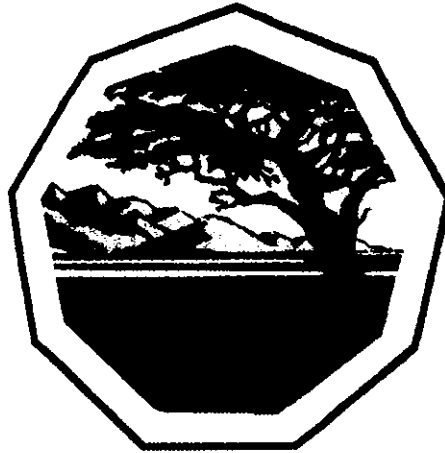


Fort Ord
Reuse Authority



Board Packet
For
Board Meeting
August 14, 2009



Fort Ord Reuse Authority

100 12th Street, Building 2880, Marina, CA 93933

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

BOARD OF DIRECTORS MEETING
Friday, August 14, 2009, at 3:30 p.m.
FORA Conference Facility/Bridge Center
201 13th Street, Building 2925, Marina (on the former Fort Ord)

AGENDA

1. CALL TO ORDER AND ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. ACKNOWLEDGEMENTS AND ANNOUNCEMENTS
 - a. Retirement of FORA staff member Rick Hofer
 - b. Recent property transfer activity
 - (1) The FOST 10 (Finding of Suitability for Transfer #10) deeds, transferring parcels from the U.S. Army to FORA, have been signed.
 - (2) FORA's Imjin Office Park parcel was transferred to Marina Coast Water District.
 - (3) The Lexington Court parcel was transferred from FORA to Shelter Outreach Plus.
 - (4) The former Children's Services International property is pending transfer from U.S. Department of Health and Human Services to Monterey County Health Department, Behavioral Health Division.
 - c. Completion of ESCA Change Order #2 and FORA refund
4. PUBLIC COMMENT PERIOD: Members of the audience wishing to address the Board on matters within the jurisdiction of the Authority but not on the agenda may do so during the Public Comment Period. You may speak for a maximum of three minutes on any subject. Public comments on specific agenda items will be heard at the time the matter is being considered by the Board.
5. CONSENT AGENDA ACTION
 - a. June 12, 2009 board meeting minutes
 - b. Denise Duffy and Associates – contract amendment to provide impact analysis for Habitat Conservation Plan documents
6. OLD BUSINESS
 - a. Rabobank debt consolidation refinancing ACTION/ INFORMATION

7. NEW BUSINESS - none
8. EXECUTIVE OFFICER'S REPORT
 - a. Administrative Committee report INFORMATION
 - b. Fort Ord Reuse Authority FY 2008-09 Annual Report INFORMATION
 - c. Report from Legislative Mission to Sacramento (June 25-26) INFORMATION
 - d. Status update of outstanding receivables INFORMATION
 - e. Report from Association of Defense Communities Annual Conference INFORMATION
9. CLOSED SESSION
 - a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (§54956.9)
 Property: Imjin Office Park: APN 031251040
 Agency negotiators: Michael Houlemard
 Negotiating parties: Association of Monterey Bay Area Governments
 Under negotiation: outstanding land payment
 - b. CONFERENCE WITH LEGAL COUNSEL –EXISTING LITIGATION [§54956.9(c)]
 Name of case: City of Marina v. Board of Trustees of California State University
 (Consolidated Case No. M 41781)
 - c. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (§54956.9)
 Property: Preston Park housing complex
 Agency negotiator: Michael Houlemard
 Negotiating parties: Fort Ord Reuse Authority and the City of Marina
 Under negotiation: price, terms and conditions of sale
10. REPORT OUT OF CLOSED SESSION
11. ADJOURNMENT

(Information about items on this agenda is available at the FORA office at 100 12th Street, Building 2880, Marina, on the former Fort Ord or by calling 831-883-3672 or by accessing the FORA website at www.fora.org.)

MINUTES
of the
FORT ORD REUSE AUTHORITY
BOARD OF DIRECTORS' MEETING
Fort Ord Reuse Authority Conference Facility/Bridge Center
August 14, 2009

APPROVED

1. CALL TO ORDER AND ROLL CALL AT 3:00 P.M.

Chair Ralph Rubio called the regular meeting of the Fort Ord Reuse Authority to order at 3:32 p.m. and requested a roll call.

Voting members present:

Chair/Mayor Rubio (City of Seaside)
Mayor McCloud (City of Carmel)
Councilmember Gray (City of Marina)
Councilmember Kampe (City of Pacific Grove)
Jim Cook (alternate for Supervisor Calcagno)
Councilmember Barnes (City of Salinas)

Supervisor Parker (County of Monterey)
Mayor Russell (City of Del Rey Oaks)
Councilmember Mancini (City of Seaside)
Mayor Pendergrass (City of Sand City)
Councilmember Downey (City of Monterey)

Absent was Supervisor Potter (County of Monterey). Councilmember McCall (City of Marina) arrived during the discussion of Item 8e.

Ex-Officio members present:

An McDowell (27th State Assembly District)
COL Darcy Brewer (U.S. Army)
Kenneth Nishi (Marina Coast Water District)

Jim Main (CSUMB)
Gail Youngblood (BRAC)
Dan Albert, Jr. (MPUSD)

Arriving after the roll call were Vicki Nakamura (Monterey Peninsula College) and Hunter Harvath (Monterey-Salinas Transit). Absent were representatives from the 17th Congressional District, the 15th State Senate District, UC Santa Cruz, and TAMC.

With a quorum present Chair Rubio called the meeting to order.

2. PLEDGE OF ALLEGIANCE

Chair Rubio asked COL Darcy Brewer, who agreed, to lead the Pledge of Allegiance.

3. ACKNOWLEDGEMENTS AND ANNOUNCEMENTS

Chair Rubio introduced and welcomed the new city manager of Del Rey Oaks, Daniel Dawson. Executive Officer Houlemard provided additional information about the three items listed on the agenda: FORA staff member Rick Hofer's recent retirement, recent property transfer activity, and completion of ESCA Change Order #2 and FORA's refund of \$358,000.

4. PUBLIC COMMENT PERIOD - none

5. CONSENT AGENDA

There were two items on the Consent Agenda: Item 5a (June 12, 2009 board meeting minutes) and Item 5b (Denise Duffy and Associates – contract amendment to provide impact analysis for Habitat Conservation Plan documents). Ms. Downey abstained from voting on the June minutes due to absence. **Motion to approve Items 5a and 5b was made by MayorMcCloud, seconded by Councilmember Barnes, and carried.**

6. OLD BUSINESS

Item 8a – Rabobank debt consolidation refinancing: Director of Planning and Finance Steve Endsley provided a brief update on the recent developments and noted that the bank's completion of its review of the appraisal was the next step. FORA and Marina staffs will then conduct their own reviews. When the ad hoc committee meets again to discuss the appraisal, the subject of Marina's buy-out of Preston Park could be considered. Councilmember Gray asked if the same members of the ad hoc committee would evaluate the appraisal and also make a recommendation to the Board regarding approval of the loan before proceeding with the buy-out negotiations. Executive Officer Houlemard replied that appointment of a negotiating committee is a board decision, because it is a separate action. Chair Rubio said it would be appropriate for the committee members to review the appraisal and maybe formulate a recommendation to the Board as to the selection of a negotiating committee that could be tasked with any other ancillary actions the Board may want to take. Executive Officer Houlemard clarified that the Board had approved moving forward with the loan, unless there was some impact on Marina's 50% share of the revenues. He said that FORA staff would be happy to consult with the committee members, if necessary or requested. Chair Rubio asked that an item be placed on the next board meeting agenda to clarify the negotiating process and any details that should be added. Councilmember Downey asked who the appraiser was, and Mr. Houlemard responded that the bank had selected a firm from San Jose of whose name he was unaware.

7. NEW BUSINESS - none

8. EXECUTIVE OFFICER'S REPORT

There were five items in this report: Item 8a (Administrative Committee report), Item 8b (Fort Ord Reuse Authority FY 2008-09 Annual Report), Item 8c [Report from Legislative Mission to Sacramento (June 25-26)], Item 8d (Status update of outstanding receivables), and Item 8e (Habitat Conservation Plan ("HCP") approval process). **Re Item 8c:** Executive Officer Houlemard said that Chair Rubio and Mr. Endsley had joined him for the meetings in Sacramento. He reported that the meeting with Resources Secretary Mike Chrisman was positive and productive. Mr. Chrisman had appointed Tina Bartlett, the chief of the Habitat Conservation Branch in the CA Department of Fish and Game, to take a leadership role in the current negotiations with FORA. He added that he, Ms. Bartlett and Diane Noda, field supervisor in the Ventura office of the U.S. Fish and Wildlife Service ("FWS"), have been having regular telephone conversations about every two weeks to work out issues and keep them on a track toward finalization of the HCP. He said the Bureau of Land Management was continuing to support recent HCP efforts with FWS. During the meeting with Maziar Movassaghi, director of the Department of Toxic Substances Control, discussion about the idea that former Fort Ord might be a suitable site where the ESCA cleanup work could be featured in the national arena, which might result in a small amount of Brownfield funding. Mr. Movassaghi also indicated possible assistance with the HCP planning process, because of newly granted authority involving HCP matters. He said meetings with staff members of Assemblymember Monning and Senator Maldonado were also productive. **Re Item 8d-1:**

Executive Officer Houlemard said FORA staff has been working closely with County staff to resolve the East Garrison Partners' interest payments default. He reported that there is movement for new ownership of the East Garrison project, which appears to include bringing the outstanding debt current, which Jim Cook confirmed. **Re Item 8d-3:** Executive Officer Houlemard reported that there are positive indications that AMBAG (Association of Monterey Bay Area Governments) and MCWD (Marina Coast Water District) will reach agreement in MCWD's offer to purchase the AMBAG parcel and pay off AMBAG's debts owed on their parcel in the Imjin Office Park. **Item 8d-2:** Executive Officer Houlemard reported that FORA is hopeful that the Del Rey Oaks' ("DRO's") developer will send the Pollution Legal Liability ("PLL") insurance premiums owed before the September 11th board meeting. If not, he will recommend that the Executive Committee and Finance Committees consider withdrawing DRO's coverage and making it available to others. DRO Mayor Russell said DRO is highly concerned about this delinquency and is doing all possible to rectify it. **Re Item 8e:** Chair/Mayor Rubio and Executive Officer Houlemard gave oral reports about their participation in the recent Association of Defense Communities ("ADC") Annual Conference, commenting that it was well attended, offered a full array of informational panels, and had excellent participation by the military and the private sector. Mr. Houlemard announced that next year's annual conference would be held in San Francisco. **Re Item 8b:** Executive Officer Houlemard called attention to FORA's annual report for FY 2008-09, which was included in the meeting packet. He said additional copies are available by calling the FORA office. He commented on one impact of the current economic downturn by noting that 4,000 housing units had been anticipated on former Fort Ord by 2012. That number is now estimated at only 700 units.

Chair Rubio adjourned the meeting to Closed Session at 4:09 p.m.

9. CLOSED SESSION

There were three items on the Closed Session calendar: **Item 9a – Conference with Real Property Negotiators regarding the outstanding land payment due from AMBAG on its Imjin Office Park parcel;** **Item 9b – Conference with Legal Counsel (existing litigation) related to the City of Marina v. CSU Trustees case;** and **Item 9c - Conference with Real Property Negotiators regarding the price, terms and conditions of sale of Marina's request to buy out FORA's 50% interest in the Preston Park housing complex.**

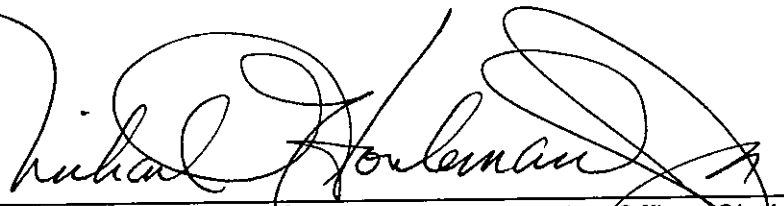
10. Authority Counsel Bowden reported out of Closed Session that the voting board members had heard advice and given direction to staff on Items 9a and 9b, and Item 9c had been canceled.

11. ADJOURNMENT

Chair Rubio adjourned the meeting at 4:26 p.m.

Minutes prepared by Linda Stiehl, Deputy Clerk

Approved by



Michael A. Houlemard, Jr., Executive Officer/Clerk

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject:	Denise Duffy and Associates – contract amendment to provide impact analysis for Habitat Conservation Plan documents	
Meeting Date:	August 14, 2009	ACTION
Agenda Number:	5b	

RECOMMENDATION(S):

Authorize the Executive Officer to execute the National Environmental Policy Act ("NEPA")/California Environmental Quality Act ("CEQA") consultant contract amendment number two ("**Attachment A**") with Denise Duffy and Associates ("DD&A"), not to exceed \$34,775 in additional budget authority, to update and complete the impact analysis for the Habitat Conservation Plan ("HCP") and Environmental Impact Report ("EIR")/Environmental Impact Statement ("EIS") documents.

BACKGROUND/DISCUSSION:

The Board authorized the original NEPA/CEQA consultant contract in October 2004 to coordinate draft HCP document revisions with the HCP consultant and initiate preparation of the EIR/EIS documents. In August 2008, the Board authorized consultant contract amendment number one for DD&A to complete the HCP EIR and EIS documents. Approval of the attached contract amendment number two would allow DD&A to update and complete the impact analysis necessary to complete the HCP and EIR/EIS documents.

FISCAL IMPACT:

Reviewed by FORA Controller 

The FORA Board previously authorized the DD&A consultant contract with total budget authority not to exceed \$408,415. Authorization of contract amendment number two would increase the budget authority by \$34,775, resulting in a combined budget authority not to exceed \$443,190. Funding for this contract amendment was designated in the current budget.

COORDINATION:

Authority Counsel, Administrative, and Executive Committees

Prepared by 
Jonathan Garcia

Approved by  for
Michael A. Houlemard, Jr.



Denise Duffy & Associates, Inc.

PLANNING AND ENVIRONMENTAL CONSULTING

ATTACHMENT A
Item 5b
FORA Board Meeting, August 14, 2009

MEMORANDUM

Date: July 31, 2009

To: Steve Endsley, Director of Planning & Finance, FORA
Jonathan Garcia, Associate Planner, FORA

cc: Michael Houlemard, Executive Officer, FORA

From: Erin Harwayne, Project Manager, Denise Duffy & Associates, Inc.

Subject: Request for Contract Amendment (#2) to Provide Impact Analysis for the Fort Ord Habitat Conservation Plan (HCP)

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

DD&A was requested by FORA at the HCP Working Group meeting on February 4, 2009, to assist ICF Jones & Stokes with updating the HCP species occurrence maps utilizing our GIS database. Completion of this task will provide the foundation necessary to update and complete Chapter 4, Take Assessment, of the HCP, in addition to Chapter 4, Environmental Consequences, of the Fort Ord HCP EIS/EIR. DD&A received an email from ICF Jones & Stokes outlining the information needed, which included the following:

- Update/Create Habitat maps for all species (19 figures)
- Summarize habitat acres in Tables 1 and 2 (2 tables)
- Create impact maps for all species (19 figures)
- Update impact tables
- Figure 5-1. Land cover within Habitat Management Areas; Create map that indicates land cover types within each Habitat Management Area
- Table 5-1. Land cover within Habitat Management Areas; Create table that indicates the acres of each land cover type within each Habitat Management Area
- Table 5-2. Species habitat within Habitat Management Areas; Create table that indicate the acres of species habitat within each Habitat Management Area (i.e., the area preserved)
- Stay-ahead analysis. (Just the first 2 spreadsheets)
- Table 7-4. HMA land cover distribution by area currently protected and to be transferred from Army
- Table 7-5. Potential species habitat distribution by Habitat Management Area in terms of area currently protected and area yet to be transferred from Army.

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

DD&A prepared preliminary species occurrence and impact maps and attended a FORA Administrative Committee meeting on March 11, 2009, to discuss the methodology and assumptions used to create the maps and stay-ahead provision.

After the meeting, DD&A made revisions and provided a completed set of species occurrence and impact maps on April 29th to FORA and ICF Jones and Stokes for review and comment. DD&A received comments from ICF Jones and Stokes on June 16th and has been working diligently to incorporate the comments and provide a final set of maps to the HCP Working Group for review and comment. DD&A expects the maps will be available for distribution to the HCP Working Group by mid-August, but there are a few impact analysis issues that need to be resolved prior to the distribution of the species impact maps and the completion of the impact and stay-ahead provision tables. DD&A has been working closely with the Marina Coast Water District, State Parks, CSU Monterey Bay, and UC Fort Ord Natural Reserve staff to resolve these issues; however, this coordination task is also not included in our existing contract.

DD&A had anticipated that the work effort to complete these tasks could be included in our existing budget as part of the GIS/graphics task (\$5,460.00). However, we have exceeded our existing GIS/graphics budget and are requesting an amendment of \$34,775.00 to our original contract to complete the impact analysis. This cost includes the hours expended to date and the anticipated hours required to complete the tasks outlined above, as well as the coordination efforts to date with State Parks, CSU Monterey Bay, and UC Fort Ord Natural Reserve (approximately \$1,000). This cost does not include the coordination efforts with the Marina Coast Water District; DD&A has been working closely with MCWD to update their CIP project list and the associated cost is being covered under our existing on-call contract with the District.

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

AUTHORIZATION TO PROCEED

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

Project Name: ADDITIONAL SERVICES (AMENDMENT #2) FOR THE FORT ORD HABITAT CONSERVATION PLAN EIR/EIS PROJECT

Accepted by (signature): _____ **Dated:** _____

Print Name: _____

Title: _____

On Behalf of: _____

Mailing Address: _____

Fee/Scope Confirmation:

AMENDMENT TO ORIGINAL CONTRACT BUDGET FOR ADDITIONAL SERVICES OF \$34,775.00, AS DESCRIBED IN THE MEMORANDUM DATED JULY 31, 2009.

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

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

Mailing Address: _____

Attention: _____

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

FORT ORD REUSE AUTHORITY BOARD REPORT

OLD BUSINESS

Subject: Rabobank debt consolidation refinancing

Meeting Date: August 14, 2009

Agenda Number: 6a

**ACTION/
INFORMATION**

RECOMMENDATION(S):

1. Receive a status report regarding efforts to secure Rabobank debt consolidation refinancing, including an oral report on a Preston Park appraisal and
2. Provide direction to staff.

BACKGROUND:

At the April 3, 2009 meeting, Fort Ord Reuse Authority ("FORA") staff informed the Board of its intent to liquidate FORA's 50% ownership interest in Preston Park to secure funding to provide stimulus grant local matching funds and consolidate and retire existing debt. The Preston Park project also owes development fees that are needed now for completing HCP and other base-wide obligations. This item was further discussed in closed session on May 8, 2009 where the Executive Officer received Board's authorization to pursue the financing. During the discussion of the debt consolidation financing at the June 12, 2009, FORA Board meeting, a motion was made by Supervisor Potter and seconded by Mayor McCloud to form an ad hoc committee consisting of three FORA Board members and two Marina council members to complete their review of the proposed debt consolidation financing with unanimous consent within three days of receiving the letter offer from Rabobank but no later than June 24, 2009. This motion carried unanimously.

DISCUSSION:

The ad hoc committee met on June 18th and 23rd to complete their review of the proposed debt consolidation financing. Rabobank provided a preliminary letter offer for the debt consolidation financing, subject to completion of a Preston Park appraisal in late July or early August. The ad hoc committee confirmed that FORA's debt consolidation financing would not affect Marina's 50% share of Preston Park revenues and agreed unanimously that FORA staff should include a letter from Rabobank with its US Economic Development Administration ("EDA") grant application package for General Jim Moore Boulevard and Eucalyptus Road improvement funding.

City of Marina staff also provided correspondence regarding the proposed Preston Park financing and potential buy-out. The City of Marina's items related to Preston Park financing were discussed at the ad hoc committee meetings, while discussion of potential buy-out items was deferred until further FORA Board direction could be obtained.

FISCAL IMPACT:

Reviewed by FORA Controller 

Rabobank debt consolidation financing is essential to FORA's securing a \$6.426 million grant from EDA to complete the construction of the General Jim Moore Boulevard project. This financing would also retire existing debt and accelerate other capital projects.

COORDINATION:

City of Marina, Authority Counsel, FORA Board ad hoc committee, Rabobank, Administrative and Executive Committees

Prepared by 
Jonathan Garcia

Approved by  for
Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Administrative Committee report	
Meeting Date: August 14, 2009 Agenda Number: 8a	INFORMATION

RECOMMENDATION:

Receive a report from the Administrative Committee.

BACKGROUND/DISCUSSION:

The Administrative Committee met on June 17, July 1, and August 5, 2009. The approved minutes of the June and July meetings and the draft minutes of the August meeting are **attached** for your review. The regularly scheduled meeting on July 15th was canceled.

The Administrative Committee also had joint meetings with the Capital Improvement Program Committee on June 3, June 17, July 1, and August 5, 2009. The approved minutes of the first three meetings are **attached**. The August 5th meeting minutes have not yet been prepared.

FISCAL IMPACT:

Reviewed by the FORA Controller 

Staff time for the Administrative Committee is covered in the FY 2009 budget.

COORDINATION:

Administrative Committee and Capital Improvement Program Committee

Prepared by Linda L. Stiehl Approved by D. Steven Endsley for
Linda L. Stiehl Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY

100 12th Street, Building 2880

Marina, CA 93933

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**MINUTES OF THE
ADMINISTRATIVE COMMITTEE MEETING
FORA Conference Facility/ Bridge Center
Wednesday, June 17, 2009**

APPROVED

1. Call to Order

Chair Doug Yount called the meeting to order at 8:16 a.m. The following representatives from the land recipient jurisdictions, representing a quorum, were present:

*Nick Nichols - County of Monterey *Doug Yount – City of Marina
*Elizabeth Caraker - City of Monterey *Ray Corpuz - City of Seaside

Also present, as indicated by the roll sheet signatures, were:

Diana Ingersoll – City of Seaside Jim Arnold – FORA
Laura Vidaurri Baldwin – FORA *Rob Robinson – BRAC
*Graham Bice – UC MBEST Crissy Maras – FORA
*Tony Boles – CSUMB Pat Ward – Bestor Engineers
Jim Feeney – FORA Steve Endsley – FORA
Bob Schaffer – Marina Community Partners *Vicki Nakamura – Monterey Peninsula College
*Don Bachman – TAMC Jonathan Garcia – FORA
Brian True – Marina Coast Water District ()Heidi Burch – City of Carmel-by-the-Sea

* indicates a committee member and (*) indicates a FORA board voting member but not a land recipient jurisdiction

Voting board member jurisdictions not represented at this meeting were Del Rey Oaks, Salinas, Pacific Grove and Sand City.

2. Pledge of Allegiance

Chair Yount asked Graham Bice, who agreed, to lead the Pledge of Allegiance.

3. Acknowledgements, announcements and correspondence

Don Bachman reported that TAMC had sent a letter to the Governor’s office opposing the Governor’s proposal to remove funding from state funding mandates and encouraged others to do the same. He said four of TAMC’s local projects would be jeopardized if this proposal is approved. Assistant Executive Officer Jim Feeney announced that FORA had been invited to apply for a \$6.45 million grant, which, if

matching funds could be confirmed, would provide funding to extend the road improvements on the General Jim Moore Boulevard. He said the match must be confirmed by June 24.

4. **Public comment period** - none
5. **Approval of minutes of the June 3, 2009 meeting**

Motion to approve the June 3, 2009 meeting minutes was made by Graham Bice, seconded by Ray Corpuz, and approved without objection.

6. **Follow-up to the June 12, 2009 FORA board meeting**

Assistant Executive Officer Jim Feeney said the Board did not act to move forward with the grant process. The Board decided to approve formation of an ad hoc subcommittee to discuss and hopefully resolve Marina's issues related to FORA's loan restructuring with Rabobank, which involved FORA's portion of Preston Park revenues. Funds from this loan included the matching funds needed for the federal grant. He said the sub-committee would be meeting on Thursday, June 18, from 1:00 – 3:00 p.m. He added that a special board meeting might be called for Monday, June 22, to authorize final approval to move forward with the grant, once the matching funds are committed. Chair Yount remarked that the Marina City Council had met last night in closed session to address certain issues, e.g., confirmation that Preston Park revenue flow would be preserved. He said he was confident the issues could be worked through. Ray Corpuz asked what was needed, and the response was a loan commitment letter from the Rabobank Bank. Mr. Feeney reminded all that the Board had approved a ninety-day extension of the current Capital Improvement Program to the September 11th board meeting, when FORA should have all the information needed to update the 2009-10 CIP.

7. **Old Business**

Item 7a – Habitat Conservation Plan (HCP) – cost projections: Director of Planning and Finance Steve Endsley announced that the next (third) meeting of the jurisdictions had been scheduled for Tuesday, June 23, from 9:00 a.m. to noon. The agenda will begin where the last agenda item ended, namely #4 (Governance). He reported good progress in the efforts to reduce the endowment funding; it now is estimated at \$30 million, down from an original \$55 million. Mr. Endsley said a group of FORA board and staff members would travel to Sacramento to meet with Resources Secretary Mike Chrisman to discuss HCP issues. Among other meetings is one with a California I-Bank official, who can provide information about the availability of special Department of Commerce funding for various projects.

Item 7b – Environmental Services Cooperative Agreement (ESCA) update: FORA ESCA Program Coordinator Laura Baldwin made summary comments about the May 2009 “Technical Progress and Summary of Public Participation” report, which was in the meeting packet. She called attention to the transfer of the ESCA parcels to FORA on May 8th, the new safety procedures now being implemented and the new signage that has been installed. She reported that the ESCA abstract had been accepted for presentation at the annual UXO/Countermines/Range Forum in Orlando, Florida in August. She also pointed out a number of public outreach activities on the current ESCA calendar. Chair Yount asked about a timeline for the UXO removal, and Ms. Baldwin replied that the current progress has been “stellar.” She reminded all about the ESCA hotline (831-883-3506), where up-to-date information can

be accessed or inquiries left in the voice mail, and the FORA ESCA website (www.fora-esca-rp.com), which is a dedicated website where much information is available online.

8. New Business

Item 8a – Proposed modification of alignment exhibit in proposed Multi-Modal Transit Corridor (“MMTC”) Memorandum of Agreement: Assistant Executive Officer Jim Feeney provided background information about the MMTC and noted the minor modifications on the map that had been provided in the meeting packet. He said a multi-agency group, including Monterey-Salinas Transit (“MST”), had been meeting and had offered the designated modifications to the Administrative Committee for review and comment, with an eventual recommendation for approval by the FORA Board. The primary modification consists of eliminating the 8th Street Cut-Off in favor of rerouting the MMTC south on 8th Street and then east on Intergarrison Road. Further study, including determination of adequate carrying capacity resulting from this change, needs to be undertaken. Nick Nichols said the new route is viable and supports development of the surrounding parcels. Maps showing the comparisons of the former route and this modification would be brought to next Administrative Committee meeting for further discussion. Mr. Endsley commented that the impact of the proposed change could have an effect on the HCP, so they would need to be reviewed. Mr. Nichols said that MST has been working through the final phases of the Environmental Impact Report and is about ready to build. Discussion by the members followed. This item will be returned to the July 1st meeting for further discussion.

9. Adjournment at time certain of 9:00 a.m.

Chair Yount adjourned the meeting at 8:58 a.m.

Minutes prepared by Linda Stiehl, Executive Assistant

FORT ORD REUSE AUTHORITY

100 12th Street, Building 2880

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**MINUTES OF THE
ADMINISTRATIVE COMMITTEE MEETING
FORA Conference Facility/Bridge Center
Wednesday, July 1, 2009**

APPROVED

1. Call to Order

Chair/ Executive Officer Michael Houlemard called the meeting to order at 8:17 a.m. The following representatives from the land recipient jurisdictions, representing a quorum, were present:

- *Jim Cook - County of Monterey
- *Bill Reichmuth - City of Monterey
- *Dick Goblirsch – City of Del Rey Oaks
- *Tony Altfeld – City of Marina
- *Ray Corpuz - City of Seaside

Also present, as indicated by the roll sheet signatures, were:

- Diana Ingersoll – City of Seaside
- Elizabeth Caraker – City of Monterey
- *Graham Bice – UC MBEST
- *Debbie Platt – City of Marina
- Steve Endsley – FORA
- Jonathan Garcia – FORA
- *Debbie Hale – TAMC
- (*)Heidi Burch – City of Carmel-by-the-Sea
- Jim Arnold – FORA
- *Rob Robinson – BRAC
- *Hunter Harvath – Monterey-Salinas Transit
- Pat Ward – Bestor Engineers
- Nick Nichols – County of Monterey
- *Vicki Nakamura – Monterey Peninsula College
- *Brian True – Marina Coast Water District
- Michael Houlemard - FORA

* indicates a committee member and (*) indicates a FORA board voting member but not a land recipient jurisdiction

Voting board member jurisdictions not represented at this meeting were Salinas, Pacific Grove and Sand City.

2. Pledge of Allegiance

Chair Houlemard asked Elizabeth Caraker, who agreed, to lead the Pledge of Allegiance.

3. Acknowledgements, announcements and correspondence

Debbie Hale noted the presence of Bill Reichmuth, the Monterey representative, whom she said would be retiring by/at month's end. Mr. Reichmuth made brief comments, which included sharing his opinion that the Administrative Committee was "where the real work of FORA was done."

4. **Public comment period - none**
5. **Approval of minutes of the June 17, 2009 meeting**

Motion to approve the June 17, 2009 meeting minutes was made by Debbie Hale, seconded by Nick Nichols, and approved without objection.

6. **Review draft agenda for the July 10, 2009 FORA board meeting**

Chair/Executive Officer Michael Houlemard provided informational summaries of each item. A motion was made by **Graham Bice** and seconded by **Ray Corpuz** to recommend that the Executive Committee direct the Executive Officer to prepare and send a letter responding to AMBAG Executive Director John Doughty's request for a seven and a half month extension of AMBAG's delinquent note payments, stating that this delay was already negatively impacting several FORA members and the Imjin Office Park partners. There were no objections and the motion passed.

7. **Old Business**

Item 7a – Habitat Conservation Plan (HCP) – cost projections: Chair Houlemard opened the discussions. Doug Yount reported that much progress was made at the last HCP jurisdictions' meeting, especially in understanding what is required in each of the habitat areas. Jim Cook added that a lot of time was spent going through the numerous spreadsheets and reviewing the background assumptions that have gone into the cost models. He said there is still need to clarify the Joint Powers Authority's ("JPA's") estimate of \$459 per acre compared to the Bureau of Land Management's estimate of \$124 per acre cost. He said that Gage Dayton, UCSC Natural Reserve director, had provided an analysis that was helpful. Chair/ Executive Officer Houlemard suggested that Jonathan Garcia set up a meeting or conference call for the jurisdictional representatives with Terah Donovan of Jones & Stokes, FORA's habitat conservation consultant. Mr. Houlemard commented that if the public has questions about the HCP, public officials must have enough understanding to provide adequate responses. Mr. Garcia offered to be available to answer any questions about the HCP in the meantime. He reported that the consultants are about ready to publish the environmental documents, so understanding the assumptions is important because the cost models are based on them. This, in turn, will assist in generating the revenue for the endowment fund, which must be a manageable figure.

There were no objections to moving ahead to Item 8a at this time.

8. **New Business**

Item 8a – Report from Legislative Mission to Sacramento (June 25-26): Chair/ Executive Officer Houlemard reported that FORA Chair Ralph Rubio and FORA Director of Planning and Finance Steve Endsley accompanied him to Sacramento for the meetings. He said the main topic was the HCP. During the meeting with Resources Secretary Mike Chrisman, two primary issues were defined: (1) that the HCP would cover all of the former Fort Ord and (2) determining the amount of the assurance fund. His comments re (1): CA Department of Fish & Game ("CADFG") is not in favor of a conservation easement but may ask for deed language or a covenant. A teleconference with representatives from CADFG and the U.S. Fish & Wildlife Service ("USFWS") received Mr.

Chrisman's support toward resolving these issues. Comments re (2): the regulatory leaders need to be involved in these decisions. FORA negotiators have suggested that ten percent of the core functions saved for a potential loss of appropriations to the Bureau of Land Management or California State Parks would be a reasonable figure for the assurance fund, especially given that these funds add to the Endowment the JPA must build to. CADFG and USFWS had previously agreed that it was reasonable for the cooperative to build up the endowment as development progresses, rather than having to have a lump sum at the onset. Thom Gamble suggested that bonding the assurance fund might be an option to explore. Mr. Endsley clarified that the revenue source for the endowment or any proposed assurance fund is the same, namely developer fees, but Mr. Gamble's suggestion should be looked at. Dick Goblirsch asked if FORA could use its Tax Increment ("TI") funds to fund the endowment until 2014, when that source reverts to the jurisdictions. Chair Houlemard responded that FORA already uses its TI as a backup to the HCP funding. He said there is nothing in the HCP that states the jurisdictions have to dip into their general funds to fund the HCP, but they are obligated to collect developer fees. He cautioned about some considerations to reduce developer fees. Discussion followed.

7. Old Business (continued)

Item 7b – Proposed modification of alignment exhibit in proposed Multi-Modal Corridor Memorandum of Agreement ("MOA"): Nick Nichols provided the background, which had resulted in the proposal to modify the alignment, which he pointed out on the colored map provided in the meeting packet. He noted that the transportation agencies and affected jurisdictions had been discussing this modification and had agreed to make a formal request to FORA to move forward with the change. He said that TAMC was doing a technical analysis of the model. He raised the question of whether the draft MOA would have to be modified or just the exhibit map modified. Chair Houlemard said that executing the MOA with the modification and informing the FORA Board might be sufficient, since the Board had already authorized him to execute the MOA based on the text. Mr. Endsley said the Environmental Impact Report needs to be processed and the traffic analysis finalized. Chair Houlemard stated that when the Administrative Committee approves the MOA and the parties to the MOA approve the map exhibit, there should be no problem in executing the document. Mr. Nichols said he would work with the City of Marina and keep the other jurisdictions informed of any concerns before returning a recommendation to the Administrative Committee.

Chair Houlemard announced that Chris Westlake, the deputy director of the California Department of Housing and Community Development, would be presenting an "Affordable Housing Forum" in the FORA Conference Facility from 10:00 – 11:30 on July 9, 2009, and all who are interested in the new programs which have received stimulus funding are encouraged to attend..

9. Adjournment

Chair Houlemard adjourned the meeting at 9:20 a.m.

Minutes prepared by Linda Stiehl, Executive Assistant

FORT ORD REUSE AUTHORITY

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DRAFT

**MINUTES OF THE
ADMINISTRATIVE COMMITTEE MEETING
FORA Conference Facility/ Bridge Center
Wednesday, August 5, 2009**

1. Call to Order

In the absence of both co-chairs, FORA's Associate Planner Jonathan Garcia served as acting chair. Mr. Garcia called the meeting to order at 8:15 a.m. The following representatives from the land recipient jurisdictions, representing a quorum, were present:

- *Jim Cook - County of Monterey
- *Elizabeth Caraker - City of Monterey
- *Dick Goblirsch - City of Del Rey Oaks
- *Tony Altfeld - City of Marina
- *Ray Corpuz - City of Seaside

Also present, as indicated by the roll sheet signatures, were:

- Diana Ingersoll - City of Seaside
- *Rob Robinson - BRAC
- *Graham Bice - UC MBEST
- Debbie Platt - City of Marina
- Nick Nichols - County of Monterey
- *Kristen Hoschouer - TAMC
- Scott Hilk - Marina Community Partners
- Jonathan Garcia (acting chair) - FORA
- Jim Arnold - FORA
- *Tony Boces - CSUMB
- *Hunter Harvath - Monterey-Salinas Transit
- Pat Ward - Bestor Engineers
- *Vicki Nakamura - Monterey Peninsula College
- *Suresh Prasad - Marina Coast Water District
- Bob Schaffer - Marina Community Partners

* indicates a committee member

Voting board member jurisdictions not represented at this meeting were Salinas, Pacific Grove and Sand City, and Carmel.

2. Pledge of Allegiance

Acting Chair Garcia asked Elizabeth Caraker, who agreed, to lead the Pledge of Allegiance.

3. Acknowledgements, announcements and correspondence

Jim Arnold, FORA senior project manager, announced that he had received a call from Senator Boxer's office that she will be announcing in the next two weeks FORA's award of a \$6.5 million Economic

Development Administration matching grant for the General Jim Moore Blvd./Eucalyptus road improvement project.

4. Public comment period - none

5. Approval of minutes of the July 1, 2009 meeting

Motion to approve the July 1, 2009 meeting minutes was made by Tony Altfeld, seconded by Graham Bice, and carried.

6. Review the draft agenda for the August 14, 2009 FORA board meeting and the draft board reports

Acting Chair Garcia reviewed the items on the draft August 14th board agenda. Under Item 7b(4) regarding the pending transfer of the former Children's Services International property. Tony Altfeld asked how the Monterey County Health Department planned to use the property. Mr. Garcia responded that the building would allow expansion of the County Health Department - Behavioral Health Division's services to the public. Re Item 10a (Rabobank debt consolidation refinancing): Tony Altfeld asked if the appraisal by the bank had been completed. Mr. Garcia replied yes, that it was being reviewed by senior bank personnel and would not be available until next Monday, August 10th. Mr. Altfeld asked that a meeting be set up between him and Executive Officer Houlemard to discuss the Preston Park buy-out.

7. Old Business

Item 7a – Habitat Conservation Plan (HCP) – updates on recent meetings and cost projections: Acting Chair Garcia reported that meetings and conference calls among the key stakeholders and regulators had been occurring through a new working group called the Permit Completion Group, which has been working through the remaining issues and keeping track of the HCP completion schedule. He said a call had taken place last week, which focused on the contingency funds, which the regulators have estimated between 10% and 75%. He added that the meetings among the jurisdictions have been productive, with good progress on reviewing the Joint Powers Authority, Implementing Agreements and related HCP chapters. He announced that a workshop was being planned in late August/early September.

8. New Business none

9. Adjournment

Acting Chair Garcia adjourned the meeting at 8:30 a.m.

Minutes prepared by Linda Stiehl, Executive Assistant

Joint Administrative and Capital Improvement Program Committee Meeting
June 3, 2009
Meeting Minutes

APPROVED

The following persons were in attendance, as indicated by the sign-in sheet:

Doug Yount, City of Marina
Kristen Hoschouer, TAMC
Graham Bice, UCMBEST
Vicki Nakamura, MPC
Debby Platt, City of Marina
Diana Ingersoll, City of Seaside

Nick Nichols, Monterey County
Dick Goblirsch, City of DRO
Scott Hilk, MCP
Bob Schaffer, MCP
Jim Cook, Monterey County
Michael Gallant, MST

Pat Ward, Bestor Eng.
Michael Houlemard, FORA
Jim Feeney, FORA
Steve Endsley, FORA
Jim Arnold, FORA
Crissy Maras, FORA

1. Call to Order/Acknowledgements

Administrative Committee co-chair Doug Yount called the meeting to order at 9:00 AM.

2. Public Comment Period - None noted

3. Approval of May 13, 2009 joint Administrative Committee/Capital Improvement Program (CIP) Committee meeting minutes

The minutes were approved without exception.

4. Old Business – None

a. Review 2009/10 CIP document

FORA Assistant Executive Officer Jim Feeney noted that the first CSUMB deficit period payment for \$500K had been received and was allocated to habitat management and paying down the principal of debt incurred to move forward with capital improvement projects. Additional payments will be received in August 2009, and every August thereafter until the last payment of \$326,795 in 2012. Staff is reviewing the various ways upcoming payments could be utilized. The payments are not reflected in the CIP document. A policy decision must be made on how to spend future payments. Mr. Yount proposed that payments be applied toward reimbursement of capital improvements completed by others. Executive Officer Michael Houlemard stated that staff would propose options for spending CSUMB payments at the next meeting.

Scott Hilk asked for an explanation of how reimbursement works. Mr. Feeney explained that when a reimbursement agreement is in place, CFD fees are assigned to the capital improvement project as per the percentages shown in Table 5. Mr. Hilk asked if this was done when MCP paid their developer fees in 2007. Mr. Feeney responded that staff would look at the date of the agreement versus the date the fee was collected to determine if any money is due. Ivana Bednarik, FORA Controller, additionally noted the reimbursement agreement provision that FORA receive invoices for work completed. Debby Platt noted that the City of Marina and MCP would start the process of submitting invoices for work completed on 8th Street.

Jim Cook asked when the local match to the EDA grant had to be made. Mr. Feeney responded that an invitation letter is expected within a week and staff anticipates filing the application within three weeks of receiving the invitation. Mr. Cook asked if there was time to rethink the projects the grant would fund before accepting it. Mr. Feeney replied that the FORA Board has already endorsed the concept of securing the grant funds. Staff has taken all steps toward accepting the grant and does not expect to alter the process.

Bob Schaffer asked why tax increment funding wasn't showing up past 09/10. Steve Endsley replied that tax increment only shows up in the CIP as a back up, otherwise it is applied toward basic operating expenses. Tax increment funding is more accurately reflected in the FORA operating budget. Mr. Houlemard additionally noted that tax increment amounts are changing and are therefore difficult to forecast.

The committees asked for the report on options for the CSUMB payments before recommending the CIP document to the Board.

5. New Business – none

6. Adjournment at time certain of 10:00 a.m.

The meeting was adjourned at 9:50 AM.

**Joint Administrative and Capital Improvement Program Committee Meeting
June 17, 2009
Meeting Minutes**

APPROVED

The following persons were in attendance, as indicated by the sign-in sheet:

Doug Yount, City of Marina
Don Bachmann, TAMC
Graham Bice, UCMBEST
Vicki Nakamura, MPC
Ray Corpuz, City of Seaside
Diana Ingersoll, City of Seaside

Nick Nichols, Monterey County
Elizabeth Caraker, City of Mty.
Scott Hilk, MCP
Bob Schaffer, MCP
Pat Ward, Bestor Eng.
Heidi Burch, City of Carmel

Brian True, MCWD
Jim Feeney, FORA
Steve Endsley, FORA
Jonathan Garcia, FORA
Jim Arnold, FORA
Crissy Maras, FORA

1. Call to Order/Acknowledgements

Administrative Committee co-chair Doug Yount called the meeting to order at 9:05 AM.

2. Public Comment Period - None noted

3. Approval of June 3, 2009 joint Administrative Committee/Capital Improvement Program (CIP) Committee meeting minutes

The minutes were approved without exception.

4. Old Business

a. Review 2009/10 CIP document

The draft document was previously sent to the joint Committee and had not changed; therefore it was not redistributed for this meeting. Committee members previously requested options for spending CSUMB deficit period payments. FORA staff prepared a spreadsheet outlining FORA's preferred option for the CSUMB payments. FORA Assistant Executive Officer Jim Feeney noted that General Jim Moore Blvd. and Eucalyptus Road were not listed on the spreadsheet because they are assumed to be funded via the pending Economic Development Administration grant award and local match. If that funding is not received the two projects would be incorporated into the preferred option list. Members reviewed the table.

Ray Corpuz asked what the Eastside Road amount shown on the table would fund. Mr. Feeney replied that the funding would likely apply toward planning work and that there is no formal agreement with Monterey County to serve as lead agency for this project, but believes the County still intends to serve as lead.

Mr. Hilk asked if the City could distribute funds at their discretion. Mr. Feeney replied that FORA would be distributing money to the City in exchange for work being accomplished.

Mr. Yount asked if it would be prudent to reflect the CSUMB future payments in the CIP. Mr. Feeney responded that there is uncertainty regarding CSUMB future payment amounts and it would not be prudent to include speculative payments in the CIP at this time. However, more information will be forthcoming once greater certainty is realized, payments could be included in future documents.

Mr. Yount suggested that because of revenue constraints and the changing financial environment it may be prudent to review the projects in the CIP, including their timing and priority, and a review of the CFD fee.

Mr. Feeney suggested that the Committee could meet jointly to further discuss Mr. Yount's suggestion as all five land use jurisdictions would need to agree on changing FORA Board established priority projects. Mr. Feeney suggested that the current CIP document could be extended through next year as the CIP continues to be modified based on development forecasts.

Mr. Corpuz expressed the City of Seaside's desire to move General Jim Moore Blvd. and Eucalyptus Road forward.

Diana Ingersoll noted that the CIP is reviewed annually and suggested this draft CIP move to the Board and the joint Committee could begin work immediately on next year's CIP. Mr. Feeney explained that this is the normal protocol for approving the CIP; reprogramming work begins with the CIP Committee in July every year. Mr. Feeney suggested that Committee Members bring forth their collective ideas for any future discussions so that there would be clarity on what the Committee wants to happen.

Mr. Yount requested that the jurisdictions come to the next joint meeting prepared with specific information they hope to review as well as their thoughts regarding the CSUMB payments and FORA's proposal.

5. New Business – none

6. Adjournment at time certain of 10:00 a.m.

The meeting was adjourned at 10:10 AM.

Joint Administrative and Capital Improvement Program Committee Meeting
July 1, 2009
Meeting Minutes

APPROVED

The following persons were in attendance, as indicated by the sign-in sheet:

Debby Platt, City of Marina	Nick Nichols, Monterey County	Brian True, MCWD
Debbie Hale, TAMC	Elizabeth Caraker, City of Mty.	Michael A. Houlemard, Jr.
Graham Bice, UCMBEST	Dick Goblirsch, City of DRO	Steve Endsley, FORA
Vicki Nakamura, MPC	Bob Schaffer, MCP	Jonathan Garcia, FORA
Ray Corpuz, City of Seaside	Pat Ward, Bestor Eng.	Jim Arnold, FORA
Diana Ingersoll, City of Seaside	Heidi Burch, City of Carmel	Crissy Maras, FORA
Jim Cook, Monterey County		

1. Call to Order/Acknowledgements

FORA Executive Officer Michael A. Houlemard, Jr. called the meeting to order at 9:25 AM.

2. Public Comment Period - None noted

3. Approval of June 17, 2009 joint Administrative Committee/Capital Improvement Program (CIP) Committee meeting minutes

The minutes were approved without exception.

4. Old Business

a. Review 2009/10 CIP document

Executive Officer Houlemard noted that the minutes from the previous meeting reflected that the jurisdictions would be offering their ideas for spending the CSUMB deficit period payments as well as any additional information for reprogramming the CIP at this meeting. He asked Members if they were prepared with this information. Debbie Hale, TAMC, reported that TAMC staff had compared the timing of their projects against the timing of the same projects contained in FORA's CIP and noted some differences. She would like to coordinate TAMC's project schedule with FORA's.

Dick Goblirsch, City of Del Rey Oaks, asked about the status of General Jim Moore Blvd. Mr. Houlemard noted that the Economic Development Administration (EDA) had formally invited FORA to submit an application. FORA submitted the application and expects to hear back from the EDA by the end of July.

Nick Nichols, Monterey County, asked how the CSUMB deficit period funding chart would be incorporated into the FORA CIP. FORA Director of Planning and Finance Steve Endsley noted that the Committee had not approved the CSUMB funding chart presented at the previous meeting and that Members had indicated they may offer different options for spending down the payments.

Debby Platt, City of Marina, noted that Members were supposed to review the projects and assumptions in the FORA CIP and report any discrepancies to the Committee. Mr. Houlemard noted that two things in particular would not be changing: the FORA Community Facilities District (CFD) fee and the list of CIP projects, which are established by TAMC.

Jim Cook, Monterey County, reported that he had spoken to Administrative Committee co-chair Doug Yount (who was not in attendance at this meeting) and noted that Mr. Yount was hopeful that FORA staff would set up a workshop meeting to review the assumptions used in the past and verify they are still applicable in today's economy. Mr. Cook asked for additional information on the percentage spread of CFD fees to CIP projects. Mr. Houlemard noted that staff would prepare a presentation to the joint Committee at the July 29th meeting and asked for Members to provide any input on the CSUMB deficit period payments or CIP projects/timing of construction/etc. prior to that meeting.

5. Adjournment at time certain of 10:00 a.m.

The meeting was adjourned at 10:00 AM.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Fort Ord Reuse Authority FY 2008-09 Annual Report

Meeting Date: August 14, 2009

Agenda Number: 8b

INFORMATION

RECOMMENDATION:

Receive the fiscal year 2008-09 Fort Ord Reuse Authority Annual Report ("FORA").

BACKGROUND/DISCUSSION:

FORA staff provides project and activity updates on a regular basis to apprise the FORA Board of Directors, local and regional jurisdictions, legislature offices, community members and the business leadership of the reuse progress. FORA staff expects to distribute the Annual Report to local, national, state and/or regional entities at meetings and conventions and others.

FISCAL IMPACT:

Reviewed by Controller: 

Production costs have been absorbed by the approved FORA annual budget.

COORDINATION:

FORA Staff

Prepared by: 
Sharon Strickland

Approved by: 
Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Report from Legislative Mission to Sacramento (June 25-26)

Meeting Date: August 14, 2009

Agenda Number: 8c

INFORMATION

RECOMMENDATION:

Receive a report from the Chair and the Executive Officer regarding their meetings in Sacramento on June 25-26.

BACKGROUND/DISCUSSION:

In early Spring 2009, the members of the Executive Committee agreed that a trip to Sacramento to meet with a number of key people at this time would benefit moving FORA's objectives forward. Meetings were scheduled with Mike Chrisman (Resources Agency Secretary), Chris Westlake (Deputy Director, CA Housing and Community Development), Tad Thomas (Finance Specialist at I-Bank), Mazier Movassaghi (Director, Department of Toxic Substances Control), elected officials, and a member of the Governor's staff. Major concerns were related to the finalization of the Habitat Conservation Plan in a timely manner, accessing financing programs for affordable housing, gaining support for FORA's priority legislation, and obtaining current information about opportunities for various grants and California's allocation of federal stimulus funds. Chair Ralph Rubio, Executive Officer Michael Houlemard, and Director of Planning and Finance Steve Endsley attended meetings with the previously mentioned officials.

FISCAL IMPACT:

Reviewed by FORA Controller 

All travel expenses were covered by the approved FORA budget, according to the FORA travel policy.

COORDINATION:

Executive Committee, FORA's state legislators and various state officials and their staffs, and John Arriaga of JEA & Associates and his staff

Prepared by Linda L. Stiehl
Linda L. Stiehl

Approved by D. Steven Endsley for
Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject:	Status update of outstanding receivables	
Meeting Date:	August 14, 2009	INFORMATION
Agenda Number:	8d	

RECOMMENDATIONS:

Receive a report from the Controller regarding outstanding receivables.

BACKGROUND/DISCUSSION:

This is an update report regarding the outstanding receivables as of July 31, 2009.

1. East Garrison Partners (EGP) - Interest reimbursements

When Monterey County (County) approved the EGP project in 2005, certain land sale revenue was deferred; a portion was due to Fort Ord Reuse Authority (FORA) under terms of the FORA/County Implementation Agreement. As a consequence, EGP, County and FORA entered into a Memorandum of Understanding (MOU), which requires EGP to pay FORA monthly interest payments of about \$24,000 and to repay the \$4.1M principal due in 2011 or upon termination of the MOU. In September 2008, EGP defaulted on its interest payments breaching the MOU terms.

❖ County staff is concluding discussions with potential new financial support for the East Garrison developers; should a deal be reached, the new developer would bring the outstanding EGP debt current.

2. Del Rey Oaks (DRO) – Annual loan payments

The DRO developer owes FORA for two annual insurance premium payments totaling 467,046. FORA Board approved a payment plan, requested by the developer, for the first annual payment; there is no payment plan in place or requested for the second outstanding payment. The developer has made some payments against the first premium; \$211,023 of the \$256,023 annual premium cost remains unpaid. The second premium of \$256,023 is outstanding.

❖ Staff is in contact with the developer who continues to report financial partner problems but promises to bring all past due payments by August 7. Staff will recommend that the Board withdraw PLL coverage from DRO should the developer default on this commitment.

3. Association of Monterey Bay Area Governments (AMBAG) - Land sale proceeds.

In November 2007, FORA sold an Imjin Office parcel to AMBAG. AMBAG requested that the sale agreement allow AMBAG to pay the outstanding balance of \$171,288 in three annual installments. FORA and AMBAG memorialized that provision with a note that provides for 7% annual interest and a 1.5% late fee. AMBAG has not made any payment against the note; in addition to the land payment, they owe FORA \$18,486 for developer fees and pre-construction costs.

❖ AMBAG rejected all previous land purchase offers by MCWD and has requested FORA postponing AMBAG's interest free payments until early 2010. In July 2009, in an effort to stop IOP contractor from placing a construction lien on the IOP property caused by AMBAG's non payment, MCWD has offered to pay-off all AMBAG's IOP debts in exchange for the property. Staff recommends that the Board move ahead with foreclose should AMBAG reject this pending MCWD offer.

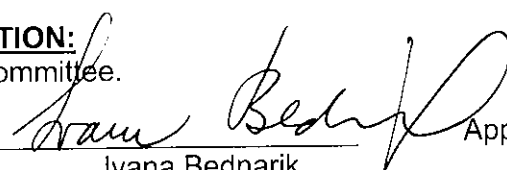
FISCAL IMPACT:

A negative impact on FORA's net revenues and reserves for the fiscal year; FORA spends its own resources including debt to substitute for these uncollected payments.

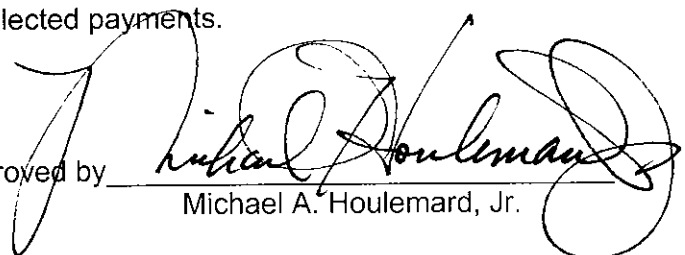
COORDINATION:

Executive Committee.

Prepared by


Ivana Bednarik

Approved by


Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject:	Report from Association of Defense Communities Annual Conference	
Meeting Date:	August 14, 2009	INFORMATION
Agenda Number:	8e	

RECOMMENDATION:

Receive a report from the Chair and the Executive Officer regarding the Association of Defense Communities Annual Conference in Boston, Massachusetts (August 2-5, 2009).

BACKGROUND/DISCUSSION:

The annual conference of the Association of Defense Communities ("ADC") brings together not only ADC members but also base reuse contractors and consultants, representatives from the military, state and federal regulators and officials, along with others connected to closed and redeveloping military installations. This year attendees could choose among a number of presentations focusing on Base Redevelopment/ Environmental Management, Mission Growth, Community-Military Partnering, and Financing. Special Forum sessions included a legislative update for defense communities and an Office of Economic Adjustment Town Hall meeting.

As ADC President, FORA Executive Officer Michael Houlemard was involved early on with the planning of the conference. Mr. Houlemard participated on two panels, and his April 22, 2009 Congressional testimony was the subject of a third panel.

FISCAL IMPACT:

Reviewed by FORA Controller 

All travel expenses were covered by the approved FORA budget, according to the FORA travel policy.

COORDINATION:

Executive Committee and various ADC members

Prepared by Linda L. Stiehl Approved by D. Steven Endsley for
Linda L. Stiehl Michael A. Houlemard, Jr.