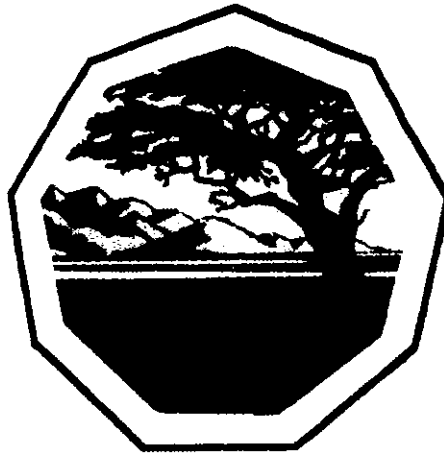


Fort Ord Reuse Authority



Board Packet
For
Board Meeting
August 13, 2010



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 13, 2010

3:30 p.m. following 3:00 Joint Meeting with Marina Coast Water District

FORA Conference Facility/Bridge Center

201 13th Street, Building 2925, Marina (on the former Fort Ord)

AGENDA FOR REGULAR FORA BOARD MEETING

1. CALL TO ORDER

- 2. PUBLIC COMMENT PERIOD:** Members of the audience wishing to address the Board on matters within the jurisdiction of the Authority, but not on this agenda, may do so during the Public Comment Period. Public comments are limited to a maximum of three minutes. Public comments on specific agenda items will be heard at the time the matter is under Board consideration.

3. CONSENT AGENDA

ACTION

- a. July 9, 2010 Board meeting minutes
- b. Amendment to Master Agreement for Professional Services -
Creegan + D'Angelo (Capital Improvement Program On-Site Transportation)

4. OLD BUSINESS - none

5. NEW BUSINESS

- a. Certification of South Boundary Road and Gigling Road
Environmental Assessments and Initial Studies

ACTION

6. EXECUTIVE OFFICER'S REPORT

- a. Administrative Committee Report
- b. Executive Officer's Travel Report
- c. Capital Improvement Program – update/distribution
- d. Fort Ord Reuse Authority investments – status report
- e. Outstanding receivables – status report
- f. Habitat Conservation Plan – status report
- g. Preston Park Buyout – status report

**INFORMATION
INFORMATION
INFORMATION
INFORMATION
INFORMATION
INFORMATION**

7. ITEMS FROM MEMBERS

INFORMATION

8. ANNOUNCEMENTS AND CORRESPONDENCE

9. ADJOURNMENT

*Information about items on this agenda or persons requesting disability related modifications and/or accommodations can contact the Deputy Clerk at: 831-883-3672 * 100 12th Street, Building 2880, Marina, CA 93933 by 5:00 p.m. one business day prior to the meeting. Agendas can also be found on the FORA website: www.fora.org*

**MINUTES
of the
FORT ORD REUSE AUTHORITY
BOARD OF DIRECTORS' MEETING
Fort Ord Reuse Authority Conference Facility/Bridge Center
August 13, 2010**

1. CALL TO ORDER

With a quorum present Chair/Mayor Ralph Rubio called the August, 2010 Board of Directors meeting to order at 3:36 p.m.

Voting members present:

Chair/Mayor Ralph Rubio (City of Seaside)	(City of Monterey)
1 st Vice Chair/Supervisor Dave Potter	Councilmember Janet Barnes (City of Salinas)
(County of Monterey)	Mayor Sue McCloud
Councilmember Jim Ford (City of Marina)	(City of Carmel-by-the-Sea)
Mayor David Pendergrass	Mayor Jerry Edelen (City of Del Rey Oaks)
(City of Sand City)	Councilmember Frank O'Connell (City of Marina)
Councilmember Nancy Selfridge	Councilmember Tom Mancini (City of Seaside)

Absent: Supervisor Jane Parker (County of Monterey), Supervisor Lou Calcagno (County of Monterey).

Ex-Officio members present:

Graham Bice University of California Santa Cruz, Kevin Saunders California State University Monterey Bay, Vicki Nakamura Monterey Peninsula College, COL Darcyl Brewer United States Army, Gail Youngblood Base Realignment and Closure ("BRAC"), Kenneth Nishi Marina Coast Water District.

Absent were representatives from the 17th Congressional District, the 15th State Senate District, the 27th State Assembly District, Monterey Peninsula Unified School District. Arriving after the roll call were Monterey Salinas Transit and the Transportation Agency of Monterey County.

2. PUBLIC COMMENT - None

3. CONSENT AGENDA

- a. July 9, 2010 Board meeting minutes – correction page 2, Mayor Pendergrass; clarification: Councilmember O'Connell was not present.
- b. Amendment to Master Agreement for Professional Services -
Creegan + D'Angelo (Capital Improvement Program On-Site Transportation)

Motion to approve the Consent Agenda was made by Councilmember Mancini, as corrected, seconded by Councilmember Barnes, and carried.

4. OLD BUSINESS – none

5. NEW BUSINESS – Item 5a - Certification of South Boundary Road and Gigling Road Environmental Assessments and Initial Studies. Fort Ord Reuse Authority ("FORA") Senior Project Manager Jim Arnold gave an oral report of the future roadway improvements. South Boundary Road is a portion of the FORA Capital Improvement Program ("CIP") and would extend from General Jim Moore Boulevard easterly to Rancho Saucito Lane into Ryan Ranch. Mr. Arnold reported that the design of the project was completed a year ago and is in compliance with the National Environmental Protection Act and California Environmental Quality Act ("CEQA"). The Project Environmental Assessment and Initial Study have been prepared and distributed for public comment. A few comments were received and have been addressed. A Finding of No Significant Impact and a Mitigated Negative Declaration was prepared and properly filed.

Executive Officer Houlemard stated that staff has requested that the Board approve the CEQA findings for the Mitigated Negative Declaration developed for South Boundary Road and Gigling Road including mitigation measures, adopt the Mitigated Negative Declaration prepared under CEQA, approve the Mitigation Monitoring and Reporting Program, and approve the Project Findings.

Chair Rubio asked if there were questions for staff and from the public. Being none, a **Motion to approve was made by 1st Vice Chair/Supervisor Potter, seconded by Mayor McCloud, and carried unanimously.**

6. EXECUTIVE OFFICER'S REPORT. Executive Officer Houlemard stated that all of the items in the Executive Officer's Report (Item 6a - Administrative Committee report; Item 6b - Executive Officer's travel report; Item 6c Capital Improvement Program; Item 6d - Fort Ord Reuse Authority Investments; Item 6e Outstanding Receivables; Item 6f Habitat Conservation Plan; and Item 6g - Preston Park Buyout), stood as information items. However he highlighted the following:

Item 6b - Executive Officer's Travel Report Executive Officer Houlemard reported that there were many members of FORA who attended the Association of Defense Communities ("ADC") annual conference which was held in San Francisco this year, noting that, in addition to his attendance, the following were attendees: Chair/Mayor Rubio, 1st Vice Chair/Supervisor Potter, City of Marina Doug Yount, City of Del Rey Oaks City Manager Dan Dawson, Acting Assistant Executive Officer/FORA Steve Ennisley, Environmental Services Cooperative Agreement ("ESCA") contractor Kristie Reimer, and Gail Youngblood of the Army BRAC office attended some special sessions. Mr. Houlemard suggested that Mr. Potter and Mr. Rubio might have a few comments about the conference. Supervisor Potter stated that he found the sessions productive and quite informative. He further noted that Mr. Houlemard, in his role as outgoing ADC President, had done a very good job and it was impressive to see the respect given to Mr. Houlemard for sharing his expertise and involvement with the convention. Mayor Rubio commented about the high caliber of the conference, noting that there was good interaction with high ranking Army officials. He stated that there was an array of talent from FORA and others and that the topics were well crafted. Chair Rubio stated that other jurisdictions are using FORA ESCA and BRAC language as a template. Chair Rubio stated that the highlight of the program were the sessions on Energy Security. He said that the services are making a special effort to bring down their carbon footprint and that a special mention was made regarding the strides made by the Presidio and Defense Language Institute ("DLI") in developing a baseline.

Mr. Houlemard noted that it has been a pleasure to serve in the capacity as ADC president for the past three years and he is stepping down to become the immediate past president of the Board. He thanked Doug Yount for doing a fine job on the "Dole to Dollars" effective use of grants presentation session and he expects to see Doug Yount continue his service to ADC in the future. Mr. Houlemard further noted that General Rick Lynch and Assistant Army Secretary Katherine Hammack, stated how well they were received during their west coast trip and visit to the former Fort Ord. COL Brewer commented on the great partnerships developed over the years between the jurisdictions.

Item 6c - Capital Improvement Program – Executive Officer Houlemard reported that technical corrections were made to the background of the document by the Executive Committee. He also noted that the final document has been distributed to the Board.

Item 6d - Fort Ord Reuse Authority Investments – Executive Officer Houlemard reported that as recommended by the Finance Committee the entire investment portfolio had been cashed in and a special account has been established which will become the endowment fund for the Habitat Conservation Plan.

Councilmember Ford stated he had some concerns regarding the CIP and the sunset of FORA. Mr. Houlemard said that the Board has requested a report on the CIP, the fee structure, and the process post-FORA which will be discussed in that report. Mr. Houlemard offered to meet with Councilmember Ford to further discuss and answer any questions if he so desired. Mr. Houlemard noted that FORA received a letter from Councilmembers McCall and Gray at the last Board meeting and that the items noted in that letter will be addressed in the report as well. Councilmember O'Connell asked Mr. Houlemard about the consultant addressing the funding of the CIP. Mr. Houlemard stated that the consultant will look at how the CIP is funded, including the cash flow. Mr. O'Connell also asked if the appraisal had been received on Preston Park. Mr. Houlemard stated that the appraisal had been received and that it was currently under review with Doug Yount and Tony Altfeld at the City of Marina and will be distributed to the sub-committee within a few days.

7. **ITEMS FROM MEMBERS** – none

8. **ANNOUNCEMENTS AND CORRESPONDENCE** – received without comment.

9. **ADJOURNMENT** – There being no further business, Chair Rubio adjourned the meeting at 3:52 p.m.

Minutes prepared by Daylene Alliman, Deputy Clerk

Approved by _____

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

FORT ORD REUSE AUTHORITY BOARD REPORT

CONSENT AGENDA

Subject:	Amendment to Master Agreement for Professional Services – Creegan + D'Angelo (Capital Improvement Program On-Site Transportation)	
Meeting Date:	August 13, 2010	ACTION
Agenda Number:	3b	

RECOMMENDATION:

Authorize the execution of Amendment 1202-20 (**Attachment A**) to the Master Agreement AEI-1202 for Professional Services ("Agreement") with Creegan + D'Angelo ("C+D").

BACKGROUND DISCUSSION:

On November 8, 2002, the FORA Board authorized the Agreement (for a five-year term) with C+D to provide "on-call" engineering design services to support the on-site transportation elements of FORA's Capital Improvement Program ("CIP"). The Agreement was extended by Board authorization of Amendment #1202-13 for an additional five years, through November 2012. The Agreement provides for the negotiation of Service Work Orders ("SWOs") and Agreement amendments as funding becomes available.

The Board approved SWOs 1 through 5 for \$1,366,750, inclusive, on October 10, 2003. SWO 3 provides for General Jim Moore Boulevard ("GJMB") design and environmental processing. SWO 4 provides for Eucalyptus Road from GJMB to Parker Flats Road design and environmental processing. To date, Board approved amendments through amendment 1202-19 bring the SWO 3 funding to \$1,574,235 and the funding of SWO 4 to \$620,811.

FORA staff recommends the following amendments to the Agreement:

1. Amend existing SWO 3 to modify the scope of services and adjust compensation.
2. Amend existing SWO 4 to modify the scope of services and adjust compensation.

The attached amendment fully describes the scope of services to be provided by C+D for the recommended SWOs and amendments.

FISCAL IMPACT:

Reviewed by FORA Controller 

The cost of the recommended amendments to the Agreement is not to exceed \$85,000 (\$64,000 for SWO 3 and \$21,000 for SWO 4). The funding is for design work and therefore not eligible for EDA/ARRA funding. The funding is to be derived from FORA's Community Facilities District fees and/or loan proceeds. This amount is included in the FY 10-11 budget.

COORDINATION:

Administrative Committee, Executive Committee

Prepared by 

James M. Arnold

Approved by 

Michael A. Houlemard, Jr.



Creegan+D'Angelo

Attachment A
To Item 3b
FORA Board Meeting, August 13, 2010

June 7, 2010

707007

Jim Arnold
Fort Ord Reuse Authority
100 12th St., Bldg 2880
Marina, CA 93933

Dear Jim:

Per our previous discussions, Creegan & D'Angelo is requesting this fee amendment for the General Jim Moore (GJM) and Eucalyptus Rd. (EUC) project additional scope of work as follows:

1. GJM Phase 5 current project change orders resulting in additional design services.
2. Preparation of Bid Documents (PS&E) for the "follow-on" Bid for GJM Phase 5.
3. EUC Phase 2 current project design change orders resulting in additional design services.
4. Preparation of Bid Documents (PS&E) for the "follow-on" Bid for EUC Phase 2.

I have prepared for your consideration the following budget outline showing additional work required to prepare the requested documents for Bid. Our fees are based on the attached Man hour estimate.

1. SWO-3 General Jim Moore Boulevard Phase 5 current project extra work

1. Electrical PS&E for electrical infrastructure within Phase V.
2. Design for Hilby Rd., San Pablo Rd. and fire roads.

Item 1. FEE REQUEST=\$20,200

2. SWO-3 General Jim Moore Boulevard Phase 5 Follow-on Bid

1. Soundwall PS&E and sound study.
2. Complete Irrigation PS&E within Phase V.
3. Traffic Signal PS&E at Broadway ITX.
4. Revised Electrical PS&E for Cobra Heads lighting.
5. Prepare bid docs & award assistance and support.

Item 2. FEE REQUEST=\$43,800

3. SWO-4 Eucalyptus Road Phase 2 current project extra work

1. Design for fire roads.

Item 3. FEE REQUEST=\$3,500

4. SWO-4 Eucalyptus Road Phase 2 Follow-on Bid

1. Electrical PS&E for electrical infrastructure and Cobra Heads lighting within Phase II
2. Design for Eucalyptus Rd. extension
3. Prepare bid docs & award assistance and support.

Item 4. FEE REQUEST=\$17,500

TOTAL FEE REQUEST=\$85,000

Thank you for your consideration in this matter. Please feel free to contact me if you have any questions.

Sincerely,



Richard Simonitch
Engineering Manager

RGS/rgs

Attachment: Man hour estimate.

FORT ORD REUSE AUTHORITY BOARD REPORT

NEW BUSINESS

Subject: Certification of South Boundary Road and Gigling Road
Environmental Assessments and Initial Studies

Meeting Date: August 13, 2010

Agenda Number: 5a

ACTION

RECOMMENDATION:

1. Approve the California Environmental Quality Act (CEQA) Findings for the Mitigated Negative Declaration developed for South Boundary Road and Gigling Road (collectively, the Project), including mitigation measures contained therein (**Exhibit A**);
2. Adopt the Mitigated Negative Declaration prepared under CEQA for the Project (**Exhibit B**);
3. Approve the Mitigation Monitoring and Report Program (**Exhibit C**); and
4. Approve the Project Findings (**Exhibit D**);

BACKGROUND:

In June 2007 the Fort Ord Reuse Authority (FORA) Board of Directors authorized Service Work Order Numbers 8 and 9 (SWO#8 and SWO #9) for South Boundary Road (SWO#8) [from General Jim Moore Boulevard to the easterly limits of Del Rey Oaks] and for Gigling Road (SWO#9) [from GJMB to the City of Seaside limits] engineering design and environmental processing (see Project Location Map, **Exhibit E**). This design and environmental processing is now complete.

In compliance with the National Environmental Protection Act and CEQA, the Project Environmental Assessment (EA) and Initial Study (IS) have been prepared. A Finding of No Significant Impact and a Mitigated Negative Declaration were prepared for the Project and a Notice of Availability/Notice of Intent was properly filed with the Governor's Office of Planning and Research, State Clearinghouse on May 28, 2010, and was additionally published in the Monterey Herald on May 29, 2010. Public review, including the State Clearinghouse, was accommodated for 31 days until June 28, 2010. All public comments have been addressed in the Final EA/IS document.

The Final EA/IS is available online at www.fora.org and in the FORA offices for perusal.

DISCUSSION:

The Project is a required FORA Base Reuse Plan (BRP) and the BRP Final Environmental Impact Report (FEIR) transportation mitigation project. As a BRP/FEIR obligatory project, the Project will provide necessary BRP transportation network roadway connections.

Project construction depends on Habitat Conservation Plan approval, associated regulatory permitting, ordinance/explosives cleanup and Developer Fee collections.

FISCAL IMPACT:

Reviewed by FORA Controller 

The FY 2010/11 Capital Improvement Program document currently allocates \$2.8 million toward South Boundary Road improvements and \$6.7 million toward Gigling Road improvements. As Developer Fees are collected, construction-ready phases of the project may be competitively bid and constructed up to these approved limits.

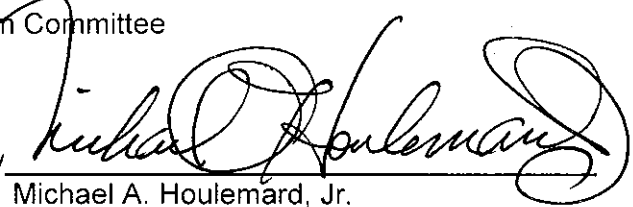
COORDINATION:

Administrative Committee, Capital Improvement Program Committee

Prepared by


Crissy Maras

Approved by


Michael A. Houlemard, Jr.

CEQA FINDINGS
(South Boundary Road/Gigling Road Improvement Project)

1. **Finding:** The environmental Initial Study and proposed Mitigated Negative Declaration have been prepared in compliance with the requirements of the California Environmental Quality Act (CEQA).
2. **Finding:** On the basis of the whole record before the Fort Ord Reuse Authority (FORA) Board of Directors, there is no substantial evidence that the project will have a significant effect on the environment.
3. **Finding:** The environmental Initial Study and Mitigated Negative Declaration (MND) reflect the FORA Board of Directors' independent judgment and analysis.
4. **Finding:** In accordance with the requirements of CEQA Guidelines Sec. 15073, FORA prepared and distributed a proposed Mitigated Negative Declaration, along with the environmental Initial Study, to all appropriate responsible and trustee agencies for review and comment. These included the California Department of Fish and Game; California Department of Parks and Recreation, Office of Historic Preservation; California Department of Transportation, District 5; California Regional Water Quality Control Board, Region 3; Fort Ord – Inter-Agency Coordinated Resource Management Planning Group; Governor's Office of Planning and Research (State Clearinghouse); Presidio of Monterey Directorate of Environmental and Natural Resources; U.S. Army Corps of Engineers; U.S. Department of Defense, Base Realignment and Closure (BRAC); U.S. EPA, Region IX; U.S. Fish and Wildlife Service; Association of Monterey Bay Area Governments; City of Del Rey Oaks Planning Department; City of Monterey Planning Department; City of Seaside Planning Department; County of Monterey Planning and Building Inspection Department; County of Monterey Public Works Department; Monterey Bay Unified Air Pollution Control District; and the Transportation Agency of Monterey County. In addition, the document was distributed to organizations which had expressed an interest in the proposed including the local chapter of the California Native Plant Society, the Ventana Chapter of the Sierra Club and LandWatch of Monterey County.
6. **Finding:** The Initial Study and proposed Mitigated Negative Declaration were completed and were filed, along with a Notice of Availability (NOA) /Notice of Intent to Adopt (NOI) and a Notice of Completion (NOC), with the Governor's Office of Planning and Research, State Clearinghouse on May 28, 2010. The proposed Negative Declaration briefly described the

proposed project and location and indicated that the Initial Study was available, where it was available, how long it was available for public review, together with the deadline for submittal of comments on the Initial Study and proposed Mitigated Negative Declaration. A Notice of Availability and Notice of Intent to adopt a Mitigated Negative Declaration was also published in the *Monterey County Herald* on May 29, 2010.

7. **Finding:** Copies of the Initial Study and proposed Mitigated Negative Declaration were made available at the FORA offices in Marina and the Monterey County Free Library at 550 Harcourt Street in Seaside.
8. **Finding:** A public review period of thirty one (31) days commenced on Friday, May 28, 2010 and ended on Monday, June 28, 2010. Two comment letters were received on the Mitigated Negative Declaration/Initial Study during the public review period. One letter was from the City of Monterey dated June 28, 2010 and one letter was from LandWatch Monterey County dated July 10, 2010.
9. **Finding:** The Mitigated Negative Declaration contains all the necessary components of a Negative Declaration pursuant to Section 15071 of the CEQA Guidelines, including the following:
 - (a) A brief description of the project, including a commonly used name for the project, if any;
 - (b) The location of the project, preferably shown on a map (contained in Initial Study), and the name of the project proponent (FORA);
 - (c) A proposed finding that the project will not have a significant effect on the environment;
 - (d) An attached copy of the Initial Study documenting reasons to support the finding; and
 - (e) Mitigation measures included as part of the project to avoid potentially significant environmental effects (contained in Initial Study).
10. **Finding:** The FORA Board of Directors has considered the potential significant environmental effects presented in the Initial Study and finds that the potentially significant environmental effects presented in the Initial Study resulting from implementation of the proposed project could be reduced to a less than significant level. This shall be done through implementation measures presented in the Mitigated Negative Declaration. Said mitigation measures shall be incorporated into the project plans and specifications; each mitigation measure will incorporate a monitoring program by

identifying the party(s) responsible for implementation and monitoring the requisite mitigation measures.

11. **Finding:** No new information of substantial importance to the proposed project covered in the Initial Study has become available that was not known and could not have been known at the time the Mitigated Negative Declaration was adopted.

Significant Adverse Environmental Impacts and Mitigation Measures of the Proposed Project

The Initial Study included an analysis and evaluation of the potential significant environmental effects of the proposed project and recommended mitigation measures to avoid or reduce the potential significant environmental effects to a less than significant level.

The FORA Board of Directors finds that, for each significant adverse impact identified in the Initial Study, changes or alterations have been incorporated into the proposed project which avoid or substantially reduce the significant adverse environmental impacts to a less- than-significant level. As used in these findings, the term "less than significant" means a level that is not significant and does not exceed any of the checklist's thresholds.

Each of the proposed mitigation measures contained in the Initial Study and Mitigated Negative Declaration has been made a condition of the project. Additionally, in conformance with Public Resources Code Section 21081, a monitoring program has been prepared that identifies the party(s) responsible for implementation and monitoring of the mitigation measures.

**Mitigated Negative Declaration
(South Boundary Road/Gigling Road Improvement Project)**

In Compliance with the California Environmental Quality Act (CEQA)

Lead Agency: Fort Ord Reuse Authority (FORA)
Contact: James Arnold, Senior Project Manager

Project Sponsors: Fort Ord Reuse Authority
100 12th Street, Building 2880
Marina, CA 93933
Tel: (831) 883-3672

Project Name: The South Boundary/Gigling Road Improvement Project

Project Location: Fort Ord is a former U.S. Army infantry base located in Monterey County, about five miles northeast of the City of Monterey. The former base encompasses nearly 28,000 acres that are surrounded by the cities of Marina, Monterey, Del Rey Oaks, Seaside, and Sand City, and unincorporated lands in Monterey County.

The proposed action/project would be located within the cities of Seaside, Del Rey Oaks, and Monterey. The Gigling Road improvement area is located along Gigling Road between the Gigling Road/General Jim Moore Boulevard intersection to the Gigling Road/7th Avenue intersection. The South Boundary Road improvement area is located at a realigned South Boundary Road/General Jim Moore Boulevard intersection, which is approximately 300 feet north of its existing location, and continues as a realigned roadway approximately 600 feet eastward where it joins the existing South Boundary Roadway and continues to a point approximately 200 feet east of the South Boundary Road/Rancho Saucito Lane intersection.

Project Description: The proposed action/project involves improving portions of South Boundary Road and Gigling Road as follows:

South Boundary Road

The proposed action/project involves improving and realigning the South Boundary Road/General Jim Moore Boulevard Intersection to approximately 300 feet north of the existing intersection and continuing for approximately 600 feet eastward, where the realignment meets up with the existing alignment to continue on for an additional 7,050 linear feet, for a total of approximately 7,593 linear feet (1.44 miles). Realignment would be from a point approximately 300 feet north of the existing South Boundary Road/General Jim Moore Boulevard intersection extending 600 feet eastward, for a total realignment length of 600

linear feet. The existing roadway would be improved from this point to approximately 200 linear feet east of Rancho Saucito. South Boundary Road will be improved as a two-lane arterial roadway with median and left turn pockets at proposed intersections, and 8-foot wide shoulders. The proposed roadway will include the construction of a new intersection at proposed South Boundary Road/General Jim Moore Boulevard intersection.

Gigling Road

The proposed action/project involves improving Gigling Road along its current alignment starting at the intersection with General Jim Moore Boulevard and continuing east for approximately 4,883 linear feet (0.92 miles). The roadway would be improved as a four-lane collector roadway with 18-foot wide median, an 8-foot wide bike path on the southern side of the roadway, 5-foot wide sidewalks on each side of the roadway, new curbs and gutters.

Public Review Began – Friday May 28, 2010
Period: Ended – Monday June 28, 2010

The FORA Board will consider the proposed Mitigated Negative Declaration (MND)/Finding of No Significant Impact (FONSI) together with any comments received during the public review period on **Friday, August 13, 2010 at 3:30 PM.**

Location: Fort Ord Reuse Authority Conference Facility
 102 13th Street, Building #2925
 Marina, CA 93933

Address Where Copy of Initial Study is Available for Public Review:

- Monterey County Free Library, Seaside Branch, 550 Harcourt Ave., Seaside, CA 93955
- Fort Ord Reuse Authority, 100 12th Street, Building 2880, Marina, CA 93933
- Presidio of Monterey, Directorate of Environmental and Natural Resources, Gigling Road, Building #4463, Presidio of Monterey Annex

Address Where Written Comments Should be Sent:

James M. Arnold
Senior Project Manager
Fort Ord Reuse Authority
100 12th Street, Building 2880
Marina, CA 93933

The proposed action/project would not have a significant effect on the environment as it has been found:

- (A) That said project would not have the potential to significantly degrade the quality of the environment.
 - (B) That said project will have no significant impact on long-term environmental goals.
 - (C) That said project will have no significant cumulative effect upon the environment.
 - (D) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.
-

MITIGATION MEASURES

Aesthetics

MM-1 Prior to final plan approval, FORA shall prepare detailed lighting plans indicating the locations and type of fixtures to be used and demonstrating that exterior lighting maintains acceptable non-intrusive levels. Lighting plans shall also incorporate baffles and lens cut-offs to direct lighting downward and to minimize the unwanted spillover of light. All external lighting shall be noted on final improvement plans prior to implementation of the proposed action/project.

Timing/Implementation: Prior to the final plan approval.

Enforcement/Monitoring:FORA

Air Quality

MM-2 FORA shall include a dust control plan in all construction documents for the proposed action/project. If any debris or soil is to be removed from the project area, the debris and soil shall be covered while in transit to avoid safety hazards. In addition, grading shall be limited to 2.2 acres per day during grading/excavation efforts.

- a) Limit the hours of operation consistent with related noise restrictions;
- b) Utilize gasoline-powered equipment whenever an equipment choice is available;
- c) Use PuriNOx emulsified diesel fuel in existing engines;
- d) Repower and utilize heavy equipment with current standard diesel technology or CNG/LNG technology; and

- e) Demonstrate on construction documents how construction phasing and equipment programming will comply with County policies and BACMs identified by the Air District.

Timing/Implementation: Prior to final plan approval.

Enforcement/Monitoring:FORA

Biological Resources

MM-3a Construction activities within the South Boundary Road improvement area shall be restricted or phased as necessary to avoid disturbance of the listed plant populations. Avoidance measures include fencing of the population(s) prior to construction to ensure no ingress of personnel or equipment at a minimum radius of 20 feet around a rare plant population and construction monitoring by a qualified biologist. Avoidance areas shall be identified on project plans. Silt fencing and other Best Management Practices (BMPs) shall be used to ensure that the hydrology surrounding the population is not affected by construction activities. In order to ensure viability, trees or shrubbery surrounding the rare plant populations must not be removed.

There are three mitigation strategies available to FORA at the given time: 1) Delay construction until the HCP is adopted; 2) Phase construction to avoid the take of species until the HCP is adopted; or 3) obtain a 2081 permit for the take of species. Upon adoption of the Fort Ord HCP and/or issuance of a take permit (2081) for listed plant species by the USFWS/CDFG, the project proponent may take the species given the stipulations of the take permit or adopted HCP. If listed plants cannot be avoided, the following mitigation measures shall apply:

All efforts must be made to salvage portions of the habitat or plant populations that will be lost as a result of implementation of the proposed action/project by transplanting the plants that would be adversely affected by the proposed action/project for either re-establishment after construction is complete or for planting in a new area in appropriate habitat. A propagation program must be developed for the salvage and transfer of rare, threatened, or endangered plant populations from the project area before the initiation of construction activities. Permits may be required from the CDFG or USFWS, which will ensure that certified biologists are involved in the propagation and transport of rare, threatened, or endangered plant species. (Note: Propagation methods for the salvaged plant population must be developed on a case-by-case basis and must include the involvement of local conservation easements/ preserves/ open space, where applicable). The propagation and transfer of individual plant species must be performed at the correct time of year and successfully

completed before the commencement of the project's construction activities eliminate or disturb the plants and habitats of concern.

This mitigation measure may be superseded by the terms of the adopted HCP or take permit.

Timing/Implementation: Prior to the initiation of construction activities for South Boundary Road improvements.

Enforcement/Monitoring: FORA.

MM-3b FORA shall retain a qualified biologist to perform focused surveys to determine the presence/absence of Hickman's onion and Santa Cruz microseris within and adjacent to (within 20 feet, where appropriate) the South Boundary improvement area (project footprint). These surveys must be conducted in accordance with CDFG approved guidelines for conducting field surveys. Field surveys must be scheduled to coincide with known flowering periods, and/or during periods of phonological development that are necessary to identify the plant species of concern. If no special-status plant species are found, then no further mitigation is necessary.

If these special-status plant species are found within or adjacent to (within 20 feet) the South Boundary improvement area during the surveys, these plant species must be avoided to the extent possible. Avoidance measures include fencing of the population(s) before construction to ensure no ingress of personnel or equipment at a minimum radius of 20 feet around a rare plant population and construction monitoring by a qualified biologist. Avoidance areas must be identified on project plans. Implementation of silt fencing and other BMPs must ensure that the hydrology surrounding the population is not affected by project construction. In addition, trees or shrubbery surrounding the rare plant populations must not be removed to ensure that sunlight/shade that may affect the viability is not changed. If these special-status plants cannot be avoided, the following shall apply:

Before the approval of grading plans or any ground breaking activity within the project area, FORA must submit a mitigation plan concurrently to CDFG and USFWS (if appropriate) for review and comment, and FORA may consult with these entities before approval of the mitigation plan. Mitigation measures for directly affected population(s) must be included in the mitigation plan. Possible mitigation for directly impacted population(s) includes implementation of a program to transplant, salvage, cultivate, or re-establish the species at suitable sites (if feasible). The mitigation ratio for directly impacted plant species must be at a minimum ratio of 2:1 (two plants for every one impacted). However, the actual level of mitigation may vary depending on the sensitivity of the species

(its rarity or endangerment status), its prevalence in the area, and the current state of knowledge about overall population trends and threats to its survival. Alternatively, replacement credits may be purchased by FORA at an approved mitigation bank should such credits be available.

Any special-status plant species that are identified adjacent to the project area, but not proposed to be disturbed by the proposed action/project, must be protected by barrier fencing to ensure that construction activities and material stockpiles do not impact any special-status plant species. These avoidance areas must be identified on project plans.

This mitigation measure may be superseded by the terms of the adopted HCP or take permit.

Timing/Implementation: Prior to the initiation of construction activities for South Boundary Road.

Enforcement/Monitoring:FORA.

MM-4 The proposed action/project shall comply with the conditions in the 2005 USFWS Biological Opinion, *Cleanup and Reuse of Former Fort Ord, Monterey County, California, as it affects California Tiger Salamander and Critical Habitat for Contra Costa Goldfields*, issued to the U.S. Army by the USFWS and the Memorandum of Agreement Regarding Endangered Species Act Enforcement of Development Restrictions on the Del Rey Oaks Portions of the Former Fort Ord, California. Only those conditions relevant to the project area would apply.

Timing/Implementation: Prior to the initiation of construction for the proposed action/project.

Enforcement/Monitoring:FORA

MM-5 No more than 30 days prior to ground disturbance or tree removal during the nesting season for local avian species (typically February 22 through August 1), FORA shall retain shall retain a qualified biologist to conduct a focused survey for active nests of special-status birds within and in the vicinity of the project area (up to 200 feet and no less than 100-feet outside project boundaries, where possible). If active nests are found, trees/shrubs with nesting birds shall not be disturbed until abandoned by the birds or a qualified biologist deems disturbance potential to be minimal (in consultation with USFWS and/or CDFG, where appropriate). If applicable, tree removal shall be restricted to a period following fledging of chicks, which typically occurs between late July and early August. If active nests are located within the 100 feet (200 feet for raptors) of proposed construction activities, other restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 100 feet or 200 feet, as appropriate, around the nest as confirmed by the

appropriate resource agency) or alteration of the construction schedule. Reference to this requirement and the MBTA shall be included in the construction specifications.

If construction activities or tree removal are proposed to occur during the non-breeding season (August 2 – February 21), a survey is not required, no further studies are necessary, and no mitigation is required.

This mitigation measure may be superseded by the terms of the adopted HCP or take permit.

Timing/Implementation: Prior to the initiation of construction for the proposed action/project.

Enforcement/Monitoring: FORA.

MM-6a FORA shall contract with a Registered Professional Forester or Certified Arborist to assist in field adjustments of tree removal and to prepare a tree removal plan, to support a tree removal permit or application, for the proposed action/project after the proposed improvements have been staked in the field. The tree removal plan shall accompany the arborist survey as described under mitigation measures **MM-6c** and **MM-6d** below. The tree removal plan shall indicate:

- the location of each protected tree to be removed for grading and/or construction;
- the location of trees that are proposed for relocation; the location of protected trees that are located adjacent to grading and/or construction limits (i.e. within 20 feet); and
- that all oak trees which require pruning, are pruned by a Certified Arborist prior to initiation of construction activities.

Timing/Implementation: Prior to commencement of construction activities.

Enforcement/Monitoring: FORA and the Cities of Seaside, Del Rey Oaks and Monterey and Monterey County, as applicable.

MM-6b Any tree or groups of trees to be retained shall be fenced with a four-foot high brightly colored synthetic fence at the outermost edge of the critical root zone. The critical root zone will be measured from the dripline radius taken from the tree trunk to the tip of the farthest reaching branch as determined by a Certified Arborist or Registered Professional Forester. The fencing shall remain in place until all construction activities are complete. Trenching, grading, soil compaction, parking of vehicles or heavy equipment,

stockpiling of construction materials, and/or dumping of materials will not be allowed within the critical root zone.

Timing/Implementation: Prior to commencement of construction activities.

Enforcement/Monitoring: FORA and the Cities of Seaside, Del Rey Oaks and Monterey and Monterey County, as applicable.

MM-6c Within the Gigling Road improvement area, FORA shall contract with a Registered Professional Forester or Certified Arborist to perform an arborist survey. The arborist survey shall include all trees with a height of 10 feet or more, or has a circumference of at least 20 inches measured at 24 inches above the ground pursuant to Section 8.54.020 of the *City of Seaside Municipal Code*. The survey shall also include landmark oak trees, which are defined as trees 24 inches or more in diameter when measured two feet above the ground, or trees which are visually significant, historically significant, or exemplary of their species.

FORA shall obtain a tree removal permit from the City of Seaside for all trees to be removed within the Gigling Road improvement area. Trees identified to be removed must be replaced at a 1:1 ratio with a minimum 5-gallon approved specimen tree of a species and in an approved location as stated under *City of Seaside Municipal Code Section 8.54.070*.

Timing/Implementation: Prior to commencement of construction activities within the Gigling Road improvement area.

Enforcement/Monitoring: City of Seaside; FORA.

MM-6d Within the South Boundary Road improvement area, FORA shall contract with a Registered Professional Forester or Certified Arborist to perform an arborist survey, which shall include:

- single trunk oaks greater six inches diameter (at two feet above the ground surface) or multi-trunk oaks with a circumference of any two trunks of at least 40 inches (at measured two feet above the root crown) pursuant to Section 12.16.020 of the *City of Del Rey Oaks Municipal Code*;
- any woody perennial plant that has a height of 30 feet or more, or has a circumference of 36 inches or more (at 24 inches above ground) pursuant to Section 12.16.020 of the *City of Del Rey Oaks Municipal Code*; and

- any tree greater than two inches in diameter (at four feet six inches above the natural grade) pursuant to Section 12.16.020 of the *City of Del Rey Oaks Municipal Code*.
- trees located on a vacant private parcel measuring more than two inches in diameter (at four feet six inches above the tree's natural grade) pursuant to Chapter 37 of the *City of Monterey Municipal Code*, and
- trees located on a private, developed parcel measuring more than six inches (at four feet six inches above the tree's natural grade) pursuant to Chapter 37 of the *City of Monterey Municipal Code*.

FORA shall obtain tree removal permits from the cities of Del Rey Oaks and Monterey for trees to be removed within the South Boundary Road improvement area. All protected trees impacted within the City of Del Rey Oaks will be mitigated in accordance with Section 12.16.050.D of the *City of Del Rey Oaks Municipal Code*. All protected trees impacted within the City of Monterey will be mitigated in accordance with Section 37-11 of the *City of Monterey Municipal Code*.

Timing/Implementation: Prior to the commencement of construction activities within the South Boundary improvement area.

Enforcement/Monitoring: Cities of Del Rey Oaks and Monterey; FORA.

Cultural Resources

MM-7 In the event that archaeological resources or human remains are discovered during construction, FORA will ensure that all work is stopped within 150 feet of the find until the find can be evaluated by a qualified, professional archaeologist in accordance with 36 CFR Part 800.13(b). In addition, the cultural resources coordinator at the Army Directorate of Environmental and Natural Resource Management (DENR) will be contacted. If the find is determined to be significant, appropriate mitigation measures will be implemented as recommended by the professional archaeologist and the U.S. Army.

Timing/Implementation: Prior to the commencement of construction activities within the project area.

Enforcement/Monitoring: Cities of Seaside, Del Rey Oaks, and Monterey; FORA.

Geology and Soils

MM-8 FORA shall ensure that the recommendations provided within the *Geotechnical Investigation for Gigling and South Boundary Road Improvement Seaside, California* prepared by Pacific Crest Engineering, Incorporated in October 2007 are incorporated into the final improvement plans. These recommendations include, but are limited to site preparation and grading; cut and fill slopes; new pavement section and overlay designs; utility trenches; lateral pressures; and surface drainage.

Timing/Implementation: Prior to final plan approval.

Monitoring/Reporting: FORA.

MM-9 A Storm Water pollution Prevention Plan (SWPPP) shall be prepared and reviewed for approval by FORA, the cities of Seaside, Del Rey Oaks, and Monterey, and/or the United States Army, as applicable. The erosion control plan shall be included in construction documents for the proposed action/project and shall be implemented during and periodically following construction. Erosion control measures shall include, but shall not be limited to the following:

- Limit disturbance of soils and vegetation to the minimum necessary for access and construction;
- Confine all vehicular traffic associated with construction to the right-of-way of designated access roads;
- Adhere to construction schedules designed to avoid periods of heavy precipitation or high winds;
- Ensure that all exposed soil is provided with temporary drainage and soil protection when construction activity is shut down during the winter periods;
- Inform construction personnel prior to construction and periodically during construction activities of environmental concerns, pertinent laws and regulations, and elements of the proposed erosion control measures; and
- Plant the finished ground surface with ground cover and continually maintain.

Timing/Implementation: Prior to commencement of grading activity.

Monitoring/Reporting: Cities of Seaside, Del Rey Oaks and Monterey; FORA.

Hazardous Materials

MM-10a FORA shall obtain formal approval from the U.S. Army, U.S. EPA, and the California Department of Toxic Substances and Control (DTSC) that the proposed construction areas including storage, grading, and transport areas are free of Munitions and Explosives of Concern (MEC) within a safe distance of said activities as approved by the U.S. Army, U.S. EPA and the DTSC.

Timing/Implementation: Prior to any grading or construction activity within the project area.

Monitoring/Reporting: FORA, U.S. Army, U.S. EPA and DTSC.

MM-10b Bid documents and construction plans and documents are to include a requirement that before construction activities commence on the project, construction supervisors and crews will attend a U.S. Army sponsored munitions and explosives of concern (MEC) safety briefing. This briefing will identify the variety of MEC that may exist within the project area and describe the actions to be taken if a suspicious item is discovered during construction activities. In the event that MEC or other suspicious materials are found within the project area, the contractor will stop work immediately and contact the U.S. Army Environmental office. Under no circumstance will anyone be allowed to handle MEC or other suspicious material.

Timing/Implementation: Prior to issuance of bid and/or construction documents.

Monitoring/Reporting: FORA and the U.S. Army.

Hydrology

MM-11 FORA shall obtain a National Pollution Discharge Elimination Systems Program General Construction Permit from the State Water Resources Control Board (SWRCB) as required by the Federal Clean Water Act. FORA shall comply with all the provisions of the permit including the use of best management practices and preparation of and compliance with a storm water pollution prevention program (SWPPP).

Timing/Implementation: Prior to construction activities.

Monitoring/Reporting: FORA and RWQCB.

Noise

MM-12a FORA shall limit noise generated by construction operations by putting the following language on final improvement plans for the proposed action/project: "Noise generating activities (excluding activities that would result in a safety concern to the public or construction workers) are limited to Monday through Friday between 7:00 A.M. and 7:00 P.M."

Timing/Implementation: During the course of construction.

Monitoring/Reporting: FORA; Cities of Seaside, Del Rey Oaks, and Monterey.

MM-12b FORA shall limit noise generated by construction operations by implementing the following:

- Construction equipment and equipment staging areas shall be located at the furthest distance possible from nearby noise-sensitive land uses.
- Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.
- When not in use, motorized construction equipment shall not be left idling.

Timing/Implementation: During the course of construction.

Monitoring/Reporting: FORA; Cities of Seaside, Del Rey Oaks, and Monterey.

Transportation

MM-13 Improvement plan shall be submitted to Monterey-Salinas Transit for review and approval of bus stop configurations to ensure that they are consistent with the *Designing for Transit* guidelines.

Timing/Implementation: Prior to final approval of improvement plans.

Monitoring/Reporting: FORA/MST.

MITIGATION MONITORING & REPORTING PROGRAM

FOR

THE SOUTH BOUNDARY ROAD/GIGLING ROAD
IMPROVEMENT PROJECT

STATE CLEARINGHOUSE NUMBER:2010051089

FORT ORD REUSE AUTHORITY
100-12TH STREET, BLDG. 2880
MARINA, CA 93933
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JULY 2010

PROGRAM CONTENTS

This mitigation monitoring and reporting program includes a brief discussion of the legal basis and purpose of the mitigation monitoring and reporting program, a key to understanding the monitoring matrix, and the mitigation monitoring and reporting matrix itself.

LEGAL BASIS AND PURPOSE OF THE MITIGATION MONITORING PROGRAM

Public Resource Code (PRC) 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying an environmental impact report or mitigated negative declaration. This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

The Governor's Office of Planning and Research advisory publication, *Tracking CEQA Mitigation Measures*, provides local governments basic information and practical advice concerning compliance with mitigation monitoring and reporting programs. Correspondingly, this document incorporates the suggestions contained within the advisory publication and from research on similar monitoring programs.

MONITORING MATRIX

The following pages provide a series of tables identifying the mitigation measures proposed specifically for the proposed action/project. These mitigation measures are derived from the South Boundary Road/Gigling Road Improvement Project Initial Study (IS) and Environmental Assessment (EA). The columns within the tables have the following meanings:

Mitigation Measure:	Provides the text of the Mitigation Measure identified in the Environmental Document.
Responsible	References the public agency (Fort Ord Reuse Authority)
Agency/Department:	and/or any other agency which coordination is required to satisfy the identified mitigation measure. The agencies listed are responsible for clearing the mitigation measure.
Monitoring/Reporting	Identifies by whom the monitoring or reporting

MITIGATION MONITORING AND REPORTING PROGRAM

Done By:	will be done, which may include the lead agency, applicant, applicant's consultant, or contractor, depending upon the measure.
Timing/Frequency:	Identifies at what point in time, review process or phase of the project the measure will be completed. Timing of implementation may be a single event, or period monitoring pursuant to a monitoring schedule.
Final Clearance	These columns will be initialed and dated by the individual
Date:	designated to verify adherence to project specific mitigation.
Comments:	This column is reserved for any additional explanation or notes made during compliance monitoring, if necessary.

The Mitigation Measures in the matrix represent the final version of the measures adopted by the FORA Board and considered and reviewed by the U.S. Department of the Army.

NONCOMPLIANCE

Any person or agency may file a complaint asserting noncompliance with the mitigation measures associated with the project. The complaint shall be directed to the Fort Ord Reuse Authority (FORA) in written form providing specific information on the asserted violation. The agency shall initiate an investigation and determine the validity of the complaint; if noncompliance with a mitigation measure has occurred, the agency shall initiate appropriate actions to remedy any violation. The complainant shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance issue.

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Mitigation Number	Mitigation Measure	Responsible Agency or Department	Monitoring/ Reporting Done By	Timing and Frequency	Final Clearance Date	Comments
AESTHETICS						
MM-1	Prior to final plan approval, FORA shall prepare detailed lighting plans indicating the locations and type of fixtures to be used and demonstrating that exterior lighting maintains acceptable non-intrusive levels. Lighting plans shall also incorporate baffles and lens cut-offs to direct lighting downward and to minimize the unwanted spillover of light. All external lighting shall be noted on final improvement plans prior to implementation of the proposed action/project.	FORA	FORA	Prior to the final plan approval.		
AIR QUALITY						
MM-2	FORA shall include a dust control plan in all construction documents for the proposed action/project. If any debris or soil is to be removed from the project area, the debris and soil shall be covered while in transit to avoid safety hazards. In addition, grading shall be limited to 2.2 acres per day during grading/excavation efforts. a) Limit the hours of operation consistent with related noise restrictions; b) Utilize gasoline-powered equipment whenever an equipment choice is available; c) Use PuriNOx emulsified diesel fuel in existing engines;	FORA	FORA	Prior to final plan approval.		

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Mitigation Number	Mitigation Measure	Responsible Agency or Department	Monitoring/ Reporting Done By	Timing and Frequency	Final Clearance Date	Comments
	<p>d) Repower and utilize heavy equipment with current standard diesel technology or CNG/LNG technology; and</p> <p>e) Demonstrate on construction documents how construction phasing and equipment programming will comply with County policies and BACMs identified by the Air District.</p>					
BIOLOGICAL RESOURCES						
MM-3a	<p>Construction activities within the South Boundary Road improvement area shall be restricted or phased as necessary to avoid disturbance of the listed plant populations. Avoidance measures include fencing of the population(s) prior to construction to ensure no ingress of personnel or equipment at a minimum radius of 20 feet around a rare plant population and construction monitoring by a qualified biologist. Avoidance areas shall be identified on project plans. Silt fencing and other Best Management Practices (BMPs) shall be used to ensure that the hydrology surrounding the population is not affected by construction activities. In order to ensure viability, trees or shrubbery surrounding the rare plant populations must not be removed. There are three mitigation strategies available to FORA at the given time: 1)</p>	FORA	FORA	Prior to the initiation of construction activities for South Boundary Road improvements.		

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Mitigation Number	Mitigation Measure	Responsible Agency or Department	Monitoring/ Reporting Done By	Timing and Frequency	Final Clearance Date	Comments
	<p>Delay construction until the HCP is adopted; 2) Phase construction to avoid the take of species until the HCP is adopted; or 3) obtain a 2081 permit for the take of species. Upon adoption of the Fort Ord HCP and/or issuance of a take permit (2081) for listed plant species by the USFWS/CDFG, the project proponent may take the species given the stipulations of the take permit or adopted HCP. If listed plants cannot be avoided, the following mitigation measures shall apply:</p> <p>All efforts must be made to salvage portions of the habitat or plant populations that will be lost as a result of implementation of the proposed action/project by transplanting the plants that would be adversely affected by the proposed action/project for either re-establishment after construction is complete or for planting in a new area in appropriate habitat. A propagation program must be developed for the salvage and transfer of rare, threatened, or endangered plant populations from the project area before the initiation of construction activities. Permits may be required from the CDFG or USFWS, which will ensure that certified biologists are involved in the propagation and transport of rare,</p>					

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Mitigation Number	Mitigation Measure	Responsible Agency or Department	Monitoring/ Reporting Done By	Timing and Frequency	Final Clearance Date	Comments
MM-3b	<p>threatened, or endangered plant species. (Note: Propagation methods for the salvaged plant population must be developed on a case-by-case basis and must include the involvement of local conservation easements/ preserves/ open space, where applicable). The propagation and transfer of individual plant species must be performed at the correct time of year and successfully completed before the commencement of the project's construction activities eliminate or disturb the plants and habitats of concern. This mitigation measure may be superseded by the terms of the adopted HCP or take permit.</p> <p>FORA shall retain a qualified biologist to perform focused surveys to determine the presence/absence of Hickman's onion and Santa Cruz microseris within and adjacent to (within 20 feet, where appropriate) the South Boundary improvement area (project footprint). These surveys must be conducted in accordance with CDFG approved guidelines for conducting field surveys. Field surveys must be scheduled to coincide with known flowering periods, and/or during periods of phonological development that are necessary to identify the plant species of concern. If</p>	FORA	FORA/ City of Del Rey Oaks / CDFG	Prior to the initiation of construction activities for South Boundary Road.		

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Mitigation Number	Mitigation Measure	Responsible Agency or Department	Monitoring/ Reporting Done By	Timing and Frequency	Final Clearance Date	Comments
	<p>no special-status plant species are found, then no further mitigation is necessary.</p> <p>If these special-status plant species are found within or adjacent to (within 20 feet) the South Boundary improvement area during the surveys, these plant species must be avoided to the extent possible. Avoidance measures include fencing of the population(s) before construction to ensure no ingress of personnel or equipment at a minimum radius of 20 feet around a rare plant population and construction monitoring by a qualified biologist. Avoidance areas must be identified on project plans. Implementation of silt fencing and other BMPs must ensure that the hydrology surrounding the population is not affected by project construction. In addition, trees or shrubbery surrounding the rare plant populations must not be removed to ensure that sunlight/shade that may affect the viability is not changed. If these special-status plants cannot be avoided, the following shall apply:</p> <p>Before the approval of grading plans or any ground breaking activity within the project area, FORA must submit a mitigation plan concurrently to CDFG</p>					

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Mitigation Number	Mitigation Measure	Responsible Agency or Department	Monitoring/ Reporting Done By	Timing and Frequency	Final Clearance Date	Comments
	and USFWS (if appropriate) for review and comment, and FORA may consult with these entities before approval of the mitigation plan. Mitigation measures for directly affected population(s) must be included in the mitigation plan. Possible mitigation for directly impacted population(s) includes implementation of a program to transplant, salvage, cultivate, or re-establish the species at suitable sites (if feasible). The mitigation ratio for directly impacted plant species must be at a minimum ratio of 2:1 (two plants for every one impacted). However, the actual level of mitigation may vary depending on the sensitivity of the species (its rarity or endangerment status), its prevalence in the area, and the current state of knowledge about overall population trends and threats to its survival. Alternatively, replacement credits may be purchased by FORA at an approved mitigation bank should such credits be available. Any special-status plant species that are identified adjacent to the project area, but not proposed to be disturbed by the proposed action/project, must be protected by barrier fencing to ensure that construction activities and material stockpiles do not impact any special-status plant species. These avoidance					

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Mitigation Number	Mitigation Measure	Responsible Agency or Department	Monitoring/ Reporting Done By	Timing and Frequency	Final Clearance Date	Comments
MM-4	<p>areas must be identified on project plans. This mitigation measure may be superseded by the terms of the adopted HCP or take permit.</p> <p>The proposed action/project shall comply with the conditions in the 2005 USFWS Biological Opinion, Cleanup and Reuse of Former Fort Ord, Monterey County, California, as it affects California Tiger Salamander and Critical Habitat for Contra Costa Goldfields, issued to the U.S. Army by the USFWS and the Memorandum of Agreement Regarding Endangered Species Act Enforcement of Development Restrictions on the Del Rey Oaks Portions of the Former Fort Ord, California. Only those conditions relevant to the project area would apply.</p>	FORA	FORA	Prior to the initiation of construction for the proposed action/project.		
MM-5	<p>No more than 30 days prior to ground disturbance or tree removal during the nesting season for local avian species (typically February 22 through August 1), FORA shall retain a qualified biologist to conduct a focused survey for active nests of special-status birds within and in the vicinity of the project area (up to 200 feet and no less than 100-feet outside project boundaries, where possible). If active nests are found, trees/shrubs with nesting birds shall not be disturbed until abandoned by the</p>	FORA	FORA	Prior to the initiation of construction for the proposed action/project.		

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Mitigation Number	Mitigation Measure	Responsible Agency or Department	Monitoring/ Reporting Done By	Timing and Frequency	Final Clearance Date	Comments
	birds or a qualified biologist deems disturbance potential to be minimal (in consultation with USFWS and/or CDFG, where appropriate). If applicable, tree removal shall be restricted to a period following fledging of chicks, which typically occurs between late July and early August. If active nests are located within the 100 feet (200 feet for raptors) of proposed construction activities, other restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 100 feet or 200 feet, as appropriate, around the nest as confirmed by the appropriate resource agency) or alteration of the construction schedule. Reference to this requirement and the MBTA shall be included in the construction specifications. If construction activities or tree removal are proposed to occur during the non-breeding season (August 2 – February 21), a survey is not required, no further studies are necessary, and no mitigation is required. This mitigation measure may be superseded by the terms of the adopted HCP or take permit.					
MM-6a	FORA shall contract with a Registered Professional Forester or Certified Arborist to assist in field adjustments of tree removal and to prepare a tree removal	FORA	FORA / Cities of Seaside, Del Rey Oaks	Prior to commencement of construction activities.		

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Mitigation Number	Mitigation Measure	Responsible Agency or Department	Monitoring/ Reporting Done By	Timing and Frequency	Final Clearance Date	Comments
	<p>plan, to support a tree removal permit or application, for the proposed action/project after the proposed improvements have been staked in the field. The tree removal plan shall accompany the arborist survey as described under mitigation measures MM-6c and MM-6d below. The tree removal plan shall indicate:</p> <ul style="list-style-type: none"> the location of each protected tree to be removed for grading and/or construction; the location of trees that are proposed for relocation; the location of protected trees that are located adjacent to grading and/or construction limits (i.e. within 20 feet); and will indicate that all oak trees which require pruning, are pruned by a Certified Arborist prior to initiation of construction activities. 		and Monterey and Monterey County, as applicable			
MM-6b	Any tree or groups of trees to be retained shall be fenced with a four-foot high brightly colored synthetic fence at the outermost edge of the critical root zone. The critical root zone will be measured from the dripline radius taken from the tree trunk to the tip of the farthest reaching branch as determined by a Certified Arborist or Registered Professional Forester. The fencing shall remain in place until all construction	FORA	FORA / Cities of Seaside, Del Rey Oaks and Monterey and Monterey County, as applicable.	Prior to commencement of construction activities.		

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Mitigation Number	Mitigation Measure	Responsible Agency or Department	Monitoring/ Reporting Done By	Timing and Frequency	Final Clearance Date	Comments
	activities are complete. Trenching, grading, soil compaction, parking of vehicles or heavy equipment, stockpiling of construction materials, and/or dumping of materials will not be allowed within the critical root zone.					
MM-6C	<p>Within the Gigling Road improvement area, FORA shall contract with a Registered Professional Forester or Certified Arborist to perform an arborist survey. The arborist survey shall include all trees with a height of 10 feet or more, or has a circumference of at least 20 inches measured at 24 inches above the ground pursuant to Section 8.54.020 of the City of Seaside Municipal Code. The survey shall also include landmark oak trees, which are defined as trees 24 inches or more in diameter when measured two feet above the ground, or trees which are visually significant, historically significant, or exemplary of their species.</p> <p>FORA shall obtain a tree removal permit from the City of Seaside for all trees to be removed within the Gigling Road improvement area. Trees identified to be removed must be replaced at a 1:1 ratio with a minimum 5-gallon approved specimen tree of a species and in an approved location as stated under City of Seaside Municipal Code Section</p>	FORA	FORA/ City of Seaside	Prior to commencement of construction activities within the Gigling Road improvement area.		

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Mitigation Number	Mitigation Measure	Responsible Agency or Department	Monitoring/ Reporting Done By	Timing and Frequency	Final Clearance Date	Comments
MM-6d	<p>8.54.070.</p> <p>Within the South Boundary Road improvement area, FORA shall contract with a Registered Professional Forester or Certified Arborist to perform an arborist survey, which shall include:</p> <ul style="list-style-type: none"> • single trunk oaks greater six inches diameter (at two feet above the ground surface) or multi-trunk oaks with a circumference of any two trunks of at least 40 inches (at measured two feet above the root crown) pursuant to Section 12.16.020 of the City of Del Rey Oaks Municipal Code; • any woody perennial plant that has a height of 30 feet or more, or has a circumference of 36 inches or more (at 24 inches above ground) pursuant to Section 12.16.020 of the City of Del Rey Oaks Municipal Code; and • any tree greater than two inches in diameter (at four feet six inches above the natural grade) pursuant to Section 12.16.020 of the City of Del Rey Oaks Municipal Code. • trees located on a vacant private parcel measuring more than two inches in diameter (at four feet six inches above the tree's natural grade) pursuant to Chapter 37 of the City of Monterey Municipal Code, and • trees located on a private. 	FORA	FORA / Cities of Del Rey Oaks and Monterey.	Prior to the commencement of construction activities within the South Boundary improvement area.		

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Mitigation Number	Mitigation Measure	Responsible Agency or Department	Monitoring/ Reporting Done By	Timing and Frequency	Final Clearance Date	Comments
	<p>developed parcel measuring more than six inches (at four feet six inches above the tree's natural grade) pursuant to Chapter 37 of the City of Monterey Municipal Code.</p> <p>FORA shall obtain tree removal permits from the cities of Del Rey Oaks and Monterey for trees to be removed within the South Boundary Road improvement area. All protected trees impacted within the City of Del Rey Oaks will be mitigated in accordance with Section 12.16.050.D of the City of Del Rey Oaks Municipal Code. All protected trees impacted within the City of Monterey will be mitigated in accordance with Section 37-11 of the City of Monterey Municipal Code.</p>					
CULTURAL RESOURCES						
MM-7	<p>In the event that archaeological resources or human remains are discovered during construction, FORA will ensure that all work is stopped within 150 feet of the find until the find can be evaluated by a qualified, professional archaeologist in accordance with 36 CFR Part 800.13(b). In addition, the cultural resources coordinator at the Army Directorate of Environmental and Natural Resource Management (DENR) will be contacted. If the find is determined to be significant,</p>	FORA	FORA/ Cities of Seaside, Del Rey Oaks, and Monterey.	Prior to the commencement of construction activities within the project area.		

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Number	Mitigation Measure	Responsible Agency or Department	Monitoring/ Reporting Done By	Timing and Frequency	Final Clearance Date	Comments
	appropriate mitigation measures will be implemented as recommended by the professional archaeologist and the U.S. Army.					
GEOLOGY AND SOILS						
MM-8	FORA shall ensure that the recommendations provided within the <i>Geotechnical Investigation for Gigling and South Boundary Road Improvement Seaside, California</i> prepared by Pacific Crest Engineering, Incorporated in October 2007 are incorporated into the final improvement plans. These recommendations include, but are limited to site preparation and grading; cut and fill slopes; new pavement section and overlay designs; utility trenches; lateral pressures; and surface drainage.	FORA	FORA	Prior to final plan approval.		
MM-9	A Storm Water pollution Prevention Plan (SWPPP) shall be prepared and reviewed for approval by FORA, the cities of Seaside, Del Rey Oaks, and Monterey, and/or the United States Army, as applicable. The erosion control plan shall be included in construction documents for the proposed action/project and shall be implemented during and periodically following construction. Erosion control measures shall include, but shall not be limited to the following:	FORA	FORA / Cities of Seaside, Del Rey Oaks and Monterey.	Prior to commencement of grading activity		

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Number	Mitigation Measure	Responsible Agency or Department	Monitoring/ Reporting Done By	Timing and Frequency	Final Clearance Date	Comments
	<ul style="list-style-type: none"> Limit disturbance of soils and vegetation to the minimum necessary for access and construction; Confine all vehicular traffic associated with construction to the right-of-way of designated access roads; Adhere to construction schedules designed to avoid periods of heavy precipitation or high winds; Ensure that all exposed soil is provided with temporary drainage and soil protection when construction activity is shut down during the winter periods; Inform construction personnel prior to construction and periodically during construction activities of environmental concerns, pertinent laws and regulations, and elements of the proposed erosion control measures; and Plant the finished ground surface with ground cover and continually maintain. 					
HAZARDS AND HAZARDOUS MATERIALS						
MM-10a	FORA shall obtain formal approval from the U.S. Army, U.S. EPA, and the California Department of Toxic Substances and Control (DTSC) that the proposed construction areas including storage, grading, and transport areas are free of Munitions and Explosives of Concern (MEC) within a safe distance of said activities as approved by the U.S.	FORA	FORA / U.S. EPA / U.S. Army / DTSC	Prior to any grading or construction activity within the project area.		

South Boundary Road/Gigling Road Improvement Project
Mitigation Monitoring and Reporting Program

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Number	Mitigation Measure	Responsible Agency or Department	Monitoring/ Reporting Done By	Timing and Frequency	Final Clearance Date	Comments
MM-10b	Army, U.S. EPA and the DTSC. Bid documents and construction plans and documents are to include a requirement that before construction activities commence on the project, construction supervisors and crews will attend a U.S. Army sponsored munitions and explosives of concern (MEC) safety briefing. This briefing will identify the variety of MEC that may exist within the project area and describe the actions to be taken if a suspicious item is discovered during construction activities. In the event that MEC or other suspicious materials are found within the project area, the contractor will stop work immediately and contact the U.S. Army Environmental office. Under no circumstance will anyone be allowed to handle MEC or other suspicious material.	FORA	FORA / U.S. Army	Prior to issuance of bid and/or construction documents.		
HYDROLOGY AND WATER QUALITY						
MM-11	FORA shall obtain a National Pollution Discharge Elimination Systems Program General Construction Permit from the State Water Resources Control Board (SWRCB) as required by the Federal Clean Water Act. FORA shall comply with all the provisions of the permit including the use of best management practices and preparation of and compliance with a storm water pollution prevention program (SWPPP).	FOR A	FORA / RWQCB	Prior to construction activities.		

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Number	Mitigation Measure	Responsible Agency or Department	Monitoring/ Reporting Done By	Timing and Frequency	Final Clearance Date	Comments
NOISE						
MM-12a	FORA shall limit noise generated by construction operations by putting the following language on final improvement plans for the proposed action/project: "Noise generating activities (excluding activities that would result in a safety concern to the public or construction workers) are limited to Monday through Friday between 7:00 A.M. and 7:00 P.M."	FORA	FORA / Cities of Seaside, Del Rey Oaks, and Monterey.	During the course of construction		
MM-12b	FORA shall limit noise generated by construction operations by implementing the following: <ul style="list-style-type: none"> • Construction equipment and equipment staging areas shall be located at the furthest distance possible from nearby noise-sensitive land uses. • Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation. • When not in use, motorized construction equipment shall not be left idling. 	FORA	FORA / Cities of Seaside, Del Rey Oaks, and Monterey.	During the course of construction.		
TRANSPORTATION						
MM-13	Improvement plan shall be submitted to Monterey-Salinas Transit for review and	FORA	FORA / MST	Prior to final approval of		

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Number	Mitigation Measure	Responsible Agency or Department	Monitoring/ Reporting Done By	Timing and Frequency	Final Clearance Date	Comments
	approval of bus stop configurations to ensure that they are consistent with the <i>Designing for Transit</i> guidelines.			improvement plans.		

Project Findings

The FORA Board of Directors makes the following findings:

1. The proposed improvements along Gigling Road and South Boundary Road were identified in the circulation element of the *Fort Ord Reuse Plan* (adopted by the Fort Ord Reuse Authority in June 1997) (*BRP*)
2. The proposed improvements along Gigling Road and South Boundary Road reflect the planned roadway configurations in the *Fort Ord Reuse Plan's – Capital Improvement Program (CIP)* (adopted by the Fort Ord Reuse Authority in June 2001).
3. The proposed improvements are consistent with the Transportation Agency of Monterey County's (TAMC) *2005 Regional Transportation Plan* (Projects MYC095, FRA018, and FRA027) and recently adopted *2010 Regional Transportation Plan* (Projects: MYC 090, DRO003, and SEA023).
4. The proposed improvements along South Boundary Road were identified in the *City of Del Rey Oaks General Plan* (Page 38, Policy C-11, and Programs 15, 16, and 17).
5. The proposed improvements along Gigling Road were identified in the *City of Seaside General Plan* (Implementation Plan C-1.4.1: Planned Improvement B6).
6. The proposed improvements are consistent with Policies c.13.2 and c.15 of the *City of Monterey General Plan*.
7. The proposed improvements to South Boundary Road and Gigling Road are considered mitigation for the cumulative development on the former Fort Ord and their construction is consistent with the requirements of the *FORA Fort Ord Base Reuse Plan*.
8. The proposed improvements to South Boundary Road and Gigling Road would not violate the general health, safety, and welfare of the residents of the cities of Seaside, Del Rey Oaks and Monterey, the future users of these roadways, and the community at large.

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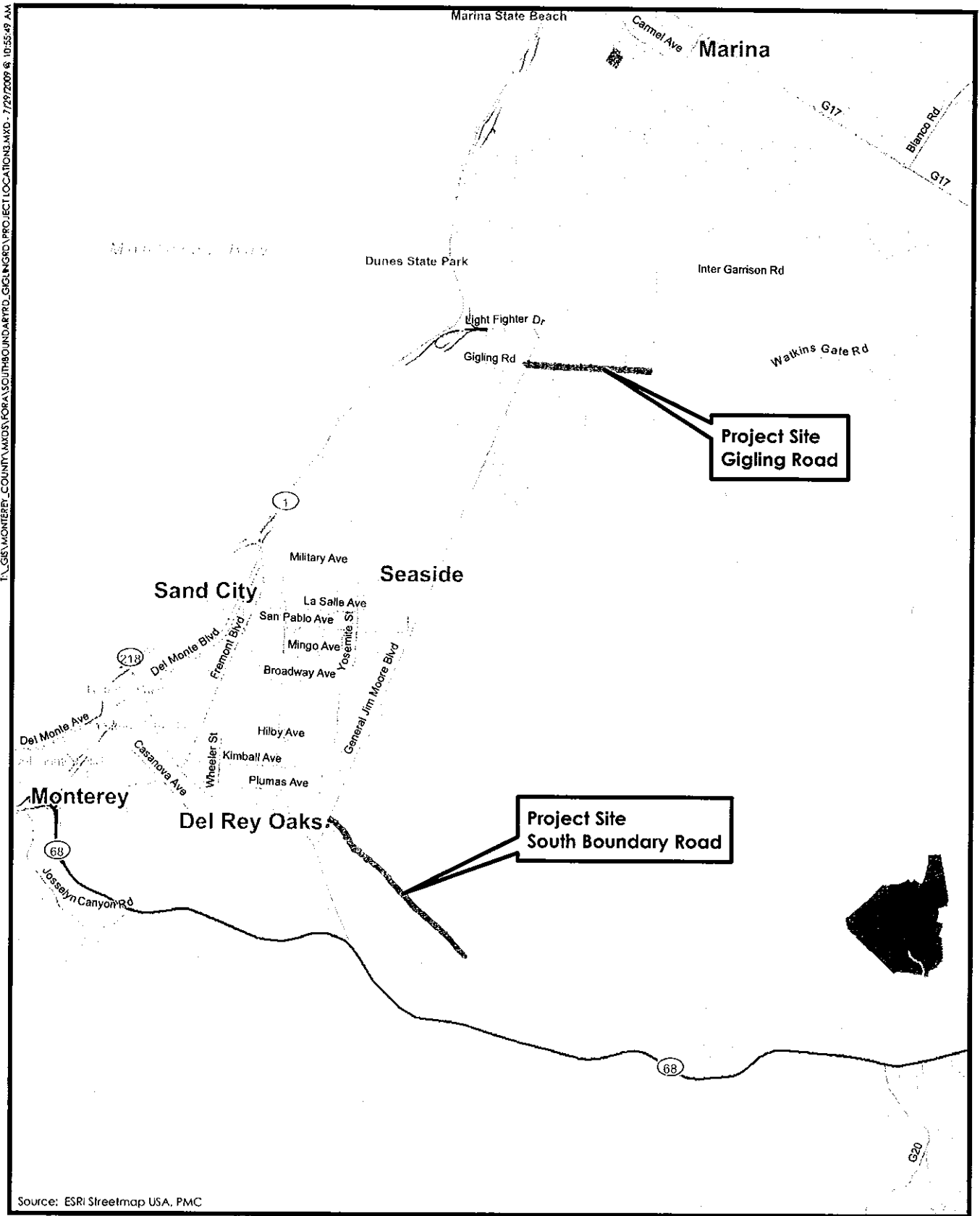


Figure 2
Project Location Map
PMC

Exhibit E
To Item 3b
FORA Board Meeting, August 13, 2010

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Administrative Committee Report

Meeting Date: August 13, 2010

Agenda Number: 6a

INFORMATION


RECOMMENDATION(S):

Receive a report from the Administrative Committee

BACKGROUND/DISCUSSION:

The Administrative Committee met on July 14, 2010. The minutes of the July 14 meeting were approved on August 4, and are attached.

FISCAL IMPACT:

Reviewed by FORA Controller 

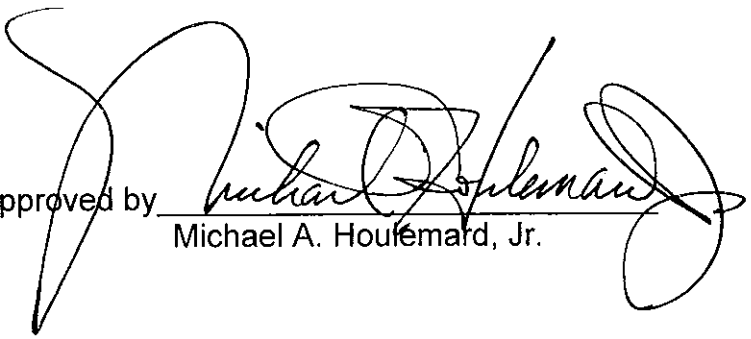
Staff time for this item is included in the approved FY 10-11 budget.

COORDINATION:

Administrative Committee

Prepared by 

Daylene Alliman

Approved by 

Michael A. Houfemard, Jr.

FORT ORD REUSE AUTHORITY

100 12th Street, Building 2880

Marina, CA 93933

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MINUTES OF THE ADMINISTRATIVE COMMITTEE MEETING Wednesday, July 14, 2010

1. Call to Order

Chair/Executive Officer Michael Houlemard called the meeting to order at 8:24 a.m. The following land recipient jurisdiction representatives, establishing a quorum, were present:

*Jim Cook - County of Monterey
*Debbie Platt - City of Marina

*Diana Ingersoll - City of Seaside

Also present, as noted by the roll sheet, were:

Jim Arnold – FORA
Crissy Maras – FORA
Steve Endsley – FORA
Jonathan Garcia – FORA
Jim Fletcher - UCP East Garrison
*Graham Bice – UC MBEST
*Don Bachman – TAMC
Bob Schaffer– Marina Community Partners
*Tim O'Halloran - City of Seaside

Scott Hilk – MCP
Andy Sterbenz - Schaaf & Wheeler
*Carl Niizawa – MCWD
Nick Nichols – County of Monterey
Rob Robinson – BRAC
Kathleen Ventimiglia – CSUMB
Crisand Giles – BIA Bay Area

* indicates Administrative Committee membership

Voting board member jurisdictions not represented at this meeting were Cities of; Salinas, Pacific Grove, San City, Monterey, Del Rey Oaks, and Carmel.

2. Pledge of Allegiance

Chair Houlemard asked Nick Nichols, who agreed, to lead the Pledge of Allegiance.

3. Acknowledgements, Announcements and Correspondence

Kathleen Ventimiglia from California State University Monterey Bay ("CSUMB") announced that CSUMB Administrative Committee regular Anya Spear gave birth to a baby boy.

4. Public Comment Period – none

5. Approval of June 30, 2010 meeting minutes

Motion to approve the June 30, 2010 meeting minutes was made by Graham Bice and seconded by Don Bachman. The minutes were approved by consensus, since there were no objections.

6. Follow-up to the July 9, 2010 FORA board meeting

Re the Office of Economic Adjustment ("OEA") Grant: Chair Houlemard reported on the progress of the OEA grant to conduct Central Coast Veterans Cemetery Infrastructure Planning and stated that a change order may be necessary as it relates to securing access for environmental and engineering studies associated with placement and Eastside Parkway. LFR (Arcadis), Inc. will meet with FORA staff to address Whitson Engineers gaining access to the property. After some discussion it was agreed that the County will take the initiative to meet with CSUMB and TAMC (Transportation Agency of Monterey County) with a preferred plan line and FORA staff will provide any necessary support to help move the placement of Eastside Parkway along.

7. New Business – none

8. Old Business

Item 8 a. Long Term Capital Program Budgeting: Chair Houlemard reported that at the Board's direction staff is to look at both resources and costs and how they relate to the program. Council Member McCall is interested in more specific numbers of the items covered in the contingency rather than the general listing of potential liabilities as estimated. Mr. Houlemard noted that these questions would be addressed as part of the six month review. Acting Assistant Executive Officer, Steve Endsley presented the Committee with a handout of a Revised Capital Improvement Program ("CIP") Work Plan as requested by the Board which outlines the work to be accomplished beginning September 2010 through January 2011. Mr. Endsley further stated that staff will spend the month of August preparing for an intensive study to begin September 2010 and a scope of work outlining elements of the program for consultant support would be presented to the Committee at the August 4, 2010 meeting for discussion. Chair Houlemard added that staff is committed to keep within the dollar amount "authorized" and that it was staff's intent to respond quickly to the Board's direction. After further discussion among the members of the Committee, Chair Houlemard noted that questions had been posed by developer partners about the CIP Fee and the Community Facilities District ("CFD") and how those fees were indexed during that will also be addressed as part of the process of hiring an independent financial advisor as the FORA "team" reviews the program. Mr. Endsley clarified that a monthly update will be made to the Board concerning the CIP review process.

9. Adjournment

Chair Houlemard adjourned the meeting at 9:08 a.m.

Minutes prepared by Daylene Alliman, Executive Assistant/Deputy Clerk

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Executive Officer's Travel Report

Meeting Date: August 13, 2010

Agenda Number: 6b

INFORMATION

RECOMMENDATION(S):

Receive a report from Fort Ord Reuse Authority ("FORA") Chair and the Executive Officer regarding the Association of Defense Communities Annual Conference in San Francisco, California (August 6-11, 2010).

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, Risk Management, Defense Real Estate/Enhanced Use Leasing, Mission Sustainability/Enduring Installations, Community-Military Partnering, and Energy/Sustainability/Green Buildings. Special Forum sessions included a full track exploring energy issues for both active and closed installations and a full series on panel presentation on former installation reuse issues.

As ADC President, FORA Executive Officer Michael Houlemard has been central to the planning and implementation of the conference. Mr. Houlemard participated on two panels, delivered opening session remarks concerning the state of community/military issues, and moderated several panels. FORA Environmental Services Cooperative Agreement ("ESCA") Program Manager Stan Cook and FORA Contractor Kristie Reimer were panelists for the educational session "Ranges to Residences: Elements of Success, The Story of Fort Ord" and Marina Strategic Development Center Director Doug Yount served on an educational session panel entitled "From Dole to Dollars: Moving Toward Economic Independence".

FORA Chair Ralph Rubio, First Vice-Chair Dave Potter and Acting Assistant Executive Officer Steve Endsley were in attendance for the conference, as well.

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 
Daylene Alliman

Approved by 
Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT		
EXECUTIVE OFFICER'S REPORT		
Subject:	Capital Improvement Program – update/distribution	
Meeting Date:	August 13, 2010	INFORMATION
Agenda Number:	6c	

RECOMMENDATION:

1. Receive a Capital Improvement Program ("CIP) work plan update , and
2. Receive a FY 2010/11 through 2021/22 CIP document as included herein and amended per the attached errata sheet (**Attachment A**).

BACKGROUND/DISCUSSION:

At its July 2010 meeting, the Fort Ord Reuse Authority ("FORA") Board of Directors reviewed a proposed CIP work plan, detailing a timeline for the review of CIP obligations and resources. The Board directed staff to condense the review into a six month period and to provide monthly progress updates. FORA staff worked with the Administrative Committee to revise the timeline which now reflects a proposed completion date of January 2011 (**Attachment B**). Staff will continue to work with the Administrative Committee to accomplish the tasks laid out in the work plan and provide monthly progress reports to the Board.

The Board also adopted the FY 2010/11 through 2021/22 CIP document at the July 2010 meeting. Following adoption, minor adjustments were made to the text to amend outdated information. Those edits were reviewed by the FORA Executive Committee and are shown on the attached errata sheet in strikeout form for easy identification. The final document, inclusive of these minor adjustments, is included in board member and ex-officio member board packets and will also be distributed to Administrative Committee members. Other interested parties may obtain a copy by downloading it from www.fora.org.

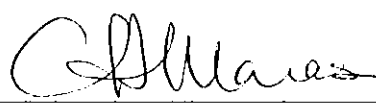
FISCAL IMPACT:

Reviewed by FORA Controller 

Staff time for this item is included in the approved FY 10-11 budget.

COORDINATION:

Administrative Committee, CIP Committee, Executive Committee

Prepared by 
Crissy Maras

Approved by 
Michael A. Houlemard, Jr.

FY 2010/11 Capital Improvement Program Errata Sheet

II. Obligatory Program of Project – Description of Capital Improvement Program Elements

d) Habitat Management Requirements

...

Subject to final approval by the U.S. Fish and Wildlife Service and the California Department of Fish and Game, FORA's habitat management funding obligations were previously listed in the following form:

1. A 1.5M upfront funding (comprised of \$1.3M in borrowed funds and \$200K in secured funds) for initial management, planning, capital costs and Habitat Conservation Plan preparation.

f) Building Removal Program

...

In August 2005 FORA entered into an MOA with the City of Marina Redevelopment Agency and Marina Community Partners ("MCP"), which assigned FORA \$46M in building removal costs within the Dunes on Monterey Bay project area and assigned MCP the responsibility for the actual removal. FORA paid \$22M and MCP received credits of \$24M for building removal costs against FORA's portion of the land sale proceeds. Building removal at the Dunes site will be completed as directed by the City of Marina and MCP to support future phases of development. 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 area for which they received a credit of \$2.1M for building removal against FORA's portion of the 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 financial terms of the MOA.

III. FY 2010/2011 through 2021/2022 Capital Improvement Program

Table 3 – footnotes

(14) "Other Revenues" applied against building removal and debt financing costs include Abrams B loan repayment of \$1,425,000 and interest payments collected from East Garrison developers.

Deleted: and

Deleted: serves as a down payment on an endowment fund, the earnings on which will allow for required habitat management activities on the habitat parcels that have already transferred

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Deleted: for the East Garrison project, which FORA expects to receive in FY 2011/2012.

Deleted: EGP completed partial b

Deleted: the County replaced EGP with a new developer. This developer is complying with the prior agreement.

Deleted: 2007, with remaining building scheduled for removal by March 2009.

Deleted:

Deleted: Per MOA among FORA, the Redevelopment Agency for Monterey County and EGP concerning certain basewide funding obligations, EGP is obligated to reimburse FORA for interest payments made on the \$4.1M principal.

Fort Ord Reuse Authority



Capital Improvement Program
Fiscal Year 2010/11 through 2021/22

Adopted by the FORA Board July 9, 2010

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I. EXECUTIVE SUMMARY

1) Overview

This Fort Ord Reuse Authority ("FORA") Capital Improvement Program ("CIP") is responsive to the capital improvement obligations defined under the Fort Ord Base Reuse Plan ("BRP") as adopted by the FORA Board in June 1997. The BRP carries a series of mitigative project obligations defined in Appendix B of that plan as the Public Facilities Implementation Plan ("PFIP"). The PFIP, which serves as the baseline CIP for the reuse plan, is re-visited annually by the FORA Board to assure that required projects are implemented in a timely way to meet development needs. The PFIP was developed as a capital improvement program spanning a twenty-year development horizon (1996-2015) and was based upon the best at-the-time forecasts of expected development.

The current CIP document (FY 2010/11 — FY 2021/22) has been updated with the most current forecasts of development anticipated by the FORA land use jurisdictions. The new forecasts are enumerated in the CIP Appendix B, Table 4. Based upon this updated information, capital project "placement in time" has been compared with last year's programming, with minor adjustments having been made. The reader's attention is directed to Tables 2 and 3, wherein obligatory CIP projects are currently forecast.

It is noted that by State law, FORA is scheduled to sunset in 2014 (or when 80% of the BRP has been implemented, whichever occurs first), which will occur prior to the end of this CIP time horizon (FY 2010/11 — FY 2021/22). Therefore, the revenues and obligations herein will be allocated accordingly to jurisdictions under the Local Agency Formation Commission process for the dissolution of FORA.

2) Periodic CIP Review and Reprogramming

Due to the nature of development forecasting, it is certain that today's best forecasts of development timing and patterns will differ from reality. Recognizing this, the BRP requires the FORA Board to periodically review and revise its CIP to reflect development realities to assure that the adopted mitigation projects are implemented in the best possible sequence with development needs. A protocol for the review and reprogramming of the CIP was approved by the FORA Board on June 8, 2001. Appendix A, herein, defines the process whereby FORA and its Member Agencies comprehensively review development timing and patterns to assure proper implementation of the BRP mitigation projects. The Board is asked to approve this CIP (FY 2010/11 — FY 2021/22) as revised, via the review protocol. That approval will affirm project priorities of the CIP.

3) CIP Costs

The costs assigned to the various elements of the CIP were originally estimated in May 1995 and published in the draft 1996 BRP. This current CIP has inflated costs to January 2010, applying the Engineering News Record ("ENR") Construction Cost Index ("CCI") to account for inflation. This continues to be a routine procedure each year.

4) CIP Revenues

The primary sources of revenue anticipated to cover the costs of obligatory CIP projects are developer fees and land sale (and lease) proceeds. These primary sources can be augmented by tax increment revenue. The current FORA developer fee policy has been structured to accommodate CIP costs of Transportation/Transit projects, Habitat Management obligations, Water Augmentation, Storm Drainage System improvements and Fire Fighting Enhancement improvements. The developer fee policy adopted by the Board in 1999 was implemented by the formation of the FORA Basewide Community Facilities District ("CFD"). The CFD is structured to

allow annual inflation adjustments to account for cost escalation, with an annual cap of 5%. Land sale (and lease) proceeds are earmarked to cover costs associated with the Building Removal Program.

Appendix B herein contains a tabulation of the proposed developments with their corresponding fee and land sale revenue forecasts. Obligatory capital project costs are balanced against the forecasted revenues as depicted in Table 3 of this document.

5) Projects Accomplished to Date

FORA has been actively implementing capital improvement projects since 1995. As of this writing, FORA has successfully advanced approximately \$67M in capital improvements, predominantly funded by FORA CFD fees, grants received from the US Department of Commerce, Economic Development Administration ("EDA") and a FORA bond issue. \$60M was applied directly against FORA obligations and \$7M funded capital improvements instrumental to base reuse, such as improvements to the water and wastewater systems. In addition to the \$67M in capital improvements, close to \$6M has been expended against Habitat Management, Fire Fighting Enhancement and Water Augmentation obligations.

Section III herein provides additional detail regarding how a number of already-funded projects have been credited as offsets against the FORA basewide obligations. The major sources of revenue utilized to date include developer fees, land sales, grants, tax increment, and loan proceeds. As these revenues are collected and employed to offset obligations, use of these funds will continue to be enumerated in Tables 1 and 3.

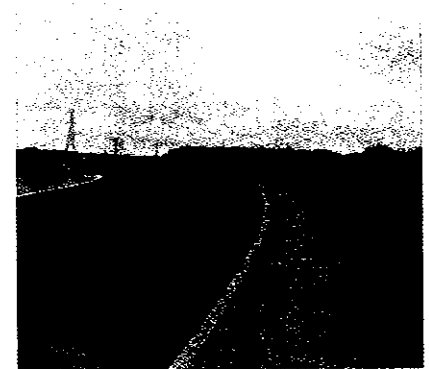
II. OBLIGATORY PROGRAM OF PROJECTS — DESCRIPTION OF CIP ELEMENTS

As noted in the Executive Summary, the obligatory elements of the BRP CIP include Transportation/Transit, Water Augmentation, Storm Drainage, Habitat Management, Fire Fighting Enhancement and Building Removal. The first five elements noted are to be funded by developer fees. Land sale (and lease) proceeds are earmarked to fund the Building Removal Program. Summary descriptions of each element of the BRP CIP follow:

a) Transportation/Transit Elements

Transportation

During the preparation of the BRP and the associated Final Environmental Impact Report ("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 the development under the BRP. The FORA Board subsequently included the Transportation/Transit element (obligation) as a requisite cost component of the adopted CFD.



Eucalyptus Road — Phase II

As implementation of the BRP continued, it became timely to coordinate with TAMC for a review and reallocation of the FORA financial contributions that appear on the list of transportation projects for which FORA has an obligation.

Toward that goal, and following Board action directing staff to coordinate a work program with TAMC, FORA and TAMC entered into a cooperative agreement to move forward with the re-evaluation work. TAMC, working in concert with the Association of Monterey

Bay Area Governments ("AMBAG"), has since completed its work program with FORA. 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, under the Documents menu.

FORA's work with TAMC and AMBAG resulted in the 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.

Transit

The transit obligations enumerated in Table 1 herein remain unchanged from the 1997 TAMC Study and adopted BRP. However, it is noted that current long range planning by TAMC and Monterey-Salinas Transit ("MST") reflect an alternative route to the multi-modal corridor than denoted in the BRP. The BRP currently provides for a multi-modal corridor along the Imjin Parkway/Blanco Road corridor serving to and from the Salinas area to the TAMC/MST intermodal center planned in the Dunes on Monterey Bay area in the City of Marina portion of the former Fort Ord.

Current long range planning for transit service focuses on the alternative Intergarrison/Reservation/Davis Roads corridor to fulfill transit service needs between the Salinas area and the proposed intermodal center in the Dunes on Monterey Bay area.

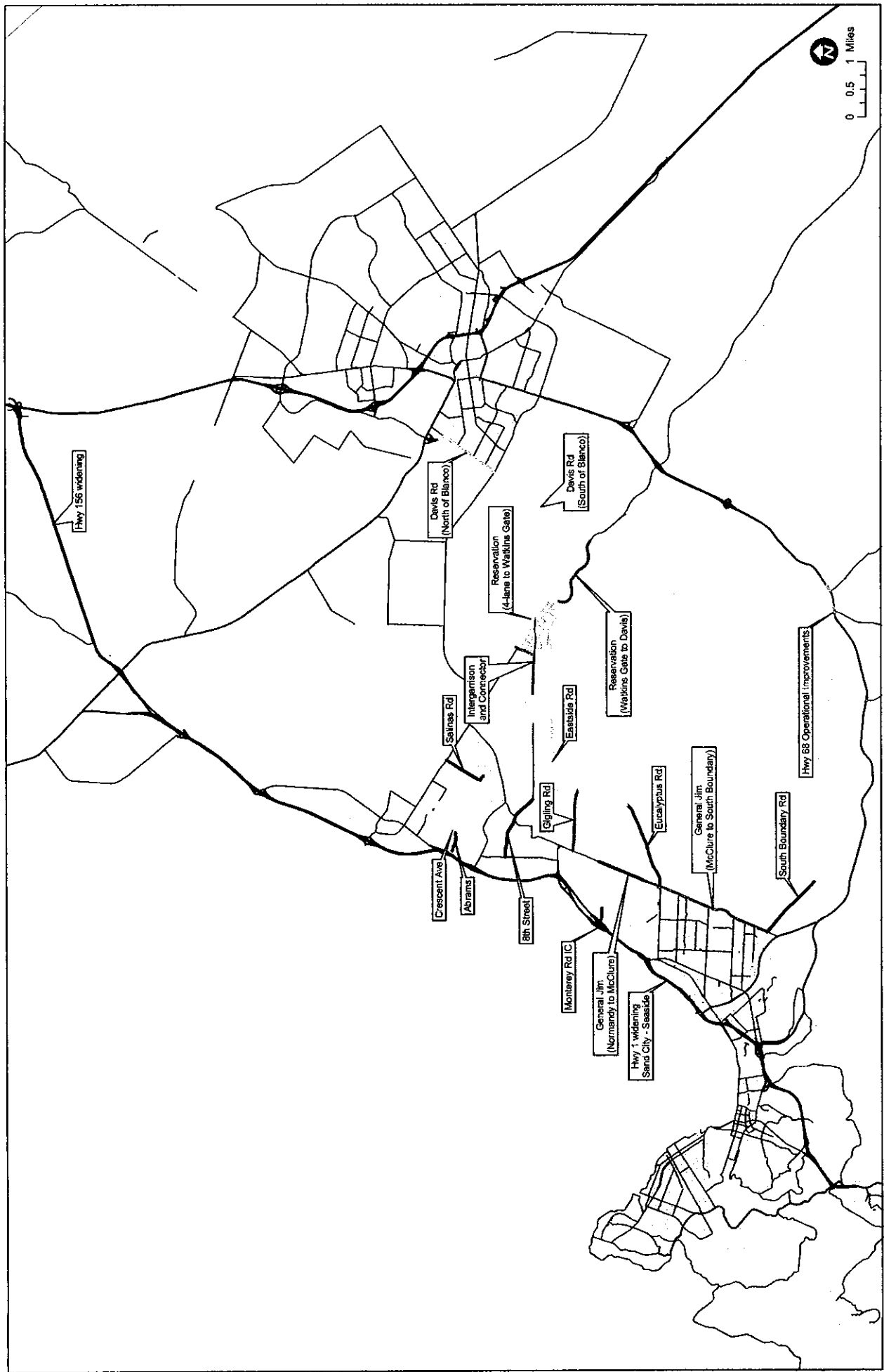
A series of stakeholder meetings have been conducted to advance adjustments and refinements to the proposed multi-modal corridor plan-line. Stakeholders include, but are not limited to, TAMC, MST, FORA, City of Marina, Monterey County, California State University Monterey Bay ("CSUMB"), University of California Monterey Bay Education, Science and Technology Center ("UCMBEST") and Golden Gate University ("GGU"). The stakeholders completed a Memorandum of Agreement ("MOA") outlining the new alignment of the multi-modal transit corridor plan line in February 2010. Once all stakeholders have signed the MOA, the FORA Board will consider designation of the new alignment and rescission of the original alignment.

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 will 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 requisite transportation projects. Other like agreements may be structured as development projects are implemented and those agreements will be noted for the record herein.

Figure 1 — Transportation Map



b) Water Augmentation

The BRP identifies availability of water as its primary resource constraint. The density of development anticipated by the BRP utilizes the total available groundwater supply of 6,600 acre-feet per year ("AFY"), as described in the BRP, Appendix B (PFIP section p 3-63). In addition to the groundwater supply, the BRP requires an augmentation of an estimated 2,400 AFY to achieve the development level permitted by the BRP. This is reflected and summarized within the BRP, Volume 3, in figure PFIP 2-7.

FORA worked with Marina Coast Water District ("MCWD") to implement the most appropriate water augmentation program with which to proceed. Following a comprehensive two-year process of evaluating potential viable options for a water augmentation program, the MCWD Board of Directors certified, in October 2004, a program level Environmental Impact Report ("EIR") that analyzed 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). The EIR is available for review on the Internet at www.mcwd.org (under the Engineering tab).

In June 2005, MCWD staff and consultants, working in concert with the FORA staff and Administrative Committee, recommended the hybrid project to the FORA and MCWD Boards of Directors. Additionally, FORA staff recommended increasing the CIP earmark for the water augmentation program from its then indexed value of approximately \$20M to approximately \$37M, which essentially removed \$17M from the MCWD capital improvement program.

Several factors over the last year have caused reconsideration of the water augmentation program by staff and consultants. Those factors included increased project costs as designs were refined; negotiations between MCWD and the Monterey Regional Water Pollution Control Agency ("MRWPCA") to come to agreement to move forward with the recycled component of the project (which was to have been on line by summer 2008); and the significant economic downturn, which allows for more time before the augmentation program would need to come on line. All of which provided the opportunity to further consider the "Regional Plan" as the preferred project to pursue as the water augmentation program. This project appears to be both better for the environment and considerably less expensive than other evaluated augmentation proposals. Appendix C herein provides a description of the Regional Plan from which the augmenting source of water for the former Fort Ord could be derived.

At the April 2008 FORA Board meeting, the FORA Board of Directors 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 has been 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. There are still several permitting, financing and regulatory hurdles to clear before the project is realized.

c) Storm Drainage System Projects

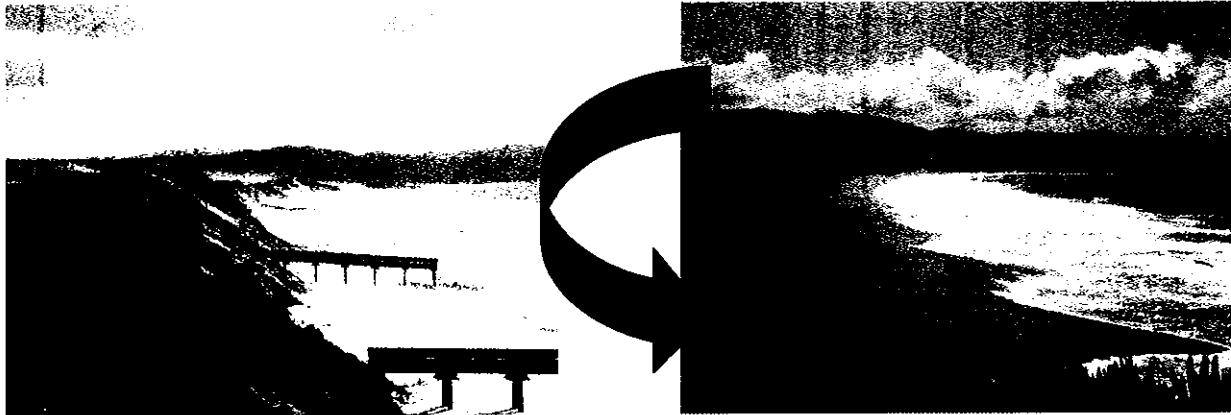
The adopted BRP recognized the need to eliminate the discharge of storm water runoff from the former Fort Ord to the Monterey Bay National Marine Sanctuary ("Sanctuary"). In addition, the BRP FEIR specifically addressed the need to remove the four storm water outfalls that discharged storm water runoff to the Sanctuary.

Section 4.5 of the FEIR, Hydrology and Water Quality, contains the following obligatory Conservation Element Program:

"Hydrology and Water Quality Policy, C-6: In support of Monterey Bay's National Marine Sanctuary designation, the City/County shall support all actions required to ensure that the bay and inter-tidal environment will not be adversely affected, even if such actions should exceed state and federal water quality requirements."

"Program C-6.1: The City/County shall work closely with other Fort Ord jurisdictions and the (California Department of Parks and Recreation) to develop and implement a plan for storm water disposal that will allow for the removal of the ocean outfall structures and end the direct discharge of storm water into the marine environment. The program must be consistent with State Park goals to maintain the open space character of the dunes, restore natural land forms and restore habitat values."

With these programs/policies in mind, FORA and the City of Seaside, as co-applicants, secured EDA Grants to advance the design and construction of alternative disposal (retention) systems for storm water runoff that allowed for the removal of the outfalls. FORA advanced to the construction and demolition project, with the work having been completed as of January 2004. Table 3 herein therefore reflects this obligation as having been met.



Storm drainage outfall removal — Before and After

d) Habitat Management Requirements

Appendix A, Volume 2 of the BRP contains the Habitat Management Program ("HMP") Implementation 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 the implementation of the HMP.

Subject to final approval by the U.S. Fish and Wildlife Service ("USFWS") and the California Department of Fish and Game ("CDFG"), FORA's Habitat Management funding obligations were previously listed in the following form:

1. \$1.5M upfront funding (comprised of \$1.3M in borrowed funds and \$200K in secured funds) for initial management, planning, capital costs and Habitat Conservation Plan preparation.
2. Additionally, as development has taken place and developer fees paid, \$1 out of every \$4 collected have been earmarked to build 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.

The financing plan is predicated on an earnings rate assumption acceptable to USFWS and CDFG for endowments of this kind, and economies of scale provided by unified management of FORA's habitat lands by qualified non-profit habitat managers. FORA will be securing the services of the appropriately experienced habitat manager(s) via a formal selection process.

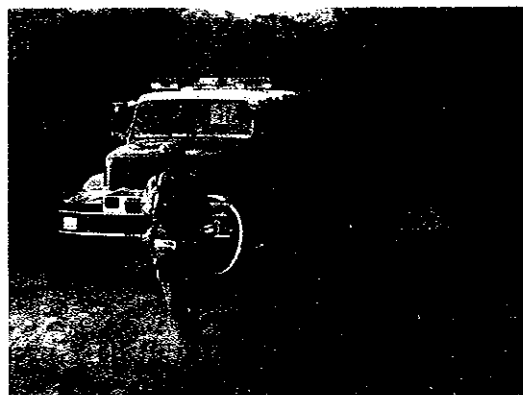
It is noted that FORA will not control expenditure of the annual line items, but merely fund the endowment, and the initial and capital costs, to the agreed upon levels.

Based upon recent conversations with the regulatory agencies, it has become apparent that the Habitat Management obligations will likely increase beyond the costs noted above. Therefore, this document contains a \pm \$35M line item of forecasted requisite expenditures. USFWS and CDFG 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.

e) Fire Fighting Enhancement Requirements

In July 2003, the FORA Board authorized FORA to lease-purchase five pieces of fire fighting equipment, including four fire engines and one water tender. The equipment recipients include the Cities of Marina, Monterey and Seaside, the Ord Military Community Fire Department and the Salinas Rural Fire Department.

This lease purchasing of equipment accommodates FORA's capital obligations under the BRP to enhance the fire fighting capabilities on the former Fort Ord in response to the proposed development. The lease payments began July 2004, and are projected to be paid through 2013/14. Once the lease payments, funded by developer fees, have been satisfied, FORA's obligation for fire fighting enhancement will have been fully met.



Fire engines received by Fire Departments in the Cities of Marina, Monterey and Seaside and the Ord Military Community were utilized during the Parker Flats habitat burn in 2005

f) Building Removal Program

The BRP includes, as a basewide obligation, the removal of building stock to make way for redevelopment in certain areas of the former Fort Ord. Building removal is funded from land sale revenue and/or credited against land sale valuation. Two Memorandums of Agreement ("MOA") have been finalized for these purposes, as described below:

In August 2005 FORA entered into an MOA with the City of Marina Redevelopment Agency and Marina Community Partners ("MCP"), which assigned FORA \$46M in building removal costs within the Dunes on Monterey Bay project area and assigned MCP the responsibility for the actual removal. FORA paid \$22M and MCP received credits of \$24M for building removal costs against FORA's portion of the land sale proceeds. Building removal at the Dunes site will be completed as directed by the City of Marina and MCP to support future phases of development. 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 area for which they received a credit of \$2.1M for building removal 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.

In both of these agreements, the hierarchy of building reuse is observed, which is the FORA Board policy that prioritizes the most efficient reuse of obsolete buildings by focusing on the hierarchy of renovation and reuse in place; relocation and renovation; deconstruction and reuse of building materials; and, mechanical demolition with aggressive recycling.

FORA's remaining building removal obligations include the former Fort Ord stockade within the City of Marina (\pm \$2.2M) and buildings in the City of Seaside's Surplus II area (\pm \$4M). FORA will continue to work closely with the Cities of Marina and Seaside as new specific plans are prepared for those areas.

Revenue and expenditure details are included in Table 3 of this document.

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 the 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 continue to coordinate system(s) needs with respect to anticipated development.

MCWD is fully engaged in the FORA CIP process, and adjusts its program for the noted systems to be coincident with the FORA CIP.

The FORA Board, by its action in 1997, 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 the corresponding customer rate structures. Annually at budget time, the WWOC and FORA staff prepare recommended actions for the Board's consideration with respect to budget and rate approvals. This process provides the proper tracking mechanism to assure that improvements to, and expansion of, the systems are in sequence with development needs on the former Fort Ord.

Capital improvements for system(s) operations and improvements are funded by customer rates, fees and charges. The capital improvements for the system(s) are approved on an annual basis by the MCWD Board and the FORA Board as outlined above. Therefore, the water and wastewater capital improvements are not duplicated in this document.

III. FY 2010/11 THROUGH 2021/22 CAPITAL IMPROVEMENT PROGRAM

a) Background Information/Summary Tables

This Section III provides summary tables of the FORA obligations under the BRP. More particularly, Table I graphically depicts the current fiscal offsets of completed projects that have reduced the BRP obligations.

Since 1995, FORA has advanced approximately \$67M in capital projects and BRP obligations. These projects have been funded predominantly by EDA grants, loan proceeds and developer fees. The developer fees now being collected are transitioning to the forefront as the primary funding source for FORA to continue meeting its mitigation obligations under the BRP. Table I 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 Table I footnotes detail the source of funds (e.g. grants, developer fees) that have been secured to enable project implementation and offsetting of costs.

As previously noted, the work concluded by TAMC and AMBAG has resulted in modifications of the transportation obligations, for consistency with current transportation planning at the regional level. Table 2 details the current TAMC recommendations that are compatible with the RTP, and "time places" the 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 will account for funding received and applied against required projects.

CAPITAL IMPROVEMENT PROGRAM - OBLIGATORY PROJECT OFFSETS AND REMAINING OBLIGATIONS

TAMC Study 2005

Project #	Project Title	Project Limits	TAMC Reallocation Study 2005 TOTAL COST	FORA PORTION	FORA Offsets 2005-2010	FORA Remaining Obligation
Regional Improvements						
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	13,282,245	-	19,409,950
R10	Hwy 1-Monterey Rd. Interchange	Construct new interchange at Monterey Road	19,100,000	2,496,648	-	3,170,988
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	-	9,007,750
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	-	284,070
	Subtotal Regional		270,976,000	25,094,722	-	31,872,758

Off-Site Improvements

1	Davis Rd n/a Blanco	Widen to 4 lanes from the SR 183 bridge to Blanco	3,151,000	506,958	-	643,886
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	-	10,992,066
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	489,452	4,319,971
4E	Widen Reservation, WG to Davis	Widen to 4 lanes from Watkins Gate to Davis Rd	5,500,000	2,216,321	-	2,814,945
8	Crescent Ave extend to Abrams	Extend existing Crescent Court Southerly to join proposed Abrams Dr (FO2)	906,948	906,948	-	1,151,913
	Subtotal Off-Site		42,212,948	16,098,645	489,452	19,922,781

On-Site Improvements

FO2	Abrams	Construct a new 2-lane arterial from intersection with 2nd Ave easterly to intersection with Crescent Court extension	759,569	759,569	-	984,727
FO5	8th Street	Upgrade/construct new 2-lane arterial from 2 nd Ave to Intergrarrison Rd	4,340,000	4,340,000	707,393	4,795,636
FO6	Intergrarrison	Upgrade to a 4-lane arterial from Eastside Rd to Reservation	4,260,000	4,260,000	1,586,170	3,712,241
FO7	Gigling	Upgrade/Construct new 4-lane arterial from General Jim Moore Blvd easterly to Eastside Rd	5,722,640	5,722,640	368,880	6,862,675
FO8B (Ph-II)	GJM Blvd-Normandy to McClure	Widen from 2 to 4 lanes from Normandy Rd to McClure	-	-	6,386,304	-
FO8B (Ph-III) [1]	GJM Blvd-s/o McClure to s/o Coe	Widen from 2 to 4 lanes from McClure to Coe	24,065,000	24,065,000	4,016,175	-
FO9C	GJM Blvd-s/o Coe to S Boundary	Widen from 2 to 4 lanes from s/o Coe to South Boundary Rd	-	-	10,765,766	6,066,767
FO11	Salinas Ave	Construct new 2 lane arterial from Reservation Rd southerly to Abrams Dr	3,038,276	3,038,276	-	3,858,908
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	1,550,123	5,388,584
FO13B	Eastside Rd (New alignment)	Construct new 2 lane arterial from Eucalyptus Rd to Parker Flats cut-off to Schoonover Dr	12,536,370	12,536,370	200,000	15,719,819
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	353,724	2,798,862
	Subtotal On-Site		63,035,919	63,035,919	25,934,535	50,168,220
	Transportation Totals		376,225,867	104,230,286	26,423,987	101,953,759

[1] Remaining construction may be phased in future CIP documents based on available funds and habitat/environmental clearance.

Transit Capital Improvements

T3	Transit Vehicle Purchase/Replace	15 busses	15,000,000	6,298,254	279,950	7,662,625
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 Injin, and 3. Park and Ride Facility @ 8th Street and Gigling	3,800,000	4,786,673	-	6,079,544
	Transit Totals		18,800,000	11,084,926	279,950	13,762,169

Transportation/Transit Totals

			395,025,867	115,315,212	26,703,937	115,725,928
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TAMC Study 1995

Transportation/Transit

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.

Storm Drainage System

Retain/Percolate stormwater, eliminate discharge of stormwater to Monterey Bay Sanctuary. Project completed/financial obligation met in 2004. Funded by EDA grant proceeds.

TOTAL CUMULATIVE OFFSETS AGAINST TRANSPORTATION/TRANSIT AND STORM DRAINAGE PROJECTS TO DATE					FORA Offsets 1995-2004	32,235,648
						1,631,951
						60,571,536

CAPITAL IMPROVEMENT PROGRAM - TRANSPORTATION NETWORK AND TRANSIT ELEMENTS

Regional Improvements															
Proj#	Description	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	TOTALS	Proj#
R3	Hwy 1-Seaside Sand City			3,856,525	3,647,270	5,231,187	4,163,670	2,511,298						19,409,950	R3
R10	Hwy 1-Monterey Rd. Interchange			629,536	595,377	880,070	574,936	391,069						3,170,988	R10
R11	Hwy 156-Freeway Upgrade			1,789,467	1,692,371	2,427,794	1,932,512	1,165,606						9,007,750	R11
R12	Hwy 68 Operational Improvements			57,005	53,912	82,567	90,586							284,070	R12
	Subtotal Regional	-	-	6,332,533	5,988,930	8,621,618	6,861,704	4,067,973	-	-	-	-	-	31,872,758	

Off-Site Improvements															
Proj#	Description	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	TOTALS	Proj#
1	Davis Rd north of Blanco			128,881	121,888	209,171	183,946							643,886	1
2B	Davis Rd south of Blanco	300,000	1,022,839	4,167,997	3,607,587	1,893,643								10,992,066	2B
4D	Widen Reservation-4 lanes to WG														
4E	Widen Reservation, WG to Davis														
8	Crescent Ave extend to Abrams		138,141	430,516	373,048	210,209	374,675	594,656						4,319,971	4D
														2,814,945	4E
														1,151,913	8
	Subtotal Off-Site	300,000	1,160,980	5,287,532	4,632,268	5,228,739	2,718,606	594,656	-	-	-	-	-	19,922,781	

On-Site Improvements															
Proj#	Description	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	TOTALS	Proj#
F02	Abrams		115,617	352,839	306,408	189,863								964,727	F02
F05	8th Street		663,672	2,107,965	2,023,999									4,795,636	F05
F06	Intergrarison			971,567	2,740,674									3,712,241	F06
F07	Gilling				3,431,337	3,431,337								6,862,675	F07
F09C	GJM Blvd	2,476,456	1,200,000	2,390,311										6,066,767	F09C
F011	Salinas Ave			463,970	1,259,457	681,147								3,859,908	F011
F012	Eucalyptus Rd	3,738,740	1,649,844											5,388,584	F012
F013B	Eastside Rd (New alignment)	260,000	2,902,549	2,990,949	4,292,190	3,417,052	1,857,079							15,719,819	F013B
F014	South Boundary Road Upgrade		2,798,862											2,798,862	F014
	Subtotal On-Site	6,475,196	9,794,514	10,267,965	14,054,065	7,719,399	1,857,079	-	-	-	-	-	-	50,168,220	

Transportation Totals	6,775,196	10,955,494	21,888,030	24,675,263	21,569,757	11,437,389	4,662,629	-	-	-	-	-	-	101,963,759
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Transit Capital Improvements															
Proj#	Description	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	TOTALS	Proj#
T3	Transit Vehicle Purchase/Replace			1,526,748	1,443,907	2,065,794	1,642,561	1,003,615						7,682,625	T3
T22	Intermodal Centers			1,207,023	1,141,530	1,551,866	1,319,274	760,051						6,079,544	T22
	Subtotal Transit	-	-	2,733,771	2,585,437	3,717,460	2,961,835	1,763,666	-	-	-	-	-	13,762,169	

Transportation and Transit													
GRAND TOTALS													
		6,775,196	10,955,494	24,621,801	27,260,700	25,287,217	14,399,224	6,426,295	-	-	-	-	115,725,928

SUMMARY OF CAPITAL IMPROVEMENT PROGRAM (CIP) 2010/11 - 2021/22

	2005-10 (1)	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2010-11 to 2021-22 Total
A. CIP PROJECTS FUNDED BY CIP DEVELOPMENT FEES														
Dedicated Revenues	15,932,305	148,000	14,844,000	23,844,000	55,595,000	61,915,000	59,776,000	31,211,000	9,636,000	6,271,000	6,206,000	12,948,000	4,230,000	286,624,000
Development Fees														
Other Revenues	5,193,196	3,107,598	5,761,224	5,761,224	5,761,224	5,761,224	5,761,224	5,761,224	5,761,224	5,761,224	5,761,224	5,761,224	5,761,224	3,107,598
Tax Increment (2)	5,761,224	3,367,598	5,761,224	5,761,224	5,761,224	5,761,224	5,761,224	5,761,224	5,761,224	5,761,224	5,761,224	5,761,224	5,761,224	3,367,598
Federal Grants (3)	1,000,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	1,326,795
CSU Mitigation Fees	351,273													
Miscellaneous Revenues (Rev Bonds, Interest)	32,257,154	7,123,196	15,344,000	24,170,795	55,595,000	61,915,000	59,776,000	31,211,000	9,636,000	6,271,000	6,206,000	12,948,000	4,230,000	294,425,961
Total Revenues														
Expenditures														
Projects														
Transportation/Transit	23,988,678	6,775,196	10,955,494	24,621,801	27,260,700	25,267,217	14,399,224	6,426,295						115,725,928
Water Augmentation (5)	540,000	21,780			5,700,000	16,823,235								22,545,015
Storm Drainage System [Completed by 2005] (6)	[Table 1]													
Habitat Management (7)	3,983,076	37,000	3,711,000	5,961,000	13,888,750	7,409,174								31,016,924
Fire Rolling Stock	695,000	116,000	116,000	116,000	116,000									464,000
Total Expenditures	28,807,754	6,949,976	14,782,494	30,698,801	46,975,450	49,519,626	14,399,224	6,426,295						169,751,867
Net Annual Revenue	3,449,400	173,220	561,506	(6,528,006)	8,619,550	12,395,374	45,376,776	24,784,705	9,636,000	6,271,000	6,206,000	12,948,000	4,230,000	124,599,124
Beginning Fund Balance		(9)	98,220	699,726	(5,868,280)	2,751,269	15,146,643	60,523,419	85,308,124	94,944,124	101,215,124	107,421,124	120,369,124	(9)
Ending Fund Balance Before Other Costs and Reserves	3,449,400	173,220	699,726	(5,868,280)	2,751,269	15,146,643	60,523,419	85,308,124	94,944,124	101,215,124	107,421,124	120,369,124	124,599,124	124,599,124
Other Costs (8)														
Additional Project Costs (9)	3,449,400	75,000												12,053,516
Caretaker Costs (10)														16,256,930
Total Other Costs	3,449,400	75,000												12,053,516
Contingency (11)														
Total Other Costs & Contingency Reserve														12,053,516
Ending Fund Balance	(9)	98,220												16,256,930
B. CIP PROJECTS FUNDED BY LAND SALE REVENUE														
Dedicated Revenues	21,312,975	218,916	2,618,916	14,401,916	4,955,901	21,052,000	17,207,000	207,000	372,000	367,000				61,400,649
Land Sales (12)														
Land Sales - Credits (13)	(16,767,300)			(19,409,700)										(19,409,700)
Other Revenues (14)	2,395,929													
Loan Proceeds (3)	7,500,000													
Total Revenues	24,441,604	218,916	2,618,916	(5,007,784)	4,955,901	21,052,000	17,207,000	207,000	372,000	367,000				41,990,949
Expenditures														
Projects (15)														
Building Removal	28,751,592		3,850,000	14,300,000	5,000,000	2,475,408								25,625,408
Building Removal - Credits	(6,767,300)			(19,409,700)										(19,409,700)
Debt Financing (17)	1,415,170													
Total Expenditures	23,399,462		3,850,000	(5,109,700)	5,000,000	2,475,408								6,216,708
Net Annual Revenue	1,042,142	218,916	(1,231,084)	101,916	(44,099)	18,576,592	17,207,000	207,000	372,000	367,000				35,775,241
Beginning Fund Balance		1,042,142	1,261,058	29,974	131,890	87,791	18,664,383	35,871,383	36,450,383	36,817,383				1,042,142
Ending Fund Balance	1,042,142	1,261,058	29,974	131,890	87,791	18,664,383	35,871,383	36,076,383	36,817,383	36,817,383				36,817,383

TABLE 3

Table 3 CIP Summary Table Footnotes

- (1) This column summarizes CIP revenues and expenses from July 2005 through June 2010. These totals are not in the 2010-11 to 2021-22 Totals.
- (2) "Tax Increment" revenue is designated for operations and as a back up to FORA CIP projects; to date, approximately \$5.2M was spent on ET/ESCA change orders and CIP road projects.
- (3) "Loan Proceeds": In FY 05-06 FORA entered into a line of credit agreement to ensure all CIP obligations could be met in a timely manner, despite cash flow fluctuations. FORA advanced about \$2.4M to finance General Jim Moore Boulevard/Eucalyptus Road construction and road designs and \$7.5M to finance building removal at the Dunes on Monterey Bay. In FY 09-10 FORA consolidated existing debt through a loan secured by FORA's share of Preston Park and spent \$3.3M to provide stimulus grant matching funds to US Department of Commerce EDA/American Recovery and Reinvestment Act ("ARRA") grant funds.
- (4) "Federal grants": In FY 09-10 FORA received two federal grants. FORA received the first grant from the US Department of Commerce EDA through its ARRA grant program to accomplish a portion of FORA's CIP transportation infrastructure. FORA received the second grant from the Department of Defense Office of Economic Adjustment to accomplish future Central Coast Veterans Cemetery infrastructure planning.
- (5) "Water Augmentation" is FORA's financial obligation for the approved water augmentation project. A portion is separate from FORA water/wastewater mitigations required under CEQA. Project financing (e.g. cash advances, debt issuance) will be accomplished by project lead agency MCWD and any partners (i.e. MRWPCA). The FORA financial contribution will be used to repay MCWD cash advances and/or assist in retiring MCWD debt and/or funding capital improvements for the system. The original CEQA obligation is reflected here. The FORA Board approved an additional "voluntary contribution" to keep MCWD capacity charges in check, which appears in the Other Costs and Contingencies line item as it is not an expense mandated by CEQA. Please refer to Section II b) "Water Augmentation".
- (6) FORA's "Storm Water Drainage System" obligation has been retired. Please refer to Section II c) "Storm Drainage System Projects".
- (7) "Habitat Management" amounts are estimates. Habitat management endowment final amount is subject to approval by US Fish and Wildlife Service and California Department of Fish & Game. Please refer to Section II d) Habitat Management Requirements".
- (8) "Other Costs & Contingencies" are subject to cash flow and are not received in actual amounts until distant out-years of the program. The FORA Board "voluntary contribution" toward the water augmentation program (in lieu of increased MCWD capacity charges) appears here as an "other cost" separate from the actual obligation toward potable water augmentation as per the BRP/EIR.
- (9) "Additional Project Costs" are potential and unknown additional basewide expenditures not included in current project cost estimates for transportation projects (e.g. contract change orders to the ESCA, street landscaping, unknown site conditions, project changes, habitat/environmental mitigation, etc.)
- (10) "Caretaker Costs" are associated with potential delays in redevelopment which represent interim capital costs associated with property maintenance prior to transfer for development. This includes costs of managing property transfer documents, legal review of rights of access and other documents during the transfer of land, illegal dumping clean up costs, funding for self-insured retention for pollution legal liability insurance, and liability insurance.
- (11) "Contingency" provides funding for jurisdictions to accommodate potential increased habitat management costs, restoration of storm drainage sites in State Parks, relocation of utilities, unknown subsurface conditions, construction cost phasing, unknown CEQA mitigations, financing costs, reimbursements for prior FORA expenses, and shortfalls in CFD revenue when inflation exceeds maximum allowed 5 percent following FORA's sunset.
- (12) "Land Sales" revenues are regularly evaluated to apply any changes in local development fees, market realities, and other factors to adjust land prices in the region.

- (13) Land Sales — Credit” is credit due specific developers who perform building removal by agreement with FORA. The value of the building removal work is subtracted from the developer’s land sale proceeds due FORA. Both “Land Sales—Credit” (a credit to the developer toward land sales due) and “Building Removal—Credit” (a credit to FORA toward its building removal program obligations) illustrate cash flow neutral transactions. FORA entered into two such agreements with 1) Marina Community Partners and 2) East Garrison Partners (“EGP”) for a total land sale credit of \$26,177,000.
- (14) “Other Revenues” applied against building removal and debt financing costs include Abrams B loan repayment of \$1,425,000 and interest payments collected from East Garrison developers.
- (15) “Projects” include building removal activities at 1) Dunes on Monterey Bay (\$46M), 2) Imjin Office (\$400K), 3) East Garrison (\$2.177M), 4) Stockade (\$2.2M), and 5) Surplus II (\$4M).

Appendix A

Protocol for Review/Reprogramming of FORA CIP

(Revision #3, March 8, 2010)

- 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, 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 fire fighting enhancement.

APPENDIX B **Community Facilities District Revenue**

Jurisdiction	2010-11 to 2021-22 Total	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
Dunes on Monterey Bay (3)	\$ 56,000			14,000	14,000	14,000	14,000	14,000					
Industrial - City Corp. Yard (1)	87,000						87,000						
Industrial - Public/Private (1)	87,000						87,000						
Monterey County Light Ind. (1)													
Horse Park (1)	46,000												
Landfill Industrial Park (1)	140,000												
MST Bus Maint & Opns Facility (1)	41,000	28,000	28,000	28,000	28,000	28,000							
Seaside Corp Yard Shop (1)	9,000	41,000											
SEA	83,000		9,000	7,000	7,000	7,000	7,000	8,000	8,000	8,000	8,000	8,000	8,000
UC Central N. & W. Campuses (1)			7,000										
Retail													
Del Rey Oaks Retail (1)	\$ 229,000	\$	\$	229,000	\$	\$	\$	\$	\$	\$	\$	\$	\$
UC Central N. & W. Campuses (1)	772,000			73,000	73,000	73,000	73,000	80,000	80,000	80,000	80,000	80,000	80,000
UC East Campus (1)	596,000												
UC Eight Street (1)	2,250,000			225,000	225,000	225,000	225,000	225,000	225,000	225,000	225,000	225,000	225,000
Monterey County Retail													
Landfill Commercial development (1)	1,146,000												
East Garrison Retail (1)	458,000												
Old Market (4)													
Horse Park (1)	4,817,000			1,147,000	1,147,000	1,147,000	1,147,000	1,376,000					
Main Gate Spa (1)	275,000												
Main Gate Large Format Retail (1)	1,003,000			1,003,000	1,003,000	1,003,000	1,003,000						
Main Gate In-Line Shops (1)	3,337,000			3,337,000	3,337,000	3,337,000	3,337,000						
Main Gate Department Store Anchor (1)	1,376,000			700,000	700,000	700,000	700,000						
Main Gate Restaurants (1)	92,000												
Main Gate Hotel Restaurant (1)	187,000												
Seaside Resort Golf Clubhouse (1)	2,695,000												
Dunes on Monterey Bay (3)	860,000		2,294,000	401,000		430,000	430,000						
TAMC TOD (1)													
Hotel (rooms) (5)													
Del Rey Oaks Hotel (1) (454 rm)	\$ 4,576,000	\$	\$	1,072,000	2,576,000	1,030,000	\$	\$	\$	\$	\$	\$	\$
Del Rey Oaks Timeshare (1) (65 rm)	990,000			495,000	495,000								
Horse Park (Parker Flag) Hotel (1) (200 rm)	2,061,000					2,061,000							
Dunes - Limited Service (3) (100 rm)	1,030,000		1,030,000										
Dunes - Full Service (3) (400 rm)	4,122,000						4,122,000						
Seaside Golf Course Hotel (3) (330 rm)	3,400,000					3,400,000							
Seaside Golf Course Timeshares (3) (170 rm)	1,751,000						1,236,000	515,000					
Main Gate Hotel (1) (250 rm)	2,576,000					2,576,000							
UC East Campus (1) (250 rm)	2,576,000												
UC Central N. & W. Campuses (1) (150 rm)	1,546,000											2,576,000	1,546,000
Affordable Housing Adjustment (6)													
Tier 1 (300 units)	\$ (13,168,000)	\$	(2,000)	\$ (687,000)	\$ (1,194,000)	\$ (2,537,000)	\$ (2,582,000)	\$ (1,824,000)	\$ (554,000)	\$ (330,000)	\$ (330,000)	\$ (491,000)	\$ (234,000)
Tier 2 (500 units)	(16,157,000)	(843,000)	(3,000)	(843,000)	(3,113,000)	(3,168,000)	(2,936,000)	(2,238,000)	(892,000)	(405,000)	(405,000)	(602,000)	(287,000)
Tier 3 (300 units)	(9,595,000)	(505,000)	(2,000)	(505,000)	(1,958,000)	(1,901,000)	(1,762,000)	(1,343,000)	(415,000)	(243,000)	(243,000)	(361,000)	(172,000)
Subtotal	\$ (39,020,000)	\$	(7,000)	\$ (2,036,000)	\$ (3,538,000)	\$ (7,651,000)	\$ (7,091,000)	\$ (5,405,000)	\$ (1,671,000)	\$ (978,000)	\$ (978,000)	\$ (1,456,000)	\$ (693,000)
Total	\$ 286,624,000	\$	148,000	\$ 14,844,000	\$ 23,844,000	\$ 55,595,000	\$ 61,915,000	\$ 59,776,000	\$ 31,211,000	\$ 9,636,000	\$ 6,271,000	\$ 12,948,000	\$ 4,230,000

Note: FORA Baseline Community Facilities District special tax rates are shown below, inflated to January 2002 based on rate and method of apportionment. Totals in table may not add due to rounding.

Adopted 2002	Effective 7/1/09	Index 09/10	Effective 7/1/10
34,324	46,612	1.3%	46,205
New Residential (per du)			
Existing Residential (per du)	10,320	1.3%	13,892
Office & Industrial (per acre)	4,496	1.3%	5,978
Retail (per acre)	92,768	1.3%	124,885
Hotel (per room)	7,653	1.3%	10,304

- (1) Project proposed
- (2) Project approved by local jurisdiction
- (3) Project found consistent with Base Reuse Plan
- (4) Project completed
- (5) Back up tables to this table 4 (Appendix B), including residential units and building squarefootages, can be requested at 831-883-3672
- (6) Please see description of Tiers 1, 2, & 3 at www.fora.org under section "FORA Documents," document titled "Developer Fee Schedule."

TABLE 4

APPENDIX B **Land Sale Revenue**

			2010-11 to 2021-22 Total	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
Jurisdiction															
Retail															
Del Rey Oaks Retail	DRO		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
UC Central North & West Campuses	UC/MAR		-	-	-	-	-	-	-	-	-	-	-	-	-
UC South Campus	UC/MAR		-	-	-	-	-	-	-	-	-	-	-	-	-
UC East Campus	UC/MCO		-	-	-	-	-	-	-	-	-	-	-	-	-
UC Eight Street	UC/MCO		-	-	-	-	-	-	-	-	-	-	-	-	-
Monterey County Retail	MCO		2,000,000	-	-	-	-	1,000,000	1,000,000	-	-	-	-	-	-
Landfill Commercial development	MCO		-	-	-	-	-	-	-	-	-	-	-	-	-
East Garrison I Retail	MCO		-	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ord Market	MCO		-	-	-	-	-	-	-	-	-	-	-	-	-
Horse Park	MCO		-	-	-	-	-	-	-	-	-	-	-	-	-
Main Gate	SEA		5,054,000	-	-	2,527,000	2,527,000	-	-	-	-	-	-	-	-
South of Lightfighter Dr (swap)	SEA		802,000	-	-	401,000	401,000	-	-	-	-	-	-	-	-
Dunes on Monterey Bay	MAR		-	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Hotel (rooms)															
Del Rey Oaks Hotel	DRO		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Del Rey Oaks Timeshare	DRO		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Horse Park (Parter Flat) Hotel	MCO		-	-	-	-	-	-	-	-	-	-	-	-	-
Dunes - Limited Service	MAR		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Dunes - Full Service	MAR		-	-	-	-	-	-	-	-	-	-	-	-	-
Seaside Golf Course Hotel	SEA		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Seaside Golf Course Timeshares	SEA		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Main Gate Hotel	SEA		-	-	-	-	-	-	-	-	-	-	-	-	-
UC East Campus	UC/MCO		-	-	-	-	-	-	-	-	-	-	-	-	-
UC Central North & West Campuses	UC/MAR		-	-	-	-	-	-	-	-	-	-	-	-	-
Total			62,507,500	218,916	2,618,916	14,401,916	4,955,901	21,052,000	17,207,000	207,000	372,000	367,000	-	-	-

Note: FORA and local jurisdiction split land sales revenue 50/50 with FORA paying sales costs from its share. Actual land sales revenue may vary from that shown here and will be determined by appraisal at time of sale.

Sources: Economic & Planning Systems "Due Diligence" memorandum to FORA Board, July 21, 1999

Appendix C

Monterey Bay Regional Water Supply Program

Background

The Monterey Bay Regional Water Supply Project (Regional Project) is jointly proposed by the Marina Coast Water District (MCWD), the Monterey County Water Resources Agency (MCWRA), and the California American Water Company (CAW) to provide 13,100 AFY of replacement and new water supplies for the Monterey Peninsula and the former Fort Ord. The water supply is needed to replace existing supplies that are constrained by recent legal decisions affecting the Carmel River and Seaside Groundwater Basin water resources as well as to satisfy MCWD's obligations to provide a water supply adequate to meet the approved redevelopment of the former Fort Ord. The Regional Project would produce desalinated water, convey it to the existing CAW and MCWD distribution systems, and increase the system's use of storage capacity in the Seaside Groundwater Basin. The Regional Project is comprised of numerous projects and programs that, combined, meet the regional water supply needs. A Regional Project approach provides the opportunity for reducing costs, creating a broader base of benefits and beneficiaries, and provides a more environmentally sound, more reliable, and more sustainable water supply.

Project Benefits

- Maximizing sustainability
 - Potential for creating an environmental park in which facilities can be shared and power from the Monterey Regional Waste Management District's landfill can be used
 - Reducing carbon footprint
 - Reducing environmental impacts
 - Eliminating reliability upon outside sources of energy
 - Satisfying SWRCB Order 95-10 and avoiding a 50% reduction in available water supply
- Minimizing environmental impacts
 - Restoring sustainability of over drafted Seaside groundwater basin
 - Restoring flows in the Carmel River, improving and restoring habitat for threatened and endangered steelhead fish
 - Improving condition of seawater intruded Salinas Valley Groundwater Basin
 - Reducing discharges to the Monterey Bay National Marine Sanctuary
 - Creating an intrusion barrier in the Salinas Valley Groundwater Basin
- Maximizing reliability
- Potential for obtaining grant and State Revolving Fund Funding reducing the cost of water

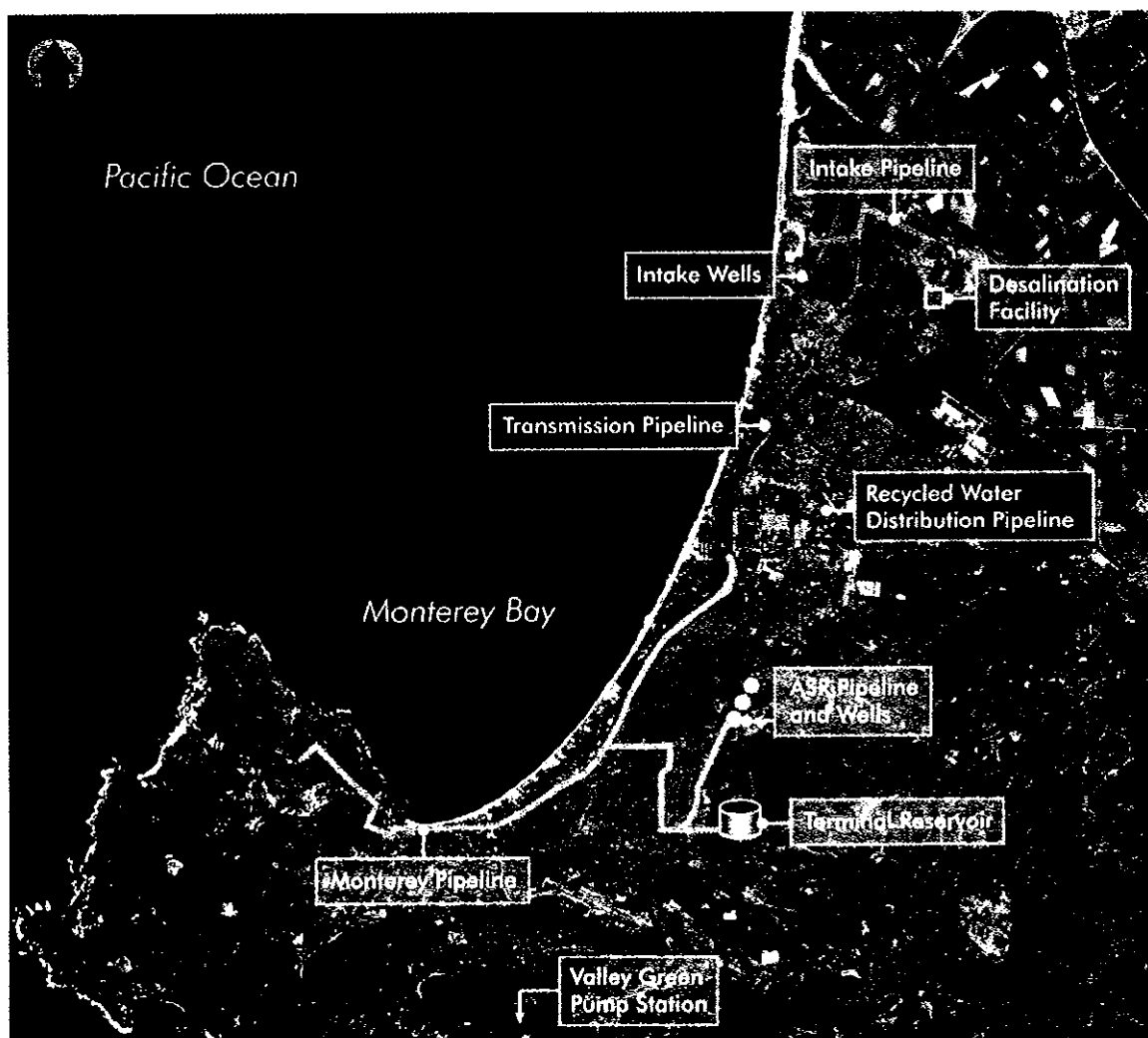
Definitions of Terms

1. **Acre-foot:** Equivalent to the volume of water required to cover 1 acre of land (43,560 square feet) to a depth of 1 foot. Equal to 325,851 gallons or 1,233 cubic meters.
2. **AFY:** Acre-feet per year
3. **Aquifer Storage and Recovery (ASR):** Process in which water is stored underground in a designated aquifer, to be extracted for future use.
4. **Desalination:** Water treatment process for the removal of salts from saline water to produce and provide potable water.
5. **mgd:** Million gallons per day
6. **Potable Water:** Water of a quality suitable for human consumption and which meets all applicable U.S. EPA and California Department of Public Health standards.
7. **Recycled Water or Reclaimed Water:** Wastewater treated to meet California Title 22 requirements. Depending on what level of treatment, recycled water can be used for various applications including irrigation to indirect potable reuse.

Components of the Regional Project

Component	Supply (AFY)	Description
Conservation		Water conservation efforts represent a potential demand reduction on the Monterey Peninsula. While it does not produce additional supply or yield, it is an important component of the analysis and was supported by public stakeholders.
Seaside Aquifer Storage and Recovery (ASR)	1,300	Consists of injecting excess winter flows from the Carmel River into the Seaside Groundwater Basin.
Sand City Desalination	300	This project is currently online.
Regional Urban Water Augmentation Project (RUWAP)	1,000	Recycled water will be produced at the Monterey Regional Water Pollution Control Agency (MRWPCA) and distributed to the MCWD. RUWAP has the capability of future expansion.
Regional Desalination Facility	10,500	Reverse osmosis treatment plant with a peak production rate of 10 million gallons per day (mgd). Source water anticipated to be a blend of ocean water and brackish water from wells located between Hwy 1 and the coastal dunes.
TOTAL	13,100	

Regional Project Overview Map



DEVELOPMENT FEE ALLOCATION AGAINST OBLIGATIONS OVER CIP HORIZON (10-11 - 21-22)

I. ALLOCATION OF CFD FEES AGAINST OBLIGATIONS

	\$	%	\$
Forecast Revenues from Developer Fees (DF)	286,624,000	Per Project	Per \$1
<u>Cost Per Capital Projects:</u>			
1 Transportation/Transit	115,725,928	40.38%	0.4038
2 Potable Water Augmentation	22,545,015	7.87%	0.0787
3 Storm Drainage System	-	0.00%	0.0000
4 Habitat Management (1)	31,016,924	10.82%	0.1082
5 Fire Rolling Stock	464,000	0.16%	0.0016
6 Other Costs & Contingency	116,872,133	40.78%	0.4078
Totals	286,624,000	100.00%	1.0000

II. ALLOCATION TO TRANSPORTATION/TRANSIT

Transportation Costs - FORA Share		115,725,928	
Allocation of DF to Transportation		\$ 0.4038	
<u>Transportation Project Obligations</u>		<u>FORA Cost/Project</u>	<u>Allocation to Projects</u>
		\$	%
Regional Highway Projects			\$
R3 Highway 1-Seaside/Sand City		19,409,950	16.77%
R10 Hwy 1- Monterey Road Interchange		3,170,988	2.74%
R11 Hwy 156 - Freeway Upgrade		9,007,750	7.78%
R12 Hwy 68 Operational Improvements		284,070	0.25%
Sub-total Regional		31,872,758	27.54%
Off-Site Improvements			
1 Davis Rd n/o Blanco		643,886	0.56%
2B Davis Rd, s/o Blanco		10,992,066	9.50%
4D Widen Reservation, 4-lane to Watkins Gate		4,319,971	3.73%
4E Widen Reservation, Watkins Gt to Davis		2,814,945	2.43%
8 Crescent St. extend to Abrams		1,151,913	1.00%
Sub-total Off-Site		19,922,781	17.22%
On-Site Improvements			
FO2 Abrams (Crescent to 2nd Avenue connection)		964,727	0.83%
FO5 8th. Street		4,795,636	4.14%
FO6 Inter-Garrison		3,712,241	3.21%
FO7 Gigling		6,862,675	5.93%
FO9C General Jim Moore Blvd		6,066,767	5.24%
FO11 Salinas Avenue		3,858,908	3.33%
FO12 Eucalyptus Road		5,388,584	4.66%
FO13B Eastside Rd (New alignment)		15,719,819	13.58%
EO14 South Boundary Road upgrade		2,798,862	2.42%
Sub-total On-Site		50,168,220	43.35%
Total Transportation		101,963,759	88.11%
<u>Transit Capital Obligations</u>			
T3 Transit Vehicle Purchase & Replacement		7,682,625	6.64%
T22 Intermodal Centers		6,079,544	5.25%
Total Transit		13,762,169	11.89%
Grand Totals		115,725,928	100.00%
			0.4038

Notes:

- (1) 25% of each dollar collected is directly allocated to Habitat Mangement obligation. When this obligation is met, the % allocation to projects will change. Similarly, the allocation formula will change as other obligations are satisfied.

TABLE 5

	1	2	3	4	5	6	7
1							
2							
3							
4							
5							
6							
7							

- Attachment B**
To Item 6c
FORA Board Meeting, August 13, 2010

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Fort Ord Reuse Authority investments – status report

Meeting Date: August 13, 2010

Agenda Number: 6d

INFORMATION

RECOMMENDATION(S):

Receive the Fort Ord Reuse Authority (FORA) investment report - period ending July 31, 2010.

BACKGROUND/DISCUSSION:

As recommended by the Finance Committee (FC), the FORA Board approved modifications to the FORA investment policy at its February 13, 2009 meeting. To preserve investments during the economic downturn, the FC recommended moving funds to more safe fixed income securities as market opportunities arise. In an effort to sustain capital volume and earnings, the Executive Officer recommended and the FC approved gradually reducing stock holdings to 40% - 60%, stocks vs. bonds ratio, and eventually moving all funds to more secure investment instruments.

No funds were withdrawn and no new funds were invested. The ending balance in the investment account was \$4,197,677.

Investment Type	7/31/10 Balance	Portfolio Percent	3/31/10 Balance	Portfolio Percent	Maturity
PRIMEVEST INVESTMENT ACCOUNT					
Mutual Funds	4,190,485	99.83%	4,173,621	99.83%	Liquid
Stock Funds	1,457,031	34.77%	1,464,330	35.09%	
Bond Funds	2,733,454	65.23%	2,709,291	64.91%	
Money Market Funds	7,192	0.17%	7,192	0.17%	Liquid
TOTALS	4,197,677	100.00%	4,180,813	100.00%	

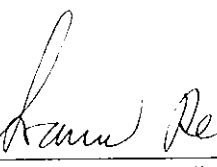
FISCAL IMPACT:

Despite market fluctuations, FORA has restored investment earnings. To capture these restored earnings and preserve principal, staff has worked with bank representatives to convert Prime Vest accounts to certificates of deposit. Those funds will remain held in "trust," awaiting certification of the proposed habitat endowment to accept these funds. This approach was discussed and supported by the FC in May 2010.

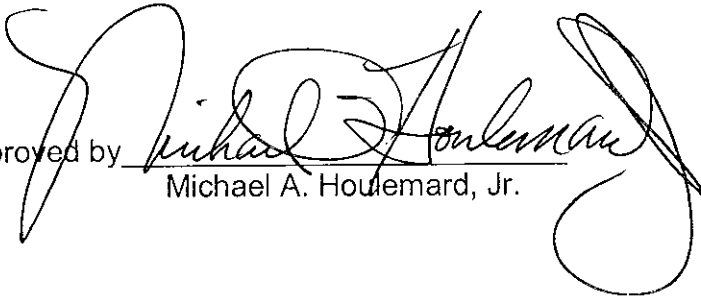
COORDINATION:

Finance Committee Chair, John Pira

Prepared by


Ivana Bednarik

Approved by


Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject:	Outstanding receivables – status report	
Meeting Date:	August 13, 2010	INFORMATION
Agenda Number:	6e	

RECOMMENDATIONS:

Receive a report regarding outstanding receivables.

BACKGROUND/DISCUSSION:

This report updates Fort Ord Reuse Authority (FORA) outstanding receivables as of July 31, 2010.

\$438,897 - Del Rey Oaks (DRO) annual Pollution Legal Liability (PLL) loan payments

DRO owes FORA \$182,874 for the 09-10 and \$256,023 for the 10-11 insurance premiums. In 2009, DRO lost its developer who previously financed these annual payments. In December 2009, DRO signed an agreement to pay the 09-10 premium in equal monthly payments through June 2010. After making the first two payments, DRO informed FORA staff that the City has no funds to continue making these payments. The Executive Committee discussed this item at their May 5 and June 2 meeting and directed staff to inform DRO that they must submit a reasonable payment plan or they will lose the insurance.

- ❖ The City anticipates finding a suitable developer for its Fort Ord Property within the next few months. The new developer will be required by the City to bring the PLL Insurance coverage current. DRO agreed to make interest payments on the balance owed until the new developer is hired. The Payment Plan from DRO is attached (**Attachment 6e-1**).
- ❖ Staff recommends reviewing this item in December 2010 should the City be unable to find the new developer by that time.

FISCAL IMPACT:

A negative impact on FORA's net revenues as FORA expends general fund resources until these receivables are collected.

COORDINATION:

Executive Committee.

Prepared by

Ivana Bednarik

Approved by

Michael A. Houlemard, Jr.



CITY OF DEL REY OAKS

650 CANYON DEL REY RD. • DEL REY OAKS, CALIFORNIA 93940
PHONE (831) 394-8511 • FAX (831) 394-6421

RECEIVED
ATTACHMENT 6E-1
Item 6e
FORA Board Meeting 8-13-2010

July 29, 2010

Michael A. Houlemard, Jr., Executive Officer
Fort Ord Reuse Authority
100 12th Street, Bldg. 2880
Marina, CA 93933

RE: PLL Insurance Plan for Payment of outstanding amounts due

Dear Mr. Houlemard:

I appreciate the understanding that FORA has shown in helping our small City weather the economic difficulties during the past year. As you are aware we were under agreement with Federal LLC whereby they were to pay the PLL Insurance premiums on behalf of Del Rey Oaks. As you are also aware, all agreements with Federal LLC have been terminated due in part to their non-payment of, among other obligations, the PLL premiums due to FORA.

The City and RDA are currently closing out legal obligations with regard to the termination of Federal LLC and will be able to publicly engage a new developer within the next few months. As part of any new ANE, DDA or other agreement we will absolutely make the PLL Insurance payments a non-negotiable obligation of the new developer. Any new developer will be required by the City to bring the PLL Insurance coverage current. There are several interested developers awaiting the final resolution with regard to terminating Federal Development LLC's interests in our Fort Ord property.

Additionally, the City will continue to work with the FORA Accounting Division to develop a payment plan that brings this account current, while making interest payments on the past due balance, until such time as a new developer pays the balance.

Sincerely,

Daniel Dawson

City Manager

Cc: Ivana Benarik

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FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Habitat Conservation Plan – status report

Meeting Date: August 13, 2010

Agenda Number: 6f

INFORMATION

RECOMMENDATION(S):

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

BACKGROUND/DISCUSSION:

FORA, with the support of its member jurisdictions and consultant team, is on a path to receive approval of a completed basewide HCP and 2081 permit in 2011, which will result in the US Fish and Wildlife Service ("USFWS") and California Department of Fish and Game ("CDFG") issuing crucial federal and state permits. Chair/Mayor Ralph Rubio, 1st Vice Chair/Supervisor Dave Potter, Executive Officer Michael A. Houlemard, Jr., and Director of Planning and Finance Steve Endsley ("FORA's legislative representatives") met in Sacramento with California Resources Secretary Mike Chrisman on June 25 and 26, 2009 to develop a critical path forward. A product of these meetings was to form a Permit Completion working group, comprised of department heads from CDFG, USFWS, State Parks, and FORA, to resolve outstanding issues and ensure completion of the HCP and 2081 permit on schedule. FORA's legislative representatives held a meeting with newly appointed California Natural Resources Agency Secretary Lester Snow on February 2, 2010 to reaffirm commitments.

The FORA Board provided direction on the governance structure of the future HCP Joint Powers Authority Cooperative on May 14, 2010. ICF International (formerly Jones & Stokes), FORA's HCP consultant, completed a pre-public administrative draft HCP on December 4, 2009. FORA member jurisdictions have completed a comment and review period, which ended February 26, 2010. To date, USFWS commented on HCP sections 1-3 and has agreed to provide remaining comments during the month of August, while CDFG has not commented on HCP sections. The next critical milestones to completing the HCP are receiving HCP comments from USFWS and CDFG and resolving any outstanding issues that result from those comments.

FISCAL IMPACT:

Reviewed by FORA Controller 

ICF International and Denise Duffy and Associates' (FORA's National Environmental Policy Act/California Environmental Quality Act consultant) contracts have been funded through FORA's annual budgets to accomplish HCP preparation. Staff time for this item is included in the approved FY 10-11 budget.

COORDINATION:

Executive Committee, Administrative Committee, Legislative Committee, HCP working group, HCP Permit Completion working group, FORA Jurisdictions, USFWS and CDFG personnel, ICF International, Denise Duffy and Associates, and various development teams.

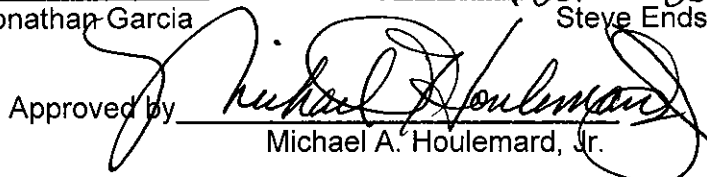
Prepared by


Jonathan Garcia

Reviewed by


Steve Endsley

Approved by


Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Preston Park Buyout – status report

Meeting Date: August 13, 2010

Agenda Number: 6g

INFORMATION

RECOMMENDATION(S):

Receive a status report regarding the Preston Park Buyout.

BACKGROUND/DISCUSSION:

At its September 11, 2009 meeting, the FORA Board appointed Board members to the Preston Park Buyout ad hoc negotiating committee. FORA representatives appointed to the committee included Chair/Mayor Rubio, Supervisor Potter, Mayor Pro Tem Kampe, and Councilmember Selfridge. Marina representatives participating on the ad hoc negotiating committee include Councilmember McCall and Mayor Pro Tem Gray. The ad hoc committee met several times over past eleven months and recently directed FORA staff, working in coordination with Marina staff, to retain the services of an appraiser to update the Preston Park appraisal that was completed last year. The resulting appraisal update will be the basis for the Preston Park Buyout negotiations.

The appraiser anticipates completing the appraisal in mid-August. When the appraisal report is completed, the ad hoc negotiating committee will reconvene to review the appraisal and anticipates ultimately bringing a buyout recommendation to the FORA Board shortly thereafter.

FISCAL IMPACT:

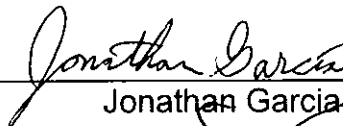
Reviewed by FORA Controller 

FORA has entered into a contract with CBRE, the appraiser chosen to complete the appraisal update, for a contract of \$4,000. FORA and Marina agreed that the cost of the appraisal update will be reimbursed as a transaction cost of the buyout, shared equally between FORA and Marina. Staff time for this item is included in the approved FY 10-11 budget.

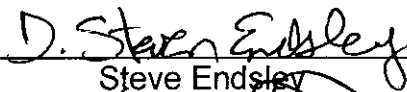
COORDINATION:

Executive Committee, City of Marina, Preston Park Buyout ad hoc negotiating committee, and CBRE

Prepared by

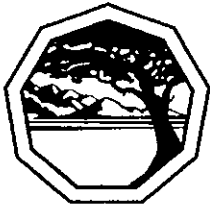

Jonathan Garcia

Reviewed by


Steve Endsley

Approved by


Michael A. Houlemard, Jr.



FORT ORD REUSE AUTHORITY

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Announcements and Correspondence

Item 8

FORA Board Meeting, August 13, 2010

SENATE FLOOR ALERT

To: California State Senate Members

From: Michael A. Houlemard, Jr. - Fort Ord Reuse Authority Executive Officer

Date: July 29, 2010

Re: AB 1791 (Monning) Fort Ord Reuse Plan: project area territory

On behalf of the Fort Ord Reuse Authority (FORA) and Monterey Bay Region jurisdictions who have endorsed and encouraged this legislation, we are writing to request your support of AB 1791. AB 1791, has been narrowly crafted to permit only former Fort Ord jurisdiction redevelopment agencies to use tax increment funds to support certain commercial projects.

FORA adopted the Fort Ord Base Reuse Plan in 1997, calling for a balanced program of job creation and housing as the basis for recovery from the installation closure. The commercial developments are central to our reuse activities and create much-needed jobs, assist in our rebuilding from the impact of the current recessionary trends, and help us realize the promises of economic sustainability in the wake of the financial devastation caused by the base closure. Barring our use of direct assistance impedes our ability to extend or replace important infrastructure to the areas already designated for commercial development. These job-creating activities are important to all of the communities surrounding Fort Ord.

AB 1791 addresses the restriction in a localized, focused manner to allow powers offered under the Authority Act to be undertaken by FORA jurisdictions for these selected areas. AB 1791 is supported by every jurisdiction affected by the redevelopment of the former Fort Ord and its major stakeholders.

For the reasons listed above, we ask for your "AYE" vote on AB 1791. We thank you for your consideration of FORA's view.

VOTE "AYE" on AB 1791