REGULAR MEETING
FORT ORD REUSE AUTHORITY BOARD OF DIRECTORS
Friday, July 11, 2014 at 2:00 p.m.
910 2nd Avenue, Marina, CA 93933 (Carpenters Union Hall)

REVISED AGENDA

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. CLOSED SESSION
   a. Conference with Legal Counsel - Existing Litigation, Gov Code 54956.9(a) – 2 Cases
      i. Keep Fort Ord Wild v. Fort Ord Reuse Authority (FORA), Case Number: M114961
      ii. The City of Marina v. Fort Ord Reuse Authority, Case Number: M11856

4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

5. ROLL CALL

6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

7. CONSENT AGENDA
   a. Approve May 16, 2014 Board Meeting Minutes (pg. 1-4)
   b. Approve May 30, 2014 Board Meeting Minutes (pg. 5-10)
   c. Approve June 13, 2014 Board Meeting Minutes (pg. 11-19)
   d. Approve June 20, 2014 Board Meeting Minutes (pg. 20-22)
   e. Adopt Salary Schedule for Economic Development Specialist Position (pg. 23-24)

8. BUSINESS ITEMS
   a. Marina-Salinas Multimodal Corridor Plan (pg. 25)
      i. Transportation Agency for Monterey County Presentation INFORMATION
      ii. Consider Supporting Recommended Corridor Alignment ACTION
   b. Approve Preston Park FY 2014-15 Annual Budget (pg. 26-39) ACTION
   c. Quarterly Environmental Services Cooperative Agreement Update (pg. 40-42) INFORMATION
   d. Marina Coast Water District Update Presentation on Augmentation and Policy Issues (pg. 43) INFORMATION
   e. Regional Urban Design Guidelines (pg. 44-51)
      i. Receive Update from Regional Urban Design Guidelines Task Force INFORMATION
      ii. Select Consultant for Design Services ACTION
   f. Regional Trails Planning Update (pg. 52-65) INFORMATION
g. Authorize Board Chair to Execute Letter of Unconditional Commitment to the City of Marina, per Government Code §54960.2, to Cease, Desist from, and Not Repeat Challenged June 20, 2014 Board Action  

9. PUBLIC COMMENT PERIOD  
Members of the public wishing to address the Board of Directors on matters within their jurisdiction, but not on this agenda, may do so at this time for up to three minutes. Comments on agenda items are heard under the item.

10. EXECUTIVE OFFICER’S REPORT  
   a. Outstanding Receivables (pg. 66) INFORMATION
   b. Habitat Conservation Plan Update (pg. 67-69) INFORMATION
   c. Administrative Committee (pg. 70-74) INFORMATION
   d. Veterans Issues Advisory Committee (pg. 75-77) INFORMATION
   e. Approved FY 2014/15 Fort Ord Reuse Authority Capital Improvement Program (pg. 78) INFORMATION
   f. Post Reassessment Advisory Committee (pg. 79-83) INFORMATION
   g. Travel Report (pg. 84-85) INFORMATION
   h. Public Correspondence to the Board (pg. 86) INFORMATION

11. ITEMS FROM MEMBERS

12. ADJOURNMENT

NEXT REGULAR BOARD MEETING: AUGUST 8, 2014

Persons seeking disability related accommodations should contact FORA 48 hrs prior to the meeting. This meeting is recorded by Access Monterey Peninsula and televised Sundays at 9 a.m. and 1 p.m. on Marina/Peninsula Chanel 25. The video and meeting materials are available online at www.fora.org.
CALL TO ORDER
Chair Edelen called the meeting to order at 2:00 p.m.

PLEDGE OF ALLEGIANCE
Mayor Pendergrass led the Pledge of Allegiance.

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

a. Public Employee Performance Evaluation – Executive Officer (Gov Code 54957)
b. Conference with Legal Counsel - Existing Litigation, Gov Code 54956.9(a) – 2 Cases
   i. Keep Fort Ord Wild v. Fort Ord Reuse Authority (FORA), Case Number: M114961
   ii. The City of Marina v. Fort Ord Reuse Authority, Case Number: M11856

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION
The Board reconvened into open session at 3:05 p.m. Authority Counsel Jon Giffen announced no reportable action was taken.

ROLL CALL
Voting Members Present: (*alternates)/(AR: entered after roll call)

| Chair/Mayor Edelen (City of Del Rey Oaks) | Supervisor Parker (County of Monterey) |
| Mayor Pro-Tem Beach (City of Carmel-by-the-Sea) | Mayor Pendergrass (City of Sand City) |
| Mayor Gunter (City of Salinas) | Councilmember Alexander* (City of Seaside) |
| Mayor Kampe* (City of Pacific Grove) | Councilmember Selfridge (City of Monterey)* |
| Mayor Pro-Tem Oglesby (City of Seaside) |

Absent: Supervisor Calcagno (County of Monterey), Councilmember Morton (City of Marina), Mayor Pro-Tem O’Connell (City of Marina), and Supervisor Potter (County of Monterey).

Ex-officio (Non-Voting) Board Members Present: Senator Bill Monning (17th State Senate District), Assemblyman Mark Stone (29th State Assembly District) - later replaced by Taina Vargas Edmonds, Donna Blitzer (University of California, Santa Cruz), Andre Lewis* (California State University, Monterey Bay), Vicki Nakamura* (Monterey Peninsula College) - later replaced by Walter Tribby, Dan Albert, Jr.* (Monterey Peninsula Unified School District), Hunter Harvath (Monterey-Salinas Transit), Debbie Hale (Transportation Agency for Monterey County), Dan Carpenter* (US Army), and Lyle Shurtleff* (Fort Ord BRAC Office).

STATE LEGISLATIVE SESSION

a. Receive Report from Senator Bill Monning (17th State Senate District)
Chair Edelen introduced Senator Monning, who provided an update on the California Central Coast Veterans Cemetery (CCCVC), discussed SB 936 and current state water bond legislation, and reviewed the recent release of the Governor’s May revise budget. Senator Monning acknowledged tremendous ongoing local community efforts to keep the CCCVC project on schedule, noting that
California Department of Veterans Affairs was currently ahead of schedule and aiming for groundbreaking in September. He added that colleagues in the legislature had become very interested in what was being referred to as the "Monterey Model" of establishing state veterans cemeteries. He provided an overview of SB 936 "water rate relief bonds" to authorize the issuance of bonds through the Monterey Peninsula Water Management District upon a Public Utilities Commission finding that the bonds would provide a customer savings. He provided a history of state water bond legislation and discussed the progress of water bond bills currently in the legislature. Senator Monning provided an update on the state budget process, noting that as the fragile recovery continued the challenge would be in prioritizing program restoration and preparing for reduced future revenues.

b. Receive Report from Assemblymember Mark Stone (29th State Assembly District)
Chair Edelen introduced Assemblymember Stone, who discussed the state water bond and budget. He noted positive changes were happening in Sacramento, evidenced by the recent unanimous bi-partisan vote in both the Assembly and Senate to place the Rainy Day/Budget Stabilization Act on the November 2014 ballot. He briefly discussed the 2014 Water Bond, adding that he and Senator Monning had been working very closely to ensure that the central coast would be able to take advantage of whatever provisions come out of the final version. Assemblymember Stone discussed his current legislation, particularly AB 2119, which would grant counties the authority to propose sales taxes within an unincorporated area of a county, to be approved by voters residing within that unincorporated area. He explained the benefit of the measure to unincorporated Monterey County and requested FORA Board support.

Senator Monning and Assemblymember Stone received comments and questions from the Board and public.

7. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE
Chair Edelen suggested that agenda item 10a be considered out of order to permit the state representatives to be present for the item, and there were no objections.

10a. Approve Positions on Current State Legislation
Executive Officer Houlemard discussed the bills proposed for a "watch" Board position and provided detailed descriptions of those items recommended for Board support.

MOTION: Mayor Pro-Tem Oglesby moved, seconded by Supervisor Parker, to approve the Board positions on state legislation as presented, with exception of moving AB 2119 to a support position.


7a. Present Resolution Appreciation for Mayor Bill Kampe's Service
Chair Edelen read the resolution into the record and thanked Mayor Kampe for his dedicated service to FORA.

Chair Edelen announced that on April 25, 2014, he and Mr. Houlemard had attended the League of United Latin American Citizens (LULAC) Day of Remembrance event in Monterey and had been presented a plaque in recognition of FORA's advocacy for veterans issues.

8. CONSENT AGENDA
a. Approve April 11, 2014 Board Meeting Minutes
b. Approve Highway 68 Operational Improvements Reimbursement Agreement
c. Approve Denise Duffy & Associates Contract Amendment #8
d. Approve Property Transfer Recordation Resolution
MOTION: Councilmember Alexander moved, seconded by Mayor Gunter, to approve the Consent Agenda.


Councilmember Selfridge requested to abstain from item 7a.

9. OLD BUSINESS

a. Approve Resolution Requesting Preston Park Loan Extension
Mr. Houlemard presented the item, provided a history of Preston Park financing efforts, and discussed the loan extension terms. Mr. Houlemard and Chris Reynolds, Rabbobank representative, responded to clarifying questions from Board members and the public.

MOTION: Mayor Pro-Tern Oglesby moved, seconded by Councilmember Alexander, to approve Resolution 14-10 requesting Preston Park loan extension to December 15, 2014.


10. NEW BUSINESS

a. Approve Positions on Current State Legislation (Considered under agenda item 7)

b. FY 2014-15 Capital Improvement Program (CIP)
Executive Officer Houlemard provided a brief overview of the item and introduced David Zehnder and Ellen Martin of Economic and Planning Systems (EPS).

i. Presentation by FORA Staff
Senior Planner Jonathan Garcia provided CIP background information and reviewed FORA’s obligations.

ii. Presentation by Economic & Planning Systems
David Zehnder explained the formulaic approach to developer fee calculation and provided the EPS Phase III study recommendations.

iii. Provide Direction on the FY 2014/15 Capital Improvement Program
Executive Officer Houlemard clarified several key policy decisions, as outlined in the presentations, and staff responded to questions from Board members.

Mayor Gunter left at 4:57 p.m. Chair Edelen announced that because the Board no longer had a quorum, they would proceed as a meeting of the whole.

The Board received comments from members of the public and provided input to staff on items iii and iv.

iv. Approve Resolution to Implement Fee Adjustment
The Board took no action on the item.

c. Fort Ord Reuse Authority Fiscal Year 2014-15 Annual Budget
Mr. Houlemard provided an overview of the draft budget and staff responded to questions from the Board.

Mayor Pro-Tem Beach left at 5:35 p.m.
MOTION: Mayor Kampe moved, seconded by Supervisor Parker, to extend the meeting to 5:45 p.m.


Supervisor Parker requested that staff prepare next year's budget for review/discussion in April and a vote in May, so that a second vote would not prevent budget approval by June.

11. PUBLIC COMMENT PERIOD
None.

12. EXECUTIVE OFFICER’S REPORT
Mr. Houlemard provided an update on the Regional Urban Design Guidelines Task Force solicitation process, noting that staff anticipated having a consultant in place by July.

a. Outstanding Receivables
b. Habitat Conservation Plan Update
c. Administrative Committee
d. Veterans Issues Advisory Committee
e. Finance Committee
f. Water/Wastewater Oversight Committee
g. Regional Urban Design Guidelines Task Force
h. Post Reassessment Advisory Committee
i. Legislative Committee
j. Travel Report
k. Public Correspondence to the Board

13. ITEMS FROM MEMBERS
None.

14. ADJOURNMENT
Chair Edelen adjourned the meeting at 5:41 p.m.
1. **CALL TO ORDER**  
Chair Edelen called the meeting to order at 1:00 p.m.

2. **PLEDGE OF ALLEGIANCE**  
Mayor Pro-Tem O’Connell led the Pledge of Allegiance.

3. **CLOSED SESSION**  
The Board adjourned into closed session at 1:01 p.m.

   a. Conference with Legal Counsel - Existing Litigation, Gov Code 54956.9(a) – 1 Case  
      i. The City of Marina v. Fort Ord Reuse Authority, Case Number: M11856

4. **ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION**  
The Board reconvened into open session at 1:32 p.m. Authority Counsel Jon Giffen announced no reportable action was taken.

5. **ROLL CALL**
   
   **Voting Members Present:** (*alternates*)
   - Chair/Mayor Edelen (City of Del Rey Oaks)
   - Mayor Pro-Tem Beach (City of Carmel-by-the-Sea)
   - Supervisor Calcagno (County of Monterey)
   - Mayor Gunter (City of Salinas)
   - Councilmember Lucius (City of Pacific Grove)
   - Councilmember Morton (City of Marina)

   **Mayor Pro-Tem O’Connell (City of Marina)**
   - Mayor Pro-Tem Oglesby (City of Seaside)
   - Mayor Pendergrass (City of Sand City)
   - Supervisor Potter (County of Monterey)
   - Mayor Rubio (City of Seaside)
   - Mayor Della Sala (City of Monterey)*

   **Absent:** Supervisor Parker (County of Monterey)

   **Ex-officio (Non-Voting) Board Members Present:** Nicole Charles* (17th State Senate District), Taina Vargas-Edmonds* AR (29th State Assembly District), Graham Bice* (University of California, Santa Cruz), Eduardo Ochoa (California State University, Monterey Bay), Walter Tribley AR (Monterey Peninsula College), Hunter Harvath (Monterey-Salinas Transit), and Director Moore (Marina Coast Water District).

6. **ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE**  
Executive Officer Michael Houlemand stated that representatives of the Department of General Services (DGS), the City of Seaside, and FORA met that week to discuss the Veterans Cemetery Project schedule. DGS intended to advertise the project for bids by June 18th and receive bids by the end of July. DGS was scheduled to host a Pre-bid Conference at the FORA Office on June 19th.

7. **BUSINESS ITEMS**
   
   a. **Adopt Resolution 14-XX to Retain Preston Park Property in Accordance with Government Code Section 67678(b)(4)**  
   Chair Edelen noted that the Board was being asked to make two specific findings: 1) whether retention of Preston Park is necessary or convenient to carrying out FORA's responsibilities
pursuant to law, and 2) whether retention of Preston Park will cause significant financial hardship to the City of Marina. He emphasized that the ongoing litigation would be adjudicated by the courts and that Board discussion and public comments should be limited to the two findings before the Board.

Authority Counsel Jon Giffen provided a brief introduction/background of the item and outlined the staff recommended actions. The Board received comments from members of the public. Three representatives from the City of Marina read excerpts from Marina Mayor Delgado's May 29, 2014 letter to the Board and requested its attachment to the minutes (Attachment A).

MOTION: Mayor Rubio moved, seconded by Supervisor Potter, to adopt Resolution 14-XX to retain Preston Park Property in Accordance with Government Code Section 67678(b)(4).


Mayor Pro-Tem Beach left at 2:07pm

b. Marina Coast Water District (MCWD) FY 2014-15 Ord Community Budget

i. Presentation by FORA Staff
Assistant Executive Officer Steve Endsley provided an overview of FORA's MCWD Ord Community Budget review process, noting the item had been reviewed at six separate meetings of the Administrative and the Water and Wastewater Oversight Committees. Mr. Endsley also provided a history of FORA Board actions on the item.

ii. Presentation by MCWD Staff
Interim General Manager Brian Lee discussed the FY 2014/15 compensation plan, past MCWD accounting practices, and current MCWD budget strategy. A representative of Carollo Engineers discussed the Rate and Financial Study they performed for MCWD, including methodology and explanation of capacity vs. variable rates.

MCWD representatives responded to questions from the Board and members of the public.

Supervisor Calcagno left at 3:21 p.m.

iii. Consider Resolutions 14-XX and 14-XX Adopting a Compensation Plan for Base-wide Water and Sewer Services on the Former Fort Ord

MOTION: Supervisor Potter moved, seconded by Mayor Gunter, to 1) refer the item back to the Administrative Committee, directing the Committee to provide a recommendation for placement on the July Board agenda, and 2) request that MCWD provide additional information regarding possible creation of a Ord Community Ratepayer Advisory Committee.

The Board discussed the implications of a continuation and MCWD-FORA contractual obligations related to budget approval.


8. PUBLIC COMMENT PERIOD
The Board received comments from members of the public.

9. ITEMS FROM MEMBERS
None.

10. ADJOURNMENT
Chair Edelen adjourned the meeting at 3:59 p.m.
May 29, 2014

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

Re: Adoption of Resolution to Retain Preston Park

Dear FORA Board Members:

The City of Marina objects to the proposed adoption of the Resolution of the Fort Ord Reuse Authority that purports to retain the Preston Park property for purposes of liquidating the property as well as FORA's characterization of the facts leading FORA to take this action.

The action before the FORA Board is a resolution ostensibly being considered pursuant to Government Code Section 67678(b)(4). However, the very language of the resolution defeats the requirements of Government Code Section 67678(b)(4). Section 67678(b)(4) is a provision of the Fort Ord Reuse Authority Act dealing with the disposition of property at the former Fort Ord. Section 67678 generally calls for the rapid disposition of property at the former Fort Ord. Subsection (b)(4) is a limited exception within Section 67678, that allows FORA to retain property only if it is necessary or convenient to carrying out the Authority's responsibilities under the Act. The proposed resolution appears to equate "retain" with "sale" or "liquidation." The American Heritage Dictionary defines retain to mean "to keep or hold in one's possession." It is impossible to fathom how FORA can both retain the property and liquidate the property; the Monterey Superior Court has already prohibited FORA from selling the property until a trial on the City of Marina's case can be held.

Moreover, the staff report accompanying the proposed resolution, as well as the resolution itself, inaccurately state that "Marina and FORA shared the understanding that Marina would be required to 'buy-out' FORA's interest in Preston Park, if Marina wanted to hold title to the property." Over the course of the parties' dealings on Preston Park, there have been a variety of discussions regarding the ultimate disposition of Preston Park. A review of the correspondence between the parties does not demonstrate any shared understanding and indeed, FORA's own understanding appears to have evolved over the course of time. A review of various FORA reports and studies demonstrate that FORA at least initially had the intention of conveying Preston Park to the City of Marina, at no cost, once FORA obtained title to the property from the Army, just as all other base property located within City-limits was conveyed to the City of Marina.
Marina. At some later point in time FORA took the position that it would only convey Preston Park to Marina if Marina paid the development fees that FORA had determined were owed on the property, although FORA has been unable to point to any provision in its development fee legislation that would indicate that development fees are owed on the mere transfer of property and the Implementation Agreement provides that developer fees for leasing at Preston Park are $0. FORA's claim that Marina had to "buy-out" its interest in the property only came to light after FORA used the Preston Park property as security for a $19 million loan that FORA had no means of repaying except through the sale of the property. It was this loan and the fact that FORA could not identify a repayment source other than the sale of the property that caused Marina to object to FORA's actions.

FORA also points to the Abrams B housing project as evidence that Marina agreed that it was obligated to buy-out FORA's interest in Preston Park. The transaction with regard to Abrams B, however, is distinguishable from the current situation at Preston Park. Marina has never disputed that if any property at Fort Ord is sold to a third party, the City is obligated to share any sales proceeds with FORA. The Abrams B property was transferred to the City by FORA at no cost. The City then transferred the property to a nonprofit corporation controlled by the City in order to allow both the City and FORA to obtain upfront funds based on the long term lease revenues from the property through the sale of lease revenue bonds. The transfer of Abrams B to the nonprofit corporation triggered the requirement to buy-out FORA's interest by sharing with FORA 50% of the sales proceeds. The City has always acknowledged that if it were to dispose of Preston Park in a similar manner it would be obligated to comply with the Implementation Agreement and share with FORA 50% of any sales proceeds.

FORA also states that Marina's representatives consented to and encouraged the Rabobank loan and on this basis FORA proceeded to enter into the Rabobank loan. This grossly misstates the facts surrounding the Rabobank loan. First and foremost, the City of Marina never consented to the Rabobank loan. FORA attempts to characterize the votes of the Marina appointed representatives to the FORA board as the City's consent to actions. FORA board members vote on FORA board issues in their capacity as FORA board members, taking actions that they believe are in the best interest of FORA. These actions cannot be considered to demonstrate consent of the member jurisdictions since only a vote of the Council or governing board of each jurisdiction can be deemed consent of that jurisdiction. Although FORA Board members may have dual loyalties, when acting as a FORA Board member they have a fiduciary obligation to FORA first and foremost. The Marina representatives to the Board acted in that capacity when voting with regard to the Rabobank loan and any other actions taken about Preston Park.

It should also be noted that the Marina representative to the FORA board (only one of Marina's representatives was present at the meeting) voted in favor of the resolution approving the Rabobank loan only after being assured that certain conditions would be
met protecting Marina's interest in the Preston Park Property. However, shortly after the FORA Board approval, Mr. Houlemard executed the Rabobank loan documents which contained none of those protections or assurances. In fact, the loan documents contained language specifically subordinating the Implementation Agreement to the loan and thereby putting the City's interest in the Preston Park property at risk. Although the loan documents had been signed and recorded, Mr. Houlemard continued to exchange emails with City of Marina staff regarding appropriate language to be included in the loan documents to cover the required protections, only providing the City with the executed, unchanged loan documents after the loan funds had been disbursed.

The FORA press release states that Marina's refusal to purchase FORA's 50% interest in Preston Park along with the loss of redevelopment funding has resulted in a significant loss of funding to FORA which is what is necessitating FORA's action. The reality is that FORA continues to receive the same amount of tax increment it received from the local jurisdictions prior to dissolution of redevelopment agencies and in fact projects as part of the Capital Improvement Plan increases in funding each year. The brunt of the financial impact of redevelopment dissolution has fallen on the local jurisdictions that relied upon tax increment revenue to fund their share of the base reuse obligations, while FORA has remained whole. The most recent budget prepared by FORA staff and presented to this Board just two weeks ago actually shows an increase in revenues to FORA from property taxes with a projected total amount of $1.5 million as opposed to $1.3 million in the prior year's budget.

The proposed resolution states that the retention of the property by FORA would not cause significant financial hardship to the City and goes on to state that Marina has never opposed the sale of the property on the basis of its financial well-being. Marina has always considered its own financial wellbeing with regard to the long term status of Preston Park. Although a sale of the property would result in a significant one-time source of funds, Marina has sought to retain the property in order to preserve the long-term revenue stream from Preston Park that currently funds vital City programs and services. Marina has analyzed investing any such one-time money with the goal of preserving the current revenue stream, but with today's investment rates, it would not be possible for Marina to continue to receive the annual revenue stream it currently receives from Preston Park in the long term. Unlike FORA, which only has a remaining life of six years, Marina's financial interests extend well into the future. It is that long term financial interest that the City is attempting to protect. In addition to the need to preserve an ongoing source of revenue, the City also has a financial interest in maintaining the quality of life for its residents. Preston Park represents a significant source of affordable rental housing that the City is invested in keeping affordable for the long term with the goal of providing long term benefits to City residents.

In summary, FORA attempts to point to Marina as the cause of the potential foreclosure on the Preston Park property. However, FORA fails to mention that long before the
May 29, 2014
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litigation was ever filed by Marina, Marina did offer to resolve its disagreement with FORA by putting the Preston Park property on the market with Marina having a right of first refusal to meet any offer made. FORA rejected that offer; apparently because FORA wanted to have a guaranteed purchase price rather than take a chance on what the market would actually pay for the property. Marina then brought the current litigation only after FORA attempted to sell the property without the City’s consent.

For all of the above reasons, the City of Marina objects to the proposed FORA Board action, which serves no purpose in terms of resolving the litigation between Marina and FORA or protecting either FORA’s or Marina’s interest in Preston Park.

Sincerely,

[Signature]

Mayor Bruce Delgado

cc: Marina City Council
    Layne Long
    James Diamond
    Karen Tiedemann
    Robert Wellington
1. CALL TO ORDER
Chair Edelen called the meeting to order at 2:00 p.m.

2. PLEDGE OF ALLEGIANCE
Councilmember Selfridge led the Pledge of Allegiance.

3. CLOSED SESSION
The Board received comments from the members of the public, one of whom read a portion of the June 12, 2014 Goldfarb & Lipman LLP letter to the Board into the record and requested it be attached to the meeting minutes (Attachment A). The Board adjourned into closed session at 2:04 p.m.
   a. Public Employee Performance Evaluation – Executive Officer (Gov Code 54957)
   b. Conference with Legal Counsel - Existing Litigation, Gov Code 54956.9(a) – 2 Cases
      i. Keep Fort Ord Wild v. Fort Ord Reuse Authority (FORA), Case Number: M114961
      ii. The City of Marina v. Fort Ord Reuse Authority, Case Number: M11856

4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION
The Board reconvened into open session at 3:01 p.m. Authority Counsel Jon Giffen announced no reportable action was taken.

5. ROLL CALL
Voting Members Present: (*alternates) (AR: entered after roll call)
Chair/Mayor Edelen (City of Del Rey Oaks) Mayor Pro-Tem O'Connell (City of Marina)
Mayor Pro-Tem Beach (City of Carmel-by-the-Sea) Mayor Pro-Tem Oglesby (City of Seaside)
Mayor Gunter (City of Salinas) Mayor Pendergrass (City of Sand City)
Councilmember Lucius (City of Pacific Grove) Mayor Rubio (City of Seaside)
Councilmember Morton (City of Marina) Councilmember Selfridge (City of Monterey)
Absent: Supervisor Calcagno (County of Monterey), Supervisor Parker (County of Monterey), Supervisor Potter (County of Monterey)

Ex-officio (Non-Voting) Board Members Present: Taina Vargas-Edmonds* (29th State Assembly District), Donna Blitzer (University of California, Santa Cruz), Andre Lewis* (California State University, Monterey Bay), Walter Tribley (Monterey Peninsula College), Debbie Hale (Transportation Agency for Monterey County), Col. Fellinger (United States Army), Lyle Shurtleff (Fort Ord BRAC Office), and Director Moore (Marina Coast Water District).

6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE
Donna Blitzer announced the University of California (UC) Regents had recently taken several actions recommended in the FORA/UC jointly sponsored 2012 UC MBEST Center visioning exercise. One of the recommendations was to approve removal of the west campus from the MBEST Center, allowing it to be sold. The first step in selling the west campus properties was auction of the former Army flight simulator building, which began that week. UC hoped the sale would result in occupancy of the building and an increase in local jobs.
Executive Officer Houlemard reported on the recent Association of Defense Communities National Summit in Washington DC, also attended by Assistant Executive Officer Steve Endsley and Chair Edelen. He stated that he and Rochelle Dornatt had prepared and participated in a panel designed to assist local reuse authorities in developing and implementing successful legislative programs. Mr. Houlemard relayed informational updates from the US Army and congressional leaders regarding budget forecasts and anticipated impacts to military missions nationwide.

Mr. Houlemard noted that the Initial Environmental Study and Assessment for Phase I of the California Central Coast Veterans Cemetery Project was available for public review. Links to the documents were posted on the FORA website and the documents had also been placed in the Seaside and Marina libraries. The deadline for comments to be received was July 11, 2014.

Mr. Houlemard requested a postponement of agenda items 8c and 8e to the July Board meeting in order to make some adjustments/modifications. Chair Edelen stated that unless there were any Board objections, the items would be considered postponed to the July Board meeting. No objections were received. Chair Edelen also noted that agenda items 7a and 7b would be postponed to July to allow time to address Board member questions.

7. CONSENT AGENDA
   a. Approve May 16, 2014 Board Meeting Minutes postponed to July Board meeting
   b. Approve May 30, 2014 Board Meeting Minutes postponed to July Board meeting

8. BUSINESS ITEMS
   a. Fort Ord Reuse Authority FY 2014-15 Annual Budget
      i. Consider New Staff Position
         Mr. Houlemard presented the FY 2014-15 annual budget. He reviewed the draft Economic Development Specialist job description and discussed the intended benefits to FORA's mission and to the jurisdictions.

      ii. Consider Employee Cost-of-Living Adjustment (COLA) ACTION
         Mr. Houlemard discussed the staff-requested 2% cost-of-living increase.

      iii. Approve FY 2014-15 Annual Budget ACTION
         The Board discussed the item, seeking input from the educational institutions present. The Board received comments and Mr. Houlemard responded to questions from the Board and public.

         MOTION: Mayor Rubio moved, seconded by Councilmember Lucius, to approve the new Economic Development Specialist staff position.

            Incorporated into the Motion with the Consent of the Maker: with the following amendments to the job description: 1) emphasize the importance of intellectual clusters, 2) include requirement that the candidate have a proven track record in attracting employers and linking education to economic opportunities, 3) include Board review after one year.

            MOTION RECEIVED MAJORITY APPROVAL (2nd Vote Required): Ayes: Beach, Edelen, Gunter, Lucius, Morton, Oglesby, Pendergrass, Rubio. Noes: O'Connell, Selfridge

         MOTION: Mayor Rubio moved, seconded by Mayor Gunter, to approve a 2% Cost-of-living Adjustment for FORA staff.
MOTION RECEIVED MAJORITY APPROVAL (2nd Vote Required): Ayes: Beach, Edelen, Gunter, Lucius, Oglesby, Pendergrass, Rubio. Noes: O'Connell, Morton, Selfridge

MOTION: Mayor Gunter moved, seconded by Mayor Rubio, to approve the FY 2014/15 FORA Annual Budget.


b. Approve Fort Ord Reuse Authority FY 2014-15 Capital Improvement Program

Mr. Endsley discussed the components of the Capital Improvement Program (CIP) and introduced David Zehnder, Economic and Planning Systems, who provided an explanation of the annual formulaic approach update and the recommendations coming out of the analysis/update. The Board received comments and FORA/EPS staff responded to questions from the Board and public.

MOTION: Councilmember Lucius moved, seconded by Mayor Rubio, to approve the FY 2014/15 FORA Capital Improvement Program.

MOTION RECEIVED MAJORITY APPROVAL (2nd Vote Required): Ayes: Beach, Edelen, Gunter, Lucius, Oglesby, Pendergrass, Rubio. Noes: Morton, O'Connell, Selfridge

MOTION: Councilmember Lucius moved, seconded by Mayor Gunter, to approve Resolution 14-xx, implementing a Community Facilities District Special Tax and Base-wide Development Fee Adjustment (17% reduction).

MOTION RECEIVED MAJORITY APPROVAL (2nd Vote Required): Ayes: Beach, Edelen, Gunter, Lucius, Oglesby, Pendergrass, Rubio, Selfridge. Noes: Morton, O'Connell

c. Approve Preston Park FY 2014-15 Annual Budget postponed to July Board meeting

d. Consistency Determination: Consider Certification, in whole or in part, of the City of Seaside Zoning Code amendments related to the 2013 Zoning Code update as Consistent with the 1997 Fort Ord Reuse Plan

Associate Planner Josh Metz presented background information regarding the item and discussed the options for Board action. Rick Medina, City of Seaside, summarized the process used to develop the zoning code text amendments and reviewed the changes.

i. Noticed Public Hearing

Chair Edelen opened the public hearing at 5:14 pm. The Board received comments from members of the public and Chair Edelen closed the public hearing at 5:22 pm.

ii. Board Determination of Consistency

The Board discussed the item, requesting clarifications from FORA and Seaside staff based on public and Board comments.

MOTION: Mayor Pro-Tem Beach moved, seconded by Councilmember Morton, to extend the meeting an additional 15 minutes.

MOTION PASSED UNANIMOUSLY

MOTION: Mayor Rubio moved, seconded by Mayor Gunter, to certify the City of Seaside Zoning Code amendments related to the 2013 Zoning Code update as Consistent with the 1997 Fort Ord Reuse Plan.

MOTION RECEIVED MAJORITY APPROVAL (2nd Vote Required): Ayes: Edelen, Gunter, Lucius, O'Connell, Oglesby, Pendergrass, Rubio. Noes: Beach, Morton, Selfridge
MOTION: Councilmember Lucius moved, seconded by Councilmember Morton, to postpone the remaining agenda items to a special Board meeting the following week, at a time to be determined by the Clerk after polling Board member availability.

MOTION PASSED UNANIMOUSLY

Mayor Pro-Tern Beach and Councilmember Lucius left at 5:50 pm.

e. Approve Memorandum of Agreement between the County of Monterey, UCP East Garrison, LLC, and FORA Regarding Parker Flats Habitat Management postponed to July Board meeting

f. 2nd Vote: Adopt Resolution 14-XX to Retain Preston Park Property in Accordance with Government Code Section 67678(b)(4) postponed to a special Board meeting

g. Marina-Salinas Multimodal Corridor Plan postponed to a special Board meeting
   i. TAMC Presentation
   ii. Consider Supporting Recommended Corridor Alignment

h. Regional Trails Planning Update postponed to a special Board meeting

9. PUBLIC COMMENT PERIOD
   The Board received comments from members of the public.

10. EXECUTIVE OFFICER’S REPORT
   Mr. Houlemard stated the items were informational and did not require discussion.

   a. Outstanding Receivables
   b. Habitat Conservation Plan Update
   c. Administrative Committee
   d. Veterans Issues Advisory Committee
   e. Water/Wastewater Oversight Committee
   f. Regional Urban Design Guidelines Task Force
   g. Post Reassessment Advisory Committee
   h. Travel Report
   i. Public Correspondence to the Board

11. ITEMS FROM MEMBERS
   None.

12. ADJOURNMENT
   Chair Edelen adjourned the meeting at 5:57 p.m.
June 12, 2014

Mayor Edelen (Chair)
Mayor Pro-Tem Beach
Supervisor Calcagno
Mayor Gunter
Councilmember Lucius
Councilmember Morton
Mayor Pro-Tem O'Connell
Mayor Pro-Tem Oglesby
Mayor Pendergrass
Supervisor Potter
Mayor Rubio
Councilmember Selfridge
Executive Officer Houlemard
Fort Ord Reuse Authority
920 2nd Avenue, Suite A
Marina, CA 93933

Re: Brown Act Violations by FORA
Cease and Desist Letter and Request for Relief

Dear Directors and Executive Officer Houlemard:

On behalf of the City of Marina we are writing you regarding the Fort Ord Reuse Authority's ("FORA") (1) past violations of the Ralph M. Brown Act ("Brown Act," Gov. Code § 54950, et seq.) related to Resolution 14-xx on Retention of Preston Park ("Preston Park Resolution"), and (2) anticipated future violations of the Brown Act during the June 13, 2014 Regular Meeting.

1. FORA violated the Brown Act on or before May 30, 2014 when considering the Preston Park Resolution.

As described below, the Board engaged in secret deliberations of, and potentially took action regarding, the Preston Park Resolution outside of the public meeting on May 30, 2014. We provide a description of the violations and proposed remedies pursuant to Government Code Section 54960.2, and request that the FORA Board of Directors ("the Board") cure the violations described below before attempting further action on the Preston Park Resolution.1

1 All section references are to the Government Code unless otherwise indicated.
No public deliberations on the Preston Park Resolution by the Board occurred. After receiving public comment from representatives of the City as well as four members of the public, Director Rubio (Mayor of the City of Seaside) discounted the validity of public concerns in less than two minutes. Director Rubio recited an interpretation of state law, as well as an interpretation of the alleged contractual obligations of the City and FORA, to argue that the Preston Park Resolution will not set a "precedent," in which FORA will unilaterally retain the lands of other localities in the future. Furthermore, Director Rubio explicitly referenced the existing litigation between the City and FORA, cited the legal purpose of FORA, and claimed the legal thresholds to implement the Preston Park Resolution had been met. No other Board member offered comment or public deliberation.

In light of the legal conclusions relied on by Director Rubio immediately after the closed session regarding the Preston Park litigation, as well as the lack of public deliberation by other Board members, it appears the Board engaged in secret deliberations regarding the Preston Park Resolution. Likewise, the alleged polling of the Board regarding the Special Meeting, as noted in public comment, further implicates violation of the Brown Act.

Civil Liability

FORA is subject to the Brown Act. Gov. Code § 67663. The Brown Act requires that government actions "be taken openly and that [government] deliberations be conducted openly." Gov. Code § 54950. Courts broadly construe the Brown Act mandate to apply to both deliberations and actions in various settings: Deliberations include, "not only collective discussion but also the collective acquisition and exchange of facts preliminary to the ultimate decision." Stockton Newspapers v. Redevelopment Agency (1985) 171 Cal.App.3d 95, 102 (internal quotations omitted). Actions include both preliminary and final votes, as well as a collective decision, commitment, or promise of the majority regarding a motion, proposal, resolution, order, or ordinance. Gov. Code §§ 54953(c) & 54952.6. And, the term 'meeting' includes any discussions, deliberations, or actions in which a majority of the legislative body participates, whether simultaneously or in a series of communications. Gov. Code § 54952.2.

Although Section 54956.9 authorizes closed sessions "to confer with, or receive advice from, [] legal counsel regarding pending litigation," this exception is "strictly construed." Stockton Newspapers, supra, 171 Cal.App.3d at 104. That is, the purpose of the communication between the attorney and the legislative body cannot be "a legislative commitment, [thereby evading] the central thrust of the public meeting law." Id. at 105. "Neither the attorney's presence nor the happenstance of some kind of lawsuit may serve as the pretext for secret consultations whose revelation will not injure

2 See FORA Board of Directors Video of Special Meeting on May 30, 2014, minutes 3:10-5:00. Available at: http://fora.org/board.html

It appears that on or before the public vote regarding the Preston Park Resolution on May 30, 2014, Board members received legal advice and deliberated about the resolution behind closed doors. There was no Board deliberation of the resolution in open sessions, either prior to or after public comment. Only after the public deliberated the impacts of the Preston Park Resolution during the public comment period, did a Board member offer a legal opinion interpreting state law and public contracts, as well as the legal adequacy of findings. Moreover, the Board member's statements were offered with explicit reference to litigation between the City and FORA, immediately after a closed session discussing the same litigation with counsel.

While FORA may obtain legal advice in closed session regarding litigation, discussion of legislative activity, including the Preston Park Resolution, may not be discussed in closed session. See *Trancas Property Owners Assn.,* supra, 138 Cal.App.4th at 186; *Stockton Newspapers,* supra, 171 Cal.App.3d at 105; *Sacramento Newspaper Guild,* supra, 263 Cal.App.2d at 58. Any acquisition or exchange of facts, any discussion, or any preliminary vote by the Board regarding the Preston Park Resolution outside of a public meeting violates Section 54953 of the Brown Act.³

**Request for Relief**

The Brown Act empowers any interested person to pursue relief from Brown Act violations, including the judicial declaration of a violation and subsequent declaration that actions in violation of the Brown Act are null and void. Gov. Code §§ 54960-54960.1. Furthermore, courts may enjoin the legislative body from future violations, including mandatory audio recording of future closed session to be reviewed *in camera.* Gov. Code § 54960. Finally, agencies that violate the Brown Act may be liable to plaintiffs for attorney's fees.

³ Any Board members who participated in an inappropriate closed session discussion regarding the Preston Park Resolution, or otherwise outside of a public meeting, may be criminally culpable of a misdemeanor, punishable by up to six months in county jail and/or a fine of up to $1,000.00. Pen. Code § 19.
For the reasons discussed above, we request that FORA immediately cease and desist all further Brown Act violations, including but not limited to the discussion, deliberation, or dissemination of facts, as well as preliminary votes or Board member commitments related to the Preston Park Resolution or any other legislative action. We further request that FORA cure and correct past Brown Act violations by:

- Disclosing any meeting notes and minutes from the May 30, 2014 closed session regarding topics beyond the scope for which the closed session was authorized, including but not limited to the Preston Park Resolution;
- Providing a letter pursuant to Section 54960.2 committing FORA to future compliance with the Brown Act, including a description of steps FORA will take to ensure future compliance;
- Voluntarily initiating audio recordings of all future closed sessions, whether related to the litigation between the City and FORA, or any other statutorily permissible purpose, and;
- Discontinuing any further Board action related to Preston Park Resolution and any successor resolution regarding the retention of Preston Park Property.

At this time the City has not yet filed an action in court or requested review of the Brown Act violation by the district attorney. Rather, this letter is sent in hope that the Board will cure and correct any Brown Act violations as requested above without formal judicial intervention.

2. FORA should hear public comment before or during its consideration of the Preston Park Resolution on June 13, 2014.

Should FORA deny our request to discontinue further Board action regarding the Preston Park Resolution, FORA should publicly deliberate and accept public comment before or during consideration of the resolution at the June 13, 2014 Regular Meeting.

We understand FORA has accepted public comment before some second votes, but disallowed public comment before other second votes. Notably, the Board disallowed public comment before the second vote regarding the Preston Park Management Agreement Extension during its regular meeting on January 10, 2014 (Agenda Item 8(a)). However, during its Regular Meeting on March 14, 2014, public comment was heard and Board members deliberated the second vote regarding a consistency determination between the 2010 Monterey County General Plan and the 1997 Fort Ord Reuse Plan (Agenda Item 8(a)). Likewise on March 14, public comment was allowed before a second vote approving an Executive Officer Contract Extension (Agenda Item 8(b)). Here, public comment must be allowed before a second vote on the Preston Park Resolution.
June 12, 2014
Page 5

First, the plain text of the Brown Act, Section 54954.3(a) requires, "an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item[]." Section 54954.3(a) provides for an exception to the public comment before or during the legislative body's consideration, but only when that item "has already been considered by a committee[]." No committee has previously received public comment regarding the Preston Park Resolution. Thus, public comment must be received before a second vote on the Preston Park Resolution.

Second, as stated by Board Chair Edelen on May 30th, and reflected in the proposed Special Meeting Minutes under Agenda Item 8(a), public comment was improperly limited to two necessary findings within the Preston Park Resolution; the public was not allowed to comment on the merits of the resolution. To cure this violation of the Brown Act, the Board must accept public comment regarding the Preston Park Resolution, including underlying findings and the resolution to retain the Preston Park Property.

Finally, disallowing public comment and Board deliberation of the Preston Park Resolution violates the spirit of Government Code Section 67668 and FORA Master Resolution Section 2.02.040(b). Both sections require a second Board vote for resolutions or ordinances that did not receive unanimous approval when heard within 72 hours of introduction. The intent of each provision, like the Brown Act, promotes public discussion and debate among Board members in order to facilitate informed votes, and ensures the integrity of public agency action by allowing the Board and members of the public adequate time to analyze resolutions. Because the previous vote on the Preston Park Resolution was not unanimous, FORA should hear public comment and publicly deliberate the Preston Park Resolution prior to a second vote.

Again, we believe it improper to continue action regarding the Preston Park Resolution in light of the Brown Act violations that took place on or before May 30, 2014. Should FORA proceed with a second vote on the resolution, it must fully comply with the Brown Act, Government Code Section 67668 and FORA Master Resolution Section 2.02.040(b) by accepting public comment and allowing public deliberation regarding both the findings and resolution to retain Preston Park Property.

Sincerely,

KAREN M. TIEDEMANN

KMT:jdb
1. CALL TO ORDER
Chair Edelen called the meeting to order at 4:02 p.m.

2. PLEDGE OF ALLEGIANCE
Supervisor Potter led the Pledge of Allegiance.

3. ROLL CALL

Voting Members Present: (*alternates)(AR: entered after roll call)
- Chair/Mayor Edelen (City of Del Rey Oaks)
- Mayor Pro-Tem Beach (City of Carmel-by-the-Sea)
- Nick Chiulos* (County of Monterey)
- Mayor Gunter (City of Salinas)
- Councilmember Lucius (City of Pacific Grove)
- Councilmember Morton (City of Marina)

Mayor Pro-Tem O'Connell (City of Marina)
Mayor Pro-Tem Oglesby (City of Seaside)
Supervisor Parker AR (County of Monterey)
Mayor Pendergrass (City of Sand City)
Supervisor Potter (County of Monterey)
Mayor Rubio (City of Seaside)

Absent: Councilmember Selfridge (City of Monterey)

Ex-officio (Non-Voting) Board Members Present: Taina Vargas-Edmonds* (29th State Assembly District), Donna Blitzer (University of California, Santa Cruz), Eduardo Ochoa (California State University, Monterey Bay), Walter Tribley (Monterey Peninsula College), Hunter Harvath AR (Monterey-Salinas Transit), CCL Fellinger (United States Army), and Director Lee* (Marina Coast Water District).

4. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

Councilmember Morton inquired as to the placement of various items on the meeting agenda. Chair Edelen responded and announced there would be opportunity for comment and discussion on each agenda item. Mayor Pro-Tem O'Connell and Councilmember Morton expressed opposition to consideration of the Preston Park Annual Budget at a special meeting, which required less than the one-week notice generally provided for regular meetings.

Executive Officer Houlemand announced that Rabobank had approved FORA's request for a 180-day extension of the Preston Park loan and that all necessary paperwork was executed the previous week. He also announced the Regional Urban Design Guidelines Task Force had received presentations that morning from two consultant teams participating in the Regional Urban Design Guidelines solicitation. The Task Force met that afternoon in Seaside to begin the deliberation process and planned to return a recommendation to the Board in July. Mr. Houlemand stated he would be in Sacramento June 22-23 to meet with representatives from Senator Monning’s Office, the UC Natural Reserve System, CA Department of Fish and Wildlife, and CA State Parks regarding ongoing Habitat Conservation Plan issues. He would report back on the outcomes of the meeting in July.
5. BUSINESS ITEMS

a. **2ND VOTE:** Adopt Resolution 14-12 to Retain Preston Park Property in Accordance with Government Code Section 67678(b)(4)

Councilmember Morton discussed the effect of Resolution 14-12 on the City of Marina and urged the Board not to approve. The Board discussed the item and received comments from members of the public. FORA Economic Consultant David Zehnder of Economic and Planning Systems provided a Transaction Alternatives Analysis that addressed the financial impact to FORA and Marina of ongoing leasing revenue distribution vs. sale of Preston Park revenue distribution. Mr. Zehnder and FORA staff responded to questions/addressed several comments from the Board.

Mayor Pendergrass asked Authority Counsel Jon Giffen to investigate whether the presence and participation of a Marina City Council quorum at the FORA Board meetings constituted a meeting under the Brown Act, and thus a violation.

**ORIGINAL MOTION:** Adopt Resolution 14-12 to Retain Preston Park Property in Accordance with Government Code Section 67678(b)(4).

**2ND VOTE - MOTION PASSED:** Ayes: Beach, Chiulos, Edelen, Gunter, Lucius, Oglesby, Pendergrass, Potter, Rubio. Noes: Morton, O'Connell, Parker.

b. **2ND VOTE:** Fort Ord Reuse Authority FY 2014-15 Annual Budget

i. **Consider New Staff Position**

Mayor Pro-Tem Beach provided minor clarifications to amendments made at the previous meeting and staff agreed to correct the job description. Authority Counsel stated that non-substantive clarifications should not require reintroduction of the item since there was no amendment to the motion and that the second vote could proceed.

Walter Tribley, Donna Blitzer, and Eduardo Ochoa spoke in support of the proposed staff position and the amendments.

**ORIGINAL MOTION:** Approve the Economic Development Specialist staff position, with the following job description amendments: 1) emphasize the importance of intellectual clusters, 2) include requirement that the candidate have a proven track record in attracting employers and linking education to economic opportunities, 3) include Board review after one year.

**2ND VOTE - MOTION PASSED:** Ayes: Beach, Chiulos, Edelen, Gunter, Lucius, Morton, Oglesby, Parker, Pendergrass, Potter, Rubio. Noes: O'Connell.

ii. **Consider Employee Cost-of-Living Adjustment (COLA)**

**ORIGINAL MOTION:** Approve a 2% Cost-of-Living Adjustment for FORA staff.

**2ND VOTE - MOTION PASSED:** Ayes: Beach, Chiulos, Edelen, Gunter, Lucius, Oglesby, Pendergrass, Potter, Rubio. Noes: Morton, O'Connell, Parker.

iii. **Approve FY 2014-15 Annual Budget**

**ORIGINAL MOTION:** Approve the FY 2014/15 FORA Annual Budget.

**2ND VOTE - MOTION PASSED:** Ayes: Beach, Chiulos, Edelen, Gunter, Lucius, Morton, Oglesby, Parker, Pendergrass, Potter, Rubio. Noes: O'Connell.
c. **2ND VOTE**: Approve Fort Ord Reuse Authority FY 2014-15 Capital Improvement Program

   **ORIGINAL MOTION**: Approve the FY 2014/15 FORA Capital Improvement Program.


   **ORIGINAL MOTION**: Approve Resolution 14-13, implementing a Community Facilities District Special Tax and Base-wide Development Fee Adjustment (17% reduction).


d. **2ND VOTE**: Consistency Determination: Consider Certification, in whole or in part, of the City of Seaside Zoning Code amendments related to the 2013 Zoning Code update as Consistent with the 1997 Fort Ord Reuse Plan

   Authority Counsel Giffen announced that FORA had received many comments from the public and the Board on the item, as well as a revised resolution from the City of Seaside. Given the input received and the changes proposed to the resolution, he advised the Board to pull the item and return it for a first vote at the next meeting.

   **MOTION**: Mayor Pro-tem Oglesby moved, seconded by Councilmember Morton, to pull the item and return it to the July Board meeting for consideration.

   **MOTION PASSED UNANIMOUSLY**

e. **Approve Preston Park FY 2014-15 Annual Budget**

   **MOTION**: Councilmember Morton moved, seconded by Mayor Pro-Tem O'Connell, to continue to the item to the regular July Board meeting.


6. **PUBLIC COMMENT PERIOD**
   The Board received comments from members of the public.

7. **ITEMS FROM MEMBERS**
   Mayor Pro-Tem Beach noted the quality of the responses received for the Regional Urban Design Guidelines consultant solicitation. She stated it had been a very productive experience and looked forward to bring back recommendations to the Board in July.

8. **ADJOURNMENT**
   Chair Edelen adjourned the meeting at 5:04 p.m.
RECOMMENDATION:

Adopt Salary Schedule for Economic Development Specialist (ED Specialist) recommended by FORA independent Human Resources (HR) consultant and Executive Committee.

BACKGROUND/DISCUSSION:

On June 20, 2014 FORA Board approved an ED Specialist staff position, the total salary and benefits packet was set not to exceed $160,000. FORA independent HR consultant, Avery Associates, recommend a $90.7K to 115.8K salary range (Attachment A), based on the Job Description reviewed by the Board in approving the creation of the position.

Recommended salary range - Economic Development Specialist:

<table>
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<tr>
<th>Range #167</th>
<th>Step 1</th>
<th>Step 2</th>
<th>Step 3</th>
<th>Step 4</th>
<th>Step 5</th>
<th>Step 6</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>90,745.56</td>
<td>95,282.84</td>
<td>100,046.98</td>
<td>105,049.33</td>
<td>110,301.80</td>
<td>115,816.89</td>
</tr>
</tbody>
</table>

FISCAL IMPACT:

The Board approved Economic Development Specialist salary and related funding at the June 20, 2014 meeting.

COORDINATION:

HR consultant (Avery Associates), Executive Committee

Prepared by
Ivana Bednarik

Approved by
Michael A. Houlemard, Jr.
June 30, 2014

Ivana Bednarik, Controller/Finance Manager
Robert Norris, Principal Analyst
Fort Ord Reuse Authority (FORA)
920 2nd Avenue, Suite A, Marina, CA 93933

Dear Ivana and Robert,

Re: Salary recommendation for Economic Development Specialist

In order to provide you with a salary recommendation for the Economic Development Specialist position, we reviewed the following documents:

- FORA’s Economic Development Specialist job description
- Salary comparison spreadsheet containing the salaries of potential job matches from other local Monterey Bay agencies
- FORA Salary Schedule effective 07/01/14 through 06/30/15
- FORA’s Principal Analyst job description

In reviewing three of the four job descriptions for the job titles reflected on the salary comparison spreadsheet, we were not able to identify a comparable match for the Economic Development Specialist position. Those positions that had been identified as potential matches were all found to be at a higher level than FORA’s position. Additionally, we were unable to locate the job description for the City of Salinas Assistant Development Director; but the City’s salary schedule lists this position as an Executive, which we believe is a much higher level than the Economic Development Specialist position.

As a result, we are recommending that salary placement for the Economic Development Specialist be based on internal comparison. In reviewing the Principal Analyst job description, we determined that the duties, education and work experience required are comparable to those in the Economic Development Specialist job description. Therefore, it is our recommendation that the salary for the Economic Development Specialist be set at Range #167, the same range as that of the Principal Analyst position. The minimum and maximum annual salary for Range #167 is $90,745.56 - $115,816.89

If you have any questions, please feel free to contact us at your earliest convenience.

Thank you,

Dee Schabot
Management Consultant

Cc: Kelly Menehan
Management Consultant
RECOMMENDATION:

i. Receive a Transportation Agency for Monterey County (TAMC) Marina to Salinas multimodal corridor plan presentation.

ii. Consider supporting the TAMC recommended corridor alignment.

BACKGROUND/DISCUSSION:

The 1997 Fort Ord Base Reuse Plan provided for a multimodal corridor along Imjin Parkway to Blanco Road serving to and from the Salinas area to the TAMC/Monterey Salinas Transit (MST) intermodal center planned at 8th Street and 1st Avenue in Marina. Long range planning for transit service resulted in an alternative Intergarrison/Reservation/Davis Roads corridor to increase habitat protection and fulfill transit service needs between the Salinas area and Peninsula cities and campuses.

A series of stakeholder meetings were conducted to advance adjustments and refinements to the proposed multimodal corridor plan line. Stakeholders included TAMC, MST, the Fort Ord Reuse Authority (FORA), City of Marina, Monterey County, California State University Monterey Bay (CSUMB), and the University of California Monterey Bay Education, Science and Technology Center. The stakeholders entered into a Memorandum of Agreement (MOA) outlining the new multimodal alignment plan line in February 2010. Since all stakeholders had signed the MOA, the FORA Board designated the new alignment and rescinded the original alignment on December 10, 2010.

Since that time, several stakeholders, including CSUMB, requested that the alignment be re-evaluated. TAMC prepared the analysis, utilizing grant funds, local match and a $15,000 FORA contribution. After a series of stakeholder meetings and community workshops, TAMC has determined a preferred multimodal corridor route and a conceptual plan that will be used as a guiding document for development and roadway designs. TAMC has requested that the FORA Board receive their multimodal corridor plan presentation and support the recommended corridor alignment.

FISCAL IMPACT:

Reviewed by FORA Controller

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

COORDINATION:

Administrative Committee, TAMC

Prepared by: Crissy Maras
Approved by: Michael A. Houle, Jr.
Subject: Approve Preston Park FY 2014-15 Annual Budget

Meeting Date: July 11, 2014
Agenda Number: 8b

RECOMMENDATION(S):
Approve FY 2014-2015 Preston Park Housing Operating and Capital (Attachments B & C) Budgets including a 2.4% rent increase.

BACKGROUND/DISCUSSION:
The staff has reviewed the Alliance Management Budget Memorandum (Attachment A) on the Preston Park FY 2014-15 Operating Budget and Capital Improvement Program (CIP) Assessment and recommends approval of the Housing Operating and Capital Replacement Program Budgets and the rent increase. In the coming year we anticipate an increase in the amount and cost of maintenance and small repairs (Attachment C).

The proposed 2.4% increase has been derived from applying the Consumer Price Index to the current and prospective Preston Park unit rents. The overall budget sustains the formulas for setting annual market rents approved by the Board in June 2010. FORA policy in this area is to raise revenue to operate the property without negatively impacting the surrounding market rate rental properties. The adopted formulae are: 1) Move-ins - establishing market rents on an ongoing basis according to a market survey, and 2) Existing tenants - increase rent once a year by the lesser of 3% or the Consumer Price Index. The financial impacts of the rent increase are displayed by unit type in (Attachment E) and the Revenue Summary (Attachment F) displays the budget impacts of the rental proposal.

In prior Preston Park Board reports, lengthy items such as the Market Survey (Attachment D) and Standard Operating Budgets were presented with only summary pages of the full reports. Consistent with that history, only the summary pages of those attachments are included in the packet. The full documents are available on the FORA website using the links provided below.

Attachment B:
http://fora.org/Board/2014/Packet/Additional/071114Item8bAttachBPPBudget-1stPageIncrease.pdf
http://fora.org/Board/2014/Packet/Additional/071114Item8bAttachBPPBudget-2ndPageNoIncrease.pdf

Attachment D:
http://fora.org/Board/2014/Packet/Additional/071114Item8bAttachD-MarketSurvey.pdf

FISCAL IMPACT:
Reviewed by FORA Controller
Staff time for this item is included in the approved FORA budget.

COORDINATION:
FORA Staff, Alliance Staff, Administrative Committee, Executive Committee.
MR. MICHAEL HOULEMARD, JR.
FORT ORD REUSE AUTHORITY
920 SECOND STREET, SUITE A
MARINA, CALIFORNIA 93933

RE: PRESTON PARK FY 2014/15 PROPOSED BUDGET

DEAR MR. HOULEMARD:

It has been a pleasure to continue to work with residents and the Fort Ord Reuse Authority over the last year. With the combination of wonderful residents and effective staff, a number of positive changes have been seen in Preston Park:

1) **Exterior Building Upgrades:** Re-roofing of the buildings has been completed and final clean up and gutter repairs are underway. Garage motion sensor lights are being installed as gutters are repaired/replaced on each court. Termite treatment has taken place at a number of locations in the community and includes a three year warranty from the date of service. Staff members are planning the replacement of all windows in the community as well as steel front and back doors. This project is anticipated to be underway in July.

2) **Code Compliance/Safety Improvements:** The electrical sub-panel in each home was serviced, and grounding rods were replaced at each meter panel site throughout the community. All required attic repairs were completed. Each oven flue vent was resealed, and notable issues reported for repair in the coming year. One time use Fire Extinguishers were installed in each home within Preston Park. A Property Assessment took place from which a plan of action was developed to address exterior building as well as interior unit issues.

3) **Concrete Grinding:** Concrete grinding was performed throughout the community. Three sites on Brown Court were located indicated to require tree root removal and repouring of concrete or asphalt.

4) **Tree Trimming:** The community has performed the first phase of tree trimming and is obtaining bids for the larger phase to begin in July.

5) **Units of Long Term Residents:** Several long-term residents have seen upgrades in their flooring, paint, and appliances with little intrusion or inconvenience. These services are extended to long-term residents upon notification or inspection indicating replacement is necessary.

6) **Green Initiatives:** The community continues to implement water and energy saving programs inspired by Alliance’s own Focus Green Initiative. Devices designated as water or energy saving are purchased and installed as replacement fixtures as needed. PG&E has been working with residents in the Below Market and Section 8 programs to weatherize their homes at no cost to the resident or the community. Planned landscaping changes will reduce the amount of water usage in the common areas of the community, and will continue to evolve into larger cost savings as we work in conjunction with Paul Lord at Marina Coast Water. The community participates in an appliance buy-back program where used and/or broken appliances are purchased from the community and recycled.
Alliance looks to continue to provide the residents at Preston Park a comfortable and quality living experience. Continued capital improvements throughout the community will allow this property to remain a desirable neighborhood for renters, as well as a continued source of affordable housing for the general populace of Marina.

Revenues

The primary source of revenue is rents, Section 8 voucher payments from the Housing Authority of the County of Monterey, and associated charges to residents such as late fees. The community experienced a delayed 1.7% rental increase in February 2013. An increase of 2.4% took place in September 2013. Previous to the February 2013 increase, the community had not seen a rental increase since August 2010.

The proposed budget reflects projected revenues according to the approved formula indicating that the annual increase in market rents for in-place tenants shall be capped at the lesser of three percent (3%) or the Department of Labor’s Consumer Price Index for San Francisco-Oakland-San Jose, All Items, for All Urban Consumers (referred to as CPI-U) Average percentage for the previous year (February to February) be applied to the next fiscal year, provided that the increased rent for in-place residents does not exceed the market rent charged to move-in residents. The proposed Budget Option 1 assumes the maximum rent increase for in-place residents of two point four percent (2.4%) resulting in an anticipated 2.9% increase in Total Income ($169,350) over the FY 2013/14 Estimated Actuals. The proposed Budget Option 2 assumes no increase in the FY 2014/15 rent schedule for in-place residents, however still results in a 2.5% increase in Total income ($141,049) due to new move-in rent values. Both budgets capture revenue from the addition of Pet Rent and Month to Month Fees for new move-ins. Please see Attachment F for a summary of Revenue Income under the two options.

Note: Delaying the anticipated decision will cost $28,808 as the property will not be able to implement the rental increase until October 1, 2014.

In Place Residents – Market Rent

The rents proposed in Budget Option 1 are as follows:

<table>
<thead>
<tr>
<th>Unit Size</th>
<th>Current Rent Range FY13/14</th>
<th>Proposed FY14/15 Rent</th>
<th>Change 10/1/14</th>
</tr>
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<tbody>
<tr>
<td>Section 8 – Two BR</td>
<td>$1,029 - $1,198</td>
<td>$1,054 - $1,227</td>
<td>$25 - $29</td>
</tr>
<tr>
<td>Section 8 – Three BR</td>
<td>$1,423 - $1,562</td>
<td>$1,457 - $1,599</td>
<td>$34 - $37</td>
</tr>
<tr>
<td>Two Bedroom</td>
<td>$1,208 - $1,715</td>
<td>$1,236 - $1,756</td>
<td>$29 - $41</td>
</tr>
<tr>
<td>Three Bedroom</td>
<td>$1,499 - $2,010</td>
<td>$1,535 - $2,058</td>
<td>$36 - $48</td>
</tr>
<tr>
<td>Luxury – Two BR*</td>
<td>$1,800 - $2,200</td>
<td>$1,843 - $2,253</td>
<td>$43 - $53</td>
</tr>
<tr>
<td>Luxury – Three BR*</td>
<td>$1,947</td>
<td>$1,994</td>
<td>$47</td>
</tr>
</tbody>
</table>

* Note: Three 2-Bedroom homes and one 3-Bedroom home have additional features that warrant higher than average rental rates.
Fair Market Rents (FMR) for Monterey County on a County-wide basis as published in October 2013 by the Monterey County Housing Authority (MCHA) are as follows:

<table>
<thead>
<tr>
<th>Unit Bedroom Size</th>
<th>Fair Market Rent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two Bedroom</td>
<td>$1,234</td>
</tr>
<tr>
<td>Three Bedroom</td>
<td>$1,800</td>
</tr>
</tbody>
</table>

The two bedroom average in-place market rent at Preston Park is $1,459 which represents a difference of $225 from the FMR table above. The general cause of the difference in two-bedroom rents relates to the unique amenities and space available in the two-bedroom apartments at the community as compared to the general marketplace. Conversely, the majority of in-place market renters in Preston Park three bedroom homes are below the MCHA Fair Market Rent for a home of this size. The average in-place rent for the three bedroom units at Preston Park is $1,754, which represents a difference of $46 from the FMR table above.

Please refer to Attachment E for detailed information regarding Preston Park rental rates, including utility estimates, as compared to other communities that pay for Water, Sewer, and Trash service.

Affordable Rents
Affordable rental rates are derived from median income schedules published by governmental agencies. Rental rates at Preston Park are based upon 50% and 60% of the median income for Monterey County. The U.S. Department of Housing and Urban Development calculates the maximum household income by family size in Monterey County, generally once a year. As of the date of this memo new rental rates have not been released.

An increase is not proposed at this time.

<table>
<thead>
<tr>
<th>Unit Size</th>
<th>In-Place Affordable Rate Rents</th>
<th>Current Rent Range FY13/14</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two Bedroom VL - L</td>
<td></td>
<td>$677 - $832</td>
</tr>
<tr>
<td>Three Bedroom VL - L</td>
<td></td>
<td>$756 - $928</td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>Income Category</th>
<th>Two Person</th>
<th>Three Person</th>
<th>Four Person</th>
<th>Five Person</th>
<th>Six Person</th>
<th>Seven Person</th>
<th>Eight Person</th>
</tr>
</thead>
<tbody>
<tr>
<td>50% VL</td>
<td>$28,800</td>
<td>$32,400</td>
<td>$35,950</td>
<td>$38,850</td>
<td>$41,750</td>
<td>$44,600</td>
<td>$47,500</td>
</tr>
<tr>
<td>60% L</td>
<td>$34,560</td>
<td>$38,880</td>
<td>$43,140</td>
<td>$46,620</td>
<td>$50,100</td>
<td>$53,520</td>
<td>$57,000</td>
</tr>
</tbody>
</table>

Current Market Rent Conditions
The market rent for new move-ins is calculated by comparable market rent levels in the competitive market throughout the year. Additionally, the comparables as outlined in the attached Market Survey dated 5.13.14 (Attachment D) are smaller in square footage than units at Preston Park, and many do not offer the specialized features including in-home laundry vs 7.2.14
room, gated back yard with patio, direct access garage, generous storage space, dogs and cats accepted with pet deposit (Breed restrictions apply, max 2 animals per home). Please refer to Attachment D for detailed information.

Per the approved rent formula in 2010, the market rents for new move-ins are fluid throughout the year and change according to market conditions. Should a rental increase be approved, market rents for incoming residents would be as follows:

<table>
<thead>
<tr>
<th>Unit Size</th>
<th>Current Rent Range for Incoming Market Rate Residents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two Bedroom</td>
<td>$1,650 - $1,775</td>
</tr>
<tr>
<td>Luxury - Two BR</td>
<td>$1,850 - $2,275*</td>
</tr>
<tr>
<td>Three Bedroom</td>
<td>$2,035 - $2,060</td>
</tr>
<tr>
<td>Luxury - Three BR</td>
<td>$2,275*</td>
</tr>
</tbody>
</table>

* Note: Three 2-Bedroom homes and one 3-Bedroom home have additional features that warrant higher than average rental rates.

Budget Summary

Expenses as outlined in Attachment B include Operating Expense projections and relevant changes from the FY 2013/14 budget. Operating expenses typically include expenditures for routine maintenance of the property, redecorating expenses as they apply to unit turns, and expenditures relating to the daily operations of the Leasing Office. Non-Routine expenses are included as they pertain directly to the daily function of the community, however are not typically able to be forecasted (i.e. large plumbing leaks requiring vendor service, unit specific rehabilitation projects). Annual Inspection materials are included with the Non-Routine expenses as they are a one-time yearly expense. Overall, total operating expenses proposed for FY 2014/15 are 10.1% higher than the estimated actual expenses for FY 2013/14 ($152,947). Alliance seeks to maximize cost savings, e.g. lower utilities expenses through installation of water/energy saving devices, while contending with inescapable cost increases such as fuel for maintenance vehicles.

Note the large increase in Non-Routine expenses ($115,668) over 2013/2014 Estimated Actuals. This increase is largely due to projects (such as bathtub replacements) that are necessary to complete over the course of the next several years. Without a rental increase, the property will experience a deficit of $19,461.

Capital Expenses

Expenses categorized as Capital expenses directly impact the long term value of the community, including roof replacements, exterior painting, large-scale landscaping improvements, and interior upgrades including appliances and carpeting/vinyl. Capital projects that are currently pending completion as approved in the 2013/14 FY include:

1) Exterior Unit Windows - $1,240,000
2) Exterior Unit Doors - $200,000

The following Capital projects were delayed to the 2014/2015 FY due to timing:
1) Exterior Building/Flash Repairs - $500,000
2) Exterior Paint - $200,000
3) Seal Coat Streets - $155,787

2014/2015 FY Capital Improvement Program
Recommended Capital Projects to be managed through the Construction Department (excluding continuing projects or completions of projects from 2013/14):

1) Dry Rot Repairs - $40,000
2) Landscape/Irrigation Upgrades - $100,000
3) Leasing Office/Signage - $90,000
4) Playgrounds - $65,000

Capital Reserves Fund
Expenditures for the 2014/15 fiscal period are projected to equal $1,453,804. This amount reflects an increase of $200,000 attributed to the total expense projected for the Building/Flash Repairs (initially evaluated at $800K; current value of $1M), and splits the total value of that expense and the $400K expense related to painting of the community over a 2 year period. In accordance with the 2014 reevaluation of the Replacement Reserves Study conducted in April 2008, Alliance recommends a minimum reserve withholding of $2,179 per unit per year during the 2014/15 fiscal period. Please refer to Attachment C. This withholding amount would ensure that the asset holds adequate reserves to perform necessary replacements and repairs to protect the useful life of the buildings and account for possible unforeseen cost increases as projects get underway. These funds will also allow for future projects, such as parking improvements which are not currently included in the capital plan, to be incorporated at a later date without resulting in a substantial increase in withholding amounts in future years.

Budget Option 1 (Maximum rent increase of 2.4% for in-place residents) offers an opportunity to increase the property’s replacement reserve account through revenue generation, thus allowing for many of the critical Capital Improvement projects throughout the community to take place over time. (Attachment C)

Budget Option 2 (No rent increase for in-place residents) outlines community needs to continue daily operations, but may compromise long-term capital projects due to restricted funds available to complete such projects. (Attachment C)

We will continue to look for new ways to improve our services over the coming year and remain committed to meeting the objectives set by FOR A.

Please feel free to contact me should you have additional questions or concerns at (415) 336-3811. Approval of the final budget prior to August 25, 2014, would be helpful in order to implement rental increases by October 1, 2014.

Regards,
vs 7.2.14
Jill Hammond  
Regional Manager  

Cc: Jonathan Garcia, FOR A  
Ivana Bednarik, FOR A  
Robert Norris, FOR A  
Brad Cribbins, Chief Operating Officer, Alliance Communities, Inc.  
Annette Thurman, Vice President of Operations, Alliance Communities, Inc.  

Attachments:  
- FY 2014/15 Budget Revenue Summary  
- Unit Matrix  
- May 2014 Market Survey  
- Capital Improvement Plan/Reserve Withholding  
- Budget Option 1 – Rental Increase
### PRESTON PARK
#### 2015 STANDARD BUDGET
**CONSOLIDATION & SIGN-OFF**

<table>
<thead>
<tr>
<th>Description</th>
<th>2015 Total</th>
<th>2014 Total</th>
<th>Variance</th>
<th>Variance %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical Occupancy</td>
<td>97.87 %</td>
<td>97.89 %</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Economic Occupancy</td>
<td>93.58 %</td>
<td>94.25 %</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>2015 Total</th>
<th>2014 Total</th>
<th>Variance</th>
<th>Variance %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross Market Potential</td>
<td>96,263,119</td>
<td>96,038,359</td>
<td>$223,760</td>
<td>3.7%</td>
</tr>
<tr>
<td>Market Gain/Loss to Lease</td>
<td>($203,165)</td>
<td>($153,411)</td>
<td>($49,754)</td>
<td>-32.5%</td>
</tr>
<tr>
<td>Affordable Housing</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Non-Revenue Apartments</td>
<td>($83,870)</td>
<td>($86,807)</td>
<td>$4,201</td>
<td>6.2%</td>
</tr>
<tr>
<td>Rental Concessions</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Delinquent Rent</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Vacancy Loss</td>
<td>($133,489)</td>
<td>($127,385)</td>
<td>($6,104)</td>
<td>-4.8%</td>
</tr>
<tr>
<td>Prepaid/Previous Paid Rent</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Other Months' Rent/Delinquency Recovery</td>
<td>$0</td>
<td>$1,110</td>
<td>($1,110)</td>
<td>-100.0%</td>
</tr>
<tr>
<td>Bad Debt Expense</td>
<td>($1,212)</td>
<td>($1,212)</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Other Resident Income</td>
<td>$6,200</td>
<td>$6,200</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Miscellaneous Income</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Corp Apartment Income</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Retail Income</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>TOTAL INCOME</strong></td>
<td>$5,916,956</td>
<td>$5,740,054</td>
<td>$176,868</td>
<td>3.0%</td>
</tr>
<tr>
<td><strong>PAYROLL</strong></td>
<td>$541,800</td>
<td>$525,709</td>
<td>($16,091)</td>
<td>-3.1%</td>
</tr>
<tr>
<td><strong>LANDSCAPING</strong></td>
<td>$69,600</td>
<td>$73,968</td>
<td>($4,368)</td>
<td>-5.6%</td>
</tr>
<tr>
<td><strong>UTILITIES</strong></td>
<td>$104,302</td>
<td>$98,813</td>
<td>($5,489)</td>
<td>-5.6%</td>
</tr>
<tr>
<td><strong>REDECORATING</strong></td>
<td>$86,843</td>
<td>$83,478</td>
<td>($3,365)</td>
<td>-4.0%</td>
</tr>
<tr>
<td><strong>MAINTENANCE</strong></td>
<td>$104,912</td>
<td>$102,214</td>
<td>($2,698)</td>
<td>-2.6%</td>
</tr>
<tr>
<td><strong>MARKETING</strong></td>
<td>$15,475</td>
<td>$15,445</td>
<td>($30)</td>
<td>-0.2%</td>
</tr>
<tr>
<td><strong>ADMINISTRATIVE</strong></td>
<td>$92,088</td>
<td>$91,881</td>
<td>($207)</td>
<td>-0.2%</td>
</tr>
<tr>
<td><strong>RETAIL EXPENSE</strong></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>PROFESSIONAL SERVICES</strong></td>
<td>$147,674</td>
<td>$142,718</td>
<td>($4,956)</td>
<td>-3.4%</td>
</tr>
<tr>
<td><strong>INSURANCE</strong></td>
<td>$207,012</td>
<td>$197,507</td>
<td>($9,505)</td>
<td>-4.8%</td>
</tr>
<tr>
<td><strong>AD-VALOREM TAXES</strong></td>
<td>$107,472</td>
<td>$107,469</td>
<td>($3)</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>NON ROUTINE MAINTENANCE</strong></td>
<td>$184,225</td>
<td>$78,557</td>
<td>($105,668)</td>
<td>-147.2%</td>
</tr>
<tr>
<td><strong>TOTAL OPERATING EXP</strong></td>
<td>$1,671,709</td>
<td>$1,618,762</td>
<td>($52,947)</td>
<td>-3.2%</td>
</tr>
<tr>
<td><strong>NET OPERATING INCOME</strong></td>
<td>$4,228,245</td>
<td>$4,222,842</td>
<td>$5,403</td>
<td>0.1%</td>
</tr>
<tr>
<td><strong>DEBT SERVICE</strong></td>
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<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>DEPRECIATION</strong></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>AMORTIZATION</strong></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>PARTNERSHIP</strong></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>EXTRAORDINARY COST</strong></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>NET INCOME</strong></td>
<td>$3,813,849</td>
<td>$3,802,417</td>
<td>$10,432</td>
<td>0.3%</td>
</tr>
<tr>
<td><strong>CAPITAL EXPENDITURES</strong></td>
<td>$1,453,284</td>
<td>$1,428,285</td>
<td>($25,000)</td>
<td>-1.7%</td>
</tr>
<tr>
<td><strong>MORTGAGE PRINCIPAL</strong></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>TAX ESCROW</strong></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>INSURANCE ESCROW</strong></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>INTEREST ESCROW</strong></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>REPLACEMENT RESERVE</strong></td>
<td>$743,379</td>
<td>$734,978</td>
<td>($8,403)</td>
<td>-1.1%</td>
</tr>
<tr>
<td><strong>REPLACEMENT RESERVE REIMBURSEMENT</strong></td>
<td>($1,453,284)</td>
<td>($1,428,285)</td>
<td>($25,000)</td>
<td>-1.7%</td>
</tr>
<tr>
<td><strong>WIP</strong></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>OWNER DISTRIBUTIONS</strong></td>
<td>$3,487,866</td>
<td>$3,487,866</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>DEPRECIATION AND AMORTIZATION</strong></td>
<td>($417,696)</td>
<td>($417,696)</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>NET CASH FLOW</strong></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
</tbody>
</table>

**Net Operating Income**

**Compliance**

- **Owner**
- **Asset Manager**
- **COO**
- **VP**
- **Regional Manager**
- **Business Manager**

Alliance Residential, LLC makes no guarantee, warranty or representation whatsoever in connection with the accuracy of this Operating Budget as it is intended as a good faith estimate only.

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### Alliance Residential Budget Template
**Standard Chart of Accounts**

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Page 33 of 86
## PRESTON PARK
### 2015 STANDARD BUDGET
#### CONSOLIDATION & SIGN-OFF

<table>
<thead>
<tr>
<th>Description</th>
<th>2015</th>
<th>2014</th>
<th>Variance</th>
<th>Variance %</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
<td>Projected</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Physical Occupancy</td>
<td>97.87%</td>
<td>97.89%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Economic Occupancy</td>
<td>4.36%</td>
<td>4.28%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gross Market Potential</td>
<td>$6,178,025</td>
<td>$6,038,519</td>
<td>$140,506</td>
<td>2.3%</td>
</tr>
<tr>
<td>Market Gain/Loss to Lease</td>
<td>($151,048)</td>
<td>($153,411)</td>
<td>$2,363</td>
<td>1.5%</td>
</tr>
<tr>
<td>Affordable Housing</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Non-Revenue Apartments</td>
<td>($82,048)</td>
<td>($68,070)</td>
<td>$13,978</td>
<td>7.5%</td>
</tr>
<tr>
<td>Rental Concessions</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Delinquent Rent</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Vacancy Loss</td>
<td>($131,667)</td>
<td>($127,365)</td>
<td>($4,302)</td>
<td>-3.4%</td>
</tr>
<tr>
<td>Prepaid/Previous Paid Rent</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Other Months' Rent/DelinQUENCY Recovery</td>
<td>$0</td>
<td>$1,110</td>
<td>($1,010)</td>
<td>-100.0%</td>
</tr>
<tr>
<td>Bad Debt Expense</td>
<td>($1,206)</td>
<td>$0</td>
<td>($1,206)</td>
<td>-100.0%</td>
</tr>
<tr>
<td>Other Resident Income</td>
<td>$44,398</td>
<td>$40,287</td>
<td>$4,111</td>
<td>10.2%</td>
</tr>
<tr>
<td>Miscellaneous Income</td>
<td>$6,200</td>
<td>$10,554</td>
<td>($4,354)</td>
<td>-41.3%</td>
</tr>
<tr>
<td>Corp Apartment Income</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Retail Income</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>0.0%</td>
</tr>
<tr>
<td>TOTAL INCOME</td>
<td>$5,882,653</td>
<td>$5,741,604</td>
<td>$141,049</td>
<td>2.5%</td>
</tr>
<tr>
<td>PAYROLL</td>
<td>$541,600</td>
<td>$525,709</td>
<td>($15,091)</td>
<td>-3.1%</td>
</tr>
<tr>
<td>UTILITIES</td>
<td>$56,900</td>
<td>$57,968</td>
<td>($1,068)</td>
<td>-1.8%</td>
</tr>
<tr>
<td>REDECORATING</td>
<td>$154,909</td>
<td>$168,813</td>
<td>($13,904)</td>
<td>-7.8%</td>
</tr>
<tr>
<td>MAINTENANCE</td>
<td>$86,843</td>
<td>$83,479</td>
<td>$3,364</td>
<td>4.0%</td>
</tr>
<tr>
<td>MARKETING</td>
<td>$104,912</td>
<td>$103,214</td>
<td>$1,698</td>
<td>1.6%</td>
</tr>
<tr>
<td>ADMINISTRATIVE</td>
<td>$15,475</td>
<td>$15,449</td>
<td>$26</td>
<td>0.2%</td>
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### Approvals
- Owner: Date
- Asset Manager: Date
- COO: Date
- VP: Date
- Regional Manager: Date
- Business Manager: Date

Alliance Residential, LLC makes no guarantee, warranty or representation whatsoever in connection with the accuracy of this Operating Budget as it is intended as a good faith estimate only.
### Capital Expenditures - 2014/2015 Preston Park Budget

#### Presto Park - Revised Physical Needs Assessment (7 Year Look Forward - Alliance Residential Recommendation)

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<td>Miscellaneous (see * items)</td>
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<td>Capital Expenses (unallocated)</td>
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<td>After Annual Addition, AFTER Annual Additions</td>
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**Attachment C to Item 8b FORA Board Meeting, 7/11/14**

**Page 35 of 86**
**Preston Park**

**Street address** 682 Wahl Court

**City, State, Zip Code** Marina, CA 93933

**Telephone** (831) 384-0119

**Construction type** Mixed use

**Year built** 1987

**Owner** Fort Ord Reuse Authority

**Management** Alliance Residential Company

**Total units** 354

**Physical occupancy** 98%

---

**Community Description**

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<td>TELEPHONE</td>
<td>(831) 384-0119</td>
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<td>YEAR BUILT</td>
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<tr>
<td>OWNER</td>
<td>Fort Ord Reuse Authority</td>
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<td>MANAGEMENT</td>
<td>Alliance Residential Company</td>
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<tr>
<td>TOTAL UNITS</td>
<td>354</td>
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<td>PHYSICAL OCCUPANCY</td>
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**Community Ratings**

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<td>CURB APPEAL</td>
<td>B</td>
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<td>CONDITION</td>
<td>B</td>
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<td>INTERIORS</td>
<td>C</td>
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<tr>
<td>AMENITIES</td>
<td>D</td>
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**Fees, Deposits, and Lease Terms**

| APPLICATION FEE | $44 |
| LEASE TERMS     | MTM and 6 months |
| SHORT TERM PREMIUM | N/A |
| REFUNDABLE SECURITY DEPOSIT | Equal to one month's rent |
| ADMINISTRATIVE FEE | $0 |
| NON REFUNDABLE PET DEPOSIT | N/A |
| PET DEPOSIT | $250 covers up to 2 pets |
| PET RENT | $0 |

---

**Apartment Amenities**

| ACCENT COLOR WALLS | No |
| AIR CONDITIONING NO | Paneled doors |
| APPLIANCE COLOR | White |
| CABLE TV | No Roman tubes |
| CEILING | No Security system |
| CEILING FANS | No Self cleaning oven |
| COMPUTER DESK | No Separate shower |
| CROWN MOLDING | No Upgraded counters |
| FIREPLACE | No Upgraded flooring |
| ICEMAKER | No Upgraded lighting |
| KITCHEN PANTRY | Yes Vaulted ceiling |
| LINEN CLOSETS | Yes Washer/Dryer |
| MICROWAVE | No W/D connection |
| OUTSIDE STORAGE | No Window coverings |

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**Floorplans and Rents**

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<th>UNIT DESCRIPTION</th>
<th># OF UNITS</th>
<th>% OF UNITS</th>
<th>SQUARE FEET</th>
<th>RENT PER UNIT</th>
<th>CONCESSIONS</th>
<th>EFFECTIVE NET RENTS</th>
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<td>10</td>
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<td>1,150</td>
<td>$1,610</td>
<td>$1,610</td>
<td>$1,610</td>
</tr>
<tr>
<td>2X1</td>
<td></td>
<td>2</td>
<td>1%</td>
<td>1,150</td>
<td>$1,700</td>
<td>$1,700</td>
<td>$1,700</td>
</tr>
<tr>
<td>2X1.5</td>
<td></td>
<td>79</td>
<td>22%</td>
<td>1,278</td>
<td>$1,665</td>
<td>$1,690</td>
<td>$1,677</td>
</tr>
<tr>
<td>2X1.5</td>
<td>1 car attached Renovated</td>
<td>2</td>
<td>1%</td>
<td>1,278</td>
<td>$2,200</td>
<td>$2,200</td>
<td>$2,200</td>
</tr>
<tr>
<td>2X1.5</td>
<td></td>
<td>1</td>
<td>0%</td>
<td>1,278</td>
<td>$1,700</td>
<td>$1,715</td>
<td>$1,708</td>
</tr>
<tr>
<td>2X1.5</td>
<td>1 car attached Renovated</td>
<td>135</td>
<td>38%</td>
<td>1,323</td>
<td>$1,690</td>
<td>$1,715</td>
<td>$1,702</td>
</tr>
<tr>
<td>3X2.5</td>
<td></td>
<td>124</td>
<td>35%</td>
<td>1,572</td>
<td>$1,985</td>
<td>$2,010</td>
<td>$1,997</td>
</tr>
<tr>
<td>3X2.5</td>
<td>1 car attached Renovated</td>
<td>1</td>
<td>0%</td>
<td>1,572</td>
<td>$2,150</td>
<td>$2,150</td>
<td>$2,150</td>
</tr>
<tr>
<td><strong>TOTAL / WEIGHTED AVERAGE</strong></td>
<td></td>
<td>354</td>
<td>100%</td>
<td>1,395</td>
<td>$1,790</td>
<td>$1,814</td>
<td>$1,801</td>
</tr>
</tbody>
</table>

---

**Community Amenities**

| ACCESS GATES | No |
| ADD RENTABLE STORAGE | No |
| ATTACHED GARAGES | Yes |
| BARBECUE GRILLS | No |
| BASKETBALL COURT | Yes Pet park |
| BILLIARD | No Playground |
| BUSINESS CENTER | No Pool |
| CLUB HOUSE | Yes Racquetball |
| CONCIERGE SERVICES | No Reserved parking |
| CONFERENCE ROOM | No Sauna/Jacuzzi |
| COVERED PARKING | No Tennis court |
| DETACHED GARAGES | No Volleyball |
| ELEVATORS | No Water features |
| FITNESS CENTER | No WIFI |

---

**Concessions**

- No concessions. Community is partially Below Market Rent and Section 8.

---

**Comments**

- 50% complete replacing roofs. All units have an attached garage, in-home laundry room, and gated backyard. $25 fee for end units.
## Attachment E - Unit Matrix

**FORA Board Meeting, 7/11/14**

**Market Survey Data**

<table>
<thead>
<tr>
<th>Bedrooms</th>
<th>Bathrooms</th>
<th>Square footage</th>
<th>Average Rent per unit</th>
<th>Total Utilities</th>
<th>Total Rent including utilities</th>
<th>Total Rent per square foot BEFORE rent increase</th>
<th>Total Rent per square foot AFTER rent increase</th>
<th>Sunbay Suites rent per square foot (650 sq ft)</th>
<th>Marina Square rent per square foot (1000 sq ft)</th>
<th>Marina del Sol rent per square foot (736 sq ft)</th>
<th>Shadow Market rent per square foot (1000 sq ft)</th>
<th>Abrams Park rent per square foot not including utilities (1000 sq ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>1</td>
<td>1150</td>
<td>$1,521.00</td>
<td>$122.70</td>
<td>$1,644</td>
<td>$1.43</td>
<td>$1,676.70</td>
<td>$1.46</td>
<td>$1.88</td>
<td>$1.77</td>
<td>$1.59</td>
<td>$1.50</td>
</tr>
<tr>
<td>2</td>
<td>1.5</td>
<td>1278</td>
<td>$1,443.81</td>
<td>$122.70</td>
<td>$1,567</td>
<td>$1.23</td>
<td>$1,599.51</td>
<td>$1.25</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>2</td>
<td>1.5</td>
<td>1323</td>
<td>$1,447.34</td>
<td>$122.70</td>
<td>$1,570</td>
<td>$1.19</td>
<td>$1,603.04</td>
<td>$1.21</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>3</td>
<td>2.5</td>
<td>1572</td>
<td>$1,754.00</td>
<td>$122.70</td>
<td>$1,877</td>
<td>$1.19</td>
<td>$1,918.20</td>
<td>$1.22</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>$1.09</td>
</tr>
</tbody>
</table>

In addition to the rental amounts paid by in-place residents, Preston Park residents pay for Water, Sewer, and Trash services that the majority of the comparables in the market place pay on behalf of the household.

Utility costs as listed reflect the average household in Marina, whereas actual bills suggest utility costs of $85 per month and $96 per month respectively for 2 and 3 bedroom homes in Preston Park.

Square footage listed for Preston Park units includes interior space only. Each home has an attached garage that provides roughly 400 square feet of additional storage space.
Preston Park Budget Memo - Revenue Summary

**Budget Option 1 – 2.4% Rent Increase**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>GROSS MARKET POTENTIAL</td>
<td>$5,616,900</td>
<td>$6,038,519</td>
<td>$6,262,119</td>
<td>2.4%</td>
<td></td>
<td>The community continues to outperform expectations as new move-in rents increase.</td>
<td>$221,589</td>
<td>3.7%</td>
<td>Large increase due mostly to 2.4% rental increase.</td>
<td>$219,517</td>
<td>7.2%</td>
</tr>
<tr>
<td>MARKET GAIN/LOSS TO LEASE</td>
<td>$14,124</td>
<td>($155,411)</td>
<td>($200,195)</td>
<td>-10.5%</td>
<td></td>
<td>Increase due to higher average collection of owed rent and damages.</td>
<td>($45,782)</td>
<td>32.5%</td>
<td>Decrease in income in correlation with reduction in Reserve Account Balance.</td>
<td>($219,517)</td>
<td>-130.1%</td>
</tr>
<tr>
<td>NON-REVENUE APARTMENTS</td>
<td>($56,187)</td>
<td>($68,670)</td>
<td>($63,870)</td>
<td>-7.3%</td>
<td></td>
<td>Decrease in income as homes were vacant for longer periods than anticipated.</td>
<td>($4,200)</td>
<td>-6.2%</td>
<td>Increase due to addition of MTM Fees and Pet Rent for incoming residents.</td>
<td>($7,683)</td>
<td>13.7%</td>
</tr>
<tr>
<td>VACANCY LOSS</td>
<td>($114,328)</td>
<td>($127,385)</td>
<td>($133,488)</td>
<td>-5%</td>
<td></td>
<td>Increase due to collection of Cleaning/Damage Fees increased vs. previous period3.</td>
<td>($19,160)</td>
<td>16.8%</td>
<td>Decrease in income projected in anticipation of average collection rate of rent and damages.</td>
<td>($19,160)</td>
<td>16.8%</td>
</tr>
<tr>
<td>BAD DEBT EXPENSE</td>
<td>($1,750)</td>
<td>$0</td>
<td>($1,212)</td>
<td>0.0%</td>
<td></td>
<td>Decrease in income as homes were vacant for longer periods than anticipated.</td>
<td>($1,212)</td>
<td>0.0%</td>
<td>Decrease in income projected in anticipation of average collection rate of rent and damages.</td>
<td>$538</td>
<td>-30.7%</td>
</tr>
<tr>
<td>OTHER RESIDENT INCOME</td>
<td>$34,750</td>
<td>$40,287</td>
<td>$44,398</td>
<td>8.3%</td>
<td></td>
<td>Increase due to higher average collection of owed rent and damages.</td>
<td>$4,111</td>
<td>10.2%</td>
<td>Increase due to addition of MTM Fees and Pet Rent for incoming residents.</td>
<td>$7,648</td>
<td>20.8%</td>
</tr>
<tr>
<td>MISCELLANEOUS INCOME</td>
<td>$8,450</td>
<td>$10,554</td>
<td>$6,200</td>
<td>43.3%</td>
<td></td>
<td>Decrease in income as homes were vacant for longer periods than anticipated.</td>
<td>($4,354)</td>
<td>-41.3%</td>
<td>Increase due to addition of MTM Fees and Pet Rent for incoming residents.</td>
<td>($2,250)</td>
<td>-26.6%</td>
</tr>
<tr>
<td>TOTAL INCOME</td>
<td>$5,705,989</td>
<td>$5,741,604</td>
<td>$5,910,585</td>
<td>3.6%</td>
<td></td>
<td>Increase in overall income.</td>
<td>$35,615</td>
<td>2.9%</td>
<td>Increase in overall income.</td>
<td>$204,966</td>
<td>3.6%</td>
</tr>
<tr>
<td>NET INCOME</td>
<td>$3,898,422</td>
<td>$3,605,417</td>
<td>$3,613,549</td>
<td>2.4%</td>
<td></td>
<td>Increase in overall income.</td>
<td>$8,332</td>
<td>0.2%</td>
<td>Increase in overall income.</td>
<td>($84,873)</td>
<td>-2.2%</td>
</tr>
</tbody>
</table>

I -- DESIGNATES INCREASE (Results in Increase in Revenue)

D -- DESIGNATES DECREASE (Results in Decrease in Revenue)

July 2, 2014
## Preston Park Budget Memo - Revenue Summary

**Budget Option 2 – No Rent Increase Proposed**

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GROSS MARKET POTENTIAL</strong></td>
<td>$5,816,930</td>
<td>$6,038,519</td>
<td>$6,178,925</td>
<td>I</td>
<td>$146,406</td>
<td>2.3%</td>
<td>I $361,995</td>
</tr>
<tr>
<td><strong>MARKET GAIN/LOSS TO LEASE</strong></td>
<td>$16,124</td>
<td>($153,411)</td>
<td>($151,048)</td>
<td>D</td>
<td>($2,363)</td>
<td>-1.5%</td>
<td>D ($167,172)</td>
</tr>
<tr>
<td><strong>NON-REVENUE APARTMENTS</strong></td>
<td>($56,187)</td>
<td>($68,070)</td>
<td>($62,948)</td>
<td>I</td>
<td>$5,122</td>
<td>-7.5%</td>
<td>I ($6,761)</td>
</tr>
<tr>
<td><strong>VACANCY LOSS</strong></td>
<td>($114,328)</td>
<td>($127,385)</td>
<td>($131,667)</td>
<td>D</td>
<td>($4,282)</td>
<td>3.4%</td>
<td>D ($17,339)</td>
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<tr>
<td><strong>BAD DEBT EXPENSE</strong></td>
<td>($1,750)</td>
<td>0</td>
<td>($1,206)</td>
<td>I</td>
<td>$1,750</td>
<td>0.0%</td>
<td>I $544</td>
</tr>
<tr>
<td><strong>OTHER RESIDENT INCOME</strong></td>
<td>$56,750</td>
<td>$40,287</td>
<td>$44,398</td>
<td>I</td>
<td>$3,537</td>
<td>8.8%</td>
<td>I $7,648</td>
</tr>
<tr>
<td><strong>MISCELLANEOUS INCOME</strong></td>
<td>$8,450</td>
<td>$10,554</td>
<td>$6,200</td>
<td>I</td>
<td>$2,104</td>
<td>19.9%</td>
<td>D ($2,250)</td>
</tr>
<tr>
<td><strong>TOTAL INCOME</strong></td>
<td>$5,705,989</td>
<td>$5,741,604</td>
<td>$5,882,653</td>
<td>I</td>
<td>$35,615</td>
<td>0.6%</td>
<td>I $181,089</td>
</tr>
<tr>
<td><strong>NET INCOME</strong></td>
<td>$3,898,422</td>
<td>$3,805,617</td>
<td>$3,785,956</td>
<td>I</td>
<td>$91,065</td>
<td>2.4%</td>
<td>D ($112,466)</td>
</tr>
</tbody>
</table>

I -- DESIGNATES INCREASE (Results in Increase in Revenue)

D -- DESIGNATES DECREASE (Results in Decrease in Revenue)

July 2, 2014
RECOMMENDATION:

Receive an Environmental Services Cooperative Agreement (ESCA) status report.

BACKGROUND:

In Spring 2005, the U.S. Army (Army) and the Fort Ord Reuse Authority (FORA) entered into negotiations toward an Army-funded Environmental Services Cooperative Agreement (ESCA) for the removal of remnant Munitions and Explosives of Concern (MEC) on the former Fort Ord. Under the terms of this ESCA contract, FORA accepted transfer of 3,340 acres of former Fort Ord land prior to regulatory environmental sign-off. In early 2007, the Army awarded FORA approximately $98 million to perform the Federal Comprehensive Environmental Response Compensation and Liability Act (CERCLA) munitions cleanup on the ESCA parcels. FORA also entered into an Administrative Order on Consent (AOC) with U.S. Environmental Protection Agency (EPA) and California Department of Toxic Substance Control (DTSC) defining contractual conditions under which FORA completes Army remediation obligations for the ESCA parcels.

In order to complete the AOC defined work, after a competitive selection process, FORA entered into a Remediation Services Agreement with LFR Inc. (now ARCADIS) to provide MEC remediation services and executed a Cost-Cap insurance policy for this remediation work through American International Group (AIG). FORA received the “ESCA parcels” after EPA approval and gubernatorial concurrence under a Finding of Suitability for Early Transfer on May 8, 2009.

The ESCA Remediation Program (RP) has been underway for seven (7) years. Currently, the FORA team has completed known ESCA RP field work, pending regulatory review.

DISCUSSION:

The ESCA requires FORA, acting as the Army’s contractor, to address safety issues resulting from previous munitions training operations conducted at the former Fort Ord. This allows the FORA ESCA RP team to successfully implement cleanup actions that address three major past concerns: 1) the requirement for yearly appropriation of federal funding that delayed cleanup and necessitated costly mobilization/demobilization expenses; 2) state and federal regulatory questions about protectiveness of previous actions for sensitive uses; and 3) local jurisdictional/community/FORA’s desire to reduce, to the extent possible, risk to individuals accessing the property.

Under the ESCA grant contract with the U.S. Army, FORA received approximately $98 million grant to clear munitions and to secure regulatory approval for the former Fort Ord ESCA parcels. FORA subsequently entered into a guaranteed fixed-price contract with LFR (now
ARCADIS) to complete the work as defined in the Technical Specifications and Review Statement (TSRS) appended to the ESCA grant contract. As part of a contract between FORA and ARCADIS, insurance coverage was secured from AIG for which FORA paid $82.1 million upfront from grant funds. This policy provides a commutation account which holds the funds that AIG uses to pay ARCADIS for the work performed.

The AIG coverage also provides for up to $128 million to address additional work for both known and unknown site conditions, if needed. That assures extra funds in place to complete the scope of work to the satisfaction of the Regulators. AIG monitors/approves ARCADIS expenditures in meeting AOC/TSRS grant requirements.

Based on the Army ESCA grant contract, the EPA AOC requirements and AIG insurance coverage provisions, AIG controls the ARCADIS/AIG $82.1 million Commutation Account. The full amount was provided to AIG in 2008 as payment for a cost-cap insurance policy where AIG reviews ARCADIS' work performed and makes payments directly to ARCADIS. FORA oversees that the work complies with grant/AOC requirements.

<table>
<thead>
<tr>
<th>Item</th>
<th>Originally Allocated</th>
<th>Accrued through March 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>FORA PLL Self-Insurance/Policy Purchase</td>
<td>$ 916,056</td>
<td>$916,056</td>
</tr>
<tr>
<td>Reimburse Regulators &amp; Quality Assurance</td>
<td>4,725,000</td>
<td>2,210,808</td>
</tr>
<tr>
<td>State of California Surplus Lines Tax, Risk Transfer, Mobilization</td>
<td>6,100,000</td>
<td>6,100,000</td>
</tr>
<tr>
<td>Contractor's Pollution Liability Insurance</td>
<td>477,344</td>
<td>477,344</td>
</tr>
<tr>
<td>Work Performed ARCADIS/AIG Commutation Account</td>
<td>82,117,553</td>
<td>68,104,737</td>
</tr>
<tr>
<td>FORA Administrative Fees</td>
<td>3,392,656</td>
<td>2,772,549</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$97,728,609</strong></td>
<td><strong>$80,581,494</strong></td>
</tr>
<tr>
<td><strong>ESCA Remainder</strong></td>
<td><strong>$17,147,115</strong></td>
<td></td>
</tr>
</tbody>
</table>

It is important to highlight that data collected during the ESCA investigation stage remains under review by the regulatory agencies who determine when the remediation work is complete. They will only issue written confirmation that CERCLA MEC remediation work is complete (regulatory site) closure when they are satisfied the work is protective of human health and that the Final Proposed Plan, Record of Decision, Land Use Control Operation and Maintenance Plan are completed and approved. The process of completing the review and documentation is dependent on Army and regulatory agency responses/decisions. Until regulatory site closure is received, the ESCA property remains closed to the public. When regulatory site closure is received, FORA will transfer land title to the appropriate jurisdiction. To date, the ESCA RP has provided the stewardship for 3,340 ESCA acres. The ESCA team continues to actively monitor biological resources and track restoration activities on the ESCA property.

The ESCA RP team's major effort is on the required CERCLA documentation to gain regulatory certification of completion. Two significant issues have surfaced impacting the document delivery schedule. First is an issue between the Army and EPA concerning the definition of MEC as hazardous substances under CERCLA. After months of informal discussions, EPA invoked the formal Dispute Resolution process. EPA and Army remain in Dispute Resolution over the designation of MEC as a hazardous substance. This is a
national issue for both agencies but affects the progress of CERCLA closure on the former Fort Ord. FORA staff has engaged with both the Army and EPA to address FORA's interests both as a contractor to the Army and as owner of the ESCA properties. This has specifically impacted the Group 2 and Group 3 Record of Decision schedules. The second significant issue concerns documenting FORA's Residential Quality Assurance (RQA) process as developed under a pilot study in accordance with the terms of the ESCA. DTSC has required reporting, in addition to the CERCLA documentation, on the RQA process which is likely to further impact the ESCA document schedule. FORA staff and the ESCA RP team are closely monitoring these two issues to efficiently execute the documentation phase of the program.

For the County North and Parker Flats Phase 1 ESCA properties, FORA received written confirmation from the regulatory agencies that CERCLA MEC remediation work is complete. For these properties, ARCADIS commuted ESCA insurance coverage for related clean-up costs for coverage for unknown conditions.

Per the existing FORA/Jurisdiction Implementation Agreements (2001) and Memorandum of Agreement (2007) regarding property ownership and responsibilities during the period of environmental services, deeds and access control for these properties has been transferred to the new land owner. At the County's request, FORA staff is working with County staff to adjust the former ESCA property signage based on a signage plan being developed under the joint direction of Monterey County staff, Monterey County Sheriff's Department and the Bureau of Land Management, with review by the FORA ESCA team.

Regulatory approval does not determine end use. Underlying jurisdictions are empowered to impose or limit zoning, decide property density or make related land use decisions in compliance with the FORA Base Reuse Plan.

FISCAL IMPACT:
Reviewed by FORA Controller

The funds for this review and report are part of the existing FORA ESCA funds.

COORDINATION:
Administrative Committee; Executive Committee; FORA Authority Counsel; ARCADIS; U.S. Army EPA; and DTSC

Prepared by Stan Cook

Approved by Michael A. Houlemaid, Jr.
RECOMMENDATION:
Receive a Marina Coast Water District (MCWD) presentation providing an update on water augmentation and policy issues.

BACKGROUND/DISCUSSION:
The Fort Ord Reuse Authority (FORA) Board of Directors reviewed the MCWD Ord Community budget at their May 30, 2014 meeting and referred the item to the FORA Administrative Committee for a recommendation. The Administrative Committee and/or Water/Wastewater Oversight Committee (WWOC) had previously reviewed the budget over six joint or separate meetings and were unable to form a recommendation for approval. At the May 30th Board meeting, members outlined eight main areas of concern: 1) Representation and establishing an Ord Community rate payer advisory committee; 2) FORA voluntary contribution vs. MCWD capacity charge; 3) Ord Community annexation and associated customer voting rights; 4) Water augmentation timing and alternatives; 5) Use of reserves and cost center loans; 6) Facilities agreement language regarding three month budget review period; 7) Regional project fund recovery; and, 8) Proposition 218 process.

FORA and MCWD staff prepared a memo outlining those concerns and proposing steps moving forward. That memo is being reviewed by the Administrative Committee and as their comments are incorporated, will be provided to the FORA Board at their August 2014 meeting. At the July 2nd joint Administrative and WWOC meeting, MCWD provided a presentation on water augmentation alternatives that is being refined prior to being presented to the FORA Board in August.

MCWD will provide an update on the current status of the Ord Community budget, water augmentation and policy issues to ensure the FORA Board stays updated on progress being made toward resolution. The Administrative Committee will review the policy issues at their July 16th and 30th meetings and provide a FORA Board recommendation.

FISCAL IMPACT:
Reviewed by FORA Controller
Staff time for this item is included in the approved FORA budget.

COORDINATION:
Administrative Committee, Water and Wastewater Oversight Committee

Prepared by Crissy Maras
Reviewed by D. Steven Edsley
Approved by Michael A. Houlemard, Jr.
RECOMMENDATION(S):


ii. Select a Consultant Team to Provide Regional Guidelines Design and Process services.

BACKGROUND/DISCUSSION:

The RUDG Task Force was created by the FORA Board and appointed by Chair Edelen to provide oversight and guidance on the RUDG process. Initially a Request for Qualifications (RFQ) was drafted by staff in coordination with Task Force feedback and input. That RFQ was transmitted to 35 urban planning, economics and development firms as provided by RUDG Task Force Members, jurisdictions, or staff. The RUDG Task Force then worked with FORA staff to refine a Request for Proposals (RFP) competition as the second stage of the solicitation/consultant support team selection process. The Task Force April 22, April 30, and May 9 meetings focused on the RFP including multiple rounds of revision and member input refining scope and deliverables and concluding on the interview process. Following review of the responses to the RFQ released in March, the Task Force qualified 3 teams to participate in the RFP stage as follows:

- **EMC Planning Group Inc.** in collaboration with Economic Planning Services, Pinto + Partners Urban Design and Planning, City Design Collective, and BMJ Advisors
- **Dover, Kohl & Partners** with Alta Planning & Design, Helix Environmental Planning, Strategic Economics, Castle & Cooke Development, Peter Katz, Jeff Speck and Bill Lennertz.

The RFP was released to the teams May 15, responses due Thursday, June 12 at 5:00pm and a pre-proposal conference was conducted on June 2, 2014. Two of the three finalist teams submitted complete responses by the deadline. The EMC Planning Group and the Dover-Kohl & Partners teams were scheduled for June 20, 2014 interviews which can be viewed at http://youtu.be/Lx7BHp6NHSU.

The Task Force reviewed interview ranking criteria on June 19 and met on June 20 at 2:00 pm to review initial rankings. After staff reference confirmation/review, at the June 27 meeting, the Task Force unanimously recommended that the FORA Board select the team led by Dover-Kohl and Partners to complete the regional urban design guidelines project.

Final approved minutes for May 9, June 2, 19, & 20 are attached (Attachments A-E).

FISCAL IMPACT:

Reviewed by FORA Controller

Staff time for this item is included in the approved FORA budget. FY 2014-2015 budget includes funding to pay for RUDG consultant services.

COORDINATION:

Admin Committee

Prepared by Josh Metz

Approved by Michael A. Houlemard, Jr.
1. CALL TO ORDER
Confirming a quorum, FORA Senior Planner, Jonathan Garcia called the meeting to order at 12:05pm. The following people were in attendance:

Committee Members
Carl Holm, Monterey County
Elizabeth Caraker, City of Monterey
John Dunn, City of Seaside
Victoria Beach, City of Carmel-by-the-Sea

Other Attendees
Michael Houlemard, FORA
Jonathan Garcia, FORA
Josh Metz, FORA
Anya Spear, CSUMB
Bob Schafer, member of the public
Wendy Elliott, Dunes Development
Jane Haines, member of the public
Richard James, member of the public

2. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE
None.

3. APPROVAL OF MEETING MINUTES
MOTION: John Dunn moved, seconded by Elizabeth Caraker.
MOTION PASSED: Unanimous.

4. PUBLIC COMMENT PERIOD
None.

5. OLD BUSINESS
The task force reviewed and provided input on the v2 DRAFT Request for Proposals (RFP) that was sent out on Tuesday 5/6 and DRAFT tables and figures provided as handouts at the meeting. Members provided input on specific content and section organization. Staff received comments and made notes for revision.

Members agreed on the following RUDG proposal schedule:

Pre-proposal Conference: Monday June 2, 9am-12pm
Post conference Response to Questions: Monday June 2, 2-4pm
Proposal Presentations: Friday June 20, 9am-12pm
6. **NEXT STEPS**

FORA staff will provide a 3rd DRAFT RFP for task force review by the end of day Tuesday 5/13. The final RFP will be sent to responding teams along with proposal schedule no later than end of day Thursday 5/15.

7. **ITEMS FROM MEMBERS**

None.

8. **ADJOURNMENT**

The next meeting of the RUDG Task Force was not scheduled. The meeting was adjourned at approximately 2:10 pm.

Minutes prepared by Josh Metz
1. **CALL TO ORDER**

Confirming a quorum, Task Force Chair Michael Houlemard called the meeting to order at 2:10 pm. The following people were in attendance:

**Committee Members**
- Anya Spear, CSUMB
- Elizabeth Caraker, City of Monterey
- John Dunn, City of Seaside
- Victoria Beach, City of Carmel-by-the-Sea
- Daniel Dawson, City of Del Rey Oaks
- Layne Long, City of Marina

**Other Attendees**
- Michael Houlemard, FORA
- Jonathan Garcia, FORA
- Josh Metz, FORA
- Steve Endsley, FORA
- Bob Schafer, member of the public
- Brad Slama, member of the public

2. **ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

None.

3. **APPROVAL OF MEETING MINUTES**

Motion: John Dunn moved, seconded by Victoria Beach.
Motion Passed: Unanimous

4. **PUBLIC COMMENT PERIOD**

None.

5. **BUSINESS ITEMS**

The task force focused discussion on reviewing the question posed by RUDG Request for Proposals (RFP) respondents. FORA staff recorded responses and prepared a formal notice to send to responding teams (Attachment A). Task force discussion then moved to scheduling meetings following the receipt of written and digital materials. The task force agreed to the following meeting schedule:

- June 17-19 (specific time & date TBD via Doodle poll)
- June 20 2:15-3:45 in Seaside
- June 27 10-12 at FORA

Presentation Prep & Ranking Criteria
Post Presentation Ranking
Final Ranking

The June 20th and June 27th meetings will be “Closed Session” to allow ranking of the responses. Task force members agreed to a goal of bringing a recommendation to the Board for the July 11 meeting. In case of any delays, the August meeting will be the backup date.
6. **NEXT STEPS**

FORA staff will prepare a draft ranking criteria sheet and send around to members prior to the next meeting. FORA staff will also conduct background checks on personnel and projects once written and digital materials are received by Thursday June 12 at 5:00pm.

7. **ITEMS FROM MEMBERS**

None.

8. **ADJOURNMENT**

The next meeting of the RUDG Task Force was tentatively set for one day between June 17 and June 19. Final date and time to be set via Doodle poll during the week of June 2. The meeting was adjourned at approximately 11:30 am.

Minutes prepared by Josh Metz
1. CALL TO ORDER
Confirming a quorum, Task Force Chair Michael Houlemard called the meeting to order at 10:00am. The following people were in attendance:

   Committee Members            Other Attendees
   Anya Spear, CSUMB              Michael Houlemard, FORA
   Elizabeth Caraker, City of Monterey Jonathan Garcia, FORA
   John Dunn, City of Seaside     Josh Metz, FORA
   Victoria Beach, City of Carmel-by-the-Sea Steve Endsley, FORA
   Daniel Dawson, City of Del Rey Oaks Bob Schafer, member of the public
   Layne Long, City of Marina

2. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE
None.

3. APPROVAL OF MEETING MINUTES
Motion: John Dunn moved, seconded by Victoria Beach.
Motion Passed: Unanimous

4. PUBLIC COMMENT PERIOD
None.

5. BUSINESS ITEMS
The task force discussed DRAFT questions for the RFP Interviews on Friday June 20. Members offered feedback and input on format.

6. NEXT STEPS
FORA staff will revise questions and provide them to members at the June 20 interviews.

7. ITEMS FROM MEMBERS
None.

8. ADJOURNMENT
The next meeting of the RUDG Task Force will be Friday June 20 at 9:00am. The meeting was adjourned at approximately 11:30 am.

Minutes prepared by Josh Metz
FORT ORD REUSE AUTHORITY
REGIONAL URBAN DESIGN GUIDELINES (RUDG) TASK FORCE
MEETING MINUTES
9:00 a.m., Friday, June 20, 2014 | Carpenter's Hall
910 2nd Avenue, Suite A, Marina, CA 93933

1. CALL TO ORDER
Confirming a quorum, Task Force Chair Michael Houlemard called the meeting to order at 9:00am. The following people were in attendance:

**Committee Members**
- Anya Spear, CSUMB
- Elizabeth Caraker, City of Monterey
- John Dunn, City of Seaside
- Victoria Beach, City of Carmel-by-the-Sea
- Layne Long, City of Marina
- Carl Holm, Monterey County

**Other Attendees**
- Michael Houlemard, FORA
- Jonathan Garcia, FORA
- Josh Metz, FORA
- Steve Endsley, FORA
- Bob Schafer, member of the public
- Doug Yount, member of the public
- Don Hofer, Dunes at Monterey Bay

2. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE
None.

3. APPROVAL OF MEETING MINUTES
Continued

4. PUBLIC COMMENT PERIOD
None.

5. BUSINESS ITEMS
The task force held interviews of the 2 Regional Urban Design Guideline (RUDG) finalist teams: EMC Planning & Partners, Dover-Kohl & Partners.

6. NEXT STEPS
Members will meet at 2:15 in Seaside to discuss interviews.

7. ITEMS FROM MEMBERS
None.

8. ADJOURNMENT
The next meeting of the RUDG Task Force will be Friday June 20 at 2:15pm. The meeting was adjourned at approximately 11:45 am.

Minutes prepared by Josh Metz
1. **CALL TO ORDER**
   Confirming a quorum, Task Force Chair Michael Houlemard called the meeting to order at 2:15pm. The following people were in attendance:

   **Committee Members**
   Anya Spear, CSUMB
   Elizabeth Caraker, City of Monterey
   John Dunn, City of Seaside
   Victoria Beach, City of Carmel-by-the-Sea
   Layne Long, City of Marina
   Carl Holm, Monterey County
   Dan Dawson, City of Del Rey Oaks

   **Other Attendees**
   Michael Houlemard, FORA
   Steve Endsley, FORA
   Josh Metz, FORA
   Bob Schafer, member of the public

2. **ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**
   None.

3. **APPROVAL OF MEETING MINUTES**
   Continued

4. **PUBLIC COMMENT PERIOD**
   None.

5. **BUSINESS ITEMS**
   The task force reviewed initial responses to RUDG respondent interviews.

6. **NEXT STEPS**
   FORA staff will conduct reference checks on RUDG respondents.

7. **ITEMS FROM MEMBERS**
   None.

8. **ADJOURNMENT**
   The next meeting of the RUDG Task Force will be Friday June 27 at 10am. The meeting was adjourned at approximately 3:45 pm.

Minutes prepared by Josh Metz
RECOMMENDATION(S):
Receive regional trail planning update

BACKGROUND/DISCUSSION:
This item was continued to the July 11 Board meeting due to time constraints at the June 13 Board meeting. Subsequently, the PRAC committee met again and the idea of coordinating a Regional Trails Symposium was floated by Councilmember beach. Further discussion on that item is scheduled for the June 30 meeting of the PRAC.

As requested, FORA staff provided a summary report on relevant trail planning efforts within the Fort Ord region to the FORA Administrative Committee and Post Reassessment Advisory Committee (PRAC) on May 7, 2014. On May 21, 2014, FORA staff received additional feedback from PRAC members, including a request to provide a regional trail planning update to the FORA Board at its June 13, 2014 (Attachment A). The Fort Ord Reuse Plan (Reuse Plan) provides direction for the development of 3 Major Trails and 4 Minor Trails. These trails are intended to provide transportation and recreation options for residents, visitors, and commuters on and through the base.

Attachment also online: http://fora.org/Board/2014/Packet/Additional/071114Item8fAttachmentA.pdf.

The definition of a “trail” is important to note when discussing the topic, and there are a range of options to choose from. For the presentation, staff used a working definition as follows:

"Passage way or designated route for pedestrian, bicycle, equestrian, and/or other non-vehicular use. Includes paved, unpaved, urban, & rural routes. Requires entity maintenance & liability coverage."

Each of the FORA member jurisdictions has some degree of trail planning in place. Cities have bicycle and pedestrian routes designated in General Plans. Monterey County is undertaking a trails and habitat management planning effort called the Fort Ord Recreational Habitat Management Area Master Plan within its jurisdiction. California State University Monterey Bay (CSUMB) has designated bicycle routes throughout campus and is undertaking more detailed route and trail planning. The Monterey Bay Sanctuary Scenic Trail runs along the eastern edge of Fort Ord Dunes State Park, which also has its own trail routes in existence and planned. The Fort Ord National Monument contains 40 miles of administrative roads and 46 miles of recreational trails.

Cross-jurisdictional trails planning is also underway. The Reuse Plan provides direction for the creation of cross-jurisdictional trails including the Intergarrison Trail and the Salinas Valley/Seaside Trail. A grassroots effort lead by Fred Watson and Scott Waltz of CSUMB in conjunction with Gail Morton from the City of Marina is calling for the creation of a cross-jurisdictional loop trail referred to as the Fort Ord Rec Trail & Greenway (FORTAG). Finally, Vice Mayor Victoria Beach from the City of Carmel-by-the-Sea is coordinating an ad hoc group in conjunction with CSUMB faculty and students to map regional trail connections from Carmel to the Salinas River.

FISCAL IMPACT:
Reviewed by FORA Controller
Staff time for this item is included in the approved FORA budget.
COORDINATION:
Transportation Agency for Monterey County, CSUMB, Monterey Peninsula Regional Park District, FORTAG representatives, Administrative Committee, PRAC, County of Monterey, Cities of Seaside, Marina, Monterey, Del Rey Oaks, and Carmel-by-the-Sea.

Prepared by Josh Metz

Approved by Michael A. Houlemard, Jr.
Fort Ord Regional Trails Planning
FORA Board
July 11, 2014

Josh Metz, Associate Planner

Overview

- Base Reuse Plan (BRP) trails planning context
- Trails planning in FORA jurisdictions and related entities
- Coordination /Recommendations
BRP Trail Principles

- Provide *connections to non-motorized transportation alternatives* to all neighborhoods
- Use *recreation and open space assets* to make the *former Fort Ord attractive* to potential users by interconnecting and increasing access
- *Adequate ROW should be reserved* along planned transportation corridors
- The Fort Ord trails system *shall be considered as an integral part of a larger regional trails network* and shall be linked to regional bike/pedestrian trails wherever possible.

BRP V1 Context & Framework: Section 3.6 Conservation, Open Space, and Recreation Concept

BRP Definitions: Hiker/Biker Trails

- **Major Trails**: Regional function, connecting non-motorized & foot traffic to areas outside Fort Ord
  - 12' minimum width
  - Asphalt or concrete

- **3 Major Trails**:
  - **Intergarrison**
    - Fort Ord Dunes State park, CSUMB Campus, East Garrison
  - **Fort Ord Dunes State Beach**
    - Beach Range Rd
    - Seaside / Marina
  - **Salinas Valley/Seaside**
    - Blanco, Reservation, Imjin, CSUMB to Seaside or Del Rey Oaks
BRP Definitions: Hiker/Biker Trails

- **Minor Trails**: less critical role, distributing and collecting traffic to and from neighborhoods along lower volume routes
  - 10' minimum width
  - Asphalt or concrete

- **4 Minor Trails**:
  - Monterey Road
  - Main Garrison
  - Crescent Avenue
  - Reservation Road

DRAFT Regional Trail Network Map
**BRP Open Space & Recreation Framework**

**Today's Working Definition of Trails:**
Passage way or designated route for pedestrian, bicycle, equestrian, and/or other non-vehicular use. Includes paved, unpaved, urban, & rural routes. Requires entity maintenance & liability coverage.

**Land Use Jurisdictions**
- City of Marina
- City of Seaside
- Monterey County [FORHA]
- City of Monterey
- City of Del Ray Oaks/MC Regional Parks

**Federal/State**
- BLM
- CSUMB
- CA State Parks

**Cross-Jurisdictional**
- Monterey Bay Sanctuary Scenic Trail Network (MBSTN)
- Fort Ord Recreational Trail and Greenway (FORTAG)
- Peninsula Regional Planning
City of Marina

- City of Marina Pedestrian & Bicycle Master Plan
  - Circulation
  - Recreation (Class 1)
- Approved by City Council, Feb 2, 2010
- Amends General Plan
- Consistent with BRP (2010)
- Incorporates entitled Fort Ord projects
- Includes design guidelines

City of Seaside

- Existing bikeways map in Seaside General Plan
- Update process underway
  - Circulation
  - Recreation
- BRP Consistent (2004)
- Identifies bike routes throughout city
- Links to CSUMB and Coastal Trail
**Monterey County**

- Fort Ord Recreational Habitat Area Master Plan
- Trails network & habitat management planning
- Bellinger-Foster-Steinmetz
- Map Link

**City of Monterey**

*Monterey on the Move*

- Multi-modal Transportation Plan
  - Circulation
  - Recreation
  - Adopted by City Council 3/19/13
- Bike / Pedestrian focus
City of Del Rey Oaks / MC Regional Parks

- Preliminary Frog Pond concept work in Del Rey Oaks
- No further action to date
- Future collaboration & planning with City

Bureau of Land Management (BLM)

- 40 miles of "administrative" roads
- Fire break
- Vegetation management
- 46 miles of recreational trail
- Multi-use
- Segregated uses
- Current issues: signage, trail head quality, & maintenance

Link to maps
California State Parks

- Tentative trail routes on Fort Ord Dunes State Park
- Final routing subject to change
- Timeline: 2-5yrs
- Funding & permit dependent

CSU Monterey Bay – Master Plan

- CSUMB Master Plan
- Pedestrian / bicycle focus
- Preliminary trail concept under development
- Connecting students to:
  - Fort Ord Dunes State Park
  - East Campus Housing
  - National Monument
CSU Monterey Bay: Trip Wise

- Regional bikeways
- Routing through CSUMB, Marina & Seaside
- Update pending late-2014/ early-2015

Transportation Agency of Monterey County (TAMC)

2011 Bike & Pedestrian Master Plan
Monterey Bay Sanctuary Scenic Trail Network

- Collaborative effort to construct a trail spanning the Monterey bay
- Began in 2000 at State Legislature
- TAMC Master Plan completed in 2008
- Major State & regional trail linkage

Preliminary Concept: Fort Ord Rec Trail & Greenway (FORTAG)

- Planning stages
- Phase 1: 9.6 Mile Northern Loop
  - Coastal Trail-East Garrison-Marina
- Phase 2: Southern Arm
  - Coastal Trail - Seaside- DRO
- Contacts:
  - Fred Watson, CSUMB
  - Scott Waltz, CSUMB
  - Gail Morton, Marina
Peninsula Regional trail connections

- Beginning focus - Carmel & Peninsula
- Carmel north to the Salinas River
- Planning / tourism oriented
- Victoria Beach, Carmel-by-the-Sea / CSUMB Faculty & student led

Coordination Meetings:
- CSUMB
- City of Marina
- City of Seaside
- Administrative Committee
- Post-Reassessment Advisory Committee

Recommendations:
- Outreach to jurisdictions & stakeholders
- Regional Trails Symposium
RECOMMENDATIONS:
Receive a Fort Ord Reuse Authority (FORA) outstanding receivables update for June 2014.

BACKGROUND/DISCUSSION:
Development Fee/Preston Park: In 1997, the U.S. Army and FORA entered into an interim lease for Preston Park. Preston Park consisted of 354 units of former Army housing within the jurisdiction of the City of Marina (Marina). Marina became FORA's Agent in managing the property. Marina and FORA selected Mid-Peninsula Housing Coalition to manage the property and lease it to tenants. In 1998, Mid-Peninsula completed rehabilitating Preston Park units and began leasing the property to the public. After repayment of the rehab loan, Marina and FORA have by state law each shared 50% of the net operating income from Preston Park.

The FORA Board enacted a base-wide Development Fee Schedule in 1999. Preston Park is subject to FORA's Development Fee Schedule overlay. In March 2009, the FORA Board approved the MOU between FORA and Marina whereby a portion of the Preston Park Development Fee was paid by the project. In 2009, Marina transferred $321,285 from Preston Park, making an initial Development Fee payment for the project. The remaining balance is outstanding and is the subject of current litigation.

FISCAL IMPACT:
All former Fort Ord projects are subject to either the developer fee overlay or the Community Facilities District fees to pay fair share of the California Environmental Quality Act required mitigation measures. In addition, the outstanding balance is a component of the Basewide Mitigation Measures and Basewide Costs described in Section 6 of the FORA Implementation Agreements. If any projects fail to pay their fair share it adds a financial burden to other reoccupied or development projects to compensate.

COORDINATION:
Executive Committee
RECOMMENDATION(S):
Receive a Habitat Conservation Plan (HCP) and State of California 2081 Incidental Take Permit (2081 permit) preparation process status report.

BACKGROUND/DISCUSSION:
The Fort Ord Reuse Authority (FORA), with the support of its member jurisdictions and ICF International (formerly Jones & Stokes), FORA's HCP consultant, is on a path to receive approval of a completed basewide HCP and 2081 permit in 2015, concluding with US Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) issuing federal and state permits.

Most recently, FORA is working with permittees, CDFW, and USFWS to satisfy final species-related technical issues and several policy-level issues that must be resolved between CDFW and BLM, CDFW and State Parks/UC. After meeting with CDFW Chief Deputy Director Kevin Hunting on January 30, 2013, FORA was told that CDFW and BLM issues require a Memorandum of Understanding (MOU) between CDFW and BLM, outlining certain assurances between the parties, resulting in additional time. Also, according to CDFW, final approval of an endowment holder no longer rests with CDFW (due to passage of SB 1094 [Kehoe]), which delineates specified rules for wildlife endowments. However, CDFW must review the funding structure and anticipated payout rate of the HCP endowment holder to verify if the assumptions are feasible. CDFW has outlined a process for FORA and the other permit applicants to expedite compliance with endowment funding requirements. FORA has engaged Economic and Planning Systems (EPS) to provide technical support during this process.

Other policy issues and completion of the screen check draft HCP should be completed in the near term. If the current schedule is maintained, FORA staff expects a Public Draft HCP available for public review by Fall 2014. **Update:** On March 25, 2014, FORA representatives met with CDFW Chief Deputy Director Kevin Hunting, University of California and State Parks representatives to address outstanding State to Fed and State to State policy issues. A meeting summary is included as Attachment A. State Senator Bill Monning agreed to assist FORA in working with CDFW and others to resolve these policy issues. A follow-up meeting was held June 23 in Sacramento and general agreement was achieved to fix/set a date for concluding all comments from all agencies and to publish the HCP shortly thereafter. FORA is to work with ICF and USFWS to finalize receipt of all comments and target date for issuance of the draft documents for public review.

**FISCAL IMPACT:**
Reviewed by FORA Controller

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

**COORDINATION:**
Administrative Committee, Executive Committee, ICF, Denise Duffy and Associates

Prepared by Steve Endsley

Approved by Michael A. Houlemard, Jr.
Fort Ord Habitat Conservation Plan (HCP) Meeting Summary

Meeting Date:
March 25, 2014

Participants:
Kevin Hunting, Department of Fish and Wildlife (DFW) Chief Deputy Director
Sandra Morey, DFW Deputy Director
Jeff Single, DFW Region 4 Manager
Julie Vance, DFW Region 4 Program Manager
Kevin Takei, DFW Counsel (on conference phone)
Jerry Edelen, Chair at Fort Ord Reuse Authority (FORA)
Michael Houlemard, Jr., Executive Officer at FORA
Robert Norris, Principal Analyst at FORA
Jonathan Garcia, Senior Planner at FORA
John Arriaga, Legislative Consultant to FORA
Jerry Bowden, Special Legal Counsel to FORA
Michael Kisgen, Legal and Policy Coordinator at UC Natural Reserve System
Gage Dayton, Ph.D., Administrative Director of UCSC Natural Reserve System
Kathryn Tobias, Department of Parks and Recreation (on conference phone)

Meeting Summary:

1) Conservation easement vs. deed restriction (State to State Issues).

DFW requires conservation easements by statute on habitat mitigation lands. California Department of Parks and Recreation (State Parks) and University of California (UC) each hold habitat mitigation lands on former Fort Ord. State Parks' position is that easements and other encumbrances devalue property, which is unacceptable to them. UC's concern is that Conservation Easements may prevent them from using their property to further some of their objectives, including research and public education.

Meeting outcome #1: State Parks and DFW agreed to explore alternatives to a Conservation Easement. One alternative would be that State Parks and DFW agree to recording the HCP's associated 2081 permit language or a reference to this permit to State Parks' deed instead of a Conservation Easement. FORA will also evaluate using the National Fish and Wildlife Foundation (NFWF) as the endowment holder for the
HCP Joint Powers Authority's (JPA's) Implementation Assurances Fund (State Parks assurances portion) portion of the JPA endowment, which would meet the requirements of SB 1094 necessitating that the endowment holder have a real property interest unless it is held by NFWF.

Meeting outcome #2: Similarly, UC and DFW agreed to explore alternatives to a Conservation Easement and to explore if the Conservation Easement could be written in an acceptable manner.

2) Mitigation on federal lands (State to Federal Issues).

The majority of HCP habitat mitigation lands are on the Bureau of Land Management’s (BLM’s) Fort Ord National Monument. DFW requires assurances that BLM will meet HCP management requirements. In January 2013, DFW recognized that an MOU negotiated between DFW and BLM would provide the needed assurances. DFW said that such an MOU would take a year to complete. It is now over a year later and negotiations between DFW and BLM are still ongoing.

Meeting outcome #3: DFW reported that it completed a draft DFW-BLM MOU and sent it to BLM’s solicitor for review.

Next Steps: FORA will follow up with DFW within one week to check on progress. As necessary, FORA will also report progress to State Senator Bill Monning and schedule follow up meetings until these policy issues are resolved.
EXF::CUtlVE OFFICER'S REPORT

Subject: Administrative Committee
Meeting Date: July 11, 2014
Agenda Number: 10c

INFORMATION

RECOMMENDATION:
Receive a report from the Administrative Committee.

BACKGROUND/DISCUSSION:
The approved June 4, 2014 and June 18, 2014 Administrative Committee minutes are included for Board review (Attachments A and B).

FISCAL IMPACT:
Reviewed by the FORA Controller.
Staff time for the Administrative Committee is included in the approved FORA budget.

COORDINATION:
Administrative Committee

Prepared by Lena Spilman
Approved by Michael A. Houlemard, Jr.
1. CALL TO ORDER
Co-chair Dawson called the meeting to order at 8:15 a.m. The following were present:

- Dan Dawson, City of Del Rey Oaks*  
- Carl Holm, County of Monterey*  
- Elizabeth Caraker, City of Monterey*  
- John Dunn, City of Seaside*  
- Layne Long, City of Marina*  
- Vicki Nakamura, MPC  
- Anya Spear, CSUMB  
- Graham Bice, UCMBEST  
- Diana Ingersoll, City of Seaside  
- Patrick Breen, MCWD  
- Kelly Cadiente, MCWD  
- Lyle Shurtleff, BRAC  
- Mike Zeller, TAMC  
- Doug Yount, ADE  
- Tim O'Halloran, City of Seaside  
- Kathleen Lee, Supervisor Potter  
- Carl Holm, County of Monterey*  
- Steve Endsley (via phone)  
- Jim Arnold  
- Crissy Maras  
- Jonathan Garcia  
- Josh Metz  
- Elizabeth Caraker, City of Monterey*  
- Doug Yount, ADE  
- Carl Holm, County of Monterey*  
- Steve Endsley (via phone)  
- Jim Arnold  
- Crissy Maras  
- Jonathan Garcia  
- Josh Metz  

*voting members

2. PLEDGE OF ALLEGIANCE
Carl Holm led the Pledge of Allegiance.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE
Senior Planner Jonathan Garcia announced that the Regional Urban Design Guidelines Task Force had held a pre-proposal conference on Monday, at which staff had provided participants a tour of Fort Ord.

4. APPROVAL OF MEETING MINUTES
   a. May 7, 2014 Joint Administrative/CIP Committee minutes
   b. May 21, 2014 Administrative Committee minutes
   c. May 21, 2014 Joint Administrative/WWOC Committee minutes

   MOTION: Diana moved, seconded by Carl Holm, to approve the minutes with an amendment to the May 21, 2014 Joint Admin/WWOC minutes to reflect the Joint Committee’s decision not provide a FY 2014/15 Marina Coast Water District Ord Community Budget recommendation to the Board.

   MOTION PASSED: unanimous

5. PUBLIC COMMENT PERIOD
None.

6. JUNE 13, 2014 BOARD MEETING AGENDA REVIEW
Mr. Garcia led a review of the June 13, 2014 FORA Board meeting agenda packet.

7. BUSINESS ITEMS
   a. Marina-Salinas Multimodal Corridor Plan Presentation
Ariana Green, Transportation Agency for Monterey County, presented the item, explaining that the first phase of the project was achieving alignment consensus. She reviewed the proposed alignment, based on recent community input, and noted that the next step was to receive local...
agency approvals for the alignment. Once received, the design phase of the project would begin. Ms. Green answered questions from the Committee and public.

b. **Provide Board Recommendation Regarding the FY 2014/15 Draft Capital Improvement Plan (CIP)**
Mr. Garcia discussed the draft CIP Board package and received input regarding the draft staff report and the presentation for the June 13, 2014 meeting.

**MOTION:** Carl Holm moved, seconded by John Dunn to 1) recommend Board approval of the FY 2014/15 Capital Improvement Program, and 2) direct staff to amend the staff report to clarify water issues, per Administrative Committee discussions.

**MOTION PASSED:** unanimous

c. **Consistency Determination: Consider Certification, in Whole or In Part, of the City of Seaside Zoning Code Amendments Related to the 2013 Zoning Code Update as Consistent with 1997 Fort Ord Reuse Plan.**
Rick Medina, City of Seaside, provided background information, summarized the process used to develop the zoning code text amendments, and reviewed the changes. He stated the changes were to the text only and that no changes had been made to zoning maps.

**MOTION:** Carl Holm moved, seconded by Elizabeth Caraker to recommend the Board find the City of Seaside Zoning Code amendments related to the 2013 Zoning Code update as Consistent with 1997 Fort Ord Reuse Plan.

**MOTION PASSED:** unanimous

d. **Regional Urban Design Guidelines Task Force (RUDG) Update**
Associate Planner Josh Metz explained that the RUDG was currently in the process of a consultant solicitation for development of the regional Urban Design Guidelines. The proposal deadline was 12 pm on June 12th and proposals would be publicly presented on June 20th.

e. **FY 2014/15 Marina Coast Water District (MCWD) Ord Community Water/Wastewater Draft Budget**
Mr. Garcia summarized Board discussion of the item from the May 30, 2014 Board meeting, noting that the Board had taken action to refer the item back to the Administrative Committee for a recommendation, with the hopes that they could reconsider the item at the next Board meeting.

**MOTION:** Carl Holm moved, seconded by Graham Bice, to approve the FY 2014/15 MCWD Water/Wastewater Budget.

The Committee discussed the need to resolve outstanding policy issues related to the budget.

**MOTION WITHDRAWN BY THE MAKER**

**MOTION:** John Dunn moved, seconded by Layne Long, to 1) recommend the Executive Committee defer Board consideration of the item to the July Board meeting to provide time for further coordination between FORA and MCWD staff regarding 8 identified policy areas, and 2) return the item for Administrative Committee consideration prior to the July Board meeting.

**MOTION PASSED:** unanimous

8. **ITEMS FROM MEMBERS**
None.

9. **ADJOURNMENT**
Co-Chair Dawson adjourned the meeting at 10:07 a.m.
FORT ORD REUSE AUTHORITY
ADMINISTRATIVE COMMITTEE REGULAR MEETING MINUTES
8:15 a.m., Wednesday, June 18, 2014 | FORA Conference Room
920 2nd Avenue, Suite A, Marina CA 93933

1. CALL TO ORDER
Co-chair Dawson called the meeting to order at 8:15 a.m. The following were present:

Dan Dawson, City of Del Rey Oaks*  Mike Zeller, TAMC  FORA Staff:
Carl Holm, County of Monterey*  Doug Yount, ADE  Steve Endsley
Elizabeth Caraker, City of Monterey*  Tim O’Halloran, City of Seaside  Jim Arnold
John Dunn, City of Seaside*  Bob Schaffer  Crissy Maras
Diana Ingersoll, City of Seaside  Chuck Lande, Marina Heights  Stan Cook
Vicki Nakamura, MPC  Wendy Elliott, MCP  Josh Metz
Patrick Breen, MCWD  Sean Kranyak, MPP
Kelly Cadiente, MCWD  Brian Boudreau, Monterey Downs
Brian Lee, MCWD  Philip Molnar, Monterey Herald
Lyle Shurtleff, BRAC
*voting members

2. PLEDGE OF ALLEGIANCE
Assistant Executive Officer Steve Endsley led the Pledge of Allegiance.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE
None.

4. APPROVAL OF MEETING MINUTES
a. June 4, 2014 Joint Administrative Committee minutes

MOTION: Elizabeth Caraker moved, seconded by Diana Ingersoll, to approve the minutes of the June 4, 2014 Administrative Committee meeting.

MOTION PASSED: unanimous

5. PUBLIC COMMENT PERIOD
None.

John Dunn entered at 8:20 a.m. (replacing Seaside alternate Diana Ingersoll)

6. JUNE 13, 2014 BOARD MEETING FOLLOW UP
Mr. Endsley provided an overview of Board deliberations and actions from the Board meeting.

7. BUSINESS ITEMS
a. FY 2014/15 Marina Coast Water District Ord Community Water/Wastewater Budget
   i. Review Identified Policy Issues
      Mr. Endsley discussed the policy issues document provided by FORA staff and emphasized the need to separate the ongoing policy issues from specific objections regarding the FY 2104/15 Marina Coast Water District (MCWD) Budget. FORA staff received comments from the Committee for incorporation into the document and staff agreed to return a revised version to the next Administrative Committee meeting.

   ii. Provide Board Budget Recommendation
MCWD Interim General Manager Brian Lee discussed the FORA MCWD budget approval process. He noted that MCWD had not received any substantive objections to their budget, which their Board planned to consider for approval the following day. However, the District would remain committed to working with FORA for resolution of outstanding policy questions. Resolution of the identified policy items would span multiple fiscal years, prompting MCWD to move forward with their annual budget approval independent of the ongoing policy discussions. He emphasized that the MCWD annual budget was not a fixed document and could be adjusted throughout the year, as needed.

Staff suggested the July 2, 2014 Administrative Committee meeting be a joint meeting with the Water and Wastewater Oversight Committee. The Committee agreed and unanimously determined to withhold a MCWD budget recommendation until reviewing the revised policy issues document at the next meeting.

b. Habitat Conservation Plan Joint Powers Authority (JPA) Agreement
Grants and Contracts Coordinator Crissy Maras explained that a copy of the JPA Agreement was provided in the Committee packet, noting that the University of California (UC) Regents had already approved the document. FORA staff requested all jurisdictions approve the document by August 31, 2014. Committee members and several members of the public requested distribution of the staff report that accompanied the UC Regents item, for use as a template in their own jurisdiction. Staff stated they could obtain the report from UC Santa Cruz.

Members of the Committee and public expressed hesitation with approving the JPA document prior to release of the Habitat Conservation Plan and suggested that the items be adopted together as one package. Questions were raised regarding the Habitat Conservation Plan schedule and staff agreed to return to the next Committee meeting with a project update and timeline.

c. Regional Urban Design Guidelines Task Force (RUDG) Update
Associate Planner Josh Metz stated that in preparation for respondent presentations at the end of the week, the RUDG Task Force would meet the following day to review the respondent evaluation criteria. He noted that one respondent had withdrawn, leaving two remaining teams.

8. ITEMS FROM MEMBERS
None.

9. ADJOURNMENT
Co-Chair Dawson adjourned the meeting at 10:01 a.m.
RECOMMENDATION:
Receive a report from the Veterans Issues Advisory Committee (VIAC).

BACKGROUND/DISCUSSION:
The VIAC met on May 29, 2014. The approved minutes from that meeting are included as Attachment A.

FISCAL IMPACT:
Reviewed by FORA Controller
Staff time for this item is included in the approved FORA budget.

COORDINATION:
VIAC

Prepared by Crissy Maras
Approved by Michael A. Houlemard, Jr.
1. CALL TO ORDER AND ROLL CALL
Acting Chair Edith Johnsen called the meeting to order at 3:05 p.m. The following were present, as indicated by signatures on the roll sheet:

VIAC Members:
- Sid Williams, Mo. Co. Military/Vets
- Edith Johnsen, Vets Families/Fundraising
- Jack Stewart, Cemetery Advisory Comm.
- CSM Wynn, POM
- James Bogan, UVC
- George Dixon, MVAO
- Richard Garza, CCVFC

FORA Staff:
- Robert Norris
- Crissy Maras

Others:
- Nicole Charles, Sen. Monning
- Candace Ingram, CCVCF
- Eric Morgan, BLM

2. PLEDGE OF ALLEGIANCE
Acting Chair Johnsen asked Sid Williams to lead the Pledge of Allegiance.

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE
Acting Chair Johnsen acknowledged Eric Morgan, Bureau of Land Management (BLM) representative, and Candace Ingram, Community Foundation representative, were in attendance.

4. PUBLIC COMMENT PERIOD
BLM rep Morgan provided handouts illustrating the restoration of an armored military personnel carrier and requested help in facilitating a partnership with the Fort Ord Alumni Association and the VIAC to restore additional equipment for public awareness and enjoyment at the National Monument. FORA Principal Analyst Robert Norris provided a copy of an assignment prepared by Monterey Peninsula College students focusing on their tour of former Fort Ord barracks. Acting Chair Johnsen requested that the MPC report be attached to the minutes from this meeting.

5. APPROVE VIAC MEETING MINUTES: April 3, 2014

MOTION: Sid Williams moved, seconded by Jack Stewart, to accept the April 3, 2014 minutes as presented.

MOTION PASSED: Unanimous

6. OLD BUSINESS

a. California Central Coast Veterans Cemetery Status Report
Mr. Norris described an out-of-the-box coordination meeting with the State and their lead consultants which led to their participation in a FORA training video and cemetery site access. A revised Department of General Services (DGS) schedule was distributed. Cemetery water approval is now awaiting signature by the Deputy Secretary, which is expected in the next several days. Senator Monning’s representative Nicole Charles reported that Senator Monning was uplifted by
recent meetings with CalVet and encouraged by the conceptual designs. She added that CalVet and DGS have prioritized cemetery planning and that environmental work is underway.

b. VA/DoD Veterans Clinic Status Report
Although there is activity at the site, requests for a construction schedule from the City of Marina have not been answered. Staff anticipates including a schedule in the next meeting packet.

7. NEW BUSINESS - none

8. ITEMS FROM MEMBERS
Mr. Williams noted that he had requested FORA assistance to identify property for a museum. Mr. Norris agreed to meet separately and bring the request to a future VIAC meeting. Acting Chair Johnsen added that she had recently submitted six tapes of Fort Ord ceremonies toward that effort and encouraged others to do the same as they come across Fort Ord items that would have public benefit. Ms. Ingram added that Defense Language Institute Historian Steven Payne had prepared a presentation on the history of Fort Ord and the DLI. That presentation is being scheduled for FORA staff in the near future.

Mr. Williams noted that the Marina Foundation wants to increase awareness of the local veteran population and added that they had raised funds to install a flag pole at Martinez Hall. Mr. Williams asked that Steve Emerson be invited to the next meeting to provide an update. James Bogan announced a retirement appreciation ceremony on June 14th at Stilwell Hall; cemetery updates will be provided at a County-sponsored booth. George Dixon announced a booth at the Fort Ord PX on May 30th which would provide information regarding veterans’ services. Sgt. Major Wynn invited members to the Army Soldier show on September 4th at the Presidio of Monterey. Acting Chair Johnsen announced the Heroes’ Open golf tournament on November 8th and requested that upcoming events be added to the agenda.

9. ADJOURNMENT
Acting Chair Johnsen adjourned the meeting at 3:45 p.m.
# FORT ORD REUSE AUTHORITY BOARD REPORT

## EXECUTIVE OFFICER'S REPORT

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**RECOMMENDATION:**

Receive a final, approved FY 2014/15 Fort Ord Reuse Authority (FORA) Capital Improvement Program (CIP).

**BACKGROUND/DISCUSSION:**

The FORA Board of Directors approved the FY 2014/15 CIP at their June 20, 2014 special meeting. That document will be distributed at the Board meeting for Board member use and will also available online at [www.fora.org](http://www.fora.org). The Board additionally adopted Resolution #14-13, implementing a 17% Community Facilities District fee/basewide developer fee reduction, which goes into effect July 5 to coincide with increased Marina Coast Water District capacity charge.

**FISCAL IMPACT:**

Reviewed by FORA Controller 

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

**COORDINATION:**

Administrative Committee

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Prepared by  
Crissy Maras  
Approved by  
Michael A. Houlemard, Jr.
RECOMMENDATION(S):
Receive Post Reassessment Advisory Committee activity/meeting report.

BACKGROUND/DISCUSSION:
The Post Reassessment Advisory Committee ("Committee") met on May 21, June 9 and June 23, 2014. During the May 21 meeting, FORA staff presented a draft Google Earth Reuse Plan Major and Minor Trails presentation. Committee Chair Edelen requested presentation refinements for subsequent meetings. The Committee also discussed the Dunes shopping center tree plantings, and Committee Member Morton suggested a community-led tree planting effort similar to others in the City of Marina. Committee Member Beach raised the issue of a mini-speaker series to extend Colloquium benefits and Chair Edelen directed FORA staff to support this effort.

At the June 9 meeting the Committee reviewed a refined Google Earth Reuse Plan Major and Minor Trails presentation along with added features. Members also received a report from FORA staff on efforts to obtain highway signage for former Fort Ord recreational opportunities. Committee Member Beach presented a progress summary on recruiting speakers noting success with contact with Richard Bernhardt. Members requested additional potential speaker possibilities. It was also suggested that existing Fort Ord developer provide the Committee with "updates" which was agendized for the upcoming meeting.

At the June 23 meeting members received a project overview presentation from Dunes at Monterey Bay representative Wendy Elliot; including a timeline of past and coming actions. They also heard a brief presentation from East Garrison development representative Jim Fletcher, who will complete his report at the next meeting.

Final May 21 and June 9 meeting minutes are attached (Attachments A & B).

FISCAL IMPACT:
Reviewed by FORA Controller
Staff time for this item is included in the approved FORA budget. There will be costs associated with the Colloquium follow-up speaker that are within the approved 2014/2015 budget.

COORDINATION:
N/A

Prepared by Josh Metz
Approved by Michael A. Houlemard, Jr.
1. **CALL TO ORDER**
Confirming a quorum, Fort Ord Reuse Authority (FORA) PRAC Chair Jerry Edelen called the meeting to order at 12:23 pm. The following people were in attendance:

**Committee Members**
- Jerry Edelen (Chair), City of Del Rey Oaks
- Tom Moore, MCWD
- Jane Parker, Monterey County
- Victoria Beach, City of Carmel-by-the-Sea
- Gail Morton, City of Marina
- Andre Lewis, CSUMB

**Other Attendees**
- Michael Houlemard, FORA
- Jonathan Garcia, FORA
- Josh Metz, FORA
- Steve Endsley, FORA
- Tim O’Halloran, City of Seaside
- Jane Haines, member of the public
- Eric Morgan, BLM

2. **APPROVAL OF MEETING MINUTES**

**MOTION:** Jane Parker moved, seconded by Gail Morton, to approve the May 7, 2014 meeting minutes, as presented.

**MOTION PASSED:** Unanimous.

3. **PUBLIC COMMENT PERIOD**
None.

4. **OLD BUSINESS**
The committee heard a summary report from Josh Metz on the status of the Colloquium video project. Chair Edelen requested a link to the videos on YouTube be sent to Committee members, Stakeholders and Board members. Josh presented a draft Google Earth file showing the locations of the Major and Minor Trails referenced in the BRP. Following member input, Chair Edelen requested a revised version of the trail map be presented to the full FORA Board on June 13. Additional information requested included: funding/development horizons for different trail components, cross-jurisdictional maintenance policy issues and strategies, adding jurisdictional boundaries including parks, add the proposed FORTAG Trail alignment, add the TAMC preferred alignment of the multi-modal corridor, and add existing bike lanes where possible. Josh presented an update report on recreational highway signage. Members suggested to include an access point at the Jerry Smith Access Corridor parking area. 8th Street & Gigling Rd. was discussed as a
potential access point. Tim O’Halloran City of Seaside staff noted that a permanent access point has not yet been identified in that area. He noted that identifying 8th Street & Gigling Rd. as an access point at this time would be premature.

The Committee discussed shopping center vegetation screening options. Committee member Gail Morton noted that she recently attended a City of Marina Tree Committee meeting where she heard about a community-initiated tree planting effort currently underway in an area north of the Dunes on Monterey Bay shopping center along State Route 1. Committee member Morton agreed to look into and report back on the feasibility of completing a similar effort within the Dunes on Monterey Bay shopping center’s landscape buffer. The Committee discussed regional/local job creation and recommended topics for the next meeting.

5. NEW BUSINESS

FORA staff will pursue the following projects and report back at the next meeting of the PRAC:

a. Prepare a 10-minute Fort Ord Trails Update - Board presentation, using the Google Earth map; demo for next PRAC on Monday June 9.

b. Coordinate with CalTrans about additional highway signage for the Jerry Smith Access Corridor.

c. Work with Victoria Beach to organize a “mini-speaker” series for the Board

Topics for next meeting:

a. Major barriers to economic development (i.e. housing prices, prevailing wage, etc)
b. Major not-yet-completed projects

6. ITEMS FROM MEMBERS

Victoria Beach presented a summary of progress scheduling a special topics speaker.

7. ADJOURNMENT

The next meeting of the PRAC was scheduled for Monday, June 9 from 9-10:30am. The meeting was adjourned at approximately 1:54 pm.

Minutes prepared by Josh Metz
1. **CALL TO ORDER**
   Confirming a quorum, Fort Ord Reuse Authority (FORA) PRAC Chair Jerry Edelen called the meeting to order at 9:03 am. The following people were in attendance:

   - **Committee Members**
     - Jerry Edelen (Chair), City of Del Rey Oaks
     - Tom Moore, MCWD
     - Jane Parker, Monterey County
     - Victoria Beach, City of Carmel-by-the-Sea

   - **Other Attendees**
     - Steve Endsley, FORA
     - Jonathan Garcia, FORA
     - Josh Metz, FORA
     - Tim O'Halloran, City of Seaside
     - Bob Schafer, member of the public
     - Jane Haines, member of the public
     - Doug Yount, member of the public

2. **APPROVAL OF MEETING MINUTES**
   
   **MOTION:** Tom Moore moved, seconded by Jane Parker, to approve the May 21, 2014 meeting minutes, as presented.

   **MOTION PASSED:** Unanimous.

3. **PUBLIC COMMENT PERIOD**
   Jane Haines provided comment on the need to keep a focus on completing the items identified in the Reassessment Report including oak tree protection plans, MBEST ground lease options and others. Staff received a summary from Jane Haines on the subject.

4. **BUSINESS ITEMS**
   The committee heard a summary report from Josh Metz on the status of the Colloquium video project. Chair Edelen requested a link to the videos on YouTube be sent to all FORA stakeholders and select videos be shown to FORA Board meeting attendees during Closed Sessions. Josh presented an updated draft Google Earth file showing the locations of the Major and Minor Trails referenced in the BRP for consideration as a FORA Board presentation. Member discussion focused on the need to further refine the knowledge base and presentation to improve impact when finally presented to the FORA Board and other entities.
Additional information requested included: refining funding/development options and including Habitat Management Areas (HMAs). Committee Member Victoria beach suggested convening a FORA led Regional Trails Symposium could yield opportunities for collaboration and exploring funding options. Supervisor Parker suggested the Davenport Institute might be a good resource for help with public participation in trails planning. Josh presented an update report on recreational highway signage. Members suggested contacting Monterey County regarding signage on County roads.

5. **ITEMS FROM MEMBERS**

   Victoria Beach presented a summary of progress scheduling a special topics speaker. She asked for suggestions on additional speakers. Staff recommended inviting current Fort Ord developers from the Dunes at Monterey Bay and East Garrison to present summaries of their respective Specific Plans. Chair Edelen also suggested they comment on project timelines and challenges faced in co,

6. **NEXT STEPS**

   FORA staff will continue work on the following projects and report back at the next meeting of the PRAC:
   
   a. Work with CSUMB contractor to finalize Youtube video content
   b. Refine the 10-minute Fort Ord Trails Update - Board presentation, using the Google Earth map
   c. Coordinate with CalTrans and Monterey County Roads department about additional highway signage for the Fort Ord National Monument
   d. Work with Victoria Beach to organize a “mini-speaker” series for the Board

   Topics for next meeting:
   
   a. Major barriers to economic development (i.e. housing prices, prevailing wage, etc)
   b. Regional Trail Symposium

7. **ADJOURNMENT**

   The next meeting of the PRAC was scheduled for Monday, June 23 from 9:30-11:00am. The meeting was adjourned at approximately 10:30 am.

Minutes prepared by Josh Metz
RECOMMENDATION(S):

Receive an informational travel report from the Executive Officer.

BACKGROUND/DISCUSSION:

The Executive Officer regularly submits reports to the Executive Committee on FORA staff/Board travel. The Committee reviews and approves requests, and the travel information is reported to the Board as an informational item.

Completed Travel

Follow-up HCP Coordination Meeting
Destination: Sacramento, CA
Date: June 22-23, 2014
Traveler/s: Michael Houlemard

Mr. Houlemard attended a meeting at Senator Monning’s Capitol Office along with representatives from the CA Dept. of Fish and Wildlife, CA State Parks, and the University of CA Natural Reserve System (UCNRS) to identify potential alternatives/solutions to HCP ongoing issues. Attachment A provides a meeting summary.

Anticipated Future Travel

Association of Defense Communities Base Redevelopment Forum
Destination: San Francisco, CA
Date: November 12-14, 2014
Traveler/s: Michael Houlemard and others (tbd)

This event gathers public and private sector professionals to share best practices in managing large-scale redevelopment projects. Many of San Francisco Bay Area’s major base redevelopment projects will be highlighted. This trip will be presented to the Executive Committee for approval as soon as registration information becomes available.

FISCAL IMPACT:

Reviewed by FORA Controller

Staff time for this item was included in the approved annual budget. Travel expenses are reimbursed according to the FORA Travel Policy.

COORDINATION:

Legislative/Executive Committee
FORT ORD HABITAT CONSERVATION PLAN MEETING
June 23, 2014
10:00 a.m. – State Capitol, Room 115

Key Participants:
CA Senator Bill Monning
Bethany Westfall, Senator Monning’s Office
Kevin Takei, CA Dept. Fish and Wildlife
Susan LaGrande, CA Dept. Fish and Wildlife
Aaron Roberts, CA State Parks
Matt Fuze, CA State Parks
Michael Kisen, University of California
Michael Houlemard, Fort Ord Reuse Authority
John Arriaga, JEA & Associates/Fort Ord Reuse Authority

Meeting Purpose: To follow-up on the March 25, 2014 Habitat Conservation Plan meeting and to explore subsequent progress on three issues: 1) the agreement between the Department of Fish and Wildlife and State Parks regarding the conservation easement, 2) the MOU between the California Department of Fish and Wildlife, the US Fish and Wildlife Service, and the Bureau of Land Management, and 3) the status of a conservation easement between the University of California and the Department of Fish and Wildlife.

Meeting Summary: Status reports indicated that all items were making positive progress and could be completed within 4-6 weeks (although certain approaches might require extended time due to Regents or State Commission meeting schedules). In the case of the conservation easement, an alternative may be used for both easements in the form of a “take permit” issued by CA FW to UC or State Parks (a new approach not explored in the past). The take permit process will shorten the time required to secure a deed restriction, assuring permanent habitat status and still offering the real property interest needed for CA State Parks to confirm for HCP purposes. Senator Monning confirmed with all parties that publication of the Habitat Conservation Plan was central to everyone’s interests. All parties present suggested FORA work with its consultant to confirm a date that existing comments could be incorporated into a publishable document. The parties agreed to that fixed date, conclude comments on the draft document, and to confirm that date with all agency representatives. FORA’s Executive Officer agreed to work with ICF International to set the date for publication. He also agreed to communicate the results of the meeting to Congressman Sam Farr’s office in preparation for anticipated assistance and to coordinate with US Fish and Wildlife Service Leadership on fixing/setting a publication date. The parties agreed to continue active communication through email and a follow-up meeting in September to be organized by Senator Monning, if required.
## EXECUTIVE OFFICER’S REPORT

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### INFORMATION

Public correspondence submitted to the Board is posted to FORA’s website on a monthly basis and is available to view at [http://www.fora.org/board.html](http://www.fora.org/board.html).

Correspondence may be submitted to the Board via email to board@fora.org or mailed to the address below:

FORA Board of Directors  
920 2nd Avenue, Suite A  
Marina, CA 93933