



# FORT ORD REUSE AUTHORITY

## REGULAR MEETING

### FORT ORD REUSE AUTHORITY (FORA) BOARD OF DIRECTORS

Friday, September 13, 2019 at 2:00 p.m. | 910 2<sup>nd</sup> Avenue, Marina, CA 93933 (Carpenters Union Hall)

## AGENDA

**ALL ARE ENCOURAGED TO SUBMIT QUESTIONS/CONCERNS BY NOON SEPTEMBER 12, 2019.**

### 1. CALL TO ORDER

### 2. PLEDGE OF ALLEGIANCE *(If able, please stand)*

### 3. CLOSED SESSION

- a. Conference with Legal Counsel – Gov. Code §54956.9(a), (d)(1): Marina Community Partners, LLC v. Fort Ord Reuse Authority, Monterey County Superior Court Case No.: 18CV000871, Pending Litigation.
- b. Conference with Legal Counsel – One item of Potential Litigation, Gov. Code §54956.9(d).

### 4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

### 5. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

### 6. ROLL CALL

*FORA is governed by 13 voting members: (a) 1 member appointed by the City of Carmel; (b) 1 member appointed by the City of Del Rey Oaks; (c) 2 members appointed by the City of Marina; (d) 1 member appointed by Sand City; (e) 1 member appointed by the City of Monterey; (f) 1 member appointed by the City of Pacific Grove; (g) 1 member appointed by the City of Salinas; (h) 2 members appointed by the City of Seaside; and (i) 3 members appointed by Monterey County. The Board also includes 12 ex-officio non-voting members.*

### 7. CONSENT AGENDA

### INFORMATION/ACTION

*CONSENT AGENDA consists of routine information or action items accompanied by staff recommendation. Information has been provided to the FORA Board on all Consent Agenda matters. The Consent Agenda items are normally approved by one motion unless a Board member or the public request discussion or a separate vote. Prior to a motion, any member of the public or the Board may ask a question or make comment about an agenda item and staff will provide a response. If discussion is requested, that item will be removed from the Consent Agenda and be considered separately at the end of the Consent Agenda.*

- a. Approve Aug 9, 2019 Meeting Minutes [\(p.1\)](#)  
**Recommendation:** Approve Aug 9, 2019 meeting minutes.
- b. Approve Aug 15, 2019 Special Meeting Minutes [\(p.6\)](#)  
**Recommendation:** Approve Aug 15, 2019 special meeting minutes.
- c. Administrative Committee [\(p.9\)](#)  
**Recommendation:** Receive a report from the Administrative Committee.
- d. Veterans Issues Advisory Committee [\(p.17\)](#)  
**Recommendation:** Receive a report from the Veterans Issues Advisory Committee.
- e. Economic Development Quarterly Report [\(p.20\)](#)  
**Recommendation:** Receive an Economic Development (“ED”) Report.
- f. Public Correspondence to the Board [\(p.25\)](#)  
**Recommendation:** Receive Public Correspondence to the Board.

## 8. BUSINESS ITEMS

## INFORMATION/ACTION

*BUSINESS ITEMS are for Board discussion, debate, direction to staff, and/or action. Comments from the public are **not to exceed 3 minutes** or as otherwise determined by the Chair.*

- a. Building Removal Bonds (p.26)  
**Recommendation:** Receive Building Removal Bond Status Report and provide staff direction as needed.
- b. 2018 Transition Plan and Implementing Agreements Progress Report (p.30)  
**Recommendation:** Receive a Transition Plan Implementing Agreements Progress Report.
- c. Habitat Conservation Plan: Amendment to Consultant Services (p.35)  
**Recommendation:** Authorize the Executive Officer to Amend and Supplement existing contracts with ICF and Denise Duffy & Associates (DDA) to complete responses and publish the Habitat Conservation Plan (HCP).

## 9. PUBLIC COMMENT PERIOD

## INFORMATION

*Members of the public wishing to address the Board on matters within its jurisdiction, but **not on this agenda**, may do so for up to 3 minutes or as otherwise determined by the Chair and will not receive Board action. Whenever possible, written correspondence should be submitted to the Board in advance of the meeting, to provide adequate time for its consideration.*

## 10. ITEMS FROM MEMBERS

## INFORMATION

*Receive communication from Board members as it pertains to future agenda items.*

## 11. ADJOURNMENT

**NEXT REGULAR MEETING: October 11, 2019 AT 2:00 P.M.**



**FORT ORD REUSE AUTHORITY**  
**BOARD OF DIRECTORS REGULAR MEETING MINUTES**  
**2:00 p.m., Friday, August 9, 2019 | Carpenters Union Hall**  
910 2<sup>nd</sup> Avenue, Marina, CA 93933

**1. CALL TO ORDER**

Chair Supervisor Jane Parker called the meeting to order at 2:01 p.m.

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Steve Matarazzo.

**3. CLOSED SESSION**

- a. Conference with Legal Counsel – Gov. Code §54956.9(a), (d)(1): Marina Community Partners, LLC v. Fort Ord Reuse Authority, Monterey County Superior Court Case No.: 18CV000871, Pending Litigation.
- b. Conference with Legal Counsel - Potential Litigation, Gov. Code §54956.9(d).
- c. Conference with Labor Negotiators – Government Code section 54957.6.  
Agency designated representatives: Michael A. Houlemard, Jr., Eduardo Ochoa, Jane Parker.

*\*Authority Counsel advised that Item 3c subject matter was addressed in the Special Meeting. Item 3c will be removed from this agenda.*

*\*Chair Parker asked if any members of the public wish to comment on the items that will be discussed in closed session.*

*Director O’Connell, speaking as a member of the Public and not as Board Member, had several questions pertaining to closed session item 3a which he requested to have on the record:*

- 1) *Has FORA decided to not amend the cross complaint?*
- 2) *Has FORA decided to move to dismiss the case as it relates to the City of Marina?*
- 3) *If in fact the case is not settled, what is the likelihood of the September hearing date having to be continued?*

*Authority Counsel advised that these questions are a matter of strategic attorney-client privilege information. He also noted that there is a conflict, as Mr. O’Connell is a member of the City of Marina City Council, and is not entitled to such information. The item will be addressed in closed session.*

Time Entered: 2:04 p.m.

Time Exited: 2:27p.m.

**4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION**

Authority Counsel, Jon Giffen, announced the following:

- **Item 3a;** The Board heard from Counsel on the status. The Board gave direction to Counsel.
- **Item 3b;** The Board heard from Counsel on the status. Nothing to report.

- **Item 3c;** This item was removed from the agenda.

## 5. ROLL CALL

### **Voting Members Present:**

Supervisor Jane Parker (County of Monterey), Supervisor John Phillips (County of Monterey), Supervisor Mary Adams (County of Monterey), Councilmember John Gaglioti (City of Del Rey Oaks), Councilmember Frank O'Connell (City of Marina), Councilmember Lisa Berkley (City of Marina), Councilmember Ed Smith (City of Monterey), Mayor Ian Oglesby (City of Seaside), Councilmember Jon Wizard (City of Seaside), Mayor Joe Gunter (City of Salinas), Councilmember Jan Reimiers (City of Carmel-by-the-Sea), Councilmember Cynthia Garfield (City of Pacific Grove)

### **Ex-officio (Non-Voting) Board Members Present:**

Kathleen Lee (20<sup>th</sup> Congressional District), Mike Zeller (TAMC), Steve Matarazzo (University of California, Santa Cruz), Colonel Gregory Ford (United States Army), Dr. Matt Zefferman (Marina Coast Water District), Andre Lewis (California State University Monterey Bay), Bill Collins (BRAC), David Martin (MPC), Dr. Matt Zefferman (Marina Coast Water District)

## 6. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

Executive Officer Michael A. Houlemard, Jr. announced the following:

- Senate Bill ("SB") 189 will be heard August 14, 2019 in the Assembly Appropriations Committee.
- The California Central Coast Veterans Cemetery ("CCCVC") Environmental Impact Report ("EIR") is complete. Nine contactors showed up for the pre-bid conference for the next phase of construction on the cemetery which will include in-ground burials.
- The Habitat Conservation Plan ("HCP") is under review by the U.S. Fish and Wildlife Service, all documents have been completed and submitted and it is expected to publish in late September, early October.

## 7. CONSENT AGENDA

- a. Approve July 12, 2019 Meeting Minutes
- b. Administrative Committee
- c. Veterans Issues Advisory Committee
- d. Water/Wastewater Oversight Committee
- e. FY 2018-19 Annual Report
- f. Public Correspondence to the Board

Chair Parker introduced the consent agenda items and asked if any Board members had any comments or items to pull for discussion.

**Motion:** On motion by Board member O'Connell and seconded by Board member Phillips and carried by the following vote, the Board moved to approve the consent agenda.

**MOTION PASSED UNANIMOUSLY**

## 8. BUSINESS ITEMS

**a. Executive Officer Contract Amendment – 2<sup>nd</sup> Vote**

Chair Parker introduced the item. Authority Counsel noted the approved amendments have been incorporated into the amended Executive Officer employment agreement. Counsel responded to questions from the Board.

**MOTION:** On motion by Board member Ochoa and second by Board member Oglesby and carried by the following vote, the Board moved to approve: 1) 20 additional days of management leave be provided for this extension; 2) A flexible work schedule to allow the Executive Officer to reduce the commute time and work remotely. The flexible schedule would consist of 2 days a week physically present in the FORA office and the remaining to work from a remote location;3) Reimbursement of Medicare Part B Premium until June 30, 2021; which are amendments to the existing contract and include a contract performance evaluation next month.

Roll Call Vote: (8 AYES; 3 NOES; 1 ABSTENTION) **Motion Passed by Majority**

**2<sup>nd</sup> Vote**

<i>Item 8a: Motion</i>			
<i>Director Parker</i>	<i>NO</i>	<i>Director Reimers</i>	<i>AYE</i>
<i>Director Gunter</i>	<i>AYE</i>	<i>Director Smith</i>	<i>AYE</i>
<i>Director O’Connell</i>	<i>NO</i>	<i>Director Gaglioti</i>	<i>AYE</i>
<i>Director Berkley</i>	<i>NO</i>	<i>Director Wizard</i>	<i>AYE</i>
<i>Director Adams</i>	<b><i>Abstention</i></b>	<i>Director Oglesby</i>	<i>AYE</i>
<i>Director Phillips</i>	<i>AYE</i>	<i>Director Garfield</i>	<i>AYE</i>
<i>Director Carbone</i>	<i>ABSENT</i>		

**b. Building Removal Financing Recommendation**

Executive Officer, Michael A. Houlemard, Jr., introduced the item. Project Manager, Peter Said, provided a brief presentation. He outlined NHA Advisors Scope of Work, which is broken down into three (3) phases: Phase 1 – Legal Analysis; Phase 2 – Quantitative Analysis; and Phase 3 - Implementation of the Bond Financing. Mr. Said reviewed the actions necessary to move forward in the bonding process, defining the preparatory work to be completed by each consultant. Economic Planning Systems, Inc. (“EPS”), is to prepare a Fiscal Consultant Report and NHA Advisors will need to identify the percentage of Public Right of Way for each removal area; establish the prioritization process for fund allocation; establish an amendment methodology; and an invoicing and payment methodology. In addition, Stradling, Yocca, Carlson & Rauth (“SYCR”), were selected to prepare the “Official Statement” disclosure documents and prepare Standard and Poor’s Credit package for bond insurance. Staff, and Mark Northcross of NHA Advisors, responded to questions from the Board.

*\*Director Gaglioti noted for the record that a \$54,000 loss is not a small amount for the City of Del Rey Oaks. It is however, the commitment of the City of Del Rey Oaks to the region, and specifically the City of Seaside and Marina, that taking a few thousands of dollars loss for 30 years to help the effort to remove the blight/buildings is very much worth it.*

*\*Director Wizard noted, for the record, MPUSD services the majority of the students who are represented by this Board, with the expectation of Salinas, would not benefit from this bond as they are funded through child attendance and not property tax revenue.*

*Ron Chesshire of the Monterey Santa Cruz Building Construction Trades Council stated blight has been used as a tool to stop economic development on the former Fort Ord. It has been used by groups and individual that don't want to see movement forward.*

*Monterey County Regional Fire District – East Garrison Deputy Fire Chief David Sargenti noted that the East Garrison Fire Station was opened in May of 2018 and services the neighborhoods of East Garrison, as well as the regional area. The District does support the removal of the buildings for the next phases of development. However, the District can't support it if there is any degeneration of funding sources. The District is fully funded by property taxes. Mr. Sargenti requested that the loss of revenue issue be resolved and not just worked through. He thanked the Board for the consideration.*

**MOTION:** On motion by Board member Gunter and second by Board member Smith and carried by the following vote, the Board moved to approve: Authorize all necessary preparatory work to issue bonds for building removal and approve Executive Officer to: move forward with the draft schedule presented by NHA Advisors; approve a Fiscal Consultant's Report from EPS not-to-exceed \$40,000; approve NHA Advisors as the Municipal Advisor and SYCR as bond Counsel for an amount not-to-exceed \$200,000, plus \$65,000 contingency; work with the County and jurisdictions on post-FORA administration; secure jurisdictional support for the proposed schedule; and work with Monterey County Regional Fire District on revenue loss related issues.

*Director Adams requested to make a friendly amendment to the motion to strengthen the language to a guarantee replenishment of funds to ensure the Monterey County Regional Fire District doesn't have loss in revenue.*

**Motion Passed by Majority (10 AYES; 2 NOES;) 2<sup>nd</sup> Vote Required**

**c. Consultant Services Contract Extensions/Amendments**

Mr. Houlemard introduced the item and noted based on the action taken on item 8b, the EPS contract amendment would need to be modified to remove the financial consultant report. Planning and Economic Development Manager, Josh Metz, provided a presentation outlining the need to authorize the Executive Officer to execute consultant services contract extensions/amendments. Mr. Metz advised the Board that FORA has seen six key staff members depart due to retirement and/or taking new positions outside of FORA. Additional consultant services are needed to support remaining staff and to ensure completion of ongoing projects and transition to dissolution. Mr. Metz led the Board through a review of each consultant's scope of work, recent amendments and the current staff recommendation. Staff responded to questions and comments from the Board.

**MOTION:** On motion by Board member Reimers and second by Board member Gaglioti and carried by the following vote, the Board moved to authorize the Executive Officer to execute Consultant Services Contract Extensions/Amendments as written.

**MOTION PASSED UNANIMOUSLY**

**d. 2018 Transition Plan and Implementing Agreement Progress Report**

Mr. Houlemard introduced the item. Regional Government Services ("RGS") Director Kendall Flint, provided a brief update summarizing the progress of the implementing agreements. She noted that the initial draft agreements have been completed. Mrs. Flint has received additional comments from the Monterey County and LAFCO staff. Once the Legislative process on Senate

Bill (SB) 189 is passed, or not, the updated Implementing Agreement will be released for public review. Mrs. Flint noted going forward they will be working closely with the Administrative Committee on the Joint Powers Agreement formation that will oversee habitat conservation upon dissolution of FORA, as well as the agreements with Marina Coast Water District for water augmentation and ESCA for long-term maintenance of the ESCA properties. Mrs. Flint reviewed the 5-step process for the ESCA agreement and what is expected. Mrs. Flint and staff responded to questions and comments from the Board.

**This Item was for information only.**

**e. Special District Risk Management Authority Board of Directors Election**

Mr. Houlemard introduced the item, and reminded the Board he has given a couple presentations on the item in the past, providing the background information. The Board has not indicated a desire to vote one way or another and staff is happy to proceed as the Board chooses.

**MOTION:** On motion by Board member Wizard and second by Board member Gunter and carried by the following vote, the Board moved to postpone item 8e Special District Risk Management Authority Board of Directors Election indefinitely.

**MOTION PASSED UNANIMOUSLY**

**9. PUBLIC COMMENT**

None.

**10. ITEMS FROM MEMBERS**

None.

**11. ADJOURNMENT** at 4:23 p.m.

Minutes Prepared by:  
Heidi L. Lizarbe  
Deputy Clerk

Approved by:

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Michael A. Houlemard, Jr. Executive Officer



**FORT ORD REUSE AUTHORITY**  
**BOARD OF DIRECTORS SPECIAL MEETING MINUTES**  
**1:00 p.m., Friday, August 15, 2019 | Carpenters Union Hall**  
910 2<sup>nd</sup> Avenue, Marina, CA 93933

**1. CALL TO ORDER**

Chair Supervisor Jane Parker called the meeting to order at 1:00 p.m.

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Mary Ann Carbone.

**3. CLOSED SESSION**

*\*Chair Parker noted she received a suggestion to move the closed session to the end of meeting and she concurred with the request. The closed session will be heard at the conclusion of the Business Items.*

- a. Conference with Legal Counsel – Gov. Code §54956.9(a), (d)(1): Marina Community Partners, LLC v. Fort Ord Reuse Authority, Monterey County Superior Court Case No.: 18CV000871, Pending Litigation.

**4. ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION**

None.

**5. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE**

There were no Acknowledgements, Announcements, or Correspondence.

**6. ROLL CALL**

**Voting Members Present:**

Supervisor Jane Parker (County of Monterey), Supervisor John Phillips (County of Monterey), Councilmember John Gaglioti (City of Del Rey Oaks), Councilmember Frank O'Connell (City of Marina), Mayor Pro-Tem Gail Morton (City of Marina), Councilmember Alan Haffa (City of Monterey), Mayor Ian Oglesby (City of Seaside), Councilmember Jon Wizard (City of Seaside), Mayor Joe Gunter (City of Salinas), Councilmember Cynthia Garfield (City of Pacific Grove)

**Ex-officio (Non-Voting) Board Members** Colonel Gregory Ford (United States Army), Keith Van Der Maaten (Marina Coast Water District), Dr. Eduardo Ochoa (California State University Monterey Bay)



## 7. CONSENT AGENDA

There were no items on the Consent Agenda.

## 8. BUSINESS ITEMS

### a. Building Removal Financing Recommendation – 2<sup>nd</sup> Vote

Executive Officer Michael A. Houlemard, Jr. introduced the item stating this is a second vote, and noted for the Board members that the question of concern is not new rather it has been lingering for years. The original question was posed eight years ago, and at that time FORA authorized Special Counsel, who was the California Redevelopment Association Counsel, Brett Hawkins, to answer the question. Mr. Hawkins wrote an opinion regarding FORA's right to the revenue stream. Since that time, there have been other Attorneys including Authority Counsel office review, Michael Baker and Associates review, and it was reviewed last year by FORA's consultants working on building removal. Mr. Houlemard introduced NHA Advisors Principal, Mark Northcross to provide answers to the questions prior to the Board taking the second vote. Mr. Northcross introduced Brian Forbath and Vanessa Legbandt of Stradling, Yocca, Carlson & Rauth ("SYCR") to address the question. Mr. Forbath reiterated the question as he understood it, "does FORA have ability to issue bonds?" Mr. Forbath had the opportunity to speak with Redevelopment Counsel Karin Tiedemann representing the City of Marina, on this question. Ms. Tiedemann raised the issue, that has been addressed by the previous Counsel. "What is the nature of payments that FORA receives?" Currently, the County of Monterey administers the payments of the tax increment as a statutory pass-through. Mr. Forbath stated there is ambiguity in the Redevelopment Dissolution Law as to that question, in that there is a provision in the redevelopment law that says the priority of funds of how it gets paid and administered by the County. There is an omission from that section that speaks to statutory pass-throughs getting paid as to the FORA payment. However, in another section it specifically addresses the FORA payments that could be subordinated as if there is a statutory pass-through. That was the question raised by Ms. Tiedemann, and whether or not that would affect the ability to finance the projects. Mr. Forbath is confident that Stradling, as bond counsel to FORA, would be able to issue a clean legal opinion on this topic. He stated there is a clean, valid ability for FORA to receive this money. There is an issue as it pertains to disclosure to investors and how this payment is described. The real question is: if it is not a statutory pass-through payment, then is it considered under the dissolution law an enforceable obligation? The successor agencies would need to be put on a recognized payment schedule which is presented to the Department of Finance yearly in order to get paid. Mr. Forbath and Mr. Northcross then responded to questions from the Board.

**MOTION:** On motion by Board member Gunter and second by Board member Smith and carried by the following vote, the Board moved to approve: Authorize all necessary preparatory work to issue bonds for building removal and approve Executive Officer to: Move forward with the draft schedule presented by NHA Advisors; Approve a Fiscal Consultant's Report from EPS- NTE \$40,000; Approve NHA Advisors as Municipal Advisor and SYCR as Bond Counsel for the amount NTE \$200,000 + \$65,000 contingency; Work with the County and jurisdictions on post-FORA administration;

Secure jurisdictional support for the proposed schedule; and Work with Monterey County Regional Fire District to resolve revenue loss related issues.

**MOTION PASSED UNANIMOUSLY**

**b. Signatory Authorization**

Mr. Houlemard advised the Board the item speaks for itself. There were no question or comments from the Board or public.

**MOTION:** On motion by Board member Haffa and second by Board member Oglesby and carried by the following vote, the Board moved to authorize Josh Metz as an official Fort Ord Reuse Authority signatory in Executive Officer's absence.

**MOTION PASSED UNANIMOUSLY**

**c. Amend Resolution 19-12 FORA Retention and Separation Resolution**

Mr. Houlemard introduced the item. He noted that this is a minor adjustment that would impact a limited number of people. However, it would allow for flexibility in order to follow general direction provided by the Board. After further discussion, it was determined that the Executive Officer has already been given the direction, by the Board, to negotiate terms that will achieve the intended goal.

\*Chair Parker removed item 8c from the agenda.

*\*Director Phillips and Gagliotti departed and the quorum was lost. Due to the loss of the quorum there was no closed session.*

**9. PUBLIC COMMENT**

None.

**10. ITEMS FROM MEMBERS**

None.

**11. ADJOURNMENT** at 1:33 p.m.

Minutes Prepared by:  
Heidi L. Lizarbe  
Deputy Clerk

Approved by:

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Michael A. Houlemard, Jr. Executive Officer

<b>FORT ORD REUSE AUTHORITY BOARD REPORT</b>	
<b>CONSENT AGENDA</b>	
<b>Subject:</b>	Administrative Committee
<b>Meeting Date:</b>	September 13, 2019
<b>Agenda Number:</b>	7c
	<b>INFORMATION/ACTION</b>

**RECOMMENDATION:**

Receive a report from the Administrative Committee.

**BACKGROUND/DISCUSSION:**

The Administrative Committee held a meeting on July 31, 2019 and Aug 15, 2019. The approved minutes for these meetings are provided as **Attachment A, and B.**

**FISCAL IMPACT:**


Reviewed by the FORA Controller 

Staff time for the Administrative Committee is included in the approved annual budget.

**COORDINATION:**

Administrative Committee

Prepared by   
Heidi L. Lizarbe

Approved by   
Michael A. Houlemard, Jr.

**FORT ORD REUSE AUTHORITY**  
**ADMINISTRATIVE COMMITTEE REGULAR MEETING MINUTES**  
**8:30 a.m., Wednesday, July 31, 2019 | FORA Conference Room**  
920<sup>nd</sup> Avenue, Suite A, Marina, CA 93933

**1. CALL TO ORDER**

Co-Chair Dino Pick called the meeting to order at 8:30 a.m.

The following members were present:

Jonathan Brinkmann (LAFCO)	Dino Pick* (City of Del Rey Oaks)
Layne Long* (City of Marina)	Melanie Beretti* (County of Monterey)
Patrick Breen (MCWD)	Craig Malin* (City of Seaside)
Hans Uslar* (City of Monterey)	Vicki Nakamura (MPC)
Steve Matarazzo (UMBEST)	Anya Spear (MPC)
Nicole Hollingsworth (17 <sup>th</sup> State Senate District)	Mike Zeller (TAMC)
Bill Collins (BRAC)	*Voting member

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Committee member Hans Uslar.

**3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

- Bill Collins from the Base Realignment and Closure (BRAC) Office announced that there is a scheduled detonation in the Army Impact Area between 10:30 a.m. to 12:00 p.m.
- Josh Metz updated the Committee on the Caretaker Cost Worksheet deadlines to be submitted to FORA by August 31st (1st deadline) and October 31st (2nd deadline).

**4. PUBLIC COMMENT PERIOD**

*Members of the public wishing to address the Administrative Committee on matters within its jurisdiction, but not on this agenda, may do so for up to 3 minutes.*

There were no public comments received.

**5. APPROVAL OF MEETING MINUTES**

**ACTION**

- a. July 17, 2019 Meeting Minutes

**MOTION:** On motion by Committee member Malin second by Committee member Uslar and carried by the following vote, the Administrative Committee moved to approve the July 17, 2019 regular meeting minutes.

**MOTION PASSED UNANIMOUSLY**

**6. AUGUST 9, 2019 DRAFT BOARD MEETING AGENDA REVIEW**

**INFORMATION**

Executive Officer Michael A. Houlemard, Jr. reviewed the items on the draft Board Meeting agenda for the August 9, 2019 meeting. There were no questions or comments from the Committee.

**This item was for information only.**

## **7. BUSINESS ITEMS**

## **INFORMATION/ACTION**

### **a. Habitat Conservation Plan Cost/Impact Study**

Senior Planner, Mary Israel introduced Ellen Martin Principal of Economic & Planning Systems, Inc. (“EPS”), noting EPS was contracted in 2010 to review the FORA Capital Improvement Program (“CIP”). The work continued into 2011, as phases 1-3 of the base wide financing strategy was worked on. In 2011, a task was added to the scope of work to include working with FORA’s Habitat Conservation Plan (“HCP”) consultant ICF, the U.S. Fish and Wildlife Service, and California Department of Fish and Game (as called during that time). The task was to evaluate endowment creation, rates of return, and a financing strategy for the HCP. An additional scope has been added to look at the questions posed by the Administrative Committee about the cost impacts associated with endowments and how to fill them in the future post FORA. Ms. Martin advised the Committee that her purpose today was to discuss the potential scoping elements associated with analysis that EPS can offer to help in the discussion surrounding HCP and FORA transition strategy. Ms. Martin provided a presentation reviewing the HCP Cost Structure, Financing Strategy, and Preliminary Scope Parameters. The key issues identified are: Governance – roles and responsibilities of the Cooperative; HCP Cost – restoration, mitigation, and monitoring requirements; HCP financing cash flow analysis and endowment strategy – how EPS determines remaining HCP funding need; HCP cost/impact study – distribution of HCP funding need and benefits, and Financing mechanisms – identify Community Facilities District (“CFD”) Special Tax revenue replacement funding sources. Staff and Ms. Martin responded to questions and comments from the Committee and the public.

### **b. South Boundary Road**

Project Manager, Peter Said provided a brief background stating that in 2010 the FORA Board went through a CEQA process on the improvements to South Boundary and Giggling Roads. He advised the Committee that the Board approved the CEQA findings for the roadways. South Boundary Road has been involved in litigation for the last year and has now been resolved, and the FORA Board has set aside the funds for construction. Throughout the last year, there have been four (4) meetings with the Environmental Protection Agency (“EPA”), the Department of Toxic Substance Control (“DTSC”), and the U.S. Army to determine the construction support plan and soil management requirements for the roadways. The geological and hydrological surveys were updated while performing mitigation and monitoring response planning biological surveys. Mr. Said noted South Boundary Road is complex because it crosses multiple jurisdictions and munition response areas, including soil tracks. The results of the survey decreased the roadway width based on the soil management requirements approved by DTSC, EPA and the Army which limits soil movement and/or soil disposal. In addition, it calls for increased storm water facilities, and earthwork balance. Mr. Said reviewed the proposed plan modifications and the next steps with the Committee. Staff responded to questions and comments from the Committee and the public.

### **c. Building Removal/Financing Update**

Mr. Houlemard introduced the item and noted the Committee provided a recommendation to the Board at the July 17, 2019 meeting to move ahead with the preparatory work and requested additional information and analysis scenarios be provided. Mr. Said provided a brief presentation, outlining the next topics of discussion and actions necessary to move forward in the bonding process. Those include the review of the updated analysis, preparatory work for bond issuance, and the recommendation to, and approval by, the FORA Board. In addition, Mr. Said reviewed the updated scenarios – scenario 2: 2020 dissolution without building removal bond and scenario 3: 2022 extension with building removal bond (low vs high buildout). The preparatory work that’s needs to be completed by EPS is to prepare a Financial Consultant Report, from there NHA will then need to identify the percentage of public right-of-

way for each removal area, establish prioritization process for fund distribution, establish an amendment methodology, and establish an invoicing and payment methodology. NHA Advisors Principal, Mark Northcross led the Committee through a review of the updated analysis. Staff and Mr. Northcross responded to questions and comments from the Committee and the public.

**MOTION:** On motion by Committee member Malin second by Committee member Long and carried by the following vote, given consideration to the motion that was adopted at the last Administrative Committee meeting on 7/17/2019 (the Administrative Committee moved to make a recommendation to the FORA Board of Directors to authorize all necessary preparatory work to issue bonds for building removal with one abstention from Committee Member Beretti). The Administrative Committee recommends the Board: 1) approve moving forward with the draft schedule presented by NHA Advisors; 2) include obtaining the fiscal consultant's report from Economic & Planning Systems, Inc.; 3) work with the County and jurisdictions on post FORA administration for any bond issuance; 4) secure the jurisdiction's support for bond issuance and proposed schedule; and 5) work with the Monterey County Regional Fire District on revenue loss related issues.

### **MOTION PASSED UNANIMOUSLY**

#### **d. ESCA Long Term**

ESCA Project Manager, Stan Cook gave a presentation on the implementing and managing the ESCA long-term obligations. He reminded the Committee of exactly where the ESCA properties are throughout the former Fort Ord boundaries and stated that other than the City of Marina, all jurisdictions are impacted by the ESCA long term obligations. Mr. Cook highlighted some of the land use controls attached to the ESCA properties as being munitions recognition safety training, construction support by USO ordinance qualified personnel, prohibitions provisions on residential use in certain areas, and habitat reserve areas that have access management measures. The land use controls also have some documents called Long Term Management Measures, which include maintaining the land use restrictions, the annual monitor reporting, and the 5-year review reporting. He stated that the main purpose of land use controls is public safety and even though the properties have been cleared to meet Environmental EPA certification completion, munitions could still remain. Under the land use controls, the property owners, which can be either the jurisdictions and/or developers, are responsible to maintain the ESCA properties for public safety. He informed the Committee that due to these strict land use controls on the ESCA properties, the EPA, the Army and DTSC requires that the ESCA successor agency to FORA show fiscal and technical capability. Currently, the City of Seaside is the proposed FORA ESCA successor agency upon FORA's dissolution of June 2020. This will require that the City of Seaside to enter into an agreement with the Army which allows for reimbursement of maintaining the ESCA long term obligations with issues such as staff, consultants, and special counsel services. The County of Monterey will be responsible for compiling the required monitoring reports received from the jurisdictions and forwarding those reports to DTSC. The 2019 Jurisdictions Annual Land Use Reports are due September 1, 2019; however, the County has submitted a request to the extend the due date until December 2019. Mr. Cook noted that as a result of the amount and level of complexity required to maintain the ESCA long-term obligations, there is a 2018 Transition Plan Implementing Agreement being drafted that tailors strictly to the ESCA program. Staff and Mr. Cook responded to questions and comments from the Committee and the public.

#### **e. 2018 Transition Plan Implementing Agreements Progress Report**

Regional Government Services ("RGS") Director, Kendall Flint, provided an update on the ESCA Transition Plan Implementing Agreement (TPIA), noting it is unique from the current ESCA agreement between FORA and the U.S. Army in regards to it does not reference property management. However, concurrence with the completion of the ESCA TPIA, the remaining properties will have been transferred

to the respective jurisdictions, and language has been amended. Mrs. Flint advised the Committee that if Senate Bill (SB) 189 passes legislature, the Global TPIA will be re-released with any amended language. At the request of the Administrative Committee, Mrs. Flint will highlight the sections, or language, in the Global TPIA that are stipulations of SB 189 in order to provide clarity of what is contingent upon the legislative bill, and what is not. Mrs. Flint stated that the role of RGS will be concluded upon finalization of the TPIA's; however, should the Committee, or Board, want to retain RGS services for additional tasks, such as the Joint Powers Agreement formation, RGS is available to do so. Mr. Houlemard advised the Committee that it is being proposed to amend/extend the RGS contract. Staff responded to questions and comments from the Committee and the public.

**8. ITEMS FROM MEMBERS**

None.

**9. ADJOURNMENT** at: 11:12 a.m.

Minutes Prepared By:  
Heidi Lizarbe  
Deputy Clerk

**FORT ORD REUSE AUTHORITY**  
**ADMINISTRATIVE COMMITTEE SPECIAL MEETING MINUTES**  
**8:30 a.m., Thursday August 15, 2019 | FORA Conference Room**  
920<sup>nd</sup> Avenue, Suite A, Marina, CA 93933

**1. CALL TO ORDER**

Chair Michael A. Houlemard, Jr. called the meeting to order at 8:30 a.m.

The following members were present:

Jonathan Brinkmann (LAFCO)	Dino Pick* (City of Del Rey Oaks)
Matt Morgensen* (City of Marina)	Melanie Beretti* (County of Monterey)
Patrick Breen (MCWD)	Craig Malin* (City of Seaside)
Hans Uslar* (City of Monterey)	Vicki Nakamura (MPC)
Debbie Hale (TAMC)	Matthew McCluney (MPC)
Nicole Hollingsworth (17 <sup>th</sup> State Senate District)	*Voting member

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Deputy Chief David Sargenti.

**3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE**

- Executive Officer Michael A. Houlemard, Jr. reported that no action was taken on Senate Bill (“SB”) 189 during the Senate Committee Meeting on August 14, 2019. A Waiver of Presentation was issued and the Bill is expected to be brought to the Senate floor in 2-3 weeks.
- NHA Advisors Principal Mark Northcross stated that on August 13, 2019 he and Regional Government Services Consultant Kendal Flint gave a presentation to the City of Del Rey Oaks City Council regarding the Transition Plan Implementing Agreements, Building Removal Bonds and SB 189.

**4. PUBLIC COMMENT PERIOD**

*Members of the public wishing to address the Administrative Committee on matters within its jurisdiction, but not on this agenda, may do so for up to 3 minutes.*

There were no public comments received.

**5. APPROVAL OF MEETING MINUTES**

**ACTION**

a. July 31, 2019 Meeting Minutes

**MOTION:** On motion by Committee member Uslar second by Committee member Malin and carried by the following unanimous vote, the Administrative Committee moved to approve the July 31, 2019 regular meeting minutes.

**MOTION PASSED UNANIMOUSLY**

**6. AUGUST 9, 2019 BOARD MEETING FOLLOW UP**

**INFORMATION**



Mr. Houlemard reported that the Board heard the Committee’s recommendation to move forward with Bond Acquisition for building removal. He advised the Committee that the Board voted 10-2 in favor and a 2<sup>nd</sup> vote is required. Additionally, the Board directed the Committee to resolve any outstanding revenue loss issues with the Monterey County Regional Fire District.

**This item was for information only.**

**7. BUSINESS ITEMS**

**INFORMATION/ACTION**

**a. Building Removal/Financing Preparatory Work**

Mr. Houlemard introduced the item, and Project Manager Peter Said summarized the presentation he gave to the Board at the August 9, 2019 Board meeting. He stated that the overall response was a positive one. Mr. Said noted that the Board had questions regarding FORA statute and how the funds will be distributed amongst the various jurisdictions. NHA Advisors have been working closely with FORA to ensure that the bond continues to move forward by conducting preliminary legal and quantitative analyses. The bond allocation information provided to the Board does not reflect final allocations and it will ultimately be up to the Board and the Administrative Committee to determine a final Bond Agreement.

**1. Tax Exemption Allocations**

Mr. Northcross introduced Brian Forbath and Vanessa Legbandt of Straddling, Yocca, Carlson & Rauth as bond counsel. Mr. Forbath began by addressing the preliminary questions of the Board and Committee regarding FORA bonding provisions under state law, specifically related to the Marks-Roos Local Bond Pooling Act (“Marks-Roos Act”), which gives FORA the authority to issue revenue bonds. Mr. Forbath proposed a plan under the Marks-Roos Act that would allow FORA to obtain pledges of received tax increment revenue from its various project areas and pledge those revenues to bonds. A special public hearing would be required to establish significant public benefit and Mr. Forbath stated that he is confident in obtaining a legal standard bond counsel opinion to support the validity of bond.

Mr. Forbath addressed concerns regarding the statute as it relates to the payments FORA would receive following dissolution. Options: Statutory pass-through as currently being used or on a Recognized Obligation Payment Schedule (ROBS) as enforced by the county—whichever method is most attractive to investors. Mr. Houlemard suggested that the plan be presented to the Board as having one clear path moving forward with dual approach. It was determined that there was now sufficient information to take to the Board in support of a 2<sup>nd</sup> Vote.

**2. Prioritization Criteria**

Mr. Said reported that the Board approved the fiscal study required for bond completion and a fiscal consultant report is in progress. He advised that there are three components the Committee must address: 1) determining tax exemption guidelines; 2) developing a prioritization method for fund allocation; 3) determining terms and conditions, specifically pertaining to the amendment of the bond agreement post-FORA. Mr. Said provided a Building Removal (Bond Program) Area Map. The map identified the areas being considered for building removal, detailing the square footage, governing entity, projected percentage of tax exemption and estimated building removal cost for each site. The estimated total cost of building removal for the 13 proposed areas comes to \$55,230,000. Mr. Said initially estimated that 75% of the bond could be considered taxable and requested the Committee member’s direction on the tax status of each parcel. The Committee compared the benefits and limitations of tax exempt/taxable status. Mr. Northcross noted that there is a negligible financial gain between tax exempt and taxable designation and recommended that areas that may require flexibility of use operate under taxable status.

Mr. Said further explained that estimated building removal costs, based on actual costs and known square footages, exceeded the \$37 million bond proceeds, therefore, FORA should adopt a set of criteria for building removal prioritization. The Building Removal (Bond Program) proposed a prioritization process similar to the previously approved evidenced-based prioritization process used for transportation projects. Mr. Houlemard determined from this discussion that the Committee must look into alternative means of prioritization in order to optimize efficiency of resource expenditures. He proposed amending the process to reflect Mr. Malin's approach of allocating funds to the County first, Public Agency partners second, and direct remaining funds to the Cities of Seaside and Marina. Mr. Houlemard reminded the Committee that these issues must be resolved within 60-90 days in order to ensure the maximum bond issuance.

**b. 2018 Transition Plan: Transportation Study**

Mr. Said gave a brief update regarding the scope of the study and anticipated the next steps in the plan. FORA consultant, Whitson Engineers, Traffic Consultant Kimley-Horn performed the study with a focus on how the existing network operates in relation to the network outside of FORA's jurisdiction, specifically Highway 218, Coe Avenue, Reservation Road and interior roads near East Garrison. The study also included an analysis of the 30-year Capital Improvement Program ("CIP") buildout without the connector road or Gigling Road improvements. Kimley-Horn also performed an analysis on the CIP buildout with three different connector road options: 1) Eucalyptus Road to 8<sup>th</sup> Avenue; 2) Eucalyptus Road to Inner Garrison Road; 3) Eucalyptus Road to Watkins Gate. The proposed connector options will be assessed to determine the impact of each proposed connector on traffic flow and the region in general. The draft study will be reviewed by Transportation Agency of Monterey County and presented to the Committee at the regular meeting on September 4, 2019. Mr. Said stated that the goal of this study is to provide the Committee with the information needed to make a recommendation to the Board as to Gigling Road and Northeast/Southwest Connector in the Last Year CIP at the September 4<sup>th</sup> meeting.

**c. 2018 Transition Plan Implementing Agreements Progress Report**

Mrs. Flint gave a brief report on an August 13, 2019 presentation to the City of Del Rey Oaks regarding Transition Plan Implementing Agreements ("TPIA"), Building Removal Bonds and SB 189. Mrs. Flint stated that she is currently working on a chart comprised of all the TPIAs, including the ESCA, Marina Coast Water District, and other ancillary agreements currently pending. FORA staff will meet with Mrs. Flint to create a schedule in relation to the development of a Joint Powers Authority and determine how it will interact with other entities.

**8. ITEMS FROM MEMBERS**

None.

**9. ADJOURNMENT** at: 9:55 a.m.

Minutes Prepared By:  
Natalie Van Fleet  
Administrative Assistant

<b>FORT ORD REUSE AUTHORITY BOARD REPORT</b>	
<b>CONSENT AGENDA</b>	
<b>Subject:</b>	Veterans Issues Advisory Committee
<b>Meeting Date:</b>	September 13, 2019
<b>Agenda Number:</b>	7d
	<b>INFORMATION/ACTION</b>


**RECOMMENDATION:**

Receive a report from the Veterans Issues Advisory Committee (VIAC).

**BACKGROUND/DISCUSSION:**

The VIAC met on Aug 22, 2019 and approved the July 25, 2019 minutes. The approved minutes for this meeting is provided as **Attachment A**.

**FISCAL IMPACT:**

Reviewed by FORA Controller 

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

**COORDINATION:**

VIAC

Prepared by   
Natalie Van Fleet

Approved by   
Michael A. Houlemard, Jr.



APPROVED

**FORT ORD REUSE AUTHORITY  
VETERANS ISSUES ADVISORY COMMITTEE (VIAC) MEETING MINUTES  
3:00 P.M. July 25, 2019 | FORA Conference Room  
920 2<sup>nd</sup> Avenue, Suite A, Marina CA 93933**

1. **CALL TO ORDER:** Chair, Ian Oglesby, called the meeting to order at 3:00 P.M.

**Committee Members Present:**

Edith Johnsen, Veterans Families/Fundraising  
Ian Oglesby, Mayor of Seaside  
James Bogan, Disabled American Veterans  
Jason Cameron, Monterey County Office of Military & Veteran Affairs  
Richard Garza, CCVC Foundation

2. **PLEDGE OF ALLEGIANCE** led by James Bogan.

3. **ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE**

Executive Officer Michael Houlemard informed the Committee that he recently spoke with recently retired FORA Principle Analyst Robert Norris, who wanted to share his appreciation to those who attended his retirement dinner.

4. **PUBLIC COMMENT PERIOD**

There were no comments from the public.

5. **APPROVAL OF MEETING MINUTES**

- a. June 27, 2019 Regular Meeting Minutes

**MOTION:** On motion by Committee member Edith Johnsen and seconded by Committee member James Bogan the VIAC approved the June 27, 2019 meeting minutes.

**MOTION: PASSED UNANIMOUSLY**

6. **BUSINESS ITEMS**

**INFORMATION/ACTION**

- a. **Affordable Housing**

- i. *Veterans Transition Center Housing Development*

Mr. Jack Murphy, of the Veterans Transition Center ("VTC") in Marina, provided an update on the supportive housing programs offered by the VTC. Mr. Murphy reported that they are moving people into the duplex that was finished last month. He also informed the Committee that not much has changed regarding the Lightfighter Village project. The Housing Authority of Monterey County has not requested more project-based vouchers from Housing and Urban Development (HUD). As a backup, VTC is in the process of applying for a grant from the California Health Commission to compensate for the lack of vouchers. Mr. Murphy also announced that a Fresno developer will be working with VTC to submit a Request for Qualifications for VTC to partner with another development agency to turn the former Seaside Clinic into housing for veterans.

- b. **Post-FORA VIAC Committee**

Executive Officer Michael Houlemard, Jr. announced that this item is on the Transition Plan report to the FORA Board. He explained that the recommendation in the 2018 Transition Plan was for the County of Monterey to absorb these types of obligations. He also noted that he plans to meet with staff at the County to discuss their role in supporting the VIAC Committee post-FORA.

Mr. Jason Cameron informed the Committee that his office, the Military and Veterans Affairs Office, would likely be in favor of supporting a FORA VIAC. Due to lack of resources, he feels that the additional responsibility warrants a half-time position, and recommended tying funding to the transition.

The Committee discussed the advantages and disadvantages of including the support of the Military and Veterans Affairs Commission. The Committee can expect another report next month addressing VIAC's expectation that the County will take over, find the resources, and get the Commission involved in Veteran's affairs upon dissolution of FORA, currently set for June 30, 2020.

c. **California Central Coast Veterans Cemetery Status Report**

Mr. Houlemard reported that a bid opening for phase II of construction of the cemetery will take place at FORA next week. Mr. Richard Garza noted the deadline of September 30, 2019 to get everything to the Department of Veterans Affairs. It is expected that it will be at the top of the list, if deadlines are met.

d. **Ord Military Community**

Mr. Kai Yuan handed out a Monterey County Fair flyer. He announced that there will be a Resource Fair on August 29, 2019. He also informed the Committee that all military personnel and veterans will be admitted free to the fair on Friday, August 30, 2019.

e. **Fundraising Status**

i. *Central Coast Veterans Cemetery Foundation Status Report*

Mr. Garza informed the group that the Epic Ride should currently be somewhere between New Jersey and Maine. He reported that they are still looking for sponsors for the Run for the Fallen event. Rather than being considered a fundraiser, it is viewed as community effort that needs to be preserved and expanded. Mr. Garza also announced that the Foundation is researching whether or not there is a State law requiring the local community to contribute to the operations and maintenance of the cemetery. He informed the group that fundraising efforts will be shifting from operations and maintenance to community projects, such as building a chapel, a donor wall, and an amphitheater.

f. **VA-DOD Clinic**

Mr. James Bogan reported that some of the entrances have changed. He also announced that every other Thursday they host a \$12 BBQ from 7:30 a.m. – 3:00 p.m. in the cafeteria.

g. **Calendar of Events**

Planning & Economic Development Manager, Josh Metz, announced the Monterey Bay Defense Alliance Breakfast at the Monterey Conference Center will be held August 21, 2019 at 7:30 a.m. Mr. Houlemard announced the Association of Defense Communities is having a conference in Monterey from September 30 to October 2, 2019. The California Defense Leadership Summit will be held August 13 and 14, 2019 in Sacramento.

Mr. Bogan offered to set up a whale watching tour for some attendees of the conference here in Monterey. He noted that the Monterey Bay Vets have the only dive boat in the world with an elevator for disabled and wheelchair-bound people.

**7. ITEMS FROM MEMBERS**

None.

**8. ADJOURNMENT** at 3:30 p.m.

Minutes Prepared by:  
Shawn Hall

# FORT ORD REUSE AUTHORITY BOARD REPORT

## CONSENT AGENDA

**Subject:** Economic Development Quarterly Report

**Meeting Date:** September 13, 2019

**Agenda Number:** 7e

**INFORMATION**

### RECOMMENDATION(S):

Receive an Economic Development ("ED") Quarterly Report.

### ECONOMIC DEVELOPMENT QUARTERLY UPDATE

#### **Background/Discussion:**

The primary goal of the Fort Ord Reuse Authority's ("FORA's") ED program, as originally referenced in the 1997 Base Reuse Plan ("BRP") and amplified in the 2012 Reassessment Report ("RR"), is to assist the three-county (Monterey/Santa Cruz/San Benito) region in general and FORA jurisdictions specifically. This assistance is to provide leadership and support for regional economic recovery from the employment, business, and other economic losses resulting from the departure of soldiers, civilians, and families post Fort Ord closure. BRP projections to achieve full recovery include: 36-38,000 in replacement population; 15,000+ jobs to replace military employment and soldiers; 11-12,000 homes (6160 new units); and approximately 3 million sf commercial/office.

Prior to establishing the current ED program in 2015, extensive groundwork was directed by the FORA Board and overseen by FORA staff 9-8-909 including:

- securing funding, implementation, and completion of the \$98M Environmental Services Cooperative Agreement ("ESCA");
- reuse and/or removal of 3614 of 4370 military buildings (including reopening 500+ units for affordable workforce housing);
- transfer of 10,013 of 17,652 habitat acres for permanent preservation;
- construction of \$66.5M worth of new transportation infrastructure (including \$40M in grant funding), 32 miles of roadway capacity added using grants and developer fees;
- storm water outfall removal (including securing \$6M in grant funding);
- continued and ongoing support for the veteran's community leading to the Central Coast Veterans Cemetery; and
- the first Joint Department of Defense ("DOD")/Veterans Administration ("VA") Veterans Clinic built anew in the City of Marina.

Also, our survey and research (in concert with former Fort Ord jurisdictions), results show progress toward the above noted BRP goals to date indicates: *15,717 population; 6047 jobs; 5649 homes (1458 new + 4191 reused); and 691k sf commercial.* When coupled with the educational and institutional growth, these accomplishments demonstrate a strong foundation and equitable basis for realizing new economic development gains.

FORA's ongoing ED strategy is based on the following key components:

- **Build upon regional economic strengths** (Agriculture, Tourism, Higher Education/ Research, Military Missions)
- **Pursue new & retain existing businesses/enterprises.**

- **Engage internal & external stakeholders** (i.e. FORA Jurisdictions, California State University Monterey Bay (“CSUMB”), University of California Santa Cruz (“UCSC”), Monterey Bay Economic Partnership (“MBEP”), Monterey County Business Council, Monterey Peninsula Chamber of Commerce, and others.
- **Develop and maintain information resources.**
- **Report success metrics.**

Per ongoing Board direction and following the strategy outlined above, staff continues to make progress on a number of key projects. The following notes summarize and highlight progress since the May 10, 2019 Economic Development Quarterly Update:

- **Monterey Bay Drone, Automation, Robotics, Technology (“DART”).** FORA staff is working with multiple public and private partners to advance the DART initiative. This initiative provides an organizing principle for entrepreneurship and business attraction efforts aligned with growing regional strengths, broad market opportunity, and global technology trends. The DART concept grew from our unsuccessful bid for a Federal Aviation Administration (“FAA”) Unmanned Aerial System Integration Pilot Program designation at the Marina Municipal Airport. The process of responding to the FAA call for proposal resulted in the establishment of healthy public-private partnerships to advance these interconnected fields in the Monterey Bay Region. The initiative is advancing on multiple fronts including:

1) Establishing a 501c3 organization (Monterey Bay DART) as a durable vehicle for multi-party participation, funding, education and advocacy;

2) Initiating an on-going series of DART Meet-ups to be hosted at the University California Monterey Bay Education Science & Technology (“UCMBEST”) Center. Three Meetups have been held so far, the first on Feb 12, 2019 (co-hosted with Startup Monterey Bay Tech Meetup) with a focus on Human Transport & Joby Aviation attracted over 75 people; the 2<sup>nd</sup>, held on April 16, 2019 with a focus on Public Safety attracted over 40 participants; and the 3<sup>rd</sup> held on June 18 focused on Agriculture & Natural Resources attracted over 60 people. The next Meetup is planned for 5-8pm Thursday September 19 focused on Marine Technology;

3) Partnering with the UC Ag & Natural Resources Division (“UCANR”) to host the 2019 Drone Camp the week of June 17-20, 2019 on the former Fort Ord at UCMBEST and CSUMB campus. This successful event brought 75+ agency professionals, graduate students, and researchers to the area for a 3-day intensive training, and represented an innovative CSU-UC cross-system partnership;

4) Hosting for the first Monterey Bay DART Symposium Friday June 21, 2019, which brought together 160+ industry, academia, military and government stakeholders and highlighted regional strengths, challenges and opportunities. Numerous transactions and new partnerships emerged from the day and continue to produce results. Enthusiasm is high and efforts already underway to plan the 2<sup>nd</sup> DART Symposium, Friday June 19, 2020. A Symposium highlights video is online <https://player.vimeo.com/video/349755743>;

5) Convening a workforce development working group to meet immediate and near-term workforce demands of DART companies and industry expanding in the region;

6) Pursuing feasibility study funding to evaluate alternative development futures. Local match funding totaling \$116k has been committed from FORA, City of Marina, and UCSC, which allows for a potential maximum of \$464k Economic Development Administration

(EDA) contribution. Since the proposed project is within a Federal Opportunity ZONE, EDA requires only a 20% local match.

Lots going on with this exciting initiative and opportunities for broad participation, but especially for the City of Marina/Marina Municipal Airport. Please visit <https://MontereyBayDART.org> or contact Josh Metz with any questions or interest.

- **2019 Jobs Survey.** FORA Staff completed the 2019 Jobs Survey on behalf of its member jurisdictions. 136 employers and 6047 positions were identified within the former Fort Ord Boundary, representing a 6.5% (395 jobs) increase in total jobs reported since 2018, with majority being part-time positions. Business types on the former Fort Ord include: professional services (42%); retail/food service (25%); education related (19%); recreation (8%); and military (6%). Military-related account for the largest employment group, followed by education-related, professional, retail and recreation. These results represent an overall 36% progress towards the 18,000 BRP post-Fort Ord jobs target. *The full report can be accessed online: <https://ordforward.org/2019-jobs-survey-report/>.*
- **Opportunity Zones("OZ").** 9 Census Blocks in Monterey County were included in the 879 tracts nominated by Governor Brown for inclusion as OZ (8 in North County/Peninsula and 1 in South County). Track #14102 on the south/southeast edge of the City of Marina (northern edge of the former Fort Ord) is among them. This tract includes the Marina Airport, UCMBEST, and Dunes on Monterey Bay Specific Plan Area. Downtown Seaside has 2 large tracts, and the City of Salinas has 5. These blocks are now included in the Department of Treasury designated Qualified OZ under Internal Revenue Code Section 1400Z-1(b)(1)(B). Draft Federal OZ regulations were released on October 19, 2018 and are available for review at the link below. This new tax program is intended to provide new investment incentives to catalyze long desired infrastructure and urban development. FORA Staff worked in collaboration with City of Marina to produce the Marina OZ Prospectus, which describes the context and opportunities for OZ investment (accessible online here: <https://ordforward.org/marina-opp-zone/>). Completing this prospectus provided entre to the OZ Investment Summit, hosted by the Accelerator for America at Stanford University on March 18, 2019. This event attracted the attendance of over 400 investors and stakeholders from around the country to focus on best practices for community-oriented OZ investment. The Marina Prospectus was one of 27 from around the country featured at the event. Subsequently, 2 new interested investors have toured the zone and are considering projects here. The Prospectus will be updated as new information and projects are defined, and is a model for use by other Monterey Bay area regional cities. Regular updates regarding this item, including links to other/related reference resources can be located online at: <https://ordforward.org/opportunity-zones/>. The State of California recently launched an OZ portal, accessible here: <https://opzones.ca.gov/>. *Planning is currently underway through the Central Coast Marketing Team ("CCMT") for the first Monterey Bay Regional Opportunity Zone Investment Forum, 8am-12:30pm at CSUMB City Center, Salinas. More information & registration online at <http://MBOZ.org>.*
- **Business Recruitment/Retention.** FORA staff responds to and broadly refers inquiries from businesses/contacts interested in location or relocation and reuse of former Fort Ord real estate. These efforts contribute to both recruitment of new and retention of existing regional businesses. Developer engagement in recent months includes interest in affordable housing, hospitality, and light industrial/commercial projects. Staff continues supporting airport related development interest at Marina Municipal Airport and UCMBEST. Of particular note is the recently announced location of Joby Aviation at the Marina Airport.



This cutting-edge company will bring long sought after engineering and advanced manufacturing jobs to the City and region. Staff is also actively engaged in business recruitment efforts through the CCMT including: a) serving a leadership role in the CCMT in alignment with FORA interests, b) leading planning efforts for the Oct 14<sup>th</sup> Opportunity Zone Investment Forum, and c) continued development and management of <https://SelectCentralCoast.org/>. Staff participated in a number of external business recruitment related events during the past quarter including: Attending the Association for Unmanned Vehicle Systems International Conference in Chicago April 27-30, 2019 for drone port workshop and business recruitment; attending the Industrial Asset Management Council meeting with Team California May 4-7, 2019 to recruit good fit businesses to the region; and participating in the Select USA Investment Summit in Washington DC June 10-12, 2019 with Go-Biz and Team California. These activities contributed to increased participation at the DART Symposium, new business interest at the Marina Airport /UCMBEST, and furthering relationships at the State and Federal levels. Staff continues working with relevant jurisdiction staff and elected officials where appropriate to advance new and emerging opportunities.

- **Start-up Challenge Monterey Bay/California State University Monterey Bay Collaboration.** FORA continues to support expansion of regional entrepreneurship through collaboration with CSUMB on a broad Start-up Monterey Bay initiative including high quality events throughout the year. A regional entrepreneurship events calendar is now available and maintained regularly for public review/use at <https://StartupMontereyBay.com>. The annual cycle of entrepreneurship events culminates on September 27<sup>th</sup>, with the Startup Investment Forum at the Embassy Suites, Seaside. The 2019/20 Cycle, begins anew with the Startup Hackathon, Nov 1-3, 2019. Startup Weekend Monterey Bay is scheduled for January 24, 2020 and the Startup Challenge process kicks into gear directly thereafter, and culminates in the Otter Tank competition at CSUMB Salinas City Center in May 2020.

Other collaborations with CSUMB faculty and staff include contributing to continued growth of the sustainable hospitality/eco-recreation tourism efforts; and collaboration with planning and economic development initiatives including R&D, commercial, recreation, and residential resources. The sustained growth in relationships and mutually beneficial projects and initiatives highlights value generated from working relationships with CSUMB faculty/staff.

- **UCMBEST West Campus Auction.** University of California opened an auction for its 49.6-acre, UCMBEST West Campus in May 2018. The property is directly adjacent to the Marina Municipal Airport and other planned commercial development and conservation sites. The auction closed July 17, 2018. A successful bidder was secured and they are now working with UCSC, the City of Marina, and FORA awaiting escrow closure expected before end of year 2019. Questions about the property can be directed to UCMBEST Planning Director Steve Matarazzo. More information about the auction including links to site background information is available online at <https://ordforward.org/ucmbest-west-campus-auction/>. Staff continues to coordinate with UC Real Estate personnel to advance a more active future at UCMBEST.
- **Community Engagement/Jurisdiction Support.**

Community engagement/jurisdiction support remains a focus for ED staff. Staff engaged with the following processes since the September ED Progress Report:

FORA ED staff continue supporting City of Seaside Campus Town planning in developer/consultant informational meetings, in on-going cross-jurisdictional land use optimization

discussions, and in providing affordable housing information and resources to development teams. Staff continues working closely with the City of Marina Airport Manager and Economic Development team to continue advancing long term development interests in and around the Marina Airport.

- **Housing Starts.** New residential development at the Dunes on Monterey Bay, Sea Haven, and East Garrison continues. A summary of Community Facilities District (“CFD”) fees collected over the past 5 years is provided below:

New Residential	FY 14/15 Actual	FY 15/16 Actual	FY 16/17 Actual	FY 17/18 Actual	FY 18/19 Actual (Projected)
Total Units	89	256	317	273	289 (316)
Total CFD Fees	\$1,982,669	\$5,202,626	\$7,329,706	\$6,507,501	\$7,115,469 (\$7,780,236)

**Looking Forward**

The following events and initiatives will be the FORA economic development team focus in the months ahead: Convening the 4<sup>th</sup> DART Meetup, Thursday September 19 at UCMBEST; Participation in the Startup Investment Forum, September 27 at Embassy Suites; Supporting the Association of Defense Communities (“ADC”) Base Redevelopment Forum, September 30 - October 1 at Monterey Convention Center and FORA; Hosting Opportunity Zone Investment Forum, Monday October 19<sup>th</sup> at CSUMB City Center; Participating in MBEP State of the Region, Friday October 25 at Monterey Hyatt; and attending California Economic Summit, November 7-8 in Fresno. Other continuing efforts include Affordable Housing Initiative Support with MBEP; Jurisdiction Support; FORA Transition Planning; FORA Jobs Survey; community outreach and engagement.

**FISCAL IMPACT:**

Reviewed by FORA Controller 

Funding for staff time and ED program activities is included in the approved FORA budget.

**COORDINATION:**

Administrative and Executive Committees, UCSC, City of Marina, City of Seaside

Prepared by  Approved by   
 Josh Metz Michael A. Houlemard, Jr.

<b>FORT ORD REUSE AUTHORITY BOARD REPORT</b>	
<b>CONSENT AGENDA</b>	
<b>Subject:</b>	Public Correspondence to the Board
<b>Meeting Date:</b>	September 13, 2019
<b>Agenda Number:</b>	7f
	<b>INFORMATION/ACTION</b>

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>

Correspondence may be submitted to the Board via email to [board@fora.org](mailto:board@fora.org) or mailed to the address below:

FORA Board of Directors  
 920 2<sup>nd</sup> Avenue, Suite A  
 Marina, CA 93933

# FORT ORD REUSE AUTHORITY BOARD REPORT

## BUSINESS ITEM

<b>Subject:</b>	Building Removal Bond	
<b>Meeting Date:</b>	September 13, 2019	<b>INFORMATION/ACTION</b>
<b>Agenda Number:</b>	8a	

### RECOMMENDATION:

Receive Building Removal Bond Status Report and provide staff direction, as needed.

### BACKGROUND:

At the October 2018 meeting, the Fort Ord Reuse Authority (FORA) Board directed staff to investigate the legality and feasibility of issuing debt against FORA's statutory share of property tax revenue provided to FORA by the State Legislature as codified in the State of California Health and Safety Code. In January 2019, FORA released a competitive Request for Qualifications and selected NHA Advisors (NHA) to complete the bond feasibility and financial analysis. In July 2019, the Administrative Committee (AC) recommend the Board do the necessary work to prepare a bond package, and in August 2019, the Board approved the Executive Officer (EO) to do so.

#### **Legal and Feasibility Analysis**

As part of the legal feasibility assessment, bond counsel Stradling, Yocca, Carlson and Rauth (SYCR) verified the Health and Safety Code gives FORA authority to encumber the revenue stream beyond its sunset. This means Monterey County would continue to perform the tax revenue intercept on behalf of FORA beyond its sunset, but direct the payment to the Bond Trustee for the term of the bond. Therefore, the Board has until June 30, 2020 to complete the bonding process and add additional building removal projects to the final year Capital Improvement Program (CIP).

As part of the financial feasibility analysis, NHA identified a very favorable bond market which could yield \$5-7M more in bond proceeds beyond the initial estimate of \$30M, if a sale is initiated in the first part of December 2019. Therefore, as FORA's municipal advisor, NHA recommends moving through the process as quickly as possible to take advantage of the favorable market.

In performing the quantitative analysis, NHA identified a potential revenue shortfall to the Monterey County Regional Fire District (MCRFD). This is due to existing agreements which apply the County's East Garrison tax increment flow-downs to MCRFD. The estimated present value revenue loss to MCRFD over thirty years may be up to \$1M, depending on FORA's closure date. The city of Seaside proposed the city of Seaside and Marina, cover this shortfall using their own available resources.

## Status Report

In August 2019, The FORA Board Authorized the EO to prepare the bond documents for a Bond Issuance: Staff took the following actions:

- Engaged Economic Planning Systems to perform a Fiscal Consultant's Report for \$35,000.
- Engaged the Services of NHA as Municipal Advisors, and SYCR as bond Counsel.
- NHA issued an RFP for Bond Underwriters with proposal submitted September 6, 2019.
- NHA issued an RFP for Bond Trustee.
- NHA provided staff with a rough draft of the bond indenture, and corresponding resolution.
- Met with City of Seaside and Marina city managers to discuss the project list.

On September 4, 2019 the AC received a presentation from NHA on the constituent elements of the legal documents. NHA Identified two points which must be addressed in the legal documents, prior to bond issuance: 1) Consensus on Successor Entity (SE), 2) Consensus on allocation of net bond proceeds.

The NHA presentation provided to the AC is available at: <https://www.fora.org/admin.html>

### 1: Determining a Successor Entity:

In terms of the bond investors, both bond counsel and NHA have made it clear that the legal documents must identify a) a single FORA SE responsible to vet invoices and approve payments from the bond trustee, b) a SE resolution to accept the responsibility, c) Monterey County resolution to continue to intercept FORA's tax increment and re-route it to the Bond Trustee, d) identification of the use of funds, and e) per the Marks-Roos local bond pooling act, a public hearing in the jurisdiction the funds are being used to formally recognize the funds will be used within the jurisdiction as intended. Since the former Fort Ord boundaries are encompassed within Monterey County, this should be done at the Board of Supervisors.

The SE responsibility is to vet and approve or reject invoices; however, this responsibility is tied directly to building removal "**Waste Generation**". Meaning, the SE becomes the "**responsible Waste Generator**" as the entity is the final approval verifying the hazardous material removal is complete per Department of Toxic Substance Control (DTSC), and Regional Air and Water Quality Control Boards requirements. This has traditionally been a FORA responsibility on the former Fort Ord, and is why FORA maintains a Pollution Legal Liability (PLL) Insurance policy. Furthermore, FORA is able to be the "Waste Generator" in all the jurisdictions on Fort Ord since it is recognized as a Special District by the Board of Equalization, and is a single entity with which DTSC can coordinate. The SE must be able to take on these responsibilities.

The Board may assign these responsibilities to a) multiple jurisdictions, b) a single jurisdiction, or c) a Joint Powers Authority (JPA). Pros and Cons of these options are outlined below.

Impact	Multiple Jurisdictions	Single Jurisdiction	JPA
Meet December 2019 Bond Issuance Schedule	X	X	
Manage Bond Proceeds	X	X	X
Bond Administration & Continuing Disclosure	X	X	X
Manage Trustee	X	X	X
Vet Invoices	X	X	X
Vet Invoices for work inside another jurisdiction			X
Provide PLL Insurance	X	X	X
Avoid PLL Risk to Jurisdictional General Fund			X
Provide PLL Insurance for all removal areas		X	X
Coordinate with DTSC for removal		X	X
Responsible for onsite Construction	X	X	X
Responsible onsite "waste generation"	X	X	X
Responsible for onsite Legal Risk (Construction)	X	X	X
Construction inside another jurisdiction			X
Waste Generator inside another jurisdiction			X
Legal Risk (Construction) inside another jurisdiction			X
Equitably reprioritize projects as needed			X
Work with DTSC for local disposal			X

Analysis by NHA, bond counsel, and FORA staff shows a JPA may provide the most benefit to the region by removing risk to jurisdictional general funds from construction claims, long term waste remediation claims, and immediate PLL risk. However, the establishment of a JPA may be in conflict with NHA Advisors recommendation to issue bonds by December. Therefore, staff recommends the Board identify, in the legal documents, a single FORA SE until a JPA can be formed. The City of Marina would like to be the SE for the Building Removal Bond.

## 2: Allocation of Bond Proceeds

In terms of the bond investors, FORA is able to allocate the bond proceeds as it sees fit within FORA's legal statement of purpose for the bond proceeds. The AC has been unified in expressing the bonds should be solely used for building removal and the associated administrative costs. However, the final amount of bond proceeds will not be known until the actual sale date for the bond issuance. Therefore, NHA recommends the legal documents allocate the proceeds to a single FORA Building Removal account for use on building removal within the boundaries of the former Fort Ord, and provide an amendment method for FORA, or the SE, to delegate the funds following the bond issuance to the project areas. With this approach, FORA has until June 30, 2020 to develop a detailed allocation of bond proceeds for building removal.

### Next Steps

The AC will meet on September 18, 2019 to further discuss the SE and bond allocation. Many of the jurisdictions are interested in the Program Management operational details, but all that is needed for the FORA Board to issue the bond is clarity on the SE and how the bonds will be used. All stakeholders have been clear that 100% of the Bond proceeds, regardless of the final sale, will go to building removal and the associated administrative costs.

The Executive Committee (EC) scheduled a Special Board Meeting for October 7<sup>th</sup>, 2019 and another on October 11<sup>th</sup>, 2019, to further discuss the details of the bond. The Board will be able to consider approval of the legal documents and EO authorization to proceed with a bond issuance during the special meeting, and again on October 11<sup>th</sup> 2019.

### Relationship to the FORA CIP and Transition Plan

As announced at the September 4, 2019 AC and EC, SB189 (Senate Bill to Extend FORA until 2022) did not pass. This means FORA and its authorities and responsibilities will effectively end on June 30, 2020, with 6 months allowed for the final closure of accounts. The FORA Board has until June 30 to complete a bond issuance, and to place the building removal projects as line items into the FORA CIP. The Transition Plans Implementing Agreements will then delegate the responsibility to complete CIP line items to appropriate successor entities or agencies. FORA's staff, risk mitigation methods, expertise, and established relationships will no longer be available starting Fiscal Year 2020-21.

### FISCAL IMPACT:

Reviewed by FORA Controller 

Staff time to support the AC is included in the approved annual budget.

### COORDINATION:

County of Monterey, the County Fort Ord Committee, Cities of Seaside and Marina, Administrative Committee, Executive Committee, NHA Advisors, Monterey Peninsula College, Monterey County Regional Fire District, California State Parks, Marina Coast Water District, Transportation Agency of Monterey County, Monterey-Salinas Transit.

Prepared by  Peter Said

Approved by  Michael A. Houlemard, Jr.

# FORT ORD REUSE AUTHORITY BOARD REPORT

## BUSINESS ITEM

**Subject:** 2018 Transition Plan Implementing Agreements Progress Report

**Meeting Date:** September 13, 2019

**Agenda Number:** 8b

**INFORMATION**

### RECOMMENDATION:

Receive a Transition Plan Implementing Agreements Progress Report.

### BACKGROUND:

At the March 22, 2019 Board meeting and prior Board meetings, the FORA Board requested that staff and consultants provide periodic updates regarding the status of the 2018 Transition Plan Implementation.

### LEGISLATION STATUS UPDATE:

As of this writing, SB 189 has been withheld in the Assembly Appropriation Committee and has not been sent to the Senate floor. If it does not go the Senate floor it will be effectively dead for this legislative session. This effectively means the extension option will no longer be a part of the transition planning process, and staff and consultant are assuming a hard end date for FORA on June 30, 2020.

### TRANSITION PLANNING PROGRESS REPORT:

Since the August 9, 2019 Board meeting report, FORA transition plan implementation consultants Regional Government Services (RGS) continue meeting with various stakeholders and drafting Transition Plan Implementation Agreements (TPIA). The RGS workplan involves drafting the following set of TPIA for consideration by the Board:

1. **Multi-agency TPIA:** addressing issues relevant to each FORA land use jurisdiction as well as:
  - a. Transferring FORA's regional transportation obligations and offsite transportation reimbursement agreements to the Transportation Agency for Monterey County (TAMC) and the holdover jurisdictions;
  - b. Economic Development Conveyance (EDC) Successor (property transfers);
  - c. Local Reuse Authority (LRA) Successor; and
  - d. Provisions to continue regional housing solutions cooperation.
2. **Water TPIA:** addressing transfer of certain FORA water supply/allocation rights (as may be noted in EDC agreement above) and obligations to Marina Coast Water District ("MCWD").
3. **Environmental Services Cooperative Agreement ("ESCA") TPIA:** regarding post-FORA successor and obligations under this contract with the US Army.

RGS consultants met with the Administrative Committee on March 20, April 3, June 5, June 19, July 3, July 31, and August 14, 2019 to provide updates on TPIA progress (**Attachment A**).

A draft Multi-Agency Implementing Agreement was reviewed by the Administrative Committee June 19 and July 3, 2019, and was shared for review by the Board and public prior to the July 12 meeting. RGS consultants are incorporating Board and Administrative Committee comments, and have updated the DRAFT Multi-Agency TPIA in response to State action on SB 189 (**Attachment B**).



RGS consultants produced a DRAFT ESCA TPIA for Administrative Committee review at the July 31, 2019 meeting. Following receipt of stakeholder feedback, FORA-ESCA staff prepared a revised DRAFT ESCA TPIA and provided to the RGS consultants.

At the August 9, 2019 meeting, the FORA Board approved a NTE \$100k amendment to the RGS Scope of Work subject to scope refinements and detailed task-based accounting worked out with FORA Staff. RGS consultants are already engaging with the new scope of work and will bring regular updates to the Board.

In addition to the RGS consultant workplan, Staff is advancing the following transition related items:

- a) Local Agency Formation Commission of Monterey County-FORA Liability Agreement
  - i. Coordinating with LAFCO Staff on post SB189 dynamics, critical timelines, and other key transition related issues.
- b) Final FY 19/20 Capital Improvement Program;
  - i. Advancing DRAFT Transition Transportation Study through the Admin Committee, with expected recommendation to the Board at the October meeting.
- c) Environmental Protection Agency (EPA)/Department of Toxic Substances Control (DTSC) /Army – FORA ESCA successor acceptance process;
  - i. Working through an approval sequence for getting the ESCA TPIA executed and transitioning to City of Seaside (**Attachment C**).
  - ii. Personnel action regarding the City of Seaside assumption of the ESCA Contract obligations were heard by the Seaside City Council on September 5, 2019. Council adopted provisions that will allow the transfer of personnel to the City once all signoffs/approvals are secured.
- d) Public Employee Retirement System (“PERS”) obligations and FORA projected staffing.
  - i. Coordinating with RGS consultants and PERS personnel.

**COORDINATION:**

Executive Officer.

**ATTACHMENTS:**

Attachment A: TPIA Status Chart


Attachment B: Revised DRAFT Multi-Agency TPIA

Attachment C: ESCA Sequence Chart

Prepared by

  
Josh Metz

Approved by

  
Michael A. Houlemard, Jr.

# **Attachment A to Item 8b**

**TPIA Status Chart**

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**The Attachment will be provided once available**

# **Attachment B to Item 8b**

**Revised DRAFT Multi-Agency TPIA**

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**The Attachment will be provided once available**

**FLOW CHART**  
**THE STEPS TO ESCA SUCCESSOR-IN-INTEREST ACKNOWLEDGEMENT**  
Updated After Army, EPA and DTSC Review 8/26/19

**STEP 1**

**FINALIZE AND EXECUTE THE FORA/SEASIDE ESCA SUCCESSOR-IN-INTEREST (“SUCCESSOR”) TRANSITION PLAN IMPLEMENTING AGREEMENT**

**Status:** Preliminary draft document developed and shared with Seaside City Manager and Counsel. Preliminary draft document reviewed with Environmental Protection Agency, Department of Toxic Substances Control and U.S. Army. Draft document ready for Seaside review.

**STEP 2**

**JURISDICTIONS EXECUTE WRITTEN CONFIRMATION ACKNOWLEDGING SEASIDE AS THE ESCA SUCCESSOR**

**Status:** Preliminary draft document developed and shared with Seaside City Manager and Counsel. Preliminary draft document ready for FORA Board informational update. Draft document ready for Seaside review.

**STEP 3**

**LAFCO PROPOSED ESCA SUCCESSOR NOTIFICATION  
MINIMUM 120 DAYS BEFORE FORA TERMINATION**

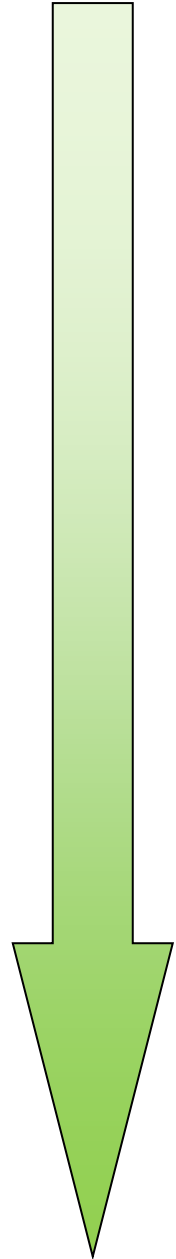
**Status:** FORA to contact LAFCO requesting their preferred form of Successor acknowledgment documentation.

**STEP 4**

**SEASIDE EXECUTES THE ESCA CONTRACT AND THE AOC**

**Status:** Steps 1, 2 and 3 should be completed before Seaside executes the ESCA contract and the Administrative Order on Consent (“AOC”).

**Status:** Seaside and FORA exchanging background documents. Seaside’s ESCA and AOC documents – Not Started.



# FORT ORD REUSE AUTHORITY BOARD REPORT

## BUSINESS ITEM

<b>Subject:</b>	Habitat Conservation Plan: Amendment to Consultant Services	
<b>Meeting Date:</b>	September 13, 2019	<b>ACTION</b>
<b>Agenda Number:</b>	8c.	

### **RECOMMENDATION:**

Authorize the Executive Officer to amend and supplement existing contracts with ICF and Denise Duffy & Associates (DDA) to complete responses and publish the Habitat Conservation Plan (HCP).

### **BACKGROUND:**

At the October 12, 2018 FORA Board meeting staff presented an HCP status update and received direction to proceed with processing an HCP, continue discussions of what would be included in an independent habitat JPA, and include an analysis of all potential funding mechanisms.

At the March 8, 2019 FORA Board meeting staff presented an HCP Status Update and Habitat Management Plan (HMP) Responsibilities Analysis outlining anticipated responsibilities and cost projections. These items were received by the Board and no action was taken.

Additional key staff have left FORA since March 2019. While remaining FORA staff has the capacity to oversee advancement of the HCP and Environmental Impact Report/Environmental Impact Statement (EIR/EIS) through federal and state approval processes, additional consultant support will be needed.

*At the September 4, 2019 Executive Committee, members directed staff to add this Business Item to address expected consultant support needs to advance completion of the HCP and formation of the cooperative Joint Powers Authority (JPA).*

### **DISCUSSION:**

A current DRAFT HCP, EIR/EIS, and JPA completion schedule is attached (**Attachment A**). ICF and DDA provide lead consulting for the HCP and associated EIR/EIS (respectively). Both contractors have seasoned teams in place and are under existing contract to support completion of these critical regulatory documents.

Due to short notice on these requested adjustments, ICF has provided a DRAFT Statement of Work (SOW) and budget amendment to get through publishing the Public Review DRAFT HCP into December 2019 (**Attachment B**). ICF will prepare an additional SOW and Budget Amendment request following completion of this SOW. FORA Staff recommends increasing the ICF contract an additional NTE of \$100,000.

DDA has prepared a DRAFT Budget Amendment and SOW for work to completion of the HCP associated EIR/EIS (**Attachment C**). No additional amendments are expected. FORA Staff recommends increasing the DDA contract an additional NTE of \$120,000.

### **FISCAL IMPACT:**

Reviewed by FORA Controller Denise Lizbeth Fox Helms Rickelmeier

Funds for ICF contract amendment are accounted in the Board approved FY 2019/20 Budget for HCP and Transition Related Services.

**COORDINATION:**

Executive Officer, ICF, DDA

**ATTACHMENTS:**

Attachment A: Current DRAFT HCP, EIR/EIS, and JPA Completion Schedules

Attachment B: DRAFT ICF-HCP SOW and Budget Amendment

Attachment C: Proposed DDA-EIR/EIS SOW and Budget Amendment

Prepared by  Approved by   
Josh Metz Michael A. Houlemard, Jr.

# HCP Schedule



Task Name	2018				2019				2020				
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	
1 <input type="checkbox"/> HCP			[Grey bar spanning Q3 2018 to Q2 2020]										
2 Draft Pre-Public HCP													
3 Key Issue Resolution status updates													
4 Wildlife Agency and Working Group Review Period (8 wk)													
5 Meetings to Identify Key Issues													
6 Bi-weekly meetings (as necessary) with Wildlife Agencies, FORA, and Working Group Members to check-in or resolve outstanding issues													
7 Prepare 3rd Admin Draft HCP													
8 Review 3rd Admin Draft HCP (Permit Applicants and BLM only )													
9 Revise 3rd Admin Draft HCP													
10 Review 3rd Admin Draft HCP (Permit Applicants, BLM, Wildlife Agencies)													
11 Prepare Screen-check Draft HCP													
12 Review Screen-check Draft HCP (Wildlife Agencies)													
13 Prepare 2nd Screen-check Draft HCP													
14 Agencies and Permittee Review 2nd Screen-check Draft (60 days)													
15 Prepare Screencheck Public Draft HCP													
16 Solicitor review													
17 Prepare Public Review HCP													
18 Solicitor review													
19 Prepare and publish Notice in Federal Register for HCP, EIS													
20 Public/Agencies Review Period (45 days)													
21 Conduct Public Outreach													
22 Prepare Responses to Comments, Edits													
23 Prepare Final HCP													
24 Conduct Public Outreach													
25 See Approval process steps													
26													
27 <input type="checkbox"/> EIR/EIS													

Task Name	2018				2019				2020			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
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Task Name	2018				2019				2020			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
56 Prepare Final Agreement									█			
57 See Approval Process steps												
58												
59 <input checked="" type="checkbox"/> Approval Process					█	█	█	█	█	█	█	█
60 FWS Findings/Biological Opinion										█		
61 USFWS/FORA Approval of Final Plan, Final EIR/EIS, Final HCP JPA Agreement										█		
62 FORA Board Certifies HCP and EIR					█							
63 Establish JPA (Implementing Entity)										█		
64 Permits Issued by FWS											█	
65 Permits issued by CDFW												█
66 Local Agencies Adopt Imp Ordinances												█
67												
68 <input checked="" type="checkbox"/> State Permit Process												
69 CDFW review of State Permit Application (with HCP draft, BLM-CDF										█		
70 CDFW Findings Preparation											█	
71 CEQA Notice of Determination--CDFW - 30 day challenge period												█
72												
73												
74												
75												
76												



# DRAFT Proposal

Addendum #10, Fort Ord Multi  
Species Habitat Conservation  
Plan

September 6, 2019

**Submitted to:**  
Fort Ord Reuse Authority  
920 2<sup>nd</sup> Ave., Suite A  
Marina, CA 93933

**Submitted by:**  
ICF  
75 East Santa Clara Street, Suite  
600  
San Jose, CA 95113

## OVERVIEW

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This draft scope of work outlines the work required to complete HCP-related tasks through the Public Review Period. ICF will provide the Fort Ord Reuse Authority (FORA) a final scope of work and cost estimate early next week. ICF has \$9,025 remaining (Labor = \$6,700, Direct Expenses = \$2,325) in its current contract. This amount is not sufficient to complete the HCP-related tasks through the Public Review Period described below. An estimate of the funds needed to complete these tasks through the Public Review Period is provided in Table 1 at the end of this draft scope of work. The amounts in Table 1 are in addition to the \$9,025 remaining. The final cost estimate provided to FORA may differ from the draft estimate provided in Table 1 as we refine our assumptions of the tasks needed to complete the Public Review Period.

Once the Public Review Period is finished, ICF will work with FORA and Denise Duffy and Associates (DD&A) to scope remaining tasks to complete the Final HCP, Final EIR/EIS, permit applications, Joint Powers Authority (JPA) Agreement, and other related tasks by June 30, 2020. This two-step approach allows ICF sufficient funding to provide FORA with more support than currently funded (due to FORA staff shortage) and to meet the critical, fast-approaching deadline of October 7, 2019 for submittal of the HCP package (e.g., the HCP and HCP EIR/EIS) to U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW).

The work described in this scope of work will continue through mid-December, after the Public Review Period ends (approximately December 3, 2019). A schedule of steps to complete the HCP, the HCP EIR/EIS, the HCP JPA Agreement and receive permits from the USFWS and CDFW is provided below in Figure 1.

The following are existing tasks in ICF's current contract and new tasks added in this amendment. Task 014, Outreach to Permittees, Task 015, Prepare Final HCP and Task 016, HCP EIR/EIS Support are new. Completed tasks are not included below.

### Task 005, Strategic Advice and Project Management

#### *Subtask 005.01, Strategic Advice and Project Management*

- Support FORA with writing HCP- and HCP EIR/EIS-related staff reports.
- Invoicing and budget management.
- Review FORA and HCP-related documents, as available and as needed, to determine status and next steps, particularly for aspects of the HCP that ICF has not been involved with at all or not since July 2017. Examples include documents related to the JPA formation, JPA Agreement, the CDFW-BLM MOU, the cost model, and the draft implementing ordinance and policy.

#### *Subtask 005.02, Internal Team Meetings and Coordination*

- Attend weekly 1-hour team check-in calls with FORA and DD&A. One ICF staff attends each weekly call and a second ICF staff attends three weekly calls total.
- Attend three FORA Board meetings in-person (September through November). One ICF staff attends three Board meetings in-person and a second ICF staff attends one Board meeting in-person.
- One ICF staff attends two 1-hour coordination calls with BLM.

#### Assumptions

- Two hours of preparation time for each Board meeting.
- Travel time to FORA office: 1.5 hours round trip for Aaron Gabbe; 4 hours for David Zippin

#### *Subtask 005.03, Coordination Meetings with Wildlife Agencies*

Six total coordination meetings with the wildlife agencies.

- One ICF staff attends three 1-hour coordination calls with USFWS.
- One ICF staff attends three 1-hour coordination calls with CDFW.

## Task 011, Prepare Public Review Draft

### Subtask 011.03, Prepare Public Draft HCP

Tasks to finalize the Public Draft HCP include the following.

- Make additional edits to the HCP in response to comments from the City of Marina and USFWS.
- Finish drafting the HCP 10(a)(1)(B) permit application and the transmittal letter to CDFW for the 2081(b) permit application.
- Make the Public Draft HCP compliant with Section 508 of the Rehabilitation Act (Section 508) and California state requirements (California Government Code Section § 11546.7). Also include time to transmit the document and coordinate with the wildlife agencies and permittees.

#### Deliverables

- Public Draft HCP.
- HCP 10(a)(1)(B) permit application.
- Transmittal letter to CDFW for the 2081(b) permit application.

#### Assumptions

- Any additional edits in response to comments from USFWS will be minor.
- Rollout of current standards is relatively recent and USFWS indicated to ICF that compliance with Section 508 may be optional if the Public Draft HCP is released in early October. Because of uncertainty about whether USFWS and CDFW will require compliance for the Public Draft HCP, this amendment proposal assumes that the Public Draft HCP and Final Draft HCP will need to be compliant with Section 508 and California Government Code Section § 11546.7.
- Documents cannot be edited once they have been made compliant. The compliance must come at the end of the document writing process to ensure that the compliance process does not need to be redone to accommodate additional edits. We assume that there will be only one more Section 508-compliance process before submitting the Public Draft HCP (ICF made the HCP chapters Section 508-compliant in July 2019, but the document was subsequently edited. Appendices have not gone through the Section 508 compliance process).

## Task 013, Public Outreach

During the public review period the CEQA and NEPA lead agencies (FORA and USFWS) will engage the public and solicit their feedback on the HCP and EIR/EIS. We assume that FORA and DD&A will lead the community engagement effort through the CEQA and NEPA process. ICF will provide community engagement support to FORA and DD&A during the public review period for the Plan. ICF will attend one public meeting to staff an expert station or answer questions from the public on the HCP. ICF will prepare a board to display Plan maps, a Plan summary, and an HCP fact sheet. These same materials will be provided as handouts at the event.

#### Deliverables

One draft and final power point presentations (electronic version and 20 hard copies). One draft and final 2-page summaries of the Plan, map, and fact sheets. One display board.

#### Assumptions

- One ICF staff attends one, 2-hr public meeting in-person.
- DD&A and FORA leads planning, facilitating, and administering the public meeting.
- ICF will provide FORA electronic versions of Plan summaries and fact sheets. FORA will print hard copies of Plan summaries and fact sheets.

## Task 014, Outreach to, and Coordination with, the Permittees

Under this **new task**, ICF will assist FORA and the permittees with the HCP and HCP EIR/EIS approval process and will support FORA with managing the completion of the JPA Agreement.

- Support FORA with setting up a JPA permittee meeting during the public review period.
- Attend and support FORA and RGS at the JPA permittee meeting.
- Coordinate with FORA and RGS to prepare for the JPA permittee meeting.
- Conduct outreach to permittees, as-needed, to support permittee buy-in to the JPA.

### Deliverables

- Agenda for the JPA permittee meeting.

### Assumptions

- Economic & Planning Systems (EPS) must provide their cost exercise work product by September 25 for review by FORA and ICF and circulation to the attendees of the JPA permittee meeting at least 2 weeks before the meeting.
- ICF will have two, one-hour planning calls with FORA and RGS to prepare for the JPA permittee meeting.
- ICF will attend the JPA meeting in-person.

## Task 015, Prepare Final HCP

Under this **new task**, Once the public review period ends, ICF will review the public comments and coordinate with FORA, DD&A and the wildlife agencies to identify potential issues and key revisions to the HCP and HCP EIR/EIS. Knowing the nature and extend of public comments at the end of the public review period, will allow ICF to better scope the work needed to respond to comments and revise the HCP and HCP EIR/EIS in response to comments.

## Task 016, HCP EIR/EIS Support

Under this **new task**, ICF will support DD&A with the timely completion of the HCP EIR/EIS. These tasks include the following.

- 1) Make the Public Draft HCP EIR/EIS compliant with Section 508 of the Rehabilitation Act and California state requirements (Government Code Section § 11546.7). Work needed to make the Public Draft HCP and Final Draft HCP compliant with these requirements will be done under Task 011, Subtask 011.03.
- 2) Support DD&A with receiving, compiling, and circulating the public comment letters to FORA and DD&A.
  - a) Receive and compile comment letters and distribute the letters to the team.
  - b) Identify and track all HCP-related comments.
  - c) Organize and manage comments and responses to all comments in coordination with DD&A.
  - d) Coordinate with wildlife agencies on responses.

### Deliverables

- Section 508- and California state requirement- compliant Public Draft EIR/EIS.
- Public comment tracking matrix populated with all HCP-related comments.

### Assumptions

- Documents cannot be edited once they have been made compliant. The compliance must come at the end of the document writing process to ensure that the compliance process does not need to be redone to accommodate additional edits. We assume that there will be only one Section 508-compliance process before submitting the Public Draft HCP EIR/EIS and that DD&A will provide ICF with the Public Draft EIR/EIS by September 25<sup>th</sup>, at least

eight full business days in advance of the day the document is due for submission to USFWS and CDFW (October 4).

- Funds to make the Final Draft HCP EIR/EIS Section 508-compliant will be requested in the next amendment proposal.
- There will be 50 comment letters provided on the HCP and HCP EIR/EIS. Each comment letter will have a range of distinct comments. Forty letters will address the HCP.

DRAFT

## Cost Estimate

The following cost estimate is a draft estimate intended to provide guidance for funding needs. ICF will refine this cost estimate next week as we refine our scope of work assumptions. Completed tasks are not included below.

**Table 1. Draft Cost Estimate for HCP-related Tasks through the Public Review Period**

Task	Cost Estimate
Task 005 – Strategic Advice and Project Management	
Subtask 005.01 – Strategic Advice and Project Management	\$12,000
Subtask 005.02 – Internal Team Meetings and Coordination	\$12,500
Subtask 005.03 – Coordination Meetings with Wildlife Agencies	\$2,000
Task 011 – Prepare Public Review Draft	
Subtask 011.03 – Prepare Public Draft HCP	\$13,000
Task 013 – Public Outreach	\$14,500
Task 014 – Outreach to Permittees	\$14,000
Task 015 – Prepare Final HCP <sup>1</sup>	--
Task 016 – HCP EIR/EIS Support	\$23,000
Direct Expenses <sup>2</sup>	--
<b>Total Cost Estimate</b>	<b>\$91,000</b>

Notes:

- 1 No funds requested in this scope of work for this new task. ICF will scope this task in the next amendment.
- 2 Remaining funds are adequate. No new funds requested.

# **DENISE DUFFY & ASSOCIATES, INC.**

## **SCOPE OF WORK for the FORT ORD HCP ENVIRONMENTAL IMPACT STATEMENT/ ENVIRONMENTAL IMPACT REPORT**

### **Amendment #12 September 6, 2019**

#### **Introduction**

Denise Duffy & Associates, Inc. (DD&A) is currently contracted to prepare the environmental documentation for the Fort Ord Habitat Conservation Plan (HCP) (February 1, 2005). Due to changes in the documentation approach and the HCP consultant, DD&A prepared a Scope of Work that assumed the preparation of a joint NEPA/CEQA environmental document, dated July 21, 2008 (Amendment #1 to the original contract). Since the approval of contract amendment #1, additional revisions to the scope of work and budget occurred, which were approved as Amendments #2-4. To reflect these revisions to the original contract and provide a budget to complete the environmental review process through a screencheck draft Environmental Impact Statement/Environment Impact Report (EIS/EIR), DD&A prepared a Revised Scope of Work, dated January 3, 2012, which was referred to as “Amendment #5.” Amendment #5 included: Tasks 1-7 of the Revised Scope of Work; and the tasks described in Amendment #4. The Fort Ord Reuse Authority (FORA) approved Amendment #6, which included revising the impact analysis for the California Tiger Salamander (CTS). Due to completion of several tasks and increased technical discussions and analyses, DD&A prepared contract amendment #7, which included a revised Scope of Work and budget amendment to update the HCP impact analysis and the 2<sup>nd</sup> Administrative Draft EIS/EIR and Screencheck Draft EIS/EIR to reflect the results of the technical discussions.

Amendment #8 was prepared to complete a few outstanding covered species issues, address additional proposed covered activities not previously considered in the HCP, and prepare and distribute the Public Draft EIS/EIR. Amendment #9 was issued to reallocate the remaining budget from Task 10 2<sup>nd</sup> Administrative Draft EIS/EIR to Task 11 Public Draft EIS/EIR.

Amendment #10, included 1) a new subtask (Task 11A) to address impact analysis comments received on the Screencheck Draft HCP and 2<sup>nd</sup> Administrative Draft EIS/EIR; 2) amending the production assumptions associated with distributing the Public Draft EIS/EIR in Task 11; 3) tasks required after the Draft EIS/EIR public review period to finalize the Draft EIS/EIR and complete the environmental review process. These tasks were not included in previous contracts.



Amendment #11 included: 1) additional budget to incorporate HCP revisions resulting from USFWS comments into the Public Draft EIS/EIR; 2) a new subtask (Task 11B) to revise the HCP take assessment based on USFWS comments; and 3) additional budget for agency coordination and meetings.

This amendment, Amendment #12, includes the required tasks to prepare the public review draft EIS/EIR, distribute for public review, conduct a public meeting, and review and compile public comments.

## **TASK 11. PREPARE PUBLIC REVIEW DRAFT EIS/EIR DOCUMENTATION**

### **Task 11A. Prepare 2<sup>nd</sup> Screencheck Public Review Draft EIS/EIR**

In response to comments on the Screencheck Draft EIS/EIR and Draft HCP, DD&A will prepare a 2<sup>nd</sup> Screencheck Public Draft EIS/EIR as requested by the Wildlife Agencies and submit to the project team and the USFWS Regional Office (RO) for review and comment.

### **Task 11B. Prepare Revised 2<sup>nd</sup> Screencheck Public Review Draft EIS/EIR**

Based on comments received on the 2<sup>nd</sup> Screencheck Draft EIS/EIR and Draft HCP, DD&A will prepare a Revised 2<sup>nd</sup> Screencheck Public Draft EIS/EIR as requested by the Wildlife Agencies and submit to the project team and USFWS RO and Solicitor Office (SO) for review and comment.

### **Task 11C. Prepare Public Review Draft EIS/EIR**

DD&A will incorporate the USFWS RO/SO comments anticipated on the Revised 2<sup>nd</sup> Screencheck Public Review Draft EIS/EIR, as well as any relevant revisions to the HCP that resulted from USFWS comments, and prepare the Public Review Draft EIS/EIR for formal public review. This scope of work assumes that ICF will format the Public Review Draft EIS/EIR in accordance with Section 508 requirements, if determined necessary by CDFW.

DD&A will provide copies of the document on CD and in a PDF file so that it can be posted on the FORA, USFWS, and CDFW websites upon publication of the Federal Register notice and filing at the State Clearinghouse. DD&A will provide seventy-five (75) CDs of the Public Review Draft EIS/EIR to FORA and ten (10) CDs of the Public Review Draft EIS/EIR to the USFWS. DD&A will also prepare a PDF digital copy and make available through DD&A's ftp site to allow FORA and the USFWS to print hard copies or additional CDs of the Public Review Draft EIS/EIR, as needed.

This scope of work assumes that FORA and the USFWS will be responsible for circulating the Public Review Draft EIS/EIR to the approved distribution list, which will be created by DD&A during this task with internal team input, and assumes that the number of CDs identified in this scope of work is adequate for circulation. If additional CDs are requested of DD&A, authorization to amend this scope would be required.

DD&A will be responsible for the preparation of the CEQA notices (i.e., Notice of Availability, Notice of Completion, Summary Form, and Monterey County Environmental Document

Transmittal), and filing and posting with the State Clearinghouse and County Clerk. This scope of work assumes producing one hundred (100) hard copies of the Notice of Availability to meet distribution and posting requirements of FORA and the State Clearinghouse. FORA will be responsible for posting the Notice of Availability in the local newspaper(s) (e.g., the Monterey Herald, Californian, and/or Monterey Weekly) and at the FORA office, as well as providing the sufficient number of hard copies at various locations for public to access (locations will be identified in the distribution list).

The Public Review Draft EIS/EIR will be circulated concurrently with the Public Review Draft HCP. This scope of work assumes ICF will be responsible for the production of the Public Draft HCP and provide the requested number of copies to FORA for distribution. This scope of work also assumes that the USFWS will be responsible for preparing, publishing, distributing, and noticing (i.e., Notice of Intent) the Public Review Draft EIS/EIR and HCP in accordance with USFWS NEPA Procedures and NEPA regulations.

*Responsibility: DD&A, USFWS, and FORA*

*Deliverables: Public Review Draft EIS/EIR and Noticing*

## **TASK 12. PUBLIC MEETING**

During the public review period, DD&A will attend one public meeting in the project area. Public notice of this meeting will be included in the Notice of Availability and Notice of Intent. DD&A, in coordination with FORA, will be responsible for organizing and facilitating the public meeting. This task will include the preparation of presentation materials, including a PowerPoint presentation, agenda, comment cards, and other materials that may be required. DD&A will work closely with FORA, ICF, and the Wildlife Agencies to draft the meeting materials. ICF will be responsible for HCP-related meeting materials, including a board to display HCP maps, an HCP summary, and an HCP fact sheet. DD&A will be responsible for presenting a brief presentation on the nature of the public meeting, an overview of the project (HCP), and the general requirements of CEQA and NEPA, including an overview of the environmental process and project impacts. DD&A will prepare comprehensive documentation of the public meeting. This will include preparation of the Record of Public Meeting (including a certified transcript of the public meeting proceedings and compilation of all written and verbal comments received).

*Responsibility: DD&A, FORA, and ICF*

*Deliverables: Meeting materials and Record of Public Meeting*

## **TASK 13. REVIEW OF PUBLIC COMMENTS**

After the close of the 45-day public comment period, DD&A will review public comments and initiate the preparation of the Administrative Draft Final EIS/EIR, which will include responses to the public comments received and changes to the Draft EIS/EIR. DD&A will work closely with ICF to assign and track responses to comments. This scope of work assumes that ICF will be the responsible for the compilation and distribution of public comments to the project team. DD&A will coordinate with ICF to efficiently organize the comments for inclusion in the Final EIS/EIR.

*Responsibility: DD&A and ICF*

*Deliverables: Response to Comment Matrix*

#### **TASK 14. COORDINATION AND MEETINGS**

DD&A will continue coordinating with the HCP Working Group and working to resolve issues and concerns. DD&A will attend and participate in HCP Working Group meetings as necessary throughout the duration of the tasks above either in-person or on telephone conferences, including regular communication with the USFWS and CDFW to address key issues and confer on environmental issues. This scope of work assumes that ICF and/or FORA will lead the meetings; DD&A will prepare meeting materials as needed for EIS/EIR-related agenda items. This scope also assumes that ICF will be responsible for preparing meeting agendas and minutes and maintaining a log of all action items to ensure that the required actions occur. DD&A will also attend one CRMP meeting during the duration of the tasks above.

DD&A will participate in weekly, 1-hour conference calls led by ICF during the duration of the tasks above. In addition, DD&A will coordinate closely with ICF to maintain project schedule and completion.

*Responsibility: DD&A*

*Deliverables: Meeting materials, as needed*

**DD&A Cost Estimate for Fort Ord HCP EIS/EIR - Amendment #12**

<i>Billing Title</i>		Principal	Senior Project Manager	Senior Planner	Senior Environmental Specialist	Assoc Planner or Scientist	Assist Planner or Scientist	Word Processing	Graphics	Hours Per Task	Cost Per Task
<b>11</b>	<b>Prepare Public Review Draft EIS/EIR</b>										\$ -
11A	Prepare 2nd SC Public Draft EIS/EIR	6	38	24	28	24	30	20	10	180	\$ 22,884
11B	Prepare Revised 2nd SC Public Draft EIS/EIR	6	50	48	38	28	44	25	16	255	\$ 32,276
11C	Prepare Public Review Draft EIS/EIR	4	40	40	20	36	40	30	26	236	\$ 28,306
<b>12</b>	<b>Public Meeting</b>	2	24	12		10	6	16	10	80	\$ 9,790
<b>13</b>	<b>Review of Public Comments</b>	4	26	16			16	24		86	\$ 10,530
<b>14</b>	<b>Coordination and Meetings</b>	8	60				32	16		116	\$ 15,836
	Total Hours	30	238	140	86	98	168	131	62	953	
	Hourly Rate	\$ 225	\$ 163	\$ 132	\$ 150	\$ 108	\$ 97	\$ 72	\$ 103		
	Total Labor	\$ 6,750	\$ 38,794	\$ 18,480	\$ 12,900	\$ 10,584	\$ 16,296	\$ 9,432	\$ 6,386		\$ 119,622
<b>Expenses:</b>											
	Printing/Mileage/Communication										\$ 250
											<b>Subtotal Expenses</b>
											\$ 250
											<b>15% Admin Fee</b>
											\$ 38
											<b>TOTAL EXPENSES</b>
											\$ 288
										<b>TOTAL</b>	\$ 119,910