Overview

- Facilitator Status
- Alternative Resolution(s)
• Facilitator RFQ Released
  ▪ Release of Request for Qualifications Documents November 6, 2018
  ▪ Questions/RFI’s Regarding RFQ Must be Received By November 13, 2018
  ▪ Statement of Qualifications Must Be Received By November 20, 2018
  ▪ Interviews with Consultant Applicants (If Applicable) November 27, 2018
  ▪ Anticipated Announcement of Selection of Consultant December 7, 2018
1. Transition Plan (as revised)
2. Alternative Transition Plan developed by Garfield, Haffa and Parker
3. Hybrid Transition Plan Resolution (Working off B)
4. City of Marina Alternative Transition Plan
A. Addresses assets/liabilities/obligations
B. Provides for Agreements and modification of plan
C. Utilizes the Implementation Agreement formula
D. Obtained CEQA opinion – not a project
A. Does not assign assets, liabilities or provide a schedule of obligations defers to facilitated agreements

B. Facilitation Negotiation Period to December 30, 2018 shortens time for assignments and/or modification of contracts and receipt of approvals from third parties: eg Army, DTSC, EPA, State of California, Chubb Insurance Company

C. CEQA review required
A. Uses much of Alternative Transition Plan
B. Makes provision for assignment if no agreement
C. Provides for modifications as we progress
D. Requests shortened negotiating time (June 30, 2018) to correspond with the last year Capital Improvement Program, Budget and other items.
E. Obtained CEQA opinion – not a project
Marina Transition Plan Resolution

A. Appears to address some assets/liabilities/obligations—Not fully analyzed
B. Appears to have Fundamental Assumptions and implications substantially different from Alternative Version—Not fully analyzed
C. Came in November 8, 2018
D. No Authority Counsel or CEQA counsel review
Key Legal Issues

- LAFCO/FORA Jurisdiction and Powers
- Survival
  - BRP/Master Resolution/CIP/Implementation Agreements
- CEQA

11/9/2018
• Refer to Attorney Group to try to harmonize the Alternative versions and obtain staff analysis
• Return to the Board in November or December