



FORT ORD REUSE AUTHORITY

SPECIAL MEETING

FORT ORD REUSE AUTHORITY (FORA) ADMINISTRATIVE COMMITTEE

Wednesday, July 18, 2018 at 8:30 a.m.

920 2nd Avenue, Suite A, Marina, CA 93933 (FORA Conference Room)

AGENDA

1. CALL TO ORDER/ESTABLISHMENT OF QUORUM

2. PLEDGE OF ALLEGIANCE

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

4. PUBLIC COMMENT PERIOD

Members of the public wishing to address the Committee on matters within its jurisdiction, but not on this agenda, may do so for up to 3 minutes and will not receive Committee action. Whenever possible, written correspondence should be submitted to the Committee in advance of the meeting, to provide adequate time for its consideration.

5. APPROVAL OF MEETING MINUTES

ACTION

a. July 11, 2018 Special Meeting Minutes

6. JULY 13, 2018 TRANSITION PLANNING STUDY SESSION FOLLOW-UP

INFORMATION

7. JULY 13, 2018 BOARD MEETING FOLLOW-UP

INFORMATION

8. BUSINESS ITEMS

INFORMATION/ACTION

a. Building Removal Updates

b. Department of Toxic Substances Control Annual Land Use Covenant Reporting

9. ITEMS FROM MEMBERS

INFORMATION

Receive communication from Committee members as it pertains to future agenda items.

10. ADJOURNMENT

NEXT MEETING: Wednesday, August 1, 2018 at 8:30 a.m.



FORT ORD REUSE AUTHORITY
ADMINISTRATIVE COMMITTEE SPECIAL MEETING MINUTES
8:30 a.m., Wednesday, July 11, 2018 | FORA Conference Room
920 2nd Avenue, Suite A, Marina, CA 93933

1. CALL TO ORDER

Co-Chair City of Seaside City Manager Craig Malin called the meeting to order at 8:06 a.m.

The following members were present:

Craig Malin* (City of Seaside)
Elizabeth Caraker* (City of Monterey)
Hans Uslar* (City of Monterey)
Dino Pick* (City of Del Rey Oaks)
Melanie Beretti* (Monterey County)
Layne Long* (City of Marina)

Lisa Rheinheimer (MST)
Matthew McCluney (CSUMB)
Steve Matarazzo (UCMBEST)
Patrick Breen (MCWD)
Bill Collins (US Army)

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Del Rey Oaks City Manager Dino Pick.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Executive Officer Michael Houlemard announced the Presidio of Monterey Change of Command Ceremony occurred June 12, 2018 at Soldier Field. Col. Lawrence Brown relinquished command to Col. Greg Ford.

U.S. Army Base Closure and Realignment Environmental Coordinator Bill Collins announced a Community Involvement Mobile Workshop on July 14, 2018 between 10:00a.m. - 1:30 p.m. More information can be found at www.fortordcleanup.org

4. PUBLIC COMMENT PERIOD

Members of the public wishing to address the Administrative Committee on matters within its jurisdiction, but not on this agenda, may do so for up to 3 minutes.

There were no public comments received.

5. APPROVAL OF MEETING MINUTES

ACTION

a. June 13, 2018 Meeting Minutes

MOTION: On motion by Committee member Uslar and second by Committee member Beretti and carried by the following vote, the Administrative Committee moved to approve the June 13, 2018 meeting minutes.

MOTION PASSED UNANIMOUSLY

6. BUSINESS ITEMS

INFORMATION/ACTION

- a. Transition Planning
- i. June 8, 2018 Study Session Follow-Up
 - ii. July 13, 2018 Study Session Review

Mr. Houlemard and Risk Manager Sheri Damon provided information about the the June 8, 2018 Transition Planning Board study session and the comments that have been

received from TAMC, Monterey County and the City of Seaside. There was an unanticipated absence of comments from the public regarding the Transition Plan.

An overview was also provided regarding the upcoming Transition Planning Board study session on July 13, 2018. Senator Bill Monning is scheduled to attend and Ms. Damon provided the hard copy packet to the Committee and briefly reviewed the staff report contents and the format in which the presentation will be provided. Assistant Executive Officer Steve Endsley and staff responded to questions and comments from the Committee.

This item was for information only.

b. Building Removal Program

Principal Planner Jonathan Brinkmann provided a presentation of the Building Removal Program that reviewed the remaining buildings, financing plan, cost/benefit analysis and policy decision makers. Staff responded to questions and comments from the Committee. Mr. Houlemard encouraged the Committee to consider a full analysis prior to requesting the item be presented to the Board.

c. Department of Toxic Substances Control Annual Land Use Covenant Reporting

Kristi Reimer of Reimer Associates Consulting, provided introductory comments on the item. Mr. Brinkmann reviewed the memorandum regarding the land use covenant agreement that requires each of the entities to monitor and report on environmental restrictions on the former Fort Ord. The survey due date is September 28, 2018. Mr. Houlemard also provided comments in regards to the support FORA lends to Monterey County for compiling the eight reporting entities monitoring reports and their transmittal to the Department of Toxic Substance Control.

7. ITEMS FROM MEMBERS

Lisa Rheinheimer informed the Committee that MST has completed their feasibility study of the bus line shoulder and Monterey branch line and would like to present that information to the Committee at a future date. Also, Ms. Rheinheimer requested FORA Board consider supporting or advocate for Senate Bill 1 that has a ballot measure in November known as Proposition 6 which would repeal Senate Bill 1 for gas tax; and would have a tremendous effect on MST. Mr. Houlemard indicated that the item may already be included in the 2018 Legislative Agenda approved by the Board. Staff was directed to follow up with in regards to placing the feasibility study presentation on a future agenda and information regarding FORA Board legislation positions.

8. ADJOURNMENT at 9:11 a.m.

Minutes Prepared By:
Dominique Jones
Deputy Clerk



FORT ORD REUSE AUTHORITY

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

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MEMORANDUM

TO: Monterey Peninsula College (MPC), University of California Santa Cruz (UCSC), California State University Monterey Bay (CSUMB), County of Monterey, Cities of Del Rey Oaks, Monterey, Marina, and Seaside

FROM: Jonathan Brinkmann, Principal Planner

RE: Administrative Committee Meeting Item 7c: Land Use Covenant (LUC) Jurisdictions Annual Report Request

DATE: July 3, 2018

Background

The Fort Ord Reuse Authority (FORA), Department of Toxic Substances Control (DTSC), MPC, UCSC, CSUMB, County of Monterey, Cities of Del Rey Oaks, Monterey, Marina, and Seaside signed a memorandum of agreement concerning monitoring and reporting on environmental restrictions on the former Fort Ord (LUC MOA), effective November 15, 2007. The LUC MOA requires the eight reporting entities – MPC, UCSC, CSUMB, County of Monterey, Cities of Del Rey Oaks, Monterey, Marina, and Seaside – to report to FORA or the County concerning their compliance with all recorded LUCs in their jurisdiction. Before FORA ceases to exist (June 30, 2020), FORA will transfer its responsibility to the County of Monterey for compiling the eight reporting entities' monitoring reports and transmittal of the compiled report to DTSC. FORA and the County will send correspondence notifying the Parties of the LUC MOA when FORA transfers its responsibility to the County of Monterey.

LUC Reporting Request for Period July 1, 2017 to June 30, 2018.

The eight reporting entities are on schedule with the current reporting cycle. Four years ago, FORA staff met with the County of Monterey and DTSC to discuss ways to streamline the LUC reporting process. FORA, County of Monterey, and DTSC representatives identified measures to improve LUC reporting process effectiveness:

- 1) **The Jurisdictions are reminded that DTSC enforces compliance with the LUC MOA, including reporting submission deadlines. Failure to meet the LUC reporting deadlines may result in a reporting entity incurring additional costs for DTSC to complete the Jurisdiction's LUC reporting requirements.**
- 2) The LUC reporting surveys that FORA (or the County, in the future) transmit to the reporting entities for their annual reports will use a modified format, as shown in **Attachment A**, to streamline the reporting process.
- 3) FORA or County should allow up to a 3-month period between the LUC reporting survey request date and due date.

The requested LUC reporting survey **due date is September 28, 2018**. Please inform FORA if you have any changes to your point of contact completing the LUC reporting survey. If you have any questions about the LUC MOA or the annual LUC reporting process, please contact Ikuyo Yoneda-Lopez, Administrative Coordinator (ikuyo@fora.org) or me (jonathan@fora.org) at (831) 883-3672.

**Former Fort Ord
Land Use Covenant Report Outline**

Combined Annual Status Report for _____ on Land Use Covenants

Covering the period of July 1, 2017 to June 30, 2018.

(See Parcel and LUC lists in Table 3-1)

This form is to be submitted by each Jurisdiction to:

Fort Ord Reuse Authority

By

September 28, 2018*

DATE OF REPORT: _____

SUBMIT TO: **Fort Ord Reuse Authority
Attn: Jonathan Brinkmann
920 2nd Avenue, Suite A
Marina, CA 93933**

GENERAL:

Has jurisdiction staff previously provided a compliance summary in regards to the local digging and excavation ordinances, including the number of permits issued?

yes or no

Has jurisdiction staff provided an annual update of any changes to applicable digging and excavation ordinances?

yes or no

Has jurisdiction staff provided an annual update of any changes to the Monterey County Groundwater Ordinance No. 4011?

yes or no

PARCELS

Have any of the parcels with covenants in the jurisdiction split since the last annual report?

yes or no

If so, please reflect the split(s) in reporting on compliance with section 2.1.2 of the MOA in Table 3-1.

*** The Jurisdictions are reminded that DTSC enforces compliance with the LUC MOA, including reporting submission deadlines. Failure to meet the LUC reporting deadlines may result in a reporting entity incurring additional costs for DTSC to complete the Jurisdiction's LUC reporting requirements.**

GROUND WATER COVENANTS:

Is a ground water covenant applicable in your jurisdiction? yes or no
(if no, skip questions 1 through 4)

1. Did jurisdiction staff visually inspect the parcels in your jurisdiction (see Table 3-1) with ground water covenants? Such visual inspection shall include observed groundwater wells, and any other activity that would interfere with or adversely affect the groundwater monitoring and remediation systems on the Property or result in the creation of a groundwater recharge area (e.g., unlined surface impoundments or disposal trenches).

yes or no

2. Did jurisdiction staff check with the applicable local building department (please list department name: _____) to ensure that no wells or recharge basins such as surface water infiltration ponds were built within your jurisdiction?

yes or no

3. Did jurisdiction staff check with the applicable local planning department (please list department name: _____) to ensure that no well permits were granted or recharge basins requested within your jurisdiction?

yes or no

4. Did jurisdiction staff review the County well permit applications pertaining to your jurisdiction to ensure that no wells have been dug or installed in violation of the ordinance or the ground water covenants?

yes or no

If you answered yes to any questions 1 through 4 above, please note and describe violations with USACE parcel numbers and street addresses (Use additional sheets if needed.)

LANDFILL BUFFER COVENANTS:

Is a landfill buffer covenant applicable in your jurisdiction? yes or no
(if no, skip questions 1 through 3)

1. Did jurisdiction staff visually inspect the parcels in your jurisdiction (see Table 3-1) with landfill buffer covenants? Such visual inspection shall include observation of any structures and any other activity that would interfere with the landfill monitoring and remediation systems on the Property.

yes or no

2.. Did jurisdiction staff check with the applicable local building department (please list department name: _____) to ensure that no sensitive uses such as residences, hospitals, day care or schools (not including post-secondary schools, as defined in Section 1.19 of the MOA) were built on the restricted parcels within your jurisdiction?

yes or no

3. Did jurisdiction staff check with the applicable local planning department (please list department name: _____) to ensure that no other structures were built without protection for vapors in accordance with the landfill buffer covenants.

yes or no

If you answered yes to any questions 1 through 3 above, please note and describe violations with street addresses. (Use additional sheets if needed.)

SOIL COVENANTS:

Is a soil covenant applicable in your jurisdiction?
(if no, skip questions 1 through 4)

yes or no

1. Did jurisdiction staff visually inspect the parcels (see Table 3-1) in your jurisdiction with soil covenants to assure no sensitive uses such as residences, hospitals, day care or schools (not including post-secondary schools, as defined in Section 1.19 of the MOA) were constructed or are occurring on the restricted parcels in your jurisdiction?

yes or no

2. Did jurisdiction staff check with the applicable local building department to ensure that no soil was disturbed without an approved soil management plan in accordance with the excavation and digging Ordinance in your jurisdiction?

yes or no

3. Did jurisdiction staff check with the applicable local planning department for notification of MEC within your jurisdiction?

yes or no

4. Did jurisdiction staff review the 911 records of MEC observations and responses and provide a summary in annual report as required by the LUC MOA dated November 15, 2007?

yes

If you answered yes to any questions 1 through 4 above, please provide the following information:
(Use additional sheets if needed.)

- a) details on how the 911 records were reviewed (such as County point of contact requested 911 records from responsible County department and distributed 911 records to reporting entities)
- b) date and time of the call,
- c) contact name,
- d) location of MEC finding,
- e) type of munitions, if available and
- f) response of jurisdiction law enforcement agency.

Jurisdiction's Representative Compiling this Report: _____

Contact Information: **Phone** _____
 Email _____

Signature of Preparer: _____

Suggested Attachments to Annual LUC Report

1. Table summarizing inspections, parcels, restrictions and any deficiencies in the LUCs. Inspection Notes for each parcel.
2. Inspection Photos for each parcel.
3. County and jurisdiction well records, permit reports.
4. Building department permit records.
5. Planning department permit records.
6. MEC findings (911 call records).
7. GPS coordinates for parcels