergrass, Gunter, Kampe. Absent: Morton, O'Connell, Calcagno, Potter.

Councilmember Selfridge requested to abstain from item 7a.

9. OLD BUSINESS

a. **Approve Resolution Requesting Preston Park Loan Extension**

Mr. Houlemard presented the item, provided a history of Preston Park financing efforts, and discussed the loan extension terms. Mr. Houlemard and Chris Reynolds, Rabbobank representative, responded to clarifying questions from Board members and the public.

MOTION: Mayor Pro-Tem Oglesby moved, seconded by Councilmember Alexander, to approve Resolution 14-10 requesting Preston Park loan extension to December 15, 2014.

MOTION PASSED UNANIMOUSLY: Ayes: Parker, Oglesby, Beach, Selfridge, Edelen, Alexander, Pendergrass, Gunter, Kampe. Absent: Morton, O'Connell, Calcagno, Potter.

10. NEW BUSINESS

~~a. Approve Positions on Current State Legislation~~ (Considered under agenda item 7)

b. **FY 2014-15 Capital Improvement Program (CIP)**

Executive Officer Houlemard provided a brief overview of the item and introduced David Zehnder and Ellen Martin of Economic and Planning Systems (EPS).

i. **Presentation by FORA Staff**

Senior Planner Jonathan Garcia provided CIP background information and reviewed FORA's obligations.

ii. **Presentation by Economic & Planning Systems**

David Zehnder explained the formulaic approach to developer fee calculation and provided the EPS Phase III study recommendations.

Mayor Pro-Tem Oglesby and Councilmember Alexander left at 4:40 p.m.

iii. **Provide Direction on the FY 2014/15 Capital Improvement Program**

Executive Officer Houlemard clarified several key policy decisions, as outlined in the presentations, and staff responded to questions from Board members.

Mayor Gunter left at 4:57 p.m. Chair Edelen announced that because the Board no longer had a quorum, they would proceed as a meeting of the whole.

The Board received comments from members of the public and provided input to staff on items iii and iv.

iv. **Approve Resolution to Implement Fee Adjustment**

The Board took no action on the item.

c. **Fort Ord Reuse Authority Fiscal Year 2014-15 Annual Budget**

Mr. Houlemard provided an overview of the draft budget and staff responded to questions from the Board.

Mayor Pro-Tem Beach left at 5:35 p.m.

MOTION: Mayor Kampe moved, seconded by Supervisor Parker, to extend the meeting to 5:45 p.m.

MOTION PASSED: Ayes: Parker, Edelen, Pendergrass, Kampe. *Absent*: Morton, O'Connell, Calcagno, Potter, Oglesby, Beach, Alexander, Gunter, Selfridge.

Supervisor Parker requested that staff prepare next year's budget for review/discussion in April and a vote in May, so that a second vote would not prevent budget approval by June.

11. PUBLIC COMMENT PERIOD

None.

12. EXECUTIVE OFFICER'S REPORT

Mr. Houlemard provided an update on the Regional Urban Design Guidelines Task Force solicitation process, noting that staff anticipated having a consultant in place by July.

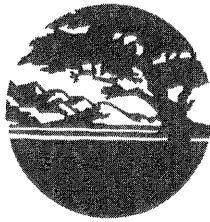
- a. Outstanding Receivables
- b. Habitat Conservation Plan Update
- c. Administrative Committee
- d. Veterans Issues Advisory Committee
- e. Finance Committee
- f. Water/Wastewater Oversight Committee
- g. Regional Urban Design Guidelines Task Force
- h. Post Reassessment Advisory Committee
- i. Legislative Committee
- j. Travel Report
- k. Public Correspondence to the Board

13. ITEMS FROM MEMBERS

None.

14. ADJOURNMENT

Chair Edelen adjourned the meeting at 5:41 p.m.



FORT ORD REUSE AUTHORITY

BOARD OF DIRECTORS SPECIAL MEETING MINUTES

Friday, May 30, 2014 at 1:00 p.m.

910 2nd Avenue, Suite A, Marina, CA 93933 (Carpenters Union Hall)

1. CALL TO ORDER

Chair Edelen called the meeting to order at 1:00 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Pro-Tem O'Connell led the Pledge of Allegiance.

3. CLOSED SESSION

The Board adjourned into closed session at 1:01 p.m.

- a. **Conference with Legal Counsel - Existing Litigation, Gov Code 54956.9(a) – 1 Case**
i. **The City of Marina v. Fort Ord Reuse Authority, Case Number: M11856**

4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

The Board reconvened into open session at 1:32 p.m. Authority Counsel Jon Giffen announced no reportable action was taken.

5. ROLL CALL

Voting Members Present: (*alternates)(AR: entered after roll call)

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

Absent: Supervisor Parker (County of Monterey)

Ex-officio (Non-Voting) Board Members Present: Nicole Charles* (17th State Senate District), Taina Vargas-Edmonds* AR, (29th State Assembly District), Graham Bice* (University of California, Santa Cruz), Eduardo Ochoa (California State University, Monterey Bay), Walter Tribley AR (Monterey Peninsula College), Hunter Harvath (Monterey-Salinas Transit), and Director Moore (Marina Coast Water District).

6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

Executive Officer Michael Houlemard stated that representatives of the Department of General Services (DGS), the City of Seaside, and FORA met that week to discuss the Veterans Cemetery Project schedule. DGS intended to advertise the project for bids by June 18th and receive bids by the end of July. DGS was scheduled to host a Pre-bid Conference at the FORA Office on June 19th.

7. BUSINESS ITEMS

- a. **Adopt Resolution 14-XX to Retain Preston Park Property in Accordance with Government Code Section 67678(b)(4)**

Chair Edelen noted that the Board was being asked to make two specific findings: 1) whether retention of Preston Park is necessary or convenient to carrying out FORA's responsibilities

pursuant to law, and 2) whether retention of Preston Park will cause significant financial hardship to the City of Marina. He emphasized that the ongoing litigation would be adjudicated by the courts and that Board discussion and public comments should be limited to the two findings before the Board.

Authority Counsel Jon Giffen provided a brief introduction/background of the item and outlined the staff recommended actions. The Board received comments from members of the public. Three representatives from the City of Marina read excerpts from Marina Mayor Delgado's May 29, 2014 letter to the Board and requested its attachment to the minutes (Attachment A).

MOTION: Mayor Rubio moved, seconded by Supervisor Potter, to adopt Resolution 14-XX to retain Preston Park Property in Accordance with Government Code Section 67678(b)(4).

MOTION RECEIVED MAJORITY APPROVAL (2nd VOTE REQUIRED): Ayes: Beach, Calcagno, Edelen, Gunter, Lucius, Oglesby, Pendergrass, Potter, Rubio, Selfridge. Noes: Morton, O'Connell. Absent: Parker.

Mayor Pro-Tem Beach left at 2:07pm

b. Marina Coast Water District (MCWD) FY 2014-15 Ord Community Budget

i. Presentation by FORA Staff

Assistant Executive Officer Steve Endsley provided an overview of FORA's MCWD Ord Community Budget review process, noting the item had been reviewed at six separate meetings of the Administrative and the Water and Wastewater Oversight Committees. Mr. Endsley also provided a history of FORA Board actions on the item.

ii. Presentation by MCWD Staff

Interim General Manager Brian Lee discussed the FY 2014/15 compensation plan, past MCWD accounting practices, and current MCWD budget strategy. A representative of Carollo Engineers discussed the Rate and Financial Study they performed for MCWD, including methodology and explanation of capacity vs. variable rates.

MCWD representatives responded to questions from the Board and members of the public.

Supervisor Calcagno left at 3:21 p.m.

iii. Consider Resolutions 14-XX and 14-XX Adopting a Compensation Plan for Base-wide Water and Sewer Services on the Former Fort Ord

MOTION: Supervisor Potter moved, seconded by Mayor Gunter, to 1) refer the item back to the Administrative Committee, directing the Committee to provide a recommendation for placement on the July Board agenda, and 2) request that MCWD provide additional information regarding possible creation of a Ord Community Ratepayer Advisory Committee.

The Board discussed the implications of a continuation and MCWD-FORA contractual obligations related to budget approval.

MOTION RECEIVED MAJORITY APPROVAL: Ayes: Edelen, Gunter, Morton, O'Connell, Oglesby, Pendergrass, Potter, Rubio, Selfridge. No: Lucius. Absent: Beach, Calcagno, Parker.

8. PUBLIC COMMENT PERIOD

The Board received comments from members of the public.

9. ITEMS FROM MEMBERS

None.

10. ADJOURNMENT

Chair Edelen adjourned the meeting at 3:59 p.m.



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at Sp. Board Mtg

CITY OF MARINA
211 Hillcrest Avenue
Marina, CA 93933
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May 29, 2014

Attachment A
5/30/14 Board Meeting Minutes

HAND DELIVERED

Board of Directors
Fort Ord Reuse Authority
920 Second Avenue
Marina, CA 93933

Re: Adoption of Resolution to Retain Preston Park

Dear FORA Board Members:

The City of Marina objects to the proposed adoption of the Resolution of the Fort Ord Reuse Authority that purports to retain the Preston Park property for purposes of liquidating the property as well as FORA's characterization of the facts leading FORA to take this action.

The action before the FORA Board is a resolution ostensibly being considered pursuant to Government Code Section 67678(b)(4). However, the very language of the resolution defeats the requirements of Government Code Section 67678(b)(4). Section 67678(b)(4) is a provision of the Fort Ord Reuse Authority Act dealing with the disposition of property at the former Fort Ord. Section 67678 generally calls for the rapid disposition of property at the former Fort Ord. Subsection (b)(4) is a limited exception within Section 67678, that allows FORA to retain property only if it is necessary or convenient to carrying out the Authority's responsibilities under the Act. The proposed resolution appears to equate "retain" with "sale" or "liquidation." The American Heritage Dictionary defines retain to mean "to keep or hold in one's possession." It is impossible to fathom how FORA can both retain the property and liquidate the property; the Monterey Superior Court has already prohibited FORA from selling the property until a trial on the City of Marina's case can be held.

Moreover, the staff report accompanying the proposed resolution, as well as the resolution itself, inaccurately state that "Marina and FORA shared the understanding that Marina would be required to 'buy-out' FORA's interest in Preston Park, if Marina wanted to hold title to the property." Over the course of the parties' dealings on Preston Park, there have been a variety of discussions regarding the ultimate disposition of Preston Park. A review of the correspondence between the parties does not demonstrate any shared understanding and indeed, FORA's own understanding appears to have evolved over the course of time. A review of various FORA reports and studies demonstrate that FORA at least initially had the intention of conveying Preston Park to the City of Marina, at no cost, once FORA obtained title to the property from the Army, just as all other base property located within City-limits was conveyed to the City of

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Marina. At some later point in time FORA took the position that it would only convey Preston Park to Marina if Marina paid the development fees that FORA had determined were owed on the property, although FORA has been unable to point to any provision in its development fee legislation that would indicate that development fees are owed on the mere transfer of property and the Implementation Agreement provides that developer fees for leasing at Preston Park are \$0. FORA's claim that Marina had to "buy-out" its interest in the property only came to light after FORA used the Preston Park property as security for a \$19 million loan that FORA had no means of repaying except through the sale of the property. It was this loan and the fact that FORA could not identify a repayment source other than the sale of the property that caused Marina to object to FORA's actions.

FORA also points to the Abrams B housing project as evidence that Marina agreed that it was obligated to buy-out FORA's interest in Preston Park. The transaction with regard to Abrams B, however, is distinguishable from the current situation at Preston Park. Marina has never disputed that if any property at Fort Ord is sold to a third party, the City is obligated to share any sales proceeds with FORA. The Abrams B property was transferred to the City by FORA at no cost. The City then transferred the property to a nonprofit corporation controlled by the City in order to allow both the City and FORA to obtain upfront funds based on the long term lease revenues from the property through the sale of lease revenue bonds. The transfer of Abrams B to the nonprofit corporation triggered the requirement to buy-out FORA's interest by sharing with FORA 50% of the sales proceeds. The City has always acknowledged that if it were to dispose of Preston Park in a similar manner it would be obligated to comply with the Implementation Agreement and share with FORA 50% of any sales proceeds.

FORA also states that Marina's representatives consented to and encouraged the Rabobank loan and on this basis FORA proceeded to enter into the Rabobank loan. This grossly misstates the facts surrounding the Rabobank loan. First and foremost, the City of Marina never consented to the Rabobank loan. FORA attempts to characterize the votes of the Marina appointed representatives to the FORA board as the City's consent to actions. FORA board members vote on FORA board issues in their capacity as FORA board members, taking actions that they believe are in the best interest of FORA. These actions cannot be considered to demonstrate consent of the member jurisdictions since only a vote of the Council or governing board of each jurisdiction can be deemed consent of that jurisdiction. Although FORA Board members may have dual loyalties, when acting as a FORA Board member they have a fiduciary obligation to FORA first and foremost. The Marina representatives to the Board acted in that capacity when voting with regard to the Rabobank loan and any other actions taken about Preston Park.

It should also be noted that the Marina representative to the FORA board (only one of Marina's representatives was present at the meeting) voted in favor of the resolution approving the Rabobank loan only after being assured that certain conditions would be

May 29, 2014

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met protecting Marina's interest in the Preston Park Property. However, shortly after the FORA Board approval, Mr. Houlemard executed the Rabobank loan documents which contained none of those protections or assurances. In fact, the loan documents contained language specifically subordinating the Implementation Agreement to the loan and thereby putting the City's interest in the Preston Park property at risk. Although the loan documents had been signed and recorded, Mr. Houlemard continued to exchange emails with City of Marina staff regarding appropriate language to be included in the loan documents to cover the required protections, only providing the City with the executed, unchanged loan documents after the loan funds had been disbursed.

The FORA press release states that Marina's refusal to purchase FORA's 50% interest in Preston Park along with the loss of redevelopment funding has resulted in a significant loss of funding to FORA which is what is necessitating FORA's action. The reality is that FORA continues to receive the same amount of tax increment it received from the local jurisdictions prior to dissolution of redevelopment agencies and in fact projects as part of the Capital Improvement Plan increases in funding each year. The brunt of the financial impact of redevelopment dissolution has fallen on the local jurisdictions that relied upon tax increment revenue to fund their share of the base reuse obligations, while FORA has remained whole. The most recent budget prepared by FORA staff and presented to this Board just two weeks ago actually shows an increase in revenues to FORA from property taxes with a projected total amount of \$1.5 million as opposed to \$1.3 million in the prior year's budget.

The proposed resolution states that the retention of the property by FORA would not cause significant financial hardship to the City and goes on to state that Marina has never opposed the sale of the property on the basis of its financial well-being. Marina has always considered its own financial wellbeing with regard to the long term status of Preston Park. Although a sale of the property would result in a significant one-time source of funds, Marina has sought to retain the property in order to preserve the long-term revenue stream from Preston Park that currently funds vital City programs and services. Marina has analyzed investing any such one-time money with the goal of preserving the current revenue stream, but with today's investment rates, it would not be possible for Marina to continue to receive the annual revenue stream it currently receives from Preston Park in the long term. Unlike FORA, which only has a remaining life of six years, Marina's financial interests extend well into the future. It is that long term financial interest that the City is attempting to protect. In addition to the need to preserve an ongoing source of revenue, the City also has a financial interest in maintaining the quality of life for its residents. Preston Park represents a significant source of affordable rental housing that the City is invested in keeping affordable for the long term with the goal of providing long term benefits to City residents.

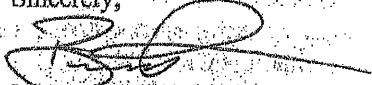
In summary, FORA attempts to point to Marina as the cause of the potential foreclosure on the Preston Park property. However, FORA fails to mention that long before the

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litigation was ever filed by Marina, Marina did offer to resolve its disagreement with FORA by putting the Preston Park property on the market with Marina having a right of first refusal to meet any offer made. FORA rejected that offer, apparently because FORA wanted to have a guaranteed purchase price rather than take a chance on what the market would actually pay for the property. Marina then brought the current litigation only after FORA attempted to sell the property without the City's consent.

For all of the above reasons, the City of Marina objects to the proposed FORA Board action, which serves no purpose in terms of resolving the litigation between Marina and FORA or protecting either FORA's or Marina's interest in Preston Park.

Sincerely,



Mayor Bruce Delgado

cc: Marina City Council

Layne Long

James Diamond

Karen Tiedemann

Robert Wellington



FORT ORD REUSE AUTHORITY

BOARD OF DIRECTORS REGULAR MEETING MINUTES

Friday, June 13, 2014 at 2:00 p.m.

910 2nd Avenue, Suite A, Marina, CA 93933 (Carpenters Union Hall)

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Councilmember Selfridge led the Pledge of Allegiance.

3. CLOSED SESSION

The Board received comments from the members of the public, one of whom read a portion of the June 12, 2014 Goldfarb & Lipman LLP letter to the Board into the record and requested it be attached to the meeting minutes (Attachment A). The Board adjourned into closed session at 2:04 p.m.

a. **Public Employee Performance Evaluation – Executive Officer (Gov Code 54957)**

b. **Conference with Legal Counsel - Existing Litigation, Gov Code 54956.9(a) – 2 Cases**

i. **Keep Fort Ord Wild v. Fort Ord Reuse Authority (FORA), Case Number: M114961**

ii. **The City of Marina v. Fort Ord Reuse Authority, Case Number: M11856**

4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

The Board reconvened into open session at 3:01 p.m. Authority Counsel Jon Giffen announced no reportable action was taken.

5. ROLL CALL

Voting Members Present: (**alternates*)(AR: *entered after roll call*)

Chair/Mayor Edelen (City of Del Rey Oaks)

Mayor Pro-Tem O'Connell (City of Marina)

Mayor Pro-Tem Beach (City of Carmel-by-the-Sea)

Mayor Pro-Tem Oglesby (City of Seaside)

Mayor Gunter (City of Salinas)

Mayor Pendergrass (City of Sand City)

Councilmember Lucius (City of Pacific Grove)

Mayor Rubio (City of Seaside)

Councilmember Morton (City of Marina)

Councilmember Selfridge (City of Monterey)

Absent: Supervisor Calcagno (County of Monterey), Supervisor Parker (County of Monterey), Supervisor Potter (County of Monterey)

Ex-officio (Non-Voting) Board Members Present: Taina Vargas-Edmonds* (29th State Assembly District), Donna Blitzer (University of California, Santa Cruz), Andre Lewis* (California State University, Monterey Bay), Walter Tribbley (Monterey Peninsula College), Debbie Hale (Transportation Agency for Monterey County), Col. Fellingner (United States Army), Lyle Shurtleff (Fort Ord BRAC Office), and Director Moore (Marina Coast Water District).

6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

Donna Blitzer announced the University of California (UC) Regents had recently taken several actions recommended in the FORA/UC jointly sponsored 2012 UC MBEST Center visioning exercise. One of the recommendations was to approve removal of the west campus from the MBEST Center, allowing it to be sold. The first step in selling the west campus properties was auction of the former Army flight simulator building, which began that week. UC hoped the sale would result in occupancy of the building and an increase in local jobs.

Executive Officer Houlemard reported on the recent Association of Defense Communities National Summit in Washington DC, also attended by Assistant Executive Officer Steve Endsley and Chair Edelen. He stated that he and Rochelle Dornatt had prepared and participated in a panel designed to assist local reuse authorities in developing and implementing successful legislative programs. Mr. Houlemard relayed informational updates from the US Army and congressional leaders regarding budget forecasts and anticipated impacts to military missions nationwide.

Mr. Houlemard noted that the Initial Environmental Study and Assessment for Phase I of the California Central Coast Veterans Cemetery Project was available for public review. Links to the documents were posted on the FORA website and the documents had also been placed in the Seaside and Marina libraries. The deadline for comments to be received was July 11, 2014.

Mr. Houlemard requested a postponement of agenda items 8c and 8e to the July Board meeting in order to make some adjustments/modifications. Chair Edelen stated that unless there were any Board objections, the items would be considered postponed to the July Board meeting. No objections were received. Chair Edelen also noted that agenda items 7a and 7b would be postponed to July to allow time to address Board member questions.

7. CONSENT AGENDA

- ~~a. Approve May 16, 2014 Board Meeting Minutes~~ postponed to July Board meeting
- ~~b. Approve May 30, 2014 Board Meeting Minutes~~ postponed to July Board meeting

8. BUSINESS ITEMS

a. Fort Ord Reuse Authority FY 2014-15 Annual Budget

i. Consider New Staff Position

Mr. Houlemard presented the FY 2014-15 annual budget. He reviewed the draft Economic Development Specialist job description and discussed the intended benefits to FORA's mission and to the jurisdictions.

ii. Consider Employee Cost-of-Living Adjustment (COLA)

ACTION

Mr. Houlemard discussed the staff-requested 2% cost-of-living increase.

iii. Approve FY 2014-15 Annual Budget

ACTION

The Board discussed the item, seeking input from the educational institutions present. The Board received comments and Mr. Houlemard responded to questions from the Board and public.

MOTION: Mayor Rubio moved, seconded by Councilmember Lucius, to approve the new Economic Development Specialist staff position.

Incorporated into the Motion with the Consent of the Maker: with the following amendments to the job description: 1) emphasize the importance of intellectual clusters, 2) include requirement that the candidate have a proven track record in attracting employers and linking education to economic opportunities, 3) include Board review after one year.

MOTION RECEIVED MAJORITY APPROVAL (2nd Vote Required): Ayes: Beach, Edelen, Gunter, Lucius, Morton, Oglesby, Pendergrass, Rubio. Noes: O'Connell, Selfridge

MOTION: Mayor Rubio moved, seconded by Mayor Gunter, to approve a 2% Cost-of-living Adjustment for FORA staff.

MOTION RECEIVED MAJORITY APPROVAL (2nd Vote Required): Ayes: Beach, Edelen, Gunter, Lucius, Oglesby, Pendergrass, Rubio. Noes: O'Connell, Morton, Selfridge

MOTION: Mayor Gunter moved, seconded by Mayor Rubio, to approve the FY 2014/15 FORA Annual Budget.

MOTION RECEIVED MAJORITY APPROVAL (2nd Vote Required): Ayes: Beach, Edelen, Gunter, Lucius, Morton, Oglesby, Pendergrass, Rubio, Selfridge. Noes: O'Connell

b. Approve Fort Ord Reuse Authority FY 2014-15 Capital Improvement Program

Mr. Endsley discussed the components of the Capital Improvement Program (CIP) and introduced David Zehnder, Economic and Planning Systems, who provided an explanation of the annual formulaic approach update and the recommendations coming out of the analysis/update. The Board received comments and FORA/EPS staff responded to questions from the Board and public.

MOTION: Councilmember Lucius moved, seconded by Mayor Rubio, to approve the FY 2014/15 FORA Capital Improvement Program.

MOTION RECEIVED MAJORITY APPROVAL (2nd Vote Required): Ayes: Beach, Edelen, Gunter, Lucius, Oglesby, Pendergrass, Rubio. Noes: Morton, O'Connell, Selfridge

MOTION: Councilmember Lucius moved, seconded by Mayor Gunter, to approve Resolution 14-xx, implementing a Community Facilities District Special Tax and Base-wide Development Fee Adjustment (17% reduction).

MOTION RECEIVED MAJORITY APPROVAL (2nd Vote Required): Ayes: Beach, Edelen, Gunter, Lucius, Oglesby, Pendergrass, Rubio, Selfridge. Noes: Morton, O'Connell

~~c. Approve Preston Park FY 2014-15 Annual Budget~~ *postponed to July Board meeting*

d. Consistency Determination: Consider Certification, in whole or in part, of the City of Seaside Zoning Code amendments related to the 2013 Zoning Code update as Consistent with the 1997 Fort Ord Reuse Plan

Associate Planner Josh Metz presented background information regarding the item and discussed the options for Board action. Rick Medina, City of Seaside, summarized the process used to develop the zoning code text amendments and reviewed the changes.

i. Noticed Public Hearing

Chair Edelen opened the public hearing at 5:14 pm. The Board received comments from members of the public and Chair Edelen closed the public hearing at 5:22 pm.

ii. Board Determination of Consistency

The Board discussed the item, requesting clarifications from FORA and Seaside staff based on public and Board comments.

MOTION: Mayor Pro-Tem Beach moved, seconded by Councilmember Morton, to extend the meeting an additional 15 minutes.

MOTION PASSED UNANIMOUSLY

MOTION: Mayor Rubio moved, seconded by Mayor Gunter, to certify the City of Seaside Zoning Code amendments related to the 2013 Zoning Code update as Consistent with the 1997 Fort Ord Reuse Plan.

MOTION RECEIVED MAJORITY APPROVAL (2nd Vote Required): Ayes: Edelen, Gunter, Lucius, O'Connell, Oglesby, Pendergrass, Rubio. Noes: Beach, Morton, Selfridge

MOTION: Councilmember Lucius moved, seconded by Councilmember Morton, to postpone the remaining agenda items to a special Board meeting the following week, at a time to be determined by the Clerk after polling Board member availability.

MOTION PASSED UNANIMOUSLY

Mayor Pro-Tem Beach and Councilmember Lucius left at 5:50 pm.

- e. ~~Approve Memorandum of Agreement between the County of Monterey, UCP East Garrison, LLC, and FORA Regarding Parker Flats Habitat Management~~ *postponed to July Board meeting*
- f. 2nd Vote: Adopt Resolution 14-XX to Retain Preston Park Property in Accordance with Government Code Section 67678(b)(4) *postponed to a special Board meeting*
- g. Marina-Salinas Multimodal Corridor Plan *postponed to a special Board meeting*
 - i. TAMC Presentation
 - ii. Consider Supporting Recommended Corridor Alignment
- h. Regional Trails Planning Update *postponed to a special Board meeting*

9. PUBLIC COMMENT PERIOD

The Board received comments from members of the public.

10. EXECUTIVE OFFICER'S REPORT

Mr. Houlemard stated the items were informational and did not require discussion.

- a. Outstanding Receivables
- b. Habitat Conservation Plan Update
- c. Administrative Committee
- d. Veterans Issues Advisory Committee
- e. Water/Wastewater Oversight Committee
- f. Regional Urban Design Guidelines Task Force
- g. Post Reassessment Advisory Committee
- h. Travel Report
- i. Public Correspondence to the Board

11. ITEMS FROM MEMBERS

None.

12. ADJOURNMENT

Chair Edelen adjourned the meeting at 5:57 p.m.

goldfarb
lipman
attorneys

1300 Clay Street, Eleventh Floor
Oakland, California 94612
510 836-6336

Attachment A
6/13/14 Board Meeting Minutes

M David Kroot
June 12, 2014

John T. Nagle

Lynn Hutchins

via messenger

Karen M. Tiedemann

Mayor Edelen (Chair)

Thomas H. Webber

Mayor Pro-Tem Beach

Dianne Jackson McLean

Supervisor Calcagno

Michelle D. Brewer

Mayor Gunter

Jennifer K. Bell

Councilmember Lucius

Robert C. Mills

Councilmember Morton

Isabel L. Brown

Mayor Pro-Tem O'Connell

James T. Diamond, Jr.

Mayor Pro-Tem Oglesby

Margaret F. Jung

Mayor Pendergrass

Heather J. Gould

Supervisor Potter

Juliet E. Cox

Mayor Rubio

William F. DiCamillo

Councilmember Selfridge

Amy DeVaudreuil

Executive Officer Houlemard

Barbara E. Kautz

Fort Ord Reuse Authority

Erica Williams Orcharton

920 2nd Avenue, Suite A

Luis A. Rodriguez

Marina, CA 93933

Xochitl Carrion

Re: Brown Act Violations by FORA
Cease and Desist Letter and Request for Relief

Rafael Yaquian

Dear Directors and Executive Officer Houlemard:

Vincent L. Brown

On behalf of the City of Marina we are writing you regarding the Fort Ord Reuse Authority's ("FORA") (1) past violations of the Ralph M. Brown Act ("Brown Act," Gov. Code § 54950, *et seq.*) related to Resolution 14-xx on Retention of Preston Park ("Preston Park Resolution"), and (2) anticipated future violations of the Brown Act during the June 13, 2014 Regular Meeting.

Caroline M. Nasella

Elizabeth Klueck

1. **FORA violated the Brown Act on or before May 30, 2014 when considering the Preston Park Resolution.**

Facsimile

510 836-1035

San Francisco

415 788-6336

Los Angeles

213 627-6336

San Diego

619 239-6336

Goldfarb & Lipman LLP

As described below, the Board engaged in secret deliberations of, and potentially took action regarding, the Preston Park Resolution outside of the public meeting on May 30, 2014. We provide a description of the violations and proposed remedies pursuant to Government Code Section 54960.2, and request that the FORA Board of Directors ("the Board") cure the violations described below before attempting further action on the Preston Park Resolution.¹

¹ All section references are to the Government Code unless otherwise indicated.

No public deliberations on the Preston Park Resolution by the Board occurred. After receiving public comment from representatives of the City as well as four members of the public, Director Rubio (Mayor of the City of Seaside) discounted the validity of public concerns in less than two minutes. Director Rubio recited an interpretation of state law, as well as an interpretation of the alleged contractual obligations of the City and FORA, to argue that the Preston Park Resolution will not set a "precedent," in which FORA will unilaterally retain the lands of other localities in the future. Furthermore, Director Rubio explicitly referenced the existing litigation between the City and FORA, cited the legal purpose of FORA, and claimed the legal thresholds to implement the Preston Park Resolution had been met.² No other Board member offered comment or public deliberation.

In light of the legal conclusions relied on by Director Rubio immediately after the closed session regarding the Preston Park litigation, as well as the lack of public deliberation by other Board members, it appears the Board engaged in secret deliberations regarding the Preston Park Resolution. Likewise, the alleged polling of the Board regarding the Special Meeting, as noted in public comment, further implicates violation of the Brown Act.

Civil Liability

FORA is subject to the Brown Act. Gov. Code § 67663. The Brown Act requires that government actions "be taken openly and that [government] deliberations be conducted openly." Gov. Code § 54950. Courts broadly construe the Brown Act mandate to apply to both deliberations and actions in various settings: Deliberations include, "not only collective discussion but also the collective acquisition and exchange of facts preliminary to the ultimate decision." *Stockton Newspapers v. Redevelopment Agency* (1985) 171 Cal.App.3d 95, 102 (internal quotations omitted). Actions include both preliminary and final votes, as well as a collective decision, commitment, or promise of the majority regarding a motion, proposal, resolution, order, or ordinance. Gov. Code §§ 54953(c) & 54952.6. And, the term 'meeting' includes any discussions, deliberations, or actions in which a majority of the legislative body participates, whether simultaneously or in a series of communications. Gov. Code § 54952.2.

Although Section 54956.9 authorizes closed sessions "to confer with, or receive advice from, [] legal counsel regarding pending litigation," this exception is "strictly construed." *Stockton Newspapers, supra*, 171 Cal.App.3d at 104. That is, the purpose of the communication between the attorney and the legislative body cannot be "a legislative commitment, [thereby evading] the central thrust of the public meeting law." *Id.* at 105. "Neither the attorney's presence nor the happenstance of some kind of lawsuit may serve as the pretext for secret consultations whose revelation will not injure

² See FORA Board of Directors Video of Special Meeting on May 30, 2014, minutes 3:10-5:00. Available at: <http://fora.org/board.html>

the public interest." *Sacramento Newspaper Guild v. Sacramento County Board of Supervisors* (1968) 263 Cal.App.2d 41, 58. Courts have looked to the California Attorney General for guidance, who in turn emphasized, "the purpose of Section 54956.9 is to permit the body to receive legal advice and make **litigation decisions only**; it is not to be used as a subterfuge to reach nonlitigation oriented policy decisions." *Trancas Property Owners Assn. v. City of Malibu* (2006) 138 Cal.App.4th 172, 186 (quoting Cal. Dept. of Justice, Off. of Atty. Gen., *The Brown Act* (2003), p. 40) (emphasis added).

It appears that on or before the public vote regarding the Preston Park Resolution on May 30, 2014, Board members received legal advice and deliberated about the resolution behind closed doors. There was no Board deliberation of the resolution in open sessions, either prior to or after public comment. Only after the public deliberated the impacts of the Preston Park Resolution during the public comment period, did a Board member offer a legal opinion interpreting state law and public contracts, as well as the legal adequacy of findings. Moreover, the Board member's statements were offered with explicit reference to litigation between the City and FORA, immediately after a closed session discussing the same litigation with counsel.

While FORA may obtain legal advice in closed session regarding litigation, discussion of legislative activity, including the Preston Park Resolution, may not be discussed in closed session. See *Trancas Property Owners Assn.*, *supra*, 138 Cal.App.4th at 186; *Stockton Newspapers*, *supra*, 171 Cal.App.3d at 105; *Sacramento Newspaper Guild*, *supra*, 263 Cal.App.2d at 58. Any acquisition or exchange of facts, any discussion, or any preliminary vote by the Board regarding the Preston Park Resolution outside of a public meeting violates Section 54953 of the Brown Act.³

Request for Relief

The Brown Act empowers any interested person to pursue relief from Brown Act violations, including the judicial declaration of a violation and subsequent declaration that actions in violation of the Brown Act are null and void. Gov. Code §§ 54960-54960.1. Furthermore, courts may enjoin the legislative body from future violations, including mandatory audio recording of future closed session to be reviewed *in camera*. Gov. Code § 54960. Finally, agencies that violate the Brown Act may be liable to plaintiffs for attorney's fees.

³ Any Board members who participated in an inappropriate closed session discussion regarding the Preston Park Resolution, or otherwise outside of a public meeting, may be criminally culpable of a misdemeanor, punishable by up to six months in county jail and/or a fine of up to \$1,000.00. Pen. Code § 19.

For the reasons discussed above, we request that FORA immediately cease and desist all further Brown Act violations, including but not limited to the discussion, deliberation, or dissemination of facts, as well as preliminary votes or Board member commitments related to the Preston Park Resolution or any other legislative action. We further request that FORA cure and correct past Brown Act violations by:

- Disclosing any meeting notes and minutes from the May 30, 2014 closed session regarding topics beyond the scope for which the closed session was authorized, including but not limited to the Preston Park Resolution;
- Providing a letter pursuant to Section 54960.2 committing FORA to future compliance with the Brown Act, including a description of steps FORA will take to ensure future compliance;
- Voluntarily initiating audio recordings of all future closed sessions, whether related to the litigation between the City and FORA, or any other statutorily permissible purpose, and;
- Discontinuing any further Board action related to Preston Park Resolution and any successor resolution regarding the retention of Preston Park Property.

At this time the City has not yet filed an action in court or requested review of the Brown Act violation by the district attorney. Rather, this letter is sent in hope that the Board will cure and correct any Brown Act violations as requested above without formal judicial intervention.

2. FORA should hear public comment before or during its consideration of the Preston Park Resolution on June 13, 2014.

Should FORA deny our request to discontinue further Board action regarding the Preston Park Resolution, FORA should publicly deliberate and accept public comment before or during consideration of the resolution at the June 13, 2014 Regular Meeting.

We understand FORA has accepted public comment before some second votes, but disallowed public comment before other second votes. Notably, the Board disallowed public comment before the second vote regarding the Preston Park Management Agreement Extension during its regular meeting on January 10, 2014 (Agenda Item 8(a)). However, during its Regular Meeting on March 14, 2014, public comment was heard and Board members deliberated the second vote regarding a consistency determination between the 2010 Monterey County General Plan and the 1997 Fort Ord Reuse Plan (Agenda Item 8(a)). Likewise on March 14, public comment was allowed before a second vote approving an Executive Officer Contract Extension (Agenda Item 8(b)). Here, public comment must be allowed before a second vote on the Preston Park Resolution.

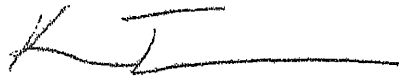
First, the plain text of the Brown Act, Section 54954.3(a) requires, "an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item[.]" Section 54954.3(a) provides for an exception to the public comment before or during the legislative body's consideration, but only when that item "has already been considered by a committee[.]" No committee has previously received public comment regarding the Preston Park Resolution. Thus, public comment must be received before a second vote on the Preston Park Resolution.

Second, as stated by Board Chair Edelen on May 30th, and reflected in the proposed Special Meeting Minutes under Agenda Item 8(a), public comment was improperly limited to two necessary findings within the Preston Park Resolution; the public was not allowed to comment on the merits of the resolution. To cure this violation of the Brown Act, the Board must accept public comment regarding the Preston Park Resolution, including underlying findings **and** the resolution to retain the Preston Park Property.

Finally, disallowing public comment and Board deliberation of the Preston Park Resolution violates the spirit of Government Code Section 67668 and FORA Master Resolution Section 2.02.040(b). Both sections require a second Board vote for resolutions or ordinances that did not receive unanimous approval when heard within 72 hours of introduction. The intent of each provision, like the Brown Act, promotes public discussion and debate among Board members in order to facilitate informed votes, and ensures the integrity of public agency action by allowing the Board and members of the public adequate time to analyze resolutions. Because the previous vote on the Preston Park Resolution was not unanimous, FORA should hear public comment and publicly deliberate the Preston Park Resolution prior to a second vote.

Again, we believe it improper to continue action regarding the Preston Park Resolution in light of the Brown Act violations that took place on or before May 30, 2014. Should FORA proceed with a second vote on the resolution, it must fully comply with the Brown Act, Government Code Section 67668 and FORA Master Resolution Section 2.02.040(b) by accepting public comment and allowing public deliberation regarding both the findings and resolution to retain Preston Park Property.

Sincerely,



KAREN M. TIEDEMANN

KMT:jdb



FORT ORD REUSE AUTHORITY

BOARD OF DIRECTORS SPECIAL MEETING MINUTES

Friday, June 20, 2014 at 4:00 p.m.

910 2nd Avenue, Suite A, Marina, CA 93933 (Carpenters Union Hall)

1. CALL TO ORDER

Chair Edelen called the meeting to order at 4:02 p.m.

2. PLEDGE OF ALLEGIANCE

Supervisor Potter led the Pledge of Allegiance.

3. ROLL CALL

Voting Members Present: (*alternates)(AR: entered after roll call)

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

Absent: Councilmember Selfridge (City of Monterey)

Ex-officio (Non-Voting) Board Members Present: Taina Vargas-Edmonds* (29th State Assembly District), Donna Blitzer (University of California, Santa Cruz), Eduardo Ochoa (California State University, Monterey Bay), Walter Tribley (Monterey Peninsula College), Hunter Harvath AR (Monterey-Salinas Transit), COL Fellingner (United States Army), and Director Lee* (Marina Coast Water District).

4. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

Councilmember Morton inquired as to the placement of various items on the meeting agenda. Chair Edelen responded and announced there would be opportunity for comment and discussion on each agenda item. Mayor Pro-Tem O'Connell and Councilmember Morton expressed opposition to consideration of the Preston Park Annual Budget at a special meeting, which required less than the one-week notice generally provided for regular meetings.

Executive Officer Houlemard announced that Rabbobank had approved FORA's request for a 180-day extension of the Preston Park loan and that all necessary paperwork was executed the previous week. He also announced the Regional Urban Design Guidelines Task Force had received presentations that morning from two consultant teams participating in the Regional Urban Design Guidelines solicitation. The Task Force met that afternoon in Seaside to begin the deliberation process and planned to return a recommendation to the Board in July. Mr. Houlemard stated he would be in Sacramento June 22-23 to meet with representatives from Senator Monning's Office, the UC Natural Reserve System, CA Department of Fish and Wildlife, and CA State Parks regarding ongoing Habitat Conservation Plan issues. He would report back on the outcomes of the meeting in July.

5. BUSINESS ITEMS

a. **2ND VOTE: Adopt Resolution 14-12 to Retain Preston Park Property in Accordance with Government Code Section 67678(b)(4)**

Councilmember Morton discussed the effect of Resolution 14-12 on the City of Marina and urged the Board not to approve. The Board discussed the item and received comments from members of the public. FORA Economic Consultant David Zehnder of Economic and Planning Systems provided a Transaction Alternatives Analysis that addressed the financial impact to FORA and Marina of ongoing leasing revenue distribution vs. sale of Preston Park revenue distribution. Mr. Zehnder and FORA staff responded to questions/addressed several comments from the Board.

Mayor Pendergrass asked Authority Counsel Jon Giffen to investigate whether the presence and participation of a Marina City Council quorum at the FORA Board meetings constituted a meeting under the Brown Act, and thus a violation.

ORIGINAL MOTION: Adopt Resolution 14-12 to Retain Preston Park Property in Accordance with Government Code Section 67678(b)(4).

2ND VOTE - MOTION PASSED: Ayes: Beach, Chiulos, Edelen, Gunter, Lucius, Oglesby, Pendergrass, Potter, Rubio. Noes: Morton, O'Connell, Parker.

b. **2ND VOTE: Fort Ord Reuse Authority FY 2014-15 Annual Budget**

i. **Consider New Staff Position**

Mayor Pro-Tem Beach provided minor clarifications to amendments made at the previous meeting and staff agreed to correct the job description. Authority Counsel stated that non-substantive clarifications should not require reintroduction of the item since there was no amendment to the motion and that the second vote could proceed.

Walter Tribley, Donna Blitzer, and Eduardo Ochoa spoke in support of the proposed staff position and the amendments.

ORIGINAL MOTION: Approve the Economic Development Specialist staff position, with the following job description amendments: 1) emphasize the importance of intellectual clusters, 2) include requirement that the candidate have a proven track record in attracting employers and linking education to economic opportunities, 3) include Board review after one year.

2ND VOTE - MOTION PASSED: Ayes: Beach, Chiulos, Edelen, Gunter, Lucius, Morton, Oglesby, Parker, Pendergrass, Potter, Rubio. Noes: O'Connell.

ii. **Consider Employee Cost-of-Living Adjustment (COLA)**

ORIGINAL MOTION: Approve a 2% Cost-of-Living Adjustment for FORA staff.

2ND VOTE - MOTION PASSED: Ayes: Beach, Chiulos, Edelen, Gunter, Lucius, Oglesby, Pendergrass, Potter, Rubio. Noes: Morton, O'Connell, Parker.

iii. **Approve FY 2014-15 Annual Budget**

ORIGINAL MOTION: Approve the FY 2014/15 FORA Annual Budget.

2ND VOTE - MOTION PASSED: Ayes: Beach, Chiulos, Edelen, Gunter, Lucius, Morton, Oglesby, Parker, Pendergrass, Potter, Rubio. Noes: O'Connell.

c. **2ND VOTE: Approve Fort Ord Reuse Authority FY 2014-15 Capital Improvement Program**

ORIGINAL MOTION: Approve the FY 2014/15 FORA Capital Improvement Program.

2ND VOTE - MOTION PASSED: Ayes: Beach, Chiulos, Edelen, Gunter, Lucius, Oglesby, Pendergrass, Potter, Rubio. Noes: Morton, O'Connell, Parker.

ORIGINAL MOTION: Approve Resolution 14-13, implementing a Community Facilities District Special Tax and Base-wide Development Fee Adjustment (17% reduction).

2ND VOTE - MOTION PASSED: Ayes: Beach, Chiulos, Edelen, Gunter, Lucius, Oglesby, Pendergrass, Potter, Rubio. Noes: Morton, O'Connell, Parker.

d. **2ND VOTE: Consistency Determination: Consider Certification, in whole or in part, of the City of Seaside Zoning Code amendments related to the 2013 Zoning Code update as Consistent with the 1997 Fort Ord Reuse Plan**

Authority Counsel Giffen announced that FORA had received many comments from the public and the Board on the item, as well as a revised resolution from the City of Seaside. Given the input received and the changes proposed to the resolution, he advised the Board to pull the item and return it for a first vote at the next meeting.

MOTION: Mayor Pro-tem Oglesby moved, seconded by Councilmember Morton, to pull the item and return it to the July Board meeting for consideration.

MOTION PASSED UNANIMOUSLY

e. **Approve Preston Park FY 2014-15 Annual Budget**

MOTION: Councilmember Morton moved, seconded by Mayor Pro-Tem O'Connell, to continue to the item to the regular July Board meeting.

MOTION RECEIVED MAJORITY APPROVAL: Ayes: Beach, Chiulos, Lucius, Morton, O'Connell, Oglesby, Pendergrass, Parker, Potter, Rubio. Noes: Edelen, Gunter.

6. **PUBLIC COMMENT PERIOD**

The Board received comments from members of the public.

7. **ITEMS FROM MEMBERS**

Mayor Pro-Tem Beach noted the quality of the responses received for the Regional Urban Design Guidelines consultant solicitation. She stated it had been a very productive experience and looked forward to bring back recommendations to the Board in July.

8. **ADJOURNMENT**

Chair Edelen adjourned the meeting at 5:04 p.m.

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject: Adopt Salary Schedule for Economic Development Specialist Position

Meeting date: July 2, 2014

Agenda number: 7e

ACTION

RECOMMENDATION:

Adopt Salary Schedule for Economic Development Specialist (ED Specialist) recommended by FORA independent Human Resources (HR) consultant and Executive Committee.

BACKGROUND/DISCUSSION:

On June 20, 2014 FORA Board approved an ED Specialist staff position, the total salary and benefits packet was set not to exceed \$160,000. FORA independent HR consultant, Avery Associates, recommend a \$90.7K to 115.8K salary range (**Attachment A**), based on the Job Description reviewed by the Board in approving the creation of the position.

Recommended salary range - Economic Development Specialist:

<u>Range #167</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>
	90,745.56	95,282.84	100,046.98	105,049.33	110,301.80	115,816.89


FISCAL IMPACT:

The Board approved Economic Development Specialist salary and related funding at the June 20, 2014 meeting.

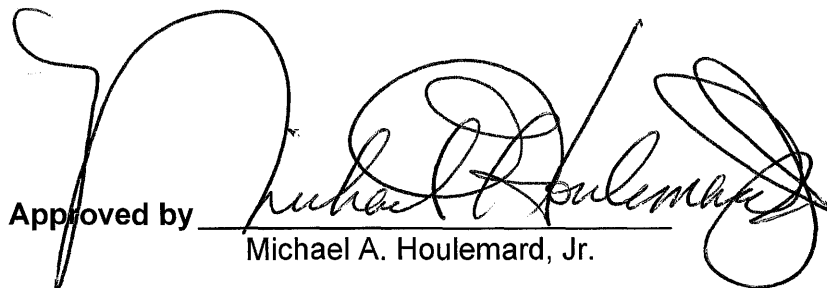
COORDINATION:

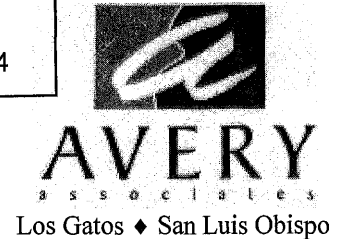
HR consultant (Avery Associates), Executive Committee

Prepared by


Ivana Bednarik

Approved by


Michael A. Houlemard, Jr.



June 30, 2014

Ivana Bednarik, Controller/Finance Manager
Robert Norris, Principal Analyst
Fort Ord Reuse Authority (FORA)
920 2nd Avenue, Suite A, Marina, CA 93933

Dear Ivana and Robert,

Re: Salary recommendation for Economic Development Specialist

In order to provide you with a salary recommendation for the Economic Development Specialist position, we reviewed the following documents:

- FORA's Economic Development Specialist job description
- Salary comparison spreadsheet containing the salaries of potential job matches from other local Monterey Bay agencies
- FORA Salary Schedule effective 07/01/14 through 06/30/15
- FORA's Principal Analyst job description

In reviewing three of the four job descriptions for the job titles reflected on the salary comparison spreadsheet, we were not able to identify a comparable match for the Economic Development Specialist position. Those positions that had been identified as potential matches were all found to be at a higher level than FORA's position. Additionally, we were unable to locate the job description for the City of Salinas Assistant Development Director; but the City's salary schedule lists this position as an Executive, which we believe is a much higher level than the Economic Development Specialist position.

As a result, we are recommending that salary placement for the Economic Development Specialist be based on internal comparison. In reviewing the Principal Analyst job description, we determined that the duties, education and work experience required are comparable to those in the Economic Development Specialist job description. Therefore, it is our recommendation that the salary for the Economic Development Specialist be set at Range #167, the same range as that of the Principal Analyst position. The minimum and maximum annual salary for Range #167 is \$90,745.56 - \$115,816.89

If you have any questions, please feel free to contact us at your earliest convenience.

Thank you,

Dee Schabot
Management Consultant

Cc: Kelly Menehan
Management Consultant

William Avery & Associates, Inc.
Consultants to Management

3-1/2 N. Santa Cruz Ave., Suite A
Los Gatos, CA 95030
408.399.4424
Fax: 408.399.4423
www.averyassoc.net

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	Marina-Salinas Multimodal Corridor Plan	
Meeting Date:	July 11, 2014	INFORMATION/ACTION
Agenda Number:	8a	

RECOMMENDATION:

- i. Receive a Transportation Agency for Monterey County (TAMC) Marina to Salinas multimodal corridor plan presentation.
- ii. Consider supporting the TAMC recommended corridor alignment.

BACKGROUND/DISCUSSION:

The 1997 Fort Ord Base Reuse Plan provided for a multimodal corridor along Imjin Parkway to Blanco Road serving to and from the Salinas area to the TAMC/Monterey Salinas Transit (MST) intermodal center planned at 8th Street and 1st Avenue in Marina. Long range planning for transit service resulted in an alternative Intergarrison/Reservation/Davis Roads corridor to increase habitat protection and fulfill transit service needs between the Salinas area and Peninsula cities and campuses.

A series of stakeholder meetings were conducted to advance adjustments and refinements to the proposed multimodal corridor plan line. Stakeholders included TAMC, MST, the Fort Ord Reuse Authority (FORA), City of Marina, Monterey County, California State University Monterey Bay CSUMB), and the University of California Monterey Bay Education, Science and Technology Center. The stakeholders entered into a Memorandum of Agreement (MOA) outlining the new multimodal alignment plan line in February 2010. Since all stakeholders had signed the MOA, the FORA Board designated the new alignment and rescinded the original alignment on December 10, 2010.

Since that time, several stakeholders, including CSUMB, requested that the alignment be re-evaluated. TAMC prepared the analysis, utilizing grant funds, local match and a \$15,000 FORA contribution. After a series of stakeholder meetings and community workshops, TAMC has determined a preferred multimodal corridor route and a conceptual plan that will be used as a guiding document for development and roadway designs. TAMC has requested that the FORA Board receive their multimodal corridor plan presentation and support the recommended corridor alignment.

FISCAL IMPACT:

Reviewed by FORA Controller 

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

COORDINATION:

Administrative Committee, TAMC

Prepared by 
Crissy Maras

Approved by 
Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	Approve Preston Park FY 2014-15 Annual Budget	
Meeting Date:	July 11, 2014	ACTION
Agenda Number:	8b	

RECOMMENDATION(S):

Approve FY 2014-2015 Preston Park Housing Operating and Capital (**Attachments B & C**) Budgets including a 2.4% rent increase.

BACKGROUND/DISCUSSION:

The staff has reviewed the Alliance Management Budget Memorandum (**Attachment A**) on the Preston Park FY 2014-15 Operating Budget and Capital Improvement Program (CIP) Assessment and recommends approval of the Housing Operating and Capital Replacement Program Budgets and the rent increase. In the coming year we anticipate an increase in the amount and cost of maintenance and small repairs (**Attachment C**).

The proposed 2.4 % increase has been derived from applying the Consumer Price Index to the current and prospective Preston Park unit rents. The overall budget sustains the formulas for setting annual market rents approved by the Board in June 2010. FORA policy in this area is to raise revenue to operate the property without negatively impacting the surrounding market rate rental properties. The adopted formulae are: 1) **Move-ins** - establishing market rents on an on-going basis according to a market survey, and 2) **Existing tenants** - increase rent once a year by the lesser of 3% or the Consumer Price Index. The financial impacts of the rent increase are displayed by unit type in (**Attachment E**) and the Revenue Summary (**Attachment F**) displays the budget impacts of the rental proposal.

In prior Preston Park Board reports, lengthy items such as the Market Survey (**Attachment D**) and Standard Operating Budgets were presented with only summary pages of the full reports. Consistent with that history, only the summary pages of those attachments are included in the packet. The full documents are available on the FORA website using the links provided below.

Attachment B:

<http://fora.org/Board/2014/Packet/Additional/071114Item8bAttachBPPBudget-1stPageIncrease.pdf>

<http://fora.org/Board/2014/Packet/Additional/071114Item8bAttachBPPBudget-2ndPageNoIncrease.pdf>

Attachment D:

<http://fora.org/Board/2014/Packet/Additional/071114Item8bAttachD-MarketSurvey.pdf>

FISCAL IMPACT:

Reviewed by FORA Controller 

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

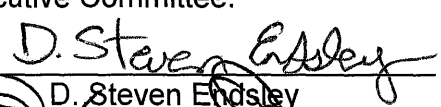
COORDINATION:

FORA Staff, Alliance Staff, Administrative Committee, Executive Committee.

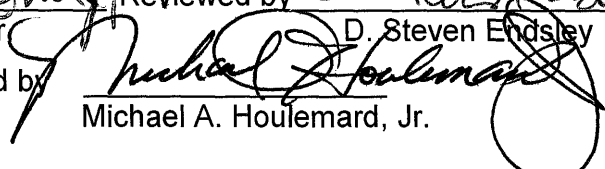
Prepared by


Robert J. Norris, Jr.

Reviewed by


D. Steven Endsley

Approved by


Michael A. Houlemard, Jr.

July 2, 2014

Mr. Michael Houlemard, Jr.
Fort Ord Reuse Authority
920 Second Street, Suite A
Marina, California 93933



Re: Preston Park FY 2014/15 Proposed Budget

Dear Mr. Houlemard:

It has been a pleasure to continue to work with residents and the Fort Ord Reuse Authority over the last year. With the combination of wonderful residents and effective staff, a number of positive changes have been seen in Preston Park:

- 1) **Exterior Building Upgrades:** Re-roofing of the buildings has been completed and final clean up and gutter repairs are underway. Garage motion sensor lights are being installed as gutters are repaired/replaced on each court. Termite treatment has taken place at a number of locations in the community and includes a three year warranty from the date of service. Staff members are planning the replacement of all windows in the community as well as steel front and back doors. This project is anticipated to be underway in July.
- 2) **Code Compliance/Safety Improvements:** The electrical sub-panel in each home was serviced, and grounding rods were replaced at each meter panel site throughout the community. All required attic repairs were completed. Each oven flue vent was re-sealed, and notable issues reported for repair in the coming year. One time use Fire Extinguishers were installed in each home within Preston Park. A Property Assessment took place from which a plan of action was developed to address exterior building as well as interior unit issues.
- 3) **Concrete Grinding:** Concrete grinding was performed throughout the community. Three sites on Brown Court were located indicated to require tree root removal and re-pouring of concrete or asphalt.
- 4) **Tree Trimming:** The community has performed the first phase of tree trimming and is obtaining bids for the larger phase to begin in July.
- 5) **Units of Long Term Residents:** Several long-term residents have seen upgrades in their flooring, paint, and appliances with little intrusion or inconvenience. These services are extended to long-term residents upon notification or inspection indicating replacement is necessary.
- 6) **Green Initiatives:** The community continues to implement water and energy saving programs inspired by Alliance's own Focus Green Initiative. Devices designated as water or energy saving are purchased and installed as replacement fixtures as needed. PG&E has been working with residents in the Below Market and Section 8 programs to weatherize their homes at no cost to the resident or the community. Planned landscaping changes will reduce the amount of water usage in the common areas of the community, and will continue to evolve into larger cost savings as we work in conjunction with Paul Lord at Marina Coast Water. The community participates in an appliance buy-back program where used and/or broken appliances are purchased from the community and recycled.

Alliance looks to continue to provide the residents at Preston Park a comfortable and quality living experience. Continued capital improvements throughout the community will allow this property to remain a desirable neighborhood for renters, as well as a continued source of affordable housing for the general populace of Marina.

Revenues

The primary source of revenue is rents, Section 8 voucher payments from the Housing Authority of the County of Monterey, and associated charges to residents such as late fees. The community experienced a delayed 1.7% rental increase in February 2013. An increase of 2.4% took place in September 2013. Previous to the February 2013 increase, the community had not seen a rental increase since August 2010.

The proposed budget reflects projected revenues according to the approved formula indicating that the annual increase in market rents for in-place tenants shall be capped at the lesser of three percent (3%) or the Department of Labor’s Consumer Price Index for San Francisco-Oakland-San Jose, All Items, for All Urban Consumers (referred to as CPI-U) Average percentage for the previous year (February to February) be applied to the next fiscal year, provided that the increased rent for in-place residents does not exceed the market rent charged to move-in residents. The proposed Budget Option 1 assumes the maximum rent increase for in-place residents of two point four percent (2.4%) resulting in an anticipated 2.9% increase in Total Income (\$169,350) over the FY 2013/14 Estimated Actuals. The proposed Budget Option 2 assumes no increase in the FY 2014/15 rent schedule for in-place residents, however still results in a 2.5% increase in Total income (\$141,049) due to new move-in rent values. Both budgets capture revenue from the addition of Pet Rent and Month to Month Fees for new move-ins. Please see **Attachment F** for a summary of Revenue Income under the two options.

Note: Delaying the anticipated decision will cost \$28,808 as the property will not be able to implement the rental increase until October 1, 2014.

In Place Residents – Market Rent

The rents proposed in Budget Option 1 are as follows:

In-Place Market Rate Rents			
Unit Size	Current Rent Range FY13/14	Proposed FY14/15 Rent	Change 10/1/14
Section 8 – Two BR	\$1,029 - \$1,198	\$1,054 - \$1,227	\$25 - \$29
Section 8 – Three BR	\$1,423 - \$1,562	\$1,457 - \$1,599	\$34 - \$37
Two Bedroom	\$1,208 - \$1,715	\$1,236 - \$1,756	\$29 - \$41
Three Bedroom	\$1,499 - \$2,010	\$1,535 - \$2,058	\$36 - \$48
Luxury – Two BR*	\$1,800 - \$2,200	\$1,843 - \$2,253	\$43 - \$53
Luxury – Three BR*	\$1,947	\$1,994	\$47

* Note: Three 2-Bedroom homes and one 3-Bedroom home have additional features that warrant higher than average rental rates.

Fair Market Rents (FMR) for Monterey County on a County-wide basis as published in October 2013 by the Monterey County Housing Authority (MCHA) are as follows:

Unit Bedroom Size	Fair Market Rent
Two Bedroom	\$1,234
Three Bedroom	\$1,800

The two bedroom average in-place market rent at Preston Park is \$1,459 which represents a difference of \$225 from the FMR table above. The general cause of the difference in two-bedroom rents relates to the unique amenities and space available in the two-bedroom apartments at the community as compared to the general marketplace. Conversely, the majority of in-place market renters in Preston Park three bedroom homes are below the MCHA Fair Market Rent for a home of this size. The average in-place rent for the three bedroom units at Preston Park is \$1,754, which represents a difference of \$46 from the FMR table above.

Please refer to **Attachment E** for detailed information regarding Preston Park rental rates, including utility estimates, as compared to other communities that pay for Water, Sewer, and Trash service.

Affordable Rents

Affordable rental rates are derived from median income schedules published by governmental agencies. Rental rates at Preston Park are based upon 50% and 60% of the median income for Monterey County. The U.S. Department of Housing and Urban Development calculates the maximum household income by family size in Monterey County, generally once a year. As of the date of this memo new rental rates have not been released.

An increase is not proposed at this time.

In-Place Affordable Rate Rents	
Unit Size	Current Rent Range FY13/14
Two Bedroom VL - L	\$677 - \$832
Three Bedroom VL - L	\$756 - \$928

Maximum Household Income Limits for 2014 as published in January 2014.

Income Category	Two Person	Three Person	Four Person	Five Person	Six Person	Seven Person	Eight Person
50% VL	\$28,800	\$32,400	\$35,950	\$38,850	\$41,750	\$44,600	\$47,500
60% L	\$34,560	\$38,880	\$43,140	\$46,620	\$50,100	\$53,520	\$57,000

Current Market Rent Conditions

The market rent for new move-ins is calculated by comparable market rent levels in the competitive market throughout the year. Additionally, the comparables as outlined in the attached Market Survey dated 5.13.14 (**Attachment D**) are smaller in square footage than units at Preston Park, and many do not offer the specialized features including in-home laundry vs 7.2.14

room, gated back yard with patio, direct access garage, generous storage space, dogs and cats accepted with pet deposit (Breed restrictions apply, max 2 animals per home). Please refer to **Attachment D** for detailed information.

Per the approved rent formula in 2010, the market rents for new move-ins are fluid throughout the year and change according to market conditions. Should a rental increase be approved, market rents for incoming residents would be as follows:

Unit Size	Current Rent Range for Incoming Market Rate Residents
Two Bedroom	\$1,650 - \$1,775
Luxury - Two BR	\$1,850 - \$2,275*
Three Bedroom	\$2,035 - \$2,060
Luxury - Three BR	\$2,275*

* Note: Three 2-Bedroom homes and one 3-Bedroom home have additional features that warrant higher than average rental rates.

Budget Summary

Expenses as outlined in **Attachment B** include Operating Expense projections and relevant changes from the FY 2013/14 budget. Operating expenses typically include expenditures for routine maintenance of the property, redecorating expenses as they apply to unit turns, and expenditures relating to the daily operations of the Leasing Office. Non-Routine expenses are included as they pertain directly to the daily function of the community, however are not typically able to be forecasted (i.e. large plumbing leaks requiring vendor service, unit specific rehabilitation projects). Annual Inspection materials are included with the Non-Routine expenses as they are a one-time yearly expense. Overall, total operating expenses proposed for FY 2014/15 are 10.1% higher than the estimated actual expenses for FY 2013/14 (\$152,947). Alliance seeks to maximize cost savings, e.g. lower utilities expenses through installation of water/energy saving devices, while contending with inescapable cost increases such as fuel for maintenance vehicles.

Note the large increase in Non-Routine expenses (\$115,668) over 2013/2014 Estimated Actuals. This increase is largely due to projects (such as bathtub replacements) that are necessary to complete over the course of the next several years. **Without a rental increase, the property will experience a deficit of \$19,461.**

Capital Expenses

Expenses categorized as Capital expenses directly impact the long term value of the community, including roof replacements, exterior painting, large-scale landscaping improvements, and interior upgrades including appliances and carpeting/vinyl. Capital projects that are currently pending completion as approved in the 2013/14 FY include:

- 1) Exterior Unit Windows - \$1,240,000
- 2) Exterior Unit Doors - \$200,000

The following Capital projects were delayed to the 2014/2015 FY due to timing:

- 1) Exterior Building/Flashing Repairs - \$500,000
- 2) Exterior Paint - \$200,000
- 3) Seal Coat Streets - \$155,787

2014/2015 FY Capital Improvement Program

Recommended Capital Projects to be managed through the Construction Department (excluding continuing projects or completions of projects from 2013/14):

- 1) Dry Rot Repairs - \$40,000
- 2) Landscape/Irrigation Upgrades - \$100,000
- 3) Leasing Office/Signage - \$90,000
- 4) Playgrounds - \$65,000

Capital Reserves Fund

Expenditures for the 2014/15 fiscal period are projected to equal \$1,453,804. This amount reflects an increase of \$200,000 attributed to the total expense projected for the Building/Flashing Repairs (initially evaluated at \$800K; current value of \$1M), and splits the total value of that expenses and the \$400K expense related to painting of the community over a 2 year period. In accordance with the 2014 reevaluation of the Replacement Reserves Study conducted in April 2008, Alliance recommends a minimum reserve withholding of \$2,179 per unit per year during the 2014/15 fiscal period. **Please refer to Attachment C.** This withholding amount would ensure that the asset holds adequate reserves to perform necessary replacements and repairs to protect the useful life of the buildings and account for possible unforeseen cost increases as projects get underway. These funds will also allow for future projects, such as parking improvements which are not currently included in the capital plan, to be incorporated at a later date without resulting in a substantial increase in withholding amounts in future years.

Budget Option 1 (Maximum rent increase of 2.4% for in-place residents) offers an opportunity to increase the property's replacement reserve account through revenue generation, thus allowing for many of the critical Capital Improvement projects throughout the community to take place over time. (**Attachment C**)

Budget Option 2 (No rent increase for in-place residents) outlines community needs to continue daily operations, but may compromise long-term capital projects due to restricted funds available to complete such projects. (**Attachment C**)

We will continue to look for new ways to improve our services over the coming year and remain committed to meeting the objectives set by FOR A.

Please feel free to contact me should you have additional questions or concerns at (415) 336-3811. Approval of the final budget prior to August 25, 2014, would be helpful in order to implement rental increases by October 1, 2014.

Regards,
vs 7.2.14

Jill Hammond
Regional Manager

Cc: Jonathan Garcia, FOR A
Ivana Bednarik, FOR A
Robert Norris, FOR A
Brad Cribbins, Chief Operating Officer, Alliance Communities, Inc.
Annette Thurman, Vice President of Operations, Alliance Communities, Inc.

Attachments:

- FY 2014/15 Budget Revenue Summary
- Unit Matrix
- May 2014 Market Survey
- Capital Improvement Plan/Reserve Withholding
- Budget Option 1 - Rental Increase

**PRESTON PARK
2015 STANDARD BUDGET
CONSOLIDATION & SIGN-OFF**

Description	2015 Total	2014 Projected	Variance	Variance %
Physical Occupancy	97.87 %	97.89 %		
Economic Occupancy	93.58 %	94.25 %		
Gross Market Potential	\$6,262,119	\$6,038,519	\$223,600	3.7%
Market Gain/Loss to Lease	(\$203,193)	(\$153,411)	(\$49,782)	-32.5%
Affordable Housing	\$0	\$0	\$0	0.0%
Non-Revenue Apartments	(\$63,870)	(\$68,070)	\$4,201	6.2%
Rental Concessions	\$0	\$0	\$0	0.0%
Delinquent Rent	\$0	\$0	\$0	0.0%
Vacancy Loss	(\$133,488)	(\$127,385)	(\$6,103)	-4.8%
Prepaid/Previous Paid Rent	\$0	\$0	\$0	0.0%
Other Months' Rent/Delinquency Recovery	\$0	\$1,110	(\$1,110)	-100.0%
Bad Debt Expense	(\$1,212)	\$0	(\$1,212)	-100.0%
Other Resident Income	\$44,398	\$40,287	\$4,111	10.2%
Miscellaneous Income	\$6,200	\$10,554	(\$4,354)	-41.3%
Corp Apartment Income	\$0	\$0	\$0	0.0%
Retail Income	\$0	\$0	\$0	0.0%
TOTAL INCOME	\$5,910,955	\$5,741,604	\$169,350	2.9%
PAYROLL	\$541,800	\$525,709	(\$16,091)	-3.1%
LANDSCAPING	\$69,800	\$73,968	\$4,168	5.6%
UTILITIES	\$104,309	\$98,813	(\$5,496)	-5.6%
REDECORATING	\$86,843	\$83,478	(\$3,365)	-4.0%
MAINTENANCE	\$104,812	\$103,214	(\$1,598)	-1.5%
MARKETING	\$15,475	\$15,449	(\$26)	-0.2%
ADMINISTRATIVE	\$92,088	\$91,881	(\$207)	-0.2%
RETAIL EXPENSE	\$0	\$0	\$0	0.0%
PROFESSIONAL SERVICES	\$147,874	\$142,718	(\$5,156)	-3.6%
INSURANCE	\$207,012	\$197,507	(\$9,505)	-4.8%
AD-VALOREM TAXES	\$107,472	\$107,469	(\$3)	0.0%
NON ROUTINE MAINTENANCE	\$194,225	\$78,557	(\$115,668)	-147.2%
TOTAL OPERATING EXP	\$1,671,709	\$1,518,762	(\$152,947)	-10.1%
NET OPERATING INCOME	\$4,239,245	\$4,222,842	\$16,403	0.4%
DEBT SERVICE	\$0	\$0	\$0	0.0%
DEPRECIATION	\$417,696	\$417,425	(\$271)	-0.1%
AMORTIZATION	\$0	\$0	\$0	0.0%
PARTNERSHIP	\$8,000	\$0	(\$8,000)	-100.0%
EXTRAORDINARY COST	\$0	\$0	\$0	0.0%
NET INCOME	\$3,813,549	\$3,805,417	\$8,132	0.2%
CAPITAL EXPENDITURES	\$1,453,804	\$3,825,287	\$2,371,483	62.0%
MORTGAGE PRINCIPAL	\$0	\$0	\$0	0.0%
TAX ESCROW	\$0	\$0	\$0	0.0%
INSURANCE ESCROW	\$0	\$0	\$0	0.0%
INTEREST ESCROW	\$0	\$0	\$0	0.0%
REPLACEMENT RESERVE	\$743,379	\$734,976	(\$8,403)	-1.1%
REPLACEMENT RESERVE REIMBURSEM	(\$1,453,804)	(\$3,825,287)	(\$2,371,483)	-62.0%
WIP	\$0	\$0	\$0	0.0%
OWNER DISTRIBUTIONS	\$3,487,866	\$3,487,866	(\$0)	0.0%
DEPRECIATION AND AMORTIZATION	(\$417,696)	(\$417,425)	\$271	0.1%
NET CASH FLOW	\$0	\$0	\$0	33.9%

**Attachment B to Item 8b
FORA Board Meeting, 7/11/14**



Approvals

Owner _____ Date _____

Asset Manager _____ Date _____

COO _____ Date _____

VP _____ Date _____

Regional Manager _____ Date _____

Business Manager _____ Date _____

Alliance Residential, LLC makes no guarantee, warranty or representation whatsoever in connection with the accuracy of this Operating Budget as it is intended as a good faith estimate only.

**PRESTON PARK
2015 STANDARD BUDGET
CONSOLIDATION & SIGN-OFF**



Description	2015 Total	2014 Projected	Variance	Variance %
Physical Occupancy	97.87 %	97.89 %		
Economic Occupancy	94.39 %	94.25 %		
Gross Market Potential	\$6,178,925	\$6,038,519	\$140,406	2.3%
Market Gain/Loss to Lease	(\$151,048)	(\$153,411)	\$2,363	1.5%
Affordable Housing	\$0	\$0	\$0	0.0%
Non-Revenue Apartments	(\$62,948)	(\$68,070)	\$5,122	7.5%
Rental Concessions	\$0	\$0	\$0	0.0%
Delinquent Rent	\$0	\$0	\$0	0.0%
Vacancy Loss	(\$131,667)	(\$127,385)	(\$4,282)	-3.4%
Prepaid/Previous Paid Rent	\$0	\$0	\$0	0.0%
Other Months' Rent/Delinquency Recovery	\$0	\$1,110	(\$1,110)	-100.0%
Bad Debt Expense	(\$1,206)	\$0	(\$1,206)	-100.0%
Other Resident Income	\$44,398	\$40,287	\$4,111	10.2%
Miscellaneous Income	\$6,200	\$10,554	(\$4,354)	-41.3%
Corp Apartment Income	\$0	\$0	\$0	0.0%
Retail Income	\$0	\$0	\$0	0.0%
TOTAL INCOME	\$5,882,653	\$5,741,604	\$141,049	2.5%
PAYROLL	\$541,800	\$525,709	(\$16,091)	-3.1%
LANDSCAPING	\$69,800	\$73,968	\$4,168	5.6%
UTILITIES	\$104,309	\$98,813	(\$5,496)	-5.6%
REDECORATING	\$86,843	\$83,478	(\$3,365)	-4.0%
MAINTENANCE	\$104,812	\$103,214	(\$1,598)	-1.5%
MARKETING	\$15,475	\$15,449	(\$26)	-0.2%
ADMINISTRATIVE	\$92,088	\$91,881	(\$207)	-0.2%
RETAIL EXPENSE	\$0	\$0	\$0	0.0%
PROFESSIONAL SERVICES	\$147,166	\$142,718	(\$4,448)	-3.1%
INSURANCE	\$207,012	\$197,507	(\$9,505)	-4.8%
AD-VALOREM TAXES	\$107,472	\$107,469	(\$3)	0.0%
NON ROUTINE MAINTENANCE	\$194,225	\$78,557	(\$115,668)	-147.2%
TOTAL OPERATING EXP	\$1,671,002	\$1,518,762	(\$152,239)	-10.0%
NET OPERATING INCOME	\$4,211,652	\$4,222,842	(\$11,190)	-0.3%
DEBT SERVICE	\$0	\$0	\$0	0.0%
DEPRECIATION	\$417,696	\$417,425	(\$271)	-0.1%
AMORTIZATION	\$0	\$0	\$0	0.0%
PARTNERSHIP	\$8,000	\$0	(\$8,000)	-100.0%
EXTRAORDINARY COST	\$0	\$0	\$0	0.0%
NET INCOME	\$3,785,956	\$3,805,417	(\$19,461)	-0.5%
CAPITAL EXPENDITURES	\$1,453,804	\$3,825,287	\$2,371,483	62.0%
MORTGAGE PRINCIPAL	\$0	\$0	\$0	0.0%
TAX ESCROW	\$0	\$0	\$0	0.0%
INSURANCE ESCROW	\$0	\$0	\$0	0.0%
INTEREST ESCROW	\$0	\$0	\$0	0.0%
REPLACEMENT RESERVE	\$715,786	\$734,976	\$19,190	2.6%
REPLACEMENT RESERVE REIMBURSEM	(\$1,453,804)	(\$3,825,287)	(\$2,371,483)	-62.0%
WIP	\$0	\$0	\$0	0.0%
OWNER DISTRIBUTIONS	\$3,487,866	\$3,487,866	(\$0)	0.0%
DEPRECIATION AND AMORTIZATION	(\$417,696)	(\$417,425)	\$271	0.1%
NET CASH FLOW	(\$0)	\$0	(\$1)	-211.6%

Approvals

Owner _____ Date _____

Asset Manager _____ Date _____

COO _____ Date _____

VP _____ Date _____

Regional Manager _____ Date _____

Business Manager _____ Date _____

Alliance Residential, LLC makes no guarantee, warranty or representation whatsoever in connection with the accuracy of this Operating Budget as it is intended as a good faith estimate only.

CAPITAL EXPENDITURES - 2014/2015 Preston Park Budget										
PRESTON PARK - REVISED PHYSICAL NEEDS ASSESSMENT (7 Year Look Forward - Alliance Residential Recommendation)										
									Updated:	7/2/2014
Project	Detail	Committed Projects	2014 - 2015	2015 - 2016	2016 - 2017	2017 - 2018	2018 - 2019	2019 - 2020	2020 - 2021	
1410										
Property Assessment		\$ 74,600								
Site Lighting Repair / Replacement /Install	*Exterior site upgrades			\$ 200,000					\$ 50,000	
Roof	*Replacement	\$ 1,827,297					\$ 10,000	\$ 10,000	\$ 10,000	
Exterior Paint	*Full Paint (split over 2 yrs)		\$ 200,000	\$ 200,000						
Exterior Unit Windows	*Replacement	\$ 1,240,000					\$ 5,000	\$ 5,000	\$ 5,000	
Exterior Unit Doors	*Replacement	\$ 200,000					\$ 2,500	\$ 2,500	\$ 2,500	
Building Exterior	*Dryrot Repairs		\$ 40,000		\$ 2,000	\$ 2,000	\$ 40,000		\$ 2,000	
Fence Repairs/Slat Replacement	Replacement						\$ 50,000			
Resident Business Center	FF&E						\$ 12,000			
Landscape/ Irrigation	*Replacement / Upgrades		\$ 100,000				\$ 150,000			
Leasing Office / Signage	*Upgrades: Wheelchair Access		\$ 90,000							
Playgrounds	*Replacement/Upgrades		\$ 65,000		\$ 65,000		\$ 150,000			
Fire Extinguishers	Add Fire Extinguishers to each home	\$ 13,000					\$ 13,000			
Termite Remediation	Termite remediation	\$ 50,000								
Building Fascia/Flashing Repairs	Repairs to exterior walls (split over 2 yrs)		\$ 500,000	\$ 500,000						
Heater Vent Cleaning/Repairs	Cleaning/Repairing Heater vents			\$ 145,000						
1415										
New Office Computers	Replace existing old computers					\$ 2,600				
1416										
One Maintenance Truck	Needed for hauling etc...					\$ 15,000			\$ 15,000	
1420										
Seal Coat Streets			\$ 155,787						\$ 155,787	
1425										
Dishwasher	replacement (assume 10 year life) Represents 76 units	\$ 12,160	\$ 24,700	\$ 24,700	\$ 24,700	\$ 24,700	\$ 24,700	\$ 24,700	\$ 24,700	
Refrigerators	replacement (assume 15 year life) Represents 24 units	\$ 16,800	\$ 12,120	\$ 12,120	\$ 12,120	\$ 12,120	\$ 12,120	\$ 12,120	\$ 12,120	
Range/Rangehood	replacement (assume 15 year life) Represents 54 units	\$ 18,360	\$ 27,900	\$ 27,900	\$ 27,900	\$ 27,900	\$ 27,900	\$ 27,900	\$ 27,900	
Garbage Disposal	replacement (assume 10 year life) Represents 44 units	\$ 3,000	\$ 3,300	\$ 3,300	\$ 3,300	\$ 3,300	\$ 3,300	\$ 3,300	\$ 3,300	
Hot Water Heaters	replacement (assume 15 year life) Represents 14 units	\$ 18,000	\$ 6,650	\$ 6,650	\$ 6,650	\$ 6,650	\$ 6,650	\$ 6,650	\$ 6,650	
Carpet	replacement (assume 5 year life) Represents 48 homes	\$ 56,532	\$ 80,400	\$ 80,400	\$ 80,400	\$ 80,400	\$ 80,400	\$ 80,400	\$ 80,400	
Vinyl	replacement (assume 10 year life) Represents 48 homes	\$ 73,100	\$ 66,000	\$ 66,000	\$ 66,000	\$ 66,000	\$ 66,000	\$ 66,000	\$ 66,000	
HVAC Furnace	replacement (assume 20 year life) Represents 6 units	\$ 26,400	\$ 16,800	\$ 16,800	\$ 16,800	\$ 16,800	\$ 16,800	\$ 16,800	\$ 16,800	
1430										
Applicable Contruction Management Expenses	Miscellaneous (see * items)	\$ 196,038	\$ 65,147	\$ 54,000	\$ -	\$ -	\$ 18,000	\$ -	\$ 9,347	
Capital Expenses (uninflated)		\$ 3,825,287	\$ 1,453,804	\$ 1,336,870	\$ 304,870	\$ 257,470	\$ 688,370	\$ 255,370	\$ 487,504	
Inflation Factor		0.00%	0.00%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	
Capital Expenses (Inflated)		\$ 3,825,287	\$ 1,453,804	\$ 1,370,292	\$ 312,492	\$ 263,907	\$ 705,579	\$ 261,754	\$ 499,692	
Total Projected Replacement Reserve Funds		\$ 734,975	\$ 715,786	\$ 715,786	\$ 715,786	\$ 715,786	\$ 715,786	\$ 715,786	\$ 715,786	
Replacement Reserve Fund Balance on 3/1/14		\$ 4,569,609								
Remainder of Projected Replacement Reserve Additions 3/1/14-6/30/14		\$ 243,462								
Remainder of Projected Capital Expenses 3/1/14-6/30/14		\$ 3,377,297								
Anticipated Replacement Reserve Fund Balance 7/1/14		\$ 1,435,774								
Holdbacks and Reserve Summary with no Rental Increase										
Replacement Reserve Fund AFTER Annual Addition, BEFORE Annual Expenses			\$ 2,151,560	\$ 1,413,543	\$ 759,037	\$ 1,162,332	\$ 1,614,212	\$ 1,624,419	\$ 2,078,451	
Replacement Reserve Fund AFTER Annual Addition, AFTER Annual Expenses			\$ 697,756	\$ 43,251	\$ 446,546	\$ 898,425	\$ 908,633	\$ 1,362,665	\$ 1,578,759	
			\$/Unit/Year (Average)							
Replacement Reserve Capability with NO RENT INCREASE		\$ 715,786	\$ 2,021.99							
Physical Needs Over the Term:		\$ 4,867,520	\$ 1,964.29							
Replacement Reserve Capability with PROPOSED INCREASE		\$ 743,379	\$ 2,099.94							
Holdbacks and Reserve Summary with Proposed Increase										
Replacement Reserve Fund AFTER Annual Addition, BEFORE Annual Expenses			\$ 2,207,243	\$ 1,496,817	\$ 869,904	\$ 1,300,791	\$ 1,780,263	\$ 1,818,063	\$ 2,299,687	
Replacement Reserve Fund AFTER Annual Addition, AFTER Annual Expenses			\$ 753,438	\$ 126,525	\$ 557,412	\$ 1,036,884	\$ 1,074,684	\$ 1,556,308	\$ 1,799,995	

COMMUNITY DESCRIPTION	
Street address	682 Wahl Court
City, State, Zip Code	Marina, CA 93933
Telephone	(831) 384-0119
Construction type	Mixed use
Year built	1987
Owner	Fort Ord Reuse Authority
Management	Alliance Residential Company
Total units	354
Physical occupancy	98%

COMMUNITY RATINGS	
Location	B
Visibility	C
Curb appeal	B
Condition	B
Interiors	C
Amenities	D

PAYER OF UTILITIES	
Gas	Resident
Electric	Resident
Water	Res/Meter
Sewer	Resident
Trash	Resident
Cable TV	N A
Internet	Resident
Pest control	Community
Valet trash	N A

FEES, DEPOSITS, AND LEASE TERMS	
Application fee	\$44
Lease terms	MTM and 6 months
Short term premium	N/A
Refundable security deposit	Equal to one months' rent
Administrative fee	\$0
Non refundable pet deposit	N/A
Pet deposit	\$250 covers up to 2 pets
Pet rent	\$0

CONCESSIONS
No concessions. Community is partially Below Market Rent and Section 8.

COMMENTS
50% complete replacing roofs. All units have an attached garage, in-home laundry room, and gated backyard. \$25 fee for end units.

APARTMENT AMENITIES			
Accent color walls	No	Paneled doors	No
Air conditioning	No	Patio/Balcony	Yes
Appliance color	White	Refrigerator	Frost-Free
Cable TV	No	Roman tubs	No
Ceiling	No	Security system	No
Ceiling fans	No	Self cleaning oven	No
Computer desk	No	Separate shower	No
Crown molding	No	Upgraded counters	No
Fireplace	No	Upgraded flooring	Plush Cpt
Icemaker	No	Upgraded lighting	No
Kitchen pantry	Yes	Vaulted ceiling	No
Linen closets	Yes	Washer/Dryer	No
Microwave	No	W/D connection	Full size
Outside storage	No	Window coverings	1" mini

COMMUNITY AMENITIES			
Access gates	No	Free DVD/movie library	No
Add rentable storage	No	Laundry room	No
Attached garages	Yes	Movie theater	No
Barbecue grills	No	Parking structure	No
Basketball court	Yes	Pet park	No
Billiard	No	Playground	Yes
Business center	No	Pools	No
Club house	Yes	Racquetball	No
Concierge services	No	Reserved parking	No
Conference room	No	Sauna/Jacuzzi	No
Covered parking	No	Tennis court	No
Detached garages	No	Volleyball	No
Elevators	No	Water features	No
Fitness center	No	WiFi	No

FLOORPLANS AND RENTS

Floorplan Type	Unit Description	# of Units	% of Units	Square Feet	Rent per Unit				Concessions		Effective Net Rents	
					Low	High	Average	Avg PSF	Mos Free	Term	Average	Avg PSF
2X1		10	3%	1,150	\$1,610	\$1,610	\$1,610	\$1.40	0.00	0.00	\$1,610	\$1.40
2X1		2	1%	1,150	\$1,700	\$1,700	\$1,700	\$1.48	0.00	0.00	\$1,700	\$1.48
2X1.5		79	22%	1,278	\$1,665	\$1,690	\$1,677	\$1.31	0.00	0.00	\$1,677	\$1.31
2X1.5	1 car attached Renovated	2	1%	1,278	\$2,200	\$2,200	\$2,200	\$1.72	0.00	0.00	\$2,200	\$1.72
2X1.5		1	0%	1,278	\$1,700	\$1,715	\$1,708	\$1.34	0.00	0.00	\$1,708	\$1.34
2X1.5	1 car attached Renovated	135	38%	1,323	\$1,690	\$1,715	\$1,702	\$1.29	0.00	0.00	\$1,702	\$1.29
3X2.5		124	35%	1,572	\$1,985	\$2,010	\$1,997	\$1.27	0.00	0.00	\$1,997	\$1.27
3X2.5	1 car attached Renovated	1	0%	1,572	\$2,150	\$2,150	\$2,150	\$1.37	0.00	0.00	\$2,150	\$1.37
Total / Weighted Average		354	100%	1,395	\$1,790	\$1,814	\$1,801	\$1.29	0.00	0.00	\$1,801	\$1.29

Attachment E - Unit Matrix

**Attachment E to Item 8b
FORA Board Meeting, 7/11/14**

									Market Survey Data				
Bedrooms	Bathrooms	Square footage	Average Rent per unit	Total Utilities	Total Rent including utilities	Total Rent per square foot BEFORE rent increase	Total Rent per square foot after 2.4% increase	Total Rent per square foot AFTER rent increase	Sunbay Suites rent per square foot (650 sq ft)	Marina Square rent per square foot (1000 sq ft)	Marina del Sol rent per square foot (736 sq ft)	Shadow Market rent per square foot (850 sq ft/1700 sq ft)	Abrams Park rent per square foot not including utilities (1000 sq ft)
2	1	1150	\$1,521.00	\$122.70	\$1,644	\$1.43	\$1,676.70	\$1.46	\$1.88	\$1.36	\$1.77	\$1.59	\$1.50
2	1.5	1278	\$1,443.81	\$122.70	\$1,567	\$1.23	\$1,599.51	\$1.25	N/A	N/A	N/A	N/A	N/A
2	1.5	1323	\$1,447.34	\$122.70	\$1,570	\$1.19	\$1,603.04	\$1.21	N/A	N/A	N/A	N/A	N/A
3	2.5	1572	\$1,754.00	\$122.70	\$1,877	\$1.19	\$1,918.20	\$1.22	N/A	N/A	N/A	\$1.09	N/A

In addition to the rental amounts paid by in-place residents, Preston Park residents pay for Water, Sewer, and Trash services that the majority of the comparables in the market place pay on behalf of the household.

Utility costs as listed reflect the average household in Marina, whereas actual bills suggest utility costs of \$85 per month and \$96 per month respectively for 2 and 3 bedroom homes in Preston Park.

Square footage listed for Preston Park units includes interior space only. Each home has an attached garage that provides roughly 400 square feet of additional storage space.

Preston Park Budget Memo - Revenue Summary

**Attachment F to Item 8b
FORA Board Meeting, 7/11/14**

Budget Option 1 – 2.4% Rent Increase

<u>Revenue</u>	Approved Budget FY 2013/2014	Estimated Actuals FY 2013/ 2014	Proposed FY 2014/ 2015		Variance of Approved Budget From 2013/2014 Estimated Actuals	%	Comments		Variance of Proposed Budget from FY 2013/2014 Estimated Actuals	%	Comments		2014/2015 Proposed Budget vs. 2013/2014 Approved Budget	%
GROSS MARKET POTENTIAL	\$5,816,930	\$6,038,519	\$6,262,119	I	\$221,589	3.7%	The community continues to outperform expectations as new move-in rents increase.	I	\$223,600	3.7%	Large increase due mostly to 2.4% rental increase.	I	\$445,189	7.7%
MARKET GAIN/LOSS TO LEASE	\$16,124	(\$153,411)	(\$203,193)	D	(\$169,535)	110.5%		D	(\$49,782)	32.5%		D	(\$219,317)	-1360.2%
NON-REVENUE APARTMENTS	(\$56,187)	(\$68,070)	(\$63,870)	D	(\$11,883)	17.5%	Decrease in this category as several large maintenance issues arose requiring residents to move within the community.	I	\$4,200	-6.2%	Shared office/community center expense with Abrams Park. Reduction due to major repair units coming back online.	D	(\$7,683)	13.7%
VACANCY LOSS	(\$114,328)	(\$127,385)	(\$133,488)	D	(\$13,057)	10.3%	Decrease in income as homes were vacant for longer periods than expected.	D	(\$6,103)	4.8%	Projecting slightly higher turn times as major repair items are uncovered.	D	(\$19,160)	16.8%
BAD DEBT EXPENSE	(\$1,750)	\$0	(\$1,212)	I	\$1,750	0.0%	Increase due to higher average collection of owed rent and damages.	D	(\$1,212)	0.0%	Decrease in income projected in anticipation of average collection rate of rent and damages.	I	\$538	-30.7%
OTHER RESIDENT INCOME	\$36,750	\$40,287	\$44,398	I	\$3,537	8.8%	Collection of Cleaning/Damage Fees increased vs. previous period.	I	\$4,111	10.2%	Increase due to addition of MTM Fees and Pet Rent for incoming residents.	I	\$7,648	20.8%
MISCELLANEOUS INCOME	\$8,450	\$10,554	\$6,200	I	\$2,104	19.9%	Interest collection on Reserve Account outperformed expectations.	D	(\$4,354)	-41.3%	Anticipating reduction in interest income in correlation with reduction in Reserve Account Balance.	D	(\$2,250)	-26.6%
TOTAL INCOME	\$5,705,989	\$5,741,604	\$5,910,955	I	\$35,615	0.6%	Increase in overall income.	I	\$169,351	2.9%	Increase in overall income.	I	\$204,966	3.6%
NET INCOME	\$3,898,422	\$3,805,417	\$3,813,549	I	\$93,005	2.4%	Increase in overall income.	I	\$8,132	0.2%	Increase in overall income.	D	(\$84,873)	-2.2%

I -- DESIGNATES INCREASE (Results in Increase in Revenue)

D -- DESIGNATES DECREASE (Results in Decrease in Revenue)

Preston Park Budget Memo - Revenue Summary

Budget Option 2 – No Rent Increase Proposed

Revenue	Approved Budget FY 2013/2014	Estimated Actuals FY 2013/ 2014	Proposed FY 2014/ 2015		Variance of Approved Budget From 2013/2014 Estimated Actuals	%	Comments		Variance of Proposed Budget from FY 2013/2014 Estimated Actuals	%	Comments		2014/2015 Proposed Budget vs. 2013/2014 Approved Budget	%
GROSS MARKET POTENTIAL	\$5,816,930	\$6,038,519	\$6,178,925	I	\$221,589	3.7%	The community continues to outperform expectations as new move-in rents increase.	I	\$140,406	2.3%	No rental increase proposed. Increase generated by new move-in rental rates.	I	\$361,995	6.2%
MARKET GAIN/LOSS TO LEASE	\$16,124	(\$153,411)	(\$151,048)	D	(\$169,535)	110.5%		I	\$2,363	-1.5%		D	(\$167,172)	-1036.8%
NON-REVENUE APARTMENTS	(\$56,187)	(\$68,070)	(\$62,948)	D	(\$11,883)	17.5%	Decrease in this category as several large maintenance issues arose requiring residents to move within the community.	I	\$5,122	-7.5%	Shared office/community center expense with Abrams Park. Reduction in due to major repair units coming back online.	D	(\$6,761)	12.0%
VACANCY LOSS	(\$114,328)	(\$127,385)	(\$131,667)	D	(\$13,057)	10.3%	Decrease in income as homes were vacant for longer periods than expected.	D	(\$4,282)	3.4%	Projecting slightly higher turn times as major repair items are uncovered.	D	(\$17,339)	15.2%
BAD DEBT EXPENSE	(\$1,750)	\$0	(\$1,206)	I	\$1,750	0.0%	Increase due to higher average collection of owed rent and damages.	D	(\$1,206)	0.0%	Decrease in income projected in anticipation of average collection rate of rent and damages.	I	\$544	-31.1%
OTHER RESIDENT INCOME	\$36,750	\$40,287	\$44,398	I	\$3,537	8.8%	Collection of Cleaning/ Damage Fees increased vs. previous period.	I	\$4,111	10.2%	Increase due to addition of MTM Fees and Pet Rent for incoming residents.	I	\$7,648	20.8%
MISCELLANEOUS INCOME	\$8,450	\$10,554	\$6,200	I	\$2,104	19.9%	Interest collection on Reserve Account outperformed expectations.	D	(\$4,354)	-41.3%	Anticipating reduction in interest income in correlation with reduction in Reserve Account Balance	D	(\$2,250)	-26.6%
TOTAL INCOME	\$5,705,989	\$5,741,604	\$5,882,653	I	\$35,615	0.6%	Increase in overall income.	I	\$141,049	2.5%	Increase in overall income.	I	\$176,664	3.1%
NET INCOME	\$3,898,422	\$3,805,417	\$3,785,956	I	\$93,005	2.4%	Increase in overall income.	D	(\$19,461)	-0.5%	Decrease in income due to large Non-Routine Expense	D	(\$112,466)	-2.9%

I -- DESIGNATES INCREASE (Results in Increase in Revenue)

D -- DESIGNATES DECREASE (Results in Decrease in Revenue)

July 2, 2014

FORT ORD REUSE AUTHORITY BOARD REPORT	
BUSINESS ITEMS	
Subject:	Quarterly Environmental Services Cooperative Agreement Update
Meeting Date:	July 11, 2014
Agenda Number:	8c
INFORMATION	

RECOMMENDATION:

Receive an Environmental Services Cooperative Agreement (ESCA) status report.

BACKGROUND:

In Spring 2005, the U.S. Army (Army) and the Fort Ord Reuse Authority (FORA) entered into negotiations toward an Army-funded Environmental Services Cooperative Agreement (ESCA) for the removal of remnant Munitions and Explosives of Concern (MEC) on the former Fort Ord. Under the terms of this ESCA contract, FORA accepted transfer of 3,340 acres of former Fort Ord land prior to regulatory environmental sign-off. In early 2007, the Army awarded FORA approximately \$98 million to perform the Federal Comprehensive Environmental Response Compensation and Liability Act (CERCLA) munitions cleanup on the ESCA parcels. FORA also entered into an Administrative Order on Consent (AOC) with U.S. Environmental Protection Agency (EPA) and California Department of Toxic Substance Control (DTSC) defining contractual conditions under which FORA completes Army remediation obligations for the ESCA parcels.

In order to complete the AOC defined work, after a competitive selection process, FORA entered into a Remediation Services Agreement with LFR Inc. (now ARCADIS) to provide MEC remediation services and executed a Cost-Cap insurance policy for this remediation work through American International Group (AIG). FORA received the “ESCA parcels” after EPA approval and gubernatorial concurrence under a Finding of Suitability for Early Transfer on May 8, 2009.

The ESCA Remediation Program (RP) has been underway for seven (7) years. Currently, the FORA team has completed known ESCA RP field work, pending regulatory review.

DISCUSSION:

The ESCA requires FORA, acting as the Army’s contractor, to address safety issues resulting from previous munitions training operations conducted at the former Fort Ord. This allows the FORA ESCA RP team to successfully implement cleanup actions that address three major past concerns: 1) the requirement for yearly appropriation of federal funding that delayed cleanup and necessitated costly mobilization/demobilization expenses; 2) state and federal regulatory questions about protectiveness of previous actions for sensitive uses; and 3) local jurisdictional/community/FORA’s desire to reduce, to the extent possible, risk to individuals accessing the property.

Under the ESCA grant contract with the U.S. Army, FORA received approximately \$98 million grant to clear munitions and to secure regulatory approval for the former Fort Ord ESCA parcels. FORA subsequently entered into a guaranteed fixed-price contract with LFR (now

ARCADIS) to complete the work as defined in the Technical Specifications and Review Statement (TSRS) appended to the ESCA grant contract. As part of a contract between FORA and ARCADIS, insurance coverage was secured from AIG for which FORA paid \$82.1 million upfront from grant funds. This policy provides a commutation account which holds the funds that AIG uses to pay ARCADIS for the work performed.

The AIG coverage also provides for up to \$128 million to address additional work for both known and unknown site conditions, if needed. That assures extra funds in place to complete the scope of work to the satisfaction of the Regulators. AIG monitors/approves ARCADIS expenditures in meeting AOC/TSRS grant requirements.

Based on the Army ESCA grant contract, the EPA AOC requirements and AIG insurance coverage provisions, AIG controls the ARCADIS/AIG \$82.1 million Commutation Account. The full amount was provided to AIG in 2008 as payment for a cost-cap insurance policy where AIG reviews ARCADIS' work performed and makes payments directly to ARCADIS. FORA oversees that the work complies with grant/AOC requirements.

Item	Originally Allocated	Accrued through March 2014
FORA PLL Self-Insurance/Policy Purchase	\$ 916,056	\$916,056
Reimburse Regulators & Quality Assurance	4,725,000	2,210,808
State of California Surplus Lines Tax, Risk Transfer, Mobilization	6,100,000	6,100,000
Contractor's Pollution Liability Insurance	477,344	477,344
Work Performed ARCADIS/AIG Commutation Account	82,117,553	68,104,737
FORA Administrative Fees	3,392,656	2,772,549
Total	\$97,728,609	\$80,581,494
	ESCA Remainder	\$17,147,115

It is important to highlight that data collected during the ESCA investigation stage remains under review by the regulatory agencies who determine when the remediation work is complete. They will only issue written confirmation that CERCLA MEC remediation work is complete (regulatory site) closure when they are satisfied the work is protective of human health and that the Final Proposed Plan, Record of Decision, Land Use Control Operation and Maintenance Plan are completed and approved. The process of completing the review and documentation is dependent on Army and regulatory agency responses/decisions. Until regulatory site closure is received, the ESCA property remains closed to the public. When regulatory site closure is received, FORA will transfer land title to the appropriate jurisdiction. To date, the ESCA RP has provided the stewardship for 3,340 ESCA acres. The ESCA team continues to actively monitor biological resources and track restoration activities on the ESCA property.

The ESCA RP team's major effort is on the required CERCLA documentation to gain regulatory certification of completion. Two significant issues have surfaced impacting the document delivery schedule. First is an issue between the Army and EPA concerning the definition of MEC as hazardous substances under CERCLA. After months of informal discussions, EPA invoked the formal Dispute Resolution process. *EPA and Army remain in Dispute Resolution over the designation of MEC as a hazardous substance. This is a*

national issue for both agencies but affects the progress of CERCLA closure on the former Fort Ord. FORA staff has engaged with both the Army and EPA to address FORA's interests both as a contractor to the Army and as owner of the ESCA properties. This has specifically impacted the Group 2 and Group 3 Record of Decision schedules. The second significant issue concerns documenting FORA's Residential Quality Assurance (RQA) process as developed under a pilot study in accordance with the terms of the ESCA. DTSC has required reporting, in addition to the CERCLA documentation, on the RQA process which is likely to further impact the ESCA document schedule. FORA staff and the ESCA RP team are closely monitoring these two issues to efficiently execute the documentation phase of the program.

For the County North and Parker Flats Phase 1 ESCA properties, FORA received written confirmation from the regulatory agencies that CERCLA MEC remediation work is complete. For these properties, ARCADIS commuted ESCA insurance coverage for related clean-up costs for coverage for unknown conditions.

Per the existing FORA/Jurisdiction Implementation Agreements (2001) and Memorandum of Agreement (2007) regarding property ownership and responsibilities during the period of environmental services, deeds and access control for these properties has been transferred to the new land owner. At the County's request, FORA staff is working with County staff to adjust the former ESCA property signage based on a signage plan being developed under the joint direction of Monterey County staff, Monterey County Sheriff's Department and the Bureau of Land Management, with review by the FORA ESCA team.

Regulatory approval does not determine end use. Underlying jurisdictions are empowered to impose or limit zoning, decide property density or make related land use decisions in compliance with the FORA Base Reuse Plan.


FISCAL IMPACT:

Reviewed by FORA Controller 

The funds for this review and report are part of the existing FORA ESCA funds.

COORDINATION:

Administrative Committee; Executive Committee; FORA Authority Counsel; ARCADIS; U.S. Army EPA; and DTSC

Prepared by 
Stan Cook

Approved by 
Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	Marina Coast Water District Update Presentation on Augmentation and Policy Issues	
Meeting Date:	July 11, 2014	INFORMATION
Agenda Number:	8d	

RECOMMENDATION:

Receive a Marina Coast Water District (MCWD) presentation providing an update on water augmentation and policy issues.

BACKGROUND/DISCUSSION:

The Fort Ord Reuse Authority (FORA) Board of Directors reviewed the MCWD Ord Community budget at their May 30, 2014 meeting and referred the item to the FORA Administrative Committee for a recommendation. The Administrative Committee and/or Water/Wastewater Oversight Committee (WWOC) had previously reviewed the budget over six joint or separate meetings and were unable to form a recommendation for approval. At the May 30th Board meeting, members outlined eight main areas of concern: 1) Representation and establishing an Ord Community rate payer advisory committee; 2) FORA voluntary contribution vs. MCWD capacity charge; 3) Ord Community annexation and associated customer voting rights; 4) Water augmentation timing and alternatives; 5) Use of reserves and cost center loans; 6) Facilities agreement language regarding three month budget review period; 7) Regional project fund recovery; and, 8) Proposition 218 process.

FORA and MCWD staff prepared a memo outlining those concerns and proposing steps moving forward. That memo is being reviewed by the Administrative Committee and as their comments are incorporated, will be provided to the FORA Board at their August 2014 meeting. At the July 2nd joint Administrative and WWOC meeting, MCWD provided a presentation on water augmentation alternatives that is being refined prior to being presented to the FORA Board in August.

MCWD will provide an update on the current status of the Ord Community budget, water augmentation and policy issues to ensure the FORA Board stays updated on progress being made toward resolution. The Administrative Committee will review the policy issues at their July 16th and 30th meetings and provide a FORA Board recommendation.

FISCAL IMPACT:

Reviewed by FORA Controller 

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

COORDINATION:

Administrative Committee, Water and Wastewater Oversight Committee

Prepared by


Crissy Maras

Reviewed by


D. Steven Endsley

Approved by


Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	Regional Urban Design Guidelines	
Meeting Date:	July 11, 2014	INFORMATION/ACTION
Agenda Number:	8e	

RECOMMENDATION(S):

- i. Receive update from Regional Urban Design Guidelines (RUDG) Task Force.
- ii. Select a Consultant Team to Provide Regional Guidelines Design and Process services.

BACKGROUND/DISCUSSION:

The RUDG Task Force was created by the FORA Board and appointed by Chair Edelen to provide oversight and guidance on the RUDG process. Initially a Request for Qualifications (RFQ) was drafted by staff in coordination with Task Force feedback and input. That RFQ was transmitted to 35 urban planning, economics and development firms as provided by RUDG Task Force Members, jurisdictions, or staff. The RUDG Task Force then worked with FORA staff to refine a Request for Proposals (RFP) competition as the second stage of the solicitation/consultant support team selection process. The Task Force April 22, April 30, and May 9 meetings focused on the RFP including multiple rounds of revision and member input refining scope and deliverables and concluding on the interview process. Following review of the responses to the RFQ released in March, the Task Force qualified 3 teams to participate in the RFP stage as follows:

- **EMC Planning Group Inc.** in collaboration with *Economic Planning Services, Pinto + Partners Urban Design and Planning, City Design Collective, and BMJ Advisors*
- **Torti Gallas and Partners** with *Duany Plater-Zyberk, Lamphier-Gregory, Urban Community Partners, Peter Katz, Hoerr-Schautdt Landscape Architects, and Nelson/Nygaard Consulting Associates.*
- **Dover, Kohl & Partners** with *Alta Planning & Design, Helix Environmental Planning, Strategic Economics, Castle & Cooke Development, Peter Katz, Jeff Speck and Bill Lennertz.*

The RFP was released to the teams May 15, responses due Thursday, June 12 at 5:00pm and a pre-proposal conference was conducted on June 2, 2014. Two of the three finalist teams submitted complete responses by the deadline. The EMC Planning Group and the Dover-Kohl & Partners teams were scheduled for June 20, 2014 interviews which can be viewed at <http://youtu.be/Lx7BHp6NHSU>.

The Task Force reviewed interview ranking criteria on June 19 and met on June 20 at 2:00 pm to review initial rankings. After staff reference confirmation/review, at the June 27 meeting, the Task Force unanimously recommended that the FORA Board select the team led by Dover-Kohl and Partners to complete the regional urban design guidelines project.

Final approved minutes for May 9, June 2, 19, & 20 are attached (**Attachments A-E**).

FISCAL IMPACT:

Reviewed by FORA Controller 

Staff time for this item is included in the approved FORA budget. FY 2014-2015 budget includes funding to pay for RUDG consultant services.

COORDINATION:

Admin Committee

Prepared by


Josh Metz

Approved by


Michael A. Houlemard, Jr.



FORT ORD REUSE AUTHORITY
REGIONAL URBAN DESIGN GUIDELINES (RUDG) TASK FORCE
MEETING MINUTES

12:00p.m., Friday, May 9, 2014 | FORA Conference Room
920 2nd Avenue, Suite A, Marina, CA 93933

1. CALL TO ORDER

Confirming a quorum, FORA Senior Planner, Jonathan Garcia called the meeting to order at 12:05pm. The following people were in attendance:

Committee Members

- Carl Holm, Monterey County
- Elizabeth Caraker, City of Monterey
- John Dunn, City of Seaside
- Victoria Beach, City of Carmel-by-the-Sea

Other Attendees

- Michael Houlemard, FORA
- Jonathan Garcia, FORA
- Josh Metz, FORA
- Anya Spear, CSUMB
- Bob Schafer, member of the public
- Wendy Elliott, Dunes Development
- Jane Haines, member of the public
- Richard James, member of the public

2. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

None.

3. APPROVAL OF MEETING MINUTES

MOTION: John Dunn moved, seconded by Elizabeth Caraker.

MOTION PASSED: Unanimous.

4. PUBLIC COMMENT PERIOD

None.

5. OLD BUSINESS

The task force reviewed and provided input on the v2 DRAFT Request for Proposals (RFP) that was sent out on Tuesday 5/6 and DRAFT tables and figures provided as handouts at the meeting. Members provided input on specific content and section organization. Staff received comments and made notes for revision.

Members agreed on the following RUDG proposal schedule:

- | | |
|---------------------------------------|--------------------------|
| Pre-proposal Conference | Monday June 2, 9am-12pm |
| Post conference Response to Questions | Monday June 2, 2-4pm |
| Proposal Presentations | Friday June 20, 9am-12pm |

6. **NEXT STEPS**

FORA staff will provide a 3rd DRAFT RFP for task force review by the end of day Tuesday 5/13. The final RFP will be sent to responding teams along with proposal schedule no later than end of day Thursday 5/15.

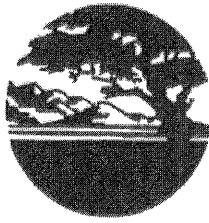
7. **ITEMS FROM MEMBERS**

None.

8. **ADJOURNMENT**

The next meeting of the RUDG Task Force was not scheduled. The meeting was adjourned at approximately 2:10 pm.

Minutes prepared by Josh Metz



FORT ORD REUSE AUTHORITY
REGIONAL URBAN DESIGN GUIDELINES (RUDG) TASK FORCE
MEETING MINUTES

2:00p.m., Monday, June 2, 2014 | FORA Conference Room
920 2nd Avenue, Suite A, Marina, CA 93933

1. CALL TO ORDER

Confirming a quorum, Task Force Chair Michael Houlemard called the meeting to order at 2:10pm. The following people were in attendance:

Committee Members

- Anya Spear, CSUMB
- Elizabeth Caraker, City of Monterey
- John Dunn, City of Seaside
- Victoria Beach, City of Carmel-by-the-Sea
- Daniel Dawson, City of Del Rey Oaks
- Layne Long, City of Marina

Other Attendees

- Michael Houlemard, FORA
- Jonathan Garcia, FORA
- Josh Metz, FORA
- Steve Endsley, FORA
- Bob Schafer, member of the public
- Brad Slama, member of the public

2. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

None.

3. APPROVAL OF MEETING MINUTES

Motion: John Dunn moved, seconded by Victoria Beach.

Motion Passed: Unanimous

4. PUBLIC COMMENT PERIOD

None.

5. BUSINESS ITEMS

The task force focused discussion on reviewing the question posed by RUDG Request for Proposals (RFP) respondents. FORA staff recorded responses and prepared a formal notice to send to responding teams (Attachment A). Task force discussion then moved to scheduling meetings following the receipt of written and digital materials. The task force agreed to the following meeting schedule:

June 17-19 (specific time & date TBD via Doodle poll)	Presentation Prep & Ranking Criteria
June 20 2:15-3:45 in Seaside	Post Presentation Ranking
June 27 10-12 at FORA	Final Ranking

The June 20th and June 27th meetings will be “Closed Session” to allow ranking of the responses. Task force members agreed to a goal of bringing a recommendation to the Board for the July 11 meeting. In case of any delays, the August meeting will be the backup date.

6. **NEXT STEPS**

FORA staff will prepare a draft ranking criteria sheet and send around to members prior to the next meeting. FORA staff will also conduct background checks on personnel and projects once written and digital materials are received by Thursday June 12 at 5:00pm.

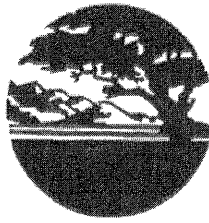
7. **ITEMS FROM MEMBERS**

None.

8. **ADJOURNMENT**

The next meeting of the RUDG Task Force was tentatively set for one day between June 17 and June 19. Final date and time to be set via Doodle poll during the week of June 2. The meeting was adjourned at approximately 11:30 am.

Minutes prepared by Josh Metz



FORT ORD REUSE AUTHORITY
REGIONAL URBAN DESIGN GUIDELINES (RUDG) TASK FORCE
MEETING MINUTES

10:00a.m., Thursday, June 19, 2014 | FORA Conference Room
920 2nd Avenue, Suite A, Marina, CA 93933

1. CALL TO ORDER

Confirming a quorum, Task Force Chair Michael Houlemard called the meeting to order at 10:00am. The following people were in attendance:

Committee Members

Anya Spear, CSUMB
Elizabeth Caraker, City of Monterey
John Dunn, City of Seaside
Victoria Beach, City of Carmel-by-the-Sea
Daniel Dawson, City of Del Rey Oaks
Layne Long, City of Marina

Other Attendees

Michael Houlemard, FORA
Jonathan Garcia, FORA
Josh Metz, FORA
Steve Endsley, FORA
Bob Schafer, member of the public

2. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

None.

3. APPROVAL OF MEETING MINUTES

Motion: John Dunn moved, seconded by Victoria Beach.

Motion Passed: Unanimous

4. PUBLIC COMMENT PERIOD

None.

5. BUSINESS ITEMS

The task force discussed DRAFT questions for the RFP Interviews on Friday June 20. Members offered feedback and input on format.

6. NEXT STEPS

FORA staff will revise questions and provide them to members at the June 20 interviews.

7. ITEMS FROM MEMBERS

None.

8. ADJOURNMENT

The next meeting of the RUDG Task Force will be Friday June 20 at 9:00am. The meeting was adjourned at approximately 11:30 am.



FORT ORD REUSE AUTHORITY
REGIONAL URBAN DESIGN GUIDELINES (RUDG) TASK FORCE
MEETING MINUTES

9:00a.m., Friday, June 20, 2014 | Carpenter's Hall
910 2nd Avenue, Suite A, Marina, CA 93933

1. CALL TO ORDER

Confirming a quorum, Task Force Chair Michael Houlemard called the meeting to order at 9:00am. The following people were in attendance:

Committee Members

Anya Spear, CSUMB
Elizabeth Caraker, City of Monterey
John Dunn, City of Seaside
Victoria Beach, City of Carmel-by-the-Sea
Layne Long, City of Marina
Carl Holm, Monterey County

Other Attendees

Michael Houlemard, FORA
Jonathan Garcia, FORA
Josh Metz, FORA
Steve Endsley, FORA
Bob Schafer, member of the public
Doug Yount, member of the public
Don Hofer, Dunes at Monterey Bay

2. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

None.

3. APPROVAL OF MEETING MINUTES

Continued

4. PUBLIC COMMENT PERIOD

None.

5. BUSINESS ITEMS

The task force held interviews of the 2 Regional Urban Design Guideline (RUDG) finalist teams: EMC Planning & Partners, Dover-Kohl & Partners.

6. NEXT STEPS

Members will meet at 2:15 in Seaside to discuss interviews.

7. ITEMS FROM MEMBERS

None.

8. ADJOURNMENT

The next meeting of the RUDG Task Force will be Friday June 20 at 2:15pm. The meeting was adjourned at approximately 11:45 am.

Minutes prepared by Josh Metz



FORT ORD REUSE AUTHORITY
REGIONAL URBAN DESIGN GUIDELINES (RUDG) TASK FORCE
MEETING MINUTES

2:15p.m., Friday, June 20, 2014 | Seaside City Hall
440 Harcourt Ave, Seaside, CA 93955

1. CALL TO ORDER

Confirming a quorum, Task Force Chair Michael Houlemard called the meeting to order at 2:15pm. The following people were in attendance:

Committee Members

Anya Spear, CSUMB
Elizabeth Caraker, City of Monterey
John Dunn, City of Seaside
Victoria Beach, City of Carmel-by-the-Sea
Layne Long, City of Marina
Carl Holm, Monterey County
Dan Dawson, City of Del Rey Oaks

Other Attendees

Michael Houlemard, FORA
Steve Endsley, FORA
Josh Metz, FORA
Bob Schafer, member of the public

2. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

None.

3. APPROVAL OF MEETING MINUTES

Continued

4. PUBLIC COMMENT PERIOD

None.

5. BUSINESS ITEMS

The task force reviewed initial responses to RUDG respondent interviews.

6. NEXT STEPS

FORA staff will conduct reference checks on RUDG respondents.

7. ITEMS FROM MEMBERS

None.

8. ADJOURNMENT

The next meeting of the RUDG Task Force will be Friday June 27 at 10am. The meeting was adjourned at approximately 3:45 pm.

Minutes prepared by Josh Metz

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject: Regional Trail Planning Update

Meeting Date: July 11, 2014

Agenda Number: 8f

INFORMATION

RECOMMENDATION(S):

Receive regional trail planning update

BACKGROUND/DISCUSSION:

This item was continued to the July 11 Board meeting due to time constraints at the June 13 Board meeting. Subsequently, the PRAC committee met again and the idea of coordinating a Regional Trails Symposium was floated by Councilmember beach. Further discussion on that item is scheduled for the June 30 meeting of the PRAC.

As requested, FORA staff provided a summary report on relevant trail planning efforts within the Fort Ord region to the FORA Administrative Committee and Post Reassessment Advisory Committee (PRAC) on May 7, 2014. On May 21, 2014, FORA staff received additional feedback from PRAC members, including a request to provide a regional trail planning update to the FORA Board at its June 13, 2014 (**Attachment A**). The Fort Ord Reuse Plan (Reuse Plan) provides direction for the development of 3 Major Trails and 4 Minor Trails. These trails are intended to provide transportation and recreation options for residents, visitors, and commuters on and through the base.

Attachment also online: <http://fora.org/Board/2014/Packet/Additional/071114Item8fAttachmentA.pdf>.

The definition of a "trail" is important to note when discussing the topic, and there are a range of options to choose from. For the presentation, staff used a working definition as follows:

"Passage way or designated route for pedestrian, bicycle, equestrian, and/or other non-vehicular use. Includes paved, unpaved, urban, & rural routes. Requires entity maintenance & liability coverage."

Each of the FORA member jurisdictions has some degree of trail planning in place. Cities have bicycle and pedestrian routes designated in General Plans. Monterey County is undertaking a trails and habitat management planning effort called the Fort Ord Recreational Habitat Management Area Master Plan within its jurisdiction. California State University Monterey Bay (CSUMB) has designated bicycle routes throughout campus and is undertaking more detailed route and trail planning. The Monterey Bay Sanctuary Scenic Trail runs along the eastern edge of Fort Ord Dunes State Park, which also has its own trail routes in existence and planned. The Fort Ord National Monument contains 40 miles of administrative roads and 46 miles of recreational trails.

Cross-jurisdictional trails planning is also underway. The Reuse Plan provides direction for the creation of cross-jurisdictional trails including the Intergarrison Trail and the Salinas Valley/Seaside Trail. A grassroots effort lead by Fred Watson and Scott Waltz of CSUMB in conjunction with Gail Morton from the City of Marina is calling for the creation of a cross-jurisdictional loop trail referred to as the Fort Ord Rec Trail & Greenway (FORTAG). Finally, Vice Mayor Victoria Beach from the City of Carmel-by-the-Sea is coordinating an ad hoc group in conjunction with CSUMB faculty and students to map regional trail connections from Carmel to the Salinas River.

FISCAL IMPACT:

Reviewed by FORA Controller 

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

COORDINATION:

Transportation Agency for Monterey County, CSUMB, Monterey Peninsula Regional Park District, FORTAG representatives, Administrative Committee, PRAC, County of Monterey, Cities of Seaside, Marina, Monterey, Del Rey Oaks, and Carmel-by-the-Sea.

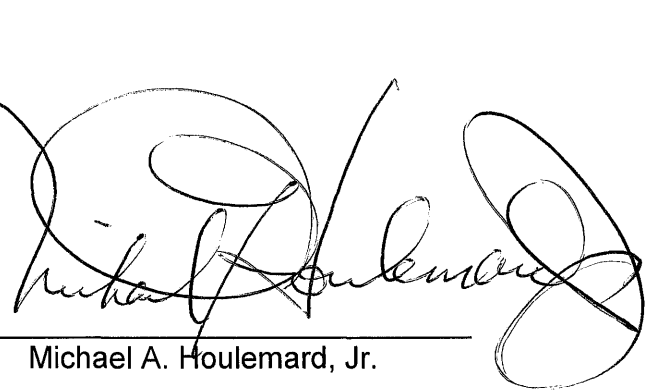
Prepared by



Handwritten signature of Josh Metz in black ink, written over a horizontal line.

Josh Metz

Approved by



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Michael A. Houlemard, Jr.

Fort Ord Reuse Authority

FORA


Fort Ord Regional Trails Planning

FORA Board
July 11, 2014

Josh Metz, Associate Planner

Overview

FORA



- Base Reuse Plan (BRP) trails planning context
- Trails planning in FORA jurisdictions and related entities
- Coordination /Recommendations

BRP Trail Principles



- Provide **connections to non-motorized transportation alternatives** to all neighborhoods
- Use **recreation and open space assets to make the former Fort Ord attractive** to potential users by interconnecting and increasing access
- **Adequate ROW should be reserved** along planned transportation corridors
- The Fort Ord trails system **shall be considered as an integral part of a larger regional trails network** and shall be linked to regional bike/pedestrian trails wherever possible.

BRP V1 Context & Framework: Section 3.6 Conservation, Open Space, and Recreation Concept

BRP Definitions: Hiker/Biker Trails



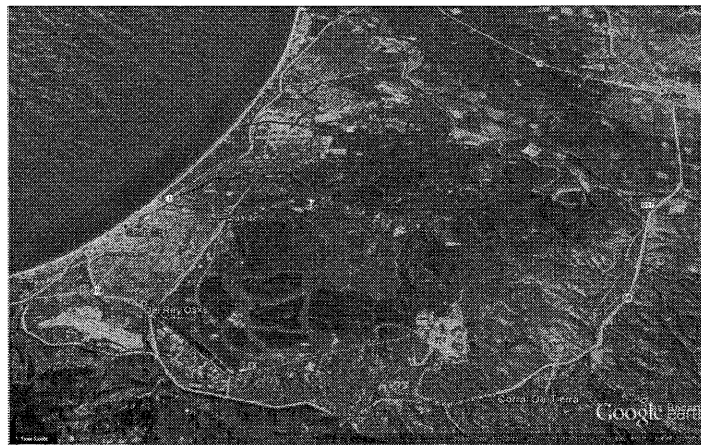
- **Major Trails:** Regional function, connecting non-motorized & foot traffic to areas outside Fort Ord
- 12' minimum width
- Asphalt or concrete
- **3 Major Trails:**
 - Intergarrison
 - Fort Ord Dunes State park, CSUMB Campus, East Garrison
 - Fort Ord Dunes State Beach
 - Beach Range Rd Seaside / Marina
 - Salinas Valley/Seaside
 - Blanco, Reservation, Imjin, CSUMB to Seaside or Del Rey Oaks

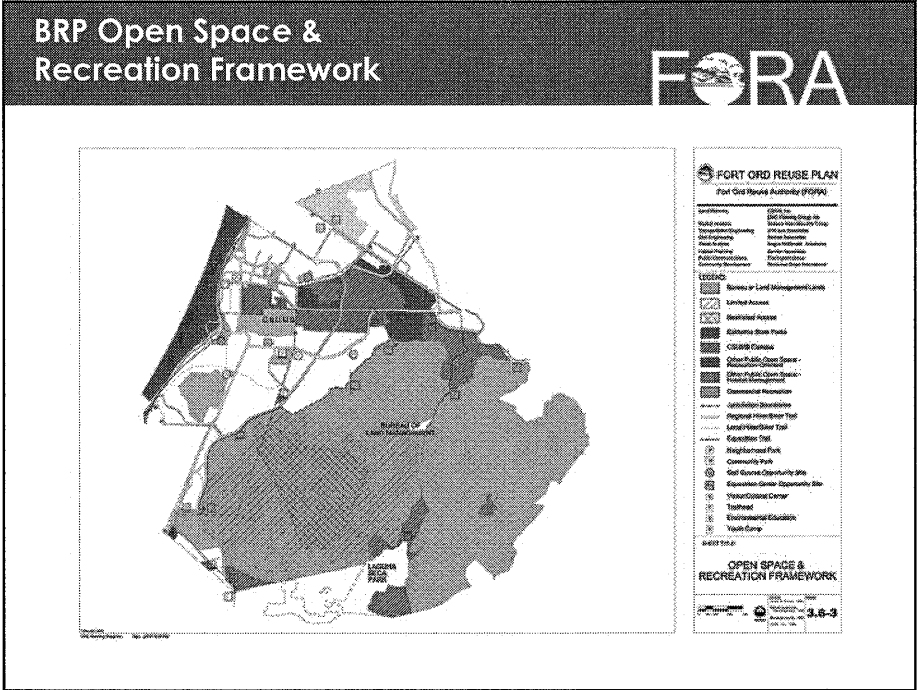
BRP Definitions: Hiker/Biker Trails




- **Minor Trails:** *less critical role, distributing and collecting traffic to and from neighborhoods along lower volume routes*
 - 10' minimum width
 - Asphalt or concrete
- **4 Minor Trails:**
 - Monterey Road
 - Main Garrison
 - Crescent Avenue
 - Reservation Road


DRAFT Regional Trail Network Map





Relevant Trails Planning Efforts



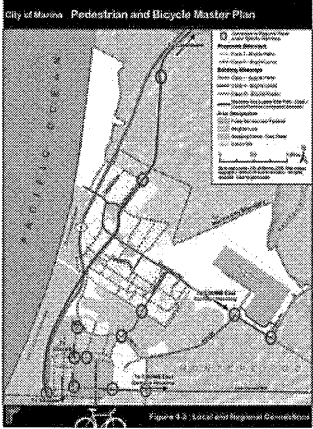


Today's Working Definition of Trails:
Passage way or designated route for pedestrian, bicycle, equestrian, and/or other non-vehicular use. Includes paved, unpaved, urban, & rural routes. Requires entity maintenance & liability coverage.

- **Land Use Jurisdictions**
 - City of Marina
 - City of Seaside
 - Monterey County (FORHA)
 - City of Monterey
 - City of Del Rey Oaks/MC Regional Parks
- **Federal/State**
 - BLM
 - CSUMB
 - CA State Parks
- **Cross-Jurisdictional**
 - Monterey Bay Sanctuary Scenic Trail Network (MBSSTN)
 - Fort Ord Recreational Trail and Greenway (FORTAG)
 - Peninsula Regional Planning

FORA LAND USE JURISDICTIONS FORA

City of Marina



City of Marina Pedestrian and Bicycle Master Plan

Figure 4-3. Local and Regional Connections

- City of Marina Pedestrian & Bicycle Master Plan
 - Circulation
 - Recreation (Class 1)
- Approved by City Council, Feb 2, 2010
- Amends General Plan
- Consistent with BRP (2010)
- Incorporates entitled Fort Ord projects
- Includes design guidelines

FORA LAND USE JURISDICTIONS FORA

City of Seaside

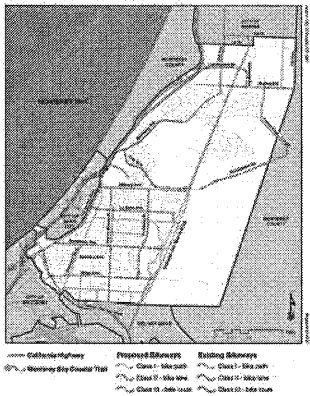


Figure 4: Existing and Proposed Bikeways

Legend:
 - Collector Highway
 - Mainway City Council Trail
 - Proposed Bikeways: Class 1 - Mainway, Class 2 - Mainway, Class 3 - Mainway
 - Existing Bikeways: Class 1 - Mainway, Class 2 - Mainway, Class 3 - Mainway

- Existing bikeways map in Seaside General Plan
 - Update process underway
 - Circulation
 - Recreation
- BRP Consistent (2004)
- Identifies bike routes throughout city
- Links to CSUMB and Coastal Trail

FORA LAND USE JURISDICTIONS **FORA**

Monterey County

- Fort Ord Recreational Habitat Area Master Plan
- Trails network & habitat management planning
- Bellinger-Foster-Steinmetz
- [Map Link](#)

FORA LAND USE JURISDICTIONS **FORA**

City of Monterey

bicycles

monterey on the move 61 adopted march 10, 2013

Monterey on the Move

- Multi-modal Transportation Plan
 - Circulation
 - Recreation
 - Adopted by City Council 3/19/13
- Bike / Pedestrian focus

FORA LAND USE JURISDICTIONS



City of Del Rey Oaks /MC Regional Parks

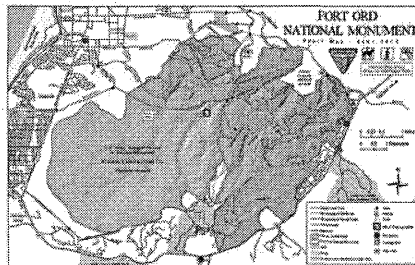


- Preliminary Frog Pond concept work in Del Rey Oaks
- No further action to date
- Future collaboration & planning with City

FEDERAL



Bureau of Land Management (BLM)




[Link to maps](#)

- 40 miles of "administrative" roads
 - Fire break
 - Vegetation management
- 46 miles of recreational trail
 - Multi-use
 - Segregated uses
- Current issues: signage, trail head quality, & maintenance

STATE FORA

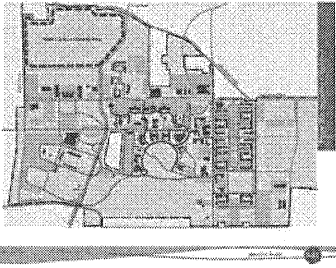
California State Parks



- Tentative trail routes on Fort Ord Dunes State Park
- Final routing subject to change
- Timeline: 2-5yrs
- Funding & permit dependent

STATE FORA

CSU Monterey Bay – Master Plan

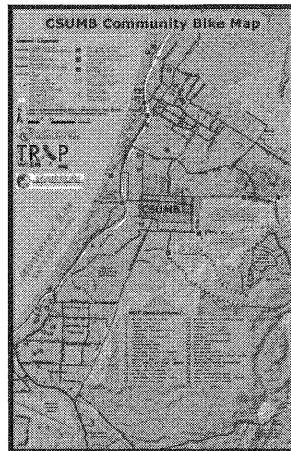


- CSUMB Master Plan
- Pedestrian / bicycle focus
- Preliminary trail concept under development
- Connecting students to:
 - Fort Ord Dunes State Park
 - East Campus Housing
 - National Monument

STATE/CROSS-JURISDICTIONAL



CSU Monterey Bay: Trip Wise



- Regional bikeways
- Routing through CSUMB, Marina & Seaside
- Update pending late-2014/ early-2015



Transportation Agency of Monterey County (TAMC)

Chapter 2] Existing Conditions

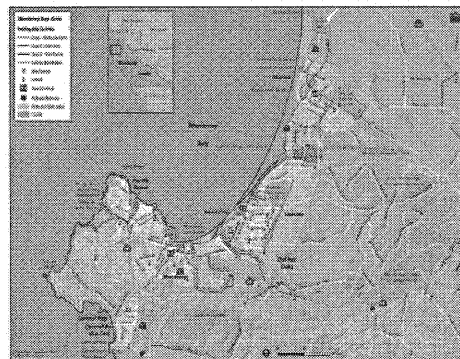


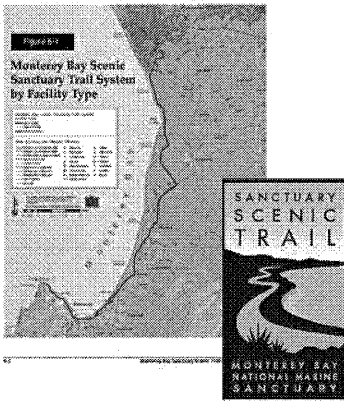
Figure 2-6 Existing Bicycle Network Monterey Bay Area

3-12] A164 Planning - Design

2011 Bike & Pedestrian Master Plan

CROSS-JURISDICTIONAL FORA

Monterey Bay Sanctuary Scenic Trail Network

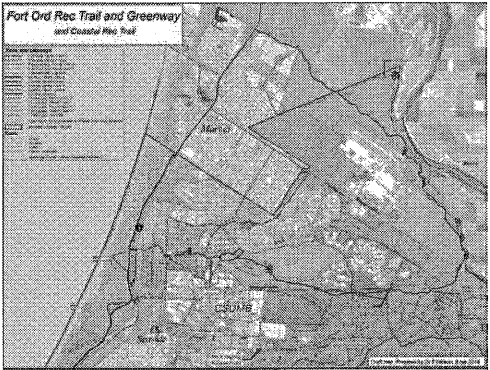


- Collaborative effort to construct a trail spanning the Monterey bay
- Began in 2000 at State Legislature
- **TAMC Master Plan** completed in 2008
- Major State & regional trail linkage

CROSS-JURISDICTIONAL FORA

Preliminary Concept : Fort Ord Rec Trail & Greenway (FORTAG)

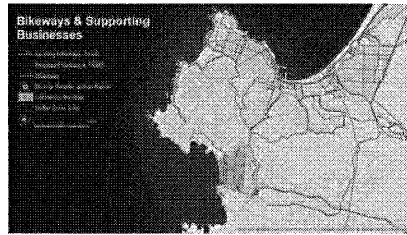
- Planning stages
- Phase 1: 9.6 Mile Northern Loop
 - Coastal Trail-East Garrison-Marina
- Phase 2: Southern Arm
 - Coastal Trail – Seaside- DRO
- Contacts:
 - Fred Watson, CSUMB
 - Scott Waltz, CSUMB
 - Gail Morton, Marina



CROSS-JURISDICTIONAL



Peninsula Regional trail connections



- Beginning focus - Carmel & Peninsula
- Carmel north to the Salinas River
- Planning / tourism oriented
- Victoria Beach, Carmel-by-the-Sea / CSUMB Faculty & student led

Coordination/Recommendations



Coordination Meetings:

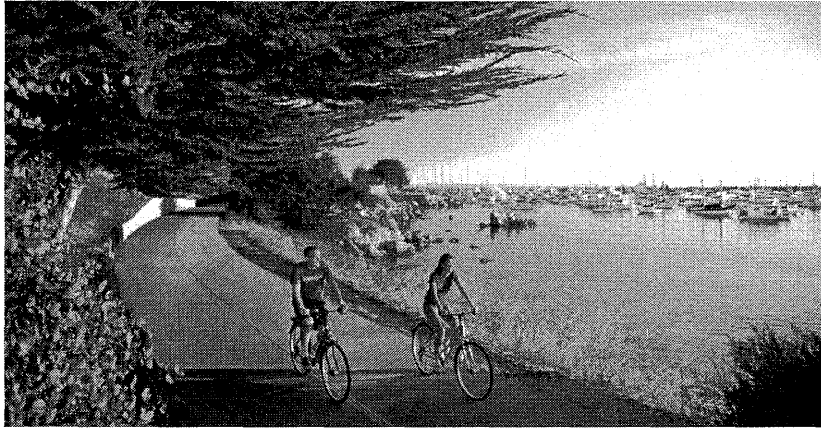
- CSUMB
- City of Marina
- City of Seaside
- Administrative Committee
- Post-Reassessment Advisory Committee

Recommendations:

- Outreach to jurisdictions & stakeholders
- **Regional Trails Symposium**



Questions? Comments?



FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Outstanding Receivables	
Meeting Date: July 11, 2014 Agenda Number: 10a	INFORMATION

RECOMMENDATIONS:

Receive a Fort Ord Reuse Authority (FORA) outstanding receivables update for June 2014.

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 by state law each shared 50% of the net operating income from Preston Park.

The FORA Board enacted a base-wide 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.

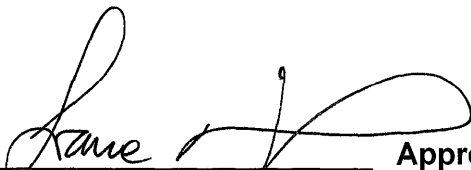
FISCAL IMPACT:

All former Fort Ord projects are subject to either the developer fee overlay or the Community Facilities District fees to pay fair share of the California Environmental Quality Act required mitigation measures. In addition, the outstanding balance is a component of the Basewide Mitigation Measures and Basewide Costs described in Section 6 of the FORA Implementation Agreements. If any projects fail to pay their fair share it adds a financial burden to other reoccupied or development projects to compensate.

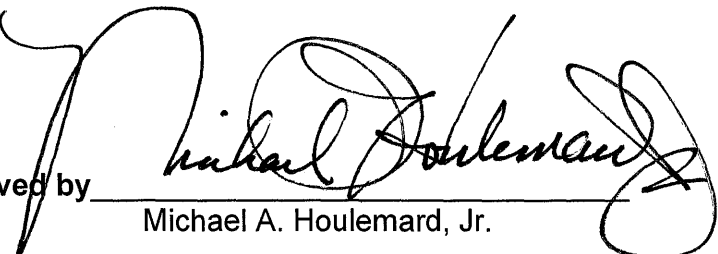
COORDINATION:

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: July 11, 2014	INFORMATION
Agenda Number: 10b	

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) issuing federal and state permits.

Most recently, FORA is working with permittees, CDFW, and USFWS to satisfy final species-related technical issues and several policy-level issues that 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 to expedite compliance with endowment funding requirements. FORA has engaged Economic and Planning Systems (EPS) to provide technical support during this process.

Other policy issues and completion of the screen check draft HCP should be completed in the near term. If the current schedule is maintained, FORA staff expects a Public Draft HCP available for public review by Fall 2014. **Update:** On March 25, 2014, FORA representatives met with CDFW Chief Deputy Director Kevin Hunting, University of California and State Parks representatives to address outstanding State to Fed and State to State policy issues. A meeting summary is included as **Attachment A**. State Senator Bill Monning agreed to assist FORA in working with CDFW and others to resolve these policy issues. A follow-up meeting was held June 23 in Sacramento and general agreement was achieved to fix/set a date for concluding all comments from all agencies and to publish the HCP shortly thereafter. FORA is to work with ICF and USFWS to finalize receipt of all comments and target date for issuance of the draft documents for public review.

FISCAL IMPACT:

Reviewed by FORA Controller 

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

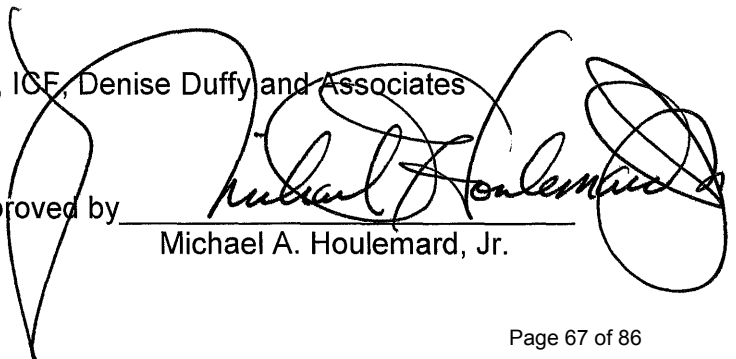
COORDINATION:

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

Prepared by


Steve Endsley

Approved by


Michael A. Houlemard, Jr.

Fort Ord Habitat Conservation Plan (HCP) Meeting Summary

Meeting Date:

March 25, 2014

Participants:

Kevin Hunting, Department of Fish and Wildlife (DFW) Chief Deputy Director

Sandra Morey, DFW Deputy Director

Jeff Single, DFW Region 4 Manager

Julie Vance, DFW Region 4 Program Manager

Kevin Takei, DFW Counsel (on conference phone)

Jerry Edelen, Chair at Fort Ord Reuse Authority (FORA)

Michael Houlemard, Jr., Executive Officer at FORA

Robert Norris, Principal Analyst at FORA

Jonathan Garcia, Senior Planner at FORA

John Arriaga, Legislative Consultant to FORA

Jerry Bowden, Special Legal Counsel to FORA

Michael Kisgen, Legal and Policy Coordinator at UC Natural Reserve System

Gage Dayton, Ph.D., Administrative Director of UCSC Natural Reserve System

Kathryn Tobias, Department of Parks and Recreation (on conference phone)

Meeting Summary:

1) Conservation easement vs. deed restriction (State to State Issues).

DFW requires conservation easements by statute on habitat mitigation lands. California Department of Parks and Recreation (State Parks) and University of California (UC) each hold habitat mitigation lands on former Fort Ord. State Parks' position is that easements and other encumbrances devalue property, which is unacceptable to them. UC's concern is that Conservation Easements may prevent them from using their property to further some of their objectives, including research and public education.

Meeting outcome #1: *State Parks and DFW agreed to explore alternatives to a Conservation Easement. One alternative would be that State Parks and DFW agree to recording the HCP's associated 2081 permit language or a reference to this permit to State Parks' deed instead of a Conservation Easement. FORA will also evaluate using the National Fish and Wildlife Foundation (NFWF) as the endowment holder for the*

HCP Joint Powers Authority's (JPA's) Implementation Assurances Fund (State Parks assurances portion) portion of the JPA endowment, which would meet the requirements of SB 1094 necessitating that the endowment holder have a real property interest unless it is held by NFWF.

Meeting outcome #2: *Similarly, UC and DFW agreed to explore alternatives to a Conservation Easement and to explore if the Conservation Easement could be written in an acceptable manner.*

2) Mitigation on federal lands (State to Federal Issues).

The majority of HCP habitat mitigation lands are on the Bureau of Land Management's (BLM's) Fort Ord National Monument. DFW requires assurances that BLM will meet HCP management requirements. In January 2013, DFW recognized that an MOU negotiated between DFW and BLM would provide the needed assurances. DFW said that such an MOU would take a year to complete. It is now over a year later and negotiations between DFW and BLM are still ongoing.

Meeting outcome #3: *DFW reported that it completed a draft DFW-BLM MOU and sent it to BLM's solicitor for review.*

Next Steps: *FORA will follow up with DFW within one week to check on progress. As necessary, FORA will also report progress to State Senator Bill Monning and schedule follow up meetings until these policy issues are resolved.*

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Administrative Committee

Meeting Date: July 11, 2014

Agenda Number: 10c

INFORMATION

RECOMMENDATION:

Receive a report from the Administrative Committee.

BACKGROUND/DISCUSSION:

The approved June 4, 2014 and June 18, 2014 Administrative Committee minutes are included for Board review (**Attachments A** and **B**).

FISCAL IMPACT:

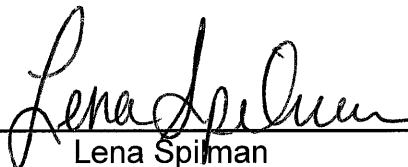
Reviewed by the FORA Controller 

Staff time for the Administrative Committee is included in the approved FORA budget.

COORDINATION:

Administrative Committee

Prepared by


Lena Spilman

Approved by


Michael A. Houlemard, Jr.



FORT ORD REUSE AUTHORITY ADMINISTRATIVE COMMITTEE REGULAR MEETING MINUTES

8:15 a.m., Wednesday, June 4, 2014 | FORA Conference Room
920 2nd Avenue, Suite A, Marina CA 93933

1. CALL TO ORDER

Co-chair Dawson called the meeting to order at 8:15a.m. The following were present:

Dan Dawson, City of Del Rey Oaks*
Carl Holm, County of Monterey*
Elizabeth Caraker, City of Monterey*
John Dunn, City of Seaside*
Layne Long, City of Marina*
Vicki Nakamura, MPC
Anya Spear, CSUMB
Graham Bice, UCMBEST
Diana Ingersoll, City of Seaside
Patrick Breen, MCWD
Kelly Cadiente, MCWD

Lyle Shurtleff, BRAC
Mike Zeller, TAMC
Doug Yount, ADE
Tim O'Halloran, City of Seaside
Kathleen Lee, Supervisor Potter
Bob Schaffer
Andy Sterbenz, Schaaf & Wheeler
Chuck Lande, Marina Heights
Wendy Elliott, MCP
Brian Boudreau, Monterey Downs
Beth Palmer, Monterey Downs

FORA Staff:
Steve Endsley (via phone)
Jim Arnold
Crissy Maras
Jonathan Garcia
Josh Metz

*voting members

2. PLEDGE OF ALLEGIANCE

Carl Holm led the Pledge of Allegiance.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Senior Planner Jonathan Garcia announced that the Regional Urban Design Guidelines Task Force had held a pre-proposal conference on Monday, at which staff had provided participants a tour of Fort Ord.

4. APPROVAL OF MEETING MINUTES

- a. **May 7, 2014 Joint Administrative/CIP Committee minutes**
- b. **May 21, 2014 Administrative Committee minutes**
- c. **May 21, 2014 Joint Administrative/WWOC Committee minutes**

MOTION: Diana moved, seconded by Carl Holm, to approve the minutes with an amendment to the May 21, 2014 Joint Admin/WWOC minutes to reflect the Joint Committee's decision not provide a FY 2014/15 Marina Coast Water District Ord Community Budget recommendation to the Board.

MOTION PASSED: unanimous

5. PUBLIC COMMENT PERIOD

None.

6. JUNE 13, 2014 BOARD MEETING AGENDA REVIEW

Mr. Garcia led a review of the June 13, 2014 FORA Board meeting agenda packet.

7. BUSINESS ITEMS

a. **Marina-Salinas Multimodal Corridor Plan Presentation**

Ariana Green, Transportation Agency for Monterey County, presented the item, explaining that the first phase of the project was achieving alignment consensus. She reviewed the proposed alignment, based on recent community input, and noted that the next step was to receive local

agency approvals for the alignment. Once received, the design phase of the project would begin. Ms. Green answered questions from the Committee and public.

b. Provide Board Recommendation Regarding the FY 2014/15 Draft Capital Improvement Plan (CIP)

Mr. Garcia discussed the draft CIP Board package and received input regarding the draft staff report and the presentation for the June 13, 2014 meeting.

MOTION: Carl Holm moved, seconded by John Dunn to 1) recommend Board approval of the FY 2014/15 Capital Improvement Program, and 2) direct staff to amend the staff report to clarify water issues, per Administrative Committee discussions.

MOTION PASSED: unanimous

c. Consistency Determination: Consider Certification, In Whole or In Part, of the City of Seaside Zoning Code Amendments Related to the 2013 Zoning Code Update as Consistent with 1997 Fort Ord Reuse Plan.

Rick Medina, City of Seaside, provided background information, summarized the process used to develop the zoning code text amendments, and reviewed the changes. He stated the changes were to the text only and that no changes had been made to zoning maps.

MOTION: Carl Holm moved, seconded by Elizabeth Caraker to recommend the Board find the the City of Seaside Zoning Code amendments related to the 2013 Zoning Code update as Consistent with 1997 Fort Ord Reuse Plan.

MOTION PASSED: unanimous

d. Regional Urban Design Guidelines Task Force (RUDG) Update

Associate Planner Josh Metz explained that the RUDG was currently in the process of a consultant solicitation for development of the regional Urban Design Guidelines. The proposal deadline was 12 pm on June 12th and proposals would be publicly presented on June 20th.

e. FY 2014/15 Marina Coast Water District (MCWD) Ord Community Water/Wastewater Draft Budget

Mr. Garcia summarized Board discussion of the item from the May 30, 2014 Board meeting, noting that the Board had taken action to refer the item back to the Administrative Committee for a recommendation, with the hopes that they could reconsider the item at the next Board meeting.

MOTION: Carl Holm moved, seconded by Graham Bice, to approve the FY 2014/15 MCWD Water/Wastewater Budget.

The Committee discussed the need to resolve outstanding policy issues related to the budget.

MOTION WITHDRAWN BY THE MAKER

MOTION: John Dunn moved, seconded by Layne Long, to 1) recommend the Executive Committee defer Board consideration of the item to the July Board meeting to provide time for further coordination between FORA and MCWD staff regarding 8 identified policy areas, and 2) return the item for Administrative Committee consideration prior to the July Board meeting.

MOTION PASSED: unanimous

8. ITEMS FROM MEMBERS

None.

9. ADJOURNMENT

Co-Chair Dawson adjourned the meeting at 10:07 a.m.



FORT ORD REUSE AUTHORITY
ADMINISTRATIVE COMMITTEE REGULAR MEETING MINUTES
8:15 a.m., Wednesday, June 18, 2014 | FORA Conference Room
920 2nd Avenue, Suite A, Marina CA 93933

1. CALL TO ORDER

Co-chair Dawson called the meeting to order at 8:15 a.m. The following were present:

Dan Dawson, City of Del Rey Oaks*
Carl Holm, County of Monterey*
Elizabeth Caraker, City of Monterey*
John Dunn, City of Seaside*
Diana Ingersoll, City of Seaside
Vicki Nakamura, MPC
Patrick Breen, MCWD
Kelly Cadiente, MCWD
Brian Lee, MCWD
Lyle Shurtleff, BRAC

Mike Zeller, TAMC
Doug Yount, ADE
Tim O'Halloran, City of Seaside
Bob Schaffer
Chuck Lande, Marina Heights
Wendy Elliott, MCP
Sean Kranyak, MPP
Brian Boudreau, Monterey Downs
Philip Molnar, Monterey Herald

FORA Staff:
Steve Endsley
Jim Arnold
Crissy Maras
Stan Cook
Josh Metz

*voting members

2. PLEDGE OF ALLEGIANCE

Assistant Executive Officer Steve Endsley led the Pledge of Allegiance.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

None.

4. APPROVAL OF MEETING MINUTES

a. June 4, 2014 Joint Administrative Committee minutes

MOTION: Elizabeth Caraker moved, seconded by Diana Ingersoll, to approve the minutes of the June 4, 2014 Administrative Committee meeting.

MOTION PASSED: unanimous

5. PUBLIC COMMENT PERIOD

None.

John Dunn entered at 8:20 a.m. (*replacing Seaside alternate Diana Ingersoll*)

6. JUNE 13, 2014 BOARD MEETING FOLLOW UP

Mr. Endsley provided an overview of Board deliberations and actions from the Board meeting.

7. BUSINESS ITEMS

a. FY 2014/15 Marina Coast Water District Ord Community Water/Wastewater Budget

i. Review Identified Policy Issues

Mr. Endsley discussed the policy issues document provided by FORA staff and emphasized the need to separate the ongoing policy issues from specific objections regarding the FY 2104/15 Marina Coast Water District (MCWD) Budget. FORA staff received comments from the Committee for incorporation into the document and staff agreed to return a revised version to the next Administrative Committee meeting.

ii. Provide Board Budget Recommendation

MCWD Interim General Manager Brian Lee discussed the FORA MCWD budget approval process. He noted that MCWD had not received any substantive objections to their budget, which their Board planned to consider for approval the following day. However, the District would remain committed to working with FORA for resolution of outstanding policy questions. Resolution of the identified policy items would span multiple fiscal years, prompting MCWD to move forward with their annual budget approval independent of the ongoing policy discussions. He emphasized that the MCWD annual budget was not a fixed document and could be adjusted throughout the year, as needed.

Staff suggested the July 2, 2014 Administrative Committee meeting be a joint meeting with the Water and Wastewater Oversight Committee. The Committee agreed and unanimously determined to withhold a MCWD budget recommendation until reviewing the revised policy issues document at the next meeting.

b. Habitat Conservation Plan Joint Powers Authority (JPA) Agreement

Grants and Contracts Coordinator Crissy Maras explained that a copy of the JPA Agreement was provided in the Committee packet, noting that the University of California (UC) Regents had already approved the document. FORA staff requested all jurisdictions approve the document by August 31, 2014. Committee members and several members of the public requested distribution of the staff report that accompanied the UC Regents item, for use as a template in their own jurisdiction. Staff stated they could obtain the report from UC Santa Cruz.

Members of the Committee and public expressed hesitation with approving the JPA document prior to release of the Habitat Conservation Plan and suggested that the items be adopted together as one package. Questions were raised regarding the Habitat Conservation Plan schedule and staff agreed to return to the next Committee meeting with a project update and timeline.

c. Regional Urban Design Guidelines Task Force (RUDG) Update

Associate Planner Josh Metz stated that in preparation for respondent presentations at the end of the week, the RUDG Task Force would meet the following day to review the respondent evaluation criteria. He noted that one respondent had withdrawn, leaving two remaining teams.

8. ITEMS FROM MEMBERS

None.

9. ADJOURNMENT

Co-Chair Dawson adjourned the meeting at 10:01 a.m.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject:	Veterans Issues Advisory Committee	
Meeting Date:	July 11, 2014	INFORMATION
Agenda Number:	10d	

RECOMMENDATION:

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

BACKGROUND/DISCUSSION:

The VIAC met on May 29, 2014. The approved minutes from that meeting are included as **Attachment A**.

FISCAL IMPACT:


Reviewed by FORA Controller 

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

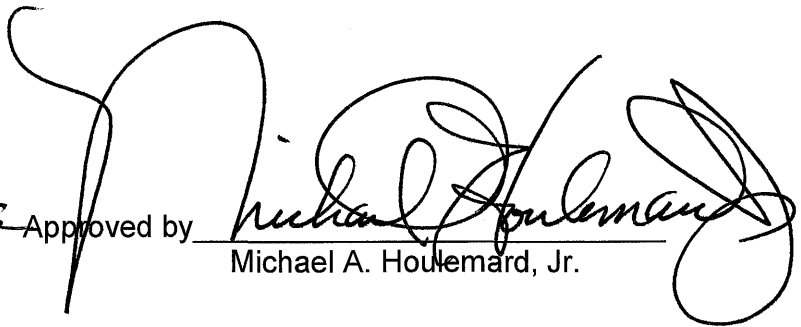
COORDINATION:

VIAC

Prepared by


Crissy Maras

Approved by


Michael A. Houlemard, Jr.



FORT ORD REUSE AUTHORITY VETERANS ISSUES ADVISORY COMMITTEE REGULAR MEETING MINUTES

3:00 p.m., Thursday, May 29, 2014 | FORA Conference Room
920 2nd Avenue, Suite A, Marina, CA 93933

1. CALL TO ORDER AND ROLL CALL

Acting Chair Edith Johnsen called the meeting to order at 3:05 p.m. The following were present, as indicated by signatures on the roll sheet:

VIAC Members:

Sid Williams, Mo. Co. Military/Vets
Edith Johnsen, Vets Families/Fundraising
Jack Stewart, Cemetery Advisory Comm.
CSM Wynn, POM
James Bogan, UVC
George Dixon, MVAO
Richard Garza, CCVFC

FORA Staff:

Robert Norris
Crissy Maras

Others:

Nicole Charles, Sen. Monning
Candace Ingram, CCVFC
Eric Morgan, BLM

2. PLEDGE OF ALLEGIANCE

Acting Chair Johnsen asked Sid Williams to lead the Pledge of Allegiance.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Acting Chair Johnsen acknowledged Eric Morgan, Bureau of Land Management (BLM) representative, and Candace Ingram, Community Foundation representative, were in attendance.

4. PUBLIC COMMENT PERIOD

BLM rep Morgan provided handouts illustrating the restoration of an armored military personnel carrier and requested help in facilitating a partnership with the Fort Ord Alumni Association and the VIAC to restore additional equipment for public awareness and enjoyment at the National Monument. FORA Principal Analyst Robert Norris provided a copy of an assignment prepared by Monterey Peninsula College students focusing on their tour of former Fort Ord barracks. Acting Chair Johnsen requested that the MPC report be **attached** to the minutes from this meeting.

5. APPROVE VIAC MEETING MINUTES: April 3, 2014

MOTION: Sid Williams moved, seconded by Jack Stewart, to accept the April 3, 2014 minutes as presented.

MOTION PASSED: Unanimous

6. OLD BUSINESS

a. **California Central Coast Veterans Cemetery Status Report**

Mr. Norris described an out-of-the-box coordination meeting with the State and their lead consultants which led to their participation in a FORA training video and cemetery site access. A revised Department of General Services (DGS) schedule was distributed. Cemetery water approval is now awaiting signature by the Deputy Secretary, which is expected in the next several days. Senator Monning's representative Nicole Charles reported that Senator Monning was uplifted by

recent meetings with CalVet and encouraged by the conceptual designs. She added that CalVet and DGS have prioritized cemetery planning and that environmental work is underway.

b. VA/DoD Veterans Clinic Status Report

Although there is activity at the site, requests for a construction schedule from the City of Marina have not been answered. Staff anticipates including a schedule in the next meeting packet.

7. NEW BUSINESS - none

8. ITEMS FROM MEMBERS

Mr. Williams noted that he had requested FORA assistance to identify property for a museum. Mr. Norris agreed to meet separately and bring the request to a future VIAC meeting. Acting Chair Johnsen added that she had recently submitted six tapes of Fort Ord ceremonies toward that effort and encouraged others to do the same as they come across Fort Ord items that would have public benefit. Ms. Ingram added that Defense Language Institute Historian Steven Payne had prepared a presentation on the history of Fort Ord and the DLI. That presentation is being scheduled for FORA staff in the near future.

Mr. Williams noted that the Marina Foundation wants to increase awareness of the local veteran population and added that they had raised funds to install a flag pole at Martinez Hall. Mr. Williams asked that Steve Emerson be invited to the next meeting to provide an update. James Bogan announced a retirement appreciation ceremony on June 14th at Stilwell Hall; cemetery updates will be provided at a County-sponsored booth. George Dixon announced a booth at the Fort Ord PX on May 30th which would provide information regarding veterans' services. Sgt. Major Wynn invited members to the Army Soldier show on September 4th at the Presidio of Monterey. Acting Chair Johnsen announced the Heroes' Open golf tournament on November 8th and requested that upcoming events be added to the agenda.

9. ADJOURNMENT

Acting Chair Johnsen adjourned the meeting at 3:45 p.m.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject:	Approved FY 2014/15 Fort Ord Reuse Authority Capital Improvement Program	
Meeting Date:	July 11, 2014	INFORMATION
Agenda Number:	10e	

RECOMMENDATION:

Receive a final, approved FY 2014/15 Fort Ord Reuse Authority (FORA) Capital Improvement Program (CIP).

BACKGROUND/DISCUSSION:

The FORA Board of Directors approved the FY 2014/15 CIP at their June 20, 2014 special meeting. That document will be distributed at the Board meeting for Board member use and will also available online at www.fora.org. The Board additionally adopted Resolution #14-13, implementing a 17% Community Facilities District fee/basewide developer fee reduction, which goes into effect July 5 to coincide with increased Marina Coast Water District capacity charge.

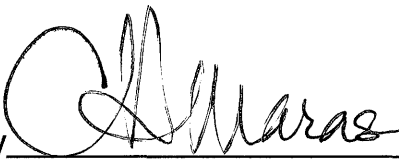
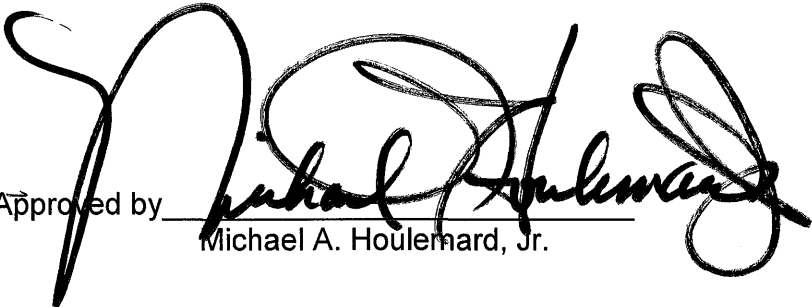
FISCAL IMPACT:

Reviewed by FORA Controller 

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

COORDINATION:

Administrative Committee

Prepared by  Approved by 

Crissy Maras Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Post Reassessment Advisory Committee

Meeting Date: July 11, 2014

Agenda Number: 10f

INFORMATION

RECOMMENDATION(S):

Receive Post Reassessment Advisory Committee activity/meeting report.

BACKGROUND/DISCUSSION:

The Post Reassessment Advisory Committee ("Committee") met on May 21, June 9 and June 23, 2014. During the May 21 meeting, FORA staff presented a draft Google Earth Reuse Plan Major and Minor Trails presentation. Committee Chair Edelen requested presentation refinements for subsequent meetings. The Committee also discussed the Dunes shopping center tree plantings, and Committee Member Morton suggested a community-led tree planting effort similar to others in the City of Marina. Committee Member Beach raised the issue of a mini-speaker series to extend Colloquium benefits and Chair Edelen directed FORA staff to support this effort.

At the June 9 meeting the Committee reviewed a refined Google Earth Reuse Plan Major and Minor Trails presentation along with added features. Members also received a report from FORA staff on efforts to obtain highway signage for former Fort Ord recreational opportunities. Committee Member Beach presented a progress summary on recruiting speakers noting success with contact with Richard Bernhardt. Members requested additional potential speaker possibilities. It was also suggested that existing Fort Ord developer provide the Committee with "updates" which was agendized for the upcoming meeting.

At the June 23 meeting members received a project overview presentation from Dunes at Monterey Bay representative Wendy Elliot; including a timeline of past and coming actions. They also heard a brief presentation from East Garrison development representative Jim Fletcher, who will complete his report at the next meeting.

Final May 21 and June 9 meeting minutes are attached (**Attachments A & B**).

FISCAL IMPACT:

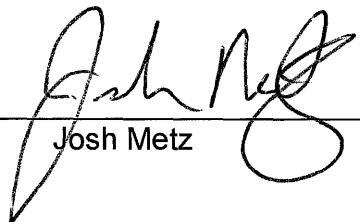
Reviewed by FORA Controller 

Staff time for this item is included in the approved FORA budget. There will be costs associated with the Colloquium follow-up speaker that are within the approved 2014/2015 budget.

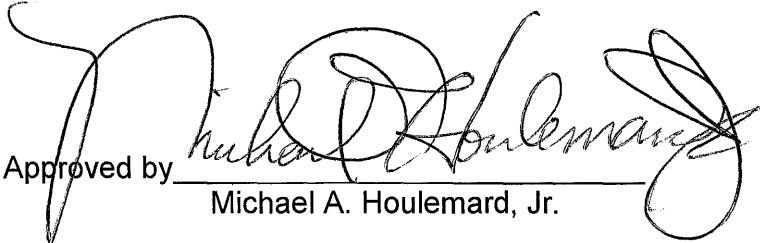
COORDINATION:

N/A

Prepared by


Josh Metz

Approved by


Michael A. Houlemard, Jr.



FORT ORD REUSE AUTHORITY
BASE REUSE PLAN POST-REASSESSMENT ADVISORY COMMITTEE (PRAC)
MEETING MINUTES

12:00 p.m., Wednesday, May 21, 2014 | FORA Conference Room
920 2nd Avenue, Suite A, Marina, CA 93933

1. CALL TO ORDER

Confirming a quorum, Fort Ord Reuse Authority (FORA) PRAC Chair Jerry Edelen called the meeting to order at 12:23 pm. The following people were in attendance:

Committee Members

Jerry Edelen (Chair), City of Del Rey Oaks
Tom Moore, MCWD
Jane Parker, Monterey County
Victoria Beach, City of Carmel-by-the-Sea
Gail Morton, City of Marina
Andre Lewis, CSUMB

Other Attendees

Michael Houlemard, FORA
Jonathan Garcia, FORA
Josh Metz, FORA
Steve Endsley, FORA
Tim O'Halloran, City of Seaside
Jane Haines, member of the public
Eric Morgan, BLM

2. APPROVAL OF MEETING MINUTES

MOTION: Jane Parker moved, seconded by Gail Morton, to approve the May 7, 2014 meeting minutes, as presented.

MOTION PASSED: Unanimous.

3. PUBLIC COMMENT PERIOD

None.

4. OLD BUSINESS

The committee heard a summary report from Josh Metz on the status of the Colloquium video project. Chair Edelen requested a link to the videos on YouTube be sent to Committee members, Stakeholders and Board members. Josh presented a draft Google Earth file showing the locations of the Major and Minor Trails referenced in the BRP. Following member input, Chair Edelen requested a revised version of the trail map be presented to the full FORA Board on June 13. Additional information requested included: funding/development horizons for different trail components, cross-jurisdictional maintenance policy issues and strategies, adding jurisdictional boundaries including parks, add the proposed FORTAG Trail alignment, add the TAMC preferred alignment of the multi-modal corridor, and add existing bike lanes where possible. Josh presented an update report on recreational highway signage. Members suggested to include an access point at the Jerry Smith Access Corridor parking area. 8th Street & Gigling Rd. was discussed as a

potential access point. Tim O'Halloran City of Seaside staff noted that a permanent access point has not yet been identified in that area. He noted that identifying 8th Street & Gigling Rd. as an access point at this time would be premature.

The Committee discussed shopping center vegetation screening options. Committee member Gail Morton noted that she recently attended a City of Marina Tree Committee meeting where she heard about a community-initiated tree planting effort currently underway in an area north of the Dunes on Monterey Bay shopping center along State Route 1. Committee member Morton agreed to look into and report back on the feasibility of completing a similar effort within the Dunes on Monterey Bay shopping center's landscape buffer. The Committee discussed regional/local job creation and recommended topics for the next meeting.

5. NEW BUSINESS

FORA staff will pursue the following projects and report back at the next meeting of the PRAC:

- a. Prepare a 10-minute Fort Ord Trails Update - Board presentation, using the Google Earth map; demo for next PRAC on Monday June 9.
- b. Coordinate with CalTrans about additional highway signage for the Jerry Smith Access Corridor.
- c. Work with Victoria Beach to organize a "mini-speaker" series for the Board

Topics for next meeting:

- a. Major barriers to economic development (i.e. housing prices, prevailing wage, etc)
- b. Major not-yet-completed projects

6. ITEMS FROM MEMBERS

Victoria Beach presented a summary of progress scheduling a special topics speaker.

7. ADJOURNMENT

The next meeting of the PRAC was scheduled for Monday, June 9 from 9-10:30am. The meeting was adjourned at approximately 1:54 pm.

Minutes prepared by Josh Metz



FORT ORD REUSE AUTHORITY
BASE REUSE PLAN POST-REASSESSMENT ADVISORY COMMITTEE (PRAC)
MEETING MINUTES

9:00 a.m., Monday, June 9, 2014 | FORA Conference Room
920 2nd Avenue, Suite A, Marina, CA 93933

1. CALL TO ORDER

Confirming a quorum, Fort Ord Reuse Authority (FORA) PRAC Chair Jerry Edelen called the meeting to order at 9:03 am. The following people were in attendance:

Committee Members

Jerry Edelen (Chair), City of Del Rey Oaks
Tom Moore, MCWD
Jane Parker, Monterey County
Victoria Beach, City of Carmel-by-the-Sea

Other Attendees

Steve Endsley, FORA
Jonathan Garcia, FORA
Josh Metz, FORA
Tim O'Halloran, City of Seaside
Bob Schafer, member of the public
Jane Haines, member of the public
Doug Yount, member of the public

2. APPROVAL OF MEETING MINUTES

MOTION: Tom Moore moved, seconded by Jane Parker, to approve the May 21, 2014 meeting minutes, as presented.

MOTION PASSED: Unanimous.

3. PUBLIC COMMENT PERIOD

Jane Haines provided comment on the need to keep a focus on completing the items identified in the Reassessment Report including oak tree protection plans, MBEST ground lease options and others. Staff received a summary from Jane Haines on the subject.

4. BUSINESS ITEMS

The committee heard a summary report from Josh Metz on the status of the Colloquium video project. Chair Edelen requested a link to the videos on YouTube be sent to all FORA stakeholders and select videos be shown to FORA Board meeting attendees during Closed Sessions. Josh presented an updated draft Google Earth file showing the locations of the Major and Minor Trails referenced in the BRP for consideration as a FORA Board presentation. Member discussion focused on the need to further refine the knowledge base and presentation to improve impact when finally presented to the FORA Board and other entities.

Additional information requested included: refining funding/development options and including Habitat Management Areas (HMAs). Committee Member Victoria beach suggested convening a FORA led Regional Trails Symposium could yield opportunities for collaboration and exploring funding options. Supervisor Parker suggested the Davenport Institute might be a good resource for help with public participation in trails planning. Josh presented an update report on recreational highway signage. Members suggested contacting Monterey County regarding signage on County roads.

5. ITEMS FROM MEMBERS

Victoria Beach presented a summary of progress scheduling a special topics speaker. She asked for suggestions on additional speakers. Staff recommended inviting current Fort Ord developers from the Dunes at Monterey Bay and East Garrison to present summaries of their respective Specific Plans. Chair Edelen also suggested they comment on project timelines and challenges faced in co,

6. NEXT STEPS

FORA staff will continue work on the following projects and report back at the next meeting of the PRAC:

- a. Work with CSUMB contractor to finalize Youtube video content
- b. Refine the 10-minute Fort Ord Trails Update - Board presentation, using the Google Earth map
- c. Coordinate with CalTrans and Monterey County Roads department about additional highway signage for the Fort Ord National Monument
- d. Work with Victoria Beach to organize a "mini-speaker" series for the Board

Topics for next meeting:

- a. Major barriers to economic development (i.e. housing prices, prevailing wage, etc)
- b. Regional Trail Symposium

7. ADJOURNMENT

The next meeting of the PRAC was scheduled for Monday, June 23 from 9:30-11:00am. The meeting was adjourned at approximately 10:30 am.

Minutes prepared by Josh Metz

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Travel Report

Meeting Date: July 11, 2014

Agenda Number: 10g

INFORMATION

RECOMMENDATION(S):

Receive an informational travel report from the Executive Officer.

BACKGROUND/DISCUSSION:

The Executive Officer regularly submits reports to the Executive Committee on FORA staff/Board travel. The Committee reviews and approves requests, and the travel information is reported to the Board as an informational item.

Completed Travel

Follow-up HCP Coordination Meeting

Destination: Sacramento, CA

Date: June 22-23, 2014

Traveler/s: Michael Houlemard

Mr. Houlemard attended a meeting at Senator Monning's Capitol Office along with representatives from the CA Dept. of Fish and Wildlife, CA State Parks, and the University of CA Natural Reserve System (UCNRS) to identify potential alternatives/solutions to HCP ongoing issues. **Attachment A** provides a meeting summary.

Anticipated Future Travel

Association of Defense Communities Base Redevelopment Forum

Destination: San Francisco, CA

Date: November 12-14, 2014

Traveler/s: Michael Houlemard and others (tbd)

This event gathers public and private sector professionals to share best practices in managing large-scale redevelopment projects. Many of San Francisco Bay Area's major base redevelopment projects will be highlighted. This trip will be presented to the Executive Committee for approval as soon as registration information becomes available.

FISCAL IMPACT:

Reviewed by FORA Controller 

Staff time for this item was included in the approved annual budget. Travel expenses are reimbursed according to the FORA Travel Policy.

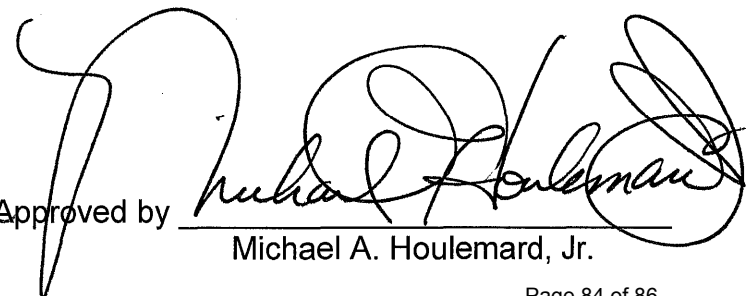
COORDINATION:

Legislative/Executive Committee

Prepared by


Lena Spilman

Approved by


Michael A. Houlemard, Jr.

FORT ORD HABITAT CONSERVATION PLAN MEETING

June 23, 2014

10:00 a.m. – State Capitol, Room 115

Key Participants:

CA Senator Bill Monning
Bethany Westfall, Senator Monning's Office
Kevin Takei, CA Dept. Fish and Wildlife
Susan LaGrande, CA Dept. Fish and Wildlife
Aaron Roberts, CA State Parks
Matt Fuze, CA State Parks
Michael Kisen, University of California
Michael Houlemard, Fort Ord Reuse Authority
John Arriaga, JEA & Associates/Fort Ord Reuse Authority

Meeting Purpose: To follow-up on the March 25, 2014 Habitat Conservation Plan meeting and to explore subsequent progress on three issues: 1) the agreement between the Department of Fish and Wildlife and State Parks regarding the conservation easement, 2) the MOU between the California Department of Fish and Wildlife, the US Fish and Wildlife Service, and the Bureau of Land Management, and 3) the status of a conservation easement between the University of California and the Department of Fish and Wildlife.

Meeting Summary: Status reports indicated that all items were making positive progress and could be completed within 4-6 weeks (although certain approaches might require extended time due to Regents or State Commission meeting schedules). In the case of the conservation easement, an alternative may be used for both easements in the form of a "take permit" issued by CA FW to UC or State Parks (a new approach not explored in the past). The take permit process will shorten the time required to secure a deed restriction, assuring permanent habitat status and still offering the real property interest needed for CA State Parks to confirm for HCP purposes. Senator Monning confirmed with all parties that publication of the Habitat Conservation Plan was central to everyone's interests. All parties present suggested FORA work with its consultant to confirm a date that existing comments could be incorporated into a publishable document. The parties agreed to that fixed date, conclude comments on the draft document, and to confirm that date with all agency representatives. FORA's Executive Officer agreed to work with ICF International to set the date for publication. He also agreed to communicate the results of the meeting to Congressman Sam Farr's office in preparation for anticipated assistance and to coordinate with US Fish and Wildlife Service Leadership on fixing/setting a publication date. The parties agreed to continue active communication through email and a follow-up meeting in September to be organized by Senator Monning, if required.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Public Correspondence to the Board

Meeting Date: July 11, 2014

Agenda Number: 10h

INFORMATION

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 or mailed to the address below:

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Marina, CA 93933