



# FORT ORD REUSE AUTHORITY

920 2<sup>nd</sup> Avenue, Suite A, Marina, CA 93933

Phone: (831) 883-3672 | Fax: (831) 883-3675 | [www.fora.org](http://www.fora.org)

## REGULAR MEETING FORT ORD REUSE AUTHORITY BOARD OF DIRECTORS

Friday, May 8, 2015 at 2:00 p.m.

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

### 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 INFORMATION

#### 7. 2015 ANNUAL LEGISLATIVE SESSION

- a. Report from Congressman Sam Farr - 20<sup>th</sup> Congressional District INFORMATION
- b. Report from State Senator Bill Monning - 17<sup>h</sup> State Senate District INFORMATION
- c. Report from Assemblymember Mark Stone - 29<sup>th</sup> State Assembly District INFORMATION
- d. Approve Positions on Current State Legislation (pg. 1) ACTION

#### 8. CONSENT AGENDA

- a. Approve April 10, 2015 Board Meeting Minutes (pg. 2-5) ACTION

#### 9. BUSINESS ITEMS

- a. 2<sup>nd</sup> Vote: Consider FORA Prevailing Wage Program:  
Seek Department of Industrial Relations SB 854 Determination (pg. 6-32) ACTION
- b. Review/Adopt FORA FY 2015/16 Capital Improvement  
Program (pg. 33-65) INFORMATION/ACTION
- c. Adopt FORA FY 2015-16 Annual Budget (pg. 66-75) ACTION
- d. Marina Coast Water District FY 2015-16 Ord Community Budget (pg. 76-83)
  - i. Presentation by FORA INFORMATION

- |   |             |
|---|-------------|
| ii. Presentation by MARINA Coast Water District   | INFORMATION |
| iii. Consider Resolutions 15-XX and 15-XX Adopting a Compensation Plan for Base-wide Water and Sewer Services on the Former Fort Ord” | ACTION      |
|   |             |
| e. Monterey Regional Water Pollution Control Agency – Groundwater Replenishment Project Update (pg. 84-94)                            | INFORMATION |

**10. PUBLIC COMMENT PERIOD**

Members of the public wishing to address the Board on matters within its jurisdiction, but not on this agenda, may do so for up to 3 minutes. Comments on agenda items are heard under the item.

**11. EXECUTIVE OFFICER’S REPORT**

- |  |                    |
|--|--------------------|
| a. Outstanding Receivables (pg. 95)                          | INFORMATION        |
| b. Habitat Conservation Plan Update (pg. 96)                 | INFORMATION        |
| c. Administrative Committee (pg. 97-101)                     | INFORMATION        |
| d. Finance Committee (pg. 102-105)                           | INFORMATION        |
| e. Post Reassessment Advisory Committee (pg. 106-109)        | INFORMATION        |
| f. Regional Urban Design Guidelines Task Force (pg. 110-122) | INFORMATION        |
| g. Veterans Issues Advisory Committee (pg. 123-125)          | INFORMATION        |
| h. Water Wastewater Oversight Committee (pg. 126-130)        | INFORMATION        |
| i. Travel Report (pg. 131-133)                               | INFORMATION/ACTION |
| j. Public Correspondence to the Board (pg. 134)              | INFORMATION        |

**12. ITEMS FROM MEMBERS**

**13. ADJOURNMENT**

**NEXT BOARD MEETING: JUNE 12, 2015**

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

# **Placeholder for Item 7d**

**Approve Positions on Current State Legislation**

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**The FORA Legislative Committee will meet on May 1<sup>st</sup> to review this item and provide a Board recommendation. As such, this item will be distributed under separate cover prior to the Board meeting.**



# FORT ORD REUSE AUTHORITY

## BOARD OF DIRECTORS REGULAR MEETING MINUTES

Friday, April 10, 2015 at 2:00 p.m.

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

### 1. CALL TO ORDER

Chair O'Connell called the meeting to order at 2:00 p.m.

### 2. PLEDGE OF ALLEGIANCE

Chair O'Connell led the Pledge of Allegiance.

### 3. CLOSED SESSION

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

- 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

The Board reconvened into open session at 2:13 p.m. and Authority Counsel Jon Giffen announced no reportable action had been taken.

### 5. ROLL CALL

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

Chair/Mayor Pro-Tem O'Connell (City of Marina)  
Mayor Pro-Tem Beach (City of Carmel-by-the-Sea)  
Mayor Edelen (City of Del Rey Oaks)  
Mayor Gunter (City of Salinas)  
Councilmember Haffa (City of Monterey)  
Councilmember Lucius (City of Pacific Grove)  
Councilmember Morton (City of Marina)

Councilmember Pacheco\* (City of Seaside)  
Supervisor Parker (County of Monterey)  
Mayor Pendergrass (City of Sand City)  
Supervisor Phillips (County of Monterey)  
Supervisor Potter (County of Monterey)  
Mayor Rubio (City of Seaside)

**Absent:** None.

**Ex-officio (Non-Voting) Board Members Present:** Alec Arago\* AR (20<sup>th</sup> Congressional District), Nicole Charles\* AR (17<sup>th</sup> State Senate District), Erica Parker\* (29<sup>th</sup> State Assembly District), Donna Blitzer (University of California, Santa Cruz), Eduardo Ochoa (California State University, Monterey Bay), Walter Tribbley (Monterey Peninsula College), P.K. Diffenbaugh AR (Monterey Peninsula Unified School District), Lisa Rheinheimer\* (Monterey-Salinas Transit), Todd Muck\* AR (Transportation Agency for Monterey County), Jim Laughlin\* (US Army), Bill Collins (Fort Ord BRAC Office), and Director Le (Marina Coast Water District).

### 6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

Executive Officer Michael Houlemard discussed planned meetings for the upcoming April 13<sup>th</sup>-16<sup>th</sup> Federal Legislative Mission to Washington, DC, noting that Mayor Rubio and Supervisor Potter

would arrive early to participate in Pure Water Monterey meetings, which allowed FORA to share costs with the Monterey Regional Water Pollution Control Agency and the Monterey Peninsula Water Management District. He mentioned that information on FORA's three open staff recruitments was available on the FORA website. The recruitments for the Economic Development Coordinator and the Associate/Transportation Planner were open until April 20<sup>th</sup> and the recruitment for the Deputy Clerk/Executive Assistant would be open until May 8<sup>th</sup>. Mr. Houlemard also provided a brief update on the status of the Fort Ord Habitat Conservation Plan, a screen-check draft of which had been released for regulatory agency comments.

## **7. CONSENT AGENDA**

Chair O'Connell noted that staff had prepared and distributed an amendment to the March 13<sup>th</sup> Board meeting minutes, which Mr. Houlemard explained eliminated one sentence.

- a. Approve February 13, 2015 Board Meeting Minutes**
- b. Approve March 13, 2015 Board Meeting Minutes**

MOTION: Supervisor Parker moved, seconded by Councilmember Morton, to approve the minutes, as amended.

MOTION PASSED UNANIMOUSLY

## **9. BUSINESS ITEMS**

- a. Consider Fort Ord Reuse Authority Prevailing Wage Program**

Principal Analyst Robert Norris presented the item and reviewed the Board's options for moving forward. The Board received comments from members of the public.

MOTION: Mayor Edelen moved, seconded by Mayor Gunter, to continue to pursue Option C, directing staff to seek a SB 854 determination from the Department of Industrial Relations.

AMENDMENT: Direct the Legislative Committee to serve as a conduit for communication with the state on this item.

MOTION APPROVED 12-1(2<sup>nd</sup> Vote Required): Ayes: Beach, Edelen, Gunter, Haffa, Lucius, O'Connell, Pacheco, Parker, Pendergrass, Phillips, Potter, Rubio. Noes: Morton. *Abstentions*: None. *Absent*: none

- b. Ord Community Water Augmentation**

- i. Receive Local Agency Coordination Update**

- ii. Review March 13, 2015 Fort Ord Reuse Authority Board Meeting Q&A**

- iii. Authorize Ord Community Desalinated Water Augmentation 10% Conceptual Planning**  
Senior Planner Jonathan Garcia provided a brief update on staff coordination meetings conducted since the last Board meeting and discussed the current staff recommendation. Mr. Garcia and Marina Cost Water District Interim General Manager Bill Kocher responded to questions from the Board, and the Board received public comments.

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

Supervisor Potter emphasized the need for a collaborative effort to identify a project that could work for all parties, rather than a reliance on litigation. Supervisor Potter called the question.

MOTION PASSED UNANIMOUSLY

**c. Economic Development Program**

**i. Economic Development Coordinator Recruitment Update**

**ii. Receive Program Status Report**

Mr. Houlemard provided a status update on the Board-approved Economic Development Program, noting that FORA staff had held productive coordination meetings with California State University Monterey Bay and the Monterey Bay Economic Partnership (MBEP), the latter of which FORA had joined at the \$10,000 membership level. FORA was also actively coordinating with MBEP on broader incorporation of educational partners, as directed by the Board. The Board received comments from members of the public.

Mayor Rubio requested staff provide a status report on the Eastside Parkway project at a subsequent meeting.

**d. Regional Urban Design Guidelines Update**

**i. Contract Implementation Report**

**ii. Consultant Team Product Delivery Report**

Senior Planner Josh Metz discussed the project history, provided requested legal clarifications, and reviewed key terms. Victor Dover, Dover, Kohl & Partners, provided a project update, noting the consultant team was nearing completion of the draft Regional Urban Design Guidelines. Mr. Houlemard and Mr. Dover responded to Board questions, and the Board received comments from the public.

**e. Review Transportation Agency for Monterey County (TAMC) Marina-Salinas Multimodal Corridor Plan**

Ariana Green, TAMC Associate Planner, provided an update on the proposed corridor alignment, discussed the draft conceptual design, and responded to Board member questions. The Board requested additional information in order to identify which elements of the plan were included in previously planned roadway improvement projects and how those projects were to be funded. Ms. Green agreed to present that information to the Board at a future date.

**f. Environmental Services Cooperative Agreement (ESCA) Quarterly Update**

Mr. Houlemard introduced the item, stating that staff was working to finalize the documents that would govern use of those properties still to be transferred under the ESCA. ESCA Project Manager Stan Cook provided an overview of the Land Use Covenant Implementation Plan, Operations and Maintenance Plan (LUCIP OMP). Mr. Cook also noted that ARCADIS had appointed a new Program Manager and was working closely with FORA on the transition. Mr. Houlemard discussed a significant increase in trespassing and vandalism on ESCA properties, which interfered with the regulatory closure process.

**MOTION:** Supervisor Parker moved, seconded by Councilmember Morton to reconsider agenda item 9b.

Supervisor Parker spoke to her motion, emphasizing the importance of the Marina Coast Water District moving forward on water augmentation in coordination with FORA. The Board received public comments on the motion.

Chair O'Connell called the question.

**MOTION FAILED 8-4:** Ayes: Beach, Morton, Parker, Lucius. Noes: Edelen, Gunter, Haffa, O'Connell, Pacheco, Pendergrass, Phillips, Potter, Rubio. *Absent:* none. *Abstentions:* none.

## **10. PUBLIC COMMENT PERIOD**

The Board received comments from members of the public.

*Supervisor Phillips left at 4:23 p.m.*

Eric Morgan, Bureau of Land Management, discussed efforts to address recent issues with unleashed animals on the National Monument

Mr. Cook announced his recent graduation from the Naval Post Graduate School with an Executive Master's Degree of Business and thanked the Board for their flexibility in allowing his participation in the program.

## **11. EXECUTIVE OFFICER'S REPORT**

### **a. Outstanding Receivables**

No report given on this item.

### **b. Habitat Conservation Plan Update**

No report given on this item.

### **c. Administrative Committee**

No report given on this item.

### **d. Finance Committee**

No report given on this item.

### **e. Post Reassessment Advisory Committee**

No report given on this item.

### **f. Regional Urban Design Guidelines Task Force**

No report given on this item.

### **g. Veterans Issues Advisory Committee**

No report given on this item.

### **h. Water and Wastewater Oversight Committee**

No report given on this item.

### **i. Travel Report**

No report given on this item.

### **j. Public Correspondence to the Board**

No report given on this item.

## **12. ITEMS FROM MEMBERS**

Supervisor Potter wished Mr. Houlemard well with a recent family illness.

## **13. ADJOURNMENT**

Chair O'Connell adjourned the meeting at 4:26 p.m.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## BUSINESS ITEMS

<b>Subject:</b>	2 <sup>nd</sup> Vote: Consider FORA Prevailing Wage Program: Seek Department of Industrial Relations SB 854 Determination	
<b>Meeting Date:</b>	May 8, 2015	<b>ACTION</b>
<b>Agenda Number:</b>	9a	

### **RECOMMENDATION:**

- i. 2<sup>nd</sup> Vote on April 10<sup>th</sup> Board action to continue to pursue **Option C**, seeking a SB 854 determination from the Department of Industrial Relations.

### **BACKGROUND:**

*On April 10, 2015 the Fort Ord Reuse Authority (FORA) Board voted 12-1 to direct staff to continue to pursue **Option C**, seeking a SB 854 determination from the Department of Industrial Relations. The full text of the April 10<sup>th</sup> staff report is included below, as are all attachments.*

Adopting a prevailing wage requirement (as a base-wide policy) surfaced in legislative debates during FORA's creation. While the FORA enabling legislation did not include prevailing wage provisions, the initial FORA Board meeting explored the policy question in the exchanges about adoption of a procurement code. In fact, the FORA Board's first action in setting prevailing wage policy occurred on July 14, 1995, with the adoption of Ordinance No. 95-01, establishing FORA's Procurement Code and requiring prevailing wages to be paid to all workers employed on FORA's construction contracts. The FORA Master Resolution was adopted on March 14, 1997. Article 3.03.090 of the Master Resolution required/confirmed that prevailing wages be paid for all first generation projects occurring on parcels subject to the Base Reuse Plan (BRP).

Discussion regarding prevailing wage requirements continued and was included in BRP compliance actions through 2006, when the Board engaged in further policy clarification actions. In August 2006, the Board received a status report on jurisdiction efforts to adopt and implement prevailing wage policies consistent with Chapter 3 of the Master Resolution. That report was the result of FORA Executive Committee and Authority Counsel's examination of FORA's role in implementing prevailing wage policies on the former Fort Ord. Since 2006, the FORA Board has heard compliance concerns expressed by the Labor Council, received several additional reports, slightly modified a section of Chapter 3 of the Master Resolution, and directed staff to provide information to the jurisdictions about compliance.

### **Prevailing Wage New Legislation**

In June 2014, the California legislature passed a new registration requirement for contractors and subcontractors involved in public works projects or other projects as may be determined by the Labor Commissioner. SB 854 was passed to fund the California Department of Industrial Relations (DIR) monitoring and enforcement of prevailing wage laws. Item 9c from the March 13, 2015 FORA Board Packet provides additional information regarding SB 854 at the following website:

<http://www.fora.org/Board/2015/Packet/031315BrdPacket.pdf>

The new law requires online registration, payment of a \$300 fee, that agencies file notices of their public works projects with DIR, and that contractors and subcontractors submit certified payroll records to DIR (unless otherwise excused from this requirement) and have no record of



delinquent unpaid wages or penalty assessments. We are awaiting confirmation from Authority Counsel that FORA projects are covered as public works projects under SB 854.

**DISCUSSION:**

At its March 13, 2015 meeting, the FORA Board authorized the Executive Officer to request a DIR determination on FORA projects. However, several Board members requested that staff not wait for DIR's determination and return with a plan for a FORA prevailing wage compliance program. Other Board members expressed concern that FORA would set up a prevailing wage compliance program when it was the responsibility of the individual jurisdictions to ensure compliance.

Since the March 13, 2015 FORA Board meeting, Legislative Consultant John Arriaga contacted DIR staff in Sacramento regarding FORA's inquiry. The DIR point of contact requested a list of questions from FORA, which FORA subsequently included in its letter requesting a determination on whether or not FORA is subject to SB 854 requirements (**Attachment A**). As of this writing, FORA staff has not received a response from DIR staff.

Staff has researched options for developing a FORA prevailing wage compliance program. Although individual jurisdictions have previously assumed prevailing wage compliance responsibilities, most recently, Marina staff stated that no one is assigned to fulfill this role. **Attachment B** to this report compares three options for a FORA prevailing wage compliance program.

FORA staff's assumption of two full-time staff positions or equivalent consultant hours to monitor, respond to inquiries, and prepare reports is based on FORA Capital Improvement Program development forecasts. A redacted master services agreement is included under **Attachment C** to provide an example of a consultant contract for prevailing wage services to a public agency. FORA staff recommends pursuing **Option C**. A history of prevailing wage actions is shown on **Attachment D**.

**Wage Setting:**

Separate from compliance issues, the FORA Board has received letters from the public **Attachment E** and developer comments regarding the prevailing wage rate. In this aspect, concerns have been expressed that the General Prevailing Wage is an impediment to both the recovery program and production of affordable housing. Also, informal discussions by developer representatives with the DIR have indicated that a wage study might produce consideration of a different prevailing wage for housing. Such would require a change in the FORA Master Resolution designation of "General Prevailing Wage" required on all first generation projects.

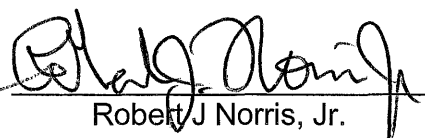
**FISCAL IMPACT:**

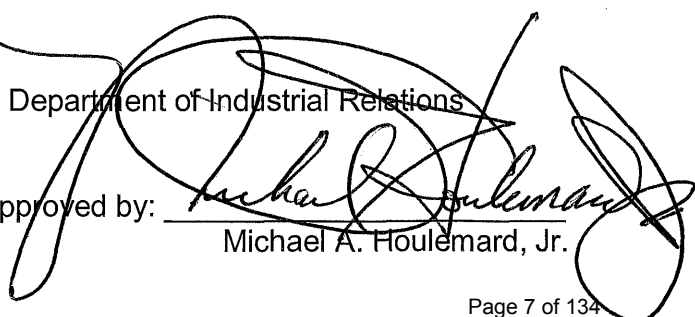
Reviewed by FORA Controller 

Staff time for this item is included in the approved FORA budget. Should the FORA Board direct staff to proceed with any of the three options for implementing a FORA prevailing wage compliance program, additional FORA budget will be needed to implement.

**COORDINATION:**

FORA Board, City of Marina, Authority Counsel, Department of Industrial Relations

Prepared by   
Robert J. Norris, Jr.

Approved by:   
Michael A. Houlemard, Jr.



# FORT ORD REUSE AUTHORITY

Attachment A to Item 9a  
FORA Board Meeting, 05/8/15

920 2<sup>nd</sup> Avenue, Suite A, Marina, CA 93933

Phone: (831) 883-3672 | Fax: (831) 883-3675 | [www.fora.org](http://www.fora.org)

March 26, 2015

Eric Rood  
Assistant State Labor Commissioner  
Department of Industrial Relations  
160 Promenade, Suite 300  
Sacramento, CA 95825

RE: Request to determine SB 854 applicability to Fort Ord.

Dear Mr. Rood,

This letter seeks your clarification regarding provisions of SB 854 that apply to construction projects on the Fort Ord. It is the Fort Ord Reuse Authority's (FORA's) opinion that SB 854, as codified in various sections of California State Code, does apply to Fort Ord. We seek your agreement and determination as the new law provides that the Commissioner may determine the applicability of SB 854 to other projects.

I thank you for taking time this week to speak to John Arriaga, FORA's legislative consultant. I attach the same questions sent to you by Jonathan Garcia and Robert Norris on March 25, 2015. On this note, I have been directed by the FORA Board to make a formal request for a determination from the Department of Industrial Relations (DIR) regarding applicability of SB 854 to Fort Ord. This issue is of great importance to our local community, County and City elected officials, Assembly Member Mark Stone, and State Senator Bill Monning, all of whom sit on the FORA Board.

Historically, the issue of adopting a prevailing wage requirement as a base-wide policy surfaced in the California legislature during debates around the creation of FORA. While the FORA enabling legislation did not include provisions for prevailing wages, the initial FORA Board meeting explored the policy question in the exchanges about adoption of a procurement code. In fact, the FORA Board's first action in setting prevailing wage policy occurred on July 14, 1995, with the adoption of Ordinance No. 95-01. This Ordinance established FORA's Procurement Code, which required prevailing wages to be paid to all workers employed on FORA's construction contracts.

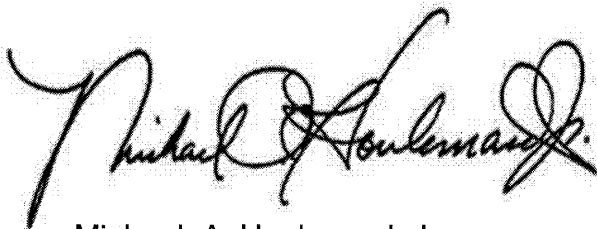
The FORA Board adopted its Master Resolution on March 14, 1997. Article 3.03.090 of the Master Resolution requires that prevailing wage be paid for all first generation projects occurring on parcels subject to the Base Reuse Plan. This originally public land (US Army) is conveyed to FORA, from FORA to the jurisdictions, and from the jurisdictions to a third-party developer. Through the Master Resolution, the FORA Board's policy has been that

prevailing wages are paid as this land is developed. The FORA policy seeks to generate fair wages similar to the legislative intent of SB 854.

The FORA Master Resolution is available through the FORA website at the following address: <http://www.fora.org/Reports/MasterResolution.pdf>

FORA appreciates your urgent attention to this matter, as several public works projects are underway at the former Fort Ord and several more will commence construction in the coming fiscal year. We will contact you early next week to discuss any questions you might have.

Sincerely,

A handwritten signature in black ink, reading "Michael A. Houlemard, Jr." The signature is written in a cursive style with a large initial 'M' and a distinct 'Jr.' at the end.

Michael. A. Houlemard, Jr.  
Executive Officer

Enclosures: SB 854 Questions

Cc: FORA Board of Directors



# FORT ORD REUSE AUTHORITY

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## SB 854 Questions – Public Works

1. In review of the recently enacted SB 854, Fort Ord Reuse Authority (FORA) staff noted that SB 854 encompasses public works projects, as specified, to be paid the general prevailing wage rate, as determined by the Director of Department of Industrial Relations (DIR). In reviewing the FORA Master Resolution prevailing wage provisions (Section 3.03.090), First Generation Construction on the former Fort Ord is required to pay not less than the general prevailing rate of wages as determined by the Director of DIR. In the opinion of FORA staff and Authority Counsel, FORA's prevailing wage provisions constitute a public works project now subject to SB 854. Does DIR agree with this determination?
2. Does FORA need to follow a formal process for DIR to consider whether or not FORA is subject to SB 854?
3. If yes, to whom should FORA address its request for a determination?
4. If subject to SB 854, FORA staff would continue to monitor prevailing wage compliance on former Fort Ord. How would FORA staff access online prevailing wage compliance information in the future?
5. Is there a certification requirement for 3rd party compliance monitors?
6. Does DIR charge public agencies to perform monitoring? If so, what are the rates?
7. What is the timeline for responding to complaints?

**Fort Ord Prevailing Wage Policy Options**

<b>Description</b>	<b>Option A</b>	<b>Option B</b>	<b>Option C</b>	<b>Option D</b>
<b>Summary</b>	FORA compliance with consultant monitors	FORA compliance with staff monitors	FORA compliance with SB 854 determination and staff monitors	Status Quo compliance to be provided by individual jurisdictions
<b>FORA Master Resolution Amendment for Compliance Program</b>	Yes	Yes	Yes, if DIR determines that Fort Ord does not fall under SB 854	Yes
<b>Estimated Cost</b>	Assuming 80 hours per week plus compliance software: \$320,000 per year.	Assuming 2 FTE plus compliance software: \$250,000 per year.	Unknown	Varies by jurisdiction \$50,000 contract to internal staffing = 2 FTE
<b>Estimated Schedule</b>	Selection period could be completed in 2 months.	Selection period could be completed in 3 months.	Unknown	Unknown
<b>Estimated Duration</b>	5 years or more if jurisdictions assume after 06/30/2020	5 years or more if jurisdictions assume after 06/30/2020	5 years or more if jurisdictions assume after 06/30/2020	5 years or more may change after 06/30/2020
<b>Flexibility with changing development cycles</b>	Flexibility could be addressed in contract	Hiring additional personnel when needed may be challenging	Unknown	
<b>Long-term obligations</b>	FORA responsibility ends on 06/30/2020	Any retiree benefits will be addressed in FORA dissolution plan	Unknown	

## AGREEMENT BETWEEN COUNTY OF MONTEREY AND THE LABOR COMPLIANCE MANAGERS

This AGREEMENT is made and entered into by and between the County of Monterey, a political subdivision of the State of California, hereinafter referred to as "COUNTY," and The Labor Compliance Managers, hereinafter referred to as "CONTRACTOR."

### RECITALS

WHEREAS, COUNTY has invited proposals through the Request for Qualifications (RFQ # 10422) for On-call wage rate and labor compliance monitoring, in accordance with the specifications set forth in this AGREEMENT; and

WHEREAS, CONTRACTOR has submitted a responsive and responsible statement of qualifications to perform such services; and

WHEREAS, CONTRACTOR has the expertise and capabilities necessary to provide the services requested.

NOW THEREFORE, COUNTY and CONTRACTOR, for the consideration hereinafter named, agree as follows:

### 1.0 PERFORMANCE OF THE AGREEMENT

1.1 After consideration and evaluation of the CONTRACTOR'S statement of qualifications, COUNTY hereby engages CONTRACTOR to provide the services set forth in RFQ #10422 and in this AGREEMENT on the terms and conditions contained herein and in RFQ # 10422. The intent of this AGREEMENT is to summarize the contractual obligations of the parties. The component parts of this AGREEMENT include the following:

- RFQ # 10422 dated May 9, 2013, including all attachments and exhibits
- Addendum #1
- Exhibit A: Payment Provisions
- CONTRACTOR'S Proposal dated June 14, 2013
- AGREEMENT
- Certificate of Insurance
- Additional Insured Endorsements

1.2 All of the above-referenced contract documents are intended to be complementary. Work required by one of the above-referenced contract documents and not by others shall be done as if required by all. In the event of a conflict between or among component parts of the contract, the contract documents shall be construed in the following order:

AGREEMENT, CONTRACTOR'S Qualifications, RFQ #10422 including all attachments and exhibits, Addendum #1, Exhibit A Payment Provisions, Certificate of Insurance, and Additional Insured Endorsements.

- 1.3 CONTRACTOR warrants that CONTRACTOR and CONTRACTOR's agents, employees, and subcontractors performing services under this AGREEMENT are specially trained, experienced, competent, and appropriately licensed to perform the work and deliver the services required under this AGREEMENT and are not employees of the COUNTY, or immediate family of an employee of the COUNTY.
- 1.4 CONTRACTOR, its agents, employees, and subcontractors shall perform all work in a safe and skillful manner and in compliance with all applicable laws and regulations. All work performed under this AGREEMENT that is required by law to be performed or supervised by licensed personnel shall be performed in accordance with such licensing requirements.
  - 1.4.1 CONTRACTOR must maintain all licenses throughout the term of the AGREEMENT.
- 1.5 CONTRACTOR shall furnish, at its own expense, all materials, equipment, and personnel necessary to carry out the terms of this AGREEMENT, except as otherwise specified in this AGREEMENT. CONTRACTOR shall not use COUNTY premises, property (including equipment, instruments, or supplies) or personnel for any purpose other than in the performance of its obligations under this AGREEMENT.

## 2.0 SCOPE OF SERVICE

- 2.1 The Scope of Work includes but is not limited to the following:
  - 2.2.1 For projects where the COUNTY is the contracting agency, under the review of and in collaboration with the COUNTY's on-site construction manager:
    - 2.2.1.1 Participate in pre-construction conferences with contractors and subcontractors to discuss prevailing wage documentation and procedures required for the project.
    - 2.2.1.2 Collect and review certified payrolls from prime contractors and all subcontractors for compliance with the state and federal prevailing wages contained in the bid documents related to each specified project.
    - 2.2.1.3 Prepare correspondence with the contractor and/or subs who fail to pay the required wage.
    - 2.2.1.4 Conduct periodic on-site interviews with selected workers to spot-check validity of the certified payrolls.
    - 2.2.1.5 Submit to the COUNTY a final report summarizing the projects compliance with the wage requirements at project close-out.

- 2.2.1.6 Maintain complete, accurate, and up-to-date files related to these activities, and make available for inspection by the COUNTY, State Division of Industrial Relations, and/or any grant agencies for a minimum of three years after recording of the Notice of Completion for that project.
- 2.2.2 For certain projects performed by third-party entities as determined by the COUNTY (particularly within the unincorporated area of the former Fort Ord):
  - 2.2.2.1 Review certified payrolls provided by the COUNTY collected from developers, prime contractors, and subcontractors for compliance with the states prevailing wages.
  - 2.2.2.2 Prepare correspondence with the contractor and/or any subs who fail to pay the required wage.
  - 2.2.2.3 Submit to the COUNTY a final report summarizing each project's compliance with the wage requirements project close-out.
  - 2.2.2.4 Maintain complete, accurate, and up-to-date files related to those activities and make available a minimum of three years after completion or closure of the particular construction contract being monitored.

### 3.0 TERM OF AGREEMENT

- 3.1 The initial term shall commence on **December 1, 2013** through and including **December 31, 2015**, with the option to extend the AGREEMENT(s) for three (3) additional 1 year increments at the COUNTY's discretion. COUNTY is not required to state a reason if it elects not to renew this AGREEMENT. This agreement is of no force or effect until signed by both CONTRACTOR and COUNTY and with COUNTY signing last, and **CONTRACTOR may not commence work before COUNTY signs this Agreement.**
- 3.2 If COUNTY exercises its option to extend, all applicable parties shall mutually agree upon the extension, including any changes in rate and/or terms and conditions in writing.
- 3.3 CONTRACTOR shall commence negotiations for any desired rate changes a minimum of ninety days (90) prior to the expiration of this AGREEMENT in order to be considered.
  - 3.3.1 Both parties shall agree upon rate extension(s) or changes in writing.
- 3.4 COUNTY reserves the right to cancel the AGREEMENT, or any extension of the AGREEMENT, without cause, with a thirty (30) day written notice, or immediately with cause.



## 4.0 COMPENSATION AND PAYMENTS

- 4.1 It is mutually understood and agreed by both parties that CONTRACTOR shall be compensated under this AGREEMENT in accordance with the payment provisions attached hereto.
- 4.2 Prices shall remain firm for the initial term of this AGREEMENT and, thereafter, may be adjusted annually as provided in this paragraph. COUNTY does not guarantee any minimum or maximum amount of dollars to be spent under this AGREEMENT.
- 4.3 Any discount offered by the CONTRACTOR must allow for payment after receipt and acceptance of services, material or equipment and correct invoice, whichever is later. In no case will a discount be considered that requires payment in less than 30 days.
- 4.4 CONTRACTOR shall levy no additional fees or surcharges of any kind during the term of this AGREEMENT without first obtaining approval from COUNTY in writing.
- 4.5 Tax:
- 4.5.1 Pricing as per this AGREEMENT is inclusive of all applicable taxes.
- 4.5.2 COUNTY is registered with the Internal Revenue Service, San Francisco office, and registration number 94-6000524. The COUNTY is exempt from Federal Transportation Tax; an exemption certificate is not required where shipping documents show Monterey County as consignee.

## 5.0 INVOICES AND PURCHASE ORDERS

- 5.1 Invoices for all services rendered per this AGREEMENT shall be billed directly to the Resource Management Agency department at the following address:
- County of Monterey  
Resource Management Agency  
168 W. Alisal St. 2<sup>nd</sup> Floor  
Salinas, CA 93901  
Attn: G.H. Nichols, PE
- 5.2 CONTRACTOR shall reference the RFQ number on all invoices submitted to COUNTY. CONTRACTOR shall submit such invoices periodically or at the completion of services, but in any event, not later than 30 days after completion of services. The invoice shall set forth the amounts claimed by CONTRACTOR for the previous period, together with an itemized basis for the amounts claimed, and such other information pertinent to the invoice. COUNTY shall certify the invoice, either in the requested amount or in such other amount as COUNTY approves in conformity with this AGREEMENT, and shall promptly submit such invoice to COUNTY Auditor-Controller for payment. COUNTY

Auditor-Controller shall pay the amount certified within 30 days of receiving the certified invoice.

- 5.3 All COUNTY Purchase Orders issued for the AGREEMENT are valid only during the fiscal year in which they are issued (the fiscal year is defined as July 1 through June 30).
- 5.4 Unauthorized Surcharges or Fees: Invoices containing unauthorized surcharges or unauthorized fees of any kind shall be rejected by COUNTY. Surcharges and additional fees not included the AGREEMENT must be approved by COUNTY in writing via an Amendment.

## 6.0 STANDARD INDEMNIFICATION

- 6.1 CONTRACTOR shall indemnify, defend, and hold harmless COUNTY, its officers, agents, and employees, from and against any and all claims, liabilities, and losses whatsoever (including damages to property and injuries to or death of persons, court costs, and reasonable attorneys' fees) occurring or resulting to any and all persons, firms or corporations furnishing or supplying work, services, materials, or supplies in connection with the performance of this AGREEMENT, and from any and all claims, liabilities, and losses occurring or resulting to any person, firm, or corporation for damage, injury, or death arising out of or connected with CONTRACTOR's performance of this AGREEMENT, unless such claims, liabilities, or losses arise out of the sole negligence or willful misconduct of COUNTY. "CONTRACTOR's performance" includes CONTRACTOR's action or inaction and the action or inaction of CONTRACTOR's officers, employees, agents and subcontractors.

## 7.0 INSURANCE REQUIREMENTS

### 7.1 Evidence of Coverage:

- 7.1.1 Prior to commencement of this AGREEMENT, CONTRACTOR shall provide a "Certificate of Insurance" certifying that coverage as required herein has been obtained. Individual endorsements executed by the insurance carrier shall accompany the certificate. In addition CONTRACTOR upon request shall provide a certified copy of the policy or policies.
- 7.1.2 This verification of coverage shall be sent to the COUNTY's Contracts/Purchasing Department, unless otherwise directed. CONTRACTOR shall not receive a "Notice to Proceed" with the work under this AGREEMENT until it has obtained all insurance required and such, insurance has been approved by COUNTY. This approval of insurance shall neither relieve nor decrease the liability of CONTRACTOR.

7.2 Qualifying Insurers: All coverage, except surety, shall be issued by companies which hold a current policy holder's alphabetic and financial size category rating of not less than A-VII, according to the current Best's Key Rating Guide or a company of equal financial stability that is approved by COUNTY's Purchasing Officer.

7.3 Insurance Coverage Requirements:

7.3.1 Without limiting CONTRACTOR's duty to indemnify, CONTRACTOR shall maintain in effect throughout the term of this AGREEMENT a policy or policies of insurance with the following minimum limits of liability:

7.3.1.1 Commercial general liability insurance, including but not limited to premises and operations, including coverage for Bodily Injury and Property Damage, Personal Injury, Contractual Liability, Broadform Property Damage, Independent Contractors, Products and Completed Operations, with a combined single limit for Bodily Injury and Property Damage of not less than \$1,000,000 per occurrence.

7.3.2 Business automobile liability insurance, covering all motor vehicles, including owned, leased, non-owned, and hired vehicles, used in providing services under this AGREEMENT, with a combined single limit for Bodily Injury and Property Damage of not less than \$1,000,000 per occurrence.

7.3.3 Workers' Compensation Insurance, if CONTRACTOR employs others in the performance of this AGREEMENT, in accordance with California Labor Code section 3700 and with Employer's Liability limits not less than \$1,000,000 each person, \$1,000,000 each accident and \$1,000,000 each disease.

7.3.4 Professional liability insurance, if required for the professional services being provided, (e.g., those persons authorized by a license to engage in a business or profession regulated by the California Business and Professions Code), in the amount of not less than \$1,000,000 per claim and \$2,000,000 in the aggregate, to cover liability for malpractice or errors or omissions made in the course of rendering professional services. If professional liability insurance is written on a "claims-made" basis rather than an occurrence basis, CONTRACTOR shall, upon the expiration or earlier termination of this AGREEMENT, obtain extended reporting coverage ("tail coverage") with the same liability limits. Any such tail coverage shall continue for at least three years following the expiration or earlier termination of this AGREEMENT.

7.4 Other Insurance Requirements:

7.4.1 All insurance required by this AGREEMENT shall be with a company acceptable to COUNTY and issued and executed by an admitted insurer authorized to

transact Insurance business in the State of California. Unless otherwise specified by this AGREEMENT, all such insurance shall be written on an occurrence basis, or, if the policy is not written on an occurrence basis, such policy with the coverage required herein shall continue in effect for a period of three years following the date CONTRACTOR completes its performance of services under this AGREEMENT.

- 7.4.2 Each liability policy shall provide that COUNTY shall be given notice in writing at least thirty days in advance of any endorsed reduction in coverage or limit, cancellation, or intended non-renewal thereof. Each policy shall provide coverage for CONTRACTOR and additional insureds with respect to claims arising from each subcontractor, if any, performing work under this AGREEMENT, or be accompanied by a certificate of insurance from each subcontractor showing each subcontractor has identical insurance coverage to the above requirements.
- 7.4.3 Commercial general liability and automobile liability policies shall provide an endorsement naming the County of Monterey, its officers, agents, and employees as Additional Insureds with respect to liability arising out of the CONTRACTOR'S work, including ongoing and completed operations, and shall further provide that such insurance is primary insurance to any insurance or self-insurance maintained by the COUNTY and that the insurance of the Additional Insureds shall not be called upon to contribute to a loss covered by the CONTRACTOR'S insurance. The required endorsement form for Commercial General Liability Additional Insured is ISO Form CG 20 10 11-85 or CG 20 10 10 01 in tandem with CG 20 37 10 01 (2000). The required endorsement form for Automobile Additional Insured endorsement is ISO Form CA 20 48 02 99.
- 7.4.4 Prior to the execution of this AGREEMENT by COUNTY, CONTRACTOR shall file certificates of insurance with COUNTY's contract administrator and COUNTY's Contracts/Purchasing Division, showing that CONTRACTOR has in effect the insurance required by this AGREEMENT. CONTRACTOR shall file a new or amended certificate of insurance within five calendar days after any change is made in any insurance policy, which would alter the information on the certificate then on file. Acceptance or approval of insurance shall in no way modify or change the indemnification clause in this AGREEMENT, which shall continue in full force and effect.
- 7.4.5 CONTRACTOR shall at all times during the term of this AGREEMENT maintain in force the insurance coverage required under this AGREEMENT and shall send, without demand by COUNTY, annual certificates to COUNTY's Contract Administrator and COUNTY's Contracts/Purchasing Division. If the certificate is not received by the expiration date, COUNTY shall notify CONTRACTOR and CONTRACTOR shall have five calendar days to send in the certificate, evidencing no lapse in coverage during the interim. Failure by CONTRACTOR to maintain such insurance is a default of this AGREEMENT, which entitles COUNTY, at its sole discretion, to terminate this AGREEMENT immediately.

## 8.0 RECORDS AND CONFIDENTIALITY

- 8.1 Confidentiality: CONTRACTOR and its officers, employees, agents, and subcontractors shall comply with any and all federal, state, and local laws, which provide for the confidentiality of records and other information. CONTRACTOR shall not disclose any confidential records or other confidential information received from the COUNTY or prepared in connection with the performance of this AGREEMENT, unless COUNTY specifically permits CONTRACTOR to disclose such records or information. CONTRACTOR shall promptly transmit to COUNTY any and all requests for disclosure of any such confidential records or information. CONTRACTOR shall not use any confidential information gained by CONTRACTOR in the performance of this AGREEMENT except for the sole purpose of carrying out CONTRACTOR's obligations under this AGREEMENT.
- 8.2 County Records: When this AGREEMENT expires or terminates, CONTRACTOR shall return to COUNTY any COUNTY records which CONTRACTOR used or received from COUNTY to perform services under this AGREEMENT.
- 8.3 Maintenance of Records: CONTRACTOR shall prepare, maintain, and preserve all reports and records that may be required by federal, state, and COUNTY rules and regulations related to services performed under this AGREEMENT.
- 8.4 Access to and Audit of Records: COUNTY shall have the right to examine, monitor and audit all records, documents, conditions, and activities of CONTRACTOR and its subcontractors related to services provided under this AGREEMENT. The parties to this AGREEMENT may be subject, at the request of COUNTY or as part of any audit of COUNTY, to the examination and audit of the State Auditor pertaining to matters connected with the performance of this AGREEMENT for a period of three years after final payment under the AGREEMENT.

## 9.0 NON-DISCRIMINATION

- 9.1 During the performance of this contract, CONTRACTOR shall not unlawfully discriminate against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age (over 40), sex, or sexual orientation. CONTRACTOR shall ensure that the evaluation and treatment of its employees and applicants for employment are free of such discrimination. CONTRACTOR shall comply with the provisions of the Fair Employment and Housing Act (Government Code, §12900, et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, §7285.0, et seq.).
- 9.2 The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, §12900, et seq., set forth in Chapter 5 of Division 4 of

Title 2 of the California Code of Regulations are incorporated into this AGREEMENT by reference and made a part hereof as if set forth in full.

- 9.3 CONTRACTOR shall include the non-discrimination and compliance provisions of the clause in all agreements with subcontractors to perform work under the contract.

## **10.0 OVERRIDING CONTRACTOR PERFORMANCE REQUIREMENTS**

- 10.1 Independent Contractor: CONTRACTOR shall be an independent contractor and shall not be an employee of COUNTY, nor immediate family of an employee of COUNTY. CONTRACTOR shall be responsible for all insurance (General Liability, Automobile, Workers' Compensation, unemployment, etc.) and all payroll-related taxes. CONTRACTOR shall not be entitled to any employee benefits. CONTRACTOR shall control the manner and means of accomplishing the result contracted for herein.
- 10.2 Minimum Work Performance Percentage: CONTRACTOR shall perform with his own organization contract work amounting to not less than 50 percent of the original total AGREEMENT amount, except that any designated 'Specialty Items' may be performed by subcontract and the amount of any such 'Specialty Items' so performed may be deducted from the original total AGREEMENT amount before computing the amount of work required to be performed by CONTRACTOR with his own organization or per a consortium.
- 10.3 Non-Assignment: CONTRACTOR shall not assign this contract or the work required herein without the prior written consent of COUNTY.
- 10.4 Any subcontractor shall comply with all of COUNTY requirements, including insurance and indemnification requirements as detailed in SAMPLE AGREEMENT.

## **11.0 CONFLICT OF INTEREST**

- 11.1 CONTRACTOR covenants that it presently has no interest, and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of services required under this AGREEMENT. Without limitation, CONTRACTOR represents to and agrees with COUNTY that CONTRACTOR has no present, and will have no future, conflict of interest between providing COUNTY services hereunder and any other person or entity (including but not limited to any federal or state environmental or regulatory agency) which has any interest adverse or potentially adverse to COUNTY, as determined in the reasonable judgment of the Board of Supervisors of COUNTY.
- 11.2 CONTRACTOR agrees that any information, whether proprietary or not, made known to or discovered by it during the performance of or in connection with this AGREEMENT for COUNTY will be kept confidential and not be disclosed to any other person. CONTRACTOR agrees to immediately notify COUNTY in accordance with the Notices

Section of this AGREEMENT, if it is requested to disclose any information made known to or discovered by it during the performance of or in connection with this AGREEMENT. These conflict of interest and future service provisions and limitations shall remain fully effective five (5) years after termination of services to COUNTY hereunder.

## 12.0 COMPLIANCE WITH APPLICABLE LAWS

- 12.1 CONTRACTOR shall keep itself informed of and in compliance with all federal, state and local laws, ordinances, regulations, and orders, including but not limited to all state and federal tax laws that may affect in any manner the Project or the performance of the Services or those engaged to perform Services under this AGREEMENT. CONTRACTOR shall procure all permits and licenses, pay all charges and fees, and give all notices required by law in the performance of the Services.
- 12.2 CONTRACTOR shall report immediately to COUNTY's Contracts/Purchasing Officer, in writing, any discrepancy or inconsistency it discovers in the laws, ordinances, regulations, orders, and/or guidelines in relation to the Project of the performance of the Services.
- 12.3 All documentation prepared by CONTRACTOR shall provide for a completed project that conforms to all applicable codes, rules, regulations and guidelines that are in force at the time such documentation is prepared.

## 13.0 DRUG FREE WORKPLACE

- 13.1 CONTRACTOR and CONTRACTOR'S employees shall comply with the COUNTY'S policy of maintaining a drug free workplace. Neither CONTRACTOR nor CONTRACTOR'S employees shall unlawfully manufacture, distribute, dispense, possess or use controlled substances, as defined in 21 U.S. Code § 812, including, but not limited to, marijuana, heroin, cocaine, and amphetamines, at any COUNTY facility or work site. If CONTRACTOR or any employee of CONTRACTOR is convicted or pleads nolo contendere to a criminal drug statute violation occurring at a COUNTY facility or work site, the CONTRACTOR shall, within five days thereafter notify the head of the COUNTY department/agency for which the AGREEMENT services are performed. Violation of this provision shall constitute a material breach of this AGREEMENT.

## 14.0 TIME OF ESSENCE

- 14.1 Time is of the essence in respect to all provisions of this AGREEMENT that specify a time for performance; provided, however, that the foregoing shall not be construed to limit or deprive a party of the benefits of any grace or use period allowed in this AGREEMENT.

## 15.0 PERFORMANCE ASSURANCE AND WAIVER OF BREACH

- 15.1 Assurance of Performance: If at any time COUNTY believes CONTRACTOR may not be adequately performing its obligations under this AGREEMENT or that CONTRACTOR may fail to complete the Services as required by this AGREEMENT, COUNTY may request from CONTRACTOR prompt written assurances of performance and a written plan acceptable to COUNTY, to correct the observed deficiencies in CONTRACTOR'S performance. CONTRACTOR shall provide such written assurances and written plan within ten (10) calendar days of its receipt of COUNTY's request and shall thereafter diligently commence and fully perform such written plan. CONTRACTOR acknowledges and agrees that any failure to provide such written assurances and written plan within the required time is a material breach under this AGREEMENT. If COUNTY accepts the plan it shall issue a signed waiver.
- 15.1.1 Waiver: No waiver of a breach, failure of any condition, or any right or remedy contained in or granted by the provisions of this AGREEMENT shall be effective unless it is in writing and signed by the party waiving the breach, failure, right or remedy. No waiver of any breach, failure, right or remedy shall be deemed a waiver of any other breach, failure, right or remedy, whether or not similar, nor shall any waiver constitute a continuing waiver unless the writing so specifies.

## 16.0 RIGHTS AND REMEDIES OF THE COUNTY FOR DEFAULT

- 16.1 In the case of default by CONTRACTOR, COUNTY may procure the articles or services from other sources and may recover the loss occasioned thereby from any unpaid balance due to CONTRACTOR or by proceeding against any performance bond of CONTRACTOR, if any, or by suit against CONTRACTOR. The prices paid by COUNTY shall be considered the prevailing market price at the time such purchase(s) may be made. Inspections of deliveries or offers for deliveries that do not meet specifications shall be made at the expense of CONTRACTOR.



## 17.0 DEBARMENT AND SUSPENSION

- 17.1 By signing this AGREEMENT CONTRACTOR agrees to comply with applicable federal suspension and debarment regulations, including but not limited to Title 7 Code of Federal Regulations (CFR) 3016.35, 28 CFR 66.35, 29 CFR 97.35, 34 CFR 80.35, 45 CFR 92.35 and Executive Order 12549.

By signing this AGREEMENT, CONTRACTOR certifies to the best of its knowledge and belief, that it and its principals:

Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntary excluded by any federal department or agency; and

Shall not knowingly enter into any covered transaction with a person who is proposed for debarment under federal regulations, debarred, suspended, declared ineligible, or voluntarily excluded from participation in such transaction.

## 18.0 FORCE MAJEURE

- 18.1 "Force Majeure" means any cause beyond the reasonable control of a party, including but not limited to acts of God, civil or military disruption, fire, strike, flood, riot, war, or inability due to the aforementioned causes to obtain necessary labor, materials or facilities.
- 18.2 If any party hereto is delayed or prevented from fulfilling its obligations under this AGREEMENT by Force Majeure, said party will not be liable under this AGREEMENT for said delay or failure, nor for damages or injuries resulting directly from the inability to perform scheduled work due to Force Majeure.
- 18.3 CONTRACTOR shall be granted an automatic extension of time commensurate with any delay in performing scheduled work arising from Force Majeure. CONTRACTOR agrees to resume such work within three (3) days after the Force Majeure has subsided enough to do so.

## 19.0 NON-APPROPRIATIONS CLAUSE

- 19.1 Notwithstanding anything contained in this AGREEMENT to the contrary, if insufficient funds are appropriated, or funds are otherwise unavailable in the budget for COUNTY for any reason whatsoever in any fiscal year, for payments due under this AGREEMENT, COUNTY will immediately notify CONTRACTOR of such occurrence, and this AGREEMENT shall terminate after the last day during the fiscal year for which

appropriations shall have been budgeted for COUNTY or are otherwise available for payments.

## 20.0 BACKGROUND CHECKS

- 20.1 CONTRACTOR shall be required to obtain State and Federal level criminal background clearance(s) for all personnel required to work within COUNTY facilities that are deemed restricted or high security, including but not limited to the Sheriff's Office, Probation Department, 911 Center, and District Attorney's Office.

A California licensed Investigator must perform the required State level criminal background check(s) which must then be submitted to COUNTY prior to the personnel being allowed to work within such COUNTY facilities. CONTRACTOR shall be responsible for the cost of these background check costs unless otherwise informed by COUNTY. In some circumstances, a specific COUNTY department may request that COUNTY Sheriff's Office perform the background checks.

All CONTRACTOR personnel who are designated to provide services at any of the COUNTY Sheriff's facilities are required to undergo fingerprinting and background checks through the Sheriff's main office specifically.

## 21.0 NOTICES

- 21.1 Notices required to be given to the respective parties under this AGREEMENT shall be deemed given by any of the following means: (1) when personally delivered to COUNTY's contract administrator or to CONTRACTOR'S responsible officer; (2) when personally delivered to the party's principle place of business during normal business hours, by leaving notice with any person apparently in charge of the office and advising such person of the import and contents of the notice; (3) 24 hours after the notice is transmitted by FAX machine to the other party, at the party's FAX number specified pursuant to this AGREEMENT, provided that the party giving notice by FAX must promptly confirm receipt of the FAX by telephone to the receiving party's office; or, (4) three (3) days after the notice is deposited in the U. S. mail with first class or better postage fully prepaid, addressed to the party as indicated below.

Notices mailed or faxed to the parties shall be addressed as follows:

**TO COUNTY:**

County of Monterey  
Resource Management Agency  
168 W. Alisal Street, 2nd Floor.  
Salinas, CA 93901-2439  
Attn: G. H. Nichols, PE  
Tel. No. 831-755-5386  
Fax No. 831-755-5877  
[NicholsN@co.monterey.ca.us](mailto:NicholsN@co.monterey.ca.us)

**TO CONTRACTOR:**

The Labor Compliance Managers  
1873 Luxton Street  
Seaside, CA 93955  
Attn: Lindley Robertson, MPA, Owner and  
Executive Officer  
Tel. No. 408-516-7238  
Fax No. 408-564-8353  
[rlindaly@yahoo.com](mailto:rlindaly@yahoo.com)

## 22.0 LEGAL DISPUTES

- 22.1 CONTRACTOR agrees that this AGREEMENT and any dispute arising from the relationship between the parties to this AGREEMENT, shall be governed and interpreted by the laws of the State of California, excluding any laws that direct the application of another jurisdiction's laws.

Any dispute that arises under or relates to this AGREEMENT (whether contract, tort, or both) shall be resolved in the Superior Court of California in Monterey County, California.

CONTRACTOR shall continue to perform under this AGREEMENT during any dispute.

The parties agree to waive their separate rights to a trial by jury. This waiver means that the trial will be before a judge.

## 23.0 TRAVEL REIMBURSEMENT

- 23.1 Travel reimbursements shall not exceed the IRS allowance rates as per County of Monterey Travel Policy. A copy of COUNTY's Travel Policy is available on the Auditor-Controller's web site at: <http://www.co.monterey.ca.us/auditor/policy.htm>.

**EXHIBIT A**  
**PAYMENT PROVISIONS**  
**The Labor Compliance Managers**

Master Agreement for On-Call Labor Compliance Monitoring Services

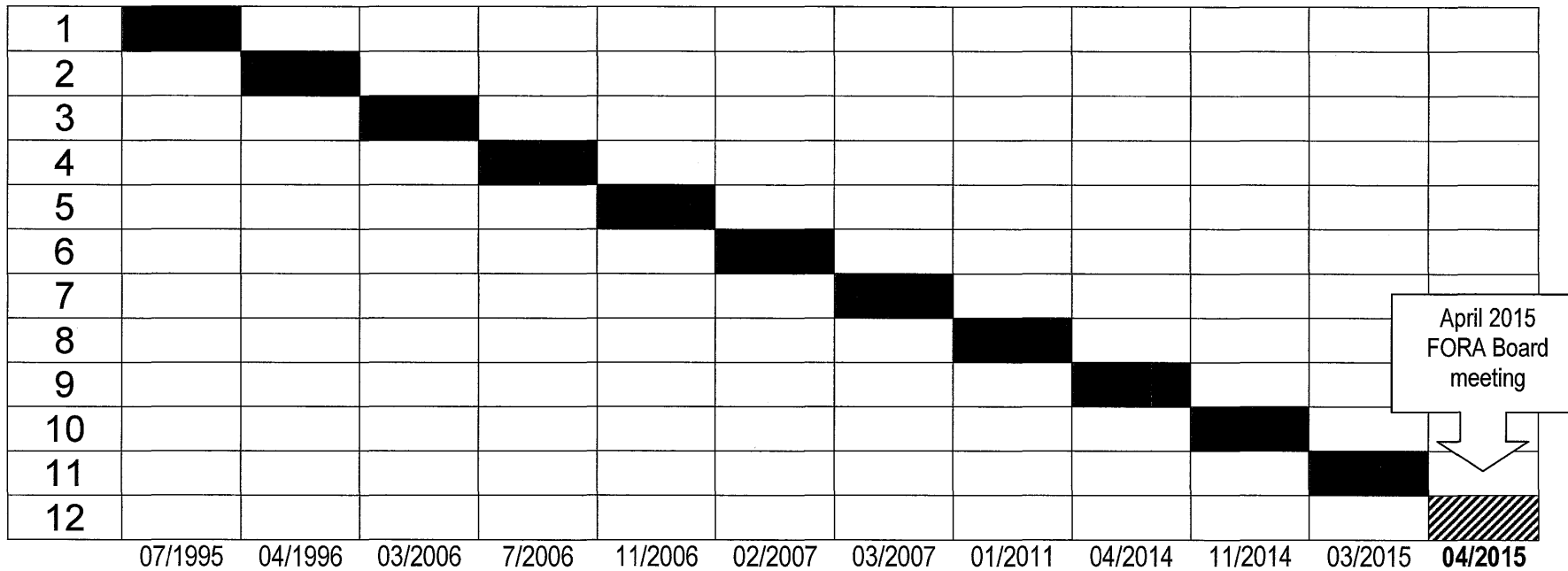
This EXHIBIT A shall be incorporated by reference as part of the Agreement dated December 1, 2013, governing work to be performed under the above referenced Agreement, the nature of the working relationship between the County of Monterey Resource Management Agency (“COUNTY”) and The Labor Compliance Managers (“CONTRACTOR”), and specific obligations of the CONTRACTOR.

Under the direction, coordination, and scheduling of COUNTY, CONTRACTOR shall provide wage rate and labor compliance monitoring and documentation services from time to time on an as-needed basis on a number and variety of proposed public sector construction projects funded with federal, state, and local public funding, in accordance and compliance with the requirements contained in the applicable federal and state laws and/or grant requirements. COUNTY will assign projects to CONTRACTOR in a manner which best promotes the interest of the COUNTY. Such interests may include similarity of services, and/or proximity to each other, and/or criteria. COUNTY reserves the right to contract for similar services from other firms on other contracts or projects without utilizing the firms to be selected herein.

PAYMENT FOR SERVICES: Payment to CONTRACTOR for the services provided under this Agreement shall be made on an hourly time-and-material basis at the rate of \$125/00 per hour. Payment for reimbursable expenses, including *subcontractors and subconsultants*, printing and computer plots, delivery services, computer supplies/disks, mileage, etc., will be made at actual cost (NO MARK-UP). Mileage cost shall not exceed COUNTY-approved mileage rates in effect at the time. Appropriate documents shall be provided with all requests for reimbursement.

The Total Fee amount paid under this Agreement *shall not exceed \$50,000.*

## FORA Prevailing Wage History 1995 to Present



1. Adoption of Ordinance No. 95-01
2. Adoption of Master Resolution Chapter 3
3. FORA Legal Counsel Clarifies Prevailing Wage Policy
4. Trades Council requests PW Reports.
5. FORA Board debates PW Policy
6. Trades Council Sues for PW enforcement.
7. Master Resolution Amendment (Res. 07-4) Clarifies 1<sup>st</sup> Generation Construction.
8. 6<sup>th</sup> Appellate District Court Appeals Decision Trades Council v. Cypress Marina Heights, LLP.-PW obligation upheld
9. Complaints and concerns for enforcement
10. FORA Staff Presentation on Prevailing Wage Program Overview
11. FORA Staff Status of Enforcement
12. Options for PW program Presentation

Jane Haines

601 OCEAN VIEW BOULEVARD, APT. 1 PACIFIC GROVE CA 93950

janchaines80@gmail.com

Tel 831 375 5913

March 13, 2015

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

board@fora.org

Re: 3/13/15 Agenda item 9c - Prevailing Wage Policy

Dear FORA Board:

I recommend that the FORA Board begin a re-evaluation of FORA's prevailing wage policy by modifying staff recommendation 3) in your staff report as follows:

3) Authorize the Executive Officer to request a California Department of Industrial Relations ("DIR") Determination on FORA projects to determine whether or not SB 854 requires FORA to require payment of prevailing wages for first-generation construction.

Assuming the DIR determines that SB 854 does not require payment of prevailing wages for first-generation construction, then the FORA Board could debate the pros and cons of abolishing FORA'S current prevailing wage requirement as a way of stimulating FORA's economic redevelopment by making home prices affordable to a larger group of home-buyers

Current home prices at Fort Ord are too high for 60 percent of future Peninsula households, according to recommendation #10 in the 2012 Economic & Planning System, Inc. (EPA) Market Study for Fort Ord reuse. It states:

**10. Home prices are still too high for younger and less educated consumers,** indicating a potential need to reconfigure residential product types. If current patterns persist, more than 60 percent of future Peninsula area households will have incomes less than \$75,000 annually, corresponding to price points under \$325,000. Current products proposed and approved on Fort Ord consist of a high proportion of detached, single-family lots, and may be skewed to the upper end of the income spectrum. A larger proportion of attached product may be needed to address price-sensitive market segments while still achieving acceptable development profits.

The pros and cons of lowering home prices through FORA abolishing the prevailing wage requirement have been debated in recent Herald commentaries by me and Ron Chessire as follows:

My Feb. 25 letter:

### **Scrutinizing FORA**

I agree with the recent editorial stating that the Fort Ord Reuse Authority (FORA) should make economic redevelopment a top priority at Fort Ord.

Well-regarded Economic & Planning Systems, Inc. (EPS) advised FORA in 2012 that 60 percent of current and near-future Peninsula residents can't afford homes costing more than \$325,000. Yet new homes at the former base start at over \$400,000.

Labor costs for those homes are artificially high because FORA doesn't allow developers to set labor costs by competitive bidding. Instead, FORA needlessly has a policy requiring developers to pay legislatively-determined "prevailing wages." The "prevailing wage" for a carpenter, including benefits, is \$62 per hour. Competitive bidding might reduce that \$62 per hour down to the same average rate paid to a Pacific Grove Unified School District teacher, which is \$46 per hour, including benefits.

Lowering labor costs would lower home prices at Fort Ord, which could accelerate home sales, thereby increasing job opportunities.

The FORA board should closely scrutinize FORA policies and re-tweak any that hinder economic redevelopment and job creation.

— *Jane Haines, Pacific Grove*

Ron Chesshire's February 27 commentary:

## Ron Chesshire: Prevailing wages withstand test

*By Ron Chesshire, Guest commentary*

POSTED: 02/27/15, 6:58 PM PST

0 COMMENTS

Jane Haines' letter, "Scrutinizing FORA" (Feb. 25), is interesting as development is taking place at Fort Ord and over 300 units of "affordable" housing is being built using prevailing wages.

You pay what the market will bear and the housing market in our area is priced in direct correlation to high demand and low supply created through the efforts of people who believe their way is the only way. To profess that developers will lower the cost of a house if they pay less for the labor to build it is ludicrous. Cut Cost to Increase Profits — Capitalism 101.

Upon the closure of bases and the considerable downsizing of Fort Ord, President Bill Clinton stated, "the reuse of military bases should go to benefit local economies." Our community came together and in 1995 asked FORA to enact the prevailing wage standard on most first-generation development and construction within its jurisdiction. This was done to level the playing field for companies seeking to do work. By establishing a standard wage, both the worker would benefit from their labor and companies would have a level playing field from which to compete. Local companies would not be subject to out-of-area companies attempting to bring in lower-priced labor to tip the competitive scale.

The prevailing wage pays a livable wage and compensation for benefits to workers to be a productive part of their communities and not have to fall back on taxpayer-provided social welfare nets to protect themselves or their families. And yes, maybe one day they may be able to afford a home of their own.

Prevailing wages have been under scrutiny at FORA since their adoption and have withstood the test. I suggest that other ways than cutting hard-earned wages of workers and subjecting local businesses to unfair competition be considered to prompt economic development and job creation.

*Ron Chesshire lives in Monterey.*



My March 7 commentary:

## Jane Haines: Paying what the market will bear

POSTED: 03/07/15, 5:41 PM PST

2 COMMENTS

A Feb. 28 commentary by Building Trades representative Ron Chesshire argues against my recent recommendation urging the Fort Ord Reuse Authority to re-examine its policy of requiring developers to pay “prevailing wages” (pay levels set and mandated by government officials) to their construction workers vs. market/competitively determined wage levels.

Facts to consider in this discussion:

- Mr. Chesshire refers to “over 300 units of ‘affordable’ housing being built at Fort Ord using prevailing wages;” 176 of those are dorm rooms for CSUMB and the remainder are taxpayer-subsidized low-income rental units.
- He says the “reuse of Fort Ord should go to benefit (the Monterey) community.” A key way to do this is to keep for-sale housing prices affordable.
- Examples of current “prevailing” hourly wages, including benefits, are \$60 an hour for bricklayers, \$62 for carpenters, \$71 for pile drivers and \$62 for drywall installers, or roughly \$125,000 per year for full-time employment;
- The annual income of 60 percent of Peninsula area households who are being asked to pay the additional home purchase price to compensate for these wage levels is \$75,000.
- The idea that unless workers get \$125,000 annual compensation level they will have to go on “taxpayer-provided social safety nets” is, frankly, silly.
- Higher costs equals higher prices and lower costs equals lower prices (although a mechanism should be established to ensure that developers do not pocket the reduced labor costs as profit).

FORA’s economic redevelopment has lagged expectations since the 1990s closure of Fort Ord. The 1998 Fort Ord Reuse Plan projected that by 2015, 10,815 new housing units would have been constructed and 18,342 jobs created. Instead, as of 2012, only 1,545 new housing units had been created and only 3,600 jobs.

Mr. Chesshire says you should “pay what the market will bear.” That’s all I am asking FORA to consider doing.

*Jane Haines lives in Pacific Grove.*

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Assuming that the DIR determines it would be legal for FORA to abolish its current prevailing wage policy, then FORA Board members could make the ultimate decision about whether or not FORA should abolish its prevailing wage policy. Everyone agrees that economic redevelopment is a top priority for FORA, so why not get the pertinent facts and begin a dialogue about how to grow the Ft. Ord economy?

Sincerely,

Jane Haines

# FORT ORD REUSE AUTHORITY BOARD REPORT

## BUSINESS ITEMS

**Subject:** Review/Adopt FORA FY 2015/16 Capital Improvement Program

**Meeting Date:** May 8, 2015

**Agenda Number:** 9b

**INFORMATION/ACTION**

### RECOMMENDATION:

- i. Receive a presentation by Fort Ord Reuse Authority (FORA) staff regarding the FY 2015/16 Capital Improvement Program (CIP).
- ii. Review/adopt the FORA FY 2015/16 CIP (**Attachment A**) per Administrative Committee recommendation.

### BACKGROUND/DISCUSSION:

i. FORA staff annually provides a CIP overview, including updates made through revenue and expenditure reprogramming and text edits. The most significant updates this year include: 1) budget adjustment to reflect actual collection of Land Sale Proceeds (\$33.4M) versus FY 2014/15 forecasts (\$0), 2) budget adjustment to reflect actual collection of Community Facilities District (CFD) fees/ development fees (\$4.1M) versus FY 2014/15 forecasts (\$5M); 2) transportation projects and other CIP expenditure adjustments to accommodate updated FORA CFD special tax/ development fee collection, land sales and property tax collection, and development forecasts; and 3) removal of previously completed/retired CIP obligation background information (described through text edits). FORA staff will provide a presentation on these and other relevant issues.

ii. FORA staff annually requests updated reuse forecasts from the land use jurisdictions. FORA staff and Administrative Committee review the submitted forecasts to ensure that resource-constrained limits of the Base Reuse Plan and associated environmental documentation/Sierra Club Settlement Agreement are met and that forecasts are realistic. The FORA Administrative Committee confirmed the updated forecasts at their April 15, 2015 meeting. Using these forecasts and other information, FORA estimates CIP funding sources, including CFD special tax/development fees, land sales, property taxes, grant proceeds, etc. anticipated to be received per fiscal year. Staff used the forecasted revenues to place expenditures on transportation/ transit, water augmentation, habitat management and building removal over the course of five years and the "post-FORA" term. "Post-FORA" means an undefined time period after June 30, 2020 (FORA dissolution date in state law) needed to complete CIP funding source collections and project expenditures by FORA's successor(s).

The Administrative Committee recommended FORA Board approval of the attached FY 2015/16 CIP at their April 29<sup>th</sup> meeting which incorporates comments made by City of Seaside staff prior to the meeting. One of the City's suggested edits – revising Highway 156 \$5M funding to begin in 2019/20 versus 2018/19 – was made to ensure FORA on-site and off-site project funding prior to regional improvements. Transportation Agency for Monterey County (TAMC) staff requested that Highway 156 remain in 2018/19. TAMC expects transportation measure funding will be available and receiving FORA funding in 2018/19 could be critical. Although the Administrative Committee recommended the FY 2015/16 CIP with the City's suggestions, they requested this board report note TAMC's request.

Building removal (BR): FORA's remaining BR obligations at Surplus II and Stockade areas are programmed in FY 2015/16.

CIP reprogramming continues to be a routine procedure to assure that mitigation projects are implemented in the best possible sequence with reuse needs. Next year's CIP may differ, based on updated jurisdiction forecasts and actual fee collection. The CIP is typically presented for initial FORA Board review in May each year. The CIP has either been adopted at this first presentation or at the June meeting in order to implement the program by the start of the fiscal year on July 1. The Administrative Committee recommended draft FY 2015/16 FORA CIP is included as **Attachment A** for Board consideration.

**FISCAL IMPACT:**

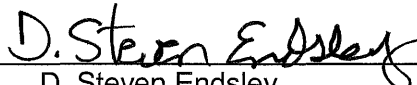
Reviewed by FORA Controller 

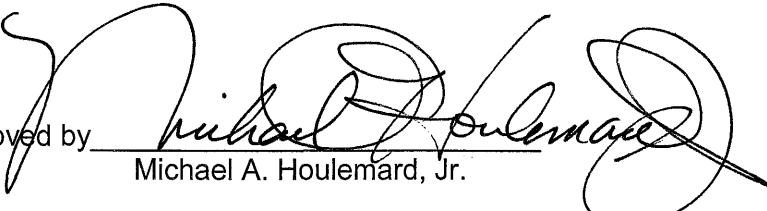
Staff time is included in the approved annual budget.

**COORDINATION:**

Administrative Committee, Finance Committee

Prepared by   
Crissy Maras

Reviewed by   
D. Steven Endsley

Approved by   
Michael A. Houlemard, Jr.



**DRAFT**  
FY 2015/16  
Capital Improvement  
Program

# TABLE OF CONTENTS

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<u>SECTION</u>	<u>PAGE</u>
<b>I EXECUTIVE SUMMARY</b>	<b>3</b>
<b>II OBLIGATORY PROGRAM OF PROJECTS – DESCRIPTION OF CAPITAL IMPROVEMENT PROGRAM</b>	<b>4</b>
a. TRANSPORTATION/TRANSIT	5
FIGURE 1 – TRANSPORTATION MAP	7
FIGURE 2 – REMAINING TRANSPORTATION PROJECTS	8
b. WATER AUGMENTATION	9
c. STORM DRAINAGE SYSTEM	9
d. HABITAT MANAGEMENT REQUIREMENTS	9
e. FIRE FIGHTING ENHANCEMENT REQUIREMENTS	10
f. BUILDING REMOVAL PROGRAM	10
g. WATER AND WASTEWATER COLLECTION SYSTEMS	11
h. PROPERTY MANAGEMENT AND CARETAKER COSTS	12
<b>III FY 2015/2016 THROUGH POST-FORA CAPITAL IMPROVEMENT PROGRAM</b>	<b>12</b>
TABLE 1 – OBLIGATORY PROJECT OFFSETS AND REMAINING OBLIGATIONS	14
TABLE 2 – TRANSPORTATION NETWORK AND TRANSIT ELEMENTS	15
TABLE 3 – SUMMARY OF CAPITAL IMPROVEMENT PROGRAM	16
TABLE 3 – FOOTNOTES	17
TABLE 4 – COMMUNITY FACILITIES DISTRICT REVENUE	18
TABLE 5 – LAND SALES REVENUE	20
 <b><u>APPENDICES</u></b>	
<b>A. PROTOCOL FOR REVIEW/REPROGRAMMING OF FORA CIP</b>	<b>21</b>
<b>B. FY 2015/16 THROUGH POST-FORA DEVELOPMENT FORECASTS</b>	<b>23</b>
<b>C. BUILDING REMOVAL PROGRAM TO DATE</b>	<b>25</b>
<b>D. CARETAKER COSTS MEMORANDUM DATED JULY 18, 2012</b>	<b>29</b>
<b>E. MARINA COAST WATER DISTRICT CIP</b>	<b>31</b>

## I. EXECUTIVE SUMMARY

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The Fort Ord Reuse Authority (FORA) Capital Improvement Program (CIP) was created in 2001 to comply with and monitor mitigation obligations from the 1997 Fort Ord Base Reuse Plan (BRP). These mitigation obligations were described in the BRP Appendix B as the 1996 Public Facilities Implementation Plan (PFIP) – which was the initial capital programming baseline. The CIP is a policy approval mechanism for the ongoing BRP mitigation requirements as well as other capital improvements established by FORA Board policy. The CIP is re-visited annually by the FORA Board to assure that projects are implemented on a timely basis.

This FY 2015/16 – “Post-FORA” CIP document has been updated with reuse forecasts by the FORA land use jurisdictions and adjusted to reflect staff analysis and Board policies. Adjusted annual forecasts are enumerated in the CIP Appendix B. Forecasted capital project timing is contrasted with FY 2014/15 adopted timing, outlining adjustments. See Tables 2 & 3, depicting CIP project forecasts.

Current State law sets FORA’s sunset for June 30, 2020 or when 80% of the BRP has been implemented, whichever occurs first – either of which is prior to the Post-FORA CIP end date. The revenue and obligation forecasts will be addressed in 2018 under State law and will require significant coordination with the Local Agency Formation Commission.

### 1) Periodic CIP Review and Reprogramming

Recovery forecasting is impacted by the market. However, annual jurisdictional forecast updates remain the best method for CIP programming since timing of project implementation is the purview of the individual on-base FORA members. Consequently, FORA annually reviews and adjusts its jurisdictional forecast-based CIP to reflect project implementation and market changes. The protocol for CIP review and reprogramming was adopted by the FORA Board on June 8, 2001. Appendix A, herein, defines how FORA and its member agencies review reuse timing to accurately forecast revenue. A March 8, 2010 revision incorporated additional protocols by which projects could be prioritized or placed in time. Once approved by the FORA Board, this CIP will set project priorities. The June 21, 2013 Appendix A revision describes the method by which the “Fort Ord Reuse Authority’s Basewide Community Facilities District (CFD), Notice of Special Tax Lien” is annually indexed.

During last year’s CIP reprogramming, the Finance Committee reviewed the FY 2014/15 CIP budget as a component of the overall FORA mid-year and preliminary budgets. They expressed their concern for a higher degree of accuracy and predictability in FORA’s revenue forecasts. Board members concurred and recommended that staff, working with the Administrative and CIP Committees, hone and improve CIP development forecasts and resulting revenue projections. This approach has continued into the 2015/16 document.

#### CIP Development Forecasts Methodology

From January to May 2014, FORA Administrative and CIP Committees formalized a methodology for developing jurisdictional development forecasts: 1) Committee members recommended differentiating between entitled and planned projects (Appendix B) and correlate accordingly, 2) Basic market conditions necessary to moving housing projects forward should be recognized and reflected in the methodology. On average, a jurisdiction/project developer will market three or four housing types/products and sell at least one of each type per month, 3) As jurisdictions coordinate with developers to review and revise development forecasts each year, FORA staff and committees review submitted jurisdiction forecasts, using the methodology outlined in #2, translated into number of building permits expected to be pulled from July 1 to June 30 of the prospective fiscal year and consider permitting and market constraints in making additional revisions; and 4) FORA Administrative and CIP Committees confirm final development forecasts, and share those findings with the Finance Committee.

In FY 2010/11, FORA contracted with Economic & Planning Systems (EPS) to perform a review of CIP costs and contingencies (CIP Review – Phase I Study), which resulted in a 27% across-the-board CFD/Development Fee reduction in May 2011. On August 29, 2012, the FORA Board adopted a formula to calibrate FORA CIP costs and revenues on a biennial basis, or if a material change to the program occurs. Results of the EPS Phase II Review resulted in a further 23.6% CFD/Development Fee reduction. A Phase III review, to update CIP costs and revenues, resulted in an additional 17% CFD/Development Fee reduction which took effect on July 5, 2014.

## 2) CIP Costs

The costs assigned to individual CIP elements were first estimated in May 1995 and published in the draft 1996 BRP. The Transportation/Transit Costs were updated in 2005 and have been adjusted to reflect actual changes in construction expenses noted in contracts awarded on the former Fort Ord and to reflect the Engineering News Record (ENR) Construction Cost Index (CCI) inflation factors. This routine procedure has been applied annually since the adoption of the CIP – excepting 2011, at Board direction.

## 3) CIP Revenues

The primary CIP revenue sources are CFD special taxes Development Fees, and land sale proceeds. These primary sources are augmented by loans, property taxes and grants. The CFD has been adjusted annually to account for inflation, with an annual cap of 5%. Development Fees were established under FORA policy to govern fair share contributions to the basewide infrastructure and capital needs. CFD/Development Fee reductions are described in section 1) of this Executive Summary.

The CFD implements a portion of the Development Fee policy and funds mitigations described in the BRP Final Environmental Impact Report (FEIR). The FORA CFD pays CIP costs including Transportation/Transit projects, Habitat Management obligations, and Water Augmentation. Land sale proceeds are designated to cover Building Removal Program costs per FORA Board policy.

Tables 4 and 5 herein contain a tabulation of the proposed developments with their corresponding fee and land sale revenue forecasts. Capital project obligations are balanced against forecasted revenues on Table 3 of this document.

## 4) Projects Accomplished to Date

FORA has actively implemented capital improvement projects since 1995. As of this writing, FORA has completed approximately:

- a) \$77M in roadway improvements, including underground utility installation and landscaping, predominantly funded by US Department of Commerce – Economic Development Administration (EDA) grants (with FORA paying any required local match), FORA CFD fees, loan proceeds, payments from participating jurisdictions/agencies, property tax payments (formerly tax increment), and a FORA bond issue.
- b) \$1.6M in storm drainage system improvements to design and construct alternative storm water runoff disposal systems that allowed for the removal of storm water outfalls.
- c) \$82M in munitions and explosives of concern cleanup on 3.3K acres of former Fort Ord Economic Development Conveyance (and other) acres, funded by a US Army grant.
- d) \$1.1 in fire-fighting enhancement with the final payment on the lease-purchase of five pieces of fire-fighting equipment which were officially transferred to the appropriate agencies (Cities of Marina, Seaside and Monterey, Ord Military Community and Salinas Rural Fire District) in April 2014.
- e) \$31.3M in building removal at the Dunes on Monterey Bay, East Garrison, Imjin Parkway and Imjin Office Park site. (Dunes \$29M [\$7M land sales credit], East Garrison \$2.2M land sales credit, Seaside \$100K = \$31.3M FORA financed building removal to date. Remaining FORA building removal obligation is \$6.2M = \$2.2M Marina Stockade and \$4M Seaside Surplus II.) See Section II f for additional background.



- f) \$12M in Habitat Management and other capital improvements instrumental to base reuse, such as improvements to the water and wastewater systems, Water Augmentation obligations, and Fire Fighting Enhancement.

Section III provides detail regarding how completed projects offset FORA basewide obligations. As revenue is collected and offsets obligations, the offsets will be enumerated in Tables 1 and 3.

This CIP provides the FORA Board, Administrative Committee, Finance Committee, jurisdictions, and the public with a comprehensive overview of the capital programs and expectations involved in former Fort Ord recovery programs. As well, the CIP offers a basis for annually reporting on FORA's compliance with its environmental mitigation obligations and policy decisions by the FORA Board. It can be accessed on the FORA website at: [www.fora.org](http://www.fora.org).

## II. OBLIGATORY PROGRAM OF PROJECTS – DESCRIPTION OF CIP ELEMENTS

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As noted in the Executive Summary, current obligatory CIP elements include Transportation/Transit, Water Augmentation, Habitat Management, and Building Removal. The first elements noted are to be funded by CFD/Development Fees. Land sale proceeds are earmarked to fund the Building Removal Program to the extent of FORA's building removal obligation. Beyond that obligation, land sale proceeds may be allocated to CIP projects by the FORA Board. Summary descriptions of each CIP element follow:

### a) Transportation/Transit

During the preparation of the BRP and associated FEIR, the Transportation Agency for Monterey County (TAMC) undertook a regional study (The Fort Ord Regional Transportation Study, July 1997) to assess Fort Ord development impacts on the study area (North Monterey County) transportation network.

When the BRP and accompanying FEIR were adopted by the Board, the transportation and transit obligations as defined by the TAMC Study were also adopted as mitigations to traffic impacts resulting from development under the BRP.

The FORA Board subsequently included the Transportation/Transit element (obligation) as a CFD-funded facility. As implementation of the BRP continued, FORA reinitiated TAMC coordination, review and reallocation of the FORA-funded transportation projects.



General Jim Moore Boulevard at Hilby Avenue; one of three intersections upgraded/opened in the City of Seaside

Toward that goal, and following Board direction to coordinate a work program with TAMC, FORA and TAMC entered into a cooperative agreement to move forward with re-evaluation of FORA's transportation obligations and related fee allocations. TAMC, working with the Association of Monterey Bay Area Governments (AMBAG) and FORA, completed that re-evaluation. TAMC's recommendations are enumerated in the "FORA Fee Reallocation Study" dated April 8, 2005; the date the FORA Board of Directors approved the study for inclusion in the FORA CIP. The complete study can be found online at [www.fora.org](http://www.fora.org), under the Documents menu.

TAMC's work with AMBAG and FORA resulted in a refined list of FORA transportation obligations that are synchronous with the TAMC Regional Transportation Plan (RTP). Figure 1 illustrates the refined FORA transportation obligations that are further defined in Table 1. Figure 2 reflects completed transportation projects, remaining transportation projects with FORA as lead agency, and remaining transportation projects with others as lead agency (described below). Similar to the 2005 "FORA Fee Reallocation Study" effort, FORA and TAMC will work together on a FORA Fee Reallocation Study in FY 2015/16 (funded in the FORA FY 2015/16 operating budget).

## **Transit**

The transit obligations enumerated in Table 1 remain unchanged from the 1997 TAMC Study and adopted BRP. However, long-range planning by TAMC and Monterey-Salinas Transit (MST) reflected a preferred route for the multi-modal corridor different than what was presented in the BRP, FEIR and previous CIPs. The BRP provided for a multi-modal corridor (MMC) along Imjin Parkway/Blanco Road serving to and from the Salinas area to the TAMC/MST intermodal center planned at 8<sup>th</sup> Street and 1<sup>st</sup> Avenue in the City of Marina portion of the former Fort Ord. 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 multi-modal corridor plan-line. Stakeholders included, but were not limited to, TAMC, MST, 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 completed a Memorandum of Agreement (MOA) outlining the new alignment of the multi-modal transit corridor plan line in February 2010. Since all stakeholders have signed the MOA, the FORA Board designated the new alignment and rescinded the original alignment on December 10, 2010.

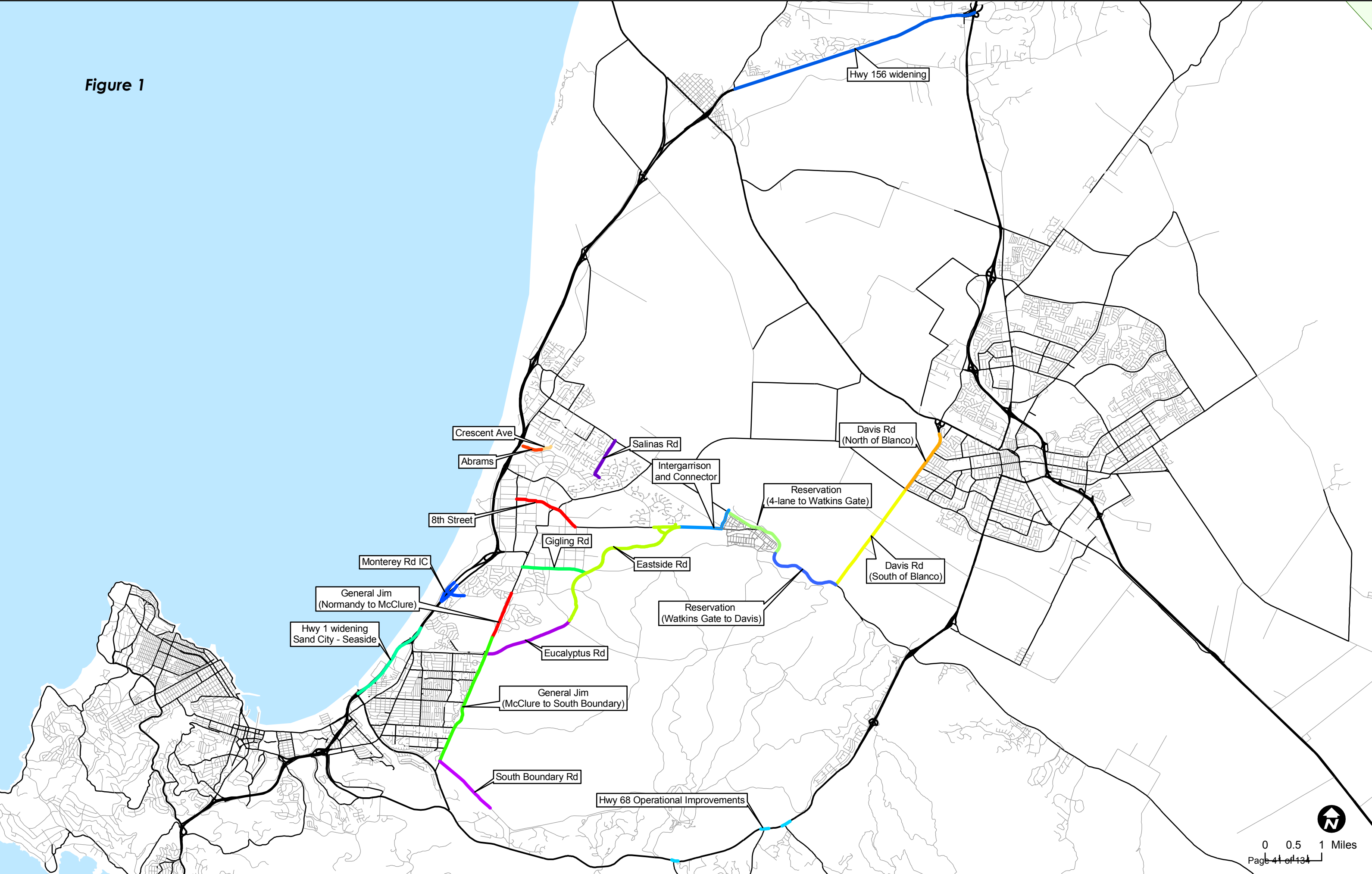
Over the last year, TAMC re-evaluated the MMC route and held stakeholder and public outreach meetings to determine how to best meet the transit needs of the community. They have selected Imjin Parkway/Reservation Road/Davis Road as the preferred alternative. TAMC anticipates requesting FORA Board concurrence, adopting the final MMC alignment and preparing a new MOA to supersede the 2010 MOA alignment this calendar year. Full build-out of the MMC route is expected to take 20 years.

## **Lead Agency Status**

FORA has served as lead agency in accomplishing the design, environmental approval and construction activities for all capital improvements considered basewide obligations under the BRP and this CIP. As land transfers continue and development gains momentum, certain basewide capital improvements may be advanced by the land use jurisdictions and/or their developers.

As of this writing, reimbursement agreements are in place with Monterey County and the City of Marina for several FORA CIP transportation projects. Table 2 identifies those projects. FORA's obligation toward those projects is financial, as outlined in the reimbursement agreements. FORA's obligation toward projects for which it serves as lead agent is the actual project costs. Other like reimbursement agreements may be structured as development projects are implemented and those agreements will be noted for the record.

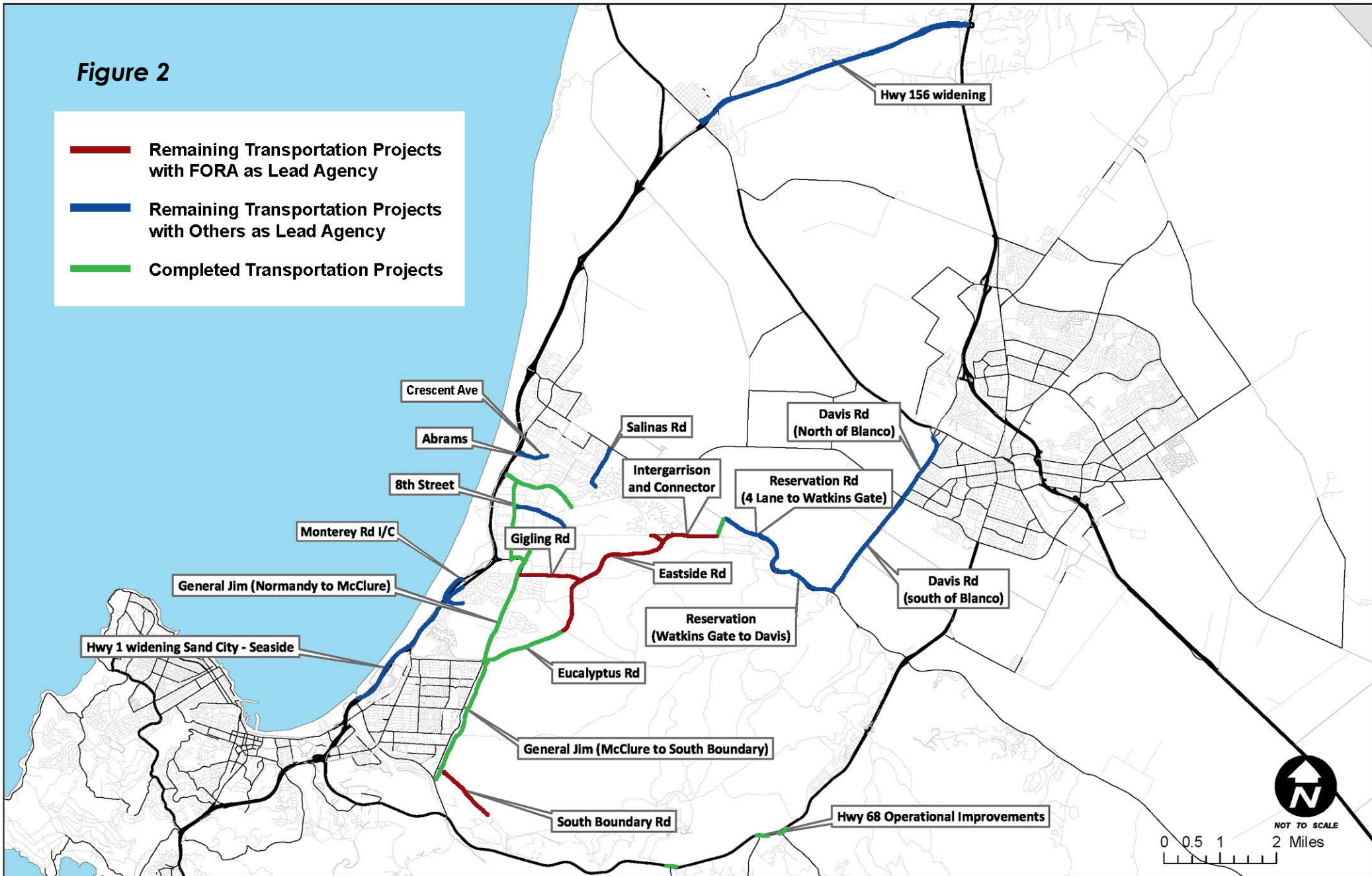
Figure 1



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Page 41 of 134

**Figure 2**

- Remaining Transportation Projects with FORA as Lead Agency
- Remaining Transportation Projects with Others as Lead Agency
- Completed Transportation Projects



## **b) Water Augmentation**

The Fort Ord BRP identifies availability of water as a resource constraint. The BRP anticipated build out development density utilizes the 6,600 acre-feet per year (AFY) of available groundwater supply, as described in BRP Appendix B (PFIP section p 3-63). In addition to groundwater supply, the BRP assumes an estimated 2,400 AFY augmentation to achieve the permitted development level as reflected in the BRP (Volume 3, figure PFIP 2-7).

FORA has contracted with Marina Coast Water District (MCWD) to implement a water augmentation program. Following a comprehensive two-year process of evaluating viable options for water augmentation, the MCWD Board of Directors certified, in October 2004, a program level Environmental Impact Report (EIR) analyzing three potential augmentation projects. The projects included a desalination project, a recycled water project and a hybrid project (containing components of both recycled water and desalination water projects).

In June 2005, MCWD staff and consultants, working with FORA staff and Administrative Committee, recommended the hybrid project to the FORA and MCWD Boards of Directors. Additionally, it was recommended that FORA-CIP funding toward the former Fort Ord Water and Wastewater Collection Systems be increased by an additional \$17M to avert additional burden on rate payers due to increased capital costs. However, a 2013 MCWD rate study recommended removing that "voluntary contribution" from the MCWD budget and the EPS Phase III CIP Review results concurred, resulting in a commensurately lowered FORA CFD/developer fee.

Several factors required reconsideration of the water augmentation program. Those factors included increased augmentation program project costs (as designs were refined); MCWD and the Monterey Regional Water Pollution Control Agency (MRWPCA) negotiations regarding the recycled component of the project were not accomplished in a timely manner; and the significant economic downturn (2008-2012). These factors deferred the need for the augmentation program and provided an opportunity to consider the alternative "Regional Plan" as the preferred project for the water augmentation program.

At the April 2008 FORA Board meeting, the Board endorsed the Regional Plan as the preferred plan to deliver the requisite 2,400 AFY of augmenting water to the 6,600 AFY groundwater entitlements. Since that time, the Regional Plan was designated by the State Public Utilities Commission as the preferred environmental alternative and an agreement in principal to proceed entered into by Cal-Am, MCWD and MRWPCA. Given a conflict of interest with the Regional Plan approvals, the parties halted the project. MCWD is still contractually obligated to provide an augmented source for the former Fort Ord as distinct from the Regional Project. The proposed CIP defaults to the prior Board approved 'hybrid' project that MCWD has performed CEQA for and is contractually required to implement.

At the March and April 2015 FORA Board meetings, MCWD presented a water augmentation program status update and requested FORA Board concurrence in proceeding with a contract to deliver 10% designs for a 2,700 AFY desalination plant (2,400 AFY would be provided to the former Fort Ord). FORA Board members accepted the reports provided at these meetings, but did not take a vote on MCWD's recommendation. MCWD staff indicated that it will continue to pursue the previously approved 'hybrid' project.

## **c) Storm Drainage System Projects**

FORA completed the construction and demolition project as of January 2004. Table 3 reflects this obligation having been met. Background information can be found in previous CIP documents online at [www.fora.org](http://www.fora.org).

## **d) Habitat Management Requirements**

The BRP Appendix A, Volume 2 contains the Draft Habitat Management Program (HMP) Implementing/Management Agreement. This Management Agreement defines the respective rights and obligations of FORA, its member agencies, California State University and the University of

California with respect to implementation of the HMP. To allow FORA and its member agencies to implement the HMP and BRP in compliance with the Endangered Species Act, the California Endangered Species Act, and other statutes, the US Fish & Wildlife Service (USFWS) and the California Department of Fish & Wildlife (CDFW) must also approve the Fort Ord Habitat Conservation Plan (HCP) and its funding program, as paid for and prepared by FORA.

The funding program is predicated on an earnings rate assumption acceptable to USFWS and CDFW for endowments of this kind, and economies of scale provided by unified management of the Cooperative's (the future HCP Joint Powers Authority) habitat lands by qualified non-profit habitat managers. The Cooperative will consist of the following members: FORA, County of Monterey, City of Marina, City of Seaside, City of Del Rey Oaks, City of Monterey, State Parks, University of California (UC), CSUMB, Monterey Peninsula College (MPC), Monterey Peninsula Regional Park District, Bureau of Land Management and MCWD. The Cooperative will hold the Cooperative endowments, and UC will hold the Fort Ord Natural Reserve (FONR) endowment. The Cooperative will control expenditure of its annual line items. FORA will fund the endowments, and the initial and capital costs, to the agreed upon levels.

FORA has provided upfront funding for management, planning, capital costs and HCP preparation. In addition, FORA has dedicated 30% of Development Fee collections to build to a total endowment of principal funds necessary to produce an annual income sufficient to carry out required habitat management responsibilities in perpetuity. The original estimate was developed by an independent consultant retained by FORA and totaled \$6.3M.

Based upon conversations with the regulatory agencies, it has become apparent that the Habitat Management obligations will increase beyond the costs originally projected. Therefore, this document contains a ± \$40M line item of forecasted requisite expenditures (see Table 3 column '2005-15' amount of \$7,665,830 plus column '2015-16 to Post FORA Total' amount of \$34,067,170). As part of the FY 2010-11 FORA CIP Review process conducted by EPS, TAMC and FORA, at the FORA Board's April 8, 2011 direction, included \$20.3M in current dollars as a CIP contingency for additional habitat management costs should the assumed payout rate for the endowment be 1.5% less than the current 4.5% assumption. It is hoped that this contingency will not be necessary, but USFWS and CDFW are the final arbiters as to what the final endowment amount will be, with input from FORA and its contractors/consultants. It is expected that the final endowment amount will be agreed upon in the upcoming fiscal year. FORA's annual operating budget has funded the annual costs of HCP preparation, including consultant contracts. HCP preparation is funded through non-CFD/development fee sources such as FORA's share of property taxes.

The current screencheck draft HCP prepared in March 2015 includes a cost and funding chapter, which provides a planning-level cost estimate for HCP implementation and identifies necessary funds to pay for implementation. Concerning the annual costs necessary for HCP implementation and funded by FORA, of approximately \$1.8 million in annual costs, estimated in 2014 dollars, approximately 34% is associated with habitat management and restoration, 27% for program administration and reporting, 23% for species monitoring, and 16% for changed circumstances and other contingencies.

**e) Fire Fighting Enhancement Requirements**

FORA transferred equipment titles to the appropriate fire-fighting agencies in April 2014. FORA's obligation for fire-fighting enhancement has been fully met. Background information can be found in previous CIP documents online at [www.fora.org](http://www.fora.org).

**f) Building Removal Program**

As a basewide obligation, the BRP includes the removal of building stock to make way for redevelopment, remove environmental hazards, and blight in certain areas of the former Fort Ord. In FY 01/02 the FORA Board established policy regarding building removal obligations that has been sustained since that time. For example, one of FORA's obligations includes some City of Seaside Surplus II buildings. The policy fixes the overall FORA funding obligation to Surplus II at \$4M, and the City

of Seaside decides which buildings to remove. The FORA Board additionally established criteria to address how the building removal program would proceed at Surplus II: 1) buildings must be within Economic Development Conveyance parcels; 2) building removal is required for redevelopment; 3) buildings are not programmed for reuse; and, 4) buildings along Gigling Road potentially fit the criteria. When the City of Seaside, working with any developer, determines which buildings should be removed, FORA would forego a portion of land sale proceeds in an amount commensurate with actual costs, up to \$4M (December 1996 Reimer Associates Fort Ord Demolition Study). All jurisdictions have been treated in a similar manner but have widely varying building removal needs that FORA accommodates with available funds.

Per Board direction, building removal is funded by land sale revenue and/or credited against land sale valuation. Two MOAs, described below, have been finalized for these purposes:

In August 2005, FORA entered into an MOA with the City of Marina Redevelopment Agency and Marina Community Partners (MCP), assigning FORA \$46M in building removal costs within the Dunes on Monterey Bay project area and MCP the responsibility for the actual removal. FORA paid \$22M and MCP received FORA land sale credits of \$7M out of a total \$24M in available credits for building removal costs. \$29M of FORA's \$46M building removal obligation was thus completed as agreed by the City of Marina and MCP in 2007. FORA will fund its remaining \$17M building removal obligation through land sales credits as the City of Marina transfers its Fort Ord lands to MCP for future phases of the Dunes on Monterey Bay project.

In February 2006, FORA entered into an MOA with Monterey County, the Monterey County Redevelopment Agency and East Garrison Partners (EGP). In this MOA, EGP agreed to undertake FORA's responsibility for removal of certain buildings in the East Garrison Specific Plan for which they received a credit of \$2.1M against FORA's portion of land sale proceeds. Building removal in the East Garrison project area is now complete. Since this agreement was made, the property was acquired by a new entity who is complying with the financial terms of the MOA.

FORA's remaining building removal obligations include the former Fort Ord stockade within the City of Marina ( $\pm$  \$2.2M) and, as previously discussed, buildings in the City of Seaside's Surplus II area ( $\pm$  \$4M). In 2011, FORA, at the direction of the City of Seaside, removed a building in the Surplus II area which is explained in more detail in Appendix C. FORA will continue to work closely with the Cities of Marina and Seaside as new specific plans are prepared for those areas.

Since 1996 FORA has been aggressively reusing, redeveloping, and/or deconstructing former Fort Ord buildings in environmentally sensitive ways to reuse or reclaim significant building materials. FORA has worked closely with the regulatory agencies and local contractors to safely abate hazardous materials, maximize material reuse and recycling, and create an educated work force that can take advantage of the jobs created on the former Fort Ord. FORA (supported by Seaside and CSUMB) has submitted a grant request to the EDA for \$320,000 to survey hazardous materials and develop a business plan and cost estimates for removing the Surplus II buildings. FORA, CSUMB and the jurisdictions continue to leverage the accumulated expertise and experience and focus on environmentally sensitive reuse, removal of structures, and recycling remnant structural and site materials, while applying lessons learned from past FORA efforts to "reduce, reuse and recycle" materials from former Fort Ord structures as described in Appendix C.

#### **g) Water and Wastewater Collection Systems**

Following a competitive selection process in 1997, the FORA Board approved MCWD as the purveyor to own and operate water and wastewater collection systems on the former Fort Ord. By agreement with FORA, MCWD is tasked to assure that a Water and Wastewater Collection Systems Capital Improvement Program is in place and implemented to accommodate repair, replacement and expansion of the systems. To provide uninterrupted service to existing customers and to track with system expansion to keep pace with proposed development, MCWD and FORA staff coordinate system(s) needs with respect to anticipated development. MCWD is engaged in the FORA CIP process, and adjusts its program coincident with the FORA CIP.

In 1997, the FORA Board established a Water and Wastewater Oversight Committee (WWOC), which serves in an advisory capacity to the Board. A primary function of the WWOC is to meet and confer with MCWD staff in the development of operating and capital budgets and corresponding customer rate structures. Annually, the WWOC and FORA staff prepare recommended actions for the Board's consideration with respect to budget and rate approvals. Capital improvements for system(s) operations and improvements are funded by customer rates, fees and charges. Capital improvements for the system(s) are approved on an annual basis by the MCWD and FORA Boards. See Appendix E for the FY 2015/16 Ord Community CIP list.

#### **h) Property Management and Caretaker Costs**

During the EPS Phase I CIP Review process in FY 10/11, FORA jurisdictions expressed concern over accepting 1,200+ acres of former Fort Ord properties without sufficient resources to manage them. Since the late 1990's, FORA carried a CIP contingency line item for "caretaker costs." The EPS Phase I CIP Study identified \$16M in FORA CIP contingencies to cover such costs. These obligations are not BRP required CEQA mitigations, but are considered basewide obligations (similar to FORA's building removal obligation). In order to reduce contingencies, this \$16M item was excluded from the CIP cost structure used as the original basis for the 2011-12 CFD Special Tax fee reductions.

However, the Board recommended that a "Property Management/Caretaker Costs" line item be added back as an obligation to cover basewide property management costs, should they be demonstrated.

As a result of EPS's Phase II CIP Review analysis in FY 11/12 and FY 12/13, FORA agreed to reimburse its five member jurisdictions up to \$660,000 in annual funding for these expenses based on past experience, provided sufficient land sales revenue is available and jurisdictions are able to demonstrate property management/caretaker costs. Additional detail concerning this analysis is provided under Appendix D. These expenses are shown in Table 5 – Land Sales as a deduction prior to net land sales proceeds. The expenses in this category (FY 15/16 through Post-FORA) are planning numbers and are not based on identified costs. EPS's analysis also assumes that, as jurisdictions sell former Fort Ord property, their property management/caretaker costs will diminish.

### **III. FY 2015/2016 THROUGH POST-FORA CAPITAL IMPROVEMENT PROGRAM**

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#### **Background Information/Summary Tables**

Table 1 graphically depicts fiscal offsets of completed projects that have reduced BRP obligations. Since 1995, FORA has advanced approximately \$77M in capital projects and BRP obligations. These projects have been predominantly funded by EDA grants, loan proceeds and developer fees. Developer fees are the primary funding source for FORA to continue meeting its mitigation obligations under the BRP. Table 1 includes fiscal offsets inclusive of not only completed projects, but also funded projects to-be-completed during the course of the next fiscal year. The column 'FORA Portion' has been annually inflated after applying offsets by the ENR CCI to the 'Transportation/Transit Totals' amount of \$118,180,369, which appears in the column 'FORA Remaining Obligation Inflated.' As previously noted, work concluded in conjunction with TAMC and AMBAG has resulted in modification of transportation obligations for consistency with current transportation planning at the regional level.

Table 2 details current TAMC recommendations that are compatible with the RTP, and "time places" transportation and transit obligations over the CIP time horizon.

A summary of the CIP project elements and their forecasted costs and revenues are presented in Table 3. Annual updates of the CIP will continue to contain like summaries and account for funding received and applied against required projects. Under section "A. CIP projects funded by CFD development fees" "Other Revenues" "Property Taxes," column "2005-15" shows that FORA collected and spent approximately \$5.8M in property taxes for CIP projects, which were primarily ESCA change



orders and CIP road projects. FORA property tax collections are forecasted from FY 2015/16 to 2019/20 based on FORA-Jurisdictions Implementation Agreement (IA) Amendments. The IA Amendments designate that 90% of FORA property tax revenue from new assessed value after July 1, 2012 will fund FORA CIP projects, while the remaining 10% will go to former Fort Ord jurisdictions for economic development. The "Property Tax Sharing Costs" under "Other Costs & Contingency" reflect 10% of FORA Property Taxes to be paid to the jurisdictions.

Table 4, Community Facilities District Revenue, reflects forecasted annual revenue from CFD fee collection. On an annual basis, FORA requests updated development forecasts from its member agencies as a component of FORA's CIP preparation process. The five land use jurisdictions and other agencies with land use authority on former Fort Ord provide updated development forecasts for Table A1: Residential Annual Land Use Construction and Table A2: Non-Residential Annual Land Use Construction (Appendix B). FORA staff reviews the submitted development forecasts to ensure that BRP resource limitations are met (i.e. 6,160 New Residential Unit limit, etc.). FORA staff may make adjustments to the forecasts based on past experience. In previous years, jurisdictions' forecasts have been overly optimistic. In this FY 2015/16 CIP, FORA staff included development forecasts as submitted by the land use jurisdictions in March and April 2015. See '1) Periodic CIP Review and Reprogramming' on page 3 of this document for additional information.

FORA staff applied the anticipated FORA CFD special tax/Development Fee Schedule rates as of July 1, 2015 to produce Table 4 – Community Facilities District Revenue projections (see Appendix A for more information).

Table 5 - Land Sale Revenue reflects land sales projections using the methodology from EPS's Phase III CIP Review. In its CIP review Study, EPS projected future FORA land sales from July 1, 2014 through June 30, 2022. EPS's land sales projections are found in Table B-1 included in Attachment C to Item 10b, May 16, 2014 FORA Board Packet. For this FY 2015/16 CIP, FORA staff based its land sale revenue forecasts using the same underlying assumptions as Table B-1. Using past land sales transactions on former Fort Ord where FORA received 50% of the proceeds, FORA determined an underlying land value of \$172,000 per acre of land. This value was applied to future available development acres to forecast land sale revenue, assuming the land sale would precede actual development by one year. As in Table B-1, FORA staff calculated FORA's 50% share of the projected land sales proceeds, then deducted estimated caretaker costs, FORA costs, and other obligations (Initiatives, Petitions, Pollution Legal Liability Insurance, etc.) from the land sales revenue projections. Finally, FORA staff applied a discount rate of 4.85% prior to determining net FORA land sales proceeds.

OBLIGATORY PROJECT OFFSETS AND REMAINING OBLIGATIONS

Project #	Project Title	Project Limits	TAMC Reallocation Study 2005		FORA Offsets 2005-2015	FORA Remaining Obligation	FORA Remaining Obligation Inflated
			TOTAL COST	FORA PORTION			
<b>Regional Improvements</b>							
R3	Hwy 1-Seaside Sand City	Widen highway 1 from 4 lanes to 6 lanes from Fremont Avenue Interchange south to the Del Monte Interchange	45,000,000	15,282,245	-	21,844,326	22,540,523
R10	Hwy 1-Monterey Rd. Interchange	Construct new interchange at Monterey Road	19,100,000	2,496,648	-	3,568,690	3,682,427
R11	Hwy 156-Freeway Upgrade	Widen existing highway to 4 lanes and upgrade highway to freeway status with appropriate interchanges. Interchange modification as needed at US 156 and 101	197,000,000	7,092,169	-	10,137,494	10,460,585
R12	Hwy 68 Operational Improvements	Operational improvements at San Benancio, Laureles Grade and at Corral De Tierra including left turn lanes and improved signal timing	9,876,000	223,660	312,205	-	-
<b>Subtotal Regional</b>			<b>270,976,000</b>	<b>25,094,722</b>	<b>312,205</b>	<b>35,550,510</b>	<b>36,683,535</b>
<b>Off-Site Improvements</b>							
1	Davis Rd n/o Blanco	Widen to 4 lanes from the SR 183 bridge to Blanco	3,151,000	506,958	-	724,642	747,737
2B	Davis Rd s/o Blanco	Widen to 4 lanes from Blanco to Reservation; Build 4 lane bridge over Salinas River	22,555,000	8,654,502	462,978	11,872,366	12,250,749
4D	Widen Reservation-4 lanes to WG	Widen to 4 lanes from existing 4 lane section East Garrison Gate to Watkins Gate	10,100,000	3,813,916	476,584	4,861,777	5,016,726
4E	Widen Reservation, WG to Davis	Widen to 4 lanes from Watkins Gate to Davis Rd	5,500,000	2,216,321	-	3,167,992	3,268,959
8	Crescent Ave extend to Abrams	Extend existing Crescent Court Southerly to join proposed Abrams Dr (FO2)	906,948	906,948	-	1,296,385	1,337,702
<b>Subtotal Off-Site</b>			<b>42,212,948</b>	<b>16,098,645</b>	<b>939,562</b>	<b>21,923,162</b>	<b>22,621,872</b>
<b>On-Site Improvements</b>							
FO2	Abrams	Construct a new 2-lane arterial from intersection with 2nd Ave easterly to intersection with Crescent Court extension	759,569	759,569	-	1,085,722	1,120,325
FO5	8th Street	Upgrade/construct new 2-lane arterial from 2 <sup>nd</sup> Ave to Intergarrison Rd	4,340,000	4,340,000	1,018,890	6,161,859	5,306,880
FO6	Intergarrison	Upgrade to a 4-lane arterial from Eastside Rd to Reservation	4,260,000	4,260,000	1,559,469	4,177,827	4,310,978
FO7	Gigling	Upgrade/Construct new 4-lane arterial from General Jim Moore Blvd easterly to Eastside Rd	5,722,640	5,722,640	353,510	7,723,385	7,969,536
FO9B (Ph-II)	GJM Blvd-Normandy to McClure	Widen from 2 to 4 lanes from Normandy Rd to McClure	24,065,000	24,065,000	6,252,156	-	-
FO9B (Ph-III) [1]	GJM Blvd-s/o McClure to s/o Coe	Widen from 2 to 4 lanes from McClure to Coe			3,476,974	-	-
FO9C	GJM Blvd-s/o Coe to S Boundary	Widen from 2 to 4 lanes from s/o Coe to South Boundary Rd			13,698,746	1,010,497	1,042,702
FO11	Salinas Ave	Construct new 2 lane arterial from Reservation Rd southerly to Abrams Dr	3,038,276	3,038,276	-	4,342,888	4,481,300
FO12	Eucalyptus Rd	Upgrade to 2 lane collector from General Jim Moore Blvd to Eastside Rd to Parker Flats cut-off	5,800,000	5,800,000	5,328,055	496,803	512,637
FO13B	Eastside Pkwy (New alignment)	Construct new 2 lane arterial from Eucalyptus Rd to Parker Flats cut-off to Schoonover Dr	12,536,370	12,536,370	510,000	17,357,353	17,910,547
FO14	S Boundary Road Upgrade	Upgrade to a 2 lane arterial, along existing alignment from General Jim Moore Blvd to York Rd	2,515,064	2,515,064	338,986	3,149,893	3,250,283
<b>Subtotal On-Site</b>			<b>63,036,919</b>	<b>63,036,919</b>	<b>32,536,786</b>	<b>45,506,227</b>	<b>45,905,187</b>
<b>Transportation Totals</b>			<b>376,225,867</b>	<b>104,230,286</b>	<b>33,788,553</b>	<b>102,979,899</b>	<b>105,210,594</b>
[1] Remaining construction may be phased in future CIP documents based on available funds and habitat/environmental clearance.							
<b>Transit Capital Improvements</b>							
T3	Transit Vehicle Purchase/Replace	15 busses	15,000,000	6,298,254	378,950	8,544,796	8,817,126
T22	Intermodal Centers	(PFIP T-31) includes 3 elements: 1. Intermodal Transportation Center @ 1st. Avenue South of 8th. Street 2. Park and Ride Facility @ 12th Street and Imjin, and 3. Park and Ride Facility @ 8th. Street and Gigling	3,800,000	4,786,673	-	6,655,674	6,867,796
<b>Transit Totals</b>			<b>18,800,000</b>	<b>11,084,926</b>	<b>378,950</b>	<b>15,200,470</b>	<b>15,684,922</b>
<b>Transportation/Transit Totals</b>			<b>395,025,867</b>	<b>115,315,212</b>	<b>34,167,503</b>	<b>118,180,369</b>	<b>120,895,516</b>
<b>Previous Offsets 1995 - 2004</b>							
<b>1. Transportation/Transit - TAMC Study 1995</b>							
FORA offsets against obligations for transportation/transit network per 1995 TAMC Study from 1995-2004. Funded by EDA grant funds, state and local matching funds, revenue bond proceeds, development fees.					32,235,648		
<b>2. Storm Drainage System</b>							
Retain/Percolate stormwater; eliminate discharge of stormwater to Monterey Bay Sanctuary. Project completed/financial obligation met in 2004. Funded by EDA grant proceeds.					1,631,951		
<b>TOTAL CUMULATIVE OFFSETS AGAINST TRANSPORTATION/TRANSIT AND STORM DRAINAGE PROJECTS TO DATE</b>					<b>68,035,102</b>		

TRANSPORTATION NETWORK AND TRANSIT ELEMENTS

Lead Agency		Regional Improvements								
Proj#	Description	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	POST FORA	TOTALS	Proj#	
TAMC/Caltrans	R3a	Hwy 1-Del Monte-Fremont-MBL					22,540,523	22,540,523	R3	
TAMC/Caltrans	R10	Hwy 1-Monterey Rd. Interchange					3,682,427	3,682,427	R10	
TAMC/Caltrans	R11	Hwy 156-Freeway Upgrade				5,000,000	5,460,585	10,460,585	R11	
<b>Subtotal Regional</b>		-	-	-	-	5,000,000	31,683,535	36,683,535		

Off-Site Improvements		Proj#	Description	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	POST FORA	TOTALS	Proj#
Monterey County	1	Davis Rd north of Blanco		500,000	247,737					747,737	1
Monterey County	2B	Davis Rd south of Blanco	400,000			2,600,000	3,250,749	6,000,000		12,250,749	2B
Monterey County	4D	Widen Reservation-4 lanes to WG				1,500,000	2,016,726	1,500,000		5,016,726	4D
Monterey County	4E	Widen Reservation, WG to Davis				1,000,000	1,268,959	1,000,000		3,268,959	4E
City of Marina	8	Crescent Ave extend to Abrams	200,000	200,000	550,000	387,702				1,337,702	8
<b>Subtotal Off-Site</b>			600,000	700,000	797,737	5,487,702	6,536,434	8,500,000		22,621,872	

On-Site Improvements		Proj#	Description	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	POST FORA	TOTALS	Proj#
City of Marina	FO2	Abrams	200,000	200,000	720,325					1,120,325	FO2
City of Marina	FO5	8th Street			2,500,000	2,000,000	806,880			5,306,880	FO5
FORA	FO6	Intergarrison	150,000	500,000	1,350,000	2,310,978				4,310,978	FO6
FORA	FO7	Gigling	150,000	500,000	3,325,000	3,994,536				7,969,536	FO7
FORA	FO9C	GJM Blvd			1,042,702					1,042,702	FO9C
City of Marina	FO11	Salinas Ave			2,200,000	2,281,300				4,481,300	FO11
FORA	FO12	Eucalyptus Road	150,000		362,637					512,637	FO12
FORA	FO13B	Eastside Parkway	500,000	2,050,000	4,450,000	8,200,000	2,710,547			17,910,547	FO13B
FORA	FO14	South Boundary Road Upgrade	950,000	1,050,000	1,250,283					3,250,283	FO14
<b>Subtotal On-Site</b>			2,100,000	4,300,000	17,200,947	18,786,814	3,517,427	-		45,905,187	

<b>Transportation Totals</b>	2,700,000	5,000,000	17,998,684	24,274,516	15,053,861	40,183,535	105,210,594
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Transit Capital Improvements		Proj#	Description	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	POST FORA	TOTALS	Proj#
MST	T3	Transit Vehicle Purchase/Replace			2,000,000	2,000,000	2,000,000	2,817,126		8,817,126	T3
MST	T22	Intermodal Centers			1,000,000	1,000,000	2,000,000	2,867,796		6,867,796	T22
<b>Subtotal Transit</b>			-	-	3,000,000	3,000,000	4,000,000	5,684,922		15,684,922	

<b>Transportation and Transit GRAND TOTALS</b>	2,700,000	5,000,000	20,998,684	27,274,516	19,053,861	45,868,457	120,895,516
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**SUMMARY OF CAPITAL IMPROVEMENT PROGRAM 2015/16 - POST FORA**

	2005-15	2015-16	2016-17	2017-18	2018-19	2019-20	Post FORA	2015-16 to Post FORA Total
<b>A. CIP PROJECTS FUNDED BY CFD DEVELOPMENT FEES</b>								
<b>Dedicated Revenues</b>								
Development Fees	28,387,335	5,585,000	11,906,000	15,356,000	23,344,000	31,653,000	78,632,000	166,476,000
<b>Other Revenues</b>								
Property Taxes	5,796,078	379,468	553,386	1,082,753	1,747,155	2,740,170	-	6,502,932
Loan Proceeds (1)	7,926,754							-
Federal Grants (2)	6,426,754							-
CSU Mitigation fees	2,326,795							-
Miscellaneous (Rev Bonds, Interest, CFD credit)	3,578,191	70,000	-	-	-	-	-	70,000
<b>TOTAL REVENUES</b>	<b>54,441,907</b>	<b>6,034,468</b>	<b>12,459,386</b>	<b>16,438,753</b>	<b>25,091,155</b>	<b>34,393,170</b>	<b>78,632,000</b>	<b>173,048,932</b>
<b>Expenditures</b>								
<b>Projects</b>								
Transportation/Transit	34,167,503	2,700,000	5,000,000	20,998,684	27,274,516	19,053,861	45,868,457	120,895,516
Water Augmentation [CEQA Mitigation]	561,780		1,190,600	1,535,600	2,334,400	3,165,300	15,789,748	24,015,648
Storm Drainage System [Completed by 2005]	[Table 1]							-
Habitat Management	7,665,830	1,756,670	3,595,612	4,637,512	7,049,888	6,144,144	9,150,344	32,334,170
Fire Rolling Stock	1,160,000	-	-	-	-	-	-	-
<b>Total Projects</b>	<b>43,555,113</b>	<b>4,456,670</b>	<b>9,786,212</b>	<b>27,171,796</b>	<b>36,658,804</b>	<b>28,363,305</b>	<b>70,808,549</b>	<b>177,245,334</b>
<b>Other Costs &amp; Contingency (3)</b>								
Additional CIP Costs	3,034,400	-	-	-	-	-	18,134,327	18,134,327
Habitat Mgt. Contingency	930,874	91,433	-	-	-	-	20,283,097	20,374,530
CIP/FORA Costs	1,325,690	605,953	400,000	400,000	400,000	395,491	-	2,201,444
Property Tax Sharing Costs		37,947	55,339	108,275	174,716	274,017	-	650,293
Other Costs (Debt Service) (4)	5,595,830	-	-	-	-	-	-	-
<b>Total Other Costs &amp; Contingency</b>	<b>10,886,794</b>	<b>735,333</b>	<b>455,339</b>	<b>508,275</b>	<b>574,716</b>	<b>669,508</b>	<b>38,417,424</b>	<b>41,360,595</b>
<b>TOTAL EXPENDITURES</b>	<b>54,441,907</b>	<b>5,192,003</b>	<b>10,241,551</b>	<b>27,680,071</b>	<b>37,233,520</b>	<b>29,032,813</b>	<b>109,225,973</b>	<b>218,605,929</b>
<b>Net Annual Revenue</b>		842,466	2,217,835	(11,241,319)	(12,142,364)	5,360,357	(30,593,973)	
<b>Beginning Balance</b>		-	842,466	3,060,301	(8,181,017)	(20,323,382)	(14,963,024)	
<b>Ending Balance CFD &amp; Other</b>	-	842,466	3,060,301	(8,181,017)	(20,323,382)	(14,963,024)	(45,556,998)	(45,556,997)
<b>B. CIP PROJECTS FUNDED BY LAND SALE REVENUES</b>								
<b>Dedicated Revenues</b>								
Land Sales (5)	49,221,940	485,000	2,127,606	9,370,287	14,908,759	9,829,367	12,829,326	49,550,343
Land Sales - Credits	6,767,300		6,750,000				12,659,700	19,409,700
Other Revenues (6)	1,425,000							
Loan Proceeds (1)	7,500,000	3,000,000						3,000,000
<b>Total Revenues</b>	<b>64,914,240</b>	<b>3,485,000</b>	<b>8,877,606</b>	<b>9,370,287</b>	<b>14,908,759</b>	<b>9,829,367</b>	<b>25,489,026</b>	<b>71,960,043</b>
<b>Expenditures</b>								
<b>Projects</b>								
Building Removal	28,767,300	6,500,000	6,750,000				12,659,700	25,909,700
Other Costs (Loan Pay-off, Debt Financing)	17,817,383	69,500	1,560,000	1,560,000				3,189,500
<b>TOTAL PROJECTS</b>	<b>46,584,683</b>	<b>6,569,500</b>	<b>8,310,000</b>	<b>1,560,000</b>	<b>-</b>	<b>-</b>	<b>12,659,700</b>	<b>29,099,200</b>
<b>Other Costs &amp; Contingency (7)</b>								
Transfer to FORA Reserve	-	10,000,000						10,000,000
Building Removal Contingency	-	5,000,000						5,000,000
<b>Total Other Costs &amp; Contingency</b>	<b>-</b>	<b>15,000,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>15,000,000</b>
<b>TOTAL EXPENDITURES</b>	<b>46,584,683</b>	<b>21,569,500</b>	<b>8,310,000</b>	<b>1,560,000</b>	<b>-</b>	<b>-</b>	<b>12,659,700</b>	<b>44,099,200</b>
<b>Net Annual Revenue</b>	18,329,557	(18,084,500)	567,606	7,810,287	14,908,759	9,829,367	12,829,326	
<b>Beginning Balance</b>	-	18,329,557	245,057	812,662	8,622,949	23,531,708	33,361,074	
<b>Ending Balance Land Sales &amp; Other</b>	<b>18,329,557</b>	<b>245,057</b>	<b>812,662</b>	<b>8,622,949</b>	<b>23,531,708</b>	<b>33,361,074</b>	<b>46,190,400</b>	<b>46,190,400</b>
<b>TOTAL ENDING BALANCE-ALL PROJECTS</b>		<b>1,087,523</b>	<b>3,872,964</b>	<b>441,932</b>	<b>3,208,326</b>	<b>18,398,050</b>	<b>633,402</b>	<b>633,403</b>

### Table 3 CIP Summary Table Footnotes

- (1) "Loan Proceeds": In FY 05-06 FORA obtained a line of credit (LOC) to ensure CIP obligations could be met in a timely manner, despite cash flow fluctuations. The LOC draw-downs were used to pay road design, construction and building removal invoices and were partially repaid by any available revenues committed to the CIP. In FY 09-10 FORA repaid the remaining \$9M LOC debt (\$1.5M in transportation and \$7.5M in building removal) through a loan secured by FORA's share of Preston Park. The loan also provided \$6.4M matching funds to US Department of Commerce EDA/American Recovery and Reinvestment Act (ARRA) grant funds.
- (2) "Federal grants": In FY 2010 FORA received ARRA funding to finance the construction of General Jim Moore Boulevard and Eucalyptus Road. FORA obtained a loan against its 50% share in Preston Park revenues to provide required match to the ARRA grant.
- (3) "Other Costs and Contingencies" – are subject to cash flow and demonstrated need. "Additional CIP Costs" are expenditures for transportation projects (contract change orders to the ESCA, general consulting, additional basewide expenditures, street landscaping, site conditions, project changes, additional habitat/environmental mitigation). 'Habitat Management Contingency' provides interim funding for UC Fort Ord Natural Reserve until adoption of HCP endowment and potential increase to cost. 'CIP/FORA costs' provides for FORA staff, overhead, and direct consulting costs.
- (4) "Other Costs (Debt Service)" payment of borrowed funds, principal and interest ( see #1 'Loan Proceeds').
- (5) 'Land Sales' 2005-2015 total column includes land sale proceeds from the Preston Park acquisition by the City of Marina in June 2015.
- (6) 'Other revenues' applied against building removal includes Abrams B loan repayment of \$1,425,000.
- (7) 'Other Costs and Contingency' – Include: land sale proceeds to create a \$10M Reserve to fund FORA operating liabilities through 2020 and a \$5M contingency to complete building removal responsibilities, both pending FORA Board approval of the FY 15-16 annual budget.

TABLE 4

## Community Facilities District Revenue

	Number	Jurisdiction	2015-16 to Post-FORA Total	2015-16	2016-17	2017-18	2018-19	2019-20	Post-FORA
<b><u>New Residential</u></b>									
Marina Heights	1050	MAR	24,442,950	1,769,204	3,352,176	4,190,220	4,329,894	4,190,220	6,611,236
The Promontory		MAR	-	-	-	-	-	-	-
Dunes on Monterey Bay	1237	MAR	25,746,574	1,396,740	2,095,110	2,095,110	2,095,110	2,095,110	15,969,394
TAMC Planned	200	MAR	4,655,800	-	-	-	2,327,900	2,327,900	-
CSUMB Planned		CSU	572,663	-	-	174,593	174,593	174,593	48,886
UC Planned	240	UC	5,586,960	-	931,160	931,160	931,160	931,160	1,862,320
East Garrison I	1472	MCO	28,167,590	2,095,110	2,095,110	2,560,690	2,560,690	2,560,690	16,295,300
Seaside Highlands Homes	152	SEA	-	-	-	-	-	-	-
Seaside Resort Housing	126	SEA	2,816,759	46,558	46,558	46,558	93,116	139,674	2,444,295
Seaside Planned	987	SEA	23,185,884	-	3,142,665	-	2,327,900	9,078,810	8,636,509
Del Rey Oaks Planned	691	DRO	16,085,789	-	-	-	-	3,026,270	13,059,519
Other Residential Planned	8	Various	-	-	-	-	-	-	-
<b><u>Existing/Replacement Residential</u></b>									
Preston Park	352	MAR	-	-	-	-	-	-	-
Cypress Knolls	400	MAR	9,311,600	-	-	-	2,327,900	2,327,900	4,655,800
Abrams B	192	MAR	-	-	-	-	-	-	-
MOCO Housing Authority	56	MAR	-	-	-	-	-	-	-
Shelter Outreach Plus	39	MAR	-	-	-	-	-	-	-
Veterans Transition Center	13	MAR	-	-	-	-	-	-	-
Interim Inc	11	MAR	-	-	-	-	-	-	-
Sunbay (former Thorson Park)	297	SEA	-	-	-	-	-	-	-
Brostrom	225	SEA	-	-	-	-	-	-	-
Seaside Highlands	228	SEA	-	-	-	-	-	-	-
<b><u>Office</u></b>									
Del Rey Oaks Planned		DRO	80,126	-	80,126	-	-	-	-
Monterey Planned		MRY	144,532	-	-	-	-	-	144,532
East Garrison I Office Development		MCO	6,811	-	2,804	-	2,003	-	2,003
Imjin Office Park		MAR	4,207	4,207	-	-	-	-	-
Dunes on Monterey Bay		MAR	114,179	-	10,016	10,016	20,031	20,031	54,085
Cypress Knolls Community Center		MAR	3,205	-	-	3,205	-	-	-
Interim Inc. - Rockrose Gardens		MAR	-	-	-	-	-	-	-
				5,909	5,909	5,909	5,909	5,909	11,819
TAMC Planned		MAR	8,013	-	-	-	4,006	4,006	-

TABLE 4

Community Facilities District Revenue

	Number	Jurisdiction	2015-16 to Post-FORA Total	2015-16	2016-17	2017-18	2018-19	2019-20	Post-FORA
Seaside Planned		SEA	90,542	-	-	-	20,432	-	70,110
UC Planned		UC	40,063	-	-	8,013	8,013	8,013	16,025
<b><u>Industrial</u></b>									
Monterey Planned		MRY	37,908	-	-	-	-	-	37,908
Industrial -- City Corp. Yard		MAR	-	-	-	-	-	-	-
Dunes on Monterey Bay		MAR	-	-	-	-	-	-	-
Cypress Knolls Support Services		MAR	1,052	-	-	1,052	-	-	-
Marina Planned		MAR	-	-	-	-	-	-	-
TAMC Planned		MAR	6,135	-	-	-	3,067	3,067	-
Seaside Planned		SEA	21,966	-	-	-	-	21,966	-
UC Planned		UC	17,528	-	-	3,506	3,506	3,506	7,011
<b><u>Retail</u></b>									
Del Rey Oaks Planned		DRO	28,890	-	28,890	-	-	-	-
East Garrison I Retail		MCO	231,122	-	115,561	115,561	-	-	-
Cypress Knolls Community Center		MAR	-	-	-	-	-	-	-
Dunes on Monterey Bay		MAR	1,063,162	173,342	-	889,820	-	-	-
TAMC Planned		MAR	433,354	-	-	-	216,677	216,677	-
Seaside Resort Golf Clubhouse		SEA	94,182	94,182	-	-	-	-	-
Seaside Planned		SEA	9,629,126	-	-	1,733,416	3,995,524	-	3,900,186
UC Planned		UC	1,817,198	-	-	303,348	453,577	303,348	756,925
<b><u>Hotel (rooms)</u></b>									
Del Rey Oaks Planned	550	DRO	2,854,500	-	-	-	-	2,854,500	-
Dunes - Limited Service	100	MAR	-	-	-	-	-	-	-
Dunes - Full Service	400	MAR	2,076,000	-	-	2,076,000	-	-	-
Seaside Golf Course Hotel	330	SEA	1,712,700	-	-	207,600	145,320	1,359,780	-
Seaside Golf Course Timeshares	170	SEA	882,300	-	-	-	-	-	882,300
Seaside Planned	570	SEA	4,463,400	-	-	-	1,297,500	-	3,165,900
UC Planned	0	UC	-	-	-	-	-	-	-
<b>Total</b>			<b>\$ 166,476,000</b>	<b>\$ 5,585,000</b>	<b>\$ 11,906,000</b>	<b>\$ 15,356,000</b>	<b>\$ 23,344,000</b>	<b>\$ 31,653,000</b>	<b>\$ 78,632,000</b>

**TABLE 5**  
**Land Sale Revenue**

	Jurisdiction	2015-16 to Post-FORA Total	2015-16	2016-17	2017-18	2018-19	2019-20	Post-FORA
<b><u>New Residential</u></b>								
Seaside Planned	SEA	28,344,226	-		3,228,038	12,778,190	12,337,997	
Del Rey Oaks Planned	DRO	17,000,000	-	-		17,000,000		
Other Residential Planned	Various	906,232	906,232					
<b><u>Existing/Replacement Residential</u></b>								
Preston Park	MAR	-						
Cypress Knolls	MAR	13,205,593			3,228,038	3,276,459	3,325,606	3,375,490
<b><u>Office</u></b>								
Del Rey Oaks Planned	DRO	-		-				
Monterey Planned	MRY	15,974,662						15,974,662
Marina Planned	MAR	2,469,475	363,768	369,224	578,129	380,384	386,090	391,881
Seaside Planned	SEA	5,925,592	-	-	1,295,789	-	1,308,778	3,321,025
<b><u>Industrial</u></b>								
Monterey Planned	MRY	2,513,891	-	-	-	-	-	2,513,891
Cypress Knolls Support Services	MAR	65,709	-	65,709	-	-	-	-
Seaside Planned	SEA	1,413,932	-	-	-	1,413,932	-	-
<b><u>Retail</u></b>								
Del Rey Oaks Planned	DRO	-						
Cypress Knolls Community Center	MAR	-						
Seaside Planned	SEA	28,769,697	-	5,179,063	11,937,741	-	5,696,970	5,955,923
<b><u>Hotel (rooms)</u></b>								
Del Rey Oaks Planned	DRO	-						
Seaside Planned	SEA	4,254,737	-	-	1,236,842	-	989,474	2,028,421
Subtotal: Estimated Transactions		120,843,746	1,270,000	5,613,997	21,504,577	34,848,964	24,044,915	33,561,293
FORA Share - 50%		60,421,873	635,000	2,806,998	10,752,289	17,424,482	12,022,457	16,780,647
Estimated Caretaker/Property Mgt. Costs		(2,083,202)	(150,000)	(576,204)	(451,043)	(239,591)	(142,927)	(523,437)
Net FORA Land Sales Proceeds		58,338,671	485,000	2,230,794	10,301,246	17,184,891	11,879,530	16,257,210
<b>Net Present Value (4.85% Discount Rate)</b>		<b>49,550,343</b>	<b>485,000</b>	<b>2,127,606</b>	<b>9,370,287</b>	<b>14,908,759</b>	<b>9,829,367</b>	<b>12,829,326</b>

Note #1: FORA and local jurisdiction split net land sales revenue 50/50 with FORA. Actual land sales revenue may vary from that shown here.

Note #2: Assumes per acre value of \$188,000 and that values escalate by 1.5% annually.



# Appendix A

## Protocol for Review/Reprogramming of FORA CIP (Revised June 21, 2013)

- 1.) Conduct quarterly meetings with the CIP Committee and joint committee meetings as needed with members from the FORA Administrative Committee. Staff representatives from the California Department of Transportation (CALTRANS), TAMC, AMBAG, and MST may be requested to participate and provide input to the joint committee.

These meetings will be the forum to review developments as they are being planned to assure accurate prioritization and timing of CIP projects to best serve the development as it is projected. FORA CIP projects will be constructed during the program, but market and budgetary realities require that projects must "queue" to current year priority status. The major criteria used to prioritize project placement are:

- Project is necessary to mitigate reuse plan
- Project environmental/design is complete
- Project can be completed prior to FORA's sunset
- Project uses FORA CIP funding as matching funds to leverage grant dollars
- Project can be coordinated with projects of other agencies (utilities, water, TAMC, PG&E, CALTRANS, MST, etc.)
- Project furthers inter-jurisdictional equity
- Project supports jurisdictional "flagship" project
- Project nexus to jurisdictional development programs

The joint committee will balance projected project costs against projected revenues as a primary goal of any recommended reprogramming/reprioritization effort.

- 2.) Provide a mid-year and/or yearly report to the Board (at mid-year budget and/or annual budget meetings) that will include any recommendations for CIP modifications from the joint committee and staff.
- 3.) Anticipate FORA Board annual approval of a CIP program that comprehensively accounts for all obligatory projects under the BRP.

These basewide project obligations include transportation/transit, water augmentation, storm drainage, habitat management, building removal and firefighting enhancement.

This protocol also describes the method by which the basewide development fee (Fee) and Fort Ord Reuse Authority Community Facilities District Special Tax (Tax) are annually indexed. The amount of the Fee is identical to the CFD Tax. Landowners pay either the Fee or the Tax, never both, depending on whether the land is within the Community Facilities District. For indexing purposes, FORA has always used the change in costs from January 1 to December 31. The reason for that choice is that the Fee and CFD Tax must be in place on July 1, and this provides the time necessary to prepare projections, vet, and publish the document. The second idea concerns measurement of construction costs. Construction costs may be measured by either the San Francisco Metropolitan index, or the "20-City Average." FORA has always used the 20-City Average index because it is generally more in line with the actual experience in suburban areas like the Monterey Peninsula. It should be noted that San Francisco is one of the cities used for the 20-City Average.

The Fee was established in February 1999 by Resolution 99-1. Section 1 of that Resolution states that "(FORA) shall levy a development fee in the amounts listed for each type of development in the... fee schedule until such time as ... the schedule is amended by (the) board." The CFD Tax was established in February 2002 by Resolution 02-1. Section IV of that CFD Resolution, beginning on page B-4,

describes "Maximum Special Tax Rates" and "Increase in the Maximum Special Tax Rates." That section requires the Tax to be established on the basis of costs during the "...immediately preceding Fiscal Year..." The Tax is adjusted annually on the basis of "...Construction Cost Index applicable to the area in which the District is located..."<sup>1</sup>

The CFD resolution requires the adjusted Tax rate to become effective on July 1. It would be difficult to meet that deadline if the benchmark were set for a date later than January. FORA staff uses the adjusted Tax rate to reprogram the CIP. FORA staff requests development forecast projections from the land use jurisdictions in January. The forecasts allow staff to balance CIP revenues and expenditures, typically complete by April, for Administrative Committee review. The FORA Board typically adopts the CIP, and consequently updates the "Notice of Special Tax Lien" (Notice) in June.

Additionally, the Notice calls for "... (2) percentage change since the immediately preceding fiscal year in the (ENRs CCI) applicable to the area in which the District is located..." To assure adequate time for staff analysis, public debate and FORA Board review of modifications to the Special Tax Levy, it is prudent to begin in January. In addition, the FORA Board adopted a formulaic approach to monitoring the developer fee program which is typically conducted in the spring – as will be the case in 2014. If the anticipated Fee adjustment is unknown at the time of the formulaic calculation then the level of certainty about the appropriateness of the Fee is impaired. This factor supports that the Fee should be established in January.

To determine the percentage change, the CCI (Construction Cost Index) of the immediately prior January is subtracted from the CCI in January of the current year to define the arithmetic value of the change (increase or decrease). This dollar amount is divided by the CCI of the immediately prior January. The result is then multiplied by 100 to derive a percentage of change (increase or decrease) during the intervening year. The product of that calculation is the rate presented to the FORA Board.

Since the start of the CIP program in FY 2001/02, FORA has employed the CCI for the "20-City Average" as presented in the ENR rather than the San Francisco average. The current 20-City Average places the CCI in the range of \$9K to \$10K while the San Francisco CCI is in the \$10K to \$11K range. The difference in the two relates to factors which tend to drive costs up in an urban environment as opposed to the suburban environment of Fort Ord. These factors would include items such as time required for transportation of materials and equipment plus the Minimum Wage Rates in San Francisco as compared to those in Monterey County. Over a short term (1 year) one index may yield a lower percentage increase than the other index for the same time period.

<sup>1</sup> The pertinent paragraph reads as follows:

*"On each July 1, commencing July 1, 2002, the Maximum Special Tax Rates shown in Table 1 shall be increased by an amount equal to the lesser of (1) five percent (5%) or (2) the percentage change since the immediately preceding Fiscal Year in the Engineering News Record's (ENRs) Construction Cost Index (CCI) applicable to the area in which the District is located (or, if such index is no longer published, a substantially equivalent index selected by the CFD Administrator)."*

Appendix B  
FY 2015/16 through Post-FORA Development Forecasts

Table A1: Residential Annual Land Use Construction (*dwelling units*)

Land Use Type	Jurisdiction	Built	Forecast plus built	DRAFT						
				2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
<b><u>New Residential</u></b>										
Marina Heights (Entitled)	MAR		1,050	76	144	180	186	180	141	143
The Promontory (Entitled)	MAR									
Dunes (Entitled)	MAR	131	1,237	60	90	90	90	90	50	636
TAMC (Planned)	MAR		200				100	100		
Marina Subtotal			2,487							
CSUMB (Planned)	CSU					150	150	150	42	
UC (Planned)	UC		240		40	40	40	40	40	40
East Garrison I (Entitled)	MCO	260	1,470	90	90	110	110	110	110	590
Seaside Highlands (Entitled)	SEA	152	152							
Seaside Resort (Entitled)	SEA	3	124	2	2	2	4	6	53	52
Seaside (Planned)	SEA		996		135		100	390	371	
Seaside Subtotal			1,272							
Del Rey Oaks (Planned)	DRO		691					130	287	274
Other Residential (Planned)	Various	-	-	-	-	-	-	-	-	-
Subtotal		546	6,160	228	501	422	630	1,046	1,052	1,735
<b><u>Existing/Replacement Residential</u></b>										
Preston Park (Entitled)	MAR	352	352							
Cypress Knolls (Planned)	MAR		400				100	100	100	100
Abrams B (Entitled)	MAR	192	192							
MOCO Housing Authority (Entitled)	MAR	56	56							
Shelter Outreach Plus (Entitled)	MAR	39	39							
VTC (Entitled)	MAR	13	13							
Interim Inc (Entitled)	MAR	11	11							
Sunbay (Entitled)	SEA	297	297							
Bayview (Entitled)	SEA	225	225							
Seaside Highlands (Entitled)	SEA	228	228	-	-	-	-	-	-	-
Subtotal		1,413	1,813	-	-	-	100	100	100	100
<b>TOTAL EXISTING RESIDENTIAL</b>			1,813							
<b>Total</b>		1,959	7,973	228	501	422	730	1,146	1,152	1,835

Table A2: Non-Residential Annual Land Use Construction (building square feet or hotel rooms)

DRAFT				DRAFT						
Land Use Type	Jurisdiction	Built	Forecast plus built	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
<b><u>Office</u></b>										
Del Rey Oaks (Planned)	DRO		400,000		400,000					
Monterey (Planned)	MRY		721,524							721,524
East Garrison I (Entitled)	MCO		34,000		14,000		10,000		10,000	
Imjin Office Park (Entitled)	MAR	28,000	49,000	21,000						
Dunes (Entitled and Planned)	MAR	190,000	760,000		50,000	50,000	100,000	100,000		270,000
Cypress Knolls (Planned)	MAR		16,000			16,000				
Interim Inc. (Entitled)	MAR	14,000	14,000							
Marina (Planned)			206,500	29,500	29,500	29,500	29,500	29,500	29,500	29,500
TAMC (Planned)	MAR		40,000				20,000	20,000		
Seaside (Planned)	SEA		452,000				102,000		100,000	250,000
UC (Planned)	UC	-	200,000	-	-	40,000	40,000	40,000	40,000	40,000
Subtotal		232,000	2,893,024	50,500	493,500	135,500	301,500	189,500	179,500	1,311,024
<b><u>Industrial</u></b>										
Monterey (Planned)	MRY		216,275							216,275
Marina CY (Entitled)	MAR	12,300	12,300							
Dunes (Planned)	MAR		-	-	-	-				
Cypress Knolls (Planned)	MAR		6,000			6,000				
Marina Airport (Entitled)	MAR	250,000	250,000							
TAMC (Planned)	MAR		35,000				17,500	17,500		
Seaside (Planned)	SEA		125,320					125,320		
UC (Planned)	UC	38,000	138,000	-	-	20,000	20,000	20,000	20,000	20,000
Subtotal		300,300	782,895	-	-	26,000	37,500	162,820	20,000	236,275
<b><u>Retail</u></b>										
Del Rey Oaks (Planned)	DRO		5,000		5,000					
East Garrison I (Entitled)	MCO		40,000	-	20,000	20,000				
Cypress Knolls (Planned)	MAR		-							
Dunes (Entitled)	MAR	368,000	706,000	30,000		154,000				
TAMC (Planned)	MAR		75,000	-	-	-	37,500	37,500	-	-
Seaside Resort (Entitled)	SEA		16,300	16,300						
Seaside (Planned)	SEA		1,666,500			300,000	691,500	-	330,000	345,000
UC (Planned)	UC	-	314,500	-	-	52,500	78,500	52,500	52,500	78,500
Subtotal		368,000	2,823,300	46,300	25,000	526,500	807,500	90,000	382,500	423,500
<b><u>Hotel (rooms)</u></b>										
Del Rey Oaks (Planned)	DRO		550					550		
Dunes (Entitled)	MAR	108	108							
Dunes (Entitled)	MAR		400			400				
Seaside Resort (Entitled)	SEA		330			40	28	262		
Seaside Resort TS (Entitled)	SEA		170							170
Seaside (Planned)	SEA		860				250		200	410
UC (Planned)	UC	-	-	-	-	-	-	-	-	-
Subtotal		108	2,418	-	-	440	278	812	200	580

## Appendix C

### Building Removal Program to Date

#### FORA Pilot Deconstruction Project (PDP) 1996

In 1996, FORA deconstructed five wooden buildings of different types, relocated three wooden buildings, and remodeled three buildings. The potential for job creation and economic recovery through opportunities in deconstruction, building reuse, and recycling was researched through this effort.

Lessons learned from the FORA PDP project:

- *A structure's type, size, previous use, end-use, owner, and location are important when determining the relevance of lead and asbestos regulations.*
- *Profiling the building stock by type aids in developing salvage and building removal projections.*
- *Specific market needs for reusable and recycled products drive the effectiveness of deconstruction.*
- *Knowing the history of buildings is important because:*
  - *Reusing materials is complicated by the presence of Lead Based Paint (LBP), which was originally thinned with leaded gasoline and resulted in the hazardous materials penetrating further into the substrate material.*
  - *Over time, each building develops a unique use, maintenance and repair history, which can complicate hazardous material abatement survey efforts.*
- *Additional field surveys were needed to augment existing U.S. Army environmental information. The PDP surveys found approximately 30 percent more Asbestos Containing Material (ACM) than identified by the Army.*
- *Hazardous material abatement accounts for almost 50 percent of building deconstruction costs on the former Fort Ord.*
- *A robust systematic program is needed for evaluating unknown hazardous materials early in building reuse, recycling and cleanup planning.*

#### FORA Survey for Hidden Asbestos 1997

In 1997, FORA commissioned surveys of invasive asbestos on a random sample of buildings on Fort Ord to identify hidden ACM. Before closure, the U.S. Army performed asbestos surveys on all exposed surfaces in every building on Fort Ord for their operation and maintenance needs. The Army surveys were not invasive and therefore did not identify asbestos sources, which could be spread to the atmosphere during building deconstruction or renovation. In addition to commissioning the survey for hidden asbestos, FORA catalogued the ACM found during the removal of seventy Fort Ord buildings.

The survey for hidden asbestos showed:

- *The Army asbestos surveys were conducted on accessible surfaces only which is not acceptable to the Monterey Bay Unified Air Pollution Control District (MBUAPCD).*
- *Approximately 30 percent more ACM lies hidden than was identified in the Army surveys.*
- *The number one cause for slow-downs and change orders during building deconstruction is hidden asbestos (see FORA website).*

- *A comprehensive asbestos-containing materials survey must identify all ACM.*
- *All ACM must be remediated before building deconstruction begins. It is important to note that this includes non-friable ACM that has a high probability of becoming or has become friable - crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of deconstruction.*
- *All ACM must be disposed of legally.*

#### FORA Hierarchy of Building Reuse 1998

In response to the PDP project, FORA developed a Hierarchy of Building Reuse (HBR) protocol to determine the highest and best method to capture and save both the embodied energy and materials that exist in the buildings on Fort Ord. The HBR is a project-planning tool. It provides direction, helps contractors achieve higher levels of sustainability, and facilitates dialogue with developers in order to promote salvage and reuse of materials in new construction projects. The HBR protocol has only been used on WWII era wooden buildings. The HBR protocol prioritizes activities in the following order:

1. *Reuse of buildings in place*
2. *Relocation of buildings*
3. *Deconstruction and salvage of building materials*
4. *Deconstruction with aggressive recycling of building materials*

#### FORA Request for Qualifications (RFQ) for Building Deconstruction Contractors 1998

FORA went through an RFQ process in an attempt to pre-qualify contractors throughout the U.S. to meet the Fort Ord communities' needs for wooden building deconstruction (removal), hazardous material abatement, salvage and recycling, and identifying cost savings. The RFQ also included a commitment for hiring trainees in deconstruction practices.

#### FORA Lead-Based Paint Remediation Demonstration Project 1999

FORA initiated the LBP Remediation Demonstration Program in 1999 to determine the extent of LBP contamination in Fort Ord buildings and soil, field test possible solutions, and document the findings. The first step in controlling LBP contamination is to accurately identify the amount and characteristics of the LBP. This ensures that LBP is properly addressed during removal and reuse activities, in ways that protect the public, environment, and workers.

The FORA Compound and Water City Roller Hockey Rink were used as living laboratories to test the application of LBP encapsulating products. Local painting contractors were trained to apply various encapsulating products and the ease, effectiveness and expected product life was evaluated. This information was shared with the jurisdictions, other base closure communities and the regulatory agencies so that they could use the lessons learned if reusing portions of their WWII building stock.

#### FORA Waste Characterization Protocol 2001

A Basewide Waste Characterization Protocol was developed for building debris generated during the deconstruction of approximately 1,200 WWII era wooden structures. By profiling standing buildings utilizing the protocol, contractors are able to make more informed waste management and diversion decisions resulting in savings, greater implementation of sustainable practices, and more environmentally sensitive solutions.

The following assumptions further assist decision-making for a large-scale source-based recovery program:

- *Individual buildings have been uniquely modified over time within each building type.*
- *The basewide characterization protocol was verified by comparing it with the actual waste generated during the 12<sup>th</sup> street building removal.*

#### FORA Building Removal for 12<sup>th</sup> Street/Imjin Parkway 2002

FORA, in 2002, remediated and removed 25 WWII era buildings as the preparatory work for the realignment of 12<sup>th</sup> Street, later to be called Imjin Parkway.

#### FORA Building Removal for 2nd Avenue Widening 2003

FORA, in 2003, remediated and removed 16 WWII era buildings and also the remains of a theater that had burned and been buried in place by the Army years before the base was scheduled for closure.

#### FORA/CSUMB oversight Private Material Recovery Facility Project 2004

In 2004, FORA worked with CSUMB to oversee a private-sector pilot Material Recovery Facility (MRF), with the goal of salvaging and reusing LBP covered wood from 14 WWII era buildings. FORA collaborated in the development of this project by sharing its research on building deconstruction and LBP abatement. CSUMB and their private-sector partner hoped to create value added products such as wood flooring that could be sold to offset deconstruction costs. Unfortunately the MRF operator and equipment proved to be unreliable and the LBP could not be fully removed from the wood or was cost prohibitive.

#### Dune WWII Building Removal 2005

FORA, in partnership with Marina and Marina Community Partners, removed 406 WWII era buildings. Ninety percent of the non-hazardous materials from these building were recycled. FORA volunteered to be the Hazardous Waste Generator instead of the City of Marina and worked with the California Department of Toxic Substance Control, the State Board of Equalization and the hazardous waste disposal facility so that as stipulated by state law, State Hazardous Waste Generator taxes could be avoided.

#### East Garrison Building Removal 2006 thru 2007

FORA, in 2006, provided the East Garrison developer with credits/funds to remove 31select WWII and after buildings from East Garrison.

#### Imjin Office Park Building Removal 2007

FORA, in partnership with Marina and Marina Community Partners, removed 13 WWII era buildings to prepare the Imjin Office Park site.

### FORA Removal of Building 4470 in Seaside 2011

In 2011, FORA had a concrete building in Seaside removed. Building 4470 was one of the first Korean War era concrete buildings removed on the former Fort Ord. Removal revealed the presence of hidden asbestos materials. The knowledge gained during this project will be helpful in determining removal costs of remaining Korean War era concrete buildings in Seaside and on CSUMB.

### FORA/CSUMB Korean War Concrete Building Removal Business Plan Grant Application 2011

In 2011, FORA approached the U.S. Office of Economic Adjustment (OEA) about the possibility of applying for grant funds to assist in the removal of Korean War era concrete buildings located on CSUMB and Seaside property. The OEA was receptive to the idea and encouraged an application, noting that the amount available would likely be less than \$500,000. Since a large portion of the Korean War era concrete buildings are located on CSUMB property, FORA asked CSUMB to co-apply for the grant funds, which would be used to accurately identify hazardous materials in the buildings both on CSUMB and Seaside property, and to develop a Business Plan that would harness market forces to reduce building removal costs and drive economically sound building removal decisions. FORA and CSUMB have completed the grant application and submitted it to the OEA, who will consider it once federal funding becomes available.

### Continuing FORA support for CSUMB Building Removal Projects

Over the years, FORA has shared knowledge gained through various deconstruction projects with CSUMB and others, and CSUMB has reciprocated by sharing their lessons learned. Over the years FORA has supported CSUMB with shared contacts, information, review and guidance as requested for the following CSUMB building removal efforts:

- 2003 removal of 22 campus buildings
- 2006 removal of 87 campus buildings
- 2007 removal of 9 campus buildings
- 2009 removal of 8 campus buildings
- 2010 removal of 33 campus buildings
- 2011 removal of 78 campus buildings
- 2013 removal of 24 campus buildings





**Fort Ord Reuse Authority**

920 2<sup>nd</sup> Avenue, Suite A, Marina, CA 93933

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**Materials for Item 7(d)(ii)**  
Admin. Comm. Meeting, 7/18/12

**APPENDIX D**

**MEMORANDUM**

Date: July 18, 2012

To: Fort Ord Reuse Authority ("FORA") Administrative Committee

CC: Michael A. Houlemard, Jr., Executive Officer  
Steve Endsley, Assistant Executive Officer

From: Jonathan Garcia, Senior Planner

Re: **Caretaker Costs, item 7(d)(ii)**

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The purpose of this memo is to provide background information on Caretaker/Property Management Costs on former Fort Ord. Over the last few months, Caretaker Costs have been discussed in conjunction with the FORA Capital Improvement Program ("CIP") Review - Phase II study/formulaic approach. It was suggested that FORA staff provide additional background on Caretaker costs for future discussion. In preparation of this memo, FORA staff reviewed background material on caretaker costs from the late 1990's to present.

Caretaker status has been defined by U.S. Army regulation as "the minimum required staffing to maintain an installation in a state of repair that maintains safety, security, and health standards." This Army term may have generated the context of FORA's analysis of Caretaker costs in the late 1990's. Caretaker costs were first described in the FORA CIP in FY 2001/2002 as a \$14 million dollar cost with footnote reading: "Costs associated with potential delays in redevelopment and represent interim capital costs associated with property maintenance prior to transfer for development (as per Keyser-Marston truthing of caretaker and other costs)."

FORA has maintained Caretaker costs in its annual CIPs since the initial FY 2001/2002 CIP. Within the last five years, FORA and County of Monterey Office of Housing and Redevelopment staff discussed property management costs associated with the County's habitat property described in the draft Fort Ord Habitat Conservation Plan ("HCP"). FORA and its HCP consultant note that trails planning/maintenance costs for public access on these properties are costs that the U.S. Fish and Wildlife Service/California Department of Fish and Game do not allow to be funded by the HCP, but should be funded by other jurisdictional resources.

During FORA's CIP review - Phase I Study, concluded in May 2011, FORA's Financial Consultant recommended that Caretaker/Property Management costs be removed from FORA's CIP Contingencies since no costs had been defined. FORA jurisdictions requested that Caretaker costs be added back in order to cover basewide property management costs, should they be demonstrated.

FORA expended \$20,000 in the previous fiscal year toward Monterey County's Fort Ord Recreational Habitat Area ("FORHA") Master Plan preparation process, in which the County has undertaken planning for a proposed trail system. This line item is wholly dependent on whether sufficient revenue is received during the fiscal year. In its current CIP, FORA maintains a \$12.2 million dollar line item for



# Fort Ord Reuse Authority

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caretaker costs. FORA Assessment District Counsel opined that FORA Community Facilities District Special Tax payments cannot fund caretaker costs. For this reason, funding for Caretaker costs would have to come from FORA's 50% share of lease and land sales proceeds on former Fort Ord, any reimbursements to those fund balances, or other designated resources should they materialize.

From approximately 2000 to 2004, the U.S. Army entered into Cooperative/Caretaker Agreements with the City of Marina, the City of Seaside, and the County of Monterey. Below are two tables summarizing the agreement periods, amounts of funding involved, and an example of tasks included in these agreements. It is noted that these tables are not a comprehensive summary of the Army's caretaker agreements with the jurisdictions, but provide additional information on the subject.

### Cooperative/Caretaker Agreements between the U.S. Army and former Fort Ord Jurisdictions

Summary of Caretaker Agreement Periods	Marina Funding	Seaside Funding	County Funding
July 2000 – June 2001		\$647,512	
July 2002 – December 2002	\$50,694		
July 2002 – June 2003		\$52,736	\$49,500
July 2002 – June 2003	\$49,902	\$57,808	\$156,672
October 2003- June 2004	\$7,875	\$37,773	\$74,754
<b>Totals</b>	<b>\$324,308</b>	<b>\$364,154</b>	<b>\$496,763</b>

### Description of tasks in Marina Caretaker Agreement for Period July – December 2002

Task #	Description	Budget
1	Tree Trimming	\$6,240
2	Mowing	\$10,000
3	Pavement Patching	\$3,425
4	Centerline/Stenciling	\$5,560
5	Barricades	\$3,100
6	Traffic Signs	\$2,080
7	Catch Basin/Storm Drain Maint.	\$1,600
8	Vacant Buildings	\$7,025
9	Vegetation Control/Spraying	\$2,055
13	Paving/Slurry Seal	\$5,000
14	Administration (10% of total)	\$4,608.50
	<b>Totals</b>	<b>\$50,693.50</b>

# APPENDIX E

**MARINA COAST WATER DISTRICT  
ORD COMMUNITY WATER AND WASTEWATER SYSTEMS  
CAPITAL IMPROVEMENT PROJECT BUDGET FOR FY 2015-2016**

**EXHIBIT CIP-1**

Project No.	Project Name	Project Beneficeries	Cost Center Breakdown	Amount
WD-0115	SCADA System Improvements - Phase I	100% Existing Users	Ord Community Water Ord Community Sewer	\$90,882
			\$74,358 \$16,524	
WD-0202	IOP Building (BLM)	N/A	Ord Community Water Ord Community Sewer	\$1,678,050
			\$1,372,950 \$305,100	
GW-0212	Potable Water Tank Compliance Project	100% Existing Users	Ord Community Water	\$28,350
GW-0112	A1 & A2 Zone Tanks & B/C Booster Station @ CSUMB	100% Existing Users	Ord Community Water	\$819,911
GW-0123	B2 Zone Tank (Next to B1)	30% Existing/70% New	Ord Community Water	\$126,000
OW-0223	Well 30 Pump Replacement	100% Existing Users	Ord Community Water	\$105,000
OW-0201	Gigling Transmission from D Booster to JM Blvd	100% Existing Users	Ord Community Water	\$109,100
OW-0128	Lightfighter B-Zone Pipeline (Design)	33% Existing/67% New	Ord Community Water	\$32,000
OW-0193	Imjin Parkway Pipeline, Resv. Rd to Abrams Dr	100% Existing Users	Ord Community Water	\$52,000
OW-0240	3rd Street Water Main	100% Existing Users	Ord Community Water	\$122,000
OW-0202	South Boundary Road Pipeline	100% New Users	Ord Community Water	\$205,000
OW-0206	Inter-Garrison Road Pipeline Up-Sizing	100% New Users	Ord Community Water	\$167,485
OS-0200	Clark Lift Station Improvement	100% Existing Users	Ord Community Sewer	\$287,902
OS-0205	Imjin LS & Force Main Improvements - Phase I	100% Existing Users	Ord Community Sewer	\$248,000
OS-0203	Gigling LS and FM Improvements	100% Existing Users	Ord Community Sewer	\$573,000
OS-0152	Hatten, Booker, Neeson LS Improvements	100% Existing Users	Ord Community Sewer	\$110,000
<b>TOTALS</b>				<b><u>\$4,754,680</u></b>

Ord Community Water	\$3,214,154
Ord Community Sewer	\$1,540,526
<b>TOTALS</b>	<b><u>\$4,754,680</u></b>

# FORT ORD REUSE AUTHORITY BOARD REPORT

## NEW BUSINESS

<b>Subject:</b>	Adopt FORA FY 2015-16 Annual Budget	
<b>Meeting Date:</b>	May 8, 2015	<b>ACTION</b>
<b>Agenda Number:</b>	9c	

### **RECOMMENDATION:**

- i. Approve a 2.5% Cost-of-Living-Adjustment (COLA) for staff ACTION
- ii. Adopt Fiscal year 2015-16 (FY 15-16) Annual Budget ACTION

### **BACKGROUND:**

The FORA Annual Budget is typically presented to the Board in May of each year. Prior to the budget being presented to the Board, the budget is first reviewed by the Finance Committee (FC). FORA staff, in coordination with the FC, modifies the annual budget format from time to time as required or is necessary to best present an overall illustration of the FORA financial position for the FORA Board members and public. Most recent adjustments to the budget format were made in 2008, 2011, and 2014. The annual budgets also include other pertinent and/or required financial information. After completing their deliberations, the FC makes recommendations to the Board regarding budget matters, including the presentation format and fund availability for programmed projects, staffing, consultant support and obligations. Prior to Board consideration of those recommendations, the Executive Committee (EC), who is charged to provide Board recommendation regarding employment and personnel matters, considers staff budget proposal regarding specific staffing and/or benefit adjustments. The FC has reviewed the draft budget on April 7 and April 21, the EC on April 29.

### **DISCUSSION:**

This fiscal year budget assumes Preston Park acquisition by the City of Marina by June 2015. The net sale proceeds (after retiring the Rabobank loan and other Preston Park litigation obligations) are presented in the budget as part of the Leases/Land Sale Fund beginning balance (7/1/15 balance).

Earlier this year, staff and the FC instigated discussions regarding financial obligations connected with the 2020 sunset date. As a result, this year's budget:

- 1) Sets-up a Reserve designating funds for California Public Employees Retirement System (CalPERS) pension liabilities and operating obligations through FORA sunset;
- 2) Includes extra payments to CalPERS to reduce liabilities;
- 3) Designates sufficient funds in FY 15-16 plus a set-aside to complete building removal responsibilities;
- 4) Prorates the multi-year FORA/Army Environmental Services Cooperative Agreement (ESCA) funding to depict upcoming fiscal year expenditures that accurately represent FORA finances (as ESCA funding is strictly project specific);

- 5) Establishes a new fund to account for the anticipated Economic Department Administration (EDA) grant to finance a building removal (BR) business plan/study of concrete BR in the Seaside Surplus II; and
- 6) Includes an anticipated overall budget for capital projects (itemized in the CIP budget which is prepared and adopted separately); please refer to item 9b on this Agenda.

The overall budget chart compares the current FY approved, mid-year and projected budget variances at June 30, 2015.

**Attachment A** - illustrates the overall budget combining all funds

**Attachment B** - depicts the budget by individual funds

**Attachment C** - itemizes expenditures

**Attachment D** - provides proposed Salary/Benefits adjustment

Principal budget impacts areas are discussed below:

Preston Park: FORA has owned the Preston Park housing complex since 2000. It has been a central asset to FORA's basewide building removal, infrastructure, and operations financing. It is the key asset that has enabled/financed more than \$22 million of \$32 million in roadway construction in Marina and an equivalent amount across the remainder of the former Fort Ord. Preston Park collateral was also essential to funding building removal for the Dunes on Monterey Bay and providing Pollution Legal Liability coverage for FORA jurisdictions, and other property owners. In November 2014, Marina and FORA agreed to settle pending litigation through Marina acquiring FORA's interest in Preston Park. In February 2015, FORA and Marina finalized settlement agreement terms. FORA will apply \$2.08 million of the \$35 million settlement amount to the outstanding development fees. It is anticipated that Marina will complete the purchase of FORA's interest in Preston Park in June 2015.

FORA Pension Plan: FORA participates in the defined benefit pension plan, administered through CalPERS. CalPERS acts as a common investment and administrative agent for participating public employers within the State of California. As required, FORA participates in a risk pool with other public agencies of less than 100 employees. An Annual Valuation Report issued by Calpers each October provides detailed information regarding the plan's assets, liabilities, future contribution rates, etc. The last valuation report shows \$1.4 million in current unfunded liabilities (UAL) – which consists of; 1) FORA side fund balance and 2) FORA's share of risk pool UAL and investment gains and losses). In addition, FORA faces a financial liability when the pension plan terminates in 2020. The current CalPERS estimate for this obligation is about \$5.5 million (including the \$1.4 million current UAL). Staff was informed by CalPERS that the actual termination payment cannot be determined until 2018 (two years before the termination date). The Finance Committee discussed this matter in length during the budget deliberations. The FC is recommending an approach to address these obligations - including setting up a reserve for the termination liability and early payments of the current UAL.

The current Annual Valuation Report (dated October 2014) is available on the FORA website at: <http://fora.org/Reports/Finance/PERSAnnualReport10-14.pdf>

The following summarizes the FY 15-16 (**Attachment A**) draft annual budget figures:

<b>REVENUES</b>
-----------------

- \$261,000 MEMBERSHIP DUES

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

- \$265,000 FRANCHISE FEES

This amount represents MCWD's projected FY 15-16 payments to FORA from water and sewer operations on Fort Ord and associated fees.

- \$842,835 ENVIRONMENTAL SERVICES COOPERATIVE AGREEMENT

FORA holds the remaining funds for the ESCA remediation program, scheduled to complete munitions cleanup and transfer of remaining Economic Development Conveyance (EDC) properties in 2019. In 2007, FORA was awarded a \$99.3 million federal grant to undertake Army munitions removal requirements on EDC parcels. FORA collected an adjusted amount of \$97.7 million (final payment in December 2008), which pre-paid all ESCA management related services and expenditures through project completion (the US Army earned a \$1.6 million credit against the \$99.3 million for the early payment). The draft annual budget includes the FY 15-16 ESCA grant regulatory response and management/related expenses.

- \$224,000 EDA/BUILDING REMOVAL BUSINESS PLAN GRANT (EDA/BRBP)

FORA anticipates award confirmation in July. The project will begin immediately upon receipt of funds for the preparation of the BRBP to include cost estimates for removal and potential business strategies for FORA and Seaside to mitigate removal costs through applying best technologies, capitalizing on CSUMB concurrent activity to reduce mobilization expenses, and efficiencies of scale.

- \$28,000 IN-KIND LOCAL MATCH TO EDA/BRP GRANT

The total local match required for the EDA grant is \$96,000. \$28,000 in-kind local match will be provided by the City of Seaside and CSUMB, the remaining \$68,000 from FORA land sale proceeds as a part of the Surplus II building removal effort.

- \$360,000 POLLUTION LEGAL LIABILITY (PLL) INSURANCE PAYMENTS

Repayment to FORA advanced payment for the 2015 \$50 million PLL insurance from participating jurisdictions/agencies

- \$5,585,000 DEVELOPER FEES

This reflects jurisdictional forecasts included in the CIP FY 15-16 budget.  
*Please refer to CIP budget, item 9b on this Agenda.*

- \$485,000 LAND SALE PROCEEDS

Land sale revenue anticipated in the FY 15-16 CIP budget.  
*Please refer to CIP budget, item 9b on this Agenda.*

- \$45,000 RENTAL PAYMENTS

Rental payments from leasing projects on the Former Fort Ord, including the Ord Market, Las Animas Concrete, etc.

- \$1,679,468 PROPERTY TAX PAYMENTS

Anticipated payments from the County Auditor/Controller. Property tax revenue exceeding \$1.3 million in annual distribution to FORA collected from all assessed value after July 1, 2012 has been committed to funding the CIP (with 10% of such revenue shared with certain member jurisdictions).

- \$25,000 IN REIMBURSEMENT AGREEMENTS

Payments by future property owners to fund FORA ESCA access services to assist in pending project processing.

- \$3,000,000 I-BANK LOAN PROCEEDS

As approved by the FORA Board earlier this year, staff submitted a loan application to the State of California for a bridge financing to complete FORA's remaining building removal obligation and promote collaboration to address blight removal.

- \$270,000 INVESTMENT/INTEREST INCOME

Anticipated income from FORA bank accounts and certificates of deposit (CD) including the Habitat Management CD and interest earned on the Preston Park net sale proceeds.

## **EXPENDITURES**

- \$2,902,169 SALARIES AND BENEFITS (Attachments C, D show breakdown)

Staffing remains at the approved FY 14-15 level. Proposed budget amount includes payments to CalPERS to reduce pension liabilities.

The FC and EC reviewed proposed compensation and pension adjustments for FY 15-16 and are *recommending*\* Board consider approving the following items:

- 1) \$210,071 - CalPERS plan Side Fund payoff (this closes-out the Side Fund)
- 2) \$400,000 – a partial payoff of the \$1.2 million risk pool UAL; this UAL to be retired in three substantially equal annual payments commencing FY 15-16.  
*Both 1. and 2. save interest charges and reduce 2020 termination liability.*
- 3) 2.5% COLA for eligible personnel. Fiscal impact up to \$44,324.  
*Eligibility: Must be full time, employed with FORA for the past 12 months.*

*\*FC recommends items 1) and 2) and acknowledges availability of funding for item 3)  
EC recommends item 3)*

- **\$225,700 SUPPLIES AND SERVICES (Attachment C)**

This expense category is increased from last year. In addition to recurring office expenses, FORA office rent of \$15K/month to MCWD begins in May 2016. Increased funding is budgeted for several line items including: a) public/legal notices – HCP review notices, b) printing – final HCP report, c) travel – EDC and RUDG travel needs, d) training/seminars – professional development in the areas of transportation planning, IEDC real estate and planning, Board Clerk certification, National Charrette certification, etc. and e) equipment/IT services – electronic record archiving upgrade.

- **\$1,938,947 IN CONTRACTUAL SERVICES (Attachment C)**

Contractual services are decreased from the previous FY level due to completion of several projects (PLL insurance purchased, BRP/RUDG complete) and reduced legal expenses. In addition to FORA's recurring consulting expenses such as the Annual Auditor, Public Information, Human Resources, and Legislative consultants, the budget includes increased and or significant costs for:

- 1) Base Reuse Plan implementation process budgeted at \$275,000 for potential Dover, Kohl & Partners contract extension if needed, and potential Oak Woodlands designation area;
- 2) Legal services \$445,000, including ongoing legal representation, Authority Counsel, and special practice consulting (EDC-ESCA, CEQA);
- 3) Financial Consultant \$100,000 to perform CIP Fee study Phase III, and potential FORA transition consulting needs;
- 4) ESCA regulatory and legal costs \$380,000 associated with scheduled property transfers;
- 5) HCP consultants \$150,000 to prepare the final EIS/EIR and HCP; and
- 6) CEQA consultants \$300,000 to finish category I and II post-reassessment items (deferred from FY 14-15).

- **\$11,478,103 IN CAPITAL PROJECTS (Attachments B, C)**

The upcoming budget includes \$6.7M for the completion of the FORA BR obligations, creation of the BR Business program, and mandated/obligatory expenditures such as habitat management and UC Natural Reserve annual cost. Other capital projects are development fee collection dependent. The FY 15-16 CIP budget provides itemization and timing of capital projects.

*Please refer to CIP budget, item 9b on this Agenda.*

- **\$67,500 DEBT SERVICE (PRINCIPAL AND INTEREST) (Attachment C)**

The FY 15-16 budget anticipates the Preston Park loan payoff in June 2015. The debt service category this year includes interest payments on the I-Bank loan, principal reduction and/or repayment is scheduled in the following two fiscal years. The debt service on this loan is funded by land sale proceeds as a part of the BR program.

*Please refer to CIP budget, item 9b on this Agenda.*



**ACCOUNTING ENTRIES/FUND DESIGNATIONS**

- 1) Establish a Special Revenue Fund for the EDA/Building Removal Business Plan grant and local match.
- 2) Use land sale proceeds to create a \$10 million Reserve held in a segregated, interest bearing account.
- 3) Set aside a \$5 million contingency in the Land Sale Fund until Building Removal obligations are fully met.

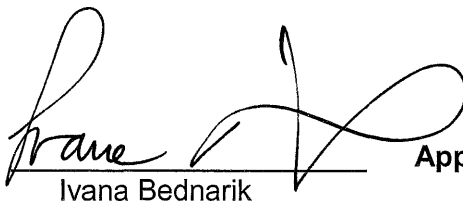
**ENDING BALANCE/FORA RESERVE**

It is anticipated that the combined fund balance at the end of the FY 15-16 will be more than \$22 million. To address the FORA sunset financial obligations, the FC is recommending setting up a \$10 million Reserve. From that Reserve, designate \$5.3 million for PERS pension liabilities. The remaining, undesignated \$4.7 million balance to be used for operating obligations through FORA 2020 sunset; specific future designations/spending of this \$4.7 million balance must be approved by the FORA Board.

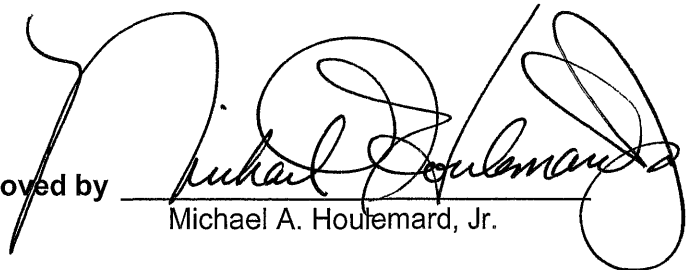
**COORDINATION:**

Finance Committee, Executive Committee, FORA Annual Auditor.

Prepared by

  
Ivana Bednarik

Approved by

  
Michael A. Houfemard, Jr.

**FORT ORD REUSE AUTHORITY - FY 15-16 ANNUAL BUDGET - ALL FUNDS COMBINED**

CATEGORIES	FY 14-15 <u>APPROVED</u>	FY 14-15 <u>MID-YEAR</u>	FY 14-15 <u>Variations</u> <i>Incr (decrease) projected</i>	FY 15-16 <u>PRELIMINARY</u>	NOTES
<b>BUDGET ASSUMES PRESTON PARK SALE BY JUNE 30, 2015</b>					
<b>REVENUES</b>					
Membership Dues	\$ 261,000	\$ 261,000		\$ 261,000	
Franchise Fees - MCWD	245,000	245,000		265,000	Increase due to new connections/draft MCWD-Ord Community budget
Federal Grants	933,970	1,639,166		1,074,063	ESCA/Final review process by regulators, EDA/Building Removal plan
In-kind Local Match				28,000	Seaside and CSUMB local in-kind match to EDA, \$14K each
PLL Insurance Payments	694,920	382,806		360,000	2015 PLL Insurance reimbursements
Development Fees	5,099,000	5,099,000	* (920,165)	5,585,000	Based on draft FY 15-16 CIP budget
Land Sale Proceeds	-	1,200,061	* 32,221,165	485,000	Based on draft FY 15-16 CIP budget
Rent Proceeds	1,788,924	1,788,924		45,000	
Property Taxes	1,531,630	1,531,630		1,679,468	Reflects valuation adjustments
Reimbursement Agreements	11,000	11,000	(11,000)	25,000	Reimbursements by agencies for ESCA property access/deed requirements
Loan Proceeds	-	-		3,000,000	I-bank loan to complete building removal in FY 15-16
Investment/Interest Income	175,594	175,594	-	270,000	
<b>TOTAL REVENUES</b>	<b>10,741,038</b>	<b>12,334,180</b>	<b>31,290,000</b>	<b>13,077,531</b>	<i>Increased revenues in FY 14-15 - Marina Preston Park purchase</i>
<b>EXPENDITURES</b>					
Salaries & Benefits	2,320,082	2,370,082	(120,000)	2,902,169	All positions filled; <u>includes pension liability payments to CalPERS</u> ; 2.5% COLA
Supplies & Services	149,500	157,500	-	225,700	FORA office and conference room rent increase, document filing/archiving
Contractual Services	2,649,165	4,404,361	* (488,000)	1,938,947	PLL Insurance purchased in FY 14-15, Legal fees/BRP consulting <u>reduced</u>
Capital Projects (CIP)	4,827,811	4,827,811	(3,311,612)	11,498,103	Building removal deferred to FY 15-16; detail in draft FY 15-16 CIP budget
Debt Service (P+I)	1,364,880	1,413,772	17,817,383	67,500	Preston Park loan paid-off in FY 14-15; I-Bank loan and PERS payments in 15-16
<b>TOTAL EXPENDITURES</b>	<b>11,311,438</b>	<b>13,173,526</b>	<b>13,897,771</b>	<b>16,632,419</b>	<i>Increased expenses in FY 14-15 due to Preston Park loan pay-off</i>
<b>NET REVENUES</b>					
<b>Surplus (Deficit)</b>	<b>(570,400)</b>	<b>(839,346)</b>	<b>17,392,229</b>	<b>(3,554,888)</b>	
<b>FUND BALANCES</b>					
<b>Beginning</b>	8,380,057	8,739,930		26,132,159	
<b>Ending</b>	\$ 7,809,657	\$ 7,900,584	\$ 26,132,159	\$ 22,577,272	<b>Ending Fund Balance/FORA Reserve</b>

\* FY 14-15 Preston Park sale transaction itemized

<b>City of Marina Payment</b>	<b>35,000,000</b>
Development Fees	2,078,835
Land Sale Proceeds	32,221,165
Attorneys Fees	700,000
	<u>35,000,000</u>

<b>10,000,000</b>	<b>FORA RESERVE ACCOUNT (recommended)</b> <i>To be invested in a separate, interest bearing account</i>
<b>5,300,000</b>	<b>Designated:</b> CalPERS pension liability (Including termination liability at 2020)
<b>4,700,000</b>	<b>Undesignated:</b> Operating obligations through 2020 ( <i>future designations are subject to Board's approval</i> )

**FORT ORD REUSE AUTHORITY - FY 15-16 ANNUAL BUDGET - BY FUND**

CATEGORY	SPECIAL REVENUE FUNDS (SRF)					TOTAL ANNUAL BUDGET
	GENERAL FUND	LEASES LAND SALE	CFD/Tax Developer Fees	EDA BR Plan	ARMY ESCA	
<b>REVENUES</b>						
Membership Dues	261,000					261,000
Franchise Fees - MCWD	265,000					265,000
Federal Grants				224,000	850,063	1,074,063
In-kind Local Match	28,000					28,000
PLL Insurance Payments	360,000					360,000
Development Fees			5,585,000			5,585,000
Land Sale Proceeds		485,000				485,000
Rental/Lease Revenues	45,000					45,000
Property Tax Payments	1,300,000		379,468			1,679,468
Reimbursement Agreements	25,000					25,000
Loan Proceeds (I-Bank)		3,000,000				3,000,000
Investment/Interest Income	200,000		70,000			270,000
Other Income	-	-	-	-	-	-
<b>Total Revenues</b>	<b>2,484,000</b>	<b>3,485,000</b>	<b>6,034,468</b>	<b>224,000</b>	<b>850,063</b>	<b>13,077,531</b>
<b>EXPENDITURES</b>						
Salaries & Benefits	2,240,990	-	316,536		344,643	2,902,169
Supplies & Services	174,864	-	25,417		25,419	225,700
Contractual Services	1,285,000	2,000	171,947		480,000	1,938,947
Capital Projects	-	6,500,000	4,678,103	320,000	-	11,498,103
Debt Service	-	67,500	-	-	-	67,500
<b>Total Expenditures</b>	<b>3,700,854</b>	<b>6,569,500</b>	<b>5,192,002</b>	<b>320,000</b>	<b>850,063</b>	<b>16,632,419</b>
<b>REVENUES OVER (UNDER) EXPENDITURES</b>	<b>(1,216,854)</b>	<b>(3,084,500)</b>	<b>842,466</b>	<b>(96,000)</b>	<b>-</b>	<b>(3,554,888)</b>
<b>OTHER FINANCING SOURCES (USES)</b>						
Transfer In/(Out) - PP sale funds to RESERVE	10,000,000	(10,000,000)				-
Transfer In/(Out) - PP loan repay principal						-
Transfer In/(Out) - EDA/BR local match	(96,000)	-	-	96,000	-	-
<b>Total Other Financing Sources (Uses)</b>	<b>9,904,000</b>	<b>(10,000,000)</b>	<b>-</b>	<b>96,000</b>	<b>-</b>	<b>-</b>
<b>REVENUES &amp; OTHER SOURCES OVER (UNDER)</b>	<b>8,687,146</b>	<b>(13,084,500)</b>	<b>842,466</b>	<b>-</b>	<b>-</b>	<b>(3,554,888)</b>
FUND BALANCE-BEGINNING 7/1/15	7,802,602	18,329,557	-	-	-	26,132,159
<b>FUND BALANCE-ENDING 6/30/16</b>	<b>16,489,749</b>	<b>5,245,057</b>	<b>842,466</b>	<b>-</b>	<b>*</b>	<b>22,577,272</b>

**FUND GLOSSARY**

General Fund  
 Lease/Land Sale Proceeds Fund  
 CFD Tax/Developer Fees  
 EDA/BR Plan Grant  
 ET/ESCA Army Grant

Accounts for general financial resources  
 Land sale proceeds finance CIP (building removal),  
 CFD tax/Developer fees finance CIP (CEQA mitigations)  
 Finances the Building Removal Business Plan, requires 25% local match  
 Finances the munitions and explosives cleanup activities  
 ET/ESCA fund balance: FORA's share of unspent Army grant (for Program Management and Regulatory Response costs) is held in a separate bank account and, for financial/budgeting purposes, recognized when earned. Estim. balance \$1.4M at June 30, 2016.

\*

## ANNUAL FY 15-16 BUDGET

## ITEMIZED EXPENDITURES

EXPENDITURE CATEGORIES	FY 14-15 Approved	FY 14-15 Mid-Year	FY 14-15 Anticip. Budget (Savings)/Excess	FY 15-16 PRELIMINARY	NOTES
					"N" indicates a new expense in FY 15-16 budget
<b><u>SALARIES AND BENEFITS (S &amp; B)</u></b>	15 positions	15 positions		15 positions	Staffing at approved 14-15 level. Includes EDC position, and Senior Planner extension thru BRP reassessment/implementation
SALARIES	1,612,641	1,650,000	(100,000)	1,659,616	
BENEFITS/HEALTH, RETIREMENT, OTHER	647,441	660,082		567,482	
TEMP HELP/VACTION CASH OUT/STIPENDS	60,000	60,000	(20,000)	65,000	
<b>    SUBTOTAL S &amp; B</b>	<b>2,320,082</b>	<b>2,370,082</b>	<b>(120,000)</b>	<b>2,292,098</b>	<b>Proposed 2.5% COLA is included</b>
<b><u>N CalPERS UNFUNDED LIABILITIES (UAL)</u></b>					
SIDE FUND - PAYOFF	-	-	-	210,071	Payoff eliminates the side fund, saves \$41K over the next 5 years
SHARE OF RISK POOL UAL - PARTIAL PAYMENT	-	-	-	400,000	\$1.2M UAL to be paid off in 3 annual payments to reduce termination liability, save interest.
<b>    SUBTOTAL PERS UAL</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>610,071</b>	
<b>    TOTAL SALARIES , BENEFITS AND UAL</b>	<b>2,320,082</b>	<b>2,370,082</b>		<b>2,902,169</b>	
<b><u>SUPPLIES AND SERVICES</u></b>					
PUBLIC & LEGAL NOTICES	2,000	1,000	-	6,000	Consistency determinations, HCP review notices
COMMUNICATIONS	10,000	10,000	-	8,000	
DUES & SUBSCRIPTIONS	6,500	6,500	-	7,000	
PRINTING & COPY	3,000	3,000	-	8,000	HCP final report
SUPPLIES	12,000	12,000	-	12,000	
EQUIPMENT & FURNITURE	8,880	11,500	-	10,000	
TRAVEL, LODGING, REGISTRATION FEES	20,000	20,000	-	22,500	IEDC Annual conference/EDC
TRAINING & SEMINARS	6,500	6,500	-	15,000	Training/professional development
MEETING EXPENSES	3,500	10,500	-	13,500	Conference room rental expenses
TELEVISED MEETINGS	6,000	7,000	-	7,000	
BUILDING MAINTENANCE & SECURITY	6,000	6,000	-	10,000	Common area maintenance/per MCWD lease agreement
<b>N FORA OFFICES RENTAL</b>				30,000	FORA office rent to MCWD begins May 2016 (\$15K/mo)
UTILITIES	11,000	11,000	-	12,000	
INSURANCE	22,500	22,500	-	24,000	
PAYROLL/ACCOUNTING SERVICES	5,000	5,000	-	5,000	
IT/COMPUTER SUPPORT	22,500	22,500	-	22,500	
<b>N RECORD ARCHIVING</b>				10,000	Plan/equipment for electronic/on-line archiving
OTHER (POSTAGE, BANK FEES, MISC)	4,120	2,500	-	3,200	Under \$2K/year items
<b>    TOTAL SUPPLIES AND SERVICES</b>	<b>149,500</b>	<b>157,500</b>	<b>-</b>	<b>225,700</b>	
<b><u>CONTRACTUAL SERVICES</u></b>					
AUTHORITY COUNSEL	210,000	210,000	(30,000)	200,000	
LEGAL/LITIGATION FEES	300,000	300,000	400,000	100,000	Preston Park FORA/Rabobank litigation expenses paid FY 14-15
LEGAL FEES - SPECIAL PRACTICE	20,000	20,000	(10,000)	25,000	On-call services/CEQA Allan Waltner
AUDITORS	18,000	18,000	-	20,000	Annual Audit, incl. Preston Park (final year)
SPECIAL COUNSEL (EDC-ESCA)	140,000	140,000	-	120,000	ESCA closure document review
ESCA/REGULATORY RESPONSE/QUALITY ASSURANCE	480,000	480,000	(100,000)	380,000	ESCA oversight
FINANCIAL CONSULTANT	100,000	100,000	(95,000)	100,000	Development fee formula; FORA transition plan
LEGISLATIVE SERVICES CONSULTANT	43,000	43,000	-	43,000	HCP, blight legislation, CCCVC
PUBLIC INFORMATION/OUTREACH	20,000	20,000	-	20,000	
HCP CONSULTANTS	150,000	150,000	(150,000)	150,000	To finish final EIS/EIR and HCP
REUSE PLAN IMPLEMENTATION	780,000	780,000	(182,000)	275,000	Potential DKP contract extension, Oak Woodlands designation
<b>N GEOGRAPHIC INFORMATION</b>				50,000	Ortho mapping survey, software, on-line tools
CEQA CONSULTANTS	300,000	300,000	(300,000)	300,000	To finish categ. I and II Post Reassessment items deferred to 15-16
PARKER FLATS BURN	25,000	25,000	-	18,000	CSUMB-FORA contract/post burn reporting requirements, final
CIP/ARCHITECTS & ENGINEERS	15,000	15,000	(13,000)	25,000	On-call services (Water augmentation, roadway planning)
PROPERTY TAX SHARING/REUSE	23,165	23,165	-	37,947	Payment to Jurisdictions/County per modified IA's
ECONOMIC DEVELOPMENT	-	50,000	-	50,000	Additional funding for agency collaboration
PLL INSURANCE	-	1,705,196	-	-	PLL Insurance purchased in FY 14-15
OTHER CONSULTING/CONTRACTUAL EXP	25,000	25,000	(8,000)	25,000	HR/PERS Actuary/miscellaneous services
<b>    TOTAL CONTRACTUAL SERVICES</b>	<b>2,649,165</b>	<b>4,404,361</b>	<b>(488,000)</b>	<b>1,938,947</b>	
<b><u>CAPITAL PROJECTS</u></b>					<b>Refer to CIP 15-16 for project detail</b>
TRANSPORTATION/OTHER CIP PROJECTS	472,199	472,199	(45,000)	2,830,000	
HABITAT MANAGEMENT/HCP ENDOWMENT	1,629,898	1,629,898	(540,898)	1,848,103	HM set aside, UC Natural Reserve annual cost (\$91.4K)
BUILDING REMOVAL	2,725,714	2,725,714	(2,725,714)	6,820,000	FORA building removal obligation to be met in FY 15-16
<b>    TOTAL CAPITAL PROJECTS</b>	<b>4,827,811</b>	<b>4,827,811</b>	<b>(3,311,612)</b>	<b>11,498,103</b>	
<b><u>DEBT SERVICE (Principal and Interest)</u></b>					
PRESTON PARK LOAN DEBT SERVICE	1,364,880	1,364,880			
PRESTON PARK LOAN PAYOFF			17,817,383		
I-BANK LOAN DEBT SERVICE				67,500	Debt service from Jan 2016 (6 months)
<b>    TOTAL DEBT SERVICE</b>	<b>1,364,880</b>	<b>1,364,880</b>	<b>17,817,383</b>	<b>67,500</b>	
<b>TOTAL EXPENDITURES</b>	<b>11,311,438</b>	<b>13,124,634</b>	<b>14,017,771</b>	<b>16,632,419</b>	

**ANNUAL FY 15-6 BUDGET**

**PROPOSED SALARY AND BENEFITS  
ADJUSTMENT**

Effective January 1, 2012, pursuant to independent human resources consultant and FC/EC recommendations, the FORA Board adjusted salary ranges to bring FORA employees to equity with other Monterey Bay Regional labor market agencies and affiliated jurisdictions. To sustain this equity, the preliminary budget includes scheduled salary step increases for eligible staff. Proposed Cost-of-Living adjustment (COLA) is provided.

**Cost-of-Living-Adjustment (COLA)                      2.50%**

**FY 15-16 BUDGET IMPACT**

2.5% COLA

**44,324**

37,916 Salary increase

6,408 Benefits increase

*CPI SF-Oakland-SJ report (available data thru 2/15): 2.53%*

*Effective date: July 1, 2015*

*Eligibility: Must be full-time, employed with FORA for the past 12 months.*

**2,247,774** Total S & B/No COLA

**2,292,098** Total S & B/With COLA

44,324 Difference

**COLA increases received - past 5 FY**

<u>FY</u>	<u>COLA</u>	<u>Notes</u>
FY 10-11	0.00%	
FY 11-12	2.00%	All staff received COLA
FY 12-13	0.00%	
FY 13-14	2.50%	All staff received COLA
FY 14-15	<u>2.00%</u>	All staff received COLA
<i>Total Staff</i>	6.50%	

**CPI SF-Oakland-San Jose - past 5 FY**

<u>FY</u>	<u>COLA</u>
FY 10-11	1.80%
FY 11-12	1.70%
FY 12-13	3.00%
FY 13-14	2.40%
FY 14-15	<u>2.40%</u>
<i>Total CPI</i>	11.3%

# FORT ORD REUSE AUTHORITY BOARD REPORT

## BUSINESS ITEMS

<b>Subject:</b>	Marina Coast Water District FY 2015/16 Ord Community Budget	
<b>Meeting Date:</b>	May 8, 2015	<b>INFORMATION/ACTION</b>
<b>Agenda Number:</b>	9d	

### RECOMMENDATION:

- i. Receive a Fort Ord Reuse Authority (FORA) staff presentation;
- ii. Receive a Marina Coast Water District (MCWD) staff presentation; and,
- iii. Consider Resolution Nos. 15-XX and 15-XX Adopting a Compensation Plan for Base-wide Water and Sewer Services on the Former Fort Ord (**Attachment A and B**).

### BACKGROUND/DISCUSSION:

The Water/Wastewater Oversight Committee (WWOC) began the FY 2015/16 Ord Community budget process by 1) reviewing the MCWD budget schedule on March 4<sup>th</sup>; 2) receiving the 1<sup>st</sup> draft budget sent by email on March 17<sup>th</sup>; 3) reviewing the 2<sup>nd</sup> draft budget, updated after an MCWD Board budget review workshop, at their April 1<sup>st</sup> meeting; 4) receiving MCWD answers to questions raised April 1<sup>st</sup> – April 6<sup>th</sup> by email on April 14<sup>th</sup>; 5) reviewing the MCWD Q&A and 3<sup>rd</sup> draft budget at their April 15<sup>th</sup> meeting; and 6) voting 3-1 to recommend FORA Board approval of the April 29<sup>th</sup> Revised FY 2015/16 Ord Community Draft Compensation Plan. *The recommendation included the provisions that line item 25b on the last page (page 15, Ord Community Reserve Detail) be shown as two distinct line items (Fund Recycled Trunk Main and Regional Urban Water Augmentation Program (RUWAP) Desal Projects), and that the FORA Board review and approve the RUWAP desal project funding line item separately from the budget.* The practical effect of the Board not approving this item would be to remove the \$500K designated for 10% design planning of a potential desal component of the RUWAP from the proposed budget. Approved meeting minutes are available: (<http://fora.org/wwoc.html>). April 29<sup>th</sup> meeting minutes will be approved in May.

WWOC and the public raised concerns/questions regarding rate studies, prior desalination project and related litigations, future augmented water availability, MCWD CIP, debt service, budget deficiencies, and reserves. MCWD is preparing a Question and Answer document on MCWD's Ord Community Budget, which will be distributed to the Board and public prior to the May 8, 2015 FORA Board meeting.

Due to document size, the draft FY 2015/16 Ord Community Compensation Plan, noted as **Exhibit A** in each resolution, is accessible at the following link:

[http://fora.org/Board/2015/Packet/Additional/050815Item9d\\_ExhibitA%20\\_budget.pdf](http://fora.org/Board/2015/Packet/Additional/050815Item9d_ExhibitA%20_budget.pdf).

In previous years, the FORA Board denied rate increases or approved a lower rate than MCWD proposed. Historically, the FORA Board raised concerns regarding Ord Community annexation and customer voting rights, water augmentation timing and decoupling from the regional desalination project, and protecting existing rate payers from steep rate increases. FORA staff believes that sufficient progress on these issues has been made to justify approving the rate structure and capacity charges proposed by MCWD. Effort has been made to decouple water augmentation costs from the annual budget itself to the extent possible. *Without approval of this annual operating budget, MCWD's water augmentation program cannot be negotiated, financed, or initiated.* MCWD will continue to provide augmented water supply delivery options through FY 2015/16 and FORA staff will continue to provide additional presentations and information to the FORA Board on relevant topics.


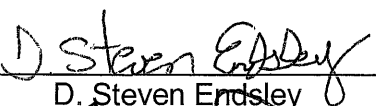
**FISCAL IMPACT:**

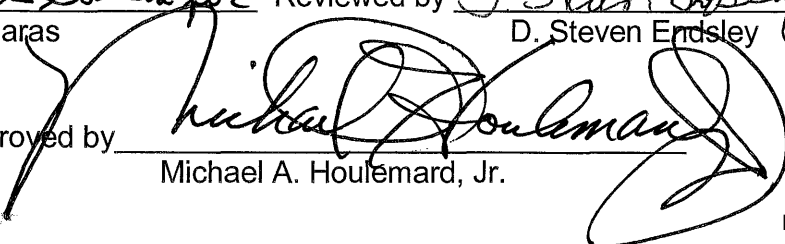
Reviewed by FORA Controller 

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

**COORDINATION:**

WWOC, MCWD staff, Administrative, and Executive Committees

Prepared by  Reviewed by   
Crissy Maras D. Steven Erdsley

Approved by   
Michael A. Houlemard, Jr.

## Resolution No. 15-XX

*Resolution of the Fort Ord Reuse Authority Board of Directors  
Adopting the Budget and the Ord Community Compensation Plan for FY 2015-2016  
not including Capacity Charges*

May 8, 2015

THIS RESOLUTION is adopted with reference to the following facts and circumstances:

WHEREAS, Marina Coast Water District (District) Staff prepared and presented the draft FY 2015-2016 Budget (**Exhibit A**) which includes projected revenues, expenditures and capital improvement projects for the Ord Community Water, Recycled Water and Wastewater systems, including the area within the jurisdiction of FORA and the area remaining within the jurisdiction of the U.S. Army; and,

WHEREAS, FORA is authorized by the FORA Act, particularly Government Code 67679(a)(1), to arrange for the provision of water and wastewater services to the Ord Community; and

WHEREAS, the District and FORA, entered into a "Water/Wastewater Facilities Agreement" ("the Agreement") on March 13, 1998, and have subsequently duly amended the Agreement; and,

WHEREAS, the Agreement provides a procedure for establishing budgets and compensation plans to provide for sufficient revenues to pay the direct and indirect, short-term and long-term costs, including capital costs, to furnish the water and wastewater facilities; and,

WHEREAS, the Agreement, as amended, provides that FORA and the District will each adopt the annual Budget and Compensation Plan by resolution; and,

WHEREAS, the proposed Budget and Compensation Plan for FY 2015-2016 provides for funds necessary to meet operating and capital expenses for sound operation and provision of the water, recycled water and wastewater facilities and to enable the District to provide continued water, recycled water and sewer services within the existing service areas on the former Fort Ord. The rates, fees and charges in the Budget and Compensation Plan for FY 2015-2016 adopted by FORA apply only to the area within FORA's jurisdictional boundaries; and,

WHEREAS, the Water/Wastewater Oversight Committee and Administrative Committee of FORA and the District Board of Directors have reviewed the proposed Budget and Compensation Plan; and,

WHEREAS, pursuant to the Agreement, FORA and the District have adopted and implemented and acted in reliance on budgets and compensation plans for prior fiscal years; and,

WHEREAS, pursuant to the Agreement, FORA and the District cooperated in the conveyance to the District of easements, facilities and ancillary rights for the water, recycled water and wastewater systems on the area of the former Fort Ord within FORA's jurisdiction; and,



WHEREAS, the District has provided water and wastewater services on the former Fort Ord by contract since 1997, and currently provides water and wastewater services to the area of the former Fort Ord within FORA's jurisdiction under the authority of the Agreement, and provides such services to the portion of the former Fort Ord still under the Army's jurisdiction by contract with the Army; and,

WHEREAS, FORA and the District have agreed that water conservation is a high priority, and have implemented a water conservation program in the Ord Community service area that includes public education, various incentives to use low-flow fixtures, and water-conserving landscaping. The rates, fees and charges in the Budget and Compensation Plan for FY 2015-2016 adopted by this Resolution are intended to support the water conservation program and encourage water conservation, pursuant to sections 375 and 375.5 of the California Water Code. This conservation program and these rates, fees and charges are in the public interest, serve a public purpose, and will promote the health, welfare, and safety of Ord Community, and will enhance the economy and quality of life of the Monterey Bay community; and,

WHEREAS, estimated revenues from the rates, fees and charges will not exceed the estimated reasonable costs of providing the services for which the rates, fees or charges are imposed, will not be used for any purpose other than that for which the fee or charge was imposed, will not exceed the proportional cost of the service attributable to each identified parcel upon which the fee or charge is proposed for imposition and no fee or charge will be imposed for a service unless that service is actually used by, or immediately available to, the owner of the property in question; and,

WHEREAS, at a public meeting, the Board has determined that the Budget and Compensation Plan, including the rates, fees and charges therein, should be adopted as set forth on **Exhibit A** to this Resolution; and,

WHEREAS, on May 19, 2014, the District Board held a Proposition 218 hearing on the rates, fees and charges, not including Capacity Charges, for the Compensation Plan pursuant to and in accordance with Section 6 of Article XIID of the California Constitution; and,

WHEREAS, at the hearing, the District Board heard and considered all protests to the Compensation Plan and the rates, fees and charges proposed and found that protests were submitted by less than a majority of the record owners of each identified parcel upon which the fee or charge is proposed for imposition; and,

WHEREAS, FY 2015-2016 Capacity Charges are the subject of and will be adopted by a separate Resolution; and,

WHEREAS, The District is acting to provide continued water, recycled water and sewer service within existing service areas on the Ord Community, and that such action is exempt from CEQA pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the State CEQA Guidelines codified at 14 CCR §15273.

NOW THEREFORE the Board hereby resolves that:

1. The Board of Directors of the Fort Ord Reuse Authority does hereby approve and adopt the FY 2015-2016 Budget and Compensation Plan, not including Capacity Charges, for water, recycled water and wastewater services to the Ord Community.
2. The District is authorized to charge and collect rates for provision of water and wastewater services within the boundaries of FORA in accordance with the rates, fees and charges set forth in **Exhibit A**, not including Capacity Charges. The District is further authorized to use the same rates, fees and charges in providing services to the area of Ord Community within the jurisdiction of the U.S. Army.
3. The rates, fees and charges authorized by this Resolution shall not exceed the estimated reasonable costs of providing the services for which the rates, fees or charges are imposed.

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

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

\_\_\_\_\_  
Mayor Pro-Tem Frank O'Connell, Chair

ATTEST:

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

## Resolution No. 15-XX

*Resolution of the Fort Ord Reuse Authority Board of Directors  
Adopting the Capacity Charge element of the Budget and the Ord Community  
Compensation Plan for FY 2015-2016*

May 8, 2015

THIS RESOLUTION is adopted with reference to the following facts and circumstances:

WHEREAS, Marina Coast Water District (District) Staff prepared and presented the draft FY 2015-2016 Budget (**Exhibit A**) which includes projected revenues, expenditures and capital improvement projects for the Ord Community Water, Recycled Water and Wastewater systems, including the area within the jurisdiction of FORA and the area remaining within the jurisdiction of the U.S. Army; and,

WHEREAS, FORA is authorized by the FORA Act, particularly Government Code 67679(a)(1), to arrange for the provision of water and wastewater services to the Ord Community; and

WHEREAS, the District and FORA, entered into a "Water/Wastewater Facilities Agreement" ("the Agreement") on March 13, 1998, and have subsequently duly amended the Agreement; and,

WHEREAS, the Agreement provides a procedure for establishing budgets and compensation plans to provide for sufficient revenues to pay the direct and indirect, short-term and long-term costs, including capital costs, to furnish the water and wastewater facilities; and,

WHEREAS, the Agreement, as amended, provides that FORA and the District will each adopt the annual Budget and Compensation Plan by resolution; and,

WHEREAS, the proposed Budget and Compensation Plan for FY 2015-2016 provides for funds necessary to meet operating and capital expenses for sound operation and provision of the water, recycled water and wastewater facilities and to enable the District to provide continued water, recycled water and sewer services within the existing service areas on the former Fort Ord. The rates, fees and charges adopted by FORA apply only to the area within FORA's jurisdictional boundaries; and,

WHEREAS, to update the capacity charge calculations contained in the 2005 financing study prepared by Citigroup Global Markets Inc., Carollo Engineers prepared a five-year water and wastewater financial plan and rate study in 2013 for the District, which recommended an increase in capacity charges for water and wastewater services to the Ord Community. The District staff provided additional information to Carollo and upon further analysis, Carollo issued in February 2014 revisions which reduced the amount of the proposed new capacity charges; and,

WHEREAS, the Water/Wastewater Oversight Committee and Administrative Committee of FORA and the District Board have reviewed the proposed Budget and Compensation Plan; and,

WHEREAS, pursuant to the Agreement, FORA and the District have adopted and implemented and acted in reliance on budgets and compensation plans for prior fiscal years; and,

WHEREAS, pursuant to the Agreement, FORA and the District have cooperated in the conveyance to the District of easements, facilities and ancillary rights for the water, recycled water and wastewater systems on the area of the former Fort Ord within FORA's jurisdiction; and,

WHEREAS, the District has provided water and wastewater services on the former Fort Ord by contract since 1997, and currently provides water and wastewater services to the area of the former Fort Ord within FORA's jurisdiction under the authority of the Agreement, and provides such services to the portion of the former Fort Ord still under the Army's jurisdiction by contract with the Army; and,

WHEREAS, capacity charges are imposed as a condition of service to customers. The charges are not imposed upon real property or upon persons as an incident of real property ownership; and,

WHEREAS, estimated revenues from the capacity charges will not exceed the estimated reasonable costs of providing the facilities and services for which the charges are imposed; and,

WHEREAS, the capacity charges have not been calculated nor developed on the basis of any parcel map, including any assessor's parcel map; and,

WHEREAS, no written requests are on file with the District for mailed notice of meetings on new or increased fees or service charges pursuant to Government Code Section 66016. At least 10 days prior to the meeting, the District made available to the public data indicating the amount of cost, or estimated cost, required to provide the service for which the fee or service charge is levied and the revenue sources anticipated to provide the service; and

WHEREAS, the amount of the increase in capacity charges exceeds the percentage increase in the Implicit Price Deflator for State and Local Government Purchases, as determined by the Department of Finance. As a result, the District cannot charge the increased capacity fee to any school district, county office of education, community college district, state agency, or the University of California before first negotiating the increases with those entities in accordance with District Code section 6.16.020 and Government Code section 54999.3. Although these sections also apply to California State University at Monterey Bay, the District has complied with its obligation to negotiate with it and can charge the increased amounts to CSUMB as a result of and as limited by a Settlement Agreement and Mutual Release dated June 1, 2006, by which the District and California State University made an agreement regarding the amount of all future capacity charges. Accordingly, the District can charge the increased capacity charges as limited by the Settlement Agreement and Mutual Release immediately to CSUMB. The increased capacity charges to any other school district, state agency, county office of education, community college district or the University of California will be effective only when negotiations are concluded with those entities; and,

WHEREAS, after a public meeting, the Board has determined that the capital elements of the Budget and Compensation Plan, including the capacity charges therein, should be adopted as set forth on **Exhibit A** to this Resolution; and

WHEREAS, the capacity charges set forth on **Exhibit A** to this Resolution have increased from those approved in the FY 2011-2012 Budget and Compensation Plan; and,

WHEREAS, the District is acting to provide continued water and sewer service within existing service areas on the Ord Community, and that such action is exempt from CEQA pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the State CEQA Guidelines codified at 14 CCR §15273.

NOW THEREFORE the Board hereby resolves that:

1. The Board of Directors of the Fort Ord Reuse Authority does hereby approve and adopt the capital elements of the FY 2015-2016 Budget for water, recycled water and wastewater services to the Ord Community.
2. The capital elements of the compensation plan for the area of Ord Community within FORA's jurisdiction, including capacity charges, set forth on **Exhibit A** to this Resolution are hereby approved and adopted. The District is authorized to charge and collect capacity charges for provision of water and wastewater services within the boundaries of the Fort Ord Reuse Authority in accordance with the schedule set forth in **Exhibit A**. The District is further authorized to use the same charges in providing services to the area of Ord Community within the jurisdiction of the U.S. Army.
3. The charges authorized by this Resolution shall not exceed the estimated reasonable costs of providing the services for which the charges are imposed.
4. The District will comply with the requirements of Government Code section 54999.3 before imposing a capital facilities fee (as defined in Government Code section 54999.1) on any school district, county office of education, community college district, the University of California or state agency. The District has negotiated and entered into that certain Settlement Agreement and Mutual Release dated June 1, 2006, with California State University.

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

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

\_\_\_\_\_  
Mayor Pro-Tem Frank O'Connell, Chair

ATTEST:

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

# FORT ORD REUSE AUTHORITY BOARD REPORT

## BUSINESS ITEMS

<b>Subject:</b>	Monterey Regional Water Pollution Control Agency – Groundwater Replenishment Project Update	
<b>Meeting Date:</b>	May 8, 2015	<b>INFORMATION</b>
<b>Agenda Number:</b>	9e	

### RECOMMENDATION(S):

Receive a presentation from Monterey Regional Water Pollution Control Agency (MRWPCA) regarding its Pure Water Monterey Groundwater Replenishment Project and presentation from Marina Coast Water District (MCWD) on MRWPCA and MCWD recycled water discussions.

### BACKGROUND/DISCUSSION:

At the February 13, 2015 FORA Board meeting, MRWPCA General Manager Keith Israel offered to present the Pure Water Monterey project for Board review. Staff invited MRWPCA staff to present a project update to the FORA Administrative Committee on April 23, 2015 and to the FORA Board on May 8, 2015.

As additional background, MCWD is a member of MRWPCA and has certain rights to the wastewater from its service areas that it sends to MRWPCA's treatment plant. MCWD's 2004 Regional Urban Water Augmentation Project (RUWAP) included a hybrid desalination/recycled water approach. In 2007, the FORA Board allocated 1,427 acre-feet per year of recycled water through the RUWAP to the various FORA jurisdictions (**Attachment A**).

### FISCAL IMPACT:

Reviewed by FORA Controller 

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

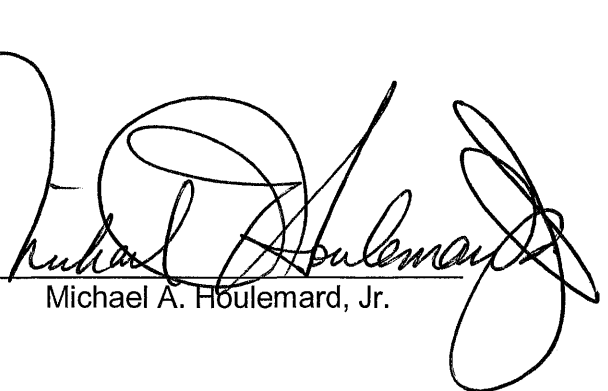
### COORDINATION:

MRWPCA, Administrative and Executive Committees.

Prepared by

  
Jonathan Garcia

Approved by

  
Michael A. Houlemard, Jr.

**FORT ORD REUSE AUTHORITY BOARD REPORT**

**OLD BUSINESS**

<b>Subject:</b>	Water Augmentation Program: Allocation of Recycled Water	
<b>Meeting Date:</b>	May 11, 2007	<b>ACTION</b>
<b>Agenda Number:</b>	7c	

**RECOMMENDATIONS:**

- Adopt resolution 07-10 (attached), allocating 1427 acre-feet per year ("AFY") of recycled water to former Fort Ord land use jurisdictions.

**BACKGROUND:**

In Spring 2006, the City of Del Rey Oaks and the University of California requested that the Fort Ord Reuse Authority ("FORA") consider allocating recycled water resources necessary for each of them to move forward on pending recovery projects. Recycled water is a component of the FORA 1997 Base Reuse Plan assumptions and is essential to completing planned developments on the former installation. Use of recycled water resources has been included in several sections of the FORA Master Resolution and is described in the FORA/jurisdiction Implementation Agreements.

In October 2006, in response to the City of Del Rey Oaks/University of California requests, the FORA Administrative Committee set a meeting of the Executive Managers' Water Working Group (comprised of members from the Administrative Committee) to consider and analyze: 1) technical aspects of the Executive Committee's request to make the 1998 approved 150 AFY loans permanent allocations and, 2) the allocation of recycled water from the Recycled Water Component of the Fort Ord Water Augmentation Program. The FORA Board approved the permanent allocation of the four 150 AFY loans on January 12, 2007. On March 9, 2007, Marc Lucca, General Manager of Marina Coast Water District ("MCWD"), and Keith Israel, General Manager of Monterey Regional Water Pollution Control Agency ("MRWPCA"), gave a brief presentation to the FORA Board on the status of their negotiations regarding the recycled water portion of FORA's water augmentation program.

**DISCUSSION:**

The Executive Managers' Water Working Group ("Working Group") met on April 25, 2007 and the FORA Administrative Committee met on May 2, 2007, each endorsing the proposed allocation of recycled water. The Administrative Committee made its endorsement with the anticipation that three important items will be completed in the coming months that affect this resource:

- 1) Negotiations between MRWPCA and MCWD;
- 2) MCWD's rate study, which will provide information regarding projected costs; and
- 3) MRWPCA's determination of how to allocate its 300 AFY set aside.

These allocations were determined through a series of Working Group meetings from October 2006 to April 2007. The first step in these meetings was to determine each jurisdiction's need for recycled water resources. Once these requests were obtained, it

became clear that more recycled water was being requested than could be currently supplied. The Working Group adopted the prioritization/methodology/criteria listed under resolution point #2 in resolution 07-10 to develop allocations that could accommodate individual jurisdictions' needs under the current resource restraints, which are currently capped at 1427 AFY of recycled water.

Authority Counsel has reviewed several legal opinions regarding water allocation, including the recently published case "*Vineyard Area Citizens v. Rancho Cordova (2007)*," and has determined that allocation of this water is appropriate at this time since it is more than reasonable that the Board anticipates that this resource will become available in the near term. However, it remains important that negotiations continue and conclude between MRWPCA and MCWD so that project implementation can proceed. Given the level of planning and financial support already attributed to this project and programmed and/or budgeted in the near future, those ongoing negotiations are holding up implementing the delivery of the resource.

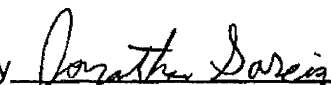
**FISCAL IMPACT:**

A recycled water allocation will allow planned development to proceed on Fort Ord, essential to producing the revenues that pay for habitat management, wildland fire protection, roadway and transit infrastructure, etc.

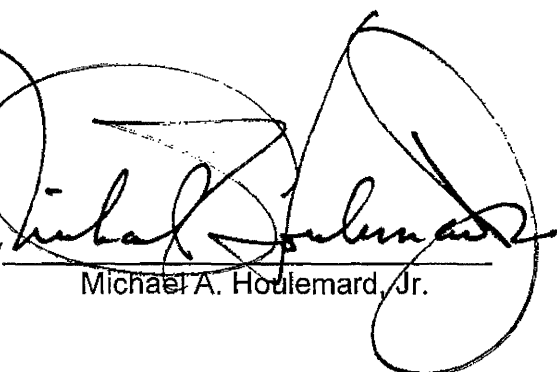
**COORDINATION:**

Executive Committee, Administrative Committee, Authority Counsel, Working Group, Marina Coast Water District, and Monterey Regional Water Pollution Control Agency.

Prepared by

  
Jonathan Garcia

Approved by

  
Michael A. Houlemard, Jr.

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FORA Board Meeting  
May 11, 2007  
Item 7c – Page 2



Resolution of the Authority Board )  
Allocating Recycled Water to former )  
Fort Ord Land Use Jurisdictions.\_\_\_\_\_)

THIS RESOLUTION is adopted with reference to the following facts and circumstances:

**WHEREAS**, the Fort Ord Reuse Authority (“FORA”) and Marina Coast Water District (“MCWD”) Boards of Directors approved the recycled/desalinated two component recommendation to implement the Fort Ord Water Augmentation Program (“Hybrid Alternative”) June 10, 2005 at a joint meeting of the Boards, directing their respective staff to scope the project; and

**WHEREAS**, the Recycled Water Component (“recycled water project”) of the Hybrid Alternative is approaching the bidding and construction stage of the project; and

**WHEREAS**, FORA Board of Directors is informed by MCWD and the Monterey Regional Water Pollution Control Agency (“MRWPCA”) that 1,427 acre-feet per year (“AFY”) of water is available for making a commitment at the MRWPCA property line to the recycled water project of the Hybrid Alternative; and

**WHEREAS**, Monterey County Water Resources Agency and MRWPCA have entered into an Agreement, which allows up to 850 AFY of recycled water from May through August that MRWPCA has agreed to dedicate to the recycled water project; and

**WHEREAS**, MCWD has agreed to provide 300 AFY of recycled water to the project from April through September in addition to the 850 AFY described above; and

**WHEREAS**, 950 AFY of these summer time flows of the 1,427 AFY of recycled water may be made available for use as stated above with the remainder being used the rest of the year; and

**WHEREAS**, allocation of the 1,427 AFY of recycled water to former Fort Ord jurisdictions is an appropriate means of providing initial assurance of access to the recycled water resource; and

**WHEREAS**, allocation of 1,427 AFY will take effect upon approval of this resolution by the FORA Board of Directors; and

**WHEREAS**, FORA jurisdictions have agreed to reserve 5% of the recycled water for line loss to be deducted from the total supply of recycled water available for distribution; and

**WHEREAS**, this 5% line loss factor may be adjusted in the future as further operational information is provided; and

**WHEREAS**, MCWD advises, in order to avoid over allocating water and potential over use of recycled water included in Exhibit A, a line loss of 10% may need to be applied in the future; and

**WHEREAS**, additional recycled water resources are anticipated to become available in the future that may be used to offset future operational line loss factors; and

**WHEREAS**, 300 AFY of additional recycled water (less the 5% line loss as measured within MCWD’s service area) is currently proposed to be set aside to others by the MRWPCA; and

**DRAFT**

**DRAFT**

**DRAFT**

**WHEREAS**, the FORA Board acknowledges that the entity or entities using all or portions of the additional 300 AFY are required to pay an equitable prorata share of the cost of those Ord Community facilities that are necessary for delivery of the resource; and

**WHEREAS**, all or a portion of that 300 AFY of recycled water may be made available by MRWPCA action to former Fort Ord uses in the future; and

**WHEREAS**, moving forward with an allocation of recycled water at this time is essential for reuse of the former Fort Ord; and

**WHEREAS**, FORA has received advice from counsel that adopting an allocation of recycled water resource is appropriate given the pending agreements to deliver recycled water resources to member jurisdictions' projects; and

**WHEREAS**, FORA is allowed under the California Environmental Quality Act to allocate recycled water given that environmental impacts of the recycled water program (construct distribution systems and provide recycled water from the existing MRWPCA wastewater treatment facility to urban users within the Ord community) have been analyzed in a 2004 environmental impact report ("EIR") and two subsequent addenda; and

**WHEREAS**, the impacts of water allocations for redevelopment on Fort Ord were evaluated under the 1997 Base Reuse Plan EIR; and

**WHEREAS**, allocating recycled water resources to conserve potable water resources for such purposes meets the spirit and letter of the Fort Ord Base Reuse Plan; and

**WHEREAS**, the FORA Administrative Committee recommends that the FORA Board adopt the attached "List of Allocations" and criteria defined herein to implement a portion of the Hybrid Alternative.

**NOW, THEREFORE, BE IT RESOLVED** by the FORA Board of Directors that:

1. The attached recycled water resource allocation "List of Allocations" (Exhibit A) is adopted.
2. The prioritization/methodology/criteria for use of recycled water at the Ord Community are adopted for allocating recycled water to projects in the following hierarchy:
  - a. Existing development projects;
  - b. Development projects in the FORA Capital Improvement Program;
  - c. Development projects with Disposition and Development Agreements;
  - d. Development projects with Exclusive Negotiating Agreements;
  - e. Development projects that are flagship projects;
  - f. Best available Water Conservation efficiencies employed; and
  - g. Agreement to pay capacity or other fixed cost charge for receipt and acceptance of this recycled water.
3. FORA shall allow its member jurisdictions and Ord Community developers the right to use the recycled water set forth on Exhibit A at costs to be determined at a later date.
4. This action does not require any jurisdiction to accept recycled water resources beyond that required under the terms of existing agreements.

DRAFT

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5. If a jurisdiction is unable to accept recycled water resources, those resources will be returned for future FORA Board allocation according to the principles noted in #2 above.

6. To allocate additional resources, if they become available, the FORA Board of Directors may revisit this allocation in Spring of 2008 or as a component of future planning.

7. A 5% line loss factor will be applied to all recycled water within the MCWD service area during the first 5 years of initial operation of the recycled water system, with future line loss factors to be applied for subsequent years of operation based on evidence derived from the first five years of operation. In the event line loss increases occur, additional recycled water resources are expected to account for the increased demand.

8. If the additional 300 AFY of water proposed to be set aside for others becomes available by MRWPCA action, the FORA Board will allocate those resources according to the same criteria listed in #2 above.

Upon motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing resolution was passed on this \_\_\_ day of \_\_\_\_\_ 2007, by the following vote:

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

I, Mayor Russell, Chair of the Board of Directors of the Fort Ord Reuse Authority of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of the said Board of Directors duly made and entered under Item \_\_\_, Page \_\_\_, of the board meeting minutes of \_\_\_\_\_, 2007 thereof, which are kept in the Minute Book resident in the offices of the Fort Ord Reuse Authority.

\_\_\_\_\_ 2007

BY \_\_\_\_\_  
Joseph Russell  
Chair, Board of Directors  
Fort Ord Reuse Authority

DRAFT

DRAFT

DRAFT

Exhibit A

### List of Allocations<sup>1</sup>

Jurisdiction	Acre-Feet per Year
CSUMB	87
UC MBEST	60
County	134
Del Rey Oaks	280
Seaside	453
Marina	345
Subtotal (amount to be allocated to Fort Ord jurisdictions)	1359
Line loss	68
Former Fort Ord Total <sup>2</sup>	1427

1. Please refer to paragraph #3 under the discussion section of the staff report for a description of how allocations were determined.

2. MRWPCA's planning efforts for recycled water, supported by studies performed in 1992, 1996, and 2003, have accommodated 300 AFY of recycled water to be set aside by MRWPCA for delivery south of the former Fort Ord to Monterey County, the City of Seaside, and the City of Monterey. Therefore, this 300 AFY plus the 1427 AFY in this "List of Allocations" equals a total of 1727 AFY.

*Recycled Water Allocation*

**Resolution 07-10**

Resolution of the Authority Board )  
Allocating Recycled Water to Former )  
Fort Ord Land Use Jurisdictions. )

THIS RESOLUTION is adopted with reference to the following facts and circumstances:

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**WHEREAS**, additional recycled water resources are anticipated to become available in the future that may be used to offset future operational line loss factors; and

**WHEREAS**, 300 AFY of additional recycled water (less the 5% line loss as measured within MCWD's service area) is currently proposed to be set aside to others by the MRWPCA; and

**WHEREAS**, the FORA Board acknowledges that the entity or entities using all or portions of the additional 300 AFY are required to pay an equitable prorata share of the cost of those Ord Community facilities that are necessary for delivery of the resource; and

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**WHEREAS**, the FORA Administrative Committee recommends that the FORA Board adopt the attached "List of Allocations" and criteria defined herein to implement a portion of the Hybrid Alternative.

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  - f. Best available Water Conservation efficiencies employed; and
  - g. Agreement to pay capacity or other fixed cost charge for receipt and acceptance of this recycled water.
3. FORA shall allow its member jurisdictions and Ord Community developers the right to use the recycled water set forth on Exhibit A at costs to be determined at a later date.
4. This action does not require any jurisdiction to accept recycled water resources beyond that required under the terms of existing agreements.
5. If a jurisdiction is unable to accept recycled water resources, those resources will be returned for future FORA Board allocation according to the principles noted in #2 above.

6. To allocate additional resources, if they become available, the FORA Board of Directors may revisit this allocation in Spring of 2008 or as a component of future planning.

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8. If the additional 300 AFY of water proposed to be set aside for others becomes available by MRWPCA action, the FORA Board will allocate those resources according to the same criteria listed in #2 above.

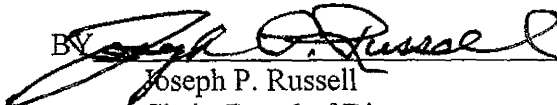
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Upon motion by Mayor Mettee-McCutchon, seconded by Mayor Rubio, the foregoing resolution was passed on this 11<sup>th</sup> day of May 2007, by the following vote:

|              |     |                                                                                                                                     |
|--------------|-----|-------------------------------------------------------------------------------------------------------------------------------------|
| AYES:        | 12  | Directors Russell, Della Sala, Mettee-McCutchon, Wilmot, Potter, Salinas, Calcagno, Rubio, Mancini, Pendergrass, Davis, and McCloud |
| NOES:        | -0- |                                                                                                                                     |
| ABSTENTIONS: | -1- | Director Barnes                                                                                                                     |
| ABSENT:      | -0- |                                                                                                                                     |

I, Mayor Russell, Chair of the Board of Directors of the Fort Ord Reuse Authority of the County of Monterey, State of California, do hereby certify that the foregoing is a true copy of an original order of the said Board of Directors duly made and entered under Item 7c, Page 4, of the board meeting minutes of May 11, 2007 thereof, which are kept in the Minute Book resident in the offices of the Fort Ord Reuse Authority.

Date 6/8/07

BV   
Joseph P. Russell  
Chair, Board of Directors  
Fort Ord Reuse Authority

## Exhibit A

### List of Allocations<sup>1</sup>

| Jurisdiction                                                | Acre-Feet per Year |
|-------------------------------------------------------------|--------------------|
| CSUMB                                                       | 87                 |
| UC MBEST                                                    | 60                 |
| County                                                      | 134                |
| Del Rey Oaks                                                | 280                |
| Seaside                                                     | 453                |
| Marina                                                      | 345                |
| Subtotal (amount to be allocated to Fort Ord jurisdictions) | 1359               |
| Line loss                                                   | 68                 |
| Former Fort Ord Total <sup>2</sup>                          | 1427               |

1. Please refer to paragraph #3 under the discussion section of the staff report for a description of how allocations were determined.

2. MRWPCA's planning efforts for recycled water, supported by studies performed in 1992, 1996, and 2003, have accommodated 300 AFY of recycled water to be set aside by MRWPCA for delivery south of the former Fort Ord to Monterey County, the City of Seaside, and the City of Monterey. Therefore, this 300 AFY plus the 1427 AFY in this "List of Allocations" equals a total of 1727 AFY.



# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

**Subject:** Outstanding Receivables

**Meeting Date:** May 8, 2015

**Agenda Number:** 11a

**INFORMATION**

### RECOMMENDATIONS:

Receive a Fort Ord Reuse Authority (FORA) outstanding receivables update for April 2015.

### BACKGROUND/DISCUSSION:

Development Fee/Preston Park: In 1997, the U.S. Army and FORA executed 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 was the subject of litigation.

In November 2014, Marina and FORA agreed to settle pending litigation primarily by Marina acquiring FORA's interest in Preston Park. In February 2015, FORA and Marina finalized settlement agreement terms. FORA will apply \$2.08 million of the \$35 million settlement amount to the outstanding development fees. Marina has no objection to the settlement funds being applied to the residual fees. An inadvertent property description flaw was discovered during title review in the initial Army to FORA transfer that required a deed correction to complete the transaction. FORA executed the corrected deed on April 29, 2015 and Army execution is expected before the May Board meeting. Consequently, Marina will complete the purchase of FORA's interest in Preston Park, and the settlement payment will be paid out of escrow, in June.

### 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:** May 8, 2015

**Agenda Number:** 11b

**INFORMATION**

### RECOMMENDATION(S):

Receive a Habitat Conservation Plan (HCP) and State of California 2081 Incidental Take Permit (2081 permit) preparation process status report.

### BACKGROUND/DISCUSSION:

Item 9b from March 13, 2015 included additional background on this item and is available at the following website: <http://www.fora.org/Board/2015/Packet/031315BrdPacket.pdf>

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 Incidental Take Permits.

ICF completed the screen check draft HCP on March 2, 2015, and FORA disseminated the draft to permittees, CDFW, and USFWS. For the review schedule, FORA requested comments from permittees within 60 days and comments from wildlife agencies within 90 days. Once comments are received, FORA and ICF will schedule meetings to address comments before preparing the Public Draft HCP. Denise Duffy and Associates will complete the 2nd Administrative Draft HCP Environmental Impact Report/Environmental Impact Statement (EIR/EIS) in early May. FORA is Lead Agency to the EIR document, while USFWS is Lead Agency to the EIS. FORA requested that USFWS and CDFW provide sufficient staff resources to complete concurrent reviews of both the Draft HCP and its Draft EIR/EIS. Through recent conversations, wildlife agencies have indicated that they will not have sufficient staff resources to complete concurrent reviews of the documents.

### FISCAL IMPACT:

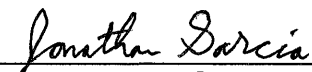
Reviewed by FORA Controller 

Staff time and printing costs for hard copies (\$2,100) are included in the approved FORA budget.

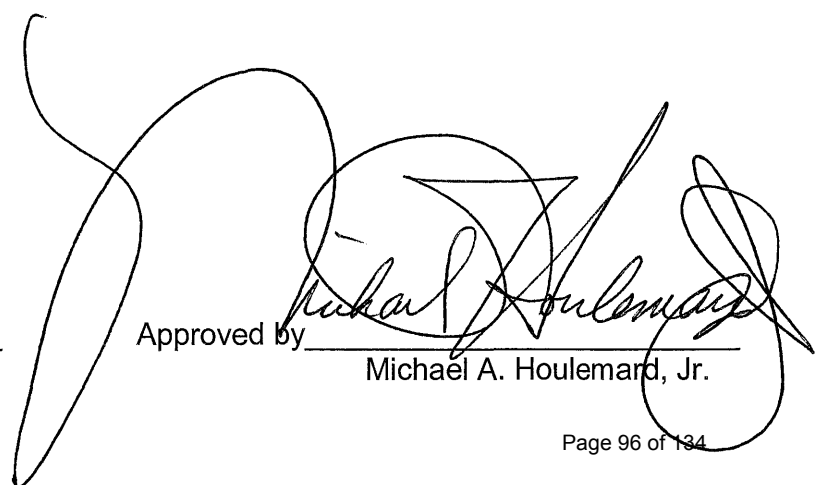
### COORDINATION:

ICF, Denise Duffy and Associates, USFWS, CDFW, Executive and Administrative Committees

Prepared by

  
Jonathan Garcia

Approved by

  
Michael A. Houlemard, Jr.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

**Subject:** Administrative Committee

**Meeting Date:** May 8, 2015

**Agenda Number:** 11c

**INFORMATION**

### RECOMMENDATION:

Receive a report from the Administrative Committee.

### BACKGROUND/DISCUSSION:

The approved minutes from the April 1, 2015 and April 15, 2015 Administrative Committee meetings are attached for review (**Attachment A and B**).

### FISCAL IMPACT:

Reviewed by the FORA Controller 

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

### COORDINATION:

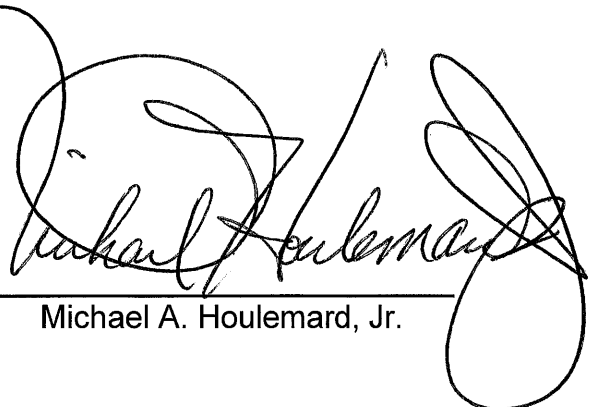
Administrative Committee

Prepared by



Rosalyn Charles

Approved by



Michael A. Houlemard, Jr.



**FORT ORD REUSE AUTHORITY**  
**ADMINISTRATIVE COMMITTEE REGULAR MEETING MINUTES**

8:15 a.m., Wednesday, April 1, 2015 | FORA Conference Room  
920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933

**1. CALL TO ORDER**

Chair Houlemard called the meeting to order at 8:15 a.m. The following were present (*\*voting members*):

Dan Dawson, City of Del Rey Oaks\*  
Carlos Urrutia, County of Monterey\*  
Elizabeth Caraker, City of Monterey\*  
Diana Ingersoll, City of Seaside\*  
Melanie Beretti, County of Monterey  
Vicki Nakamura, MPC  
Anya Spear, CSUMB  
Chris Placco, CSUMB  
Tim O'Halloran, City of Seaside  
Steve Matarazzo, UCSC

Mike Zeller, TAMC  
Lisa Rheinheimer, MST  
Patrick Breen, MCWD  
Bill Kocher, MCWD  
Peter Le  
Bill Collins, BRAC  
Doug Yount, ADE  
Bob Schaffer  
Don Hoder, MCP  
Wendy Elliot, MCP

FORA Staff:  
Michael Houlemard  
Steve Endsley  
Jonathan Garcia  
Josh Metz  
Lena Spilman  
Crissy Maras  
Robert Norris

Voting Members Absent: Layne Long (City of Marina).

**2. PLEDGE OF ALLEGIANCE**

Peter Le led the Pledge of Allegiance.

**3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

Executive Officer Michael Houlemard stated that staff had distributed a revised draft Board agenda, noting a change to the Marina Coast Water District (MCWD) water augmentation item.

**4. PUBLIC COMMENT PERIOD**

None.

**5. APPROVAL OF MEETING MINUTES**

a. **March 4, 2015 Administrative Committee Minutes**

b. **March 4, 2015 Administrative Committee Minutes**

MOTION: Dan Dawson moved, seconded by Chris Placco, to approve the minutes, as presented.

MOTION PASSED UNANIMOUSLY

**6. APRIL 10, 2014 BOARD MEETING AGENDA REVIEW**

Chair Houlemard led a review of the draft April 10<sup>th</sup> Board agenda.

**7. BUSINESS ITEMS**

a. **Discuss Fort Ord Prevailing Wage Program**

Chair Houlemard provided an overview of the past/current prevailing wage compliance process and discussed recent compliance issues. Principal Analyst Robert Norris discussed FORA's request of the Department of Industrial Relations for clarification of FORA's inclusion in their compliance program and responded to questions from the Committee and public.

**b. Review FY 2015/16 Capital Improvement Program (CIP) Revenue Projections**  
Principal Planner Jonathan Garcia reviewed revenue projection provided by the jurisdictions. Diana Ingersoll stated that Seaside would like an opportunity to review their numbers and requested the Committee postpone acceptance to the next meeting.

**c. Transportation Agency for Monterey County (TAMC) Marina-Salinas Multimodal Corridor Plan Presentation**

**i. Receive Presentation**

Ariana Green, TAMC, presented the draft conceptual corridor design and reviewed the alignment and proposed road improvements. She informed the Committee that TAMC was aiming for adoption of the design and alignment by May 2015 and received comments from the Committee and public.

**ii. Provide Board Recommendation**

Staff indicated that a Board action was not yet required and requested to postpone a Board recommendation until TAMC and FORA staff deemed it appropriate.

**e. Receive Status Report on Marina Coast Water District (MCWD) Proposed Water Augmentation Project**

This item was taken out of agenda order. Chair Houlemard presented the item, providing a review of the March 13<sup>th</sup> Board discussion and direction. Bill Kocher, MCWD Interim General Manager, stated that the project would not necessarily interfere with the proposed regional project, but that the proposed 10% design would provide additional information to better answer that question. Mr. Kocher received comments from the Committee and public on the upcoming Board presentation of the item.

**f. Receive Economic Development Program Status Report**

**i. Economic Development Coordinator Recruitment**

Chair Houlemard discussed the Economic Development Coordinator position, noting that the recruitment was open until April 20<sup>th</sup>.

**ii. California State University Monterey Bay (CSUMB) Coordination**

Chair Houlemard discussed ongoing coordination with the CSUMB Institute for Innovation and Economic Development (IIED) and the CSUMB/UC Merced Small Business Development Center.

**8. ITEMS FROM MEMBERS**

Melanie Beretti announced that the County of Monterey had recently met with the Association of Monterey Bay Area Governments regarding an orthoimagery project and asked whether other agencies were participating. Chair Houlemard stated that FORA had participated in similar efforts in the past on behalf of the Fort Ord jurisdictions, but had not received a formal request for the current project. Senior Planner Josh Metz discussed past image quality issues.

**9. ADJOURNMENT**

Chair Houlemard adjourned the meeting at 9:58 a.m.



## FORT ORD REUSE AUTHORITY ADMINISTRATIVE COMMITTEE REGULAR MEETING MINUTES

8:15 a.m., Wednesday, April 15, 2015 | FORA Conference Room  
920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933

### 1. CALL TO ORDER

Chair Dawson called the meeting to order at 8:15 a.m. The following were present (*\*voting members*):

Dan Dawson, City of Del Rey Oaks\*  
Carlos Urrutia, County of Monterey\*  
Elizabeth Caraker, City of Monterey\*  
John Dunn, City of Seaside\*  
Diana Ingersoll, City of Seaside  
Vicki Nakamura, MPC  
Chris Placco, CSUMB  
Layne Long, City of Marina\*

Steve Matarazzo, UCSC  
Tim O'Halloran, City of Seaside  
Lyle Shurtleff, BRAC  
Andy Sterbenz, S&W  
Bob Schaffer  
Patrick Breen, MCWD  
Mike Zeller, TAMC  
Don Hofer, MCP  
Kathleen Lee, Sup. Potter

FORA Staff:  
Steve Endsley  
Jonathan Garcia  
Crissy Maras

### 2. PLEDGE OF ALLEGIANCE

Bob Schaffer led the Pledge of Allegiance.

### 3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

FORA Principal Planner Jonathan Garcia announced that Executive Officer Michael Houlemard, Principal Analyst Robert Norris, and Deputy Clerk Lena Spilman were currently in Washington, DC, this week with several FORA Board members for FORA's annual Federal Legislative Mission.

### 4. PUBLIC COMMENT PERIOD

None.

### 5. APRIL 10, 2015 BOARD MEETING FOLLOW-UP

Mr. Garcia provided an update on April 10<sup>th</sup> Board meeting discussions, including Board direction to continue to seek guidance from the Department of Industrial Relations on prevailing wage compliance under SB 854 and receiving reports on water augmentation and regional urban design guidelines.

### 6. BUSINESS ITEMS

#### a. FY 2015/16 Capital Improvement Program

##### i. Confirm Development Forecasts/Revenue Projections

After revisions to the City of Seaside's projections, staff presented updated development forecasts and revenue projections. Previously adopted Administrative Committee methodology was reviewed, including differentiating between planned and entitled projects, reflecting basic market conditions, staff and committee review, and committee confirmation of development forecasts.

MOTION: Steve Matarazzo moved, seconded by John Dunn, to confirm jurisdictional forecasts as submitted and presented.

MOTION PASSED: Unanimous.

##### ii. Review Draft Executive Summary

FORA staff noted that the Public Facilities Implementation Plan in the 1997 Base Reuse Plan outlined original CIP mitigations. Building removal was added by Board policy in FY 2000/01.

FORA staff annually reviews forecasts and adjusts CIP projects/obligations/funding as necessary. As the CIP is annually adopted, the FORA Board sets priority projects. Based on previous CIP reviews, the FORA Community Facilities District/development fee has been reduced. Staff also noted that the 2018 FORA dissolution process will identify how mitigations can continue to be funded and completed after FORA's sunset.

MOTION: Mr. Dunn moved, seconded by Chair Dawson, to approve the Executive Summary presented, with one addition by Mr. Matarazzo.

MOTION PASSED: Unanimous.

**iii. Prioritizing Projects**

Current FY 2014/15 CIP Table 2, Transportation/Transit Projects, was provided to members. FORA staff anticipates having the funding available, via grant or otherwise, to begin South Boundary Road improvements once the Habitat Conservation Plan is closer to finalization. Eastside Parkway plans are 90% complete but have yet to undergo environmental processing at this time. There may be an opportunity to complete that project in phases (similar to General Jim Moore Boulevard) as funding becomes available.

**b. Receive Economic Development Program Status Report**

**i. Economic Development Coordinator Recruitment**

Several applications had been received. The recruitment for this position closes on April 20<sup>th</sup>.

**ii. California State University Monterey Bay Coordination**

The FORA Board approved a \$55K contribution toward the CSUMB Small Business Development Center. FORA and CSUMB are working on an agreement to coordinate economic development efforts.

**iii. Coordination with jurisdictions/Business Council**

Many FORA jurisdictions are members of the Monterey Bay Economic Partnership. FORA is looking to participate in the partnership and the Monterey Bay Business Council in an effort to look at the region as a whole rather than as individual jurisdictions.

**c. Receive Status Report on Marina Coast Water District (MCWD) Proposed Water Augmentation Project**

This item was initially envisioned as an informational item for the April FORA Board meeting, but with an understanding that a project needs to progress, the staff report suggested endorsing MCWD's request to begin the 10% desalination project design process as previously described to the Board and Administrative Committee. The Board asked several questions, including how existing litigation could move toward settlement, but was not yet comfortable endorsing the proposal. After the March Board meeting, FORA called a staff-level meeting with Cal-Am, MCWD and others to discuss a cooperative approach to meeting regional augmentation needs. At a future FORA Board meeting, Keith Israel from the Monterey Regional Water Pollution Control Agency would review recycled water options and discuss how they might align with current proposals.

It was noted by a Board member that MCWD does not need FORA Board endorsement to spend MCWD funds on that planning process. However, FORA does have approval authority over annual MCWD Ord Community Budgets. Committee members noted that illumination on Ord Community water augmentation should continue.

**7. ITEMS FROM MEMBERS**

None.

**8. ADJOURNMENT**

Chair Dawson adjourned the meeting at 9:25 a.m.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

**Subject:** Finance Committee

**Meeting Date:** May 8, 2015

**Agenda Number:** 11d

**INFORMATION**

### RECOMMENDATION(S):

Receive minutes from the April 7 and April 21, 2015 Finance Committee (FC) meeting.

### BACKGROUND/DISCUSSION:

The FC met on April 7 and April 21, 2015 to discuss the preliminary FY 15-16 budget. At its April 21<sup>st</sup> meeting FC members made recommendations regarding the FORA Board's consideration of the preliminary budget. Please refer to the attached minutes (**Attachment A** and **B**) for more details.

### FISCAL IMPACT:

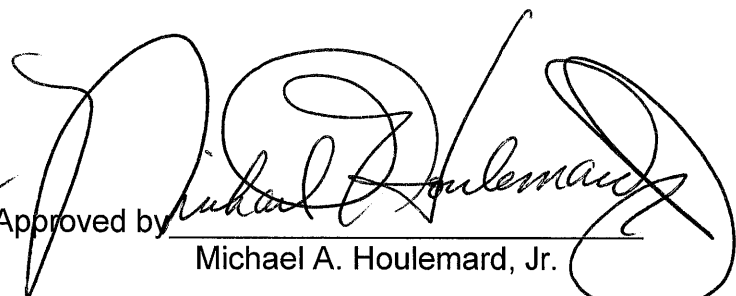
Reviewed by FORA Controller 

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

### COORDINATION:

Finance Committee

Prepared by   
Marcela Fridrich

Approved by   
Michael A. Houlemard, Jr.





## FORT ORD REUSE AUTHORITY

### FINANCE COMMITTEE MEETING MINUTES

Tuesday, April 7, 2015 | FORA Conference Room  
920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933

#### 1. CALL TO ORDER

Chair Morton called the meeting to order at 4:20 p.m. The following were present:

Members:

Gail Morton, City of Marina  
Casey Lucius, City of Pacific Grove  
Ian Oglesby, City of Seaside

Public:

Bob Schafer

FORA Staff:

Ivana Bednarik  
Marcela Fridrich

Absent:

Nick Chiulos, Excused  
Andre Lewis, Excused

#### 2. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE - None

#### 3. PUBLIC COMMENT PERIOD - Bob Schafer informed FC Members about Monterey Downs development project status.

#### 4. JANUARY 29, 2015 MINUTES - Adopted with one change: Motion; Lucius, Second; Oglesby. Passed. Ayes; Lucius, Morton, Oglesby, Noes; None.

#### 5. FY 15-16 Preliminary Budget - FC received FY 15-16 preliminary budget charts prior to the meeting. Controller Bednarik introduced the item by pointing out that the preliminary budget assumes the Preston Park sale by June 30, 2015. She summarized major changes/variances as compared with the FY 14-15 budget. Chair Morton expressed concern that budget be premised upon realistic Land Sale and Development Fees projections. Controller Bednarik explained that these revenues are approved with the CIP budget and that following the FC recommendation last year, the Administrative Committee, which oversees the CIP budget implemented a new methodology for evaluating jurisdictional revenue projections. As a consequence, the last year's estimates have been more realistic and closer to actual collections. Ms. Bednarik asked FC Members to review and discuss the designations of FORA reserve account. FC Members reviewed the most current annual CalPERS valuation and discussed in length FORA's unfunded liabilities and the 2020 termination liability. The FC supported staff recommendation to pay off the Side Fund balance of \$210K in July 2015. The committee also discussed allocating \$400-\$500K of the reserves each Fiscal year to be held for or applied to the unfunded CalPERS liabilities. Controller Bednarik said that she is working with CalPERS staff and anticipates bringing more information regarding the unfunded and termination liabilities to the next FC meeting, including additional information as to benefit/savings of paying early from reserves. The budget discussion will continue on the next planned meeting date.

#### 6. Next Meeting Date - FC Members confirmed the next meeting date is April 21.

#### 7. Adjournment - Meeting adjourned at 5:20 p.m.

*Minutes prepared by Marcela Fridrich.*



## FORT ORD REUSE AUTHORITY FINANCE COMMITTEE MEETING MINUTES

Tuesday, April 21, 2015 | FORA Conference Room  
920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933

### 1. CALL TO ORDER

Chair Morton called the meeting to order at 3:35 p.m. The following were present:

Members:

Gail Morton, City of Marina  
Casey Lucius, City of Pacific Grove  
Ian Oglesby, City of Seaside  
Andre Lewis, CSUMB

Public:

Bob Schafer

FORA Staff:

Ivana Bednarik  
Marcela Fridrich  
Jonathan Garcia

Absent:

Nick Chiulos, Excused

### 2. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE - None

### 3. PUBLIC COMMENT PERIOD - Bob Schafer informed FC Members about Marina Community Partners project status.

### 4. APRIL 7, 2015 MINUTES - Adopted: Motion Lucius. Second Oglesby. Passed. Ayes; Lucius, Morton, Oglesby, Lewis. Noes; None.

### 5. FY 15-16 Preliminary Budget - This item was continued from the April 7<sup>th</sup> meeting. A. FC Members received the updated tables prior to the meeting. To address the FC concern regarding CIP revenue projections from the 4/7/15 meeting, Jonathan Garcia, FORA Principal Planner, provided a brief presentation and answered/responded to questions. FC members expressed further concern whether the projections are realistic. Since the FC role is not to approve jurisdictional projections, they requested staff to extend their concern regarding these projections to the Administrative Committee. B. FC members continued its review and discussion of designating funds for a FORA reserve account with which to fund FORA's known and unknown sunset obligations, inclusive of CalPERS pension liabilities. FC members reviewed the most current annual CalPERS liability statement (dated 2013) and discussed at length FORA's unfunded liabilities and the 2020 termination liability. Controller Bednarik reported the amount owed will fluctuate, but more than likely will not be less than the amount in the CalPERS report. Controller Bednarik reported her review of the report and discussion with CalPERS affirmed FORA owes (a) \$1.4 million of current unfunded obligations, and (2) a termination obligation, estimated at \$5.5 (including \$1.4 million of current liabilities). The FC discussed the allowable use of Land Sale proceeds in FORA's overall program, anticipated land sale revenues in 2015-16; and the estimated monetary needs for completion of FORA's remaining building removal (BR) obligations. Controller Bednarik reports the anticipated 2015-16 land sale revenues will exceed the amount necessary for FORA to fulfill its BR obligations, resulting in excess land sale proceeds for creation of a reserve account. Member Oglesby expressed concern about the reliability of BR projected costs and the FC agreed to keep a \$5M balance in the Land Sale Fund as a contingency for

any shortages and/or un-anticipated BR expenses. After a thorough discussion regarding the need to satisfy the CalPERS obligations and anticipated savings by early payment, the FC approved the following Budget recommendations to be submitted to the FORA Board: 1) Use land sale proceeds to create a \$10M Reserve held in a segregated, interest bearing account and designating \$5.5M of this reserve for CalPERS pension liabilities. Motion to approve: Lucius, Second Oglesby. Passed. Ayes; Lucius, Oglesby, Morton, Lewis. Noes; None. 2) Pay off current \$1.2M unfunded CalPERS liabilities with three substantially equal annual payments commencing fiscal year 2015-16. Motion to approve: Oglesby, Second Lucius. Passed. Ayes; Oglesby, Lucius, Morton, Lewis. Noes; None. C. Controller Bednarik brought forth the fiscal impact of funding the staff's proposal for a 2.5% COLA was \$44K.

Discussion was had and the distinction made that the FC's review of the proposal was solely limited to the determination if sufficient funds for this adjustment. The FC discussed the land sale proceeds in excess of the BR removal costs created sufficient funds. The FC acknowledged sufficient funds in the budget to pay for the proposed COLA. Motion Lucius, Second Morton. Passed. Ayes; Lucius, Lewis, Morton, Oglesby. Noes; None. D. FC discussed and determined recommending to the FORA Board adoption of the preliminary FY 15-16 budget with requested changes. Motion to approve: Lewis, Second Lucius. Passed. Ayes; Lewis, Lucius, Morton, Oglesby. Noes; None.

6. **Next Meeting Date** - The next regularly scheduled FC meeting is November 10, 2015.
7. **Adjournment** - Meeting adjourned at 5:15 p.m.

*Minutes prepared by Marcela Fridrich.*

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

|                       |                                      |                    |
|-----------------------|--------------------------------------|--------------------|
| <b>Subject:</b>       | Post Reassessment Advisory Committee |                    |
| <b>Meeting Date:</b>  | May 8, 2015                          | <b>INFORMATION</b> |
| <b>Agenda Number:</b> | 11e                                  |                    |

### RECOMMENDATION(S):

Receive a Post Reassessment Advisory Committee (PRAC) activity/meeting report.

### BACKGROUND/DISCUSSION:

The PRAC met on Monday, April 20, 2015 and received status updates and deliberated regarding the Trails Working Group, Economic Development related items, Blight Removal, and Regional Urban Design Guidelines. Members asked questions about FORA Prevailing Wage policy and requested additional information from staff at the next meeting.

The next meeting of the PRAC is scheduled for 10am Friday, May 22, 2015.

Approved minutes from the Thursday, March 26, 2015 meeting are attached (**Attachment A**).

### FISCAL IMPACT:

Reviewed by FORA Controller 

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

### COORDINATION:

PRAC, CSUMB, TAMC, BLM, Administrative and Executive Committees.

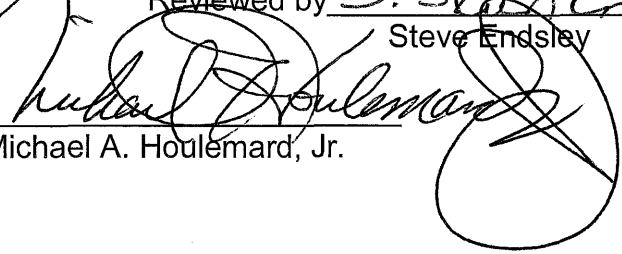
Prepared by

  
Josh Metz

Reviewed by

  
Steve Endsley

Approved by

  
Michael A. Houlemard, Jr.



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

12:45 p.m., Thursday, March 26, 2015 | FORA Conference Room  
920 2<sup>nd</sup> Avenue, Suite A, Marina, CA 93933

**1. CALL TO ORDER**

Confirming a quorum, Fort Ord Reuse Authority (FORA) PRAC Chair Victoria Beach called the meeting to order at 12:50 pm. The following people were in attendance:

**Committee Members**

Victoria Beach (Chair), City of Carmel  
Gail Morton, City of Marina  
Allan Haffa, City of Monterey  
Andre Lewis, CSUMB

**Staff**

Michael Houlemard, FORA  
Steve Endsley, FORA  
Jonathan Garcia, FORA  
Josh Metz, FORA

**Other Attendees**

Steve Matarazzo, UCSC  
Tim O'Halloran, City of Seaside  
Phyllis Meurer, member of the public  
Scott Waltz, member of the public  
Bob Schaffer, member of the public  
Jaine Haines, member of the public  
Ariana Green, TAMC

**2. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

None.

**3. APPROVAL OF MEETING MINUTES**

MOTION: Allan Haffa moved, seconded by Victoria Beach, to approve the February 26, 2015 meeting minutes, with changes requested and submitted by Jane Haines.

MOTION PASSED: Unanimous.

**4. PUBLIC COMMENT PERIOD**

Jane Haines commented on recent Board action to not take up reconsideration of the FORA Prevailing Wage policy and requested PRAC take up this topic at the next meeting.

**5. BUSINESS ITEMS**

**a.) Receive Laura Thompson's SF Bay Trail Process presentation**

Members received a Power Point presentation from Laura Thompson, San Francisco Bay Trail Project Manager with the Association of Bay Area Governments (ABAG). Ms. Thompson outlined the planning process, including legislation, funding, representation, staffing and implementation. She explained that Senate Bill 100, adopted in 1987, created the concept of a continuous hiking/biking trail around the bay and directed ABAG to complete a Bay Trail plan. She emphasized the need for regional support in the form of resolutions of support from all

cities and counties. Ms. Thompson additionally recommended a 'Gap Analysis' to identify issues with building a continuous trail.

Members discussed the presentation, including funding possibilities, naming/unifying options, and which organizations would be suitable to implement a similar project.

## **b.) Trails Discussion**

### **i. FORA Trails Working Group**

Members suggested coordinating a working group with the appropriate staff who plan routes in every local jurisdiction to ensure local routes meet up at the borders. The group should also include a TAMC representative and a FORTAG representative. Ms. Thompson suggested that once the jurisdictions come together and get individual plans into an overall alignment, the Gap Analysis should be the next step.

### **ii. TAMC: Trail Planning Advisory Coalition (PAC) & Wayfinding Committee**

TAMC representative Ariana Green explained the PAC & Wayfinding Committee were determining how to sign existing routes, including designing an informative sign and branding regional routes. TAMC is currently updating their regional bike maps and contracting with Alta for sign design and locations.

### **iii. CSUMB/AMBAG Mapping Project**

Chair Beach noted that the Association of Monterey Bay Area Governments (AMBAG) has begun to update their GIS technology to parallel TAMC's recreational/trails routes. She noted that with only one CSUMB GIS class per semester, a small group of CSUMB students would be able to work on mapping regional trails electronically. AMBAG has indicated their intent to help CSUMB with a GIS lab.

## **c.) Economic Development update**

FORA's recruitment for an Economic Development Coordinator closes April 20th. A kick-off meeting will be scheduled with CSUMB and the County to work towards an agreement for economic development activity and begin the process of interlacing FORA's work with the jurisdictions.

## **d.) Blight Removal Update**

At their March meeting, the FORA Board approved the submittal of a \$3M I-Bank loan application. FORA's matching \$3.5M in land sales revenue should retire FORA's \$6.5M remaining building removal obligation over the next 18 months.

## **e.) Regional Urban Design Guidelines update**

Members received an update on RUDG task force activities, including their direction to schedule a Dover Kohl & Partners presentation at the April FORA Board meeting. The presentation will explain what the guidelines are, and what they are not. The RUDG task force additionally scheduled meetings for April 2<sup>nd</sup> to review the presentation prior to the Board meeting, and for April 23<sup>rd</sup> to hear from the developer representatives on the consultant team information that wasn't included in their final charrette presentation.

6. **ITEMS FROM MEMBERS**

Chair Beach requested that the PRAC discuss whether to make the issue of prevailing wage on the former Fort Ord part of the PRAC's purview.

7. **ADJOURNMENT**

The next meeting of the PRAC was scheduled for Monday, April 20 at 9:00 a.m. The meeting was adjourned at approximately 2:45 p.m.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

**Subject:** Regional Urban Design Guidelines Task Force

**Meeting Date:** May 8, 2015

**Agenda Number:** 11f

**INFORMATION**

### RECOMMENDATION(S):

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

### BACKGROUND/DISCUSSION:

The RUDG Task Force met on Thursday / April 23, and Friday / May 1, 2015. During the April 23 meeting, the Task Force reviewed draft presentations from RUDG consultant team members Pinnacle Advisory Services/Civitas Consulting. The report focused on "Developer Perspectives" produced during and subsequent to the February 2015 design charrette (**Attachment A**). Members provided feedback and suggestions.

During the May 1 meeting, the Task Force reviewed preliminary draft "Where the Guidelines Apply" (WTGA) maps. Members discussed a wide range of relevant issues, made recommendations for improvement, and scheduled a subsequent meeting to review a secondary draft. The Task Force intends to recommend refined WTGA maps and language for Board consideration.

The next meeting of the RUDG Task Force was scheduled for 9am Thursday May 21, 2015.

Approved March 23 and April 2, 2015 minutes are attached (**Attachment B**).

### FISCAL IMPACT:

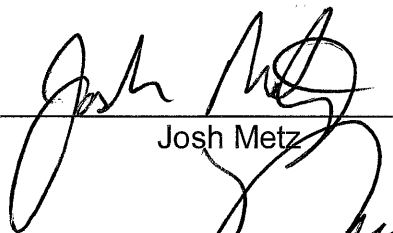
Reviewed by FORA Controller 

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

### COORDINATION:

Administrative Committee, RUDG Task Force, and Dover, Kohl & Partners.

Prepared by

  
Josh Metz

Reviewed by

  
Steve Endsley

Approved by

  
Michael A. Houlemard, Jr.

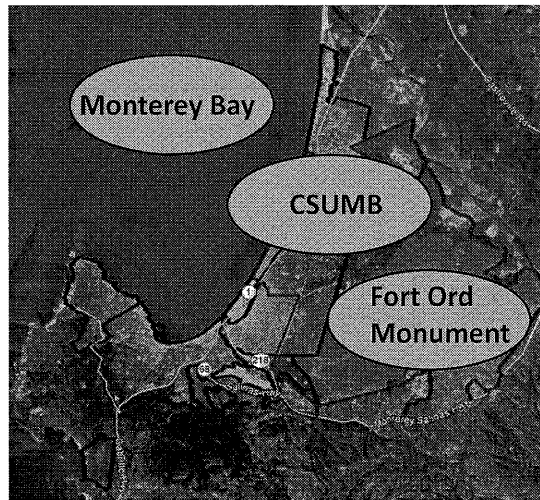


## Developer Perspectives

Fort Ord  
RUDG Task Force Meeting  
Thursday April 23, 2015

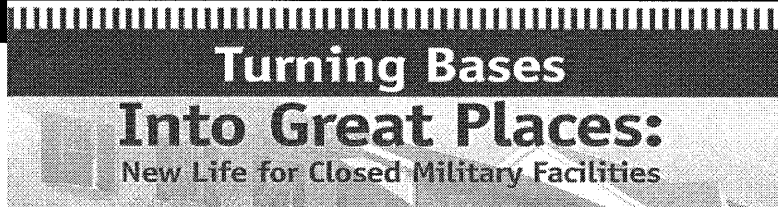
Pinnacle Advisory Services/Civitas Consulting

## Developer Perspectives



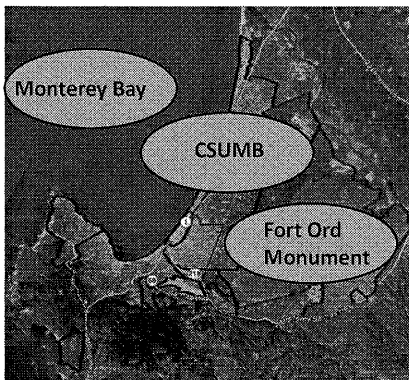
Near term development opportunities should play off existing major assets

## Developer Perspectives



- ~~Orlando Naval Training Center~~ → Baldwin Park
- ~~Glenview Naval Air Station~~ → The Glen
- ~~San Diego Naval Training Center~~ → Liberty Station
- ~~Fort Ord Redevelopment~~ → University Park (or other)

## Developer Perspectives



Fort Ord Redevelopment becomes a community project identity that is branded and marketed as a specifically defined destination

University Park  
(or other)

## Developer Perspectives

Create a BRAND through the RUDG process for the FORA lands

### Consistent Landscaping

- Corridors
- Trails

### Signage

- Street names including freeway offramps, i.e. Lightfighter or Imjin becomes University Parkway

### Significant Monumentation

- At gateways

## Developer Perspectives

Current home prices and need for affordability

Only 27% of Monterey County residents can afford median home price of 460K

The median household income in Monterey County is \$60,143. How much house will that buy?

## Developer Perspectives

### Current home prices and need for affordability

A Monterey County household with a median income of \$60,143 can spend roughly 27% or \$1,353 per month on housing including principal, interest, taxes and private mortgage insurance.

With 3% down and 97% financing their income can support the purchase of a home up to

\$238,500 at 4% interest  
 \$217,000 at 5% interest  
 \$198,000 at 6% interest

## Developer Perspectives

### Current median single family sales prices

|               |                        |
|---------------|------------------------|
| Del Rey Oaks  | \$450,000              |
| Marina        | \$423,808              |
| Seaside       | \$355,325              |
| East Garrison | \$449,000 to \$648,000 |
| The Dunes     | \$494,000 to \$634,000 |

## Developer Perspectives

There is a need to lower cost of residential housing to

- Broaden the market
- Create faster absorption
- Contribute to **Economically Sustainable** development on FORA land
- Increase economic diversity

## Developer Perspectives

### Economics of Building a Home

|                   |             |
|-------------------|-------------|
| Lot Costs         | 17-20%      |
| Home Costs        | 72-75%      |
| Period Costs      | 8%          |
| <b>Total Cost</b> | <b>100%</b> |

Revenue (Sales Price of Home)

Revenue-Total Costs = Profit

## Developer Perspectives

### Lot Costs

- Land cost
- Indirect costs
- Offsite costs
- Onsite costs
- Capitalized property tax
- Capitalized interest

## Developer Perspectives

### Home Costs

- Direct construction costs
- Permit and impact fees
- Indirect costs
- Model amortization
- Architect fees
- Interest (% of cost for 6 months)
- Customer service

## Developer Perspectives

### Period Costs

- Marketing (3%)
- Model/spec maintenance (1%)
- Closing costs (0.5%)
- Commissions (3.5%)

## Developer Perspectives

### Recap - What Costs Does FORA Affect

#### Lot Costs

- Land cost
- Indirect costs

#### Home Costs

- Direct construction costs
- Permit and impact fees

## Developer Perspectives

### Reduce Construction Costs

- Review street construction standards
- Continually evaluate prevailing wage calculation
- Evaluate development fee structure including FORA fee structure; impact fees and other development fees
- Evaluate architectural design standards that may be required in the Specific Plans

## Developer Perspectives

### Retail Development

Measure the Fort Ord development horizon in decades not years.

Like a private developer the community should land bank some of the commercial lands until future demand materializes to justify adding more space.



## Developer Perspectives

### Retail Development

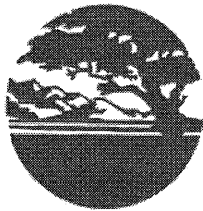
There is limited demand for additional retail space in the near term with the exception of food, beverage and neighborhood serving retail.

Potential may exist for a small grocery store, restaurants or other convenience-oriented shops serving the area near CSUMB, East Garrison and the Dunes ideally in close proximity to the core of CSUMB.

## Developer Perspectives

### In Summary

- Develop brand for Fort Ord
- Reduce costs
- Focus in the near term on a few key locations



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

10:00 AM March 23, 2015 FORA Conference Room  
920 2<sup>nd</sup> Avenue, Suite A, Marina, CA 93933

**1. CALL TO ORDER**

RUDG Task Force Chair Michael Houlemard called the meeting to order at 10:05 am.

**Committee Members**

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

**Staff**

Michael Houlemard, FORA  
Steve Endsley, FORA  
Jonathan Garcia, FORA  
Josh Metz, FORA  
Crissy Maras, FORA

**Other Attendees**

Jane Haines, Member of the public  
Bob Schaffer, Member of the public  
Phyllis Meurer, Member of the public  
Steve Matarazzo, University of California Santa Cruz  
Hernan Guerrero, Dover, Kohl, and Partners (DKP) (via conference/video call)

**2. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

None.

**3. APPROVAL OF MEETING MINUTES**

- a. March 3, 2015 Meeting Minutes
- b. February 23, 2015 Meeting Minutes

MOTION: John Dunn moved, seconded by Victoria Beach, to approve both sets of minutes as presented.

MOTION PASSED: Unanimous.

**4. PUBLIC COMMENT PERIOD**

None.

**5. BUSINESS ITEMS**

- a. Receive/review consultant's RUDG Progress Report  
In preparation for the April 10<sup>th</sup> RUDG update to the FORA Board, FORA Senior Planner Josh Metz and DKP representative Hernan Guerrero reviewed an updated PowerPoint (PPT) Presentation with the Committee. The presentation was split into a FORA PPT and a DKP PPT.

FORA Slide 3, Policy Clarifications, was reviewed. Mr. Guerrero noted that the 1997 Base Reuse Plan language for the final bullet that the guidelines would apply to five main areas “as well as other areas to be determined” could be expanded to include any other areas that have been identified over the years. Mr. Guerrero specified that other than the five main areas, transit hubs were identified during the February 2015 charrette process.

FORA Slide 6, Policy Clarifications, will be refined based on Committee member comments. Also, Authority Counsel is preparing a draft legal opinion to confirm previous legal opinions regarding what RUDG are and what they are not. The legal opinion should be finalized in time for the April Board meeting.

Mr. Guerrero reviewed the DKP PPT which presented a spectrum of RUDG specificity, ranging from very specific to not specific. The Committee discussed the difference between ‘recommended’ and ‘required’ and how the RUDG would impact future projects. Members also discussed a possible project scoring system, similar to LEED scoring, that could be customized toward Fort Ord development.

Committee members and FORA staff provided feedback to Mr. Guerrero, who will refine the DKP presentation with Mr. Metz. The Committee scheduled April 2<sup>nd</sup> at 10:00 AM to review the refined presentation. Members requested that a DKP principal attend the April 10<sup>th</sup> FORA Board meeting in person. Members anticipate that the April Board meeting will provide an opportunity to review the spectrum of specificity examples that DKP included in their PPT.

6. **ITEMS FROM MEMBERS**

None.

7. **ADJOURNMENT**

The next meeting of the RUDG Task Force was set for Thursday, April 2, 2015 at 10 am in the FORA Conference Room. An additional RUDG Task Force meeting was scheduled for Thursday April 23, 2015 in the FORA Conference Room.

Meeting adjourned at 12:00 pm.



# FORT ORD REUSE AUTHORITY

## REGIONAL URBAN DESIGN GUIDELINES TASK FORCE REGULAR MEETING NOTES

10:00 a.m., Thursday, April 2, 2015 | FORA Conference Room  
920 2<sup>nd</sup> Avenue, Suite A, Marina, CA 93933

### 1. CALL TO ORDER AND ROLL CALL

Chair Michael Houlemard called a meeting of the whole to order at 10:10 a.m. The following were present:

Members:

John Dunn, City of Seaside  
Victoria Beach, City of Carmel-by-the-Sea  
Andre Lewis, CSUMB

FORA Staff:

Michael Houlemard  
Jonathan Garcia  
Josh Metz  
Crissy Maras

Others:

Beth Palmer  
Bob Schaffer  
Jane Haines  
Phyllis Meurer  
Brian Boudreau  
Don Hofer  
Steve Matarazzo  
Jason King, DKP (via phone)

### 2. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Chair Houlemard announced three open FORA employment recruitments – Economic Development Coordinator, Transportation Planner, and Executive Assistant.

### 3. APPROVAL OF MEETING MINUTES

a. March 23, 2015 Meeting Minutes

With no quorum, approval of the March 23, 2015 meeting minutes was deferred to the next meeting.

### 4. PUBLIC COMMENT PERIOD

None

### 5. BUSINESS ITEMS

a. Receive/review consultant's draft 4/10/15 Board presentation

FORA Senior Planner Josh Metz reviewed a power point presentation that he and Victor Dover would be providing at the April 10<sup>th</sup> FORA Board meeting. The group made editing and format comments. Mr. Metz provided a legal memo from FORA counsel that explained the scope of planning authority vested in FORA by the RUDG, and a milestone sequence diagram outlining relevant events over the last several years. The group heard comments from members of the public regarding their concerns in areas that have munitions or other hazardous restrictions. Chair Houlemard responded to comments and noted that all Base Reuse Plan requirements would be addressed in the RUDG deliverables.

### 6. ITEMS FROM MEMBERS

City of Seaside City Manager John Dunn announced that the City had released the Monterey Downs Environmental Impact Report and had scheduled an April 30<sup>th</sup> public workshop at 6:30 p.m.

### 7. ADJOURNMENT

Chair Houlemard adjourned the meeting at 11:35 a.m.

| <b>FORT ORD REUSE AUTHORITY BOARD REPORT</b> |                                    |
|----------------------------------------------|------------------------------------|
| <b>EXECUTIVE OFFICER'S REPORT</b>            |                                    |
| <b>Subject:</b>                              | Veterans Issues Advisory Committee |
| <b>Meeting Date:</b>                         | May 8, 2015                        |
| <b>Agenda Number:</b>                        | 11g                                |
|                                              | <b>INFORMATION</b>                 |

**RECOMMENDATION:**

Receive an update from the Veterans Issues Advisory Committee (VIAC).

**BACKGROUND/DISCUSSION:**

The VIAC held a meeting on March 26, 2015. The approved minutes from that meeting are included as **Attachment A**.


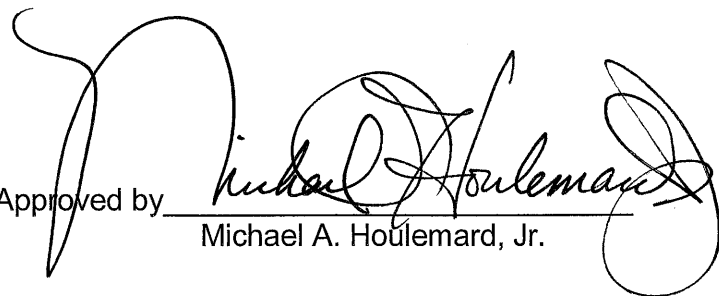
**FISCAL IMPACT:**

Reviewed by FORA Controller 

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

**COORDINATION:**

VIAC

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



## FORT ORD REUSE AUTHORITY VETERANS ISSUES ADVISORY COMMITTEE REGULAR MEETING NOTES

3:00 p.m., Thursday, March 26, 2015 | FORA Conference Room  
920 2<sup>nd</sup> Avenue, Suite A, Marina, CA 93933

### 1. CALL TO ORDER AND ROLL CALL

Acting Chair Jerry Edelen called the meeting to order at 3:00 p.m. The following were present, as indicated by signatures on the roll sheet:

VIAC Members:

Jerry Edelen, Acting Chair  
Rich Garza, CCCVFC  
Jack Stewart, CAC  
James Bogan, UVC  
Sid Williams, Mo. Co. Military/Vets  
Edith Johnsen, Veterans Families  
Peter Le, MCWD

FORA Staff:

Michael Houlemard  
Crissy Maras

Others:

Erica Parker, Asm. Stone  
Susan Kastner, US Army

### 2. PLEDGE OF ALLEGIANCE

Acting Chair Edelen asked Jack Stewart to lead the Pledge of Allegiance.

### 3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Executive Officer Houlemard announced a full range of construction activities underway on the former Fort Ord, including a movie theater, family housing and Marriott Hotel in Marina and family housing in East Garrison. March 28<sup>th</sup> is the Dunes on Monterey Bay grand opening ceremony.

### 4. PUBLIC COMMENT PERIOD

None.

### 5. APPROVAL OF MEETING MINUTES

a. February 26, 2015 VIAC Minutes

MOTION: Sid Williams moved, seconded by Jack Stewart, to approve the minutes as presented.

MOTION PASSED: Unanimous

### 6. OLD BUSINESS

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

##### i. Groundbreaking Celebration After Action Report

Members agreed that the groundbreaking celebration and community ceremony were wonderful, well attended events. Rich Garza noted that National Cemetery Administration Director George Eisenbach commented that this was the highest attended community event he had seen.

COL Fellingner subsequently called a meeting with the ceremony planning committee to discuss what improvements could be made in multi-party planning and how future events (e.g. cemetery and VA-DoD Clinic ribbon cutting ceremonies) could be successful. Members suggested that in advance of July 2016 burials, extensive public outreach should begin by April 2016 to ensure that human interest stories are identified. Phase II fundraising depends on this public outreach and media attention. Mr. Houlemard noted that FORA staff would work with Congressman Farr, Senator

Monning, the Cemetery Foundation and United Veterans Council to identify those local families, including families who have contacted FORA and others asking about moving remains from other cemeteries, regarding their interest in participating.

**b. Ongoing Local Military Issue Media Coverage**

To keep the media interested in local military issues and events, it is important to program regular articles to maintain ongoing media interest. Mr. Stewart noted that the Monterey County Veterans Services Officer should be more involved in that effort. Susan Kastner agreed to coordinate the Presidio office of public affairs outreach regarding POM issues. Mr. Houlemard will be meeting with the Monterey Herald editorial staff and will address remaining military issues and media coverage.

**c. VA/DoD Veterans Clinic Status Report**

**i. Historic Flag Pole Variance Update**

Mr. Williams reported that the City of Marina was willing to accept a variance for the flag pole, however, a necessary letter from the Palo Alto VA requesting the City to provide that variance and authorizing their contractor to refurbish and install the flag pole (with appropriate beacon light) had not been received. Federal funding of the refurbishment and light installation could be an issue.

**7. ITEMS FROM MEMBERS**

Mr. Williams and James Bogan met with Supervisor Parker's office regarding the annual Stand Down event. Supervisor Parker indicated her support for a funding allocation, representing 4/5<sup>th</sup> Monterey County Supervisor support. Mr. Williams and Mr. Bogan have not yet met with the fifth member, Supervisor Salinas, regarding his support.

**8. ADJOURNMENT**

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

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

**Subject:** Water/Wastewater Oversight Committee

**Meeting Date:** May 8, 2015

**Agenda Number:** 11h

**INFORMATION**

### **RECOMMENDATION:**

Receive an update from the Water/Wastewater Oversight Committee (WWOC).

### **BACKGROUND/DISCUSSION:**

The WWOC held meetings on April 1<sup>st</sup> and 15<sup>th</sup>, 2015. The approved minutes from those meetings are included as **Attachment A**.

### **FISCAL IMPACT:**

Reviewed by FORA Controller 

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

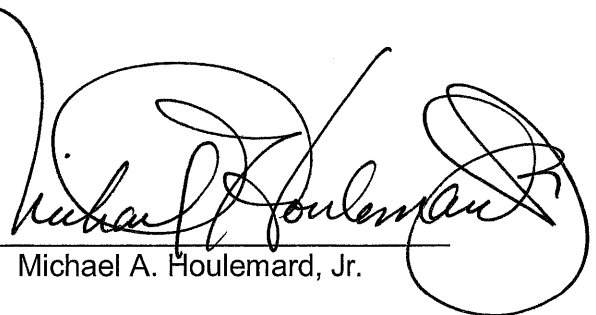
### **COORDINATION:**

WWOC

Prepared by

  
Crissy Maras

Approved by

  
Michael A. Houlemard, Jr.





**FORT ORD REUSE AUTHORITY  
WATER/WASTEWATER OVERSIGHT COMMITTEE  
MEETING MINUTES**

Wednesday, April 1, 2015 | FORA Conference Room  
920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933

**1. CALL TO ORDER**

FORA Principal Planner Jonathan Garcia called the meeting to order at 10:07 a.m. The following were present:

Committee Members:

Mike Lerch, CSUMB  
Steve Matarazzo, UCSC  
Melanie Beretti, Monterey County  
Elizabeth Caraker, City of Monterey  
Rick Reidl, City of Seaside  
Daniel Dawson, City of DRO

Others Present:

Patrick Breen, MCWD  
Bill Kocher, MCWD  
Kelly Cadiante, MCWD  
Bob Schaffer, MCP  
Chris Placco, CSUMB  
Ken Nishi  
Brian Boudreau  
Peter Le  
Doug Yount  
Don Hofer  
Wendy Elliott

FORA Staff:

Michael Houlemard  
Crissy Maras  
Jonathan Garcia

**2. PLEDGE OF ALLEGIANCE**

Mr. Garcia asked Mike Lerch to lead the pledge of allegiance.

**3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

None

**4. PUBLIC COMMENT PERIOD**

None

**5. APPROVAL OF MEETING MINUTES**

**a. March 4, 2015 WWOC Meeting Minutes**

MOTION: Daniel Dawson moved, seconded by Steve Matarazzo, to approve the meeting minutes.

MOTION PASSED: Unanimous

**6. BUSINESS ITEMS**

**a. Water Augmentation Presentation to the FORA Board – Follow-up Questions & Answers**

A handout detailing questions asked at the March 13<sup>th</sup> FORA Board meeting with corresponding answers was distributed. MCWD Interim General Manager Bill Kocher and Mr. Garcia reviewed the Q&A with the Committee. Mr. Kocher noted that many of the questions would be answered through the 10% design process. Mr. Kocher clarified that the 10% design process would only focus on the desalination portion of an augmentation project since the recycled portion is still being negotiated between MCWD and the Monterey Regional Water Pollution Control Agency. Mr. Garcia noted that the FORA Board provided direction to hold staff level meetings to coordinate with MCWD, Cal-Am and others to ensure that individual projects do not conflict with each other.

**b. Draft FY 2015/16 Ord Community Budget**

**i. Update from MCWD Board Budget Workshop**

MCWD staff presented the draft FY 2015/16 Ord Community budget (which was distributed to the WWOC via email on March 17<sup>th</sup>) to the MCWD Board of Directors. The MCWD Board provided feedback which resulted in some budget modifications. That modified budget was provided to the Committee. Some modifications include increased operating and capital improvement budgets to reflect a new conservation staff position, maintenance expenses to accommodate meter installations and change outs, and pipeline upsizing in Intergarrison Road to meet East Garrison development project infrastructure needs. Members requested a map demonstrating the location of planned capital improvement projects.

MCWD staff requested that all budget comments and questions be submitted by April 6<sup>th</sup> so the budget could be modified accordingly and redistributed in time for the April 15<sup>th</sup> meeting.

**c. Groundwater Sustainability Act & Agency Formation**

Local cities and the county are concerned that any new agency formed to respond to the January 1<sup>st</sup> Groundwater Sustainability Act be fully inclusive and broader than the Monterey County Water Resources Agency (MCWRA).

MOTION: Rick Reidl moved, seconded by Mike Lerch, that FORA and MCWD send a letter to MCWRA requesting inclusion on the committee tasked with forming the new agency.

MOTION PASSED: Unanimous.

FORA staff had already sent a letter to MCWRA requesting FORA Assistant Executive Officer Steve Endsley's participation on the committee on March 23<sup>rd</sup>.

**7. ITEMS FROM MCWD**

**a. Rate Payer Advisory Committee**

Mr. Lerch provided committee member recommendations at the March 4<sup>th</sup> WWOC meeting. The MCWD Board will consider this item at their April 23<sup>rd</sup> meeting.

**b. Ord Community Annexation**

Overlapping interests in former Fort Ord service areas between MCWD and Seaside County Sanitation District (SCSD) have prevented LAFCO from seriously considering MCWD's annexation or sphere of influence requests. LAFCO directed MCWD to resolve the conflicts before making an application. The MCWD and SCSD Board of Directors have agreed to schedule discussions.

**c. Seaside County Sanitation District Negotiations**

As noted in the previous item, MCWD and SCSD negotiations must occur to make annexation progress. The MCWD and SCSD Board of Directors have agreed to schedule discussions.

**8. ITEMS FROM MEMBERS**

None

**9. ADJOURNMENT**

The meeting was adjourned at 12:06 p.m.



**FORT ORD REUSE AUTHORITY  
WATER/WASTEWATER OVERSIGHT COMMITTEE  
MEETING MINUTES**

Wednesday, April 15, 2015 | FORA Conference Room  
920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933

**1. CALL TO ORDER**

Administrative Committee co-chair Daniel Dawson called the meeting to order at 10:00 a.m. The following were present:

Committee Members:

Mike Lerch, CSUMB  
Steve Matarazzo, UCSC  
Carlos Urrutia, Monterey County  
Elizabeth Caraker, City of Monterey  
Rick Reidl, City of Seaside  
Daniel Dawson, City of DRO

Others Present:

Patrick Breen, MCWD  
Bill Kocher, MCWD  
Kelly Cadiente, MCWD  
Bob Schaffer, MCP  
Chris Placco, CSUMB  
Ken Nishi  
Peter Le  
Don Hofer

FORA Staff:

Steve Endsely  
Crissy Maras  
Jonathan Garcia

**2. PLEDGE OF ALLEGIANCE**

Ken Nishi led the pledge of allegiance.

**3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

None

**4. PUBLIC COMMENT PERIOD**

None

**5. APPROVAL OF MEETING MINUTES**

**a. April 1, 2015 WWOC Meeting Minutes**

MOTION: Steve Matarazzo moved, seconded by Elizabeth Caraker, to approve the meeting minutes as presented.

MOTION PASSED: Unanimous

**6. BUSINESS ITEMS**

**a. Draft FY 2015/16 Ord Community Budget**

MCWD provided a handout outlining questions (with corresponding answers) asked at the April 1<sup>st</sup> WWOC meeting and questions additionally received by April 6<sup>th</sup>. MCWD also provided a list of changes/revisions to the draft FY 2015/16 Ord Community budget dated April 1<sup>st</sup>. An additional question from Ms. Caraker had not been addressed on the handout – she asked where a wastewater delivery project to South Boundary Rd. would appear in the MCWD Capital Improvement Program, or what provisions were being made to get wastewater delivery to that portion of Fort Ord. MCWD Interim General Manager Bill Kocher responded that service to that portion of Fort Ord is currently tied up in annexation/boundary negotiations.

Members reviewed the answers submitted by MCWD and discussed budget formatting.

**7. ITEMS FROM MCWD**

**a. Rate Payer Advisory Committee**

This item has not been to the MCWD Board. Once scheduled, MCWD will provide an update to the committee.

**b. Ord Community Annexation**

There is no update to this item.

**c. Seaside County Sanitation District Negotiations**

SCSD is working with MCWD on the draft engineering study. There are no other updates at this time.

**8. ITEMS FROM MEMBERS**

None

**9. ADJOURNMENT**

The meeting was adjourned at 11:46 a.m.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

**Subject:** Travel Report

**Meeting Date:** May 8, 2015

**Agenda Number:** 11i

**INFORMATION/ACTION**

### RECOMMENDATION(S):

- i. Receive a travel report from the Executive Officer. INFORMATION
- ii. Authorize \$3,500 travel budget increase to provide adequate funding through the end of FY 2014-15. ACTION

### BACKGROUND/DISCUSSION:

#### i. **Travel Report**

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

##### 2015 Annual Federal Legislative Mission

**Destination:** Washington D.C.

**Date:** April 13-16, 2015

**Traveler/s:** Michael Houlemard, Lena Spilman, Robert Norris, Dave Potter, Ralph Rubio, Jerry Edelen.

FORA's 2015 Annual Legislative Mission include meetings with the US Army Base Realignment and Closure Office (BRAC), the US Office of Economic Adjustment (OEA), the Bureau of Land Management (BLM), the Economic Development Agency (EDA), the US Department of Veterans Affairs (USDVA), the Association of Defense Communities (ADC), ARCADIS, and Congressman Farr. Below is a brief overview of meeting highlights:

- EDA

The FORA Delegation had a productive meeting with Thomas Guevara, EDA Deputy Assistant Secretary for Regional Affairs, regarding our recent grant application for building removal business planning. He expressed great interest in the economics/job creation potential of building removal on Fort Ord and FORA's sustainable approach to base reuse and we look forward to hearing more on our grant funding application in June.

- USDVA

The delegation met with George Eisenbach, USDVA National Cemetery Administration Director, who attended the CCCVC ground breaking event in March. He reported that it was the best and most well-attended of any cemetery event he had been to, and he and his team expressed great enthusiasm for the project's proposed expansion.

- Army BRAC  
Tom Lederle, Army BRAC Office Chief, met with the FORA delegation to receive an update on the status of the Environmental Services Cooperative Agreement (ESCA), including recent ARCADIS personnel changes, potential ESCA contract amendments, and site closure/property transfer schedule. He also offered to assist FORA in coordinating with the Army Corps of Engineers to correct a flaw in the Preston Park deed that threatened settlement of the litigation. With Mr. Lederle's help, that item has since been resolved.
- OEA  
The delegation met with Patrick O'Brien, OEA Director, to discuss Fort Ord Reuse and to provide an update on ESCA activities and long-term stewardship obligations.
- EPA  
Charlotte Bertrand, Acting Director of EPA Federal Facilities Restoration & Reuse Office, met with the FORA delegation to discuss the status of the remaining regulatory components of the ESCA work and how FORA and the EPA might coordinate to ensure a smooth and efficient wind-down process. FORA staff will continue to communicate with Ms. Bertrand as we explore the possibility of partial de-listing of superfund sites that might assist in economic development funding.
- ADC  
Tim Ford and Matt Borron, ADC Chief Executive Officer and Chief Operating Officers, met with the Fort Ord Reuse Authority delegation to discuss the prospect of a 2017 or 2019 BRAC round and potential "hollowing-out" impacts to regional military missions such as the Defense Language Institute and the Naval Post Graduate School from sequestration/downsizing. ADC provided an overview of their draft 2015 legislative proposal, which recommends numerous amendments to the BRAC Act, and discussed their upcoming National Summit.

### UPCOMING TRAVEL

#### 2015 Annual State Legislative Mission

**Destination:** Sacramento, CA  
**Date:** TBD (May)  
**Traveler/s:** TBD (Executive Officer, 2 Board members, 1-2 staff)

A State Legislative Mission will likely be necessary in May to meet with the California Departments of Veterans Affairs, Toxic Substances Control, and Fish and Wildlife and the Division of Industrial Relations on a number of developing issues related to the Environmental Services Cooperative Agreement, the California Central Coast Veterans Cemetery, the Habitat Conservation Plan, and prevailing wage enforcement. The Executive Committee approved this trip at their April 1, 2015 meeting, but dates and attendance have not yet been finalized. Staff will work to determine the most beneficial timing, given recent developments in each of these subject areas, and report developments to the Board at their next meeting.

International Trail Symposium

**Destination:** Portland, OR  
**Date:** May 17-19, 2015  
**Traveler/s:** Josh Metz, Senior Planner

Senior Planner Josh Metz will attend a variety of trails planning and management sessions at the International Trails Symposium, including: Collective Impact: Creating Trail Networks on a Grand Scale; Creating Trails Databases Using GIS Technologies; Trail Investments and Trail Management Made Easier with GIS; Federal Transportation Funds for Trails; The Development of a Multi-Million Dollar Trail Project: Concept to Construction; Regional Trails – Connecting Rural and Urban Communities; The Best of Both Worlds: Enhancing Habitat and Building Compatible Trails; and Paperless Trail: Case Studies in Harnessing, Using, and Sharing Digital Trail Data. The information covered in these sessions will greatly benefit ongoing regional trails coordination efforts that have come out of the Post Reassessment Advisory Committee work.

Annual Association of Defense Communities (ADC) National Summit

**Destination:** Washington, DC  
**Date:** June 21-24, 2015  
**Traveler/s:** TBD (Executive Officer and 2 Board members)

This year's National Summit is titled "At a Crossroads: The Future of Defense Communities and Installations." The full conference itinerary is not yet available, but will be provided at the June Board meeting. As a sustaining member, FORA will attend the event's Leadership Reception with Department of Defense/Congressional officials and the Congressional Breakfast.

**ii. Travel Budget**

This fiscal year, in addition to our typical travel venues, FORA incurred travel expenses connected with the BRP reassessment, trails planning and economic development activities. The \$20,000 travel budget is about 80% expended before the three remaining trips specified above. The estimated available balance of \$4,000 (pending the Federal Legislative Mission trip final accounting) will not be sufficient to cover these trips. *Staff recommends increasing the budget authority by \$3,500 to provide adequate funding through the fiscal year end.*

**FISCAL IMPACT:**

Reviewed by FORA Controller 

This minor budget adjustment will be offset by savings in other expense categories.

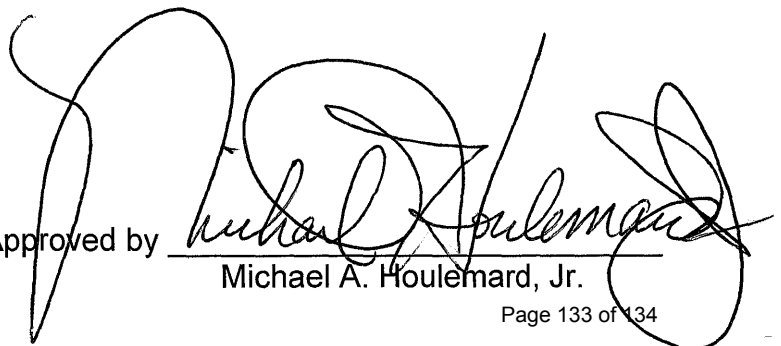
**COORDINATION:**

Executive Committee

Prepared by

  
Lena Spilman

Approved by

  
Michael A. Houlemard, Jr.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

**Subject:** Public Correspondence to the Board

**Meeting Date:** May 8, 2015

**Agenda Number:** 11j

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

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