



FORT ORD REUSE AUTHORITY

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REGULAR LEGISLATIVE COMMITTEE MEETING

8:30 A.M. THURSDAY, NOVEMBER 14, 2013

920 2nd Avenue, Suite A, Marina CA 93933 (FORA Conference Room)

AGENDA

1. CALL TO ORDER

2. APPROVAL OF MEETING MINUTES:

a. May 6, 2013 Legislative Committee Minutes

ACTION

3. PUBLIC COMMENT PERIOD:

During the public comment period, members of the audience may address the Committee on matters within FORA's jurisdiction, but not listed on this agenda. Comments are limited to three minutes. Comments on specific agenda items will be heard under that item.

4. Reports from Legislative Offices

INFORMATION

a. 20th U.S. Congressional District – Alec Arago

b. 17th State Senate District – Nicole Charles

c. 29th State Assembly District – Erica Parker

5. NEW BUSINESS

a. Review DRAFT 2014 FORA Legislative Agenda

ACTION

6. ITEMS FROM MEMBERS

7. ADJOURNMENT

NEXT REGULAR ADMINISTRATIVE COMMITTEE MEETING: DECEMBER 2, 2013

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FORT ORD REUSE AUTHORITY

REGULAR LEGISLATIVE COMMITTEE MEETING MINUTES

1:00 p.m., Monday, May 6, 2013 | FORA Conference Room
920 2nd Avenue, Suite A, Marina CA 93933

1. CALL TO ORDER

Mayor Edelen declared a quorum and called the meeting to order at 1:00 p.m.

Members Present:

Chair/Supervisor Potter (County of Monterey)
Mayor Edelen (City of Del Rey Oaks)
Mayor Rubio (City of Seaside)
Mayor Pendergrass (City of Sand City)
Mayor Pro-Tem O'Connell (City of Marina)

Others Present:

John Arriaga (JEA & Associates)
Rochelle Dornatt (20th Congressional District) *via phone*
Nicole Charles (17th State Senate District)
Erica Parker (29th State Assembly District)

2. PUBLIC COMMENT

None.

3. APPROVAL OF MEETING MINUTES

a. February 25, 2013 Legislative Committee Minutes

MOTION: Supervisor Potter moved, seconded by Mayor Rubio, to approve the minutes as presented.

MOTION PASSED: unanimous.

4. REPORTS FROM THE LEGISLATIVE OFFICES

a. 20th Congressional District

Rochelle Dornatt provided a report to the Committee, noting that Senator Monning and Congressman Farr were coordinating closely to advance the California Central Coast Veterans Cemetery (CCVC) project.

Mayor Edelen stated that because the 17th State Senate district representative had not yet arrived, the Committee would take that report out of order.

c. 29th State Assembly District

Erica Parker provided a brief report to the Committee.

5. OLD BUSINESS

a. Review Modifications to 2013 FORA Legislative Agenda

Executive Officer Michael Houlemard discussed changes made to the 2013 FORA Legislative Agenda based on Committee direction provided at the February 25, 2013 meeting.

MOTION: Supervisor Potter moved, seconded by Mayor Rubio, to add the revised 2013 FORA Legislative Agenda to the next Board meeting Consent Agenda.

MOTION PASSED: unanimous.

6. NEW BUSINESS

a. Receive Report from JEA & Associates

i. State Budget – Status/Overview

ii. Review Bill Track of Proposed Legislation Affecting FORA

iii. Recommendations Regarding Legislative Support

John Arriaga, JEA and Associates, reviewed FORA's positions on current legislation and discussed the state budget.

MOTION: Supervisor Potter moved, seconded by Mayor Pro-Tem O'Connell, to amend the 2013 FORA Legislative Agenda as follows:

- 1) amend FORA's position on AB 690 to "watch"
- 2) add AB 854 with a position of "watch"
- 3) amend FORA's position on AB 725 to "watch"

MOTION PASSED: unanimous.

b. Consider Letter of Support for AB 1080 (Assemblymember Alejo)

MOTION: Supervisor Potter moved, seconded by Mayor Rubio, to approve a FORA Legislative Committee letter of support for AB1080

MOTION PASSED: unanimous.

c. Consider Letter of Support for AB 229 (Speaker Perez)

MOTION: Supervisor Potter moved, seconded by Mayor Pro-Tem O'Connell, to approve a FORA Legislative Committee letter of support for Assembly Bill (AB) 229.

MOTION PASSED: unanimous.

d. 2013 FORA Federal Legislative Mission

Deputy Clerk Lena Spilman provided an update to the Committee on preparations for the annual FORA Legislative Mission to Washington, D.C.

4. b. 17th State Senate District (continued from above)

Nicole Charles reported that Senate Bill (SB) 106 had passed the state senate and was currently waiting for committee assignment in the state assembly. She indicated Senator Monning's top priority was the advancement of the CCCVC and stated his office would ensure that communication between all involved parties remained open to keep the project moving forward on schedule.

7. ANNOUNCEMENTS/CORRESPONDENCE

a. FORA Letter of Support for AB 946 (Assemblymember Stone)

b. FORA Letter of Support for SB 106 (Senator Monning)

c. FORA Letter of Support for Assembly Bill 730 (Assemblymember Alejo)

The Committee determined no discussion was needed on these items.

10. ADJOURNMENT

Mayor Edelen adjourned the meeting at 1:40 p.m.

Fort Ord Reuse Authority

2014 **DRAFT** LEGISLATIVE AGENDA

The purpose of this report is to outline 2014 Fort Ord Reuse Authority (FORA) legislative tasks. The FORA 2014 Legislative Agenda defines Board policy, sets legislative, regulatory or federal/state resource allocation positions, and supports the 1997 Base Reuse Plan's defined programs for replacing the former Fort Ord military regional economic contributions with comparable level civilian activity/programs. The Legislative Agenda is meant to assist state and federal agencies/legislative offices regarding property transfer, economic development, environmental remediation, habitat management/conservation, and infrastructure and mitigation funding. The order in which the tasks are presented herein does not imply rank or priority. Each item is considered a "priority" in achieving FORA's objectives.

A. VETERANS CEMETERY. Continue support for the California Central Coast Veterans Cemetery (CCCVC) development on the former Fort Ord.

ISSUE: Burial space for California Central Coast veterans is inadequate. The former Fort Ord is both ideally suited and centrally located. A site was set aside/designated in the 1990s for a veterans' cemetery and the FORA Board of Directors has supported by multiple previous actions establishment of the California Central Coast Veterans Cemetery (CCCVC). In 2011, the Legislature amended Military and Veterans Code section 1450.1 directing California Department of Veteran Affairs (CDVA), in cooperation with the City of Seaside, County of Monterey, FORA, and surrounding local agencies, to design, develop, and construct the Veterans Cemetery on the former Fort Ord.

In January 2013, the FORA Board authorized transfer of the land designated for the CCCVC to CDVA. In August, CDVA submitted an application to the U.S. Department of Veteran Affairs (DVA) for approximately \$6.8 million in grant funding to construct Phase I of the CCCVC. Senator Bill Monning authored legislation that reduced the approximate \$2.6 funding gap between the federal grant and estimated project costs by \$1 million dollars. Additional State funding efforts reduced the funding gap by another \$1 million. The David and Lucile Packard Foundation provided a \$350,000 loan and \$150,000 in grant funding. Local fundraising efforts produced the remaining portion, which allowed the state to accept the DVA grant funding by the October 15, 2013 deadline.

BENEFITS: The CCCVC would provide final resting spaces for the region's 50,000 (approximately) veterans.

CHALLENGES: Completion of the cemetery design and construction will require significant coordination between FORA, the CCCVC Foundation, the California Department of General Services (DGA), CDVA, and, potentially, other state entities. Grant processing delays resulting from the 2013 government shutdown furloughs are anticipated to impact the design, environmental review, and engineering work necessary to move toward construction in the coming fiscal year.

PROPOSED POSITION:

- Continue to support fundraising efforts for all phases of CCCVC construction, including ancillary facilities to repay loans to move the cemetery forward in 2013.
- Support efforts to sustain priority standing for the CCCVC with the CA and US Departments of Veterans Affairs.
- Support DGS and CDVA design and construction efforts.

- Promote continued vigilance and cooperation among the regulatory agencies.
- Coordinate with federal agencies, the 17th Congressional District, the 17th State Senate District and the 29th State Assembly District to sustain efforts to generate additional federal funding and/or status for future California Central Coast Veterans Cemetery phases.

B. NATIONAL MONUMENT. Assist in implementing the federal National Landscape Conservation System (Fort Ord National Monument) designation for the former Fort Ord Bureau of Land Management (BLM) Natural Resource Management Area through increased trails access, completion of munitions and explosives removal, and continued advancement of the Fort Ord Habitat Conservation Plan (HCP).

ISSUE: HCP approval and implementation are essential to former Fort Ord reuse and will support the National Monument. Advancing access connects the National Monument to other Monterey Bay venues. State and National funding and further recognition are critical.

BENEFITS: National attention to the unique flora, fauna and recreational resources found on the Fort Ord National Monument supports Fort Ord Habitat Management Plan and HCP preservation efforts. The National Monument designation emphasizes the national significance of the BLM's former Fort Ord property to potential donors and other funding sources. As an advocate for the designation, FORA supported the BLM mission and former Fort Ord recreation and tourism, helping BLM become more competitive for resources.

CHALLENGES: Each year, the local BLM office competes nationally to receive public and private grants and federal appropriations that support its mission.

PROPOSED POSITION:

- Continue support and work with the 20th Congressional District to introduce/sponsor funding for former Fort Ord conservation, trails, etc.

C. AUGMENTED WATER SUPPLY. Work with local and regional agencies to secure State and Federal funding to augment FORA's water supply capital needs.

ISSUE: The FORA Capital Improvement Program includes approximately \$45,000,000 to fund the Regional Water Augmentation Program necessary to implement the Base Reuse Plan. Securing outside funds to assist this requirement could help the timely implementation of the recycled water and desalination water facilities and smooth out upfront costs of infrastructure.

BENEFITS: Development permitted under the Base Reuse Plan depends on an augmented water supply. Additional grant funding could reduce the cost to Marina Coast Water District of securing water resources and reduce the hefty capital charges currently required.

CHALLENGES: Scare funding and competing water projects throughout the region and state. No current federal/state program exists for this funding.

PROPOSED POSITION:

- Support and coordinate efforts with Marina Coast Water District (MCWD), Monterey County Water Resources Agency (MCWRA), Monterey Regional Water Pollution Control Agency (MRWPCA), other agencies, and FORA jurisdictions to secure funding and/or to endorse the use of other fund mechanisms proposed for this purpose.
- Continue to work with MCWD to ensure that they fulfill their contractual obligation to FORA for water resource augmentation.

D. TRANSPORTATION IMPROVEMENTS. Work with the Transportation Agency for Monterey County (TAMC) and local jurisdictions to secure transportation funds.

ISSUE: The FORA Capital Improvement Program requires capital and monetary mitigations of more than \$112,000,000 for transportation infrastructure on and proximate to the former Fort Ord. Some of this funding requires a local, or other, match from the appropriate regional or state transportation body to bring individual projects to completion.

BENEFITS: The timely installation of required on-site, off-site and regional roadway improvements supports accommodating development impacts and maintaining and improving levels of service vital to the regional economy.

CHALLENGES: Applying scarce transportation funds to the appropriate projects to optimize transportation system network enhancements. Remaining federal and state programs offering grants or low cost resources are dwindling and increasingly competitive.

PROPOSED POSITION:

- Support and coordinate with TAMC, FORA jurisdictions, and others for state infrastructure bonds, federal authorization or other grant/loan/low cost resources.

E. BASEWIDE AND CSUMB BUILDING REMOVAL IMPACTS. Lobby for state funds to mitigate the regional impacts caused by development of California State University, Monterey Bay (CSUMB). Support requests for CSUMB campus impact mitigation funds and coordinate with CSUMB on requests for building removal and contaminant waste abatement.

ISSUE: In July 2006, the State of California Supreme Court ruled that California State University (CSU) must mitigate off-campus impacts from CSUMB campus development/growth. In order to fund its obligations, CSU requests funds from the State Legislature.

Contaminated building removal is a significant expense to CSUMB (\$26 million) and other former Fort Ord land use entities (\$43 million). A coordinated effort is more likely to achieve funding success. FORA and CSUMB have partnered on several building removal projects and continue to benefit from shared knowledge and cost savings. In both FY 2010-2011 and 2011-2012, FORA assisted CSUMB in grant funding applications to the Department of Defense Office of Economic Adjustment (OEA) for building removal efforts. In September 2013, FORA and CSUMB jointly prepared a Building Removal Business Plan OEA/US Economic Development Administration (EDA) grant application that would outline cost parameters and set forth terms to guide future removal of large multi-story concrete structures.

BENEFITS: Supporting state budget approval of off-campus mitigation impact funding requests helps address CSU's fair share contribution. Similarly, a coordinated effort to secure building removal resources will help all levels of the regional reuse program. Securing financial aid for basewide building removal obligations will improve the overall perception of reuse progress, increase safety by eliminating the attractive nuisance and ongoing vandalism, reduce the "cover" for illegal dumping, and remove potential exposure to certain contaminants within the structures.

CHALLENGES: CSUMB is only one in the 23-campus system – all seeking state capital and other funds. Competition for state funds will be keen and the federal government shutdown delayed consideration of federal business planning funding. The government shutdown also halted processing of the pending OEA/EDA grant. OEA/EDA is now restarting that review which may be awarded next quarter.

PROPOSED POSITION:

- Support state budget off-campus impact and building removal earmarks requested by CSU for the CSUMB campus and continue coordination with CSUMB for federal support.
- Support funding for research on the scope and scale of building removal as compares to others in the nation.
- Support funding to clear buildings in areas slated for development.

F. PUBLIC SAFETY OFFICER TRAINING. Work with the County of Monterey to assist Monterey Peninsula College (MPC) to obtain capital and program funding for its former Fort Ord Public Safety Officer Training Programs.

ISSUE: FORA/County agreed to assist MPC in securing program funds in 2003.

BENEFITS: The Public Safety Officer Training Program is an important component of MPC's Fort Ord reuse efforts and will enhance public safety training at the regional and state levels. Adequate funding is critical.

CHALLENGES: Funds available through the Office of Homeland Security, the Office of Emergency Services, or other sources may be restricted.

PROPOSED POSITION:

- Pursue legislative or other actions to support MPC efforts to secure funding sources.

G. HABITAT CONSERVATION PLAN (HCP). Continue/enhance ongoing coordination with Congressional and state legislative representatives to secure approval of the HCP.

ISSUE: HCP approval remains critical to former Fort Ord reuse. Alternatives to a basewide HCP are costly and time consuming and do not effectively serve the goal of managing or protecting endangered species.

BENEFITS: HCP approval is essential to protecting habitat and effectively developing jobs and housing for the region.

CHALLENGES: Processing the HCP over past ten years has been frustrating and costly. Insufficient federal and state agency resources and overlapping regulatory barriers have thwarted the HCP process. The federal government shutdown, and the resulting furloughs of US Fish and Wildlife and BLM employees, has also negatively impacted the document review process.

PROPOSED POSITION:

- Support legislative and regulatory coordination, state and federal resources, and strong advocacy to enable speedy reviews and processing.

H. REUSE FINANCING. Support statewide efforts to create local jurisdictions financing tools to assist reuse and recovery of former military bases.

ISSUE: The loss of "redevelopment financing" as a tool to implement base closure recovery was a heavy blow to FORA's member jurisdictions that need financial tools to support economic reuse/development initiatives.

BENEFITS: Sufficient funding resources for the reuse and recovery from former Fort Ord closure and other military bases. Funding support for habitat management protection, building removal, or other infrastructure demands associated with the reuse programs.

CHALLENGES: Obtaining agreement to use tax or special district funds to create special financing districts to support targeted economic recovery, affordable housing and/or infrastructure in the climate of limited resources. Currently, there is an unclear transition process regarding the demise of prior redevelopment agencies that may generate litigation.

PROPOSED POSITION:

- Support legislation reactivating local agency processes for economic development
- Support establishment of Military Base Reuse Recovery Zones

I. WATER BOND. Support efforts/proposal to adopt and submit to the voters the Safe, Clean and Reliable Drinking Water Supply Act of 2014.

ISSUE: The Act would enable \$11.14 billion in general obligation bonds to fund California's water infrastructure and to address environmental and water supply needs.

BENEFITS: The Safe, Clean and Reliable Drinking Water Supply Act of 2014, if adopted, may offer opportunity to add financing resources for surface, reclaimed or other water system infrastructure. This could reduce overall costs for replacing or building a network on the former Fort Ord.

CHALLENGES: There are multiple interests in securing such a Bond Act to support water infrastructure and it is unclear whether the resulting formula for access to such financing will help the Central Coast. As well, there may be fierce competition for the Water Bond Resources and opposition from taxpayer organizations and others.

PROPOSED POSITION:

Monitor efforts/proposal to adopt and submit to the voters the Safe, Clean and Reliable Drinking Water Supply Act of 2014 and support if the structure of the Bond Act meets with Central Coast needs and eligibility.

J. LEGISLATIVE COOPERATION. Coordinate efforts with other Monterey Bay agency legislative issues.

ISSUE: Monterey-Salinas Transit, Transportation Agency for Monterey County, and the County of Monterey have adopted legislative programs, some of which will have Fort Ord reuse impacts.

BENEFITS: Collaborative funding efforts by agencies involved in the same or interdependent projects will increase the chances to obtain critical funding and also be enhanced by partnering matching funds.

CHALLENGES: State and federal funding is limited and competition for available funds will be keen.

PROPOSED POSITION:

- Coordinate and support other legislative programs in the Monterey Bay area when they interface with former Fort Ord reuse programs.