



FORT ORD REUSE AUTHORITY

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SPECIAL LEGISLATIVE COMMITTEE MEETING

4:30 p.m. Tuesday, November 3, 2015

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

AGENDA

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

4. PUBLIC COMMENT PERIOD

Individuals wishing to address Board jurisdiction matters not on this agenda, may do so during this period for up to three minutes. Specific agenda item comments are heard under that item.

5. APPROVAL OF MEETING MINUTES

July 20, 2015 Legislative Committee Minutes

ACTION

6. BUSINESS ITEMS

a. 2016 Annual Fort Ord Reuse Authority Legislative Agenda

ACTION

7. ITEMS FROM MEMBERS

8. ADJOURNMENT

Next Meeting Date: TBD

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FORT ORD REUSE AUTHORITY

LEGISLATIVE COMMITTEE MEETING MINUTES

4:00 p.m., Monday, July 20, 2015
920 2nd Avenue, Suite A, Marina CA 93933

1. CALL TO ORDER

Chair Potter declared a quorum and called the meeting to order at 4:00 p.m.

Voting Members Present:

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

Voting Members Absent:

Mayor Pendergrass (City of Sand City)

Others Present:

Jon Giffen (FORA Authority Counsel)
John Arriaga (JEA & Associates-by phone)
Michael Houlemard
Robert Norris
Maria Buell
Lena Spilman

2. PLEDGE OF ALLEGIANCE

Pledge of allegiance was led by Chair Potter.

3. ACKNOWLEDGMENTS, ANNOUNCEMENTS AND CORRESPONDENCE

Mr. Houlemard introduced Ted Lopez, new Assistant Planner.

4. APPROVAL OF MEETING MINUTES

a. May 1, 2015 Legislative Committee Minutes

MOTION: Mayor Rubio moved, seconded by Mayor Edelen, to approve the May 1, 2015 minutes, as presented.

MOTION PASSED UNANIMOUSLY

5. PUBLIC COMMENT PERIOD

None.

6. NEW BUSINESS

a. Review of AB 113

John Arriaga provided a legislative update, and discussed the negative impact of this bill, namely the reimbursement portion and interest. He further added that this bill has already created a very divisive impact on California League of Cities. Mr. Arriaga responded to questions from members of the Committee. Mayor Rubio stated that City of Seaside stands to lose about \$3million. The Committee discussed this information and recommended submitting a letter of opposition to AB 113.

MOTION: Mayor Rubio moved, seconded by Mayor Edelen, to prepare a letter of opposition to AB 113. FORA Board approval of the proposed positions on current state

MOTION PASSED UNANIMOUSLY

b. Authorize letter of opposition to AB 113

Committee members reviewed the Draft letter in opposition to AB 113 and approved its submittal to Sacramento.

MOTION: Mayor Rubio moved, seconded by Mayor Edelen, to submit the draft letter presented in Opposition to AB 113.

MOTION PASSED UNANIMOUSLY

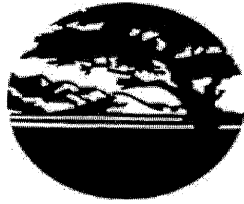
7. ITEMS FROM MEMBERS

None.

8. ADJOURNMENT

Chair Potter adjourned the meeting at 4:15 p.m.

DRAFT



Fort Ord Reuse Authority DRAFT 2016 LEGISLATIVE AGENDA

The purpose of this report is to outline 2016 Fort Ord Reuse Authority (FORA) legislative tasks. The FORA 2016 Report 's Legislative Agenda defines Board policy, sets legislative, regulatory or federal/state resource allocation positions, and supports the 1997 Base Reuse Plan's (BRP) defined programs and the 2012 BRP Reassessment report's 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. HABITAT CONSERVATION PLAN (HCP). Continue/enhance ongoing coordination with federal and state legislative representatives to secure approval of the HCP.

Issue:

HCP approval remains critical to former Fort Ord reuse. Alternatives to a base wide 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 the past ten years has been difficult and costly. Insufficient federal and state agency resources and overlapping regulatory barriers have thwarted the HCP process.

Proposed Position:

- Support legislative and regulatory coordination, state and federal resources, and strong advocacy to enable speedy reviews and processing.
- Coordinate with Department of Interior/ Bureau of Land Management (BLM), California Department of Fish and Wildlife (CDFW), the 20th Congressional District, the 17th State Senate District and the 29th State Assembly District to finalize an MOU between BLM and CDFW regarding habitat management on BLM's Fort Ord National Monument, a required milestone to completing the HCP.

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 trail 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 supports BLM's mission and former Fort Ord recreation/tourism, helping improve resource competitiveness.

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

C. ECONOMIC RECOVERY SUPPORT. Support statewide and regional efforts to create local jurisdiction economic recovery base reuse financing.

Issue:

The loss of "redevelopment financing" and other refinancing tools to assist in implementing base closure recovery programs was a heavy blow to FORA's member jurisdictions. Jurisdictional funding has dropped and substitute financial tools to support economic reuse/recovery initiatives are needed.

Benefits:

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

Challenges:

1. 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.
2. State funding sources remain unclear.

Proposed Position:

Support legislation, activating local agency processes for economic development.

- Support establishment of Military Base Reuse “Recovery Zones.”
- Support legislation for incentive based mechanisms to strengthen jurisdictions ability to implement base closure recovery programs.

D. 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 1990s for a veterans cemetery and the FORA Board of Directors supported through multiple previous actions the 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 establish the CCCVC. Senator Bill Monning authored legislation reducing the approximate \$2.6 million 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, allowing State to accept the U.S. Department of Veterans Affairs (USDVA) grant funding on October 15, 2013. The federal funds were disbursed to State on September 2014, and construction began in early 2015. Current funding supports CCCVC design, planning, and environmental review and incorporate above ground columbaria, administration and maintenance buildings, a committal shelter, minimal landscaping, and all necessary infrastructure for initial operation. Future expansion requires additional design, planning, and review and includes in-ground gravesites and additional columbaria, as well as other potential ancillary uses.

Benefits:

The CCCVC offers final resting places for the region’s 50,000 (approx.) veterans.

Challenges:

Completion of the cemetery construction will require significant coordination between FORA, the CCCVC Foundation, the California Department of General Services (DGS), CDVA, USDVA, the City of Seaside, the County of Monterey, and other state/federal agencies.

Proposed Position:

- Support DGS and CDVA construction efforts.
- Support efforts to sustain priority standing for the CCCVC with CDVA and USDVA.
- Promote continued vigilance and cooperation among the regulatory agencies.
- Coordinate with federal agencies, the City of Seaside, the County of Monterey, the 20th

Congressional District, the 17th State Senate District, and the 29th State Assembly District to sustain efforts to generate federal funding and/or status for future CCCVC expansion.

E. 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 \$24M to fund a Regional Water Augmentation necessary to implement the Base Reuse Plan. Securing outside funds to assist this requirement could help the timely implementation of recycled water and/or desalination water facilities and smooth out upfront costs of infrastructure.

Benefits:

Development projected under the Base Reuse Plan depends on an augmented water supply. Additional grant funding could reduce FORA and Marina Coast Water District (MCWD) cost to secure water resources and reduce the required hefty capital charges.

Challenges:

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

Proposed Position:

- Continue to work with MCWD to ensure that they fulfill their contractual obligation to FORA for water resource augmentation.
- Support and coordinate efforts with MCWD, Monterey County Water Resources Agency, Monterey Regional Water Pollution Control Agency, other agencies, and FORA jurisdictions to secure funding and/or support other funding mechanisms proposed for this purpose.

F. TRANSPORTATION IMPROVEMENTS. Work with 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 approximately \$121 million 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. Roadway infrastructure proximate to the former Fort Ord impacts traffic mitigation measures on the former Fort Ord.

Benefits:

The timely installation of required on-site, off-site, and regional roadway improvements supports mitigating 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. An adopted HCP is an application requirement for most federal and state transportation grant programs.

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

- Restart efforts to request amendment to Monterey County Local Coastal Plan (LCP) for safety improvements to Moss Landing/Castroville section of Highway 1.
- Advocate for approved regional improvements to maintain traffic flow and funding for transit improvements and active transportation.
- Continue/enhance ongoing coordination with congressional and state legislative representatives to secure HCP approval.

G. 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. MPC has yet to accept the property for the former Fort Ord projects.

Proposed Position:

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

H. 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.

FORA Legislative Report- Provided by JEA & Associates October 20, 2015

- AB 2** **(Alejo D) Community revitalization authority.**
Last Amend: 9/4/2015
Status: 9/22/2015-Chaptered by Secretary of State - Chapter 319, Statutes of 2015.
Summary: Would authorize certain local agencies to form a community revitalization authority (authority) within a community revitalization and investment area, as defined, to carry out provisions of the Community Redevelopment Law in that area for purposes related to, among other things, infrastructure, affordable housing, and economic revitalization.
Position
Support
- AB 35** **(Chiu D) Income taxes: credits: low-income housing: allocation increase.**
Last Amend: 9/10/2015
Status: 10/10/2015-Vetoed by the Governor
Summary: Would, for calendar years 2016 through 2021, inclusive, would increase the aggregate housing credit dollar amount that may be allocated among low-income housing projects by \$100,000,000, as specified. The bill, under the insurance taxation law, the Personal Income Tax Law, and the Corporation Tax Law, would modify the definition of applicable percentage relating to qualified low-income buildings that meet specified criteria.
Position
Watch
- AB 90** **(Chau D) Federal Housing Trust Fund.**
Last Amend: 8/31/2015
Status: 10/9/2015-Chaptered by Secretary of State - Chapter 686, Statutes of 2015.
Summary: Would designate the Department of Housing and Community Development as the state agency responsible for administering funds received by the state from the federal Housing Trust Fund. This bill would require the department to administer the funds through existing or newly created programs that produce, preserve, rehabilitate, or support the operation of rental housing for extremely low income and very low income households, except that up to 10% of funding may be used to support home ownership for extremely low income and very low income households.
Position
Support
- AB 113** **(Committee on Budget) Local government.**
Last Amend: 7/9/2015
Status: 8/26/2015-In committee: Hearing postponed by committee.
Summary: Current law dissolved redevelopment agencies and community development agencies as of February 1, 2012, and provides for the designation of successor agencies to wind down the affairs of the dissolved redevelopment agencies and to, among other things, make payments due for enforceable obligations and to perform obligations required pursuant to any enforceable obligation. This bill would provide that any action by the Department of Finance, that occurred on or after June 28, 2011, carrying out the department's obligations under the provisions described above constitutes a department action for the preparation, development, or administration of the state budget and is exempt from the Administrative Procedures Act.
Position
Oppose
- AB 206** **(Stone, Mark D) Student financial aid: California DREAM Work-Study Program.**
Last Amend: 4/14/2015
Status: 5/29/2015-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/28/2015)
Summary: Would, commencing with the 2016-17 fiscal year, establish the California DREAM Work-Study Program under the administration of the California State University and University of California to provide financial aid for students meeting its requirements
Position
Watch
- AB 238** **(Stone, Mark D) Telecommunications: California Advanced Services Fund**
Last Amend: 4/6/2015
Status: 5/1/2015-Failed Deadline pursuant to Rule 61(a)(2). (Last location was U. & C. on 4/7/2015)
Summary: Current law requires the Public Utilities Commission to develop, implement, and administer the CASF to encourage deployment of high-quality advanced communications services to all Californians that will promote economic growth, job creation, and substantial social benefits of advanced information and communications technologies, as provided in specified decisions of the

commission and in the CASF statute. This bill would define "broadband" for purposes of these provisions as advanced telecommunication services with specified advertised speeds.

Position

Support

AB 313 (Atkins D) Enhanced infrastructure financing districts.

Last Amend: 8/25/2015

Status: 9/22/2015-Chaptered by Secretary of State - Chapter 320, Statutes of 2015.

Summary: Would require, after the adoption of a resolution of intention to establish a proposed district, the legislative body to send a copy of the resolution to the public financing authority. This bill would revise the duties of the public financing authority after the resolution of intention to establish the proposed district has been adopted, so that the public financing authority, instead of the legislative body, will perform the specified duties related to the preparation, proposal, and adoption of the infrastructure financing plan and the adoption of the formation of the district.

Position

Support

AB 450 (McCarty D) Greenhouse gas: energy efficiency: financing.

Status: 7/17/2015-Failed Deadline pursuant to Rule 61(a)(10). (Last location was E.Q. on 5/14/2015)

Summary: Would authorize the use of the moneys in the Greenhouse Gas Reduction Fund to provide funding for the implementation of the PACE Reserve program. This bill contains other existing laws.

Position

Watch

AB 680 (Atkins D) Governor's Office of Business and Economic Development: duties.

Status: 5/29/2015-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/28/2015)

Summary: Would require GO-Biz to work in partnership with the California Travel and Tourism Commission to develop a plan to market the business and investment opportunities available in California to encourage business development and investment in this state. This bill contains other existing laws.

Position

Support

AB 935 (Salas D) Water projects.

Last Amend: 9/4/2015

Status: 9/11/2015-Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/10/2015)

Summary: Current law establishes in the Natural Resources Agency the Department of Water Resources, which manages and undertakes planning with regard to water resources in the state. This bill would require, upon appropriation by the Legislature, the department to provide funding for certain projects, provided that certain conditions are met.

Position

Support

AB 954 (Mathis R) Water and Wastewater Loan and Grant Program.

Last Amend: 7/6/2015

Status: 8/27/2015-In committee: Held under submission.

Summary: Would require the State Water Resources Control Board to establish a program to provide low-interest loans and grants to local agencies for low-interest loans and grants to eligible applicants for specified purposes relating to drinking water and wastewater treatment. This bill would create the Water and Wastewater Loan and Grant Fund and provide that the moneys in this fund are available, upon appropriation by the Legislature, to the board for expenditure for the program. This bill would transfer to the Water and Wastewater Loan and Grant Fund \$10,000,000 from the General Fund. This bill contains other related provisions.

Position

Support

AB 957 (Mathis R) Water Quality, Supply, and Infrastructure Improvement Act of 2014.

Last Amend: 3/26/2015

Status: 5/1/2015-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 4/6/2015)

Summary: The Water Quality, Supply, and Infrastructure Improvement Act of 2014 requires specified water recycling and advanced treatment technology projects to be selected on a competitive basis, considering specified criteria, including, among other criteria, water supply reliability improvement and public health benefits from improved drinking water quality or supply. This bill would include in the water supply reliability improvement criterion whether the project is proposed by a community that is

heavily dependent on groundwater from a basin in overdraft, and would include in the public health benefits criterion whether the project is proposed by a community that has extended, or is in the process of extending, its water service delivery to entities reliant on either contaminated groundwater or groundwater wells that have run dry.

Position
Support

AB 988 (Stone, Mark D) Outdoor Environmental Education and Recreation Grants Program.

Last Amend: 6/30/2015

Status: 8/28/2015-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 8/27/2015)

Summary: Would require the Department of Parks and Recreation to establish, on or before March 30, 2016, an Outdoor Environmental Education and Recreation Grants Program with the purpose of increasing the ability of underserved and at-risk populations to participate in outdoor recreation and educational experiences by awarding grants to public organizations, nonprofit organizations, or both. The bill would require the director to develop criteria, procedures, and accountability measures as may be necessary to implement the program and to administer the program to ensure that priority is given to underserved populations, as specified.

Position
Support

AB 1335 (Atkins D) Building Homes and Jobs Act.

Last Amend: 6/3/2015

Status: 6/4/2015-Assembly Rule 69(d) suspended. (Page 1903.)

Summary: Would enact the Building Homes and Jobs Act. The bill would make legislative findings and declarations relating to the need for establishing permanent, ongoing sources of funding dedicated to affordable housing development. This bill contains other related provisions and other existing laws.

Position
Support

AB 1390 (Alejo D) Groundwater: comprehensive adjudication.

Last Amend: 9/4/2015

Status: 10/9/2015-Chaptered by Secretary of State - Chapter 672, Statutes of 2015.

Summary: The Sustainable Groundwater Management Act, which applies to all groundwater basins in the state, all basins designated as high- or medium-priority basins by the Department of Water Resources as basins that are subject to critical conditions of overdraft, as specified, are required to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020. This bill would establish special procedures for a comprehensive adjudication, which is defined as an action filed in superior court to comprehensively determine rights to extract groundwater in a basin.

Position
Watch

SB 122 (Jackson D) California Environmental Quality Act: record of proceedings.

Last Amend: 6/1/2015

Status: 8/28/2015-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 7/15/2015)

Summary: CEQA establishes a procedure for the preparation and certification of the record of proceedings upon the filing of an action or proceeding challenging a lead agency's action on the grounds of noncompliance with CEQA. This bill would require the lead agency, at the request of a project applicant and consent of the lead agency, to prepare a record of proceedings concurrently with the preparation of a negative declaration, mitigated negative declaration, EIR, or other environmental document for projects. This bill contains other related provisions.

Position
Watch

Total Measures: 16
Total Tracking Forms: 16