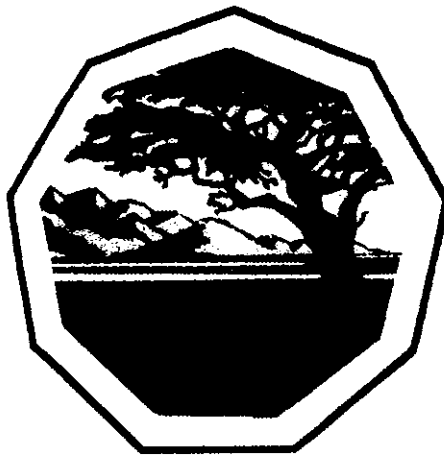


Fort Ord Reuse Authority



Board Packet
For
Board Meeting
October 8, 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, October 8, 2010

**3:30 p.m. FORA Conference Facility/Bridge Center
201 - 13th Street, Building 2925, Marina (on the former Fort Ord)**

AGENDA

- 1. CALL TO ORDER AND ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**
- 4. 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.
- 5. CONSENT AGENDA** ACTION
 - a. September 10, 2010 FORA Board meeting minutes
- 6. OLD BUSINESS** ACTION/INFORMATION
 - a. Office of Economic Adjustment Grant – update
- 7. NEW BUSINESS** ACTION
 - a. CONSISTENCY DETERMINATION: Seaside's the Projects at Main Gate Specific Plan
- 8. EXECUTIVE OFFICER'S REPORT** INFORMATION
 - a. Administrative Committee Report INFORMATION
 - b. Executive Officer's Travel Report INFORMATION
 - c. Capital Improvement Program – work plan status report INFORMATION
 - d. General Jim Moore Boulevard Phase V and Eucalyptus Road Phase II completion – status report INFORMATION
 - e. Habitat Conservation Plan – status report INFORMATION
 - f. Fort Ord Reuse Authority investments – final report INFORMATION
 - g. Outstanding Receivables – update ACTION/INFORMATION
- 9. ITEMS FROM MEMBERS** INFORMATION
- 10. CLOSED SESSION – Preston Park sale**
- 11. REPORT OUT OF CLOSED SESSION BY AUTHORITY COUNSEL**
- 12. 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
October 8, 2010

1. CALL TO ORDER

With a quorum present Chair/Mayor Ralph Rubio called the October 8, 2010 Board of Directors meeting to order at 3:30 p.m.

Voting members present:

Supervisor Jane Parker (County of Monterey)
Chair/Mayor Ralph Rubio (City of Seaside)
Councilmember Jim Ford (City of Marina)
Mayor David Pendergrass (City of Sand City)
2nd Vice Chair Dave McCall (City of Marina)

Mayor Sue McCloud (City of Carmel-by-the-Sea)
Mayor Jerry Edelen (City of Del Rey Oaks)
Councilmember Tom Mancini (City of Seaside)
Mayor Pro-Tem Bill Kampe (City of Pacific Grove)
Councilmember Janet Barnes (City of Salinas)

Absent: Supervisor Dave Potter (County of Monterey). Arriving after the roll call were: Councilmember Selfridge (City of Monterey) and Jim Cook (County of Monterey).

Ex-Officio members present:

Dr. Bruce Margon (University of California Santa Cruz), Kevin Saunders (California State University Monterey Bay), Dr. Doug Garrison (Monterey Peninsula College), Gail Youngblood (Base Realignment and Closure), Kenneth Nishi (Marina Coast Water District), Todd Muck (Transportation Agency of Monterey County), Mike Gallant (Monterey Salinas Transit District) and Noelle White (27th State Assembly District).

Absent were representatives from the Monterey Peninsula Unified School District. Arriving after the roll call were: COL Darcy Brewer (United States Army), Alec Arago (17th Congressional District), David Meyerson (15th State Senate District).

- 2. PLEDGE OF ALLEGIANCE** - Chair Rubio asked Mayor Pro-Tem Kampe, who agreed, to lead the Pledge of Allegiance.
- 3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE** - Chair Rubio reported that the Army conducted successful, controlled burns over the past two days. He also acknowledged that MCWD (Marina Coast Water District) celebrated their 50th anniversary held on September 30th 2010. President of the MCWD Board Ken Nishi thanked everyone for their acknowledgement and attendance. Chair Rubio reported that AB 1757 (Veterans Cemetery bill) was signed by the Governor however AB 1791 (Monning - direct tax increment assistance legislation) was vetoed. Salinas Valley Memorial Healthcare System, Monterey Peninsula College, and City of Marina swap closed and the land transfer is complete. Councilmember Mancini asked if we could do anything about AB 1791 and Noelle White shared a message from Assemblymember Monning, thanking the FORA Board for their work and further expressed his disappointment about the veto.
- 4. PUBLIC COMMENT PERIOD** - none

5. **CONSENT AGENDA - Item 5a - September 10, 2010 FORA Board meeting minutes.**
Motion to approve the Consent Agenda was made by Mayor McCloud, seconded by Councilmember Ford, and carried. Members abstaining from the vote were 2nd Vice Chair McCall and Councilmember Barnes.
6. **OLD BUSINESS - Item 6a - Office of Economic Adjustment Grant - update.** Executive Officer Houlemard announced that FORA colleagues, Whitson Engineers, were in attendance and were performing work under the Office of Economic Adjustment Grant for the future Central Coast Veterans Cemetery. Mr. Houlemard noted that several Board members were instrumental in this initiative, most notably Mr. Cook representing the County of Monterey.

FORA staff and senior planner Jonathan Garcia gave a presentation which included an update of the completion of consultant deliverables under the scope of work. Mr. Garcia did note that there was one item under the scope of work which would necessitate an MOU ("Memorandum of Understanding") with the California Department of Veterans Affairs. Mr. Garcia reported that this was an action item and staff was recommending the Board authorize the Executive Officer to execute a contract with the state, not to exceed 45K. Mr. Garcia reported that the grant would fund a budget document which would estimate the design and construction costs for moving the cemetery forward.

Andrew Hunter of Whitson Engineers gave a power point presentation regarding the infrastructure planning and accomplishments completed which included, background data collection and report, biological surveys, topographical survey maps and conceptual roadway maps for access to Parker Flats, and Veterans Cemetery budget (to be completed by others) and implementation plan (scheduled in early 2011). Mr. Hunter reported that the project kickoff occurred in May/June 2010 and the work plan was modified due to the "no access areas" actively under remediation in MRA areas ("Munitions Response Areas"), which prevented access. Mr. Hunter stated that work was being coordinated with FORA regarding road access points to the cemetery. Forest resource evaluations revealed coast live oak on the site and, out of approximately 9,000 trees on the property, there are only 7 landmark trees. He said that other completed work includes: biological and archeological surveys; preparation of roadway centerline maps for Eastside Road, Parker Flats Road, Parker Flats Cut-off, and Eastern portions of Gigling and Intergarrison Roads; geotechnical percolation testing; boring testing; percolation recommendations for pavement design and earthwork; and aerial topographical mapping. Whitson Engineers has scheduled meetings with MCWD, PG&E and AT&T to assess utility service needs for the Veterans Cemetery and surrounding land owners/development projects. This background informational report will serve as the basis for the cemetery implementation plan.

Chair Rubio thanked Mr. Hunter for his presentation. Jim Cook praised Mr. Hunter and Whitson Engineers for the work they have performed regarding the project. Mr. Cook asked Mr. Houlemard if the engineers could make a presentation to the steering committee for the Veterans Cemetery Citizen's Advisory Committee on October 14, 2010 stating that the state department of Veterans Affairs will be there and they have taken advantage of the Monning legislation which allows the state to move forward with the architectural and engineering in advance of collecting the entire endowment. (The estimated cost to move that "first chunk" of work would be about \$800K.) Mr. Cook said that based on the creativity of the FORA staff and the FORA Board, the information as presented will offset a significant portion of the state's cost in preparing the application. Instead of an 800k infrastructure financing "nut that needs to be cracked", it is probably, substantially less. He said that the object of the exercise is to build off of the work that FORA staff and Whitson Engineers have already completed.

Chair Rubio asked for other comments and Executive Officer Houlemard commented, stating that it was important at the onset of this process that doing this work would help the region by determining the right routes and placement of Eastside Road, connecting Intergarrison Road and General Jim Moore Boulevard at Eucalyptus Road, and provide service that would be helpful to Monterey Peninsula College's future public safety training programs. He further stated that it would help CSUMB ("California State University Monterey Bay") by providing an access road which would eliminate some of the through traffic that interferes with student safety. Mr. Houlemard said that there were many benefits to cities by opening these roads including Salinas and Carmel, and that the opportunity to perform the cemetery planning work in phases helps the region, which was not previously anticipated. Mr. Houlemard expressed his appreciation to all the Board members contributing their time and effort to this project. Councilmember Mancini asked if jurisdictions could use the document from Whitson engineers as a base document. Mr. Houlemard stated that every agency that will be performing future developments in this area would benefit.

Motion to authorize the Executive Officer to execute a Memorandum of Understanding between the California Department of Veterans Affairs ("CDVA") and FORA, allowing FORA to contract with CDVA to complete a Budget Package (estimating design and construction costs for building the California Central Coast Veterans Cemetery on the former Fort Ord, (not to exceed \$45,000) was made by Mayor McCloud, seconded by Supervisor Parker, and carried.

7. NEW BUSINESS – Item 7a - CONSISTENCY DETERMINATION: Seaside's the Projects at Main Gate Specific Plan – Executive Officer Houlemard introduced City of Seaside Deputy City Manager Diana Ingersoll who gave a presentation regarding the Main Gate project which he reminded Board members was identified in the Fort Ord base reuse plan as a specific target site for a regional shopping center. Ms. Ingersoll gave an overview of the city's flagship project located east of Highway 1 adjacent to CSUMB, the City of Marina and the U.S. Army Commissary. The project consists of 56 acres of city sponsored commercial retail; however, currently, no developer has been identified for the project as of this date. Ms. Ingersoll gave background on the Environmental Impact Report ("EIR"), and stated the key elements of the plan are to provide an entertainment based retail center and the City has proposed two alternatives for the site which includes beach access. Ms. Ingersoll stated that the Projects will require Seaside Board of Architectural Review consideration and she said the proposed timing for developer consideration was expected after the first quarter of 2011. Discussion by Board members included Mayor McCloud requesting clarification for the setbacks from the highway and asking what would happen regarding this project post-FORA. Executive Officer Houlemard stated that a base reuse plan reassessment and, depending on the extent of the reassessment, a CEQA ("California Environmental Quality Act") document would have to be redone and the cities would have to comply with these documents. He said that, if the work is done prior to June 30, 2014, it is clearly within the current Base Reuse Plan and is subject to a FORA development entitlement consistency determination.

Executive Officer Houlemard introduced FORA senior planner Jonathan Garcia to review the staff analysis before recommendations were made. Mr. Garcia reported that staff evaluated the project for land use which was retail with additional potential visitor serving and found that it was consistent with the base reuse plan; density - 104 acres designated in Seaside; and 25 acres designated for hotels which is also within the BRP thresholds. He stated that the policies and programs conform to the plan in the development area which is appropriate for this use and the city is within their water allocation. He said there is compatibility with open space uses and the plan improves access to the Fort Ord Dunes State Park and provides for infrastructure and base-wide fiscal needs. Mr. Garcia said that the plan also provides for implementation of the habitat management plan and habitat conservation plan through payment of FORA fees. He reported that the plan meets the highway one scenic corridor requirements for a 25-foot landscape setback, the 100-foot building setback and the 200-foot sign

setback, noting that the Seaside City Council would have to make a finding for any building heights in excess of 40-feet. Mr. Garcia said that staff and the Administrative Committee requested that the Board concur with the determination. **Motion to approve Resolution 10-13 was made by Supervisor Parker, seconded by Mayor Edelen and carried unanimously.**

8. EXECUTIVE OFFICER'S REPORT - There were seven items in this report: Item 8a (Administrative Committee report); Item 8b (Executive Officer's Travel report); Item 8c (Capital Improvement Program); Item 8d (General Jim Moore Boulevard Phase V and Eucalyptus Road Phase II completion); Item 8e (Fort Ord Reuse Authority investments); Item 8f (Outstanding Receivables). Executive Officer Houlemard highlighted two points in these items; as part of the travel report the US Environmental Protection Agency is conducting a special federal facilities dialogue on October 19, 20, 21 and he has been invited as one of the 4-5 civilians to participate and contribute to that event. Mr. Houlemard noted that he and Congressman Farr have discussed the lack of funding that has been available for federal facility cleanup. Mr. Houlemard also noted that he would be attending the Association of the United States Army Conference in Washington, DC as part of his membership with Association of Defense Communities Board of Directors.

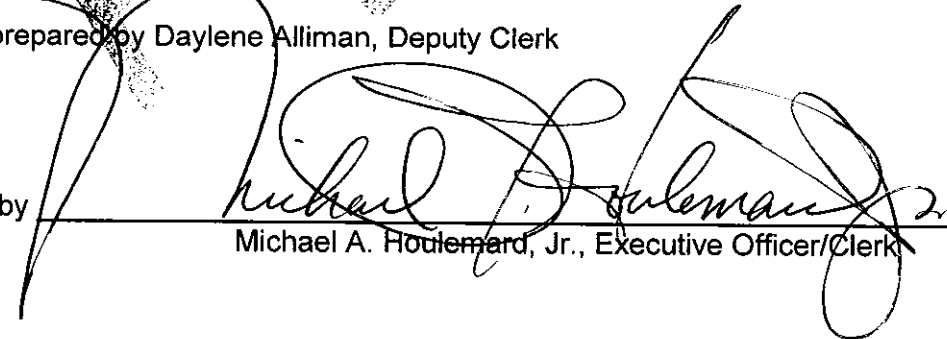
Mr. Houlemard commented that in order to keep on track with reviewing the Capital Improvement Program – the Administrative Committee and Capital Improvement Program Committee, on October 20th, will be working with the consultants from Economic and Planning Systems David Zender and Jim Musback on the report that Supervisor Parker requested be presented to the Board by January 11, 2011.

Chair Rubio asked members if there were any questions of the Board and Mayor Pro-Tem Kampe asked if there were specific problems with outstanding receivables. Executive Officer Houlemard reported that FORA is continuing to work with the City of Del Rey Oaks. Specifically, a non-conforming developer and the city were trying to resolve the matter by October 15, 2010. Mr. Houlemard also reported that FORA is working with the City of Marina.

9. ITEMS FROM MEMBERS – None
10. CLOSED SESSION - There was one item on the Closed Session agenda involving a conference with real property negotiators. The Preston Park Housing price and the terms and conditions of sale were the negotiation points between FORA and the City of Marina. Authority Counsel Bowden said that a conflict of interest existed for the Marina board member(s) so they left the meeting at that time.
11. REPORT OUT OF CLOSED SESSION BY AUTHORITY COUNSEL - The Board gave direction to the negotiating team.
12. ADJOURNMENT - There being no further business, Chair Rubio adjourned the meeting at 5:20 p.m.

Minutes prepared by Daylene Alliman, Deputy Clerk

Approved by


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

FORT ORD REUSE AUTHORITY BOARD REPORT

OLD BUSINESS

Subject: Office of Economic Adjustment Grant – update

Meeting Date: October 8, 2010

Agenda Number: 6a

ACTION/INFORMATION

RECOMMENDATION(S):

1. Receive a report from Whitson Engineers regarding progress on the Office of Economic Adjustment ("OEA") grant, and
2. Authorize the Executive Officer to execute a Memorandum of Understanding ("MOU") between the California Department of Veterans Affairs ("CDVA") and the Fort Ord Reuse Authority ("FORA"), as to form, allowing FORA to contract with CDVA to complete a Budget Package – estimating design and construction costs for building the California Central Coast Veterans Cemetery on the former Fort Ord, not to exceed \$45,000 (**Attachment A**).

BACKGROUND/DISCUSSION:

In January 2010, FORA received a \$460,000 grant award from OEA to conduct California Central Coast Veterans Cemetery Infrastructure Planning. This grant will accomplish essential infrastructure planning and coordinate efforts by local, state, and the national government to complete the veterans cemetery on former Fort Ord.

Earlier this year, FORA conducted a consultant selection Request for Qualifications/Request for Proposals ("RFQ/RFP") process for completion of all grant award tasks, except for task 6 – the Budget Document. At its May meeting, the Board authorized the Executive Officer to enter into a contract with Whitson Engineers, the recommended consultant from this process. Whitson Engineers and its subconsultants have completed much of the field work in their scope of work and are beginning to complete associated deliverables.

Additionally, FORA has identified CDVA as being uniquely qualified to complete task 6 (\$45,000 designated in the OEA grant award) – a Budget Document estimating the design and construction costs for the future California Central Coast Veterans Cemetery. Staff recommends that the Board authorize the Executive Officer to execute an MOU with CDVA for completion of task 6.

FISCAL IMPACT:

Reviewed by FORA Controller M.F. for L.B.

The Veterans Cemetery consultant contract and FORA-CDVA MOU will be paid through OEA grant funds.

COORDINATION:

Authority Counsel, CDVA, Administrative and Executive Committees

Prepared by Jonathan Garcia Jonathan Garcia

Reviewed by Steve Endsley Steve Endsley

Approved by Michael A. Houlemard, Jr. Michael A. Houlemard, Jr.

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE FORT ORD REUSE AUTHORITY AND THE CALIFORNIA DEPARTMENT
OF VETERANS AFFAIRS CONCERNING REIMBURSEMENT FOR THE FUTURE
CALIFORNIA CENTRAL COAST VETERANS CEMETERY**

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made and entered into on _____, 2010 by and between the **Fort Ord Reuse Authority** ("FORA"), a reuse authority created, operating and existing under the laws of the State of California and the **California Department of Veterans Affairs** ("CDVA"), a Department of the State of California.

I. Recitals

1.1 In 2008, FORA and the local community funded a draft California Central Coast Veterans Cemetery ("CCCVC") Master Plan, which created a community vision for a future State Veterans Cemetery on former Fort Ord.

1.2 In early 2010, FORA was awarded a \$460,000 grant from the Office of Economic Adjustment ("OEA") to conduct CCCVC infrastructure planning.

1.3 The OEA grant was awarded to FORA to complete a Scope of Work, which was divided into seven tasks.

1.4 One of the seven tasks is to complete a budget package that provides design and construction cost estimates for completing the CCCVC.

1.5 The CDVA is uniquely qualified to prepare such a budget package given their experience in planning other state veteran cemeteries.

II. TERMS AND CONDITIONS

In consideration for the mutual promises contained herein the parties agree as follows:

2.1 Deliverable. CDVA agrees to complete and submit to FORA a final Budget Package Document as provided in this section. The Budget Package Document will include design and construction cost estimates for the CCCVC. Within 120 days of this MOU being agreed to and approved by all parties, CDVA will deliver the draft Budget Package Document to FORA. FORA and the Veterans Cemetery Steering Committee will provide feedback to CDVA within 30 days of receiving the draft Budget Package Document. CDVA will incorporate the review comments into the document and prepare the final Budget Package Document. CDVA will have completed the deliverable when it has: 1) incorporated the review documents and 2) supplied one electronic and two hard copies of the final document to FORA. CDVA will submit the final deliverable to FORA within 45 days of CDVA receiving the draft Budget Package from FORA with review comments.

2.2 Reimbursable Amount. CDVA will submit two invoices, not to exceed a total of \$45,000.00 to FORA. The CDVA will include the first invoice for \$25,000.00 with the submittal of the

draft Budget Package Document. The CDVA will include the second invoice for \$20,000.00 with the submittal of the final Budget Package Document. FORA agrees to pay these invoices within 30 days of receipt.

2.3 Budget Package Funding. The delivery of the Budget Package described in this MOU is first contingent upon DGS having the upfront funds necessary to execute the Budget Package.

2.4 Hold Harmless. Each party to this MOU shall defend, indemnify, and hold the other party, its officials, officers, employees, and agents harmless from and against any and all alleged liability, loss, expense including reasonable attorney's fees, or alleged claims for injury or damages arising out of the performance of this MOU but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of the indemnifying party, its officials, officers, employees, or agents.

III. Term and Termination.

3.1 Term of MOU. This MOU shall terminate: 1) one year from its execution, 2) when its terms have been performed, or 3) upon mutual agreement between the parties. (upon completion of all required elements, or upon mutual agreement between the two parties.)

3.2 Termination for Breach. If a party commits a material breach, the non-breaching party may terminate this MOU by giving the party in breach written notice thereof and thirty (30) days in which to cure the breach. If the breach is not cured within thirty (30) days, this MOU will be terminated upon the breaching party being given notice thereof by the non-breaching party. If the breach is curable, but not within 30 days, the non breaching party may not terminate the sale so long as the breaching party diligently works to cure the breach. If the breach is incurable within thirty (30) days, the breaching party shall not be considered to be in default so long as it diligently and in good faith continues to cure the breach in a reasonably diligent manner thereafter up to 90 days after the breach.

IV through VIII. General Terms.

4.1 Further Actions. Each of the parties agrees to execute and deliver to the other such documents and instruments, and to take such actions, as may reasonably be required to give effect to the terms and conditions of this MOU.

4.2 Modification. This MOU is not subject to amendment or modification except by a writing signed by the parties hereto. (No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties, and approved as required. No oral understanding or agreement not incorporated in the Agreement is binding on any of the parties.)

4.3. Assignment. Neither party may assign its rights and obligations under this MOU without prior written approval from the other party. Any Agents for the parties shall not unreasonably withhold approval of an assignment.

5. Interpretation. This MOU has been negotiated by and between representatives of the parties hereto and their staffs, all persons knowledgeable in the subject matter of this MOU, which was then reviewed by the respective legal counsel of each party. Accordingly, any rule of law (including Civil Code §1654) or legal decision that would require interpretation of any ambiguities in this MOU against the party that has drafted it is not applicable and is waived. The provisions of this MOU shall be

interpreted in a reasonable manner to affect the purpose of the parties and this MOU.

6. **Notice and Correspondence.** Any notice required to be given to any party shall be in writing and deemed given if personally delivered upon the other party or deposited in the United States mail, and sent certified mail, return receipt requested, postage prepaid and addressed to the other party at the address set forth below or sent via facsimile transmission during normal business hours to the party to which notice is given at the telephone number listed for fax transmission.

CDVA:

Deputy Secretary of Administration
California Department of Veterans Affairs
1227 O Street
Sacramento, CA 95814
Telephone: (916) 653-2573
Facsimile: (916) 653-2563

FORA:

Executive Officer
Fort Ord Reuse Authority
100 12th St., Building 2880
Marina, California 93933
Telephone: (831) 883-3672
Facsimile: (831) 883-3675

7. **Areas of Non-Responsibility.** Neither party shall be liable for commitments made to a third party by the other party which are:

- a. contrary to this MOU or
- b. not specifically included within the obligations of the parties hereto.

Each party shall defend, indemnify and hold the other harmless for any claims, costs, damages or other liability arising from such statements, representations or commitments.

8. **No Third Party Rights.** This MOU does not create benefits or rights in third parties.

IN WITNESS WHEREOF, FORA, and CDVA, by their duly authorized representatives, have executed this MOU as of the date first written above.

FORT ORD REUSE AUTHORITY

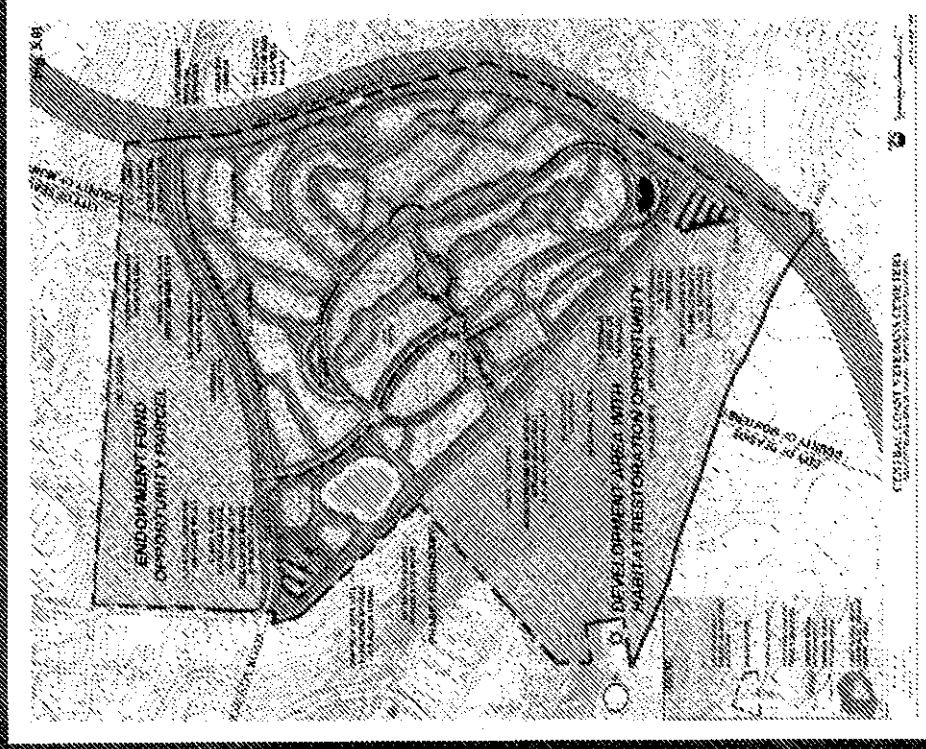
By: _____
Michael A. Houlemard, Jr., Executive Officer

As to form: _____
Gerald D. Bowden, Authority Counsel

California Department of Veterans Affairs

By: _____
Jack Kirwan, Deputy Secretary of Administration

California Central Coast Veterans Cemetery Infrastructure Planning Status Report October 8, 2010



Scope of Work

Project Kick-Off June 2010

Background Data Collection

Collect Background Data

LIDAR data suitability

Biological Surveys

Archeological Surveys

Aerial & Topographic Mapping

Conceptual Roadway Centerline Maps

Soils/Hydrology Testing / Utility Service Assessment

Background Information Report

Cemetery Budget Document – *by others*

Cemetery Implementation Plan

Limits of Surveys

ESCA No Access Areas and Impacts to Proposed
Surveys

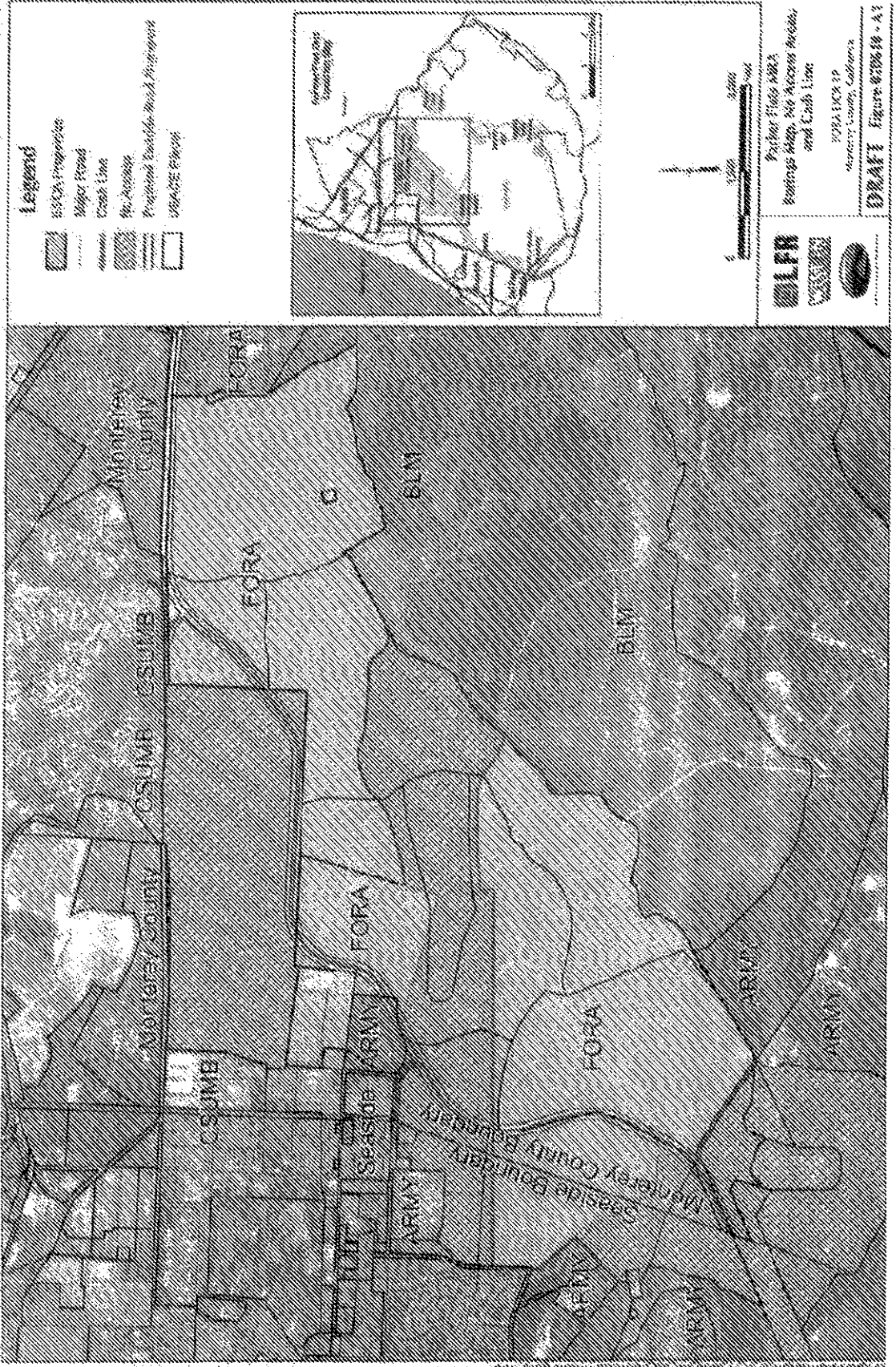
Modified Work Plan to Avoid ESCA MRA Areas

Included portion of Gigling Road and Inter-Garrison
Road to compliment Eastside Road studies

Site Access

Granted July 9, 2010

ATTACHMENT A



Background Data Collection

Reviewed CCCVC Development Master Plan

Evaluated Existing LIDAR Data For Suitability

Aerial Topographic Surveys would be necessary to meet the mapping standards required for the planning area

Biological Survey

Summer Survey completed

Survey limited to non active MRA areas

- No summer-blooming special-status plant species were observed
- No special-status wildlife species were observed

Spring surveys will be conducted in April 2011



	Habitat Map Habitat Map North.mxd		Date: 09-20-10 Scale: 1 inch = 0.12 miles Project: 2010-14 Vet Cemetery		Monterey, San Jose Denise Duffy and Associates, Inc. Environmental Consultants Resources Planners 447 Gas Street, Suite 5 Aptos, CA 95026 (831) 338-4041	Figure 2A
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File:
Habitat Map North.mxd

Title:
Habitat Map

Date: 09-20-10
Scale: 1 inch = 0.12 miles
Project: 2010-14 Vet Cemetery



Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cas Street, Suite 5
Marina, CA 94028
(415) 333-4041

Monterey, San Jose

Figure

2B



Habitat Map

Habitat Map South.mxd

Date:

09-20-10

Scale:

1 inch = 0.12 miles

Project:

2010-14 Vet Cemetery

Monterey | San Jose

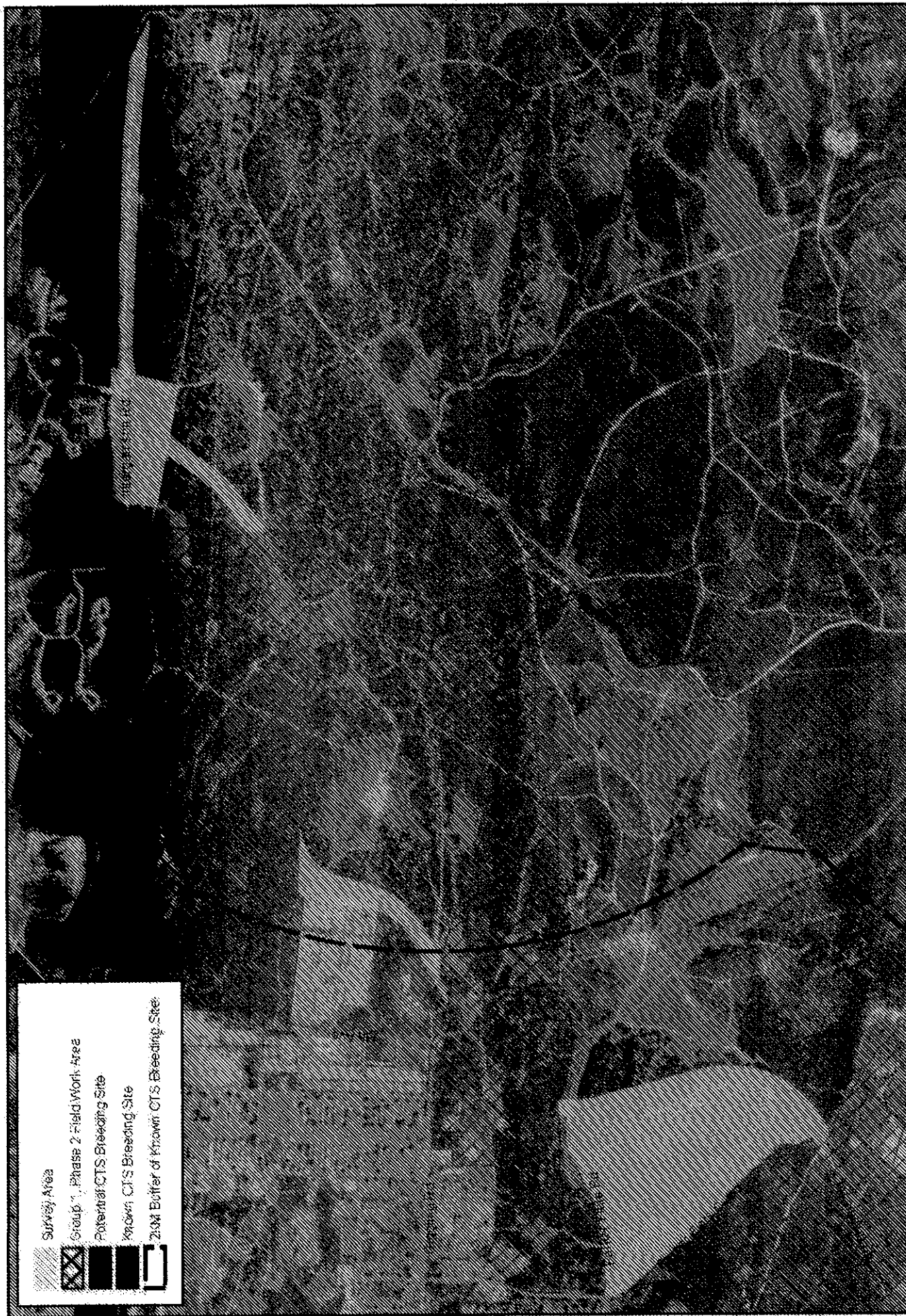
Denise Duffy and Associates, Inc.

Environmental Consultants Resource Planning

947 Cass Street, Suite 5
Monterey, CA 93940
(831) 333-4341


Figure

2C



Legend

- Survey Area
- Group 1, Phase 2 Field Work Area
- Potential CTS Breeding Site
- Known CTS Breeding Site
- 21-Mi Buffer of Known CTS Breeding Site

	Denise Duffy and Associates, Inc. Environmental Consultants Resource Partners 227 E. 1st St., Suite 200 Monterey, CA 93940 (831) 373-0311		Figure 3
	Monterey San Jose		
Title: CTS Occurrence Data on Former Fort Ord	Date: 09-23-10	Scale: 1 inch = 0.31 miles	
File: CTS and Alignment.mxd	Project: 2010-14 Vet Cemetery		

Archaeological Survey

Survey completed

- No evidence of Sacred/Religious Sites
- No evidence of Native American Remains
- No evidence of anything with Archaeological significance
- No findings of Historical Significance

CCCVC Forest Resource Evaluation

Survey completed

-Forest cover is primarily comprised of Coast Live

Oak

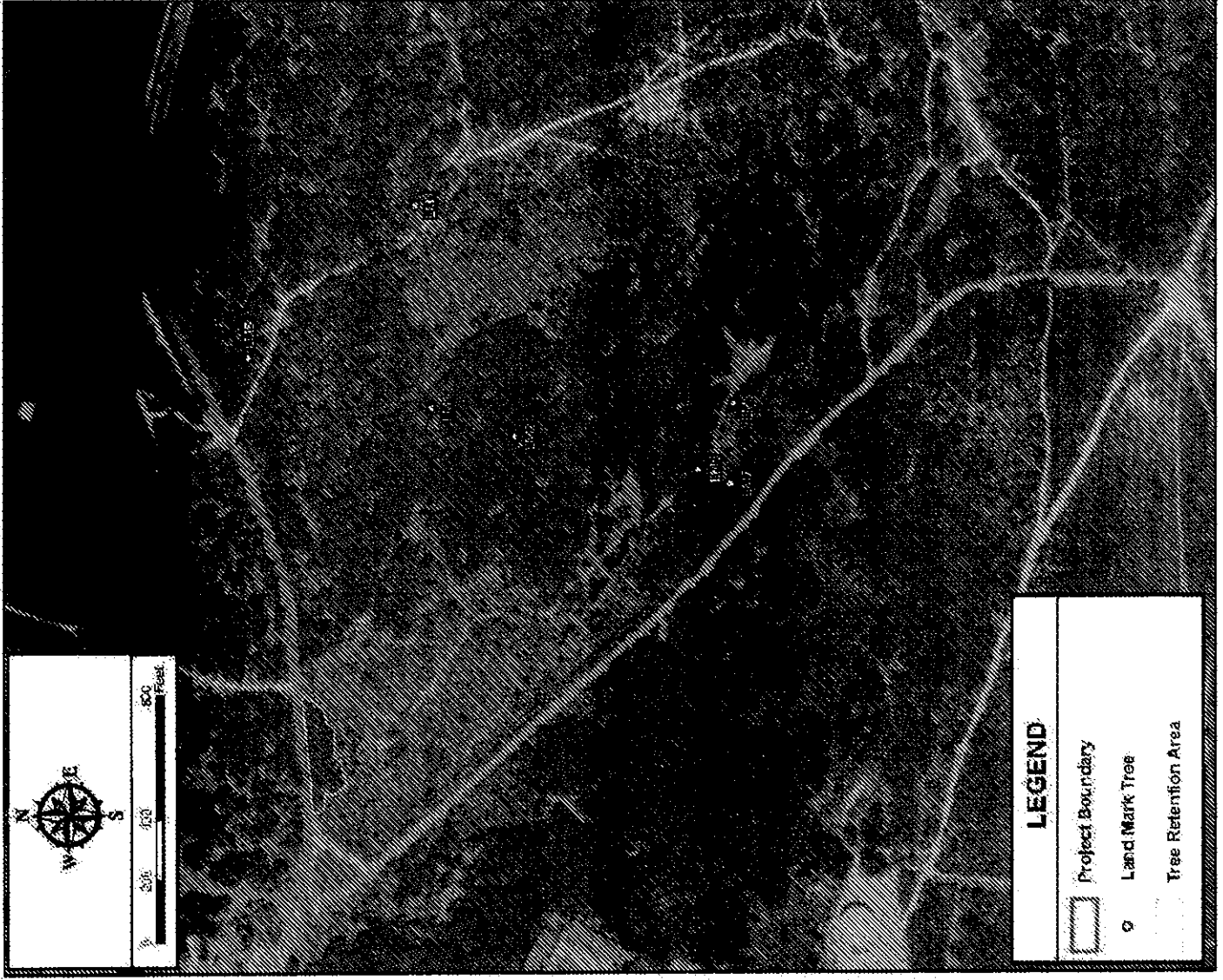
-No symptoms of Sudden Oak Death were observed

-Oak woodland is in relatively good condition

-Approximately 9,300 oaks ($>6''$) at the CCCVC site

-7 trees considered “landmark trees”

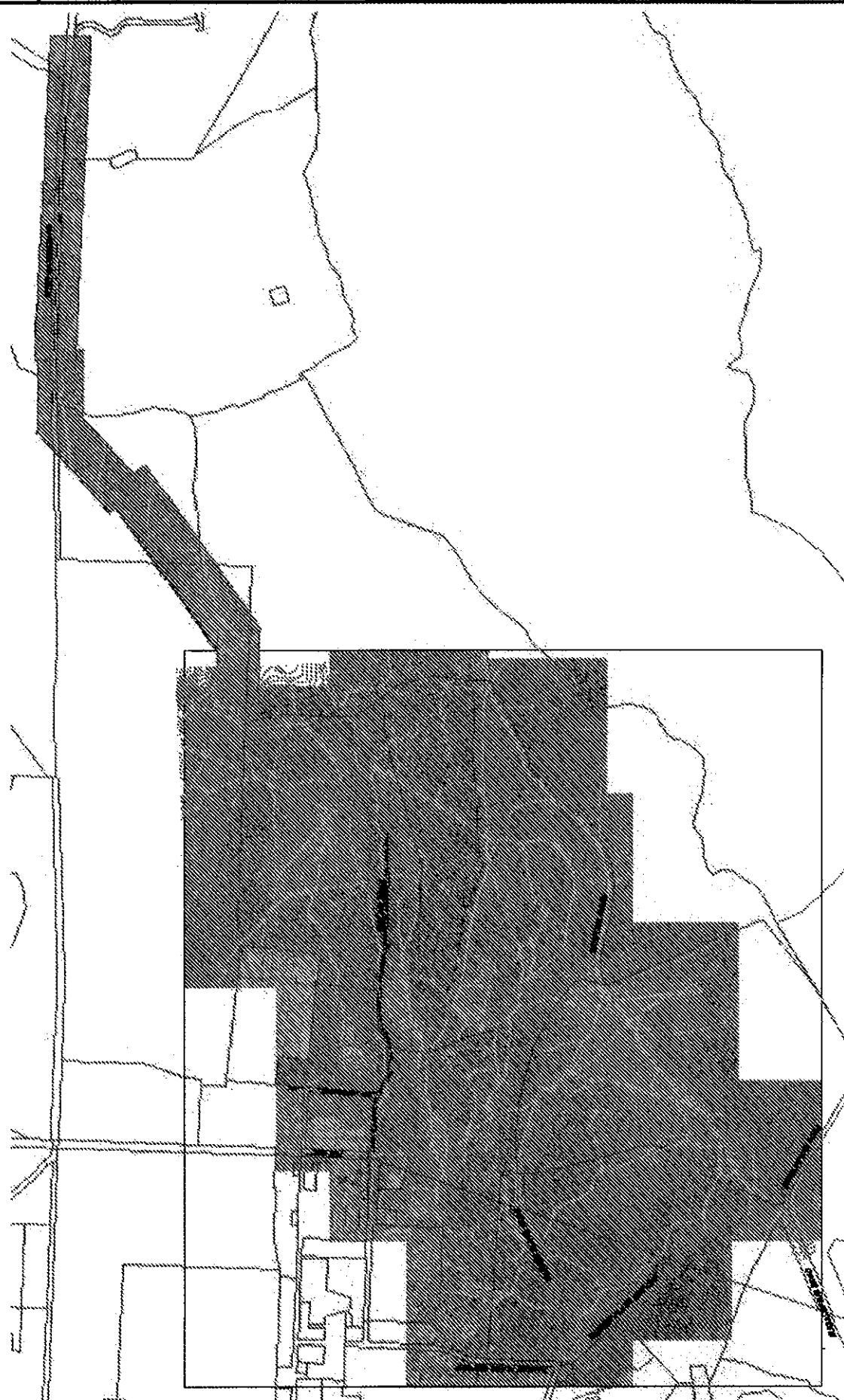
LANDMARK TREES LOCATION MAP



Topographic Surveys

Project sites were flown for aerial topography on July
27, 2010

40-scale, 1-foot contour interval aerial topographic and
orthophoto maps have been prepared and are ready
for FORA review

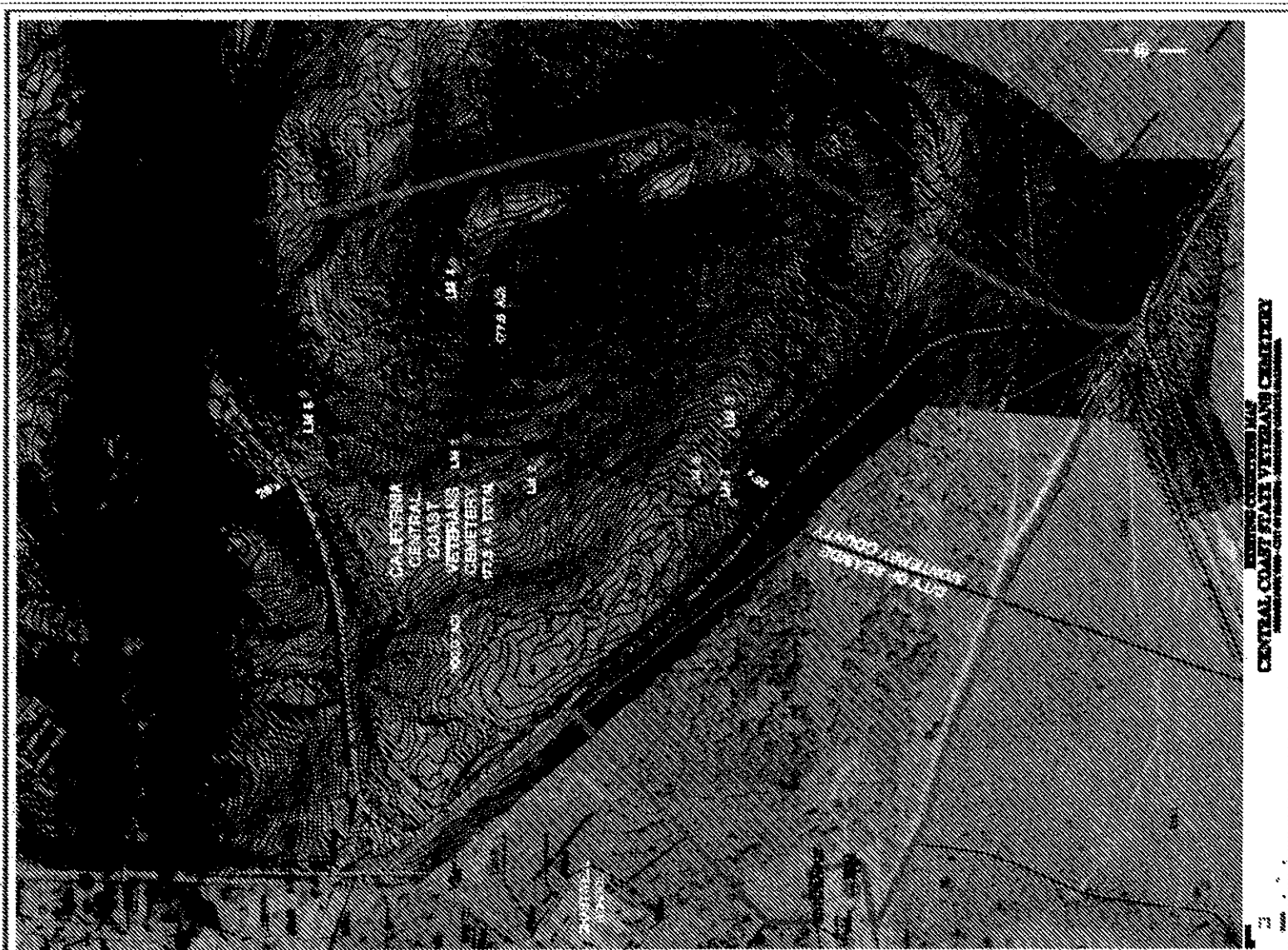


DATE OF PHOTOGRAPH: 7-27-68
 MAP SCALE: 1:400
 THIS MAP CONTAINS NO MATERIAL
 MAP ACCURACY STANDARDS FOR THE
 BONE AND C-1, NOTED
 CONTIGUOUS INTERVALS: 1'

DATE OF PHOTOGRAPHING: 1-1-40
AND SCALE: 1"=40'
CONTIGUOUS INTERVALS: 1"

4-25-18

THIS MAP CONTAINS THE
MAP ADDRESS/ STATION
SCALE AND C.I. MERID



CENTRAL COAST STATE VETERANS CEMETERY
ADMINISTRATIVE OFFICE - 10101
CHAPEL - 10102

Geotechnical/Percolation Testing

Testing and reports have been completed

CCCCVC

Parker Flats Road

Parker Flats Cut-Off

Eastside Road

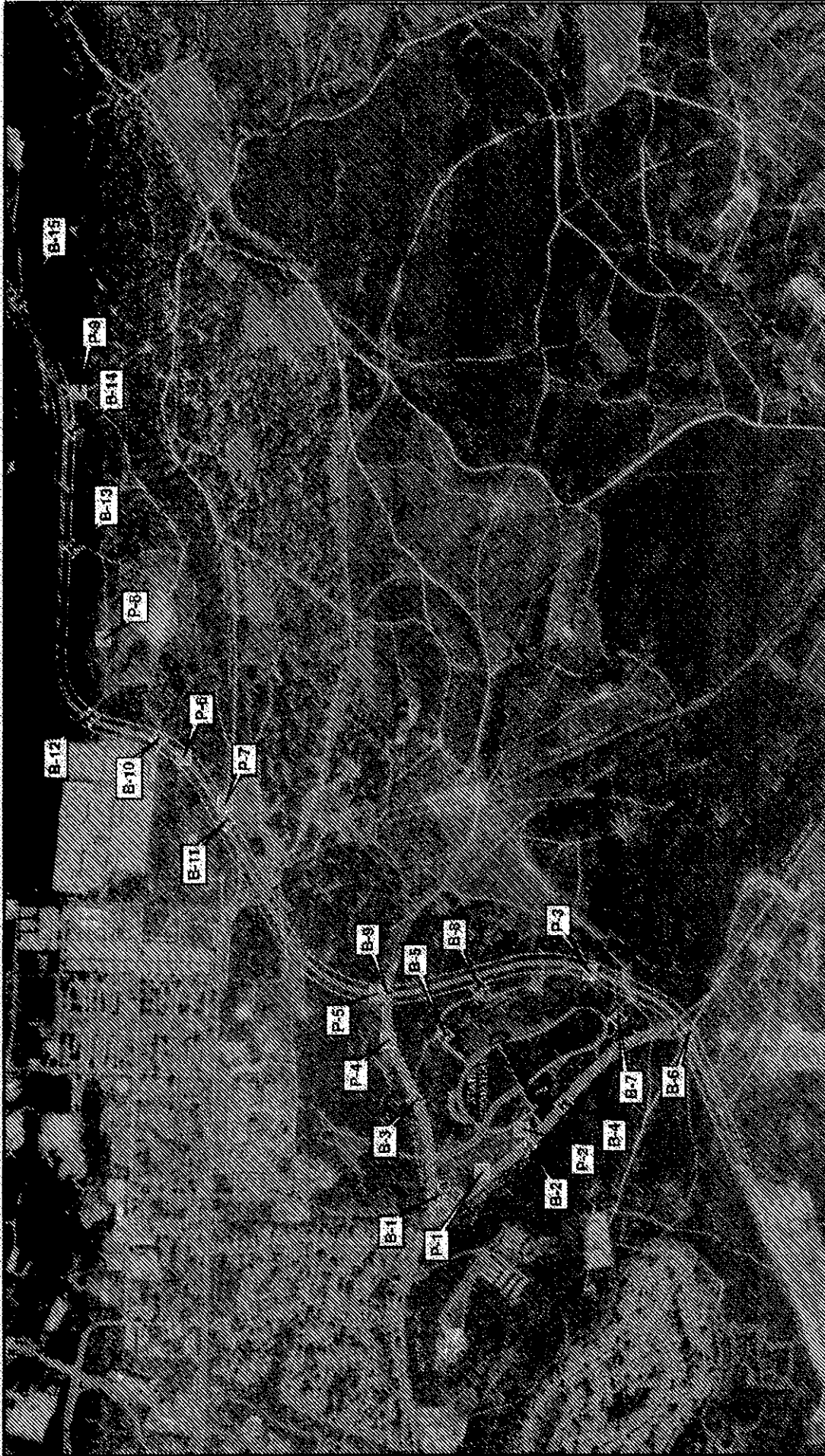
Includes recommendations for:

Earthwork

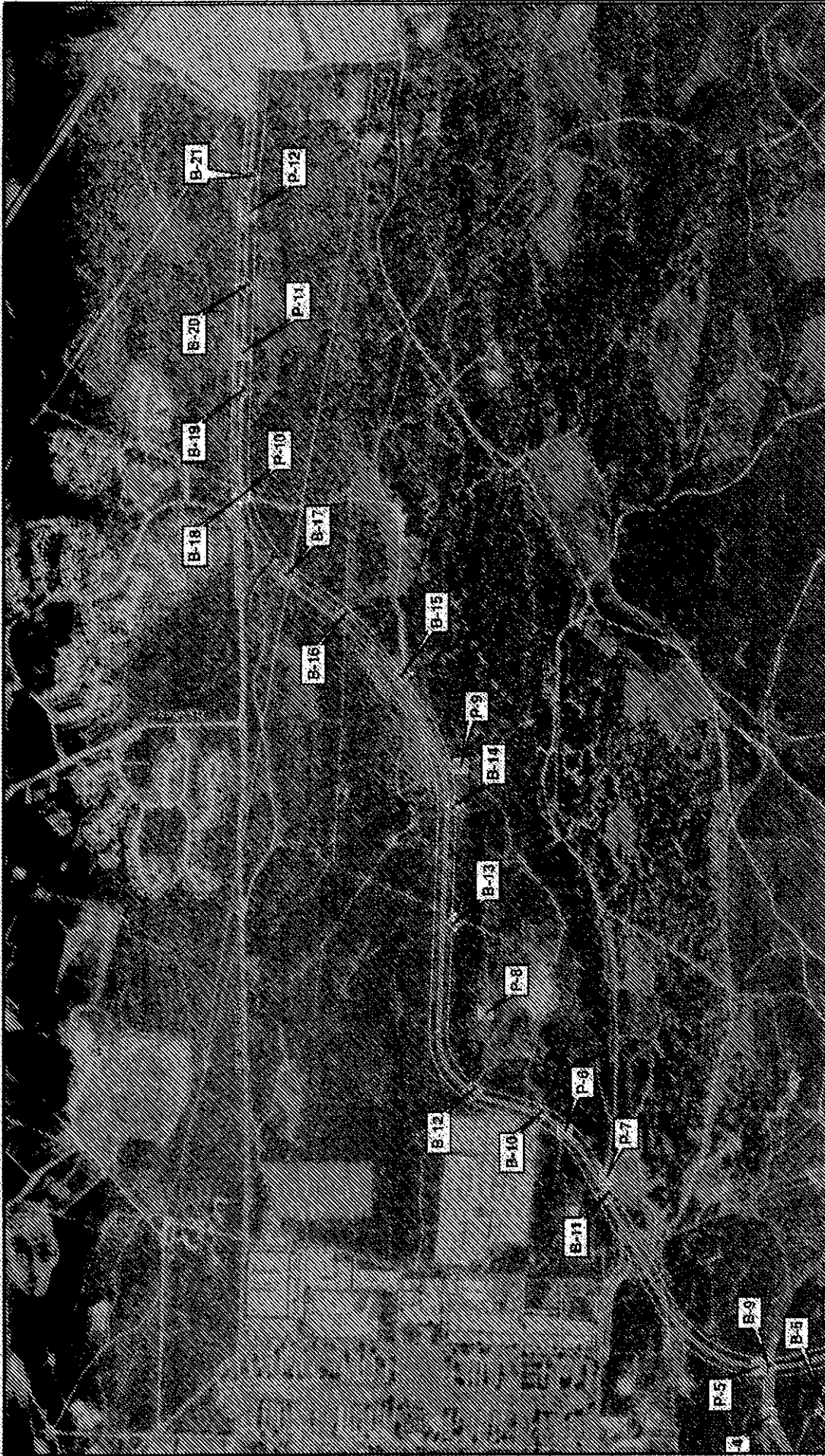
Site drainage/percolation

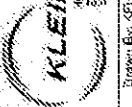
Structure foundations

Pavement Design



		Legend Rediechnical Boring Percolation Test		<p>Map 1980 State Plane California NAD 83 Survey Feet</p>		<p>KLEINFELDER 10000 Wilshire Blvd. Suite 1000 Los Angeles, CA 90024 Tel: (310) 207-1000 Fax: (310) 207-1001 Email: info@kleinfelder.com</p>		<p>Drain B-1 Compass BL Date 02/22/10</p>		<p>FILE Central Coast California Veterans Cemetery Monterey County, California Project: 111245 File: E-051 111245_P05a.mxd</p>		<p>2a</p>
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 <p>40 Years - Since 1968 40 Years - Serving the Industry 40 Years - Growing the Business 40 Years - Making a Difference 40 Years - Building a Legacy 40 Years - Creating a Future 40 Years - Making a Difference 40 Years - Building a Legacy 40 Years - Creating a Future</p>		<p>SITE PLAN</p>		<p>Sheet 2b</p>
<p>Project: Central Coast California Veterans Cemetery Monterey County, California Project No: 11345 Date: 10/27/10</p>		<p>Drawn By: GRI Checked By: BLI Date: 10/27/10</p>		<p>File: E-016-11345-10a.dwg</p>
<p>The data shown on this plan was obtained from the following sources: 1. Aerial Photographs 2. Topographic Maps 3. Survey Data 4. Other Data The data shown on this plan is for informational purposes only and is not to be used for any other purpose without the written consent of Kleinfelder.</p>				
<p>THE INFORMATION ON THIS PLAN IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF KLEINFELDER.</p>				
<p>Legend</p> <ul style="list-style-type: none"> Geotechnical Boring Percolation Test 		<p>Scale: 1" = 500' 1:500 Feet Locality: as Appropriate NAD: 1983 StatePlane California IV US Survey Feet</p>		

Utility Service Needs Assessment

In progress and scheduled to complete by end of
October

Have had meetings and/or discussions with MCWD,
PG&E, and AT&T

Determine connection points, routes, and potential issues
with addressing future utility needs for CCCVC and
the Eastside Road corridor developments

Conceptual Roadway Centerline Maps

Preliminary road design alternatives have been prepared for the following roadways to provide access points to the CCCVC site:

Eastside Road (including Inter-Garrison Road)

Parker Flats Road

Parker Flats Cut-Off

Gigling Road (7th Ave to Eastside Rd)

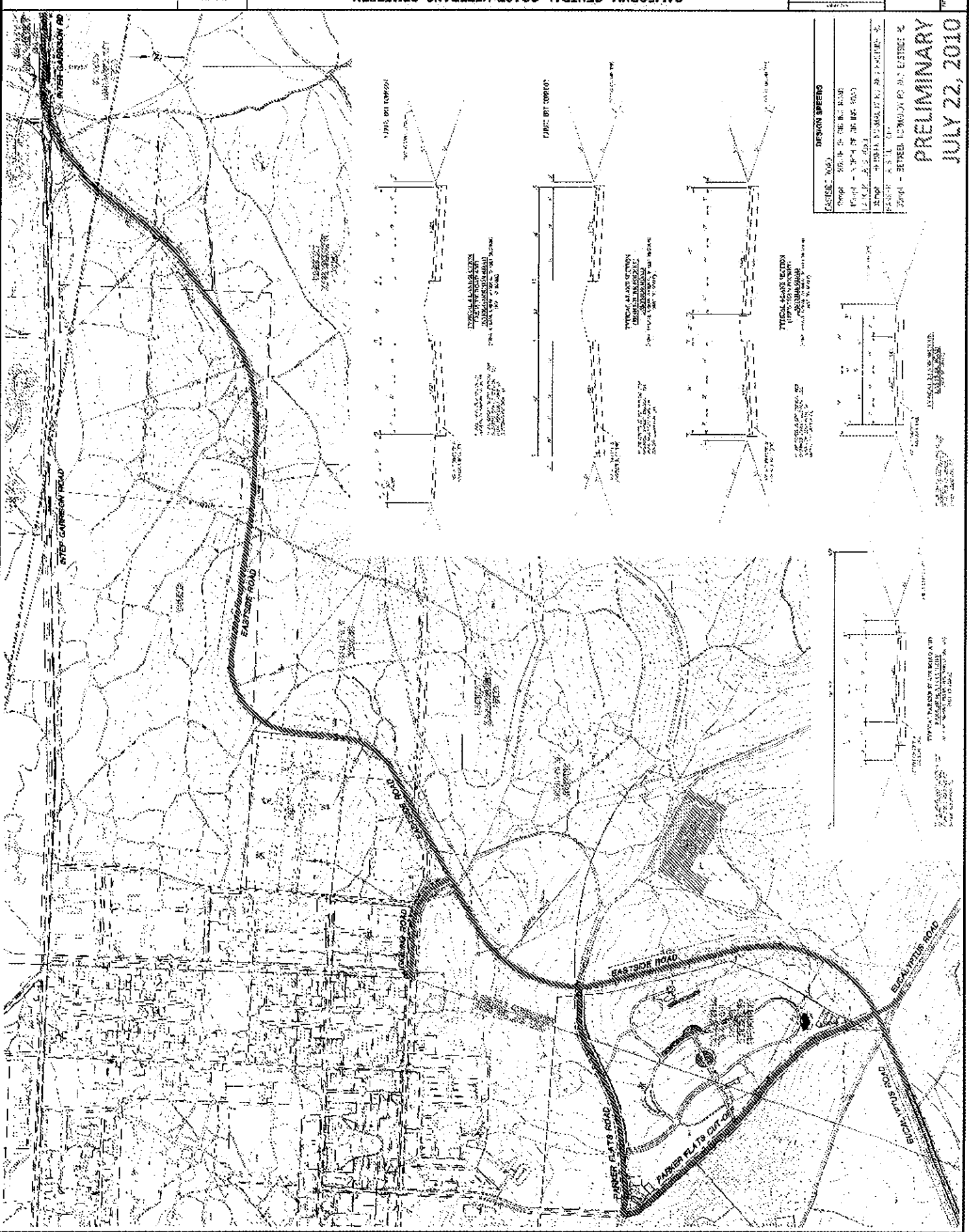
Property stakeholders are currently reviewing draft maps

WHITSON ENGINEERS
 1100 S. GARDEN ST. SUITE 100
 ANAHEIM, CA 92805
 TEL: 714.771.1100
 FAX: 714.771.1101
 WWW.WHITSON-CA.COM

DATE: 07/22/2010
 DRAWN BY: JLM
 CHECKED BY: JLM
 PROJECT NO: 10-0001

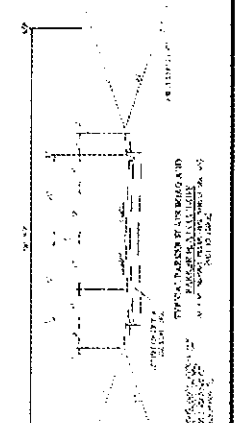
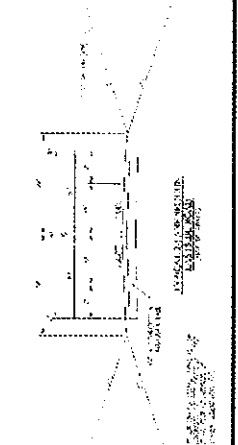
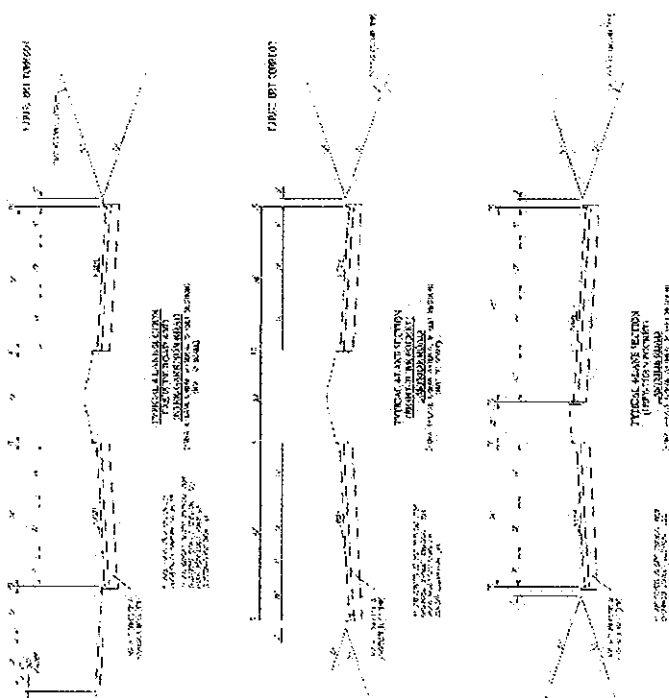
CALIFORNIA CENTRAL COAST VETERANS CEMETERY
 MONTEREY COUNTY, CALIFORNIA
 CENTERLINE PLANNING ALIGNMENT
 EASTSIDE ROAD, PARKER PLATS ROAD, GILGINS ROAD, AND BITEY GARRISON ROAD

1
 JULY 22, 2010



DESIGN SPEEDS

Segment	Design Speed
Segment 1 - 0+00 to 0+100	35 MPH
Segment 2 - 0+100 to 0+200	35 MPH
Segment 3 - 0+200 to 0+300	35 MPH
Segment 4 - 0+300 to 0+400	35 MPH
Segment 5 - 0+400 to 0+500	35 MPH
Segment 6 - 0+500 to 0+600	35 MPH
Segment 7 - 0+600 to 0+700	35 MPH
Segment 8 - 0+700 to 0+800	35 MPH
Segment 9 - 0+800 to 0+900	35 MPH
Segment 10 - 0+900 to 1+000	35 MPH



Remaining Tasks

Background Info Report

On schedule to be completed by end of October
(not including spring biological surveys)

Cemetery Budget Document

By others – to follow Background Info Report

Cemetery Implementation Plan

To begin early 2011

CCCVC Infrastructure Planning to be completed by
end of May 2011

FORT ORD REUSE AUTHORITY BOARD REPORT

NEW BUSINESS

Subject:	CONSISTENCY DETERMINATION: Seaside's the Projects at Main Gate Specific Plan	
Meeting Date:	October 8, 2010	ACTION
Agenda Number:	7a	

RECOMMENDATION(S):

Approve Resolution 10-14 (**Attachment A**), concurring in the City of Seaside's ("Seaside") legislative land use decision that the Projects at Main Gate Specific Plan ("Specific Plan") is consistent with the Fort Ord Base Reuse Plan ("BRP").

BACKGROUND:

Seaside submitted the Specific Plan for consistency determination on September 21, 2010 (**Attachment B**). Seaside requested a Legislative Land Use Decision review of the Specific Plan in accordance with section 8.02.010 of the Fort Ord Reuse Authority ("FORA") Master Resolution. Under state law, (as codified in FORA's Master Resolution) legislative land use decisions (plan level documents such as General Plans, Zoning Codes, Specific Plans, Redevelopment Plans, etc.) must be scheduled for FORA Board review under strict timeframes. This item is included on the Board agenda because the Specific Plan is a legislative land use decision, requiring Board approval.

The FORA Administrative Committee reviewed this item on September 29, 2010 and recommended that the FORA Board concur in Seaside's consistency determination.

DISCUSSION:

Seaside staff will be available to provide additional information to the FORA Board on October 8, 2010. In all consistency determinations, the following additional considerations are made and summarized in a table (**Attachment C**).

Rationale for consistency determinations FORA staff finds that there are several defensible rationales for making an affirmative consistency determination. Sometimes additional information is provided to buttress those conclusions. In general, it is noted that the BRP is a framework for development, not a precise plan to be mirrored. However, there are thresholds set in the resource constrained BRP that may not be exceeded without other actions, most notably 6,160 new residential housing units and a finite water allocation. More particularly, the rationales for consistency analyzed are:

LEGISLATIVE LAND USE DECISION CONSISTENCY FROM SECTION 8.02.010 OF THE FORA MASTER RESOLUTION

(a) In the review, evaluation, and determination of consistency regarding legislative land use decisions, the Authority Board shall disapprove any legislative land use decision for which there is substantial evidence support by the record, that:

(1) Provides a land use designation that allows more intense land uses than the uses permitted in the Reuse Plan for the affected territory;

The Specific Plan would not establish a land use designation that is more intense than the uses permitted in the BRP. The land use designation in the BRP is for Regional Retail, which is compatible with the Specific Plan components of open-air retail and a hotel/spa and conference center.

(2) Provides for a development more dense than the density of uses permitted in the Reuse Plan for the affected territory;

The Specific Plan is consistent with the BRP thresholds. Table 3.3-1 Summary Land Use Capacity: Ultimate Development in the BRP assumes 104 acres of land dedicated to Retail within Seaside's area of the former Fort Ord and 25 acres of land dedicated to hotels. After subtracting previously approved projects within Seaside's portions of former Fort Ord, the Specific Plan is below these thresholds.

(3) Is not in substantial conformance with applicable programs specified in the Reuse Plan and Section 8.02.020 of this Master Resolution;

The Specific Plan meets applicable program conditions.

(4) Provides uses which conflict or are incompatible with uses permitted or allowed in the Reuse Plan for the affected property or which conflict or are incompatible with open space, recreational, or habitat management areas within the jurisdiction of the Authority;

The Specific Plan would improve non-vehicular access to Fort Ord Dunes State Park, and does not impact habitat management areas within FORA's authority.

(5) Does not require or otherwise provide for the financing and/or installation, construction, and maintenance of all infrastructure necessary to provide adequate public services to the property covered by the legislative land use decision;

The future development will pay its fair share of the basewide costs through the FORA Community Facilities District Fee and tax increment that will accrue to FORA, as well as land sales revenues.

(6) Does not require or otherwise provide for implementation of the Fort Ord Habitat Management Plan;

The Fort Ord Habitat Management Plan ("HMP") designates certain parcels for "Development," in order to allow economic recovery through development while promoting preservation, enhancement, and restoration of special status plant and animal species in designated habitats. The Specific Plan only affects lands that are located within areas designated for "Development" under the HMP. Lands designated as "Development" have no management restrictions placed upon them as a result of the HMP. The Specific Plan would not conflict with implementation of the Fort Ord HMP.

(7) Is not consistent with the Highway 1 Scenic Corridor design standards as such standards may be developed and approved by the Authority Board; and

The Specific Plan is compatible with the Highway 1 Scenic Corridor design standards and future Specific Plan area development entitlements will be reviewed by Seaside and FORA for compliance with these standards.

(8) Is not consistent with the jobs/housing balance requirements developed and approved by the Authority Board as provided in Section 8.02.020(t) of this Master Resolution.

Implementation of the Specific Plan would increase employment opportunities on the former Fort Ord and support redevelopment activities. This is consistent with the jobs/housing balance approved by the FORA Board.

Additional Considerations

(9) Is not consistent with FORA's prevailing wage policy, section 3.03.090 of the FORA Master Resolution.

Future Specific Plan area development entitlements will comply with FORA's prevailing wage policies.

FISCAL IMPACT:

Reviewed by FORA Controller M. F. for 1.B.

This action is regulatory in nature and should have no direct fiscal, administrative, or operational impact. In addition to points already dealt with in this report, it is clarified that the developments expected to be charged with reuse subject to the Specific Plan are covered by the Community Facilities District or other agreement that ensure a fair share payment of appropriate future fees to mitigate for impacts delineated in the 1997 BRP and accompanying Environmental Impact Report. Seaside has agreed to provisions for payment of all required fees for future developments in the former Fort Ord under its jurisdiction.

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

COORDINATION:

Seaside, Planners Working Group, Administrative Committee, and Executive Committee

Prepared by Jonathan Garcia Reviewed by D. Steven Endsley
Jonathan Garcia Steve Endsley
Approved by Michael A. Houlemard, Jr.
Michael A. Houlemard, Jr.

Resolution Determining Consistency of)
City of Seaside's the Projects at Main Gate)
Specific Plan)

- A. On June 13, 1997, the Fort Ord Reuse Authority ("FORA") adopted the Final Base Reuse Plan under Government Code Section 67675, et seq.
- B. After FORA adopted the reuse plan, Government Code Section 67675, et seq. requires each county or city within the former Fort Ord to submit to FORA its general plan or amended general plan and zoning ordinances, and to submit project entitlements, and legislative land use decisions that satisfy the statutory requirements.
- C. By Resolution No. 98-1, the Authority Board of FORA adopted policies and procedures implementing the requirements in Government Code 67675, et seq.
- D. The City of Seaside ("Seaside") is a member of FORA. Seaside has land use authority over land situated within the former Fort Ord and subject to FORA's jurisdiction.
- E. After noticed public meetings on August 5 and July 15, 2010, the City of Seaside adopted the Projects at Main Gate Specific Plan ("Specific Plan") and certified the Specific Plan Final Environmental Impact Report ("EIR"), affecting lands on the former Fort Ord. The City of Seaside also found the Specific Plan is consistent with the Fort Ord Base Reuse Plan, FORA's plans and policies and the FORA Act and considered the Fort Ord Base Reuse Plan EIR in their review and deliberations.
- F. On September 21, 2010, the City of Seaside recommended that FORA concur in the City's determination that FORA's Final Base Reuse Plan, certified by the Board on June 13, 1997, and the Specific Plan are consistent. Seaside submitted to FORA its Specific Plan together with the accompanying documentation.
- G. Consistent with the Implementation Agreements between FORA and Seaside, on September 21, 2010, Seaside provided FORA with a complete copy of the submittal for lands on the former Fort Ord, the resolutions and/or ordinance approving it, a staff report and materials relating to the City of Seaside's action, a reference to the environmental documentation and/or CEQA findings, and findings and evidence supporting its determination that the Specific Plan is consistent with the Fort Ord Base Reuse Plan and the FORA Act (collectively, "Supporting Material"). Seaside requested that FORA certify the Specific Plan as being consistent with the Fort Ord Base Reuse Plan for those portions of Seaside that lie within the jurisdiction of FORA.
- H. FORA's Executive Officer and the FORA Administrative Committee reviewed Seaside's determination of consistency. The Executive Officer submitted a report

recommending that the FORA Board concur in Seaside's determination that the Specific Plan is consistent with the Fort Ord Base Reuse Plan. The Administrative Committee reviewed the Supporting Material, received additional information, and concurred with the Executive Officer's recommendation and voted to recommend Board concurrence. The Executive Officer set the matter for public hearing regarding consistency of the Specific Plan before the FORA Board on October 8, 2010. On September 29, 2010 the Executive Committee concurred.

- I. Master Resolution, Chapter 8, Section 8.02.010(a)(4) reads in part: "(a) In the review, evaluation, and determination of consistency regarding legislative land use decisions, the Authority Board shall disapprove any legislative land use decision for which there is substantial evidence supported by the record, that [it] (4) Provides uses which conflict or are incompatible with uses permitted or allowed in the Reuse Plan for the affected property..."
- J. In this context, the term "consistency" is defined in the General Plan Guidelines adopted by the State Office of Planning and Research as follows: "An action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment."
- K. FORA's concurrence in Seaside's consistency determination must be based upon the overall congruence between the submittal and the Reuse Plan, not on a precise match between the two.

NOW THEREFORE be it resolved:

- 1. The FORA Board recognizes the City of Seaside's August 5, 2010 recommendation that the FORA Board find consistency between the Fort Ord Base Reuse Plan and the Specific Plan was appropriate.
- 2. The Board has reviewed and considered the Fort Ord Base Reuse Plan Final Environmental Impact Report and Seaside's environmental documentation is adequate and complies with the California Environmental Quality Act. The Board finds further that these documents are sufficient for purposes of FORA's determination for consistency of the Specific Plan.
- 3. The Board has considered the materials submitted with this application, the recommendation of the Executive Officer and Administrative Committee concerning the application and oral and written testimony presented at the hearings on the consistency determination, which are hereby incorporated by reference.
- 4. The Board finds that the Specific Plan is consistent with the Fort Ord Base Reuse Plan. The Board further finds that the legislative decision made herein has been based in part upon the substantial evidence submitted regarding allowable land uses, a weighing of the Base Reuse Plan's emphasis on a resource constrained sustainable reuse that evidences a balance between jobs created and housing provided, and that the cumulative land uses contained in Seaside's submittal are not more intense or dense than those contained in the Base Reuse Plan.

5. The Specific Plan will, considering all its aspects, further the objectives and policies of the Final Base Reuse Plan. The Seaside application is hereby determined to satisfy the requirements of Title 7.85 of the Government Code and the Fort Ord Base Reuse Plan.

Upon motion by _____, seconded by _____, the foregoing resolution was passed on this 8th day of October, 2010, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

I, Mayor Rubio, Chair of the Board of Directors of the Fort Ord Reuse Authority of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of the said Board of Directors duly made and entered under Item ____, Page ____, of the board meeting minutes of _____, 2010 thereof, which are kept in the Minute Book resident in the offices of the Fort Ord Reuse Authority.

DATED _____

BY _____
Ralph Rubio
Chair, Board of Directors
Fort Ord Reuse Authority

Resolution 10-14

Resolution Determining Consistency of)
City of Seaside's the Projects at Main Gate)
Specific Plan)

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

- A. On June 13, 1997, the Fort Ord Reuse Authority ("FORA") adopted the Final Base Reuse Plan under Government Code Section 67675, et seq.
- B. After FORA adopted the reuse plan, Government Code Section 67675, et seq. requires each county or city within the former Fort Ord to submit to FORA its general plan or amended general plan and zoning ordinances, and to submit project entitlements, and legislative land use decisions that satisfy the statutory requirements.
- C. By Resolution No. 98-1, the Authority Board of FORA adopted policies and procedures implementing the requirements in Government Code 67675, et seq.
- D. The City of Seaside ("Seaside") is a member of FORA. Seaside has land use authority over land situated within the former Fort Ord and subject to FORA's jurisdiction.
- E. After noticed public meetings on August 5 and July 15, 2010, the City of Seaside adopted the Projects at Main Gate Specific Plan ("Specific Plan") and certified the Specific Plan Final Environmental Impact Report ("EIR"), affecting lands on the former Fort Ord. The City of Seaside also found the Specific Plan is consistent with the Fort Ord Base Reuse Plan, FORA's plans and policies and the FORA Act and considered the Fort Ord Base Reuse Plan EIR in their review and deliberations.
- F. On September 21, 2010, the City of Seaside recommended that FORA concur in the City's determination that FORA's Final Base Reuse Plan, certified by the Board on June 13, 1997, and the Specific Plan are consistent. Seaside submitted to FORA its Specific Plan together with the accompanying documentation.
- G. Consistent with the Implementation Agreements between FORA and Seaside, on September 21, 2010, Seaside provided FORA with a complete copy of the submittal for lands on the former Fort Ord, the resolutions and/or ordinance approving it, a staff report and materials relating to the City of Seaside's action, a reference to the environmental documentation and/or CEQA findings, and findings and evidence supporting its determination that the Specific Plan is consistent with the Fort Ord Base Reuse Plan and the FORA Act (collectively, "Supporting Material"). Seaside requested that FORA certify the Specific Plan as being consistent with the Fort Ord Base Reuse Plan for those portions of Seaside that lie within the jurisdiction of FORA.

- H. FORA's Executive Officer and the FORA Administrative Committee reviewed Seaside's determination of consistency. The Executive Officer submitted a report recommending that the FORA Board concur in Seaside's determination that the Specific Plan is consistent with the Fort Ord Base Reuse Plan. The Administrative Committee reviewed the Supporting Material, received additional information, and concurred with the Executive Officer's recommendation and voted to recommend Board concurrence. The Executive Officer set the matter for public hearing regarding consistency of the Specific Plan before the FORA Board on October 8, 2010. On September 29, 2010 the Executive Committee concurred.
- I. Master Resolution, Chapter 8, Section 8.02.010(a)(4) reads in part: "(a) In the review, evaluation, and determination of consistency regarding legislative land use decisions, the Authority Board shall disapprove any legislative land use decision for which there is substantial evidence supported by the record, that [it] (4) Provides uses which conflict or are incompatible with uses permitted or allowed in the Reuse Plan for the affected property..."
- J. In this context, the term "consistency" is defined in the General Plan Guidelines adopted by the State Office of Planning and Research as follows: "An action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment."
- K. FORA's concurrence in Seaside's consistency determination must be based upon the overall congruence between the submittal and the Reuse Plan, not on a precise match between the two.

NOW THEREFORE be it resolved:

1. The FORA Board recognizes the City of Seaside's August 5, 2010 recommendation that the FORA Board find consistency between the Fort Ord Base Reuse Plan and the Specific Plan was appropriate.
2. The Board has reviewed and considered the Fort Ord Base Reuse Plan Final Environmental Impact Report and Seaside's environmental documentation is adequate and complies with the California Environmental Quality Act. The Board finds further that these documents are sufficient for purposes of FORA's determination for consistency of the Specific Plan.
3. The Board has considered the materials submitted with this application, the recommendation of the Executive Officer and Administrative Committee concerning the application and oral and written testimony presented at the hearings on the consistency determination, which are hereby incorporated by reference.

4. The Board finds that the Specific Plan is consistent with the Fort Ord Base Reuse Plan. The Board further finds that the legislative decision made herein has been based in part upon the substantial evidence submitted regarding allowable land uses, a weighing of the Base Reuse Plan's emphasis on a resource constrained sustainable reuse that evidences a balance between jobs created and housing provided, and that the cumulative land uses contained in Seaside's submittal are not more intense or dense than those contained in the Base Reuse Plan.
5. The Specific Plan will, considering all its aspects, further the objectives and policies of the Final Base Reuse Plan. The Seaside application is hereby determined to satisfy the requirements of Title 7.85 of the Government Code and the Fort Ord Base Reuse Plan.

Upon motion by Director Parker, seconded by Director Edelen, the foregoing resolution was passed on this 8th day of October, 2010, by the following vote:

AYES: 12 Directors: Parker, Edelen, Rubio, Ford, Pendergrass, McCall, McCloud, Mancini, Kampe and Barnes

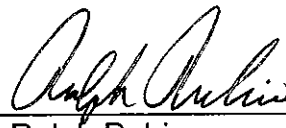
NOES: - 0-

ABSTENTIONS: -0-

ABSENT: 1 – Director Potter

I, Mayor Rubio, Chair of the Board of Directors of the Fort Ord Reuse Authority of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of the said Board of Directors duly made and entered under Item 7a, Page 4, of the board meeting minutes of October 8, 2010 thereof, which are kept in the Minute Book resident in the offices of the Fort Ord Reuse Authority.

DATED 10-8-10

BY 
Ralph Rubio
Chair, Board of Directors
Fort Ord Reuse Authority



REDEVELOPMENT AGENCY OF THE CITY OF SEASIDE

440 Harcourt Avenue
Seaside, CA 93955

Telephone (831) 899-6825
FAX (831) 899-6211

September 21, 2010

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

RE: Request for Consistency Determination of the Projects at Main Gate Specific Plan in Accordance with FORA Master Resolution, Article 8.01.020

Dear Mr. Houlemard:

The Redevelopment Agency of the City of Seaside (RACS) requests that the Fort Ord Reuse Authority (FORA) adopt a finding that the Projects at Main Gate Specific Plan are consistent with the Fort Ord Base Reuse Plan (BRP).

The Seaside City Council adopted the Projects at Main Gate Specific Plan (the "Project") by Ordinance 991 on August 5, 2010. The City Council certified the corresponding Final Environmental Impact Report on July 15, 2010 by Resolution No. 10-43. The Project encompasses approximately 56 acres of the former Fort Ord, just east of Highway 1, north of Light fighter Drive and adjacent to California State University Monterey Bay. The Project's proposed land use as a regional retail, entertainment-based commercial center is consistent with the Gateway Regional Entertainment District within the FORA Base Reuse Plan ("BRP").

The project is proposed to integrate with surrounding land uses, institutions and other redevelopment efforts, and includes the following development and design objectives:

- Allow for two main project components: an entertainment-based retail center and a hotel/spa/conference center.
- Create an inviting open-air retail environment with distinct pedestrian-friendly retail "districts".
- Utilize site topography to minimize grading and maximize views of Monterey Bay.
- Connect to the future State Park and other nearby amenities, offering access for pedestrians and bicyclists to and from the site.
- Employ sustainable, high-quality design, materials and building techniques that contribute to a distinctive "sense of place" at a pedestrian scale.

- Offer unique destinations and services that include local retailers, national retailers and specialty businesses and restaurants.
- Provide ease of access, transit connections and non-automobile alternatives as a component of the project.
- Incorporate high performance building techniques and design features to further both economic and environmental goals.
- Implement universal access design in all site and building plans for people of different ages and abilities.
- Incorporate landscape, hardscape and streetscape design features that recognize and reflect native species and local conditions.

Based on the attached reports and consistency analysis matrix, the City of Seaside finds the Projects at Main Gate Specific Plan to be consistent with the Fort Ord Base Reuse Plan and requests that FORA concur with this determination and certify the project.

The attached submittal package was prepared in accordance with FORA Master Resolution Article 8.01.020 and instructions received from FORA staff. The submittal package includes two complete hard copies and 30 CD ROMs containing the following requested documents.

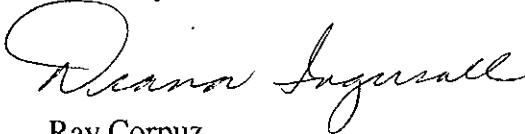
1. Exhibit A Consistency Analysis Table
 - Attachment A Conceptual Visual Simulations
2. July 15, 2010 Public Hearing to consider adoption of The Projects at Main Gate Specific Plan and Final Environmental Impact Report
 - Public Hearing Notice published July 1, 2010
 - July 15, 2010 City Council Agenda
 - The Projects at Main Gate and EIR Power Point Presentation
 - July 15, 2010 Staff Report
 - ATTACHMENT 1: Resolution Certifying the Final Environmental Impact Report for the Projects at Main Gate Specific Plan
 - Exhibit "A": Findings and Facts in Support of Findings
 - Exhibit "B": Statement of Overriding Considerations
 - Exhibit "C": Mitigation Monitoring and Reporting Program – The Projects at Main Gate
 - ATTACHMENT 2: Ordinance Adopting the Projects at Main Gate Specific Plan and Adopting Revisions to Title 17 of the Municipal Code to Include the Projects at Main Gate Specific Plan by Reference
 - ATTACHMENT 3: Minutes from the Planning Commission Meeting of December 15, 2009 Recommending Adoption of the Specific Plan

- ATTACHMENT 4 Final Draft of the Projects at Main Gate Specific Plan
 - ATTACHMENT 5 Final EIR for the Projects at Main Gate Specific Plan (consisting of the DEIR, RDEIR, all appendices, and response to comments documents in total)
3. August 5, 2010 Second Reading to consider adoption of the Projects at Main Gate Specific Plan
- August 5, 2010 City Council Agenda
 - August 5, 2010 Staff Report
 - ATTACHMENT 1: Ordinance No. 991 Adopting the Projects at Main Gate Specific Plan and Adopting Revisions to Title 17 of the Municipal Code to Include the Projects at Main Gate Specific Plan by Reference.
Exhibit "A": Final Draft of the Projects at Main Gate Specific Plan
 - ATTACHMENT 2: Minutes from the Planning Commission Meeting of December 15, 2009 Recommending Adoption of the Specific Plan
 - ATTACHMENT 3: Letter from California State University at Monterey Bay dated July 15, 2010
4. Memorandum containing website links to documents

If you have any questions or require additional information, please do not hesitate to contact me or Rick Medina, Senior Planner, (831) 899-6727 or rmedina@ci.seaside.ca.us.

Thank you for your help in expediting this very important and exciting project.

Sincerely,



Ray Corpuz
City Manager

c: Diana A. Ingersoll, P. E., Deputy City Manager–Resource Management Services
Rick Medina, Senior Planner
Lisa Brinton, Redevelopment Project Manager

**Consistency Analysis Matrix:
The Projects at Main Gate Specific Plan**

Chapter 8: Consistency Determination Criteria Section 8.02.020 (a) to (t)	The Projects at Main Gate Specific Plan Consistency Findings
<i>Natural Resources</i>	
(a) Prior to approving any development entitlements, each land use agency shall act to protect natural resources and open spaces on Fort Ord territory by including the open space and conservation policies and programs of the Reuse Plan, applicable to the land use agency, into their respective general, area, and specific plans	The project provides that natural resources and open space shall be protected via the 100-200 foot buffer on the western side of the project near State Route 1. Mitigation measures 4.4-1, 4.4-2, 4.7-1 of the Final Environmental Impact Report (FEIR) will ensure a less than significant impact to wildlife and vegetation. Any future development application will be reviewed for appropriate compliance.
(1) Each land use agency shall review each application for a development entitlement for compatibility with adjacent open space land uses and require suitable open space buffers to be incorporated into the development plans of any potentially incompatible land uses as a condition of project approval.	The project includes a 100-foot minimum building setback, a 200-foot minimum sign setback, and a 25-foot minimum landscape setback, to serve as buffers to Highway 1 complying with Highway 1 Design Guidelines. The project also provides pedestrian, bicycle and vehicle access to State Park lands and open space on the coastal dunes at the northwest corner of the site, via an existing underpass.
(2) When buffers are required as a condition of approval adjacent to Habitat Management areas, the buffer shall be designed in a manner consistent with those guidelines set out in the Habitat Management Plan. Roads shall not be allowed within the buffer area adjacent to Habitat Management areas except for restricted access maintenance or emergency access roads.	The project site is located within the boundaries of the approved Habitat Management Plan (HMP). In the HMP the project site is designated as a "development" parcel with no habitat management requirements.
(b) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will ensure consistency of future use of the property within the coastal zone through the master planning process of the California Department of Parks and Recreation, if applicable. All future use of such property shall comply with the requirements of the Coastal Zone Management Act and the California Coastal Act and the coastal consistency determination process.	The project is not located within the Local Coastal Zone.
(c) Monterey County shall include policies and programs in its applicable general, area, and specific plans that will ensure that future development projects at East Garrison are compatible with the historic context and associated land uses and development entitlements are appropriately conditioned prior to approval.	The project is not located within the East Garrison area of Monterey County.

<p>(d) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that shall limit recreation in environmentally sensitive areas, including, but not limited to, dunes and areas with rare, endangered, or threatened plant or animal communities to passive, low intensity recreation, dependent on the resource and compatible with its long term protection. Such policies and programs shall prohibit passive, low-density recreation if the Board finds that such passive, low-density recreation will compromise the ability to maintain an environmentally sensitive resource.</p>	<p>The proposed land uses included in the two development scenarios for the project are consistent with the use identified in the Base Reuse Plan (BRP); a regional retail, entertainment-based commercial center. Other than providing pedestrian, bicycle and vehicle access to State Park lands via an existing underpass, the project does not include recreational uses. The EIR found no environmentally sensitive areas within the project site.</p>
<p><i>Historic Preservation</i></p>	
<p>(e) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that shall encourage land uses that are compatible with the character of the surrounding districts or neighborhoods and discourage new land use activities which are potential nuisances and/or hazards within and in close proximity to residential areas. Reuse of property in the Army urbanized footprint should be encouraged.</p>	<p>The BRP and Seaside General Plan have found the proposed land use of Regional Commercial to be compatible with the surrounding area and adjacent land uses and would be consistent with the projected development scenario of the site.</p> <p>The site would be bounded on the west with an open-space buffer intended to preserve the scenic Highway 1 corridor, on the east by California State University Monterey Bay, and on the north with compatible urban uses proposed by The Dunes development in the City of Marina.</p>
<p>(f) Each land use agency with jurisdiction over property in the Army urbanized footprint shall adopt the cultural resources policies and programs of the Reuse Plan concerning historic preservation, and shall provide appropriate incentives for historic preservation and reuse of historic property, as determined by the affected land use agency, in their respective applicable general, area, and specific plans.</p>	<p>The archival search and field survey of the project site did not identify any cultural resources in the project area. Any future development application will be reviewed for appropriate compliance.</p>
<p>(g) The County of Monterey shall amend the Greater Monterey Peninsula Area Plan and designate the Historic East Garrison Area as an historic district in the County Reservation Road Planning Area. The East Garrison shall be planned and zoned for planned development mixed uses consistent with the Reuse Plan. In order to implement this aspect of the plan, the County shall adopt at least one specific plan for the East Garrison area and such specific plan shall be approved before any development entitlement shall be approved for such area.</p>	<p>The project is not located within the East Garrison area of Monterey County.</p>
<p><i>Water, Sewer, Drainage, Waste</i></p>	
<p>(h) Each land use agency shall include policies and programs in their respective applicable general and specific plans that shall support all actions necessary to ensure that sewage treatment facilities operate in compliance with waste discharge requirements adopted by the California</p>	<p>The Specific Plan estimates the development of the proposed project would generate an additional 61,878 to 63,116 gallons per day (GPD) of wastewater. The Monterey Regional Water Pollution Control Agency (MRWPCA) treatment facility has sufficient treatment capacity available</p>

<p>Regional Water Quality Control Board.</p>	<p>the meet project demands. The plant has several MGD of capacity available to meet future demands, and expansion of the treatment plant is not anticipated in the near future.</p> <p>The increase in wastewater generation from the project is expected to be between 0.061 and 0.063 MGD, which represents approximately 0.2 percent of the permitted capacity and would not constitute a significant impact on MRWPCA's regional wastewater treatment plant given the remaining entitled capacity. In addition, Mitigation Measure 4.13.3 of the FEIR requires design-level infrastructure plans to be submitted prior to the issuance of any grading or building permits thereby ensuring adequate wastewater capacity prior to construction.</p> <p>Any future development application will be reviewed for appropriate compliance with California Regional Water Quality Control Board (CRWQCB) wastewater discharge requirements.</p>
<p>(i) Each land use agency shall adopt the following policies and programs:</p>	
<p>(1) A solid waste reduction and recycling program applicable to Fort Ord territory consistent with the provisions of the California Integrated Waste Management Act of 1989. Public Resources Code Section 40000 et seq.</p>	<p>Any future development application will be required to adhere to waste management policies and participate in recycling programs in accordance with local and regional waste management guidelines.</p>
<p>(2) A program that will ensure that each land use agency carries out all action necessary to ensure that the installation of water supply wells comply with State of California Water Well Standards and well standards established by the Monterey County Health Department; and</p>	<p>Water for the proposed project would be served by the Marina Coast Water District (MCWD). The development would not include the installation of private supply wells.</p>
<p>(3) A program that will ensure that each land use agency carries out all actions necessary to ensure that distribution and storage of potable and non-potable water comply with State Health Department regulations</p>	<p>Potable water would be provided to the project for use in accordance with State Health Department regulations.</p>
<p>(j) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans to address water supply and water conservation. Such policies and programs shall include the following:</p>	
<p>(1) Identification of, with the assistance of the Monterey County Water Resources Agency and the Monterey Peninsula Water Management District, potential reservoir and water impoundment sites and zoning of such sites for watershed use, thereby precluding urban development</p>	<p>The water supply for the site is available and would come from the City of Seaside FORA allocation. Water conservation techniques as identified by the City of Seaside and the BRP would be implemented on the project site. The project would be designed to connect to recycled/reclaimed water lines for irrigation purposes when available. The landscape plan for the project requires drought-resistant vegetation appropriate for the Monterey Peninsula environment.</p>

<p>(2) Commence working with appropriate agencies to determine the feasibility of developing additional water supply sources, such as water importation and desalination, and actively participate in implementing the most viable option or options;</p>	<p>The water supply for the site is available and would come from the City of Seaside FORA allocation. Water conservation techniques as identified by the City of Seaside and the BRP would be implemented on the project site. The project would be designed to connect to recycled/reclaimed water lines for irrigation purposes when available. The landscape plan for the project requires drought-resistant vegetation appropriate for the Monterey Peninsula environment.</p>
<p>(3) Adoption and enforcement of a water conservation ordinance which includes requirements for plumbing retrofits and is at least as stringent as Regulation 13 of the Monterey Peninsula Water Management District, to reduce both water demand and effluent generation.</p>	<p>Water conservation techniques as identified by the City of Seaside and the BRP would be implemented on the project site. The project would be designed to connect to recycled/reclaimed water lines for irrigation purposes when available. The landscape plan for the project requires drought-resistant vegetation appropriate for the Monterey Peninsula environment.</p>
<p>(4) Active participation in the support of the development of reclaimed or recycled water supply sources by the water purveyor and the Monterey Regional Water Pollution Control Agency to ensure adequate water supplies for the territory within the jurisdiction of the Authority.</p>	<p>Water conservation techniques as identified by the City of Seaside and the BRP would be implemented on the project site. The project would be designed to connect to recycled/reclaimed water lines for irrigation purposes when available. The landscape plan for the project requires drought-resistant vegetation appropriate for the Monterey Peninsula environment.</p>
<p>(5) Promotion of the use of on-site water collection, incorporating measures such as cisterns or other appropriate improvements to collect surface water for in-tract irrigation and other non-potable use.</p>	<p>The project would be designed to connect to recycled/reclaimed water lines for irrigation purposes when available. The landscape plan for the project requires drought-resistant vegetation appropriate for the Monterey Peninsula environment.</p>
<p>(6) Adoption of policies and programs consistent with the Authority's Development and Resource Management Plan to establish programs and monitor development at territory within the jurisdiction of the Authority to assure that it does not exceed resource constraints posed by water supply.</p>	<p>If the project exceeds its water allocation after construction, the City of Seaside will work with the developer to reduce water usage. The developer may not exceed the water allocation authorized by the City Council. The City also acknowledges that it cannot exceed its total former Fort Ord water allocation.</p>
<p>(7) Adoption of appropriate land use regulations that will ensure that development entitlements will not be approved until there is verification of an assured long-term water supply for such development entitlements.</p>	<p>Pursuant to the requirements of SB 610, Marina Coast Water District (MCWD) prepared a Water Supply Assessment (WSA) for the proposed project. Based on the analysis contained in the WSA, the MCWD has sufficient water available to accommodate project.</p>
<p>(8) Participation in the development and implementation of measures that will prevent seawater intrusion into the Salinas Valley and Seaside groundwater basins.</p>	<p>The Projects at Main Gate Specific Plan does not modify existing General Plan policies related to inter-jurisdictional cooperation.</p>
<p>(9) Implementation of feasible water conservation methods where and when determined appropriate by the land use agency, consistent with the Reuse Plan, including: dual plumbing</p>	<p>Water conservation techniques as identified by the City of Seaside and the BRP would be implemented on the project site. The project would be designed to connect to recycled/reclaimed water</p>

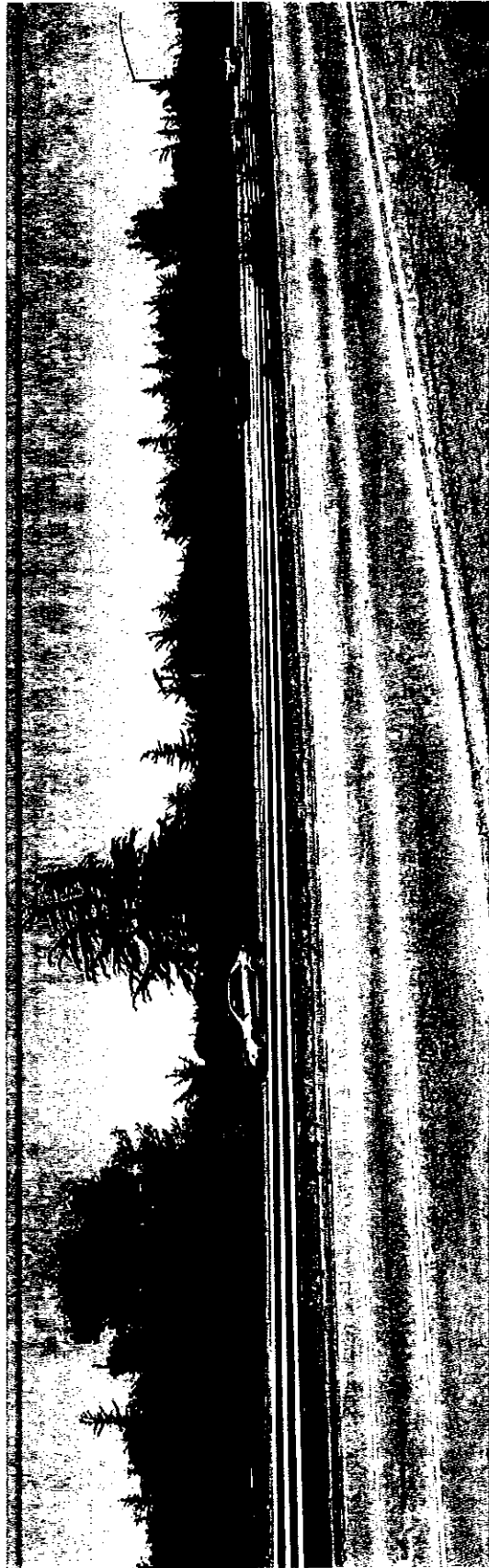
<p>using non- potable water for appropriate functions; cistern systems for roof-top run-off; mandatory use of reclaimed water for any new golf courses; limitation on the use of potable water for golf courses; and publication of annual water reports disclosing water consumption by types of use.</p>	<p>lines for irrigation purposes when available. The landscape plan for the project requires drought-resistant vegetation appropriate for the Monterey area environment.</p>
<p>(k) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will require new development to demonstrate that all measures will be taken to ensure that storm water runoff is minimized and infiltration maximized in groundwater recharge areas. Such policies and programs shall include:</p>	<p>Per City Code Section 15.32.170, peak storm drainage runoff rate may not exceed predevelopment rates. The storm water runoff created by the new construction (also including additions, driveways, and walkways, etc.) shall be contained <u>on site</u> through the use of rain gutters, detention basins, cisterns, drainage fields or comparable methods. The proposed design details and calculations shall be included on a dedicated sheet to be submitted with the building permit plans and shall be designed for 100-year storm event. Sample details are available at the Resource Management Department located at City Hall, 440 Harcourt Avenue in Seaside (831) 899-6825.</p>
<p>(1) Preparation, adoption, and enforcement of a storm water detention plan that identifies potential storm water detention design and implementation measures to be considered in all new development, in order to increase groundwater recharge and thereby reduce potential for further seawater intrusion and provide for an augmentation of future water supplies.</p>	<p>The project includes construction of three sub-surface retention basins intended to retain all water onsite during both regular and large storm events. Site-specific grading, drainage, and geotechnical information prepared in association with the FEIR for the project will be submitted prior to construction and all requirements included therein incorporated into the project. Best management practices are included and required prior to, during, and following construction.</p>
<p>(2) Preparation, adoption, and enforcement of a Master Drainage Plan to assess the existing natural and man-made drainage facilities, recommend area-wide improvements based on the approved Reuse Plan, and develop plans for the control of storm water runoff from future development. Such plans for control of storm water runoff shall consider and minimize any potential for groundwater degradation and provide for the long term monitoring and maintenance of all storm water retention ponds.</p>	<p>The project includes construction of three sub-surface retention basins intended to retain all water onsite during both regular and large storm events. Site-specific grading, drainage, and geotechnical information prepared in association with the FEIR for the project will be submitted prior to construction and all requirements included therein incorporated into the project. Best management practices are included and required prior to, during, and following construction.</p>
<p>(l) Each land use agency shall adopt policies and programs that ensure that all proposed land uses on the Fort Ord territory are consistent with the hazardous and toxic materials clean-up levels as specified by state and federal regulation.</p>	<p>While no known hazards were documented on the project site during the course of the Preliminary Environmental Review, due to the historical use of the site as part of the former Fort Ord, hazards may be present on the project site. In order to ensure that health hazards are minimized, mitigation measures 4.7-1, 4.7-2, and 4.7-3 from the EIR have been incorporated into the Project conditions of approval. In addition to project specific mitigation measures, worker and public health/safety requirements would be required during remediation activities, including legally-required safety and</p>

	hazardous waste handling and transportation precautions and federal OSHA regulations. These measures will ensure consistency with the BRP.
(m) Each land use agency shall adopt and enforce an ordinance acceptable to the California Department of Toxic Substances Control (DTSC) to control and restrict excavation or any soil movement on those parcels of the Fort Ord territory, which were contaminated with unexploded ordnance and explosives. Such ordinance shall prohibit any digging, excavation, development or ground disturbance of any type to be caused or otherwise allowed to occur without compliance with the ordinance. A land use agency shall not make any substantive change to such ordinance without prior notice to and approval by DTSC.	As part of past military training operations, military munitions/ordinances were used throughout the former Fort Ord. Imposition of Mitigation Measures 4.7-4 and 4.7-5 of the FEIR will ensure consistency with the BRP.
<i>Traffic/Circulation</i>	
(n) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will help ensure an efficient regional transportation network to access the territory under the jurisdiction of the Authority, consistent with the standards of the Transportation Agency of Monterey County. Such policies and programs shall include:	
(1) Establishment and provision of a dedicated funding mechanism to pay for the fair share of the impact on the regional transportation system caused or contributed by development on territory within the jurisdiction of the Authority; and	Regional transportation needs have been identified and the project will be required to pay fair share fees to appropriate jurisdictions, including the FORA CFD fee, for construction of these improvements. The EIR for the project identified several off-site improvements either fully or partially the responsibility of the developer, which would be constructed prior to occupancy. All proposed improvements were analyzed for consistency with the road network identified in the BRP.
(2) Support and participate in regional and state planning efforts and funding programs to provide an efficient regional transportation effort to access Fort Ord territory.	Regional transportation needs have been identified and the project will be required to pay fair share fees to appropriate jurisdictions, including the FORA CFD fee, for construction of these improvements. The EIR for the project identified several off-site improvements either fully or partially the responsibility of the developer, which would be constructed prior to occupancy. All proposed improvements were analyzed for consistency with the road network identified in the BRP.
(o) Each land use agency shall include policies and programs in their respective applicable general area, and specific plans that ensure that the design and construction of all major arterials within the territory under the jurisdiction of the Authority will have direct connections to the regional network consistent with the Reuse Plan. Such plans and policies shall include:	

<p>(1) Preparation and adoption of policies and programs consistent with the Authority's Development and Resource Management Plan to establish programs and monitor development to assure that it does not exceed resource constraints posed by transportation facilities;</p>	<p>Regional transportation needs have been identified and the project will be required to pay fair share fees to appropriate jurisdictions, including the FORA CFD fee, for construction of these improvements. All proposed improvements were analyzed for consistency with the road network identified in the BRP.</p>
<p>(2) Design and construction of an efficient system of arterials in order to connect to the regional transportation system; and</p>	<p>The FEIR for the project identified several off-site improvements either fully or partially the responsibility of the developer, which would be constructed prior to occupancy. All proposed improvements were analyzed for consistency with the road network identified in the BRP.</p>
<p>(3) Designate local truck routes to have direct access to regional and national truck routes and to provide adequate movement of goods into and out of the territory under the jurisdiction of the Authority.</p>	<p>Prior to issuance of any building permits, the project proponent must submit list of the designated truck delivery routes for the construction related activity of the project and the operational business aspects of the project for review and approval through the City's required entitlement process.</p>
<p>(p) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans to provide regional bus service and facilities to serve key activity centers and key corridors within the territory under the jurisdiction of the Authority in a manner consistent with the Reuse Plan.</p>	<p>The project is located within close distance to existing transit routes which could be augmented or altered to efficiently serve the project site.</p>
<p>(q) Each land use agency shall adopt policies and programs that ensure development and cooperation in a regional law enforcement program that promotes joint efficiencies in operations, identifies additional law enforcement needs, and identifies and seeks to secure the appropriate funding mechanisms to provide the required services.</p>	<p>Law enforcement and fire protection needs assessed by the City would be provided for through payment of development fees established to provide these services.</p>
<p><i>Fire Protection</i></p>	
<p>(r) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that ensure development of a regional fire protection program that promotes joint efficiencies in operations, identifies additional fire protection needs, and identifies and seeks to secure the appropriate funding mechanisms to provide the required services.</p>	<p>Any future project proponent shall pay a fair share development fee to fund the construction and operation of a new fire substation in north Seaside.</p>
<p>(s) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will ensure that native plants from on-site stock will be used in all landscaping except for turf areas, where practical and appropriate. In areas of native plant restoration, all cultivars, including, but not limited to, Manzanita and Ceanothus, shall be obtained from stock originating on Fort Ord territory.</p>	<p>The project shall use native plant species in all landscaping per the Master Landscape and Urban Design program. Project landscaping shall be drought tolerant, native plants, suitable for the climate, soils and ecological characteristics of the site. The Master Landscape and Urban Design program shall contain detailed landscape plans and plant palette, cohesive architectural and design theme, building elevation drawings, textures and paving treatments, thematic signage program, lighting program, and Highway 1 screening</p>

	treatment.
Jobs Housing Balance	
(t) Each land use agency shall include policies and programs in their general, area, and specific plans that will ensure compliance with the 1997 adopted FORA Reuse Plan jobs/housing balance provisions. The policies and programs for the provision of housing must include flexible targets that generally correspond with expected job creation on the former Fort Ord. It is recognized that, in addressing the Reuse Plan jobs/housing balance, such flexible targets will likely result in the availability of affordable housing in excess of the minimum 20% local jurisdictional inclusionary housing figure, which would result in a range of 21 % - 40% below market housing. Each land use agency should describe how their local inclusionary housing policies, where applicable address the Reuse Plan jobs/housing balance provisions.	The project is expected to generate approximately 775 to 830 new service and professional positions. Project construction would be expected to result in hundreds of temporary workforce jobs. As a 100% non-residential project, this job generation will significantly help balance the City's existing jobs/housing ratio consistent with section 8.02.020(t) of the FORA Master Resolution regarding the jobs/housing balance goals of the BRP.
Other Consistency Considerations	
Each land use agency shall ensure that its projects, programs, and policies are consistent with the Highway 1 Scenic Corridor design standards as such standards may be developed and approved by the Authority Board.	<p>The project site is located within the boundaries of the Highway 1 Design Corridor. The project includes a 100-foot minimum building setback, 200-foot minimum sign setback, and a 25-foot minimum landscape setback, as buffers to Highway 1, complying with Highway 1 Design Guidelines.</p> <p>In order to reduce the perceived scale of development and provide a mix of building forms and massing that will provide a visual interest and prevent a "wall-like" effect as seen particularly from Highway 1 and the surrounding environs, the development application submittal shall include a Master Landscape and Urban Design Program that provides additional design detail sufficient for City and Board of Architectural Review Board (BAR) consideration and approval. Provided as Attachment 1 to the Consistency Matrix are visual simulations of the conceptual design for the project which include views from Southbound Highway One (Figure 4.1-5), Northbound Highway One (Figure 4.1-6), view from Second Avenue and Light Fighter Drive looking north (Figure 4.1-7), and view towards Monterey Bay from CSUMB (Figure.1-8).</p> <p>In addition, Mitigation Measures 4.1-1-6 of the FEIR further address potential impacts to scenic vistas, scenic resources, and visual character as the project relates to the Highway 1 Design Corridor.</p> <p>Consistent with the Highway 1 Design Corridor Design Guidelines, if a future development entitlement within the Projects at Main Gate Specific Plan includes buildings in excess of 40 feet</p>

	in height, the development entitlement will include a determination by Seaside City Council that said buildings will serve as attractive landmarks and/or enhance the economic development prospects of this area.
Each land use agency shall ensure that its projects, programs, and policies are consistent with FORA's prevailing wage policy, section 3.03.090 of the FORA Master Resolution.	Both City and Agency Exclusive Negotiating Agreement and Disposition and Development agreements contain the language requiring payment of prevailing wage as required by the FORA Master Resolution.



Existing view.



Project simulation.

Source: Bar Architects, 2008

Figure
4.1-5

View From Southbound Highway One



Existing View.



Project Simulation.

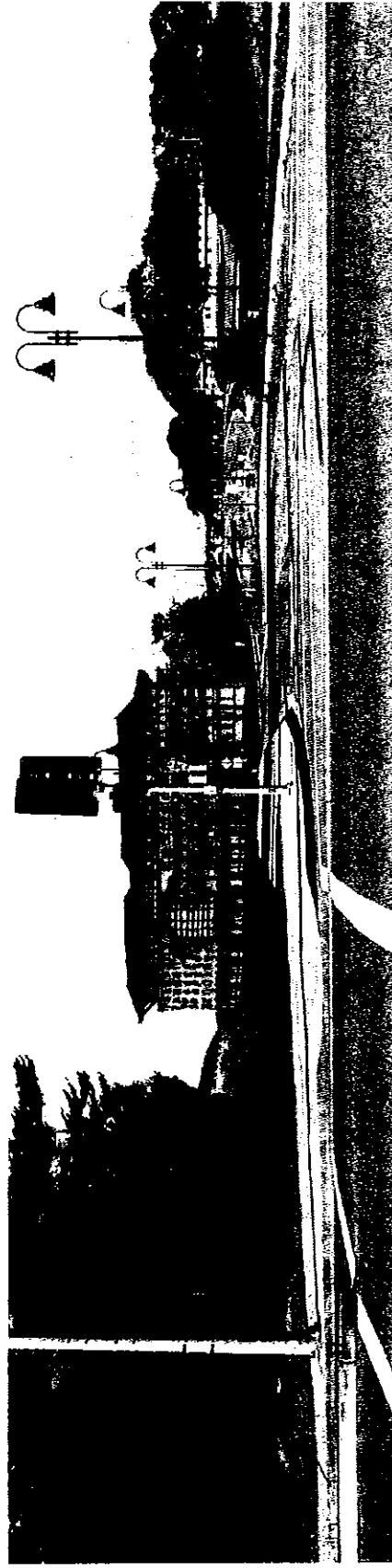
Source: Bar Architects, 2008

View From Northbound Highway One

Figure
4.1-6



Existing View.



Project Simulation.

Source: Bar Architects, 2008

Figure
4.1-7

View From Second Avenue and Light Fighter Drive (North)

HOTEL HERE



Source: Bar Architects, 2008

Figure
4.1-8

View Towards Monterey Bay From CSUMB

Date: September 16, 2010

To: Steve Endsley, Acting Assistant Executive Officer/Director of Planning and Finance

From: Rick Medina, Senior Planner

Subject: Web link for City of Seaside The Projects at Main Gate Specific Plan and Final Environmental Impact Report

This memorandum is part of the City of Seaside's submittal for a FORA consistency determination for The Projects at Main Gate Specific Plan. An Environmental Impact Report for The Projects at Main Gate Specific Plan was prepared and certified in accordance with the California Environmental Quality Act.

Interested persons/agencies can go to <http://www.ci.seaside.ca.us/index.aspx?page=200> to access the following documents on the City of Seaside's website which have been included in the FORA Consistency Determination Package for The Projects at Main Gate Specific Plan:

1. Exhibit A Consistency Analysis Table
 - Attachment A Conceptual Visual Simulations
2. July 15, 2010 Public Hearing to consider adoption of The Projects at Main Gate Specific Plan and Final Environmental Impact Report
 - Public Hearing Notice published July 1, 2010
 - July 15, 2010 City Council Agenda
 - The Projects at Main Gate and EIR Power Point Presentation
 - July 15, 2010 Staff Report
 - ATTACHMENT 1: Resolution Certifying the Final Environmental Impact Report for the Projects at Main Gate Specific Plan
 - Exhibit "A": Findings and Facts in Support of Findings
 - Exhibit "B": Statement of Overriding Considerations
 - Exhibit "C": Mitigation Monitoring and Reporting Program – The Projects at Main Gate
 - ATTACHMENT 2: Ordinance Adopting the Projects at Main Gate Specific Plan and Adopting Revisions to Title 17 of the Municipal Code to Include the Projects at Main Gate Specific Plan by Reference
 - ATTACHMENT 3: Minutes from the Planning Commission Meeting of December 15, 2009 Recommending Adoption of the Specific Plan
 - ATTACHMENT 4 Final Draft of the Projects at Main Gate Specific Plan

- ATTACHMENT 5: Final EIR for the Projects at Main Gate Specific Plan (consisting of the DEIR, RDEIR, all appendices, and response to comments documents in total)
3. August 5, 2010 Second Reading to consider adoption of the Projects at Main Gate Specific Plan
- August 5, 2010 City Council Agenda
 - August 5, 2010 Staff Report
 - ATTACHMENT 1: Ordinance No. 991 Adopting the Projects at Main Gate Specific Plan and Adopting Revisions to Title 17 of the Municipal Code to Include the Projects at Main Gate Specific Plan by Reference.
Exhibit "A": Final Draft of the Projects at Main Gate Specific Plan
 - ATTACHMENT 2: Minutes from the Planning Commission Meeting of December 15, 2009 Recommending Adoption of the Specific Plan
 - ATTACHMENT 3: Letter from California State University at Monterey Bay dated July 15, 2010

ATTACHMENT C

Item 7a

FORA Board Meeting, October 8, 2010

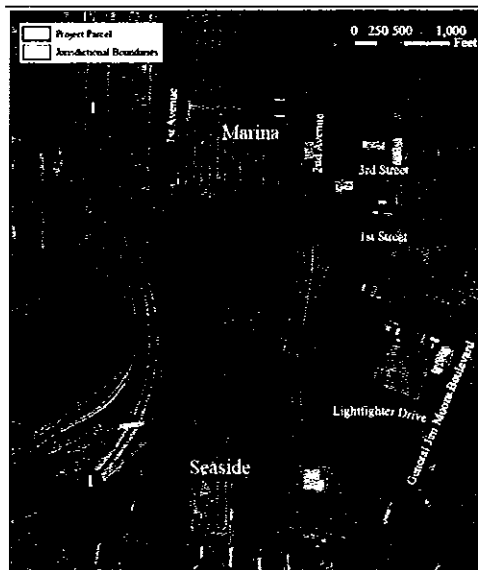
FORA Master Resolution Section	Finding of Consistency	Justification for finding
(1) Does not provide for a land use designation that allows more intense land uses than the uses permitted in the Reuse Plan for the affected territory;	Yes	The Specific Plan does not establish land use designations more intense than permitted in the Base Reuse Plan ("BRP").
(2) Does not provide for a development more dense than the density of uses permitted in the Reuse Plan for the affected territory;	Yes	The Specific Plan does not allow development to be denser than permitted in the BRP.
(3) Is in substantial conformance with applicable programs specified in the Reuse Plan and Section 8.02.020 of this Master Resolution.	Yes	The Specific Plan is in compliance with applicable programs. See Seaside's Consistency Analysis Matrix – (a) to (t), pages 1-8.
(4) Does not provide uses which conflict with or are incompatible with uses permitted or allowed in the Reuse Plan for the affected property or which conflict with or are incompatible with open space, recreational, or habitat management areas within the jurisdiction of the Authority;	Yes	No conflict or incompatibility exists between the Specific Plan and BRP. See Seaside's Consistency Analysis Matrix – (a) to (d), pages 1-2.
(5) Requires or otherwise provides for the financing and/or installation, construction, and maintenance of all infrastructure necessary to provide adequate public services to the property covered by the legislative land use decision;	Yes	The Specific Plan does not modify obligations to contribute to base-wide costs. See Seaside's Consistency Analysis Matrix – (n) and (o), pages 6-7.
(6) Requires or otherwise provides for implementation of the Fort Ord Habitat Management Plan ("HMP").	Yes	The Specific Plan provides for HMP implementation. See Seaside's Consistency Analysis Matrix – (a) to (d), pages 1-2.
(7) Is consistent with the Highway 1 Scenic Corridor design standards as such standards may be developed and approved by the Authority Board.	Yes	The Specific Plan is compatible with the Highway 1 Scenic Corridor design standards. See Seaside's Consistency Analysis Matrix – Other Consistency Considerations, page 9-10.
(8) Is consistent with the jobs/housing balance requirements developed and approved by the Authority Board as provided in Section 8.02.020(t) of this Master Resolution.	Yes	The Specific Plan is consistent with job/housing balance requirements. See Seaside's Consistency Analysis Matrix – (t), page 10.
(9) Prevailing Wage	Yes	The area affected by the Specific Plan will meet prevailing wage requirements. See Seaside's Consistency Analysis Matrix – Other Consistency Con., pg. 10.

Consistency Determination For The Projects at Main Gate Specific Plan and EIR



Fort Ord Reuse Authority Board Meeting
October 8, 2010

Project Location and Context



Projects at Main Gate Specific Plan Overview

- 56 Acre City-Sponsored Specific Plan
- City's General Plan- "North Gateway Specific Plan Area"
- Fort Ord Reuse Plan – Section 3.9.2 University Planning Area: "Gateway Regional Entertainment District"
- Currently there is no developer or specific development proposal

3

Specific Plan & EIR Review, Consideration and Approvals

- Draft Environmental Impact Report (DEIR)- Aug. 2008
- Re-circulated Draft EIR (RDEIR)-November 2009
- December 15, 2009: Unanimous Planning Commission Recommendation to City Council to Certify the FEIR and Approve the Project
- July 15, 2010: Seaside City Council Certified the FEIR and Adopted the Projects at Main Gate Specific Plan on August 5, 2010.

4

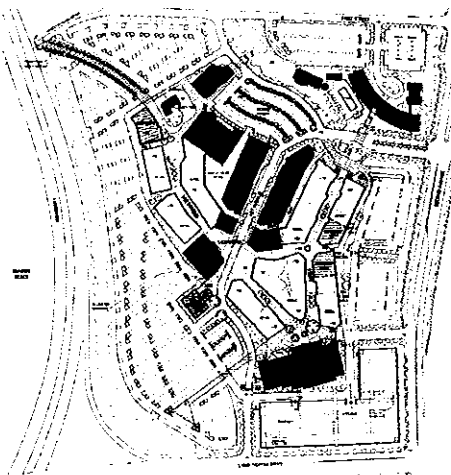
Projects at Main Gate Land Use Concept Key Elements

- Entertainment-based Retail Center
- Hotel, Spa and Conference Center
- Cinema or Department Store Anchor
- Open Air Promenades and Pedestrian Spine
- Extensive Streetscape/Landscape Design
- Range of Restaurants
- Direct Connection to State Beach Under Hwy 1

5

The Projects at Main Gate Specific Plan

Site Plan Concept – Alternative “A” with Cinema Anchor

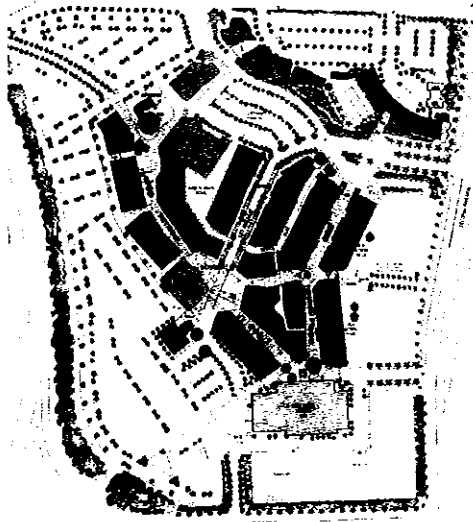


LEGEND
STREET
PARKING
PARKING LOT
RESTAURANT
CINEMA
HOTEL AND RESIDENTS

6

The Projects at Main Gate Specific Plan

Site Plan Concept Alternative "B" – with Department Store Anchor



7

The Projects at Main Gate Specific Plan

Key Components – Design Guidelines:

Pedestrian Walkways

Creating Atmosphere

Farmer's Market

Linking Passageways

Connecting Plazas

Corner Restaurants



Sidewalks/Streetscape

Pedestrian/Vehicle Interface

Main Gate Promenade

Streetscape Lighting



Surrounding Land Uses



9

Specific Plan Consistency with the FORA Base Reuse Plan

- Consistency Analysis Matrix Details Consistency Findings Regarding:
 - Natural Resources (including open space)
 - Historic Preservation
 - Water, Sewer, Drainage, Waste
 - Traffic and Circulation
 - Fire Protection
 - Jobs Housing Balance

10

Specific Plan Consistency with the FORA Base Reuse Plan

- Specific Plan and EIR Responsive to Highway 1 Design Corridor Guidelines
- Includes Site Development Standards for View Protection and Screening (Chapter 4.0)
- Requires Master Landscape and Urban Design Program and “substantial” landscaping along Highway 1 corridor
- Requires Setbacks for Buildings and Signage

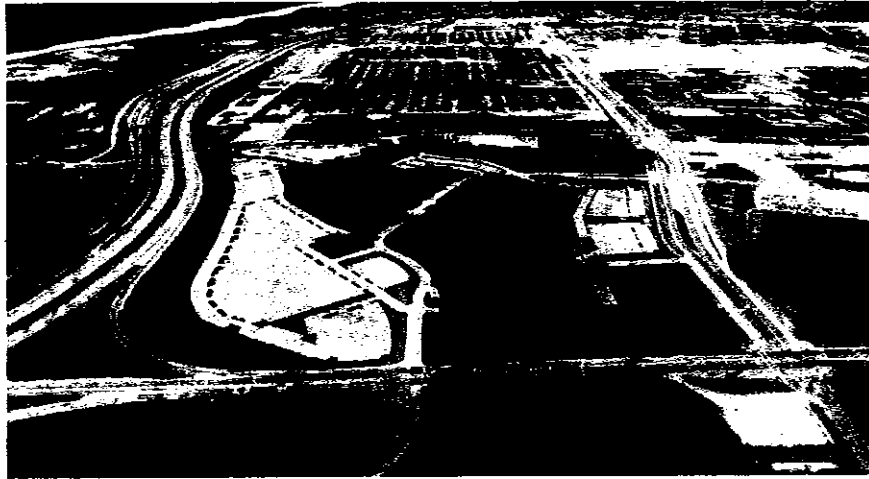
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Specific Plan Consistency with the FORA Base Reuse Plan



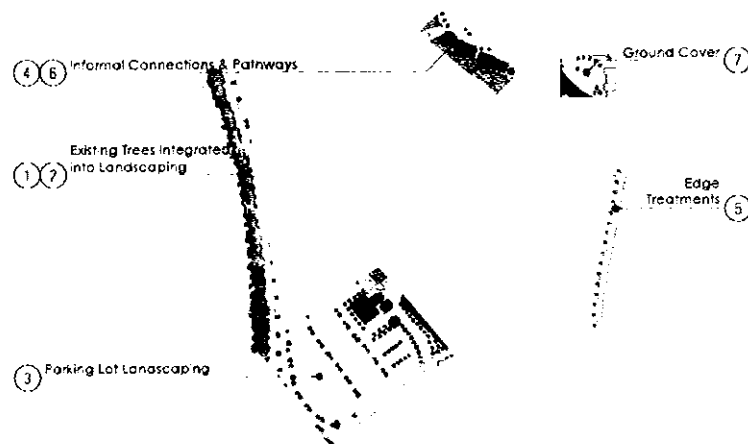
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The Projects at Main Gate Specific Plan Simulated Aerial View



13

Specific Plan Consistency with the FORA Base Reuse Plan

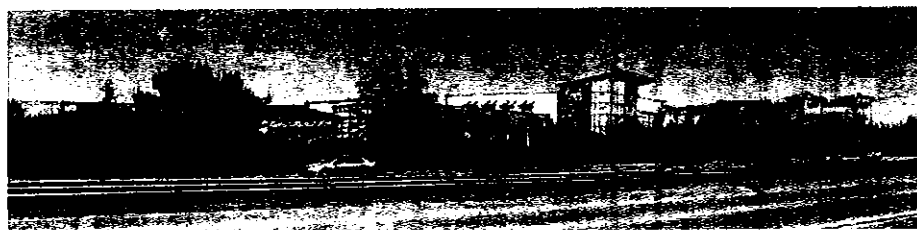


14

The Projects at Main Gate Specific Plan Aesthetics/Visual Simulation



Existing view.



Project simulation
Source: Bar Architects, 2008

15

The Projects at Main Gate Specific Plan Aesthetics/Visual Simulation



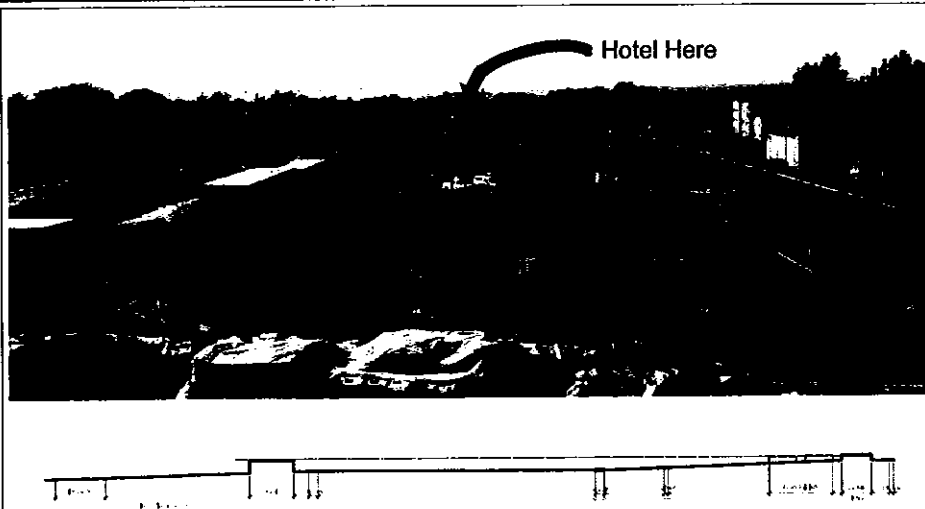
Existing View.



Project Simulation.
Source: Bar Architects, 2008

16

The Projects at Main Gate Specific Plan Aesthetics/View Impacts



Source: Bar Architects, 2008

17

The Projects at Main Gate Specific Plan Other Consistency Considerations

- Specific Plan addresses scale of development, building forms and mass to prevent a “wall-like” effect.
- Projects will require Seaside Board of Architectural Review consideration.
- Buildings in excess of 40 feet requires City Council findings that any such structure serve as an attractive landmark or enhance local economic development.

18

The Projects at Main Gate Specific Plan Water Supply Assessment

- Marina Coast Water District prepared a Water Supply Assessment and Written Verification of Supply for the project in October 2007, and amended July 2008
- Estimated project water need of 207.9 to 213.1 Acre Feet
- City has adequate water supply to allocate to project.

The Projects at Main Gate Specific Plan Job Creation/Positive Impacts

- 775-830 permanent new service and professional jobs.
- Construction jobs
 - Prevailing wage and Local First Source Hiring Policy
- Hotel facility
 - CSUMB Sport Tournaments and events such as graduation
- Entertainment venues and services
- Catalyst and a complement for other proposed economic development projects.

Proposed Timing Developer Selection

- November 2010 - Issue Request for Qualifications (RFQ)
- April 2011 - Responses due
- June 2011 - Identify 'short list' to respond to Request for Proposals (RFP)
- August 2011 - Responses due
- October 2011 – Consideration of ENA by Redevelopment Agency Board

Summary

- Request for Consistency Determination for a Specific Plan, a policy document, not a project.
- Future legislative actions by the City of Seaside regarding Plan implementation will come back to the FORA Board for consideration.
- A Disposition and Development Agreement (DDA) outlining land sales and terms would also be subject to FORA Board approval.

Fort Ord Reuse Authority

Consistency Determination – The Projects at Main Gate Specific Plan Seaside, California FORA Board Meeting October 8, 2010

FORA

1

Consistency Considerations

- ❖ Land use and Density
- ❖ Policies/program conformance
- ❖ Compatibility with open space uses
- ❖ Provides for infrastructure/basewide needs
- ❖ Provides for HMP implementation

FORA

2

Additional Consistency Considerations

- ❖ Highway 1 Scenic Corridor consistency
- ❖ Jobs/Housing balance consistency
- ❖ Prevailing wage consistency

FORA

3

Recommendation

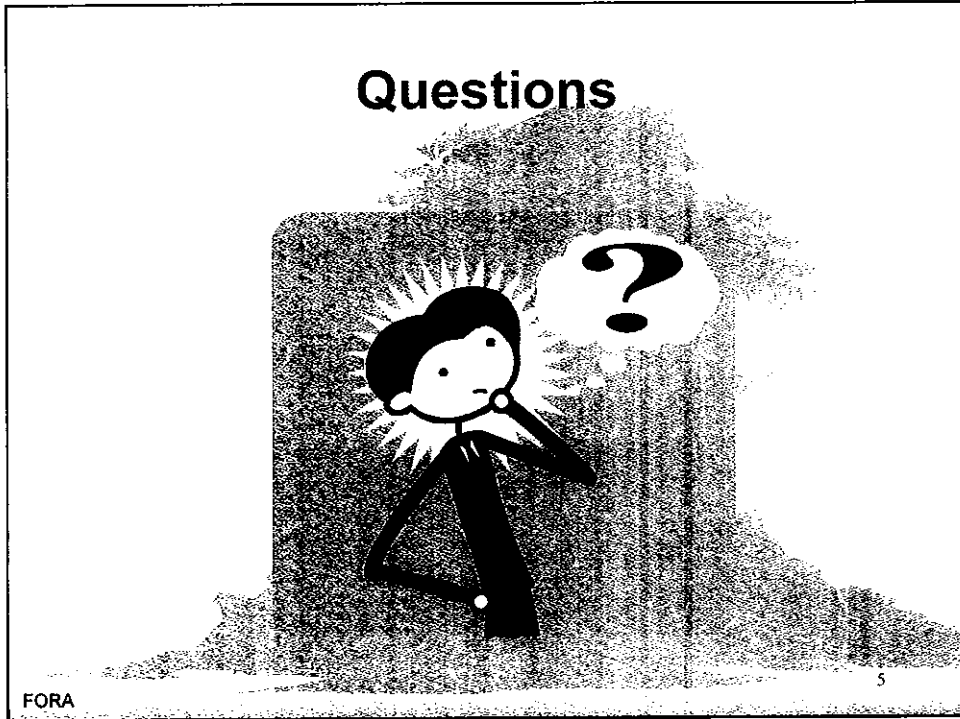
- ❖ Staff and Administrative Committee recommend:

That the FORA Board concur in the Seaside determination that the Projects at Main Gate Specific Plan is consistent with the BRP.

FORA

4

Questions



FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE HIGHLIGHTS REPORT

Subject: Administrative Committee Report

Meeting Date: October 8, 2010

Agenda Number: 8a

INFORMATION

RECOMMENDATION(S):

Receive a report from the Administrative Committee.

BACKGROUND/DISCUSSION:

The Administrative Committee met on September 1, 2010. The minutes of the September 1 meeting were approved on September 29, and are attached.

FISCAL IMPACT:


Reviewed by FORA Controller M. F. for I. B.

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

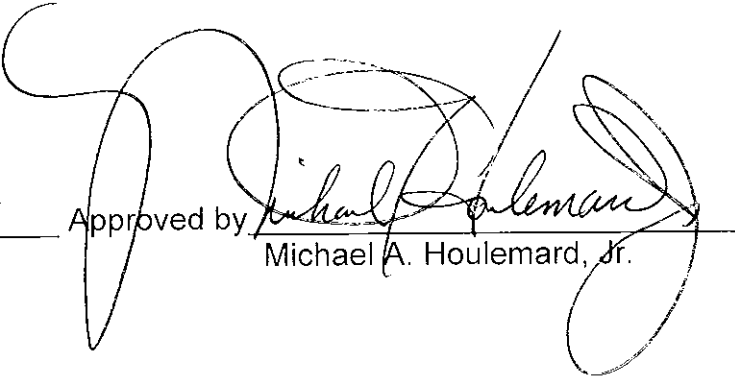
COORDINATION:

Administrative Committee.

Prepared by


Daylene Alliman

Approved by


Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY

100 12th Street, Building 2880

Marina, CA 93933

(831) 883-3672 (TEL) • (831) 883-3675 (FAX) • www.fora.org

MINUTES OF THE ADMINISTRATIVE COMMITTEE MEETING Wednesday, September 1, 2010

1. Call to Order

Co-Chair Doug Yount called the meeting to order at 8:15 a.m. The following land recipient jurisdiction representatives, establishing a quorum, were present:

*Nick Nichols – County of Monterey
*Daniel Dawson – City of Del Rey Oaks

*Ray Corpuz – City of Seaside
*Doug Yount – City of Marina

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

Jim Arnold – FORA
Stan Cook – FORA
Steve Endsley – FORA
Jonathan Garcia – FORA
*Rob Robinson – BRAC
*Diana Ingersoll – City of Seaside
*Vicki Nakamura – MPC
*John Marker – CSUMB

*Carl Niizawa – MCWD
Bob Schaffer – Marina Community Partners
Scott Hill – Marina Community Partners
Pat Ward – Bestor
Andy Sternbenz – Schaaf & Wheeler
*Jim Cook – County of Monterey
Theresa Szymanis – City of Marina

* indicates Administrative Committee membership

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

2. Pledge of Allegiance

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

3. Acknowledgements, Announcements and Correspondence

BRAC representative Rob Robinson announced that there would be a burn of 9 to 10 acres near Eucalyptus Road and Parker Flats. Executive Officer Michael Houlemard discussed the attached memo sent by Acting Assistant Executive Officer and Director of Planning/Finance to the Fort Ord Reuse Authority ("FORA") Administrative Committee and member Building and Planning Departments regarding the FORA collection policy for Community Facilities District ("CFD") and Development Fees. Mr. Houlemard stated that the memo was similar to past correspondence sent as a reminder to the jurisdictions regarding fee collection requirements.

4. Public Comment Period – none

5. Approval of August 4, 2010 meeting minutes - The August 4, 2010 meeting minutes were approved as read – as co-chair Yount asked if there were any objection or corrections and none were offered so he declared the minutes accepted.

6. **September 10, 2010 FORA Board meeting - agenda review.** Executive Officer Houlemard reported that, under Old Business, the ESCA report will be presented to the Board, further noting that staff member Stan Cook was available if the Administrative Committee members had questions. Mr. Houlemard also stated that Item 7a regarding the Consistency Determination for Marina's General Plan Amendment and Rezone for Monterey Peninsula College Marina Satellite Campus was going before the Board for approval next week and the recommendation would be presented by Acting Assistant Executive Officer/Director of Planning and Finance Steve Endsley and Senior Planner Jonathan Garcia. Mr. Houlemard said he would also be giving three status reports under Item 8 and that a "Closed Session" would be determined by the Executive Committee.
7. **New Business**
Item 7a - CONSISTENCY DETERMINATION: Marina's General Plan Amendment and Rezone for Monterey Peninsula College Marina Satellite Campus. FORA Senior Planner Jonathan Garcia gave an overview describing the Consistency Determination stating that Marina submitted the General Plan and Zoning Map amendments for consistency determination on August 23, 2010 and requested a Legislative Land Use Decision review of the General Plan and Zoning Map amendments in accordance with section 8.02.010 of the FORA Master Resolution. He stated that this item is included on the Board agenda because the General Plan and Zoning Map amendments are legislative land use decisions, requiring Board approval, and that this implements the terms of the Monterey Peninsula College ("MPC")-Marina property exchange. Theresa Szymanis Planning Services Manager for the City of Marina gave a detailed overview of the Consistency Determination request. Executive Officer Houlemard stated that this was one of several agreements regarding land use decisions. He further noted that it is important for this item to move the agreement forward, so that FORA and Marina may complete the land sale transaction for the Salinas Valley Memorial Healthcare System project. **Chair Young called for the motion. Diana Ingersoll motioned for approval, second by Vicki Nakamura, and the motion carried unanimously.**
8. **Old Business**
Item 8a - Distribution of the FY 2010/11 through 2021/22 Capital Improvement Program. Mr. Garcia announced that he had hard copies of the recently approved FORA CIP to distribute to Administrative Committee Members today. Mr. Garcia noted that he was distributing the hard copies in place of Crissy Maras who was sick today. He requested that Committee Members see him after the meeting to pick up their individual copies and get checked off of the distribution list.
9. **Items from Members**
Item 9a - Capital Improvement Program - steps in the process for implementation of the Eastside Parkway project - County of Monterey. County Director of Redevelopment and Housing Jim Cook reported that the County would like to memorialize applicable jurisdiction concurrence of the future Eastside Parkway alignment with a Memorandum of Agreement ("MOA") for this Capital Improvement Program ("CIP") project and discuss moving into implementation. Jim Arnold FORA Senior Engineer reported that there is ongoing collaboration with all stakeholders affected by the future Eastside Parkway, which is making progress. Jim Cook suggested that FORA staff take the lead in preparing the MOA and prepare a scope of services and initiate the Request for Proposals ("RFP") process to select the consulting team to implement the remaining project design and environmental compliance documentation so that, as soon as the required funds are available, the project may be built in an expeditious manner. He also requested FORA staff work with County staff on a grant

application and to prepare for the next grant funding opportunity from the Economic Development Administration ("EDA"), noting that the funding is now allocated quarterly. Executive Officer Houlemard stated that the priority for Eastside Parkway was set by the Board with adoption of the CIP. The County's request to prepare the ground work for this CIP project is logical; completing an MOA on the future alignment and drafting a scope of work are good ideas. He further stated that consultant selection typically takes 60 days from Board authorization. Mr. Houlemard also acknowledged that EDA representative Dianne Church retires this year and stated FORA staff member Jim Arnold and County representative Nick Nichols will meet with her replacement as soon as possible.

10. Adjournment

There being no further business Chair Yount adjourned the meeting at 9:00 a.m.

Minutes prepared by Daylene Alliman, Deputy Clerk

APPROVED

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject:	Executive Officer's Travel Report	
Meeting Date:	October 8, 2010	INFORMATION
Agenda Number:	8b	

RECOMMENDATION:

Receive a report from the Executive Officer concerning business travel on behalf of the Fort Ord Reuse Authority ("FORA").

BACKGROUND/DISCUSSION:

The Executive Officer regularly submits reports to the Executive Committee providing details of travel requests, including those by the Fort Ord Reuse Authority ("FORA") staff and board members. Travel expenses may be paid or reimbursed by FORA, outside agencies/ jurisdictions/organizations, or a combination of these sources. The Executive Committee reviews and approves these requests, accordingly, and the travel information is reported to the Board as an informational item.

~ **September 14, 2010 trip to Sacramento to meet with Governor Arnold Schwarzenegger's Deputy Legislative Secretary Mike Webb and Director of External Affairs Bismarck Obando at the Office of Governor regarding AB 1791 (Monning).** Executive Officer Houlemard and Authority Counsel Bowden visited the Governors' office staff regarding the Governor's execution of AB 1791, which passed both houses of the state legislature in August. Signing AB 1791 into law would allow former Fort Ord jurisdictions to use tax increment in Base Reuse Plan designated areas now barred from such use. AB1791 was included in FORA's 2010 Legislative Agenda and is supported by every former Fort Ord jurisdiction as well as adjacent communities. Mr. Houlemard and Mr. Bowden also met with FORA counsel representatives from Kutak Rock regarding legal services associated with property transfers.

~ **October 19-21, 2010 trip to Washington, DC for the United States Environmental Protection Agency ("EPA") Office of Solid Waste & Emergency Response Federal Facility Cleanup Dialogue** – Invitation from Mathy Stanislaus, Assistant Administrator for the Office of Solid Waste and Emergency Response to participate. The purpose of the Dialogue is to provide an opportunity for an array of diverse stakeholders to discuss the progress, achievements and challenges surrounding the cleanup of federally-owned contaminated sites. Dialogue objectives include fostering effective communication among stakeholders, discussing and prioritizing challenges of federal cleanups and establishing potential next steps for addressing the future challenges of federal facility site cleanups. The entire cost associated with this trip is being paid for by the EPA.

~ **October 24-29, 2010 trip to Washington, DC for the Association of the United States Army ("AUSA") Conference and Association of Defense Communities ("ADC") Board of Directors Retreat.** AUSA is a private, non-profit educational organization formed in 1950 that supports America's Army - Active, National Guard, Reserve, Civilians, Retirees, Government Civilians, Wounded Warriors, Veterans, and family members. AUSA provides numerous Professional Development Opportunities at a variety of events both local and national. Executive Officer Houlemard continues service on the ADC Board of Directors as its past-president. ADC's mission brings together the military, local communities, civilian contractors, government officials and others, who are faced with the many challenges of converting military bases to civilian usage. Mr. Houlemard's hotel for two days, airfare and taxi/shuttle to/from the airport will be reimbursed by ADC.

~ December 7-9, 2010 trip to Los Angeles for the Economic Development Administration ("EDA") Seattle Regional Training Conference. This is a multi-state regional conference to explore and highlight the latest trends, ideas and results in regional and local economic development. The conference workshops and sessions will focus on regional innovation and cluster development in America's distressed communities and regions.

~ February 13-16, 2011 trip to San Antonio, Texas for the ADC Winter Forum. (See above for ADC Mission and background.) The Winter Forum includes a Board meeting and updates on several topics impacting the reuse of former Military installations.

FISCAL IMPACT:

Reviewed by FORA Controller M.F. for I.B.

All travel expenses are included in the approved FORA budget and reimbursed according to the FORA travel policy.

COORDINATION:

Executive Committee, JEA & Associates 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 – work plan status report	
Meeting Date:	October 8, 2010	INFORMATION
Agenda Number:	8c	

RECOMMENDATION(S):

Receive a Capital Improvement Program ("CIP") work plan status report.

BACKGROUND/DISCUSSION:

On July 9, 2010, the Fort Ord Reuse Authority ("FORA") Board reviewed a proposed CIP work plan timeline. The Board directed staff to condense the review of CIP obligations and resources into a six-month period and to provide monthly updates. On July 14, 2010, working with the FORA Administrative Committee, FORA staff revised the CIP work plan timeline to reflect January 2011 completion. The schedule was slightly revised as a result of the CIP consultant Request for Qualifications/Request for Proposals ("RFQ/RFP") process, holding to January 2011 completion (**Attachment A**).

On August 17, 2010, FORA issued an RFQ/RFP for financial consultants to participate in a selection process to conduct the CIP review work. Four proposals were submitted by the due date of September 1, 2010. FORA convened a selection panel to review the proposals. Economic & Planning Systems, Inc. ("EPS") was selected through this process. David Zehnder is the Managing Principal and Jamie Gomes is the Principal for this project, and each have recent experience with California municipalities and county organizations reviewing CIP obligations and fee structures. David Zehnder also worked with FORA in the late 1990's and is familiar with the FORA CIP.

FISCAL IMPACT:

Reviewed by FORA Controller P. F. for 1.13.

The CIP review consultant contract is not to exceed \$24,500. Staff time for this item and funding for the consultant contract are included in the approved FY 10-11 budget.

COORDINATION:

Administrative Committee, CIP Committee, Executive Committee

Prepared by Jonathan Garcia Reviewed by Steve Endsley
Jonathan Garcia Steve Endsley
Approved by Michael A. Houlemard, Jr.
Michael A. Houlemard, Jr.

ATTACHMENT A

Item 8c

FORA Board Meeting, October 8, 2010

Revised CIP Work Plan – September 2010 to January 2011

	Aug. 2010	Sept. 2010	Oct. 2010	Nov. 2010	Dec. 2010	Jan. 2011
1						
2						
3						
4						
5						
6						

1. Staff review of CIP program/ select consultant support
2. Oct. 20th – FORA Admin./CIP Committee – Program overview and feedback from stakeholders.
3. Nov. 17th – FORA Admin./CIP Committee – Consultant presents draft review of development forecasts and preliminary CIP analysis.
4. Dec. 15th – FORA Admin./CIP – Consultant presents draft summary report on CIP obligations, cost estimates and revenue forecasts.
5. Jan. 5th – FORA Admin./CIP – Consultant presents draft final report (includes previous reports plus sensitivity analyses, post-2014 options, and CIP funding source report)..
6. Jan. 14th – FORA Board – Consultant presents final report.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject:	General Jim Moore Boulevard Phase V and Eucalyptus Road Phase II completion – status report	
Meeting Date:	October 8, 2010	INFORMATION
Agenda Number:	8d	

RECOMMENDATION:

Receive a report on the status of current construction on General Jim Moore Boulevard Phase V and Eucalyptus Road Phase II (collectively known as "the Project") and the preparation of the follow-on completion project for competitive bidding.

BACKGROUND/DISCUSSION:

At its December 2009 meeting, the Fort Ord Reuse Authority ("FORA") Board of Directors authorized award of a contract to Top Grade Construction, Inc. for construction of the Project. The contract provided 365 days for completion of the Project, placing the completion date at the end of January 2011 including time increases for additional work approved by change orders. However, in an effort to complete the Project prior to the winter rainy season, the contractor has indicated its desire to finalize the Project by early to mid-November. Currently, they remain on schedule to meet their target.

Additionally, the Economic Development Administration ("EDA") is in the process of reviewing plans and specifications for the follow-on completion project approved by the Board in March 2010. Once review is complete, the EDA can authorize the project for competitive bids.

FISCAL IMPACT:

Reviewed by FORA Controller M.F. for L.B.

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

COORDINATION:

City of Seaside, Administrative Committee, Executive Committee

Prepared by

Crissy Maras

Approved by

Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Habitat Conservation Plan – status report

Meeting Date: October 8, 2010

Agenda Number: 8e

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:

The Fort Ord Reuse Authority ("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 1-4 & 7-8 and has agreed to provide remaining comments during the month of October, while CDFG has agreed to provide comments in October as well. The next critical milestones to completing the HCP are receiving HCP comments from USFWS and CDFG and resolving any outstanding issues from comments. ICF International intends to schedule a working group meeting in mid-October.

FISCAL IMPACT:

Reviewed by FORA Controller M. F. Garcia

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
Jonathan Garcia

Reviewed by

Steve Endsley
Steve Endsley

Approved by

Michael A. Houlemard, Jr.
Michael A. Houlemard, Jr.

FORT ORD REUSE AUTHORITY BOARD REPORT

EXECUTIVE OFFICER'S REPORT

Subject: Fort Ord Reuse Authority investments – final report

Meeting Date: October 8, 2010

Agenda Number: 8f

INFORMATION

RECOMMENDATION(S):

Receive the Fort Ord Reuse Authority (FORA) final investment report.

BACKGROUND/DISCUSSION:

Upon the Finance Committee (FC) recommendation, the FORA Board modified the FORA investment policy at the 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 vs. bonds holdings ratio to 40% - 60% and eventually moving all funds to more secure investment instruments.

Despite market fluctuations, FORA sustained investment earnings. To capture these earnings and preserve principal, staff worked with bank representatives to convert Prime Vest accounts to certificates of deposit (CODs). 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.

On August 18, 2010, the Prime Vest account was closed. All funds were transferred to a COD at Rabobank. The COD earns 1.75% and funds can be withdrawn at any date without penalty to establish the habitat endowment.

Investment Type	8/18/10 Balance	Portfolio Percent	7/31/10 Balance	Portfolio Percent	Maturity
PRIMEVEST INVESTMENT ACCOUNT					
Mutual Funds	4,225,188	99.83%	4,190,485	99.83%	Closed
Stock Funds	1,473,117	34.87%	1,457,031	34.77%	
Bond Funds	2,752,071	65.13%	2,733,454	65.23%	
Money Market Funds	7,192	0.17%	7,192	0.17%	Closed
TOTALS	4,232,380	100.00%	4,197,677	100.00%	

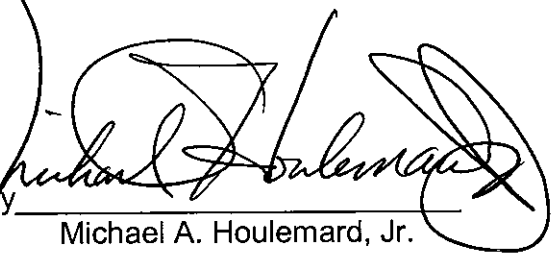
FISCAL IMPACT:

Positive. FORA investment funds were transferred to a secure investment instrument.

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 – update	
Meeting Date:	October 8, 2010	ACTION/INFORMATION
Agenda Number:	8g	

RECOMMENDATIONS:

Receive a report and provide direction to staff regarding outstanding receivables.

BACKGROUND/DISCUSSION:

This report updates Fort Ord Reuse Authority ("FORA") outstanding receivables as of September 30, 2010.

\$438,897: City of 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.

- ❖ 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. They are current on the payments.
- ❖ Staff recommends reviewing this item in December 2010 should the City be unable to find the new developer by that time.

\$143,893: Union Community Partners ("UCP") – Interest reimbursement

UCP has informed FORA staff that their financial partner is not willing to continue interest payments (that they have paid since they acquired rights to the East Garrison project in a trustee's sale) in 2009 (16 months). UCP reasoning is their assertion that they purchased the debt instrument and not all other obligations. Therefore, they contend that they are not technically subject to the terms and conditions of the agreement among the County, FORA and the past developer.

- ❖ UCP is having internal review and discussion whether to continue to pay the interest. They will notify FORA by mid-October.

+/- \$50,000: City of Marina (Marina) – FORA Community Facilities District ("CFD") Fee Collections

Marina did not collect the FORA CFD Fee from the following projects:

1. The Community Hospital of the Monterey Peninsula project at 2nd Ave. and Imjin Parkway – estimated fee +/- \$25,000 and
2. 730, 738, and 740 Neeson Road projects – estimated fee +/- \$25,000

❖ Per the Implementation Agreements, the land-use jurisdictions must assure that the FORA Development Fee or FORA CFD Fee is paid before issuance of a building permit. In an effort to enforce the fee collection process, FORA has discussed the issue with the Administrative Committee, mailed a notice to the building and planning departments, and developed a Development Fee collection form (**Attachment A**). The City of Marina staff indicated that they would follow up with their planning and building departments to bring these projects current in terms of outstanding consistency determinations and FORA CFD Fee payments.

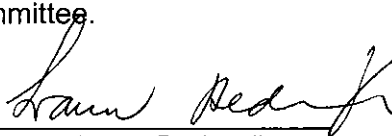
FISCAL IMPACT:

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

COORDINATION:

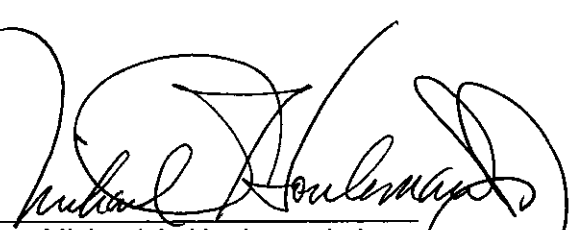
Executive Committee.

Prepared by



Ivana Bednarik

Approved by



Michael A. Houlemard, Jr.



FORT ORD REUSE AUTHORITY, 100 12th Street, Bldg. 2880, Marina, CA 93933

DEVELOPMENT FEE COLLECTION FORM

To be used by the Jurisdiction issuing a building permit for development projects on the Jurisdiction Property located on the former Fort Ord

State Law (Government Code section 67679(e)) authorizes the Fort Ord Reuse Authority (FORA) to levy development fees within the former Fort Ord. The FORA Board adopted Resolution 99-1 to establish Developer Fees in 1999. In 2002, FORA formed a Community Facilities District (CFD), setting a fee structure covering most former Fort Ord property. A former Fort Ord development must pay the established Developer Fees or CFD Fees depending on location. The Developer Fees and CFD Fees are adjusted annually on July 1, and have parallel fee schedules.

Current fee schedule July 1, 2010 to June 30, 2011.

Property Classification	Development Fee Rates		
Undeveloped Property	\$0		
New Residential	\$46,205 / Dwelling unit		
Existing Residential	\$13,892 / Dwelling unit		
Office	\$6,056 / Acre	\$0.14 / Sq.Ft.	Floor Area Ratio \$0.397 / Sq.Ft. of Building
Industrial	\$6,056 / Acre	\$0.14 / Sq.Ft.	\$0.348 / Sq.Ft. of Building
Retail	\$124,885 / Acre	\$2.87 / Sq.Ft.	\$11.468 / Sq.Ft. of Building
Hotel	\$10,304 / Room		

Project Address & Jurisdiction _____

Project Owner/Applicant _____

(Name, address, phone #) _____

Project Description _____

Assessor's Parcel No. _____

Development Fee Calculation: _____

Total Fee \$ _____

Amount Paid \$ _____

Date Paid/Check # _____

1. Jurisdictions collect Developer/CFD Fees prior to issuing a building permit to a Project Owner/Applicant

2. Payment/check made payable directly to the Fort Ord Reuse Authority

Signed

Jurisdiction issuing the permit _____

Date _____

Print Name & Title _____

Project Owner/Applicant _____

Date _____

Print Name & Title _____

Fort Ord Reuse Authority _____

Date _____

Print Name & Title _____